

## Was There an Anglo-Saxon Royal Chancery?

By

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### **Introduction: Studies and Views on Anglo-Saxon Diplomatic and the Anglo-Saxon Royal Chancery (p. 335 – these page references are to the pagination of the original German)**

This question has already been dealt with in various ways. We would first like to pass on the views of the individual researchers with reference to the most significant publications and in chronological order<sup>1</sup>, with the aim of solving the still controversial question. In virtually every case these views are based on general observations.

First G. Hickes studied this problem in his “Dissertatio Epistolaris”, which followed on from Mabillon, although contradicted him with its anti-monastic trend<sup>2</sup>. He claims the existence of a “*curia*” or “*cancellaria*”. However, he rejects the idea of a chancery, which, even in Anglo-Norman times, was still supposedly insignificant<sup>3</sup>. His work, which formed part of linguistic research and could only have been produced with a minimal amount of material<sup>4</sup>, is in some respects still applicable today, yet it went unnoticed for a considerable time. Not until more than a hundred years later did J. Kemble publish the “Codex Diplomaticus”, an outstanding charter publication for its time, and one which, for the years 975 to 1066, has still not been replaced. The collection was compiled as a basis for legal and historical studies. The introduction gives a good analysis of the wording of charters, and shows that the charter does not name the scribe.

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<sup>1</sup> Only the most important publications can be listed here. We are therefore disregarding works such as B. Thorpe’s: *Diplomatarium Anglicanum*, which presents itself as being a fundamentally unimportant compilation.

<sup>2</sup> H. Breslau: *Handbuch der Urkundenlehre für Deutschland und Italien* (Manual of the Study of Charters for Germany and Italy). Leipzig 1912. I<sup>2</sup>, 28.

<sup>3</sup> G. Hicks, *Dissertatio Epistolaris in Linguarum veterum septentrionalium thesaurus grammatico-criticus et archeologicus*. Oxford 1703-05. Vol. 3. Diss., p. 46f.

<sup>4</sup> Hickes concentrated predominantly on the wills; as far as the charters were concerned, apart from a few exceptions the Exeter and Westminster archive was the only one available to him.

(p. 336) For this reason he came to the conclusion that there was no Royal Chancery<sup>5</sup>. After some considerable time there appeared the magnificent facsimile collection of “Ancient Charters”, which wanted to at least keep charters in this format for later years; furthermore the promotion of palaeographic studies was being considered<sup>6</sup>. Complementing this came the second, but not as good publication of the “Anglo-Saxon Manuscripts”, intended for the study of Anglo-Saxon history, language, life and law<sup>7</sup>. At this point there was no consideration of actual research into diplomatic.

The legal historian H. Brunner studied in essence the legal significance of the charter. As with Kemble he based his comprehensive study of the nature of the “Land Book”<sup>8</sup> on the printed text. He is also of the opinion that there was no Royal Chancery<sup>9</sup>. Actual diplomatic studies were first undertaken by J. Aronius, albeit only as preliminary work for a more in-depth study of the period up to 839. He also registered the charters solely according to their wording, yet proved the absence of a chancery<sup>10</sup>. His bemoaning the lack of an accurate, modern version of the charters<sup>11</sup> was soon rectified by the appearance of the “Cartularium Saxonicum”<sup>12</sup>. Unfortunately this work is interrupted by Eadgar’s death (975) and remains a fragment with respect to the index and details of the suspect documents, although Kemble had also undertaken useful preliminary work here. The writer takes no stance on diplomatic issues. In the meantime J. Earle had published his “Hand-Book” to the purpose of “*discrimen veri ac falsi*”, most certainly in order to be able to research into the history. However, attempts are still being made on the basis of reliable printed texts to establish by comparison what is actually fact. Earle also highlights the use of facsimiles, with whose help one can determine from the script-type whether or not a charter fits in the context of the period it purports to be from.

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<sup>5</sup> J. M. Kemble, *Codex Diplomaticus Aevi Saxonici*. London 1839-48. 6 volumes (Quot. C. D.) See Introduction, pp. 25 and 91.

<sup>6</sup> Facsimiles of Ancient Charters in the British Museum, ed E. A. Bond, 4 pts., London 1873-78.

<sup>7</sup> Facsimiles of Anglo-Saxon Manuscripts, ed W. B. Sanders, Ordnance Survey Office, Southampton, 1878-84. 3 pts.

<sup>8</sup> The charters, which, almost without exception, dealt with the transfer of land, were given the name of “Landbook” (land-boc) by the Anglo-Saxons.

<sup>9</sup> H. Brunner, *Zur Rechtsgeschichte der römischen und germanischen Urkunde*, (Legal history of Roman and Germanic charters) Berlin 1880, p. 158 f. and 161 f.

<sup>10</sup> J. Aronius, *Diplomatische Studien über die älteren angelsächsischen Urkunden* (Diplomatic studies on the older Anglo-Saxon charters). Diss. Königsberg 1883, pp. 12, 19, 22, 27, 31, 40 and others.

<sup>11</sup> Aronius, loc cit, p. 10.

<sup>12</sup> W. De Gray Birch, *Cartularium Saxonicum*, London 1885-93. 3 Vols. (Quot. C. S.).

He also upheld the (p. 337) tradition that the charter was the means of studying the *early history of property, society and institutions* and of exploring the language<sup>13</sup>. Like Kemble he also rejects the idea of a chancery<sup>14</sup>.

Then W. H. Stevenson's essay was published, the first to draw conclusions from the comparison of diplomatic. He comes to the conclusion that, since Aethelstan's time (924-940), either a chancery or, as there was still no name, a royal "*scriptorium*" drew up the charters<sup>15</sup>. Thus, with the interest in the charter, even Hicke's old thesis was reconsidered alongside Kemble's, which had exclusively prevailed in the 19<sup>th</sup> Century. However, at virtually the same time, F. Maitland was examining the legal quality of the handed-down land as well as the legal significance of the consensus. In the general work that he undertook he once again holds the view that the charter was produced by the recipient via the ecclesiastical scribe<sup>16</sup>. He established various periods in the development of consensus law of the Anglo-Saxon Greats. H. Hall then took over this division and applied it to the development of the Anglo-Saxon charter in general, deciding on four developmental phases. His "studies" summarise everything known up to that point about the Anglo-Saxon charters and these are discussed generally with respect to their inner characteristics. He describes the Anglo-Saxon charter as a *religious and local product*<sup>17</sup>, after he has first expounded the uncertainty of the chancellor title from the time of Edward the Confessor (1042-1066), which had been generally accepted as true since Stubbs. Following this the comparison of diplomatic phrases concerns the study of charters put together with similar wording and diplomatic formulae.

Shortly before this K. Brandi, in his review of the Royal Charters, had given a clear insight into the demand for application of the Sickel method by indicating, amongst other things, that insular and continental science were not working sufficiently together in the field of diplomatic;

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<sup>13</sup> J. Earle, *A Hand-Book to the Land-Charters, and other Saxon Documents*. Oxford 1888. See V and XIV.

<sup>14</sup> Earle, *loc cit*, see XVII.

<sup>15</sup> W. H. Stevenson, *An Old-English Charter of William the Conqueror in Favour of St. Martin's le Grand London, A. D. 1068*. In *English Historical Review* XI, pp. 731 ff. London 1896. See esp., p. 732 and Note 1. In this analysis Stevenson suggests further that the Norman dukes did not possess a chancery. C. H. Haskins (*Norman Institutions*, p. 53) pronounces this with certainty and indicates the customs of the Anglo-Norman Chancery as being an Anglo-Saxon tradition.

<sup>16</sup> F. W. Maitland, *Domesday Book and Beyond, Three Essays in the Early History of England*. Cambridge 1897, pp. 226-264, see p. 243.

<sup>17</sup> H. Hall, *Studies in English Official Historical Documents*. Cambridge 1908, p. 177 and before this p. 163 ff.

at the same time he proposed the necessary (p. 338) continuation of the Aronius; yet he also rejected the existence of a Royal Chancery<sup>18</sup>.

Some subsequent studies, based again exclusively on the diplomatic, state that the charter for them is only a means and not an end in itself. The publisher of the Anglo-Norman registers holds Stevenson's standpoint<sup>19</sup>. L. Larson believes that since Aethelred at the earliest (979-1016) there is evidence of a chancery introduced from Normandy<sup>20</sup>. F. Liebermann speaks against the idea of a chancery in his publication "The National Assembly"<sup>21</sup>.

H. Bresslau summarises the evidence in his essay based on extensive knowledge of the chanceries and their customs, according to which *even the Danish conqueror already had a chancery-type organisation at his court*<sup>22</sup>. Furthermore he drew attention to an "unambiguous" section of a letter from Lupus von Ferrières and used by Lappenberg in his English history, which names a chancery clerk for the government of King Aethelwulf (839-858)<sup>23</sup>. Despite this M. Treiter, completely dependent on Hall and Kemble, expressly describes the Anglo-Saxon charter as being produced by the recipient<sup>24</sup>. In his work he divided the charters precisely into periods. His charter concordance is extremely useful, offering every detail required for initial orientation; unfortunately the dependency mentioned is also embarrassingly noticeable here.

The decisive step soon followed. A. Hessel tackled the most secure point while only incidentally stating his opinion with respect to our question.

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<sup>18</sup> K. Brandi, Facsimiles of Royal and other charters in the British Museum in Göttinger Gelehrte Anzeigen 1905 (a Göttingen scholars' publication), p. 955 ff., see p. 956. Unfortunately he did not use the critical word.

<sup>19</sup> H. W. C. Davis, Regesta Regum Anglo-Normannorum (with assistance of R. J. Whitwell.) Oxford 1913, I, XI ff. For a critique of their versions, which are very questionable in parts, see Bresslau, Beziehungen (relationships) in A. f. U. VI, p. 52 Note 9.

<sup>20</sup> L. Larson, The King's Household in England before the Norman Conquest, in Bulletin of the University of Wisconsin History Series I, 2. Madison, Wisconsin 1904, pp. 143 and 196.

<sup>21</sup> F. Liebermann, The National Assembly in the Anglo-Saxon Period. Halle 1913, pp. 25, 32 and 74.

<sup>22</sup> H. Bresslau, International relationships in the drawing up of Charters of the Middle Ages, in the A f U (Archive for Charter Research) VI, pp. 44-58, Leipzig 1918, p. 52. (Later this is quoted only under loc sit)

<sup>23</sup> H. Bresslau, loc sit, p. 51: "... postquam vestrum in dei cultu fervorem ex Felice didici, qui epistolarum vestrarum officio fungebatur..." (M. G. Epp. VI, 22).

<sup>24</sup> M. Treiter, Die Urkundendatierung in angelsächsischer Zeit nebst Überblick über die Datierung in der Anglo-Normannischen Periode (The Dating of Charters in Anglo-Saxon Time together with an overview of their dating in the Anglo-Norman period), in A. F. U. VII, pp. 53-160. 1921 see p. 55 completely clear: "The Anglo-Saxon Charter is in every respect recipient produced..."

By comparing script-types he found evidence of two scribes (p. 339) who composed several charters for different recipients<sup>25</sup>. This paved the way for a diplomatic Sickletype study, the foundation for the current work, for which we have A. Hessel to thank<sup>26</sup>.

The view that there was a chancery has recently been held both by B. Wilkinson<sup>27</sup>, probably without knowledge of Hessel's work, and F. Kirn<sup>28</sup>. Recently, in his brief explanation, where he rejects Brunner's version of the land book, H. Hazeltine endorsed L. Larson's view<sup>29</sup>.

In addition to these studies, which consider charters extensively, we also have works that handle the issue in a purely historical context. Some of these also deserve a mention in our examination.

When G. Philipps attempted to portray the history of Anglo-Saxon law, he also touched on the "*cancellarius*". He presumes that this court appointment came to England through the connection with the Franconian court. Furthermore he knows that there were several notaries under the chancellor who were also called secretaries<sup>30</sup>. J. Lappenberg, who has already been mentioned, also agrees with the historians of the 18<sup>th</sup> and early 19<sup>th</sup> Centuries who believed in the existence of a royal chancery<sup>31</sup>. J. R. Green had the issuers of charters start with Knut.

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<sup>25</sup> A. Hessel, Studien zur Ausbreitung der karolingischen Minuskel, (Studies on the increasing use of the Carolingian miniscule), in A. f. U VIII, pp. 17 ff. Berlin-Leipzig 1923.

<sup>26</sup> At this point I would like to express my most sincere thanks to Professor Hessel for his constantly helpful participation in the progress of this work, together with Mr Geh. Rat Brandi, Professor Hecht and Professor Schramm for their stimuli, which was necessary to the organisation of the study.

<sup>27</sup> B. Wilkinson, The Chancery under Edward III, in Publications of the University of Manchester, Historical Series 51, p. 2.

<sup>28</sup> F. Kirn, Zum Problem der Kontinuität zwischen Altertum und Mittelalter, (The problem of continuity between antiquity and the Middle Ages), in A. f. U. X, p. 137. Berlin 1930.

<sup>29</sup> D. Whitelock, Anglo-Saxon Wills, in Cambridge Studies in English Legal History 6, Cambridge 1930. See p. XXIX ff. of the Preface by H. Hazeltine, especially p. XXXII, n. 3. His view of the character of the landbook can be summarised as follows: "...that the land-book was used, like the *sod taken from the land, merely as a symbol which represented the land...*" and "*Since the pressure of Germanic custom in Anglo-Saxon days made for orality... the land-book...was...a document which merely evidenced a German oral transaction that was complete without a writing.*" (For a critique cf. H. Meyer, Z. f. RG., G. A. Vol. 51, p. 695 f.)

<sup>30</sup> G. Philipps, Versuch einer Darstellung der Geschichte des angelsächsischen Rechts (An attempt to portray the history of Anglo-Saxon Law), Göttingen 1825, p. 47 and Note 249. The references quoted by him are now, since Hall, untenable. Without specifying a reference he states on p. 78, Note 250: "*Turketulus, Abbot of Croyland, as he was to become, nephew of Edward the Elder, was King Edred's Chancellor before he joined the clergy.*" (From Ingulph or Spielmann, Glossarium, p. 105: De Cacellario apud Anglo-Saxones, which contains a whole list of Anglo-Saxon Chancellors.)

<sup>31</sup> J. M. Lappenberg and R. Pauli, Geschichte von England (History of England), 5 Vols. Hamburg 1834-58. Vol. I, p. 566 (after Philipps)

(p. 340) The view came from him that only since Edward the Confessor (1042-1066) had there been an organised chancery, as the Chancellor was not named in the charters until his time<sup>32</sup>. W. Stubbs supported the theory of production by the recipient in his book on constitutional history<sup>33</sup>, still used as a benchmark today. W. Keller<sup>34</sup> and O. Homburger, who mention the chancery issue briefly in their palaeographic studies, also hold the same opinion. Homburger also points out that, for certain periods, recipient production can be proved by analysis of script-types which belong to various writing schools<sup>35</sup>. Finally, a mention should be made here of H. W. Stevenson's letter, which was communicated by Kügler. Stevenson states here quite clearly that "royal clerks" had been writing charters since Aethelstan's time<sup>36</sup>. (The earlier opinion of Stevenson, which is to be found in the "Crawford Collection"<sup>37</sup>, has been overtaken by the latter.)

Of greatest significance are the works of P. Vinogradoff, which finally made clear the legal quality of the folk-land and boc-land mentioned in the charters<sup>38</sup>. According to their content nearly all charters are concerned with land transfer. – Besides Vinogradoff we must also consider F. Maitland.

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<sup>32</sup> J. R. Greene, *The Conquest of England*, London 1899, 2 Vols. The same edition of 1883/4 was used here. Vol. II, p. 544.

<sup>33</sup> W. Stubbs, *The Constitutional History of England*. Reprint Oxford 1926. 3 Vols., see I, p. 264 and p. 380 n. 1.

<sup>34</sup> W. Keller, *Angelsächsische Paläographie*. Anglo-Saxon script with particular consideration for the monuments in colloquial language, in *Palästra* 43, Part I, p. 32, Berlin 1906.

<sup>35</sup> O. Homburger, *Die Anfänge der Malschule von Winchester im X. Jahrhundert*. (The start of the Winchester painting school in the 10<sup>th</sup> Century). In *Studien über christliche Denkmäler*, (Studies of Christian monuments). 13<sup>th</sup> Book. Leipzig 1912, p. 39, n. 4.

<sup>36</sup> H. Kugler, *Ie und seine Parallelformen im Angelsächsischen* (Ie and its parallel forms in Anglo-Saxon). Diss. Berlin 1916, p. 10. The letter mentioning the few important points states:

*"It is quite clear that after the union of the Kingdom under Aethelstan the royal chancery (if we may use the form) was in possession of fixed formulas and methods of drawing up charters. This favours the view that the actual scribes of the charters would be royal clerks.*

*The invariable use of West Saxon in the charters, even outside Wessex proves that there was a chancery language and that militates against the theory that the charters were drawn up by the recipients. West Saxon was not only the chancery language but also the literary language, so that the last argument is perhaps not a conclusive one. Already in Aethelstan's time we find charters in the Hand of one and the same scribe in different parts of England. In this case the inference seems unavoidable that the writer was a royal clerk."*

<sup>37</sup> A. S. Napier and W. H. Stevenson, *The Crawford Collection of Early Charters and Documents*, in *Anecdota Oxoniensia, Mediaeval and Modern Series Part VII*. Oxford 1895. See Preface IX, n. 1.

<sup>38</sup> The essays that are scattered around are nowadays best accessible in the Posthume Edition: *The Collected Papers of Paul Vinogradoff*, with a Memoir by H. A. L. Fisher, Oxford 1928. Herein the following essays: a) *Folkland* in Vol. I, 91-111 from E. H. R. VIII, 1-20, 1893; b) *Romantische Einflüsse im Angelsächsischen Recht* (Romantic Influences in Anglo-Saxon Law): *Das Buchland* (The Bookland) in Vol. I, 168-191, from *Mélange's Fitting II*, 501-522. Montpellier 1908.

The monumental work for this, as with all (p. 341) legal issues, was however, undertaken by F. Liebermann with his *Laws of the Anglo-Saxons*.<sup>39</sup>

Nearly all studies consider only the printed texts as a means of solving other problems, predominantly of a legal character. Precise charter research was indicated only by K. Brandi, A. Hessel and W. H. Stevenson. We thus find ourselves in an area almost completely untouched.

The current study will now apply the Sickle method of charter research to the Anglo-Saxon charters. The aim is to find an answer to the question specified in the title that will apply to a shorter period of time. An exhaustive investigation into the nature of Anglo-Saxon charters must naturally be left to English research.

The external appearance of charters determines the period of the start of our study<sup>40</sup>. Before Aethelstan's reign there were no rules at all. We find the *carta transversa* beside the lengthwise written charter (*i.e.* written in landscape and portrait formats, respectively). The text body is without structure. There are no majuscules for accentuation, hardly even an enlarged minuscule. The continual text also covers the start of the witness list. Since Aethelstan there has been a fixed schema that is continually passed on. Although the first scribe, Aethelstan A (see below), writes the text completely coherently, he also writes the first witness names with their signatures into the context. However, it was he who started the lengthwise (*i.e.* portrait) form of the charter, later the only one to be used; he also accentuated the individual sections of the charter by using capitals, visually distinguishing the text of the Anglo-Saxon boundary clause text from the remainder. The witness-list is divided into columns of the same length, one exactly beneath the next (see *Anc. Charters*, III, 3 and 5). Aethelstan C gives the charter its final, clear structure, dividing the final protocol (dating clause and witness-list) into two individual parts separated from the context, which is arranged by initials (see *Anc. Charters*, III, 10). The Anglo-Saxon part now frequently starts with a new line. The parchment is always lined.

The end of the study is determined by the material available. As the last usable originals date back to the 60s of the 10<sup>th</sup> Century; above all the “*Cartularium Saxonicum*” finishes with Eadgar's death (975). The study thus covers the highpoint of the rule of Anglo-Saxon kings from 925 to 975<sup>41</sup>.

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<sup>39</sup> F. Liebermann, *Die Gesetze der Angelsachsen* (The Laws of the Anglo-Saxons), Halle 1903-1916. 3 Vols. Herein Vol. II, pt. 2 Glossary.

<sup>40</sup> The following details are based solely on an examination of the “Facsimiles of Ancient Charters”. However, this is the decisive version even for the charters of the early period.

<sup>41</sup> Th. Hodgkin, *The Political History of England to 1066*, p. 318f. London 1920. In W. Hunt and R. L. Poole, *The Political History of England*, 12 Vols.

## 1. Anglo-Saxon Script in the 10<sup>th</sup> Century up until Eadgar's Death (p. 342)

Hss.<sup>42</sup>:

Beginning of 10 <sup>th</sup> Century	New. Pal. Soc. 6-8	Wessex (?) 890 – 897
	New. Pal. Soc. 134	Winchester
	New. Pal. Soc. 187	
From ca. 935-950	New. Pal. Soc. II, 62	Winchester (probably)
End of the 950s	Pal. Soc. I, 240	
	New. Pal. Soc. 9	Wessex (probably)
Eadgar's time:		
Anglo-Saxon.	New. Pal. Soc. 135	Winchester
	New. Pal. Soc. 210	
Latin	Pal. Soc. I, 46	Winchester
	Pal. Soc. I, 142-144	Winchester
	New. Pal. Soc. 83	Winchester

Charter script, which does not differ from the script used for books<sup>43</sup>, is the familiar Anglo-Saxon pointed script. Particular characteristics include the triangular thickenings, especially noticeable at the left upper end of the ascender, but also where there are other vertical strokes, as well as numerous descenders tapering to a point. Some rump letters<sup>44</sup>, especially *t*, have a point-shaped end of the main stroke, which is why Thompson calls the script “*pointed*”<sup>45</sup>. The letters are longer rather than wide, comparatively small and close together<sup>46</sup>. The letters *f*, *p*, *r* with their descenders and the *z* with its horizontal head give the alphabet its character.

At the start of the 10<sup>th</sup> Century the shafts lose their needle-sharp points<sup>47</sup>, but do still taper to a point. The individual letters are moving apart and taking on a more defined shape. The writing is noticeably more regular, but at the same time more angular and stiffer. The hair strokes and main strokes are becoming similar in thickness, often so wide that an even thickness of all strokes and curves is mostly achieved.

<sup>42</sup> These charters are dealt with both in the general discussion and under each individual scribe.

<sup>43</sup> E. M. Thompson, *An Introduction to Greek and Latin Palaeography*, Oxford 1912, p. 505. For the 10<sup>th</sup> Century in particular, p. 512: “*From this time onward (904) there is but little distinction to be observed between the Anglo-Saxon script as shown in the charters and the same written as a bookhand*”. See also W. Keller, loc cit, Preface and p. 32.

<sup>44</sup> By rump letters we mean the small letters written between the second and third lines i.e. without joining elements or shafts.

<sup>45</sup> Thompson, *Introduction*, p. 386.

<sup>46</sup> Fr. Steffens, *Lateinische Paläographie*<sup>2</sup>, (Latin Palaeography) Trier 1909. Introduction, p. XIV.

<sup>47</sup> W. Keller, loc cit, p. 24.



(p. 343) The *l*, so typical of the handwriting of the 9<sup>th</sup> Century, stretching under the following short letters, usually the *i* or *o*, disappears. The scripts of the 10<sup>th</sup> Century are characterised by the angular, u-shaped *a*<sup>48</sup>. The left curve is broken and flattened off at the top so that this *a* appears to consist of four strokes. The same shape is also used for the upper part of the letter *q*. *C* and *e* flatten off the upper rounding of the main stroke. The straight strokes of *m* and *n* are equally thick or are becoming somewhat thinner, the latter bending frequently inwards. In Anglo-Saxon we usually find the crossed-through ð, seldom the rune þ.

During the 30s the writing becomes squarer. The individual letters are growing and all are well proportioned. The writing is thus gaining a light and elegant appearance. Letters and words fit together with appropriate spacing. – Majuscules now appear more frequently in the text. Descenders are leaning slightly to the left. Typical of this period are the high head curves of the tall *e*. We are also frequently encountering a high *a*, previously rarely used as a capital. This *a* lengthens the right-hand stroke high above the loop and ends it with a curve to the left. Occasionally we are still finding a straight *d*, whose bowl has the *a* form. In the charters the rune þ has virtually superseded the crossed-through ð.

Under Eadwig<sup>49</sup> the writing becomes broader and heavier, already showing a tendency to a rounder shape. The descenders are virtually losing their noticeable point. In the scripts of this period we also encounter amongst other things a *cc*-shaped *a*, with which we are familiar from the alphabet of the earlier Anglo-Saxon inscribed monuments<sup>50</sup>.

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<sup>48</sup> E. M. Thompson, *The History of English Handwriting* in *Transactions of the Bibliographical Society* V., London 1901, pp. 109-142 and pp. 213-253, see p. 235.

<sup>49</sup> As the dating of the script is uncertain we base our versions for this era mainly on the charters.

<sup>50</sup> This hooked “*a*” or “double-c-shaped *a*” (Keller, loc cit, p. 35) we find as early as in the Book of Kells (see Thompson Introduction Table 135), the pre-stage of the virtually identical Anglo-Saxon “rounded Half-uncial”, the best example of which is to be found in the Lindisfarne Gospels (Introduction No. 140). This letter-form appears again e.g. in the Canterbury Gospels in the late 8<sup>th</sup> Century (Introduction no. 141). The “*n*” and “*r*” are also similar to those of this script. The letter-forms are also to be found in the charters with the same script-type, such as the Facsimiles of Ancient Charters II, 2 and II, 3. The hands from the end of the 8<sup>th</sup> Century still, however, use other letter-forms, which appear to be typical of the time of Eadwig or shortly before. These include the raised “*a*” and “*e*”, a straight “*d*” and round “*s*” within the word (see also: Ancient Ch. II, 5). After this it seems fairly certain that the scribes of the 10<sup>th</sup> Century took the late Hss. of the “rounded Half-uncial of Anglo-Saxon type” as a template (see Keller, loc cit, p. 25). For the time up to Eadwig, however, due to the absence of the particularly characteristic “*a*”, “*r*” and “*s*”, we are unable to say this for certain, as we can for during Eadwig’s time, where there is similarity to the broad, heavy script of the old Insular Half-uncial. Also to be taken into consideration here is the fact that there are too few handwritten documents and charters to enable us to make a generalisation, as we probably have to assume that this is a peculiarity of a certain writing school i.e. Winchester; for here lies the origin of virtually all the material for our period up to beyond the middle of the century.

The  $\alpha$  becomes more (p. 344) frequent towards the end of the century. The  $r$  sometimes resembles the  $n$ , as the shaft stretches only slightly downwards. The majuscule- $S$ , previously used only occasionally as a capital, is occurring frequently now as a small letter within the body of the word.

It is during Eadgar's time that the most significant event occurs in the development of scripts, the start of the Caroline minuscule in the wake of the Benedictine reform. Initially scribe Eadgar A's writing assumes a Carolingian-type character, although only the  $a$  is adapted completely to the Caroline minuscule form (see Anc. Charters III, 22). Yet as early as 961 we encounter a hand using only the Caroline minuscule, namely in the broad, heavy form of the 10<sup>th</sup> Century<sup>51</sup>. The letters have minimal ascenders and descenders. The latter finish broadly and are frequently intersected by a fine cross-stroke. The ascenders thicken somewhat towards the top. The width of the rump letters stands out in particular.

The Caroline minuscule does not, however, completely take over; Anglo-Saxon handwriting (*i.e.* Insular script) continues alongside. However, it is changing its character noticeably. It is gradually becoming rigid. The beautiful proportions are disappearing. The upper and lower shafts are becoming longer and evenly thick, resulting in the descenders finishing broadly. The letters are becoming closer together again and being written with less care. The triangular thickenings are disappearing; instead small upstrokes are appearing<sup>52</sup>. The writing is bare and stark, with Thompson referring to it as "*lean*"<sup>53</sup>. The  $a$  is mostly rounded, the high  $e$  virtually disappearing. The high  $a$  and straight  $d$  are no more. The main strokes of the  $m$  and  $n$  are consistently broken or thickened bottom right. The writing may be called "Rustica" in comparison with the ornamental Anglo-Saxon writing of around 940.

Both scripts are now being used side by side. The Caroline minuscule is gradually superseding the Anglo-Saxon script for use in Latin text, finally taking over completely at around the end of the 11<sup>th</sup> Century.

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<sup>51</sup> Hessel, loc cit, p. 17f. – The Kellersche Annahme (Keller's assumption), Anc. Ch. III, 17 contains the oldest example of the Caroline minuscule and was rejected by so many (Hessel, loc cit, p. 19, n.2) as here only once attention has to be paid to the overlooked categorisation by the publisher of the facsimiles, which dates the charter as being 11<sup>th</sup> Century (Preface, IV, 7). We thus have the earliest hand in Anc. Ch. III, 23.

<sup>52</sup> The upstrokes are found frequently with French scribes of that time (Hessel loc cit, p. 18).

<sup>53</sup> Although Thompson applies this to the handwriting of the 11<sup>th</sup> Century (Introduction, p. 398), this term is also valid for most scripts from the sixties of this century.

(p. 345) In our period the minuscule is written almost exclusively in Winchester and the reform circle dependent on it. Under their influence beautiful Anglo-Saxon handwriting is still occasionally appearing. One good example can be seen in the *Salisbury Psalter* (Pal. Soc. 189). The writing is similar in thickness to the Caroline minuscule, from which the *a* is occasionally borrowed. The letters are somewhat rounded, but remain tightly together, and they all have a vertical axis. The ascenders and descenders are shortened. The upper shafts have a slight triangular thickening. All letter-forms demonstrate beautiful proportions. We are now rarely encountering a high *e* in the text, whereas the round *s* is very frequent within the body of the word.

At around the end of the century the various influences of the minuscule can be established for different locations, with several writing schools being recognisable<sup>54</sup>.

We will now move on from a general observation to a more detailed examination of the characteristics of the individual scribes.

## 2. Comparison of the script of the charters of Aethelstan A (p. 345)

Charters: Anc. Ch III, 3 & 5

The script of Aethelstan A is heavy and angular. The letters are small and close together. They are not written delicately or carefully as we find later on, in fact several are rather stunted. As this script also lacks any regularity, it is less calligraphic. – The vertical strokes on the left side all have a broad triangular thickening at the top end. With the descenders of *f*, *r* and *s* the thickened end leans slightly towards the left.

The general impression that this is of the same hand is reinforced by the similar composition of individual letter-forms, even though there are isolated deviations, which we can assume arose from the three-year gap between them.

The pictorial invocation of both charters is a cross consisting of a main stroke, thinning and curving outwards to the right and with a thickening top left. A thick horizontal bar inclining slightly to the right and up, cuts through the shaft above the centre. – The crosses in front of the witnesses' names, which are positioned on a vertical line (see Anc. Ch. III, 5 Col. 2), all resemble that initial cross. (During this period there is no 'signature writing'<sup>2</sup>.) The irregular horizontal stroke runs at times horizontally, at times resembling a wavy line.

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<sup>54</sup> We refer here, for example, to the Sherborne Pontifical (New. Pal. Soc. 111 and 112) as well as the Canterbury Psalter (New. Pal. Soc. 163 and 164).

<sup>2</sup> Bresslau did not want to solve the question decisively, yet one can reject with Earle the fact that the crosses were handwritten. See Bresslau loc cit, p. 46 and n 4 (supported by K. Brandi) and Earle loc cit, Introduction XXXVI.

(p. 346) Both originals start with an enlarged minuscule *f*. On the second line from the bottom the shaft is cut by a curved line. At the top it curves to the left. From this curve a small, thick curve bends to the right.

The uncial *S* (capital letter) has thin curved lines, the centre axis is very strong. The curve ends thicken to both sides and end in a final stroke.

Highly characteristic is the open *a* set above the numbers of the date: two small, thick parallel strokes, the right one of which bends up to finish in a high curve.

Individual letter-forms also point towards this being written by the same hand.

*a* consists of two vertical parallel strokes connected by horizontal lines, flowing to the right. Every now and then the right main stroke extends beyond the higher horizontal line.

*b* transforms the curve into a loop, pointed at the bottom and relatively wide at the top.

*c* - the upper curve of the main stroke is flattened to make it slanted. This slant has a point at the end, facing inwards.

*d* is always uncial.

*e* has lost almost every curvature. At the bottom the shaft curves at an acute angle to the right. The top, flattened as it is with the *c*, forms a parallelogram with the tongue, which joins to the next letter, as long as there is a starting point such as a horizontal line or triangular thickening. With this ligature the head is not much higher.

*i* is conspicuous by its wide triangular thickening embracing the complete top half of the main stroke. This *i* also forms the initial stroke of *m* and *n*. The following strokes end pointedly and usually curve inwards. They appear to fade away.

*o* starts with a main stroke from which a curve flows to the right. This means it stands at the top.

*q* has replaced its bowl with the *a*, so the letter appears rigid.

*t* - the left end of the horizontal stroke is heightened with a small slanted stroke.

*x* has a thick side which runs from top left to bottom right, with its point of intersection at right angles. In the centre it is cut by the other, thinner side, which passes slightly above the point of intersection with its end point, but then curves down far to the left, forming a small bulge to the left. The bottom end also tapers to a point.

The rune *þ* has a right-angled triangle on the right side, which sits just below the upper shaft-end.

The ligatures *sp* and *st* use the high *s*, which otherwise no longer occurs.

(p. 347) The *s* has a descender that curves outwards to the right and an upper curve which is weak and flattened as with the *c*.

Two characters, which can normally always be used to determine the identity of the scribe, differ here.

*g* - In Anc. Ch. III, 3 this has a long horizontal stroke, at the right end of which the descender starts. The end is open. In Anc. Ch. III, 5 the cauda starts further to the left end of the horizontal stroke, and appears elongated and closes at an angle. The descender, however, always begins with the same thin slanted stroke, which is angled to the right over the second line. However, we also find the closed descender once in the first charter (see Line 4; *ego*). This means our scribe was not completely unfamiliar with this in his first charter. The second, angular *g* also fits in well to his script.

*y* already has two different forms in Anc. Ch. III, 3, one of which is also used in the Latin text of the second charter. It resembles an *x*, with the lower part of the left side left off. In the Anglo-Saxon section Ae. A usually makes use of different forms. In Anc. Ch. III, 3, the *y* resembles the *ƿ*, but the main stroke curves to the right and the horizontals here slant upwards. In Anc. Ch. III, 5 this form, which interrupts the fast flow of the scribe's writing, is replaced by a shortened form. Ae. A only draws the lower hook which distinguishes the letter, no longer including the superfluous upper hook.

The accents that appear in the text – a fine, slanted upstroke with strong dot on the inside of the right end – are common to both original documents and are by no means unknown. The accent is the same as the stroke that cuts the ascender of the *d*, which then represents the thorn character. Particularly unusual are the abbreviations which start thickly but then end in a curve tapering upwards.

It must be emphasised that the round *s* does not appear, and the rune *þ* only seldom. In the Latin text the *e* caudata appears more frequently than in the *ae* ligature.

Corrections that appear frequently in both originals and which, in particular, often replace a forgotten “*h*”, reveal a hand that seems identical to that of Aethelstan A<sup>55</sup>.

The abbreviations, which are seldom used, are the usual ones:

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<sup>55</sup> Examples of corrections:

Anc. Ch. III, 3: Line 11 “*h*” linces and “*h*” linc; witness column 3 bior“*h*”tsige; Col. 4 ealh“*h*”elm.

Anc. Ch. III, 5: Line 7 “*h*” iis; Line 9 bioh“*h*”an; Line 11 de“*h*”iscentibus; Line 14 “*h*”is.

Anc. Ch. III, 3: Line 5 omnipatra“*n*”tis; Line 18 patr“*i*”e.

Anc. Ch. III, 5: Line 11 relinq“*u*”entibus.

(p. 348) In Anc. Ch. III, 3 Line.1 : *q*; (que); Z.3: [n with bar above] (non); L.5: *ē* (est); L.7: *quā*; L.7 *p*; L.14: *spū* (spiritu); L.14: *co* (con) L.15: *b*; L.15: *ḡ*; L.16: flam[bar above m]is; L.16: *do dnoque ihu xpo*; L.19: *quorū*; L.20: *scē*; L.20: *sempq*. In the witness-list the following were used, depending on available space: *epsc*; *abb*; *m* (minister); *c* (consensi); *s* and *sbs* (subscipsi).

This small number of abbreviations in relation to the length of the charter is further reduced by Ae. A in Anc. Ch. III, 5; for there we have only the one abbreviation which also occurs in in Anc. Ch. III, 3: *do dnoque ihu xpo*; as well as a new one: *eclē*.<sup>56</sup>

### **Scribe Aethelstan C (Ae. C)**

Charters: Anc. Ch. III, 9 &10, and Anglo-Saxon Mss III, 25.

This hand writes the handsome, large flowing script of the school of writing of the 40s. It is meticulous, almost pedantic. Each individual letter is well formed, and with absolute precision. All letters are drawn with the same stress with little indication as to the width of the individual hair strokes, but they appear delicately drawn, despite the individual letters being relatively thick. The width is emphasised on the horizontal strokes. The axis of the script is vertical. There is no fluency, no flow in this script. At the same time Ae. C paid attention to appropriate spacing between the letters and lines, in order to avoid any confusion between ascenders and descenders. The script appears soft and calm.

We possess the first originals of Ae. C, which formed the definitive external form of the charter from then on. The writing flows lengthwise along the page (“*landscape*”). Ae. C has left a border around the text, which is written with such regularity that it has a rectangular appearance. However, a space remains between the actual context and the boundary clause, between this and the Anglo-Saxon boundary clause. The dating clause appears on its own line, the acta line. The witnesses are listed under the dating clause in clearly defined columns. The letters appear on faint lines. At the beginning of the line a feint vertical line is visible, to the left of which two further vertical lines are drawn, between which the crosses of the witnesses are marked.

The individual letters have a basic form which we recognise from the charters of Ae. A. However, the descenders curve slightly to the left at the top and bottom. Majuscules appear here for the first time.

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<sup>56</sup> In both originals we find yet other hands. – Anc. Ch. III, 3: The last two names are by a contemporary, yet inexperienced hand. Anc. Ch. III, 5: Line 1 here from “*stanus*” to “*subiacens*” inclusive was interpolated by another hand (see publisher’s note, also on printed text of facsimile).

We will again examine the crosses and majuscules and the (p. 349) best identification of any scribe, the *ego*, before examining the characteristics of the small letters.

At the beginning of the text there is a tall, slender cross. The thick vertical stroke broadens to a conical shape at the ends, finishing with a thin horizontal stroke extending slightly beyond both sides of the thickening. A little above the centre the much more slender and shorter horizontal bar cuts across the vertical and thickens at both ends in the same way but, due to the thinness of the rest of the line, this appears thicker than it actually is. What we have here is a Latin cross<sup>57</sup>. Basically the same cross, only smaller, is found before the witness-*ego* of the bishops in the first column (no others have the word *ego* in front of their name). Above the word *crucis* of the signatures Ae. C has drawn another smaller cross which consists of a vertical stroke, with a triangular thickened point at the top left, cut by a fine horizontal line. Both these types of cross are found consistently in the form described above, from which can be clearly deduced that it is not an individual witness's signature<sup>58</sup>.

Of the majuscules in the first instance the three capital letters in the date line, namely the capital *A* in *Acta* and Uncial *A* in *Anno*, as well as the raised *I* in *Indictione*, are characteristic of the specific scribe (both *as* appearing in the same sequence in the differently composed manuscript Anglo-Sax. Mss. III, 25). The capital *A* has a very thick right-hand side, ending at the top with a short horizontal line curving to the left, and at the bottom with a horizontal end-stroke curving to the right. The front slender side has a heavy triangular thickening at the bottom facing inwards. The middle stroke is thin. – With the Uncial *A* the left side is split. With the right hand stroke at the top, the upper (left) part forms an elongated loop which curves downward to a point. The lower part of the left side starts again, then curves under the second line. The raised *i* elongates the shaft upwards and downwards, bordering it along the top with a final stroke which extends slightly to the left beyond the shaft, then curving up to the right.

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<sup>57</sup> This Latin cross, like the Greek one with the same number of arms, that we see with Eadmund C, is to be found in particular in charters issued by clerics. cf. L. Schmitz-Kallenberg, *Die Lehre von den Papsturkunden*<sup>2</sup> in *Grundriß der Geschichtswissenschaft* (The teachings of the papal charters<sup>2</sup> within the context of history), published by A. Meister, Leipzig-Berlin 1912. Herein p. 67.

<sup>58</sup> In Anc. Ch. III, 9 (C. S. 741) a cross is positioned at the end before the space. In other words, it was written right from the outset, without the scribe considering how many witnesses he had to list. But then he did not erase it. It could be that an expected witness, in this case a minister, did not appear. Whatever the reason, this also showed that the cross could not have been written by the particular witness who is signing. This is further consolidated by Anc. Ch. III, 10 (C. S. 753). In this case the name in the last column was entered retrospectively by another hand. At the same time we see a new cross before the name, which matches the rough, untrained handwriting of the new hand i.e. it originates from this scribe.

(p. 350) The tapered shaft curves to the left at the bottom. (In Anglo-Saxon Mss. III, 25 the shaft is ended with a horizontal line which curves down to the right.)

The rune þ which begins the boundary clause<sup>59</sup> has an *i longa* as a shaft. On the right side, there is a high right-angled triangle, beginning with the right angle just below the upper shaft end.

The capital *E* in *Ego* has a very thick main line, ending in short horizontal lines that extend to both sides. These thicken inwards on the right of the shaft. The similarly short centre stroke thickens at the end on both sides. At this height lies the horizontal stroke of the  $\zeta$ . The elongated descender ends with a small, thickening curve. The *o*, which appears to be resting on the descender, is almost completely circular.

With scribe Aethelstan C we find two forms of the *a*: one (*a*<sup>1</sup>) is identical to the *a* of Aethelstan A, except that the lower angles are a little rounded. The letter is higher than it is wide. Then there is the *a*<sup>2</sup>, the left side of which appears trapezium-shaped. The right stroke extends slightly beyond it. The downward strokes are thick, the horizontal ones thin. Both *as* are also used to form the letter *q* by adding a descender. Furthermore we encounter a third *q*, the shaft of which extends slightly above the top-flattened ring, with a little curve to the right.

*e* often joins vertically. The main stroke leans slightly left at the top. On the right the evenly thick loop is formed, almost always closing to the tongue. The transition point between main stroke and loop can hardly be seen. There is also low-level ligature, usually before the letter *t*.

The following letters are joined: *f*; *g*; *m*; *n*; *o*; *p*; *r*; *s*; *t*; *x*; and in other documents also the letters *a*; and *u*.

With *m* and *n* a slight thickening is sometimes noticeable at the right lower end of the main stroke.

*p* has a curve, the lower end of which is rounded upwards and back to the shaft.

*r* has a shoulder stroke which resembles a question mark.

*s* occasionally occurs as a raised letter, usually when joined. In this case it has a fine, narrow upper curve which ends almost as a point at the shaft before connecting with the following letters (*p* and *t*).

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<sup>59</sup> The boundary clause is always written by the same hand as the remainder of the text; there would not have been a specifically chosen “telegraphist” for our period and, — as far as we can see — neither would there have been for the preceding centuries (Hall loc sit, p. 195. For isolated cases it would certainly have been assumed that a special “telegraphist” was available. Treiter loc sit, p. 61, generalises the case as follows: “...landgemaera durch einen besonderen Telligraphisten als eigene schedula nachgetragen”). [Translator’s note: presumably Drögereit means, by a telegraphist, someone whose specific job it was to report on the boundary of the estate, perhaps a local official.]



(p. 351) *t* often creates a noticeable joining with the following *i* (*i* longa), which we also come across regularly in Hss. of this period.

Of the two types of *y* that Aethelstan C uses, the *f*-shaped is more frequent. It has a smaller bulge of the main stroke than that of Aethelstan A.

The ligature *ae* appears in Anglo-Saxon exclusively, in Latin next to the *e caudata*. In principle the separable *e* joins the *a*<sup>1</sup> (see above), if the *ae* is joinable, and with the *a*<sup>2</sup>, if this letter is unattached<sup>60</sup>. The *e caudata* has a loop, narrow and not too long, as a tail.

The rune þ has superseded the crossed-through *d* almost entirely. The rune *p* is formed by shortening the ascender of letter þ.

The tironian *et nota*, which in Anglo-Saxon text corresponds with *ond*, is quite suitable as a criterion of the scribe. The horizontal shaft is curved downwards, and connects acute-angled with the vertical, while the open end thickens to a point.

For highlighting names in the text, Ae. C makes use of a mixed script, which has to borrow some letters from the majuscule alphabets, others from the Anglo-Saxon alphabet, such as the *ae* and þ. With *m*, the capital changes to its Uncial equivalent, *n* has its joining stroke somewhat below the upper end of the initial main stroke. Curiously, the right shaft of the Rustic capital *A* extends above and over the left shaft, and at the bottom curves to the right, then flows upwards a little on a slant. With the *t* the main stroke under the line is elongated and tapers to the bottom. He also uses this *t* in the text with *et* and *aet*.

The punctuation mark is a full stop; at the end of the Latin there is a colon, as with the Anglo-Saxon. The abbreviation mark is a horizontal stroke with ends thickened to points. Aethelstan C uses abbreviations only rarely. They are restricted to those used by Aethelstan A, only the final *m* is abbreviated more frequently than before<sup>61</sup>. The following are new: *vident(ur)* and *l* (*vel*) and *ei(us)de*<sup>62</sup>.

### **Scribe Eadmund C (Eadm. C) (p. 351)**

Charters: Anc. Ch III, 12; 13; & 16;63; Anglo-Saxon Mss. III, 26 & 27

We possess an original of Eadmund C that he wrote as a novice<sup>64</sup> (Anglo-Saxon Mss. III, 26). The highly irregular strokes, some with wider

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<sup>60</sup> Particularly in the last charter the rigid execution is lacking.

<sup>61</sup> Here we must mention the fact that at one time the old Anglo-Saxon *autem*-abbreviation is used in Anc. Ch. III, 10, Line 10 [h with a hook on the knee].

<sup>62</sup> In Anc. Ch. III, 9 Line 14 we read as an introduction to a later hand: “stanihtan hyrst”.

<sup>63</sup> Translator’s note: This footnote is on p. 351 in the original German.

This charter, Anc. Ch. III, 16, was only partly written by Eadm. C. The Latin part of the context of Eadredus originates exclusively from a hand of the same school, yet the writing to a large extent resembles the fine, careful writing of Ae. C (see also Hessel, loc cit, p. 18, n. 1)

<sup>64</sup> Translator’s note: This footnote is on p. 351 in the original German.

Hessel. loc cit, p. 18, n. 1)

(p. 352), others with less spacing between letters and lines, show immaturity. However, there is no mistaking this handwriting compared with those of the other documents.

This hand is stronger than that of Ae. C. The greater height and density of the letters give a restless impression, whereas the longer shafts and the seemingly reduced line spacing emphasise the vertical appearance. Highly characteristic are the high, open curves of the raised *e*. These resemble a bold swing of the quill, sometimes short, but with a strong downward curve. This makes the restlessness even more pronounced and the vertical effect more noticeable. Also, the individual letters are not formed or drawn out in a careful, even fashion, one beside the other. We encounter a change in the axis position of the individual letters within a word. The descenders constantly taper off. Ascenders and descenders frequently extend onto the next line. The result is a lively, structured script, given a firmness by the thickness of the letters.

Eadm. C comes from the same school as Ae C; the shape of almost every letter is the same with both scribes.

The slender form of the cross has disappeared. With the vertical bar shortened, it bears more resemblance to the Greek cross. The thickness of the two axes has become more even, making the cross appear heavier. The fine end strokes of the verticals thin somewhat upwards at the end, whereas those of the horizontal stroke bulge at the ends. However, there is no sign of a triangular thickening as with Ae. C.

In the Acta line we have two different *As*. The capital *A* is plumper, differing visibly from that of Ae. C in the upper horizontal stroke with its up-curved end (as with the cross) and the long horizontal stroke at the lower end of the right side. The second *A* is the raised small *a*. We also find this with Ae. C in the main body of the charter, but not in the dating clause. Both raise the *a*<sup>2</sup>. Eadm. C, however, does not round off the ascending right stroke in as artistic a semicircle, but rather lets it taper off vertically downwards after the left curve. He enlarges the left side, rounding it at the same time so that the lower three strokes of the trapezium form a curved line. The letter appears much heavier.

The *Ego* seems stronger and more rigid. The *E* has longer arms, the top stroke of the  $\zeta$  is below the middle arm of the *E* and the downstroke is no longer stretched, as the larger lower curve is joined to the upper by an almost horizontal centre axis. The  $\zeta$  has a more angular, squashed appearance than that of Ae.C. The *o* has shifted a little and is characterised by a slant to the left.

One strange letter is the ornate *i* used once at the beginning of every charter (p. 353) as the Initiale. The familiar triangular starting point of the shaft is considerably raised and widened. The shaft is divided into two lines, the right one of which is almost vertical, whereas the left one swells far outwards after a strong tie shortly below the thickening, then joins the right one. At the bottom the shaft curves to the right or left. The flourish consists of short curves finishing with a strong dot. (On one occasion the spacing between both lines is filled.) Of the capitals the *N* and *Q* are still characteristic. The former resembles the front stroke of an *i longa*. The connecting stroke is a wavy line resting on the second line. The latter also appears as a capitalised small *q*, split at the top between shaft end and bowl, with the shaft curving to the left. A high *C*, broken several times, increases the structure of the writing. The *T* is idiosyncratic with a winding shaft, extending below the second line. The rune *þ*, which introduces the boundary clause, is noticeably different from that of Ae. C. The right side here has become square, starting with a short, slanted upstroke slightly below the upper shaft end.

With the minuscules the *a*<sup>1</sup> has virtually disappeared. (The second form of the *a* appearing from time to time is identical to the lower part of the raised *a*, and is thus simply a variation of *a*<sup>2</sup>.) Eadm. C forms the *a*<sup>2</sup> in a different way from the familiar one of Ae. C. The right stroke is more slanted to the left. The top bar of the left side no longer converges with it but rather cuts across it, with the point of intersection thickening inwards. The short and thicker front stroke is curved downwards. (With Ae. C. the back stroke often extends beyond the left side.)

*d* has a longer ascender pushed downwards and a stronger bowl.

*i* is written more frequently as *i longa* when starting a syllable.

With the *p* Eadm. C breaks the curve at several points, leading it back horizontally into the shaft.

The *q* has an *a* instead of the bowl, thus differing noticeably from that of Ae. C.

The curve of the high *s* resembles that of the raised *e*, differing from the high *s* of Ae. C. The *y* appears once in the *f*-form but the main stroke is only curved at the top and finishes with a dot. We also have a second type that we find with Eadm. C. in the Latin text. A *v* forms the upper part with sides curving slightly inwards. The descenders starting at the top point curve to the left.

(p. 354) The abbreviation character is a curved line with raised semicircular end, finishing with a strong dot. The Tironian *et nota* has a straight upper side. The mixed script mentioned in the section on Ae. C is used not only for highlighting names, but has also been used since the second charter for the *Invocatio*. The ligature *ae* prevails exclusively in Anglo-Saxon; in Latin this gives way to the *e caudata*. The Cauda consists of a narrow loop tapering to a point. Eadm. C uses abbreviations more frequently, in particular shortening the *nomina sacra*. Abbreviations are also entering Anglo-Saxon. New here are the following:

angloꝛ (Anc. Ch. III, 13, line 4) and qđ (Anglo-Sax. Mss. III, 27)<sup>65</sup>. We recognise in Anglo-Sax. Mss. III, 26 that the Dorsal Note originates from the same hand. We can certainly generalise here.<sup>66</sup>

### **Scripts During the Reign of Eadwig (p. 354)<sup>67</sup>**

Charters: Anc. Ch III, 21 and Anglo-Sax. Mss. II, Winch. 2

Both originals<sup>68</sup> have a noticeable new feature. The traditional cross used up to now has been replaced by the Labarum as the pictorial invocation.

The first charter shows a wide, heavy script in the style of the later Caroline minuscule of Winchester. The script is less regular than with the two preceding scribes; but it is nevertheless clear. The scribe shortens the descenders which are still slightly pointed. The lines rise and fall, enhancing the sense of irregularity.

The individual letters are similar to those of Eadm. C almost to the point of being identical, though there is a tendency to round the letters. Here the round *s* first appears as a small letter within the word. The *r* has only a short descender so that its appearance is closer to that of the *n*. Both *m* and *n* are frequently thickened at the bottom right of the main stroke. One peculiar feature is the form of the *o* and *s* (see e.g. *Oscytel*), whereby the lower curve of the *s* reaches up to the height of the preceding *o*. In the Anglo-Saxon the crossed *d* has disappeared completely<sup>69</sup>.

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<sup>65</sup> In this charter we have the following addition from a later hand in the Anglo-Saxon boundary clause Line 12: *ond seo burh straet on suth healf Aelfrices mearc on west healf. cluse ond haming ford on north healf thaes hiredes mearc to Sancte Mildrythe swa forth oth langan leagas swa oth Aelfweardes mearce.*

<sup>66</sup> Unfortunately the Ancient charters do not facsimile the Dorsal Note. Thus we can only recognise here and in Anglo-Saxon Mss. II, Winchester 2 and III, 30, that it is the same hand. In the Ancient Charters we do, however, find this comment on the charters of Eadgar A: Reverse side written by the same hand.

<sup>67</sup> For this period we were unable to establish any charters written by the same hand; moreover, most of them are suspect, like for example Anc. Ch. III, 20.

<sup>68</sup> Both originals are contained in the Winchester archive.

<sup>69</sup> In this charter, too, we find an addition by a second, later hand, which looks very stiff and unpractised. "... *ond se haga an hamtune the thaereto gebyret.*"

(p. 355) The second charter is similarly written in thick, large script, but here there is not the sense of space there is in Anc. Ch. III, 21. The more angular, narrower letters are close together, which gives rise to a heavy and compact handwriting style. This script has regularity but is less clear. The descenders are short and not quite so pointed. The obvious difference between the soft writing of the first charter and the hard writing of the second so clearly points towards different scribes, that any further detailing of this is superfluous. However, the same pictorial invocation and the way in which the Oscytel is written, give evidence to a mutual influence.

With this scribe we still encounter the raised **a** and for the first time again the character resembling the double-*c*. The *r* has only a short descender.

Charter manuscripts have been found which are stylistically related to this script, and in consideration of this we will refer to the scribe as Eadred B<sup>70</sup>.

### **Scribe Eadgar A (p. 355)**

Charters: Anc. Ch. III, 22; 23<sup>71</sup>; 24; 25; Anglo-Saxon Mss. III, 30<sup>72</sup> and Mss. II, Westminster 6<sup>73</sup>.

This script, which ‘*of all scripts of that time is of special significance*<sup>74</sup>, is stark and wooden. The small, square and thick rump letters connect to each other like links of a chain, from which only the tall, stiff and equally thick ascenders and descenders stand out. However, as these do not fill the wide line spacing, they do not disturb the impression of interlinked letter chains.

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<sup>70</sup> We name the scribe Eadred B, as the first charter associated with his style was written still during the reign of Eadred (951; see below).

<sup>71</sup> This is the charter containing the second hand which writes the Caroline minuscule; at the same time this is the first example of this alphabet in England (Hessel, loc cit, P 18). The second starts at the correct distance after the Anglo-Saxon boundary clause; as it has significantly reduced descenders and ascenders there remains some free space below. Yet this is simultaneous proof that the boundary clause was not omitted and inserted at a later date, but rather was written at the same time.

<sup>72</sup> Here we have a later addition to the endorsement, to which we would like to draw attention, as the writing resembles that of the supposed Dunstan Charter of 949 (Anglo-Sax. Mss. I, 15). Through this we would also have to add this supposed original to the “*Canterbury Fabrications*” mentioned by W. H. Stevenson. (See W, H, Stevenson, Trinoda Necessitas in E. H. R. XXIX, 692, n. 18. This essay lists a series of suspect charters in the footnotes; on p. 695 it mentions some characteristics of the outer and inner structure that are very typical of the charters written before the 10<sup>th</sup> Century; see p. 341 and p. 358).

<sup>73</sup> This charter is copied, obviously imitating the hand of Eadgar A; see pictorial invocation, the *A* at start of the text, the majuscule writing of the name Eadgar, the *His* and *This*, *Anno* and *Ego*; also the *Q* and *r* are copied.

<sup>74</sup> Hessel. loc cit, p. 18.

(p. 356) The lack of beautiful proportions, the lack of hair strokes and thickening and thinning of the script, all show a rigidity which started slowly during Ae. A's time and which has now virtually become a main characteristic of the script.

Anything superfluous or even beautifying has been omitted. On the other hand Eadgar A's script does not flow, rather stopping and starting more frequently (see in particular the shoulder stroke of the *r*).

He has developed the pictorial invocation<sup>75</sup>, taken over from Eadwig's time, very characteristically. The shaft of the *P* is quite heavy. At the upper and lower ends it swells out to both sides. The middle of the curve thickens quite heavily. The shafts of the *X* start comparatively thinly at the point intersection on the *P* shaft; they then thicken considerably inwards to resemble a horn.

The first words of individual sentences begin with letters from the Rustic capitals. Even the mixed script used for names consists primarily of letters from this alphabet. The witnesses all have *Ego* in front of their names once more.

Of the majuscules the following are characteristic:

*A*. At the beginning this appears as the familiar Rustic capitals; however, here the front and back strokes do not cross, instead the former moves to the left, a thin horizontal line then connecting them. This middle line is curved downwards, starting thick on the left and then tapering. With the Rustic capital *A* the right stroke extends beyond the left, then at the top has a short leftward upstroke as with the ascenders.

The curve of the *D* starts as a slanted stroke which flows far downwards, then changes direction and flows back to the shaft in a small curve.

*E* is the most characteristic letter. The thick shaft is cut in the middle by a thin wavy line with its high point immediately to the right of the shaft. The lower end of the main stroke rests on the point of a short, thick wavy line which ends very fine. The upper arm is small but very thick with a square downward thickening at the end.

*Q* is high, narrow and egg-shaped. The left curve comes out like a tail, ending with a thin upstroke.

*R* has a small upper curve, on which there is a long tail.

The Anglo-Saxon boundary clause begins with a crossed capital *D*, the curve of which ends with two thin strokes which flow to the left over the shaft.

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<sup>75</sup> In Anglo-Sax. Mss. III, we once again start with a cross. The ends of the axes swell out at both ends in a similar way to the *P* shaft.

(p. 357) The vertical stroke thickens at both ends, as does the short horizontal line.

Among the small letters the *a* appears which is formed in the likeness of the Carolingian minuscule<sup>76</sup>. The hook which extends a little above the angular bowl gives the letter a distinct appearance.

The raised *e* no longer appears.

*g* has a long horizontal stroke, in the middle of which the descender begins as a short, very thick slanted stroke; this then flows into a wide curve, the upper part of which is still very thick; the lower curve has a new starting point and is initially thin, thickening towards the end. This results in the  $\zeta$  appearing angular.

The round *s* as a small letter has a horizontal middle axis, the curves are broken, the upper one denser. The high *s*, its shaft curved to the right and with a high, thin ascender, the end of which flows into a semicircle, is also characteristic of this script.

The  $\tau$  descender no longer ends in a point.

The joined letter *ae* has a new form through the use of the Caroline *a*.

*m* and *n* now constantly have a thickening of the main strokes and are often short, thick horizontal lines.

In the Anglo-Saxon Eadgar A uses the rune  $\beta$  and the crossed *d*. The former has a very high shaft, but the angular right-hand side now sits in the middle. The rune  $\rho$  has already on several occasions been replaced in the signatures by *uu*.

Abbreviations are used by Eadgar A more frequently only in the Anglo-Saxon Mss. III, 30, (probably due to the lack of space). New abbreviations here are the following:  $\tau$  (with bar above) (see e.g. Anc. Ch. III, 22, line 5 *liberalit(er)*.); *rl* = *reliqua* (Anc. Ch. III, 24) and *noma* = *nomina* (Anc. Ch. III, 24, 8 lines from the bottom).

During the following period up to 975, every individual and apparently original manuscript<sup>77</sup> that was passed down was subject to special examination to determine its authenticity. However, this is not relevant to our study.

### **3. Results of the Comparison of Diplomatic formulae (p. 357)**

We could only refer to the original manuscripts or facsimiles for comparing the types of scripts used in charters, but it is possible to use edited versions for the investigation into and comparison of diplomatic formulae.

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<sup>76</sup> In Anc. Ch. III, 25 Eadgar A tries to copy the old *a*<sup>l</sup>. This stiff, square letter, however, immediately disappears again.

<sup>77</sup> Although the two charters, which are not facsimilied (C. S. 1305 in Ely and C. S. 1309 in Westminster), show the style in parts of Eadgar A, they differ in wording from all other charters of this group, and to such an extent that they cannot be put together with any others. Moreover, they differ from each other so greatly that we cannot believe they were written with the same hand. As they also originate from archives that are not necessarily reliable, we consider ourselves justified in excluding these from our considerations.

(p. 358) We saw that since Ae. A the external appearance of the charter remained consistent. Similarly, since Ae. A there was also a schema for the design of the charter, which was taken on by the later scribes with minimal modification. – Before Aethelstan<sup>78</sup> there prevailed the highest level of freedom with respect to the arrangement of the individual sections of the body of the charter, in particular when putting together the legal and formal sections of the dispositive section. The second person, originally used for reference to the recipient, remains in some cases until the beginning of the 9<sup>th</sup> Century. The Latin boundary clause remains right up to the end of the 9<sup>th</sup> Century. Our period knows only an Anglo-Saxon boundary clause in the charters. Up to Edward 1<sup>st</sup> (901-924) we generally find an exposition<sup>79</sup>, which is often only a “*primitive movement clause*”. This becomes both increasingly rare and less recognisable as a separate clause.

We hardly find two identical charters; when we do, they are usually produced by the recipient of the grant. Under Alfred and Eadward 1<sup>st</sup> in particular, there are great variations in the diplomatic formulae<sup>80</sup>, only certain phrases of the Sanction and the Proem being the same.

As a comparison we have the schema of the last royal charter before 925 that was definitely received in the original, together with the first original of Ae. A:

C. S. 516; Anc. Ch. II, 37	C. S. 677; Anc. Ch. III, 3
Invocation	Proem with Exposition <sup>81</sup>
superscription (royal style) <sup>82</sup>	superscription (/royal style)
<div style="margin-left: 100px;">Boundary clause Lat.</div> <div style="margin-left: 100px;">Exposition</div>	<div style="margin-left: 20px;">Dispositive section</div> <div style="margin-left: 20px;">Immunity {</div> <div style="margin-left: 20px;">Pertinence {</div> <div style="margin-left: 20px;">with</div> <div style="margin-left: 20px;">Woven together</div>
Dispositive clause	
with	
<div style="margin-left: 100px;">Dispositive clause</div> <div style="margin-left: 100px;">Immunitas</div>	<div style="margin-left: 20px;">Dispositive clause</div> <div style="margin-left: 20px;">Boundary stipulation</div> <div style="margin-left: 20px;">Boundary description</div>

<sup>78</sup> The following observations have to be considered as being cursory. They are based mainly on the good originals of Anc. Ch. Vol. I and II.

<sup>79</sup> We are using here a Hall’s Terminus for a clause that Bresslau names the Narratio after the continental use (see Bresslau, loc cit, p. 45); however, even Treiter saw that this term could be misleading and spoke of a “rudimentary” Narratio (see Treiter, loc cit, p. 61); for mostly no more is stated in this part of the charter than: “*pro remedio animae meae*” or “*pro spe remunerationis eterne*”. Thus we considered it best to retain the term used by Hall (Studies p. 191 ff).

<sup>80</sup> The charters produced at the time of Alfred and Eadward I should only be used with the greatest of caution and for this reason they are not taken into consideration here; in particular there is the lack of a completely trustworthy original. The same charters appearing during the time of Eadward are all confirmation of Frithestan of Winchester, whose authenticity is highly suspect (see C. S. 625; 627; 628; 629).

<sup>81</sup> From this point on we will no longer use this wording specifically, which usually says the following: “*pro eius placabili pecunia*”, as it contributes nothing to the comparisons of the diplomatic.

<sup>82</sup> The omission of the Proem is characteristic of this individual case, but in general we do have an Proem.



Sanction	Sanction
Corrobatio	
Actum line	Date in large format
Witness-list <sup>83</sup>	Witness-list

(p. 359) The separate parts of the Dispositive section are as follows:

- a) Pertinence C. S. 81<sup>84</sup>: “... cum omnibus ad se pertinentibus, cum campis, silvis, pratis...”
- b) Disposal clause: “... ut tam tu quam posteris tui... de eadem facere terra liberam habeatis potestatem...”

This wording in C. S. 154 is reminiscent of the later version:

“...cuicumque voluerit vel eo vivo vel certe post obitum suum relinquendi...”

- c) The Immunity clause, which excludes the three encumbrances of army service, the building of forts and the building of bridges from general exemption, appears to have been used in the charters of Offa’s reign, namely in the latter part around 790.

We find the earliest example<sup>85</sup> in

C. S. 274: “...ita ut ab omni tributo parvo vel maiore publicialium rerum et a cunctis operibus vel regis vel principis sit in perpetuum libera, preter expeditionalibus causis et pontium structionum et arcium munimentum...”

The Proem and Sanction contain in parts bodies of thought encountered in Anglo-Saxon and continental charters of all eras. This may be the general school of thought. For the Proem it is superfluous to compile extensive material, as Kemble has already dealt with this<sup>86</sup>. Only the seemingly independent sentence:

“...nisi litterarum apicibus et custodiae cautela scripturarum reserventur et ad memoriam revocentur”

(e.g. C. S. 763), more frequently inserted in Anglo-Saxon charters, should be compared with a similar part of the Marculfi formulae<sup>87</sup>.

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<sup>83</sup> Here we have the rare occurrence whereby, in the witness-list – we take the term from Hall – the witnesses sign using the future “*subscribo*”.

<sup>84</sup> We are taking the earlier examples in order to show that these expressions are used right from the beginning.

<sup>85</sup> According to Stevenson the earliest Immunity Clause does not appear until 732, the first mention of non-exclusion of the three encumbrances not appearing before 770 in trustworthy charters (see *Trinoda Necessitas*, p. 696 and Note 37). However, we consider the Worcester Charter of 770 (see *Anglo-Saxon Mss. Vol. II*) not to be infallible with respect to the character of its script and we therefore have to recognise *Anc. Ch. II, 5 (C. S. 274)* as the earliest, true original with the characteristic formula.

<sup>86</sup> Kemble, *loc. cit.*, Introduction, p. XVI.

<sup>87</sup> M. G. H. *Legum Sect. V Formulae*, ed. K. Zeumer. Hannover 1886

(p. 360) Form. Marc. Lib II, 7:

“Quicquid enim...condonare placuerit, scripturarum necesse est titulis alligari, ne in posterum ab heredibus eorum vel a quemcumque posset convelle.”

We can make a general comparison on the Sanction<sup>88</sup>:

C. S. 81:

“Si quis...sciat se condemnatum et separatam ab omni societate christiana...si quis autem augere voluerit, augeat Deus bona sua in regione vivorum cum sanctis suis sine fine. Amen.”

C. S. 154:

“Si quis autem...violare temptaverit, sciat se in tremendo examine tyrannidis ac praesumptionis suae Deo rationem terribiliter redditurum.”

Form. Marc. Lib. II, 3:

“Si quis vero...obvius vel repetitor extiterit, a conventu omnium christianorum vel limitibus ecclesiarum extraneus habeatur et Iudae, traditoris domini nostri Iesu Christi, perfruatur consortium.”

Within this No. 4:

“Si quis vero...quod absit...contra praesentem epistolam venire aut aliquid agere voluerit, ...anathema sit...ante tribunal Christi deducat rationis...”

Liber Diurnis No. 86<sup>89</sup>:

“Si quis autem, quod non optamus<sup>90</sup> nefario ausu presumpserit, haec...refragare aut in quoquam transgredi, sciat se anathematis vinculo innodatum et cum diabulo...atque Iuda traditore...concremandum deputatus.”

Within this No. 89:

“Si quis autem...agree presumpserit, sciat se innodatum et a regno Dei alienum et cum omnibus impiis aeternis incendii supplicio condemnandum.”

As vulgar Latin was not spoken in England<sup>91</sup>, but Latin had to be learnt at school, we do not encounter here the corruption that we find in the Merovingian charters, for example. The expression used for the exact wording of the dispositive section is consistently clear and precise; only in the Proem and Sanction do we encounter some unclear sections, although these are not generally based on grammatical errors. The orthography is also virtually unspoilt.

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<sup>88</sup> For further examples see, amongst others, a comparison of stylistic structure of the Sanction, J Studtmann, *Die Poenformel der mitterlalterlichen Urkunden in A. f. U. XII*, Berlin- Leipzig 1932. (The Sanction Wording of Charters from the Middle Ages) p. 259: “Seit dem 4. Jhdt.....Poenformel beherrschen.” (“*Since back in the 4<sup>th</sup> Century the stylistic characteristics appear that also predominate the Sanction format of the charters from the Middle Ages.*”)

The following is particularly pertinent to the Anglo-Saxon Sanction format:

“*The style of the Sanction resembles the papal format and the clerical private charters which were dependent on this.*”

<sup>89</sup> Liber Diurnus, denuo ed. Th. v. Sickel, Vienna 1899.

<sup>90</sup> Studtmann loc cit, p. 271. This *quod non optamus*, which is used virtually always in the Anglo-Saxon Sanction, originates from the private charters.

<sup>91</sup> H. Bresslau, loc cit, P 45: “Das Vulgärlatein.....ausgeübt.” (“*The vulgar Latin of the mainland has exerted no influence on this language.*”)

## Scribe Aethelstan A (p. 361)

Charters<sup>92</sup>:

C. S. 677<sup>0</sup>; 674; 689; 691; 692; Flebilis fortiter-Proem. C. S. 702<sup>0</sup>; 704; 745;  
Fortuna fallentis-Proem.

The style of our scribe is completely individual. He has a style that is rich in words and idiom and adorned with imagery. At times he can hardly be translated<sup>93</sup>. Even later we find genitive attributes and rarely used words, mostly of Greek origin, but it is to such an extent that every sentence of the Proem is adorned with embellishments, with extensive use of the genitive. Pleonasm characterise him as well as the position of the words in the article: adjective a – adjective b: noun B – noun A. The Anglo-Saxon noun style is now more pronounced than anywhere else<sup>94</sup>. In the Proem C. S. 677, for example, we have only two modified verb forms in 84 words, yet on the other hand there are frequently inflected participles, gerundives and gerunds. Ae. A adorns the splendid but dark language with the cursus (*i.e.* prose rhythm), which, however, is not always well done. As a further embellishment he used the internal rhyme, which usually joins the most significant words in the sentence. At the beginning he uses the stock rhyme: “Flebilis fortiter” and “Fortuna fallentis”. “*These two embellishments of beautiful speech, rhyme and alliteration, much loved by the Irish, also play a major role in the Latin poetry of the Anglo-Saxons*”<sup>95</sup>. The fullness of the pictures, the visual effect, the avoidance of the simple thought are also in keeping with the language. The style has a poetic quality.

Examples of:

Rare words: totillo (titillo); latratus; foetidus; nausea; peripsema; quisquiliae; omnipatrans; stridulus; salpinx; soma; ima; tanaliter<sup>96</sup> (meaning?); organum etc.  
Pleonasm: C. S. 677: peripsema quisquiliarum; infinite letitiae iucunditatem; C. S. 702: lacteo candore; fellita amaritudine.

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<sup>92</sup> In the comparison of diplomatic all non-suspect charters that we can assign to Ae. A are also included. The originals are distinguishable by a small superscript *o* (e.g. 677<sup>0</sup>).

<sup>93</sup> Napier and Stevenson, Crawford Charters (for one charter assigned to him at a later date), p. 65: “*The turgid proem...*” or “*The phraseology of the present charter is so inflated, that frequently the sense can only be made out with difficulty.*”

<sup>94</sup> In his published paper (Göttingen 1932) on the characteristics of Anglo-Saxon grammar, Dr. G. Weber indicated this heavy use of the nouns and participles contrasted with the omission of verbs and adjectives.

<sup>95</sup> W. Meyer from Speyer, Die Verskunst der Iren in rhythmischen lateinischen Gedichten, in Nachrichten der Königlichen Gesellschaft der Wissenschaften, Göttingen, Phil.-hist. Klasse 1916, p. 635 (The art of verse of the Irish in rhythmic Latin poems, in news of the Royal Society of Scientists). It also included the following on style (p. 630): “*Der hochtrabenden.....sehr angemessen.*” (“*Multisyllabled words are very appropriate to the high-faluting and long-winded Anglo-Saxon method of expression.*”

<sup>96</sup> This word “tanaliter” normally appears only in hymno q. d. Bethmanni (see R. Ehwald, Aldhelmi Opera, in M. G. H. Auctores Antiquissimi XV. p. 509 [2]).

d) Internal rhyme (p. 362):

C. S. 677: “non nos patria indoeptae pacis securos. Sed quasi foetidae corruptelae in voragine casuros.” “quasi peripsema. Quisquiliarum abiciens. Superna ad instar pretiosorum monilium eligens. Animum sempiternis in gaudiis figens.”

C. S. 702 : “non lacteo inmarciscibilium liliorum candore amabilis. Sed fellita hejulandae corruptionis amaritudine odibilis. Foetentis filios valle in lacrimarum carnis.” “a bonis beatisque naribus inestimabiliter dulcia capiuntur. Sineque calce auribus clivipparum<sup>97</sup> suavia audiuntur.”

Both charters differ minimally in the context, but apart from that, only in the Proem, which both times is broken down into the general part (Proemium) and the personal part (Exposition)<sup>98</sup>. But the Proem are also similar in a) wording and b) two distinct pictures.

	C. S. 677	C. S. 702
a)	foetidae corruptelae infima abiciens...	foetentis carnis... fastidiunt infima...
b)	superna eligens mellifluae dulcedinis diris ...mortalitatis latratibus in voragine casuros	dulcescunt superna mellifluaque...odoramina hejulandae corruptionis rictibus dilacerat

Such a personal style<sup>99</sup> as this never appears again. We find the external expression changing to the impersonal with the growth of the Dispositive section, which was neglected by Ae. A, and the shrinking of the Proem and Sanction in the more recent charters.

If we now examine the individual charter sections<sup>100</sup>, we see many more idiosyncrasies.

The royal style follows on from the Exposition without any of the linking words such as “idcirco”, familiar from all other charters;

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<sup>97</sup> It is possible here to revert to an older handwriting that was perhaps known to him, which was written in the Anglo-Saxon letters of the 8<sup>th</sup> Century, and from which he took the apparently unknown word within the context. Indeed, we find in the later charter C. S. 703 *divipparum*, to be investigated in more detail. This word would make sense than the not so clear *clivipparum* (*divipparum* = *divus* and *par* = godlike). And Anglo-Saxon Hss. of the 8<sup>th</sup> Century also used a superscript *d*, whose bowl is open at the top, which can easily result in a *d* being mistaken for a *cl*. We believe that it should certainly read *divipparum* here.

<sup>98</sup> Here again we are using Hall’s termini.

<sup>99</sup> In this context we would also like to draw attention to something new that is to be found in C. S. 663 (see below). He writes *gibonifer*, a word that that can only originate from the Anglo-Saxon *gifo* (Old-Saxon *gebono*) and *fer* i.e. it would mean fork-carrier.

<sup>100</sup> Hall was already combining the complete wording. See Studies p. 341 Appendix III.

(p. 363) *quapropter; quamobrem; quamobcausam or unde*". The wording is: "Ego Aethelstanus rex Anglorum per omnipatrantis dexteram totius Britanniae regni solio sublimatus..."

The Dispositive section is built up using the following terms:

Quandam telluris particulam  
meo fideli ministro (ohne cuidam)  
id est...cassatarum  
in loco quem solicolae aet...vocitant tribuo  
ut ille eam sine iugo exosae servitutis...cum pratis...  
quamdiu vivat habeat et post generalem...transitum derelinquat.

Particularly typical here is:

The extremely rare traditional verb: *tribuo*;  
The amalgamation of Pertinence, Immunity clause and Disposal formulae in such a way that the latter provides the frame for the encapsulation;  
The sentence containing encapsulated formula:  
"...qui omnibus certus incertusque homunculis constat transitum...successionis heredi..."

The short sentence "quamdiu vivat" is frequently expanded to this:  
"quamdiu aura naribus spirabili ocellorumque convolatu cernibili potiatu habeat."  
(The wording may occasionally be varied.)

The wording of the boundary clause reads like this:  
"Predicata siquidem tellus, his terminis, circumcincta clarescit."

The Anglo-Saxon boundary clause<sup>101</sup> is in the context before the Sanction. It begins with *aerest* (in the original *aerast*). We are unable to gain any insight into the characteristics of the scribe from this, with the exception of Ae. A, as he alone begins with *aerast*. In general it is simply a list of place names, including land names and characteristics, and is seldom put together using conjunctive text such as *op hit cymb* (until one...comes) or similar. There is usually a simple conjunction in the text, such as *þonne, þonon, ; on; to; on;* etc. Sometimes the writer also gives the compass direction to pass on the description. On the other hand it permits a water course, *ondlong* (along) placing the river name in the genitive. Then one has to consider that local knowledge is required to draw up the boundary clause. The writer may have had a list from a previous model, which he only had to copy.

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<sup>101</sup> The Anglo-Saxon boundary clause requires further examination because of its special position. We have already pointed out that until well into the 9<sup>th</sup> Century it was still written in Latin. The boundary clause will no doubt have been taken from the private charter.

The language of the boundary clause is West-Saxon “Koine”<sup>102</sup>.

(p. 364) The Sanction frequently employs imagery and nouns between the commonly used words: “...sciat se...periturum”. To round off the characteristics of the scribe we will list them all:

“novissima ac magna examinationis die stridula clangente archangeli salpice bustis sponte dehiscentibus somata iam rediviva relinquentibus elementibus omnibus pavefactis cum Iuda proditore. Qui a satoris pio sato edacibus ineffabilium tormentorum flammis.”

At the beginning there is an appropriate:

“...hanc meae compositionis ac confirmationis breviculam...  
infringere vel elidere temptaverit...”

The dating clause is as comprehensive as possible. In addition to the day and location it includes the year of incarnation and year of reign, the *indictio* (Roman) and *epactae* (leap days), the *concurrents* and the lunar year. Such detail, especially the certainty of the chronology does not surprise us at all with Ae. A, as everything indicates to his being well and broadly educated<sup>103</sup>. He notes the presence and the consent of the witnesses in two ways (see above as with the sentence “*quamdiu vivat*”):

“*tota populi generalitate sub alis regiae dapsilitatis ovanti..*”

“...*episcopis, abbatibus, ducibus. partiae procuratoribus. regia dapsilitate ovantibus...*”

Of the charter he says: “*perscripta est...*” Then he quite expressly mentions the consent of the witnesses<sup>104</sup>:

“...*est; cuius etiam inconcussae. firmitatis auctoritas! his testibus roborata constat. quorum nomina subtus. caracteribus depicta! annotantur.*”

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<sup>102</sup> In C. S. 702 we once again have dialect in the charter issued for Kent. In the boundary clause it is the written word *biorh* in particular; with the witness names *Biornstan*, *Thiodred*, *Saexelm*, *Biorhtsige*. As the names are written in West-Saxon in other charters of the same hand, it leaves us with the only possibility of a non-uniform handwriting, or with the fact that our scribe might have originated from Kent and occasionally reverted to his old type of handwriting.

<sup>103</sup> Treiter regards this comprehensive dating as evidence of a work written in a monastery (see a. a. O. P 82). However, in addition to the fact already mentioned, that this is very typical of our scribe, there is also the contradictory fact that Alfred did not succeed in stopping the education of the monks. Here we have proof that scribe Aethelstan A was educated (see Asser’s *Life of King Alfred*, ed W. H. Stevenson, Oxford 1904, Ch. 93 and p. 332, and B. ten Brink, *Geschichte der englischen Lliteratur* p. 119 (*The History of English Literature*))

<sup>104</sup> Excursus I. The meaning of the signature in the period from Aethelstan to Eadgar.

(p. 365) The witness-list indicates two different types of signature for Aethelstan, although both are immediately recognisable as being his style.

C. S. 677:

“Ego Aethelstanus. florentis Brytanniae monarchia praeditus rex. huius indiculi fulcimentum! Cum signo sanctae semperque amandae crucis. Corroboravi! et subscripsi.”

C. S. 702:

Ego Aethelstanus. singularis privilegii. ierarchia praeditus rex. huius indiculi acumen. cum signo sanctae semperque adorandae cruces. Corroboravi. et subscripsi.”

Now and again we encounter another change of wording found by the scribe at his will. There is no rigid custom here.

The other witnesses each add “consensi et subscripsi” to their names.

A further characteristic is the Latinisation of the two archbishops’ names.

The witnesses sign in the order already mentioned in the dating-clause: archbishops; subreguli; bishops; abbots; dukes and ministers. The order within the various groups is not fixed.

Several copies of charters are able to add further details.

In C. S. 689 we have two incorrect dates. These can be explained by the scribe’s style, writing a “U” instead of “V” for the Roman numeral 5. The copier would then have read “II” i.e. 2.

“indictione II and luna XXII for  
indictione V and luna XXV

In C. S. 691 modifications had to be made to the Dispositive section, which affect the individual case. These again point quite clearly to our scribe:

“...familie monialium que sub regulari devote exercitationis vita in monaterio...vocatur Deo militat.”

Or

“...in loco...vocitant, ea interiacente condicione. ut omni die usque magnae discrecionis iudicii anno...decentent psalmos animae pro excessibus meae...ut divinam consequi plenissime valeam misericordiam tribuo. quatinus illa...”

In C. S. 692 (from the same meeting of the *witan*) we find a similar section caused by a special case, which, in this respect, is of great interest because it is in the context of Aethelstan’s welfare legislation, so that charter and law support each other<sup>105</sup>.

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<sup>105</sup> F. Liebermann, Gesetze I, 148/149 (Laws I).

“I, King Aethelstan, proclaim all my land withn my realm with the Council of Wulfhelm, my Archbishop [of Canterbury], and all my other bishops and clerics, for the forgiveness of my sins [see animae pro excessibus meae], that I wish that you will forever hold in esteem a poor Englishman, when you have such a one (in your district), or that you find one elsewhere.

From each of two of my rights to esteem they should be given each month a bucket ff flour and a ham, bacon or a ram...”

(p. 366) The stipulation reads:

“...ea interiacente condicione, ut...ille successionisque eius centum viginti evangelici paradigmatic paupers semel pane cum pulmento dulcifero. haustuque potifero pascere. animae pro excessibus meae...”

We have the same sentence as in C. S. 691:

“...divinam ut consequi plenissime valeam misericordiam...”

Four other charters precede these and can be considered very similar and as preliminary stages.

First of all there is the chronological similarity between C. S. 669 and 1343 (Crawford Ch. IV).

Both have almost identical wording. Stevenson even established the noticeable similarity with the charters of Ae. A<sup>106</sup>. He highlighted the following as being the same:

1. The distinct royal style without conjunction.
2. The dating clause, which is partly interwoven with the royal style.
3. The boundary clause.
4. The Sanction as a whole (individual words are repeated using synonyms).
5. The witness-list (the date wording precedes this without time specification).

This means that all essential characteristics of Ae. A occur except the Dispositive section; and even the support of the latter is already in place:

“quandam...telluris particulam...meo fideli ministro id est...cassatarum in loco quem solicole...vocitant tribuo ut ille eam...liberaliter ac eternaliter habeat.”

The boundary clause is introduced with a simple “aerest”, as we know from Ae. A.

The distinction is thus in the Proem. This demonstrates quite clearly the style of our scribe, who reduced the Dispositive section in order to bring his beautiful words in the Proem. Here it is longer than usual, but also subdivided into the general section of the Proemium and the personal Exposition.

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We are probably not straying from the truth if we place together the making of the law with the charter; this dates the law supposedly as originating at the beginning of the Thirties.

<sup>106</sup> Napier-Stevenson, Crawford Charters, p. 66 ff.



The strong use of the attributive genitive, of participles, gerunds and gerundives, (p. 367) rare words and pleonasm, the visual impact of pictures (*e.g.* *chrismons*) and of the internal rhyme appropriately placed clearly indicates his style.

His internal rhyme reads:

“*quae massam...  
olim fraude falsitatis deceptam  
patria naturalis sinceritas pulsam  
merito...trusam  
cirographum...subituram.*”  
“*quorum atria pars...transvolans...  
altera vero...exulans...*”

Some expressions reappear in a similar way in later charters.

C. S. 1343: “*patria naturalis sinceritas*”

C. S. 677: “*patria indoeptae pacis*”

C. S. 1343: “*gaudia beatudinis illectus*”

C. S. 677: “*amore felicitatis illectus*”

The Exposition also appears again later, even if the words are different.

C. S. 1343: “*et ad nanciscendam...coronam*”

C. S. 677: “*ad adipiscendam...misericordiam*”

The similarity of style is reflected clearly in these few phrases. The divided dating clause and the not yet rigid Dispositive section characterise both charters as a preliminary stage, an experiment. It is a completely natural process when, at a later date, the still separate sections fuse together.

Before these two there are another two simultaneously issued charters, which we can label as being the first attempt. Both documents are absolutely identical. These are the charters: C. S. 663 and 664. Once again we encounter the Proem in the word-rich, illustrative, splendid, yet dark language. The internal rhyme is more strongly pronounced here.

“*salutifera animarum gaudia ac multifidia donorum spiramina...*”  
“*praerogante quibus...consumitur felicitasque aeterna...adquiritur...*”  
“*mirando perpetualiter et regendo naturaliter...*”  
“*Quae tonantis proles...descedens secum nobis...deferens.*”

There are also clear similarities to C. S. 669.

1. Both: “*novissimus labilis vitae temporibus*”

C. S. 663: “*ad oblitteranda peccamina*”

C. S. 669: “*ad demenda...peccamina*”

- C. S. 663 (p. 368): “gemendae mortis”  
 C. S. 669: “gemendae...peregrinationis”  
 C. S. 663: “massa infirme nature”  
 C. S. 669: “massa humanae conditionis”  
 2. Both : “heu pro dolor”  
 C. S. 663: “tonatis proles”  
 C. S. 669: “tonatis iduma”  
 C. S. 663: “alta, infima aeternae labentia” } world  
 C. S. 669: “alta, media, infima” }  
 C. S. 663: “praecepto paternali descedens”  
 C. S. 669: “praecepto pantacratoris reformavit”  
 3. Both : “quorum pro, adipiscendo...”

The royal style follows on with a straightforward “Ego”, although its format still deviates. It is interrupted by the date details as in C. S. 669.

Even though it differs considerably from the later version the text of the Dispositive section already has traits recognisable from the later format.

- C. S. 663: “donando confero...”  
 C. S. 669: “condonando tribuo...”

Cf. Above:

“elegantissimam...(portiunculam) id est... mansiones...”  
 “ut ille eam sine...praecipitio invisae servitutis...” “cunctisque utilitatibus ad eam pertinentibus...”

The Sanction completely gives away the style of Ae. A, even if only isolated wording shows similarities to the later versions.

- a) C. S. 663: “Si autem, quod non optamus, evenerit aliquis subperbiae fastu afflatus...”  
 C. S. 669: “Si autem, quod non optamus, aliquis subperbe...invidia afflatus spiritu evenerit ...”  
 b) Cf. C. S. 677 with these wordings (see above):  
 “...et huius meae donationis et compositionis singrapham...elidere. infringere. minuere...”  
 “...intellegat se apud Iudam proditorem...qui ab...  
 “Filius” dicitur “perditionis”...”

As with C. S. 669 there is a part of the date after this Sanction which presents not the words but the style of the later structure. We see “scedula” and “depicta est” as well as the list:

“...suos subregulos, episcopos, duces, iudices, proceres, dignitates. gaudio cum magno Pascendo.”

Next follows the boundary clause and a further part of the dating, which later, after some modification, forms the final sentence. The start “huius namque...” goes at the beginning of the later compiled version. Here it reads as follows:

(p. 369) “Huius namque probate donationis et exquisite confirmationis testes hii sunt. quorum vocabula infra caraxata nitescunt.”

The charters are even less similar; more different attempts are being made.

The witnesses are now being listed in the described manner, except Aethelstan. If we shorten his signature, then we arrive at the familiar version. His signature here contains a sentence that immediately stands out in the dating of C. S. 1343 (see above).

C. S. 663:

“...breviculam atrae fuscationis pallore depictam ac lacrimosa virginei forcipes destillatione fedatam...”

C. S. 1343:

“...virgineo aterrimi lacrimas liquoris forcipe...destillante perscripta...”

We believe that we can also claim here with certainty that this is a charter by our scribe. The format of C. S. 663, which almost reads like a narrative, is highly characteristic both of the development of Ae. A and of the charter. One can see clearly how Ae. A first tentatively tries to produce a type of legal instrument, how he then arranges it to achieve a tighter layout, until he has finally found an external format appropriate to the contents. His method of composition, however, remains, that the Proem and Sanction have been expanded, whereas the Dispositive section maintains its brevity.

Apart from these excellent charters<sup>107</sup> there are some suspect documents produced in the style of the diplomatic of Ae. A<sup>108</sup>.

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<sup>107</sup> We have to briefly point out here certain discrepancies with respect to the dating of some of these charters.

C. S. 669: The date cannot be firmly established. According to the text: “*nonis mensis Aprilis tertia luna rotigerae vagationis P*” it can only be 3<sup>rd</sup> April, as *tertia* must surely be put together with *nonis*, whereas Birch – apparently considering that it was not *tertiis* – placed a comma before *tertia* and thus took it as meaning 5<sup>th</sup> April. According to the lunar calendar it would be 4<sup>th</sup> April.

C. S. 674: Luna XXX is given here, whereas it has to be *luna I*.

C. S. 703: Specifies lunar year XXXI, whereas XXI fits for 7<sup>th</sup> June 934. Now 31 is impossible per se and must therefore be regarded as being a copying error, probably written like this on the template (see also Appendix P 421 ff. with respect to the date).

C. S. 704: Here, as in C. S. 669, Birch appears to have made a mistake when he misinterprets: “*concurrente II idus Septembris*” as being 12<sup>th</sup> September, omitting the concurrents. We consider that it is 13<sup>th</sup> September, even if the lunar year – incorrect for both days – is nearer 12<sup>th</sup> September. The error seems to lie here with the epactae, that the copier accidentally put the number of reigning years together with the epactae and simply forgot the “*regni anno*”; as epactae 14 gives us the correct number when broken down: *anno regni X, epactae IV*. C. S. 691 and 692: The dating of these two charters of the same day contained in different cartularies differs by 10, either in the day or the lunar year. It seems certain that the incorrect number was transferred from the first charter issued to the second, but which figure is incorrect? Based on the charters and how the Anglo-Saxon chronicle was passed on, we have to assume that Aethelstan ascended the throne in the year 924, probably at Christmas (see also Plummer, *Two of the Saxon Chronicles Parallel*, II, 132); on the other hand Beaven – in artistic, yet unsustainable combinations – indicates 4<sup>th</sup> September 925 as being the epactae day, see E. H. R. XXXII, 518 ff.). If this is the case, and also assuming that the Anglo-Saxon year started on 25<sup>th</sup> December (see H. Grotefend, *Taschenbuch der Zeitrechnung*<sup>6</sup>, 1928, p. 13), we then have to agree on 14<sup>th</sup> December as being the date of issue in accordance with the lunar year, as 24<sup>th</sup> December (the given

Aethelstan B (p. 370)

Charters: C. S. 728; 730; 777.

In 938 after a long period scribe Aethelstan B (Ae. B) appears, who is discernible only by means of diplomatic comparison. The date is significant, as the Battle of Brunnanburh immediately preceded it, where the last adversaries of Aethelstan were defeated and unity was brought to the kingdom<sup>109</sup>.

The style of this scribe is significantly simpler. His language has none of the characteristics of that of Ae. A. We have to limit our comparison to his typical idiomatic expressions. (The deviation in spelling of “*pertinentiis*” (see C. S. 730) has to be put down to the copier.) His diplomatic is his own work and the structure of his charter was influenced by Ae. A.

His verbal invocation has two versions, both also appearing in other documents. This one in particular is generally used:

“*Regnante imperpetuum domino nostro Ihesu Christo.*”

The Proem also varies, but has the same form in both examples. A quotation precedes the practical application. This division resembles that of Ae. A.

C. S. 728: “*Egregius agonista sermocinatus est in scriptures divinis. omnia que...Idcirco...celestia properemus ad regna.*”

C. S. 777: “*Certia adstipulationibus nos sancti et iusti patres frequentativis hortationibus admonent. ut Deum...Ideoque...celestis vite premia mercari queamus.*”

The royal style shows a resemblance in style to Ae. A, but now follows the first sentence with “*Quamobram*” or similar.

“*Ego Aethelstanus desiderio regni celestis exardens favente superno numine basileos industrius Anglorum cunctarumque gencium in circuitu persistencium.*”<sup>110</sup>

The Dispositive section has a clearer structure than that of Ae. A.

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9<sup>th</sup> calendar) would have been the last possible date for the epactae day in the year 924, yet then the year of reign in our charters would have jumped from 8 to 9. As a final conclusion we can deduce that Aethelstan acceded to the throne between 14<sup>th</sup> and 24<sup>th</sup> December 924.

<sup>108</sup> These charters are put together in the Appendix and explained with the aid of various comments, which naturally make no claim to being complete.

Translator’s note: This footnote (and part of the 1<sup>st</sup> one) is on P370 in the original German.

<sup>109</sup> Th. Hodgkin, loc cit, p. 335. Ch. Oman, *England before the Norman Conquest*<sup>2</sup>, London 1910. p. 522.

<sup>110</sup> This Exposition is reminiscent of a particular part of Gregory 1<sup>st</sup> in his dialogues, which were translated into Old English by Alfred. There it reads: “*coelestis vitae desiderio exarsit*” (see Book III, 21 in Migne, *Patrologia Latina* 77 esp. 272).

(p. 371) It contains individual wording despite the legal terminology used. The typical sections are:

“cuidam adoptivo fideli...  
dignatus sum largiri...  
ubi vulgares prisco usu moraliq̄ue relatione...  
(The wording is changed if insignificantly.)  
ut hec prospere possideat...  
post se autem veluti affirmavimus... derelinquat.

The Immunity clause has a distinctive beginning:

“Fiat etenim prefata terra ab omni servili iugo libera...”

The Sanction varies. In the first case we have the “Glacier Sanction”<sup>111</sup> as well as another form, but each time it starts with “Denique vero si quis non optantibus...”

Compared with Ae. A., besides the changed part in the context<sup>112</sup>, the rue form is new here:

“...nisi prius irriguis penitencie gemitibus in pura emendatione emendaverit.”

Ae. B reformulates the boundary clause:

“Istis terminibus predicta terra circumgirata esse videtur.”

The boundary clause now always starts as follows:

“This synt tha langemaero to... Aerest...”

(In the event of any deviations – and with Ae. B this is the case – these may certainly be considered copy errors on reference to the original of that time and the large number of copies originating from the cartularies which have the same wording.)

The dating reads:

“Acta est prefata donatio anno ab incarnatione domini nostri Ihesu Christi...  
Indictione...”

This Acta line is the same for all three charters i.e. it appears under Aethelstan and Eadmund. The most significant thing here is the omission of the Witan’s consent and the replacement of the “Scripta” with the “Acta”. The royal section of the transfer thus appears to be more greatly emphasised, as the “Acta” would have taken place before the king<sup>113</sup>, whereas the “Scripta” could also be completed by the recipient. As both date and location are omitted, unfortunately no itinerary can be produced.

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<sup>111</sup> This Glacier Sanction was pointed out even by Hall, loc sit, p. 198. It is not, however, necessary for it to be based on an actual event, as it may have come from the patristic literature, where there are ample examples for us to imagine the punishment of being frozen in ice. We have to thank the publisher, Prof. Hecht, for this information.

<sup>112</sup> This format: “...nisi...emendaverit” is typical of the papal charters. (see J Studtmann, loc sit, p. 272).

<sup>113</sup> For this issue please refer to Excursus 1.

(p. 372) We can determine the witness-lists for Aethelstan and Eadmund, as Ae. B. was working under both their reigns. We can see that the phrase with which the king attests varies, whereas that of the bishops remains the same. (We would like to add here that the remarks on the witness-list apply initially to all charters until a change comes with Eadwig (see below). In other words the witness-list does not change with the scribe.

With Aethelstan this reads (see C. S. 730):

“Ego Aethelstanus rex totius Britanniae prefatam donationem cum sigillo sancte crucis confirmavi.”

With Eadmund (C. S. 377):

“Ego Eadmundus rex Anglorum prefatam donationem cum sigillo sancte crucis confirmavi.”

The signature of the leading clerics reads (see C. S. 730):

“Ego Wulfhelm Dorobonensis aeccliesiae archiepiscopus eiusdem Regis donationem cum tropheo agyae cruces consignavi.”

“Ego Aelfheah Wintoniensis aeccliesiae episcopus triumphalem tropheum agyae cruces impressi.”

“Ego Theodred Lundoniensis aeccliesiae episcopus consignavi.”

With the names of the other bishops listed in the witness-list who, for some time, were all the same and also appeared in the same order, there is usually only one, and usually the same, word, with only Cenwald’s signature differing (see C. S. 730):

“Ego Cenwald episcopus predictum donum consensi.”

“Ego Wulfhun episcopus consensi.”

“Ego Oda episcopus confirmavi.”

“Ego Wulfhelm episcopus consignavi.”

“Ego Burhric episcopus consignavi.”

“Ego Aethelgar episcopus roboravi.”

There are no additional remarks for the dukes or ministers (cf above).

C. S. 777: This serves as a supplement inasmuch as the charter was issued during the interregnum of Canterbury. Instead we find the York Metropolitan amongst the witnesses, who signs simply: “Ego Wulfstan...” With the bishops, Theodred signs before Aelfheah.

## Aethelstan C (p. 372)

Charters: C. S. 741<sup>0</sup>; 753<sup>0</sup>; 756; 767; 780<sup>0 114</sup>; 781; 821.

In the year 939 Ae. C takes up his duties alongside Ae. B, yet independently of him.

With his scheme he follows that of Ae. B, his (p. 373) diplomatic being reminiscent of earlier charters<sup>115</sup>. However, looking at the wider picture, it has to be said here that everything was actually processed by him. – There again his style has no particular characteristics; it is simple and clear, the use of Greek words, as with Ae. B., is limited. He created the format for the external layout of the diplomatic by changing that of Ae. B, and this then became the model.

It looks like this:

	Pictorial and verbal invocation Proem mostly very broad Royal style usually with “quapropter”
Dispositive section <sup>116</sup>	cuidam ministro... mansas... largiendo condonavi illic ubi vulgus ... vocitat aet... Sit autem predictum rus liber(um) ... cum omnibus... excepto...
Disposal form Immunity clause with Pertinence	Sanction Boundary clause always the same until ca. 950 Boundary clause always has Anglo-Saxon introduction up to ca. 950 also unchanging Acta line unchanging until ca. 950 Witness-list

The Invocation is once again dull.

The Proem is varied but the scribe first and foremost includes the thought of the “Deus gubernans” and thus also of the “creator”.

C. S. 741: “Omnia de summo caeli apice...ordinabiliter gubernante...”

C. S. 753: “Dum conditoris nostri providential omnis creatura valde bona...formata formoseque creata...”

C. S. 781: “...quod cogitarem quam mirabiliter...omnia supernus rector gubernat...”

Doubling the verbs where they are important has the effect of a further apparently conscious, stylistic instrument of Ae. C.

C. S. 741: “...gaza....defluunt”

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<sup>114</sup> The original C. S. 780 requires special consideration, which we will include when examining the charters of Eadmund B. This is because, in comparison with his charters, C. S. 780 has its own special significance.

<sup>115</sup> One of these charters is C. S. 511, an Evesham Charter, which, like all landbooks of this monastery, has proven itself to be extremely suspect. The alleged issuer, King Eadward of Mercia, is totally unknown. C. S. 550 from the Winchester cartulary is also suspect. We find the Proem from C. S. 741 previously in C. S. 594 and 623, in charters that also still require thorough examination. Thus it remains that only one Proem used by Ae. C has appeared before. (In C. S. 610.)

<sup>116</sup> The Dispositive section is still divided into sub-sections in order to show the clear and precise composition of this important part of the charter.

C. S. 753 (p. 374): “Dum omnis. creatura...formata formoseque creata atque speciose plasmata...”

C. S. 767<sup>117</sup>: “...ut Deum quem diligimus et credimus...”

C. S. 780: “Dum...cernerem sepeque cogitarem...cuncta vel superflua redarguuntur ac dissipantur...”

C. S. 781: “...supernus rector...gubernat atque custodit”

C. S. 821: “...que sollicitudo...conqueritur ac defletur.”

The royal style is worded differently in the originals each time, in one case Ae. C shortens that of Ae. B. (C. S. 753). In the initial period he prefers this version:

“Quapropter ego...divina mihi adridente gratia rex Anglorum” (et curagulus<sup>118</sup> totius Bryttanniae in C. S. 741).

Thus in C. S. 741; 756; 767.

In the last charters he writes:

“...ego...rex Anglorum ceterarumque gentium in circuitu persistentium (gubernator et rector)”

In C. S. 780; 821.

The Dispositive section can be described as the best characterising section of any scribe’s charter. (C. S. 780 stands aside due to the legal quality of the handed down land.<sup>119</sup>)

The characterising sections are:

“Perpetuali donatione libenter concedo...”

in C. S. 741; 756; 767; the traditional words of the other charters are related to this, e.g. C. S. 821: “libenter largiendo donavi” and C. S. 753 “largiendo condonavi”

“in illo loco cui ruricolae”

in C. S. 741; 756; 767. Here he has changed since C. S. 780 to

“...ubi iamdudum solicolae illius regionis nomen imposuerunt...”

“Quatinus ille bene perfruatur ac perpetualiter possideat...”

This particularly characteristic Quatinus form has a distinctive sentence, composed of two originally separate parts, which remain together in the summary.

C. S. 741<sup>0</sup>: “...et post se cuicumque voluerit ceu corroboravimus...derelinquat.”

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<sup>117</sup> With this Proem only the appearance of the doubling would point to Ae.C, the remaining structure to Ae. B. However, as this “*diligimus et credimus*” is taken from biblical language, it is not of particular significance as a characteristic of Ae. C. We therefore believe that Ae. B can actually be considered the producer of the Proem, which Ae. C then took on. Such independence, even if minimal, demands that both scribes work side by side. This could only take place in a “scriptorium” of course, in which these two scribes were working together for different recipients.

<sup>118</sup> With this “*curagulus*” there seems to be some influence from C. S. 714

<sup>119</sup> See Note 1, p. 372 and Part 4.



C. S. 753<sup>0</sup> (p. 375): "...et post se cuicumque voluerit perenniter heredi. derelinquat ceu supra diximus..."

(This last version appears once more in C. S. 780.)

C. S. 756: "...et post se cuicumque voluerit ceu corroboravimus perenniter heredi derelinquat ceu supra diximus..."

in C. S. 767; 781; 821.

He formulates the usual "quamdiu vivat" as follows: "quamdiu istius caducis seculi vitam tenere presumet..."

The Immunitay clause is still: (exc. C. S. 780)

"Sit autem predictum rus liberum ab omni mundiali obstaculo cum omnibus ad se rite pertinentibus...excepto..."

For the Sanction he always uses the Glacier Sanction (exc. 780) in the singular, which also contains the emendation form. We first find the Sanction in the Wilton charter C. S. 714, the Proem and other sentence parts reminding us of our charters.

C. S. 714: "Si quis autem, quod non optamus, hanc nostram donationem infringere temptaverit, perpessus sit gelidis glaciaram flatibus et malignorum spirituum. Terribiles tormentorum cruciatus evasisse non quiescat. nisi prius inriguis..."

This Sanction is then taken on by Ae. B, but changed to:

C. S. 728: "Denique vero si quis nobis non optantibus nostrum hoc donum violare fraudulenter perpetrando consenserit aut infringere temptaverit, perpessus sit gelidis glaciaram flatibus ex pennino exercitu malignorum spirituum nisi prius..."

Ae. C seems to have been familiar with and to have used both versions, but he makes one more alteration by replacing "ex" with "et" and making a further addition. – The scribe appears to have considerable freedom with his model<sup>120</sup>.

C. S. 741: "Si quis autem quod non optamus hanc nostram difinitionem elationis habitu incedens infringere temptaverit, perpessus sit gelidis glaciaram flatibus et pennino exercitu malignorum spirituum. nisi..."

Ae. C also had a certain amount of freedom with the model for his deviating Sanction in C. S. 780. Here, among other things, he altered the plural of the presumed model to the singular.

C. S. 708: "Hoc ius donacionis augendo conservantibus feliciter perveniat inter celibes celestium turmarum. et sine fine in eternal doxa letentur."

C. S. 780: "Si quis autem huius donationis munificentiam augendo voluerit, feliciter inter coelibes celestium turmarum sine fine in aeterna doxa voti compus laetetur."

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<sup>120</sup> Treiter, loc cit, p. 62, speaks directly of a formula book that the scribe would use as a model, also Hall, Studies, pp. 177 and 196 and Stevenson, A Charter to St. Marin's E. H. R. XI, 73 seem to accept this, whereas Kemble, Codex Introd., p. XXIII, opposes this. For our stance see pp. 382 and 413.

(p. 376) The Sanction is thus the only part of the charter demonstrating a more significant dependency of Ae. C. We would like to assume that this is not due to lack of individual thought, rather a concurrence with Ae. C's wording. – We should also observe that the models were all charters for the south-west, while the originals by our scribes were issued for the recipients in the county of Kent.

The end section of the charter completely resembles that of the charters of Ae. B. We can probably claim that they were written according to a particular chancery tradition. We can add to the Eschatocol<sup>121</sup> that the witnesses who were "Duces" were only mentioned by name and title. The "Ego" was omitted before their names<sup>122</sup>. Furthermore, we can establish that Aelfheah acted as a witness before Theodred in C. S. 741 (939), and alone in C. S. 756 and 767; other than that Theodred had precedence from C. S. 753 (940).

We also recognise Ae. C's style from the differently structured charter C. S. 781. This one uses the scheme of the original C. S. 780, in which Ae. C kept his style close to the format of another scribe (see p. 382) – due to the legal variations with the handed-down land (see p. 402 ff). However, as he got to know the other legal stipulations he began using his own diplomatic as well as his own charter framework. He retained only the Proem from C. S. 780. The structure of this type, characterised by the absence of the Acta line, will be analysed here for the completely new introduction.

Invocation: "In nomine Dei et domini nostri Ihesu Christi veri redemptoris mundi."

Dating clause: "Anno vero dominicae incarnationis..."

Royal style: "Ego Eadmudus omnireantis disponente clementia Angligenarum omniumque gencium undique secus habitancium rex..."

Year of reign: "IIII<sup>0</sup>). anno imperii mei..."

Proem: is maintained personal "Quod cogitarem..."

Dispositive section: begins with mention of the Witan's consent.

In the witness-list the king's mother and brother appear as witnesses (see C. S. 780). Their wording is as follows:

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<sup>121</sup> We define the dating clause and witness-list as the Eschatocol in these charters. The boundary clause comes under the context.

<sup>122</sup> This ascertainment is based on the originals and alleged originals as well as the copies of the trustworthy cartularies. This is made more difficult in the Cartularium Saxonicum by the fact that by far the largest number of charters originate from the Add. Ms. 15. 350 (Winchester Cathedral Cartulary) and the Hss. Cotton Claudius B VI and C IX (Abingdon), where the copier virtually always put the "ego" before every name.

(p. 377) “Ego Eadgifu eiusdem Regis mater consignavi.”

“Ego Eadred eiusdem Regis frater consensi.”

Their signatures are partly before Oda’s, but sometimes the brother signs after the archbishop. They always sign before the bishops. The king’s mother comes first. The land is referred to as “potestatis mee” i.e. it has a different legal quality.

C. S. 821 encompasses the time of Eadred. Here we come across new signatures:

“Ego Eadredus rex Anglorum prefatam donacionem sub sigillo sanctae cruces indeclinabiliter consensi atque roboravi.”

“Ego Eadgifu eiusdem Regis mater cum sigillo sanctae cruces confirmavi.”

“Ego Odda Dorobernensis ecclesiae archiepiscopus eiusdem Regis principatum et benevolenciam cum sigillo sanctae cruces conclusi.”

(From Eadred the Archbishop of York was also normally listed as a witness, although absent here.

C. S. 820<sup>0</sup>: “Ego Wulfstanus archons divinae servitutis officio mancipatus Eboracae civitatis archiepiscopus sigillum sanctae cruces impressi.”)

C. S. 821: “Ego Aelfheah Wintaniensis ecclesiae episcopus testitudinem sanctae cruces subscripsi et confirmavi.”

Theodred retains his old signature and his position before Aelfheah.

The Proem of C. S. 821 is put together from parts of others.

“...quod omnia celestia ac terrestria providential Dei gubernantur...” from C. S. 741.

“Ideo certis astipulationibus mellita oracular divinae clamacionis nos frequentativis ortacionibus suadet...” from C. S. 767.

“...ut cum his fugitives et sine dubio transitoriis possessiunculis iugiter mansura regna Dei suffragio adipiscenda sunt” from C. S. 775; but the authenticity of C. S. 775 is disputed.

He refers back twice to his earlier charters, namely C. S. 741 and 767. Maybe we can conclude from this that he had notes to hand.

## Eadmund A (p. 377)

Charters: C. S. 749; 758; 762; 828.

Eadmund A is heavily dependent on Ae. C, adapting his diplomatic to that of charter C. S. 753, which contains some terms not used again, and only changing it slightly.

He is a (p. 378) student of Ae. C, lacking in independence and lagging behind the other scribes. His few characteristics are: the Proem, which in contrast to C. S. 753 is expanded, making it more easily understood. The following is added:

“icciro ille divicie diligende sunt que numquam decipiunt habentem nec in ipsa morte ammittuntur, sed plus habundant dum cernitur quod amatur.”

The royal style originates from a shortened version of Ae. B’s:

“Quapropter ego Eadmundus favente superno numine basileos industrius Anglorum ceterarumque gentium in circuitu persistencium...”

He expands the Dispositive section of his own accord with the help of an Obedience clause, which Ae. C uses only once in C. S. 821 i.e. in his last available charter:

C .S. 749: “...ob illius amabile obsequium eiusque placabili fidelitate...”

C .S. 821: “...pro eius amabili obediencia ...”

He also reformulates the tradition wording slightly:

“largiendo libenter concedens perdonabo...”

Here we encounter the future tense for the first time<sup>123</sup>.

He borrows the location details, used only by Ae. C in C. S. 753, and changes them slightly:

C .S. 753: “...illic ubi vulgas prisco relatione vocitat...”

C .S. 749: “...illic ubi vulgus relatione vocitat...”

The format of the dispositive clause he takes from C. S. 753. This is then the Quatinus sentence, which Eadmund A uses continuously and which in this case has a unique formulation for the “quamdiu vivat” detail.

“Quatinus ille...dum huius labentis evi cursum transeat inlesus atque vitalis spiritus in corruptibili carne inhereat...”

This format presents us with another characteristic of his diplomatic style, as he replaces Ae. C’s “ceu” with “sicuti”.

“...et post se cuicumque voluerit perhenniter heredi derelinquat sicuti supra taxati sumus...”

He lengthens the Immunity clause with an addition:

“Sit hoc predictum rus liber...omnibus que ad ipsum locum pertinere dinoscuntur tam in magnis quam in modicis rebus campis...”

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<sup>123</sup> Brunner sets down the future as the habitual tense of the tradition wording in Kemble, Introduction P XXVIII at the foot (see Brunner loc cit, p.165). This, however, does not apply at all to the 10<sup>th</sup> Century. Yet the future is found frequently in the landbooks of the preceding centuries.

The Sanction varies in wording such as time and gender number. (p. 379) Ae. C uses the perfect tense and singular, Eadmund A the present and plural.

“Hanc vero meam donationem, quod opto absit a fidelium mentibus, minuentibus atque frangentibus fiat pars eorum cum illis de quibus e contra fatur. Discedite a me maligni in ignem eternum quia paratus est Sathane in satellitibus eius. nisi prius digna Deo penitencia veniam legali satisfactione emendent.”

From the boundary clause onwards, everything is again identical to Ae. B’s version. From the witness-lists available, we can determine that Theodred always signs before Aelfheah.

C. S. 828 takes on the Proem from C. S. 821 (Ae. C) and the Sanction from the diplomatic of Eadmund B. (see below).

### **Eadmund B (p. 379)**

Charters: C. S. 763; 768; 770; 776; 786.

Still in the same year, 940, Eadmund B takes up his duties alongside Eadmund A. Generally speaking his clear style concurs with that of his colleagues, but with his broader use of language and embellished words, he edges towards that of Ae. A., although never actually getting anywhere close to him. He shares with Ae. B a love of adding embellishment to his text. He uses these likewise in the Proem and Sanction. In the latter, like Ae. B, he uses the favoured “Discedite a me maledicti in ignem aeternum”. He then goes even further by introducing an Exposition and also gracing this with a quotation. That apart, we can say that the diplomatic is also his own. His charters all distinguish themselves in that they mention the consent of the Witan: “cum consensu...”, and that the chartered land is referred to as: “(terra) numinis mei”. In addition there are many witness signatures, among which are always those of the king’s mother and brother – as far as we can establish from the somewhat unreliable charters. This is rarely the case with the other charters.

His diplomatic is always the same.

There is no Invocation, verbal or pictorial.

The Proem is constructed from three separate, poorly co-ordinated sentences. The beginning is always a short caution:

“Beantis universorum voce monemur preclara: Procuremus incessanter sine amaritudine...”

(The punctuation before “procuremus” was included here for extra clarity. The charters state “...preclara procuremus...”)

Occasionally the internal rhyme sounds through, though this is not particularly impressive, as Eadmund B usually rhymes a vowel with the same one (a).

(p. 380) The royal style has the characteristic transitional word “idcirco”. He borrows “industrius” as a descriptive adjective for the title “rex” from Ae. B. Eadmund B introduces the Dispositive section through a kind of corroboration:

“anno imperii mei litteratoriis apicibus roboravi...”

The following personal forms are used:

“...partem. id est...mansas agelluli aeternaliter tradendo concessi...”

“...ubi turbarum collatione iamdudum nomen illatum hoc adesse profertur...”

“ut terram...meo scilicet ovante concessu tramitibus suae possideat vitae...”

“Deinceps namque sibi succedenti cui...derelinquat ceu predixi...”

The Immunity clause is all encompassing and its beginning stands quite alone:

“Maneat igitur meum hoc immobile donum aeterna libertate iocundum cum...”

The Sanction is varied. Eadmund B first uses one that reminds us of Ae. B yet is still independent. It uses the plural as with that of Eadmund A. The description of the Sanction in the charter stands out as “libertatis carta”. The introduction as follows is to be found with this scribe only:

“Si qui denique michi non optanti hanc...”

The Emendation form contains new phrasing:

“...Si non ante mortem digna hoc emendaverint poenitentia...”

In C. S. 776 he attempts a new Sanction consisting of a Benedictio and a Comminatio. The Comminatio is reminiscent of a Sanction of the preceding period.

C. S. 763: “...violari satagerint agminibus tetre caliginis lapsi...”

C. S. 776: “...contra fuerit...sciat se demoniis agminibus tartarea subtrahi...”

The Sanction from C. S. 786, similarly divided in two parts, is completely reformulated but retains the “Benivola mente...” in the Benedictio and re-introduces the “satagerit”.

From the boundary clause onwards there are no further differences between the diplomatic of this scribe and that of his predecessors, up to Ae. B. Here the chancery tradition has been upheld. – Theodred always signs before Aelfheah.

Two charters of Eadmund B distinguish themselves further by a special form, a denigration clause<sup>124</sup>.

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<sup>124</sup> With respect to this denigration clause see Brunner loc cit, p. 178 ff. This gives the following example of a fake formula:

“*Si autem tempore.....praescriptus.*”

The formula of Turonen also contains such a clause:

“*Et si fuerit...condempnetur*” (M. G. Leg. Sect. V, Formulae p. 135; see also Brunner, Zur Rechtsgeschichte (Legal History), p. 180, where he draws attention to Marculf II, 3).

C. S. 770 points us to the possibility of including such a clause. – We possess a fake charter C. S. 729, which hands over land three years earlier to the same recipient, and which likewise contains a disrepute

(p. 381) C. S. 768: “Sed tamen torpentes avaricie incessum omni modo in nominee agie aratoris ab omnibus christianis interdicto. Ita ut meum donum corroboratum sit cum signaculo sancte cruce et iam si quis antiquum librum in propatulo protulerit, nec sibi nec aliis proficiat sed in sempiterno graphio deleatur et cum iustis non scribatur nec audiatur.”

C. S. 770: Sed tamen surgunt frequenter nenia machinantium quomodo possunt infringere statuta priscorum. Sed hoc omni modo ab omnibus...”

We encounter this denigration clause again in an original of Eadmund C (C. S. 820) where the sentences are virtually identical. The wording points to the fact that Eadmund B, who uses this before anyone else, also stylised it. On the other hand Eadmund C is very independent in formulating his sentences, so we can hardly consider the possibility of straight-forward copying. Perhaps in this case we are dealing with a “curse clause”, the essential sections of which were written at the start, since with such a “curse” it is easy to associate it with an oral ceremony for which the words were conveyed.

In the charter C. S. 776 Wulfstan, the Archbishop of York, is among the witnesses, as the charter was issued during the interregnum of Canterbury. He produced it as with C. S. 777 (see Ae. B) so we are completely familiar with the wording.<sup>125</sup>

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clause of totally unfamiliar wording. But why would one produce a fake landbook if the land was not being claimed by another party?

A further possibility of inserting a denigration clause arose when re-issuing a lost book. We have an example of this in C. S. 786, where it reads: “Ideo scripsimus novam cartulam...et ad nihilum valeat.”

There can hardly be any doubt as to the authenticity of such an addition, but on the other hand, it is giving a warning for exercising caution, although the forger would wish to use such a sentence.

<sup>125</sup> This gives rise to a suspect element with respect to charter C. S. 775 produced by Ae. B, parts of which are of the correct format.

Sadly the majority of (p. 382) the witness-list is missing; however, we assume that both charters were issued during the same meeting of the Witan as the vacancy was soon filled<sup>126</sup>, with the new Archbishop Oda signing in the same year. Here it is surely the case, that we have two scribes from whom we have several charters and who were engaged in this work at the same time.

At this point we need to return to the original C. S. 780 of Ae. C. The schema, which has already been analysed above, originates from Ae. C, even though the wording shows some expressions of Eadmund B (C. S. 781 again points to an independent diplomatic of Ae. C; we believe therefore that this landbook was written later). We now understand why, in these two charters, Ae. C. made use of the other schema, in C. S. 780 using a text by someone else. Both documents hand down land “numinis mei”, i.e. crown estate.

Up until that time Eadmund B had been called upon to draw up such charters. When Ae. C, who had no experience in this, was asked to draw up such a charter, he referred to Eadmund B. He took significant clauses from his Dispositive section, in parts word for word, after finding a model, probably in a private charter<sup>127</sup>, for the structure of the diplomatic. We can also find Eadmund B’s influence in the Sanction; for only here do we find with Ae. C the Sanction consisting of the Benedictio and Comminatio.

In C. S. 781 we only find his own work from C. S. 780, the Proem and Invocation.

Once again we have confirmation that both scribes were working concurrently, even helping each other out, and that they worked together in a “scriptorium”, the chancery – together with the fact that at least one of them was writing a specific type of charter (Eadmund B). Furthermore we establish once more the absence of a book of diplomatic formulae, as Ae. C initially sought advice from Eadmund B, using parts of his format, then continuing to write in his own fashion, even when producing charters of this type.

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<sup>126</sup> See *Anglia Sacra*, ed. H. Wharton. London 1691. I, 83: “*Wulfhelmus obiit. Vacatio nulla.*” According to the Dictionary of National Biography Oda (Vol. XIV, 867), however, the vacancy or interregnum was of a longer duration, as Oda was first a monk in Fleury before accepting the position of Primate. Wulfhelm died as far back as 12<sup>th</sup> February 942 (see D. N. B. XXI, 1085). We can therefore not necessarily refute the possibility that two meetings of the Witan took place during the interregnum. – Now there was another Witan, when Oda was already Archbishop (see C. S. 778), and the first Witan Assembly met normally at the beginning of the year at Christmas. It is also rare that we can establish three meetings of the Witan in the Anglo-Saxon era and four only in one very suspect case (see Appendix C. S. 674). We therefore consider that we can only attach one Witan Gemot to the interregnum. Unfortunately the documents for the year 942 are very sketchy, thus making a final conclusion impossible.

<sup>127</sup> See p. 408.



### **Eadmund C (p. 383)**

Charters: C. S. 791<sup>0</sup>; 797; 807; 820<sup>0</sup>; 829; 834;  
802; 813<sup>0</sup>; 874;  
869<sup>0</sup>; individual 877<sup>0</sup>

We now come to the most interesting chancery scribe that we have seen enter the chancery as a novice<sup>128</sup>. Of the four charters which he produced completely, only two demonstrate the same structure and text, namely C. S. 791 and 820. Both these charters represent the first type, which stands out due to its wealth of words. We will refer to this as Type I (first row of numbers above). The third charter, C. S. 813, represents Type II, which is characterised by its brevity (second row). The charter form of C. S. 781, which represents a third type, was used by Ae. C as a model for the fourth charter. These three types correspond to the three different legal standpoints of handed down land<sup>129</sup>.

His language presents hardly any difficulties and is only unclear in a few places, as Eadmund C was partial to omitting prepositions. He makes more mistakes than the other scribes, but not to the extent that this could be considered a characteristic of his style.

Examples:

C. S. 791: “Tamen plerumque tempestates et turbines...religio sanctae Dei aecclesie...dissipabitur ac rumpitur.” “...ea quae communi tractu salubri consilio definiuntur...” “Praecipioque...tam nobis viventibus quam...praedicantibus huius libertatis statuta...deducere quispiam praesumat...” “...in hoc praesenti saeculo vitam illius prospera feliciter longiturnae vitae gaudia teneat...”

C. S. 813: “Imminentibus vitae caducis terminis qua in nos sceleris licet onere pressi nutu divino statuti Tamen...”

C. S. 869: “Audivi...hanc mellitam dulcedinem sermocinationis seriem...”

Some of this could be explained by apposition, but even then there are some difficulties with the translation.

Besides borrowing the schema for C. S. 869 from Ae. C, he also uses the following sentence:

“..ubi ruricoli apellativo usu ludibundisque vocabulis nomen indiderunt...”  
(see 741)

Some expressions are taken from Eadmund B. We will examine these more closely later.

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<sup>128</sup> See Handwriting Comparison, Note II p. 351.

<sup>129</sup> See Part 4.

We have already encountered similar introductions of the Sanction (p. 384) in charters of earlier times<sup>130</sup>. Apart from these few elements the work is all his own diplomatic style. – The three types all have in common a characteristic that stands out, namely the word “exinanitum” in the Immunity clause. Additionally there are a few forms that connect one type to another.

Type I and II: “In nomine sanctae trinitatis”

“...succendetium sibi cuicumque libuerit...”

“..et post se cuicumque sibi placuerit...”

Type I and III: “seculariumque servitutum...” (Immunity clause)

We are also reminded of this last one when we come across it in the Immunity clause of Type II: “...seculari servitio...”

On the whole the diplomatic of the three types differs enough for us to have to examine each one separately.

### **Type I (p. 384)**

The Proem is made up logically of three parts:

“Quamvis...Tamen...Idcirco...”

It works in conjunction with the gift.

“Quamvis decreta pontificum et verba sacerdotum...fixa sint. Tamen plerumque tempestates et turbines...religio sanctae Dei aecclesiae dissipabitur ac rumpitur. Idcirco incertum futurorum temporum statum providentes...profuturum esse decrevimus. ut ea quae...definiuntur sertis litterulis...confirmentur.”

This Proem is repeated in all charters except C. S. 829.

The royal style is similar to that used by Ae. C in charter C. S. 821 (see above). It is the final design of the royal style, which he took from Eadmund B and initially reformulated a shorter version that appears in C. S. 780. According to the handed-down charters, Eadmund C was already formulating these as a novice (see C. S. 791).

The Dispositive clause portrays an extremely personal diplomatic style:

“cuidam mihi fidelissimo...devotionis eius sollertia eiusdem placates obsequio...dignatus sum impertiri...”

The disposal format is very long, as Eadmund C also includes the Pertinence and, with his tendency to repeat himself, it is further expanded.

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<sup>130</sup> In C. S. 391 for Winchester and C. S. 439 for Rochester for example, the Sanction begins in a similar fashion, yet we believe that an influence of Gregory’s dialogue is more likely (see Migne, loc sit, Col. 236), where we find III 10 to be almost identical: “*Praecipio tibi...*”

We find a very similar Proem in C. S. 604 and 611 (both for Winchester); however, first of all the issue of authenticity must be clarified.

(p. 385) “Tali autem tenore hoc praefatae munificentiae munus tradendo concessi...cum omnibus utensilibus quae Deus caelorum in ipsa telluris gramine creavit...donnas donabo libertatem. Et postquam humani generis fragilitatem deseruerit et ad desiderabilem iucunditatis viam per gratiam superni iudicis adierit. succedentium. sibi cuicumque libuerit aeternaliter derelinquat ceu superius praenotavi.”

Through this the Immunity clause is unencumbered, thus changing it significantly from previously.

“Sit autem predictum rus liber ab omni fiscali tributo saeculariumque servitutum exinanitum sine...instructione.”

(He uses the Immunity clause also in the third type C. S. 869.)

The Sanction deviates significantly from the familiar format. Its first sentence gives us the possibility of determining two periods, which helps considerably in establishing the authenticity of the charters.

Period I: “Praecipioque in nomine Dei summi tam nobis viventibus quam etiam divina praecepta praedicantibus...”

In C. S. 791; 797; 807.

Period 2: “Praecipioque in nomine Dei summi tam nobis viventibus quam etiam qui Christianitatis nomine et divinae agnitionis fidei censentur...”

In C. S. 820; 829; 834.

This beginning is followed by a *Benedictio* and *Comminatio*<sup>131</sup>. (To complete this we have added the missing ending of the first sentence.)

“...censentur huius libertatis statuta ad irritum deducere minime quispiam praesumat.”

The *Comminatio* stands out with its stock rhyme on “t”; we have also encountered a similar one in the other types.

“Si quis autem propria temeritate violenter invadere praesumpserit, sciat se proculdubio ante tribunal districti iudicis titubantem tremebundumque rationem redditurum...”

In C. S. 820 we have a second version.

“...sciat se trusum sub...in picea custodia taetrae tortionis mancipatum...”

In C. S. 802 (Type II) it reads:

“Nam quisquis...temptaverit...iudicii die magna cum turma truces trudatur...”

From the boundary clause onwards, everything is again absolutely identical to the other charters. The witness-list is very long due to the many witnesses. Theodred always signs before Aelfheah.

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<sup>131</sup> This form of the Sanction with *Comminatio* and *Benedictio* suits papal charters. See for example *Liber Diurnus* No. 86 and 89 or Schmitz-Kallenberg, *Papsturkunden* (Papal Charters) p. 70. J. Studtmann, loc cit, p. 272.

## **Type II (p. 386)**

We will describe this type schematically.

The Invocation is identical to that of Type I (see above).

The Proem seems to adapt to the specific gift. It always reads like this:

“Imminentibus vitae caducis terminis qua in nos sceleris licet onere pressi nutu divino statuti, tamen dominica prosequentes monita prout quimus secundum illud evangelii, ubi dicitur. Date et dabitur vobis.”

The Dispositive section differs considerably from that of Type I. It is much shorter for one thing. The recipients belong to a different social class than those who had received charters up to this point. They are called “homines”<sup>132</sup>. The typical clauses of the Dispositive section are:

“aliquam portionem hereditatis meae in aeternam possessionem concedo...eatenus ut hoc diebus suis possideat tramitibusque vitae suae...post se cuicumque sibi placuerit post hac tradat hereditario aeternaliter ceu praedixi illis.”

The Immunity clause is again interwoven with the Pertinence:

“Maneatque prout iam praedixeram donum istud ab omni seculari servitio exanatum...”

Edmund C. changes the Sanction. In C. S. 802 he uses the above mentioned Sanction with the stock rhyme on “t”, in the other two charters the Glacier Poem of Ae. C.

From the boundary clause onwards he again reverts to the traditional form. But a special witness-list is suitable for this type. Only few bishops and ‘duces’ act as witnesses, including Aelfheah and the bishop of the recipient’s diocese; with the ‘duces’ we always encounter Aethelwold who presides over a county in the south, probably Hampshire<sup>133</sup>. The number of ministers on the other hand is the same as in the remaining charters.

## **Type III**

Charter C. S. 781 was a model for the third type. Alongside the Immunity clause, here we also find the Comminatio of the first type. However, Eadmund C changes the model somewhat.

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<sup>132</sup> This “homines” earned the attention of legal and constitutional historians. Nothing can be said here with respect to their social or legal standing. Special note can be made, however, on the emphasis placed on the hereditary disposal.

<sup>133</sup> On Aethelwold, see W. G. Searle, *Onomasticon Anglo-Saxonicum*, Cambridge 1897, p. 54 and H. M. Chadwick, *Studies on Anglo-Saxon Institutions*, Cambridge 1905, p. 188.

(p. 387) The Invocation loses its ending: "...vero redemptoris mundi."

The Dating clause then adds the missing Indiction, and the years of reign are omitted. He styles the Proem in a new way and adapts it to the content of the gift.

"Audivi a sapientibus et prudentibus hanc mellitam dulcedinem..."

He also partly changes the Dispositive section:

"perpetuali donatione libenter concedo..."

The disposal formula is considerably shortened:

"Quatenus illa bene...et post se cuicumque voluerit heredi derelinquat in aeternam hereditatem."

This is the only charter which corresponds to this type.

However, we are in the fortunate position to be able to trace back two further charters by him, which give us a clear understanding of his relationship as a student to Eadmund B. Both charters, which when considered alone would have to be rejected as being suspect, date from the year 944, during which Eadmund C appears as a novice.

C. S. 795 shows almost all characteristics of Eadmund C, apart from in the Dispositive section, the most difficult and important part, where Eadmund B's diplomatic shines through.

The Dispositive section precedes an Exposition, which we have only come across with Eadmund B. Here it is expanded compared with the model.

C. S. 763: "Pro illius amore qui dixit. Date et dabitur vobis."

C. S. 795: "Hanc elemosinam mihi providens prodesse profuturum. quicquid piis petitionibus pro Dei amore largitus sum ut evangelica provulgatur oratio. Date et dabitur vobis."

The wording is identical to that of C. S. 763.

"...modicam numinis mei partem. id est...mansas agelluli eternaliter tradendo concessi..."

The disposal form is appended with "ut" as we have seen with Eadmund B ("ut habeat...") but it immediately progresses into the form of Eadmund C.

The introduction of the Sanction properly fits into Period 1 (see above). In the Sanction the dependency on what we consider to be Eadmund B's last charter is clearly visible. Here we are also granted the opportunity of clarifying the Benedictio of Type I, which in one section is so obscure.

C. S. 786: "Quisquis benivola ac fideli mente augendo amplificare satagerit augeat amplificetque omnipotens Deus in hoc presenti seculo vitam illius et cum suis omnibus prospera feliciter longiturnae vitae gaudia hic et in futuro. Sin autem quod non optamus infringere temptaverit predictum donum! noverit se esse anathematizatum. ante tribunal domini nostri Ihesu Christi..."

(p. 388) C. S. 795: “Quisquis benivola mente meam donationem amplificare satagerit in hoc praesenti seculo vitam illius prospera feliciter longiturne vite gaudia teneat. Si quis autem propria temeritate violenter invadere presumpserit. Sciat se proculdubio ante tribunal districti iudicis...”

Although the influence of Eadmund B is clearly visible here, we can still see the considerable dependency in the core of the charter, the Dispositive section. So Eadmund C has created his own style of diplomatic, but it is still not entirely independent of the model.

In the preceding charter, C. S. 793, he stays even closer to the format of Eadmund B.

C. S. 793 already has an Invocation which is always missing with Eadmund B, but always present with Eadmund C.

The Proem is made up of two parts which are intertwined logically as we found with Type I. The first part of the Proem is identical to that of C. S. 829, also a charter by Eadmund C, the second part being the “idcirco” ending of the Type I Proem. As regards content this is the same as Eadmund B’s.

The royal style here is already Eadmund B’s which differs so much from that of Eadmund C.

The Dispositive section suppresses in a similar fashion the anticipated transition that has already occurred with the Proem: “anno imperii...litteratoriis apicibus roboravi...virorum tradidi...”. It starts immediately with: “cuidam fideli meo ministro...ob illius amabile obsequium eiusque placabili fidelitate...modicam numinis mei partem...”

From then onward we have Eadmund B’s diplomatic.

Due to this, the charter arouses no suspicion. It is the first work of Eadmund C and is therefore still very dependent on his master’s form. He dare only make minimal changes, where this is possible without difficulty. By C. S. 795, however, he is already at ease with his work and stylises independently. He still retains some sentences and expressions of his master, some of which he never gives up, which explains those echoes in his work

6. “cuidam meo...vocitato nomine...” in C. S. 802 and 874.
7. “tradendo concessi (pro illius amore...ubi turbarum collacione...profertur act...) ut...”

(p. 389) By placing at the front the wording situated between tradition verb and the pertinent “ut” (although in another version), Eadmund C has succeeded in putting these three words, retained from the Dispositive section, in the logical order in which they were meant to be. However, he accommodates them in the “Tali autem...” section.

8. In Type I Eadmund C uses another tradition verb as Eadmund B did, preceding the “tradendo concessi”, only he separates both verbs and uses them in such a way as not to disturb the individuality of the Dispositive section.

Eadmund B writes: “tradidi...tradendo concessi...”

Eadmund C writes: “dignatus sum impertiri...Tali autem tenere...tradendo concessi...”

9. “cum omnibus...tam in magnis quam in modicis rebus. Campis...”

10. “...possideat tramitibusque vite sue...”

This format appears identically in Type II.

6. Eadmund B writes: “derelinquat ceu predixi...”

Eadmund C writes: “tradat...ceu predixi...”

7. Eadmund B writes: “Maneat igitur...”

Eadmund C writes: “Maneatque prout...”

These last two positions can be found in Type II; the “Maneatque” is placed superbly, since it introduces the Immunity clause which normally begins with “Si quis”.

The student relationship clearly demonstrated here, speaks, as already established, in favour of a chancery.

### **Scribe Eadred A (p. 389)**

Charters C. S. part of 877<sup>0</sup>; 879.

We have already pointed out that in C. S. 877, Eadmund C’s last charter, there is a second style of script which we will refer to as that of Eadred A. With his script we find only a few distinguishing characteristics.

The granting verb used here is: “dedi”.

Not only is the recipient mentioned by name, but we also find out a little more about him.

C. S. 877: “cuidam mihi intimo praecordialis affectu amoris fideli immo et privilegio delectionis in omnibus mihi caro...”

C. S. 879: “cuidam meo homini...arciselus ob studium quam mihi auri argentique fabrica sollicite deservit atque decorat...”

He expands the Immunity clause by a few words.

“Sit autem predictum rus...excepto communi labore expeditione pontis arcisve constructione.”

(with Eadmund C this is called “instructione”).

(p. 390) When producing this type of Anglo-Saxon charter, these three characteristics are enough to determine with some certainty that a new scribe was employed, even if he was less independent. On both occasions the remaining diplomatic is Eadmund C's work.

### **Scribes writing during Eadwig's time (p. 390).**

With Eadred A or even with Eadmund C we are leaving the prime period of the Anglo-Saxon chancery. By using comparisons of scripts, no scribe can be found to have produced several charters for the period 950-960. However, by comparing diplomatic formulae we can at least determine one. In addition to this we have an example of a recipient's hand on the original. Even Earle said of this charter, C. S. 926, that its format was in parts unusual<sup>134</sup>. This applied especially to the royal style:

“Eadwig numine caelesti gentis Geuuisorum orientaliumque nec non simul etiam aquilonalium Saxonum archons...”

This sounds very literary yet by no means in accordance with an official title or royal style.

The remaining formats contain sentence parts that appear here and there but without any discernible connection. Only the Sanction appears more frequently. It is immediately recognisable as a shortened version of Eadmund C's *Comminatio*.

“Si quis autem infringere temptaverit quod absit. sciat se rationem redditurum coram Deo et angelis eius. nisi prius hic digna satisfactione emendare satagerit.”

C. S. 869: “Si quis autem propria temeritate violenter invadere praesumpserit. Sciat se proculdubio ante tribunal districti iudicis titubantem tremebundumque rationem redditurum. Nisi prius hic digna satisfactione emendare maluerit.”

The boundary clause now reads like this:

“Istis terminibus ambitur praedicta tellus.”

We find this frequently in charters of Eadwig (956-959).

The boundary clause contains the familiar introduction.

There is a date line, which begins with *Anno*, missing from the landbook.

The witness-list provides us with signatures of the main witnesses, which developed as abbreviations from the preceding period. The remaining witnesses are listed in the old style. The only new feature is the use of the *Labarum* in place of the former associated cross for the pictorial invocation.

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<sup>134</sup> J. Earle, loc cit, p. 195 Note I.



### Scribe Eadred B (p. 391)

Charters C. S. 891; 992; 1003<sup>0</sup>; 1027.

According to the charters this scribe began his duties in the year 951; then we only come across him again in 957 with an original and a cartulary document. This long interruption places some doubt on his existence. In order to establish this we need to determine that no original charter for the years 952 to 955 can be found; the suspect charters only add up to 15, the majority of which are apparently from the year 955. Only in 956 does the influx of charters begin – no other year has as many charters as this – but none of these have yet been authenticated.

In spite of this uncertainty we believe that we can find certain stylistic characteristics of our scribe. He is of the old school as C. S. 891 shows; but no longer can we detect elements of the former independence. Eadred B constructs his sentences from old diplomatic formulae, combines them into a form that remains only small, while retaining certain sentences which enable a comparison of diplomatic. – With this dependence it fits well to hear Aelfric say that “priests can neither read nor write Latin”<sup>135</sup>.

We are basing the analysis of his form C. S. 1003, on the original.

The Invocation consists of the Labarum as the pictorial invocation, and the frequent “Regnante in perpetuum...” as the verbal invocation.

We find this Proem as an additional ending in earlier Proems (C. S. 764 and 789)<sup>136</sup>. It is characterised by the stock and internal rhymes as well as the Cursus (*i.e.* the prose rhythm). However, this is not necessarily a characteristic of Eadred B, as the cursus is not strictly carried out and the internal rhyme does not appear in all charters. Therefore we have to continue assuming that these Proems have been taken from other diplomatics. He is apparently not able to construct his own, as his form would suggest to us. On the other hand we may assume that this type of Proem pleased him.

“Nunc mutando fragilitas mortalis vitae marcescit et rotunda seculorum  
volubilitas inanescit. Ac in carorum propinquorum amicorumque amissione  
conqueritur ac defletur.”

The royal style has no consistent version, yet he always takes it from that of Eadmund C. It is however characterised by the transition word

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<sup>135</sup> Aelfric, *Grammatik und Glossar (Grammar and Glossary)*, ed. J. Zupitza, Berlin 1880, p. 3:  
“...swa swa hit waes gedon on Angelcýne nu for annum feawum gearum, swa thaet nann englisc preost  
ne cuthe dihtan oththe asmeagean anne pistol on leden.”

<sup>136</sup> Both charters, however, still have to be examined with respect to their authenticity.

(p. 392), “ideo” in the original, where otherwise “unde” is used. Then our scribe continues to latinise the name, writing for example simply “Eadred” and “Eadwig”.

He composes the Dispositive section by borrowing from a wide range of diplomatic formulae.

“cuidam meo... vocitato nomine... (802) ... perpetualiter concedo... (869 or 741) ... ut habeat as possideat quandiu vivat. et post se cuicumque voluerit heredi aeternaliter derelinquat.”

This disposal form, whose model was probably charter C. S. 879 by scribe Eadred A, shows us at one point the shift and thorough analysis of the wording. Ae. C first encountered it as the Quatinus form, then Eadmund C took it and reduced it, for this then to be borrowed by Eadred A, who was then only able to make minimal changes. Finally Eadred B used it and reformulated it, no longer using the characteristic “quatinus” but inserting “ut” instead.

He puts the Immunitas together once again in a unique way. He took the beginning:

“Sit autem praedictum rus liberum ab omni mundiali obstaculo cum omnibus ad se rite pertinentibus...”

from Ae. C, continuing from Eadmund C:

“...sine expeditione. et pontis. arcisve instructione.”

The Sanction is similar to that of the mentioned recipient producer.

The boundary stipulation and the start of the boundary description remain as for recipient production.

For the dating clause he goes back to the time of Ae. A as this emphasises the text:

“Haec carta karaxata est. Anno dominicae incarnationis... Indictione...”

(the so characteristic “karaxata” is replaced by other scribes with “scripta”.)

The witness-list is virtually the same as that of C. S. 926. However, before we list the different signatures, we would like to round off the picture gained of Eadred B with the help of the other charters, as the signatures are not a personal characteristic of the scribe, but rather convey the style of the times.

In C. S. 891 we again come across a Proem of the above style.

“Domino dominorum dominante in secula seculorum regna regnorum huius presenti seculi transeunt sicut ignominica et omnis gloria. et locus huius mundi peribit. et non sunt eternal. set superna eterna sunt.”<sup>137</sup>

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<sup>137</sup> Although we do not have a specific model for this Proem, we encounter virtually all of these phrases frequently in the literature of the Middle Ages.

(p. 393) In this charter Eadred B uses a sentence from Eadmund C in the dispositive section:

“...quamdiu vivat. et postquam universitatis viam adierit cuicumque voluerit...”

He also uses this sentence again in the disposal wording of C. S. 992, where he puts together the following formula from the relevant ones of Type I and II of Eadmund C:

“Eatenus ut diebus suis possideat tramitibusque vite sue. Et postquam universitatis via adierit cuicumque voluerit eternaliter derelinquat.”

So we can see his own style constantly shining through, interspersing mainly Eadmund C’s wording with his own.

C. S. 1027, the last crown estate gift, has quite a distinct Proem, in which only the “in seculorum secula” is to be found. Yet we appear to be reading something familiar with only isolated words being changed. However, the Proem is considerably lacking in the first established stylistic characteristics. This deviation however can be explained by the individuality of the gift, in that Eadred B tried, as did Eadmund C, to match the content to the gift. He created a new Proem, yet was unable to succeed in finding something suitable in the way of a stock and internal rhyme.

These are the signatures from C. S. 1003:

“Ego Eadwig rex Anglorum praefatam donationem concessi.”

“Ego Eadgar eiusdem regis frater celeriter consensi.”

“Ego Oda archiepiscopus cum signo sanctae cruces roboravi.”

“Ego Aelfsinus praesul sigillum agiae crucis impressi.” (Aelfsinus of Winchester.)

The remaining bishops now sign with different wording from that of the preceding period. (Only “consignavi” remains.)

“Ego Byrthelm episcopus consignavi.”

“Ego Cenwald episcopus adquevi.”

(Cenwald of Worcester previously signed at the top of the bishops’ list. He distinguished himself somewhat from the others, but not to the extent of Theodred and Aelfheah, who signed separately from the other bishops.)

(p. 394) “Ego Oscytel episcopus corroboraui.”

“Ego Osulf episcopus non rennui.”

“Ego Athulf episcopus conclusi.”

(One particular characteristic of the charters of this period is the “non rennui”, which is virtually never omitted.)

### **Scribe Eadgar A (p. 394)**

Charters C. S. 1055<sup>0</sup>; 1066<sup>0</sup>; 1082<sup>0</sup>; 1083<sup>0</sup>; 1085; 1100; 1101<sup>0</sup>; 1113.

We do not establish another scribe until 960 Eadgar’s time (959-975). We possess five originals of his, and one copy shows quite clearly that it was copied from an original of his hand. We are thus able to characterise him well.

With Eadgar A we recognise again that he is trying out a format as produced earlier by Ae. A. However, unlike Eadred B, he does not piece together sections from different diplomatic formulae, but endeavours to find his own formula.

In his first, completely independent charter of a restitution, C. S. 1055, he uses Eadmund C to a great extent as his model. Then he finds in his second original virtually the final text to enable him to make a further attempt in a third. Eventually, from C. S. 1083 onwards, he remains with his diplomatic precisely formulated for the Context. Only with the Proem does he occasionally use other versions.

We will begin by considering his first original.

As a model for his Proem it is obvious that he used the Type I Proem of Eadmund C. He modified this somewhat, correcting the mistakes and substituting some words with others, appearing to indicate a changed attitude of mind of the writer.

“Quamvis enim regalium dignitatum decreta et saluberrima regnorum consilia manente immunitatis singrafa iugiter fixa firmaque perseverant. adtamen quia non umquam tempestates et mundi turbines fragilem vite cursum humane pulsantes contra divina supernae affirmationis ac legitima iura illidunt. Idcirco ordine litterarum ac cartarum scedulis sunt roboranda, ne fortuitu casu successorum progenies posterorum ignorato precedentium patrum cirographo inextricabilem hoendorum barathrorum voraginem incurrat.”

This emphasis of the profane will certainly have been intended, as it is actually expressed three times, in one instance changing the sentence of the model.

C. S. 791: “Quamvis decreta pontificum et verba sacerdotum...religio sanctae Dei aecclesiae dissipabitur...”

The picture “barathrorum voraginem incurrat” is reminiscent of Ae. A

(p. 395) (see C. S. 677). The word “barathrorum” later adorns the Sanction form of Eadgar A.

Eadgar A produced the royal style by merging two older forms.

“...ego Eadgar, totius Britanniae gubernator et rector...”

This royal style, in which once more there is no latinisation of the king’s name, has the following model:

11. The signature of Aethelstan:

“Ego Aethelstanus rex totius Britanniae...”

12. The royal style, which Eadmund C used:

“...ego Eadmundus. rex Anglorum ceterarumque gentium in circuitu persistentium gubernator et rector.”

Particular attention should be paid here to the formulation of the royal title. Eadgar A reverts to the imperial style of Aethelstan<sup>138</sup>.

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<sup>138</sup> The customary King’s title of the early Middle Ages is for Germany Rex Francorum and for the Kaiser: “Romanorum imperator augustus”. The way had already been paved for this version by the Merovingian-Carolingian King’s title: Rex Francorum or Charles’ title after coronation of the Emperor: Imperator Romanum gubernans imperium, qui et per misericordium Dei rex Francorum et Langobardorum.” (R. Schröder – E. Künßberg, Lehrbuch der deutschen Rechtsgeschichte<sup>6</sup> (Textbook of German Legal History), Berlin-Leipzig 1922. pp. 510 and 119.) – For France: Rex Francorum (R. Holtzmann, Französische Verfassungsgeschichte (French Constitutional History), in Below-Meinecke, Handbuch der Mittelalterlichen und Neueren Geschichte (Handbook of the Middle Ages and Modern History, Munich 1910, pp. 124 and 178). – For England: Rex Cantuariorum, Rex Saxonum or Rex Anglorum (F. Liebermann, Gesetze (Laws) II<sup>2</sup>, Königstitel (King’s Title) p. 556; “*Der Köning heißt nie Landesherr*” (The King is never land-ruler) and Königstitel, Art 4a).

Not until the reigns of the absolute rulers of the Plantagenet line was the country named in the title instead of the people. Richard I for example was Rex Angliae (F. Liebermann, Gesetze (Laws) II<sup>2</sup>, Königstitel 5B), or as W. Stubbs formulated it in Constitutional History, p. 593: “*John’s idea of his own position was definitely that of an absolute prince; - curiously enough it is in John that the territorial idea of royalty reaches its typical enunciation: all the kings before him had called themselves on their great seals kings of the English. John is the first whose title appears on that solemn and sovereign emblem as Rex Angliae.*” In a similar fashion the Valois later called themselves King of France (see Holtzmann loc sit, p. 310). We have the final superlative in the interpretation of this territorial kingdom, which is so often quoted: “*L’état est moi!*”

For us, however, Aethelstan is at the beginning of this development, being the first – to our knowledge – to replace the term German People’s Kingdom in his title or at least in his signature, with that of Territorial Kingdom. This increased claim of power was based on the law of the empire which developed from the conquest “*across the whole island with all the different folklore and national traditions of its inhabitants*” (see Keutgen, Der deutsche Staat des Mittelalters (The German State of the Middle Ages), p. 32 and Note 43 *ibid.*, which, however, is incorrect in its statement that assumes this is a territorial founding of a state in the era of migration of the peoples). This was indicated by the royal style, which in the meantime had become common use: *rex (basileos) Anglorum ceterarumque gentium in circuitu persistentium (gubernator et rector)*. However, it is even less likely than with the Plantagenets, that ownership of the whole land was meant here or a manorial system covering the whole of Britannia, as Aethelstan did not even own the whole land like the Norman kings and their successors i.e. every individual piece of land, as the Anglo-Saxons still had their own land (for the difference see Keutgen, loc sit, p. 134 ff and 137: “*Lord within the land, not on the land*”).

This territorial rule in a region comprising several peoples was first applied on the Continent – to our knowledge – by Alfons VII of Kastilien-Léon, by including the name of the land in the royal style: “*Ego Adefonsus ... totius Hyspanie imperator*” (see P. Rassow, Die Urkunden Kaiser Alfons’ VII von

(p. 396) The Kings Eadmund, Eadred and Eadwig called themselves “King of the People”, as we encounter everywhere at that time, rather than “King of the Land”.

He borrows the Sanction from the diplomatic that Eadmund B used initially.

The dating clause retains the “Scripta” specification, once more in common use since Eadwig<sup>139</sup>.

The witness-list assumes the simple form of Eadwig’s time, with the signatures being simplified even further. An abbot appears as a witness for the first time again. This is the reformer Aethelwold, who is listed after the bishops and before the ‘duces’. Solely in this charter he adds after his name: “Ego Aethelwold abbas depinxi”.<sup>140</sup>

The second charter demonstrates in essence the final style of Eadgar A. As he is still, however, attempting a new diplomatic, we would just like to highlight a few terms from this charter that later disappear, yet still characterise his development.

He uses here an Exposition (see above), which follows the royal style. It corresponds to the Exposition of Ae. A (see above).

One sentence in the Dispositive section is strongly reminiscent of Eadmund C.

“...cum omnibus utensilibus quae Deus celorum in ipsa telluris edidit superficie.”

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Spanien (The Charters of Emperor Alfons of Spain), in A.f.U.X, 388 f. Berlin Leipzig 1928. Cf. incidentally, the fact that in Anglo-Saxon charters it stated correspondingly: “*totius Britanniae*”).

Shortly after the name of the land appeared in the royal style, the other component disappeared, that stated claim to the supreme kingdom over the Christian rulers of the island. Alfons VII is the last one to name himself Emperor as successor to the West Gothic Kings of Toledo. Viz. the title was given up when the region of the particular Spanish Empire bordered on the Universal Empire of the Roman Emperors (see Review by P. Rassow, H. Z. 145, 604: Rezension zu Ramón Menéndez Pidal, *La España del Cid*). If we wish to draw a parallel, for Aethelstan it resulted in his selecting the name of the land precisely on the grounds that he knew, through his connection with the Continent, of the existence of the Universal Empire that was not yet vacant. It then becomes clear to us why the title of Emperor does not appear in authentic Anglo-Saxon charters of that period, if we do not consider the term *Basileos* as being its equivalent. (Incidentally, Knut called himself King of England, see J. Allen, *Inquiry into the Rise and Growth of the Royal Prerogative in England*<sup>2</sup> [1849], p. 51.)

<sup>139</sup> This “Scripta” is widespread in pre-Alfred charters, but was also still used by Ae. A.

<sup>140</sup> See Excursus I.

(p. 397) C. S. 791: "...cum omnibus utensilibus quae Deus caelorum in ipsa telluris gramine creavit..."

In the following charter, which introduces a new Dispositive section, Eadgar A uses old models for the last time. The tradition "in aeternam tribuo (see Ae. A) possessionem" can be traced back to Eadmund C's Type II with its "aeternam...possessionem", and with its "tribuo" to Ae. A. Once again we notice the influence of these two scribes who had already had an impact on him. The term "quandam telluris particulam" also points to Ae. A.

As the land in this charter is not described any differently from that in his other charters, we are unable to establish whether the Dispositive section varies so much because of the different legal quality of the land. We assume that it was a case of simply trying out a different formulation.

With the next original he reverts to the second version, but suppressing the wording there taken over from Eadmund C, so that Eadgar A now has a diplomatic all of his own. This diplomatic now remains consistent, with hardly a word being changed. Only the Proem changes once more. He uses both Proems alternately. We encounter them up until 963, then they both disappear. Since that year every charter that is completely in line with his format after the royal style, has a different Proem – and there is a considerable number of such cartulary copies. After that there were also several abbots regularly acting as witnesses. Aethelwold, who up to that point was the only abbot to sign charters, was appointed bishop at the end of November 963, then beginning his reform work.

We will now analyse C. S. 1083 from the royal style.

Eadgar A begins his charter with the familiar, new pictorial invocation the Labarum. A verbal invocation follows, which is merged with the Proem. He indicates this by using no punctuation between the two sets of wording.

The Proem stands out by its exceptional lucidity and comprehensibility. Eadgar A constructs these simply, without any embellishment or complex ablative structures. This gives the impression of the spoken word, and particularly with the ending "...et relinqua."

Eadgar A uses three Proems, all being placed at the beginning of a word starting with "a". Although we can call this a coincidence, it would certainly have been intentional here. The last two Proems also have the rare word "recidivus" in common. The start of all three read:

1. "Almus totius cosmi..."

in C. S. 1066; 1082.

2. “Altithrono in aeternum regnante...” (p. 398)

in C. S. 1083; 1085; 1113.

13. “Annuate altithroni moderatoris...”

in C. S. 1100; 1101.

The last Proem has a cross as a pictorial invocation.

The second Proem, which expresses apocalyptic thoughts, appears to convey the mood of the times, although this idea appears earlier and in other positions.

C. S. 1083: “Universis sophie studium intento mentis conamine sedulo rimantibus liquido patescit quod huius vitae periculis nimio ingruentibus terrore recidivi Christi promulgat sentential qua dicit. Surget gens contra gentem et regnum adversus regnum et reliqua.”

There is a parallel in the “Formulae Turonensis”, which reads:

“Mundi terminum adpropinquantem, ruinis crebrissentibus iam certa signa manifestantur”<sup>141</sup>.

In the “Blickling Homilies”, which appeared at around 970, we read that the greater part of this age has already passed<sup>142</sup>.

The third Proem contains uniquely the early Celtic word “Albion”, that only appears as a literary geographical term with Bede. The commonly used and official term is “Britannia”<sup>143</sup>. This rare word certainly says something for the scribe’s education.

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<sup>141</sup> See M. G. H., *Formulae*, p. 135.

<sup>142</sup> See Early English Text Society, *The Blickling Homilies of the Tenth Century*, ed. R. Morris, London 1874. p. 117:

“...forthon thes middangeard nede on thas eldo endian sceal the nu andweard is...” p. 119: “...and thisse is thonne se maesta dael agangen...” (...for the Earth will inevitably come to an end in the era that is now passing...); and “...and the greatest part has now passed.”)

<sup>143</sup> The island was probably called Albion during the Goidel era i.e. at the time of the first Celtic settlement (see Th. Hodgkin loc cit, p. 6). The word first appears in literature in the *Periplus* (see *The Encyclopaedia Britannica*<sup>13</sup>, I, 511). Later Plinius used the word in his “*Naturalis Historia*” (see *Thesaurus Linguae Latine*, I Art. “Albion”).

Beda copied from Plinius the complete sentence containing the word Albion in the geographical introduction of his *Historia Ecclesiastica*. Furthermore, he only uses the term “Britannia” for the island, also generally used by the Romans (*Venerabilis Baedae Opera Historica*, ed. Ch. Plummer, Oxford 1896. 2 Vols. See I, 9: “*Britannia Oceani insula, cui quondam Albion nomen fuit...*”; also II, 5). When Nennius revised the “*Historia Brittonum*”, he borrowed “Albion” from Beda (see M. G. H. *Chronica Minora in Auctores Antiquissimi XIII*, p. 147, ed. Th. Mommsen). There is no further incontestable mention known to us other than for Eadgar A.

The word first penetrated the English language with Layamon’s *Brut*. He is familiar with the word from his model of *Historia Britonum* by Geoffrey of Monmouth (see I. C. Fennel, *The Stanford Dictionary of Anglicised Words and Phrases*, Cambridge 1892, p. 44). From Layamon onwards the term “Albion” became increasingly popular.



(p. 399) Here it is also used as a literary term; in the royal style “Britannia” is used.

“...ego Eadgar. totius Britanniae basileus.”

He also reverts to Aethelstans’s time for this “basileus”. Ae. B wrote this in the royal style. – The royal style prevails during Eadgar’s time.

Eadgar A made extensive changes to the Dispositive section compared with the old forms. In a similar way to Ae. A, we find details on the size of the handed-down land.

“quandam telluris particulam...videlicet cassatos...”

(In the sentence “telluris” is exchanged with “ruris”.)

Then follows the location description:

“...loco qui celebri aet...nuncupatur vocabulo.”

The details of the recipient were withdrawn after this:

“cuidam...mihi oppido fideli qui ab huiuscae patriae gnosticis  
nobili...nuncupatur vocabulo...”

(Eadgar A first writes “nuncupatur”, then “appellatur”. The “oppido” can be replaced with “valde”.)

Then with Eadgar A we constantly find the Obedience form:

“pro obsequio eius devotissimo...”

We encounter the tradition words frequently in the charters of Eadgar’s time. They originate from Eadgar A.

“perpetua largitus sum hereditate...”

The contents of the disposal form are similar to those of Eadmund C (Type I), also the Pertinence.

“ut ipse vita comite cum omnibus utensilibus...voti compos habeat et post  
vitae suae terminum quibuscumque voluerit cleronomis immunem  
derelinquat.”

The freely styled Immunity clause is thus unencumbered.

“Sit autem predictum rus omni terrene servitutis iugo liberum tribus exceptis rata  
videlicet expeditione pontis arcisve restauratione.”

The Sanction brings back the “Iuda proditor”, also found in Ae. A.

“Si quis autem hanc nostram donationem...transferre voluerit privates consortio  
sancte...iugiter cum Iuda Christi proditore eiusque complicitibus puniatur, si  
non...emendaverit...quod contra nostrum deliquit decretum.”

(In the later charters this becomes “deliquit”.)

The boundary clause is completely new.

“His metis pefatam rus hinc inde gyratur.”

The boundary clause retains the old introduction.

“This synt tha land gemaera to...”

(“syndon” is also used instead of “synt”.)

(p. 400) From 962 on he starts the next sentence with “aerest”, before having used a preposition such as “of”.

The Dating clause once again has the “Scripta”. As with Ae. A, it mentions the Witan’s consent.

“Anno dominicae incarnationis...Scripta est haec carta hiis testibus consentientibus quorum inferius nomina notantur.”

We see that the consent here is expressed even more brusquely than in the charters of Ae. A<sup>144</sup>, and none of these charters is identifiable as being more than a crown estate gift (see Part 4). – Eadgar A initially used “caraxantur”, then from 962 “notantur”.

The witness-list is simple. The wordy signatures of the king and the bishops had already been shortened under Eadgar. Here little more remained than a single word.

“Ego Eadgar rex Anglorum concessi.”

“Ego Dunstan archiepiscopus confirmavi.”

“Ego Oscytel archiepiscopus corroboravi.”

“Ego Osulf episcopus consolidavi.”

“Ego Byrthelm episcopus confirmavi.”

“Ego Oswald episcopus corroboravi.”

“Ego Aelfstan episcopus adqueivi.”

“Ego Aethelwold abbas.”

“Ego Aelfhere dux...” etc.

King Eadgar signs with “concessi”, which expresses his particular understanding of the transfer. We consider at least this word not to be “dull”<sup>145</sup>. Before each witness name there is once again an “Ego”, which had disappeared for ‘duces’ and ministers since Ae. B. Here it is used accordingly no longer as a list, but to emphasise the personal witness attestation “ego”.

### **Scribe Eadgar B (p. 400)**

Charters C. S. 1071; 1075; 1114; 1230 (probably).

Besides Eadgar A, no scribe stands out from him with an individual style. We do, however, have several charters, which greatly resemble the diplomatic style of Eadgar A, yet demonstrate one real characteristic in common, so that one can assume that here was another scribe. In his first charter he used the same Proem as Eadgar A, namely Type I of Eadmund C; yet Eadgar B corrects only the mistakes, not changing the text, except that he, like Eadgar A, writes:

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<sup>144</sup> See Excursus I.

<sup>145</sup> See F. Liebermann, *The National Assembly in the Anglo-Saxon Period*, Halle 1913, p. 24.

(p. 401) “Quamvis enim...Tamen” instead of the “Quamvis...Tamen” of the model. The royal style and the beginning of the Dispositive section vaguely demonstrate the influence of Eadmund C. also the location description:

“illo in loco ubi a ruricolis...” will have originated from the form of Eadmund C. The remaining diplomatic is similar to that of Eadgar A. Eadgar B also uses the “caraxantur” in the Scripta line. We are familiar with this from Eadgar A’s first charters. One may well assume that Eadgar B was trained by Eadgar A, who also familiarised him with the text of Eadmund C.

We encounter the common, distinct characteristic in the boundary clause, which, according to the wording of the endorsement<sup>146</sup>:

“This is thara...hida land boc (landbook, see above) aet...”

is formed as follows:

“This synd tha land gemere thara...hida aet...aerest...”

(“These are the land boundaries of the ....”)

This is the main characteristic of the scribe Eadgar B.

The later Proems are also, to a limited extent, suitable for a comparison of styles. They are put together according to old forms, occasionally being embellished by the distinctive wording of Eadgar A.

We find this in

C. S. 1075: “...cum cuius hic transeuntis mundi felicitates in adversis successionibus sedulo permixta et conturbata perspicitur...”

(also reminiscent of Eadgar A).

C. S. 1114: “Alme auctoritatis...”

This charter shows that Eadgar B describes the recipient in a different way from Eadgar A, when it is a religious institution.

C. S. 1114: “...domino nostro...sanctaeque eius aecclesiae...dicare loco qui caelebri aet...nuncupatur onomate...aeterna largitus sum hereditate...”

C. S. 1066: “...Abbandunensi aecclesiae... aeterna largitus sum (Eadgar A) hereditate...”

Eadgar B apparently even used charter C. S. 1066 as a model. This is indicated by both the “Alme” and “nuncupatur onomate” as well as the “aeterna largitus sum...”; but in particular the “onomate” and “aeterna” that Eadgar A uses just in this charter. Eadgar B makes only minor changes to the model.

Eadgar B is also strongly influenced by Eadgar A. As we can now assume that

Eadgar A first wrote as a recipient producer (see below) i.e. produced C. S. 1066 as such, we can probably conclude that Eadgar B was an occupant of the Abingdon monastery and was approached by Eadgar A to assist him.

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<sup>146</sup> See Excursus 2. The Dorsal Note.

(p. 402) After 963 we are unable to establish any individual diplomatic style with more than one charter. However, the charters that were written mainly to the form of Eadgar A are all so different from one another that we can probably assign each of them to a different scribe. Moreover, all these charters come from a closed recipient circle around the reform monastery, so here the form probably journeyed with the monks that Aethelwold supplied from Abingdon to the various locations<sup>147</sup>.

We are able to establish a further change of royal style for Eadgar's later years. (Around 970).

“Ego Eadgar rex praefatam donationem concessi.”

“Ego Dunstan Dorovernensis aecclesiae archiepiscopus consignavi” (see C. S. 1268).

The charters of Eadgar after 963 characterise the religious attitude of the Anglo-Saxon king, which counters us also in his striving for reform. The clerics virtually cut out the secular witnesses. Of these the abbots of the reform monasteries are particularly numerous.

Further details will not be available until all landbooks of Eadgar's later life have been thoroughly examined.

#### **4. The Nature of Anglo-Saxon Land Ownership and the Various Types of Charter (primarily from Eadmund C) (p. 402).**

We established above that Ae. C wrote with a specific diplomatic style, then suddenly used a second, which showed him initially dependent on Eadmund B. We noticed then that the land handed down was specifically called *terra numinis mei*. It was even more noticeable when Eadmund C produced three different types of charter, an original of which exists for each one. We noticed here that in each new type the land was given another name. (As we have the last stage of development here before us, his charter forms will act as our basis.)

We have in:

Type I (Original C. S. 791):

“dignatus sum impertiri .... mansas ....”

Type II (Original C. S. 813):

“aliquam portionem hereditatis meae in aeternam possessionem concedo ....”

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<sup>147</sup> J. Earle and Ch. Plummer, *Two of the Saxon Chronicles*, Oxford 1892 and 1900, 2 Vols., see I, II and *Chronicon Monasterii de Abingdon*, ed. J. Stevenson, London, 1858. 2 Vols., see II, 261 f.

(p. 403) Type III (Original C. S. 869):

“parvam partem potestatis mei perpetuali donatione libenter concedo ....”

From this we can see that inherited land must have had respectively different legal qualities. This then brings us to the question of Anglo-Saxon land ownership which, in this respect, is of great importance in our research, as the Anglo-Saxon charters virtually always contained gifts of land.

From the charters and laws we can establish that, for the Anglo-Saxons, Folk-land and Bocland existed.<sup>1</sup>

The interpretation of these two terms occupied antiquarians, historians and legal historians for centuries. Not until the end of the 19<sup>th</sup> century did P. Vinogradoff find the correct meaning.

What, then, is Bocland, and what is Folk-land? – The first authoritative definition for a long time was given by Spelmann, where in his Glossarium he defined both types as follows: “*Praedia Saxones duplici titulo possidebant, vel scripti autoritate, quod bocland vocabant, quasi terram liberam vel Codicellarem; vel populi testimonio, quod folcland dixerunt, id est, terram popularem.*” He continues: “*Utpotè quae in populum transfundi poterat, nulla (nullo?) scripturae articulo reclamante. Bocland vero ea possidendi transferendique lege coercebatur, ut nec dari licuit, nec vendi, sed haeredibus relinquenda erat, ni scriptis aliter permetteretur. Terra inde haereditaria nuncupata<sup>2</sup>.*”

According to his interpretation Bocland was land owned by a family through inheritance. This then gave rise to the associated questions such as “What is Feudum?” and “What is Allod?” After a variety of ideas as to which was the freer or more limited ownership law<sup>148</sup>, the conclusion was reached that the aristocracy and freemen owned Bocland, the subordinate masses Folk-land<sup>149</sup>.

We would like to pass on the views held by G. Philipps, as the questions of that time and prevailing opinions are expressed clearly here. Philipps assumed that after the conquest all land was either 1. in the private ownership of the king

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<sup>1</sup> We are referring here only to the two sections where Folk-land and Bocland are compared:

1. Ealdorman Alfreds Testament (C. D. 317; C. S. 558 and Harmer, Select English Historical Documents of the Ninth and Tenth Centuries No. 10) and

2. Edward der Ältere Gesetze (Edward the Elder Laws I, 2) (Liebermann, Gesetze (Laws) I, p. 140).

<sup>2</sup> H. Spelman, Glossarium Archaiologicum, London 1687, p. 84, Art. Bocland.

<sup>148</sup> R. Schmid, Die Gesetze der Angelsachsen<sup>2</sup> (The Laws of the Anglo-Saxons), 1858, p. 576, where we see that initially Folk-land and then Bocland was considered the freer ownership law.

<sup>149</sup> Schmid, loc cit, p. 538, the following quoted from Lambard: “*priorem (scil. Bocland) viri plerumque nobiles atque ingenui, posteriorem (scil. Folcland) rustici fere et pagani possidebant.*”

(p. 404), his retinue and the freemen or 2. in the complete ownership of a number of people, in the majority of cases as a march. From this arose the understanding that all fully owned land was Folcland [sic], while at the same time there were several types of leased land, the so-called Bocland. This land, only available to the aristocracy and the priesthood, had always been encumbered with military service. It was inherited by the descendants of the laity, with the male line probably having preference. Also, it was not allowed to be alienated from the family of the owner or their families<sup>150</sup>.

The discussion was steered into other areas, as J. Allen, in 1830, first researched the nature of the Folk-land with respect to the general conditions of land ownership. In his opinion part of the land was obtained by the Anglo-Saxons and made into estates of inheritance for the individual. This was Bocland. Another part, however, remained the common property of the public and was left for the state to dispose of. This was the Folcland, which could either be taken into common ownership or into special ownership and divided among the individuals in the “folc gemot” and sanctioned by any freemen present. As it remained Folcland, after a certain agreed time it reverted to the local community, which could then dispose of it again. The Bocland, separated from this by a governmental grant, could also be subject to restrictions regarding the power of disposal. Freemen of any standing could own both types of land<sup>151</sup>.

This idea of an *ager publicus*, the fund from which everything was taken, completely prevailed in the 19<sup>th</sup> century<sup>152</sup>. However, it was soon established that J. Allen’s theory, that wanted to put everything together under the headings of Folk-land and Bocland, was incomplete, and every subsequent researcher changed it in a different way<sup>153</sup>. Based on his accurate knowledge of the charters and laws, Kemble determined that this division was far too simple to demonstrate all the differences in land ownership. He stressed

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<sup>150</sup> G. Philipps, loc cit, p. 83, 134 Note 377 and p. 137 ff.

<sup>151</sup> J. Allen, *Inquiry into the Rise and Growth of the Royal Prerogative in England*<sup>2</sup> (1849) p. 135 ff., 138 and 142. (This version is just as applicable to our study as the first edition.)

<sup>152</sup> P. Vinogradoff, *Folcland* in: *The Collected Papers of P. Vinogradoff*, Oxford 1928, Vol. 1, 91 f., which lists all researchers who endorsed Allen in their respective studies.

<sup>153</sup> We refer to P. Vinogradoff, *Folcland* p. 92 ff., in which all valuable information is excellently summarised. However, in order to give a clear line of development, we also have to examine here more closely the theories of a few other researchers.

(p. 405) in particular the existence of local community property, as well as land ownership which the freemen had within the borders of the local authority and which was inherited only through the male line. He named this land Ethel (κλήρος, haeridium, hyd). So he now distinguished between:

1. Folk-land, 2. March or borderland, 3. Bocland, 4. Ethel<sup>154</sup>.

From there Maurer described more precisely the rather vague definitions of Ethel and Bocland, whereby Ethel is understood to be based on the regular rules of the general laws, whereas Bookland is dependent on the relevant conditions stipulated in the book<sup>155</sup>. – Schmid assumed that Bocland meant no more than land granted by a charter and always in the hands of the owner, whereas with Folk-land (and fief or leased land) only a personal, uninheritable right could be granted.

Furthermore, he went against the previous opinions of Allen, Kemble and Maurer, that Folkland could only be passed on with the proviso of heavy encumbrances, as the sources in no way supported this assumption. He considered the greatest likelihood to be that Folkland was distinguishable from private land as a crown estate in its attribute as a public domain<sup>156</sup>.

Lodge studied solely land ownership conditions in a very exhaustive manner. In his study he established the following division of land ownership:

1. Bocland, i.e. ownership via entry in a book
2. Ownership based on common law i.e.:
  - a) Ownership of the family or individuals – family land,
  - b) Ownership of the community (e.g. march, village, hundred) = common land
  - c) The land of the nation or state – Folk-land. These four types of land, of which every individual (freeman) could own his own part, differed in that
    1. Bookland could remain in ownership for a person's lifetime or for several persons, with restrictions regarding inheritance and subject to unlimited rights of alienation;
    2. Family land could not be sold or inherited through a book entry, nor could it be passed on through a testament as with Bocland;
    3. Common land was used by all in the same way, as every *commoner* possessed the inalienable right of usufruct; it generated no income;

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<sup>154</sup> J. M. Kemble, *The Saxons in England*, 1849, I, 74, 89, 132 and 289-326. We will go no further into the term Laenland [sic] = fief or lease, which is completely clear and not relevant to our study.

<sup>155</sup> P. Vinogradoff, *Folkland* p. 95.

<sup>156</sup> R. Schmid, loc cit, Glossary: Bocland (p. 538) and Folkland (p. 577 ff.)

4. (p. 406) Folk-land yielded income as the land was nationally owned, with no individual having inalienable right of special usufruct<sup>157</sup>.

The term Ethel was thus dropped, and in its place the name Family-land appeared, also not passed on through the sources; it was, however, significant that Lodge made a clear distinction between two main genres, book-owned land and land owned under the common law. He had no name for the latter, but held on to his Folk-land term with *ager publicus*. Vinogradoff finally did away with this tradition, (which, in our opinion, had not only scientific research to thank for its origin, but also political thinking). However, when he drew on Brunner's research on the *Landboc* to interpret the sections that mentioned Folkland, he found that there were only two types of private ownership, namely:

1. Land that was held under "common law" and was therefore subject to ties, which tended to allow it to be seen as a family estate i.e. Folk-land
2. Land possessed under book law and thus privileged as a product of Roman law and religious practice with the decisive characteristic of freedom of disposal.

The competent Court of Justice in such disputes over Folk-land was the *Shire gemot*, while for *Bocland* no appeal was necessary, as the action went straight before the king<sup>158</sup>.

Folk-land is therefore the undocumented land ownership under common law, with either limited or no freedom of disposal. To ensure above all that the existing owner had right of disposal of the land, the book was used to release the land from its common law ties<sup>159</sup>. – The most common form of privilege (the book) then appeared as a change from common law land ownership into individual ownership, under the collaboration of the King and *Witan*<sup>160</sup>.

With respect to land already registered in the book, the owner – for our consideration the king, who can even call *Bookland* his own – can dispose of it without further authorisation<sup>161</sup>, either via the *liber antiquus* or by means of a new charter<sup>162</sup>.

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<sup>157</sup> H. C. Lodge, *The Anglo-Saxon Land-Law*, in *Essays in Anglo-Saxon Law*, Boston 1876, p. 57 ff., 68 ff.

<sup>158</sup> P. Vinogradoff, *Folkland* p. 97 ff. And *Buchland (Bocland) I*, 168 ff. In particular pp. 177 and 172.

<sup>159</sup> P. Vinogradoff, *Buchland* p. 174.

<sup>160</sup> P. Vinogradoff, *Folkland* p. 105.

<sup>161</sup> P. Vinogradoff, *Buchland* p. 186.

<sup>162</sup> H. Brunner, *Zur Rechtsgeschichte (Legal History)* p. 175 ff.



(p. 407) The book can now confer basic sovereignty in the form of a fictive gift<sup>163</sup>, whereby it is not stipulated as to whether this was a fiscal income or a gift of land from the *terra regis*<sup>164</sup>, as the royal estate was later called.<sup>165</sup> When granting an allocation of land, king and Witan worked together as representatives of the authorities.

Having seen that the nominal royal gifts included three possibilities of land transfer, when examining the three charter types of Eadmund C, there is clear coherence between the way the charter was drawn up and the content of the gift.

Type I transfers fictive land that was already in the ownership of the recipient as *Bocland*; i.e. this is basically only a change from *Folkland* to *Bocland*.

Type II transfers crown *Bocland*, as the definition “*hereditatis*” clearly shows.

Type III is a gift of state-owned land. The term “*terra potestatis mei*” can also easily be interpreted as “*crown land or state-owned land*”.

The individual types can now briefly be characterised.

Type I. The Proem, which states that everything based on a sound decision has to be confirmed in writing, seems in certain contexts to be connected with the change in proprietary rights specified in the charter, as an externally visible gift has not occurred. It is easy to consider here that the Proem is dealing with a specific case, where someone wished to dispute the book law of the land. The list of witnesses is very long and fits perfectly to the large format of the document.

Type II. We believe here too that with the Proem, the focal point of which contains the sentence: “*Date et dabitur vobis*”, the contents are appropriately worded. The recipients – and in this instance there are actually two – were called “*homines*”. These are given the special assurance that they will be able to bequeath the land “*hereditario*”. These gifts thus seem to be going to a special social class.

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<sup>163</sup> We follow here Vinogradoff who bases his research on that of Maitland (*Domesday Book and Beyond* pp. 241 and 252). Incidentally, Seeliger also proves in a number of Carolingian charters, that they transfer sovereignty – march sovereignty – in the same way (Seeliger, *Forschungen zur Geschichte der Grundherrschaft im früheren M.A.*, (Studies on the History of the Manorial System of the Early Middle Ages, II in *H.Vj.Schr.* X, 318 ff., 1907).

<sup>164</sup> A *terra regis* i.e. crown estate, is stipulated by every researcher. Vinogradoff identifies them as “*Funds to be used for state purposes*”; F. Liebermann refers to a “*Treasure of pieces of land from which the king and the government operate...*” (*Gesetze (Laws) II2, Bocland § 22e and Assembly P 73 ff.*). According to F. Maitland there is: “*The land of the nation that is not in possession, from which the king can reward his loyal followers with the approval of the Witan.*” (Maitland, *The Constitutional History of England*, ed. H. A. L. Fisher, 1908. p. 57).

<sup>165</sup> P. Vinogradoff, *Buchland* p. 184 f.

(p. 408) Of significance to us is the witness-list. It is signed by many ministers, but apart from Oda, only two or three bishops and the same number of ‘duces’. Of the bishops, Aelfheah, Diocesan of Wessex, signs, whereas Theodred of London, usually the first signature, does not appear. One of the other bishops is the Diocesan of the recipient. Perhaps what Liebermann first thought at the time of Aethelred applies here: “*Not every royal document comes from an assembly. A small permanent court council must necessarily be discerned . . . This council most likely guided by the king’s bishop (Aelfheah) . . . issued all those government writs . . .*”<sup>1</sup>.

It is also likely that this charter was not issued by a gemot; the scribe, however, is identical to the one who drew up the charters there i.e. according to this the king also had the land books at the Witanagemot produced by his scribe.

But these charters show us one more thing. The king can donate his Bookland without requiring further consent. If, however, witnesses do appear, then these are not consenting witnesses, but simply evidentiary witnesses; for the king’s charter has to have witnesses<sup>2</sup>.

Type III. Here the Witan consent in the Proem shows feebly through: “*Audivi a sapientibus et prudentibus . . .*” to which in the text the intervention states “*pro . . . matris meae prece . . .*”. We now have to go back. In the first charter of this format known to us (C. S. 780), it still states in the Context; “*Idcirco cum consensu heroicorum virorum . . .*”, that the same scribe Ae. C. (see above p. 376), in the next Boc of this type (C. S. 781), weakened the direct model for C. S. 869 to: “*meorum episcoporum testimonio ceterarumque fidelium astipulatione . . .*” It is signed by a large number of witnesses. But the most noticeable thing is the external form of the charter. It is the simple type of record, which we mainly find in private documents<sup>3</sup> and with Synodal laws, and drawn up on Anglo-Saxon land<sup>4</sup>. It is characteristic that here, above all, the “Acta” is missing.

From the knowledge gained here<sup>166</sup> and the dependency of the scribes as described above, (from the furthest back) Eadmund C

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<sup>1</sup> F. Liebermann, *Assembly* p. 17 f.

<sup>2</sup> H. Brunner, *loc cit*, p. 158.

<sup>3</sup> cf. C. S. 497 (Orig.); 519 (Orig.); 533; 557; 559; 570; 609; 637; 823 and the Oswald Charters.

<sup>4</sup> cf. C. S. 162 (Orig.); 290; 309; 313; 322 (Orig.); 335 (Orig.); 378 (Orig.); 379; 384 (Orig.); 387; 430; 574; 575; 614. The king did not act as counterpartner here.

<sup>166</sup> We refer here to the study by J. Braude, *Die Familiengemeinschaften der Angelsachsen (Anglo-Saxon Family Communities)*, Leipzig, Diss. 1932, p. 9 ff., where the author establishes several characteristics, which, when put together, suggest that the charters being examined are concerned with the conversion of Folk-land into Bocland. If Braude too considers that there are, in parts, incorrect diplomatic conditions, thus reaching a conclusion that is hardly acceptable, then his studies certainly require the attention of the diplomatics expert, as they will surely offer some useable results.

(p. 409) on Aethelstan C, the latter on Eadmund B (see p. 382), Eadmund B is the first one that we definitely recognise as having drawn up documents relating to gifts of crown estate.

In contrast to Type III his charters now have the “*Acta*” in the eschatological protocol. This was not dropped until Ae. C. who, when taking over the crucial wording of the Dispositive section, first produced this distinct form of charter which began with the “*Anno . . .*”

We must further remember that Eadmund C had been taught by Eadmund B and initially wrote these charters on crown estate gifts with the usual “*Acta*”; later, however, he took over the Landboc type designed by Ae. C and even dropped the consensus mentioned in it. As we cannot anticipate any fooling around here, the scribes drawing up their charters in too sensible a manner, we must seek an explanation for this action.

It seems to us that the most likely reason is because Eadmund B, and Eadmund C while he was still learning, produced the charters following on from the discussions, and they probably listened to the *Acta* themselves and considered it necessary. Aethelstan C, on the other hand, was probably commissioned to undertake the documentation later, so he completed the land book as a simple commentary in the manner of the synodal laws, which was only to adhere to the decision of the Witanagemot. He then replaced the *Acta* with the *Scripta*, which seemed more appropriate to him in this case.

The rules that have been proclaimed for drawing up a charter, can only have been determined by a central authority; if there had been coincidental recipient-produced charters everywhere, we could not expect there to be such a system.

Now as Liebermann had overlooked the stipulations “*terra numinis mei*” (C. S. 780) and “*terra potestatis mei*” (C. S. 781), he named the crown land “*terra iuris mei*” or “*terra publici iuris*”<sup>167</sup>. Consequently, there remains one further problem for us; for Ae. C only wrote two types of charter, one of which was for gifts of state-owned land. Types I and II above must then have come from Ae.C. He actually referred to the land in the charters of the other diplomatic simply “. . . *mansas*” and then also “*mansas iuris mei*”. While according to our study we have to equate “*mansas iuris mei*” with “*terra hareditatis mei*”, we have evidence to offer that the Liebermann thesis does not always have to agree with “*terra iuris mei*”.

Stubbs<sup>168</sup> and Maitland<sup>169</sup> are of the opinion that “*terra iuris mei*”

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<sup>167</sup> F. Liebermann, *Gesetze (Laws) II*<sup>2</sup>, *Bocland 22e* (p. 327) and *Assembly p. 73*.

<sup>168</sup> W. Stubbs, *loc cit*, p. 145 Note 3: “*Occasionally a king made a grant out of his private estate. Dabo et concedo aliquam partem terrae iuris mei.*”

<sup>169</sup> F. Maitland, *Domesday Book*, p. 231.

(p. 410) means land in private ownership. Vinogradoff does not precisely define the words<sup>170</sup>, but his “Book-land” essay gives us two good examples by which we can equate “*iuris*” with “*hereditatis*”.

1.C. S. 81<sup>171</sup> “Ego Hodilredus parens Sebi . . . perpetualiter trado . . . et de meo iure in tuo transcribo terram . . .”.

Hodilredus as a private person cannot dispose of state land. The wording also shows the equality of both rights.

3.C. S.406<sup>172</sup>. “Ego Ceolnothus gratia Dei archiepiscopus dabo . . . aliquam partem terrae iuris mei. ”.

Here the Archbishop passes on land without anyone’s agreement. He can only do this with Book-land. And Book-land is “*hereditatis sui*”.

We therefore have the case here that the term can also mean inheritable land, and this is the meaning of “*terra iuris mei*” in our charters. Incidentally, there remains the possibility that in one or the other Land-book the “*iuris mei*” is identical in meaning to “*numinis mei*”.

We can now reiterate that much care was taken over the individual terms; for there is a distinction between:

1. Land of my rights and
2. Land of my rule, of my right of disposal.

We thus see here during Eadmund’s time an accuracy in the drawing up of charters and land description, that can only be qualified by a well-organised authority. This tells us nothing about the number of employees, but it was likely to be very small. We would say that the end of the rule of Eadmund was the high point of the chancery.

Portrayal of the Chancery within the Framework of Anglo-Saxon History from 925 to 975 (p. 410).

When Aethelstan followed his father Eadward I as King at the end of 924, the latter had already started the short, steep rise to becoming ruler over the island state<sup>173</sup>. Aethelstan progressed along the marked path, climbing rapidly. By 926 he was already directly ruling the whole of England as we know today. The kings from the north of the islands were subservient to him. We can rightly call Aethelstan “*primus totius Angliae monarchus*”<sup>174</sup>. Four of the most important

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<sup>170</sup> P. Vinogradoff, *Buchland (Book-land)*, p. 185: . . . *terra iuris mei* . . . if interpreted critically these would be considered uncertain and inaccurate.”

<sup>171</sup> *Buchland (Book-land)*, p. 169 Note 2.

<sup>172</sup> *ibidem*, p. 190 Note 2.

<sup>173</sup> For the historical details cf. Ch. Oman, *loc cit*, pp. 514 to 546. Th. Hodgkin, *loc cit*, pp. 328-359.

<sup>174</sup> *Chronicon Abingdon II*, 276.

(p. 411) princes on the continent, amongst them his two West Franconian rivals and the later Emperor Otto the Great, became related by marriage to Aethelstan, the most powerful king in the west, the “*basileus*”. Shortly before Aethelstan became ruler of the island, the Quedlinburg Marriage took place<sup>175</sup>.

Presumably the envoys, who accompanied Aethelstan’s sisters to the continent and stayed at different Courts, learnt about the set up of a Chancery. They are likely to have made Aethelstan aware of the importance of a central authority permitting tighter administration. Decisive for the setting up of a Chancery was surely Aethelstan’s wish to keep a tight rein on the government. His extensive legislation constantly emphasises this: “. . . *he will punish those who disobey the king!*”<sup>176</sup>. “It goes on to say: “*May peace prevail, where it pleases the king!*” and “*If any of my reeves will not obey me, and if it does not concern him, he will be punished for not obeying me. And I will find another to carry out my will.*” The coins teach us something similar. From Aethelstan’s time, the last independent mint, other than the royal ones, disappeared. The Archbishop of Canterbury was not allowed to mint any more coins. The law, however, said: “. . . *thirdly, that a coin shall be valid across the whole kingdom!*” The coins soon carried the proud inscription “*Aethelstanus rex totius Britanniae*”<sup>177</sup>.

If the king was emphasising the central power in this way, how did it come to be that he was so dependent on recipient signatures when issuing charters? He was not yet able to act completely independently. For this reason he first employed a scribe who regularly wrote the charters at the Witanagemots. As we saw, this scribe, Ae. A, undertook his work without any reference models. He did not need them, as he was an important intellectual figure. His learned, flowing, literary style raised him far above the customary chancery scribe, his charters also being better than the actual, rather sober, legal versions.

There exists, however, a Malmesbury forgery of his diplomatic (see C. S. 54). The recipient is Aldhelm. And R. Ehwald, publisher of his works, fully trusted this learned scribe with the production of the charter. Even if the scribe was not Aldhelm, then it must have been a later student strongly influenced by him. The rare expressions from Ae. A’s vocabulary, the word order<sup>178</sup>, in fact the whole idiom

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<sup>175</sup> Böhmer-Ottenthal, *Regesta Imperii*. Innsbruck 1893. T. II, I p. 19.

<sup>176</sup> F. Liebermann, *Gesetze (Laws) I*, 146-183 for all quoted passages from the laws.

<sup>177</sup> Ch. Oman, *The Coinage of England*, Oxford 1931. p. 56.

<sup>178</sup> M. G. H., *Auctores Antiquissimi XV*, Berlin 1919, ed. R. Ehwald. p. 509 (2).

(p. 412) is reminiscent of Aldhelm. Ehwald himself mentioned several similar passages; but we recognise this dependency even more clearly in the following, rarely-used expressions:

C. S. 677: “. . . quasi peripsema quisquiliarum abiciens . . . eligens . . . figens . . . “

De Virginitate: “. . . velut quisquiliarum peripsema respuens . . . refutans . . .”<sup>179</sup>

or “classica salpix” “(fastidiosam) melancoliae nausiam, supercilii typho turgens” or “homunculus”.

(These words are also in the works of Aldhelm.)

Until well into the 10<sup>th</sup> century, Aldhelm remained the “*School author*“, so it is easy to understand the extent of his influence. His works surely gave Ae. A. the knowledge of a number of Greek words; for Aldhelm was a student of the Irish who were experts in Greek<sup>180</sup>. But Ae. A. was also influenced by the continent. Ehwald had already drawn attention to a section that appeared to have been borrowed from Sedulius Scotus: “. . . *non lacteo immarcescibilium liliorum candore . . .*”<sup>181</sup>. The “. . . *Acherontici ad ima Cocyti . . .*” of Ae. A. reminds us of a term used by Sedulius Scotus, where it reads: “*Thabitam Simon Acheronte reduxit ad imo . . .*”<sup>4</sup>. Most of the rare words we also find in other writers such as Aethelwulf of Northumberland, Alcuin and Mico, all of whom used an urbane, resplendent style spread by the Irish. We consider him more like Lehmann than the Irish Anglo-Saxon style<sup>5</sup>. A closer style relationship with the Celt Asser, Alfred’s biographer, does not exist<sup>6</sup>.

No later charter, however, possesses such a strong literary character, although Aldhelmian references can still regularly be found. But from then on, it was not necessary to have such a significant figure as Chancery scribe, as the style of the charter was already in place.

In the meantime, Aethelstan had to secure his recently-won power by way of triumphant campaigns. In 937 he broke the terrible bond with his northern opponents through a brilliant victory, making him now undisputed Lord of the Island. It is also likely that he reorganised the Witan within the context of the military campaigns<sup>7</sup>.

Since the height of his power i.e. since 938, we find no

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<sup>179</sup> For the quotations cf. Ehwald’s excellent *Index Verborum et Nominorum*, pp. 555 – 738. The banned printed word in each case.

<sup>180</sup> M. Manitus, *Geschichte der lateinischen Literatur des Mittelalters in Handbuch der klassischen Altertumswissenschaft*, München 1991. p. I, 134 f. (History of Latin Literature of the Middle Ages in the Handbook of Classical Antiquarian Science).

<sup>181</sup> *Auctores Antiquissimi* XV, 509 N. 1

<sup>4</sup> M. G. H., *Poetae Latini III*, 187 ed. L. Traube.

<sup>5</sup> P. Lehmann, A newly discovered work of an Anglo-Saxon grammarian of the Pre-Carolingian era. In *Hist. Vierteljahresschrift (Hist. Quarterly)* XXVI, 1931. p. 743

<sup>6</sup> Asser, *Life of King Alfred*, Oxford 1904. Ed. W, H. Stevenson.

<sup>7</sup> L. Larson, *loc sit*, p. 139.

(p. 413) more Witanagemot charters, only the simpler, clearer and very precise Land-books, whose scheme and eschatological layout followed fixed rules. However, the actual text divulged at times a high level of independence of the different diplomatists; for even when one of them used a general format every now and then, such as the Proem or Sanction, or on occasions special wording of the Dispositive section taken from other charters, he would change the model almost every time, introducing so many of his own expressions, that the diplomatic formulae produced only a short time before this noticeably differ. If we then establish – as is the case – that the models come from archives or from different parts of the country, and the charters produced by the scribe using these models cannot be identified, then we arrive at the following conclusions: In addition to the fact that a scribe completed documents for different recipients, and that student relationships can be proved, the only feasible explanation is that these scribes must have worked together in a scriptorium i.e. the Chancery. But from this we must also conclude that the scribe did not use any book of diplomatic formulae as a model, which further strengthens the *ex silencio* argument, even if the reasoning is weak. However, further weight is thrown on this conclusion, with the fact that Ae. A had made so many attempts before he reached a satisfactory schema, such as this one, that precisely the more difficult expressions of the Dispositive section to be formulated became the property of the specific scribe<sup>1</sup>.

The charters are always documentary evidence of the act undertaken before the donating king (*eiusdem regis donationem*). The Witan limited its consent to crown estate donations, for which Eadmund B seemed to be especially responsible. The development went as far as to produce charters with different wording, depending on the legal quality model of the land transferred. A process regulated in this way presupposes the organisation of a leading central authority – On one occasion we found two scribes working together.

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<sup>1</sup> We are using the terms scribe and diplomatist here without distinction, as both seem identical to us for the period we are studying. Any change to this view could only be based on the Charter Bodl. Libr. Ms. Arek. F. A. 3 (C. S. 1343), which was not taken into consideration in our study. Viz from proof of the handwriting (in addition to the general character a round *s* also appears in the word: L 4 *comissi*, L 6 *sempiternos*, L 7 *transvolans*; superscript *d*: L 6 *gaudiorum*, rounding of the *m* and *n* and the *ti*-ligature), we are keeping this for a later copy.

W. H. Stevenson, *Trinoda Necessitas* p. 695 Note 35, indicated the difficulties arising for Anglo-Saxon diplomatics precisely through such later copies, “*which show no indications of being anything other than originals*”.

We can therefore make no decision as to whether to accept the fact, with Ae. A being the exception to the stipulated rule, that the scribe is also the diplomatist. A final decision can only be reached once a more thorough examination of the original has been undertaken.

(p. 414) We can identify the different scribes with considerable certainty. First Ae. B came into the Chancery in 938, followed shortly afterwards by Ae. C, who was supported by his student Eadmund A. Eadmund A is very dependent and follows closely the diplomatic C. S. 753 of his teacher. Then, in the year 940, Eadmund employs Eadmund B who, we assume, wrote exclusively charters pertaining to crown estate gifts. Then Ae. C is drawn in on one occasion. To indicate externally the legally different types of land gift, he chooses a new format for the charter, namely the notice form of the private charter (see below). At the same time he uses a diplomatic completely different from his previous ones. The more important formulae of the Dispositive section he borrows from Eadmund B, probably to preserve the content-specific text. When he later has to write a second similar charter, he uses his own diplomatic again, adapting the Dispositive section to the new conditions of this type of charter.

At this point a special scribe was no longer needed for crown estate gifts, as every Chancery scribe could now produce the required charters. At the same time, Eadmund B left the Chancery after training his student Eadmund C. The Chancery reached its highpoint with Eadmund C. He brought a strong distinction between charter types, according to the contents of the gift. For crown estate gifts he retained the type found by Ae. C. However, he removes the mention of the consent, so that, at least externally, the last step in the development was complete, amounting to the abolition of the Witan. It is not even possible to establish where the crown estate gifts of his teacher come from, surely still Witanagemot charters. The last version of the endorsement (see Excursus 2) originates from Eadmund C. This noted everything of significance from the Land-book in a shortened form, and was probably intended as a guide for both writer and recipient. It documented predominantly crown gifts. Eadmund C continued to write, apparently alone, until 947, when he needed the help of a supporting scribe who, like Eadmund A, was very dependent. This new scribe worked only once more, then we saw no further signs of the Chancery in this clear form. From 951 onwards we have initially only a few charters, which are, without exception, suspect. Then with 956 came a deluge of documents, all of which still require more thorough examination.

In the year 951, all clear indications of a Chancery disappeared. In the same year the two outstanding witnesses died – Bishop Theodred of London, Diocesan of, at that time,



(p. 415) the most important city of the Anglo-Saxon Empire<sup>182</sup>, and Aelfheah, Bishop of the West Saxons, the real heartland of the realm<sup>183</sup>.

We have already concluded that, of the two, Aelfheah alone signed gifts from the Crown-book estates, along with the customary witness, the Archbishop of Canterbury. From the charters it can be seen that, under Athelstan, Aelfheah virtually always signed before Theodred, but starting with Eadmund, Theodred always had priority. Only occasionally did Aelfheah sign alone. Now we cannot assume that the bishop appeared first as witness in the diocese where the charter was being written, meaning that he would also be partly responsible for it; for at that time the king would hardly be constantly in Hampshire, or later in Middlesex. It is far more likely that Aethelstan entrusted his Bishop of Winchester alone with the production of the charters or with the responsibility for them. Later Theodred, as Bishop of the most important and centrally situated city of the empire, was given the position of “Chancellor”. When charters were to be issued at smaller court assemblies, in Theodred’s absence Aelfheah would take his place. We must conclude that these two were of major significance to the Chancery, as their signatures always appeared near the top, and above all, as their deaths coincided with the end of all certain evidence of a chancery. It is clear that one or other of the earlier scribes was still living, but the leader of the Scriptorium could not be replaced<sup>184</sup>.

Nevertheless, we believe that there was a scribe in the 50s. Eadred B took up his duties shortly before Aelfheah’s death. However, he appeared to have had no further instructions, yet could not have produced anything by himself. He put together his diplomatic formulae using sections from old charters.

The unity of the Eschatocol is clear for the whole period. The dating clause, however, shifts the accent again from the “Actum” to Ae. A’s usual “Scripta” found in the Witan charters (already under Eadred). For this period Liebermann’s theory that the charters were written earlier can generally be considered applicable, so that, “*a whole series of charters thus produced lay before the Witan and were all verified and witnessed together.*”<sup>185</sup>

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<sup>182</sup> F. Liebermann, Assembly p. 44 and Ch. Oman, Coinage p. 62.

<sup>183</sup> For dates of reigns and life data in general see Searle Onomasticon.

At this point we have to reiterate most strongly, that the frequently encountered view of Winchester being the “capital” is completely untenable; for there is nothing that indicates a special position held by Winchester.

<sup>184</sup> Naturally we must never discount what is plausible, although here really everything points more to certainty.

<sup>185</sup> F. Liebermann, Assembly p. 74.

(p. 416) As far as the last years of Eadred's rule are concerned (951-955), we are somewhat baffled; for we know that at that time he conducted successful military campaigns and did away with the last remains of Danish rule<sup>186</sup>. The question is: Did he obtain the necessary resources and warriors with major concessions to the Witan, so that the Witanagemot appeared again in its old form and abolished the royal Chancery? With his successor Eadwig, however, the decline of the central government is clear. The youngster was a pawn in the hands of the great and the holy. He soon lost part of his empire to his brother Eadgar. He died after three years of rule (959).

His younger brother Eadgar succeeded as King. As the last and possibly also powerful Cerdic child<sup>187</sup>, he was radiant as the King of Peace, rebuilding the kingdom to its former glory. He was to English history writing of the Middle Ages, what Dagobert, the last powerful Merovingian, had been to the Germans and the French. Every forger selected these two as givers of titles; hence there are numerous suspect Eadgar charters.

The genuine charters from the time of Eadgar paint a somewhat different picture of the king and his power. Only once can we identify a scribe with absolute certainty, who first wrote as recipient producer for Abingdon<sup>188</sup>. We believe it was Aethelwold, Abbot of Abingdon.

He was the only Abbot to sign until 963, precisely the period of the authentic charters of Eadgar A. From that year more Abbots appeared as witnesses. Aethelwold in the meantime had become Bishop and began his reform work in the following year<sup>189</sup>, which left him no more time for writing. – Now there are ample suspect charters reporting of him and other Abbots and Bishops holding the office of scribe or diplomatist.<sup>190</sup> How easy it is for a truth to be contained here, with the only discrepancy being in its position and external expression! – On one occasion Aethelwold adds his name as follows: “*ego . . . depinxi*”. This word is never found as a signature; it would have been used to describe his office. In his first document he uses an old format, after that becoming completely independent. This also speaks for the personality

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<sup>186</sup> Oman, *Coinage* p. 59 f.

<sup>187</sup> After progenitor Cerdic of the West-Saxon Royal lineage.

<sup>188</sup> Hessel, *loc cit*, p. 18.

<sup>189</sup> *Anglo-Saxon Chronicle*, I, 114 ff.

<sup>190</sup> The best-known example is the famous charter that Dunstan supposedly wrote with his own hand (see *Anglo-Saxon Mss.* I, 15; C. S. 880). Further examples are to be found in cartulary documents and supposed originals from the time of Eadwig.

See e.g. p. 920; 935 (*Anc. Ch.* III, 18) and others.

(p. 417) of the scribe. We have already mentioned the clear writing style, which leans towards the spoken word, a preaching tone<sup>191</sup>. Its vocabulary reminds us of Aldhelm, from whose works he took the “*Almus totius cosmi fabricae conditor*” and “*voti compos*”. From Bede he borrowed “*Albion*”. He also used a list of rare words such as: “*plasmatus; protoplastus; onoma; barathrum; gnosticus; cleronomus*”. Like Aethelwold in his youth this scribe must have received the “*plenam litterarum scientiam*”<sup>192</sup>. Unfortunately, we find nothing about such a mundane occupation in the “*Vita Aethelwoldi*”. Only once do we read the rather dull; “*Hic (Aethelwoldus) namque Regem eximium, cuius erat Consiliarius . . .*”<sup>193</sup>. – The likelihood that Aethelwold was the scribe has become almost a certainty.

In this context, one could still ask: “Who wrote the bombastic signatures to be found in C. S. 1066?” The scribe in question had no idea of the relevant contemporary style. He completed in his own manner the charter for Abingdon, which had already been started by the first scribe, Eadgar A, as recipient producer. The recipient would also certainly have employed this scribe to help him. His learned style and his vocabulary suggest the Irish Anglo-Saxon circle, which also had a base in northern France. The scribe also used the Caroline minuscule script, introduced from France with the Benedictine reform<sup>194</sup>. The monk Osgar, who had been sent to Fleury<sup>195</sup>, was staying around that time in Abingdon. It is not totally unjustified to believe that this supporting scribe Osgar was leader of the “*schola*” in Abingdon.

If our hypothesis regarding Aethelwold is correct, it is clear, also from the political history, that the priesthood ran Eadgar’s government; Dunstan having responsibility for the external affairs and Aethelwold the internal administration.

But there is more to be understood. Aethelwold was responsible for the finalising of the charters. He was not actually a Chancery scribe

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<sup>191</sup> A. Brandl, *Englische Literatur in H. Pauls Grundriß der germanischen Philologie*<sup>2</sup>, (English Literature in H. Paul’s Outline of Germanic Philology) 1909, p. 1098, characterises his vernacular works in a similar way: “*The work is characterised stylistically by simple clarity and a pleasing continuity. Aethelwold disliked double words for simple expressions, ..., yet he occasionally used alliterative embellishment for emphasis.*” See also above p. 397.

<sup>192</sup> *Chronicon Abingdon*, I, 122.

<sup>193</sup> *Anglia Sacra, sive Collectio Historiarum de archiepiscopis et Episcopis Angliae*, ed. H. Wharton, London 1691, see pt. I, 166. Cf. Brandl, loc cit, p. 1100: *Aeðelwod ... waes bysig mid tham cynincge* (Aelfric, *Lives of Saints XXI*, 235).

<sup>194</sup> Hessel, loc cit, 17 ff.

<sup>195</sup> *Chronicon Abingdon I*, 129.

(p. 418), rather the king had him produce the charters from Abingdon. In his capacity now as Bishop, he was totally taken up with his reform work, sending the Abingdon monks into the reformed monasteries to carry out the reforms. This left him with insufficient resources for the Chancery work. Hence for the period from 963 there is no more evidence of scribes to draw up the charters for various recipients. The king therefore had to make do with recipient production. The fact also had to be reconciled that Eadgar A's diplomatic style was well known in the reform monasteries. Continuously changing Proems and other small differences appeared, as a different scribe likely took the dictation each time. – Why would a Chancery give up on Eadgar A's leaving, when such an institution was standing firm?

Eadgar's position was no longer as strong as that of his predecessors; for he had to concede consensus rights to the witnesses with every gift. The king's power may well have become so limited that Eadgar could no longer use a central authority. He even had the Earls enforce his laws. We doubt that he was the powerful personality the clerics of later centuries thought he was and who they so admired as the reforming king.

The high point of the power of the Anglo-Saxon kings came at around the 940s. The central authority had been built up to become an instrument in the hand of the king. With Eadwig came the decline. Once again the clerics took over the production of charters from a "quasi" central location, but the reduction in the power of the king resulted in the dissolution of the Chancery.

#### **Appendix (p. 418)<sup>196</sup>**

##### Charters: Aethelstan A

With any bit of diplomatic there will be some charters that may require a brief explanation or, on occasions, a more detailed analysis. We shall now attempt to do this in the form of comments.

C. S. 675 and C. S. 676. Both charters originate from the accurately copied Abingdon Cartulary, yet both demonstrate a number of errors. We are merely drawing attention to the fact here; any ultimate correction of these has to be left to local research.

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<sup>196</sup>This Appendix contains a list of charters, which, although indicative of the diplomatic of scribes already known to us, are still suspect. However, we are only suggesting here why we consider these charters should not be put together with authentic charters of the same scribes. These comments should in no way be regarded as being conclusive with respect to authenticity.

(p. 419) C. S. 675 shortens the Sanction noticeably. It also contains a writing error, although this will have been caused by the copier<sup>197</sup>. The dating clause has likewise been curtailed, the individual sections have been changed around and the details are wrong, without our assuming an oversight here. The list of witnesses also presents difficulties. Eugenius of Strahtclyde, although he was subjugated in 926<sup>198</sup>, never signs in genuine charters. We have no evidence as far as Bishop Benedictus is concerned, Bishop Wulfhelm does not appear as a witness until 933 (see C. S. 965). As far as we can judge, the lists of witnesses are invariably correct even in falsified Abingdon charters. The fact that the names are badly spelt lends particular emphasis to this suspicion: *Aelfhael*, *Offerd*, *Aercberth*, *Huterd*. They give rise to the suspicion that there was perhaps a genuine model, which was used to produce a different charter once it was no longer possible to read the Anglo-Saxon writing properly. The correct names should actually read: *Aelfheah*, *Osferth*, *Aescberht*, *Uhtred*. The Gemot or moot supposedly took place in Worcig Worthig. It is not possible to identify a location with such a name during the Anglo-Saxon period, although there is a Worthig.

C. S. 676 is only in existence by the fact that it was preceded by C. S. 675. The only reasonable action would be to omit the Proem, which is insignificant to the content. The text part is good, but it is not possible to decipher the dating clause. As regards the phase of the moon indicated, it is not possible to determine any day falling on the 7th Ides during the entire year. We find the list of witnesses in two suspect Abingdon charters<sup>199</sup>. The Subreguli are missing in these, yet the names are still correctly spelt. for the section following the boundary clause. This curtailment is not explained Here it would appear that we have a borrowing from a genuine charter. Among the witnesses is Beornstan, which means that the 29th May of the given year (931) has to be the earliest date<sup>200</sup>. According to the itinerary, the end of the year is out of the question for the Gemot; for, on 12th November, Aethelstan issued a charter in Luton, Bedfordshire. Now this charter is supposed to have been written in Welowe, a place in Hampshire (like Worthy). Welowe lies considerably further than 100 km from Luton. It is unlikely that more than 20 km would have been covered in a day's march<sup>201</sup>.

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<sup>197</sup> J. Stevenson certainly interprets it correctly in the Chronicon with "*edacibus Acherontis*". The mistake points to a genuine model for the presumably fake charter that was produced at a later date. The incorrect section reads: "*edaci bufa cherontis*".

<sup>198</sup> Anglo-Saxon Chronicle II, 130.

<sup>199</sup> C. S. 680 and 683. The formula for C. S. 680 is more frequently found in Eadgar's work; C. S. 683 was copied by Eadgar A.

<sup>200</sup> Anglo-Saxon Chronicle, I 106.

<sup>201</sup> We are not in possession of any thorough analysis of travelling speed in the early Middle Ages. However, according to information researched by Fr. Ludwig, *Untersuchungen über die Reise- und Marschgeschwindigkeit im 12. und 13. Jahrhundert* (Studies on travelling and marching speeds in the 12<sup>th</sup> and 13<sup>th</sup> Centuries), Berlin 1897, p. 187: "*For journeys made by the German Kaisers and Kings a normal travelling speed of an average of 20 to 30 km per day can be assumed*" we may conclude that it would be less for the time under examination.

And we also need to consider that the roads rarely (p. 420) linked places directly, which meant that the distance would be even greater. Further factors to be taken into account would have been road surface conditions as well as the season. Consequently the Gemot must also have taken place prior to October but after the 21st June (C. S. 675). It is also unlikely that, out of four Gemots in one year, three would fall in the latter half. Besides, three assemblies in one year are rare, and it was only in this particular case that there were four<sup>202</sup>. The three Gemots are supposed to have been attended alternately by Subreguli (1st and 3rd assemblies). This also seems to us to carry little credibility.

Also, we have not encountered any land-books relating to this diplomatic in the Abingdon Cartulary; however, since the wording calls for a genuine model, we may assume that Abingdon possessed a charter from Ae. A, that was probably issued at the time of Beornstan's consecration at a location in Hampshire beginning with W.

C. S. 695 and 696 originate from the same cartulary and from the same Gemot. Usually, where the recipient was the same, only one charter was issued<sup>203</sup>. It can hardly be assumed that the reason for the deviation in this case is due to the fact that conditions set out in the charter are somewhat different. (C. S. 695: *ut .... integrum exceptis aliis orationum obsecrationibus decantet psalterium, adjectis insuper missarum celebrationibus indefessis ...*"

C. S. 696: *ut .....exceptis missarum orationumque celebrationibus, ... integrum .... decantet ...*).

C. S. 695 appears reliable as far as all sections are concerned. Only the Sanction has been shortened a little, the dating clause distorted to a minor extent as a result of an error.

In places, C. S. 696 shows even more clearly the style of Ae. A, the differences then sometimes tending to be all the greater. These changes agree with the highly suspect C. S. 694<sup>204</sup> supposedly incorporated in the original. The royal style makes use of the impossible title: "*Ego ... apice totius Albionis sullimatus*". The boundary clause is totally incorrect: "*Praedictum namque rus his terminis circumcinctum clarescit*". The Sanction is also very similar to that of the fake C. S. 694. The land specification: "*partem ..... id est ..... familiarum ...*" we are not familiar with from other charters of this particular period; there are only the two terms "mansas" and "cassatos". There is no possibility of a written error here.

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<sup>202</sup> Liebermann, Assembly p. 47 f.

<sup>203</sup> In C. S. 669 and 879 for example, two different pieces of land are handed over to the same recipient in a single charter.

<sup>204</sup> Anc. Ch. III, 4 can hardly have originated earlier than the late 11<sup>th</sup> Century.

The 'Comes' Beorhtulf (p. 421) mentioned can only be established with any certainty in relation to Essex in the year 897<sup>205</sup>, yet we see no link between Essex and Sherborne.

However, in one respect C. S. 696 is more correct. The charter actually names the recipient as "ecclesia", whereas in C. S. 695 it is referred to as a "monasterium". The first Abbot of Sherborne does not appear until 978<sup>206</sup>. This error will have been caused by the subsequent copier because, at that time, it had long been a monastery.

We can assume a similar case here to that of the two Abingdon charters.

C. S. 703 needs to be investigated with respect to the incorrect dating. The additions, probably interpolations, may also be queried:

*"... per omnipatrantis dexteram, quae Christus est."*

*"... quandam non modicam telluris particulam ....."*

*".... tempore quo Wulfstanum archiepiscopum illus constitui ..."*

*"Hanc praefatam donationem propria et non modica emi pecunia; non solum illam, quin potius cuncta illius particulatae praedia, basilicae videlicet sancti Petri principis apostolorum obrizo empta auro, perpetualiter donavi".*

There is no boundary description. The dating figures relate partly to 930, partly to 934. The witnesses are correct for 934 with the exception of the unknown bishops Wulfinus and Frohelmus. The location is totally impossible as far as 934 is concerned, because Aethelstan would have had to get from Winchester to Nottingham inside 10 days. The charter also has links to two suspect Worcester documents: 1. I. C. S. 700, which has some information in common with our charter but immediately shows itself to be a fake<sup>207</sup> due to its external appearance and the addition of "*... Deo .... quo suffragio. tropheum ex Anolafo rege Norranorum, qui me vita et regno privare disponit possim armis superando adipisci*" and 2. C. S. 701, a charter that is likewise totally different as regards its text, but which has practically the same dating clause and witness-list. Wulfinus is here correctly entered as Wulfhun. The location of the Witenagemot is, however, no better; it is London. This charter probably, or even certainly, assumed the Eschatocol from the same charter as C. S. 703. This could, however, only be the case if both seats had been linked in some way. At this point two Bishops of Worcester were also simultaneously Archbishops of York.

1. Oswald the Reformer, Archbishop from 972-992.
2. Wulfstan the Homiletic Writer, Archbishop from 1002-1116.

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<sup>205</sup> Chadwick, loc sit., p. 182 and Searle, loc sit., p. 98.

<sup>206</sup> Encyclopaedia Britannica<sup>14</sup>, XX, 494, according to which Sherborne became the Bishop's See in Aldhelm's era (705). In 978 Bishop Wulfsey introduced the Benedictine Rule into the cathedral church and became the first abbot.

<sup>207</sup> Anglo-Saxon Chronicle II, 139: "*A spurious grant of Aethelstan to Worcester is...*".

(p. 422) From Oswald a series of charters have been preserved allowing us to initially assume that his scribes were the originators; they developed a brisk business, which was not even interrupted by the assumption of the archbishopric. In Oswald's charters since 984 (C. D. 644) we find occasional expressions which originate from the charters of Ae. A, for instance:

C.D. 644: "*Ego ... episcopali sublimatus in sede.*"

C.D. 646: "*... cum omnibus ad eam utilitatibus rite pertinentibus ....*"

This is not much, but, along with a few other small points, is sufficiently characteristic to enable us to state that around 984 one of Oswald's scribes used a charter from Ae. A in the interests of structuring his diplomatic somewhat differently. The "*expeditio contra hostes*"<sup>208</sup> that we find in C. S. 701 also fits into this period.

Here was a genuine model from 934, which was later interpolated and probably rewritten.

Aethelstan B (p. 422)

There are two charters bearing the hallmarks of his diplomatic to a major extent, and these arouse suspicion.

C. S. 752, dating from the year 940, is for Abbot Dunstan. The latter probably did not become Abbot of Glastonbury until 946<sup>209</sup>. Ae. B does not use the "Quatinus" formula, nor does the royal style form part of his diplomatic (see Ae. C).

C. S. 775 changes some expressions, the dating names numerous 'duces' of whom Dux Wulgar (the Second) and Admund cannot be identified. Then both archbishops signed this charter from the time of Eadmund. This does not occur in authentic charters. The spelling of the names is so poor that here too are grounds for strong suspicion. The Archbishop of York's signature can only be deemed a complete fake. The paragraph from the boundary clause reading:

*"This is the tweire hide boch at Winterburne the Admund king ibokede Wenfleda on echenhalue into cheselburne. tho sealde hire Alfsige V. hiden thar midde, this sand thare ... hide land imare at Winterburne"*

is incomprehensible; in addition, the paragraph up to "*this sand ...*" corresponds to the endorsement.

This charter must be rejected.

Eadmund A (p. 422)

C. S. 764 is a three-part gift, the only one that we find among the king's charters. The signatures of Wulhelm and Aldhelm

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<sup>208</sup> Hodgkin, loc. cit., p. 373 ff. The whole of Aethelred's reign was beset with war against the Danes.

<sup>209</sup> Anglo-Saxon Chronicle II, 144.



(p. 423) are false. The Context is also different in many ways from the normal text and the Anglo-Saxon does not feature the excellent wording that we expect in a genuine charter from the Winchester Cartulary. We do not believe that this charter was written by Eadmund A.

C. S. 789, from the Abingdon Cartulary, shows the different points: "*derelinquat sicuti predixi*" and "*This synt thes landes gemaero ..*". Neither phrase is to be found in a genuine formula; however, an individual analysis would be required to establish for certain whether this was anything more than a mere oversight on the part of the copier.

C. S. 833 may be ascribed to Eadmund A with a degree of probability. The problem here lies in the Sanction which constitutes a mixed image. It begins with the use of the plural of charter C. S. 714, which was the pattern for the Sanction of the direct model C. S. 780. Then, in the Comminatio, this formula suddenly reverts to the singular. In the witness-list the "*Ego ... dux consensi*" and "*Ego .... minister consensi*" are of course incorrect, but a distortion on the part of the copyist may have occurred here, as the word "*consensi*" is added more frequently to the witness names in the Abingdon Cartulary.

#### Eadmund B (p. 423)

The Immunity clause of C. S. 768 strays once, with three words, into the format of Eadm. C: "*...densitatibus donans donabo libertatem...*". We consider that the error arose during copying; for the producer of the Glastonbury Cartulary (Bodl. Wood I) did not copy the charters according to their chronological sequence, but rather wrote in wild confusion and even taking into account other currently unknown factors. As he was probably already familiar with the form of Eadmund C – even prior to recording this charter he had already copied one from Eadmund C – the words flowed involuntarily from his quill.

#### Eadmund C (p. 423)

There is a second version, C. S. 755, which belongs to his charter C. S. 797. The two can be distinguished from each other by the following provision:

C. S. 755: "*... succedentibus filiis, abbatibus et sanctis apostolis famulantibus eternaliter derelinquat.*"

C. S. 797: "*... succedentium sibi cuicumque libuerit .... derelinquat*"

We now know that at that time there were practically only secular clerics in the monasteries<sup>210</sup>.

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<sup>210</sup> Anglo-Saxon Chronicle I, 116 and I, 131. Vertreibung der clericos aus den Klöstern (Expulsion of the Clerics from the Monasteries).

However, for those who were actually monks, the only (p. 424) directive was that of celibacy<sup>211</sup>. Thus we find that abbots who receive land are able to pass this on to anyone they wish (see C. S. 674; 752; 927 for example). Thus, taking this into account, the second version would be more likely to be correct. Now C. S. 797 does not name the recipient as an abbot. The possibility also exists that a charter could be produced in the name of the contemporary abbot, incorporating a provision that it should be handed on within the monastic community as a safeguard against alienated ownership.

C. S. 865, with its Proem split into two parts and its unique royal style, bears close resemblance to two suspect Winchester charters, of which one is apparently preserved in the original (C. S. 862). This script belongs to a far later period, the formula being just as impossible as that of the second charter C. S. 864<sup>212</sup>. The boundary clause of C. S. 865 also includes this sentence:

*"... eall swa Aethelwold bisceop hit aer haefde.."*

This can only relate to the reformer Aethelwold who did not become bishop until 15 years later.

We consider this charter highly suspect.

Eadred B (p. 424)

To a major extent Eadred B's diplomatic corresponds to C. S. 974, yet the royal style seems dubious: "... *aequae totius Albionis gubernator* ...". There is the possibility of interpolation here.

Eadgar A (p. 424)

With Eadgar A each individual word needs to be examined. This is because once he has identified what he is going to write, he does not vary this apart from at quite specific points, such as "ruris" and "telluris" or "valde" and "oppido".

C. S. 1067 for Abingdon is absolutely identical to charter C. S. 1066, which was produced by two scribes and which goes to the same recipient. Here it is even less probable than in the above-mentioned case that two charters were issued, since the only difference is that two separate pieces of land are being passed on.

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<sup>211</sup> D. N. B. VI<sup>2</sup>, 222 ("Dunstan"): "...*though his profession as a monk, while it bound him to live unmarried, did not oblige him to adopt a mode of life, such as that enjoyed by the Benedictine Rule.*"

<sup>212</sup> There is a series of suspect Winchester charters characterised by the following sentence:

*"...uti Cyneualh in exordio Christianae religionis domino nostro Ihesu Christo eiusque prenominitis apostolis devotus concesserat. successoresque sui. Cyneulf. et Egcbriht. reges ratis territoriis renovando cum signo crucis itidem confirmaverat."*

C. S. 865 is closely related to C. S. 864, as the "succensus" of the supposed original is missing from the Exposition in both cases.

Of all the charters, C. S. 1066 occupies an exceptional position in that the signatures (p. 425) were written by an auxiliary scribe using completely unique wording. Now, if C. S. 1067 were genuine, one would have to assume that the auxiliary scribe made a fair copy either of the entire document or of just the signatures. The former seems less probable to us, as we cannot believe, from the style of the signatures originating from it, that he would have kept so slavishly to the straightforward diplomatic of Eadgar A. The latter seems equally unlikely, as it would have been strange if he had written only the Eschatocol twice. And if this had been the case, then one factor that stands out is that various words in this section of the charters are spelt differently. This cannot be ascribed to the copier, as he, after all, copied everything precisely. For example C. S. 1067 uses "e" throughout, whereas the auxiliary scribe uses "ae". Other examples are:

C. S. 1066: *Monarchus; priamas; blebi; intepidus; trofheum*

C. S. 1067: *Monarcus; primas; plebi; intrepidus; tropheum*

Also, the boundary clause suppresses the generally standard introduction: "*This synt tha land gemaera to ...*"

There remains one last possibility i.e. that a third scribe copied the entire charter, whereby he replaced only the name of the piece of land with the new name, forgot the introduction to the boundary clause and changed the oddly written words. But we think that this happened not at the time when the charter was allegedly drawn up, but significantly later.

C. S. 1095 names the recipient in an unusual manner. In the case of a monastery the following sentence is always found in addition to the name:

".... ad usus monachorum inibi degentium..."

The statement that the parcels of land were broadly spread is not familiar to us from genuine charters; neither does this seem to correspond with the land-book meaning which specifies fixed boundaries. The sentence itself can also be challenged on the basis of its wording:

"*Thises land gemaera syn gemaene sua thaet lith aefre aecer under aecer.*"

The dating clause is distinctly curtailed. Eadgar's signature is false. Oscytel is not written with the Anglo-Norman *u* in genuine charters. Hence this charter will not be genuine.

C. S. 1099. Here we have "*mansas*" instead of "*cassatos*"; "*noto .... appellatur*" instead of "*nobili ... appellatur*". In the Scripta line "*quorum inferius nomina notantur*" is changed to "*quorum hic nomina carraxantur*". Aethelwold signs with "*consensi*" like the bishops and all "y"s are dotted. Now we find on the same page of the Cartulary all the "y"s without dots (see C. S. 1074). This leads us to the conclusion that, in the first instance, the copier had a model, which already featured the dotted "y". At the beginning of the 60's, however, the character

(p. 426) was not written like this, and never by Eadgar A. For this reason the charter appears suspect.

C. S. 1115. This charter originates from a late and poor Cartulary (Harley 61). The minor differences in the Proem "*..... vite periculum immo inguentibus ...*" and "*terminus cosmi appropinquante*" will have arisen as a result of misreading. However, Eadgar A was no longer using the "*caraxantur*" at this time. This fault was, however, fully compensated for by the typical spelling "*dereliquid*". Hence the diplomatic of the Eadgar A is discernible here.

C. S. 1116. This charter, originating from the late Wells Cartulary, again has "*mansas*" instead of "*cassatos*". This can be attributed to a change made by the copier, for which reason we would ascribe this charter to Eadgar A.

In C. S. 1123 we encounter quite substantially modified wording, so it is probable that the charter probably does not emanate from Eadgar A. Here we have: "*rusculi partem sub estimatione ...*"; *loco .... aet .... nominatur...*". In addition the Dispositive section has been shortened. The document is preserved in the Abingdon Cartulary.

C. S. 1125 also originates from the Abingdon Cartulary. It incorporates the locality designation "*nuncupatur onomate*"; the name details; "*noto .... nuncupatur vocabulo....*". The Dispositive section includes neither the Pertinence, nor the typical "*ipse*", the Sanction alone "*privatus a consortio*". Here we perhaps need to go further and not only establish that Eadgar A did not write the document, but also weigh up the possibility as to whether it is genuine at all.

#### Eadgar B (p. 426)

Here we need to refer to the group of the four identical Abingdon charters, which are suspect due to some features of the text such as the signatures in the style of Aethelstan (C. S. 1221; 1222; 1224; 1225). This includes: "*..silvis Osgaro abbate obtinente ...*" and "*scripta est huius donationis syngrapha...*". The *y* is dotted.

All the documents which are put forward here as suspect require detailed analysis, with each individual document requiring close examination. Perhaps groups of falsifications would then be discernible, such as for example B. C. S. 862; 865; 864 or these last four<sup>213</sup>.

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<sup>213</sup> In addition to the Canterbury Group already mentioned by Stevenson (see Comparison of Handwriting Note 19), we also have the Exeter Charters (Earle, loc cit., 320 f.). further groups from Abingdon and Winchester, for example, can also be found. (Strong similarity in the handwriting is demonstrated by C. S. 965, Anc. Ch. III, 19 with the Canterbury Group. The charter is for Abingdon.). This needs to be examined by local research.

## Excursus I (p. 427)

### The Significance of the Signature in the Period from Aethelstan to Eadgar

Here we shall discuss the question as to the extent to which the signatures express an actual co-determination, a consensus.

This has already been touched on from time to time. It is Stubbs' opinion for example that, from Alfred's time onwards, the Witan "*gradually sink into the position of witnesses, and their consent, probably perfunctory enough at any time, becomes a mere attestation*".<sup>214</sup> Maitland concurs with this in his periodisation of the consent stating: "*During the last of our three periods (925 - 1066) all that is ascribed to the great men whose crosses follow the king's cross is little, if anything, more than the function of witnesses*".<sup>215</sup> However, the dating or Scripta line, which he quotes for the period at the peak of Anglo-Saxon royal power, are not correct; furthermore we have already identified a change on several occasions for the period up to 975<sup>216</sup>. As regards the wording of the signatures, he points out that the scribe had no clear knowledge of what the bishop was actually doing. But he clearly contradicts the opinion initially represented by Brunner, that the witnesses (also for our period) would have had a significant role with respect to the consent<sup>217</sup>. Supporting Brunner was P. Vinogradoff, who "*sees no reason to designate the participation of the National Assembly and the Witan as being insignificant*".<sup>218</sup> F. Liebermann concerned himself to a more detailed extent with the significance of the consent and, with it, the signature<sup>219</sup>. He did not consider that there was any difference in the meaning of the individual words used in the signature. (i.e. "consensi" has the same meaning as, for example, "adquievi"). Only the consent mentioned in the charter, he felt, had been progressively eradicated due to the increase in royal power since Edward the Elder; but the words used in the signature were not phrases, they reflected an actual consensus. The fact that the clerics, but not the secular individuals, add a word of consent to the name in places (this applies particularly to the period up to 839 dealt with by Aronius) he thinks he can explain by the wish on the part of the "*hierarchical scribe*" to invest the clerics with greater authority; for "*nor must we suspect that those subscribers whose names are not accompanied by an expression of consent, desired only to witness the genuineness of the charter without confirming its contents*".

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<sup>214</sup> W. Stubbs, loc sit., p. 212.

<sup>215</sup> F. Maitland, loc sit., p. 247 f.

<sup>216</sup> See p. 364 (early part of Aethelstan's reign); p. 371 (from latter part of Aethelstan's reign to Eadred); p. 392 (Eadwig); p. 400 (Eadgar).

<sup>217</sup> H. Brunner, loc sit., pp. 159 and 161.

<sup>218</sup> P. Vinogradoff, Buchland (Book-land), Coll. Pap. I, 186.

<sup>219</sup> F. Liebermann, Assembly p. 24 ff.

The impression gained after only a brief perusal of the above quotations is that here (p. 428) inferences of a fairly general nature have been put forward without special investigation. However, we had observed clear changes in the signatures, which call for analysis here<sup>220</sup>.

The charters from Ae. A mentioned in the dating, that the Scripta emphasises specifically that all those present - *episcopi, abbates, duces, patriae procuratores* - consented to the royal gift, which was guaranteed by the witness names listed. The witnesses - apart from the eminent *Subreguli, Archiepiscopi* and the first *Episcopus* - follow randomly as equals among each other within the witness columns allocated to them. Each witness has an *Ego* in front of his name and signs "*consensi*" and "*subscripsi*". The charter always gives the name of the place of issue, i.e. the location of the *Witanagemot*. The more important abbots also sign. They will probably have enjoyed a similarly elevated position to that of the German Abbots from abbeys under imperial protection<sup>221</sup>.

It would clearly follow from all this that here was an actual "*consensi*" on the part of the individual witnesses.

But the signature in the charters changed under Aethelstan, none of them including the place of issue any more. The Scripta line, which mentioned the witness consent, is omitted. What we have is: "*Acta est haec praefata donatio ... Anno ab incarnatione .... Indictione ...*" The '*duces*' and ministers are simply listed, the names are not prefixed with "*ego*" and there is no longer any other addition. The bishops' words of consent are utterly dull, the major prelates sign in full but there is no longer a word indicating any co-determination. The decisive points indicate instead a mere attestation of the charter: "*consignavi*" and "*tropheum agiae crucis impressi*". Yet this still does not seem to be that trivial<sup>222</sup>. The old equality of rights with respect to the consent, which was evident in the random sequence of the names, has likewise disappeared. The witnesses appear in a certain sequence within their rank.

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<sup>220</sup> Of course only indisputable originals can be examined and in sufficient quantity.

<sup>221</sup> We always find the same abbots as witnesses:

- |               |                        |
|---------------|------------------------|
| 1. Aelfric    | Hampshire              |
| 2. Eadwine    | Wiltshire              |
| 3. Aethelnoth | Wiltshire              |
| 4. Biorhtsige | Hampshire or Wiltshire |
| 5. Seaxhelm   | Hampshire              |

The location names are from Searle.

<sup>222</sup> F. Liebermann, *Assembly* p. 25.

In the case of the bishops and 'duces' for example, seniority of office will have been a decisive factor (p. 429), as regards the ministri it would, similarly, have been the period they had spent in the king's service<sup>223</sup>. The number of signatories is not large but remains constant<sup>224</sup>. For an individual, being a man of the king would mean being within a certain sector of nobility, no longer arbitrarily as a free Witan. The abbots have completely disappeared. They may now have lost the minor importance that they had enjoyed shortly before, but this would also correspond to the decline of the monasteries<sup>225</sup>. The "scripta" has also disappeared, the "acta" now being emphasised. The gift is now described as: "*eiusdem regis donationem*". Accordingly, the king acts absolutely freely when donating land or legally changing its use (folk-land to book-land, see above). At the same time, when it comes to dating, emphasis is placed on the action perpetrated before the king, whereas the recording of the charter completed in the presence of the witnesses loses its significance.

This form of dating remained until the time of Eadwig. The Scripta was then reintroduced but an assent of the Witan was still not mentioned. This may already indicate some decline in royal power. (The recipient-produced C. S. 926 also originates from this time.)

The change came with Eadgar. Under him all charters in the Scripta line again featured a mention of the consent: "*his testibus consentientibus*". Although Eadgar retained his concessi and the other witnesses their vague signatures, the word "ego" now reappears in front of the name of each witness. The character of a mere list thus disappeared, even if not embodied in the determined version of the Witagemot charters. But the somehow co-determining "ego" of the Witan, or however we decide to designate the Great ones based on their changed position, is once again present, even if the full consenting authority of earlier times probably no longer applied.

Now abbots reappear as witnesses. Initially it was only the reformer Aethelwold who was most probably predominantly involved in producing the charters. He signed one charter: "*Ego, Aethelwold abbas depinxi*" (C. S. 1055<sup>0</sup>). Is this somehow significant?

The word "depinxi", if used literally, could also mean the same as, for example, "corroboravi, consolidavi" etc. We could add: "A *hoc signum* or something similar has been omitted." Now the word "depinxi" occurs only twice in incontestable charters during the 50 years covered by our study.

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<sup>223</sup> F. Liebermann, Assembly p. 27. The free Witanas are royal vassals i.e. they represent a new relationship to the king, see e.g. "*Edward the Elder asked their (witan) oath of vassalage.*"

<sup>224</sup> L. Larson, loc cit., 102 failed to mention this.

<sup>225</sup> Stevenson, Asser p. 332.

(p. 430) C. S. 877 (orig.): “*Ego Aelfred episcopus crucis modum depinxi*”.

C. S. 1066 (orig.): “*Ego Oswold legis Dei catascopus hoc eulogium propria manu depinxi*”.

If, on the one hand, at least in the first instance, we restrict the word “depinxi” solely to its meaning in the signature, then we are dealing with exceptions, because even the other signatures are extraordinary, whereas this is not the case in C. S. 1055. In all other charters we find adequate terms for “confirmavi”. Hence “depinxi” may be excluded as a signature. But the word otherwise occurs only in C. S. 1055, after that Aethelwold as an Abbot no longer lists any words of consent. We can hardly presume that Aethelwold would have proclaimed his consent on one occasion, but later ceased to do so. Nor do we believe he would have received permission to express his consent on this parchment but then no more. On the other hand, it would be reasonable to assume that Aethelwold would have wanted to denote his occupation but was held back from doing so, because this would have meant ranking equally with bishops on the charter.

There are three conclusions to be drawn from all this. First of all, that only the bishops may specify their participation or have it specified by means of an addition in the charter. Secondly, that the words were used according to their particular meaning. Finally, that Aethelwold was the scribe.

Later more abbots appeared but none of them lists a particular word of consent; on leaving the moot they lose this consent under Aethelstan.

We see, therefore, that the history of the signature reflects the political history. Under the kings during the period of power the signature of the witnesses becomes insignificant in the concessive sense; indeed, as we have already seen, even the mention of consent is dropped in the text pertaining to royal estate gifts (see C. S. 869). Then, under Eadwig, the decline of royal power sets in, Eadgar ultimately having to confer old powers on the Witan once again.

(Unfortunately, as far as royal estate gifts of Eadmund B are concerned, it is not possible to establish whether all the witnesses are listed with an “ego”, as all charters from him only exist in copy form).

### **Excursus 2 (p. 430)**

#### The endorsement

Here we need to restrict ourselves essentially to a few observations. The whole question as to the significance of the comment on the reverse (or endorsement) can only be resolved by referring to the originals. Even then we cannot expect any final outcome, as it is not possible



(p. 431) to round off the picture acquired, because the cartularies did not include these observations. Only one question may be clarified with any degree of certainty, namely, that of whether the writer in this context is also that of the endorsement<sup>226</sup>.

This endorsement occurs very early on, we certainly encounter it in the 9th century. It is not possible to identify a definite form, but what they have in common is that they are written in Anglo-Saxon and invariably state the name of the land mentioned in the book. The Anglo-Saxon record is remarkable because at the time of the boundary clause it was mostly still Latin that was used. One good example of a record from the 9th century (858) gives us:

C. S. 496: "*This siondan thes landes boc et Wassingwellan*". (This is [lit. are] the land book relating to Wassingwellan).

Ae. A does not extend beyond this version. In C. S. 677 he writes: "*This is thaes landes boc aet hamme*." (C. S. 702 has no endorsement).

Ae. C gives a more detailed formulation of the note:

*"This is (Meap hames) land boc the (Aethelstan) cing gebocode (Eadulfe) his thegne on ece yrfe"*.

(This is .... land book that .... king has reserved ... for his thane for his eternal ownership).

Eadmund C eventually gives it the final version in Type 1:

*"This is thara ..... sulunga (hida) boc aet ... the (Eadmund) cing gobocode (Aelfstane) his thegne on ece yrfe"*.

(This is the ... Sulunge (Kentish) or Hiden Book on ...)

In addition to this detailed note, which gives all the essential characteristics of the book, both content and donors and recipients, as well as the stipulation on eternal ownership, he uses only the old note in the simplified Type II gift: "*This is thaes landes boc aet ...*".

Type III does not even have a note.

We can therefore quite clearly establish a system here. The crown land gifts given and negotiated by the king and the Witan did not require any "note". The gifts of crown book-land, which the king undertook at smaller court assemblies, bore only the old indication as to the type of land. Any changes from folk-land into boc-land, however, display the full text of the note. Here it would appear that a particular rule is being followed.

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<sup>226</sup> Unfortunately the "Facsimiles of Ancient Charters" do not show the endorsement with the reproduction of the charter. As far as it can be ascertained with the aid of few reliable charters of the Anglo-Saxon Mss. and the comments on the Anc. Ch., these were also written by the scribe responsible for the Context. As further determinations are undertaken it will come to light that this has to be regarded as a matter of course.

(p. 432) The meaning that we think we have found here is that that the charters of the great ceremonial Type I version were read out prior to witnessing, so that the witness knew why he was adding his signature. However, in order not to have to read out the entire charter they wrote down the short, detailed endorsement, which was in Anglo-Saxon. This provided enough information and everyone was able to understand it. It was only then that the witnesses signed, or, more precisely, they indicated their names<sup>227</sup>. This was clear evidence of the change in law. In the case of crown book-land gifts this was not necessary, because the ceremonial hand-over no longer applied. Above all no new legislation was created, so the witnesses placed less emphasis on the public proclamation and contented themselves with finding out which parcel of land was concerned. Also the few witnesses from those closest to the king would definitely have known about the subject of the negotiation, so a short record would also suffice there. In the case of the crown land gifts, the declaration was not necessary, because the king and the Witan made the gift. Everyone knew the content of the gift; for it was not the king alone who "gebocode", as the endorsement emphasises so strongly in the first case.

Now we need to give special consideration to a few individual charters. The great endorsement is supposed to be in C. S. 780, the first Type III charter that Ae. C wrote. According to the facsimile a claim of this nature is not possible<sup>228</sup>. C. S. 926, probably recipient-produced, also bears this note. But this is necessary, because as this document is recipient-produced the witnessing by members of the Witenagemot is not excluded.

More difficult is the declaration in charter C. S. 1066 from Eadgar A, where the endorsement is missing. This charter is going to Abingdon and the Eschatocol is drawn up by an auxiliary scribe. The matter now becomes more complicated, because in other cases Eadgar A invariably uses the endorsement. Thus, among other things, the charter on the restitution i.e. relating to land returned to the state, includes a very precise note, which at the same time supports our thesis that the endorsement stated in condensed form everything worth knowing about the charter as far as the witnesses were concerned.

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<sup>227</sup> We can well agree with Brunner in his assumption that "*the task of the witnesses was limited to the mention of the charter*" (H. Brunner, loc sit., p. 159 Note 1). Hazeltine also says of the "*caraxara signa*" that it was executed "*by tongue and finger*" (Hazeltine, loc sit., p. XXIX).

<sup>228</sup> On the facsimile Anglo-Saxon Mss. III, 25, we can only see a dark area and possibly a few letters, an uncial *d*. It seems unlikely, however, from this reproduction that the endorsement was limited to a small space. The original must in any case be thoroughly re-examined, as the result is of great importance with regards the answer to our question i.e. the significance of the endorsement.

(p. 433) C. S. 1055: "This is ealra thara landa freols the Eadgar cyning geedfreolsade Wulfrice his thegne on ece yrfe".

(This is the privilege for all the land (parcels) that King Eadgar released to his Thane Wulfric for his eternal ownership).

The first instance, C. S. 1066, may be explained fairly satisfactorily if we assume that it was boc-land that was being transferred. For this reason the charter was drawn up by the recipient. The charter may therefore have been completed later because the collaboration of the Witan was not required. It is a different matter with C. S. 1055, a charter which, based on its legal content, would belong to Type III. Could it have been the case for instance, as a consequence of the new circumstances since Eadgar assumed power, that Aethelwold drafted the charter following the negotiations and then read it out again to the Witan before the transfer, whereas earlier – at the time when the king enjoyed great power – he would have had the charter produced later by his scribe, then handing it over by virtue of his own absolute power? (if this had been the case, on the other hand, he would have had the charter drawn up beforehand relating to folk-land that had been transformed into boc-land, so as to hand it over following proclamation before the Witan).

Once again the endorsement is missing in the original C. S. 1082, that differs so noticeably in the Dispositive section from all other Eadgar A charters. An answer is therefore all the more difficult to establish here, because the language of the charter no longer indicates the legal quality of the land.

Even if we cannot produce any decisive answer to the question: "What is the meaning of the endorsement?", then based on the certainty that it was drawn up during the latter part of Aethelstan's reign (i.e. up to approx. 950), we can definitely establish that they were following a rule here. This however speaks yet again for a central authority or Chancery used for the production of charters<sup>229</sup>.

### **Index of Charters**

Compiling all charters examined permits us once more to establish that there must have been a chancery in existence; for virtually every charter written by a scribe goes to a different recipient. And this, according to Sickel's definitive assumption, is the most conclusive evidence of a chancery.

We will list the charters below without further details of the recipient. However, beneath the number of the "Cartularium" we will enter the initials of the recipient, provided they are one and the same person. These are as follows:

Ae. co. = Aethelstan comes;    Ae. Mi. = Aelfstan minister;

Ead.    = Eadric comes;            Wulf.    = Wulfric minister

(With Wulfric it is only "very probable" that is the same recipient each time. We are presuming this on the basis that every charter for him is contained in the Abingdon Cartulary.)

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<sup>229</sup> In this context we would like to draw attention once more to the Anglo-Saxon boundary clause, which also requires closer examination.

Year	C.S.	Treit.	Earle	land at	county	MS
Scribe Æthelstan A						
928	{663	253	—	Stoke	Hants	Add. MS 15350
	{664	254	—	Wynterborne	Dorset	Bodl. Wood. I
930	669	258	—	Medmeney u.	Sussex	Chichester Reg.
930	1343	—	—	Earnly		Copy in Oxford
				Sandforda		
931	674	259	353 471	Clere	Hants	Add. 15350
931	677	262	166 462	Hamme	Wilts	Anc. Ch. III. 3 Add. 15350
932	689	267	—	Meon	Hants	Add. 15350
932	{691	268	—	Funtemel	Dorset	Harl. 61
	{692	269	—	North Stoneham	Hants	Liber de Hyda
934	702	277	171	Derantune	Kent	Anc. Ch. III. 5
934	704	279	—	Kington	Wilts	Bodl. Wood. I
—	745	—	—	Childmearc	Wilts	Harl. 436
Related charters						
931	675	260	—	Waeclesford	Berks	Cott. Claud.
931	676	261	—	Bulthesworthe	—	Cott. Claud.
933	{695	270	—	Bradán Ford	Dorset	Sherborne Reg.
	{696	271	—	Westun	Dorset	Sherborne Reg.
934?			—	Agemundernes	Lancaster	Reg. Alb. York
Scribe Æthelstan B						
938	728 Ae. co	292	—	Lyme	Dorset	Bodl. Wood. I
938	730	294	—	Rimpton	Somerset	Add. MS 15350
942	777 Ae. co	322	—	Aermundslea Aeppeltune	Berks	Cott. Claud.
Related charters						
940	752	304	—	Christian-Malford	Wilts.	Bodl. Wood. I
942 <sup>1</sup>	775	320	—	Cheselburne	Dorset	Harl. 61
Scribe Æthelstan C						
939	741	299	173	Meapham	Kent	Anc. C. III, 9
940	753	305	175	Oswaldingvill	Kent	Anc. C. III, 10
940	756	—	—	Swallowcliffe	Wilts.	Harl. 436
941	767	—	—	Corsantune	Somerset	Corp. Chr. Cant.
	780					
943	Ae. mi	324	—	Miclangrave	Kent	A-S MSS III, 25
	781					
943	Ead.	325	—	Mapeldertune	Dorset	Harl. 61
947	821	—	—	Hanecanham		Liber Alb. Wells

<sup>1</sup> Man beachte die grosse Anzahl der Urkunden aus dem Jahre 940 (Eadmunds erstes Regierungsjahr).

Year	C.S.	Treit.	Earle	land at	county	MS
Scribe Eadmund A						
940	749	303	—	Batcombe	Somerset	Bodl. Wood. I
940	758	309	—	East Seaxtune	Hants.	Add. 15350
940	762	311	—	White Waltham	Berks.	Cott. Claud.
	828					
947	Ead.	353	—	Ashdown	Berks.	Bodl. Wood. I
Related charters						
940	764	313	—	Wudutune	Hants.	Add. 15350
943	789	332	—	Leachamstede	Berks.	Cott. Claud.
	833					
947	Wul.	358	—	Denecewrth	Berks.	Cott. Claud.
Scribe Eadmund B						
940	763	312	—	Polhaemtune	Hants.	Add. 15350
941	768	317	—	Buckland-Newton	Dorset	Bodl. Wood. I
941	770	318	—	Pitminster	Somerset	Add. 15350
	776					
942	Ae. co	321	—	Milne	Somerset	Bodl. Wood. I
943	786	329	—	Tisted	Hants.	Add. 15350
Scribe Eadmund C						
944	793	335	—	Hamtune	Dorset	Harl. 61
944	795	336	—	Rollandune	Wilts.	Harl. 436
	791					
944	Ae. mi	333	—	Aldington	Kent	A-S MSS III, 26
944	797	338	—	Sibertswold	Kent	Cott. Claud. D. X
944	802	343	—	Bryningtun	Berks.	Cott. Claud.
945	807	344	—	Bracklesham	Sussex	Chichester Reg.
946	813	347	180	Gamelanwyrthe	Kent	Anc. Ch. III, 12
947	820	351	—	Mearsaetham	Surrey	Anc. Ch. III, 13
947	829	354	—	Idemestun	Berks.?	Bodl. Wood. I
	834					
947	Ead.	359	380	Wassingatune	Berks.	Cott. Claud.
948	869	368	—	Wicham	Kent	A-S MSS III, 27
949	874	—	—	Swalewancliff	Kent	Cott. Julius D. II
	877					
949	Wul.	373	189	Weligford	Berks.	Anc. Ch. III, 16 Cott. Claud.
Related charters						
948	865	364	—	Stoke	Hants.	Add. 15350
Scribe Eadred A						
949	877	373	189	Weligford	Berks.	Anc. Ch. III, 16 Cott. Claud.
949	879	374	—	Wight, Bourne Valley	Wilts.	Harl. 436
Empfängerherstellung						
956	926	394	194	Melebroc	Hants.	Anc. Ch. III, 21

Year	C.S.	Treit.	Earle	land at	county	MS
Scribe Eadred B						
951	891	—	—	Norton	Stafford	Wynne's Hengwrt
957	992	442	—	Ubbantune	Wilts.	Harl. 436
957	1003	—	—	Cunctune	Hunts.	A-S MSS II, Winch. 2
958	1027	452	—	Escford Byohylle	—	Add. 15350
Related charters						
956	974	431	—	Polhampton	Hants.	Add. 15350
Scribe Eadgar A						
960	1055	472	195			Anc. Ch. III, 22
961	1066	476	197	Rimecuda	Hants.	Anc. Ch. III, 23 Cott. Claud.
962	1082	486	200	Ceorleswyrthe	Suffolk	Anc. Ch. III, 25 CUL Ff
962	1083	487	—	Avon	Wilts.	Anc. Ch. III, 24
962	1085	488	—	Sunbury	Middlesex	A-S MSS II, Westm. II, copy
963	1100	—	—	Duddeston u. Ernley	Warwick Staffs.	Wynne's MSS
963	1101	499	—	Fengge	Kent	A-S MSS III, 30
963	1113	508	—	Niubottle	Durham	Lib. Alb. York
Related charters						
961	1067	477	—	Burhbece	Wilts.	Cott. Claud.
962	1095	497	—	Hendred	Berks.	Cott. Claud.
963	1099	498	—	Stanton Prior	Somerset	Corp. Chr. Cant.
963	1115	510	—	Archet	Dorset	Harl. 61
963	1116	511	—	Monowyrthige	Somerset	Reg. Alb. Wells
963	1123	517	—	Hocanedisce	—	Cott. Claud.
963	1125	519	—	Wasingatune	Berks.	Cott. Claud.
Scribe Eadgar B						
961	1071	479	—	Ebelesborne Wake	Wilts.	Add. 15350
961	1075	481	—	Hampstead	Berks.	Cott. Claud.
963	1114	509	—	Embresham	Hants.	Add. 15350
969	1230	557	—	Wittanige	Oxford	Add. 15350

Add. = Additional

Bodl. = Bodleian

Cott. Claud. = Cotton Claudius C. IX and B. VI

Corp. Chr. Cant. = Corpus Christi College Cambridge 111

Lib. Alb. = Liber Albus

† **I**nomine sc̄e trinitatis. Quā uir decreta pontificū  
þir þunt þaland ginnu to walding tunc. driht on þstan nacubringa

a b c d e f g h i l m n o p q r  
s t u x y z et þ ð ã ã ã ã ã ã  
þ þ þ þ þ þ eadawndys ælfrs tano  
Acta Anno Indictione † Ego <sup>archi</sup> þ g

1)

† **I**nomine sc̄e trinitatis. Imminitibus uir caducis  
þir þunt þaland ginnu to gamelan þr þe. subrealcing ruro þe. ridoan flote

a d s p q r t y f et þ ð ã ã  
ã ã ã ã þ þ þ þ þ eadawndys  
Acta Anno † Ego

2)

† **I**nomine sc̄e trinitatis Quā uir decreta pontificū  
þæt . of hundis þy ræle þost þir þunt þaland on þone þorn bñorðan wadmeis scane

a d s p y r t y f et þ ð ã ã  
ã ã ã ã þ þ þ þ þ eadredus ospic  
Acta Anno † Ego

3)

† In nomine dī et dñi nři ih̄u xp̄i . Anno utiq̄ dñice Incarnacionis

h̄ic s̄ynto paland ḡindio topicham . q̄h̄t seburna onest healt onful

a a d d s p q q r t y æ e ð  
t̄ t̄m f̄g t̄ p 7 d h eadredus q † E 50

Swite hand þæt h̄ic d̄e m̄aȝe to s̄c̄e mil d̄e þe s̄a ȝord of lantzan laȝus þ̄u

4)

**Q**uamuis enim p̄galiū dignitatē in decreta eō  
cescesburuh . 7 denices p̄r̄d . ȝaȝ anford . ciferlea .

a b c d e f ȝ h i l  
m n o p q r s f t u  
x ȝ æ e ȝ t̄ ð t̄ p 7 Q

† ADGAR . PULFRIC † t̄ ȝo

5)

Almus totius cosmī fabrica . conditor sup̄erna infima que

† IS s̄ynto paland ḡemæra ȝlang ea onbicam . pol of þam pole ondriman for̄d

a b d f ȝ p q r s f x ȝ . e  
e t̄ sp ð t̄ p Q EADGAR . RIMECUDA

z t̄ b; t̄ ȝo eadgar britanniac anglorum monarchus

6)



Alcithrono in ecclesiam regnantem universis sophia studium meo Anno

a b d f s p q r s f x r æ  
th th fe s þ r Q EADGAR. fyo  
7)

Almus rex us cosmii fabrica conditor suphina infimaque

Dissynodon balano gemario co ceoriles pynde. Of capora q lantz q r r n burinanþ  
a u b d f s p q r s f x  
r æ th th fe s þ r Q EADGAR  
Anno p p e r æ. † fyo  
8)

**P** Alcithrono in ecclesiam regnantem universis sophia studium  
**X** Dissynodon balano gemario co r n n an b y r u s æ t e c o n r n n an h y s þ a n o u q l a n z

a b c d e f g h i l m n  
o p q r r s t u x s (y) æ þ  
th th th fe s þ r Q EADGAR Anno

þorn b; † Ego ælfrine  
9)

† Annuntia alcithroni modhiatoris impituo totius

Dissynodon balano gemario co r n n an b y r u s æ t e c o n r n n an h y s þ a n o u q l a n z  
a b d f s p q r s f f x  
r æ f th th fe s þ r r n Q  
EADGAR † fyo Anno b; æ 2  
10)



**P**almus totius cosmi fabrica conditor superina infimaque misro ineffabilique ordine collocans hominem eructandem qua  
**X**rispofumi plasmatum materua scō adsui similitudinem inspiratum flamine cunctis quae in infimis creaverat uno probandi  
 causa excepto ueritoque proficiens paradisiace iocunditatis amenitate cum sua cūcti luculentissime constat. Quipdolori demom  
 iaco instinctus spiramine sibi ac posterus in hoc equum pno so delectus saeculo mortem pno meuit perpetuam. Quam obrūn ego  
 EDGAR. totius britanniae tubernator et pectori ut huius miseruae nepagulum qui pno plastus in pectus pno meuit. dñi nū  
 ihu xpi gratia pndūptus euadere queam. quandam iurus papaculam. xxii. uidelicet cassatos loco quicelebrū. RIMCADA. nuncupat  
 onomate abandonensi at ecclesiae beatae di genitrici semperiq. uirgini mariuae honorificat dicatē ad monachorum usus mihi pēgularū  
 de gentium dñōq. nro deuote sequistitium cum omnibus utensilibus quae dōs celorum in ipsa telluris edidit superficie ptiatis uidelicet  
 pascuis siluis siluarumq. nemoium aeterna largitus sum hereditate. Sic autē pndictum pns omni cequene sequitatis utq. liberum tūb.  
 exceptis nata uidelicet expeditione pontis apicisue pēscamnatione. Siquis autem nram donationem maliud quam ē statumms tians  
 ferre uoluerit pnuatus consortio scē di ecclesiae aeternis bapathu incendis lugubris iugiteri cum iuda xpi pno ditione eiusq. compli  
 cibus puniatū. Simon sacis factione e. endauerit conguia quod conguia nram deliquid. eam. His meas ppatū pas hinc mēe sicut

**D**is sicut pulanogratia conimicuda. op hie b. i. se ea plant ea onbican pol of sam pole ondyman fojd honne is seo ma gement of sam fojda on lucan beorh of sumbeorh of anpseles ac  
 of sam acum on hiolea fojd of sam fojda on fae gale of hie sae gale on auctes med of hie meade on afe ne up on pūde burge hline of sam hline on lund fojd of sam fojda on hōne sē tūoh of sam tūoh  
 on hōne hēfenan byrgels of sam byrgels e upa pūd gace of pūd gace on spon fojd of sam fojda on hōne fulan fojd of sam fojda on mules cumb of mules cumb on hōne hē pēpā. plant hē pēpā of hōpā  
 cumb of sam cumb on hlype byrgan of sam byrgan on leofan mearce on hadic of hie die on hā bymbel byrgan of hie byrgan on burh pūdmez fojd on sam med lace of hie late on hōne hātan pūd hōne is  
 seo ma gement of sam pūd hie on afe ne up on sand fojd of sam fojda on delpoldes mearce of hie mearce on unde pūdeborh of sam beorh on hōne hātan pūd of sam pūd epe on hā byrgē. pūd hōne lades on lades

Anno dominicae incarnationis. dcccclx. scripta est haec carta his testibus consentantibus quorum inferius nomina curantur  
 Ego adgar britanniae anglorum monarchus hoc taumate agae crucis roborau + Ego Alstold abbas + Ego Alstun m + Ego uulfstan m  
 Ego duncan dorobernensis ecclesiae archiepiscopus eiusdem regis beniuolentiam concessi + Ego Alphere dux + Ego Alstine m + Ego Alstige m  
 Ego oscyrd aboracensis basilicae primarius insequis hoc donum regale confirmaui + Ego Alsthab dux + Ego byrhtred m + Ego Alstige m  
 Ego alulf pntis canonica subscriptione manu propria hitant subscripsi + Ego Alstcan dux + Ego Alstige m + Ego pulphelm m  
 Ego byrhtelm blebi di famulus iubente rege signum scē crucis lectus impressi + Ego Alstold dux + Ego Alstine m + Ego Alstige m  
 Ego Alulf pontifex testudinem agae crucis in tepidus hoc donum corroborau + Ego byrhtnod dux + Ego ospard m + Ego Alstred m  
 Ego Alstcan antistes trofheum scē crucis hanc regis donationem consolidaui + Ego admund dux + Ego Alstige m + Ego caldred m  
 Ego ospold legisdicatas copus hoc culo gum propria manu depinxit. + Ego Alstun dux + Ego osulf m + Ego Alstold m