

*The art of the unprinted: transcription and English antiquity in the age of print*<sup>1</sup>

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Cotton's writing for manuscript circulation was a natural extension of his activities as a librarian, collector of manuscripts, and transcriber, and as such an exceptionally pure example of the continuity of an intellectual culture grounded in the handwritten word.<sup>2</sup>

Robert Cotton, politician, collector, antiquary, died in 1631 having witnessed the confounding of the intellectual culture which had sustained his historical and political endeavours. As a very young man he had co-founded the Society of Antiquaries, an initiative which later shrivelled under royal disapproval.<sup>3</sup> At the end of his life he saw the invasion of his property, the sequestration of his library, his books searched, his possessions catalogued, access barred except under escort.<sup>4</sup> Such violence bespeaks the power of the unprinted in Stuart England. Cotton used print and owned it, of course, and his printed books no doubt included rarities not readily available in England,<sup>5</sup> but what attracted researchers to his library before 1629, when it was shut down, were documents more likely to have been hand-written, unique materials, transcripts of records housed elsewhere, medieval manuscripts. It was manuscript which eluded the regular scrutiny of the state. Indeed, it requires a considerable effort of imagination to envisage the kind of state apparatus necessary to police the proliferation of

<sup>1</sup> I have profited from the comments of Professors David Dumville and Simon Keynes who were kind enough to read this article in draft and save me from a number of errors.

<sup>2</sup> H. Love, 'Scribal Publication in Seventeenth-Century England', *Transactions of the Cambridge Bibliographical Society*, 9 (1986-90), 133.

<sup>3</sup> K. Sharpe, *Sir Robert Cotton 1586-1631: History and Politics in Early Modern England* (Oxford, 1979), p. 73.

<sup>4</sup> Sharpe, *Robert Cotton*, pp. 80-1.

<sup>5</sup> He received gifts from foreign scholars and had agents collecting abroad on his behalf: Sharpe, *Robert Cotton*, p. 59. See further Colin G. C. Tite, 'A Catalogue of Sir Robert Cotton's Printed Books', in C. J. Wright (ed.), *Sir Robert Cotton as Collector: Essays on an Early Stuart Courtier and his Legacy* (1997), pp. 183-93.

information in manuscript form.<sup>6</sup> The authorities could limit access to certain kinds of information. Sensitive parts of the public records, the *arcana imperii*, remained closed to public gaze,<sup>7</sup> but short of sporadic acts of intervention, sometimes brutal – silencing individuals by incarcerating them or seizing their books and papers<sup>8</sup> – officers of the Crown had at their disposal few means of control of knowledge. New works were not registered or licensed in the way printed matter was controlled by organised monopoly.<sup>9</sup> Old works, or extracts from them, circulated privately, hand to hand if required. In a world in which political argument was conducted by protagonists armed principally with ancient precedent, where parliamentary select committees were specifically charged with the task of locating new sources,<sup>10</sup> historical knowledge carried a premium.<sup>11</sup> Men with the run of the archives, with detailed knowledge of the public and state records, with access to medieval sources, engaged in potentially political activity.<sup>12</sup> The penalty for the destruction of a record was death.<sup>13</sup> The act of transcription, the means of transfer of information from point of discovery to point of dissemination, may therefore be supposed to have carried a political charge. In such a climate antiquarian transcription deserves consideration as a significant aspect of scribal culture.

In this essay I shall attempt to elevate antiquarian transcription from its usual place in the academic order as a scholarly tool to an object of study in its own right. I do so for the purposes of experiment, not to effect a permanent manoeuvre, and for three reasons. The first is the degree of political

<sup>6</sup> Compare the remarks of A. F. Marotti, *Manuscript, Print and the English Renaissance Lyric* (Ithaca and London, 1995), pp. 75–6; H. R. Woudhuysen, *Sir Philip Sidney and the Circulation of Manuscripts 1558–1640* (Oxford, 1996), pp. 12, 15.

<sup>7</sup> R. B. Wernham, 'The Public Records in the Sixteenth and Seventeenth Centuries', in L. Fox (ed.), *English Historical Scholarship in the Sixteenth and Seventeenth Centuries* (Oxford, 1956), p. 30.

<sup>8</sup> The fate of Sir Edward Coke mirrors that of Cotton. 'Papers and manuscripts' were seized from his 'house or place of abode' immediately before his death in 1634: J. H. Baker, 'Coke's Note-books and the Sources of his Reports', *Cambridge Law Journal*, 30 (1972), 78. See also C. Hill, 'Sir Edward Coke – Myth-Maker', in his *Intellectual Origins of the English Revolution* (Oxford, 1965), pp. 244–5.

<sup>9</sup> A. Johns, *The Nature of the Book: Print and Knowledge in the Making* (Chicago and London, 1998), pp. 213–30.

<sup>10</sup> P. Christianson, *Discourse on History, Law, and Governance in the Public Career of John Selden, 1610–1635* (Toronto, 1996), pp. 93, 107.

<sup>11</sup> See, e.g., W. Klein, 'The Ancient Constitution Revisited', in N. Phillipson and Q. Skinner (eds.), *Political Discourse in Early Modern Britain* (Cambridge, 1993), pp. 23–44.

<sup>12</sup> C. E. Wright, 'Sir Edward Dering: A Seventeenth-Century Antiquary and his "Saxon" Charters', in C. Fox and B. Dickins (eds.), *The Early Culture of North-West Europe (H. M. Chadwick Memorial Studies)* (Cambridge, 1950), p. 374. See W. H. Sherman on John Dee, 'But like most antiquarian matters, the deeds were a potent force in the political and legal spheres': *John Dee: The Politics of Reading and Writing in the English Renaissance* (Amherst, 1995), p. 34. I am grateful to my colleague, Tim Rees, for discussion of the operation of communist archives.

<sup>13</sup> Christianson, *Discourse*, p. 140.

passion unleashed by the researches of antiquaries in Tudor and Stuart England.<sup>14</sup> Studies are made of the careers, the writings, and the libraries of antiquaries,<sup>15</sup> but early modern historians have not always pursued with equal vigour the question of the antiquaries' relationship to their sources, particularly medieval ones,<sup>16</sup> even though what these men were reading, what they knew and how, has a bearing on the rest of their endeavour. The raw materials for such a study are readily available. Over the last century, the antiquarian scholarship of the sixteenth and seventeenth centuries has had lavished on it the attention of numerous historians, medievalists as well as early modernists. Medievalists in particular have looked at the patterns of dispersal of medieval materials, pursued texts, considered their use, primarily by church antiquaries, and they and early modernists have studied the intellectual habits of individuals.<sup>17</sup> Throughout attention has tended to be focused at the level of individuals and specific texts, or on the long-term effects of their efforts for the future of the discipline which they founded.<sup>18</sup> Patterns of transcription more generally have attracted relatively little comment.

A second reason for considering transcription as a scribal activity in its own right is its potential place in arguments about script, print, and what Sherman dubbed the script-print interface.<sup>19</sup> Transcription, which I define for the purposes of this essay as the copying of a medieval or classical text by a sixteenth- or seventeenth-century hand, can be understood as a mode of

<sup>14</sup> J. G. A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (Cambridge, 1957); D. R. Woolf, *The Idea of History in Early Stuart England: Erudition, Ideology and the Light of Truth from the Accession of James I to the Civil War* (Toronto, 1990); Sherman, *John Dee*.

<sup>15</sup> See, e.g., Sharpe, *Robert Cotton*, Sherman, *John Dee*, A. G. Watson, *The Library of Sir Simonds D'Ewes* (1966), D. C. Douglas, *English Scholars 1660–1730* (1939; rev. edn, 1951), G. Parry, *The Trophies of Time: English Antiquaries of the Seventeenth Century* (Oxford, 1995). See now K. Thomas, 'The Life of Learning', *Proceedings of the British Academy*, 117 (2002), 201–35, and N. Barker, 'Editing the Past: Classical and Historical Scholarship', in *CHBB* 4, pp. 206–27.

<sup>16</sup> 'Since reading all of the published sources and treatises cited in the margins of Selden's books would take an incredible number of additional years, I have relied on recent secondary works to fill in much of that context': Christianson, *Discourse*, p. 5. For countervailing examples see, e.g., A. Ford, 'James Ussher and the Creation of an Irish Protestant Identity', in B. Bradshaw and P. Roberts (eds.), *British Consciousness and Identity: The Making of Britain, 1533–1707* (Cambridge, 1998), pp. 188–96.

<sup>17</sup> See, e.g., F. Wormald and C. E. Wright (eds.), *The English Library before 1700* (1958); C. T. Berkhout and M. McC. Gatch (eds.), *Anglo-Saxon Scholarship: The First Three Centuries* (Boston, MA, 1982); Sharpe, *Robert Cotton*; R. Sharpe, *Medieval Irish Saints' Lives: An Introduction to Vitae Sanctorum Hiberniae* (Oxford, 1991), pp. 61–8 (on Ussher); E. M. C. Van Houts, 'Camden, Cotton and the Chronicles of the Norman Conquest of England', in Wright (ed.), *Sir Robert Cotton*, pp. 238–52.

<sup>18</sup> E.g., T. Graham (ed.), *The Recovery of Old English: Anglo-Saxon Studies in the Sixteenth and Seventeenth Centuries* (Kalamazoo, MI, 2000). For an important exception see S. Keynes, 'The Cult of King Alfred the Great', *Anglo-Saxon England* 28 (1999), 225–356.

<sup>19</sup> Sherman, *John Dee*, p. 117.

transfer of information, part of a chain linking the post-medieval present to the medieval or even classical past. Various kinds of chain can be envisaged. Script can be the source of the information so conveyed, print the ultimate destination, thus obeying the flow of information which Eisenstein called the shift from script to print.<sup>20</sup> However, the technologies can operate in reverse, with print the source and script the outcome, a situation observed so commonly with antiquarian transcripts of the Latin classics that some scholars have come to expect a printed text to be the exemplar of manuscript-copies made in the age of print.<sup>21</sup> Thus transcription illustrates the permeability of the script-print border which others have observed.<sup>22</sup> A secretary transcribing in the age of print is carrying out essentially the same process as a scribe copying in an earlier period: creating a text for his own use, or that of others, from an existing exemplar, possibly of some antiquity. Transcription is therefore a term of some imprecision. It embraces transcription from print, self-evidently a relatively new phenomenon, and copying from manuscript, a process indistinguishable in terms of intention from the production of manuscripts in an earlier age.

A final justification for making antiquarian transcription an object of study in its own right is its relative neglect in recent investigations of scribal culture in the age of printing.<sup>23</sup> Leading students of the new script culture have primarily focused on a range of texts which, while diverse in content, share certain characteristics. The texts selected evince an authorial presence. Far from the routine or mundane bureaucratic texts which McKenzie has argued made up the bulk of early modern written material,<sup>24</sup> those scribally transmitted texts to which most detailed study has been devoted are finely wrought works of political polemic, creative invention, artistic display, calculated to convince, cajole, or entertain, rather than to inform or instruct.<sup>25</sup> Secondly, the works selected for study circulated in the lifetime of their authors or only shortly after their death, thus obeying rules and responding to trends distinctively different from those associated with manuscript circulation of medieval texts both before and after the

<sup>20</sup> Discussed above, Introduction.

<sup>21</sup> M. D. Reeve, 'Manuscripts Copied from Printed Books', in J. B. Trapp (ed.), *Manuscripts in the Fifty Years after the Invention of Printing: Some Papers Read at a Colloquium at the Warburg Institute on 12-13 March 1982* (1983), pp. 12-20, esp. 12-15. Compare P. O. Kristeller, 'In Search of Renaissance Manuscripts', *The Library*, 6th ser., 10 (1988), 292.

<sup>22</sup> See, e.g., Sherman, above, n. 19; Marotti, *Manuscript*, p. 2.

<sup>23</sup> There is an important exception: Woudhuysen, *Circulation of Manuscripts*, ch. 4. On the anthologising of older texts, see Marotti, *Manuscript*, pp. 30-41.

<sup>24</sup> D. F. McKenzie, 'Speech-Manuscript-Print', *The Library Chronicle of the University of Texas at Austin* 20 (1990), 87-109. See also Woudhuysen, *Circulation of Manuscripts*, pp. 67-81.

<sup>25</sup> Marotti, *Manuscript*, pp. 75-6.

Reformation, when many of the works copied had been written centuries earlier.<sup>26</sup> Antiquarian transcription belongs to neither category. It represents a different facet of the elite milieu of manuscript production, embodying the highest forms of literacy, script and Latinity, potential political sensitivity, but also a certain distance from the text, the creative element being confined to the act of researching and selecting the data to be reproduced.

The next problem is method. How can one interrogate a dull bulk of data, a whole class of material retrospectively defined, as we have seen, and of miscellaneous character and sometimes untraceable origin? The problems are compounded by those of reconstructing the circumstances in which the transcript was made: authorial intention is elusive enough, scribal intention irrecoverable, patterns of readership controversial. In this present experiment evidence of antiquarian interest – copying – will be combined with evidence of reception – reading and ownership – to investigate one class of document which seems particularly to have caught the eye of antiquarian transcribers: the Latin charters of pre-Conquest England. The Latin charters, what Maitland called the landbooks, were not collected in printed form until the three volumes of Dugdale and Dodsworth's *Monasticon* appeared between 1655 and 1673, although individual charters, or extracts from them, found their way into print by other means.<sup>27</sup> But in the long century between the plundering and wasting of monastic records after Dissolution and the publication of selected remnants in the *Monasticon*, the copying of pre-Conquest charters and diplomas continued, indeed it quickened. Of the surviving corpus of texts of pre-Conquest charters, more than a quarter was transcribed in the sixteenth and seventeenth centuries.<sup>28</sup> This proliferation of copies guarantees the importance of such late evidence to medievalists – many texts would be unknown but for the existence of sixteenth- and seventeenth-century copies.<sup>29</sup>

What stimulated this copying remains a question of some significance. The intensity of activity in the century and a half after the dissolution of the monasteries suggests more than a disinterested effort to preserve the

<sup>26</sup> The studies by Love, Marotti and Woudhuysen signal in their titles their main focus of interest, Renaissance writers.

<sup>27</sup> See Douglas, *English Scholars*, ch. 2.

<sup>28</sup> See P. H. Sawyer (ed.), *Anglo-Saxon Charters: an Annotated List and Bibliography* (1968). At a conservative estimate, more than 350 of the 1550-odd texts listed survive in antiquarian copies. About 300, dating from the late seventh century onwards, survive as contemporary single sheets: S. Kelly, 'Anglo-Saxon Lay Society and the Written Word', in R. McKitterick (ed.), *The Uses of Literacy in Early Medieval Europe* (Cambridge, 1990), p. 39.

<sup>29</sup> See, e.g., S. Keynes, 'The Lost Cartulary of Abbotsbury', *Anglo-Saxon England*, 18 (1989), 207–43, and his 'A Charter of King Edward the Elder for Islington', *Historical Research*, 66 (1993), 306–7 and n. 62.

remnants of the monastic past: copies of pre-Conquest charters made in this period exceed in quantity those of any equivalent stretch of time up to and after the Norman Conquest, a pattern of survival explained only in part by the scale of archival losses incurred before and after the monasteries were dissolved. One might account for the proliferation of post-Dissolution copies by appealing to print. Pre-Conquest charters were of course transcribed in anticipation of the production of printed texts. They appear in more than twenty of the surviving volumes of transcripts collected by Dugdale and Dodsworth;<sup>30</sup> Madox's volumes of transcripts for his proposed 'Feudal history and Custumier of England' included a number containing pre-Conquest charters.<sup>31</sup> Other transcripts were occasioned by print more directly. It is a commonplace, admittedly a barbed one, that printing allowed the mass circulation of medieval texts, that 'the sixteenth and seventeenth centuries saw more of the Middle Ages than had ever been available to anybody in the Middle Ages'.<sup>32</sup> Copyists of Anglo-Saxon charters sometimes worked from print even before the publication of the great scholarly collections of the mid-seventeenth century. Sir Henry Spelman, who died in 1641 before the publication of the *Monasticon*, noted as one source of charter-texts the 'many extant in printed Authors, as *Ingulf the Saxon, Malmesbury*'.<sup>33</sup> Weever's *Ancient Funerall Monuments* proves the source of a number of charters transcribed in the papers of Dodsworth himself.<sup>34</sup> But it is a separate question whether the proliferation of copies is explained by printing. Ingulf's *Chronicle*, which Spelman cited as a source, served as a vehicle for the early circulation of numerous pre-Conquest charters forged on behalf of the abbey of Crowland. It was printed by Henry Savile in 1596 but Savile's text appears not to have spawned manuscript copies of the charters – the Crowland charters were relatively little copied in the

<sup>30</sup> Bodl. Lib., MSS Dodsworth 9, 10, 24, 25, 38, 39, 55, 65, 68, 78, 85, 97, 105, 110, 120, 160; Dugdale 4, 11, 12, 13, 17, 21.

<sup>31</sup> On Madox's transcripts see S. Keynes, 'The "Dunstan B" Charters', *Anglo-Saxon England* 23 (1994), 170–2.

<sup>32</sup> Michael Clanchy paraphrasing Marshall McLuhan: M. T. Clanchy, 'Looking Back from the Invention of Printing', in D. P. Resnick (ed.), *Literacy in Historical Perspective* (Washington, 1983), p. 8. See also A. Hudson, "'No Newe Thyng": The Printing of Medieval Texts in the Early Reformation Period', in her *Lollards and their Books* (1985), pp. 227–48; E. P. Goldschmidt, *Medieval Texts and their First Appearance in Print* (1943), p. 23.

<sup>33</sup> Quoted by H. A. Cronne, 'The Study and Use of Charters by English Scholars in the Seventeenth Century: Sir Henry Spelman and Sir William Dugdale', in Fox (ed.), *English Scholarship*, p. 80. His source was not *Reliquiæ Spelmanniæ*, as he stated, but the later *The English Works of Sir Henry Spelman, Kt, Published in his Lifetime; together with his Posthumous works, Relating to the Laws and Antiquities of England* (1723). On the tract in question, see Keynes, 'Lost Cartulary', p. 224.

<sup>34</sup> Bodl. Lib., MS Dodsworth 10, S 138 (J. Crick (ed.), *Charters of St Albans*, Anglo-Saxon Charters 10 [Oxford, forthcoming], no. 3), S 1246.

sixteenth and seventeenth centuries.<sup>35</sup> Gervase Holles of Grimsby, colonel in the service of Charles I, had the Crowland charters transcribed for his collection of Lincolnshire documents made in 1638–9, reportedly from manuscript.<sup>36</sup> Copyists in the period after Dissolution did fasten on particular texts. Certain charters were copied with unprecedented frequency, antiquarian copies constituting 50–90% of all extant copies of certain documents.<sup>37</sup> But choice of text was not determined primarily by ease of access through print – much-copied documents circulated before the text was available in print<sup>38</sup> – and thus attention must turn to what they contained and how they were used. It is striking to observe, for example, how many of the texts which attracted particular interest were medieval forgeries.<sup>39</sup> We need to move away from patterns of copying to patterns of use.

Pre-Conquest charters are a class of document which acquired over time a symbolic and ideological importance out of all proportion to the terms of the original grant. Such documents describe the conveyance of rights to land or other privileges usually made by a king to a religious house or private individual and witnessed by his entourage, clerical and lay. Charters always added up to more than the sum of their parts. Highly solemn statements, written in the language of the Bible and, in the century after their introduction into England frequently in the same script, bearing the sign of the cross, they formed a central part of a ritual of transfer which signified more than the simple handing over of land.<sup>40</sup> But like fine wine, their particular characteristics matured, developed and even changed over time and their value increased with age. They continued to be copied, long after the death of the original grantor, as proof of title of monastic estates, as guarantee of special privilege, as a demonstration of antiquity. This retrospective importance can be seen most clearly in the case of forgeries, where the original transaction is effaced altogether (or at least placed beyond the reach of the historian) and the document served as a vehicle for the claims of a religious house. Such forgeries were made as early as the ninth century, but examples

<sup>35</sup> Henry Savile, *Rerum Anglicarum scriptores* (1596), pp. 484–520. On the early modern popularity of Ingulf's *Chronicle* see Keynes, 'Cult of Alfred', p. 242.

<sup>36</sup> BL, MS Lansdowne 207c. The catalogue states that the charters were copied from originals: *A Catalogue of the Lansdowne Manuscripts in the British Museum (Parts I–II)* (1819), p. 74.

<sup>37</sup> Sawyer, *Anglo-Saxon Charters*, nos. [hereafter S] 2 (9 of 18 copies), 731 (17 of 33 copies), 792 (11 of 22), 880 (9 of 19), 906 (5 of 9), 911 (10 of 11), 1000 (9 of 14), 1033 (4 of 7), 1036 (3 of 6), 1220 (8 of 12), 1246 (4 of 4), 1250 (6 of 6). See below, pp. 124–5.

<sup>38</sup> Only four of the texts listed above, n. 37, were printed before the *Monasticon* (S 2, 731, 1250 by Spelman, S 1246 by Weever) but all survive in sixteenth-century copies. See also discussion of S 731, below.

<sup>39</sup> Of the twelve listed in n. 37, all except S 906 and 911.

<sup>40</sup> Kelly, 'Anglo-Saxon Lay Society', pp. 39–47.

can be found from every century up to the time of Dissolution.<sup>41</sup> In the later Middle Ages when abbots and their communities selected their most valuable documents for royal confirmation, they favoured those which expressed most effectively the needs and aspirations of a religious house, ancient documents, frequently forged or interpolated.<sup>42</sup> Even when pre-Conquest documents should have been dead letter, after the appropriation of the monastic estates to which they gave title, their value endured. Sir Henry Spelman reported a positive scarcity: "They are", he says, "at this Day so rare, as though I have seen diverse, yet could I never obtain one originall"<sup>43</sup> but this scarcity was born of popularity rather than desuetude. Copying continued, although forging apparently ceased.

The nature of antiquarian interest in Anglo-Saxon charters remains something of an unknown quantity still awaiting comprehensive study.<sup>44</sup> These and similar documents could certainly inflame passions – landowners launched a suit against the *Monasticon*, concerned that its publication undermined title to their own estates<sup>45</sup> – and there is every indication that charters satisfied more than a general curiosity. Sir Edward Dering (1596–1644), MP for Hythe, had Anglo-Saxon charters copied for the library of his mansion at Surrenden, Kent; those which survive suggest a particular interest in Kent and hence local topography.<sup>46</sup> Sir Henry Spelman (c.1564–1641) used charters to illustrate arguments about feudalism and the nature of tenure before the Conquest.<sup>47</sup> In the 1660s Sir John Strangways submitted a portfolio of charters, including 'Saxon deeds', some in translation, in support of his claim to rights formerly enjoyed by the pre-Conquest abbots of Abbotsbury.<sup>48</sup> Here we return to our earlier observation that many of the charters most transcribed in the age of print were forgeries. Contemporaries might regret the perpetuation of erroneous texts – Twysden berated Dugdale for his failure to weed out *spuria* from the documents which he

<sup>41</sup> For a fifteenth-century example, see D. Williams, 'The Crowland Chronicle, 616–1500', in D. Williams (ed.), *England in the Fifteenth Century: Proceedings of the 1986 Harlaxton Symposium* (Woodbridge, 1987), pp. 371–90.

<sup>42</sup> Described by M. T. Clanchy, *From Memory to Written Record: England 1066–1307*, 2nd edn (Oxford, 1993), pp. 169–71.

<sup>43</sup> Cronne, 'Study and Use of Charters', p. 80, also quoted by Keynes, 'Lost Cartulary', p. 224.

<sup>44</sup> Professor Simon Keynes of Trinity College Cambridge is preparing a comprehensive survey: *Anglo-Saxon Charters: Archives and Single Sheets*, Anglo-Saxon Charters, Supplementary Ser. 2 (forthcoming). Meanwhile, see Cronne, 'Study and Use of Charters' and H. A. Cronne, 'Charter Scholarship in England', *University of Birmingham Historical Journal*, 8 (1961), 26–61, at 41–52, Keynes (as n. 29), and Keynes, 'Cult of Alfred'.

<sup>45</sup> Douglas, *English Scholars*, p. 35.

<sup>46</sup> Wright, 'Edward Dering', pp. 377–8, 382–6.

<sup>47</sup> Cronne, 'Study and Use of Charters', pp. 81–2, 85. Keynes, 'Lost Cartulary', p. 224.

<sup>48</sup> Keynes, 'Lost Cartulary', pp. 217–19.



printed<sup>49</sup> – but the copying of undetected forgeries suggests more than a lapse in scholarly vigilance. Forgeries offered more to the user than the genuine article: at the time of their creation they aimed to satisfy contemporary aspiration, to stake claims in the past using inflated language or exaggerated descriptions of title. Transcribers, perhaps unconsciously, gravitated towards documents which met particular needs.

Two notorious documents subsequently identified in whole or in part as the work of twelfth-century forgers particularly attracted attention. Early modern transcripts account for nine of fourteen surviving copies of what purports to be a grant which King Edgar made to St Mary's Abbey, Worcester, in 964, and seventeen of thirty-three copies of an alleged charter of Edward the Confessor to Coventry Abbey of 1043. What drew copyists to the Coventry grant remains to be seen but we have ready-supplied a context for the copying of the first, the Worcester document, known from its opening word as the *Altitonantis* charter. As Simon Keynes has shown, *Altitonantis* was known to Aubrey and Pepys and was used to defend English sovereignty of the seas in the seventeenth century.<sup>50</sup> As early as 1577 the same charter was made to serve the same cause at the hands of John Dee, who cited it twice in his *General and Rare Memorials pertayning to the Perfect arte of Navigation*, noting that King Edgar 'Could not chose (I say) But by such Full and Peaceable Possession finde himself, (according to right, and his harts desire) the True and Souerayn Monarch, of all this Brytish Ocean, environing in any way, his Impire of Albion, and Ireland, with the lesser llands, next adiacent.'<sup>51</sup> Dee had found in a twelfth-century reworking of a tenth-century royal charter a perfect precedent for the imperial claims of his own monarch,<sup>52</sup> one so good that it was repeated by others, notably Samuel Purchas and John Selden.<sup>53</sup> The number of surviving antiquarian copies reinforces the impression that early modern readers found particular resonances in this forged pre-Conquest document. Besides what it signalled to early modern readers and users, the history of *Altitonantis* in the age of print shows something about script, print and access to ancient documents.

<sup>49</sup> Douglas, *English Scholars*, p. 36. On use of forgeries, see Cronne, 'Charter Scholarship', p. 40.

<sup>50</sup> S. Keynes (ed.), *Facsimiles of Anglo-Saxon Charters*, Anglo-Saxon Charters, Supplementary vol. 1 (Oxford, 1992), p. 11. The authenticity of *Altitonantis* has been discussed by E. John, *Land Tenure in Early England: A Discussion of Some Problems* (Leicester, 1960), pp. 106-8.

<sup>51</sup> [John Dee], *General and Rare Memorials pertayning to the Perfect Arte of Navigation* ([1577]), p. 60, see also pp. 58-60.

<sup>52</sup> On Dee and Edgar, see Sherman, *John Dee*, p. 143. Sherman does not discuss Dee's indebtedness to pre-Conquest charters.

<sup>53</sup> Samuel Purchas, *Hakluytus Posthumus or Purchas His Pilgrimes Contayning a History of the World, in Sea Voyages and Lande Travells, by Englishmen and Others* (1625), repr. in 20 vols. (Glasgow 1905-7), vol. XIII, pp. 438-9. On Selden, below, pp. 130-1.

Selden found his text through print – he cited Purchas and Dee – but Dee, writing sixty years before Spelman published a text in his *Concilia*, must have used a manuscript source.<sup>54</sup> The only clue to its nature is provided by his marginal note ('Ex chartæ Foundationis Ecclesiæ cathedralis Wigorniaë') which, together with a similar note for another purported tenth-century charter, this time from Ely, cited on the next page ('FVNDATIO Ecclesiæ cathedralis Eliensis') suggest that Dee used a collection of transcribed foundation charters.<sup>55</sup> Both *Altitonantis*, and the Ely charter cited by Dee in the same section of his *General and Rare Memorials*, are known to have circulated in manuscript form within a collection of monastic foundation charters made by Sir John Prise in the 1530s and copied by his secretary, William Say,<sup>56</sup> but both circulated apparently independently as well.<sup>57</sup> Dee himself kept a collection of charters housed in a case, but we cannot judge their antiquity and nature.<sup>58</sup>

The reception of the *Altitonantis* charter in the age of print suggests something of how a much-transcribed text was used, why it was popular, how it enjoyed currency in both script and print. But until the writings of sixteenth- and seventeenth-century authors are read systematically with an eye to identifying their medieval sources, in this instance their use of pre-Conquest charters, we can only imagine what stimulated interest in other much copied works. With this aim in view the remainder of this paper represents an initial foray, neither comprehensive nor exhaustive, into the writings of contemporaries who set much store by the pre-Conquest past: Edward Coke and John Selden. Coke is an undeniably problematic figure and his writings and thought have stirred up more controversy than it is possible to summarise here.<sup>59</sup> Selden, his younger contemporary, is admired for his scholarly methods and subtlety of mind, although it has to be said that viewed at the level of his interaction with a single class of documents his habits of citation bear more than a passing resemblance to those of Coke.

Called to the bar in 1578, Coke became solicitor general in 1592, attorney general two years later and, near the height of his political influence he

<sup>54</sup> Henry Spelman, *Concilia, Decreta, Leges, Constitutiones in re Ecclesiarum Orbis Britannici*, 2 vols. (1639–64), vol. 1, p. 432.

<sup>55</sup> S 779: [Dee], *General and Rare Memorials*, p. 59.

<sup>56</sup> Described by S. E. Kelly (ed.), *Charters of St Augustine's Abbey Canterbury and Minster-in-Thanel*, Anglo-Saxon Charters 4 (Oxford, 1995), pp. lix–lx.

<sup>57</sup> Sawyer, *Anglo-Saxon Charters*, pp. 237, 247–8. <sup>58</sup> Sherman, *John Dee*, p. 34.

<sup>59</sup> Pocock, *Ancient Constitution*, pp. 56–89, C. Brooks and K. Sharpe, 'History, English Law and the Renaissance', *P&P*, 72 (1976), 133–42, S. D. White, *Sir Edward Coke and the Grievances of the Commonwealth* (Manchester, 1979).

acted as the prosecutor at the trials of Sir Walter Raleigh (1603) and the gunpowder plotters (1605). He fell from favour in 1616 and in 1621–2 he spent some nine months in the Tower accused of treason. By the time of his death in 1634 he had published eleven volumes of case reports, a Book of Entries, the first part of his *Institutes*, the other three following after his death.<sup>60</sup> Coke's writings established him as a fundamental legal voice – Hill claimed that Coke's authority as an interpreter of law outstripped that of any Protestant theologian in interpreting Scripture<sup>61</sup> – but his credentials as an antiquary have left more than a little to be desired. He gained notoriety for twisting English constitutional history into a continuous thread leading back to the Saxon forest, was once depicted as a historical clodhopper oblivious to the best practices of Continental method, charged with the propagation of myth,<sup>62</sup> 'bogus history',<sup>63</sup> 'juridical nationalism', even 'anti-history',<sup>64</sup> although more recently his reputation, together with that of other common lawyers, has been redeemed a little.<sup>65</sup> Although Coke died twenty-one years before the publication of the first volume of the *Monasticon*, it is little surprise that he knew and used pre-Conquest charters. As we have already seen, his elders, like Dee, cited them in print, his contemporaries, like Cotton, collected originals and transcripts, and charters circulated in transcript form, like the *Prise-Say* register, making them a known historical resource in elite circles in Stuart England. Moreover, they yielded particularly precious information. A vigorous champion of the Ancient Constitution, Coke brought within his purview all aspects of the working of government in the centuries before Norman encroachment<sup>66</sup> and here charters provided, as they still provide, evidence of cardinal importance: they record royal decisions, royal titles, the names and styles of the king's entourage who witnessed the grants. Through them, as through no other source, seventeenth-century readers might have hoped to view English royal government arrayed in its pristine state.

In the proem to the *Fourth Part of the Institutes of the Laws of England*, published posthumously in 1644, Coke described the effort which the construction of this final part of his great work cost him: 'the searching, finding

<sup>60</sup> White, *Edward Coke*, pp. 4–11.      <sup>61</sup> Hill, 'Edward Coke', p. 256.      <sup>62</sup> *Ibid.*

<sup>63</sup> M. I. Finley, 'The Ancestral Constitution', in his *The Use and Abuse of History* (1975), p. 40.

<sup>64</sup> D. R. Kelley, 'History, English Law and the Renaissance', *P&P*, 65 (1974), 25, 33.

<sup>65</sup> Woolf, *Idea of History*, p. 27; H. S. Pawlisch, *Sir John Davies and the Conquest of Ireland: A Study in Legal Imperialism* (Cambridge, 1985), p. 166. See also the approach taken by Johns, *Nature of the Book*, pp. 252–3.

<sup>66</sup> P. Styles, 'Politics and Historical Research in the Early Seventeenth Century', in Fox (ed.), *English Scholarship*, pp. 49–72; Keynes, 'Cult of Alfred', p. 249.

out, perusing, and digesting of authoritie in law, Rols of Parliament, Judicall Records, Warrants in law, and other invisible works *tam laboris quam ingenii*. Such claims to antiquarian toil merit investigation.<sup>67</sup> Pre-Conquest charters were hard to come by in Coke's lifetime and his success in acquiring them raises questions about his sources. In the *Fourth Part of the Institutes* he cited charters (forged, without exception) on two occasions. On the first he, as Dee, used them to support the contention that the kings of England had anciently enjoyed imperial status, listing the royal styles given in charters in the names of the Anglo-Saxon monarchs Edgar (959–75), Edward the Confessor (1042–66), and Edgar's brother and predecessor Eadwig, whom Coke misnames Edwine (955–59).<sup>68</sup> On the second, Coke bolstered his defence of English lordship of Ireland by printing substantial parts of the same charter of Edgar, a royal diploma dated 964 which contains the remarkable claim that an English king (Edgar himself) subdued Norway, all the islands of Oceanus and most of Ireland, including Dublin.<sup>69</sup> The document in question, inauthentic in its received form, is of course the *Altitonantis* charter whose utility to early modern commentators has already been discussed.

How Coke came to know *Altitonantis* is unknown. As we have seen, Dee had printed extracts in his own discussion of the imperial history of the monarchy in 1577 but when Coke first cited *Altitonantis* in 1604 in the Preface to his Fourth Book of Reports, he quoted parts of the attestations not printed by Dee.<sup>70</sup> As no full text existed in print at this date, we may safely conclude that he used a medieval or early modern manuscript copy. In his later references to the charter, he cited a fifteenth-century enrolment 'Vide Rot. Pat. I E. 4. parte 6. m. 23'. The reference looks plausible – the margins of his *Institutes* demonstrate that Coke had frequent recourse to Exchequer records for citation of statutes and other forms of document – and the reference in question even leads to a pre-Conquest document, but the wrong one, a vernacular writ of Edward the Confessor.<sup>71</sup> Coke's error is revealing. The printed text of his *Institutes* lays a trail of misattribution

<sup>67</sup> On his notebooks, which included 'historical notes from ancient records', see Baker, 'Coke's Note-books', p. 67.

<sup>68</sup> Edward Coke, *The Fourth Part of the Institutes of the Laws of England concerning the Jurisdiction of Courts* (1644), ch. 74, 'Of Ecclesiastical Courts', pp. 343. S 731, S 1030.

<sup>69</sup> Coke, *Fourth Part of the Institutes*, ch. 76, pp. 359–60. See also Pawlisch, *Sir John Davies*, p. 63.

<sup>70</sup> *Le quart part des reportes del Edward Coke Chivalier, l'attorney general le Roy* (1604). He quotes the proem, dating clause, and extracts from the attestations. Dee had printed the opening of the charter and the king's attestation.

<sup>71</sup> S 1157.

characteristic of his mode of operation<sup>72</sup> which suggests as much about his materials as about his own failings: the dispersed nature of his sources, the use of notoriously corrupt Exchequer texts, or errors introduced into texts in the process of transcription. In the case of the miscited Exchequer text of *Altitonantis*, Coke perhaps inherited his error from a printed source. Selden three times made precisely the same mistake in citing the same document, the first time in the first edition of his *Titles of Honor* published in 1614.<sup>73</sup> This suggests some common source for the error, a faulty transcription or, more probably, direct borrowing: Selden made the mistake in print before the publication of Coke's text.<sup>74</sup> The facts of the case may be summarised thus. Selden and Coke appear to have encountered the text of *Altitonantis* independently (presumably in medieval or post-medieval manuscript) and to have claimed authority for their text erroneously in the same manuscript source. In 1631 Selden cited Coke's use of the text (in 1604). Coke later incorporated a faulty reference to an Exchequer enrolment, repeating a mistake first made in print in Selden's 1614 edition of *Titles of Honor*. In this tale of repeated citation, script and print have become inextricably entangled.

But if claims to manuscript sources might not be all that they seem, one cannot see print behind every reference either. Coke's 'Charter of King Edwine to the Abby of Crowland' might be expected to have been copied from print, the Crowland charters being disseminated through the medium of Savile's edition of Ingulf's *Chronicle*. But the document in question has no place in Savile's text and was not printed before the *Monasticon* because it, too, has been misattributed: it concerns estates belonging not to Crowland but to neighbouring Thorney.<sup>75</sup> Coke used a manuscript source which may be traced with some certainty to a collection of transcripts housed in his

<sup>72</sup> B. H. Rosenwein, *Negotiating Space: Power, Restraint and Privileges of Immunity in Early Medieval Europe* (Manchester, 1999), p. 208 and n. 103. For a comparable instance of miscitation of a printed medieval authority, see D. R. Woolf, 'Little Crosby and the Horizons of Early Modern Historical Culture', in D. R. Kelley and D. H. Sacks (eds.), *The Historical Imagination in Early Modern Britain: History, Rhetoric, and Fiction, 1500–1800* (Cambridge, 1997), pp. 124–5.

<sup>73</sup> Coke, *Fourth Part of the Institutes*, p. 343. 'Pat. 1. Ed. 4. Part. 6. Memb. 23 Pro Pr & Conuentu Wigorn.': Selden, *Titles of Honor* (1614), p. 35; 2nd edn (1631), [hereafter *Titles of Honor* (1631)], p. 18 (in which he cites Coke). In a marginal note alongside his citation of the same charter 'Inspeximus in Rot. Pat. 1. Ed. 4. Part. 6.': Ioannis Seldeni, *Mare Clausum seu de dominio maris* (1635), book II, ch. xii, p. 177.

<sup>74</sup> If Coke's text had circulated in manuscript prior to its printing the relative chronology cannot be established with any certainty. On private circulation, see Baker, 'Coke's Note-books', p. 71, n. 68.

<sup>75</sup> S 595 (AD 956) concerns a grant by one 'Eadwinus' (Coke's *Edwin[us]*) of land at 'Geakeslea' (Coke's *Jeckelea*).

own library,<sup>76</sup> a volume which included three charters from pre-Conquest Abingdon which he quoted extensively in the Preface to his sixth book of Reports, published in 1607.<sup>77</sup> Likewise in the Institutes he cited a charter of the monastery of Ramsey ‘(which I have)’: he owned a twelfth-century copy of the charter in question, one of four Anglo-Saxon charters in single-sheet copies in his possession.<sup>78</sup> The citation of the three charters in Coke’s discussion of the imperial claims of the English monarch is accompanied by a marginal note referring to a document not mentioned there at all,<sup>79</sup> but again, the explanation rests in his own library, which once contained ‘A Chartre of Kinge Edgar in the lattine and Saxon tongue anno Domini 966. De Dunnington.’<sup>80</sup> Coke’s personal manuscript collection evidently fed his writing. His volume of transcripts bears every sign of heavy use: it contains many annotations and cross-references, particular attention being devoted to subjects close to his legal interests, immunities and exemption from royal encroachment.<sup>81</sup> In fact, he might have found the texts of all the charters cited in manuscripts in his own library. His volume of transcripts supplied him with two texts, both taken from the same Abingdon volume in Cotton’s collection, which he used in his *Reports* and he cited two of four single-sheets in his *Institutes*. In addition he owned several volumes of transcripts of Exchequer documents and cited others through Agarde<sup>82</sup> and it is at least possible that one of these contained the text of *Altitonantis*.

Selden’s use of pre-Conquest charters, like that of Coke and Dee, has attracted little comment in print, no doubt because Selden assembled his immense armoury of sources from many cultures, times and places, and viewed against the diversity and range of his collection, any one class of

<sup>76</sup> Holkham Hall, MS 677, in which this charter is reproduced with the same erroneous names for the grantor and estate granted (Edwin, *Jeakeslea*). The charter is otherwise known from only two manuscripts. On Holkham 677, see Crick (ed.), *Charters*, forthcoming, also cited Kelly (ed.), *Charters of Abingdon*, p. lxvii. Listed in Seymour de Ricci (ed.), *A Handlist of Manuscripts in the Library of the Earl of Leicester at Holkham Hall Abstracted from the Catalogues of William Roscoe and Frederic Madden* (Oxford, 1932), p. 57.

<sup>77</sup> S 268, 886, 1201, copied from a volume later in Cotton’s possession, BL, MS Cotton Claudius B. vi. A diploma of King Æthelred of 995 and a grant of Æthelswith, queen of Mercia, of 868: S 886, 1201. See *La Size part des Reports Sr. Edw. Coke Chivaler, chiefe Iustice del Commonbanke* (1607), Preface.

<sup>78</sup> Holkham Hall, MS 262: de Ricci (ed.), *Handlist of Manuscripts*, 21. S 746, 558, 287: W. O. Hassall (ed.), *A Catalogue of the Library of Sir Edward Coke* (1950), p. 96.

<sup>79</sup> ‘The like Charter to the house at Donnington by King Edgar’: identifiable as S 746 of AD 966, which does indeed style Edgar *basileus*. See S. Miller (ed.), *Charters of the New Minster, Winchester, Anglo-Saxon Charters 9* (Oxford, 2001), no. 24, p. 115.

<sup>80</sup> Item 1201 in the catalogue made before Coke’s death in 1634: Hassall, *Catalogue*, p. 96, also pp. x–xii on the catalogue. It contained S 898, 268, 886, 1201.

<sup>81</sup> See Rosenwein, *Negotiating Space*, pp. 207–9, 211.

<sup>82</sup> Hassall (ed.), *Catalogue*, pp. vii, 23 (nos. 301, 306).

document looks insignificant.<sup>83</sup> Paul Christianson, in his recent study of Selden's career and writings, ruled out detailed investigation of his subject's sources although he did record charters among them, in particular the *Altitonantis* charter which has frequently featured in this discussion.<sup>84</sup> At the time of his death, Selden's library contained a number of volumes containing charters and a collection of his papers discovered in 1939 included one late tenth-century original, but when he acquired them remains a matter for speculation.<sup>85</sup>

Selden, like Coke, worked at a time when charters remained a resource available for the most part in manuscript rather than print; his routes of access and his use of the material make instructive comparison with Coke's own. Selden has been much praised for his historical method, free from the taint of 'exuberant nationalism' and ancient constitutionalism usually associated with Coke's historical researches.<sup>86</sup> His early work, *Titles of Honor*, which concerned the power and rights of the English nobility before and after 1066, 'displayed a mastery of the humanist historical method, a mature grasp of Continental evidence and scholarship'.<sup>87</sup> Here pre-Conquest charters constituted prime evidence. Like Coke and Dee, Selden commented on imperial styles found in tenth-century royal diplomas, notably those of Edgar, but he extended his interest to the titles of nobles in kings' entourages, noting the occurrence of men styled count and viscount among the witnesses. In the first edition, published in 1614, Selden confined himself to a dozen or so charters all but one of which were available in print: Crowland documents printed in Savile's edition of Ingulph's *Chronicle*, sometimes cited as Ingulph,<sup>88</sup> an extract from *Altitonantis* printed by Dee, a Malmesbury charter found in William of Malmesbury's *Gesta Regum Anglorum*, printed by Savile,<sup>89</sup> and one other, for which a manuscript source was claimed: 'Chart. Archiepisc. Cant. A. Cbr. DCLXXX'.<sup>90</sup> This last corresponds with the 'Chartulary of diuers deeds & Evidences

<sup>83</sup> Christianson, *Discourse*, ch. 1. See, however, Keynes, 'A Charter', and Keynes, 'Cult of Alfred', p. 250.

<sup>84</sup> On *Altitonantis*, see *ibid.*, pp. 263–6.

<sup>85</sup> See Keynes, 'Charter of King Edward', pp. 304–5; D. M. Barratt, 'The Library of John Selden and its Later History', *Bodleian Library Record*, 3 (1950–1), 128–42, 208–13, 256–74.

<sup>86</sup> On Selden's historical standpoint, see R. Tuck, "'The Ancient Law of Freedom': John Selden and the Civil War', in J. Morrill (ed.), *Reactions to the English Civil War 1642–1649* (1982), pp. 137–61 at 139.

<sup>87</sup> Christianson, *Discourse*, p. 55.

<sup>88</sup> S 213, 82, 1230, 741, 538, 965; Selden, *Titles of Honor*, pp. 223–4, 227, 254, 272.

<sup>89</sup> S 796, Seldon, *Titles of Honor*, p. 35. Selden elsewhere cited William of Malmesbury's *Gesta regum: ibid.*, p. 224.

<sup>90</sup> S 230: Selden, *Titles of Honor*, pp. 35, 301.

concerning the Bishopricke of Cant:’ listed among his books at his death.<sup>91</sup> The full extent of his indebtedness to print in his charter citations in the first edition is only revealed in the second edition of 1631 in which he supplied detailed marginal references, including page references to Savile’s edition of Ingulph and acknowledgement of Coke and Dee’s use of *Altitonantis*.<sup>92</sup> But the second edition shows more. Brimming with marginal references, it suggests that Selden struck a new seam – in it he greatly expanded the number and range of his sources, multiplying several-fold his references to pre-Conquest charters. This allowed him to expand his text, building on additions to his original construct using newly discovered material, much of it in manuscript form and much, apparently, from a single source.

Selden made intense use of charters for the first time in a section on kings’ wives, for example, which he constructed from a tissue of quotations from the subscriptions of royal women in pre-Conquest charters, genuine and spurious.<sup>93</sup> He described his sources with such care that in many cases it is possible to identify the precise manuscripts which he used. He cited a subscription of King Edgar’s queen Ælfthrith, from a charter ‘yet remayning in the inestimable library of that learned and worthy Sir Robert Cotton, and written in letters of gold in a hand of that age’, clearly the famous New Minster Foundation charter, surviving as an original of 966.<sup>94</sup> Selden cites many of his charters from what he describes as a Worcester register in the Cotton library (‘Regist. Wigor. ms. in Bibl. Cott.’), identifiable as the two eleventh-century cartularies of Worcester still in the Cotton collection, of which Selden appears to have owned a partial transcript.<sup>95</sup> This Selden mined, using it for the texts not only of individual documents from it, but making generalisations about queens’ subscriptions in the reigns of various Mercian kings.<sup>96</sup> Cotton’s library supplied Selden with texts of most of the pre-Conquest charters cited in this section, but Selden also acknowledged the use of public records, correctly citing a charter of King Cnut to Bury St Edmunds Abbey from an inspeximus of Edward III (‘cart. 4. Ed. 3. Num. 58’), and an Ely charter of King Edgar from an ancient charter in the Tower of London (‘Cart. Antiq. In Arce Lond, B. num. 11’).<sup>97</sup> In this second case, the Tower document cannot be identified but it is worth noting that the probable text in question attracted considerable interest

<sup>91</sup> Barratt independently identified this as Bodl. Lib. MS Tanner 223 which contains the charter in question: ‘Library’, 260.

<sup>92</sup> Selden, *Titles of Honor* (1631), pp. 18, 606, 770. <sup>93</sup> *Ibid.*, pp. 117–18.

<sup>94</sup> S 745: BL, MS Cotton Vespasian A. viii; Miller, *Charters of the New Minster*, no. 23.

<sup>95</sup> S 217, 1475. Keynes, ‘Charter of King Edward’, pp. 304–5, n. 13.

<sup>96</sup> Selden, *Titles of Honor* (1631), p. 118.

<sup>97</sup> S 980, and 779 or 794; Selden, *Titles of Honor* (1631), p. 118.



after the dissolution of the monasteries: it was enrolled under Elizabeth and James and eleven transcriptions survive from the sixteenth, seventeenth and eighteenth centuries.<sup>98</sup>

Selden's disquisition on Anglo-Saxon queenship or, more precisely, patterns of attestation of Anglo-Saxon queens in royal charters, thus draws on new texts acquired by two main routes: Cotton's library (originals and medieval copies) and public records (whether through direct access or by means of transcriptions). These patterns of acquisition may be observed throughout the revised *Titles of Honor*. He drew on other originals from Cotton's library – transcribing the entire text of one Worcester charter of AD 736, which he deemed 'as ancient as any original that I have seen perfit, and is not unworthy to be wholly inserted here'.<sup>99</sup> He made frequent use of the Worcester cartularies, and used documents in royal records, including a vernacular writ of Edward the Confessor which he cited from the patent rolls.<sup>100</sup> In short, by 1631 his text of seventeen years earlier had undergone a transformation, buttressed by ancient precedents of the highest quality. He cited printed texts and discussion but what he stressed and what, we must imagine, lent his revised work authority was the weight of antiquity: the ancient charters lengthily described, the register of the church of Worcester whose venerability and manuscript status he took care to record ('Regis. **ms. & uetustiss.** Eccles. Wigorn.').<sup>101</sup> And this new evidence added significantly to his case.

In many respects Coke and Selden behaved with remarkable similarity in their use of pre-Conquest charters. They cited them for comparable purposes, in discussions of the imperial past of the monarchy; they located texts in comparable circumstances. When Coke sat to down to write the Fourth Book of his Institutes we may imagine him working from materials in his own library: Savile, single-sheet charters, transcripts taken from Cotton's charters and public records. When Selden revised *Title of Honor* he used much the same: print (Savile), manuscript (originals and medieval copies) and transcripts (public records, perhaps other charters). Selden perhaps stood in a less proprietorial relationship to his sources – he acknowledged use of Cotton's originals and medieval copies – but, like Coke, he owned his

<sup>98</sup> PRO, Confirmation Rolls 14–18 Eliz., no. 6; PRO Confirmation Rolls, 4 Jac. I, no. 13: all manuscripts listed by Sawyer, *Anglo-Saxon Charters*, pp. 247–8.

<sup>99</sup> Readily identifiable as King Æthelbald of Mercia's grant of Ismere of AD 736: BL, MS Cotton Augustus ii.3. Selden, *Titles of Honor* (1631), pp. 606–7.

<sup>100</sup> 'Pat. 18 H. 6 Part. 2. Memb. 9 n. 12 vide item cart. 4 Ed. 3 membr. 13 &c': Selden, *Titles of Honor*, p. 612. The text corresponds with S 1104, although reference to the Patent Rolls appears to be erroneous.

<sup>101</sup> My emphasis: Selden, *Titles of Honor* (1631), p. 117.

own texts in transcript and original. The similarities should occasion little surprise. As Spelman noted, Anglo-Saxon charters were a scarce resource in the early seventeenth century: private collectors struggled to recover some of what had been lost in the plundering of monastic archives three generations earlier. But Coke and Selden both illustrate the options open to individuals who sought to acquire not so much the physical object – the medieval artefact – although that was highly prized, but the text contained therein. One important route lay in private collections. Coke owned transcriptions of a volume later in Cotton's hands. Selden's debt was the greater as he expressed in his *Historie of Tithes* which he dedicated to Robert Cotton in 1618: 'So great a part of it, was lent me by your most readie Courtesie and able Direction, that I restore it rather than giue it you'.<sup>102</sup> Cotton's status as a purveyor of medieval texts was indeed unrivalled; his collection supplied charters to more than one generation of researchers.<sup>103</sup> His Abingdon cartulary, for example, the source of four texts transcribed for Coke, spawned six surviving seventeenth-century transcripts.<sup>104</sup> But Coke and Selden had recourse to pre-Conquest charters by a second route, of no less importance: public records. Those who pursued pre-Conquest charters found their quarry not just in the physical remnants of the monastic past but in government repositories undisturbed by the ravages of ecclesiastical politics. The archives housed at Westminster and in the Tower included texts of entire pre-Conquest charters enrolled among the records of late medieval government.<sup>105</sup> Access was restricted, recovery of texts, one suspects, unsystematic or even serendipitous, but scholars transcribed whole volumes of pre-Conquest charters from this source.<sup>106</sup> In this instance the release of this material was determined by political, not by technological change, not so much the destruction of one set of medieval archives – the monastic – as the partial opening to scholars of another – state papers.<sup>107</sup>

What part does early modern transcription occupy in the history of scribal culture? In this discussion of the transmission of charters between the break up of monastic archives and their partial reconstitution in print

<sup>102</sup> John Selden, *The Historie of Tithes* (1618), p. a.

<sup>103</sup> For charters transcribed from his volumes see BL, MSS Lansdowne 966, Stowe 932, 1085; Bodl. Lib. MSS Dodsworth 78, James 10, 24, 25. See also above, n. 77.

<sup>104</sup> Now BL, MS Cotton Claudius B.vi (S 268, 886, 1201): Kelly (ed.), *Charters of Abingdon*, pp. lxvi–lxvii.

<sup>105</sup> Discussed, e.g., by Wernham, 'Public Records'; John Butt, 'The Facilities for Antiquarian Study in the Seventeenth Century', *Essays and Studies*, 24 (1938 [1939]), 64–79.

<sup>106</sup> Transcriptions of enrolled charters constitute some or all of Bodl. Lib., MSS Dugdale 4, Dodsworth 24, 25, 68, 97, James 23.

<sup>107</sup> The recovery of texts from enrolments perhaps accounts in some part for the significant number of forgeries among the charters surviving in early modern transcription.

in the hands of Dodsworth and Dugdale, print has recurred as the destination, source, and contaminant of scribally transmitted texts. Charters were copied in anticipation of the production of a printed text, copied from print, elements taken from print and combined with manuscript. The printed version featured as a kind of manuscript recension much like a contemporary transcript, providing a text, feeding into the process of textual comparison, providing a point of reference as the miscitation duplicated by Selden and Coke demonstrates. But medieval manuscript appears to have been vested with greater authority and value. Coke supplemented printed texts with documents which he had collected himself; Selden relied on print until manuscript became available as the second edition of *Titles of Honor* demonstrates. He and Coke signalled their use of the genuine artefact, whether medieval copies or originals.

The last word belongs to Selden. In the introduction to *Historie of Tithes* he elaborated the nature of his debt to Cotton: 'For to haue borowd your help, or usd that your inestimable Library (which liues in you) assures a curious Diligence in search after the inmost, least known and most usefull parts of Historicall Truth both of Past and Present Ages'. His words with peculiar accuracy illuminate the behaviour of the antiquary: the 'curious diligence' in the pursuit of 'the inmost, least known and most usefull parts of Historicall Truth both of Past and Present Ages'. To know the present, such men had to own the past; to own the past they had to acquire knowledge of *arcana*, secrets hidden in ancient records, unlocked by diligent research. To a great extent this activity was conducted in and through manuscript: originals in the hands of owners like Cotton and Coke, governmental records in the Tower and in Westminster, transcripts made from both for the convenience of scholars and perhaps their own notes. Particular authority attached to the singular, the hand-written word. Without engaging with manuscript sources how else could men escape from what Selden called a 'kind of Ignorant Infancie', 'the Neglect or only vulgar regard of the fruitful and precious part of it [Antiquitie], which giues necessarie light to the Present in matter of State, Law, Historie, and the understanding of good Autors'?<sup>108</sup>

<sup>108</sup> Selden, *Historie of Tithes*, Preface.