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# The Vernacular in Anglo-Saxon Charters: Expansion and Innovation in Ninth-Century England

It is well known that the Anglo-Saxons were some of the earliest and most prolific users of a written vernacular in medieval Europe. By the tenth and eleventh centuries, Old English was used for almost all imaginable literate purposes, yet the history of this written vernacular stretches back much earlier, to the seventh century and to within living memory of the coming of Roman missionaries, during which time Æthelberht, king of Kent, issued law-codes written in the language of his own people. Three further sets of royal laws were written in Old English in the seventh and early eighth centuries and alongside occasional glosses, glossaries and inscriptions, they serve as a reminder that the spoken language of the Anglo-Saxons had been written using an adapted form of the Roman alphabet from very early on indeed.<sup>1</sup> The most extensive evidence for the early written history of Old English, however, is provided by the body of Anglo-Saxon charters, that is, the administrative and legal documents that comprises some 1500 extant authentic records, dating from between the 670s and the mid eleventh century.<sup>2</sup> The majority of surviving specimens are

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<sup>1</sup> For the scripting of the Anglo-Saxon vernacular, see A. Seiler, *The Scripting of the Germanic Languages: a Comparative Study of "Spelling Difficulties" in Old English, Old High German and Old Saxon* (Zürich, 2014). One should note that the earliest surviving witness to an extended piece of Old English on vellum is probably the text of *Cædmon's Hymn* in the 'Moore Bede' (Cambridge, University Library MS. Kk.5.16), which dates to AD 737 or soon after.

<sup>2</sup> Throughout I cite Anglo-Saxon charters by their 'Sawyer' number (indicated by 'S') from P. H. Sawyer, *Anglo-Saxon Charters: an Annotated List and Bibliography* (1968), which has been revised and updated as *The Electronic Sawyer*, <http://www.esawyer.org.uk> [accessed 31 March 2017], by S. E. Kelly, R. Rushforth *et al.* I indicate the edition of a charter in brackets following the number. When available, priority has been given to editions in the British Academy Anglo-Saxon charters series. I employ the following abbreviations: *ASChart* = *Anglo-Saxon Charters*, ed. and trans. A. J. Robertson, 2nd edn. (Cambridge, 1956); *BCS* = *Cartularium Saxonicum: a Collection of Charters Relating to Anglo-Saxon History*, ed. W. de G. Birch, 3 vols. (1885–93); *CantCC* = *Charters of Christ Church, Canterbury*, ed. N. P. Brooks and S. E. Kelly, 2 vols. (Oxford, 2013); *CantStA* = *Charters of St Augustine's Abbey, Canterbury, and Minster-*

predominantly in Latin, but many also contain elements of the vernacular, while for a relatively small but diverse portion, Old English was the main language of writing. Thus, although that which survives is likely to represent but a fraction of what once existed, charters nevertheless survive in a large enough quantity to provide an almost continuous account of bilingual literary activity over a period of some four hundred years.

The potential of the Anglo-Saxon diplomatic corpus has long been recognized for elucidating a variety of historical and philological issues, including the questions of literacy and the functions of the written word. Specifically, it is well known that a body of largely vernacular documents survives from the ninth century onwards, which several scholars – most notably Susan Kelly, Simon Keynes and Kathryn A. Lowe – have explored within a context of growing lay engagement with documentary culture and of increasingly complex administrative structures – much of which has contributed to the view of late Anglo-Saxon England as a highly sophisticated polity.<sup>3</sup> The linguistic character of this material is frequently noted yet rarely brought to the fore in

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*in-Thanel*, ed. S. E. Kelly (Oxford, 1995); *LondStP* = *Charters of St Paul's, London*, ed. S. E. Kelly (Oxford, 2004); *Pet* = *Charters of Peterborough Abbey*, ed. S. E. Kelly (Oxford, 2009); *Roch* = *Charters of Rochester*, ed. A. Campbell (Oxford, 1973); *SEHD* = *Select English Historical Documents of the Ninth and Tenth Centuries*, ed. and trans. F. E. Harmer (Cambridge, 1914); *Sel* = *Charters of Selsey*, ed. S. E. Kelly (Oxford, 1996); *Shaft* = *Charters of Shaftesbury Abbey*, ed. S. E. Kelly (Oxford, 1995). I take my definition of a charter to be any record catalogued by Sawyer. Thus I consider a wide variety of documents, including permanent royal donations of land and privileges (commonly known as ‘royal diplomas’), wills, leases and dispute memoranda. Note that scholars (including Sawyer) do not usually include law codes in their definition of charters.

<sup>3</sup> The principal publications on vernacular documentation and literacy in Anglo-Saxon England are S. E. Kelly, ‘Anglo-Saxon lay society and the written word’, in *The Uses of Literacy in Early Medieval Europe*, ed. R. McKitterick (Cambridge, 1990), pp. 36–62; S. Keynes, ‘Royal government and the written word in late Anglo-Saxon England’, in *The Uses of Literacy*, ed. McKitterick, pp. 226–57; K. A. Lowe, ‘Lay literacy in Anglo-Saxon England and the development of the chirograph’, in *Anglo-Saxon Manuscripts and Their Heritage*, ed. P. Pulsiano and E. M. Treharne (Aldershot, 2008), pp. 161–204. Also see C. Cubitt, ‘“As the lawbook teaches”: reeves, lawbooks and urban life in the anonymous Old English legend of the seven sleepers’, *English Historical Review*, cxxiv (2009), 1021–49; while for a

discussions and, indeed, there has often been a somewhat over simplification of the surviving evidence in this regard, with charters being acknowledged as either ‘Latin’ or ‘Old English’ artifacts, leaving little space for the linguistically mixed realities of many of these texts.<sup>4</sup> Matters are further complicated by the fact that most Anglo-Saxon charters only survive in later contexts, and a considerable number of these either are spurious or contain vernacular passages that are likely to represent later interpolations into earlier material. Thus, we lack a detailed study that systematically and comprehensively examines the chronological origins for the use of the vernacular in Anglo-Saxon documentary culture, considering both texts almost entirely in Old English as well as those that contain smaller instances of the vernacular. At present it is therefore unclear when, if ever, the vernacular was used before the ninth century in Anglo-Saxon charters. As

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more general summary, see L. Oliver, ‘Legal documentation and the practice of English law’, in *The Cambridge History of Early Medieval English Literature*, ed. C. A. Lees (Cambridge, 2013), pp. 499–529. The view of late Anglo-Saxon England as a sophisticated administrative state is perhaps best characterized by the work of James Campbell; see, for example, his ‘Observations on English government from the tenth to the twelfth centuries’, *Transactions of the Royal Historical Society*, fifth series, xxv (1975), 39–54, repr. in his *Essays in Anglo-Saxon History* (1986), pp. 155–70.

<sup>4</sup> A recent exception being N. P. Brooks, ‘Latin and Old English in ninth-century Canterbury’, in *Spoken and Written Language: Relations between Latin and the Vernacular Languages in the Earlier Middle Ages*, ed. M. Garrison, A. P. Orbán and M. Mostert (Turnhout, 2013), pp. 113–31, for which the language of charters is the primary focus. Even here, however, more could have been done to acknowledge the mixture of Latin and Old English within single documents. The leases of the tenth-century Bishop Oswald of Worcester have also attracted attention for their languages: H. Schendl, ‘Beyond boundaries: code-switching in the leases of Oswald of Worcester’, in *Code-Switching in Early English*, ed. H. Schendl and L. Wright (Berlin, 2011), pp. 47–94, and now F. Tinti, ‘Writing Latin and Old English in tenth-century England: patterns, formulae and language choice in the leases of Oswald of Worcester’, in *Writing Kingship and Power: Studies in Honour of Simon Keynes*, ed. R. Naismith and D. Woodman (Cambridge, forthcoming). Elsewhere, earlier work on the linguistic features of Anglo-Saxon charters has focused primarily on bounds (that is, clauses describing the geographical limits of an estate): see, for example, P. Kitson, ‘Quantifying qualifiers in Anglo-Saxon charters boundaries’, *Folia Linguistica Historica*, xiv (1993), 29–82; K. A. Lowe, ‘The development of the Anglo-Saxon boundary clause’, *Nomina: Journal of the Society for Name Studies in Britain and Ireland*, xxi (1998), 63–100.

to the ninth-century corpus, there is more to be said about the exact dates and circumstances in which this material appears, meaning in turn that these charters still have more to tell us about contemporary cultural developments. When, where and in what contexts, therefore, do we first find Old English in Anglo-Saxon charters? And how can we account for its earliest appearances and subsequent development?

These are the fundamental questions that lie at the heart of the present study. In seeking answers, much of the surviving evidence leads us to the early decades of the ninth century – and thus significantly earlier than the remarkable vernacular literary activity of the reign of King Alfred (871–899) – and it is here that we will stay. Instead of using this material as a prologue to the more numerous examples of the tenth and eleventh centuries, I will focus on these early decades in detail in order to gain a stronger sense of the dynamism of documentary culture at this time and to stress the fundamental importance of these years for the history of Anglo-Saxon diplomatic. In doing so, I will argue that setting this material within an international context, particularly alongside Frankish comparanda, is key to understanding its function and its linguistic character. This study will, furthermore, offer greater nuance to our understanding of ninth-century Anglo-Saxon literary activity, which is so often framed simply in terms of decline and eventual renewal.<sup>5</sup>

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<sup>5</sup> The classic study of declining standards of Latin literacy is M. Lapidge, ‘Latin learning in ninth-century England’, in his *Anglo-Latin Literature 600–899* (1996), pp. 409–54. For a more positive, though problematic, interpretation (to which Lapidge convincingly responded in the aforementioned publication), see J. Morrish, ‘King Alfred’s letter as a source on learning in England’, in *Studies in Earlier Old English Prose*, ed. P. E. Szarmach (Albany, NY, 1986), pp. 87–207. Other more positive perspectives can be found in M. P. Brown, ‘Female book-ownership and production in Anglo-Saxon England: the evidence of the ninth-century prayerbooks’, in *Lexis and Texts in Early English: Studies Presented to Jane Roberts*, ed. C. J. Kay and L. M. Sylvester (Amsterdam, 2001), pp. 45–67; B. Snook, ‘When Aldhelm met the Vikings: advanced Latinity in ninth-century Mercian charters’, *Mediaevistik*, xxvi (2013), 111–48; B. Snook, *The Anglo-Saxon Chancery: the History, Language and Production of Anglo-Saxon Charters from Alfred to Edgar* (Woodbridge, 2015), pp. 32–41.

In search of origins, we should first acknowledge the beginnings of Anglo-Saxon charter production as a whole, an issue that has been a source of considerable debate. Some scholars wish to locate its origins with the Roman missionaries of the early seventh century; others have argued for a date closer to that of the earliest extant specimens – the 670s – and have thus instead associated their introduction with Theodore of Tarsus, the renowned Greek scholar and archbishop of Canterbury from 668 to 690.<sup>6</sup> Whichever argument one wishes to follow, it is clear that the ultimate (though perhaps indirect) model for the earliest Anglo-Saxon charters was the late Roman private deed, which they replicate in both form and language.<sup>7</sup> Thus these were Latin documents, the vast majority of which recorded permanent grants of land, and it appears that their popularity spread in no small part thanks to the influence of church councils, at which many of the agreements were made that these documents recorded in writing.<sup>8</sup> It is important to note, furthermore, that it is not until the second half of the eighth century that we find examples of charters recording gifts that were not issued expressly for a religious purpose.<sup>9</sup> In their origins, therefore, Anglo-Saxon charters were inextricably linked with the history of the church.

Within this context, it must be stressed that Old English is unlikely ever to have been entirely absent. For the Anglo-Saxons, Latin was a foreign language that needed to be learnt, and thus the negotiations that led to the production of a given charter would on most occasions have

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<sup>6</sup> For a recent summary of this debate, see B. Snook, ‘Who introduced charters into England? The case for Theodore and Hadrian’, in *Textus Roffensis: Law, Language, and Libraries in Early Medieval England*, ed. B. R. O’Brien and B. Bombi (Turnhout, 2015), pp. 257–89.

<sup>7</sup> As discussed early on by W. H. Stevenson in a series of unpublished lectures entitled ‘The Anglo-Saxon Chancery’ that were delivered in Cambridge in 1898. These are now available to read at <http://dk.userstest.mws3.csx.cam.ac.uk/sites/default/files/files/Stevenson%202011.pdf> [accessed 31 March 2017]. Also see S. Keynes, *The Diplomas of King Æthelred ‘the Unready’ 978–1016: a Study in their Use as Historical Evidence* (Cambridge, 1980), pp. 15, n. 4, and 30; Snook, ‘Who introduced charters into England?’, pp. 274–9.

<sup>8</sup> S. Keynes, ‘Church councils, royal assemblies, and Anglo-Saxon royal diplomas’, in *Kingship, Legislation and Power in Anglo-Saxon England*, ed. G. R. Owen-Crocker and B. W. Schneider (Woodbridge, 2013), pp. 17–182.

<sup>9</sup> C. Cubitt, *Anglo-Saxon Church Councils c.650–c.850* (Leicester, 1995), p. 71.

been conducted in the vernacular.<sup>10</sup> Moreover, very early on we find elements of the vernacular in charters that are otherwise in Latin when identifying locations in the landscape, as we see, for example, in this diploma issued in the name of Wihtred, king of Kent, from either AD 697 or 712:

sita est in loco qui dicitur Limingae terram .iiii. aratrorum quae dicitur Pleghelmestun . cum omnibus ad eandem terram pertinentibus iuxta notissimos terminos id est bereueg . et meguines paed et stretleg<sup>11</sup>

One may wish to debate whether *bereueg* or *meguines paed* are place-names or simply Old English noun phrases,<sup>12</sup> but the point for the present discussion is that these terms were not Latinized: non-Latinized lexical items were permitted within the narrative of the charter. There were undoubtedly very practical reasons for this, in that the ability to identify the land with which a charter was concerned was crucial to the function of the document, while many locations in Anglo-Saxon England are unlikely to have had widely recognized Latin nomenclature.<sup>13</sup> In fact, it is almost more

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<sup>10</sup> On Latin as ‘primarily a written language’ in pre-Conquest England, see M. Lapidge, ‘How English is pre-Conquest Anglo-Latin?’, in *Britannia Latina: Latin in the Culture of Great Britain from the Middle Ages to the Twentieth Century*, ed. C. Burnett and N. Mann (2005), pp. 1–13, at pp. 3–4.

<sup>11</sup> S 19 (*CantCC* 5): ‘situated in the place that is called the land of Lyminge, four sulungs which is called *Pleghelmestun* [Pleghelm’s tun], with all pertaining to the same land according to the most familiar bounds, that is *bereueg* [barley way] and *meguines paed* [Mægwine’s path] and *stretleg* [wood street].’ All translations are my own unless otherwise stated. S 19 survives in its original single-sheet form (London, British Library, Stowe Charter 1).

<sup>12</sup> See K. Wiles, ‘The treatment of charter bounds by the Worcester cartulary scribes’, *New Medieval Literatures*, xiii (2011), 113–36, esp. pp. 129–35; R. Coates, ‘*to þære fulan flóde . óf þære fulan flode*: on becoming a name in Easton and Winchester, Hampshire,’ in *Analysing Older English*, ed. D. Denison, R. Bermúdez-Otero, C. McCully and E. Moore (Cambridge, 2012), pp. 28–34.

<sup>13</sup> See N. Howe, *Writing the Map of Anglo-Saxon England: Essays in Cultural Geography* (New Haven, CT, 2008), pp. 32–8.

striking when a location *is* Latinized.<sup>14</sup> Old English thus can be found early on and frequently within descriptions of the landscape, and this is especially noticeable in the bounds of charters, in which the density of locative references can transform sentences into thoroughly bilingual passages.

Beyond landscape descriptions, Old English is almost wholly absent in surviving pre ninth-century charters. A single word, *fæstingmen*, appears in one late eighth-century Mercian royal diploma (and again in several ninth-century Mercian royal diplomas), denoting individuals with particular privileges, quite possibly acting as royal agents.<sup>15</sup> In all contexts in which *fæstingmen* is found, other than locative vocabulary it is the only word not in Latin. It is difficult to explain this phenomenon – perhaps contemporaries could not agree upon a Latin term that encapsulated all of its meanings; perhaps there had been a conscious decision not to accord these individuals a Latin title – but either way, it represents the only vernacular word used in Anglo-Saxon charters of the seventh or eighth centuries to indicate a social group.<sup>16</sup> Several other isolated non-locative vernacular terms appear in charters over the course of the ninth century. These include *eafor*, *feorm*,

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<sup>14</sup> Much the same could also be said for personal names, which are found variably in Latinized and non-Latinized forms in Anglo-Saxon charters. These are not considered in the present study but they are certainly worthy of close analysis.

<sup>15</sup> Julia Barrow has suggested ‘feasting men’, which seems unlikely given that the root of the term derives from the verb *fæstan* (‘to make firm, entrust’): ‘Friends and friendship in Anglo-Saxon charters’, in *Friendship in Medieval Europe*, ed. J. Haseldine (Stroud, 1999), pp. 106–23, at p. 110. Paul Hyams has instead suggested a connection to *fæstnesses* (‘strongholds, fortifications’), and thus the individuals referred to as *fæstingmen* were perhaps garrison retainers: *Rancor and Reconciliation in Medieval England* (Ithaca, NY, 2003), p. 26, n. 83. Such a specific role is possible, but it seems that the focus should not necessarily be on their responsibilities (which may have been varied), but rather on what their privileges were. For the identification of the term as that of a royal agent, see A. Williams, *Kingship and Government in Pre-Conquest England* (Basingstoke, 1999), p. 50; *CStA*, p. 62.

<sup>16</sup> Were it not for the example of S 207 (BCS 488–9), one could extend this statement to include all ninth-century predominantly Latin charters. For more on S 207, [see below, n. 125 and associated text](#).



*haga*, *circsceat* and *sawlsceat*.<sup>17</sup> Several of these represent obligations or dues for which there may not have existed a wholly satisfactory Latin analogue. In a small number of other cases – particularly certain mid and late ninth-century specimens from Canterbury – the employment of vernacular vocabulary appears to reflect the limited Latin literacy of draftsmen, who when writing slipped into their spoken language and who produced a form of prose that Nicholas Brooks and Susan Kelly described in one instance as ‘a form of Latin/English pidgin’.<sup>18</sup> In addition, from the beginning of the ninth century onwards, we find occasions in which charters have been endorsed with the name of the land in question (or, less frequently, the name of the beneficiary) plus the word *boc*, signifying that the land was held through a codified agreement.<sup>19</sup>

With these points in mind, the following discussion is primarily concerned with the earliest instances of when, how and why draftsmen went beyond descriptions of the landscape and beyond the use of single lexical items in their employment of Old English. To this end, I have collated and divided into three approximate chronological groups all surviving examples that are likely to be authentic from the period up to the year 855: (1) up to AD *c.*825; (2) AD *c.*825 to *c.*840; and (3) AD *c.*840 to *c.*855. Each group in effect spans roughly fifteen years of documentary activity, and they have been imposed to allow us to digest the material systematically. The three groups do not necessarily imply three distinct stages of development, though I do consider the 840s to be a period of significant diplomatic innovation, as we shall see.<sup>20</sup> I have chosen to end this survey at 855, since

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<sup>17</sup> *eafor* (meaning uncertain; possibly denotes an obligation to convey goods and messengers) and *feorm* (‘food, provision’) occur in S 197 (*Pet* 8); *haga* (‘enclosure’) is found in S 180 (BCS 357) and S 315 (*Roch* 23); *circsceat* (‘church-scot’) and *sawlsceat* (‘soul-scot’) appear in S 1279 (BCS 580).

<sup>18</sup> *CantCC*, p. 824, referring to S 1276 (*CantCC* 98).

<sup>19</sup> S 153 (*CantCC* 26), 163 (*CantCC* 40), 173 (BCS 343), 178 (*CantCC* 51) and 188 (*CantCC* 60).

<sup>20</sup> Note that I have excluded a considerable number of charters from my survey that in their surviving forms contain vernacular content that is likely to represent later interpolations. Note that I have also excluded vernacular references to the landscape even if they are not within a boundary clause, including, for example, lists of estates.

from this year we have a vernacular passage that has significant historiographical implications, and thus this survey in one respect tells the story of what developments anticipated the composition of this important piece of pre-Alfredian Old English. I will discuss each group in detail, considering the evidence of each charter individually before summarizing the key features of the group and their possible implications. In the concluding discussion, we will step back to consider the salient themes and collective significances of the material as a whole.

For each group, I provide a table summarizing the contemporary Old English contents of charters. These require some explanation. I include the Sawyer catalogue number of the documents, with any charter that survives in a copy that dates to no later than 855 being marked with \*. I also give the date for each charter, and here three variables need to be borne in mind: the date of composition of the earliest layer of writing; the date of its earliest witness (if produced before 855 but not necessarily contemporary with the composition of the text); and the date of the Old English, if it does not feature as part of the original content of the charter. For most, we are only able to differentiate between these three potential stages of production if the charter survives in a contemporary or near contemporary form, for which we can draw on palaeographic evidence to distinguish between different stages of writing.<sup>21</sup> As it is, I have not identified any Old English content dating to the period before 855 that is likely to be significantly later than the date of the main text of the charter – in other words, we have no examples of seventh or eighth-century single sheets to which Old English was added before the year 855 – and thus for those charters marked \*, the ‘Date’ provided in the tables is an approximate date for both its earliest witness and its Old English content. In those cases in which this earliest witness is likely to have been created several years after the original agreement(s) to which it relates, the dates of the agreement(s) are provided

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<sup>21</sup> Linguistic and orthographic evidence can help to identify Old English elements in later copies of charters that are likely to be significantly later than the composition date of the original document but such analysis does not allow for the same level of precision as identifying different hands at work on an early single-sheet witness to a charter.

in the ‘Summary’ column in square brackets.<sup>22</sup> For those charters that only survive in later forms, the dates provided in the tables are the years in which the recorded agreements are likely to have been originally made. I also include the details of the archive to which the charter belongs, as well as summaries of the nature of the agreement that it records and, more specifically, the nature of the Old English content. In those cases in which the document is predominantly in the vernacular, any elements in Latin are summarized in square brackets in the ‘Nature of Old English’ column.

It must be stressed that the tables only include charters that contain examples of Old English that meet my aforementioned criteria. In other words, documents without vernacular elements are not included, nor are those records that only feature Old English in the form of landscape descriptions or single lexical items.<sup>23</sup> By focussing on this select material, we can discern uses of the written words that are in danger of being overlooked when sat alongside the vastly larger number of surviving charters that do not employ the vernacular for purposes other than describing the landscape.

Let us turn to the first group, which includes all examples extant from before *c.*825. These are detailed in Table 1.

Table 1. Charters from before *c.*825 that contain multiple non-locative Old English words

<i>Sawyer</i>	<i>Date</i>	<i>Archive</i>	<i>Summary</i>	<i>Nature of Old English</i>
1500*	805 x 824	<i>CantCC</i> 39A	Will of Æthelnoth, reeve, and his wife Gænburg	Almost entire text [Latin titles in witness list]
1432	After 822 x 823	Worcester	Dispute memorandum	Almost entire text [title of king given as <i>rex</i> ]
187*	823	<i>CantCC</i> 54	Diploma of Ceolwulf, king of Mercia, to Archbishop Wulfred	Endorsement
1266*	824	<i>CantCC</i> 55	Exchange of lands between Archbishop Wulfred and Christ Church, Canterbury	Endorsement

<sup>22</sup> In reality this applies to only one charter within my three tables, S 1188 (*CantCC* 42).

<sup>23</sup> This means that I have excluded a number of endorsements that comprise simply a place or personal name alongside the word *boc*.

1433	824	Worcester	Dispute memorandum	Summary of oath-taking ceremony
1437	825	Worcester	Dispute memorandum	Almost entire text [Latin invocation and witness list]

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The earliest specimen that meets my criteria is likely to be S 1500, a will issued jointly by a reeve named Æthelnoth and his wife, Gænborg. This document is entirely in the vernacular aside from several titles in the witness list, and it is extraordinary in two regards. First, it is likely to be the earliest example of continuous Old English prose in a charter that is doing something other than describing the landscape; as such, it is the earliest extant vernacular Anglo-Saxon will.<sup>24</sup> Second, the nature of its production is exceptional: surviving in single-sheet form, this document was copied out directly below the text of a royal diploma that had been issued some time between 805 and 807 by Cuthred, king of Kent, in favour of Æthelnoth, the co-donor of the will.<sup>25</sup> Both the royal diploma and the will relate to the same piece of land in Kent and both were copied out by the same scribe. More extraordinary still, this same scribe produced a second extant copy of the royal diploma, which importantly does not include the will. As with most Anglo-Saxon wills, S 1500 is undated, but given that it was issued following arrangements made with Wulfred, archbishop of Canterbury, it was clearly produced at some time between 805 and 832 (the years of Wulfred's archiepiscopate). An internal reference to an estate at Eythorne, which was in Wulfred's possession in 824, suggests that the will was drawn up no later than this year; while the date of the related royal diploma, plus the inclusion of a reference to a royal thegn named Esne, whose last known movements otherwise were in 811, points towards an earlier rather than later date of composition within this timeframe.<sup>26</sup> Brooks and Kelly have suggested that the scribe was based at Canterbury and, indeed, the will

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<sup>24</sup> For a list of extant Anglo-Saxon wills, see L. Tollerton, *Wills and Will-Making in Anglo-Saxon England* (Woodbridge, 2011), appendix 1 (pp. 285–8). Note that at least one authentic Latin record of bequests, S 1182 (*CantStA* 12), survives from earlier on than S 1500, dating to AD 762.

<sup>25</sup> This royal diploma is S 41 (*CantCC* 39). The single sheet that contains both the diploma and will is London, British Library, Stowe Charter 8.

<sup>26</sup> *CantCC*, p. 490.

makes great sense as a Canterbury production, considering that the document names Archbishop Wulfred as the inheritor of the land if Æthelnoth and Gænborg die childless. As it seems highly likely that Æthelnoth and Gænborg would have wished to keep a copy of the royal diploma for themselves, Brooks and Kelly have very reasonably postulated that the second copy of the diploma was produced at the instigation of Archbishop Wulfred in order that he (or the Christ Church community) could keep a written record of the bequest.<sup>27</sup> In other words, Æthelnoth and Gænborg would have taken away the copy not containing the will, and it was this copy that acted as the primary title-deed. Such duplication of charters is frequently attested in the tenth century through the production of chirographs, though this early ninth-century example is not a chirograph nor for that matter do any earlier charters survive in two contemporary copies.<sup>28</sup>

The key question for the present study, however, is the choice of language, which is unprecedented: why was the will written in the vernacular, when the scribe was clearly able to copy out Latin prose? There are earlier charters that make allusions to post-obit endowments, yet as Linda Tollerton and others have stressed, bequeathing property and possessions was a practice in Anglo-Saxon England that appears to have centred predominantly on the public, oral declaration of the testator.<sup>29</sup> The choice of Old English reflected the dominant language of the proceedings and it could, in theory, more accurately capture the words of the donor.<sup>30</sup> This may explain why almost all surviving Anglo-Saxon wills are in the vernacular. In such a context, furthermore, the written word was not necessarily central to proceedings, unlike with the issuing of new bookland, which was almost always recorded in Latin, and the contrast here with bookland may meaningfully explain

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<sup>27</sup> *CantCC*, pp. 486–7.

<sup>28</sup> For the history of Anglo-Saxon chirographs, see Lowe, ‘Lay literacy’.

<sup>29</sup> Tollerton, *Wills*, pp. 27–31 and ch. 2; Oliver, pp. 521–6.

<sup>30</sup> Though it must be noted that vernacular wills often contain formulae that are derived from Latin diplomatic, which helped provide a framework for the codification of oral proceedings. See A. Campbell, ‘An Old English will’, *Journal of English and Germanic Philology*, xxxvii (1938), 133–52, esp. pp. 134–5; Brooks, ‘Latin and Old English’, p. 122.

why the will was not included in both copies of the diploma, if they were issued at the same time: the copy that acted as the primary title-deed remained an almost entirely Latin artifact.<sup>31</sup>

Archbishop Wulfred is central to the production of two further pieces of Old English prose within Table 1. Both examples come in the form of endorsements – that is, texts written on the dorse of the charters that on most occasions remained visible when the charter was folded. Endorsements are a feature of documentary practice for which there is relatively limited evidence in the earlier Anglo-Saxon period; I am aware of only three or perhaps four seventh- or eighth century single-sheet records that contain endorsements that were acquired before the ninth century.<sup>32</sup> Most early examples comprise simply the (non-Latinized) name of the land to which the charter relates, occasionally in combination with the word *boc*.<sup>33</sup> The two specimens that I have included in Table 1, however, are more extensive, with one even containing an active verb (*wesan*). They read as follows:

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<sup>31</sup> The only vernacular element in the royal diploma being the locative phrase ‘æt Hęgyðe ðorne’ (‘at Eythorne’).

<sup>32</sup> S 1171 (BCS 81), 65 (*CantCC* 9), 31 (*CantCC* 14) and 1428b (*LondStP* appendix I). An important caveat is that there are relatively few surviving single sheets from before the ninth century. Note also that the endorsement to S 65 may possibly date to the early ninth century instead. Note that S 1428b, although associated with Christ Church archive, was edited not within *CantCC*, but as appendix I in *LondStP*. For more on this charter, see P. Chaplais, ‘The letter from Bishop Wealdhere of London to Archbishop Brihtwold of Canterbury: the earliest original “letter close” extant in the West’, in *Medieval Scribes, Manuscripts & Libraries: Essays Presented to N. R. Ker*, ed. M. B. Parkes and A. G. Watson (1978), pp. 3–23. For a discussion of the endorsements on royal diplomas from the period 925 to 975, see Keynes, ‘Church councils’, pp. 166–8. For more general discussion of endorsements, see S. Thompson, *Anglo-Saxon Royal Diplomas: a Palaeography* (Woodbridge, 2006), pp. 50–4; R. Gallagher and K. Wiles, ‘The endorsement practices of Anglo-Saxon England’, in *The Languages of Early Medieval Charters: Latin, Germanic Vernaculars and the Written Word*, ed. R. Gallagher, E. Roberts and F. Tinti (forthcoming).

<sup>33</sup> Two exceptions are S 1171 (BCS 81) and S 1428b (*LondStP* appendix I), both of which contain eighth-century endorsements in Latin.

londboc minra pica 7 ðritiges æcra be norðan byrg<sup>34</sup>

ðis is biscofes gehpearf 7 ðara higna on byrg ðara londa æt Beor[.....] 7 æt Eagyðe  
ðorne<sup>35</sup>

Both documents are likely to be Canterbury productions and in both cases it may well be that the scribe of the main text of the charter also wrote the endorsement. Both endorsements, meanwhile, sit within the creases created by the folding of the charters. Thus, it would seem that it was only after the charters had been folded – presumably in preparation for their transportation or storage – that the texts on the dorse were added; the endorsements appear therefore to be acting as markers for the later easy identification of the documents.<sup>36</sup> S 1266, dating to 824, is very much a Canterbury affair, recording an exchange of lands between Archbishop Wulfred and the Christ Church community. The main text is entirely in Latin (aside from some locative vocabulary), while the endorsement is, as we can see, in Old English, summarizing the nature of the document quite simply in terms of its participants and land. S 187, dating to just one year before, works slightly differently: it accompanies a Latin royal diploma of King Ceolwulf and it identifies the charter by ownership with the possessive pronoun *minra*, as well as with a rather vague reference to the lands in question. Given that this charter was issued in favour of Archbishop Wulfred, *minra* raises the

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<sup>34</sup> S 187 (*CantCC* 54): ‘landbook of my tenements and of 30 acres to the north of the city’ (trans. *CantCC*, p. 568). The single sheet of this charter is London, British Library, Cotton Augustus ii. 75.

<sup>35</sup> S 1266 (*CantCC* 55): ‘this is the exchange between the bishop and the community at Canterbury of the lands at Barham and Eythorne’ (trans. *CantCC*, p. 574). The single sheet of this charter is London, British Library, Stowe Charter 13.

<sup>36</sup> Contrary to the interpretation of M. P. Parsons, who argued that the endorsement of S 187 was a scribal memorandum written before the composition of the main text. Parsons did, on the other hand, interpret the endorsement of S 1266 as an ‘archival mark’: ‘Some scribal memoranda for Anglo-Saxon charters of the eighth and ninth centuries’, *Mitteilungen des österreichischen Instituts für Geschichtsforschung*, Erg. Bd., xiv (1939), 13–32, at pp. 23–6. Cf. *CantCC*, p. 568.

possibility that the endorsement (and indeed, the entire diploma) was produced by Wulfred's own hand, a hand that has been identified as Christ Church 'scribe 2'.<sup>37</sup>

The final three documents within Table 1 are of a somewhat different nature. All three derive from the Worcester archive and all relate to dispute settlements that were negotiated between 822 and 825. In regards to these three specimens, it should first be said that documents similarly recording the outcomes of tenurial disputes survive from considerably earlier and from several different archives.<sup>38</sup> A substantial number come to us from the early ninth century, all of which derive from the proceedings of church councils, which, as far as we can tell, served as the normal venue for the attempted resolution of disputes at this time.<sup>39</sup> All earlier examples, as well as these three Worcester specimens, are likely to have been produced by an agent on behalf of the victorious party after a resolution had been reached.<sup>40</sup> Importantly, however, all earlier examples are (locative phrases aside) entirely in Latin. As to these three Worcester texts, unfortunately none is extant in its original form. One survives only within two of the eleventh-century Worcester cartularies,<sup>41</sup> another solely as a lost 'Somers' charter;<sup>42</sup> the earliest of the three, meanwhile, features in three of the Worcester cartularies as well as a seventeenth-century set of transcriptions of original, now lost

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<sup>37</sup> *CantCC*, p. 568.

<sup>38</sup> For example, from Shaftesbury, S 1256 (*Shaft* 1b); from Selsey, S 158 (*Sel* 14); from Canterbury (and possibly spurious), S 1258 (*CantCC* 27); from Worcester, S 1429 (BCS 156), 1430 (BCS 256) and 137 (BCS 269).

<sup>39</sup> Cubitt, *Anglo-Saxon Church Councils*, pp. 21, 55–7, 65–76, 222–3, 238–9 and 241.

<sup>40</sup> P. Wormald, 'Charters, law and the settlement of disputes in Anglo-Saxon England', in *The Settlement of Disputes in Early Medieval Europe*, ed. W. Davies and P. Fouracre (Cambridge, 1986), pp. 149–68, repr. in and cited from his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (1999), pp. 289–311, at p. 293.

<sup>41</sup> S 1433 (BCS 379).

<sup>42</sup> S 1437 (*ASChart* 5). For discussion of the Somers charters, see S. Keynes, 'Anglo-Saxon charters: lost and found', in *Myth, Rulership, Church and Charters: Essays in Honour of Nicholas Brooks*, ed. J. Barrow and A. Wareham (Aldershot, 2008), pp. 45–66, at pp. 58–9.



single sheets.<sup>43</sup> Patrick Wormald questioned the date at which the latest of the three (S 1437) was drawn up (though he nevertheless believed that it was produced at an early date) and, indeed, we cannot be entirely certain of the authenticity of these documents or their purported dates of production.<sup>44</sup> It can be said, however, that the Old English of neither S 1432 nor S 1437 is Late West Saxon and both include dialectal features that one would not expect outside of Kent after the ninth century. The orthography of S 1433, on the other hand, which only survives within the eleventh-century cartularies, is entirely Late West Saxon, suggesting either that the dialect of the text was revised when copied or that its vernacular elements do not date to the ninth century.<sup>45</sup>

Thus, of these three memoranda, the earliest, S 1432, is the least problematic and it can most probably be accepted as a record of the 820s. As such, it merits a little more attention. This memorandum is entirely in Old English, bar the use of *rex* in reference to King Ceolwulf, and from a third-person perspective it describes recent events related to a dispute over land at Inkberrow, Worcestershire, between the church of Worcester and a certain Wulfheard.<sup>46</sup> This dispute had been on-going for several decades, as is attested by the manner in which the document was produced: according to the seventeenth-century transcription, this text was added to the dorse of a single sheet that already contained two stages of writing pertaining to this dispute, the first dating to 789, the second to 803.<sup>47</sup> The Worcester community would, therefore, have had a single piece of parchment that defended their claim to the land and that had accrued three layers of written support as the

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<sup>43</sup> S 1432 (*ASChart* 4). The seventeenth-century copy is London, British Library, Harley MS. 4660, pp. 7–8 (S 1432 is on p. 8).

<sup>44</sup> P. Wormald, *The Making of English Law: King Alfred to the Twelfth Century, Vol. I: Legislation and its Limits* (Oxford, 1999), p. 373, n. 490.

<sup>45</sup> My thanks to Richard Dance for advice regarding the dialects of these three memoranda.

<sup>46</sup> For discussion of the dispute, see F. Tinti, *Sustaining Belief: the Church of Worcester from c.870 to c.1100* (Farnham, 2010), pp. 97–9; F. Tinti, ‘The reuse of charters at Worcester between the eighth and eleventh century: a case study’, *Midland History*, xxxvii (2012), 127–41.

<sup>47</sup> These earlier texts are S 1430 (BCS 256) and 1260 (BCS 308).

dispute rumbled on. The formal and linguistic contrasts between the Old English text of the 820s and the earlier texts, however, are striking. Locative phrases aside, both of the earlier texts are entirely in Latin, with both containing invocations, proems, dating clauses and full witness lists. The vernacular passage contains none of these features, instead simply recalling the sequence of recent events and the decisions made (in Worcester's favour) regarding the ownership of the land. The impression is of a rather informal memorandum.

Collectively, this earliest group of charters from Christ Church and Worcester represents uses of Old English that are unattested in the surviving corpus of charters from the seventh and eighth centuries. Most of these specimens can be characterized as employing the vernacular in contexts in which Latin remained the principal medium for writing. In this respect, the earliest of the Worcester memoranda offers something somewhat different, attesting to a stint of prose composition that took place almost entirely in the vernacular – although even here, the text is found on a piece of parchment on which Latin prose had earlier been inscribed. Thus, in most cases draftsmen were utilizing Old English as a supplementary language, allowing quick identification of charters and preserving information that would otherwise perhaps only have been communicated orally. An effect of this development is the accumulation of layers of writing on a single sheet, with the two languages sitting side-by-side or, on occasion, on opposing sides of the parchment.<sup>48</sup>

What significance can be made from the fact that the earliest examples are found at Christ Church, Canterbury? Here we need to be mindful that our impression of medieval documentary cultures is to a great extent shaped by the subsequent histories of individual ecclesiastical institutions. It is important to note, therefore, that the Christ Church archive is exceptional in its preservation of a remarkable number of ninth-century charters in their original forms, to such a degree that this archive overwhelmingly dominates the corpus of Anglo-Saxon single sheets;

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<sup>48</sup> This is not to say that earlier single sheets did not acquire additional text as well. See, for example, the charters of the Selsey archive, several of which were confirmed by King Offa in a second stage of writing. This is best demonstrated by the single sheet of S 1184 (*Sel* 11), Chichester, West Sussex Record Office, Cap. I/17/2.

roughly three quarters of single sheets surviving from before the year 900 belong to Christ Church.<sup>49</sup> In most other archives, the majority of materials survives only thanks to the work of later copyists, who crucially may not have been inclined to preserve vernacular texts, given that they may not have been able to understand them fully. A further fundamental issue is that, as Brooks has argued, it is possible that much of the Christ Church archive was destroyed during the two years of Kentish rebellion led by Eadberht Præn following the death of King Offa in 796 – a point that is suggested by the fact that none of the surviving single sheets in the archive that date to before 796 were issued in favour of Christ Church itself.<sup>50</sup> The early ninth-century material from Canterbury must be assessed with this caveat in mind, while it must also be remembered that there is almost no way of knowing the nature of documentary practice in certain areas of England, from which very few Anglo-Saxon charters survive. For example, there are almost no extant documents from Northumbria, whereas knowledge of Mercian diplomatic is largely dependent on what survives from one major archive, Worcester.

That said, there are good reasons for viewing the expanded uses of Old English at Canterbury at the beginning of the ninth century not simply as a result of archival serendipity. This was a time of reforming zeal in neighbouring Francia, as elites sought to transform and regulate society, driven by the new political horizons of the Carolingian Empire. Documents such as the *Admonitio generalis* and the canons of the councils of 813 attest to diverse reforming concerns, encompassing educational, legal, liturgical and linguistic issues and promoting, amongst other

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<sup>49</sup> I am aware of 84 surviving Anglo-Saxon single sheets that possibly or certainly were produced before the year 900. Of these, 65 may be assigned to the Christ Church archive. For those charters for which multiple ninth-century or earlier single-sheet copies survive (namely S 41, 1436 and 1438), I count each copy separately within these figures. My figures also include several witnesses to charters that could feasibly date to the late ninth century but could instead date to the early tenth century (namely S 1203 and 1445). Note, meanwhile, that I have excluded those charters that are preserved in pre tenth-century contexts but not as single sheets (namely S 92, 1204a and (possibly) 1560).

<sup>50</sup> N. Brooks, *The Early History of the Church of Canterbury: Christ Church from 597 to 1066* (Leicester, 1984), p. 121; see also *CantCC*, pp. 42–4.

things, both the increased use of written records and the establishment of standardized Latin orthography.<sup>51</sup> Many scholars have already stressed that contemporary Anglo-Saxons England was unlikely to have been isolated from this reforming atmosphere and, in particular, the figure of Archbishop Wulfred looms large.<sup>52</sup> Wulfred had clear ambitions to reform not only the community at Christ Church and the management of its estates, but Anglo-Saxon ecclesiastical life more generally, and this is most clearly demonstrated by the canons issued at the council of Chelsea in 816, which include no less than three canons stressing the importance of documentation.<sup>53</sup> It is perhaps not surprising, therefore, that Wulfred is personally prominent in several of the charters that we have met so far (and he will feature in several more to come as well): he was a man concerned with recording business in writing and the increased uses of the vernacular certainly mirror this concern. In such a light, furthermore, it is striking that widening uses of Old English are found at Christ Church before any other centre – and, specifically, admittedly by only a few years, before the earliest authentic examples from Worcester, a centre from which there is considerable vernacular

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<sup>51</sup> *Admonitio generalis*, ed. H. Mordek, K. Zechiel-Eckes and M. Glatthaar, *Die Admonitio generalis Karls des Großen* (Hanover, 2012); the canons of the councils of 813 are printed in *Concilia aevi Karolini*, ed. A. Werminghoff, 2 vols. (Hanover and Leipzig, 1906), I, nos. 34–8, pp. 245–306. A vast body of scholarship has been produced concerning the myriad reforms of the Carolingian Empire. For an overview, see G. Brown, ‘Introduction: the Carolingian Renaissance’, in *Carolingian Culture: Emulation and Innovation*, ed. R. McKitterick (Cambridge, 1994), pp. 1–51. Specifically concerning the written word, see R. McKitterick, *The Carolingians and the Written Word* (Cambridge, 1989); J. L. Nelson, ‘Literacy in Carolingian government’, in *The Uses of Literacy*, ed. McKitterick, pp. 258–96.

<sup>52</sup> The reforming interests of Archbishop Wulfred have been much discussed, as have their possible continental links. See Brooks, *Early History*, pp. 155–60; N. Brooks, ‘Was cathedral reform at Christ Church Canterbury in the early ninth century of continental inspiration?’, in *Anglo-Saxon England and the Continent*, ed. H. Sauer and J. Story (Tempe, AZ, 2011), pp. 303–22; Cubitt, *Anglo-Saxon Church Councils*, pp. 199–200; J. Story, *Carolingian Connections: Anglo-Saxon England and Carolingian Francia, c.750–870* (Aldershot, 2003), pp. 203–13.

<sup>53</sup> Cubitt, *Anglo-Saxon Church Councils*, pp. 199–200. The canons of 816 are printed in *Councils and Ecclesiastical Documents Relating to Great Britain and Ireland*, ed. A. W. Haddan and W. Stubbs, 3 vols. (Oxford, 1869–78), III, pp. 579–85. For Wulfred’s policies towards the estates of Christ Church, see *CantCC*, pp. 152–8.

material from later in the ninth century and beyond, and an archive for which there is no known traumatic event that would easily explain the absence of comparable Old English usage before the ninth century.<sup>54</sup> Thus, it is possibly significant that the aforementioned Worcester memoranda relate to settlements that had been made at church councils, meetings at which ecclesiastics from Worcester would have been exposed to the reforming zeal of individuals such as Archbishop Wulfred. It should be stressed that Archbishop Wulfred would not have been the only Anglo-Saxon invested in the power of the written record at these meetings. The point remains, nevertheless, that there is considerable evidence for explaining the rather sudden expanded uses of Old English in charters at this time within a broader, historically specific climate of reform.

We move now to the second group, which covers an approximate fifteen-year timespan from *c.*825 to *c.*840. As is immediately apparent in Table 2, Christ Church again dominates, with six of the eight listed charters deriving from that archive. Of these six, three are almost entirely in Old English, while in the other three the vernacular is, beyond locative terminology, limited almost entirely to endorsements.

Table 2. Charters from between *c.*825 and *c.*840 that contain multiple non-locative Old English words

<i>Sawyer</i>	<i>Date</i>	<i>Archive</i>	<i>Summary</i>	<i>Nature of Old English</i>
1268*	<i>c.</i> 825 x 832	<i>CantCC</i> 62	Bequest of land by Archbishop Wulfred to Christ Church, Canterbury	Endorsement

<sup>54</sup> It should be noted that three Worcester charters that purport to date to the eighth century contain, as they survive, vernacular elements that meet my criteria of either being something other than a geographical description or a single lexical item. In all cases, however, either the charter is likely to be a forgery or its Old English appears to represent a later addition or the work of a later translator. These charters are S 98 (*ASChart* 1), 126 (*ASChart* 2) and 146 (BCS 272–3). For the first two, see R. Gallagher and F. Tinti, ‘Latin, Old English and documentary practice at Worcester from Wærferth to Oswald’ (forthcoming). For S 146, see P. Wormald, *How do we know so much about Anglo-Saxon Deerhurst?*, (Deerhurst, 1993), repr. and cited from his *The Times of Bede: Studies in Early English Christian Society and its Historian*, ed. S. Baxter (Malden, MA, 2006), pp. 229–48, at pp. 241–4.

1436*	825 [? for c.827]	<i>CantCC</i> 59	Record of a dispute between Archbishop Wulfred and Coenwulf, king of Mercia	‘domne papan’; endorsement
1622	805 x 832	<i>CantCC</i> 63	Fragment of a statement regarding the bequest of land by Archbishop Wulfred to his successors	Entire text
1188*	Late 820s x early 840s	<i>CantCC</i> 42	(i) Grant of land by Ealdorman Oswulf and his wife Beornthryth to Christ Church, Canterbury [c.798 x 810] (ii) Archbishop Wulfred establishes an annual food-rent from said land [805 x 832]	Almost entire text, including an endorsement [Latin valediction]
1482*	833 x 839	<i>CantCC</i> 70	(i) Will of Abba, reeve (ii) Food render by Heregyth, wife of Abba	Entire text, including an endorsement [ <i>presbyter</i> and <i>abbas</i> in the witness list]
190*	836	Worcester	Diploma of Wiglaf, king of Mercia, to the minster at Hanbury, Worcestershire	Summary; multiple contemporary endorsements
1438*	838–9	<i>CantCC</i> 69	Record of an agreement between Archbishop Ceolnoth, Ecgberht, king of Wessex, and Æthelwulf, king of Kent	Endorsement (MS A3 only)
1791	827 x 829 or 830 x 840	<i>LondStP</i> 9	Grant of land by Ceolberht, bishop of London, to Sigeric, his minister, for the duration of his line	Note of rent charge

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Let us first turn to the three charters from Canterbury that are almost entirely in Old English. One is but a fragment of a statement made by Archbishop Wulfred to his successors, which although undated may well date to the latter years of his archiepiscopate, given its post obit focus.<sup>55</sup> The text in its surviving form comprises just eighty or so words and it addresses the inheritance of bookland with reference to Wulfred’s own property. It is impossible to say whether or not the full

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<sup>55</sup> S 1622 (*CantCC* 63). See *CantCC*, p. 624. This charter has only been preserved thanks to a transcription made by William Somner. For confirmation of the early ninth-century authenticity of the fragment, see K. A Lowe, ‘William Somner, S 1622, and the editing of Old English charters’, *Neophilologia*, lxxxiii (1999), 291–7.

text once included any Latin. Much more can be said about the two other specimens. First, we have the will of Abba, a reeve whose exact social standing is unknown but whose bequests demonstrate a considerable amount of wealth.<sup>56</sup> His will is undated although it was attested by Ceolnoth, archbishop of Canterbury (from 833 to 870) and by a subdeacon called Nothwulf (who was a deacon by 839), and thus we have dating limits of 833 by 839. This document survives as an early ninth-century single sheet, not attached to a royal diploma (like the earlier will of Æthelnoth and Gænborg) but instead an independent record that reveals multiple stints of writing.<sup>57</sup> First, a scribe wrote out the original bequest and the subscription of Abba; a second hand then added a witness list; third, an additional grant of food render, made by Hergyth, the wife of Abba, was copied out onto the dorse before folding, possibly by the same hand as that of the witness list; fourth, another hand, possibly that of the first stage of writing, added an endorsement after folding that summarizes the charter simply as the agreements (*geðing*) between Abba and Christ Church, with no mention of Abba's wife. This appears therefore to be an artifact subject to several stages of contemporary engagement by multiple individuals, being ratified after its initial composition before at some point receiving the details concerning the wishes of Hergyth, only after which was the document folded and endorsed. All of this may have happened on a single occasion or across the space of a few days or weeks, and one can only imagine the possible contexts in which this activity took place. Crucially for the present discussion, all parts are in the vernacular, bar a few Latin titles that were included in the witness list.

The third predominantly Old English Canterbury charter also fortunately survives as a ninth-century single sheet. The extant witness is the work of a single scribe, though as Brooks and Kelly have demonstrated, its text is evidently composite.<sup>58</sup> The first section speaks in the voice of Oswulf,

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<sup>56</sup> S 1482 (*CantCC* 70). For discussion of the contents of the will, see Tollerton, *Wills*, pp. 153–5 and *in passim*; *CantCC*, pp. 668–70.

<sup>57</sup> For full discussion of the possible production process, see *CantCC*, pp. 666–8. The single sheet is London, British Library, Cotton Augustus ii. 64.

<sup>58</sup> S 1188 (*CantCC* 42). The single sheet is London, British Library, Cotton Augustus ii. 79.

a powerful Kentish ealdorman who within this document donated land to Christ Church, Canterbury on behalf of both him and his wife, Beornthryth. This passage is entirely in the vernacular and it lacks any of the hallmarks of a permanent donation of land as codified by a Latin diploma: for example, there is no invocation, sanction, witness list or dating clause. The second passage speaks with the voice of Archbishop Wulfred, confirming the donation, establishing a food-rent from the said estate and requesting, in return, liturgical services for the souls of the two donors. It is likewise predominantly in Old English, with the addition at its close of a majuscule Latin valediction, ‘ualete in domino’. The scribe also added a vernacular endorsement after folding, which simply labels the charter as the decree (*gesetnes*) of Oswulf and Beornthryth. There is good reason to believe that Ealdorman Oswulf had died around the year 810, though as Julia Crick has stressed, it is likely that this document in its present form dates to between the late 820s and early 840s;<sup>59</sup> there are, however, few internal clues as to its function in this later setting.<sup>60</sup> Perhaps its most revealing aspect is the Latin valediction, of which an earlier example, also in majuscule lettering, can be found in another document associated with Oswulf, a Latin text appended to a royal diploma that states that Oswulf had donated the land in question to Lyminge minster.<sup>61</sup> Such valedictions are rare in charters, but they can be found in several of the eighth- and ninth-century professions of faith made by Anglo-Saxon bishops to the archbishop of Canterbury.<sup>62</sup> In both the professions and these charters, this feature arguably adds to the epistolary (rather than legal) character of the texts, given

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<sup>59</sup> J. Crick, ‘Church, land and local nobility in early ninth-century Kent: the case of Ealdorman Oswulf’, *Historical Research*, lxi (1988), 251–69, esp. pp. 266–8; also see *CantCC*, pp. 504–5.

<sup>60</sup> For discussion of the possible circumstances to the production of S 1188, see Crick, pp. 266–8.

<sup>61</sup> S 153 (*CantCC* 26).

<sup>62</sup> The professions have been edited in *Canterbury Professions*, ed. M. Richter (Torquay, 1973). See nos. 1, 3, 10, 17, 24 and 25. For recent discussion of these texts, see M. Wilcox, ‘Confessing the faith in Anglo-Saxon England’, *Journal of English and Germanic Philology*, cxiii (2014), 308–341, esp. pp. 330–5. Note that none of the professions survive in their original forms.



that letters could also end with such valedictions.<sup>63</sup> Thus, Brooks and Kelly have very reasonably concluded that S 1188 is unlikely to have had any great legal authority, but it should instead be understood as a ‘personal message and request’ from Wulfred to his community to ensure that the liturgical services were carried out.<sup>64</sup> We might imagine, therefore, that the passage in the words of Oswulf had been copied out from an earlier written source, perhaps from a copy of the related title-deed (and thus perhaps comparable with the context in which we find the aforementioned will of Æthelnoth and Gænborg).

The Old English of the remaining three examples from Christ Church is found in the form of endorsements in otherwise predominantly Latin contexts. One dates to around the year 827 and is a lengthy record of an extremely important dispute between Archbishop Wulfred, King Coenwulf and King Coenwulf’s heir, Abbess Cwoenthryth.<sup>65</sup> Two contemporary single sheets of this document survive, one of which was produced by Christ Church ‘scribe 3’ and the other by a single scribe of uncertain origin, perhaps from a different scriptorium.<sup>66</sup> Remarkably, both scribes added the same vernacular endorsement after folding, which succinctly summarizes the charter as the agreement (*geðincg*) between Cwoenthryth, the bishops and the household at Canterbury.<sup>67</sup> Brooks and Kelly have stressed that these surviving copies may be two of several that were circulated in the wake of

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<sup>63</sup> For example, the only surviving eighth-century letter to survive in its original from Anglo-Saxon England (S 1428b) similarly ends with a valediction (though this valediction is not presented in majuscule script). See Chaplais, pp. 17 and 23. For further comment on the valedictions in S 153 and 1188, see Crick, p. 253.

<sup>64</sup> *CantCC*, p. 504.

<sup>65</sup> S 1436 (*CantCC* 59). Note that while the text of this charter is, beyond its endorsement, in Latin, it includes the phrase ‘domne papan’ (‘lord pope’). Brooks and Kelly have suggested that the text switches into the vernacular here ‘perhaps to catch the actual words of the king or because English synods were accustomed to refer to the lord pope in that way’: *CantCC*, p. 601. For full discussion of the dispute relating to this document, see *CantCC*, pp. 598–604.

<sup>66</sup> These are London, British Library, Cotton Augustus ii. 78 and London, British Library, Stowe Charter 15.

<sup>67</sup> As it is found on British Library, Cotton Augustus ii. 78: ‘[P]is earan Cpænðryðe geðincgo 7 biscepes 7 þeara higna on Cantpwarabyrg’ (‘This is the agreement of Cwoenthryth and of the bishops and of the household at Canterbury’).

the dispute settlement, with the endorsement seemingly deriving from a shared exemplar.<sup>68</sup> Another vernacular endorsement is found alongside a bequest of land by Archbishop Wulfred to Christ Church, issued at some point in the later years of his archiepiscopate.<sup>69</sup> Surviving in its original single-sheet form, this is evidently a Canterbury multi-stage production: Christ Church ‘scribe 4’ copied out the main text and, after folding, the endorsement, while ‘scribe 3’ added a witness list, possibly at a later date.<sup>70</sup> The dominance of Latin in this bequest – in contrast to the largely Old English wills that we have previously met – perhaps reflects the status of the donation as a gift from the archbishop to his own community. The endorsement, meanwhile, is simply an expanded form of the *boc* and place-name formula that can be found in several other ninth-century endorsements.<sup>71</sup> Third and finally, we have the endorsement on one of three surviving contemporary copies of the record of an agreement made across the years 838 and 839 between Archbishop Ceolnoth, King Ecgberht and his son, Æthelwulf.<sup>72</sup> This document is of the utmost historical importance in marking the growing power of the West Saxon royal dynasty and it concerns, amongst other things, abbatial elections. The exceptional survival of three contemporary copies, furthermore, provides unique insight into the related stages of negotiation and codification and, quite rightly, they have already

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<sup>68</sup> *CantCC*, p. 598.

<sup>69</sup> S 1268 (*CantCC* 62).

<sup>70</sup> *CantCC*, pp. 620–1. The single sheet is London, British Library, Cotton Augustus ii. 72. Note that the witness lists of several ninth-century charters from Canterbury and Worcester appear to have been copied out during a second stage of writing, suggesting that such documents were on occasion ratified by individuals after their initial production. See Gallagher and Tinti.

<sup>71</sup> The endorsement reads ‘Sceldes fordæs boec 7 ðeara pica on byrg’ (‘the book of Sceldesforda and its tenements in the city’). Elsewhere from the period between 825 and 840 the simple *boc* plus place name endorsement formula can be found on two Mercian royal diplomas that were produced by Christ Church ‘scribe 3’, namely S 153 (*CantCC* 26) and 188 (*CantCC* 60).

<sup>72</sup> S 1438 (*CantCC* 69).

been subject to close scrutiny.<sup>73</sup> For current purposes, however, it suffices to say that of the three extant copies, two were produced by Christ Church scribes, while the third is the work of a ‘West Saxon’ scribe.<sup>74</sup> It is this third copy (and not the Canterbury versions) that includes the endorsement, which summarizes the nature of the document as an agreement and, fascinatingly, it tells the reader that ‘gif eop hua brocie for eouuere gecore ðonne ic [...] ge ðis geuirit’ (‘if anyone oppresses you in your election, then show this document’). As Brooks and Kelly have noted, although this copy found its way to Christ Church, it is likely that this is one of several copies that would have been despatched to various minsters, providing them with written proof of the agreement and of their electoral autonomy.<sup>75</sup>

Beyond the contents of the Christ Church archive, we have only two further charters within Table 2. One is a short summary of the rent due on an estate that was being issued within the same charter by Ceolberht, bishop of London, to Sigeric, a minister of the Mercian King Wiglaf.<sup>76</sup> This brief document only survives as a seventeenth-century transcript and it is mostly in Latin; its Old English clause sits between the end of the dispositive clause and the beginning of the witness-list, stating that ‘þis is þæt gafol .c. peningas. et .xxx. dægþina on herfeste’ (‘this is the rent: 100 pennies and thirty (? days’ expenses) at harvest-time’, as translated by Kelly). There is no way of knowing if the placement of the vernacular passage faithfully represents where it was written on the original single sheet or, moreover, whether it was the work of the original draftsman or of a later hand.<sup>77</sup>

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<sup>73</sup> *CantCC*, 654–61; Keynes, ‘Church councils’, pp. 26–7. For further discussion of this document, see Cubitt, *Anglo-Saxon Church Councils*, pp. 237–9; Story, pp. 222–3. The three single sheets are London, British Library, Cotton Augustus ii. 20, 21 and 37.

<sup>74</sup> Keynes, ‘Church councils’, p. 27. This ‘West Saxon’ scribe appears to have been working either on behalf of the king or within a West Saxon ecclesiastical centre (or both).

<sup>75</sup> *CantCC*, p. 660, which also contains a full translation of the Old English endorsement.

<sup>76</sup> S 1791 (*LondStP* 9).

<sup>77</sup> Note that the vernacular passage is too short to make a judgement about its dating based on its orthography.

The other example comes to us from the Worcester archive and survives in its original single-sheet form.<sup>78</sup> Its use of the vernacular is extraordinary and it demands close attention. Dating to 836, this charter is a royal diploma of King Wiglaf, issued at or following the last recorded synod at which a Mercian king was present.<sup>79</sup> It is one of several surviving ninth-century Mercian diplomas that grant exemptions to ecclesiastical centres from certain worldly obligations (and in doing so, they mention *faestingmen*). In this case, the privileges were granted to the minster at Hanbury in Worcestershire, which by the 830s was, as Steven Bassett has argued, under the control of the bishop of Worcester.<sup>80</sup> Elements of this charter, such as its extensive proem, are unique, and it is remarkable also for its witness-list, which is both exceptionally long and unusual in its layout, being presented as a single long column of text.<sup>81</sup> Given such unusual features – and the small number of surviving ninth-century single sheets from beyond Kent – we cannot be certain of the agency responsible for its production, though the Worcester scriptorium is a likely candidate. A single hand copied out the majority of the text, writing in a pointed Insular minuscule, and as one might expect, it is predominantly in Latin.<sup>82</sup> Aside from *faestingmen* and certain locative vocabulary, we find Old English in a summary and in a series of contemporary endorsements, both of which give us information about the precise nature of the donation that is not revealed in its concise Latin prose. The summary, which sits just below the witness-list at the very bottom of the

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<sup>78</sup> S 190 (BCS 416). The single sheet is London, British Library, Cotton Augustus ii. 9.

<sup>79</sup> Cubitt, *Anglo-Saxon Church Councils*, p. 236.

<sup>80</sup> S. Bassett, 'The landed endowment of the Anglo-Saxon minster at Hanbury (Worcs.)', *Anglo-Saxon England*, xxxviii (2009), 77–100, esp. pp. 82–4.

<sup>81</sup> Thompson, pp. 122 and 125, states that only one other Anglo-Saxon single-sheet royal diploma – a contemporary copy of the late seventh-century S 8 (*CantCC* 2) – similarly has a witness-list presented entirely in a single column of long lines. Thompson also points out that with 39 witnesses, S 190 contains the second most subscribers of any ninth-century single-sheet royal diploma (the average number being 23).

<sup>82</sup> For further comments on the palaeography and orthography of S 190, see Thompson, *in passim* at pp. 68–112.

charter face, comprises two sentences, the second of which appears to be a later addition.<sup>83</sup> The first sentence, however, although written in a different hand from that of the main scribe of the charter, looks to be roughly contemporary. This addition states that:

+ Des friodom waes bigeten aet Wiglafe cyninge mid ðaem tuentigum hida aet Iddes hale  
end ðaes londes friodom aet Haeccaham mid ðy ten hida londe aet Felda bi Weoduman , end  
Mucele Esninge ðaet ten hida lond aet Croglea<sup>84</sup>

The syntax of this passage is somewhat ambiguous, but it seems to indicate that in exchange for the privileges, the minster at Hanbury (or rather, Worcester) agreed to hand over thirty hides of land to the king, as well as a further ten hides to a certain Mucel, son of Esne. Importantly, this vernacular addition appears to be the work of a scribe who also added the Latin attestation of a certain *dux* Sigred to the witness-list, and both additions appear to have been added before the charter was folded. As to the contemporary endorsements,<sup>85</sup> these were added after the charter was folded vertically and they read (with my numbering) as follows:

[1] Px ðis is Heanbirige friodom se waes bigeten mid ðy londe aet Iddeshale 7 aet  
Heanbyrig ten hida ðaes londes 7 aet Felda ten hida on Beansetum<sup>86</sup>

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<sup>83</sup> Bassett, pp. 83–4, dates the hand of the second sentence to the tenth century.

<sup>84</sup> ‘This privilege was obtained from King Wiglaf with the 20 hides at *Iddes hale*, and the privilege of the land at *Haeccaham* with the 10 hides of land at *Felda* by the *Weoduma*, and to Mucel, son of Esne, the 10 hides of land at *Crowle*’ (ed. and trans. Bassett, pp. 80–1).

<sup>85</sup> Note also that the charter possesses a fourth Anglo-Saxon endorsement, which reads simply as ‘Wiglaf cinig’. The script of this addition looks to date to the tenth century.

<sup>86</sup> ‘This is the privilege of Hanbury which was obtained with the land at *Iddeshale* and 10 hides of land at Hanbury, and 10 hides at *Felda* in *Beansetum*’ (ed. and trans. Bassett, pp. 80–1).

[2] 7 biscop gesalde Sigrede aldormenn sex hund scillinga on golde<sup>87</sup>

[3] 7 Mucele aldormenn ten hida lond æt Crog lea<sup>88</sup>

The first endorsement simply details the amount of land given to the king in exchange for the privilege, as it is stated in the vernacular summary on the face (though the wording is not identical). The second, which begins on the same line as the end of the first endorsement and was seemingly, therefore, added afterwards, then provides information not elsewhere provided in the charter – that the bishop (of Worcester, presumably) gave Sigered 600 shillings in gold – while the third passage reports, as we were told in the summary, that Mucel also received ten hides of land. In these endorsements, both Sigered and Mucel are revealed to be ealdormen.<sup>89</sup> Given that the payment to neither ealdorman is mentioned in the main body of the charter, one may be inclined to think that they were agreed upon only after the privileges had been granted to Hanbury. Bassett has persuasively argued, however, that these payments were debts paid by Worcester on behalf of King Wiglaf and that they were, in actuality, the reason for the issuing of the privileges, despite the fact that these additional donations are not presented in the charter as part of King Wiglaf's gift.<sup>90</sup> Parts of the three endorsements (especially the second) are rather worn, though they appear to represent three separate additions. It should be noted that the ink and hand of the second endorsement is rather similar to that which added Sigered's Latin attestation and the vernacular summary on the face of the charter (which does not mention the payment to Sigered), though it is unclear whether it

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<sup>87</sup> 'And the bishop gave to ealdorman Sigered 600 shillings in gold' (ed. and trans. Bassett, pp. 80–1).

<sup>88</sup> 'And to ealdorman Mucel 10 hides of land at Crowle' (ed. and trans. Bassett, pp. 80–1).

<sup>89</sup> It should be noted that the name Mucel is only attested in Anglo-Saxon England in the ninth century. There are at least three individuals with this name, one of whom was the father of Ealhswith, the wife of King Alfred. It seems more likely, however, that the Mucel of S 190 is not Alfred's future father-in-law. See M. A. Burghart, 'The Mercian polity, 716–918', (unpubl. PhD dissertation, King's College London, 2007), pp. 90–1.

<sup>90</sup> Bassett, p. 87.

is the work of the same scribe or not.<sup>91</sup> Either way, we might suspect that they – and potentially the other two endorsements as well – were added at the same time, during a meeting at which the privileges of Hanbury were confirmed, Sigered received his payment and multiple individuals added text to the charter. Indeed, it is perhaps telling that the single sheet was not folded for storage until the additions on the face had been written out, as if those responsible for the charter's production were aware of a forthcoming second procedure, during which Sigered was to attest the record.<sup>92</sup>

It is striking, of course, that while Sigered's attestation was made in Latin, it was deemed appropriate for the remainder of the information to be added (by the same scribe) in the vernacular. What is more, the details summarized in Old English on the face of the charter only note the exchange of lands involved in these negotiations; the additional information – that Sigered also received a monetary sum – was only recorded on the dorse of the charter after it had been folded. Here we perhaps see a hierarchy of sorts of language and information: the main text and its associated attestations needed to be in Latin, since these relate to the king's 'official' donation of privileges; details about other related land exchanges were noted on the face, but in the vernacular; while the monetary payment was noted in Old English only as an endorsement, alongside which two further summaries of information were added. More generally, it should be stressed that these vernacular passages are unique; no other ninth-century single sheet similarly accrued three layers of contemporary endorsements. They appear to be acting as memoranda, providing additional information that might have been useful to recall at a later date. In doing so, they reveal

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<sup>91</sup> Thompson, p. 50, has suggested that the hand of the second endorsement could be the same as that of the contemporary additions on the face of the charter. The letter-forms of 'g' and 'a' in particular, however, suggest that they may be the work of different hands. My thanks to Colleen Curran for her advice regarding this matter.

<sup>92</sup> Sigered may well have only agreed to attest the charter once these reparations had been delivered; alternatively, once the payment had been made, Worcester may have insisted on recording that Sigered attested and approved of the agreement, in case of future disputes arising. It is interesting to note that Mucel's name was not similarly added to the witness list, for reasons that are not clear.

negotiations that would otherwise be hidden from view. It is difficult to assess how unusual or commonplace these negotiations and their processes were, given that that other ninth-century single sheets lack endorsements that similarly record such details, but what is clear is that on this occasion there was a profound concern with recording all aspects of the agreement in writing.<sup>93</sup>

In a number of ways this second chronological group demonstrates the continuation of practices that were established within the first two decades of the ninth century. While Latin remained the language of royal diplomas, Old English was the language of endorsements; in addition, the latter was also employed to record bequests. In several examples, the vernacular again supplemented diplomatic that was predominantly in Latin. Yet we also find contexts in which the vernacular was the main language of writing – sometimes employed alongside Latin titles or valedictions, which were presumably included in order to heighten the prestige or performative qualities of the text.

There are two points in particular that we can detect more strongly in this second group than in the earlier material of Table 1. First, despite the continued dominance of the Christ Church archive, there is evidence to suggest the widening uses of Old English in charters from a larger number of geographic locations. At the very least, we have an indisputable example from Mercia (probably Worcester); in addition, we have a potential specimen from London, as well as a charter copied out by a West Saxon scribe (although admittedly at an unknown location). If the trend for increased uses of the vernacular in diplomatic writing had been nurtured earliest at Canterbury, such evidence confirms that its benefits were being recognized elsewhere. Second, these charters offer considerably more evidence for multiple stages of engagement with written records by multiple individuals, including clerics and laypeople and both men and women. At once, this small body of records thus points towards a dynamic documentary culture in which many people were invested; at

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<sup>93</sup> For a survey of charters that include references to payment, see R. Naismith, 'Payments for land and privilege in Anglo-Saxon England', *Anglo-Saxon England*, xli 41 (2012), 277–342. As Naismith notes, few such references appear, like those in S 190, within endorsements: see pp. 286–7.



the same time, this material also demonstrates well the ambiguity that lies within the diplomatic record in terms of agency. In several cases it is not clear who the driving force had been in the production of the charter. For example, in the case of S 190, was Sigereð's attestation added at the instance of Sigereð, of King Wiglaf, of the bishop of Worcester, or of another party? Similar uncertainty must exist around the bequests of Abba and Heregyth: were they written down primarily for the benefit of the testator or the beneficiary? Different documents may require different answers; this is a point to which we will return.

We turn now to the third and final group of charters that I wish to discuss. Much like the second group, this collection spans a fifteen-year period, beginning in *c.*840 and ending in *c.*855, a year from which we have an especially interesting vernacular passage.

Table 3. Charters from between *c.*840 and *c.*855 that contain multiple non-locative Old English words

<b>Sawyer</b>	<b>Date</b>	<b>Archive</b>	<b>Summary</b>	<b>Nature of Old English</b>
204*	844 x 845	<i>CantCC</i> 75	Diploma of Berhtwulf, king of Mercia, to Forthred, his thegn	Almost entire text [Latin invocation, <i>ego</i> in dispositive section, and Latin titles in witness list]
1510*	845 x 853	<i>CantCC</i> 78	Will of Badanoth Beotting	Almost entire text [Latin titles in witness list]
1195*	<i>c.</i> 850	<i>CantCC</i> 79	(i) Grant of annual food-rent by Ealhburg and Eadweald to Christ Church, Canterbury (ii) Ealhhere commands his daughter to pay an annual rent to Christ Church, Canterbury	Entire text
1198	<i>c.</i> 850	<i>CantStA</i> 24	Grant of food-rent by Ealhburg to St Augustine's, Canterbury	Almost entire text [Latin invocation, title of Psalm, <i>presbyter</i> ]
1239	<i>c.</i> 850	<i>CantStA</i> 25	Grant of food-rent by Lulle to St Augustine's, Canterbury	Almost entire text [Latin invocation, <i>pater noster</i> ]
1440	852	<i>Pet</i> 9	Lease issued by Ceolred, abbot of Medeshamstede, to Wulfred	Almost entire text [Latin dating clause and witness-list titles]

1514	c.855	<i>Roch 23</i>	Will of Dunn	Almost entire text [Latin invocation]
316	855	<i>CantCC 81</i>	Diploma of Æthelwulf, king of Wessex, to Ealdhere, minister	Endorsement
207	855	Worcester	Grant of privileges by Burgred, king of Mercia, to Alhhun, bishop of Worcester	Reference to obligations
1197*	843 x 863, ? 843 x 859	<i>CantCC 84</i>	Bequest of food-rent by Lufu to Christ Church, Canterbury	Almost entire text [ <i>ancilla Dei</i> and Latin valediction]

There are some familiar elements within Table 3. Again we find a vernacular endorsement to a predominantly Latin charter – in this case, Christ Church ‘scribe 7’ noting on the dorse the location and owner of the estate – while we have two wills that are almost entirely in Old English.<sup>94</sup> The first of these is that of Badanoth Beotting, a royal reeve, and although it is undated, contextual evidence proves that it must have been drawn up between 845 and 853.<sup>95</sup> For the present discussion, it offers two points of particular interest: first, Badanoth explicitly states in the will that he wished for two copies of the document to be produced, one for his family and one for the Christ Church community, which was the main beneficiary of the will after Badanoth’s immediate kin. Second, the single sheet was the work of Christ Church ‘scribe 5’, who also produced the royal diploma that granted to Badanoth the land that he was now bequeathing in his will.<sup>96</sup> The second will in Table 3 also derives from Kent, but this time from Rochester, and it similarly appears to have a direct relationship with a royal diploma. This is the will of Dunn, an individual that is elsewhere identified

<sup>94</sup> The wills are S 1510 (*CantCC 78*) and S 1514 (*Roch 23*). The endorsement is found on the surviving original single sheet of S 316 (*CantCC 81*), London, British Library, Cotton Augustus ii. 71.

<sup>95</sup> For the dating, see *CantCC*, pp. 713–14. For further discussion of this document, see Campbell, ‘An Old English will’.

<sup>96</sup> This royal diploma is S 296 (*CantCC 77*), dating to 845 and issued by King Æthelwulf. Note that this royal diploma is predominantly in Latin though it contains an Old English endorsement, which I have not included in my table, due to its pithy nature: it simply comprises Badanoth’s name and the word *land*. For discussion of ‘scribe 5’, see *CantCC*, pp. 117–18 and Lapidge, ‘Latin learning’, pp. 447–8. The single sheet of Badanoth’s will is London, British Library, Cotton Augustus ii. 42.

as a minister of King Æthelwulf.<sup>97</sup> The will contains a short Latin invocation ('In nomine domini') but is otherwise entirely in the vernacular. It does not survive in its original form, yet it is evidently closely associated with a diploma of King Æthelwulf that was granted to Dunn in 855, recording the donation of the estate that Dunn was now bequeathing. In the manuscript in which the will survive, the text of the bequest follows immediately after the diploma and, indeed, its references to the title-deed (*boc*) perhaps suggest that it had been added to the single-sheet diploma, much as we saw with the will of Æthelnoth and Gænborg.<sup>98</sup> The will is undated and it lacks a witness list, so it is extremely difficult to say when it was drawn up: perhaps at the same time as the production of the title-deed, perhaps somewhat later (and thus possibility slightly later than 855).

Table 3 also includes four largely vernacular documents from Canterbury that record the establishment of annual food-rents, notably all of which were issued (at least partially) on behalf of female donors. None of these charters are dated, but all are likely to have been produced shortly before or after the year 850. Two survive in the Christ Church archive as contemporary single sheets;<sup>99</sup> two survive in the St Augustine's archive only as later copies.<sup>100</sup> One of the latter reports a donation by a woman named Lulle, of whom nothing else is known, and in its present thirteenth-century form it contains an invocation (in Latin) and a blessing but no witness list.<sup>101</sup> One of the Christ Church examples, meanwhile, records a donation by Lufu, a woman described as an *ancilla Dei*.<sup>102</sup> It reveals two stages of production, the first scribe ('scribe 6') writing out the main text (including a witness list) and an endorsement, which reads simply as 'Lufe þincg geprit' ('Lufu's

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<sup>97</sup> He is named as a *minster* in the associated royal diploma, S 315 (*Roch* 23).

<sup>98</sup> See *ASChart*, pp. 276–7. The manuscript in which S 1514 survives is *Textus Roffensis* (Rochester, Cathedral Library, MS. A.3.5, at fos. 140r–v).

<sup>99</sup> S 1195 (*CantCC* 79) and 1197 (*CantCC* 84). Their single sheets are London, British Library, Cotton Augustus ii. 52 and 92.

<sup>100</sup> S 1198 (*CantStA* 24) and 1239 (*CantStA* 25).

<sup>101</sup> S 1239 (*CantStA* 25).

<sup>102</sup> S 1197 (*CantCC* 84).

deed', as translated by Florence Harmer);<sup>103</sup> the second scribe ('scribe 7') then added a confirmation on behalf of Lufu in the right-hand corner of the face of the charter. The purpose of the confirmation is unclear – perhaps suggestive, as Brooks and Kelly have noted, of a legal settlement regarding Lufu's possessions – but it is particularly notable for its closing Latin valediction ('bene ualete'), which, like the other valedictions that we have met, adds an epistolary character to the text.<sup>104</sup> The remaining two examples – one surviving from Christ Church and one surviving from St Augustine's – should be considered together, since they record donations by the same individual, a widow called Ealhburg. The St Augustine's specimen is relatively straightforward.<sup>105</sup> There is little to say about its stages of production, mainly because it only survives as a later copy, though it should be noted that it contains an invocation, sanction and witness list (of which only the invocation is in Latin); collectively these features point towards a degree of formality in its creation and conceptualization. The Christ Church specimen is a more complex yet seemingly less formal item.<sup>106</sup> It records two separate donations of food rent, one by Ealhburg (alongside a certain Eadweald) and one by a man named Ealhhere. Brooks has demonstrated that these three individuals are likely to have been members of the same family, with Ealhhere being the brother of Ealhburg and Eadweald being the grandson of Ealhhere.<sup>107</sup> For present purposes, it is important to note that it lacks both an invocation and witness list and that its ninth-century witness is the work of a single scribe (Christ Church 'scribe 7'). This has led Brooks and Kelly to suggest that this rather anomalous document is a retrospective memorandum for the Christ Church community rather than a product of an official testamentary bequest, recording two donations that may well have been made previously on separate occasions.<sup>108</sup> Brooks and Kelly

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<sup>103</sup> *SEHD*, p. 44.

<sup>104</sup> *CantCC*, p. 747. Note that the charter in fact reads 'Vene ualete'.

<sup>105</sup> S 1198 (*CantStA* 24).

<sup>106</sup> S 1195 (*CantCC* 79).

<sup>107</sup> Brooks, *Early History*, pp. 147–9.

<sup>108</sup> *CantCC*, p. 716.

speculate that the parchment, now cut away, may once have been part of a holy book of some sort,<sup>109</sup> with the memorandum perhaps acting as a reminder to include the donors in their liturgical commemorations. At first glance these four charters are obvious bedfellows, with all recording the establishment of food-rents to the ecclesiastical communities at Canterbury, all prominently featuring women, and all doing so predominantly in Old English. The varied forms of these documents, however, and the varying extents to which Latin is employed alongside the vernacular, point towards a lack of standardization in practice, and not necessarily a single, shared motivation for their production. Rather, these four charters attest to the wide range of ways and contexts in which the written vernacular was being used by the 850s, each document being responsive to and reflective of the specific circumstances of its creation.

The remaining three items in Table 3 are all quite exceptional. The earliest is a royal diploma of King Berhtwulf, issued either in 844 or 845 in favour of a thegn named Forthred and it records a donation of land at Wotton Underwood in Buckinghamshire.<sup>110</sup> Extant as an original single sheet in the Christ Church archive, this charter is unique: it is the only Anglo-Saxon royal diploma surviving in its original form to have been composed almost entirely in the vernacular; the only Latin elements are a short invocation ('In nomine domini'), which is followed immediately by *ego*, and the titles in the witness list.<sup>111</sup> There is, as is perhaps to be expected, considerable uncertainty surrounding this document. For one, it is not clear how or when it arrived at Christ Church.<sup>112</sup> At the very least, it does not appear to be a Canterbury production.<sup>113</sup> Moreover, its linguistic character is a complete mystery. Frank Stenton proposed that it may be a unique survival of a relatively common practice of issuing diplomas in Old English to the 'followers' of the

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<sup>109</sup> *CantCC*, pp. 716–17.

<sup>110</sup> S 204 (*CantCC* 75).

<sup>111</sup> The single sheet is Canterbury, Dean and Chapter, Chart. Ant. C. 1280 (Red Book no. 9).

<sup>112</sup> Though an endorsement indicates that it does appear to have entered the Christ Church archive by the twelfth century. See *CantCC*, pp. 699 and 702.

<sup>113</sup> For discussion of its 'Mercian' script and other physical features, see *CantCC*, pp. 698–9.

Mercian king.<sup>114</sup> Brooks alternatively pointed towards the poor Latin literacy of contemporary Canterbury scribes as a possible explanation; Latin prose composition may have been beyond the ability of the draftsman.<sup>115</sup> Kelly, meanwhile, argued that this document may have been a draft drawn up with the intention of translating it into Latin at a later date.<sup>116</sup> Subsequently, Kelly has cited the examples of two later ninth-century documents from Worcester – both of which are to a large extent in Old English – in order to suggest an occasional ninth-century Mercian practice of producing vernacular diplomas.<sup>117</sup> Most recently, Brooks and Kelly together acknowledged the possibility that this diploma may simply represent ‘a short-lived experiment or innovation pioneered by an individual bishop’.<sup>118</sup> With all of these suggestions, one must bear in mind the physical qualities of the charter. This is a pithy record – the succinct witness list comprising almost half of the words and space of the single sheet – and it is the work of a single scribe. One can see, therefore, how it might be interpreted as a draft document, yet the inclusion of four chrismons and the enlarged, capitalized nature of the opening word, *IN*, suggest otherwise.<sup>119</sup> It seems unconvincing, furthermore, that limited Latin literacy should explain the language of the document, since the evident decline in learning at this time, as attested by several extant charters from Christ Church, did not prohibit the production of ‘Latin’ charters; Latin was too fundamental to conceptions of royal diplomatic for it (at least at Canterbury) to be abandoned. Comparison, meanwhile, with the two later ninth-century Worcester documents is questionable, given that they

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<sup>114</sup> F. M. Stenton, *The Latin Charters of the Anglo-Saxon Period* (Oxford, 1955), p. 46.

<sup>115</sup> Brooks, *Early History*, p. 174.

<sup>116</sup> Kelly, ‘Anglo-Saxon lay society’, pp. 55–6.

<sup>117</sup> *Pet*, p. 227. The two later ninth-century Worcester charters are S 218 (*SEHD* 12) and S 223 (*SEHD* 13); for further discussion of these two charters, see Gallagher and Tinti.

<sup>118</sup> *CantCC*, p. 700.

<sup>119</sup> Chrismons can be found in several mid ninth-century single sheets, a phenomenon that Simon Keynes has connected with contemporary coinage that similarly contains chrismons. See S. Keynes, ‘An interpretation of the *pacx*, *pax* and *paxs* pennies’, *Anglo-Saxon England*, vii (1978), 165–73, at p. 172, n. 4. See also *CantCC*, p. 699. Note that the inclusion of four chrismons marks S 204 as unusual amongst these mid ninth-century examples.

were produced in quite different political circumstances and, perhaps crucially, neither records a new grant of bookland. Nevertheless, one should remember that there is scant evidence for the nature of Mercian documentary practice beyond Worcester. Views in that kingdom may well have differed from those in Kent – and they clearly did at least once in the 840s with S 204. This charter must remain an anomaly, but the timing of its appearance is worth considering further, as we will do shortly.

From 852 we then have a lease issued by Abbot Ceolred and the community of Medeshamstede (modern-day Peterborough) to a certain Wulfred.<sup>120</sup> The identity of Wulfred is uncertain, but he is likely to have been a layman of considerable social standing.<sup>121</sup> The charter itself is almost entirely in Old English, though Latin can be found in its invocation and witness list, as well as in the dating clause. While an earlier lease survives from Peterborough,<sup>122</sup> there are no other pre tenth-century authentic charters in this archive that contain vernacular elements (beyond, that is, the use of ‘æt’ introducing a non-Latinized place name). Its exceptional status is further heightened by the fact that it is the only extant charter likely to have been drawn up at Peterborough during the ninth century,<sup>123</sup> while it is also the last surviving document within the archive from a period of almost one hundred years.<sup>124</sup> Existing only as a twelfth-century copy, its survival appears to be extremely fortuitous, which makes its significance even harder to assess. It should be noted at the very least that this is the earliest largely vernacular ecclesiastical lease to survive from Anglo-Saxon England.

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<sup>120</sup> S 1440 (*Pet* 9).

<sup>121</sup> *Pet*, pp. 219–20.

<sup>122</sup> S 1412 (*Pet* 7), which dates to between 789 and 796.

<sup>123</sup> The only other ninth-century charter now included as part of the Peterborough archive is S 197 (*Pet* 8), a royal diploma of 848 that originally existed as part of the Breedon-on-the-Hill archive.

<sup>124</sup> The next surviving charter is S 533 (*Pet* 10), a royal diploma of King Eadred dating to 948.

The final item in Table 3 is a royal diploma of Burgred, king of Mercia, granting privileges to the bishop of Worcester.<sup>125</sup> Issued in 855, it is predominantly in Latin, as one might normally expect (S 204 notwithstanding). It lacks any sort of boundary clause, but where there is Old English is in the following passage:

liberabo illud a pastu et ab refectione omnium ancipitrum et falconum in terra Mercensium et omnium venatorum regis vel principis nisi ipsorum tantum qui in provincia Hwiccorum sunt etiam similiter et a pastu et refectione illorum hominum quos saxonice nominamus þalhfæreld 7 heora fæsting 7 ealra angelcynnes monna 7 ælðeodigra rædefæstinge tam nobilium quam ignobilium<sup>126</sup>

Comparable with the aforementioned references to *fæstingmen*, this clause lists the obligations from which the beneficiary is exempt. This example is exceptional, however, for the manner in which the draftsman moved into Old English, the vernacular being neither a single lexical item nor a self-contained piece of prose. Syntactically, the passage works similarly to the ways in which draftsmen can often be found to identify geographical locations with a phrase that flags the subsequent switch into Old English, although the vernacular clause here is unusually long and it is not describing the landscape. The draftsman, despite evidently being a competent Latinist, was seemingly happy for a

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<sup>125</sup> S 207 (BCS 488–9).

<sup>126</sup> ‘I will free it from the feeding and maintenance of all hawks and falcons in the land of the Mercians, and of all huntsmen of the king or ealdorman except only those who are in the province of the Hwicce; likewise even from the feeding and maintenance of those men whom we call in Saxon “*Walhfæreld*” and from lodging them and from lodging all mounted men of the English race and foreigners, whether of noble or humble birth’ (*English Historical Documents*, i: c.500–1042, trans. D. Whitelock (2nd edn., 1979), no. 91, p. 528). Note that the text of the two surviving witnesses to this charter, found in two of the eleventh-century Worcester cartularies, varies somewhat. The text presented here is based on that in *Liber Wigorniensis* (London, British Library, Cotton MS. Tiberius A. xiii, fos. 1–118), the earlier of the two witnesses. Happily, despite some variation in the Latin, the Old English elements are the same in both cartularies.



significant portion of Old English to disrupt an otherwise Latin sentence. Furthermore, the terms contained within this passage are remarkable. In addition to *fæsting* ('lodging') and *monna ælðeodigra rædefæstinge* ('lodging of mounted foreign men'), there is the hapax legomenon *palhfæreld* (literally 'Welsh expedition'), as well as the earliest securely dated attestation of *angelcynn* ('English race'). Such terms sit alongside references elsewhere in the charter to *Mercii*, *Mercenses*, *Hwiccii*, *Britannia* and *Angli*, collectively suggesting that we are dealing with a text that was drawn up with ethnic, political and geographic identities at the forefront of the draftsman's mind.

With this third and final group, we find continuity and novelty, both the persistence of certain earlier patterns, as well as hints of expansion beyond what we have already seen. Several examples once more demonstrate the use of Old English for endorsements and bequests, on occasion alongside predominantly Latin royal diplomatic – and indeed, in some cases, being produced by the same scribes as those of royal diplomas. This third group also offers more evidence of the demand for the duplication of records, while we again find the vernacular being employed in contexts in which there were both lay and clerical participants, with women being especially prominent in this latest group, particularly in the four records of food rents from Canterbury. In addition, although we are working with a small body of material, the evidence of Table 3 perhaps reflects growing momentum in the vernacularization of documentary culture by the mid ninth century. There are more charters in this group than the two earlier sets, with more specimens that could fairly be described as vernacular records, in which Old English represents the dominant language of writing. Furthermore, several items, such as the ecclesiastical lease of Abbot Ceolred, represent hitherto unattested functions for the vernacular. Finally, it should be noted that while we find more specimens from Christ Church and Worcester, we now also have examples from Peterborough, Rochester and St Augustine's, Canterbury.

It is with these points in mind that a detour in our discussion is necessary, to note two further features of the diplomatic corpus from the 840s. First, there survive two Mercian diplomas –

both issued in the name of King Berhtwulf and both likely to have been composed at Breedon-on-the-Hill in Leicestershire – that elevate Latin diplomatic prose to unprecedented levels of verbosity, incorporating Biblical quotations, rhyme and hyperbaton.<sup>127</sup> The literary ambition of these two diplomas is unmatched by any earlier Anglo-Saxon charter and, in particular, their prose – in both style and language – is starkly different to the pithy vernacular diploma that we have just met, which was also drawn up on behalf of King Berhtwulf. Second, it is from the 840s that the earliest examples survive of West Saxon royal diplomas that appear to have been produced by a centralized agency,<sup>128</sup> the earliest unproblematic specimen of which also happens to be the oldest West Saxon royal diploma to survive in its original form.<sup>129</sup> Dating to 846, this fine-looking single sheet, which records a grant by King Æthelwulf to himself of twenty hides of land at South Hams, Devon, offers a powerful visual contrast to the vernacular diploma of King Berhtwulf that was issued just one or two years previously. It is, furthermore, the earliest unproblematic charter to include sequential Old English bounds, a means of describing the landscape that engendered more extensive and detailed vernacular locative passages. The use of these vernacular bounds meant, in turn, that far more substantial amounts of Old English prose were henceforth to be found regularly within royal

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<sup>127</sup> S 193 (BCS 434–5) and 197 (*Pet* 8), respectively dating to 840 and 848. For discussion of the literary qualities of these two charters, see Snook, ‘When Aldhelm met the Vikings’, pp. 112–25. Note that not all scholars accept the authenticity of S 193: see J. Barrow, ‘The chronology of forgery production at Worcester from c.1000 to the early twelfth century’, in *St Wulfstan and his World*, ed. J. Barrow and N. Brooks (Aldershot, 2005), pp. 105–22, at pp. 109–10.

<sup>128</sup> As argued by S. Keynes, ‘The West Saxon charters of King Æthelwulf and his sons’, *English Historical Review*, cix (1994), 1109–49. There has been considerable debate concerning the production of Anglo-Saxon royal diplomas, mostly concerning the tenth-century corpus. For a recent summary of scholarship on this matter, see L. Roach, *Kingship and Consent in Anglo-Saxon England, 871–978: Assemblies and the State in the Early Middle Ages* (Cambridge, 2013), pp. 78–89.

<sup>129</sup> S 298 (BCS 451).

diplomas.<sup>130</sup> For the present discussion, however, the primary interest of these two developments is that they point towards the 840s as a period of particular dynamism in Anglo-Saxon diplomatic; the emergence of centrally produced West Saxon royal diplomas, as well as the appearance of Mercian royal diplomas with unprecedented literary flair, suggestive of new agencies and new forms of documentation. The uses of Old English at this time need to be viewed within this wider atmosphere of diplomatic experimentation, which, I would argue, makes the anomalous nature of S 204 a little less mysterious.

Additional insight can be gleaned from looking to the contemporary Frankish world. The Carolingian Empire of the late eighth and ninth centuries was a home of multiple vernaculars, in which, as I have already noted, a standardized, reformed Latin had been sought by the royal court – an imperial language that could act as a shared medium for communication across the realm.<sup>131</sup> Patrick Geary has recently reflected upon the impact that this development had on the collective consciousness of Frankish society, arguing cogently that with such reform of Latin, contemporaries subsequently became increasingly aware of the power of language choice itself as a source of authority and identity.<sup>132</sup> This is perhaps no better demonstrated than by the account of the

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<sup>130</sup> Most earlier boundary clauses were based on a cardinal formulation, describing the eastern, southern, western and northern points of the territory. Sequential bounds instead describe the estate in terms of a sequence of geographic points that outline the entire perimeter of the land. See Lowe, ‘The development of the Anglo-Saxon boundary clause’; *CantCC*, pp.132–5.

<sup>131</sup> For a seminal discussion of the linguistic situation in the Carolingian Empire, see McKitterick, *The Carolingians and the Written Word*, pp. 7–22. See also R. Wright, *Late Latin and Early Romance in Spain and Carolingian France* (Liverpool, 1982); M. de Jong, ‘Some reflections on Mandarin language’, in *East and West: Modes of Communication: Proceedings of the First Plenary Conference at Merida*, ed. E. Chrysos and I. Wood (Leiden, 1999), pp. 61–9; A. Rio, *Legal Practice and the Written Word in the Early Middle Ages: Frankish Formulae, c.500–1000* (Cambridge, 2009), esp. pp. 15–18; P. J. Geary, *Language and Power in the Early Middle Ages* (Waltham, MA, 2013); E. Roberts, ‘Boundary clauses and the use of the vernacular in Eastern Frankish charters, c.750–c.900’ (forthcoming).

<sup>132</sup> Geary, *Language and Power*, ch. 3.

Strasbourg Oaths of February 842 that Nithard recorded soon after the event.<sup>133</sup> As Nithard reported, this occasion witnessed the half-brothers Louis the German and Charles the Bald, respectively the leaders of the East Frankish and West Frankish kingdoms, pledging allegiance to one another in the vernacular of the other brother's people. Here – for Nithard if not for those who took the oaths as well – Geary believes that ‘language had become a potential instrument in the performance of secular power’.<sup>134</sup> Given the multiple interactions between the Frankish and Anglo-Saxon worlds at this time,<sup>135</sup> it is quite possible that Anglo-Saxon contemporaries shared such a heightened awareness of linguistic possibility. Indeed, in this light it is interesting to note that the earliest attested Anglo-Saxon use of the word *theodisce* may well be found in a royal diploma of King Æthelwulf issued in 843 – a term seemingly alien to earlier generations of Anglo-Saxons but used frequently in the contemporary Frankish world (not least in Nithard's account of the Strasbourg Oaths) to denote the Germanic vernaculars.<sup>136</sup> It has previously been argued that this word implies that the draftsman of this charter was of continental origin – Stenton drew a

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<sup>133</sup> For an edition, translation and recent discussion of the Strasbourg Oaths, see *I Giuramenti di Strasburgo: Testi e tradizione / The Strasbourg Oaths: Texts and Transmission*, ed. F. Lo Monaco and C. Villa (Florence, 2009). Note that Nithard probably died just two years after the Oaths were taken: see J. L. Nelson, ‘Public histories and private history in the work of Nithard’, *Speculum*, lx (1985), 251–93, at pp. 291–3.

<sup>134</sup> Geary, *Language and Power*, p. 72.

<sup>135</sup> For a recent account of ninth-century contact between Anglo-Saxon England and Francia before the reign of King Alfred, see Story, *Carolingian Connections*, esp. chs. 6 and 7.

<sup>136</sup> The charter in question is S 293 (*CantCC* 73). Note that the charter in fact reads ‘theodoice’, though several scholars have argued that it is likely that the scribe was intending to refer to the adverb *theodisce*. See *CantCC*, p. 685. In earlier literature related to Anglo-Saxon England, *theodisce* can be found in the report of Bishop George of Ostia concerning his visit to England in 786, in which it is noted that a capitulary at a Southumbrian church council meeting was read out in both Latin and the vernacular (*Epistolae Karolini Aevi II*, ed. E. Dümmler (Berlin, 1895), no. 3, pp. 19–29, at p. 28). The noun *theodiscus* (‘Germanic person’), meanwhile, can be found in a late ninth-century context, in Asser's biography of King Alfred, when describing the continued use of the word *regina* in ‘Saxonia’ (*Asser's Life of King Alfred: Together with the Annals of Saint Neots Erroneously Attributed to Asser*, ed. W. H. Stevenson (Oxford, 1904), ch. 13, p. 12).

connection with King Æthelwulf's Frankish secretary, Felix – though the surviving (contemporary) single sheet is written in an Insular script.<sup>137</sup> Instead, it may simply indicate that in 843 a draftsman was aware of current discussions concerning vernacular language.

With these contextual points in mind, the use of the vernacular in our last two examples, S 204 and 207, becomes all the more compelling. At a time in which there was considerable dynamism in documentary culture, one draftsman seemingly felt that Old English could be used as the dominant language for recording a grant of bookland; by doing so, he or she was breaking away from a tradition that harked back to the seventh century. In 855, meanwhile, a draftsman decided to refer to the English in a clause that otherwise alludes to two groups of foreign peoples not with the usual *Angli*, but with a vernacular term, *angelcynn*. Quite why the draftsman did this is unclear. The sustained use of Old English in this clause may have been out of convenience for a passage that included several terms for which there may not have been obvious Latin analogues; or even, the use of so many Old English terms may have prompted a largely unconscious switch into the vernacular. On the other hand, the remarkable set of references to ethnic, political and geographic identities within this text raises the possibility that the draftsman may have been consciously alluding to the fact that one of the clear points of difference between the participants in this charter and the *palh* to which the document refers was language. We cannot know for certain either way, yet this charter nevertheless is a poignant marker for the transformations that had occurred in Anglo-Saxon documentary culture within the space of fifty years. The increasing presence of the written vernacular within diplomatic contexts would have made it only more likely to find Old English terminology and clauses in otherwise Latin prose. Thus, it was surely just a matter of time before we found a reference to the Anglo-Saxons themselves expressed in their own language. It is striking that it was in 855 and not later, in the midst of King Alfred's political and cultural programmes, that

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<sup>137</sup> Stenton, *Latin Charters*, pp. 47–8; cf. *CantCC*, p. 685. The single sheet of this charter is London, British Library, Stowe Charter 17.

*angelcynn* first occurs, but this is all the more appropriate, given the extensive use of written Old English in charters in earlier decades of the ninth century.<sup>138</sup>

We could continue this survey well into King Alfred's reign and beyond and, if we did, we would find that on the whole examples would become even more numerous and diverse. We should stop short, however, of viewing the phenomenon of Old English in Anglo-Saxon charters as one of unstoppable, increasing vernacularization. Anglo-Saxon charters reveal multiple possible trajectories and a complexity of circumstances to their production and use. Hence, although it is true that there is indeed more Old English in records from the ninth, tenth and eleventh centuries than in earlier years, S 204, for example, is anomalous if we look both forward and back, being an outlier both amongst earlier documentation and amidst what followed. Either this charter derives from a practice that is otherwise lost to us or this was a form of royal diplomatic that others did not embrace. For me, the production of this particular record is best explained through its dating: appearing relatively soon after Anglo-Saxons began to employ their own language more extensively within documentary contexts and at a point in time when we see other hints of experimentation and linguistic awareness, both in Anglo-Saxon England and elsewhere. The last specimen from 855, meanwhile, seems an appropriate climax to this survey, given the potent associations that *angelcynn* has held for scholars of Anglo-Saxon England.

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<sup>138</sup> For discussion of *angelcynn* in relation to King Alfred, see P. Wormald, 'Engla Lond: the making of an allegiance', *Journal of Historical Sociology*, vii (1994), 1–24; S. Foot, 'The making of *Angelcynn*: English identity before the Norman Conquest', *Transactions of the Royal Historical Society*, 6th series, vi (1996), 25–49; K. Davis, 'National writing in the ninth century: a reminder for postcolonial thinking about the nation', *Journal of Medieval and Early Modern Studies*, xxiii (1998), 611–37; D. Pratt, *The Political Thought of Alfred the Great* (Cambridge, 2007), pp. 106–7 and 343; G. Molyneaux, 'The *Old English Bede*: English ideology or Christian instruction?', *English Historical Review*, cxxiv (2009), 1289–1323; S. M. Rowley, *The Old English Version of Bede's Historia ecclesiastica* (Woodbridge, 2011), pp. 57–70. For an introduction to King Alfred's political and cultural achievements, see *A Companion to Alfred the Great*, ed. N. Guenther Discenza and P. E. Szarmach (Leiden, 2014).

Having thus systemically examined the charters that meet the criteria that I set out at the beginning, what wider meanings can be deduced from this material? Most fundamentally, the expanded uses of Old English within charters evidently attest to a more general concern with the recording of information in writing. Much of the information written out in the vernacular in these documents would, in all likelihood, have been communicated only orally in an earlier period. This increased focus on the written word and, more specifically, the privileging of written testimonies, is also reflected both in the growing evidence for the duplication of documents and in the rising proportion of extant single sheets that were contemporaneously endorsed – endorsements being a means of quick identification at a time when the number of records in the possession of individuals and institutions was increasing.

This, in turn, raises two questions: who was the driving force for this development? And why did such burgeoning interest in the use of the written word manifest itself in increased use of the vernacular? The earliest examples derive from Canterbury and the reforming activities of Archbishop Wulfred. As I have argued, this may well be meaningful. The importance of the archbishop of Canterbury within Anglo-Saxon society as well as the geographic proximity of Kent to continental Europe would have made Christ Church particularly exposed to developments in the Frankish world, and thus it may have been one of the earliest and most sensitive Insular receptors to the Carolingian culture of *correctio*. Manifest in one way as an increased emphasis on written records, this atmosphere of reform would no doubt have been prevalent at the church councils curated by Archbishop Wulfred – and such meetings thus would have been important conduits for increasing appreciation of written documentation amongst contemporaries. That said, we should be wary of framing these developments exclusively in terms of ecclesiastical figures and institutions. Kathryn A. Lowe has, for example, argued that the increasing duplication of Anglo-Saxon charters in the ninth century was a response to growing lay desire to participate in documentary culture.<sup>139</sup> The more recent collaborative work of the *Documentary Culture and the Laity in the Early Middle*

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<sup>139</sup> Lowe, 'Lay literacy'.

*Ages* volume has in part substantiated Lowe's interpretation, offering a powerful thesis for extensive lay engagement throughout early medieval Europe in the use of written records.<sup>140</sup> Its authors also argue, however, that it is unhelpful to conceptualize documentary practice in terms of 'lay' versus 'clerical' activity.<sup>141</sup> Despite the predominance of churchmen in the surviving material, this holds true of what we have seen: on many occasions we cannot be certain of who instigated the codification of the agreement. Thus, while we may identify Archbishop Wulfred and Canterbury as some of the earliest proponents for more detailed and extensive written documentation, members of the laity may also have been touched by the reforming agendas of the period, keen to draw on the protection that the written word could offer themselves and their property.

As to the use of Old English to achieve these aims, in most cases this must be understood first and foremost in pragmatic terms. The vernacular offered expediency: it was understood by a larger number of individuals than Latin and while it demanded the translation of oral communication into writing, it did not demand the additional transformation of meaning across languages which Latin codification entailed. It must be stressed, however, that all linguistic choices must have been made in dialogue with a documentary culture that was Latinate at its foundations and in which literacy was but one of several variables that determined the language choice of any given charter. Most prominently, as far as we can tell, Latin steadfastly remained the language of royal diplomas in those areas of England for which we have surviving charters – until, that is, our Mercian example of the 840s.

As to this diploma of the 840s and, indeed, the earlier ninth-century uses of the vernacular in charters that we have seen, I have argued that these developments make most sense when they are set within a broader geographic landscape – much like many other areas of Anglo-Saxon history. The rise of Carolingian hegemony throughout Western Europe in the late eighth and early ninth

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<sup>140</sup> *Documentary Culture and the Laity in the Early Middle Ages*, ed. W. C. Brown, M. Costambeys, M. Innes and A. J. Kosto (Cambridge, 2013).

<sup>141</sup> *Documentary Culture and the Laity*, p. 375.



centuries had precipitated a wide range of reactions and reforms, many of which centred on uses of the written word. As a result, we see, for example, the creation of the earliest cartularies in eastern Francia.<sup>142</sup> The cultural reforms of this time also coincide neatly with the emergence of German as a scripted language in the late eighth century, yet this vernacular rarely penetrated documentary practice.<sup>143</sup> The expanded uses of the vernacular in contemporary Anglo-Saxon charters testify to the same impetus but with a different outcome. The increasing concern with written records can be found on either side of the English Channel, yet the existence of a single vernacular within Anglo-Saxon England allowed this movement to manifest itself in the more frequent and diverse uses of Old English. The size and multilingual nature of the Frankish world would have hindered comparable vernacularization of documentary culture.<sup>144</sup> Paradoxically, however, our understanding of arguably the most intriguing specimen of Old English writing that we have seen – S 204 – is also potentially informed by continental developments. This was issued at a time when, according to Geary, Frankish authors were increasingly drawing on vernacular languages as statements of authority and identity. We need not explain away King Berhtwulf's diploma as a result of conscious emulation of Frankish precedent, but it is quite possible that its author was engaged with this cultural movement. Indeed, although Berhtwulf's own reign is in several ways rather murky, artifacts such as the stonework from Breedon-on-the-Hill and Repton make clear that ninth-century Mercian cultural production was engaged with ideas and trends from far and wide.<sup>145</sup>

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<sup>142</sup> See P. J. Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton, New Jersey, 1994), ch. 3.

<sup>143</sup> On early written German, see W. Haubrichs, *Geschichte der deutschen Literatur von den Anfängen bis zum Beginn der Neuzeit*, Band I, *Von den Anfängen bis zum hohen Mittelalter*, Teil 1: *Die Anfänge. Versuche volkssprachiger Schriftlichkeit im frühen Mittelalter (ca. 700–1050/60)*, 2nd edn. (Tübingen, 1995); C. Edwards, 'German vernacular literature: a survey,' in *Carolingian Culture: Emulation and Innovation*, ed. McKitterick, pp. 141-70.

<sup>144</sup> See above, n. 131.

<sup>145</sup> For a summary of what is known of King Berhtwulf, see S. E. Kelly, 'Berhtwulf [Beorhtwulf] (d. 852?), king of the Mercians', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com> [accessed 31 March 2017]. For the

Much of the evidence offered here substantiates the interpretations of several earlier scholars. In particular, Katy Cubitt suggested in her discussion of the council of Chelsea of 816 that the use of Old English in documents at this time ‘should probably be associated with the greater variety and more ambitious nature of documents produced’,<sup>146</sup> while Susan Kelly had earlier noted that documents containing Old English from the ninth century onwards ‘supplemented’ Latin diplomas.<sup>147</sup> The current survey certainly confirms these statements, demonstrating the wide variety of ways in which the vernacular – and indeed, the written word – was being employed in Anglo-Saxon documentary practice within the earliest decades of the ninth century. With greater depth of discussion this study has provided greater chronological precision to our understanding of these developments; thus I have argued for the first half of the ninth century, particularly the 840s, as a period of documentary innovation. This is an important context for what is to come in the later decades of the ninth century and beyond. Complicating and enriching our view of a century that evidently was much more than simply a preface to King Alfred’s lament over the state of contemporary learning, the surviving body of charters attests to the powerful and sometimes fluctuating relationship that ninth-century England had with written testimony – in both Latin and Old English.<sup>148</sup>

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stonework at Breedon-on-the-Hill, see R. H. I. Jewell, ‘The Anglo-Saxon friezes at Breedon-on-the-Hill, Leicestershire’, *Archaeologia*, cviii (1986), 95–115. For that of Repton, see M. Biddle and B. Kjøbye-Biddle, ‘The Repton Stone’, *Anglo-Saxon England*, xiv (1985), 233–92; J. Hawkes, ‘The road to hell: the art of damnation in Anglo-Saxon sculpture’, in *Listen, O Isles, unto Me: Studies in Medieval Word and Image in honour of Jennifer O’Reilly*, ed. E. Mullins and D. Scully (Cork, 2011), pp. 230–42.

<sup>146</sup> Cubitt, *Anglo-Saxon Church Councils*, p. 200.

<sup>147</sup> Kelly, ‘Anglo-Saxon lay society’, p. 46.

<sup>148</sup> King Alfred’s concerns about learning famously are found within the prose preface to the vernacular translation of Gregory the Great’s *Regula pastoralis* that was produced probably in the early 890s. For an edition and translation of this preface, see *Old English Pastoral Care*, ed. and trans. H. Sweet (1871), pp. 2–9. For a survey of pre-Alfredian vernacular literature, see J. M. Bately, ‘Old English prose before and during the reign of Alfred’, *Anglo-Saxon England*, xvii (1988), 93–138.

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