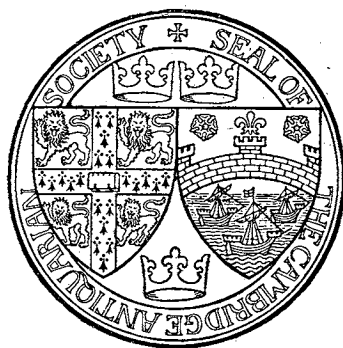


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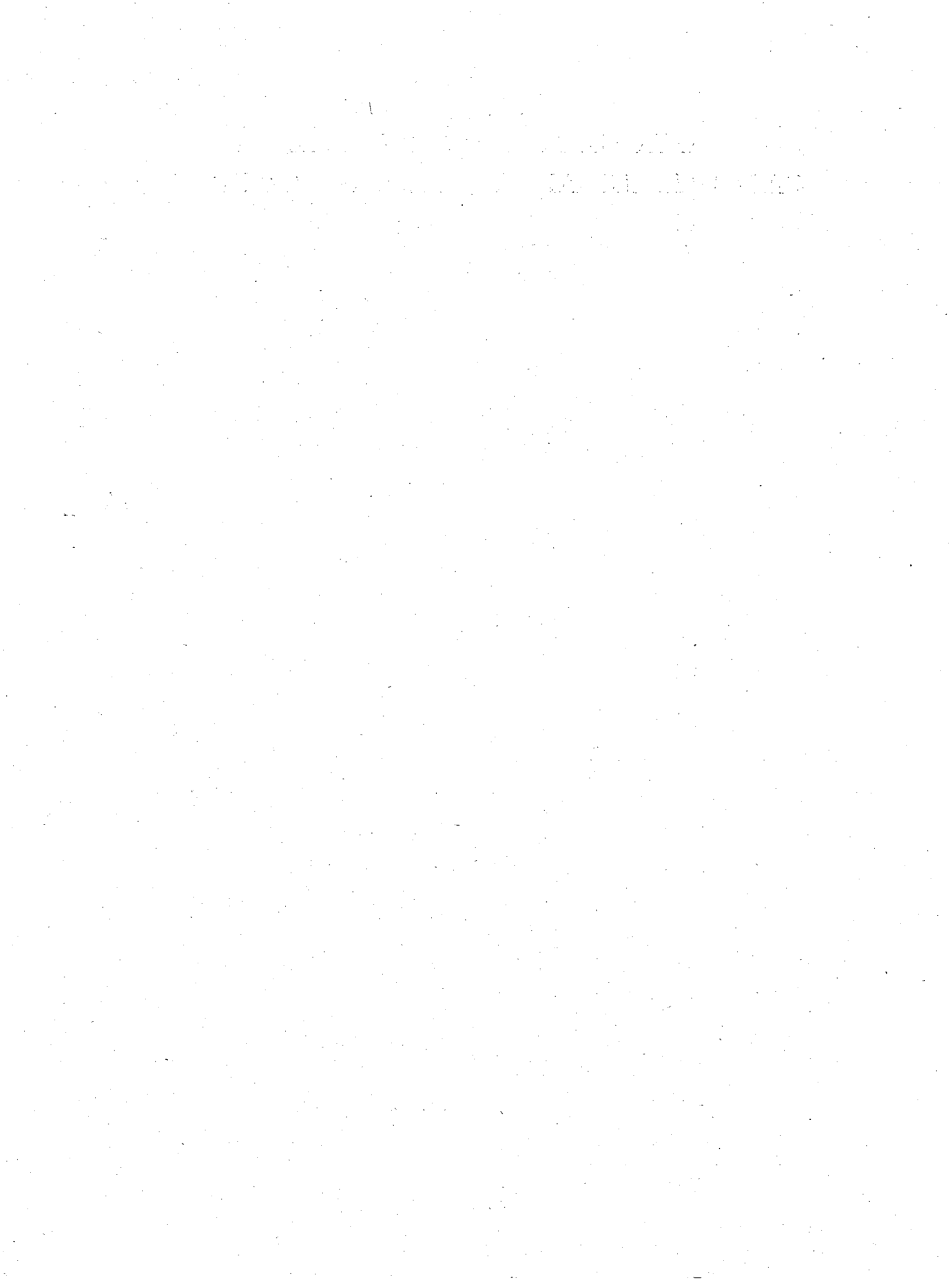
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TWO CHARTERS OF STEPHEN AT JESUS COLLEGE

T. A. M. BISHOP, M.A.

AMONG the muniments of Jesus College,¹ in the archive group of St Radegund's Priory, two original charters of Stephen offer an apparent demonstration of continuity in the royal secretariat during his disturbed reign, since they were written—at an apparent interval of sixteen years—by the same chancery scribe.

Both charters (Plate I, no. 1 and no. 2) were edited for this Society by Arthur Gray, Fellow and subsequently Master of the College.² He showed that no. 1, issued at the strongpoint of Meppershall during the siege of Bedford, must be dated January 1138; and that no. 2, issued after the death of earl Eustace, must belong to the close of the reign, sometime after August 1153.

Separated by this long interval, the two charters were written by the same hand. There are, indeed, some apparent differences between them. The script of no. 1, comparatively soft and indistinct, can be explained as written by a different pen on a less favourable surface. In no. 1, but not in no. 2, *Eli* (line 1) has terminal *i*-longa; but this is not consistent practice in no. 1; compare *omni seculari*, line 9. In no. 2 an arbitrary cedilla (indicating diphthong *ae*) appears in *elemosinam*; but compare *que* and *ille* (lines 5 and 6). On the assumption—probably a fair one—that scribes were as a rule at least partly responsible for drafting the charters which they wrote, it is proper to notice some slight differences of grammatical construction between the two charters. No. 1 has *fecit...in elemosina* (line 6); no. 2 the more purposeful *in elemosinam* (line 4). In no. 1 *quieta* is followed by the simple ablative (line 9); in no. 2 *quietam* is constructed with *ab* (line 7). These are merely examples of that notorious taste, in the mediaeval draftsman and scribe, for elegant variation, of which another aspect appears in the use of both *piscatura* and *piscariam* in no. 2 (lines 4 and 6). The positive resemblances between the two charters are numerous. In both *i* is normally joined to preceding *e*, *f*, *r* and *t*; both are otherwise remarkable for discontinuity between letters and even between individual strokes, in strong contrast to most of the chancery hands of the reign. Corresponding letters of both are of the same size. Both charters exhibit the same degree of irregularity in the spacing of letters within words, and of words within phrases, and in the spacing between lines (neither charter is ruled). Detailed comparison is made easy by the similar wording

¹ I am obliged to the Master and Fellows of Jesus College for permission to reproduce these charters, to Mr D. J. V. Fisher for very kind assistance in having them photographed, and to the staff of the University Library.

² A. Gray, *Priory of St Radegund* (Cambridge Antiquarian Society, 1898), pp. 4, 9, 74, 75.

of both charters; the first twenty-three words and several block phrases appear in both. Detailed resemblances, roughly in order of their significance for identification, include: the two forms of general abbreviation marks, which are used almost indifferently; the idiosyncratic form of the tironian *et*; the sign for *-us* (*Monachus*, no. 1, line 4; *fidelibus*, no. 2, line 2); the form of the *-ct-* ligature (*predictam*, no. 1, line 7; *exactione, predicta*, no. 2, line 8); *g*, *r* and *x*; *t* (with the upright normally showing above the cross); and the broken-kneed appearance of *i*, *m* and *n*. In the identification of individual charter hands the forms of capital letters are usually of minor significance; capitals are usually written with comparative deliberation; and not every charter scribe, writing with deliberation, possessed sufficient co-ordination of hand and eye to produce a consistent result. In the script of nos. 1 and 2, which is uniformly deliberate throughout, a uniform style is clearly achieved; and among capital letters *S* and *R* are worth comparing. It has been said that the hand of these charters is that of a scribe of the royal chancery. There would be a rather strong presumption to the contrary, if they were the only surviving examples of the hand; it would be reasonable, in that case, to attribute them to a scribe employed by the Priory. As it happens, the hand of this scribe appears in charters of Stephen for numerous beneficiaries.¹

The survival of a fairly considerable range of charters in the same hand offers an opportunity of determining the approximate dates of the scribe's chancery career. But I shall not attempt to list and date every charter in the hand of this scribe. Where (as in the present case) the guidance of Round's *Geoffrey de Mandeville* is wanting, the problems of dating Stephen's charters, complex and closely interdependent, must be left to the specialist. Apart from no. 1, however, ten charters in the hand of this scribe have been fairly closely dated in editions and printed notices.² Only one of these is possibly earlier than 1146. Only one is necessarily earlier than 1149. At least seven must belong to the closing years of the reign. A difficulty thus arises as to the true date of no. 1, which seems to be chronologically isolated. I shall suggest three possible explanations.

The first is that the received date of no. 1 is wrong, and that the visit to Meppershall took place later in the reign. Apart from the evidence of handwriting there seem to be no reasons for believing this.

The second possibility must appear far-fetched and difficult. It is that no. 1 is a reissue, by the chancery, of a charter originally issued some years before. In the middle years of the twelfth century the Anglo-Norman and Angevin chancery seems

¹ Westminster Abbey Muniments xxxv, reproduced in *New Palaeographical Society*, 1st series, II, pl. 20(b). Oxford, Christ Church, reproduced in H. E. Salter, *Oxford Charters*, no. 61. Other charters in the hand of this scribe have been published in facsimile, unfortunately on a reduced scale. British Museum, Campb. ch. xiv. 6 (facsimile in *Charters in the British Museum*, no. 35) is an elaborate imitation of his hand; it is or purports to be a charter of Stephen for Aldgate Priory, which possessed models in three genuine charters of Stephen written by this scribe (P.R.O., Ancient Deeds A. 2021, 14897, 14900).

² Salter, *Oxford Charters*, no. 61; C. W. Foster, *Registrum Antiquissimum* (Lincoln Record Society), I, nos. 77, 86, 97; J. H. Round, *Ancient Charters* (Pipe Roll Society), no. 31 (the dating of which applies also to P.R.O., Ancient Deeds A. 15389, 15443); C. T. Clay, *Early Yorkshire Charters*, v, 348; *New Pal. Soc.* 1st series, II, pl. 20(b); and no. 2 referred to in the text above.

R. Ece angli. Ep̄o de Eli. & Justic. & Vic. & Baron. & Minist. & Om̄ib
 fidelib⁹ suis de Canteb⁹. salut. Sciatis me confirmasse
 & concessisse Ecc̄ie & Sc̄imonialib⁹ s̄c̄o Wase de Canteb⁹. uaria do
 nationē illā quā Willel⁹ Monach⁹ Augisat⁹ eis fecit de .ij. virgatis
 t̄p̄e .7. de .ij. acris de p̄p̄ato. & de .iij. Cotayris cū tenentia sua
 in Schelforde in elemosina p̄ anima Reg⁹ Henr⁹ & p̄ di⁹ fidelibus.
 Quare uolo p̄cipio qd̄ Ecc̄ia illā & Sc̄imoniales t̄p̄a p̄dictā &
 p̄p̄atū & Cotayros cū tenentia sua b̄n̄ & in pace & libe. & q̄ete &
 in elemosina tenent soluta & q̄eta om̄i s̄taz exactione & serui
 cio sic idē Wilt illi eis dedit & concessit t̄. Wilt mayrolt.
 & Ham de Weyenna. Ap̄ Wapteshala. in obsidione.

R. Ece angli. Ep̄o de Eli. & Justic. & Vic. & Baron. & Minist. & Om̄ib
 fidelib⁹ suis de Canteb⁹. salut. Sciatis me concessisse & confirmas
 se donationē illā quā Comitissa Constanca uxor Com̄ Cust⁹ fit mei
 fecit Sc̄imonialib⁹ de Canteb⁹. in elemosinā de tota piscariā &
 aqua que buyzo Canteb⁹. p̄tinet. & de q̄etancia cor⁹ t̄p̄e sue. Q̄e
 uolo p̄cipio qd̄ Sc̄imoniales ille tota t̄p̄a nā & piscariā & aqua
 b̄n̄ & in pace & libe. & q̄ete tenent soluta & q̄eta ab om̄i s̄taz
 exactione & seruiā sic p̄dicta Comitissa Cust⁹ illis dedit & con
 cessit. & carta sua confirmauit. t̄. Fulc⁹ de Dilli. & Rob⁹ fit Vnstr.
 & Ric⁹ de Bida. & Henr⁹ de Hauomeycato. Ap̄ Canteb⁹.

to have used three distinct methods of dealing with charters of which—whether because they had been damaged or for some other reasons—duplicate copies were required. One method, which has been discussed by Delisle, was that of ‘innovation’.¹ This incorporated the substance of the old charter, but was in form a new and original act in which was recorded its actual place of issue and its actual witnesses. A second method, which has been illuminated by the discoveries of Professor Galbraith, was the ‘inspeximus’ by which the chancery recorded that the king had inspected (and confirmed) the charter or charters in question.² This method, which came to be the normal one, was already in use under Stephen,³ but was still experimental in the later years of Henry II. And there seems to have been a third procedure to which I shall give the provisional name of ‘renovation’. By this a more or less verbatim copy of the charter which it was desired to renew was prepared, sealed and issued by the chancery, transcribing the place-date of the original charter (though the copy may have been written anywhere else), and transcribing the names of the original witnesses (though none of them was necessarily present when the copy was made, and though some of them may have died in the interval). The use of this method will account for the anomalies of certain charters of Henry II;⁴ possibly it was in use under Stephen; and possibly (though very improbably) no. 1 is an example of a chancery renovation.

The third possibility, and by far the most probable one, is that no. 1 was in fact written at the date to which it has been attributed. That one of Stephen’s scribes should have worked in the chancery for sixteen years is remarkable; but it is less remarkable, on the whole, than that any royal scribe should have done so both before and after the *débâcle* in the king’s affairs in 1141. Between February and November of that year Stephen was in prison and central government in dissolution. At least one of Stephen’s chancery scribes was captured by the empress, or was brought over to her; and it is not certain that he ever returned to Stephen’s service.⁵ But at least two of the king’s scribes—and the present scribe may have been a third—are found at work in the royal chancery both before February and after November 1141.⁶

¹ L. Delisle, *Recueil des actes de Henri II: Introduction*, pp. 185 sqq. The notorious ‘innovations’ which Richard I required holders of his charters to obtain, pretexting the loss of his first Great Seal, were in the nature of *inspeximus*.

² V. H. Galbraith, *English Historical Review*, LII, pp. 67 sqq.

³ In addition to the charter of Stephen cited by Mr Galbraith, cf. Foster, *Reg. Ant.* I, no. 89, a primitive *inspeximus*.

⁴ I hope to discuss them at length elsewhere.

⁵ Two original charters of the empress (Salter, *Oxford Charters*, no. 68—Dr Salter points out that this is the hand of a royal scribe—and P.R.O., Duchy of Lancaster Royal Charters, no. 16) were written by a scribe whose hand appears in four original charters of Henry I and nine original charters of Stephen; unfortunately I have not been able to date all the latter closely; very remarkably, he turns up again in four original charters of Henry II at Canterbury, Cathedral Library, all of the beginning of the reign.

If it were possible to recognize, with any assurance, a *generic* ‘chancery’ script, the remarkably fluent and practised script of three other charters of the empress (Cambridge, King’s College, St James Exeter no. 1; P.R.O., Duchy of Lancaster Royal Charters, nos. 17 and 19) might be claimed as that of a royal scribe.

⁶ (a) The scribe of (1) B.M., Add. ch. 19581 (1136–9) and (2) Lincoln, Dean and Chapter Muniments A 1/1/7, facsimile (reduced) in Foster, *Reg. Ant.* I, pl. VIII, 100 (1145); and (b) the scribe of (1) P.R.O., Duchy of Lancaster Royal Charters, no. 15, printed in Round, *Ancient Charters*, no. 23 (probably 1139) and (2) Duchy of Lancaster Royal Charters, no. 18, printed in Round, *Geoffrey de Mandeville*, p. 140 (December 1141).

Its comparative isolation in time, however, remains a difficulty in no. 1. It has been stated that most of the original charters in this hand belong to the latter half of the reign; it should be added that this is the only recognizable chancery hand which appears in Stephen's later charters. Now surviving originals of twelfth-century royal charters afford an inadequate idea both of the chancery establishment as it stood at various periods, and of the nature of its work. By far the greater part of this consisted in writing letters which circulated solely within the administration, central and local, and which it was probably normal routine to destroy.¹ What have survived are documents which were issued to beneficiaries, and which it was in the interest of beneficiaries to keep. And it is morally certain that such documents (in the nature of the Charters and Letters Patent of the thirteenth century) were not obtained by beneficiaries without some small fees to the scribes who wrote them. At certain periods in the twelfth century—in the early years of Stephen, and in the early years of Henry II—this lucrative work seems to have been very fairly shared among the chancery staff.² But at certain other periods—for example the middle and later years of Henry II—it seems to have been kept mainly in the hands of not more than one or two scribes. Of possible explanations for their apparently privileged status—a connexion, for example, among prospective beneficiaries, or favouritism on the part of the *magister scriptorii*—the most probable is mere seniority. One of Henry II's chancery scribes was in the service from at least as early as 1163 to at least as late as 1187; but most of the original charters surviving in his hand belong to the last ten years of that period, and more than half of the original charters of Henry II surviving from the last ten years of that period are in his hand.³ An elder colleague of his, who has been identified as a certain Germanus, was a prolific writer of charters in the period 1163–77; it is the more or less accidental survival of one or two originals which shows that he was employed in the chancery as early as 1155.⁴ These hands represent, I suggest, the failures of the chancery; comparatively elderly men who had missed or been unfitted for the chances of careers and preferment open to able and ambitious clerks in the royal service; and who were compensated, or compensated themselves, by the privilege of earning a few modest fees. And if the scribe of nos. 1 and 2 was senior and quasi-privileged in 1154, that is positive evidence to suggest that he was already at work, as a comparatively junior member of the chancery staff, in January 1138.

¹ Delisle, *Recueil: Introd.* pp. 1–5.

² The hands of ten regularly employed chancery scribes have been identified in original charters of Stephen of 1135–41; and of no less than fourteen regularly employed chancery scribes in original charters of Henry II of the short period 1155–8.

³ A well-known scribe, numerous facsimiles of whose work include Salter, *Oxford Charters*, nos. 19, 39 and 40, and *Charters in the British Museum*, no. 56. Cambridge, Queens' College, an original charter of Henry II in the Museum, is an excellent example of his work.

⁴ For this scribe, cf. 'Germanus Scriptor and Nicholas de Sigillo', *Bodleian Library Record*, III, p. 185.

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