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On the anglicisation of written Middle Scots in local legal-administrative records, Dunfermline 1573–1723

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1. Introduction

We normally perceive written English as one uniform monolithic linguistic structure that does not allow for much variation – a codified standard representing the most ‘correct’ English there is. Admittedly, becoming competent in written English is not one of the easiest tasks of acquiring that language. Once the idiosyncrasies of English spelling have been mastered, however, its immutability provides a high level of certainty of linguistic expression. So natural does it seem for the written language to have only one acceptable shape that it had to await the rise of the electronic era with its e-mails, texts and tweets and their innovative spelling habits before its largely unquestioned hegemony even began to be contested.

It is interesting to learn, therefore, that written standards have histories too. They do not just crystallise out of thin air and they are never just ‘correct’ language converted into writing. In fact, it has been argued that the causal relationship between writing and correctness is better envisaged as operating in the opposite direction: the belief in a ‘correct’ language usage presupposes an already high degree of linguistic uniformity in a variety, typically developed in the written channel (cf. 2.3.1). Most intriguingly, the development and spread of English as the primary mode of written communication even within the British Isles is not a unilinear success story of one variety evolving, expanding and solidifying in the form that we know today. From the Middle English period onwards, there have been many local vernacular spelling traditions, which together can be conceptualised as a written dialect continuum (McIntosh, Samuels & Benskin 1986, 1: 4; 10–12). At the end of the Middle Ages, however, two related but clearly distinct varieties emerged as written norms of supra-local importance. These are Early Modern English, the predecessor of the language in which the present paper is written, and Middle Scots, the written language of Scotland. It is the relationship between these two contemporaneous written norms that this paper is about.

To be precise, the paper is more concerned with the disappearance of Middle Scots as a written language than with a comprehensive description of its linguistic properties. Since Standard English is the default language for written communication in Scotland today, it is obvious that (the majority of) the distinctive features of Middle Scots must have been replaced by Southern English equivalents at some point. This process, which mostly took place in the Early Modern period, is usually referred to as anglicisation (cf.
MacQueen 1957: 56–64; Devitt 1989: 7–8; Meurman-Solin 1993: 48–49) and this iconic term also best describes the general theme of the present paper. However, the fact that Middle Scots has anglicised, ultimately as a result of an interplay of social, political and cultural factors, is regarded as a given in this study (cf. 2.1). Its specific research interest puts more weight on the question of how Middle Scots anglicised, i.e. how the advance of typically English variants is reflected in Scottish texts.

In this respect, the present study is essentially an empirical one. It attempts to trace the process of anglicisation in the surviving linguistic material provided by extant texts. However, since a large-scale analysis of all relevant Scottish texts and text genres that have come down to us is clearly beyond the scope of the paper, its focus has to be further specified. Nevertheless, this necessity can be made into a virtue by pursuing an approach slightly different from previous studies on the same subject. These have mostly been large-scale macro-perspective studies taking into account a wide range of texts in order to identify the patterned distribution of Scots and English variants in various text genres (Devitt 1989; Meurman-Solin 1993; cf. 3). In contrast, this project adopts a micro-perspective, focussing on one generically and geographically narrowly defined set of sources, which, however, is examined in detail in terms of its socio-pragmatic properties. The ultimate goal is to use the extralinguistic information, gathered from secondary sources and the primary material itself, to help explain the specific path of anglicisation in these texts.

The data for the study are supplied by a corpus of local legal and administrative writing. More precisely, it is the local tradition of burgh council records of the Scottish Lowland burgh of Dunfermline between the late 16th and early 18th centuries that is the object of my investigation. The primary source material was researched and collected at the National Archives of Scotland in Edinburgh and the data extracted from the original documents have been made accessible for quantitative analysis in the form of a computer-readable corpus, hereafter referred to as the Dunfermline Corpus. The choice of the discourse type of legal-administrative texts was motivated by two considerations: firstly, the genre has so far inspired little systematic investigation from a linguistic perspective; and secondly, by concentrating on this genre a future expanded version of the corpus may serve to complement other current research corpora similar in aim or source material. In particular, the Corpus of Scottish Correspondence (CSC) and the Linguistic Atlas of Older Scots (LAOS) represent promising points of reference
(cf. 3.1). However, for the purposes of the test studies presented in the empirical part of this paper, the results from slightly older publications serve as points of comparison (cf. 3). Like the compilers of the CSC and LAOS, I have decided to base my analysis on original primary sources rather than edited texts, since in my experience editions of historical source material often conceal or omit much information essential for linguistic analyses. Also, consulting the original text material gave me the opportunity to identify individual hands in the record books. Thus, it became possible for me to base the linguistic analysis on idiolectal usage, which adds considerable detail and precision to the empirical study of variation and change.

The paper is divided into six chapters, including this introduction. Chapter 2 is concerned with preliminary considerations of various kinds. Firstly, this includes the standard account of the history of Scots, which may be regarded as its external history. Secondly, there are theoretical considerations regarding elementary concepts such as standardisation and linguistic convergence, written text genres or discourse types, and the nature of discourse communities. Finally, an overview of the linguistic literature on Middle Scots and its anglicisation is also included in Chapter 2, focussing on previous studies immediately relevant for the present study. The third, fourth and fifth chapters constitute the main body of the paper. Chapter 3 introduces the Dunfermline Corpus compiled for this study. This includes the corpus’s relationship to similar research corpora, the socio-historical context of the burgh records of Dunfermline, a characterisation of the discourse type of legal-administrative texts, a detailed description of the Dunfermline records and their producers, as well as the compilation and transcription principles of the electronic corpus itself. Chapter 4 comprises the empirical study proper. It consists of the analysis of five diagnostic linguistic features of Middle Scots and their anglicisation as exhibited by the Dunfermline Corpus. The results from the empirical part are then compared to previous studies and interpreted in terms of the diffusion of anglicised forms in Chapter 5. Finally, Chapter 6 concludes the paper by giving a general assessment of the Dunfermline Corpus and summarising the findings of the study.

Two final points concerning the choice of terminology need to be addressed at this point. Firstly, the term ‘Middle Scots’ (sometimes just ‘Scots’) is used for the regional written norm of Scotland which underwent anglicisation, whereas ‘Early Modern English’ and ‘Southern English’ (sometimes just ‘English’) are used synonymously to
refer to the contemporaneous written norm emanating from metropolitan England. Secondly, in writing this paper, I am not partaking in the discussion about the typological status of Scots, in particular regarding the question if Scots should be considered an independent language or ‘merely’ a dialect of English. As Haugen (1966: 922–927) has convincingly argued, such concepts are motivated by social criteria at least just as much as they are based on the linguistic properties of the varieties in question. Therefore, whenever Scots or English are referred to as a ‘language’ or a ‘variety’ in this paper, the former is used in a wider sense, generally meaning ‘means of verbal communication’, while the latter term additionally stresses the genetic relationship between Scots and English. Most importantly, however, neither does the former term imply the independence of Scots from English, nor the latter its subordination to English. Ultimately, the study itself is intended as a contribution to the enterprise of deconstructing essentialist concepts, such as the binary opposition between languages and dialects or that between correct and incorrect language use. These concepts, which are so powerful in shaping our perception of language, are better regarded as common attempts to categorise social relationships according to perceived linguistic differences. However, as will become clear from the line of argument adopted here, they are neither necessary for language to fulfil diverse communicative functions nor for linguists to analyse and explain patterns of linguistic change.
2. Preliminary considerations

2.1 An external history of Scots\(^1\)

In general, the term ‘Scots’ refers to the Anglo-Saxon-derived language of Lowland Scotland. This is in contrast to Highland Scotland, where Gaelic had been the dominant language until well into the 18\(^{th}\) century and is still spoken as a first language in certain parts. It is important to notice that Scots is not a later derivation from Southern English, but that the two varieties developed in parallel. Accordingly, the history of the Scots language is usually divided into periods which differ to a considerable degree from the common periodisation of English:

![Figure 1: Periodisation of English versus Scots (Bugaj 2004b: 34)](image)

The earliest organised Anglo-Saxon settlement extending into Lowland Scotland can be traced back to the Kingdom of Bernicia, established in the 7\(^{th}\) century by Anglian settlers who spoke the Northumbrian dialect of Old English. The northermost part of this, namely the region known as Lothian, immediately south of the Forth, was ceded to the Kingdom of Scots in the late 10\(^{th}\) century, at which point modern-day Scotland was quadripartite as far as the distribution of native languages is concerned: there was Britonic in the south-west, Scandinavian in the Northern Isles and Caithness, and Northumbrian in Lothian, while the Scottish rulers themselves were still speakers of Gaelic, as were most people in the rest of the country north of Forth and Clyde.

However, within the next century Scottish kings came into closer contact with English. Malcom III Canmor (1058–1093), for instance, had lived in England before he acceded to the Scottish throne. He later received the refugee Anglo-Saxon prince Edgar at his court in Scotland after the Norman conquest of England in 1066 and married Margaret,

\(^1\) This chapter is based on the following titles: Templeton (1973); Murison (1979); Robinson (1985: xi–xvi).
Edgar’s sister. Margaret was later canonised as Saint Margaret of Scotland for her lifelong efforts to realign the Celtic Church with Roman practice. Much greater yet was the influence that the next generation of Scottish kings – called the Normanised Kings – had on the linguistic makeup of Scotland. Particularly during the rule of David I (1124–1153), the kingdom underwent significant socio-economic and cultural transformations accompanied by changes in the distribution of its languages. On the one hand, many English-speakers arrived in the entourage of Anglo-Norman beneficiaries of land grants after the introduction of the feudal system to Scotland. On the other hand, immigration from England was also encouraged by the foundation of a number of religious houses during this period. Finally and most importantly, however, David introduced burghs, i.e. towns, to Scotland, which were to function as market centres and trade hubs (cf. 3.2.1). Many or most of the early indwellers of these burghs – even as far north as Inverness – were speakers of Northern English and this fact had a significant influence on the spread of the Northern English variety in Scotland. Thus, while the language of the elite remained (Norman) French for a couple of generations and Latin served as the language of official documents and the church, Northern English quickly replaced Gaelic as the main spoken vernacular in the Lowlands. In the course of the late 13th and early 14th centuries, then, the Kingdom of Scotland dissociated itself politically from its southern neighbour, notably in the Wars of Scottish Independence (1296–1357), and during the next few centuries the Scottish royal court established its pre-eminence within the kingdom, both in terms of central government and as a hub of cultural and especially literary production.

As a literary language, Scots turns up in the course of the 14th century, most famously in the form of John Barbour’s The Bruce, an epic poem about the Scottish struggle for independence, written around 1375. However, the language at that time is not yet markedly different from Northern English and classifying it as Early Scots is thus not mainly based on intra-linguistic criteria. Acts of Parliament started to be written in the vernacular in 1424 (cf. RPS, 1424/2) and in due course the use of written Scots acquired a considerable range of different functions. The hundred years between the middle of the 15th and the middle of the 16th century are usually regarded as the heyday of Middle Scots. During this period, it enjoyed the status of the principal language for most kinds of written discourse, including literature produced by makars, i.e. court poets, such as Robert Henryson or Gavin Douglas. This was also the time when written Scots was
most dissimilar from written Southern English and reached the highest degree of internal structural uniformity. Yet, the term ‘Scottis’ for this written norm does not appear until 1494 and the nomenclature remains variable throughout the 16th century. Both the Southern and the Scottish varieties are often simply referred to as ‘Inglis’ in contemporary texts.

The ensuing roughly 150 years witnessed a process normally summarised under the term ‘anglicisation’. According to the standard account, there are four main historical developments that lead to the increasing convergence of Scots with the English written variety of the vernacular. First, the Reformation of 1560 not only re-established firm social and political links to England, but also helped Southern English to a wide dissemination through the Geneva Bible, the English version of the Old and New Testaments. In contrast, a Scots translation of the Bible was never published. Secondly, the advent of printing greatly accelerated anglicisation. Printers and authors of books written for publication anglicised books deliberately in order to reach a wider audience and a wider circle of customers. After 1610, newly printed texts by Scottish authors were almost indistinguishable from Southern English texts. A case in point is King James VI’s Basilicon Doron: finished in 1598, it underwent successive revisions with every edition, almost completely anglicising the Scots of the original. Thirdly, when the said James VI of Scotland became James I of England in the Union of the Crowns (1603), he moved the court, the centre of royal power and literary patronage, to London. Fourthly, the Union of Parliaments (1707) finally deprived the Scots language of any function for national legislation and official documentation. Spoken Scots, on the other hand, seems to have continued in wide use all through this process as evidenced in folk songs, comic poems or verbatim statements in court trial records.

It was not until the majority of typically Scots features had been lost in the written medium that overt disapproval of Scots as a spoken variety began to become apparent to any noticeable degree. Only in the course of the 18th century did an openly expressed attitude arise which identified the metropolitan Southern variety as the ‘correct’ English and depreciated Scots as vulgar and provincial. At this point, a number of literary clubs, Scots-to-English word lists and elocution lecturers appeared – especially in intellectual and socially aspiring circles – which all shared the goal of improving the perceived deficiencies in the Scottish language. At the same time, however, a more positive

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2 There is a Scots version of the Bible translated in the 1530s by Murdock Nisbet, a Glasgow-based notary public and Wycliffite. However, it has remained in manuscript and was not widely circulated.
attitude especially towards the romanticised rural dialects of Scots remained current as well, best exemplified in the poetry of Robert Burns. Today, Lowland Scots survives mostly as a spoken variety, both rural and urban, apart from a small body of literature with a modernised Scots spelling systems.

2.2 The shape of Middle Scots

In juxtaposing Middle Scots to Early Modern English, the present paper assumes that at the height of the Middle Scots literary tradition, i.e. before the onset of large-scale anglicisation, these varieties existed as sufficiently distinct written norms, which can be treated and compared as finite entities. However, the dividing line between Middle Scots and Early Modern English usage is not always easy to determine. Obviously, both varieties shared a large common stock of linguistic resources as a result of their common ancestry and due to a certain degree of linguistic contact between them that had always remained intact, e.g. in the domain of poetry. Additionally, there was still a lot of internal variation in both written norms, so that for many linguistic features and especially lexical items there was more than one acceptable spelling in both Scots and English. However, a number of features can be identified as typically Scots in the sense that they were routinely used as the majority forms in Scottish written texts, but are hardly ever or never encountered in texts written in Southern English. The following passage taken from the parliamentary records of Scotland will serve to illustrate the more salient characteristics of the Middle Scots written norm on various linguistic levels. Obviously, there are also typically Scots features that do not occur in this excerpt, but it will still suffice to point out the most distinctive features which distinguished it from the written English of the time (cf. MacQueen 1957: 50–57).

(1) **Off notaris ordinarie in schireff courtis or utherwyis**\(^3\)

Item, for eschewing of the grett inconvenientis that dalie occurris in the reducing of the processes led befor schireffis, stewartis and balyeis of burrowis and regalitis and baronis quhare thare is oft times producit and schewin instrumentis contrar to utheris, that is to say, the instrumentis and actis maid be the scribe of the court berand ane way, and instrumentis tane in uther notaris handis berand ane uther way, and oftimes allegiance that was nevir hard nor understand to the juge, his assisouris or utheris membris of court; tharefor, in tymes cuming, it is statute and ordanit that all instrumentis, notis and actis be maid and tane in the handis of

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\(^3\) A translation of this passage as for all example passages following after this is provided in the Appendix (App. 1).
the scribe and notar ordiner of the court or his deputis, and gif ony party will haif ane notar with him for mair securite, at that notar pass and stand within bar, in quhais handis it salbe lefull to ony party to tak documentis, togidder with the notar of court, and that ilk ane of thame be insert witnesses to utheris, with ane parte of the maist famous personis, assisouris or utheris membris of court being within bar, with sic uther honest men as ar present; with certifictiounie giff this forme and fassion be nocht kepit, that the instrument takin in ony utheris notaris handis nor the scribe of court sal saill haif na faith; and gif the notar and scribe of court refusis to giff instrumentis, actis or notis to ony personis desirand the samien, he saill tyne his office and salbe callit and punist in his persone and gudis at the kingis grace will. (RPS, A1540/12/18; my emphasis)

One feature that can safely be classed as a phonological difference between the two varieties is the reflex of Old English /aː/, which is rendered as (a) or (ai) in Scots where Southern English has (o), as in mair ‘more’ and na ‘no’. Concerning differences that only regard spelling, the following Scots features are most prominent: the use of the digraphs (ai), (ei), (oi), (ui) to indicate vowel length, where English would more commonly use a root-final (-e), as in mair and quhais ‘whose’; the peculiar (quh-) trigraph for English (wh-), as in quhais and quhare ‘where’; and (sch) for (sh), as in schireffis ‘sheriffs’ and schewin ‘shown’.

Typical features of the Scots inflectional system are: the regular plural and genitive suffix (-is) for English (-es) or (-s), as in instrumentis, notis and actis (i.e. kinds of notarial documents) and kingis ‘king’s’; adjectives marked for plural, as in utheris membris ‘other members’; the general present tense marker (-is) for all grammatical persons as in inconvenientis that dalie occurris ‘inconveniences that daily occur’; the weak past and past participle suffix (-it), as in productis ‘produced’ and callit ‘called’, but also kepit ‘kept’; uninflected past participles mostly for Latin participle loans, as in statute ‘decree, ordained’ or insert; finally, the present participle suffix (-and) where English has the same form for the present participle and the deverbal noun, viz. (-ing), as in berand ‘bearing in writing, stating’ or desirand ‘desirand’.

With regard to vocabulary, three classes may be distinguished: words that do not exist in English, typically Scots words that have cognates in English and words that have the same form but differ in meaning. Of these, only the second category is illustrated in the

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4 Notice, however, that gudis does not have the usual (ui).
5 Notice, however, that processes has (-es).
6 When the subject is a personal pronoun directly preceding the verb, the inflection is dropped for the first person singular and third person plural. This is known as the Northern Present Tense Rule, still productive in Northern dialects today (Bugaj 2004b: 61).
7 Notice regular Scots (-ing) for the deverbal noun in the reducing, but also its unexpected use in in tymes cuming and being within bar.
passage by sufficiently clear examples, such as *thare* ‘there’, *contrar* ‘contrary’, *ane* ‘a / an’, *ilk ane* ‘each one’, *sic* ‘such’ or *nocht* ‘not’.

2.3 Theoretical considerations

2.3.1 Linguistic convergence in the case of Middle Scots

Both the mediaeval establishment of Middle Scots as a widely used and considerably uniform written mode of linguistic expression as well as its later convergence with Southern English have repeatedly been discussed in terms of standardisation (Devitt 1989; Agutter 1990; Bugaj 2004a). Obviously, what these studies foreground is the movement towards a greater degree of uniformity on the various levels of linguistic structure, which is evident in the surviving corpus of historical texts for both historical processes. However, to speak of late mediaeval ‘scotticisation’ and Early Modern ‘anglicisation’ as instances of standardisation is problematic for a number reasons, which will be discussed in the following.

In general, the problem of equating standardisation with linguistic convergence – as opposed to divergence, which is ubiquitous in the natural process of dialect diversification (Milroy 1992: 50–51) – lies in the socio-political implications that talking about standards and standardisation entails. In a sense, standardisation may be regarded as the mirror image of socio-political unification, symbolically carried over to the linguistic level in the form of the idea that there is such a thing as a ‘correct’ way of using language. It is in this context that Haugen analyses the process of standardisation as a more or less conscious implementation of a linguistic standard variety with the ultimate goal to provide “minimal variation in [linguistic] form” and “maximal variation in [social] function” (Haugen 1966: 931). Four aspects are involved in such a process: the selection of a norm, its codification – i.e. the task of developing the structural aspects of the language, including phonology, grammar and lexicon –, the elaboration of its functions – i.e. its adoption and adaptation in the various social domains in which it will serve as a means of communication –, and its acceptance by society (Haugen 1966: 931–933). It is worth pointing out that these aspects are not chronological stages in a movement towards a standard variety (cf. Bugaj 2004a), but integral elements defining the process of its implementation in sociolinguistic terms. They overlap in time and may best be drawn up in a matrix between formal and functional dimensions of language and
society (Haugen 1966: 933). What is important is that according to this account the ultimate catalyst for standardisation is the striving for social unity within a nation state and the promotion of loyalty to it:

Since the encouragement of such loyalty requires free and rather intense communication within the nation, the national ideal demands that there be a single linguistic code by means of which this communication can take place. (Haugen 1966: 928)

Regional dialects, on the other hand, are regarded as potentially disruptive to this political goal as they result from allegiances to the local rather than the national (Haugen 1966: 928).

A related view is expressed by Milroy and Milroy (1991), albeit less motivated by the aim to analyse the relationship between language and the emergence of nationhood. According to this account, standardisation is to be seen as a perpetual process, a constant movement towards an idealised state of invariance of linguistic form, which, in reality, can never be fully accomplished (Milroy 2001: 534). Above all, such a process presupposes a concept of correctness, i.e. the belief shared by the individuals of a language community that there is a correct way of using the language. This may be called the ‘ideology of standardisation’ (Milroy & Milroy 1991: 22–24). This belief is accompanied by an idealised standard variety that is explicitly imposed from above through overt or covert legislation, i.e. by means of either a central authority prescribing ‘correct’ language usage (such as the Académie française in France) or a range of less centralised yet authoritative instruments (such as dictionaries, grammars etc.) (Milroy 1994: 20). As in Haugen’s account, standardisation here is envisaged as a more or less conscious process following from the preconceived need to have within a socio-politically defined community of language users a single fixed and uniform linguistic code. Ultimately, this need manifests itself in the notion of correct language usage.

However, this is not to deny that there exist normative pressures other than those which derive from conscious standardisation as discussed above. Undeniably, there are appreciably stable varieties of spoken language that do not at all adhere to all the rules of the idealised standard variety, especially on the levels of phonology and basic grammar (Milroy 1992: 8–9). In particular, however, there are and have been varieties of written language which exhibit a considerable degree of uniformity in linguistic structure while enjoying a wide geographical and functional distribution although there are no signs of a conscious standard ideology nor of any prescriptive devices such as
dictionaries or reference grammars at work behind them. Such varieties, whose inner cohesion seems to derive from implicit rather than explicit mechanisms of normativity, may best be referred to as ‘convergent states of language’ or ‘supra-local norms’ (Milroy 1994: 19–20). Historically, such norms must in many cases be assumed to have paved the way for a later conscious standardisation. Still, it will be expedient to keep these phenomena apart in order to emphasise the qualitative difference between them. In the present paper they will be regarded as two distinct socio-historical phenomena. How this applies to the case of Middle Scots will be discussed further below.

First, another term commonly associated with linguistic change ‘from above’ and thus often invoked in discussions about standardisation and linguistic norms has to be examined. This is the concept of ‘prestige’. Milroy (2000: 23) draws attention to the fact that despite its popularity in sociolinguistics “the concept was never carefully analysed”, implying that it has often served in the literature as a rather convenient explanation for linguistic changes that seem to have originated on high-status levels of society. However, resorting to prestige as an explanation for linguistic convergence is again problematic. Admittedly, the general idea of a language variety as the symbolic bearer of social status does seem to play a significant role in what Haugen (1966: 933) has summarised under the aspect of acceptance. Nevertheless, Milroy insists that prestige and standardisation are “concepts of different orders” (Milroy 2000: 25) and that the former is only secondary to a process that, at least initially, follows a much more basic rationale:

Standardization is not primarily about prestige: it comes about for functional reasons and its effect is to make a language serviceable for communicating decontextualized information-bearing messages over long distances and periods of time. It is imposed through its use in administrative functions by those who have political power. Once it spreads into other functions, it acquires prestige – in the sense that those who wish to advance in life consider it to be in their interests to use standard forms. Prestige, however, is a different concept altogether, as it can be subjectively attached by speakers to forms and varieties which are very distant from, and in conflict with, the codified norms of the standard. (Milroy 1994: 25–26)

Two points are crucial in the above-quoted paragraph. First, a prestige variety is not the same as a standard variety, even though the two concepts overlap when conformity to the standard becomes a prerequisite for social advancement. Secondly, the felt need for linguistic uniformity does not crystallise on a symbolic level, neither in terms of national unity nor social status, but is actually practically motivated. It is about the
successful transmission of linguistic content, notably for administrative purposes, which necessitates clarity in linguistic form. What is implicit here is the important realisation that standardisation initially and primarily concerns the written language and that, in its origins, it may be seen as a communicative strategy (in a wide sense) developed in response to the particulars of the written mode of linguistic expression.

Indeed, writing and literacy seem to play a crucial part not only in the diffusion of ‘convergent states of language’, but in the development of the very concept of linguistic uniformity itself. To a considerable degree, this has to do with the challenges that communicating via writing presents to speakers of language. It is important to realise that writing as a visual medium precludes the use of certain features that occur naturally in auditory-based spoken interaction. On the one hand, a wide range of paralinguistic features, which we normally use to support and complement our spoken communication, are virtually impossible to carry over faithfully into the written channel. These include vocal features – such as intonation, pause or emphasis – as well as non-vocal ones – including gesture and facial expression. On the other hand, written language primarily functions as a means to transport meaning across time and space, which means that a written text is usually removed from the situational context of its production. Consequently, there is no opportunity for immediate feedback or back-channelling between interlocutors nor the possibility to refer to one’s spatial surroundings for clarification (Milroy & Milroy 1991: 64–65; Koch & Oesterreicher 1985: 19–23). Ultimately, these factors have the effect of constraining written language in ways that spoken interaction does not know. Ideally, writing is required to be clear, context-independent and, above all, unambiguous:

[T]o write a language well is a continuous struggle against ambiguity. In written prose, [...] potential ambiguity [...] is functionally inefficient: the sentence may be wrongly understood. (Milroy & Milroy 1991: 63)

Significantly, speech and writing also differ in a fundamental way with regard to their acquisition (Milroy & Milroy 1991: 65–66). Speech appears to be a human universal which is learned naturally without explicit instruction, while literacy is a consciously trained skill or technique. It involves a reorganisation of human consciousness, in the sense that learning the complex correspondences between linguistic structures and their graphic representations changes the way in which language is conceived by the human mind (cf. Ong 1982: 78–116). Not least, the quality of permanence, which the written channel grants to language, results in a heightened awareness of its form:
The fact that [written language] can be leisurely examined has made it highly subject to reification, to treatment as an object of critical comparison and analysis. [...] The evanescence of speaking allows linguistic differences to slip by unnoticed, whereas the permanence and perusability of written language calls attention to such differences. (Chafe 1984: 94)

Returning to the qualitative difference we have introduced earlier between two types of linguistic convergence – one following from an ideology of standardisation and correctness, the other being motivated by non-prescriptive pressures yet to be specified –, it is worth pointing out that the development of a belief in correct language usage is itself bound to be a historical process. After all, the ideology of standardisation cannot have spread through a community of language users overnight. However, a certain degree of a belief in correct usage probably has to exist within a community before standardisation as described by Haugen (1966) and Milroy & Milroy (1991) can set in. In contrast, linguistic convergence in a non-prescriptive environment – evident in the development of supra-local written norms as defined earlier – is not dependent on a commonly shared belief in correctness. Instead, such convergence may be conceptualised rather mundanely as a consequence of the functional need to make written messages and documentation as clear and unambiguous as possible – in particular for the purposes of legal-administrative and other official kinds of writing. To give an obvious example, wildly variant spelling practices are dysfunctional in this respect as they will give rise to different interpretations of the referential content of the written message or, at the very least, run counter to the purpose of efficient communication.

If we now want to apply the above considerations to the case of Middle Scots and its later anglicisation, the following observations regarding linguistic structure on the one hand and the socio-political history Scotland on the other suggest themselves. Concerning the former, there is no denying that vernacular texts from mediaeval Scotland exhibit a certain diachronic tendency towards linguistic uniformity. Within the surviving corpus of texts, a remarkable reduction of linguistic variation is detectable over time, which can be traced as the gradual convergence of heterogeneous Scots writing practices in a common core of supra-locally shared features of spelling, grammar and vocabulary (cf. MacQueen 1957: 48–58; Agutter 1988; Meurman-Solin 1997: 7–9). The same can be said for what has come to be called the anglicisation of Middle Scots. In this case, however, it is the convergence of linguistic features of
written Scots with features current in contemporary Southern English that had the effect of reducing linguistic variation (cf. Chapter 3). In both cases, the process of linguistic convergence appears to have largely coincided with language-external processes of socio-political unification, i.e. the formation of independent or united political entities: first, the Kingdom of Scotland, second, the United Kingdom of Great Britain.

On the face of it, the conspicuous overlap of linguistic and socio-political unification processes suggests an interpretation along the lines of Haugen (1966), which sees linguistic standardisation largely as a reflex of the rise to nationhood. However, to apply this model here is not unproblematic. Although there is some evidence that Scots was beginning to be regarded as an independent language belonging to an independent kingdom in the 15th and 16th centuries – notably, the term ‘Scottis’ started being used to refer to the vernacular (cf. 2.1) – it does not necessarily follow that the ideas of language unification or the belief in a correct way of using Scots had established themselves as part of the Scottish national psyche. Similarly, Milroy & Milroy’s (1991) approach would be applicable if we were to assume an ideology of standardisation behind the change towards increased uniformity, accompanied by prescriptive devices for its implementation. However, there is no indication that such an ideology had gained any ground at the time, nor is there any sign of overt language legislation or the existence of authoritative grammars or dictionaries. Again, the same is true of Early Modern anglicisation. Prescriptive rules for the correct usage of English did not reach any wider dissemination before the early 18th century (Milroy & Milroy 1991: 33–35; Linn 2006: 75), while the historical standard account suggests that the anglicisation of written Scots had been all but finished by then (cf. 2.1). Therefore, neither Haugen’s nor Milroy’s use of the term ‘standardisation’ are readily applicable to the case of Middle Scots and its anglicisation, the former because there is no conclusive evidence that the symbolic value of a unified linguistic code for a unified political entity functioned as a catalyst in either convergence process, the latter because no standard ideology was yet in existence to motivate a conscious striving towards structural uniformity. Instead, prior to the age of prescriptivism both written varieties – Middle Scots as well as Southern English – have all the characteristics of a supra-local norm as defined earlier. The pressures holding it together will have to be sought at the level of functionality and efficiency of communication in writing as well as the acquisition and transmission of the writing skill rather than on a symbolic level of whatever kind.
2.3.2 Written texts as sources in historical linguistics

Obviously, the most important type of sources which historical linguists have at their disposal for finding out about past language stages are written texts. However, there are certain restrictions on using written texts for modern linguistic research, at least in the way it has been understood throughout most of the 20th century. In this respect, languages of the past that have only come down to us in writing may best be referred to as ‘text languages’:

The term ‘text languages’ is intended to reflect the fact that the linguistic activity of such languages is amenable to scrutiny only insofar as it has been constituted in the form of extant texts, which we might think of as its ‘native speakers’, even if we can’t interrogate them in quite the same way as we can native speakers of living languages. [...] the data corpus of a text language is finite; new data only become available when previously unknown documents are discovered, whether in the form of manuscripts, printed texts, tablets, etc. (Fleischmann 2000: 34; emphasis in the original)

For a long time, mainstream linguistics and – not least – sociolinguistics have shunned this pool of linguistic data because their principles and methods accorded primacy to the spoken language; written language was regarded as ‘bad data’ at best (Labov 1972: 100).

However, the last three decades have seen written texts re-emerge as viable candidates for linguistic investigation, although the research focus has changed along with this development: written texts are no longer primarily viewed as a – necessarily deficient – source for learning more about the spoken language; instead, the conviction has gained ground that written data – including most historical data – are worth studying “in their own right” (Romaine 1982: 122). The following statement best sums up the reasoning behind this new attitude, which is fundamentally based on a variationist approach towards linguistic research:

[J]ust as the contexts of speech exhibit characteristic patterns of variation, so do the contexts of writing. [...] Language, in other words, qua language, exhibits the patterned organization that is a crucial property of language in whatever medium it is manifested. Both context and variation will be manifested in each medium. (Romaine 1982: 16)

This renewed interest in the language of written texts has to some degree been justified by a growing awareness that a distinction has to be made between, on the one hand, the medium in which language is transmitted and, on the other hand, the conceptualisation
of ‘spoken’ and ‘written’ modes of communication (Söll 1985: 17–19). In the previous section, we have already seen how written communication differs from spoken communication as a result of the constraints dictated by the medium. Undeniably, the fact that language is transmitted in either an aural or a visual code – i.e. that it is either spoken or written – is one of binary opposition, which is due to the very distinct physical properties of the two communicative channels. However, the types of discourse that can be realised in these two channels are not as dichotomous as the channels themselves, neither with regard to the diverse situational contexts of their production and reception nor their linguistic properties. Quite the contrary: the various discourse types can be regarded as positioned on a relatively fine-grained scale between two conceptual poles, which Koch & Oesterreicher (1985) have defined as ‘language of immediacy’ and ‘language of distance’. In terms of circumstances of communication, the former is characterised by physical proximity, dialogicity and a continuous (re)negotiation of interlocutor roles, the possibility of back-channelling, spontaneity and expressiveness – in short, those language-external factors that are commonly associated with the ideal of casual and unconstrained conversation. Conversely, the latter pole is defined by physical remoteness, monologicity and planning – which is best exemplified by highly formalised texts such as legal statutes. There is no denying that every discourse type has a certain affinity to either the spoken or the written medium, yet no discourse type is ultimately confined to one or the other. After all, the two channels are mutually transposable: even though legal texts are prototypically conceived of as ‘written language’, they can be read out aloud and thus converted into an aural code; casual conversation, on the other hand, may be transcribed into a visual code, i.e. it may be recorded in writing. In contrast to conversation and legal texts, discourse types such as diary entries or personal letters take a position somewhere in the middle of the conceptual continuum. Although both are typically written genres, they exhibit characteristics that are more readily associated with the immediacy-end of the spectrum, including traces of dialogue-like discourse, expressive/emotive language and a generally lower need for careful text planning (Koch & Oesterreicher 17–22).

On the level of linguistic structure, discourse types can also be described in terms of prevalent linguistic features typically exhibited by them. In this respect, a commonly encountered analytic distinction is that between genre and text type. While the former

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8 In the original German article, these two poles are referred to as ‘Sprache der Nähe’ and ‘Sprache der Distanz’.
foregrounds the external factors or situational/pragmatic context of a piece of discourse, the latter focusses on the way it is constructed linguistically. If there is a functional link between the ‘pervasive’ linguistic features of a given piece of discourse and its situational/pragmatic context, one may also refer to this set of features as its register (Taavitsainen 2001: 140–141; Biber & Conrad 2009: 6–7). By way of a cautionary note, it should be added that these concepts have often been treated carelessly and sometimes applied uncritically in linguistic research. This is most damaging in the field of variationist studies. In particular, genre is all too often interpreted as a single, unidimensional independent variable. However, since the concept of genre as defined above actually encompasses diverse sets of language-external parameters, treating it as one self-contained extralinguistic variable is a rather dubious procedure. By the same token, the various extralinguistic factors that it comprises may prove most revealing if they are considered individually as part of a multidimensional approach (Meurman-Solin 2001a: 243–244; cf. Biber 1988; Biber & Finegan 1997: 257–259).

Drawing on the ideas just outlined, a new path for analysing text languages reveals itself, one which does not a priori disparage them as ‘bad data’. Instead of talking about language at large using such unsatisfactory labels as ‘written’ and ’spoken’, we can now focus on discourse types (or genres) as the object of investigation. As described above, these can be positioned on a conceptual scale between immediate and distant modes of linguistic expression, delineated in accordance with their specific situational/pragmatic contexts and less determined by their relationship to the spoken or written medium. Significantly, by adopting this perspective typically sociolinguistic aspects can now be reintroduced to the study of text languages in a somewhat modified shape. A promising new concept in this respect is provided by Meurman-Solin (2001a: 246–248) who, instead of the traditional speech community, speaks of the discourse community: the group of language users for which a particular discourse type fulfils a particular communicative function. Socio-pragmatically speaking, discourse communities may be described in terms of purpose of communication, strength and complexity of social ties within the group and to the outside, internal hierarchical relationships as well as relevance and shape of linguistic competence. The defining element of the concept is

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9 The above terminology is not the only accepted one. In general, the terms register, genre, style and text type have been used in this area often fuzzily, sometimes interchangeably (cf. Taavitsainen 2001; Conrad & Biber: 15–19).
that discourse communities are tied to discourse types through the communicative function(s) they expect language to fulfil. For the members of the group the basic rationale is to use language in such a way as to communicate successfully. This, in turn, means to adopt certain discourse strategies and use certain linguistic features which are felt to best serve the commonly shared communicative purpose(s). Accordingly, when talking about text languages, the concept of discourse community “refers to writers that are more or less consciously aware of a relatively wide range of discoursal properties that can be successfully used to express specific communicative goals” (Meurman-Solin 2001a: 248). Now it also becomes clear why the factor ‘linguistic competence’ is so important: it refers to the acquired ability to adequately apply these discourse strategies, be they directly functional or conventionalised.

With these concepts in mind, we can now approach the discourse type / genre ‘legal-administrative writing’ from a socio-pragmatically informed angle. As suggested above, legal discourse may be regarded as ‘language of distance’ *par excellence* and its association with the written medium seems almost natural – at least in literate cultures such as Western society. The central communicative purpose of legal texts evidently is to record and apply codified law, i.e. the body of authoritative rules that structure and direct human behaviour within a (politically organised) society. From this it follows that the most important functional requirement of a legal text is for it to be clear and transparent as to what it actually means. In this sense, the ‘continuous struggle against ambiguity’, which, as we have seen, is a defining characteristic of the written mode of communication (cf. 2.3.1) is also particularly pronounced in legal language. We will come back to the specific discourse strategies that are commonly employed in this struggle at a later point (cf. 3.2.2). At present, we are more concerned with two broader questions: firstly, what do the mentioned functional characteristics of the discourse type ‘legal-administrative writing’ mean for the corresponding discourse community – in particular the one that existed in Early Modern Scotland – and, secondly, how does this relate to the establishment of supra-local linguistic norms – such as Middle Scots – as described in the previous section?

Regarding the first question, the following aspects seem most salient.\(^{10}\) Firstly, the discourse community of legal-administrative texts consists of people who participate in this type of discourse as part of a profession (in contrast to the discourse type ‘private

\(^{10}\) See sections 3.2.2 to 3.2.4 for the concrete application of these general remarks on discourse communities to the empirical material collected for the present study.
letters’, for example). Secondly, social roles and participant relationships within this discourse community are obliterated, i.e. they do not become manifest in the texts. Since communication takes place for the single purpose of codifying and exercising law, the immediate producers of legal texts do not exist as individual writers or authors, but ideally act as depersonalised makers of legal discourse, which ‘in itself’ functions as the bearer of the authority to constitute and exercise legal relations. In this sense, the social ties within the discourse community are horizontal and uniplex (Meurman-Solin 2001a: 245). However, it may be argued that there is also a vertical social dimension defining the discourse community of legal language, evident in the hierarchical relationships that exist as part of the legal structure of a political state. Legal authority emanates from the centre of socio-economic power – typically the capital – and is implemented in the various regions of the state or realm through a hierarchical system of national, regional and local institutions, the production of legal texts being a functional *sine qua non* on all levels of the system. It stands to reason, then, that even though the social roles of text producers are obliterated in the language of legal texts, the vertical structure of the discourse community may still be assumed to influence the way in which ‘the rules’ of the discourse are conceived. Intimately linked to this last point is the final aspect for defining the discourse community of legal texts, viz. the status of linguistic competence. Simply speaking, linguistic competence here relates to the successful application of such linguistic strategies and features as are felt to best serve the purpose of producing reliable, unambiguous texts for legislation, jurisdiction and administration – in short it refers to the ability to use language in a maximally functional and efficient way. Since the discourse community of legal writers exists primarily for the very purpose of written documentation – which, after all, is the whole point of having professional clerks – linguistic competence of this kind is essential for this particular discourse type (again in contrast to private correspondence, where levels of linguistic competence vary considerably and particularly did so in the Early Modern period, cf. Meurman-Solin 2001a: 252–254; 2001c).

With these considerations in mind, the second question referred to above can now be treated in relatively few words. Regarding the diachronic evolution of a genre like legal texts, which is so highly dependent on transparency of meaning, it may be assumed that the specific communicative functions this genre is expected to fulfil will inevitably give rise to a heightened degree of linguistic uniformity on all linguistic levels. Ultimately,
this is due to the fact that all aspects are essentially subordinate to the internal logic of the discourse community, which may best be defined as an ideology of precision (as distinct from the standard ideology based on the idea of correctness, cf. 2.3.1). Seen from this perspective, the social mechanisms of selection and acceptance as introduced by Haugen (1966: 231–233) may now be taken to refer to those linguistic features and discoursal strategies that are believed to adequately express legal and administrative content. Both mechanisms will most likely be in alignment with the vertical authority structure of the discourse community as a whole: selection will take place at the core of political and economic power, while acceptance of the henceforth normative features will diffuse gradually down the hierarchical ladder, until they finally reach the political (often coinciding with the geographical) periphery. Such a process has been shown to have taken place in both England and Scotland (Samuels 1989: 71; Meurman-Solin 2000: 158–160; cf. 3.2.2). In this sense, linguistic convergence and the development of supra-local norms for the purposes of legal-administrative writing is necessarily ‘from above’, but is not motivated by the somewhat amorphous category of social prestige.

The advantage of such an approach to linguistic convergence is that it manages without an established ideology of standardisation driven by essentialist ideas of correctness and implemented through prescriptive devices. Instead, the defining principle is the belief in the clarity of linguistic expression, which I have termed – brazenly echoing Milroy & Milroy (1991) – the ideology of precision. Admittedly, it more or less confines the analysis to one discourse type, viz. legal and administrative texts. However, linguists that have treated on the subject of linguistic standards and norms generally agree that such norms take their origin in this very type of discourse (Haugen 1966: 933; Milroy 2000: 23). As for the purposes of the present study and in particular with regard to the computer-readable corpus of texts that I have compiled for it, I will argue that this approach serves best as a conceptual framework for explaining the specific ways in which the language of Scottish local legal-administrative texts changed between the late 16th and the early 18th centuries.

2.4 Literature review: Middle Scots and its anglicisation in linguistics

While a summary of the historical (i.e. extralinguistic) standard account of the Scots language has been provided in 2.1, the following is intended as a short survey of studies
that have dealt with Middle Scots and the process of its anglicisation from a linguistic perspective. The main purpose of this overview is to gauge how far the linguistic investigation of Middle Scots has advanced and, in particular, to distil results that may serve as reference values for the present study. Unsurprisingly, the common spirit of these research activities is that of variationist linguistics. First and foremost, this concerns their methodology: all of them are empirical studies based on a systematically collected body of source material, i.e. linguistic text corpora (in a wider sense). While more details about these research corpora is provided in Chapter 3 (cf. 3.1), the aim of the following paragraphs is to give a synopsis of the studies’ outcomes.

The earliest diachronic study explicitly dealing with the anglicisation of written Scots by using a quantitative method is MacQueen (1957). The study’s focus is on national and local public records (cf. 3.1), in which the degree and rate of anglicisation on the various linguistic levels is examined. The investigation period of the main study is defined as the first half of the 18th century. However, realising that most of the changes towards Southern English had already been finished by then, MacQueen has also included a less detailed but on the whole more revealing analysis of the 17th century (MacQueen 1957: 71–77). The results can be summarised as follows. On the one hand, the rate of anglicisation in written texts differs considerably depending on which linguistic level is being looked at. Spelling and morphology adopted the innovative forms from Southern English most rapidly, while the bulk of Scottish features still detectable as late as the 18th century belong to vocabulary, notably formal lexis with stereotyped and legalistic uses (MacQueen 1957: 154–158). On the other hand, the provenance of the text material is found to be of particular relevance for the shape of the language. Most significantly, burgh records were altogether slowest to adopt the incoming Southern forms. In national records and Kirk Session documents, 7% of all Scotticisms had disappeared by 1700, whereas the corresponding figure for burgh records is only ½ (MacQueen 1957: 76–77). Even in the first half of the 18th century, burgh records still show a greater degree of variation between Scots and English forms than other sources (MacQueen 1957: 84–87). Obviously, these last-mentioned results are particularly interesting in view of the data and research interest of the present study as defined in the introduction.

Another study worth mentioning here is Romaine (1982), although it neither includes a diachronic perspective nor an explicit focus on anglicisation. However, it has proven to
be groundbreaking in other ways and significantly influenced later research projects on the history of anglicisation in Scotland. Titled Socio-historical linguistics, the book is the first to coherently apply sociolinguistic / variationist methodology to the study of historical linguistics. More specifically, it draws on text genres as a socially stratified extralinguistic variable and finds that the different genre categories correlate significantly with the use of linguistic variables – in this case the variants of the relative pronoun found in 16th century Scots texts, viz. quhilk / which, that and Ø. Furthermore, Romaine emphasises the importance of studying written language in its own right and not merely as an indirect source for the reconstruction of the spoken language (cf. 2.3.2).

One of the most-cited studies on the anglicisation of Middle Scots and the first to apply Romaine’s methods in a diachronic analysis is Devitt (1989). The quantitative study is based on a non-computerised corpus of about 120 texts representing five non-literary prose genres over a time span of 150 years (cf. 3.1). By focussing on five diagnostic linguistic features of Middle Scots in distinction to Southern English, the study aims to trace the diffusion of anglicisation through the generic spectrum of Scots texts. These five linguistic variables are: the Scots relative clause markers, in particular quhilk and quha (as opposed to Southern English which and who), the preterite ending -it (vs. -ed), the indefinite article ane (vs. a and an), the negative particles na and nocht (vs. no and not) and the present participle ending -and (vs. -ing). The present study draws heavily on this set of features for testing the Dunfermline Corpus: all except the negative particles were analysed, albeit somewhat differently defined (cf. 4). According to Devitt’s results, all five variables decidedly changed in favour of the Southern English variant during the investigation period, with the beginning of the 17th century generally marking a point of accelerated diffusion. Still, the variables exhibit considerable differences in the way the changes took effect (Devitt 1989: 16–31). Regarding the diffusion of the innovative Southern forms through the five genres, Devitt finds that her category ‘religious treatises’ anglicised most readily, whereas her category representing legal writing, viz. ‘national public records’, was by far the slowest to adopt the Southern English variants. English usage did not become dominant in public records until 1640 and at the end of the investigation period this genre still exhibits a greater degree of variation than the others (Devitt 1989: 54–59). This delay is mainly explained by the
strength of the conventions that already existed within of the highly formalised genre of public records (Devitt 1989: 66).

While Devitt’s study undoubtedly is valuable as a pioneering work, it contains a number of points that need to be critically reconsidered. Most importantly, some of the linguistic variables taken into account are ill-defined and at worst outright misleading. For instance, the form *qua*ha, which is considered by Devitt (1989: 18–21) only as a version of the relative clause marker, actually comprises two potentially independent elements susceptible to anglicisation, viz. the (*quh*) trigraph for Southern (*wh*) and the written Scots reflex of Old English /a:/, viz. (*a*) as opposed to Southern English (*o*) in *who*. Besides, grouping linguistic variables *a priori* according to a typology based on their syntactic properties cannot count as a valid method for approaching these linguistic changes, since patterns of change might follow a rationale that is independent of these syntactic properties. For instance, grouping *quhilk* with *qua*ha and *noch*t with *na* is misleading as such a classification may distort the overall figures for these variables. In fact, Devitt’s own data suggest that Scots *qua*ha and *na* – both spelt with (*a*) where Southern English usually has (*o*) – changed in a suspiciously similar way and behave quite differently from the forms they have actually been classed with in the analysis (cf. Devitt 1989: 88; 90). It may be assumed that *qua*ha and *na* and their patterns of change are more closely connected on the graphemic or even phonological level than they are linked with *quhilk* and *noch*t, respectively, on the level of syntactic classes. Moreover, the variable *noch*t is problematic for different reasons. Judging from the material collected for the Dunfermline Corpus, *noch*t is often realised as an abbreviated form in Middle Scots texts. Since Devitt’s study is based on edited texts only (cf. 3.1), using *noch*t as a linguistic variable leaves a particularly large margin of error due to often undisclosed editorial practices in dealing with scribal abbreviations.11 Other points that need qualification are simplistic and partly inadequate genre divisions (cf. Meurman-Solin 1993: 244; 3.1), a rather free interpretation of the sociolinguistic concept of apparent time with questionable explanatory value (Devitt 1989: 40–43) and a contrived invocation of Scottish nationalism to help explain linguistic conservatism in official records (Devitt 1989: 65).

11 A superficial first glance at the Dunfermline source material suggests that *noch*t tended to be realised as (*not*), i.e. using a superscript letter. Later on, the final superscript (*t*) gradually ‘slid’ down to the baseline yielding (*not*). If this impression is correct, it may be hypothesised that the change from *noch*t to *not* is not merely a response to anglicising forces, but that scribal practices played an important part in the transformation of this particular variable in handwritten sources.
In contrast, Meurman-Solin’s (1993, 1997) work on divergence and convergence tendencies regarding the Scots and English varieties avoids ideology-based arguments for the acceleration or deceleration of anglicisation. Instead, it emphasises the normalising pressures of genre conventions and social ties between text producers as well as the importance of the relationship between text producers and their audiences (Meurman-Solin 1997: 3–4). The research data for Meurman-Solin’s studies are provided by the Helsinki Corpus of Older Scots (HCOS), which covers the whole Middle Scots period from 1450 to 1700 and includes a much more fine-grained spectrum of text genres than Devitt’s data (cf. 3.1). In general, the linguistic variables are also more carefully selected. Apart from the (quh-) trigraph and the preterite suffix -it mentioned above, a number of other alternant pairs are taken into account, including (sch) vs. Southern English (sh), /a:/ vs. /o:/, and the typically Scots long vowel digraphs (oi), (ai), (ei) and (ui) (Meurman-Solin 1993: 126; 1997: 7). Meurman-Solin finds that the typically Scots features are most prominent during the 16th century and, similar to Devitt, that the beginning of the 17th century is marked by the highest degree of heterogeneity of forms due to the rapid increase of the innovative Southern variants. Again, the patterns of change differ considerably depending on the linguistic features and external factors examined. In terms of extralinguistic conditioning factors, the question if a text was printed or remained in manuscript seems to have been most crucial. This factor, in turn, correlates significantly with the extralinguistic variables ‘genre’ and ‘audience’. Printed genres such as handbooks, pamphlets or sermons were considerably more inclined to rapid anglicisation than text genres without the need to appeal to a wider audience, notably public records. Diatopic differences also seem to have been influential. Thus, text samples from the peripheral north of Scotland exhibit a noticeable time-lag compared to those from the socio-political core area in the southeast. Finally, a complementary test study on lexical change confirms MacQueen’s (1957) results that lexis is the linguistic level most resistant to anglicisation. Traces of Scottishness are retained much longer in vocabulary and word forms (i.e. forms that are cognate with Southern English forms) than in spelling and morphology (Meurman-Solin 1997: 19–21).

Finally, one recent study that merits mention here is Bugaj (2004b) – not so much for its contribution to the study of anglicisation, but rather because the source material is very similar to that of the Dunfermline Corpus. The analysis of the Middle Scots inflectional
system is based on a court record book from Wigtown in Galloway in the south-west of Scotland. In contrast to the diachronic approach pursued in the present study, the author examines the synchronic state of the Middle Scots inflectional system between 1512 and 1534 as displayed by the record book and finds that the linguistic profile for her text witness fits in well with the dialect continuum presented in the *Linguistic Atlas of Late Mediaeval English* (LALME) (McIntosh, Samuels & Benskin 1986; cf. 3.1).
3. The data: Dunfermline burgh records 1573–1723

In view of the specific research interest of the present study as expressed in the introduction, the general purpose of a relevant linguistic corpus must be to provide in electronic form the material necessary for an in-depth diachronical analysis of anglicisation tendencies in the generically and geographically strictly defined group of texts constituted by the burgh court and council records of Dunfermline, Scotland. One key requirement of the corpus is that it should make visible the individual responses of past language users, i.e. clerks and scribes, to the unique situation of linguistic re-standardisation, i.e. the re- or ‘displacement’ of one widely established language norm – Middle Scots – by another – Southern English (cf. Agutter 1990: 7–10; Bugaj 2004a: 29–30). A methodological prerequisite which I imposed on my data in order for it to represent as closely as possible the respective scribes’ actual linguistic behaviour was that it be derived from their original linguistic output, viz. the records of court and council meetings that have come down to us in the form of manuscript books. The decision to base a small-scale study like the present on original manuscript material was motivated by the conviction that only by working with the original primary sources can it be guaranteed that any specific linguistic phenomenon observed in the data is an actual specimen of the historical variety under investigation and not just a reflex of modern editorial practices (cf. Lass 2004). Finally, a subsidiary goal of building an electronic corpus was to make the data accessible in a form that would not only facilitate its examination but also allow for its future use and expansion, independent of the person and research interest of its compiler.

Before going on to describe in detail the selection and structuring principles that guided the compilation of the Dunfermline Corpus, I consider it useful to give a short overview of how past and current corpus projects relevant to my topic have dealt with the problems of text selection and preparation. It is hoped that the following may lead to a better understanding of how the Dunfermline project can be seen as complementary to previous and ongoing corpus-based research on Older Scots. At the same time, it is intended to raise the reader’s awareness of the strengths and weaknesses of the several corpora, mine included.
3.1 Diachronic corpora of Older Scots and related projects

The first to tackle the question of anglicisation in Middle Scots with analytical rigour was MacQueen (1957: 29–36).\(^\text{12}\) Her unpublished study draws on data from more than 20 sources covering the first half of the 18\(^{\text{th}}\) century. The focus lies on official records, which she divides into the two principal categories ‘national’ and ‘local’, thus referring to the degree of regional and supra-local relevance of the individual texts. In this vein, the ‘national’ category is not only made up of records from national institutions like Parliament or the General Assembly,\(^\text{13}\) but also includes university records. The ‘local’ category is composed of kirk session\(^\text{14}\) proceedings and burgh records. The data was partly collected from manuscripts and early prints, partly from ‘reliable’ editions although it is not specified how the trustworthiness of a certain edition was assessed. In particular, all the burgh records included were extracted from modern editions. No exact word count of the whole corpus is given, but judging from her sampling methods the total number of words must well have exceeded 200 000. After realising that the bulk of linguistic changes towards anglicisation had already been completed by the beginning of her investigation period, cursory analyses of additional sources from the 17\(^{\text{th}}\) century were also included by way of comparison. Needless to say, this text corpus was put together long before working with computer-driven language databases became common practice. Therefore, the analysis was entirely conducted by hand and the material that had been collected was never used outside the confines of the study.

More than 30 years after MacQueen’s pioneering work, the next to engage in an empirically grounded investigation of anglicisation was Devitt (1989: 101–102). Her study and therefore her purpose-built research corpus explicitly focus on the period of accelerated anglicisation as delineated in the standard accounts of Scots, i.e. the 16\(^{\text{th}}\) and 17\(^{\text{th}}\) centuries. The data was taken from a wider range of different sources than in MacQueen’s study, not least because the extralinguistic variable of genre was crucial to the methodological frame of the project. Texts from five prose genres as defined by the author were included – national records, official correspondence, personal correspondence, religious treatises and private records – taking into account texts that

\(^{12}\) The pages cited here and in the subsequent paragraphs refer to those sections in the respective studies that describe the principles of data collection and corpus compilation.
\(^{13}\) The General Assembly is the governing and legislating body of the reformed Church of Scotland, also acting as its highest court.
\(^{14}\) Kirk sessions are the local courts of the Church of Scotland and thus the communal counterpart to the General Assembly.
were intended for printing as well as typically handwritten genres. Local records such as burgh records were not included. For selecting and sampling the text witnesses, a slot-assignment system was devised. Essentially, the time span between 1520 and 1659 was divided into sub-periods of 20 years. Four text samples of 1000 words for each of the resulting seven sub-periods were sought to represent each of the five genres, giving a total of 140 slots to be filled (4 text samples × 5 genres × 7 sub-periods). Some of these slots had to remain empty for lack of available source texts, in particular private records and correspondence in the earliest sub-periods. In total, the outcome of this procedure was a text corpus of more than 120 000 words. All data was collected from modern editions, the sole criterion for their reliability being that the texts retained Scottish spelling and were not actively anglicised or normalised. Thus, all other forms of editorial intervention, like the expansion of contracted forms or the various ways of dealing with lacunae, were quietly accepted. Like MacQueen’s corpus, Devitt’s was not made into a computer-readable format or at least there is no indication thereof. Although an important landmark for the study of anglicisation, Devitt’s corpus design and consequently her results should be met with caution. Apart from the largely unquestioned reliance on edited texts and the debatable scientism regarding the selection of her corpus material (cf. Romaine 1982: 282–284), the sometimes arbitrary definition of genres is particularly problematic. Since genres are defined by linguistic as well as extralinguistic criteria, overly broad genre divisions disguising the heterogeneity of the texts included may conceal more valuable information than they reveal or, at worst, yield misleading results. In particular, Devitt’s genre categories ‘religious treatises’ and ‘national public records’ are too general, the former incorporating texts with diverse affiliations to England and its language, the latter making no qualitative difference between, on the one hand, process-oriented texts such as trial records and, on the other, statutory ones such as legal acts (cf. Meurman-Solin 1993: 52–53, 178). Also, the corpus allows individual writers to provide evidence for diachronic change.15 While it is not per se unprecedented that individuals should change certain linguistic habits during their lifetime, such developments are better investigated on the level of idiolects rather than by means of a corpus that aims at revealing interpersonal trends and patterns in a wide variety of genres over a long period of time (cf. Meurman-Solin 1993: 189).16

16 Samuels (1981: 43) gives an English example of idiolectal usage changing over time: in his later letters, Cardinal Wolsey adopts forms that agree with the emergent written norm of public documents, thereby replacing dialect-derived forms prevalent in his earlier letters.
The first and only electronically available multi-purpose corpus to date to cover the whole Middle Scots period is Meurman-Solin’s (1993: 60–124; 1995) Helsinki Corpus of Older Scots (HCOS).17 Since it was compiled as a supplement to the Helsinki Corpus of English Texts18, the general principles of text selection, structure and the encoding of extralinguistic variables were determined by that earlier and larger project. In total, the HCOS covers the 250-year time span between 1450 and 1700, divided into 4 sub-periods of 50 to 70 years. The corpus is exclusively made from early prints and modern editions without parallel consultation of manuscript sources, a fact which the compiler has repeatedly stressed to be non-ideal, but which has been accepted as a practical necessity. After all, with more than 830 000 words of running text the HCOS is the largest existing resource for the diachronic study of Middle Scots. The major extralinguistic variables included are time and genre/text type, accompanied by other potential influencing factors such as intended audience, relationship to foreign originals, geographical provenance as well as typical sociolinguistic variables like gender, age and social rank wherever these were recoverable. On the whole, the way in which genre is built into the HCOS is founded on a more thorough conceptualisation of that variable than in Devitt’s study. On the one hand, the spectrum of categories is considerably more fine-grained. The text witnesses are divided into 15 genres as opposed to Devitt’s five, including, for instance, separate analytical classes for statutory law and trials as well as breaking up Devitt’s hold-all category of religious treatises into sermons, educational texts and pamphlets. On the other hand, the HCOS also puts considerable weight on what is called ‘prototypical text categories’, for instance by indicating if a text was written for expository, argumentative or instructive purposes. Nevertheless, Meurman-Solin concedes that the various genre categories still exhibit a great amount of inner heterogeneity, as do individual texts, and she points out, first, that the very concept of ‘genre’ as a group of texts defined by familial relations between them is misleading since generic affiliations may be more appropriately envisaged as scalar rather than categorical (cf. 2.3.2), and, secondly, that it is the responsibility of the researcher to carefully consider the principles according to which a corpus is structured if their results are to have any explanatory value (Meurman-Solin 1993: 69–71, 74–78, 188–190; cf. 2001a; 2001b).

17 There is a graphic overview of the corpus’s structure available online: http://www.helsinki.fi/varieng/CoRD/corpora/HCOS/ (15 Jan 2013).
18 For more information, see http://www.helsinki.fi/varieng/CoRD/corpora/HelsinkiCorpus/ (16 Oct 2012).
Finally, three ongoing corpus-centred research projects, two at Edinburgh and one at Helsinki, are particularly relevant to the present study. On the one hand, there are the *Linguistic Atlas of Older Scots* (LAOS)²⁹ and the *Linguistic Atlas of Early Middle English* (LAEME)³⁰, both of which continue in the tradition of mediaeval dialectology, in particular employing and enhancing the methods developed for the *Linguistic Atlas of Late Mediaeval English* (LALME) (McIntosh, Samuels & Benskin 1986). The main focus of these Edinburgh-based projects clearly lies on diatopic variation, although LAOS and LAEME also incorporate a diachronic dimension, the former covering material written in Scots up to 1500, the latter focussing on early Middle English texts between 1150 and 1325. The original compilation principle of their precursor LALME was to collect text samples from Late Middle English texts and to localise them geographically by means of their linguistic profiles. These were constructed from each text witness according to a pre-selected set of diagnostic features drawn up in the form of a questionnaire. The individual assemblage of the variants of any single text witness yielded a diagnostic linguistic profile which could then be placed within the emerging spatial dialect continuum of late mediaeval texts. LAOS and LAEME are based on the same general principle, but they take the method to the next level – or into the digital era, respectively. While LALME was still constructed manually, its two daughters are based on fully digitised and lexico-grammatically tagged text corpora. Instead of a pre-selected set of diagnostic variables, the whole text of any given text witness thus becomes accessible for examination in the form of an electronic ‘text dictionary’, which is properly described as “a taxonomised inventory of the entire surviving output of a text witness (or the entire sample transcribed), [...] the resulting assemblage [being] a proper subset of a given scribe's total usage” (Lass & Laing 2009: 93). The analyst is thereby provided with the opportunity to zoom in to the level of idiolects, i.e. the linguistic behaviour of individual scribes, and the means to analyse them on the basis of all linguistic forms that occur in the samples. In addition, all included texts have been diplomatically transcribed from original manuscripts or facsimiles to ensure maximum reliability of the material as well as the highest possible density of philologically and linguistically relevant information.

²⁹ A first version of LAOS is available online:  
http://www.lel.ed.ac.uk/ihd/laos1/laos1.html (15 Jan 2013)  
³⁰ A first version of LAEME is available online:  
http://www.lel.ed.ac.uk/ihd/laeme1/laeme1.html (15 Jan 2013)
The Helsinki equivalent of LAOS and LAEME, both in terms of analytical depth and the high demands on the quality of the source material, is the Corpus of Scottish Correspondence (CSC)\textsuperscript{21} compiled by Anneli Meurman-Solin. In total, the CSC consists of 500 000 words diplomatically transcribed from manuscript and exhaustively tagged in co-operation with the Edinburgh team. This corpus differs from those described earlier in at least two respects. First, it is based on one single text genre, viz. letters, which distinguishes it from Devitt’s and the HCOS in particular. Secondly, it adopts a decidedly sociolinguistic approach as opposed to the diatopic focus of LAOS and LAEME. This latter characteristic has to be seen in the light of the specific nature of the source material, since letters generally represent a good source of sociolinguistically revealing information, at least in comparison to other historical sources. As is true of the Edinburgh corpora, the CSC permits the analysis of linguistic behaviour on the level of the individual language user, since every letter has been entered into the database separately with all pertinent extralinguistic information concerning the document itself, its writer and the intended addressee.

The present study is very much driven by the same spirit as the last three mentioned projects. Its aim is to make available in electronic form the necessary data for analysing variation and change on the level of idiolectal language usage, in my case reconstructed from the linguistic output of scribes participating in the recording of the day-to-day affairs of a Scottish burgh during the Early Modern period. Furthermore, I share the conviction of the compilers of LAOS, LAEME and the CSC that empirical analyses of any kind should be based on material of the best possible quality available, which, in the case of the Dunfermline Corpus, means working with the original manuscript books. Any other procedure is ultimately tantamount to consulting “pseudo-data” (Lass 1997: 102) for what we purport to be the enterprise of reconstructing past linguistic realities.

3.2 The Dunfermline Corpus

As indicated in previous chapters, my study differs from Devitt’s (1989) and those based on the HCOS (Meurman-Solin 1993) in that it adopts a micro-perspective in terms of the range of texts it takes into account, i.e. it concentrates on one specific genre rather than a whole spectrum of genres. This obviously entails a significant difference in

\textsuperscript{21} A comprehensive manual for this corpus including theoretical and practical aspects of its compilation is available online: http://www.helsinki.fi/varieng/csc/manual/ (16 Oct 2012)
scope. More important, however, is the difference in focus. While those earlier studies can be seen as applications of the methods developed by Romaine (1992) with the aim to meaningfully correlate variation on the linguistic level to extralinguistic variables, in particular genre, the present study is less driven by traditional sociolinguistic methodology. Extralinguistic variables in the classic quantitative sense are still considered a highly valuable source of information, but the main focus is on understanding the chosen primary sources from a perspective that might best be described as socio-pragmatic. This means that the study seeks to take into account the socio-cultural functions and the historical context of the source material alongside its linguistic characteristics. Such an approach derives its legitimacy from the conviction that individual genres, or rather, the culturally and historically contingent contexts of text production, have to be more thoroughly investigated in order to increase the explanatory value of cross-generic research projects. Eventually, the quantitative paradigm and the more qualitatively oriented approach adopted in the present study will have to be seen as complementary. Both can unfold their full analytical potential only if they are used and applied synergetically. In terms of variationist methodology, in-depth qualitative research is essential for the expansion and enrichment of the range and substance of extralinguistic factors encoded in linguistic corpora. This, in turn, is necessary to deconstruct simplistic concepts of genre divisions in favour of a multi-feature / multi-dimensional approach (cf. Meurman-Solin 1993: 55–57).

In this respect, the corpus devised for the purposes of this study – which I will refer to as the Dunfermline Corpus – can be seen as similar in kind to Meurman-Solin’s later endeavour, the CSC. Obviously, the CSC is much wider in scope and its standards concerning the quality and electronic preparation of the data are much higher than can realistically be achieved by a small undertaking like the present. However, the Dunfermline Corpus may be seen as a modest first step towards a larger project, similar to the CSC, but with official records at its core, provided that the trial version presented here proves functional and linguistically revealing. While testing the Dunfermline Corpus will be the topic of the following chapters, the remainder of the present chapter is dedicated to a socio-historically informed characterisation of the contents of the corpus as well as a detailed description of its inner structure.
3.2.1 The socio-historical context of text production: the Scottish burgh

Since the primary sources that make up the Dunfermline Corpus are intimately linked to a very specific socio-cultural context, viz. Early Modern Scottish towns or burghs, and particularly to their institutions of jurisdiction and governance, viz. the burgh court and council, these historical entities deserve a closer look so that the surviving written material may be understood as witnesses of their socio-cultural significance in Early Modern Scottish society. In the following, questions concerning Scottish towns and their government will be discussed in general first. After that, the historical particulars regarding Dunfermline, the locale of the present study, will be treated in more detail.

The question of what a town is might seem peculiar to modern readers. Nevertheless, it is pivotal to an adequate understanding of Early Modern Scottish burghs, or early urban centres in any other European country, for that matter. After all, these towns were part of a society built on constitutional principles very different from those current today, which, however, underwent quite drastic changes in the transition from the mediaeval to the modern period. As a matter of fact, burghs did not actually fit in well with the established feudal system common throughout mediaeval Europe. The latter was essentially a stratified system of social dependencies adjusted to an agriculture-based economy and structured by the possession of land given and held in feudal tenure. The economic basis of burghs, on the other hand, was commerce. They were market centres, in which regional and supra-local trade as well as craftsmanship were the dominant activities of socio-economic life. In order to encourage and support the inhabitants’ specialisation in these occupations, burgesses were granted special privileges and a high degree of personal freedom, exempting them from the usual obligations to a feudal superior. This is especially true of royal burghs, which, in theory, were subordinate to the king only. However, there were also unfree towns, which were bound to a feudal lord – an earl, a baron or some ecclesiastical institution – and thus were more immediately integrated into the established feudal hierarchy.

An important ingredient of feudal organisation was the existence of a system of legal courts with varying authority and autonomy (Walker 2001: 113-141). At the top end of the Scottish juridical spectrum, there was the Court of Session, basically the supreme

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22 Unless specified, the general description of Scottish burghs and their organisation is based on the following titles of secondary literature: MacKenzie (1949); Smout (1972: 146–153); Wormald (1981); Lynch (1987a); Lynch, Spearman & Stell (1988); Dennison (2005); Lynch (2005); MacDonald (2007).
civil court, while several sheriff and baronial courts formed the bottom layer. However, the royal burghs, by virtue of their privileged status, held authority over their own jurisdiction and administration, and also had some local legislative power. The responsibility for the execution of this authority lay with the main governmental body of the town, viz. the burgh court and council, presided over by a provost – equivalent to the English mayor – and two bailies. Although this form of local government must have been quite common by the end of the Middle Ages, the earliest datable evidence for its becoming formally institutionalised is an act of parliament passed in 1469 regulating the election of the council and magistrates. Evidently, the parliamentary ruling was considered necessary in view of “gret truble and contensione yeirly for the chesing of the samyne”, which probably refers to recurrent tensions between merchant and craft guilds in many Scottish burghs and their struggle for political control (RPS, 1469/19).\(^{23}\)

However, there is ample evidence that these legislative provisions were not observed by every burgh to the same extent. This may be explained by the fact that in many towns local government had grown organically out of the need to deal with the organisational and social challenges inherent in urban life and continued to adapt to the specific economic and political circumstances. As a result, each burgh differs somewhat concerning the way its political institutions developed MacKenzie 1949: 96–113; Lynch 1987b: 13–14).

Shifting the focus to Dunfermline,\(^{24}\) it might be argued that the earlier history of that burgh is somewhat unusual. This is mainly due to the fact that it is inextricably linked to Dunfermline Abbey, a benedictine monastery closely associated with Saint Margaret, sister to the exiled Anglo-Saxon King Edgar the Ætheling and wife to Malcolm III of Scotland (cf. 2.1). Prior to its sacking and eventual dissolution in the wake of the Scottish Reformation, the abbey had played a prominent role during the Middle Ages. The palace attached to it was long used as a royal residence and a number of Scottish monarchs are buried on the site, including Robert the Bruce (1274–1329). Until the 16\(^{th}\) century, Dunfermline was officially an unfree ecclesiastical town, i.e. its burgesses were not directly answerable to the king, but rather to the abbot. Nevertheless, in practice the

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\(^{24}\) Unless specified, the general remarks on Dunfermline are based on Pryde (1965); Chalmers (1844) and Beveridge (1917: vii–xxx).
town seems to have enjoyed a status virtually equivalent to that of a royal burgh, even before it finally became one by royal charter in 1588\(^{25}\) (Beveridge 1917: viii–xiii).

As indicated above, urban political institutions tended to develop to some degree organically, i.e. without adhering to a strict organisational principle imposed from above, and Dunfermline is no exception. For instance, sources from the mid-15\(^{th}\) century suggest that in the burgh’s earlier history the functions and authority of the burgh council of Dunfermline overlapped to a considerable degree with that of the guild merchant, i.e. a fraternity-like corporation consisting and acting on behalf of the merchant burgesses of the town. This is reflected by the fact that the earliest reference to an alderman, i.e. the provost, and the “consalle of the ton” in an active capacity can be found in an entry in the record book of that guild dating from 1449 (Torrie 1986: 14). Also, town clerks, whose usual task it was to document official burgh courts and council meetings, often took care of the guild meeting minutes as well (Torrie 1986: xx). This is hardly surprising, considering that in a small burgh like Dunfermline with a total population of around 1000\(^{28}\) many or most councillors must also have been members of the merchant guild. However, the term ‘merchant’ should be met with caution, especially in these early records. Practically any burgess could be a member of the merchant guild then, as the differentiation of the various occupational groups and their organisation in incorporations or guilds were not very far advanced (Torrie 1988: 248).

In later centuries, however, a clear distinction and a noticeable degree of political opposition between merchant burgesses and craftsmen becomes more and more apparent in the sources, not least when it comes to political representation in the council.

Records produced by the court and council – the primary sources of the present study – only survive from the end of the 15\(^{th}\) century onwards at the National Archives of Scotland in Edinburgh (cf. 3.2.3).\(^{27}\) It seems that the earliest surviving codex starting in 1488\(^{28}\) exclusively documents court proceedings, while in the later 16\(^{th}\) century both

\(^{25}\) A transcript of this royal charter is printed in Beveridge (1917: xlviii–liii).

\(^{26}\) A source from the earlier 17\(^{th}\) century suggests a total population of 1020, while another from the 16\(^{th}\) century speaks of 140 to 150 inhabitants with burgess rights (Torrie 1988: 246).

\(^{27}\) The NAS signatures of the series of Dunfermline court and council records are B20/10 and B20/13. The ten books consulted for this study are B20/10/2, B20/10/3, B20/10/4, B20/10/5, B20/10/6, B20/13/1, B20/13/2, B20/13/3, B20/13/4, B20/13/5. There is an edition from 1951 including some of the material in these books, viz. Shearer (1951). However, this edition does not disclose the selection criteria for the texts included and its transcription and editing principles are very obscure.

\(^{28}\) This book is not included in the corpus (cf. 3.2.3). There is an early 19\(^{th}\) century edition of this codex, viz. Beveridge (1917).
court and council activities were recorded in the same series of books. They only split up into two separate lines of records in the 1630s. Unfortunately, for the later decades of the investigation period of the present study only one of these two strands of records is kept at the NAS, viz. council records, while the much richer series of court records stops in 1681. There is no doubt that court records continued to be produced separately up to modern times. At present, however, it is unclear where the missing books have gone.29

In any case, the books at our disposal reveal a good deal about the political setup of the burgh of Dunfermline. By the 16th century, court and council had come to fulfil complementary functions, but with some degree of personal and functional overlap. Although historians have sometimes found it difficult to distinguish between court and council (MacKenzie 1949: 110–111), it is clear from the evidence in the Dunfermline records that, in general, the court represented the juridical function of the local authorities while the council’s responsibility lay with administrative and legislative matters. Thus, those subject matters in the books that concern the application of civil or criminal law, such as criminal trials, debt obligations or legal settlements, are found in records of court sessions, in which the bailies acted as judges. Conversely, the supervision of municipal property and public facilities, the appointment of officials and the awarding of licences but also the passing of local statutes and ordinances were the domain of the council with the provost and bailies acting as presiding magistrates. At least one bailie had to be present for a court or council meeting to take place, although more often the second bailie or the provost were present as well. A special event in the political calendar was the head court. This was a public assembly called in three times a year, at Michaelmas, Christmas (Yule) and Easter (Pasch), which all burgesses were obliged to attend and during which matters of special importance were addressed (Ewan 1987: 231–233; Beveridge 1917: xvi). By the 17th century, however, the significance of the head court was more or less restricted to fixing prices of everyday goods and the inauguration of new magistrates, elected earlier in closed council sessions (Lynch 1987: 27; e.g. B20/10/5: 11 Oct 164330).

29 The crucial question is whether they have survived. According to an inventory of all surviving material from Dunfermline published as part of the edition of the oldest surviving court book (Beveridge 1917: liv–lvi), the missing books still existed in 1917. However, I have not made much progress in finding them. My enquiries to the NAS have revealed that they may be at the archives under a different signature.

30 Some of the Dunfermline court and council record books are paginated, others foliated, some do not have any numbering system at all. Therefore, in citations in the running text of this paper the dates of the court or council sessions are given as reference instead of page or folium numbers.
Elections of the magistrates and council were held once a year, usually around the Michaelmas head court at the end of September. The election procedures are recorded in the surviving court and council books of Dunfermline from the 1570s onwards. At that time, however, the modes of election as envisaged by the parliamentary act of 1469, mentioned above, had not been implemented. In fact, the records give testimony of an ongoing debate concerning the question of how magistrates should be chosen (cf. B20/10/2: 20 Oct 1573, 11 Oct 1575). It has to be kept in mind, however, that this was before Dunfermline officially attained the status of a royal burgh in 1588. It is quite likely that, as a result of the upheavals of the Reformation, the town had been left with conflicting guidelines concerning the constitution of local government. Indeed, the records from the beginning of the 17th century suggest that election procedures had begun to be more consistent with the parliamentary provisions by then. In 1606 the old council elected the new and together both chose the provost, bailies and remaining officers, much in accordance with the 1469 act. The thus elected members of the local government were then officially pronounced at the head court and gave their official oath de fideli administracione (B20/10/3: 21 Oct 1606). Nevertheless, discussions concerning the distribution of power in the local political institutions continued throughout the 150 years examined in the present study and, in particular, this concerned the aforementioned struggle between merchants and crafts for political representation (cf. B20/10/6: 6 Oct 1662). With regard to the linguistic corpus compiled from the record books, the documented election proceedings are especially valuable as these entries also provide the names of the town clerks responsible for writing the books or, at least, supervising their production (cf. 3.2.4). Their terms of office vary considerably, but they were re-elected annually during the normal council elections and pronounced publicly at the head courts just as any other magistrate or officer of the burgh.

For the sake of completeness, it should be mentioned that the burgh court was not the only juridical body resident in Dunfermline. There was also the regality court of Dunfermline. While the authority of the burgh court and council was confined to the actual burgesses and inhabitants of the town, the regality court wielded power over a much wider area. A regality was a political construct similar to a barony, but with jurisdictional and administrative rights almost tantamount to those belonging to the King or Queen of Scotland (Walker 2001: 121). In the case of Dunfermline, these rights
had been in possession of the abbot until the Reformation, after which they passed into lay hands (Beveridge 1917: xiii). In principle, the regality court and the burgh court operated on a complementary basis. Burgesses were answerable to the bailies of the burgh, while subjects of the regality were suitors to the court of the regality. Excepted from this rule were trials concerning certain serious crimes referred to as the ‘four pleas of the Crown’, viz. murder, rape, robbery and arson. These were the exclusive domain of the regality court (Beveridge 1917: xiii). In practice, however, the juridical division of labour between burgh and regality was not always adhered to. A number of acts and judicial decisions in the record books bear witness to the fact that there was somewhat of a structural overlap, if not to say rivalry, between these two institutions (cf. B20/10/3: 29 Dec 1606). In fact, it has been suggested that the Early Modern period saw a general disintegration of the former balance of jurisdictions, in particular regarding burgh courts, and that a new awareness of the importance of charters and record keeping in general partly arose in answer to this development (Lynch 1987: 66-67).

3.2.2 Burgh records as local legal-administrative writing

As indicated in the introduction, local burgh or town records have largely been neglected as a historical source worth studying in their own right. The same holds true for the study of their linguistic properties.\(^{31}\) It can easily be seen how sources like burgh records were not in the spotlight of linguistic enquiry of the Saussurian tradition. In structuralist linguistics, primacy was given to the spoken as opposed to the written language:

[L’objet linguistique n’est pas défini par la combinaison du mot écrit et du mot parlé; ce dernier constitue à lui seul cet objet. [The object of linguistics is not defined as the combination of the written and the spoken word; the latter alone constitutes that object.](Saussure 1916: 45; my translation)]

This conceptual focus was hard to reconcile with a highly formalised written text genre such as official documents. However, in agreement with Romaine (1982: 122) and in line with the notions of conceptual continua as introduced by Koch & Oesterreicher (1985) and others (cf. 2.3), the present study derives its raison d’être from the conviction that written material can and should be used as evidence for linguistic

\(^{31}\) With the notable exception that records have provided a rich source for historical lexicographers. For Scotland, cf. the Dictionary of the Older Scottish Tongue (DOST) now available online as part of the Dictionary of the Scots Language (DST), http://www.dsl.ac.uk/index.html (19 Oct 2012).
research. In this vein, the decisive question is not so much how accurately a text represents the spoken language, but rather how the functional roles it fulfils within their socio-cultural setting shape and influence the way it employs language (cf. 2.2). In this light, burgh records – and historical legal and administrative writing in general – can be regarded as a text genre largely defined by its unique pragmatic characteristics. Above all, this concerns its socio-cultural functions.

The primary purpose of legal records, evidently, is to record all kinds of legal proceedings – be they legal statutes, deeds, law-suits, trials or contracts – in order to preserve the relevant information about the respective matters for future reference. This means, that it is a genre chiefly concerned with the communication of meaning over time as opposed to the transmission of meaning over space. The latter would be the primary purpose of a genre like correspondence, although both dimensions are obviously intimately related. However, by documenting legal procedures and particularly any decisions that are the outcome of such procedures, the document itself becomes not only the instrument, but the ‘voice’ of law as it assumes a performative function: the decisions reached, be they exercising existing or constituting new laws, are proclaimed through and by the document and thereby become a legally binding reality (cf. Maley 1994: 19–22). This performative function is evidenced in the Dunfermline records by explicit speech acts such as the following:

(2) The q<sup>k</sup> day the befoir the saids baillies W<sup>m</sup> wilsoune maltm[an] Did misbehave himselfff Lykways, both to the Judgis and to ye clark And y’foir the saids baillies convictis him in ane wnlaw of xl Ss Ordaining him to remaine in ward q<sup>11</sup>he pay ye samyn. (B20/10/5: 26 Apr 1642, E)

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32 The shift from a predominantly documentary to a predominantly performative function of legal texts can be traced historically. While early legal documents written in Old English often served as mere memory aids, legal texts such as testaments gradually developed a tangible sense of performativity even prior to the Norman Conquest (cf. Danet & Bogoch 1994).

33 Scribal contractions are indicated by italics. Superscript letters are kept as in the original. Capital letters are used wherever a littera notabilior is indicated in the original, although telling the difference is far from unproblematic in many instances. The figureae (u) and (v) have not been normalised, but transcribed as found in the manuscript. Also, (j) is used for (i) wherever a descender is indicated in the manuscript, mostly at the end of words or Roman numerals. The letter (y) can represent the phoneme /i/ as well as the dental fricative. In neither case has it been replaced by (i) or (th), respectively. The yogh-derived figura (ý) is not replaced by (z) in the edited text as it may stand for the Scots phonemes /x/ or /j/, but hardly ever for /z/. Lacunae or illegible parts of the text are supplied in square brackets whenever the missing letters are obvious. Parts that have been left empty in the manuscript and missing text that cannot be reconstructed are indicated by square brackets as well. Basic punctuation is inserted to assist the reading. Line breaks in the original are not indicated in the transcription. Deleted text in the original is indicated by crossing out the corresponding word(s) in the edited version, while inserted text in the original is indicated by >>. These editorial guidelines will be adhered to for primary source extracts in the main text of the present paper. Note, however, that the text samples in the computer-readable corpus follow a different, fully ASCII-based transcription syntax (cf. 3.2.5).
In the above example, two actions are being performed in the entry, the first *convicting* the accused of public misdemeanour, the second *ordaining* him to stay in custody until his fine has been paid. In the terms of speech act theory, the former could be described as ‘declaratory’ as “it bring[s] about some alternation in the status or condition of the referred-to object” (Searle 1976: 14), while the latter may be classed with ‘directives’, whose “illocutionary point [...] consists in the fact that they are attempts [...] by the speaker to get the hearer to do something” (Searle 1976: 11). It will not have gone unnoticed that in the quoted entry it is not yet the text ‘speaking for itself’, but rather the authority-bearing agents, viz. the bailies, who ‘do’ the convicting and ordaining. The degree of performativity inherent in the text, therefore, cannot yet be compared to later stages of legal writing. Nevertheless, the shift from past (*Did misbehave himself*) to present tense (*convictis*) clearly suggests that the function of the text is not restricted to mere documentation, in which case past tense would have been the obvious choice for all verbs of the paragraph. Instead, by using the present tense and thus reducing conceptual distance, the text itself assumes a more immediate and therefore active role in ‘performing’ legal authority, i.e. making the decisions reached by the bailies a legal reality.

The two functional characteristics of the genre, namely to record and to perform have a decisive impact on the way language is used. The legal mode of writing is determined by the necessity to make language as lucid and unambiguous as possible – at least for those who are trained to read and interpret it (Bhatia 1994: 136–137). In this sense, legal writing is conceptually furthest removed from literary genres in the narrower sense. It is not language itself and the artistic use thereof that form the functional nucleus of the genre, but its actual referential contents. Obviously, this does not mean that there is in fact no ambiguity in legal prose (cf. Maley 1994: 28). Rather, the wish to keep it to a minimum favours certain linguistic characteristics along the lines of the genre’s two key communicative strategies, viz. disambiguation and compactness (Rissanen 1999: 191). On the level of vocabulary this manifests itself in modern legal English in the form of a highly specialised terminology and a general predilection for nominalisations (Hiltunen 1990: 77–78; Maley 1994: 22–23). On a (semantico-)syntactic level, linguistic features such as complex prepositional phrases – like *for the purpose of* instead of *for* –, semantically overlapping bi- and multinomial expressions – like *to give, devise and bequeath* – or the generally high degree of syntactic complexity have been listed among
the most distinctive features (Hiltunen 1990: 54–55, 70–74; Bhatia 1994: 142–147). Also, a large amount of repetitiveness is not only accepted but often preferred, especially for the purposes of avoiding potentially ambiguous pronouns (Hiltunen 1990: 84–85; Maley 1994: 25).

Although these are typical features of modern legal English, it stands to reason that earlier and related varieties of this language – like late Middle Scots – are likely to have employed similar strategies, since the basic communicative requirements of the genre have not changed much over the last few centuries. Then as now, disambiguation and compactness must be assumed to form the underlying rationale of legal language. A number of continuities in legal English from Anglo-Saxon up to modern times have indeed been identified (Hiltunen 1990), but there has as yet been only little in-depth diachronic research, not least because of a shortage of reliable diachronic corpora for this purpose. A brief discussion of the importance of the above-listed features with regard to the Dunfermline Corpus will be provided in the following section along with example entries (cf. 3.2.3).

Since legal texts primarily fulfil the functions of documenting legal proceedings and performing speech acts that shape legal reality, the pragmatic variable of speaker-audience relationship is quite different from other genres. It is safe to say that the records are not audience-oriented texts – the prime example of those would be personal correspondence – so, generally speaking, there is no place for contents depending on personally shared knowledge between the producer/issuer and any intended readers other than commonly exists in legal discourse at large. The relationship to the audience may therefore be called ‘neutral’ (cf. Meurman-Solin 1993: 172; 1997: 22). Ideally, the contents of anything written in legal prose have to be transparent to anyone reading it at a later point in time, which is the main reason for the common tendency to disassociate legal texts from their immediate physical context. Typical generic features such as a high degree of text planning, explicit rather than pronominal reference and even such paratextual elements as the dating of the texts have developed in answer to this need, already starting in the Old English period (Danet & Bonoch 1994: 116-124). It has to be kept in mind, however, that in practice legal texts now as then are read and interpreted by people with approximately the same legal training as their writers, who, in general, are also the only ones able to deal with the linguistic idiosyncrasies of the genre. Significantly, this fact has been interpreted as an exclusionist mechanism, limiting and
thus controlling social participation in legal discourse (cf. Goodrich 1988: 175–176). With regard to the Early Modern period, literacy itself has to be counted among the specialist skills belonging to the legal profession. There was yet a long way to go for reading and especially writing to become common practice in the wider society (cf. Houston 1985).

On the whole, similar considerations as for legal texts also apply to texts concerning administrative matters, although the functional role of the body issuing them is a different one. Within the context of Early Modern Scottish burghs, this is reflected in the division of responsibilities between court and council. While the court was a juridical tribunal, the council was a governing body sometimes fulfilling legislative, but above all managerial functions (cf. 3.2.1). In practice, the personnel and proceedings of the two showed a considerable degree of overlap and, after all, their records were usually produced by the same clerks and scribes (cf. 3.2.4). It is thus hardly surprising that, on the face of it, legal and administrative records written in burgh council books look very similar. Nevertheless, Meurman-Solin (1993: 86) makes a point of separating the two in the revised version of the HCOS, which led me to do the same, at least on a conceptual level. It remains to be tested as part of a larger-scale investigation, however, to what extent they actually contrast on the linguistic level (cf. 3.2.5).

In the case of burgh records, the specific socio-cultural framework within which they were produced had particularly important consequences for the shape of their language, even beyond the level of typically legalistic features as outlined above. The fact that their main purpose was to document, constitute and execute legal relationships ultimately means that their socio-cultural relevance only extended as far as the legislative, juridical and administrative reach of the body that maintained them. Geographically speaking, this was demarcated by the burgh limits, socially speaking it was defined by the degree of authority that the burgh court and council possessed (cf. 3.2.1). This means that the records had no immediate socio-cultural function outside their associated political domain. They were in various senses of the word ‘local’.

This is relevant for their linguistic analysis in so far as it had a significant effect on the way they were produced and transmitted. On the one hand, burgh records are a handwritten genre, basically until the introduction of type writers. They were not intended for wider dissemination by way of printing for the very fact that there was no potential readership. On the other hand, for any specific genre not to become published
also meant not to be exposed to the normalising tendencies that came with printed publication. Printing significantly accelerated anglicisation in Scotland (cf. Bald 1926). This is particularly true of texts written to reach a wider audience beyond the borders of Scotland (Meurman-Solin 1993: 141–142). Conversely, it must be assumed that burgh records lost their distinctively Scots character at a much slower rate than other genres for the very fact that they were only relevant within a very limited social-pragmatic and geographical setting. In general, this has been confirmed by MacQueen (1957: 69–77; 189–194) and Meurman-Solin (1993: 152–153; 2000: 158–160) (cf. 3), but more detailed and reliable studies are necessary in order to find out just how much the respective rates of anglicisation differed in printed as opposed to handwritten genres, with burgh records at the extreme end of the latter.

Although Scottish burgh records can thus be expected to be rather on the conservative side as far as the adoption of typically Southern English features is concerned, they are an intriguing source for the study of linguistic normativity and standardisation from a different perspective. The content-centredness of legal-administrative records and their need to unambiguously express commonly shared legal concepts render them an interesting source in this respect, as does the fact that their legislative, juridical and executive power was derived from certain authoritative social institutions such as parliament, legal courts or town councils. Documents related to legal and governmental processes have been shown to have played a decisive role in establishing a supra-local written norm in England prior to the advent of printing, at least as far as spelling is concerned (Samuels 1989: 71; Fisher 1977). For the last few decades, it has been a commonplace in the historical study of English standardisation to identify the Chancery – the main governmental writing office, located at Westminster – as the institutional core of this process, although this view has more recently been challenged in a rather convincing way (Benskin 2004: 34–37). In any case, a normalising tendency must have emanated from some central institution or influential group of drafters of official documents, from where conventions of usage spread to the rest of the country, gradually obliterating most regionalisms in written documents. For Scotland, a similar diffusion of the Middle Scots supra-local norm from centre to periphery is attested (Meurman-Solin 2000: 158–160), although in this case the total effect of these normalising pressures was ultimately overridden by the domineering influence of anglicised printing. However, since burgh records were largely independent of the printing trade, their anglicisation

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may still be assumed to have taken effect in the same centrifugal manner as the earlier
diffusion of supra-local written norms in England and Scotland, i.e. spreading from
central to local contexts of text production, in line with what I have called the vertical
structure of the discourse community of legal-administrative texts.

To sum up, local records can be regarded as a particularly interesting object of study
because it must be hypothesised that they were altogether slowest to adopt the
innovative Southern English forms and that the change took effect through different
channels than with the majority of other genres, bearing in mind that printing was not a
major influencing factor. However, what these channels actually were and how they
operated is still unclear, which is also one of the desiderata that have motivated the
present study. In any case, since ‘legislative’, i.e. prescriptivist, instruments of
standardisation as defined by Milroy (1994: 20) did not exist to any great degree in
England nor Scotland at the time (cf. Meurman-Solin 1997: 3; cf. 2.3.1), the couriers of
linguistic change will have to be sought in the immediate producers of the texts, viz.
clerks and scribes (cf. 3.2.4).

3.2.3 Dunfermline burgh records

There is good reason for asking why Dunfermline of all Scottish burghs should be the
focus of a study on anglicisation. However, the choice was deliberate and based on
analytical as well as practical considerations. Firstly, Dunfermline takes an interesting
position on the conceptual scale between central and peripheral contexts of text
production referred to in the preceding paragraphs. On the one hand, Dunfermline is
clearly a ‘local’ community on the Fife peninsula in the sense defined earlier. On the
other hand, it was still well within a day’s riding distance from Edinburgh, though
separated from it by the Firth of Forth. Therefore, some fluctuation between central and
local linguistic allegiances as well as some degree of mutual influence can be expected
in the linguistic output of the town clerks and scribes. Secondly, for the purposes of a
small-scale study like the present a medium-sized town like Dunfermline promised to
provide enough material to yield relevant results, but not too much as to make the
project unfeasible. Also, the administrative structure of a town of that size during the
Early Modern period could be expected to be compact enough to allow systematic
investigation. In particular, the number of town clerks and scribes was hoped to remain

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manageable. Thirdly, a crucial point for choosing Dunfermline was the good density of surviving texts from that burgh, even though, as mentioned earlier, some of them cannot be located at present (cf. 3.2.1). Finally, easy access to the books was granted by their being kept and made publicly available at the National Archives of Scotland (NAS) in Edinburgh.

The material for the Dunfermline Corpus thus consists of legal-administrative texts in the form of official record entries of varying lengths extracted from ten manuscript books of 250 to 600 pages each, covering the time span between 1573 and 1728. The last text taken into account is from 1723, which altogether gives an investigation period of 150 years. The choices for the beginning and end of the period were again motivated partly by analytical considerations, partly by practical necessity. In general, it was crucial to cover the period in which, according to the standard accounts, the greatest part of the anglicisation process could be expected to have taken place (cf. 2.1). In particular, the Reformation (1560), the Union of the Crowns (1603) and the Union of Parliaments (1707) were considered influential historical events in this respect. Although the first immediately relevant book only starts in 1573, i.e. 13 years after the formal break of the Scottish parliament with the papacy, this small time lag was considered negligible, especially as the impact of extralinguistic events on the language of burgh records could not be expected to be reflected in the sources immediately (cf. 3.2.2). Thus, 150 years starting from 1573 seemed a convenient time span for the analysis, even though it is an arbitrary one. The end of the last book taken into account or the last clerk’s tenure of office would have been equally plausible end points.

Nine of the ten books are holographs, i.e. at least one hand in each of them can be identified as belonging to the official town clerk of the time. The tenth is a copy book, whose contents consist of fair-hand duplicates of texts extant in other books of the series. The ten codices belong to a much larger stock of legal and administrative records from the Burgh of Dunfermline kept at the NAS. The earliest book of this series, which is referenced as covering the period from 1488 to 1584, was not accessible in the original due to conservation issues. Instead, I was offered a microfilm

34 Cf. note 26 above.
35 This is book B20/13/4. This copy book includes texts dated between 1696 and 1726, which also completely survive in the books B20/13/3 and B20/13/5, respectively. It was mainly included to check if fair-hand copying was accompanied by anglicisation.
36 B20/10/1, available in edited form in Beveridge (1917), cf. note 28 above. Samples from this book are included in LAOS, cf. 3.1.
version, which to reproduce would have exceeded the present study’s budget. However, since the continuous sequence of entries in this particular book already ends in 1528 with only a handful of texts reaching beyond that date, it was not considered essential for a study on anglicisation. Still, it would be interesting as a reference point representing early Middle Scots usage in the same local tradition of official texts and it will certainly be included in an expanded version of the corpus.

The contents of the record books can be summarised as potentially everything that concerns the town or the political and administrative authority that presides over it, i.e. the burgh court and council (cf. 3.2.1). This includes a wide range of subject matters such as local statutes, trials, legal suits, arbitrations, contracts, debt obligations and sureties, inheritance proceedings, the installation of legal guardians as well as various administrative topics. Excepted from this rule are, on the one hand, certain recurring matters that at some point in time were considered frequent or important enough to merit a separate series of records. In the case of Dunfermline, these include deeds and sasines37, both of which survive in separate series of books from the mid-17th century onwards.38 On the other hand, there are matters that were outside the council’s legal authority. A case in point are the trials of serious crimes such as theft, rape or murder, which were processed by the regality court and are therefore documented in the books of the regality of Dunfermline (cf. 3.2.1).39 The trials included in the records of the corpus, on the other hand, are chiefly concerned with lesser crimes, especially public misdemeanours such as defamation or disobedience to the authorities. A related source worth mentioning here are the protocol books that town clerks kept privately in their function as notaries public (cf. 3.2.4). Some of these have also survived and are now stored at the NAS.40 Both the records of the regality of Dunfermline as well as the protocol books – to the extent as they include vernacular texts – will be worth looking at if the present study merits a further expansion of the corpus.

In order to make the rather abstract information on burgh records provided up to this point somewhat more tangible, the following examples will serve to illustrate what the historical texts in the record books look like. Every court or council session is usually

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37 In feudal Scotland, a sasine was the legal procedure by which a person received formal possession of a property, typically land, or the document by which this took effect.
38 NAS series B20/2 and B20/6.
39 NAS series RH11/27.
40 NAS series B20/1.
introduced by a Latin header giving the place, date and chairperson(s), usually also specifying if it is a court or council meeting:

(3) In pretorio burgi de dunfermlyne primo die Junij 161[0] Coram preposito balliuis et consilio dicti burgi vi3 [...]. (B20/10/3: 1 June 1610, B)

In this particular case, the meeting is held in the tolbooth (in pretorio), i.e. the council house, on 1 June 1610 in presence of (coram) the provost (preposito), the two bailies (balliuis) and the council (concilio), whose members’ names are listed under the header (after vi3 ‘viz’). The record entries themselves, which follow after this introductory note, are written in Scots as illustrated by a different example concerning a juridical matter:

(4) That day the counsaill Eftir dive tryall convictis Robert merser fleascheor, burges of ye said brut comperand persolie, of misbehauio and contemptuous langage Towards the provest at his awin buith dur on [ ] last, sayand, q1 nov, ser, ar 3e commandand to, w1 frowning and indecent gestur and contenance, Thairfoir Ordanis him to aknavlege his countenance his [sic] offence q1 he committit the samin vpoun his knees and crave the provest and In his persoun the bailies and hail nybours quhom he ses offendit in yis misbehauio forgivnes and Incac[e] he happin to be convict heirefuir in the lyk or ony vyir misbehauio Towards the provest or ony vyir magistratis of yis toun Ordanis and decernis him than as nov and nov as than ayir to forfault and tyne his fridome wthin this brut simpliciter or ellis to pay to the toun Ten pundis vnlaw yrcfor.41 (B20/10/3: 1 June 1610, B)

This entry is a typical example of a court decision reached in a misdemeanour trial. Although such matters were usually dealt with in court sessions with only the bailies present, this case demanded the attention of the whole council because it was the highest ranking magistrate, the provost, who had been accosted and insulted by the named burgess. As usual, the entry is introduced by that day, i.e. a reference to the date of the meeting given in the Latin header above. Alternative ways of starting an entry in this manner are the samin day, the said day or the quhilk day and all graphemic variants. The excerpt exhibits a number of features typical of manuscript texts, such as superscript letters and contractions, especially for frequent function words like w1 ‘with’ and other often used lexical items such as brut ‘burgh’ and persolie ‘personally’. The inner structure of the entry is quite representative of a criminal law procedure in the burgh record books. Instead of giving a processual account of the trial, the entry is more like a stripped-down note, giving the bare facts of the procedure. The verdict of guilt is presented even before the charge, followed by the punishment and the degree of penalty.

41 A translation is provided in the Appendix (App. I).
in case of a future perpetration. Nevertheless, the use of the present tense for pronouncing the verdict and the penalties as well as proximal deictic devices such as *heirafter* and *nov* ‘now’ indicate that there is a certain degree of performativity inherent in the text (cf. 3.2.2).

Syntactically, the whole entry consists of a single sentence with *the counsaill* as its subject, a strategy that is still common in modern legal English (Maley 1994: 24–25). The construction is mainly held together by parataxis, in particular the co-ordinating conjunction *and*, while cohesive devices such as the demonstrative adverb *thairfoir* and participial as well as relative clauses achieve a dense concentration of information. At the same time, however, these elements also entail a high degree of syntactic complexity (cf. 3.2.2). Other typically legalistic features as discussed earlier are evidenced in this short entry as well. An example of technical vocabulary is provided by the legal Latin term *simpliciter*, meaning ‘without any qualification’. Binomial expressions such as *decernis and ordanis* or *than as nov and nov as than* are used to cover any eventualities and thus are felt to enhance precision (Bhatia 1994: 143–144). It should be noted, however, that not all features of modern legal English have already been in place in older texts. For example, the above entry uses ambiguous personal pronouns, specifically anaphoric *he, his* and *him*, to refer to both the convicted and the injured party. Modern texts as a rule employ explicit references instead, even if this leads to repetitiveness. Unusually for record entries, the text also includes a piece of direct discourse: *q' nov, ser, ar ȝe commandand to*, meaning ‘What now, Sir, are you commanding too?’. However, this is a rare exception. Normally, the actual words of insult in a case like this are represented by indirect discourse or not at all.

A completely different matter is treated in the following entry from a regular council meeting at the end of the 17th century:

(5) The *said* day The Counsell agreed ȝith Adam Stevinsone younger Smith That he shold not only dayly rou up and uait upon the knock, and to [sic] amend and keep right all parts of her that shall become faulty or to make neu whiles or oy ȝor materials, And to keep her going right, For ȝich the Counsell ordains ȝt Thesaurers to pay to him yearly the sum of Twenty pounds scots monie, Beginning the first terms *payment* at ye term of Lambmas next to come Jaivict nynty eight42 for ye Year immediatly preceding, and sikelike yearly *yrafter* during his dressing, repairing & keeping right ye *said* knock, Declaring that ye Counsell & ye *said* Adam shall be

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42 This is the year 1698. *Jaivict* is a scribal re-analysis of the Roman numeral sequence *i m vi eI*, i.e. 1600.
free at every years end, The said Adam alluays leaving the said knock in a good condition & well going. Also. (B20/13/3: 5 Feb 1698, J)

A typical council matter, this entry concerns the maintenance of the knock, i.e. the town clock. As in the previous example, the whole text consists of a single sentence. The individual tasks pertaining to the job and the terms of remuneration are successively addressed in co-ordinated clauses introduced by and and or. Again, a number of classic characteristics of legalistic writing can be illustrated (cf. 3.2.2). For instance, a good example of nominalised verbs can be found in the phrase during his dressing, repairing & keeping right the said knock. A complex prepositional phrase is represented by the use of at ye term of instead of a simple temporal at. In contrast to the preceding entry, potentially ambiguous pronouns are avoided in this one. Instead, important noun phrases are repeated and often modified by an attributive said as in the said Adam and the said knock (twice each). As in the misdemeanour entry above, a large amount of information is compressed into one rather complex syntactic unit, in particular by making use of a sentential relative clause introduced by for which and the present participles beginning, declaring and leaving.

It should be kept in mind, however, that these example entries are relatively short and thus not completely representative of the genre as a whole nor the Dunfermline Corpus. There are also much longer entries, which typically exhibit a higher degree of internal organisation on the level of text structure. However, apart from that they exhibit the usual characteristic features as outlined above.

The two entries illustrate the wide range of topics that can be found in the primary source material. Yet, the gradual ‘outsourcing’ of certain subject matters – like sasines (cf. 3.2.1) – from the main strand of the records indicates that the contents of the court and council books were subject to change over time just as much as their language was. This reflects the gradual differentiation of the legal and administrative apparatus according to the various operative domains and, above all, the ever-increasing importance and proliferation of written documentation. As mentioned earlier, even the court and the council at a certain point in time split up into two separate series, presumably when their records became too many to be contained within one single book (cf. 3.2.1). On the other hand, the influence of the town clerks and scribes on the way records were kept should not be neglected. Even a superficial examination of the ten books shows that not only the linguistic forms, but also the organisation of entries on a
page or the individual ways of structuring them vary considerably with the respective hands. Although Early Modern official records appear highly formalised in comparison to other contemporary written genres, their degree of inner formal regularity and is not comparable to that of legal discourse as we know it today. Official legal-administrative texts were not yet as independent of their immediate producers as their general communicative purpose would have demanded them to be (cf. 3.2.2), which makes them all the more an enticing object of diachronic linguistic investigation, from the level of spelling all the way up to the level of discourse structure.

3.2.4 The producers of court and council records: town clerks and scribes

The administrative structure of Early Modern Scottish towns included an office for overseeing all official writing issued by the court and council or produced on their behalf. This was the position of the town clerk, who was officially chosen and annually confirmed in his post during the general elections of the council and magistrates. Both the original appointment and the annual re-elections are usually recorded in the court and council books of Dunfermline (cf. 3.2.1). Among other duties, the town clerk was in charge of the production, maintenance and possibly storage of the record books. Judging from the evidence available for Dunfermline, the position of the town clerk seems to have presupposed the prior qualification as a notary public.43 Notaries, at that time, belonged to the lower branches of the emergent hierarchy of legal professions and were predominantly concerned with the drafting and authentication of legal documents, in particular sasines (Finlay 2009: 405–407; 416–421). Since it was thus essentially trained notaries who were responsible for the source material of the Dunfermline Corpus, it will be interesting to learn more about this professional class, with special regard to their educational background. Unfortunately, little research has been done on notaries public in Scotland and the historiographic accounts that do exist focus on the legislation concerning notaries (cf. Carswell 1967) rather than on empirical data regarding individuals who actively practised this profession (cf. Finlay 2009: 408–413). However, some generalisations about them can still be made.

It may safely be assumed that aspirants to the notarial trade learned the rudiments of reading and writing in schools at an early age and not only as part of their legal training.

43 In record entries regarding the first election of a new town clerk, they are usually referred to as notaries public (e.g. B20/10/5: 14 Jan 1633, D).
By the beginning of the Early Modern period, school education was provided by Scottish towns of any size (Houston 1985: 52). Usually, this included grammar schools, whose curricula focussed on reading, writing and Latin grammar (Smout 1972: 81), although what was actually taught at any particular school could vary considerably (Durkan 2005: 562–563). There is some indication that writing in the vernacular was not necessarily part of grammar school education, at least not originally. Simpson (1973: 28) refers to teachers of writing and English in Edinburgh working as freelancers from the 1590s onwards. Similarly, a teacher “instructing the youth in the art of wrytting and introductioun in arthmetrik” (B20/10/3: 14 Jan 1608, C) was admitted by the burgh council of Dunfermline in 1608 on the condition that he not interfere with the curriculum of the grammar school. These examples may be taken to refer to the teaching of Scots-English writing as a separate educational branch outside the Latin-centred grammar schools. To what degree the early school level influenced the later writing habits of notaries and scribes cannot be determined with any certainty, but presumably its impact on spelling and morphology gradually increased with the further development of the Scottish educational system and its incorporation of the teaching of writing in English during the Early Modern period.

As mentioned above, notaries have so far attracted little attention among legal historians. What we do know about notaries public in Early Modern Scotland is mainly based on a series of parliamentary acts from the 16th and 17th centuries, repeatedly expressing concern about their qualifications and competence as well as their inclination to forgery and corruption (Carswell 1967: 51–52). On the whole, these legislative interventions aimed at strengthening centralised control of the notarial profession. After the King of Scotland had assumed authority over the admission of notaries in 1469 (RPS, 1469/20), which had hitherto been a papal and imperial prerogative (Carswell 1967: 48)45, subsequent laws sought to diminish fraud and the abuse of notarial powers. They also envisaged examinations and a central registration of new notaries (Finlay 2009: 397–399; e.g. RPS, A1563/6/16). In 1587, an Act of Parliament required applicants to have served a seven-year apprenticeship under a Lord of Session46, a commissary, a Writer to the Signet47 or a sheriff or town clerk before they could be

44 The first reference to a “mas tyr of the skull” in Dunfermline is dated 1448 (Torrie 1986: 166).
45 In practice, however, royal authority does not seem to have been accepted as sufficient authentication until the Reformation (Carswell 1967: 48; Finlay 2009: 396).
46 Members of the Court of Session (cf. 3.2.1).
47 Writers to the Signet were clerks primarily concerned with drawing up documents to which the royal signet would be attached. Only notaries were eligible for this office (Finlay 2007: 38, 47).
admitted as notaries public (RPS, 1587/7/39). However, the frequency with which these acts were passed in parliament suggests that their effectiveness was actually rather limited and that the regulations contained in them did not result in their due execution. Therefore, it should not be assumed that all notaries actually possessed the formal qualifications that were legally required of them (Carswell 1967: 54; Finlay 2009: 399–402). Still, it is important to note that there is no evidence of a central educational institution of any kind where notaries would have learned their trade. Instead, the necessary skills for drafting legal documents and dealing with the idiosyncrasies of legal language were acquired through apprenticeship, served at one of the central or regional courts or, indeed, under a town clerk of a burgh.

All town clerks involved in the production and supervision of the court and council books of Dunfermline between 1573 and 1723 appear to have been notaries public. This is evidenced by their individual notarial signs, i.e. a sort of professional signature which was appended to certain entries as a means of additional authentication, supporting the legal credibility already provided by the court book itself. These signs are usually in Latin, typically identifying the respective writer as notarius publicus et scriba communis dicti burgi or by a similar designation. It has recently come to my attention that the NAS houses a series of central register books documenting the admission of notaries public following an act of parliament of 1563.\footnote{NAS series NP2.} Apparently, these books include details about the applicants’ age, qualification and training (Finlay 2009: 399). Provided that the town clerks of Dunfermline actually observed the official rule to register and formally apply for admission as notaries public, much revealing information regarding their individual biographies may be gained from these books. For an expanded version of the Dunfermline Corpus, these registers will have to be searched for extralinguistic information complementing the linguistic material. However, even without having consulted them, some particulars about the clerks can be gathered solely by reading the primary sources of the present study not only as a linguistic but also as a historical source. In this respect, the following characterisation of the holders of clerkship emerges from the pieces of information found in the court and council record books of Dunfermline.

In total, ten town clerks can be identified by name during the period in question. Their names are revealed by the entries concerning their election to office. For six of these,
enough holograph text survives to include them in the corpus in the form of samples representing their written idiolects. These are David Brown (B), William Brown (C), Patrick Kinghorn (D), John Auchinwallis (E), Andrew Simpson Sr (H) and Andrew Simpson Jr (J).\textsuperscript{49} The remaining four town clerks – John Cunningham (A), David Anderson (F), Henry Elder (G) and Thomas Simpson (I) – did not yield enough material for sampling and were thus not included in the corpus. One important point, which had to be considered for each clerk in turn, consisted of establishing the connections between the individual hands and the respective writers. Whether a particular hand actually belonged to the town clerk or one of his assistant scribes could only be determined by referring to the clerks’ handwritten notarial signs. These, however, are relatively scarce and a careful examination of every single book was necessary to verify all hand-to-name correspondences. Script samples representing the various clerks along with their respective signs can be found in the Appendix (cf. App. II).

As already indicated, most town clerks also employed assistants, probably in the form of apprenticeships of the sort envisaged by the parliamentary act of 1587 mentioned earlier. Among the many additional hands in the books not belonging to the various town clerks, three are clearly distinguishable and yield enough text to include them in the corpus, despite the fact that the names of the scribes could not be recovered. They will be referred to as B’, E’ and H’, respectively.\textsuperscript{50}

In addition to these nine text witnesses (6 clerks + 3 scribes), for which one linguistic profile in the corpus corresponds to one hand in the sources, two more text witnesses were admitted to the corpus. The first consists of a mixed sample of various scribes from the earliest book consulted and, thus, does not adhere to the basic compositional principle demanding that any text witness in the corpus should represent a single language user’s written idiolect. However, the town clerk under whom the book was written, James Cunningham (A), provided too little holograph text to create a separate profile for him. Neither was it possible to take sufficient samples from the remaining hands in the book, some of which are virtually indistinguishable. Therefore, a collective sample was taken from this book as a sort of improvised remedy. Despite this failure to

\textsuperscript{49} The spelling of the names is modernised. The letters in parentheses are assigned to the respective names for reference hereafter, expressing alphabetically the place of any given clerk in the chronological sequence of office holders.

\textsuperscript{50} The letters assigned to the assistant scribes indicate their respective associations with one of the town clerks. Thus, B’ is an assistant to David Brown (B), E’ is an assistant to John Auchinwallis (E), and H’ is an assistant to Andrew Simpson Sr (H).
adhere to my own principles, this was accepted on the grounds that the exclusion of this book from the corpus altogether would have meant to lose the only text witness of the 16th century (cf. Figure 2). At a cursory first glance, however, the texts in this book do not seem to exhibit a great deal of linguistic variation, at least not on the levels of spelling and morphology, which seemed to justify this pragmatic decision. Nevertheless, the extent to which this first impression is accurate remains to be determined in the analysis. In any case, the composite nature of this text witness should be kept in mind at all times, which is why it will simply be referred to as Book A in the empirical part of this study.

The second additional text witness not observing the rule ‘one hand equals one text witness’ is the copy book mentioned earlier. It will be referred to as Book J’ to highlight its contemporaneity with the last writer included, Andrew Simpson Jr (J). In general, the texts in this book appear in a much neater handwriting than their originals, which are often carelessly written and therefore hard to read. Three different scribes seem to have participated in writing it. The main purpose of including texts from this book in the corpus was to see if copying involved tendencies to anglicise the original texts. As a result, little attention has been payed to the question which of the three copyists has written which text. All texts included, however, are copies of entries originally written by Andrew Simpson Jr (J).

This gives a total of eleven text witnesses extracted from ten books. Apart from Book A and Book J’, the individual text witnesses were not always taken from a single book. Although a new record book may begin with or shortly after the election of a new cler
(e.g. B20/10/5), the periods covered by the individual books do not usually coincide with the clerks’ terms of office. Some clerks continued the books of their predecessors, while others even wrote in more than one book at the same time, in particular after court and council had split up. A graphical overview of how the terms of office of the respective clerks correspond to the individual books is provided in Figure 2.

Some further information concerning the relationship between clerks and scribes can be deduced from circumstantial evidence provided by the court books and related sources. For instance, assistants do not appear to have stayed in the service of the burgh council after their masters’ terms of office had ended, which confirms that they were not employees of the town but rather personal assistants or apprentices to the town clerk. However, assistants could later become town clerks themselves. William Brown (C) is a case in point, although familial relations are likely to have played a more decisive role here. The first surviving entry identifying him as town clerk is dated 1619 (B20/10/3: 11 Oct 1619), but he is mentioned as a substitute to David Brown (B), probably his father, from 1611 onwards (B20/10/2: 8 Oct 1611). While the relation between the Browns must remain speculative, three other town clerks are explicitly referred to as belonging to the same family, namely Andrew Simpson Sr (H) and his sons Thomas Simpson (I) and Andrew Simpson Jr (J) (B20/13/2: 4 Apr 1698). Furthermore, a James Kinghorn is named in the merchant guild book as clerk of the regality of Dunfermline in 1588 (Torrie 1986: 144) and as notary public in 1594 (Torrie 1986: 149), suggesting a relation to Patrick Kinghorn (D), town clerk of Dunfermline between 1633 (B20/10/5: 14 Jan 1633) and 1642 (B20/10/5: 18 Feb 1642). Also, Andrew Simpson Sr (H) employs an assistant of the same name as his predecessor’s, viz. Henry Elder (B20/10/6, 3 Nov 1671). Judging from these pieces of evidence, it may be assumed that notaries public not seldom followed in the footsteps of their fathers and sometimes even the position of town clerk was passed on from one generation to the next within the same family. In respect of what has been said earlier about the education and training of notaries, it may thus be added that the first writing teachers of many notaries, in all probability, must

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51 Andrew Simpson Jr (J) continued the council book started by his brother Thomas Simpson (I) (cf. B20/13/3: 20 Dec 1697) whereas his father Andrew Simpson Sr (H) kept council and court books separately while mostly writing in both himself (cf. B20/10/6, B20/13/2).

52 Usually, a clerk’s term of office lasted as long as he lived. Thomas Simpson (I) remained in office until his death although he was unable to carry out his duties, probably due to illness. His responsibilities were delegated to his successor Andrew Simpson Jr (J) several weeks before the former’s death and the latter’s official election (B20/13/2: 12 Mar 1698, 4 Apr 1698).

53 This Henry Elder may be identical with scribe H, but the palaeographic evidence is not conclusive.
have been their own fathers. To what degree this has left any traces in their way of writing in the vernacular, however, can only emerge as part of the linguistic analysis.

3.2.5 Sampling, transcription and encoded extralinguistic information

The concept of linguistic corpora has best been described as “a more or less structured compilation of digitized texts” (Meurman-Solin 2001b: 7). In this respect, the enterprise of structuring the data collected for the Dunfermline Corpus meant, above all, dealing with two key issues: representativeness and comparability. The initial aim was that each of the text witnesses be represented by a sufficiently large and varied sample so as to grasp the idiolectal linguistic behaviour of every single witness as comprehensively as the sources allowed. However, at times this was more of an ideal than practically feasible. Obvious limitations on the sampling procedure include the facts that not all the desired material was accessible – in particular, this concerns the missing series of court books after 1681 (cf. 3.2.1) – or that some of the surviving material was not sufficiently legible due to deficiencies of the paper or faded ink. Also, since the texts were transcribed from digital photographs rather than from the manuscripts themselves, the varying picture quality also resulted in making some entries partly or completely illegible. Other problems, which will have to be classed as human limitations – above all mine –, regard the handwriting of certain clerks, often hard to read and sometimes deteriorating over time – William Brown (C) is an illustrative example –, as well as the sheer mass of the material. After all, during the 150 years taken into account, well above 4000 court and council sessions were recorded in the surviving books, each of them usually addressing several independent issues and thus resulting in a total number of somewhere between 10 000 and 20 000 entries eligible for inclusion in the corpus. Leaving aside texts written by those clerks and scribes which were disregarded in the corpus for lack of evidence, the remainder must still have approximated 10 000 entries to choose from. Bearing these factors in mind, the sampling procedure described in the following sought to take into account as many relevant parameters as conceivably possible within the limits of available time and resources.

Each of the eleven witnesses (6 clerks + 3 scribes + Book A + Book J’) is represented in the Dunfermline Corpus by a sample of approximately 5000 words. These samples, in turn, consist of individual record entries of varying lengths. As each entry was entered
into the corpus in its entirety, the actual samples representing the respective linguistic profiles exceed the required quota by up to roughly 100 words, depending on the length of the last included text for each witness.

The resulting samples differ considerably from each other in terms of what they contain. On the one hand, the individual clerks’ and scribes’ engagements vary between a couple of months and up to several decades. Besides, clerks and their assistants sometimes seem to have divided up their work load, for example by one writing down council minutes and the other court sessions. Thus, 5000 words may be almost the entire output of a given scribe while it may only account for a tiny fraction of the total surviving output of a long-serving town clerk. A good example of the former is scribe E’, whose distinctive hand is only detectable on some 60 pages documenting court proceedings between 1643 and 1648 (cf. B20/10/5). The other extreme is best illustrated by Andrew Simpson Jr (J), first elected clerk in 1698 and still in office during the 1720s, i.e. the end of my investigation period (cf. Figure 2).

Obviously, these differences regarding the linguistic output of the writers have a significant impact on the range of subject matters dealt with by any given witness. This is important in so far as it appears that certain linguistic elements frequently correlate with certain subject matters. In particular, this is true of lexical items and idiomatic expressions. Since the Dunfermline Corpus or a future expanded version derived from it should eventually allow analyses on all linguistic levels, subject matter was considered a crucial extralinguistic factor to be taken into account with regard to both the overall representativeness of the corpus as well as the amount of extralinguistic information encoded in it. This has also been recognised by Meurman-Solin (1993: 87), who points out that more specific extralinguistic criteria might be necessary in view of the inherent heterogeneity of local records. In a way, subject matter may thus be regarded as a sort of generic micro-category, subordinate to the umbrella genre ‘legal-administrative writing’. However, short of examining in detail the whole body of surviving texts, cataloguing each entry individually and classifying it in terms of its referential contents, the inclusion of subject matter as a sampling factor and analytical feature had to be achieved by way of an impressionistic approach rather than by a strict method. Nevertheless, it was still attempted to include a representative cross-section of all or, at least, the more common subject matters dealt with by any specific text witness, be it a clerk, a scribe or Book A. The outcome of this procedure as evidenced by the selection
of texts included in the corpus can be deemed roughly representative of the witnesses’ respective written outputs.\textsuperscript{54} However, it has to be kept in mind that representativeness within a sample is not the same as a balanced distribution of subject matters over the samples as a whole. Since the ratio of sample size to available data varies greatly for each witness, the samples are necessarily unbalanced in this respect.

In addition to subject matter, two more extralinguistic factors were expected to have some influence on the included specimens of written language and were thus taken into consideration in the sampling procedure, viz. duration of active involvement and length of entries. Concerning the former, I attempted to spread the selection of texts over the whole time span during which a given clerk or scribe actively wrote in the books so as to make it possible to detect changes in the linguistic behaviour of the individual writers over time. In particular, it seemed to me that the inclination to use contractions and other abbreviations, especially important for the analysis of grammatical endings, generally increased the longer a particular writer was involved in writing up the records. Unfortunately, this development was more often than not accompanied by a deterioration of the legibility of the handwriting, which, in turn, is again most damaging for identifying inflectional endings. As a result, the initial plan to spread the sample texts representatively over the respective writers’ periods of active involvement could not be followed through for all witnesses. In the case of William Brown (C), for example, only texts up to 1613 could be included, at which time he was still being referred to as a substitute to David Brown (B), his predecessor as town clerk. This means that more than a decade worth of records written by him had to be disregarded on the grounds that many critical letter distinctions could not be determined with any degree of certainty in his later handwriting.

The last feature concerns the length of the entries. This can also vary substantially, from a couple of lines up to several pages of running text. It may be argued that this variable is partly covered by a representative inclusion of the various subject matters. For example, an inheritance procedure invariably fills many consecutive pages while an entry recording the awarding of burgess-ship hardly ever exceeds 100 words. Nevertheless, as most court or council issues that merited documentation could be dealt with by an unpredictable number of words depending on the intricacies of the individual

\textsuperscript{54} An exception has to be made for Andrew Simpson Sr (H). Although he wrote both court as well as council proceedings, only his council minutes were included in the corpus due to an oversight on my part during the sampling stage. However, this shortcoming will be made good in any future version of the corpus.
cases, I thought it best to include both long and short entries in the corpus, regardless of their contents. This was again done impressionistically rather than by adhering to a strict method, as the main aim was to rule out the potential impact of entry length on certain linguistic choices, such as the frequency of contractions used and the like.

The guidelines for transcribing the Dunfermline texts from the manuscripts into a computer-readable format are mostly the same as those drawn up for LAOS (cf. 3.1). The letters exhibited by the manuscript texts are entered in the corpus as uppercase letters. In contrast, expanded contractions are indicated by lowercase letters. In addition, the yogh-derived manuscript figura (ʒ) was entered as lowercase (z). Allographic variants, like the various forms of (s), have not been taken into account, except in cases where these variants later came to fulfil graphemic functions, like with (u) and (v) or (i) and (j). Conversely, letters with more than one sound realisation have been kept unaltered. This concerns in particular the letter (y), which can either stand for modern (i) or (th), although both of these can be found in the manuscripts as well.\(^5\) Abbreviations involving superscript letters have not been expanded. The transcribed superscript letters are preceded by a circumflex (^), as well as followed by one if the word runs on in the manuscript. Tildes (~), quotation marks (”) and commas (,) have been used to indicate oblique strokes at the end of words or such whose function could not be reconstructed. Regarding punctuation, only commas have been included wherever a virgule was indicated in the manuscript. Line breaks are indicated by {\}, the end of a paragraph or entry by {\}, a page break by {\}. Deleted words or phrases are enclosed by { }, insertions by { }. Finally, lacunae, illegible parts and spaces left empty in the manuscripts for the intended later insertion of additional text are indicated by [ ]. For the purpose of illustration, the two example entries given in 3.2.3 have been attached to this paper as they appear in the corpus (cf. App. III).

In the corpus, each entry is preceded by a header comprising all extralinguistic information that has been encoded in addition to the primary texts themselves. The following extralinguistic variables have been included in the corpus: text identifier, date of session (year:month:day), type of session (court/head court/council), chair of session (bailie(s)/provost), subject matter, writer/book (clerk/scribe/[book]), length (word count), manuscript (archive signature), page/folio.

\(^5\) Interestingly, (th) is often realised as a ligature coming close to the shape of thorn (ŋ), from which, in turn, the use of (y) for the dental fricative had been derived in the first place (cf. Benskin 1982).
The ‘text identifier’ is a simple string of characters, by which each included text can be referred to unequivocally. The information concerning date, type and chair of the individual sessions was gathered from the Latin headers introducing each session of the court or council recorded in the manuscript books (cf. 3.2.3). The extralinguistic parameter ‘subject matter’, mentioned above as a sampling criterion, gives information about the kind of procedure a specific entry is concerned with. Thus, it is either classified as a legislative, juridical or administrative text. Additionally, details about the specific cases are included as well, specifying, for instance, whether the entry is an act or statute, whether it is about a trial decision, private suit procedure or debt obligation, or whether it refers to the granting of an official licence or the appointment of an officer, to name just a few recurrent topics. ‘Subject matter’ is intended to serve as an extralinguistic variable for revealing positive correlations between the contents of an entry and certain linguistic characteristics. For example, it appears that entries regarding the transfer of land are kept in a more solemn and formal style and thus have a greater propensity to use fossilised expressions and older inflectional forms than entries that merely serve as memoranda for the internal documentation of certain administrative actions. However, the samples in the present version of the corpus are probably still too small and the categories too ill-defined to yield any watertight results in this respect. At present, therefore, this variable is more of theoretical significance, in so far as it demonstrates a factor worth taking into account in both the construction of the corpus and the analysis of the data contained in it. The parameter ‘writer/book’ identifies the linguistic profile sample to which a given entry belongs, i.e. it refers to one of the eleven text witnesses whose idiolectal linguistic behaviour it reflects. Thus, a specific entry in the corpus is either attributed to one of the nine included town clerks and scribes or, alternatively, to one of the two composite profiles Book A and Book J’ (cf. 3.2.3). The variable ‘length’ gives the word count of the entry. Finally, the last two extralinguistic parameters ‘manuscript’ and ‘page/folio’ indicate which manuscript book an entry was extracted from and where it can be found in it, using the original archive signatures and the pagination or foliation as provided in the books.57

56 Since the earliest included entries date from the 1570s, i.e. before New Year was set to the first of January instead of March, these entries are referenced with both the old as well as the new style dates where necessary.
57 All pagination and foliation seems to have been added at a later date and is thus not contemporaneous with the manuscript texts. Some books do not have any numbering system.
4. Testing the corpus: the anglicisation of five linguistic variables

While the preceding chapters have focussed on the historical, theoretical and methodological aspects relevant for a linguistic study of the anglicisation of Middle Scots and the last chapter has introduced the empirical data edited and prepared in the form of the Dunfermline Corpus, the following pages are dedicated to the empirical analysis of the data. The purposes of this are twofold: on the one hand, there is the practical motivational factor that the corpus needs to be tested. As the previous chapter should have made clear, I have tried to prepare the data collected from the handwritten primary sources in such a way as to maximise their potential for linguistic investigation, always considering the limited time and resources available for this project. Nonetheless, the corpus’s actual usefulness will only become clear in a round of thorough case studies by which the strengths and especially the weaknesses of the corpus design may be assessed. The worst possible outcome of this testing phase would be that the corpus as it now stands does not yield any linguistically valuable information at all – in which case the corpus as a whole has failed and the project of a future enhanced and expanded version based on the present trial version will have to be discarded or the corpus architecture revised completely. More likely, however, and definitely more desirable, is that the corpus will yield significant results, but that the case studies will also point out mistakes and shortcomings in the present version, which may then be repaired in the course of the corpus’s envisaged expansion.

The second purpose of the case studies is more immediately academic in nature, i.e. it relates to the specific research interest formulated in the introduction of this paper. In broad terms, this concerns the anglicisation of the Middle Scots written language during the Early Modern period, i.e. the large-scale replacement of typically Scots features by theretofore typically Southern English features. On the one hand, this consists of the search for evidence corroborating (or challenging) the results of previous research activities in this field, in particular the studies by MacQueen (1957), Devitt (1989) and Meurman-Solin (1993; 1997) (cf. 2.4). On the other hand, my research question is particularly concerned with the mechanisms of linguistic convergence in one specifically selected type of (written) discourse, i.e. Scottish legal-administrative texts. The perceived and often cited linguistic variability of Middle Scots written texts (Aitken 1971: 181–182) will serve as a ‘red thread’ for the following discussions. In each of the following analyses, the guiding questions will be the same (cf. Meurman-Solin 1993:
237): How much variation actually was there? How consistent were individual writers in their linguistic behaviour? And were the Scots and English variants ever freely interchangeable, or can linguistically or otherwise conditioned distributions be identified within idiolects?

Ultimately, it is hoped that the results of the following case studies will lead to a better understanding of what the relationship between language users, i.e. writers, and the shape of the written language was before the age of prescriptivism (cf. 2.3.1) and how collectively shared linguistic behaviour patterns such as supra-local written norms diffused within and across discourse types. It is my conviction that, somewhat paradoxically, if we want to understand broader patterns of linguistic convergence, we have to zoom to the level of idiolects, in order to find out just how much sway interpersonally shared norms actually held over individual language users. One large-scale multidimensional corpus project driven by similar aims is already in place at Helsinki: for the last two decades or so, Meurman-Solin has been building the Corpus of Scottish Correspondence, focussing on a discourse type whose language is characterised by a multitude of interwoven contextual and personal factors such as participant relationships, regional provenance of writers and texts, age, gender and varying education levels (cf. 3.1). In contrast, the texts of the Dunfermline Corpus are located at the opposite extreme of the conceptual spectrum: due to the specific socio-cultural functions of legal-administrative texts, the impact of most of the extralinguistic variables just mentioned is minimal in comparison to other discourse types (Meurman-Solin 2001a: 246). A historical corpus based solely on such texts may thus be seen as a testing ground for gauging just how linguistically formalised and invariable a discourse type could actually become prior to the onset of standardisation proper). Moreover, the corpus’s built-in diachronic dimension may provide valuable insights into how new norms – like the incoming set of typically Southern English features in the case of Middle Scots – establish themselves within such a linguistic system. In fact, the following small-scale test studies are principally about the collision of norms or, more precisely, about the insights such collisions can give us concerning the mechanisms of linguistic convergence before the dawn of prescriptivism.

Obviously, the research agenda just outlined would require a wide range of diverse linguistic variables to be analysed in a much bigger pool of data than that made accessible by the Dunfermline Corpus, comprising many more text witnesses from
many more burghs and other legal and administrative institutions. However, the limited size of the present pilot project and my decision to base the corpus on handwritten primary sources allowed only for a moderately big database and a rather small number of variables to be discussed in detail. Under these conditions and compelled to reconcile my first goal, viz. testing the corpus on the various levels of linguistic structure, with my second goal, viz. to produce relevant results that may then be checked against previous studies and interpreted with regard to the diffusion of linguistic norms, I settled for a set of variables very similar to that used by Devitt (1989) (cf. 2.4). However, I modified the original set to some extent to make up for what I perceived to be conceptual shortcomings in Devitt’s division of analytical categories. To be specific, I chose the following variables: 58 first, the initial Middle Scots trigraph (quh-) corresponding to Southern English (wh-); secondly, the Middle Scots regular weak past tense and past participle suffix (-it) for Southern English (-ed); thirdly, the Middle Scots present participle suffix (-and) for Southern English (-ing); fourthly, the Middle Scots indefinite article (ane) for Southern English (a) and (an), respectively; and finally, the Middle Scots word form element (-)ilk, which occurs either as part of the relative adjective or pronoun quhilk or on its own as ilk, while the corresponding Southern English forms are which and each, respectively. The first of these variables is, for all intents and purposes, a purely graphemic 59 element, i.e. it is exclusively concerned with the graphic representation of a particular phoneme in the alphabet-based writing systems of Middle Scots and Southern English. Variables two and three are features of inflectional or derivational morphology. More precisely, they are the written representations of suffixes specifying tense and aspect of verbs and sometimes also used to form deverbal adjectives. The last two features may best be described as variables whose Scots and English variants are cognates, i.e. they are etymologically related through a common ancestor in Anglo-Saxon.

58 The first four of these five variables will be given in angle brackets { } throughout the following case studies to highlight the fact that these are first and foremost variants in the written language not necessarily directly corresponding to their realisations in the spoken medium. The variants of the last linguistic variable, on the other hand, may quite safely be assumed to have had corresponding realisations in both the written and the spoken channels.

59 The term graphemic here is preferred over the more common orthographic. In my opinion, the latter already implies the adherence to or deviation from an institutionalised written norm believed to be ‘correct’. Since the present study expressly focusses on the convergence of linguistic norms in the British Isles before the emergence of institutionalised instruments of standardisation, the smallest unit of the linguistic analysis of written texts must not be defined in terms which presuppose such instruments. For the use of the term graphemic, cf. McIntosh (1989: 8–10).
As mentioned above, this set of variables represents a slightly modified version of the set used in Devitt’s study, differing from it in two main aspects. Firstly, the variable ‘negative particle’ has been omitted, since Devitt’s (1989: 27–28) own data shows this feature to have little inner coherence (cf. 2.4). Secondly, the variable ‘relative clause marker’ has been discarded and replaced by the first and fifth of my variables. Again, I found Devitt’s (1989: 18–19; 103) classification misleading, since it suggests that relative pronouns anglicised *qua* relative pronouns when their most distinctly Scots feature was actually the purely graphemic *(quh-)*, which it shared with a number of other lexical items. Therefore, in my modified set of variables all occurrences of root-initial *(quh-)* and *(wh-)* are taken into account. Similarly, the one additional variable in my set, viz. *(ilk)*, also corresponds to data included in Devitt’s discussion of relative clause markers, since this feature occurs most frequently, but not exclusively, in the relative pronoun/adjective *quhilk or which*, respectively. In contrast to Devitt, my division of categories does not *a priori* assume that the purely graphemic feature *(quh-)* and the word form element *(ilk)* must necessarily have anglicised in conjunction as part of one lexical item *quhilk*, but allows for the possibility that they may have changed to some degree independently. Examples of so-called ‘transitional forms’, i.e. basically hybrids of Scots and English variants like *quhich* and *whilk* (Devitt 1989: 44–45; Meurman-Solin 2001c: 41), would seem to support this point of view.

In addition to these features, I had also initially envisaged an analysis of the replacement of Scots vocabulary by unrelated English synonyms. However, the method used for the analysis of the five features listed above, i.e. essentially juxtaposing the frequencies of Scots and English variants, soon proved to be impractical for examining changes in lexis. In many or most cases, it is hard to decide if a specific Scots lexeme has yielded to an equivalent English synonym, simply because it is generally difficult to assess just how equivalent the competing variants actually were. More important, however, are the limitations imposed by the data: in general, the size of the corpus samples turned out to be far too small to allow an analysis of individual lexeme pairs. This is because most lexical items do not occur frequently enough to allow examination in such a way. A non-binary approach using a larger pre-defined array to examine the general decrease of typically Scots lexemes (Meurman-Solin 1997: 19–20) might have proven to be more rewarding in this respect, but was eventually considered beyond the scope of this study.
One last remark refers to the way in which the analyses of the selected variables will be presented. As indicated, the method used for investigating the anglicisation of the five selected features basically consists of contrasting the number of occurrences of the Scots variants with that of their Southern English counterparts. In reality, however, the iconic Scots and English variants were hardly ever the only possible candidates to fulfil a specific linguistic function. As will soon become clear, the situation was generally more complex than that. As a result, the graphic illustrations and frequency tables given in the following analyses differ to some degree from each other, depending on the intricacies of the variable in question. While this might seem somewhat confusing at times, I have tried to describe the relevant variants and their relationships among each other as clearly as possible to make the major trends visible.

4.1 The (quh-) trigraph\textsuperscript{60}

To modern eyes, the (quh-) trigraph is one of the most peculiar-looking features of written Middle Scots. However, as exotic as it may seem today, its distribution within the Middle Scots writing system was straightforward enough, as it simply represented the so-called labiovelar fricative /hw/:

(6) Anent the actione of summondis mad on the behalf of oure soverane lord aganis Arthure, lord Forbes to anser \textit{quhy} and for \textit{quhat} cause he present ane parsone to the parsonage of Forbes for the tyme that he wes in oure soverane lordis warde [...] \textit{(RPS 1491/4/78; emphasis added)}

(7) \textit{Quhill} Planctius was intent to sic thingis the heris of Walis, Tegenis and Icenis convenit at Corymyne, (now Schrewisbery), to consult \textit{quhat} best war to be done in [h]is mater sa full of trubill and danger. (Hector Boece, \textit{History of Scotland} [c 1533]; quoted from \textit{HCOS}; emphasis added)

The corresponding spelling in Southern English was (wh), which represents a more transparent continuation of Old English (hw) for the same phoneme. Both Devitt (1989: 18–19) and Meurman-Solin (1993: 126; 132) consider this purely graphemic element merely as part of the set of relative and interrogative adverbs and pronouns typically starting with this letter sequence, e.g. \textit{quhilk} ‘which’, \textit{quha} ‘who’, \textit{quhair} ‘where’ etc. However, although the feature is without a doubt most frequently encountered in these words, it is not restricted to them, but also occurs in a number of

\textsuperscript{60} Identifying the variants did not pose great problems with this variable. Some lexical items were omitted if their variants did not represent a (quh-) / (wh-) pair, i.e. \textit{haill} ‘whole’.

66
other lexical items, such as *quhyte* ‘white’ or *quheit* ‘wheat’. Therefore, in the following
analysis all occurrences of *<quh-* and *<wh-* have been included, not only for the sake
of completeness, but also to find out if ‘ordinary’ lexical items differed in any way from
typical *<wh-words* in terms of patterns and rate of anglicisation.

In Devitt’s (1989: 18–19) study, which includes material from several prose genres but
no local records, the Southern English *<wh-* variant remains below 20 per cent of the
total number of relative clause markers until the end of the 16th century. From 1600
onwards, however, there is a sharp rise in the share of the English variant, which
accounts for more than 80 per cent in the last included sub-period 1640–1659. A closer
analysis of the various types of relative clause markers confirms that the form *which* is
responsible for the largest part of this decisive change towards the predominance of the
English variant. Meurman-Solin’s (1993: 243) analysis yields similar results.
Interestingly, only five texts in the *HCOS* still use *<quh-* after 1640, among them the
burgh records of Stirling. MacQueen (1957: 93), who does not restrict her analysis to
relative pronouns and interrogatives, finds that *<wh-* spellings had largely replaced the
older Scots variants by 1700, but adds that the *<quh-* variants continued to be used
occasionally in Kirk Session records and burgh records as late as 1715–1718.

If we now compare these results to the frequency table extracted from the Dunfermline
Corpus (Table 1) and the chart generated from it (Figure 3)61, a somewhat different
picture emerges. Although the figures generally agree with the above-mentioned studies
in showing that the incoming *<wh-* variants practically replace the Scots *<quh-*
variants during the 150 years covered by the corpus, they also differ in some respects
from what could be expected from previous analyses. Most importantly, of the 10

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<th>Time span (sample)</th>
<th><em>&lt;quh-</em></th>
<th>%</th>
<th><em>&lt;q-</em></th>
<th>%</th>
<th><em>&lt;wh-</em></th>
<th>%</th>
<th><em>&lt;w-</em></th>
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Table 1: The *<quh-* trigraph: distribution of variants

61 The analytic category ‘other’ has not been included in Figure 3, since there is only one occurrence in
the corpus, namely *qairfore* in Andrew Simpson Sr’s (H) profile.
writers included in the corpus (not counting Copy Book J’) the first to use any (wh-) variants at all is John Auchinwallis (E). This town clerk’s hand can be traced in the burgh record books of Dunfermline from 1642 to 1643, i.e. during a time when the English variant has already clearly overtaken the Scots variant in Devitt’s and Meurman-Solin’s studies. However, Auchinwallis uses the innovative English variant only sporadically: six times in all, which corresponds to roughly 10 per cent of the variable’s total number of occurrences in his sample. His assistant, Scribe E’, writing between 1643 and 1648, employs the (wh-) variant even less often. In contrast, the next writer providing enough holograph text for his inclusion in the corpus, Andrew Simpson Sr (H), already shows a decided preference for the English variant. He is also the last writer to use the Scots variant in its fully written-out form, on two occasions to be precise (the darker shade of blue in the column). Neither his assistant, Scribe H’, nor his son and later successor Andrew Simpson Jr (J) ever use overt (quh-) variants in their samples.

As in Devitt’s study, qhilk and which alone account for a large part of the (quh-) and (wh-) spellings in the Dunfermline Corpus. They are most frequently found as relative adjectives in the phrase the qhilk (which) day, which is used to introduce the individual entries in the records, as in example (8) below (cf. also example 14, 15 and 16). In this specific context, qhilk (which) often competes with equivalent groupings such as the samin (same) day or that day. A decided predilection on the part of any of the text witnesses for any one of these introductory phrases may thus greatly influence the total

Figure 3: The {quh-} trigraph: distribution of variants
number of occurrences of the variable as a whole within one sample. The impact on the relative distributions of Scots and English variants, on the other hand, is rather limited. Regarding the rates of anglicisation in high-frequency items such as *quhilk* as opposed to ‘ordinary’ lexical items, no significant differences can be detected. John Auchinwallis (E), for instance, routinely uses the Scots (*quh-*) trigraph for both *quhilk* and *quheat* ‘wheat’, but also has two examples of each of the corresponding fully anglicised forms *which* and *wheat*. However, the sample size of the present version of the corpus is still too small to draw any watertight conclusions concerning this point.

Both Devitt (1989: 43–44) and Meurman-Solin (1997: 9) have drawn attention to the fact that according to their data the anglicisation of the (*quh-*) trigraph is marked by categorical rather than gradual change, meaning that writers tend to be consistent in their use of either the Scots or the English variant instead of mixing them in their written outputs. This particular pattern of anglicisation has been called form substitution rather than form variation (Devitt 1989: 43). If we only consider fully written-out specimens in the Dunfermline Corpus, this assertion can on the whole be confirmed (Table 2). Only three of the text witnesses show mixed usage, but none of them to any great degree. John Auchinwallis (E) is still the most variable. His occasional use of the innovative (*wh-*) does not appear to be linguistically conditioned. Although there is some indication that the Scots and English relative markers *quhilk* and *which* might be in complementary distribution in his sample, the number of occurrences is too low to draw any valid conclusions.\(^\text{62}\) It is worth noting, however, that Andrew Simpson Sr (H), who routinely uses the (*wh-*) variant, seems to employ the older Scots variant as a discourse structuring device. The two instances of the (*quh-*) variant in his sample are placed at the beginning of new structural units or sections in the respective entries. They are additionally highlighted by *litterae notabiliores*, i.e. enlarged letter forms to add visual prominence (cf. App. II).\(^\text{63}\) As Table 2 makes clear, however, most of the text witnesses use one of the two variants categorically and thus corroborate what has been found in previous studies.

\(^{62}\) The Scots variable *quhilk* appears only three times and that exclusively in adjectival use, like in the common introductory phrase *the quhilk day*. The two occurrences of the English variable are true relative pronouns, but both appear in the exact same legal context, viz. in reference to a fine “which was [...] to be payet” (B20/13/1: 28 Feb 1642, E).

\(^{63}\) *Litterae notabiliores* are not indicated in the present version of the corpus, which means that at this point this palaeographic feature and its significance for the distribution of variants can only be checked by referring to the original sources themselves (or digital photographs of them). This rather obvious limitation for analysing the texts will have to be repaired in a future version of the corpus.
Having said that, it must immediately be added that one important feature characteristic of older handwritten texts is not included in the above discussion, viz. scribal abbreviations (the lighter shades in Figure 3). As a rule, a word that would normally take an initial (quh-) trigraph may be abbreviated by the letter (q) resting on the line with one or two distinctive letters added in superscript to identify the respective lexical item, as in the following examples:

(8) The *qlk* day the counsaill convenit Eftir sichting and consideratioun [of] the boundis befoir william brounis housse on ye south syd of ye hie ga[lt] *qr* he desyris his stair and ane pentiss to be sett furth [...] (B20/10/3: 8 June 1610, B)

(9) [...] *fflor remeud qrof statuts and ordains yt in all tym coming all persons to qm any infetments dispostiobes resignations and vy*r* wreats salbe maid and grantit *wch* salbe maid, formed and perfybit by the said present clerk and his successors [...] (B20/13/2: 20 April 1667, H)

Neither Devitt’s nor Meurman-Solin’s studies mention these, which is in all likelihood due to the fact that their research corpora are exclusively based on modern editions and printed texts, in which abbreviations are usually expanded without further comment. MacQueen (1957: 93), on the other hand, does refer to contracted forms of the (quh-) variant, indicating that they generally survived longer than the fully written-out forms. She does not find any instances in her selection of burgh records, which, however, might once again be a result of the fact that all texts from burgh records included in her analysis are taken from editions as well.

Generally speaking, abbreviations are most commonly used for high-frequency words. Thus, the lexemes most often replaced by contracted versions are function words such as *quhilk* ‘which’, *quha* ‘who’ or *quhair* ‘where’, appearing as *(qlk)*, *(qa)* and *(qr)*, respectively.\(^{64}\) As the two examples above illustrate, contractions of words normally taking the (quh-) trigraph are abundant in the Dunfermline Corpus, which makes MacQueen’s failure to find any in her selection of burgh records all the more suspicious. While all text witnesses in the Dunfermline Corpus use them, individual writers like David Brown (B), William Brown (C) and Scribe E’ even prefer contractions over their

64 One instance of *(qr)* for *quheit* ‘wheat’ occurs in David Brown’s (B) sample, although this contraction is usually reserved for *quhat* ‘what’.  

70
written-out counterparts (cf. Table 1). In their samples, the proportions of contracted forms range between 70 and 90 per cent of the total number of occurrences of this variable. Significantly, Figure 3 shows that contracted (quh-) variants are used regularly even by writers who otherwise prefer the English variant. The most intriguing profile is provided by Andrew Simpson Sr (H), who seems to use written-out (wh-) forms and contracted (quh-) forms more or less complementarily, both accounting for a roughly equal percentage of the total. However, the number of tokens for each variant as displayed in Table 1 actually belies the number of different types employed by this particular town clerk. In fact, he uses the seemingly preferred English variant only in three different lexical items, viz. which, who and wherefōr, while his use of contracted Scots forms for ten different types is much more diverse. Interestingly, his contraction of the most common item which is also anglicised, as can be seen in example (H) above (cf. 4.5), while he uses English (who) and the equivalent Scots (qō) side by side. Even the otherwise fully anglicised profile of his son and successor Andrew Simpson Jr (J) still exhibits the contracted Scots variant quite regularly, notably also for a hybrid form merging the abbreviated Scots and English relative pronouns, viz. (qch) (cf. 4.5). The slight quantitative difference between Andrew Simpson Jr (J) and the corresponding Copy Book J’ is due to the fact that a number of contractions are expanded as English (wh)-variants in the latter. However, in a handful of cases it is actually the other way around: written-out English variants are represented as contracted Scots variants in the copy book. Thus, the results from the analysis of the Dunfermline Corpus support MacQueen’s view that the contracted Scots version of the (quh-) trigraph was longer in general use than its written-out sibling.

To sum up, it may safely be said that the Dunfermline Corpus succeeds in yielding meaningful results with regard to the anglicisation of the Middle Scots (quh-) trigraph. It shows that the Southern English (wh)-variant appears rather late in the record books of Dunfermline compared to other prose genres, in particular those analysed by Devitt (1989) and Meurman-Solin (1993). Both studies give the turn from the 16th to the 17th century as a crucial period for the diffusion of the English variant into Scots, while the present study does not detect the first examples of the (wh)-variant before the 1640s. By the time of the last writer included in the corpus, the full Middle Scots variant has disappeared from the records. However, this does not hold true for the contracted version, which remains in common use throughout the period examined. The
analysis of the contracted forms thus also demonstrates that analyses drawing on original manuscripts have the potential to challenge and refine previous results based solely on edited material alone.

4.2 The past and past participle inflection

The second variable analysed for the present study is the regular weak past and past participle suffix, which was usually realised as (-it) in Middle Scots and as (-ed) in Southern English. In Modern Scottish English, only the latter survives, but at the height of the Middle Scots written tradition, (-it) was the overwhelmingly dominant form. This is illustrated by the following examples taken from sources outside the Dunfermline Corpus:

(10) And jhesus tholit passioune undir the romanis, that [h]at tyme gouernit jerusalem, for poncius pilatus was juge. (John Irland, The Meroure of Wyssdome [1490]; quoted from HCONS; emphasis added)

(11) Item, anent the bull and privilege grantit to oure soverane lordis progenitouris and his realme that na legat salbe ressavit within the realme bot gif he be ane cardinall or native borne of the realme, it is avissit and ordanit be the lordis of the articulos, and als statute and ordanit, that oure soverane lord cause and mak the said bull and privilege be observit and kepit in all tyme tocum eftir the forme and tenour of the said bull. (RPS, A1493/5/12)

According to Devitt’s (1989: 22–23) findings, the overall pattern of anglicisation for this variable is very similar to that of the (quh-) trigraph. The overall figures for the English (-ed) suffix remained below 25 per cent until the end of the 16th century. Around 1600, a sharp rise in the share of the English variant made itself felt so that at the end of the period investigated, English variants accounted for almost 90 per cent of the total. This is largely confirmed by Meurman-Solin (1993: 242–243) and MacQueen (1957: 71–72), but these studies also indicate that burgh records seem to have adopted the innovative variant at a generally slower rate than other prose genres.

As Table 3 and Figure 4 show, the Dunfermline Corpus does not provide a single instance of the English (-ed) suffix in the 16th century, represented in the corpus by the agglomerate Book A. Of the 191 instances of the regular weak past and past participle

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65 Past participle-derived word classes were included in the count as well, e.g. the adjective wickit ‘wicked’. One large class of non-weak past participle forms has been omitted from the analysis although they have been named as typical of Scots usage, viz. zero-inflections for (mainly) Latin-derived lexical items (cf. MacQueen 1957: 56, 140). This concerns most of all common legalistic and judicial expressions such as statut(e) or convict, cf. examples (11) and (12).
<table>
<thead>
<tr>
<th>Text witness</th>
<th>Time span (sample)</th>
<th>-it %</th>
<th>-ed %</th>
<th>-et %</th>
<th>-id %</th>
<th>-t %</th>
<th>-d %</th>
<th>Total</th>
</tr>
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Table 3: The past and past participle inflection: distribution of variants

Inflection, 100 per cent have the (-it) variant, thus proving that the Scots variant was the only accepted form in this text witness. The first examples of the English variant begin to trickle into the Dunfermline burgh records in the early 17th century. David Brown (B) and his successor (and probably son) William Brown (C) both have a moderate number of (-ed) suffixes in their samples, accounting for 12 and 18 per cent of the total number of occurrences. However, the English variant remains well below 15 per cent idiolectal use until the end of the sample provided by Scribe E’ in 1648. Andrew Simpson Sr (H) is the first to employ the English variant as his preferred form, at least according to the total number of tokens: in his sample, 93 instances or more than 60 per cent of the total incidence of this variable are suffixed with (-ed). His assistant, Scribe H’, and most impressively his son and later successor Andrew Simpson Jr (J) clearly prefer the English variant as well. The full Scots variant, on the other hand, has virtually died out in their idiolectal usages.

Figure 4: The past and past participle inflection: distribution of variants
On a superficial level, the (quh-) trigraph and the (-it) suffix thus anglicise at roughly the same rate according to the Dunfermline data. In both cases, the Scots variant is not only dominant but categorical at the beginning of the period, while the English variant remains marginal until Andrew Simpkins Sr (H) is elected town clerk in the 1660s. By the early 18th century, the full Scots variants seem to have fallen out of use completely. In contrast to the (quh-) forms, however, the use of the past and past participle endings is generally much more variable within the individual writers’ idiolects, which agrees with findings in Devitt (1989: 43–44) and Meurman-Solin (1997: 9–10). While only three text witnesses mix the (quh-) and (wh-) variants in their written outputs, hardly any of them are consistent in their choice of the past and past participle marker. Table 4 shows that if we only count clear instances of either the regular Scots or the regular English variant and exclude hybrid and reduced forms (see below), only two text witnesses (not counting the copy book) are categorical in their usage, viz. Book A and Andrew Simpson Jr (J). All other samples reveal at least some awareness of the alternative variant, although most still prefer the Scots suffix quite clearly:

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<th>99-80%</th>
<th>79-60%</th>
<th>59-40%</th>
<th>39-20%</th>
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<td>-it</td>
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</table>

Table 4: The past and past participle inflection: consistency of text witnesses

In many cases, both variants can be found within single entries, frequently also more or less next to each other:

(12) [...] and Jnace he be convict heireftir of the lyk misbehauio Ordanis him Jmmediate thaireftir to be simpliciter dischargit of his fridome and banischèd this toun and libertie yrôf. (B20/10/3: 3 Oct 1608, B)

(13) That day the prouest David Ferman dêsîred to haue the account betuuixt him and the Toun clired And to yt effect producît the first yeiris account of the mills [...] (B20/13/2: 10 June 1662, H)

The most variable profile in this respect is that of Andrew Simpson Sr (H). Although his 43 uses of (-it) are outweighed by 93 uses of (-ed), the ratio between the two still identifies him as a writer for whom the regular Scots and the regular English forms were both acceptable realisations of the past and past participle inflection. While, as we have seen earlier, the same clerk’s occasional use of the older (quh-) trigraph seems to have been conditioned by considerations regarding the discourse structure of individual entries, his ample use of the Scots past and past participle ending cannot be explained satisfactorily by this observation alone. Although some occurrences of the Scots variant
do seem to fulfil the same function (cf. *compirrit* ‘appeared’, App. II), the vast majority of examples clearly does not follow this rationale.

Even more intriguing is the relatively high incidence of forms that correspond neither to the Scots nor the English variants, but instead seem to be hybrids or reduced versions of the same. Those are the spellings *(et)* and *(id)*, and, to a somewhat lesser degree, spellings that have lost the intervening vowel and only retain the bare dental *(t)* or *(d)*.\(^{66}\) The four variants are illustrated in the following examples:

(14) The Quhilk Day David paplay his seasing ordainet to be transumet in his awin favores And to pay to the thesaurar yrfoir 40 Ss. (B20/10/5: 20 June 1643, E)

(15) The which day Compeird personallie in judgement Andrew Cunningham in prymrose only Lauil broyt to wmql Thomas Cunningham Litster in Kinrose [...] (B20/10/6, 22 Nov 1671, H’)

(16) The qlk day Anet the Ryott committit be davi Lodge Againes Feane 3u11 for stryking of hir in his awine hous qlk the *said* davi confest and Referrit himselfff in the judges will And wes convict in ane vnlaw of 40 Ss thairfoir. (B20/10/5: 30 Jan 1645, E’)

(17) [...] Becawis the *said* persewar compeird personallie and the *said* defendars being lawfulie summond to have compeird at certain deyots preceeding and Last to this day to have given his oath of varetie wpon the poynnts of the claim referd therto [...] (B20/10/6, 20 Apr 1640, H’)

Significantly, Figure 4 shows that all clerks and scribes using reduced and hybrid spellings to any degree wrote during the roughly 40 years between the clear predominance of the regular Scots *(i-t)* ending and its complete loss at the end of the investigation period. Similar observations in previous studies have led these spellings to be called ‘transitional forms’, in particular *(i-et)* (cf. Devitt 1989: 45). Personally, I find this nomenclature dissatisfying, since the forms can be seen as transitional or transient only from a *post hoc* perspective. Calling them ‘transitional’ seems to belittle their functionality. With regard to their graphemic structure, however, there is no reason to assume that these spellings would have been inherently less suited to serve the purpose of weak past tense and past participles formation than their regularised counterparts. After all, four text witnesses in the Dunfermline Corpus use these alternative spellings for more than 15 per cent of all weak past and past participle endings, two even for more than 25 per cent. These numbers already imply that there might be more to them

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\(^{66}\) Words taking the reduced dental ending in English, such as *kept*, were not included in this category. The spelling *(keepit)* for the same lexical item, on the other hand, was counted as an instance of the regular Scots weak past and past participle suffix whenever it occurred.
than just an occasional *lapsus manus*, a ‘slip of the hand’. Both the idiolectal variability of the past and past participle suffix compared to the much more consistent alternation observed for *(quh-)* and *(wh-)*, as well as the curious emergence of the quite popular hybrid and reduced spellings for the inflection make it tempting to look for any signs of systematicity in this ostensible chaos (Meruman–Solin 1993: 51). It soon becomes clear, however, that a single underlying rule accounting for the perceived variability in all text witnesses cannot be formulated. Each writer seems to favour a distinct combination of forms. Nevertheless, the individual idiolects are not as anarchic in their distribution of variants as they might seem at first sight.

In the sample provided by Patrick Kinghorn (D) (1633–1635), *(et)* and *(t)* together account for almost 20 per cent of the past and past participle inflection (cf. Table 3). His use of the latter variant is easily explained: it occurs only after the letter *(s)*, probably representing the voiceless alveolar fricative /s/, as in *obleist* ‘obliged’, *confest* ‘confessed’ and *purchest* ‘purchased’. The same environment is also responsible for virtually all other occurrences of this variant in the remaining profiles of the corpus.67 In contrast, the distribution of *(et)* in words such as *producet* ‘produced’, *formet* ‘formed’, *namet* ‘named’ and *verejet* ‘verified’ seems more intricate. In Kinghorn’s linguistic profile this variant might best be described actually not as *(et)* at all, but rather as underlying *(it)* with a graphotactic rule blocking the insertion of *(i-)* after root-final *(e)*. This view is supported by the fact that the nouns *forme* and *name* are also attested in Kinghorn’s sample. Conversely, all lexical items definitely not spelt with a root-final *(e)* take the regular *(it)* ending. This is particularly true of those words which still take the typical Middle Scots *(i)*-digraph to indicate vowel length, e.g. *proceidit* ‘proceeded’ or *compeirit* ‘appeared’. In Southern English, long vowels were usually root-final *(e)* instead.68 Some unaccountable variation remains with roots ending in /dʒ/, /v/ or /r/, which becomes visible in Kinghorn’s variable spellings of *restoret*, *servet* and *chairget* alongside the regular *restorit*, *servit* and *purgit*.

Kinghorn’s successor as town clerk, John Auchinwallis (E), offers the most diverse profile regarding his set of admissible suffixes. As in Kinghorn’s sample, *(t)* suffixes are exclusively used after the letter *(s)*. The linguistic environments for the variants

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67 This conspicuous co-occurrence might also be supported by graphemic conditioning factors, since the letter *(s)* was realised as the allographic ‘long s’ *(t)* before *(t)*, so *confest* could actually be written with a ligature, cf. *(confelt)*.

68 A similar explanation is given in Bugaj (2004b: 92–93) for the occurrence of *(es)* as a plural marker.
(-ed), (-et) and (-id), on the other hand, are more varied and the number of occurrences for each is too low to be conclusive. As a general rule, however, Auchenwallis does not employ any of the three variants after plosives. Instead, all seem to follow voiced sounds, as in examined or continowid ‘continued’. Most significantly, (-et) does not adhere to the same rule as in Kinghorn’s sample, but operates independently of root-final (-e). This is demonstrated by examples such as conteinet ‘contained’ or payet ‘paid’, which do not take a final (-e) in the base form, and conversely also by examples such as producit ‘produced’, which always do. The only lexical item taking the variant (-d) is summond, which, however, is commonly found in many other text witnesses of the corpus. Despite his unusually wide range of variants, Auchenwallis is surprisingly consistent in his spelling of the past and past participle suffix for the various lexical items in his sample. The only inconsistencies are the spelling doublets ressavit / ressavid ‘received’ and reassounit / reassounet ‘reasoned, discussed’.

The distribution of variants for Auchenwallis’s assistant, Scribe E’, is similar to his own, although there are more instances of the English regular variant (-ed), also after plosive graphemes in visited and wicked, as opposed to only one instance of the hybrid variant (-id), viz. returnid. Similar to Auchenwallis, Scribe E’ seems to use (-et) only after letters representing voiced sounds, in particular (n), (m), (r), (v), (w) and (y), e.g. ordainet ‘ordered, decreed’ or avet ‘owed’. Again, the variant represents a fully fledged inflectional ending and not merely the reflex of a root-final (-e). Compared to Auchenwallis, however, Scribe E’ is somewhat less consistent in his spelling of recurring lexical items. Among others, he has doublets for borrowet / borrowit ‘borrowed’, considerit / considered and producit / produced.

As discussed above, Andrew Simpson Sr (H) is the most variable of all included writers regarding the use of the two main variants (-it) and (-ed). Nonetheless, even in his seemingly unregulated distribution of variants, a clear tendency for their respective uses in certain linguistic environments can be identified. To be specific, Simpson’s profile exhibits an inclination to retain the regular Scots (-it) variant primarily after letters representing plosives, in particular (t), (k) and (d) as in sightit ‘sighted, examined’, askit ‘asked (for)’ or condiscendit ‘acquiesced, agreed’. The environments in which he uses the regular English variant, on the other hand, are much more diverse, which supports the view that in his idiolectal system, the English variant has already assumed
a more productive role than its Scots counterpart. Unsurprisingly, his sample is also the one with the highest number of doublets, e.g. callit / called, payit / payed, but also electit / elected. The relatively high incidence of (-t) in his sample is due to the frequent occurrence of possest ‘possessed’.

The last text witness for which a closer examination of the past and past participle variants has been attempted is Scribe H’. His profile is extraordinary in that it exhibits an unusually high share of the variants (-id) and (-d). Both seem to be phonologically conditioned as they exclusively occur after letters representing voiced sounds, especially (n) and (r), like in referd ‘referred’, compleind ‘complained’ or desirid ‘desired’. Additionally, (-id) seems to be preferred if the last vowel in the root is long (or diphthongised) as in the last example above and the frequent compeirid ‘appeared’. Once again, however, the number of tokens conceal the more limited number of different types or lexemes occurring with these two variants. The two forms summond ‘summoned’ and compeirid alone already account for half of all occurrences. More interesting than the actual numbers, however, is the fact that neither (-it), (-id) nor (-d) occur after 1671 in his sample, which, after all, includes text from 1669 to 1674. It appears that this scribe regularised his use of the English variant (-ed) during the time he wrote up record entries in Dunfermline. Larger samples will be needed, however, before firm conclusions concerning such ‘intra-idiolectal’ diachronic change can be drawn.

Concluding the discussion of the second variable, the results confirm that the corpus is capable of yielding significant results. As with the (wh-) variant, the incoming English (-ed) seems to have been adopted rather slowly in the Dunfermline record books. It still remains marginal in the 1640s, when the corresponding figure in Devitt (1989: 18; 87) has already long surpassed the 50 per cent mark. In contrast to the previous feature, however, there is much more internal variation regarding the distribution of the Scots and English past and past participle suffix within individual samples. On the one hand, only the earliest and the last text witness are consistent in their choice of either of the two main variants. On the other hand, many writers of the 17th century additionally use hybrid and reduced spellings, viz. (-et), (-id), (-t) and (-d). Nevertheless, it has been shown that none of the text witnesses uses the variants in completely free variation. Although every writer seems to differ to some degree from the others in his personal preferences, all samples display a considerable degree of internal rule-
governedness. The various linguistic and in particular phonological environments seem to have a strong impact on the choice of the respective variants. The opposition between voiced sounds and plosives in root-final position seems to be most influential, but, as the sample provided by Patrick Kinghorn demonstrates, purely graphemic factors like the presence of a root-final (-e) may also be decisive. The difference between past tense or past participle uses of the variable, on the other hand, does not appear to influence the choice of variants.

4.3 The indefinite article

The regular spelling of the Middle Scots indefinite article was (ane) in all environments. Southern English, on the other hand, had by the Early Modern period developed a dual system, with (a) usually occurring before consonants and (an) before vowels. That this complementary distribution had been in place by the beginning of our investigation period is illustrated by an early metalinguistic comment on the use of the indefinite article:

We haue two articles in englysh, a & the: a or an (for both is one artycle, the tone before a consonaunt the tother before a vowell) is commen to eyer thyng almost. (Th. More, Confit. Tyndales Answere III. [1532], quoted from OED, “a” def. 2)

While in English usage spelling and pronunciation corresponded directly to one another, there is some indication that the Scots variant might have been a written convention only. Both the Scots and the English variants are ultimately derived from OE ān ‘one’, which shortened in unstressed positions and started to lose its final /n/ during the Middle English period, chiefly before consonants (cf. OED, “a” def. 2). Early Scots texts also frequently attest to this development, but by the time the Middle Scots supra-local written norm reached its phase of greatest inner cohesion, (ane) had asserted itself as the dominant form. Still, it has been remarked that it might never have been a fully controlled feature and probably never a feature of the spoken language (Aitken 1971: 209, n. 53). The following examples from sources outside the Dunfermline Corpus illustrate both the repeated use of (a) in a text from the early 15th century and the regularised use of (ane) in the early 16th century:

(18) And gif ony dois the contrare, the taxaris of the yelde, the said xv dais passit, [sall tak] a kow for v s., a weddir or a yow for xij d., a gayt, a gymyr, a dyunonde for viij d., a wilde mere with the foloware for x s., a colt of thre yere alde or mare
for a merk, a boll of quhet for xij d., a bol of ber, ry and pese for viij d., a boll of aytis or iiiij d. (RPS, 1424/29; emphasis added)

(19) The lordis auditouris decretis and deliveris that for ocht that thai haf yit sene Cristiane Inneclud dois wrang in the intrometting and withhaling of ane crof of land with ane barne liand within the fredome of the burghe of Tane [...] (RPS, 1494/11/66; emphasis added)

In Devitt (1989: 23–25), the overall rate of anglicisation – i.e. the replacement of (ane) by (a) before consonants and (an) before vowels – is altogether more gradual and less complete compared to the previous variables. The figures for its use before consonants considered in isolation are more definite. In this environment, the variable changed from less than 20 per cent of the total to 80 per cent English usage in the mid-17th century. The change towards the English variant before vowels, on the other hand, seems to have taken effect less decidedly and with a greater degree of fluctuation. At the end of the
period, only half of all occurrences selected (an) instead of (ane). Moreover, it is found that the Scots and the English variants were often mixed within texts and within single sentences. MacQueen (1957: 109) comes to a similar conclusion for the early 18th century when she includes the indefinite article in a category of variables that are “as interchangeable as spelling variants”.

Turning to the Dunfermline Corpus, the assertion that the Middle Scots variant might only have been a loosely controlled feature is certainly not confirmed by the data. Of the ten text witnesses (not counting the copy book), five use the Scots variant in all environments to the complete exclusion of its English competitor (Table 5 and Figure 4). Another three text witnesses are quasi-categorical, employing (a) before consonants only once each. Although any conclusions must remain speculative on account of the low number of their occurrences, such ‘slips of the hand’ might indeed point to interference from the spoken channel. Notably, there is even one example in Book A, the only witness to have categorical Scots usage for both the (quh-) trigraph as well as the past and past participle ending. The first writer to use the English variant relatively often is – once again – Andrew Simpson Sr (H), viz. 14 times out of the 45 occurrences of the indefinite article in his sample, or 31 per cent. This also makes him easily the most variable text witness with regard to this feature. No clear distribution pattern can be discerned for (a), which he apparently uses indiscriminately before consonants and even once before a vowel. Otherwise, only instances of (ane) are attested before vowels, although few in number. However, there is also one instance of the anomalous use of (an) before a consonant, which would indicate that this variant was at least a possible option in Simpson’s written idiolect.

Simpson’s profile shows once more that the English variant arrives rather late in the Dunfermline record books. The last included text witness preceding Simpson’s election, Scribe E’ (1643–1648), still clearly prefers the Scots variant over the English, at a time when the latter has almost reached 80 per cent coverage in Devitt’s (1989: 18, 87) data. Significantly, the last writer still exclusively using (ane) is Simpson’s assistant, Scribe H’ (1669–1674), who otherwise has proven to be rather markedly innovative in the two previous analyses. Andrew Simpson Jr (J), whose term of office begins in 1698, finally uses the English variants categorically, although there is also a small incidence of ‘mismatches’ of (a) and (an) before vowels and consonants, respectively. Intriguingly, Copy Book J’ not only retains these anomalies, but even re-Scotticises two other
instances where Simpson Jr seems to employ the regular English indefinite article: in one case *an act* is rendered as *ane act*, in another an illegible form in the original is reproduced as *ane ample and valid > right >.*

It is worth pointing out that the Scots form *(ane)* does not only contrast with the English indefinite article *(a) / (an)*, but also with the English numeral and pronoun *(one).* The occurrences of the latter are too few in number to allow any firm conclusions, but it is still interesting to note that Andrew Simpson Sr (H), who quite regularly uses the English variant of the indefinite article, only employs *(ane)* for numerals and pronouns, while Scribe H’, who does not use the innovative English forms of the indefinite article at all, does make use of *(on)* – a scribal variant of *(one)* – on two occasions:

(20) And Siclyk the said dauid Ferman producitt *dau* Jerom Cowie thesaurer his account, q’in he discharges himselff w’t *ffyftie ane* pundis iij Ss scotis money given vp as payit to the *said* dauid for certane vaidges [...] (B20/13/2: 10 June 1662, H)

(21) The which day after calling of the burrow roll of the *said* burgh, the heall burguess of the *said* burgh gave suite and presence at the head cowort and the absents war amerciat and vnlawit, each *on* in 40 shilling, whose names are extant in the rolls. (B20/10/6: 4 Oct 1670, H’)

This suggests that the anglicisation of *(ane)* as an indefinite article and its use as a numeral / pronoun are not necessarily linked with one another immediately but might have had independent trajectories of change. Again, a bigger sample size will lead to a more conclusive answer. Only Andrew Simpson Jr (J) employs the complete tripartite system with the two versions of the indefinite article and the scribal variant *(on)* for the numeral / pronoun, which is usually normalised to *(one)* by his copyists.

To sum up, the analysis of the indefinite article reveals that this variable too had anglicised more or less completely by the end of the investigation period. It thus certainly agrees with the previous two analyses in respect of the overall direction of change. This is most clearly visible for indefinite articles followed by word-initial consonants, since examples are more numerous and the results therefore more conclusive. The findings for this variable are also consistent with the larger trend which is beginning to emerge regarding the records’ position in the advance of anglicisation through the spectrum of Scottish texts, namely that the innovative variants took rather long to gain a firm foothold in the Dunfermline record books, at least compared to other genres examined in previous studies, in particular Devitt (1989). On the other hand, the
above discussion also draws attention to the fact that an individual writer’s preference for English forms did not necessarily encompass all diagnostic features. Scribe H’, for instance, uses English `{wh-}` and `{ed}` almost to the complete exclusion of their Scots counterparts, but clings resolutely to the Scots indefinite article `{ane}`. Mixed usage of the variants as attested by Devitt and MacQueen can only be detected for one writer, viz. Andrew Simpson Sr (H), who by now starts to stand out as a sort of intermediary between the old and the innovative norm, combining the use of Scots and English variants in all linguistic features examined so far, at least to some extent. All other text witnesses, however, are surprisingly consistent in their choice of the indefinite article. This is particularly true of the Scots variant `{ane}`, which, if nothing else, contests the verdict that it might never have been a consistently applied feature of written Middle Scots.

4.4 The present participle inflection\(^6\)

A prominent feature of written Middle Scots is that it retained a separate inflectional ending for the present participle, viz. `{and}`, whereas the corresponding form in Southern English was already identical with the ending for deverbal nouns and gerunds `{ing}`. The Scots variant is either a loan from Old Norse `{andi}` (Bugaj 2002: 54) or else a transparent continuation of OE `{ende}`, which in English had been lost by the 14\(^{th}\) century due to the merger with the ending for deverbal nouns, apparently originally motivated by the phonetic similarity of the two forms.\(^7\) The development of the gerundial use of `{ing}` might have been supported by this merger, but probably has its ultimate origins in syntax (cf. Jack 1988). The following examples illustrate typical Middle Scots usage in the 16\(^{th}\) century:

(22) Item, it is statute and ordanit that, forsamekle as the lordis of counsale and utheris oure soverane lordis liegis resort\(\text{and}\) and reper\(\text{and}\) to the toune of Edinburgh may be invadit, persewit or trublit be evill avisit persounes being in the castell of Edinburgh be schot of gun, that, therfor, the capitane of the said castell suffir na

\(^6\) Identifying the difference between deverbal and participial use of the `{ing}` ending was hardly ever a problem. Gerundial use was very rare in the data. If forms were ambiguous, they were omitted from the analysis. Some sentential / phrasal participles with quasi-prepositional functions were not included as they would have skewed the overall frequencies. These are according, concerning, during and notwithstanding.

\(^7\) The most common explanation is that the two forms merged because their phonetically reduced forms `/in/` and `/an/` came to be indistinguishable (cf. OED, “-ing, suffix” def. 2).
gunnis to be schot furth of the samyn to the hurt, damage or skaithe of ony of oure overaine lordis liegis [...] (RPS, 1525/2/18)

(23) I beand mouit in that part scand the pure of Christ inlaik, without assistance of support in bodie, al men detestand aspecioun, speche or communication with thame, thought expedient to put schortlie in wrye (as it hes plesit God to support my sober knowlege) quhat becummis euerie ane baith for preseruatioun and cure of sic diseise [...] (Gilbert Skeyne, Ane breve descriptioun of the pest, 1568, quoted from HCOS; emphasis added)

It has been noted that the (ing)-variant is attested already in Early Scots texts and that it might therefore have been native to Scotland before the onset of large-scale anglicisation (Agutter 1990: 4). Interestingly, the present participle suffix is the only variable for which Devitt (1989: 28–29) finds the Southern variant already past the 50 per cent mark at the beginning of that study’s investigation period in the early 16th century. It is also the only variable for which the diffusion curve already flattens

<table>
<thead>
<tr>
<th>Text witness</th>
<th>Time span (sample)</th>
<th>-and %</th>
<th>-ing %</th>
<th>-an %</th>
<th>-in %</th>
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<tr>
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<td>1573–1575/6</td>
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<td>75</td>
<td>11</td>
<td>25</td>
<td>44</td>
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<td>74</td>
<td>17</td>
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<td>76</td>
<td>100</td>
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Table 6: The present participle inflection: distribution of variants

Figure 6: The present participle inflection: distribution of variants
around the turn from the 16th to the 17th century, which the author has otherwise identified as a watershed for the increase of anglicised variants, in particular \{wh-\} and \{-ed\} (Devitt 1989: 44–45). On the whole, anglicisation appears much more gradual in Devitt’s study, but also significantly more complete than for the other variables: by the second half of the 17th century, the English variant has achieved a coverage of overwhelming 99 per cent of all occurrences in the analysed texts. This is corroborated by results in MacQueen (1957: 71), who finds that English \{-ing\} was the preferred form already in the 17th century.

The data in the Dunfermline Corpus (Table 6 and Figure 671) generally confirm that rate and pattern of anglicisation for this variable differ considerably from the others analysed so far. It is the variable with the highest degree of internal variation regarding the way it is used by individual text witnesses. Andrew Simpson Jr (J), the last included writer (not counting the copy book), is also the only one to use either of the two variants consistently. Considering his preferences with regard to the previously discussed variables, it is not surprising that he chooses the English variant \{-ing\}. By the same token, there is not a single text witness who uses the Scots variant \{-and\} exclusively. Only four employ it in the majority of cases, the last of them being William Brown (C) (cf. Tables 6 and 7).

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<th>59-40% -and</th>
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Table 7: The present participle inflection: consistency of text witnesses

Nevertheless, the Dunfermline data also differ from the findings in previous studies regarding some important details. In particular, there is the usual delay observable in the corpus data. Book A, which was written in the 1570s, still has the Scots variant in 75 per cent of all occurrences, while the average figure in Devitt (1989: 18, 87) has already sunk below 25 per cent around the same time. Similarly, in the sub-period 1600–1619, none of the texts analysed by Devitt exhibits less than 70 per cent English usage, the average rate already standing at about 95 per cent. In contrast, the figures for the three writers in the Dunfermline Corpus writing during the same two decades range between roughly 20 and 40 per cent. Only from the 1630s onwards does the English \{-ing\} variant become the dominant form, beginning with the profile of Patrick

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71 The variant spellings \{-an\} and \{-in\} for the Scots and the English variants, respectively, have been conflated with the main variants \{-and\} and \{-ing\} in Figure 6.
Kinghorn (D). Nevertheless, Scribe H’ still uses Scots variants in almost a third of all occurrences as late as the 1670s.

As may be expected, the number of types, i.e. lexical items, for which the Scots variant is used decreases with the general number of tokens, or total occurrences, while the number of types for the English variant increases over time. The decisive turn towards the English variant in terms of types clearly coincides with the first writer to use (-ing) as the majority variant in terms of tokens, viz. Patrick Kinghorn (D). Nevertheless, there is a number of items found in many text witnesses which seem to preserve the Scots variant longer than other items. The forms *restand*, *payand* and *compeirand* are particularly noteworthy in this respect. A closer examination reveals that all three forms have very specific, almost formulaic contexts in which they occur in the texts: *restand* is used to refer to an amount of money owed, often but not always combined with *awand*; *payand* specifies the entry fee for becoming burgess of the town or the amount of rent to be payed, and *compeirand*, the most prolific of all, occurs with the names of the claimants and defendants appearing – or failing to appear – in a judicial proceeding. All three are illustrated in the following examples:

(24) The q10 day magdalene gray wes decernit to mak pay4 To mar4 Annan of thrie pund5 thrie schillinges adebit and *restand awand* be hir to the said mar4 [..] (B20/10/5: 26 Oct 1643, E’)

(25) That day James Richardson son [...] wes creat and made burgis and freman of the said burgi and received to the liberties yrof payand 40 Ss as ane fremans son who being suorne made faith y’to as wse is. (B20/10/6, 6 Aug 1672, H’)

(26) [...] and they being oftimes called wpon not compeirand law11 time of day bidden war holdine confest and therfor [the provost and bailjie] decerns as said is. (B20/10/6, 2 Feb 1670, H’)

Their use in recurrent legal contexts and set phrases is likely to have encouraged a certain degree of inertia with regard to the adoption of the innovative English forms (Devitt 1989:66).

At the other extreme are words that are used less often and, notably, frequent items occurring in diverse contexts, both of which tend to anglicise more readily. The copula / auxiliary *be*, for instance, anglicises particularly fast. There is not a single text witness using the Scots version *beand* exclusively, which sometimes leads to the apparent mixing of Scots and English variants in one and the same sentence, as in examples (25) and (26) above. To a somewhat lesser extent, the same applies to *have,
although there is also a set phrase *havand or pretend intres* ‘having or pretending interest’, which retains the Scots variant until far into 17th century. *Have* and *be* are also the principal lexical items for which usage varies within idiolects. Otherwise, lexical doublets only occur in the sample provided by Scribe H’, while all other writers are surprisingly consistent. An interesting case is provided by *furtheumand* and *coming* (*cuming*). Although both are obviously derived from the same root, they always occur with the Scots and the English variant of the present participle, respectively. Both are only found in specialised contexts, which, once again, inhibits their variability and in this case even seems to have severed the derivational ties between them.

(27) That day [the provost and bailies] decerns the persons particularlie after nominat to mak furtheumand payment and delyverance to Robert Hutton baillie of the said burgh the sowmes of mony particularlie after mentionat [...] (B20/10/6, 11 May 1670, H’)

(28) [...] and farder It is heibry enactit That Incais schoe sall happin To commit the lyk in tyme coming ather to the said katharine or any vther honest nybour, schoe sall not onlie be lyable Jn payt of ye soume of x lib money bott by and attoure sall be severelie punishit in hir bodie. (B20/10/5: 26 May 1646, E’)

To sum up, the findings for the present participle ending in the Dunfermline Corpus agree with previous studies in that this variable behaves altogether differently concerning rate and pattern of anglicisation. It is the only one already exhibiting a considerable proportion of English endings at the beginning of the investigation period. Moreover, the English variant increases faster, but at the same time less abruptly than for the previously examined variables. This might be read as an indication that influence from the Southern English norm does not suffice to fully account for the change in this variable, as it seems to have started merging with the suffix for deverbal nouns before anglicisation started to take effect in the other variables. On the other hand, it is reasonable to assume that the fact that this merger had already been completed in English speeded up the change. Once again, however, the data show that the Dunfermline records lag behind other text genres in the adoption of the new variant. Also, the importance of formulaic expressions and set legal phrases for the choice of conservative or innovative variants becomes visible in the analysis of this feature. The typically Scots ending (-and) survives longest in recurrent legal contexts where established phrases seem to prefer the use of the older variant. One of the most intriguing observations, however, consists of the fact that although all except the last text witness (not counting the copy book) use both variants to some degree, they are
usually consistent in their choice for the individual lexical items. The only exceptions are the high-frequency items be and have and occasional items in the sample provided by Scribe H’. This suggests that even for this, on the surface, highly variable feature, the distribution of the older Scots and incoming English forms within the individual idiolects was patterned to a remarkable degree.

4.5 The cognate forms ilk/-ilk and each/-ich

The last variable to be subjected to closer scrutiny might – for lack of a better term – best be described as a feature of cognate relationship. This means that the contrasting Middle Scots and Southern English forms ilk / -ilk and each / -ich were both derived from a common Anglo-Saxon ancestor, but had developed in different directions so that they were clearly distinct forms by the time when large-scale anglicisation of written Scots set in. Each variant in this analysis consists of two forms: Scots ilk contrasts with English each, while -ilk stands for the end part of the relative pronoun / adjective quhilk, contrasting, as we have seen in the first analysis, with English which. Although the latter two forms only occur as part of the relative pronoun / adjective, they will be represented as truncated to emphasise that the opposition quhillk / which is treated here as one of word form and, in particular, that the differing spellings for the labiovelar fricative are not taken into account (cf. 4.1). Instead, it seemed justifiable to include ilk and -ilk on the one hand and each and -ich on the other in the same discussion due to their transparent relationship and analogous uses. The relevant uses of the Scots variants are illustrated in the following examples:

(29) Item, it is avisit, statute and concludit in this present parliament, because thair has bene greit confusioune of summondis at ilk sessioune, sa that laser nor space at a tyme of the yeir mycht nocht have bene had for the ending of thame, and tharthrou pure folkis hes bene delayit and deferrit fra yeir to yeir, throw the quhilk thay wantit justice, that thairor for eschewing of the said confusioune thair be ane console chosin be the kingis hienes quhilk sall sitt continually in Edinburgh [...] (RPS, A1504/3/102; emphasis added)

(30) of this sort the kyng of ingland playit viht baytht the handis, to gar the emprioure and the kyng of France ilk ane destroye vthirs [...] (Robert Wedderburn, The Complaynt of Scotland [1549/50]; quoted from HCOS; emphasis added)

72 Quhilk and which are descended from a compound involving a question pronoun and the ancestor of ilk and each (as well as ModE like) which already existed in Germanic.

73 In contrast to the English variant each, Scots ilk could also mean ‘same’. Occurrences of this use were not included in the count.
Note that in contrast to English the Scots relative pronoun / adjective could be marked for plural:

(31) [...] all things concerning the said office conforme to the actis maid hereupone of befor, quhilkis thai ratife and appreve in this present parliament. (RPS, 1543/3/9; my emphasis)

Previous studies have discussed -ilk / -ich mainly as part of their analyses of the relative pronoun, which means that their results primarily concern the anglicisation of the {quh-} trigram and do not consider -ilk as an independent variable eligible for anglicisation. In Devitt (1989: 18–19), the figures given include the so-called ‘transitional forms’ quich and whilk with the Scots and English variants, respectively, which conceals any systematic differences that there might be between -ilk and the spelling for the labiovelar fricative with regard to rates of anglicisation. The opposition between the unbound ilk and each has not been commented on in previous studies.

<table>
<thead>
<tr>
<th>Text witness</th>
<th>Time span (sample)</th>
<th>-ilk</th>
<th>%</th>
<th>q/wilk</th>
<th>%</th>
<th>ilk</th>
<th>%</th>
<th>-ich</th>
<th>%</th>
<th>q/wich</th>
<th>%</th>
<th>each</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Book A</td>
<td>1573-1575/6</td>
<td>19</td>
<td>45</td>
<td>19</td>
<td>45</td>
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<td>10</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>42</td>
</tr>
<tr>
<td>David Brown B</td>
<td>1607-1611</td>
<td>2</td>
<td>6</td>
<td>27</td>
<td>82</td>
<td>4</td>
<td>12</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>Scribe B'</td>
<td>1606-1607</td>
<td>21</td>
<td>62</td>
<td>2</td>
<td>6</td>
<td>11</td>
<td>32</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>William Brown C</td>
<td>1607-1613</td>
<td>0</td>
<td>0</td>
<td>24</td>
<td>69</td>
<td>11</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>35</td>
</tr>
<tr>
<td>Patrick Kinghorn D</td>
<td>1633-1635</td>
<td>16</td>
<td>48</td>
<td>10</td>
<td>30</td>
<td>7</td>
<td>21</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>John Auchinwallis E</td>
<td>1642-1643</td>
<td>3</td>
<td>7</td>
<td>20</td>
<td>49</td>
<td>16</td>
<td>39</td>
<td>2</td>
<td>5</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>41</td>
</tr>
<tr>
<td>Scribe E'</td>
<td>1643-1648</td>
<td>5</td>
<td>9</td>
<td>48</td>
<td>83</td>
<td>5</td>
<td>9</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>58</td>
</tr>
<tr>
<td>Andrew Simpson (Sr) H</td>
<td>1662-1681</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>10</td>
<td>23</td>
<td>74</td>
<td>3</td>
<td>10</td>
<td>2</td>
<td>6</td>
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<td>31</td>
</tr>
<tr>
<td>Scribe H'</td>
<td>1669-1674</td>
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<td>0</td>
<td>0</td>
<td>2</td>
<td>4</td>
<td>30</td>
<td>67</td>
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<td>0</td>
<td>13</td>
<td>29</td>
<td>45</td>
<td>58</td>
</tr>
<tr>
<td>Andrew Simpson (Jr) J</td>
<td>1698-1723</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>18</td>
<td>58</td>
<td>3</td>
<td>10</td>
<td>10</td>
<td>32</td>
<td>31</td>
<td>58</td>
</tr>
<tr>
<td>Copy Book J'</td>
<td>1698-1723</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>17</td>
<td>55</td>
<td>4</td>
<td>13</td>
<td>10</td>
<td>32</td>
<td>31</td>
<td>58</td>
</tr>
</tbody>
</table>

Table 8: The cognate forms ilk/-ilk and each/-ich: distribution of variants

Figure 7: The cognate forms ilk/-ilk and each/-ich: distribution of variants

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As Table 8 and Figure 7 show, the Scots variants are used exclusively by six of the ten writers (not counting the copy book). The first to include any instances of the English variant -ich is John Auchinwallis (E), who, as we have seen in the analysis of the first variable also pioneered in introducing (wh-) forms to the records. The full panoply of English variants arrives with Andrew Simpson Sr (H) (1662–1681.) Interestingly, he uses -ich and the corresponding contracted form to the complete exclusion of -ilk, but remains variable in his use of ilk and each, respectively. It is also worth noting that the same writer splits the set of scirbal abbreviations discussed earlier (cf. 4.1) into the fully anglicised {wich} on the one hand and the contracted version of {quh-} for all other uses on the other:

(32) [...] ffor remeid qrof Statuts and ordains yr in all tym comin all persons to qm any inffeftments, dispositiones, resignations and yr writs salbe maid and grantit, wch salbe maid, formed and perfytit by the said present clerk and his successors shall wthin fourtie dayes after giueing of these inffeftments and making the said dispositiones and yr writs cum to the clerk of the said bur [...] (B20/13/2: 20 Apr 1667, H)

The last writer to use any Scots variants is, as with most other variables, Scribe H’ (1669–1674). However, in his sample the Scots forms are already restricted to two instances of ilk, none of them later than 1670 and clearly outnumbered by each. Andrew Simpson Jr (J), finally, is completely anglicised in his use of each / -ich and even uses the contracted English variant to combine with the more tenacious abbreviation of {quh-}:

(33) And then each of ye above members qualifiyd by suearing ye oaths of alleagance, supremacy and abjuracion and subscripting ye same uith ye Assurance after qch they proceeded to ye election as follous [...] (B20/13/5: 7 Oct 1723, J)

This is also the only hybrid form combining Scots spelling of the {quh-} trigraph with the English form -ich, albeit in contracted form. The forms whilk or quhich, often cited in the literature (Meurman–Solin 2001c: 40–41), never occur in the corpus. However, other examples of Scots and English hybrid forms can be found, for instance quho ‘who’, whayis ‘whose’ and whaire ‘where’. This suggests that whereas {quh-} and -ilk might indeed have been so closely associated with each other in the frequently occurring form quhilk that they changed as a pair, other items taking the initial labiovelar fricative might not have had an equally strong inner coherence and thus, by
their constituents changing at different rates, gave rise to hybrid forms such as those quoted above.

To briefly sum up the results for the last variable, the analysis confirms that the anglicisation of *ilk* largely coincides with that of *-ilk*, the latter being part of the relative pronoun / adjective *quhilk*. The only exception is Scribe H’, who retains some minority use of *ilk* even though *-ilk* has already given way to *-ich* in his sample. Hybrid forms like *whilk* do not occur, which suggests that the relative pronoun / adjective indeed changed as one unit as assumed *a priori* by previous studies. This does not hold true, however, for other lexical items with an initial labiovelar fricative. Larger samples and a more detailed analysis of forms such as *quho* or *whais* will be needed to arrive at a more complete and accurate picture.

### 4.6 Relationships among the variables

Now that all five variables have been discussed in detail, the obvious next question is if these analyses can give us any relevant information about the development of the

![Figure 8: Anglicisation of the five variables in the Dunfermline record books](image-url)

language of the Dunfermline records in general. For that purpose, it has to be determined if there is any significant correlation between the five analysed linguistic features and the primary independent variable in any diachronic analysis, i.e. time, and what this relationship is. Also, the relationships of the five linguistic variables to each
other will have to be considered in order to assess the strength of any generalisations made with regard to such an overall trend. Figure 8 gives an overview of the development of the Southern English variants in the various text witness’s profiles over time.\textsuperscript{74} In this graph, only the relative number of anglicised forms in opposition to all other possible variants has been considered. For instance, in the case of past and past participle inflections, hybrid and reduced spellings have not been taken into account.\textsuperscript{75} The red line represents the average rate of anglicisation as calculated from the individual anglicisation rates of the five separate variables. Obviously, any generalisations about the pattern of anglicisation have to be deemed preliminary as the five features analysed are only a small segment of all linguistic features diagnostic of the differences between Middle Scots and Early Modern English. Many more would have been eligible for inclusion. However, for the purposes of generating meaningful results so as to compare them with previous studies as well as for testing the corpus, the practice of basing general statements on the five analysed variables alone has been accepted. Still, it has to be kept in mind that such statements can only be tentative and will have to be confirmed by follow-up studies in this and other corpora to increase their validity.

It becomes clear from the graph that, quite obviously, the variables changed decidedly over the 150 years covered by the Dunfermline Corpus. All variables started at a level of well below 30 per cent anglicised forms in the 1570s (Book A) – most of them actually much lower – and had between 80 and 100 per cent anglicised forms in the last writer’s profile, viz. Andrew Simpson Jr (J) (1698–1723), and Copy Book J’. The calculated mean curve is even more impressive, the rate of anglicised forms starting at a level of just above 5 per cent and reaching 95 per cent at the end of the investigation.

\begin{table}
\begin{tabular}{lll}

\hline
variable & \( \tau \) & \( p \text{-value} \) (\( p \leq 0.05 \)) \\
\hline
\{wh\} & 0.784 & 0.00136 \\
\{ed\} & 0.673 & 0.00311 \\
\{a\} / \{an\} & 0.422 & 0.08466 \\
\textit{each} / \textit{-ich} & 0.844 & 0.00032 \\
\{ing\} & 0.799 & 0.00149 \\
ALL & 0.891 & 0.00001 \\
\hline
\end{tabular}

Table 9: Anglicisation of the five variables: Kendall’s \( \tau \) 
\end{table}

\textsuperscript{74} The arrangement of the text witnesses on the x-axis corresponds to the temporal sequence of the writers. The periods given refer to the samples taken from the record books, not to terms of office. The axis is not actually time-scaled in the sense that equal distances on the axis correspond to equal periods of time, which would have been preferable in terms of precision, but was found not reader-friendly. The official clerks are always put before their assistants, even when their assistants’ hands become visible in the records before the clerks’ own hands – this concerns mainly David Brown (B).

\textsuperscript{75} This is in accordance with the corresponding graphs in Devitt (1989).
period. What is also remarkable about this calculated mean rate is that it suggests three stages in the process of anglicisation: first, the rather slow increase of anglicised forms between the 1570s and the end of the 1640s, during which time the share of English variants never exceeded 20 per cent; second, a considerably higher percentage of English variants in the period between the 1660s and the 1680s; finally, more or less complete anglicisation of the five variables around the turn from the 17th to the 18th century.

In addition to this graphic representation, the correlation between frequency of anglicised forms and the progression of time can also be expressed statistically by various correlation coefficients. For the purposes of this study, a simple rank correlation measure like Kendall’s tau (\(\tau\)) will suffice. Although there are more powerful statistical tools than that, in this particular case a rank-based correlation measure suggests itself because it does not require variables that are interval-scaled or ratio-scaled, which a list of text witnesses ordered by the temporal sequence in which they were written clearly is not (cf. Hilpert & Gries 2009: 389-390).\(^{76}\) For the correlation of time – in the form of the temporal sequence of text witnesses – with the calculated mean of the five linguistic variables, a Kendall’s tau test returns a value of \(\tau=0.891\), i.e. a very strong positive correlation (the highest possible value being 1), which is highly significant \((p=0.000014)\). This result expresses in statistical terms what we have already gleaned from the graph, namely that as one writer followed another between the late 16th and the early 18th centuries, the proportion of anglicised forms in the successive written idiolects and, as a result, in the record books increased. The same test can be repeated for all variables individually, which also reveals high correlation levels (cf. Table 9). The only exception is the indefinite article \((a) / (an)\), whose results do show a positive trend, but it is only moderately strong and marginally significant \((\tau=0.422, p=0.084)\). This observation agrees with the relatively high degree of fluctuation exhibited by this variable in the graph.

<table>
<thead>
<tr>
<th>variable</th>
<th>difference (in pp)</th>
</tr>
</thead>
<tbody>
<tr>
<td>-(ing)</td>
<td>26,8</td>
</tr>
<tr>
<td>each / -ich</td>
<td>0,78</td>
</tr>
<tr>
<td>MEAN</td>
<td>0,0</td>
</tr>
<tr>
<td>-(ed)</td>
<td>-3,57</td>
</tr>
<tr>
<td>-(wh-)</td>
<td>-6,74</td>
</tr>
<tr>
<td>(a) / (an)</td>
<td>-15,72</td>
</tr>
</tbody>
</table>

Table 10: Anglicisation of the five variables: distances from the mean

\(^{76}\) The correlation tests were done using the open source software environment R.
We have now established that, on the whole, the increase of anglicised forms correlates significantly with the temporal succession of writers, and that the same is also true of most variables when considered on their own. However, Figure 8 and Table 9 also show that the lines of the individual linguistic variables do not fall exactly with the mean, i.e. the results vary to a certain degree for each variable. A crude way of assessing the extent of this variation is to calculate the average difference from the mean for each of the five variables. The results displayed in Table 10 represent the distances from the mean in percentage points. When we compare these figures with what can be seen in the graph, it becomes clear that the present participle inflection and the indefinite article behave in a way markedly different from the other three variables. The anglicisation curves of both are relatively distant from the mean, the former at a level far above, the latter below. This means that, on the whole, the present participle inflection anglicised considerably faster than the other variables, while the indefinite article lagged somewhat behind. This confirms what has been found in the separate analyses, namely that, on the one hand, the present participle inflection had already reached a considerable level of anglicised (ing)-forms at the beginning of the investigation period, while the Scots indefinite article (ane) was still categorically applied by Scribe H’ as late as the 1670s. The (wh-) digraph, the past and past participle ending (-ed) and each / -ich, on the other hand, are quite close to the mean and to each other, which prima facie suggests that these English variants shared a rather similar pattern of diffusion. However, it should not be forgotten that these remarks only take into account the relative increase of English forms in juxtaposition to all other possible variants, thus neglecting additional important findings from the five individual analyses. In particular, the above calculations do not pay due attention to previous observations regarding scribal abbreviations for the (quh-) trigraph or additional spellings for the past and past participle inflection. We have seen that the contracted forms of (quh-) did not fully anglicise until the end of the period, while their written-out equivalents changed quite abruptly. The weak past and past participle inflection, on the other hand, temporarily developed a more complex set of acceptable forms including hybrid and reduced spellings, whose modes of application were quite idiosyncratic for each writer, but also remarkably rule-governed.

Therefore, while all analysed linguistic variables show a clear trend towards the predominance of the English variants and although, as the above discussion shows, this

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increase correlates significantly with the temporal sequence of the text witnesses, it has
to be added that the individual variables also differ considerably from each other, in the
sense that they exhibit distinct patterns of change concerning both rate and manner.
With regard to diachronic variation at the level of idiolectal linguistic behaviour, this
means that individual writers did not simply adopt a complete set of anglicised forms,
but that the innovative variants appeared in the linguistic profiles at different times and
in different guises. However, this does not necessarily entail that the Scots and English
variants became freely interchangeable when the old Middle Scots written norm – still
in place at the beginning of the investigation period – started to lose its cohesive force –
particularly visible from John Auchinwallis’s (D) term of office onwards (ca. 1640). As
the analysis of the five linguistic variables has suggested, the writers were on the whole
remarkably consistent in their individual usages. In the case of the past and past
participle inflection, most idiolectal variation has turned out to follow relatively
consistent phonologically or graphemically motivated patterns, including the use of
hybrid and reduced forms. The choice of variants for the present participle inflection, on
the other hand, seems to have been tied to certain lexical items, which becomes most
evident in recurrent legal expressions and phrases. The remaining three variables
changed more or less categorically, i.e. writers generally used either the Scots or the
English form, some minor inconsistencies aside. The only real exception is the use of
both (ane) and (a) for the indefinite article in Andrew Simpson’s (H) linguistic
profile, which does not seem to follow any obvious pattern. Admittedly, this writer and
especially his assistant Scribe H’ have the most variable linguistic profiles in terms of
internal consistency, which points to the fact that, chronologically, they mark the
transitional period between the old Scots and the new English norms. However, even
their usage patterns are far from chaotic or otherwise characterised by a free distribution
of variants.

In conclusion, therefore, we can say that each of the ten profiles (not counting the copy
book) displays essentially rule-governed linguistic behaviour, albeit accented by
individual preferences. As each linguistic feature changed somewhat differently, this
gave rise to distinctive patterns of usage at the idiolectal level: every feature has a bit of
its own history, every writer a bit of his own written standard.
5. Anglicisation in Scottish burgh records

While the last chapter has aimed to provide a close analysis of five pre-selected linguistic features of written Middle Scots with regard to the way these features changed under extralinguistic pressure to conform to the supra-local written norm emanating from metropolitan England, the present chapter tries to put the findings from these analyses in a larger context. More precisely, the following discussion has two goals. The first goal is to establish if the diachronic patterns that have been identified for the empirical data – the language of the burgh record books of Dunfermline, Scotland between 1573 and 1723 – can be meaningfully related to results from previous studies dealing with the anglicisation of Scots. In particular, this concerns the question whether the language of the record books underwent the same changes as that of other texts or discourse types and, if so, whether there are any marked differences concerning the rate and manner of these changes. The second goal, then, will be to try to interpret any such differences with the help of the extralinguistic information that has been collected for the primary source material, in particular regarding its socio-pragmatic embedding. For that purpose, I will draw upon concepts introduced in Chapter 2, in particular the notion of the discourse community of legal-administrative texts and the socio-cultural and communicative rationale that underpins it. Throughout, the question of how the results from the empirical part can be used to explain patterns of diachronic change when paired with such theoretical concepts will accompany of the discussion. It must not be forgotten, however, that the present study is of limited scope. It only includes historical data from one specified location when the underlying research interest would actually require comparative data of similar qualitative depth from many more burghs and other locales of legal-administrative discourse all over Scotland. However, it is hoped that even if the following statements cannot be considered perfectly valid generalisations due to the limited nature of the data, they will still suffice to give a plausible and coherent account of anglicisation in Scottish legal-administrative texts, based on firsthand evidence collected and prepared in accordance with rigorous philological principles.

As we have already seen in the last chapter, the general trend that all five variables indicate is large-scale anglicisation. Although the course of each variable is different to a certain degree, all but one of them moved from an indisputable preference for the Middle Scots variant at the beginning of the investigation period to total or near-total
predominance of the Southern English variant at the end of the period. This simply tells us that the Dunfermline burgh records were not impervious to the socio-politically and culturally motivated process that obliterated most traces of the Middle Scots written norm from texts handwritten or printed in Scotland between the late 16th and the 18th centuries. However, this is not much more than the idiomatic tip of the iceberg. Obviously, any other result would have been extraordinarily surprising as we already knew from the relevant literature that this process had taken place during that stretch of time. But the research question as posed in the first chapter of the present paper was not so much if the language has changed, but rather how this change took effect. In this respect, we would like to go further and try to assess if the patterns found in the Dunfermline records deviate in any way from those described by other texts and discourse types. The necessary empirical data for comparison are provided by Devitt (1989: 18, 87), whose selection of variables has also served as a model for the analytical design of this study. Her research corpus consists of a much wider range of text genres / discourse types than the Dunfermline Corpus, but it does not include burgh records at all. That does not make it any less interesting for comparison; quite the contrary: the Dunfermline data complement Devitt’s results. It should be kept in mind, however, that the results of that particular study should be met with caution for reasons outlined earlier (cf. 2.4), which have to do with the division of analytical categories and the source material. It is also for those reasons that my selection of variables differs somewhat from Devitt’s (cf. 4.1). Nevertheless, the two studies are still compatible for the purpose of evaluating differences in the overall patterns of anglicisation in the two respective sets of data material.

Figure 9 represents Devitt’s results in a slightly modified form. Figure 10 beside it is an adjusted version of the graph from Chapter 5, representing the Dunfermline data.78

The curves in Figure 9 are much smoother and the lines ascend much more gradually than in Figure 10, which is due to the fact that Devitt’s data represents mean values calculated from several texts taken from five prose genres for each subperiod and not idiolectal usage as in the Dunfermline Corpus. Also, the time span covered differs considerably between the two data sets. Nevertheless, similarities and differences can still be discussed in broad strokes. Looking at the Dunfermline graph on the right, the

78 Devitt’s data has been adjusted for Figure 9 by excluding the linguistic variable not analysed in the present study, viz. the ‘negative particle’, while Figure 10 excludes the each-/ich variable not (separately) analysed in Devitt’s study. Figure 9 is based on rounded percentages as provided in Devitt (1989: 87).
most important aspect to notice is that large-scale anglicisation set in much later compared to prose genres in general as sampled in Devitt’s research corpus. In the latter, anglicised forms had already almost reached a quota of 50 per cent by the turn from the 16th to the 17th century and by the end of the covered period around 1660, the process of anglicisation was basically in its final stages, with an anglicisation rate of more than 80 per cent. The Dunfermline records, on the other hand, were rather slow to introduce English variants. Around 1600, English forms were still marginal, on the whole well below 10 per cent. The first moderate increase is discernible in John Auchinwallis’s (E) profile as late as the 1640s. The most significant jump, however, is between Auchinwallis’s term of office and that of Andrew Simpson Sr (H), the first text witness after the Restoration, writing from 1662 to 1681. His usage was more than 60 per cent anglicised. Finally, his son and later successor Andrew Simpson Jr (J), who became town clerk at the end of the century, hardly used any distinctively Scots forms anymore.

The burgh records of Dunfermline are thus remarkably slow in responding to the general trend. Compared to Devitt’s findings, they are about half a century late to cross the 50 per cent mark of anglicised forms. It is not before the second half of the 17th century that the language in the record books catches up with the language in Scottish prose texts at large. Once again, it has to be emphasised that the numbers from Dunfermline refer to the percentage of English forms in the profiles of individual language users, while Devitt’s numbers are derived from a selection of roughly contemporaneous texts. This factor also explains best why the rise in English variants is so abrupt after an extended period of rather sluggish progression. In this respect, the middle of the 17th century certainly stands out as a pivotal point for the shape of the language in the record books, but this becomes manifest in the records only through one hand following another.
In addition to gross numbers for all genres, Devitt (1989: 54–58, 94–96) also presents figures for each genre separately. The genre category ‘national public records’ is found to be the linguistically most conservative among them. Although the way this category is defined in that particular study is not ideal (cf. 3.1) and although no public records from the local level of legal-administrative organisation are included, comparing these data with those from Dunfermline obviously suggests itself because of their generic proximity to each other (cf. Figures 11\(^{79}\) and 12).

![Image](image_url)

**Figure 11:** Anglicisation in national public records 1520–1659 (cf. Devitt 1989: 58)

**Figure 12:** Anglicisation in Dunfermline records 1573–1723

Indeed, the trend described by this subcategory is more congruent with the findings for the Dunfermline records. Even though there was certainly a decided increase of English variants during the period investigated, their share of the total did not exceed 50 per cent until well into the 17\(^{th}\) century and only stood at 60 per cent in the last included subperiod 1640–1659. This corresponds roughly with what has been found for the Dunfermline data, except that during the late 16\(^{th}\) and the early decades of the 17\(^{th}\) centuries, English variants were still generally less common in the Dunfermline burgh records than in national records. Both observations – the slower rate of anglicisation in public records as opposed to other prose genres and the discernible difference between records at the national and at the local level (at least prior to the Restoration) – agree well with findings in the relevant literature. As can be seen in Devitt’s data, legal-administrative records were markedly less inclined to linguistic innovation than other texts. Within this discourse type, rates of anglicisation still differed according to their position within the hierarchy of legal-administrative organisation: records produced in the context of burgh government and jurisdiction lagged behind those from national institutions (Meurman-Solin 2000: 58–60; MacQueen 1957: 76, 88).

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\(^{79}\) The rounded percentages can be found in Devitt (1989: 96).
Linguistically speaking, therefore, Dunfermline is a fine example of local legal-
administrative discourse in Scotland during the Early Modern period, at least judging on
the basis of what we know about it. It illustrates well the way the language of this
discourse type behaved under socio-political and cultural pressures to adopt a supra-
local norm originating from outside Scotland. This distinctive behaviour is best
summarised by referring to its markedly delayed pattern of change towards the
innovative English variants, which might be paraphrased as linguistic conservatism or
resistance to anglicisation. However, there are problems with such a characterisation,
which brings us to the second goal of this chapter, viz. interpreting the empirical
findings by trying to understand them in their historical context. The central question in
this respect is: Why did legal-administrative records and in particular burgh records
anglicise at an appreciably slower rate than other text genres? In a way, the two terms
‘conservatism’ and ‘resistance’ offered above to characterise the delayed anglicisation in
burgh records already nudge our interpretation of what we found in the data into a
certain direction. Both terms are evaluative in the sense that they imply a certain
conscientious sentiment akin to linguistic purism at work behind the markedly slower
patterns of change in burgh records. Admittedly, it is a short step from establishing on
empirical grounds that the language of the court and council record books of
Dunfermline remained remarkably Scots for a long time to assuming that this is because
somebody wanted it to stay Scots in defiance of the ubiquitous English way of writing
in the vernacular. However, to argue in this way would be to neglect important aspects
of the historical context. The unexpressed presupposition of such a view is that the
diffusion of written linguistic norms through a language community is by default more
or less categorical and that any failure on the part of individuals or a subgroup to
conform to this normative process must be due to a quasi-conscientious choice not to. That
is because we think of written norms as standards. But, as suggested in Chapter 2 (cf.
2.3.1), there is a qualitative difference between standards and supra-local written norms.
Standards are enforced by prescriptive devices and driven by a normative ideology of
correctness. They are typically transmitted through schools having coordinated access to
the rule-system by which a standard is linguistically defined. On the basis of the
research that has been done, however, we cannot verify the claim that such a standard
has existed in either Early Modern England or Scotland. On the contrary, looking at the
information that we do have concerning linguistic legislation, prescriptive instruments
and the emergent educational system at the time, we must rather assume that such an
approach is a gross anachronism. The convergence of written norms prior the 18\textsuperscript{th} century must have come about by other social mechanisms than the coordinated transmission of a written standard.

Although a reliable reference network for the use of written Southern English did not exist, people from Scotland had many incentives to model their writings on the English norm rather than the Scots. As we have seen in Chapter 2, the court, and with it the court literature scene, had moved to London after James VI’s accession to the throne of England in 1603. Printers could reach a much bigger readership by printing texts in English rather than Scots. The religious discourse after the Reformation was carried out in English and the Bible itself was written in the English norm. Not least, social aspirers had every reason to anglicise their spelling, since in the Early Modern period social and economic power concentrated more and more in the metropolitan south of Great Britain rather than Scotland. What literature, religious treatises, pamphlets, printed texts in general and letters to English recipients all have in common is that linguistic choices tend to be conditioned by the envisaged addressee or readership of the text. The relationship between writers and their audiences appears to be a crucial factor for the degree of anglicisation in any single text written between the late 16\textsuperscript{th} and the 18\textsuperscript{th} centuries (Meurman-Solin 1997: 4; 2001a: 251).

In the absence of a unified prescriptive grammar or comprehensive dictionary, any Scottish writer wishing to express themselves in written English rather than written Scots was crucially dependent on establishing the underlying linguistic rules from model texts by way of inference. Admittedly, English texts must have been abundant in printed form from the later 16\textsuperscript{th} century onwards and more and more people learned to read these texts as part of their elementary education (cf. Houston 1985). However, it must not be forgotten that reading and writing are two distinct cognitive processes. Knowing how to read an English text is not the same as knowing how to write one. On the other hand, it would also be naive to think that every single writer had to abstract the rules of written English on their own. As I have indicated in Chapter 4, independent writing schools started to emerge in the 16\textsuperscript{th} century and many writers will have had some instruction in vernacular writing (cf. 3.2.4). Nevertheless, their instructors could not rely on any authoritative handbooks either and the pronunciation of Scots did not help much in teaching how to spell in English. Accordingly, the acquisition of writing in the vernacular must have been a much more individual matter than in it is in the modern
standard society. The systematic rules of written English could not yet be gathered from the reference literature and were not transmitted through a centralised school system. It is therefore hardly surprising that variation between and within written idiolects increased markedly in Scotland between the Reformation and the Union of the Parliaments (cf. Devitt 1989). This simply attests to the fact that the inference of the rule system of written English from handwritten and printed texts remained imperfect because it was not accompanied by an ideology of correct usage and reliable reference material.

Returning to the discourse type of legal-administrative texts, the question that suggests itself is how the above observations help to explain the apparent reluctance of national and local public records to adopt English spelling. After all, they were produced by professional writers whose grasp of linguistic patterns should be expected to allow a more rapid and successful decoding of regular linguistic patterns in written English. In addition, clerks and aspirant notaries did receive explicit instruction in writing in the form of apprenticeships (cf. 3.2.4), which could be expected to have accelerated anglicisation rather than delayed it. However, all empirical studies on the subject, the present included, find the contrary. Public records are the last genre to undergo the anglicisation process and those produced in burghs are slowest of all. Intriguingly, the decisive conditioning factor for this might well be the very fact that this type of discourse is a professional, and therefore a specialised domain of the written language. In Chapters 2 and 4, I have argued that legal-administrative writing is a particular discourse type which fulfils a specific communicative function for a specific discourse community. The discourse community of legal-administrative texts is in turn defined by that communicative function, which is to document, constitute and exercise legal relationships. It is further characterised by three key factors: Firstly, the social relationship between producers and readers is neutralised, since the content-centredness of the discourse ideally does not allow for any individual characteristics of the text producers to become manifest in the texts and if they do they are not relevant for its communicative purpose. Secondly, linguistic competence is paramount, since it refers to the successful application of such linguistic strategies as best serve the purpose of producing unambiguous discourse. In the case of the highly specialised legal discourse, this striving for disambiguation goes as far as to develop sets of idiomatic phrases for recurrent themes like those we have encountered in the discussion of the present
participle ending (-and) (cf. 4.4). Finally, in social terms, the discourse community is structured horizontally by the above mentioned obliteration of personal characteristics of writers, but also vertically through the hierarchical system of legal and administrative institutions in which it exists.

It is now crucial to notice that none of these attributes, which define the discourse community in socio-pragmatic terms, may be regarded as particularly strong motivational factors for adopting English variants early on. Simply put, legal-administrative documents may just have remained markedly Scots because there was no need for them to anglicise. The most important factor prompting anglicisation in written texts, viz. the language of the addressee or intended readership of the text, could not operate as a catalyst for increasing English forms in Scots records, exactly because the relationship between writers and readers was obliterated and linguistic competence synchronised in the form of an already largely uniform set of linguistic strategies, i.e. the Middle Scots written norm. Most significantly, records did not have to adjust to an English-speaking or English-reading audience for a long time, since the envisaged readership of the texts consisted only of members of the same discourse community. Politically, socially and geographically, it was defined by the reach of the legal-administrative system that maintained it, i.e. the Kingdom of Scotland. Therefore, the old Scots norm did not *per se* demand its being replaced by another norm in this discourse, neither for functional reasons – there is no reason whatsoever to assume that the Scots legal idiom was in any way less successful in recording and legislating than the English – nor for political reasons, at least not as long as Scotland remained an independent country until the Union of the Parliaments in 1707. On the contrary: the language of the records had – in Haugen’s (1966: 931) terms – already undergone functional elaboration in Middle Scots in order to meet the rigorous needs of legal-administrative discourse, which in all likelihood had the effect of making it less permeable to changes happening outside the boundaries of the genre. In other words, the fact that legal language became so conventionalised in its ‘constant struggle against ambiguity’ (cf. 2.3.1) shielded it from the mutability of the language in other discourse types (MacQueen 1957: 163; Devitt 1989: 66).

On the other hand, considering the sheer dominance of English in all other social domains it would also be rather surprising if this simple lack of incentive to anglicise had sufficed to block the gradual diffusion of English variants into the collective
competence system altogether. After all, the Middle Scots written norm was not backed by a standard ideology either, only by a functional rationale that supported linguistic convergence and cohesion rather than variation. Even the most self-sufficient discourse community may be expected to join in to the change sooner or later. In this case, the progress was prompted by the gradual social, cultural and political consolidation of Great Britain into a united nation state, finalised by the Treaty of Union in 1707. Intriguingly, the most significant step towards anglicisation in the Dunfermline Corpus happened between roughly 1650 and 1660, i.e. the time of the Cromwellian regime. It might well be that the upheavals of the Civil War and the ensuing rigid government under the Protectorate have accelerated the advance of anglicisation in the records, which, however, remains to be confirmed by future studies in similar sources.

When English variants finally did start to gain ground in legal-administrative discourse, the overall patterns of diffusion did not differ markedly from other prose genres. In particular, the individual features were not introduced wholesale in the form of an ‘anglicisation package’, but took individual paths instead. Some features changed faster or more categorically than others. However, there is one aspect in which legal-administrative writing does seem to differ from other discourse types, at least judging from the results the five pilot studies have yielded. This concerns the degree of intra- idiolectal variation found in the eleven text witnesses of the Dunfermline Corpus. To be precise, the empirical analyses suggest that variation within the profiles was actually very limited. Most variables changed more or less categorically, i.e. the writers chose either the Scots or the English variant. Significantly, features which did not behave in this way still exhibited a considerably ordered distribution of variants within the respective idiolectal profiles. As the discussions of the inflectional endings have shown, the choice of variant was conditioned by linguistic factors such as phonological environment or co-occurrence with certain lexical items and set phrases. On the other hand, purely graphemic aspects may also have been decisive in some cases, which is attested by the longevity of conventionalised scribal abbreviations or ‘private’ graphotactic rules.

The important conclusion to be drawn from this is that the clerks and scribes – clerks perhaps even more so than scribes – had remarkably consistent individual usages. These differed from each other sometimes quite radically, but in general they had relatively stable linguistic systems at their idiolectal cores. Convincing signs of free variation, let
alone “chaos” (MacQueen 1957: 73) could not be detected in any of the profiles. This conflicts to some extent with the idea that diachronic change inevitably requires a transitional phase during which “writers may become more uncertain about usage, mixing forms within individual texts and attempting to approximate these forms in transitional forms” (Devitt 1989: 46). Obviously, this assessment is based only on the results of the present study, which are limited in many ways, as has been emphasised throughout the paper. However, if these can be confirmed by future findings, they would indicate that the relationship between synchronic variability and diachronic change depends heavily on the various types of discourse examined and their socio-pragmatic characteristics. Since the level of linguistic competence within the legal-administrative discourse community refers to an underlying communicative rationale that first and foremost disallows ambiguity of meaning, individual competence systems of notaries, clerks and scribes will tend to be uniform rather than freely variable when semantically equivalent variants exist in the language at large. A period during which a widely accepted but non-standardised norm undergoes fundamental structural changes will thus show up in the sources as one during which writers of this specific discourse community use but internally consistent spelling systems. In this respect, the often-quoted high degree of variation identified in Early Modern Scottish texts is a matter of analytical focus rather than clear evidence of linguistic anarchy.

One final aspect remains to be addressed. This concerns the question why burgh records should lag behind national records in their adoption of anglicised forms. However, explaining this might prove to be fairly unproblematic. As I have argued earlier (cf. 2.3.2), the relatively high degree of linguistic cohesion within legal-administrative texts cannot be attributed to an underlying ideology of standardisation seeking to eliminate redundancy in linguistic representation by advocating the idea of a correct usage. Such a firm belief in correctness did not yet exist in Early Modern Scotland. However, as has been proposed as a sort of theoretical remedy, there might well have been normative pressures rooted in a shared mentality, albeit motivated by functional considerations rather than social ones. The need for the referential meaning of the texts to be precise and easily gathered from written documents is likely to have promoted linguistic convergence in public records. In addition, the fact that Latin, which the Scots vernacular had replaced in these functions, was a maximally uniform language will have contributed to this development. I have also repeatedly drawn attention to the fact that
the discourse community of legal-administrative texts is vertically structured according to the hierarchy of institutions in whose contexts they are used: the burghal authorities and tribunals are subordinate to the national. In the absence of authoritative prescriptive devices, the normative forms can be expected to diffuse down this vertical structure. This is generally confirmed by a number of studies which have traced the diffusion of supra-local norms from the centres of political power to the periphery (cf. 3.2.2). The same line of argument can plausibly be applied to a situation when foreign forms enter the system. When they are adopted at the political centre, they will by virtue of the authority invested in central institutions become normative and encourage imitation at lower orders of the hierarchy. However, how this process took effect on the micro-level cannot be sufficiently explained by these general remarks. The question remains how burgh writers actually became aware of ongoing linguistic changes at the national centre. This might have been effected through missives, printed editions of national legislation or may merely be a side-effect of national institutions attracting more apprentices who would be educated there and then disperse to the various regions of Scotland to work as notaries public or clerks at a sheriff or burgh court. John Auchinwallis (E), for example, had been a Writer to the Signet – a national institution in Edinburgh – before he was elected town clerk of Dunfermline (B20/13/1: 17 Feb 1642). Fittingly, his profile displayed a slightly higher proportion of English forms than his predecessor’s, although not very pronounced. More detailed biographic information about individual clerks and notaries, which may be obtained in the form of central register books for notaries public (cf. 3.2.4), could lead to valuable insights regarding the question of how norms spread through the discourse community. At present, however, we can only speculate while those questions have to await further investigation.

Both guiding questions posed at the beginning of this chapter have now been addressed. The first goal was to find any differences between the patterns of anglicisation indentified in the Dunfermline Corpus and results from previous studies on anglicisation. It has become clear in the discussion that English variants took considerably longer to appear in the Dunfermline record books than in prose genres in general. Moreover, the data suggest that the burgh court and council books also lagged behind generically similar documents from national institutions. Both points agree well with what has been found in previous investigations. The second goal was to account

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for those differences in anglicisation rates by means of a plausible explanation based on extralinguistic information on the source material. I have suggested that the discourse type of legal-administrative texts with its uniquely content-based communicative function and the specific properties of the associated discourse community impeded the advance of anglicisation, primarily because there was no strong social motivation for the language in such texts to change. In particular, the most important extralinguistic conditioning factor promoting anglicisation in Scotland – the language of the addressee or readership of a text – did not have any significant bearing on the language of records because the relationship between their immediate producer and the reader is neutralised in the texts. The slighter but still noticeable difference between national and local records is best explained by the vertical structure inherent in the legal-administrative apparatus which produces them. The preliminary assumption is that higher levels in the hierarchy served as models for language usage on lower levels, although the actual mechanisms by which these models exerted their influence cannot currently be specified.

In any case, the court and council record books of Dunfermline fit in well with a conceptual continuum of discourse types / genres (cf. 2.3.2), showing varying degrees of anglicisation during the Early Modern period. To be precise, the books are located at one of the extremes of this continuum, namely the one which is least inclined to anglicise. This is because within this genre, supra-local norms diffused along the vertical structure of the discourse community and were not driven by immediate social properties relating to the producers and recipients of texts. The communicative functions of the genre to record, legislate and administer did not provide for personal characteristics of its immediate producers to become manifest in the texts. Instead, the texts stand for themselves, their writers hardly exist. If it was not for the occasional signature here and there, we would not even know their names.
6. Conclusions

This paper had two major goals: finding out more about the anglicisation of Middle Scots by means of a close analysis of Early Modern burgh records; and building an electronic corpus from firsthand manuscript material that would allow me to do so. Regarding the latter goal, the test studies of five linguistic features in the empirical part of this paper have demonstrated that the Dunfermline Corpus indeed succeeds in yielding relevant results for an investigation of the anglicisation process. Obviously, the Dunfermline Corpus on its own is of limited value as it only takes into account the texts from one specific locale of legal-administrative text production. However, the corpus was first and foremost devised as a testing ground to establish if working with specialised corpora of this kind is at all worth pursuing. Based on the results of this paper, I would contend that it is. Since the basic structuring unit of the corpus is constituted by the idiolects of town clerks and scribes, the corpus allows for a more fine-grained examination of Early Modern Scots legal-administrative records than has hitherto been possible by working with corpora that rely on modern editions only.

However, the test studies have not only confirmed that the Dunfermline Corpus is on the whole functional, but have also pointed out its limitations and shortcomings. First of all, the analyses of the five linguistic features have repeatedly shown that although the corpus succeeds in making visible the major trends for the five linguistic features, the sample sizes are still too small to yield conclusive results for many questions of detail. This concerns, for example, the exact distribution of variants within idiolects and the identification of linguistic conditioning factors, the analysis of minor variants, or the assessment of the consistency of individual writers. One major limitation of the corpus as it now stands is that it does not particularly lend itself to the study of change in vocabulary. This has to do with sample sizes again. Since individual lexical items occur far less often in a random sample of language than regular graphemic or grammatical elements, searching for them in a text corpus like the Dunfermline Corpus yields much fewer results. The only lexical feature included in the analysis was the alternation between the cognate forms *il*/*il* and *ech*/*ich*. However, even for this comparably frequent feature occurrence numbers were relatively low, in particular for the forms *il* and *ech*. A study of the anglicisation of vocabulary could nevertheless have been attempted by analysing the decrease in the total number of occurrences of typically Scots items, but this was ultimately found beyond the scope of this paper. In any case,
larger samples yield more reliable results. Therefore, the samples will have to be made larger in future versions of the corpus. One other property of the corpus which could be considered a flaw is that it does not at this point exhaust its full potential in making the primary sources accessible in electronic form. On the one hand, not all assistants’ hands appearing in the primary sources have been included in the corpus in the form of profile samples. To some degree, this is due to the fact they could not be sufficiently distinguished from one another at first. However, a more advanced palaeographic approach, also taking into account certain distinctive spellings to identify the individual scribes, may yield at least two or three more text witnesses. Meanwhile, the pragmatic interim decision to conflate the various hands in Book A into one profile sample did not affect the empirical findings, as this conglomerate text witness proved to be one of the most internally consistent of all. On the other hand, the decision to end the investigation period exactly 150 years after the first entries of the oldest included book restricted the data to some degree, as the last writer’s idiolect effectively covers the final 25 years of the corpus. At least one more text witness of the 18th century would have been desirable. In addition, the oldest surviving record book of Dunfermline could not be included in the present Other characteristics of the present version of the corpus that need revision are its failure to indicate litterae notabiliores (cf. 4.1) and minor inconsistencies in the way the manuscript texts have been converted into computer-readable ASCII. Finally, the present version still needs to be proofread. Although transcription mistakes have been corrected during the empirical analysis whenever they were encountered, many more can doubtless still be found in the data. Therefore the corpus will have to be compared against the original manuscripts once again to ensure that it contains data of the best possible quality.

These points of criticism notwithstanding, the Dunfermline Corpus has been of great help in pursuing the primary goal of this paper, namely investigating the process of anglicisation as displayed by the original manuscript material. It has been shown that the 150 years covered by the corpus coincide with a decided shift from largely Scots usage to overwhelmingly English usage. However, the idiolect-based analysis of the five diagnostic features has revealed that the English variants were not adopted wholesale by any of the text witnesses. Instead, each of the variables anglicised in a somewhat different way, which confirms that the English norm was not imposed like a standard through overt or covert language legislation. Some features – like the written-
out version of the (quh-) trigraph – were replaced by the English variant quite abruptly, while others – like the present participle inflection – anglicised more gradually. Others yet – viz. the past and past participle inflection – changed by developing a more complex system of acceptable variants, thus temporarily increasing the degree of variation while moving from the Scots norm to the English norm. However, in hardly any of these cases was the change associated with a transitional phase of completely free variation on the idiolectal level. Even the choices for the gradually changing present participle and the complex set of past and past participle suffixes seem to have been linguistically conditioned to a considerable degree, either by their uses in set phrases or their phonological and graphemic environment.

In addition, the study has shown that the rate of change in the Dunfermline record books is considerably slower than in other contemporary prose genres. This has been interpreted as being mainly a result of the specific properties of the discourse type of legal-administrative texts. Since legal and administrative texts do not have a wider audience or readership, but rather serve to record and execute legal and administrative matters for readers within the same discourse community, there was no pressing need for these texts to adjust to English spelling conventions until the political (and thus legal-administrative) unification of Great Britain approached completion, in particular considering that the Middle Scots norm had already proven functional and had reached a high degree of internal coherence within this discourse type. The fact that local burgh records also lagged somewhat behind comparable texts from national institutions points to a diffusion of the innovative norm along the vertical structure of the discourse community.

In the end, these results pose more questions than they provide answers to. Even though they suggest certain patterns in the diffusion of innovative norms, they do not offer us any specifics to answer the question why the various linguistic features chose different routes of change. Neither is it possible to deduce how hierarchically superordinate legal and administrative institutions might have acted as models for local sites of text production. In order to find answers to these questions more studies of a similar kind are needed. Ultimately, it will be desirable to launch a much bigger corpus project, in which the surviving records of other burghs as well as records from legal and administrative institutions of different hierarchical orders may be accommodated systematically to enable further research. This way, it might become possible to write linguistic ‘histories’
of individual features and to trace their diffusion through the discourse type (and community) in greater detail. The Dunfermline Corpus may be seen a modest, but encouraging first step towards such a larger project.
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B20/13/4: 1696–1726
B20/13/5: 1711–1728

Dunfermline Protocol Books
B20/1: 1556–1695

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B20/2: 1670–1809

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Appendix

I. Translations of the Scots text passages

(1) Of notaries ordinary in sheriff courts and otherwise

Item, for eschewing of the great inconveniences that daily occur in the reducing of the processes led before sheriffs, stewarts and bailies of burghs and regalities and barons where there is often produced and shewn instruments contrary to others, that is to say, that instruments and acts made by the scribe of the court bearing one way, and instruments taken in other notaries’ hands bearing another way, and often allegations that was never heard or known to the judge, his assizers or other members of the court; therefore, in time coming, it is statute and ordained that all instruments, notes and acts be made and taken in the hands of the scribe and notary ordinary of the court or his deputies, and if any party will have a notary with him for more security, that that notary pass and stand within bar, in whose hands it shall be lawful to any party to take documents, together with the notary of the court, and that each one of them be inserted as witnesses to others, with one part of the most reputable persons, assizers and other members of the court being within bar, with such other honest men as are present; with certification if this form and fashion be not kept, that the instrument taken in any other notaries’ hands than the scribe of the court shall have no faith; and if the notary and scribe of court refuses to give (RPS, A1540/12/18; translation there)

(2) The which day before the said bailies, William Wilson malman did misbehave himself likewise, both to the judges and to the clerk. And therefore the said bailies convict him to a fine of 40 shillings, ordaining him to remain in ward untill he pays the same. (B20/10/5: 26 Apr 1642, E; my translation)

(4) That day the council after due trial convict Rober Merser, butcher, burgess of the said burgh, appearing personally, of misbehaviour and contemptuous language towards the provost at his own booths door on [ ] last, saying: “What now, Sir, are you commanding too?”, with frowning and indecent gesture and countenance; therefore ordain him to acknowledge his offence where he committed the same upon his knees and ask the provost and in his person the bailies and all neighbours, whom he has offended in this misbehaviour, for forgiveness; and in case he should happen to be convicted hereafter of the same or any other misbehaviour towards the provost or any other magistrate of this town, ordain and decide that he should, then as now and now as then, either forfeit and lose his freedom within this burgh unconditionally or else that he should pay to the town ten pounds therefore as a fine. (B20/10/3: 1 June 1610, B)

(5) The said day the council agreed with Adam Stevinson younger, smith, that he should not only daily wind up and wait on the clock, but also mend and keep right all its parts that shall become faulty or make new wheels or other materials, and also keep it going right; for which the council ordains their treasurer to pay to him yearly the sum of twenty pounds Scots, beginning the first term’s payment next Lammas [1 August] 1698 for the year immediately preceding, and in the same way yearly thereafter while he is dressing, repairing and keeping the said clock right, declaring that the council and the said Adam shall be free at every year’s end, the
said Adam allways keeping the said clock in a good condition and going well. (B20/13/3: 5 Feb 1698, I)

(6) Regarding the action of summons made on behalf of our sovereign lord against Arthur [Forbes], lord Forbes to answer why and for what reason he presented a parson to the parsonage of Forbes at the time that he was in our sovereign lord’s ward [...] (RPS 1491/4/78; translation there)

(7) While Planctius attended to such things, the armies of Walis, Tegenis and Icenis convened at Corymyme (now Schrewsbury), to discuss what best was to be done in this matter so full of trouble and danger. (Hector Boece, History of Scotland [c 1533]; quoted from HCOS; my translation)

(8) The which day the council convened after inspection and consideration of the boundaries in front of William Brown’s house on the south side of the high street, where he desires his stair and a shed to be set forth [...] (B20/10/3: 8 June 1610, B; my translation)

(9) [...] for remedy whereof [the council] statute and ordain that in all times to come all persons to whom any infeftments, dispositions, resignations and other documents shall be made and granted, which shall be made, formed and finished by the said present clerk and his successors [...] (B20/13/2: 20 April 1667, H; my translation)

(10) And Jesus endured suffering under the Romains, who at that time governed Jerusalem, because Pontius Pilate was judge. (John Irland, The Meroure of Wyssdome [1490]; quoted from HCOS; emphasis added; my translation)

(11) Item, regarding the bull and privilege granted to our sovereign lord’s progenitors and his realm that no legate shall be received within the realm unless he is a cardinal or is native born of the realm, it is advised and ordained by the lords of the articles, and also decreed and ordained, that our sovereign lord cause and make the said bull and privilege be observed and kept at all time in the future according to the form and tenor of the said bull. (RPS, A1493/5/12; translation there)

(12) [...] and in case he should be convicted hereafter of the same misbehaviour, [the bailies] ordain him immediately thereafter to be unconditionally discharged of his freedom and banished from this town and the liberty thereof. (B20/10/3: 3 Oct 1608, B; my translation)

(13) That day the provost David Ferman desired to have the account between him and the town cleared; and to that effect produced the first year’s account of the mills [...] (B20/13/2: 10 June 1662, H; my translation)

(14) The which day David Paplay’s sasine was ordained to be copied in his own favour; and to pay [sic] to the treasurer 40 shillings therefore. (B20/10/5, 20 June 1643, E; my translation)

(15) The which day appeared personally in judgement Andrew Cunningham of Primrose, only lawful brother to the late Thomas Cunningham, dyer, of Kinrose [...] (B20/10/6: 22 Nov 1671, H*)
(16) The which day regarding the riot committed by David Lodge against Feane Yuill for striking her in his own house, which the said David confessed to and he referred himself to the judge’s will; and was convicted to a fine of 40 shillings therefore. (B20/10/5: 30 Jan 1645, E’)

(17) [...] because the said pursuer appeared personally and the said defender [has been] lawfully summoned to have appeared at certain preceding dates or on this day to have given his oath of verity on the points of the claim referred thereto [...] (B20/10/6: 20 Apr 1640, H’)

(18) And if anyone does the contrary, the taxers of the yield, after the said fifteen days have passed, shall take a cow for 5 s., a wether or a yew for 12 d., a goat, a gimmer or a dinmont for 8 d., a wild mare with her young for 10 s., a Colt of three years of age or more for a merk, a boll of wheat for 12 d., a boll of bear, rye or peas for 8 d., a boll of oats for 4 d. (RPS, 1424/29; translation there)

(19) The lords auditors decree and deliver that for all that they have so far seen Christian Innecloid does wrong in the intromitting with and withholding of a croft of land with a barn lying within the freedom of the burgh of Tain (RPS, 1494/11/66; translation there)

(20) And in the same way the said David Ferman produced the account of Jerome Cowie, the treasurer, wherein he acquits himself of 51 pounds 3 shillings Scots, given up as payed to the said David for certain wages [...] (B20/13/2: 10 June 1662, H, my translation)

(21) The which day after calling the burgh roll of the said burgh, all burgesses of the said burgh gave suit and presence at the head court and those absent were amerced and fined, each one 40 shillings, whose names are recorded in the rolls. (B20/10/6: 4 Oct 1670, H’; my translation)

(22) Item, it is statute and ordained that, forasmuch as the lords of council and other lieges of our sovereign lord returning and repairing to the town of Edinburgh may be invaded, pursued or troubled by ill-inclined persons being in the castle of Edinburgh by gunfire, that, therefore, the captain of the said castle suffer no guns to be shot out of the same to the hurt, damage or scathe of any of our sovereign lord’s lieges [...] (RPS, 1525/2/18; translation there)

(23) I, being moved in that part, seeing the poor of Christ die, without assistance of support in body, all men detesting the sight of and speech or communication with them, thought it expedient to put briefly in writing (as it has pleased God to support my sober knowledge) what is beneficial for everyone both for preservation and cure of such disease [...] (Gilbert Skyne, Ane breve descriptiouen of the pest, 1568, quoted from HCOS; my translation)

(24) The which day Magdalene Gray was directed to make payment to Martin Annan of three pounds three shillings, indebted and still owed by her to the said Martin [...] (B20/10/5: 26 Oct 1643, E’; my translation)
(25) That day James Richardson was created and made burgess and freeman of the said
burgh and received to the liberties thereof, paying 40 shillings as a freeman’s son,
who being sworn made faith thereto as it is usual. (B20/10/6: 6 Aug 1672, H’; my
translation)

(26) [...] and they being many times called upon, not appearing within the appointed
time, were considered as having confessed and therefore [the provost and bailie]
decide as is said. (B20/10/6: 2 Feb 1670, H’)

(27) That day [the provost and bailies] direct the persons named individually hereafter
to make forthcoming payment and deliverance to Robert Hutton, bailie of the said
burgh, the sums of money individually mentioned hereafter [...] (B20/10/6:
11 May 1670, H’; my translation)

(28) [...] and further, it is hereby enacted that in case she happens to commit the same in
times to come either to the said Katherine or any other honest neighbour, she shall
not only be liable in payment of the sum of ten pounds, but in addition shall be
severly punished in her body. (B20/10/5: 26 May 1646, E’; my translation)

(29) Item, it is advised, decreed and concluded in this present parliament that because
there has been great confusion of summons at each session, so that [there was
either] the opportunity nor the freedom at a time of the year to end them, and
thereby poor people have been delayed and deferred from year to year, by which
they lack justice, that therefore in order to avoid the said confusion there [should be]
a council chosen by the king’s highness which shall sit continuously in
Edinburgh [...] (RPS, A1504/3/102; translation there)

(30) [...] in this way the King of England played with both hands, to cause the Emperor
and the King of France each to the destroy the other [...] (Robert Wedderburn, The
Complaynt of Scotland [1549/50]; quoted from HCOS; my translation)

(31) [...] all things concerning the said office according to the acts made hereupon of
before, which they ratify and approve in this present parliament. (RPS, 1543/3/9;
translation there)

(32) [...] for the remedy whereof [the said provost, bailies and council] statute and
ordain that in all times to come all persons to whom any infeftments, dispositions,
resignations and other documents shall be made and granted, which shall be made,
formed and finished by the said present clerk and his successors, shall within
fourtie days after giving of these infeftments and making the said dispositions and
other documents come to the clerk of the said burgh [...] (B20/13/2: 20 Apr 1667,
H; my translation)

(33) And then each of the above members qualified by swearing the oaths of allegiance,
supremacy and abjuration and subscribing the same with the assurance after which
they proceeded to the election as follows [...] (B20/13/5: 7 Oct 1723, J; my
translation)
II. Town clerks and scribes: notarial signs and example entries

*John Cunningham (A):*
(incl. in sample ‘Book A’)

Time span:  1573–1575/6 (sample)
Record books:  B20/10/2

**Notarional sign:**

(B20/10/2: 19 July 1573)

**Example entry:**

(B20/10/2: 23 March 1573/4)

1 The q[il] day ye provest and baillies ratifieit, consu
2 mat *and* apprevit to hary m[o]ray *and* his assignis ye
3 act maid of befor to Johne Keir of ye house *and*
4 tenement of land of vmq[il] gavane lawsoun
5 anent ye vphalding yrof *and* ye expenss tobe
6 allowit conforme to ye first decreit gevin
7 y[v]poun.
David Brown (B):

Time span: 1607–1611 (sample)
town clerk bef. 1606 to aft. 1613
Record books: B20/10/3

Notarial sign:

(B20/10/3: 20 Nov 1611)

Example entry:

(B20/10/3: 5 May 1609)

[ma] Taxatioun
Towards
the ylis
1608

1 The q1k day anent the tounis pait of the taxatioun Set doun be
2 the counsaill vpoun the burrovis for furnissig men To the Raid
3 Towardis the scottis Jillis this tyme tuelmonth or yr by This tounis
4 pait yr of Extending to fourtie tua pundis mo$y And Anent
5 the freindlie missive directit be the provest of Edinburgh thesaurer of scotland
6 To the magistratis of this toun ffior making payment to him of
7 this tounis pait yr of befoir the xv day of maij instant Or ellis
8 The prinll ny$bours To be summond to vndirly the lawis ffior
9 abyding fra the said Raid The counsaill ffyndis expedient
10 That the tounis thesaurer furnische the said sovm at this tyme for escheving
11 the present danger vntill farder occasioun of the nixt taxatioun And
12 than to be collectit of the ny$bo$y.

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125
Gardevan et
Inglis
troublaris

The Assyse abouewrittin all in ane voice Edward thomsoun chancelar yr of
be depositorys of wittnesss and confession of pairties ffynidis Jonet garvan
and Johne Inglis troubalris of vthiris on Tuesday at evin last vpoun the
hie gait The say Johne be strykings the sai Jonet garvan w t ane scho[e]
hauing ane Last yr intill on the forhead The said Jonet be strykings
the said Johne Inglis w t ane stane in hir hand on the head to the effusion
of his bluid In some litill measure And thairfoir convictis thame bay t
of troublance and Iklane of thame Jn the vnlawis of xt S thairfoir
ffynidis James garvan the first movar of this troublance Be calling the
said Johne gleyd knave q n he was wirking his labour on the wthir syde of
the gait offerand na wrang nor Inuirie to the said James nathir be
word nor deid And lykwise the said Jonet alswa to haue beine nixt
movar Be vttiring Iniurious language to the said Johne q vpon the
straikis proceedit Thairfoir ordainis them baith to mak amendis to the
said Johne at the sicht of the baillies And to enter in freindschip togidde[r]
And Incace they be wilfull and refuis ordainis them To find cautioun
befoir they pas furth of waird that Iklane of thame salbe skayles of
vthiris baith of wordis and deidis heireftir vndir the painis of Ten pund[]
William Brown (C):

Time span: 1606–1613 (sample)
town clerk from bef. 1619 to 1633
Record books: B20/10/3, B20/10/4

Notarial sign:

(B20/10/4: 24 Nov 1620)

Example entry:

(B20/10/3: 30 July 1612)

[ma] liquidatio
croppe
1611

1 That day Robert wallis patrik turnbull Jo\n\[\text{a}d\]son Ro\[\text{t}\] huggone andro horne and
2 Jo\[\text{y}\] rowan burgesss of ye said brut compeirand persol\[\text{ie}\] And being suorne vpon ye
3 pryces of victuall croppe 1611 3eirs last bypast Removand fur\[\text{t}\] of judgement and
4 efir
5 mature aduyss and deliberatioun entirand agane All in aene voice Sayis and declairs
6 that ye boll q\[\text{t}\] givis presentlie in ye contrie fourtene merks mo\[\text{e}\]y the boll beir sex
7 pondus
8 xiiij S iiiij d the boll ait mell aucht merks mo\[\text{e}\]y The Judge ordanes the saids pryces
9 To stand as for liquidatioun of ye said croppe.
Patrick Kinghorn (D):

Time span: 1633–1635 (sample)
town clerk from 1633 to 1642
Record books: B20/10/5, B20/10/4 (?)

Notarial sign:

(B20/10/5: 14 April 1633)

Example entry:

(B20/10/5: 14 Jan 1633)

[ma] Admission of
the clerk
1 THe Quhilk day the counsale foirsaid electit nominat and creat Patrik
2 Kingorne Notar publict y[r] comoun toun clerk fra ye dait heirof to ye
3 feist of michaelmiss nixttocum Quha being present accepit ye said
4 office in and vpoun him and lykewyse being solemnlie suorne gawe his aithe
5 de fidel] administrat]one and was ordanit to be Judiciallie admittit vpon
6 ye xv of Jar[r] instant being ye head court of ye said burghe

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John Auchinwallis (E)

Time span: 1642–1643 (sample)
town clerk from 1642 to 1650
Record books: B20/10/5, B20/13/1

Notarial sign:

(B20/10/5: 22 Dec 1642)

Example entry:

(B20/10/3: 31 Oct 1642)

[ma] Ryott
    Rid contra
    walwood

1 The forsaiis persouenes of assy being sworny admitit receavit
2 sworny and purgit of partiall counsell removing out of Judgment
3 Quha by pluralitie of voitis electit the said James legget
4 chancellor And having at Lenth reassounit and treatit anent
5 the ryot commitit be Johny rid againes Johny walwood in Johny
6 warkmanes hous wpoun sunday > was aucht dayes > at night being the 23 of yis
   instant
7 And entering in Judgment againe All in ane voyce but variance
8 or discrepance out of ye mouth of the said chancellor findis be ye
9 Depositioune of certane famous witnesss That ye said Johny rid
10 to have done wrouenge to the said Johny walwood Jn stryking at him
11 with ane Durk Quha verie Narowlie eshepit woundyng yr with And
12 yrby to have Disturbit ye quyet esteat of this brut And yairfoir
13 convictis him in ane Ryot and turbulance of iij lib - - - - - - - - - - - - - - -
Scribe E’:

Time span: 1643–1648 (sample)
Record books: B20/10/5

Example entry:

(B20/10/5: 10 June 1647)
Curia burgi De Dunfermling tenta in pretorio
ejusdem per willielmum walker vnum ballivorum
Dictj burgi Decimo die mensis Junij 1647
Sectis vocatis et curia Legitime affirmata

The qth day The said baillie decernit James
Reid proveist of ye said brut to delyver to Adame
Kingorne and James Leggat burgess of ye said brut Curatoys
electit nominat and chosine for James Kingorne eldest Lauill
sone and air to vmqile Patrick Kingorne sum tyme clerk
of ye said brut (procreat betuixt him and vmqile marit forrester
his mother) ane Inventar of ye goodes and gear of ye said
vmquhile Patrik Togidder with the keyes of ye kists q the
samyn Lyes To the effect they may be drawine furthe
thair of To the said James his behove his airshire goodes
and geare Because the said Inventarie and keyes wer
sequestrat in his hand As proveist of ye said brut Att
the decease of ye said vmquhile marit forrester his mother
Be the neirest freinds and kinsmen of ye said James then present
To be maid furthecumand be him as Law will Becaus
ane certane day being ass[ig]nit to the said defender To have givin
his oathe of veretie in the said mater oftymes callit and not
compeirand Lauill tyme of day bidden wes haldin pro
confesso And thair for decernes In manner forid
David Anderson (F):  
mentioned (B20/13/1: 16 Dec 1650)

----------------------------------------

Henry Elder (G):  
mentioned (B20/13/2: 19 May 1662)

----------------------------------------

Andrew Simpson Sr (H):  

Time span: 1662–1681 (sample)  
town clerk 1662 to aft. 1681  
Record books: B20/10/6, B20/13/2  

Notarial sign: 

(B20/10/6: 2 Sep 1672)  

Example entry: 

(B20/13/2: 16 June 1666)
THAT DAY the said Proust Baillies and counsell of
the said burgh being convinced with the tolbueth yroff for treating wpon yr
Lauill eftails And speciallie for setting of thair comone lands of the said burgh
for the space wdirwritten They conform to the accustomed ordour causit
Lauillie call thrie seuerall tymes at the tolbueth windo[w] of the said burt
all burgesses and nightbots\textsuperscript{80} of the samen burt who wold compeir and offer for the
said lands [as] they who wer lauillie warned to yr effect seuerall tymes of
befoir be touk of drum And this being the thrid and last day assigned
for the said rouping EFTIR Lauill rowping of that parte of the
commone lands of the said burgh callit Mains and Tungies ffald last
possest be Jean Zeull COMPIRITT\textsuperscript{81} Johne Peirseone in the new raw
burg of the said burt And offered the entries and yeirlie dewtie wndir
written whc wes most yr wes offered yrfoir TO Quhom the said
Proust baillies and counsell Haue Sett and Setts in tak and assedation
the said lands callit Mains and Tungies fald ffor the space of thrie
fyve yeir taks efter mairtymis nixt Jaj vj ct sextie sex yeiris Which is
the entrie yrto and yerfter to indure vtill the end of the said yeiris FFOR
which tak and assedatione the said John PeersonE obleisss him his
airis exets and successors To pay to the thesaurer of the said burt for the tyme
To be applied to the commone weill of the burt the soume of ffourteen
pundis sex shilling eight pennes money scotts At mertymis nixt Jaj vj ct

\[\text{\textsuperscript{80}}\text{ The clerk seems to have replaced the typically Scots (c) with an English (g) in this word.}\]
\[\text{\textsuperscript{81}}\text{ Note that typically Scots forms are used together with \textit{litterae notabiliores} as discourse structuring devices: the scribal variant (-itt) for the Scots past and past participle suffix in \textit{compiritt} and (quh-) for \textit{quhom}; cf. 4.1 and 4.2}\]
**Thomas Simpson (I):**
no sample included

Time span: town clerk bef. 1692 to 1698
Record books: B20/13/3

**Andrew Simpson Jr (J):**

Time span: 1698–1723 (sample)
town clerk 1698 to aft. 1723
Record books: B20/13/3, B20/13/5

**Example entry:**

(B20/13/3: 20 Feb 1703)
[ma] schoolmaster

1 The said day Mr patrick dykes Mr of ye gram-
2 mar schooll having given in a Complaint to ye Counsell
3 representing hou y\textsuperscript{t} John Anderson and Thomas Hanna
4 had at y\textsuperscript{t} oun hand sett up privat schoolls in this toun
5 contrair to severall acts of parliament And acts of ye toun
6 Counsell And to Mr Dykes great discouragement
7 Therfor ye Counsell unanimously discharges ye said
8 John Anderson and Thomas Hanna and all oyers persons

9 q\textsuperscript{t}soever to sett up schoolls within the territories of this
10 burgh and teach any male children hereafter except
11 such as shall be under seven years of age And
12 y\textsuperscript{t} under ye pain Of Tuentie pounds scots toties
13 quoutes the on half of ye fine to ye toun and ye oyer
14 half to ye schoolmaster and doctor #

\quad \{David Adie\}\textsuperscript{82}

\textsuperscript{82} The signature is in a different hand.
Copy Book J:

Time span: 1698–1723 (sample)
Record books: B20/13/4

Example entry:

![Image of handwritten document]

(B20/13/4: 20 Feb 1703)

[ma] {act against privat scholls} 83

1 The said day Mr. Patrick Dykes master of the grammar school
2 having given in a complaint to the counsell representing hou
3 that John Anderson and Thomas Hanna had at their own hand
4 sett up privat schools in this toune contrair to severall acts of par-
5 liament And acts of the toune counsell And to Mr. Dykes great
6 discouragement Therfor the counsell unanimously discharges the
7 said John Anderson and Thomas Hanna and all oyer persons quhat
8 soever to sett up schools within the territories of this burgh and
9 teach any male children hereafter except such as shall be under
10 seven years of age and that under the paine of tuentie pound
11 scots toties quoties the [A]ne 84 half of ye fine to ye toune and the other half
12 to ye schoolmaster and doctor [sic] Subscriptur

David Adie

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83 The marginalia are written in Andrew Simpson Jr’s (J) hand.
84 The scribe seems to have replaced the typical Scots (a) with the English (O) in this word.
III. Examples from the Dunfermline Corpus

Example (4)

THAT DAY THE COUNSAILL EFTIR DIVE TRYALL CONVICTIS ROBERT MerSeR FLEASCHEO^R {\} BURGES OF YE SAID BRUˆT COMPerAND PERSOˆLIE OF MISBEHAUIOˆR AND CONTEMPTUOUS {\} LANGAGE TOWARDS THE PROVEST AT HIS AWIN BUITH DUR ON [ ] {\} LAST SAYAND QˆT NOV SEn AR zE COMANDAND TO WˆT FROVNING AND INDECENT {\} GESTUR AND CONTENANCE THAIRFOIR ORDANIS HIM TO ACKNAVLEGE HIS {\} {\} COUNTENANCE {\} HIS OFFENCE QˆR HE COMITIT THE SAMIn VPOUN HIS KNEIS AND {\} CRAVE THE PROVEST AND JN HIS PERSOUN THE BAILLIES AND HAILL NYˆTˆBOURIS {\} QUHOM HE HES OFFENDIT IN YIS MISBEHAUIOˆR FORGIVNES AND JN CAC[] {\} HE HAPPIN TO BE CONVICT HEIREPTIR IN THE LYK OR ONY VYIR MISBEHAUIOˆR {\} TOWARDS THE PROVEST OR ONY VYIR MAGISTRATIS OF YIS TOUN ORDANIS {\} AND DECERNIS HIM THAN AS NOV AND NOV AS THAN AYIR TO FORFAULT AND TYNE HIS FRIDOME WˆTHˆIN THIS BRUˆT SIMPliciteR OR ELLIS TO PAY TO THE TOUN {\} TEN PUNDIS VNLAW YˆRˆFOIR {\} 

Example (5)

THE SaiD DAY THE COUNSELL AGREED UITH ADAM STEVINSONE YOUNGER {\} SMITH THAT HE SHOULD NOT ONLY DAILY ROU UP AND UAIT UPON THE KNOCK {\} AND TO AMEND AND KEEP RIGHT ALL PARTS OF HER THAT SHALL BECOME- {\} FAULTY OR TO MAKE NEU UHILES OR OYˆR MATERIALS AND TO KEEP HER GO-{\}ING RIGHT FOR UICH THE COUNSELL ORDAINS YˆR" THESAURERS TO PAY TO {\} HIM YEARLY THE SUM OF TUENTY POUNDS SCOTS MONIE BEGINNING THE- {\} FIRST TERMS PAYmenT AT YE TERM OF LAMBMAS NEXT TO COME jai viCt NYNTY {\} EIGHT FOR YE YEAR IMMEDIATELY PRECEEDING AND SIKELIKE YEARLY YˆRˆAF{-\}TER

85 Cf. 3.2.3.
DURING HIS DRESSING REPAIRING and KEEPING RIGHT YE Said
KNOCK DE-\{\} CLARING THAT YE COUNSELL and YE Said ADAM SHALL
BE FREE AT EVERY YEARS \{\} END THE Said ADAM ALLUAY[S]
LEAVING THE Said KNOCK IN A GOOD CONDITION \{\} and UELL
GOING \{<\} ALSO \{<\} \{\}
IV. Abstract / Zusammenfassung

This study examines the process of anglicisation of the language of Scottish legal-administrative records during the Early Modern period, considered here as a case of convergence of supra-local written norms. Rate and manner of anglicisation are assessed by analysing five linguistic features considered to be diagnostic of the contemporaneous written varieties of Middle Scots and Early Modern English. The empirical data are provided by a series of court and council record books from the Scottish Lowland burgh of Dunfermline, covering the time span between 1573 and 1723. The texts for the analysis have been extracted from the original manuscripts and prepared in the form of a computer-readable corpus. This corpus consists of a compilation of text samples representing the linguistic profiles of individual writers, i.e. town clerks and assistant scribes, whose idiolects thus form the basic units of the investigation. A detailed description of the source material is provided, paying special attention to socio-pragmatic aspects such as the communicative functions of the texts within their historical embedding and the nature of the discourse type and discourse community of legal-administrative writing.

It is found that during the 150 years covered by the corpus, all five linguistic variables underwent extensive anglicisation, moving from predominantly Scots usage at the beginning of the investigation period to almost exclusively English usage in the early 18th century. However, the writers of the Dunfermline record books did not adopt the English variants wholesale. Instead, each of the analysed features differs to some degree from the others in terms of pace and manner of the change, just as each scribal idiolect exhibits a distinctive configuration of linguistic variants. This suggests that the new norm was not imposed from above by means of prescriptive devices, but diffused through non-explicitly normative channels. A comparison with previous studies shows that the burgh record books of Dunfermline anglicised at a much slower rate than other prose genres, which may best be explained by the generally introvert, self-sufficient nature of legal-administrative writing. Within this discourse type, burgh records seem to have adopted English forms even more slowly than records from national institutions, which is most likely due to the vertical structure of the discourse community with central institutions of supra-regional and national importance acting as models for local ones.

Die empirische Untersuchung ergibt, dass sich alle fünf Merkmale während der untersuchten 150 Jahre entschieden hin zu den englischen Varianten wandelten. Die innovativen Formen fanden dabei jedoch nicht alle zeitgleich Eingang in die Gerichts- und Ratsbücher von Dunfermline. Jedes Merkmal unterscheidet sich bis zu einem gewissen Grad von den anderen hinsichtlich Geschwindigkeit und Form des Wandels, ebenso wie sich jedes Schreiberprofil durch eine charakteristische Kombination der Varianten abhebt. Dies lässt darauf schließen, dass die innovative Norm nicht von obrigkeitlicher Stelle mittels präskriptiver Maßnahmen eingesetzt wurde, sondern sich durch nicht explizit normative Kanäle verbreitete. Ein Vergleich mit vorangegangenen Studien zeigt, dass die Bücher aus Dunfermline insgesamt deutlich langsamer vom Anglisierungsprozess erfasst wurden als andere Prosagenres, was sich am besten durch die introvertierte, autarke Beschaffenheit des rechtlich-administrativen Diskurses erklären lässt. Innerhalb dieses Diskurstyps scheinen lokale Aufzeichnungen aus einzelnen Städten jenen überregionaler und staatlicher Behörden nachzuhalten, was sich auf die vertikale Struktur des Diskursgemeinschaft zurückführen lässt, in der der Sprachgebrauch zentraler Behörden eine Vorbildwirkung auf untergeordnete Institutionen ausübt.
V. Curriculum Vitae

1993–1997  Volksschule Aspach/Innkreis
1997–2005  Bundes(real)gymnasium Ried/Innkreis
           Matura (mit Auszeichnung)
2005–2011  Studium der Geschichte
           B.A. (mit Auszeichnung)
2005–      Studium der Anglistik
März 2009–Nov. 2009  Zivildienst Österreichisches Staatsarchiv
Ordnungs- und Recherchearbeiten in
Zusammenarbeit mit dem Allgemeinen
Entschädigungsfonds der Republik Österreich
2011        Publikation:
           “Also stet ez in dem statpuech. Die Wiener
           Neustädter Ratsbücher als geschichtswissen-
           schaftliche Quellen”. Pro Civitate Austriae NF 16,
           11–40.