

ON THE EARLIEST ENGLISH TRANSLATION OF THE *LAWS OF*
OLÉRON AND ITS EDITIONS¹KINGA LIS²

ABSTRACT

The *Laws of Oléron* are a compilation of regulations binding in north-western Europe. They concern relationships on board a ship and in ports, as well as between members of one crew and those of another when it comes to safe journey. Even though the “code” was known in England at the beginning of the 14th century, it was only in the 16th century that it was translated from French into (Early Modern) English. The literature on the topic mentions two independent 16th-century renditions of the originally French text (*Lois d’Oléron*) but disagrees as to the authorship of the earliest translation, its date and place of creation, the mutual relationship between the two, their content and respective source texts. Strikingly, three names appear in this context: Thomas Petyt, Robert Copland, and W. Copland. The picture emerging from various accounts concerning the translations is very confusing. It is the purpose of this paper to trace the history of the misconceptions surrounding the Early Modern English versions of the *Laws of Oléron*, and to illustrate how, by approaching them from a broader perspective, two hundred years of confusion can be resolved. The wider context adopted in this study is that of a book as a whole, and not of an individual text within the book, set against the backdrop of the printing milieu. The investigation begins with a brief inquiry into the lives and careers of the three people named with respect to the two renditions, in an attempt to determine whether these provide any grounds for disagreement. The analysis also juxtaposes the relevant renditions as far as their contents, layout, and the actual texts are concerned in order to establish what the relationship between them is and whether it could account for the confusion surrounding the translations.

Keywords: *Laws of Oléron*; *The Rutter of the Sea*; Thomas Petyt; Robert Copland; Pierre Garcie; edition; 16th-century English printers.

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1. Introduction

When I started my investigation into the use of the subjunctive in an Early Modern English (henceforth, eMnE) translation of the *Laws of Oléron* (*Lois d'Oléron*), I reached for the copy of the document enclosed in Thomas Petyt's 1536 *Rutter of the Sea* assuming it to be its oldest rendition. This was following the information provided by the researchers dealing with the text in its various language versions. Taking up Twiss's (1871: 89) stance as to its source text being the *Laws of Oléron* as in use in Brittany, I got hold of a copy of the 1539 *Grand Costumier de Normandie*, printed by Nicolas le Roux, which according to Twiss (1871: 89) is almost identical to the Breton text. The comparison of the texts does not leave any doubt as to the close-knit relationship between the Middle French (MF) and eMnE versions of the document. It is only, however, when trying to place the two texts in a broader picture that one realises that this is not something that has frequently, or ever, been attempted with respect to the eMnE version of the *Laws of Oléron*. Two-century-old assumptions would have long been proved wrong if this had been the case.

It is the purpose of this paper to trace the history of misconceptions surrounding the eMnE version of the *Laws of Oléron*, and to illustrate how by approaching it from a broader perspective, two centuries of confusion can be settled. The wider context adopted in this study will be that of a book as a whole and not of an individual text within the book. In particular, I will approach it as an edition against the backdrop of the printing milieu.

The paper is laid out as follows. First, the origins of the text are presented, along with a brief account of their contents and application (Section 2). This is followed by a short survey of various accounts concerning the eMnE translation of the original French³ text (Section 3). Having presented the divergent views on the rendition(s), I attempt to present the text from a wider perspective of the whole book in which it was contained, and of the printer of the book (Sections 4 and 5). Section 5 provides evidence for the postulated relationship between the texts, and the conclusions are presented in Section 6.

2. The origins of the text and its contents

The *Laws of Oléron* are a compilation of various regulations concerning relationships between a shipmaster, mariners, merchants, and local pilots on board a ship and in ports, as well as between members of one crew and those of another when it comes to safe journey. The name of the “code” comes from the

³ *French* is used here as a generic term to avoid differentiating between varieties of French, and more precisely Middle French, as this is an issue inextricably related to the source text which is itself a puzzling matter.

name of an island off the Atlantic coast of France, near La Rochelle.⁴ However, whether or not the compilation originated on Oléron is a bone of contention. Various theories concerning their provenance⁵ have been put forward, but the issue of the actual authorship and the process of the creation of the laws will probably never be resolved. What appears to be likely is that “they received some kind of sanction at the hand of the rulers of Aquitaine” quite early on (Studer 1911: xxxiv). Importantly, at the supposed time of the compilation of the *Laws of Oléron*, i.e., in the 13th century, it is more than likely “in or shortly before 1286” (Frankot 2007: 159), that the island was in English hands.

The laws themselves and the manner in which they are phrased, are viewed in different ways. Some, e.g., Pardessus (1828), Kiesselbach (1906), Krieger (1970), Frankot (2012), would see them as a handbook of sorts, which, to use Studer’s (1911: xxxi–xxxii) description, is “based on customs generally acknowledged and on judgments delivered at various times on definite issues, and compiled by some specialist for the benefit and guidance of the judge and the contending parties alike”. In other words, these would not be specific judgements, but rather guidelines for future reference based on previous customs and sentences. Other scholars, Twiss (1873: xliii) among them, are more disposed to perceive the laws as a compilation of actual previous judgements. The original purpose of the *Laws of Oléron* was to regulate the wine trade between Brittany, Normandy, England, Flanders, and Scotland (Frankot 2007: 159, 2010: 136; Heebøll-Holm 2013: 130).

It has been proved that the *Laws of Oléron* were in use in England in the first half of the 14th century since they are mentioned in a report from King Edward III’s reign and their early 14th-century copies⁶ (the oldest extant) were found in England (Twiss 1871: lvii–lviii). However, the precise date of their introduction has not been settled. Castille also adopted the *Laws of Oléron* – in the 13th century (Twiss 1871: lxvii–lxviii). By 1364, they were a part of the official sea law of France (Twiss 1871: lxiv; Frankot 2010: 137; de Maisonneuve 2015: 310). A rendition of the laws into Scots (*Of lawis of scyppis*) appeared in the second half of the 14th century (Frankot 2007: 159).⁷ The *Laws of Oléron* came to be accepted in the Low Countries (Frankot 2010: 137) in a version known as *Vonnesse van Damme*. These were translated in the late 13th or early 14th century

⁴ Other names employed with respect to the text are: *Rôles d’Oléron / Rolls of Oléron*, *Jugemens d’Oléron / Judgements of Oléron*, *Jugemens de la mer / Judgements of the sea*, *Lois d’Oléron / Lex d’Oleron* or *Statutes of Oléron*.

⁵ For a list of the theories concerning the provenance of the laws, see Pardessus (1828: 283).

⁶ They are preserved in *Liber Memorandum* (COL/CS/01/003) and *Liber Horn* (COL/CS/01/002) in London Metropolitan Archives.

⁷ According to Frankot (2012: 13), the translation was “made from the original French [...] and is quite close to the text in the *Liber Horn*”.

and subsequently, “found their way to the Baltic region as part of a compilation which also included the Dutch customary laws known as *Ordinancie* and some regulations from Lübeck” (Frankot 2010: 137). With time the compilation in question came to be known as the *Wisby Sea Law* and at one point it was regarded as a source of the *Laws of Oléron* but has since been proved to be a later (late 14th-century) creation.

Such widespread adoption of the *Laws of Oléron* brings to the fore the question of their status as universal medieval international maritime law. The issue is a nuanced one. Twiss (1873: xlvi) would gladly see them within this role, stating that they “have been accepted as a Common Maritime Law in every country which borders on the Atlantic Ocean or on the North Sea” and also in Castilian ports in the Mediterranean, as well as Baltic trading cities as a part of their own maritime law. Heebøll-Holm (2013: 130) agrees with this view by claiming that they “seem to have been accepted and followed by all mariners in Northern Europe”. Ward (2009: 20), on the other hand, is more circumspect, simply arguing that they were at the base of “Northern European medieval maritime law”. Frankot (2012) reached interesting conclusions as regards the issue in her detailed study on the application of maritime law in medieval northern ports in the Netherlands, northern Germany, Poland, Estonia, and Scotland.⁸ Frankot’s (2012) analysis proves that “a common maritime law never came into being in medieval northern Europe. Instead, local variations continued to exist throughout the period” (Frankot 2012: 199). Therefore, even though one can no longer argue for the universal application of the *Laws of Oléron* in northern Europe, it is still valid to say that there existed a north-western European tradition concerning maritime law based on the laws in question (Frankot 2012: 201). Even so, local urban law could, and in numerous cases did, take precedence over the customary law, as evidenced by the case of Aberdeen (Frankot 2010: 141–151), which Frankot (2012: 201) argues belonged to north-western, and not northern, European area.

Moreover, there appears to have been a general acceptance for diversity. Both mariners and merchants knew “which rules applied and which courts would hear their case should conflicts arise” (Cordes 2017: 81). As a general rule, cases could be brought before the court of one of the involved parties, the court of destination or the one of departure, and in the case of an accident, the court nearest to its site (Frankot 2012: 149).

Consequently, to answer the question concerning the universal character of the *Laws of Oléron*, one needs to admit that even though it is a collection of laws

⁸ The towns in question are Kampen (the Netherlands), Lübeck (Germany), Gdańsk (referred to in Frankot (2012) as Danzig; Poland) Tallinn (referred to in Frankot (2012) by its old German name – Reval; Estonia), and Aberdeen (Scotland).

binding in north-western Europe, its applicability was not straightforward and they were not adhered to unconditionally. Therefore, labelling them as *universal* does not appear to be fully justified.

3. Accounts concerning the first English translation of the *Laws of Oléron*

As mentioned above, the earliest extant copies of the *Laws of Oléron* are preserved in the London Metropolitan Archives and date back to the early 14th century. The text of these documents is in Anglo-Norman and all other copies used and presently kept in England⁹ are also in French, which was the case until the 16th century.¹⁰ In the 16th century, an eMnE translation or translations of the *Laws of Oléron* appeared, and the views on the matter differ substantially.

Twiss (1871: lxxii) informs the reader that the 16th century witnessed the creation of two renditions of the *Laws of Oléron*, but these are said to have been based on different source texts and to be independent of each other. As a result, one of the translations, according to Twiss (1871: lxxii), follows *La Grant Routier* compiled by Pierre Garcie,¹¹ “professedly extracted from the Rolls of Oleron” (Twiss 1871: lxxii), whose text consists of 46 articles, instead of the original 24. The translation was the work of Robert Copland published by him in London in 1528 (Twiss 1871: lxxii).

The other rendition is supposed to be “a very early English translation of an ancient version of the Rolls” (Twiss 1871: lxxii). To be precise “a version of the Judgments, which was current in the Duchy of Brittany and was nearly identical with the version printed in the Grand Costumier de Normandie at Rouen, by Nicholas le Roux, 1539” (Twiss 1871: 89). The text is contained in *The Rutter of the Sea*¹² printed by Thomas Petyt in London in 1536 (Twiss 1871: lxxii–lxxiii).

⁹ For references to these, see, e.g., Twiss (1871–1876), and Studer (1911).

¹⁰ As postulated by Kowaleski (2009: 116), the fact that the *Laws of Oléron* were not “translated into Latin or English until the sixteenth century suggests that the French versions were satisfactory to a wide range of maritime officials and medieval seamen”. Kowaleski (2009: 117) also sees French, to be precise French of England, as a living vernacular in which seamen from various countries could communicate. For more on the topic of maritime use of French (of England), see, e.g., Trotter (2003) and Kowaleski (2007).

¹¹ Pierre Garcie dit (“called”) Ferrande is, according to the official website of the French Department of Vendée, considered to be the father of marine cartography and the first oceanographer. He was born in Saint-Gilles-sur-Vie around 1440 (de Maisonneuve 2015: 13–14, and Bochaca & Moal 2019: 18, 34). In 1483–1484 he wrote a manuscript version of his rutter, a reference work for maritime navigation (Vendée), but the manuscript is lost (Bochaca & Moal 2019: 89). It proved to be immensely popular and remained a standard book of reference for mariners till the 18th century (Vendée), albeit in a later print edition known as *Le Grand Routier*. Pierre Garcie died in Saint-Gilles-sur-Vie in 1502 (de Maisonneuve 2015: 15, Bochaca & Moal 2019: 22).

¹² A *rutter*, adopted from French *routier*, was “a pilot’s notebook”, “an early book of sailing directions” (*Dictionary of Nautical Words and Terms*). The rutter would contain information

Twiss's (1871) account partially agrees and partially contrasts with the information provided almost half a century earlier by Pardessus (1828: 310–311), who states that “peu après sa publication, l'ouvrage de Garcie a été traduit en Angleterre par W. Copland, et cet éditeur avertit que c'est pour la première fois que les Rôles d'Oléron y sont imprimés”.¹³ As to the date of the publication of this rendition, Pardessus (1828: 311) states that, despite the information which he received, dating it to 1540–1541, it should be ascribed to a later date if it is true that the first edition of Garcie's work comes from 1542. In other words, Pardessus (1828) claims that Garcie's work was first translated after 1542 by W. Copland and it contains the first translation of the *Laws of Oléron*. Therefore, though the dates are divergent, both Pardessus (1828) and Twiss (1871) agree that Copland was the first to translate Garcie's work, but not about it being the first translation of the *Laws of Oléron*. Arguably, Pardessus (1828) did not have to know about the existence of Petyt's work (1536) so consequently Copland's post-1541 translation of the *Laws of Oléron* could be the first rendition for him. However, why would Twiss (1871) use the name Robert and Pardessus (1828) the initial W.? Did Twiss (1871) learn something about the printer, which rendered Pardessus's (1828) use of the W. initial erroneous?

Studer (1911: xli) notices the divergence in dating and draws the reader's attention to the fact but does not comment any further on it. He also appears to have noticed the discord concerning the given name of the author of the translation, which could possibly mean a disagreement concerning the authorship, for he uses only the family name to refer to the translator in order not to, it is my reckoning, delve into a potentially problematic issue. Instead, Studer (1911: xli) states diplomatically:

concerning compass courses between various ports, the distance between them (in kennings, i.e., ca. 20 miles), information concerning tidal streams, depth of water, nature of sea-bed in certain places, time of high-water at important ports, etc. (Waters 1958: 11). Rutters were originally handwritten and were available on vellum but they experienced a renaissance when printing became more easily accessible (Waters 1958: 12; Glennie & Thrift 2009: 290). From then on, written and printed rutters circulated side by side for about half a century (Waters 1958: 14), but “English rutters for foreign seas [...] remained [...] exclusively in manuscript until well into the seventeenth century” (Waters 1958: 14). The first rutter printed in north-west Europe was *Le routier de la mer* published sometime between 1502 and 1510 (Waters 1958: 12, 1967: 25; Fumerton 2006: 110; Bochaca & Moal 2019: 85, 88; de Maisonneuve 2015: 28 speaks of 1502). The text is usually assumed to be a reworking of Pierre Garcie's original 1483 text, but lately, Bochaca and Moal (2019) have argued for its independent status.

For more on the topic of the tools available to a sailor or shipmaster, methods of pilotage and navigation in pre-modern times, see Waters (1958), Hutchinson (1994), Ward (2009), de Maisonneuve (2015:), and Bochaca & Moal (2019: 65).

¹³ The extract could be translated as follows: “not long after the publication of Garcie's work, it was translated in England by W. Copland, and the editor informs the reader that this is the first time that the Rolls of Oléron have been printed there” (translation mine).

Already in the sixteenth century we find English versions based upon some Norman version, e.g., Thomas Petyt's *Rutter of the Sea* of 1536, or especially upon the texts of Garcie and Cleirac, for example, Copland's *Rutter of the Sea* of 1528.

In other words, Studer (1911: xli) differentiates between the two renditions and concurs with Twiss (1871: lxii–lxiii) as to their divergent source texts, but does not name these sources. He also dispenses with Copland's given name. He does not commit himself to either of the two options, i.e., "Robert" or "W.". This is in contrast to Petyt's name, which he presents in full. However, Studer (1911: xli) does inform his readers that Copland's and Petyt's works bear the same title, i.e., *The Rutter of the Sea*.

In sum, one gathers that in the 16th century, in the course of eight years, two independent translations of two different versions of the *Laws of Oléron* appeared.¹⁴ Both of them were parts of bigger publications with the same title, *The Rutter of the Sea*. The earlier publication, dated to 1528, was the work of either Robert or W. Copland and translated Garcie's edition of the *Laws of Oléron*. Thomas Petyt printed the other in 1536, and this was a rendition of a Norman text of the laws. Both were published in London.

To the best of my knowledge, virtually no space is devoted to the eMnE translation of the text in other works dealing with the *Laws of Oléron* either as a historical, legal, or cultural phenomenon. In effect, even today, one can still find contradictory information concerning the eMnE version. So much so that without going into any detail, Frankot (2012: 88) states simply that Thomas Petyt's "is the first edition of a translation of the *Rôles* into English".

4. Gaining a wider perspective – the printers

The accounts presented in the previous section are more confusing than informative. However, the puzzle has never attracted the attention of the scholars dealing with the text of the *Laws of Oléron*. In fact, as can be seen above, the pieces of information concerning the text are only retold in subsequent publications on broader maritime topics, for which the *Laws of Oléron* as a text are a source of historical knowledge concerning maritime customs, but their eMnE translation is not the object of study. The issue of ascertaining the relationship between the renditions, however, becomes a burning one in an investigation of the translations themselves, which additionally aims at juxtaposing them with the source text. This, as I stated in the Introduction, was my intention.

¹⁴ Or in the course of six years, if one were to accept Pardessus's (1828) dating, where Petyt's text would precede Copland's by at least six years.

I began by trying to gather some information concerning the printers to establish whether Robert Copland (Section 4.1) and W. Copland (Section 4.2) are the same person, to find out something about Thomas Petyt (Section 4.3), and to account for the issue of divergent dating provided in Pardessus (1828) and Twiss (1871), i.e., after 1542 and 1528 respectively. Furthermore, I was curious about whether there is something about the translation(s) that gave grounds to the differing accounts (Section 4.4).

4.1. Robert Copland

Robert Copland (ca. 1508–1548) was a servant to Wynkyn de Worde (?–1534), from whom he learnt the craft (Ames, Herbert & Dibdin 1816: 111; Duff 1905: 31). Blayney (2013: 69) further infers that since Robert Copland referred to de Worde as to his “worshypfull mayster”, he was apprenticed to him. He must have been bound at the latest by the end of 1507, as the first dated book bearing his name appeared in 1514 and apprenticeships at that time lasted at least seven years (Blayney 2013: 69). According to Ames, Herbert and Dibdin (1816: 111) and Timperley (1839: 301), Robert Copland was a printer, stationer, bookseller, author, and translator of French. There is some ambiguity as to what these authors mean by the *stationer*. Is it, as would be logical in the context, an occupation listed alongside the others? Or is it that they rather refer to Copland’s membership in the Stationers’ Company?¹⁵ Actually, both readings would be correct, as Robert Copland was both a Stationer, i.e., a member of the Company, and a stationer, a person following that occupation. However, the latter is true only as long as the term *stationer* is taken to denote precisely “a bookseller” and not “a vendor of writing supplies”. It is intriguing to note that somebody could be a member of the company, a Stationer, but not a stationer and vice versa (Blayney 2013: 24). In the case of Robert Copland, as mentioned, it was both since he “is documented as a Stationer in March 1518” (Blayney 2013: 69). To the list of his occupations, Blayney (2013: 129–133) adds that of a publisher,¹⁶ which Copland followed from 1514, whereas his occupation as a printer is not ascertained before 1521 (Blayney 2013: 133).

¹⁵ The company evolved from a craft established on 12th July 1403 (Blayney 2013: 5), and was a “society” bringing together all people dealing with printed books in some way (Holdsworth 1920: 841–842).

¹⁶ The difference between a *printer* and a *publisher* is that the latter pays the former to print a book, whereas the former pays their employees to produce the book (Blayney 2013: 30). In other words, one can be a publisher, not having printed a single book themselves but deciding which books to print and making it happen by contracting printers to do so (Blayney 2013: 30–32). In the early days of the printing trade, printers usually fulfilled also the role of a publisher, plus those of a bookseller and distributor, though not necessarily (Blayney 2013: 32).

Robert Copland's printing press was located, at least from 1515 until his death, "on the south side of Fleet Street" and bore the sign of the Rose Garland (Blayney 2013: 133). His works are relatively unknown and Ames, Herbert and Dibdin (1816: 113) are rather sceptical about his talent on the basis of "the number, beauty, or importance of the works to which his name is subjoined", stating that he was "fond of small and fugitive pieces". One could probably account for the paucity of his publications on the grounds that "his press was largely employed by W[ynkyn] de Worde" (Duff 1905: 31–32). After 1524, however, most of his efforts concentrated on the "books he printed himself, usually also *for* himself but occasionally for others" (Blayney 2013: 179). An instance of the latter is *The Rutter of the Sea* translated and printed in 1528 by Robert Copland for an exp-rinter, Robert Bankes.

Note that one could doubt the possibility of Robert Copland being the printer of the text described by Pardessus (1828) as published after 1542 when adopting the dates of Robert Copland's activity as a printer provided by Ames, Herbert and Dibdin (1816: 113–120), i.e., 1515¹⁷ (the date of the first printed work), and 1540 (the date of the last printed work). Unless, of course, this is a case of mistaken dating.

His active role at such late a date is not as improbable when seen through the lens offered by Blayney (2013: 609). According to Blayney (2013), Robert Copland was an active printer from 1521 until 1535, but his career as a publisher lasted much longer, i.e., 1514–1547 (Blayney 2013: 609), with his printing house having been taken over before 1548 (Blayney 2013: 611). It would be feasible to imagine that he could print *The Rutter of the Sea* in 1528 and commission the publication of an English version of Garcie's work, as claimed by Pardessus (1828), after 1542, were it not for one thing. Apart from *The Rutter of the Sea* (1528), no other work dealing with maritime issues is listed among Robert Copland's achievements either by Ames, Herbert and Dibdin (1816: 113–126) or in the *Dictionnaire des auteurs anglais* (n.d.) in the entry devoted to him. Consequently, unless Pardessus (1828: 310–311) was mistaken in referring to W. Copland and as concerns the dating, and in fact meant this work, there needs to be another text with this title printed by some other Copland.

Unfortunately, there is only one known copy of the 1528 book and all that is remaining from the said book is two leaves. The document is kept in the British Library (Harley 5919). On one of the folios the colophon is preserved, which reads:

¹⁷ Note that the date of the first publication bearing Robert Copland's name provided by Ames, Herbert and Dibdin (1816: 113–120) – 1515 – is different than that offered by Blayney (2013: 69) – 1514.

Thus endeth the rutter of (the) see with the lawes of (the) yle of Auleron translated (and) enprynted by Robert Coplande / at (the) costes (and) charges of Richarde (B)a(n)kes dwellyng in (the) pultry of London. A(nno) d(omi)ni M.D.xxviii Cum gratia (et) priuilegio.¹⁸

In view of the lack of the text itself, it is impossible to establish its direct relationship to either Petyt's publication or Garcie's postulated source text.

4.2. William Copland

The person to whom Robert Copland left his printing house was William Copland (?–1568/1569) (Blayney 2013: 611; *Dictionnaire des auteurs anglais* (n.d.), entry for *Robert Copland*), and he is most likely the figure to whom Pardessus's (1828: 310–311) lead referred, i.e., “W. Copland”. William Copland produced his first printed book in 1547 (Blayney 2013: 612) and died in 1568 or 1569.¹⁹ The relationship between Robert and William is still open to debate²⁰ and there are multiple suggestions, ranging from them being a father and a son to working as partners. According to Ames, Herbert and Dibdin (1816: 127), they were most likely brothers, and William worked for Robert in the same capacity in which Robert used to work for Wynkyn de Worde. Both Duff (1905: 32) and Blayney (2013: 611) stick to the father and son theory, assuming that William succeeded Robert upon the latter's death, or slightly before. Ames, Herbert and Dibdin (1816: 128) find similarity in the “battered and half-worn types” used by both Coplands in which one can “in vain look [...] for that beauty of fount, and delicacy of workmanship, which mark the productions of their distinguished master Wynkyn de Worde”.²¹ Words to the same effect, though phrased in a much more circumspect manner, can also be found in Blayney (2013: 610). An interesting note is made with respect to both Coplands by

¹⁸ The quotation follows the original, with the abbreviations expanded in brackets.

¹⁹ The register of the Stationers' Company edited by Arber (1875: 392) lists a sum “[p]ayd for the buryall of coplande” underneath the heading: “here after ensueth all suche paymentes as the sayd Rycharde tottle and Roger Iretonde hath layd out from the xxii Day of July anno 1568 vnto xxii Day of July anno 1569 [which] ys by [the] space of one hole yere” (Arber 1875: 391; the insertions are Arber's). In other words, Copland's demise can safely be dated to the period in question but not with great precision.

²⁰ In the entry devoted to Robert Copland the *Dictionnaire des auteurs anglais* (n.d.) states that “un William Copland” (i.e., “a William Copland”) took over Robert Copland's business but adds that the relationship between the two is unknown.

²¹ This is not to say that their publications were of no merit. Let me use Ames, Herbert and Dibdin's (1816: 128) words to counterbalance their own criticism: “What, however, must be denied them on the score of elegance, will be conceded to them on that of intrinsic curiosity and worth: since I know of few publications which contribute more effectually to the entertainment of the philologist and antiquary, than the volumes executed by the TWO COPLANDS. A library, composed merely of the books which issued from their presses, would contain a treasure of early English literature”.

Timperley (1839: 301), who observes that due to the use of the same “marks and letter” and the fact that numerous books printed by them do not bear publication dates, “it is impossible at this time to distinguish their works separately”. That this has been a problem is also noted by Blayney (2013: 612).

Regardless of the aesthetic value of William Copland’s works, among them one can find *The Rutter of the Sea* (Ames, Herbert & Dibdin 1816: 161). The information Ames, Herbert and Dibdin (1816: 161) provide with respect to the rutter is the title and a note that it was “[t]ranslated and printed by William Copland” and comes “with a prologue of the printer’s”. The title they give is the following:

The rutter of the sea, with the hauens, rodes, soundings, kennings, wyndes, floods and ebbas, daungers and coastes of diuers regions: with the laws of the Isle of Auleron, and the iudgements of the sea: with a rutter of the North added to the same.

William Copland was a member of the Stationers’ Company, freed in 1546 (Blayney 2013: 882). His name appears in the royal charter of 1557 (Blayney 2013: 882). In fact, his name is found 50 times in Arber’s (1875) transcript of the Company’s Registers for the years 1554–1570. However, among the licences for printing which he was granted, no mention of *The Rutter of the Sea* is made, nor was he fined for printing such a book without a licence.²²

4.3. Thomas Petyt

In contrast to both Coplands, who were Stationers, Petyt was an apprentice to John Hutton, a Draper (the Drapers’ Company²³). Consequently, on being freed on 14th February 1519, he became one himself (Blayney 2013: 398). In 1528 he freed his first apprentice, John Petyt (Blayney 2013: 399), who was his brother (Blayney 2013: 816). Thomas Petyt established his printing office at the sign of the Maiden’s Head in St. Paul’s Churchyard (Ames, Herbert & Dibdin 1816: 507; Duff 1905: 120; Blayney 2013: 398) and remained there as an active printer until 1547, when the house “passed to his recently freed apprentice” (Blayney 2013: 615). Blayney suggests that the decision could have been influenced by his other responsibilities and family situation.²⁴ In the 1550s, Petyt’s documented ties with the book trade

²² As explained in Holdsworth (1920: 843), a printer or publisher “was expected to register with the company all books which he printed or published”, with the exception of those for which he had a royal patent or privilege. The registration entailed paying a fee but it had also advantages as it gave “the printer or publisher [...] an incontestable title to the book registered in his name” (Holdsworth 1920: 844).

²³ Originally it was an organisation of wool and cloth merchants.

²⁴ In May 1546, Elizabeth Hardward, a servant with Thomas Petyt, attempted, unsuccessfully, to poison both Petyt and his wife with rat poison which she put into their pots (Blayney 2013: 528).

were practically no longer standing and he is known to have given over his apprentices to other masters (Blayney 2013: 816). He was a printer (until 1547), a publisher (until 1557), a bookseller and “an educator” in the sense of “a trainer of apprentices” (Blayney 2013: 399).

Thomas Petyt printed several legal texts without “any exclusive patent for it” (Ames, Herbert & Dibdin 1816: 507) and in 1543 was imprisoned “for printing unlawful books” (Duff 1905: 120). These were Traverner’s New Testament (1539) and the mini-edition of the Great Bible printed in 1540 (Blayney 2013: 374, 548). The first book to have been printed by Thomas Petyt was, according to Blayney (2013: 401), *The Rutter of the Sea*. Its full title, as given in Ames, Herbert and Dibdin (1816: 507), is the following:

The Rutter of the see with the hauens, rodes, soundynges, kennynge, wyndes, floodes, and ebbes, daungers and costes of dyuers regions, with the lawes of the yle of Auleron, & and the iudgementes of the see.

4.4. Inferences

The resemblance between the full titles of William Copland’s and Thomas Petyt’s works is too uncanny to be a coincidence. Especially that the entry devoted to William Copland in Timperley (1839: 301–302) makes a comment on him printing for other printers, among them “Thomas Petyt, at the Maiden’s head in Paul’s church yard” (Timperley 1839: 302). Even though the comment is not made in the context of the *Laws of Oléron*, the note connects him with the printer of, according to Twiss (1871), their different rendition. In any case, it is highly unlikely that Coplands did not know Petyt, considering that they lived contemporaneously and within walking distance of each other (Fleet Street and St. Paul’s Churchyard), as well as worked in the same profession.²⁵ Additionally, Robert Copland and Thomas Petyt were both summoned to a meeting of “the *bibliopolae* of London” held by Cuthbert Tunstall, the bishop of London, on 25 October 1526, and their names are recorded among those present there (Blayney 2013: 248).

That the three texts – as *The Rutter of Sea* is listed among publications of each of the three printers – are in fact one can be inferred from the information I have found in five sources:

- I. Blayney (2013: 401), states that *The Rutter of the Sea* dated to 18 March 1536 and printed by Thomas Petyt was not the first edition of the work, as it was already printed by Robert Copland in 1528;

²⁵ On this topic and on ‘plagiarism’ among early printers, see Pollard (1937) and, more recently, Blayney (2013).

- II. the *Dictionnaire des auteurs anglais* (n.d.), where an entry for Robert Copland can be found, lists “The Rutter of the sea with lawes of the yle of Auleron” among Copland’s works and enumerates as many as seven editions of the book, by six different printers. These are:²⁶
- a. Edition by R. Copland from 1528 (STC²⁷ 11550.6);
 - b. Edition by T. Petyt from 1536 (STC 11550.8);
 - c. Edition by W. Copland from 1555 (STC 11551);
 - d. Edition by J. Waley from 1557 (STC 11551.5);
 - e. Edition by T. Colwell from ?1560 (STC 11553);
 - f. Edition by W. Copland from ?1567 (STC 11553.3);
 - g. Edition by A. Kitson from ?1573 (STC 11554);
- III. Vendée’s official website, where a post on Garcie, to which I referred above, is available, also informs that Garcie’s work was extremely successful, to the extent that it went through 32 editions in French and eight in English;
- IV. Waters’s (1967: 31) monograph, where eight editions of the text are listed:
- a. R. Copland, for R. Bankes, London 1528, BM Harley 5919;
 - b. T. Petyt, London 1536, Lincoln’s Inn Library (London); STC 11551;
 - c. W. Copland, London 1548?, not extant;
 - d. E. Whitchurch?, London 1555?, BM C.21.a.51;
 - e. W. Copland, London 1555?, Magdalene College (Cambridge);
 - f. W. Copland for J. Waley, London 1557?, Henry C. Taylor (N.Y.);²⁸
 - g. W. Copland, London 1565?, BM C.21.a.48, National Maritime Museum (Greenwich), Bodleian Library (2 copies), H. D. Horblit (N.Y.); STC 11553;

²⁶ Since the texts referred to here and in Section 5.1 are in fact the same works, they are listed only once in the references, using the dates and information provided in (1)–(7) in Section 5.1. The relationships between the texts as enumerated here and in Section 5.1 are discussed in Section 5.1.

²⁷ STC refers to *A Short-Title Catalogue of Books Printed in England, Scotland and Ireland, and of English Books Printed Abroad 1475–1640*.

²⁸ There is nothing within the body of the book that would substantiate the claim that the book was not printed by Waley, but it might be possible in the light of the discussion in Blayney (2013). Cf. footnote 35.

- h. J. Awdeley for A. Kytson, London 1573?, BM C.21.a.21, Prinz Hendrik Museum (Rotterdam, Engelbrecht Collection);
- V. de Maisonneuve's (2015: 41) book which is devoted to Pierre Garcie's French text but enumerates as many as ten editions of the English translation:
 - a. R. Copland for R. Bankes, 1528, BM Harley 5919;
 - b. Thomas Petyt, 1536, Lincoln's Inn Library (London) Strong Room 7B;
 - c. W. Copland, 1548?, ?;
 - d. E. Whitchurch?, 1555?, BM C.21.a.51;
 - e. W. Copland, 1555?, Magdalene College (Cambridge) 96(1);
 - f. W. Copland for J. Waley, 1557?, National Maritime Museum (London) L 1946–434: PBD1155;
 - g. T. Colwell, 1560, Bodleian (Oxford) 1016430999;
 - h. W. Copland, 1567?, Bodleian (Oxford) 016430997;
 - i. John Awdeley, for A. Kytson, 1573, Bodleian (Oxford) 016430998;
 - j. John Awdely; G. Hering, 1573, Prinz Hendrik Museum (Rotterdam) WAE131.

Vendée's website provides no further comment or references (III) but the information concerning the English editions concurs with Waters's (1967) data (IV). Note, however, that there is a discord in the number of English editions mentioned: eight at the website and in Waters (1967: 31), seven in the *Dictionnaire des auteurs anglais* (n.d.), and as many as 10 in de Maisonneuve (2015: 41). It is possible that Waters (1967) was the source of information for Vendée's website, where no references are given. In Section 5.1, I attempt to reconcile the remaining accounts and see whether there is an underlying cause for the variation.

According to the *Dictionnaire des auteurs anglais* (n.d.), all the rutters are simply editions of a single translation of Pierre Garcie's *Le Grand Routtier pillotage et encrage de mer* printed in an abridged version in Rouen (1502–1510). The relationship between Garcie's text mentioned above and the text printed in Rouen is, however, a disputed issue. Hence, I only concentrate on the information that with respect to the English rutter one deals with one translation, which went through numerous editions. The question is whether the 1528 and 1536 editions, and for that matter the remaining ones listed in (II), (IV) and (V) above, differ to an extent which would provide some explanation for Twiss's (1871) categorical separation of the 1528 and 1536 texts and his treatment of them as independent translations. In order to verify this, it is necessary to consult the texts themselves.

I provide an account of my findings in Section 5. At this point, however, I would like to refer to works which I discovered only *after* I had conducted my own analysis and which, interestingly, had answered my question long before I posed it.

Senior (1920) linked the 1528 text with Petyt's edition and three other copies of the rutter (from 1550, 1555, and 1560)²⁹ preserved in the British Library in 1920. Even though Senior (1920) does not mention the name of William Copland, the names of the remaining three printers or all the editions of the rutter, he informs that he consulted the five texts and established that all of them, i.e., 1528, 1536, 1550, 1555, and 1560 texts were editions of Robert Copland's original translation. Senior (1920: 245) also draws attention to the invalidity of Twiss's (1871) account of the rendition(s), stating that Twiss (1871) apparently "did not know that the Rutter of 1536, printed by Thomas Petyt, was only an edition of Copland's book, and not an original work".

Sadly, Senior's (1920) paper does not provide any evidence to corroborate the statement. Similarly, no evidence is offered in Waters's (1967) monograph, where he explicitly states that the texts are editions of the rutter translated by Robert Copland, or de Maisonneuve's (2015) text, where only the editions are listed, without any further information concerning them. As a result, I decided to draw more attention to the issue and present some actual proof of the close-knit relationship between the texts, and especially between the editions of the *Laws of Oléron*.

5. Gaining a wider perspective – *The Rutter of the Sea* and its editions

5.1. Extant editions

As mentioned above, there are varying estimates of the number of editions of *The Rutter of the Sea*. Copies of four of them are in the British Library, including two single leaves of the 1528 edition. The other three copies from the British Library are:

- 1) "The Rutter of the Sea with the Hauens, Rodes, Soundings, Kennings, Windes, Floods, and Ebbes, daungers and coastes of diuers regions with the lawes of the Ile of Auleron, and y^e iudgements of the Sea. [Translated by Robert Copland from "Le Grand Routier, pillotage et encrage de mer," by Pierre Garcie.] With a Rutter of the North added to the same [by Richard Proude]";³⁰ printed in London by William Copland; dated by the British Library to 1550(?); General Reference Collection C.21.a.48;

²⁹ The differences in dating will be discussed below.

³⁰ The use of square brackets in the quoted record is exactly as presented at the library's website. The titles of the remaining two copies presented in the catalogue are exactly the same also as spelling is concerned and thus are shortened here.

- 2) “The Rutter of the Sea [...] With a Rutter of the North added to the same [by Richard Proude]”; dated by the British Library to 1555(?) and assigned London as the place of publication; General Reference Collection C.21.a.51;
- 3) “The Rutter of the Sea [...] With a Rutter of the North added to the same [by Richard Proude]”; printed in London by John Awdeley, for Antony Kytson; dated by the British Library to 1560(?); General Reference Collection C.21.a.21.;

Based on the information provided in the British Library’s records for the three publications, one could gather that they do not differ at all: their titles, as presented at the library’s website, are the same. According to the dates suggested by the British Library, they were printed at five-year intervals, and the printer of the 1555(?) edition remains unknown. This account, which was the basis for the information provided in Senior (1920), is, however, different from the survey presented in the *Dictionnaire des auteurs anglais* (n.d.), Waters (1967), and de Maisonneuve (2015). These are the dates from the *Dictionnaire des auteurs anglais* (n.d.) that correspond to the dates in the *English Short Title Catalogue* (ESTC), where information about the seven editions can be found:

1. [The rutter of ye see] [[London] : Thus endeth the rutter of ye see, ... translated [and] enprynted by Robert Coplande, at ye costes [and] charges of Rycharde ba[n]kes dwellynge in ye ... of London, A^o d[omi]ni. M.D.xxviii.] [1528] (STC 11550.6); copy in the British Library;³¹
2. The rutter of the see with the hauens, rodes, soundynges, kennynges, wyndes, floodes and ebbes daungers and costes of dyuers regions with the lawes of the yle of Auleron, & the iudgementes of ye see. [[London] : Imprynted at London in Poules chyrch yarde at the sygne of ye Maydens heed, by me Thomas Petyt, The yere of our lorde god. M.D xxxvi. The xviii daye of Marche, [1536]] (STC 11550.8); copy in Lincoln’s Inn Library;
3. The rutter of the sea, w[ith] the hauo[n]s, rodes, soundinges, kennynges, wyndes, floudes and ebbes, daungers and costes of dyuers regions wyth the lawes of the yle of auleron and the iudgementes of the sea. with [sic] a rutter of the northe added to the same. [Imprinted at London : by wyllyam Copland, [1555?]] (STC 11551); copy in Cambridge University Magdalene College Pepysian Library;
4. The rutter of the see w[ith] the hauons, rodes soundinges, kenninges wyndes, flodes and ebbes, daungers [and] coostes of dyuers regio[n]s

³¹ The use of square brackets in this and the other five entries follows that of the ESTC records.

- with ye lawes of the yele of Auleron, [and] the iudgementes of the see. With a rutter of the northe added to the same. [Imprinted at London : by Iohn waley dwelling in Foster lane, [1557]] (STC 11551.5); copy in the Beinecke Rare Book and Manuscript Library in Yale University Library;
5. The rutter of the see, with the hauons, rodes, soundynges, kennynges wyndes flodes and ebbes, daungers and coostes of dyuers regyons with the lawes of the yele of Auleton, and the iudgementes of the see. With a rutter of the northe added to the same. [London : T. Colwell, 1560?] (STC 11553); copy in the British Library.
 6. The rutter of the sea with the hauens, rodes, soundings, kennings, windes, floods, and ebbes, daungers and coastes of diuers regions with the lawes of the Ile of Auleron, and ye iudgements of the sea. With a rutter of the north added to the same. [Imprinted at London : By me William Copland], [ca.1567?] (STC 11553.3); copies in the British Library, National Maritime Museum Library and Oxford University Bodleian Library;³²
 7. The rutter of the sea, wyth the hauens, roades, soundings, kennings, wyndes, flouds, and ebbes, daungers and coastes of diuers regions with the lawes of the Ile of Auleron, and the iudgementes of the sea. With a rutter of the no[r]th added to the same. Imprinted at London : By Iohn Awdeley, for Antony Kytson, [1573?] (STC 11554); copy in the British Library.

Out of these, copies of (1), (5), (6) and (7) reside in the British Library, which indicates that the dating proposed in the library catalogue might not be the best indicator of the suggested date of publication for these editions. The copy dated in the British Library Catalogue to 1560(?) appears to date actually to 1573?, the 1555(?) copy to 1560?, and the 1550(?) copy to 1567?. This conclusion is corroborated by the consultation of digital copies of all four British Library texts, as available in *Early English Books Online (EEBO)*.³³ If this interpretation is correct, Edward Whitchurch's 1555? edition, listed in Waters (1967) and de Maisonneuve (2015), seems to be the edition referred to as Colwell's 1560? edition in the *Dictionnaire des auteurs anglais* (n.d.) and ESTC, in which no information about the printer is given. This is even more likely taking into account the fact that Whitchurch could not run his printing

³² To this and the following edition (7) a note is added, which states that it was "[t]ranslated from the earlier and shorter form, "Le routier de la mer", rather than from "Le grant routtier".

³³ Editions listed under (2) and (4) are also available, the former as a part of the EEBO, and (4) at the website of the Beinecke Rare Book and Manuscript Library, part of Yale University Library (<https://brbl-dl.library.yale.edu/vufind/Record/3445862>).

house during Mary I's reign, 1553–1558³⁴ (Ames, Herbert & Dibdin 1816: 483; Blayney 2013: 759–765).

The only remaining discrepancies between the lists of editions given in (II), (IV) and (V) are (i) the presence of William Copland's 1548? edition in Waters's (1967) and de Maisonneuve's (2015) accounts, whose existence cannot be verified due to the lack of extant copies, and (ii) another 1573 edition proposed by de Maisonneuve (2015). A closer reading of the data provided in Waters (1967) allows one to see that he considered the Rotterdam copy to be another exemplar of the 1573? edition kept in the British Library/Museum. In addition, nothing in the entry for the item at the website of Rotterdam Museum provides any grounds to substantiate that theory since it was also printed for Anthony Kytson. However, not having been able to consult the text, I do not commit myself to either of the accounts.

In the remainder of the paper, I analyse the eMnE texts in order to establish whether Twiss's (1871) claim as to the independent status of Copland's and Petyt's works finds any justification within the books. The investigation centres around several elements of the editions in question, i.e., title pages and colophons (Section 5.2), prologues (Section 5.3), general contents of the book (Section 5.4), contents of the *Laws of Oléron* (Section 5.5) and textual evidence from within the text of the laws (Section 5.6). For the purposes of this analysis, the following editions are used: 1536 by Thomas Petyt, 1557 by John Waley, 1560? by Thomas Colwell, 1567? by William Copland, 1573? by John Awdeley, and – where still extant – what is left from the 1528 edition by Robert Copland.

5.2. Title pages, colophons and ending lines of the *Laws of Oléron*

First, the title pages of the publications were analysed. I quote them below in Table 1, preserving all original conventions and verse divisions.

³⁴ Edward Whitchurch (?–1562) was freed as a Haberdasher (the Haberdashers' Company was established as a merchant guild associated with silk and velvet trade) by John Edwards on June 22, 1536 (Blayney 2013: 357). His trade partner was Richard Grafton and it was only in 1543 that Whitchurch set up his own printing house (Blayney 2013: 390). Sometime in 1545 he moved to Fleet Street and established his business at the sign of Sun, the former printing house of Wynkyn de Worde (Duff 1905: 169; Blayney 2013: 987). Edward Whitchurch was the most prolific printer of Edward VI's reign and cooperated with numerous printers (Blayney 2013: 726), however, with the end of the reign (July 6, 1553), he and Grafton were forced to close down (Blayney 2013: 756–757). After 1553, only one book bearing Whitchurch name appeared and that in 1560 (Ames, Herbert & Dibdin 1816: 484, 499; Timperley 1839: 334).

Table 1. Title pages

(1528) Robert Copland *missing*	(1536) Thomas Petyt The Rutter of ter of the see with the hauens/ rodes soundynges/ kennyn= ges/ wyndes/ floo= des and ebbes daungers and costes of dyuers regions with the lawes of the yle of Auleron, (and) the iudgements of (the) see. ³⁶	(1557) John Waley ³⁵ The Rutter of the See w(ith) the hauons, rodes soundinges, kenninges wyn= des, flodes and ebbes, daun gers (and) coostes of dyuers regio(n)s with (the) lawes of the yle of Aule ron, (and) the iud gements of the see. ¶ ³⁷ With a Rutter of the Northe added to the same.
(1560?) Thomas Colwell ³⁸	(1567?) William Copland	(1573?) John Awdeley ³⁹ for Antony Kytson ⁴⁰

³⁵ John Waley/Walley (?–1586) was an eminent publisher (Blayney 2013: 787) and one of the original members of the Stationers' Company (Ames, Herbert & Dibdin 1819: 269–270; Timperley 1839: 386–387). He was freed from apprenticeship sometime around January 1542 and became a publisher already in that year (Blayney 2013: 875), going on to spend 44 years in the book trade (Blayney 2013: 513). Blayney (2013: 787), in contrast to Ames, Herbert and Dibdin (1819: 269–270) or Timperley (1839: 386–387), is uncertain as to whether Waley ever printed any works on his own, but “chose[s] instead to appear to assume that Waley really was a master printer for part of 1555–1557”, even though “he still had to hire other printers to print some of his books” (Blayney 2013: 788). William Copland was one of the printers who used Waley's services (Blayney 2013: 726, 787), which might be why Waley published another edition of *The Rutter of the Sea*, especially that it appeared so soon after William Copland's (1555?) first edition. His press passed on to Henry Sutton, late in 1557 (Blayney 2013: 788).

³⁶ In this and the following extracts quoted after the actual editions, the original spelling is preserved throughout, barring the various letter shapes for the same letters, i.e., <s> and <r>. Where abbreviations were used, I expanded the text, enclosing the relevant fragments in brackets in each case.

³⁷ The special marker presented here is the early form of pilcrow, i.e., paragraph mark. As explained in Charzyńska-Wójcik (2013: 672) “[t]he marker is a development of the capital letter C for *capitulum* 'chapter' which came to be equipped with a vertical bar by the rubricators (as were other *litterae notabiliores*). With time, the resultant bowl was filled in and with some further visual adjustments naturally following from frequent use, ¶ or ¶ became the familiar pilcrow ¶.”

³⁸ Thomas Colwell was presented as an apprentice Stationer on 13th October 1556 and freed on 30 August 1560 by William Powell (Blayney 2013: 906). Colwell stayed in business until 1575 (Timperley 1839: 357), and was succeeded by Hugh Jackson (Plomer 1897: 3).

³⁹ John Awdeley/Sampson (son of Sampson Awdely) was a printer (from 1559) and a member of the Stationers' Company, freed from apprenticeship before 26 November 1556 (Blayney 2013: 896, 899). Surprisingly, he is mentioned in the registers by either of the names, i.e., Awdeley or Sampson, and at times by both at once (Ames, Herbert & Dibdin 1819: 563), he himself, however, never used the latter in any of the imprints (Blayney 2013: 899).

⁴⁰ According to Ames, Herbert and Dibdin (1819: 541) and Duff (1905: 86), Anthony Kytson/Kitson/Kidson (?–1578) was a printer but he never became a member of the Stationers' Company. Blayney (2013: 681), on the other hand, states that he was never a printer, even though he became a publisher in 1553. Blayney (2013: 659) also explains that

<p>The Rutter of the See, with the hauons, ro=des soundynges, kennynges wyndes flodes and ebbes, daungers and coostes of dyuers regyons with the lawes of the yele Auleton, and the iudgementes of the see. ☉ With a Rutter of the Northe added to the same.</p>	<p>The Rutter of the Sea with the Hauens / Rodes, Soundings, Kennings, Windes, Floods, and Ebbes/ daungers and coastes of diuers regi=ons with the lawes of the Ile of Auleron, and (the) iudgements of the Sea. ☉ With a Rutter of the North added to the same.</p>	<p>The Rutter of the Sea, wyth the hauens, Roades, Soundings, Kennings, Wyndes, Floods, and Ebbes, daungers and coastes of diuers regions, with the lawes of the Ile of Aule=ron. And the iudgementes of the sea. With a Rutter of the No[r]th added to the same.</p>
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Beginning with Waley’s edition, all versions of the rutter have “a Rutter of the North” appended to them. The latter rutter is the work of Richard Proude dated to 1541, which is why it could not appear in Petyt’s (1536) edition. The text is added at the end of the book, following the *Laws of Oléron* but is clearly separated from the original laws so that no confusion should occur.⁴¹ If Twiss (1871) consulted one of the later editions with the rutter, it might be the text that he mistook for the extension of the original laws. However, it could not have been present in the original translation. Additionally, Petyt’s (1536) edition, being the closest in terms of the date of publication to Robert Copland’s version, also contains a colophon at the end of the *Laws of Oléron*, which is very similar to the one quoted in Section 4.1 for the 1528 text, and the text is not followed by any other content. The 1536 version is the only edition to have it in this “extended” form since, in the remaining versions, the *Laws of Oléron* are not the final text given in the book, and thus only the second half of the original colophon can be found there. Additionally, with the exception of the latest edition, and the 1560? edition, from which it is altogether absent, the colophons are always given on the last page. They are phrased as follows:

1. (1528) Robert Copland: Thus endeth the rutter of (the) see/ || with the lawes of (the) yle of Auleron || translated (and) enprynted by Robert || Coplande / at (the) costes (and) charges of || Richarde (B)a(n)kes

he was not a member of the Stationers’ Company as he was apprenticed to Thomas Petyt, a Draper, who freed him on 24 November 1550, and naturally he became a Draper. The two might have been related since Thomas Petyt’s brother, John, mentioned Kytson in his will, referring to him as a “cossen” (Blayney 2013: 659).

⁴¹ Waters (1958: 11–12) informs that the “additional text” in question, i.e., *The New Rutter of the Sea for the North Parties*, is in fact the older of the two as it seems “to date from the early fifteenth century and to be based on much older lore” (Waters 1958: 11–12). It was, however, first printed only after *The Rutter of the Sea* had been published (1528), in 1541 by Richard Proude and was subsequently attached to the later editions of *The Rutter of the Sea*. On the topic of this rutter and its relationship with earlier manuscript versions, see Ward (2004).

dwellyng in (the) pultry || of London. A(nno) d(omi)ni M.D.xxviii || Cum gratia (et) priuilegio.⁴²

2. (1536) Thomas Petyt: Thus endeth the Rutter of the see, || with the lawes of the yle of Aule=||ron, lately translated out of || Frenche in to Englysshe || Imprynted at Lon=||don in Poules || chyrche || yarde at the || sygne of y(e) May=||dens Heed, by me || Thomas Petyt. The || yere of our lorde god .M.D||xxxvi. The .xviii. daye of Marche. ||
3. (1557) John Waley: ☉ Imprinted at london by John || waley dwellyng in Foster||lane.
4. (1560?) Thomas Colwell: *no colophon*
5. (1567?) William Copland: ☉ Imprinted at London by me || William Copland.
6. (1573?) John Awdeley for Antony Kytson: ☉ Thus endeth the booke || of the Rutter of the sea.; *at the front page*: ☉ Imprinted at London by || John Awdeley, for Anto=||ny Kytson.

The colophon is preceded by the text given in Table 2 below. Note that it is not present in the extant folios of the 1528 edition but its appearance in the remaining editions (where it is followed by “the Rutter of the North”, with the exception of the 1536 edition), suggests it is more than likely to have a presence in the original. It seems so, especially if one takes into account how closely each subsequent copy follows the text presented in the earlier edition(s), even with respect to verse division, with the only “major” change being in the shape of an additional division noted between the 1536 and 1557 editions.

Table 2. Colophons of the *Laws of Oléron*

(1528)	(1536) Thomas Petyt
missing	Wytnes the seale of the yle of Aule= ron / establysshed by the contrac= tes of the sayd yle / y(e) tuesday after the feest of saynte Andrewe The yere of our lorde .M.CC.lxvi.
(1557) John Waley	(1560?) Thomas Colwell
Wyttesse the seale of the yle of Au= leron establisshed by the contra= ctes of the saide yle, (the) Tuesday af ter the feaste of sainte Andrewe. The yere of oure Lorde. M.CC.lxvi. FINIS	Witnesse the seale of (the) ile of aulero(n) establysshed by the contractes of the sayde yle, the Tuesday after the feast of saynt Andrewe. The yere of our Lorde. M.CC.lxvi. finis.

⁴² The quotations follow the original texts and all my interventions are enclosed in brackets. I employed vertical lines (“||”) inserted at the end of one line and before the beginning of another to provide information concerning verse division.

(1567?) William Copland	(1573?) John Awdeley for Antony Kytson
<p>☉ Witesse the seale of the yle of Au= leron established by the contractes of the saide Ile, the Tuesday after the feast of saint Andrewe, the yeere of our Lorde, M.CC.lxvi. ☉ finis.</p>	<p>☉ Wytnes the seale of the Ile of Au= leron established by the contracts of the sayde Ile, the Teusdaye after the feast of S. Andrew, in the yere of our Lord M.cc.lxvj. ☉ finis.</p>

5.3. The Prologue(s)

Prologues of the analysed editions also deserve attention. Below, in (1)–(5), I provide their opening and closing lines.

- (1536) Thomas Petyt: *at the beginning*: The prologue of the translatur || of this sayd Rutter.; *at the end*: The translature.
- (1557) John Waley: *at the beginning*: ☉ The prologue of roberte Coplande || the translature of this sayde Rutter.; *at the end*: ☉ The translature. || Robart Copland.
- (1560?) Thomas Colwell: *at the beginning*: ☉ The prologue of Robart Copland || the translatur of this sayde Rutter.; *at the end*: The translatur. || Robart Copland.
- (1567?) William Copland: *at the beginning*: ☉ The prologue of Robert Copland || the translatur of this said Rutter.; *at the end*: ☉ The translatur. || Robert Copland.
- (1573?) John Awdeley for Antony Kytson: *at the beginning*: ¶ The Prologe of Robert || Copland, the Translatur of || this sayd Rutter.; *at the end*: ☉The Translatur to || all Saylers.

Interestingly, the prologues in all the editions, with the exception of Petyt's (1536), provide their author's name, which is at the same time the name of the translator, i.e., Robert Copland, who happens to be the printer of the first edition. Petyt's (1536) silence on the topic might be a clue as to why Twiss (1871) held it to be a rendition independent of Copland's (1528). It may also mean that the two texts are different. A closer inspection of the Prologue allows me, however, to state that the text presented in Petyt's edition is exactly the same as that of the prologues in all the remaining analysed editions, where they are explicitly attributed to Robert Copland. They are predominantly identical with the exception of spelling and punctuation variation, i.e., *accidentals* of the text. The Prologue sets out to justify the importance of the book in question for mariners, explains the provenance of the

translation,⁴³ and implores the reader to suggest amendments to the translated text since the translator himself is not acquainted with maritime issues.

5.4. Contents of the book

Based on the evidence provided so far, taken solely from the editions investigated here, one can already speculate that the presence of the additional text following the *Laws of Oléron* in the post-1541 editions, coupled with the absence of the mention of the translator's name in the 1536 text might be behind Twiss's (1871) assumption that Copland's (1528) and Petyt's (1536) renditions were independent. It does, however, mean that Twiss (1871) consulted a later edition of the text but mistakenly referred to the 1528 work.

Nevertheless, before any conclusions can be drawn, one needs to analyse the actual texts of the rutters. That these are practically identical, barring spelling, punctuation and typographical variation, will become more evident once the contents of the books are compared. The relevant data are given below in Table 3 in this section. They are discussed in a more detailed manner, though on a limited scale, in Sections 5.5–5.6.⁴⁴

⁴³ It is my conviction that Pardessus's (1828: 310–311) claim that the *editor* of Copland's translation *warned* the reader that it was the first time the work had been published in England comes from the reading of the Prologue. Unless of course Pardessus (1828) managed to access the original 1528 edition, which could have contained a note to that effect.

⁴⁴ Note that it is not the aim of this study to provide an exhaustive list of all textual variants and trace the textual transmission of the translation of the *Laws of Oléron* in great detail. Therefore, I do not commit myself to distinguishing between accidentals of the text and substantive variants, or establishing exact sources of each textual variant. A more in-depth study devoted to the comparison of the texts is already under way.

Table 3. Contents of *The Rutter of the Sea*

N ^o	Contents ¹	1536	1557	1560	1567	1573
1	<i>the front page</i>	a.i rec.	A.i rec.	A.i rec.	A.i rec.	A.i rec.
2	The prologue of roberte Coplande the translatoire of this sayde Rutter.	a.i ver. -a.iii ver.	A.i ver. -A.iii ver.	A.ii rec. -A.iii rec.	A.i ver. -A.iii ver.	A.ii rec. -A.iii ver.
3	<i>the poem</i> : Gentyll maryners on a boune vyage	a.iii ver.	A.iii ver.	A.iii rec.	A.iii ver.	A.iii ver. ²
4	Of the tydes, that is to wyte the flode and ebbes from the rase of Sayne into Flaunders.	a.iii rec. -a.v ver.	A.iii rec. -A.v ver.	A.iii ver. -A.vi rec.	A.iii rec. -A.v ver.	A.iii rec. -A.v ver.
5	☉ Courses fro the rase of Sayne into Flau(n)dres, and how the tydes towarde Brytayne bereth.	a.v ver. -a.vii rec.	A.v ver. -A.vi ver.	A.vi rec. -A.vii rec.	A.v ver. -A.vi ver.	A.v ver. -A.vi ver.
6	☉ Routes and courses fro the rase of Sayne in Flaunders.	a.vii rec. -a.vii ver.	A.vii rec. -A.vii ver.	A.vii ver. -A.viii rec.	A.vii rec. -A.vii ver.	A.vii rec. -A.vii ver.
7	☉ Entrynges and Harborowes of the coste of Normandye.	a.vii ver. -a.viii ver.	A.vii ver. -A.viii ver.	A.viii rec. -B.i rec.	A.vii ver. -A.viii ver.	A.vii ver. -A.viii ver.
8	☉ Floodes fro Sylley and Englande in to Flaunders.	a.viii ver. -b.i ver.	A.viii ver. -B.i ver.	B.i rec. -B.ii rec.	A.viii ver. -B.i ver.	A.viii ver. -B.i ver.
9	Courses from the cape of Cornewayle in to Flaundres And how the tydes do bere.	b.i ver.-b.ii rec.	B.i ver. -B.ii rec.	B.ii rec. -b.ii ver.	B.i ver. -B.ii rec.	B.i ver. -B.ii rec.
10	☉ Routes from Sylley / and Englande in to Flaundres.	b.ii rec. -b.ii ver.	B.ii rec. -B.ii ver.	B.ii ver. -B.iii rec.	B.ii rec. -B.ii ver.	B.ii rec. -B.ii ver.
11	Entrynges (and) Herborowes all alonge the coste of Englande.	b.ii ver. -b.v rec.	B.ii ver. -B.iii ver.	B.iii rec. -B.v rec.	B.ii ver. -B.iii ver.	B.ii ver. -B.iii ver.
12	How the portes (and) haue(n)s of England, Brytayne / and normandy do lye. And how many leyges fro(m) one to an other.	b.v rec. -b.vi rec.	B.iii ver. -B.v ver.	B.v rec. -B.vi rec.	B.iii ver. -B.v ver.	B.iii ver. -B.v ver.

¹ With the exception of the elements (2) and (30), given after the 1557 edition, the names of the sections are provided after the 1536 edition.

² The poem presented in this edition is different and visibly longer than the one in the earlier versions.

13	Sou(n)dynges that ye shall fynde comyng fro Spayne/ Leuant / or Portyngale to seke Ussha(n)t.	b.vi rec. -b.vii ver.	B.v ver.- B.vii ver.	B.vi rec.- B.viii rec.	B.v ver.- B.vii ver.	B.v ver.- B.vii ver.
14	The Kennynges frome Sylley and Englande vnto Flaundres.	b.vii ver. -b.viii rec.	B.vii ver.- B.viii rec.	B.viii rec.- B.viii ver.	B.vii ver.- B.viii rec.	B.vii ver.- B.viii rec.
15	Floodes, (and) Ebbes, fro the Forelande / or Cape of Cornwale / into wales all alonge by the see coste.	b.viii rec. -c.i rec.	B.viii rec.- B.viii ver.	B.viii ver.- C.i rec.	B.viii rec.- B.viii ver.	B.viii rec.- B.viii ver.
16	Routes fro Sylley (and) Englande in to wales along the coste of wales.	c.i rec. -c.i ver.	B.viii ver.- C.i rec.	C.i rec.-C.i ver.	B.viii ver.- C.i rec.	B.viii ver.- C.i rec.
17	Courses fro the cape of Cornwayle into wayles alonge by the see coste.	c.i ver. -c.ii ver.	C.i rec -C.i ver.	C.i ver. -C.ii rec.	C.i rec. -C.i ver.	C.i rec. -C.i ver.
18	Routes fro Sylley (and) Englande vnto Irlande alonge the coste.	c.ii ver. -c.iii rec.	C.ii rec. -C.ii ver.	C.ii ver. -C.iii rec.	C.ii rec. -C.ii ver.	C.ii rec. -C.ii ver.
19	Courses fro the cape of Ueyll to Cantere / (and) how the floodes toward Irlande do bere.	c.iii rec. -c.iii ver.	C.ii ver. -C.iii rec.	C.iii rec. -C.iii ver.	C.ii ver. -C.iii rec.	C.ii ver. -C.iii rec.
20	Routes fro the bay of Bayone alonge the coste of Gascoyn vnto the race of Sayne.	c.iii ver. -c.iiii ver.	C.iii rec. -C.iiii rec.	C.iii ver. -C.iv ver.	C.iii rec. -C.iiii rec.	C.iii rec. -C.iiii rec.
21	The Kennynges fro Rochell into flaundres.	c.iiii ver. -c.v rec.	C.iiii rec. -C.iiii ver.	C.iv ver. -C.v rec.	C.iiii rec. -C.iiii ver.	C.iiii rec. -C.iiii ver.
22	These are the Sou(n)dynges comyng fro Spayne / on the outwarde partes to (the) yles northward / and aboute Rochell.	c.v rec. -c.vi rec.	C.iiii ver. -C.v rec.	C.v rec. -C.v ver.	C.iiii ver. -C.v rec.	C.iiii ver. -C.v rec.
23	How the lande of Brytayne and of Spayne do lye / and how many leyges is from one to another.	c.vi rec.- c.vi ver.	C.v ver. -C.v ver.	C.vi rec.	C.v ver. -C.v ver.	C.v ver. -C.v ver.
24	These leyges fro the Buckew of Gyro(n)de to the buckew of Bayone along the coste of Spayne and Portyngale.	c.vi ver.- c.viii rec.	C.v ver. -C.vii rec.	C.vi rec. -C.vii ver.	C.v ver. -C.vii rec.	C.v ver. -C.vii rec.
25	Routes fro Pontew de [...] feron vnto the flome Jordan / and how many leyges are betwene them.	c.viii rec. -c.viii ver.	C.vii rec. -C.viii rec.	C.vii ver. -C.viii ver.	C.vii rec. -C.viii rec.	C.vii rec. -C.viii rec.

26	TO reken the course of the moone truely [...]	d.i rec. -d.iii rec.	C.viii rec. -D.i ver.	C.viii ver. -D.ii rec.	C.viii rec. -D.i ver.	C.viii rec. -D.i ver.
27	These be the customes of the Uycountyes of Brytayne.	d.iii rec. -d.iiii rec.	D.i ver. -D.iii rec.	D.ii rec. -D.iii ver.	D.i ver. -D.iii rec.	D.i ver. -D.iii rec.
28	THE ordinau(n)ce wherfore (the) vycount of Leon is accustomed to the seales [...]	d.iii rec. -d.v rec.	D.iii rec. -D.iiii rec.	D.iii ver. -D.iiii ver.	D.iii rec. -D.iiii rec.	D.iii rec. -D.iiii rec.
29	<i>the Laws of Oléron</i>	d.v rec.- e.viii ver.	D.iii rec. -E.vi ver.	D.iiii ver. -E.vii rec.	D.iiii rec. -E.vi ver.	D.iiii rec. -E.vi ver.
30	A newe Router of the sea, for the northe parties: compyled by Rycharde Proude. M.D.XLI.	-	E.vii rec. -F.iii ver.	E.vii ver. -F.iiii rec.	E.vii rec. -F.iii ver.	E.vii rec. -F.iii ver.
31	<i>the colophon</i>	e.viii ver.	F.iii ver.	-	F.iii ver.	F.iii ver. and A.i rec.

Clearly, the only text to diverge slightly is the 1560(?) edition, but only as far as the page division and colophon are concerned. The 1536 edition differs, on the other hand, due to the absence of Rycharde Proude's text.

5.5. The *Laws of Oléron* – contents

A more detailed analysis was conducted on the *Laws of Oléron*, whose oldest extant copies (in Anglo-Norman (AN)) count 24 articles. Copland's eMnE translation of the laws consists of 26 articles, and the text of the articles also differs in places. Below I provide a brief overview of the contents of the *Laws of Oléron* as presented in the two (oldest) Anglo-Norman versions of the text and in doing so I adhere to the "table of subjects" compiled by Twiss (1874: 2–3).

Table 4. Contents of the AN versions of the *Laws of Oléron*

Article n ^{o45}	Contents
1	The master may not sell the ship, but may pledge the ship's apparel to buy necessities
2	The master is bound to take counsel with the ship's company, whether he shall sail or not
3	The duty of the master and of the mariners in case of shipwreck
4	In case of shipwreck the master may carry forward the goods in another ship
5	Mariners may not go ashore in harbour without the master's leave
6	Mariners who go ashore, unless in the service of the ship, and are hurt, must be cured at their own expense
7	A sick mariner must be placed on shore in the care of a nurse, and if he dies, his wages must be paid to his wife or relatives
8	The master in case of danger may make a jettison. How the jettison is to be shared between the ship and the cargo
9	If the master has to cut away his mast, he is to be compensated, as in a case of jettison
10	The quality of the ropes used for hoisting the cargo ought to be approved by the merchants
11	To what extent the master is liable to make compensation for damage to the cargo from careless stowage
12	The penalty for abusive language, and for blows on board a ship

⁴⁵ The numbers assigned to the articles are not used in the AN originals. Neither do they appear in the eMnE texts. They are, however, adopted in this fashion in the sources dealing with the text, such as Twiss (1871, 1873), Studer (1911), or Ward (2009).

13	Harbour pilotage is payable by the owners of the cargo
14	Disputes on board between the master and the mariners
15	Damage done to a ship at her moorings ⁴⁶ by another ship entering the port
16	A ship ought not to anchor too near another ship in havens of shallow water. Buoys to be placed over anchors
17	What diet the mariners of Brittany and of Normandy respectively ought to have
18	What freight shall be allowed to the mariners
19	The mariners are bound to bring the ship back to her port
20	Distinction between mariners hired for freight, and mariners hired for wages
21	Mariners may take meat on shore, but not drink
22	Demurrage ⁴⁷ payable by the merchants, how it should be divided between the master and the mariners
23	The master may sell part of the cargo to purchase necessaries
24	The duty of the pilot to bring the ship up to her berth ⁴⁸

Reading through the content presented above, one can note that the articles could in fact be grouped according to the topic, as is done in Ward (2009: 23) since there are some issues which appear to be touched upon in multiple articles, not necessarily placed next to each other. Here I will limit myself to enumerating, after Ward (2009: 23), the general areas referred to in the articles: (i) rules regulating shipmaster's conduct and responsibilities, (ii) rules regulating crew's duties, (iii) rules concerning discipline, (iv) rules regulating employment, (v) rules pertaining to health and safety, (vi) rules applying to the freighting merchants. Ergo, as noted by Heebøll-Holm (2013: 131), the *Laws of Oléron* deal with regulating the life and work on board a ship or ashore but only to the extent that the relationships between the shipmaster, crew, merchants, and ship-owner are concerned, with minor exceptions (e.g., Article 16, which mentions "negotiations" with other shipmasters). The topic that is altogether absent from the "code" is any mention of (armed) conflict at sea, or piracy (Ward 2009: 23; Heebøll-Holm 2013: 131–134, 2017: 41).

⁴⁶ The definition of the verb *moor* as provided in the *Oxford English Dictionary* (OED) states that it means "to secure (a ship, boat, or other floating object) in a particular place by means of chains or ropes, which are either fastened to the shore or to anchors". Thus, moorings, as defined in the OED are things "(e.g., a rope, chain, etc.) by which a floating object is made fast".

⁴⁷ *Demurrage* is defined by the OED as "[d]etention of a vessel by the freighter beyond the time agreed upon; the payment made in compensation for such detention".

⁴⁸ The definition of *berth*, as provided in the OED is the following: "[c]onvenient sea-room for a ship that rides at anchor", "sufficient space wherein a ship may swing round at the length of her moorings".

The contents of the eMnE rendition of the text in its five editions analysed here correspond to these articles in the manner presented in Table 3. In this account, all the textual variations between the AN and eMnE texts are disregarded.

Table 5. Contents of the AN and eMnE versions of the *Laws of Oléron*⁴⁹

Article n° in the AN versions	Contents	Article n° in the eMnE translation				
		1536	1557	1560(?)	1567(?)	1573(?)
1	The master may not sell the ship, but may pledge the ship's apparel to buy necessities	1	1	1	1	1
2	The master is bound to take counsel with the ship's company, whether he shall sail or not	2	2	2	2	2
3	The duty of the master and of the mariners in case of shipwreck	3	3	3	3	3
4	In case of shipwreck the master may carry forward the goods in another ship	4	4	4	4	4
5	Mariners may not go ashore in harbour without the master's leave	5	5	5	5	5
6	Mariners who go ashore, unless in the service of the ship, and are hurt, must be cured at their own expense	6	6	6	6	6
7	A sick mariner must be placed on shore in the care of a nurse, and if he dies, his wages must be paid to his wife or relatives	7	7	7	7	7
8	The master in case of danger may make a jettison. How the jettison is to be shared between the ship and the cargo	8	8	8	8	8

⁴⁹ As mentioned with reference to Table 4, the articles are not numbered in their respective manuscript or print editions.

9	If the master has to cut away his mast, he is to be compensated, as in a case of jettison	9	9	9	9	9
10	The quality of the ropes used for hoisting the cargo ought to be approved by the merchants	10	10	10	10	10
11	To what extent the master is liable to make compensation for damage to the cargo from careless stowage	11	11	11	11	11
12	The penalty for abusive language, and for blows on board a ship	12	12	12	12	12
13	Harbour pilotage is payable by the owners of the cargo	13 ⁵⁰	13	13	13	13
14	Disputes on board between the master and the mariners	14	14	14	14	14
15	Damage done to a ship at her moorings by another ship entering the port	15	15	15	15	15
16	A ship ought not to anchor too near another ship in havens of shallow water. Buoys to be placed over anchors	16	16	16	16	16
17	What diet the mariners of Brittany and of Normandy respectively ought to have	18	18	18	18	18
18	What freight shall be allowed to the mariners	17	17	17	17	17
19	The mariners are bound to bring the ship back to her port	19	19	19	19	19
20	Distinction between mariners hired for freight, and mariners hired for wages	20	20	20	20	20
21	Mariners may take meat on shore, but not drink	21	21	21	21	21

⁵⁰ The translation is flawed in this and the subsequent editions.

22	Demurrage payable by the merchants, how it should be divided between the master and the mariners	22	22	22	22	22
23	The master may sell part of the cargo to purchase necessities	23	23	23	23	23
24	The duty of the pilot to bring the ship up to her berth	–	–	–	–	–
–	The fate of a negligent pilot	24	24	24	24	24
–	Partnership and the fate of the goods in the case of partner's death	25	25	25	25	25
–	Discharge of goods	26	26	26	26	26

Note that there are no points of divergence between the five eMnE editions of *The Rutter of the Sea* when it comes to the contents of the *Laws of Oléron*. The eMnE laws diverge from the AN version with respect to the number of articles, i.e., 26 instead of 24, the swapped order of Articles 17 and 18; Article 24, which is replaced with a different one, albeit still on pilots, in the eMnE editions, and the consistently erroneous character of Article 13. In other words, there are absolutely no grounds for Twiss's (1871: lxxii) claim that the *Laws of Oléron* as presented in works printed by Thomas Petyt and Robert Copland are different texts, having been translated independently from various sources.

5.6. The *Laws of Oléron* – textual evidence

The final piece of evidence which disproves Twiss's (1871: lxxii) account concerning the 16th-century renditions of the *Laws of Oléron* is strictly textual. I mentioned previously the erroneous character of the translation of Article 13. Below, I present this article in its AN version as given in *Liber Horn*⁵¹ (1), a translation of the Anglo-Norman text, quoted after Ward (2009: 198) (2), eMnE editions from 1536 (3), 1557 (4), 1560? (5), 1567? (6), 1573? (7). Certainly, the text was not translated from an AN version, yet I provide it here to illustrate that the editions could not be independent translations and that they all stray from the AN text at the same points, following a single source text.⁵² Or rather, the first

⁵¹ This is my own transcription made from the images of the original manuscript obtained from the London Metropolitan Archives.

⁵² As pointed out by an anonymous reviewer, a question worth asking is the extent to which texts are permitted to differ between each other for them to be still considered editions of the same text, and not independent works. Taking into consideration the scarcity of the data

follows the source text, and the rest are its faithful copies. Taking into account textual diversity between different French versions of the laws this would be otherwise impossible. Additionally, since the source text is itself another vague issue – when approached from the point of view of the research on the *Laws of Oléron* – I do not quote it here. Note that the AN version speaks, mistakenly, twice of Scotland, the amended PdE translation limits it to one clause, whereas none of the eMnE texts ever mention it.

- (1) AN: \\ct// Vne Nef frette a Burdeux ou la Rochele ou aillours (et) vient || a sa descharge e sunt chartre p(ar)tie towage (et) petites lod||mannage sunt sus les Marchaunz e la coste de Bretagne || touz ceux qe lem prent **pus** q(ue) lem ad passe les de batz ou || sunt **petit lodmaunz**. Et ceus de Normaudie (et) Denglet(er)e || **puis** qe lem passe Caleys. Et ceus descoce **puis** q(ue) lem passe ger||neseye. Et ceux de Flaundes **puis** q(ue) lempasse Caleys. Et || ceux descoce **puis** q(ue) lem passe Jernemue. Et cest le iugem(en)t || en ceo cas. ||
- (2) PdE: A ship loads in Bordeaux or La Rochelle or elsewhere and arrives at her discharge and [as stated in] the charter-party, towage and petty pilotage [charges] are on the merchants; on the coast of Brittany all those who are taken on **after** passing the Isle of Batz or Leon are **local pilots**; and those of Normandy or England **after** passing Guernsey and those of Flanders **after** passing Calais; and those of Scotland **after** passing Yarmouth.⁵³ And that is the judgment in this case.
- (3) 1536: ANy shyp freyght at Burde||wes or any other place and || cometh to his ryghte dys=||charge / (and) be charged halfe || party tonnage (and) small lodemans ser=||uau(n)tes ben to the marchau(n)tes. The cu||stome of Brytayne is / all they that be ta||ken **syth** they pas the yle of bas, and **be** || **paiuz la main**. And they of Normandy || and England and Flau(n)dres / **syth** they || passe Garnesey / and they of || **syth** they passe Garnesey do not. This || is the iugement. ||
- (4) 1557: ANie ship freight at burdewes or || any other place (and) cometh to his || ryght discharge, and be charged || halfe partye tonnage and small lode=||mans seruantes ben to the marchaun=||tes. The custom of Brytayne

discussed here and the limited space, I cannot do justice to this question. Nor can I attempt to construct a stemma as it is well beyond the scope of the paper. One point I would like to make here is that the question seems to become more complex, the further back in time one moves (cf. Nichols 2009, 2011 for medieval manuscripts and West 2006 for incunabula).

⁵³ At this point, Ward (2009: 198) informs that “[f]rom *on the coast of Brittany* to the end, this article is a translation of a transcription of MS T made by Krieger, *Oleron*, p. 135, footnote 600”. Ward explains that this is so due to the corruption of the *Liber Horn* manuscript in this particular place.

- is al they || that be taken **syeth** they passe the yle of || Bas, and **bepaiuz la main**. And they of || Normandye and Englande, and flaun=||dres, **sayeth** they passe Garnesey, (and) they || of **syeth** they passe Garnesey donot. || This is the iudgement. ||
- (5) 1560?: ANye shyp freyght at burdewes || or any other place (and) cometh to || his right discharge, and be char=||ged halfe party tonnage and smal lod=||mans serua(n)tes ben to the marchaun||tes. The custom of Brytayne is all they || that be taken **sieth** they passe the yle of || Bas, (and) **bepayuz la main**. And they of || Normandie and Englande, and flaun||dres, **syeth** they passe Garnesey, (and) they || of **syeth** they passe Garnesey do not. || This is the iudgement. ||
- (6) 1567?: ANy ship freight at Burdewes or || any other place (and) co(m)meth to his || right discharge, and be charged || halfe partye tonnage and small lode=||mans seruants been to the Merchan=||tes. The custom of Britain is all they || that be taken **sieth** they passe the Ile of || Bas, and **bepatuz lamain**. And thei of || Normandye and England and flaun=||ders, **sayth** they passe Garnesse, (and) they || of **syeth** they passe Garnesey doo not. || This is the iudgement. ||
- (7) 1573?: ☉ Any ship freight at Burdeaux or || any other place, and commeth to his || right discharge, and be charged half || party tonnage and small lodesmans || seruantes ben to the Marchauntes. || The custome of Britaine is all they || that be taken **sithe** they passe the Ile || of Bas, and **Bepatuz la main**. And || they of Normandye, and Englande, || and Flaunders, **syeth** they passe Gar=||nesey, and they of **syeth** they passe || Garnesey do not. || ☉ This is the iudgement. ||

Apart from the omission of Scotland mentioned above, which must have reflected the source text, there are two further problematic issues. The first of them concerns the use of the conjunction *sith* (in its various spelling realisations), which renders the French *puis* “after”. The use of *sith* in this capacity in the sense of “[f]rom, subsequent to, or since the time that” became obsolete in the late 16th century, which means that it may still have been known to the translator. Since the original from 1528 has not survived, there is no possibility of ascertaining what item(s) the actual rendition relied on in this respect. Yet, taking into account that the 1536 edition is still consistent when it comes to *sith* and uses it in one of the spellings expected for the lemma SITH/SINCE, one might assume that this was actually the case. From then on, however, the printers of the subsequent editions appear to have had problems with SITH/SINCE and employed a variety of textual variants, most probably because the use was no longer clear for them. Certainly, spelling is not a reliable source of information, especially taking into account the orthographic variety found within these texts, but the spellings are so

unorthodox that they are not listed as variants in the County Dictionary volume of the *Linguistic Atlas of Late Mediaeval English*.⁵⁴ In fact, one could be tempted to take them for verbal forms.

The other interesting phenomenon which can be observed in this extract is the sequence of changes which operate on the phrase corresponding to the AN *petit lodmaunz*. The AN text should have been translated at this point as *local pilots* but instead becomes incomprehensible *be paiuz la main*, going through three more “adjustments,” *bepaiuz la main*, *bepayu3 la main*, *be patuzlamain*, to be finally taken for a place-name(?), *Bepatu3 la main*.

Such a series of textual variants can be found elsewhere in the text. Article 16 is a perfect example of the process and clearly shows how an erroneous reading “developed” along with the subsequent editions of the rendition. Below in (8)–(14), I only quote the relevant fragment from the sources enumerated above and preserving the order in which they appeared there.

- (8) AN: [...] Et si ensi estoit qil **y eust mis** || **ancre saun3 boýe** (et) il fount damage: il sount tenu3 al amen||der tut alounc.
- (9) PdE: [...] And so it is if **she anchors without a buoy** and there is damage, they have to recompense everything.
- (10) 1536: [...] (and) yf so be that **they had** || **fastened to it no Buy** / and yf it do hurt || they be holden to yelde the hurte all a=||longe,
- (11) 1557: [...] and if || so be (that) **they haue fastened it to no. But** || and yf it do hurt they be holden to yeld || the hurte al alonge
- (12) 1560?: [...] and yf || so be (that) **they had fastened to it, no. But** || and yf it do hurte they be holde(n) to yelde || the hurte all alonge
- (13) 1567?: [...] and if so be that || **they haue fastened it to nothings, But** || and if it doo hurte they be holden to yeeld || the hurte all a longe
- (14) 1573?: [...] if so be that || **they haue fastened it to nothing. But** || (and) if it do hurt, they be holden to yelde || the hurt al along

There is no doubt that the translator did not misunderstand the source text. This is because the second edition of the text (1536) still presents the correct reading. It is only in the second half of the 16th century that the misunderstanding arises. The problem first appears in the 1557 edition (or 1555? which I was unable to consult), where *they had fastened to it no Buy* is misread as *they haue fastened it to no. But*. The line does not make much sense so apparently the form *buy* (for the lemma BOUY) was not transparent for the compositor/printer, or they somehow misread the letters, especially that *buy* is, for some non-apparent reason, capitalised in the 1536 text. Note also the change in tense from Past

⁵⁴ They are not listed in the Oxford English Dictionary or the Middle English Dictionary either.

Perfect to Present Perfect, which is grammatically more suitable in the English sentence, where no other past action is evoked. The AN text employs a sequence of two past tenses: *Imparfait* (past tense) to introduce the context (“if it were”) and *Passé Antérieur* (corresponding to Past Perfect) to tackle the buoy (“that they had not fastened it to a buoy”). Such use of tenses most probably prompted the translator (Robert Copland)⁵⁵ to use Past Perfect in English. The unmotivated use was noted by John Waley⁵⁶ (or already by William Copland in his 1555? edition) and subsequently amended. The 1560? edition goes back to the Past Perfect tense but does not change the inaccurate reading of *buy*. 1567? William Copland’s edition attempts to correct the nonsensical reading, coming up with *they haue fastened it to nothings, But*, which is an improvement since it already tells the reader that the ship is not prevented from floating away by any means. Copland also returned to the Present Perfect of the 1557 edition, which makes one wonder whether he was not the very source of the change in his first, 1555?, edition, which was carried over to Waley’s 1557 text. This is probable considering that William Copland collaborated with John Waley on a few occasions. Finally, the 1573? edition changes just the punctuation, accepting the 1567? correction and tense choice, *they haue fastened it to nothing. But*.

Alternatively, it might be that the printer of the 1560? edition, Thomas Colwell, had access to two earlier editions, 1557 and either 1528 or 1536, and used both or, less likely, only one but found the fragment concerning the buoy equally confusing. Whatever was the case, it is clear that subsequent editions made use of the more recent editions and did not go back to the original translation, which may already have been hard to come by.

Moreover, it is clear from the above inter-edition comparison that textually there are no grounds for Twiss’s (1871: lxxii) claim. That he put it forward may only be explained if one takes into account the possibility that he never personally consulted the rutter and gained access to some partial information concerning the other Copland’s, i.e., William Copland’s, edition, which was already augmented by Rycharde Proude’s text, *A newe Rutter of the sea, for the northe partyes*.

6. Conclusion

It was the objective of this paper to explain the unclear relationship between the 16th-century eMnE texts of the *Laws of Oléron*. The literature on the topic mentioned two independent 16th-century renditions of the original French text

⁵⁵ Alternatively, it could have been Thomas Petyt’s innovation, if he had access to the French original, but this seems less likely.

⁵⁶ Or rather by the printer, perhaps William Copland as postulated by Waters (1967) and de Maisonrouve (2015), whom he hired since, as already explained, Waley most probably did not print any texts on his own (cf. Section 4.4 and footnote 35).

(*Lois d'Oléron*) but disagreed as to the authorship of the earliest text, its date of creation, the mutual relationship between the two, their contents, and respective source texts.

However, once a wider perspective was adopted, and the laws were perceived against the backdrop of the whole book, and set in the context of the eMnE printing milieu, the seemingly conflicting “facts” appeared to have been based on some false assumptions and not the actual texts. Additionally, it then became clear that the researchers dealing with the *Laws of Oléron* have never ventured so far as to approach them from such a different angle, since if they had, the confusion would have been at least a century shorter.

Upon examining the extant copies of *The Rutter of the Sea* and biographies of their printers, it became clear that instead of two independent translations, one actually deals with a single rendition which went through a sequence of seven (eight? nine?) editions. This testifies to the popularity of the work and proves that the intuition of the mariner who commissioned the translation in the first place was spot-on,⁵⁷ since if one is to trust the Prologue, the reason behind the decision was that

it was expedyent and necessary for al || Englyssh men of his faculte to haue it || in
theyr tongue to the erudycyon and || saufrage of our marchau(n)tes as other ||
hauntyng the se / not knowyng the co(n)||tent thereof.⁵⁸

There is no doubt whatsoever that the editions contain the same text (cf. Sections 5.4–5.6) and are close to one another as far as technical issues are concerned, such as verse division (Section 5.4). The greatest diversity between the editions comes in the shape of spelling and punctuation, but these divergent aspects do not undermine the finding in any way. Rather, they are a topic for an independent study. Moreover, the limited textual evidence presented here allows one to claim that the subsequent printers made use of the most recent editions of the text and did not go back to the original translation, as some of the mistakes repeated in later editions did not originate in the first copies.

The one issue that I have not managed to address in this paper is the source text(s). However, it will be covered in another paper as it is no less complex.

⁵⁷ It is of interest to note that at the time of the translation, the text was already quite dated and much more detailed and advanced rutters were already in use at the Continent (Waters 1967: 30–31).

⁵⁸ Quoted after the 1536 edition.

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