

Neal D. Curtis
April 15, 2019

Forgery and the Rise of Bibliographical Techniques of Detection

When a hand illustrated copy of Galileo's 1610 *Sidereus Nuncius* made its way to the New York book dealers Martayan Lan in 2005, scholars jumped at the opportunity to verify its authenticity. Horst Bredekamp, the German art historian, published a study examining stylistic similarities between the drawings found in this resurfaced copy of *Sidereus Nuncius* and other drawings known to have emanated from Galileo's hand. The renowned librarian and scholar Paul Needham contributed to a subsequent two-volume study edited by Bredekamp, *Galileo's O* (2011), detailing the publication history of *Sidereus Nuncius*. Provenance evidence—which, as James Gilreath notes in his introduction to a volume of essays concerning the forging of the *Oath of a Freeman*, should be “the one unfailing guide when used in conjunction with a critically intelligent examination of the physical properties and text of any document” (5)—appeared to confirm the book's authenticity. The title-page bore an inscription purportedly belonging to Galileo, and the book also boasted a library stamp associated with Prince Federico Cesi, Galileo's patron. High-tech instruments were used to refute the possibility that the object was a modern confection. Microscopes revealed that the impressions of the letterforms matched the depth of what one would expect from those made by a printing press in the hand-press period. An analysis of the ink failed to identify the presence of any chemicals not commonly used to manufacture ink during Galileo's lifetime. Underlying this investigation was an assumption about the “range of technical skills” that would have to be deployed in the process of forging a whole book (Wilding 42). Surely, “the risk of error would multiply and make detection all but inevitable” (42). Who would put themselves in such a precarious position?

Nick Wilding approached the hand illustrated copy of *Sidereus Nuncius* (henceforth SNML) with the opposite assumption, that it may have indeed been “either a heavily sophisticated 1610 copy or a modern forgery” (43), and what followed was a virtuosic performance of bibliographical detection. The book's absence from all surviving inventories of Cesi's library was the first strike against its authenticity. *Galileo's O* had accounted for this absence by presuming that another, now lost

inventory must have contained a record of this precious book. But a strict adherence to bibliographical principles prohibits such speculation. Wilding turned his attention to the title-page's inscription, which appeared to indicate that Galileo's quill had been poorly inked, causing it to dig into the paper. While Bredekamp thought this feature of the inscription attested to its authenticity—capturing the “palpable pride” Galileo felt for the accomplishment immortalized by the book—, Wilding observed that only a metal nib, and not the soft point of a quill, could have been responsible for that kind of damage to a leaf. From there, a cascade of bibliographical evidence contradicts Bredekamp's interpretation of the book's origins. A re-examination of SNML's paper revealed cotton linters, anachronistic material not available until the nineteenth century (52). Suspecting that the book was produced by some technology other than moveable type, Wilding examined the ink marks in SNML supposedly left by the shoulders of pieces of type. Their impressions should have been considerably more shallow than the impressions made by the type faces, but instead they were exactly the same depth. SNML, it turned out, had been produced with photopolymer plates, the book indeed a modern confection that would have eluded detection if not for Wilding's keen bibliographical eye.

The SNML episode demonstrates what natural bedfellows forgery and bibliography make. Forgery has, to be sure, been seen as an activity closely allied with the emergence of certain disciplines and epistemological shifts. And yet, little attention has been given to the ways that the detection of forgeries might have spurred the development of bibliographical techniques when the field was still in its infancy. Anthony Grafton's seminal study, *Forgers and Critics: Creativity and Duplicity In Western Scholarship* (1990), argues that the methods forgers used throughout history influenced, and preceded, methods of scholarly criticism. Other studies similarly treat forgery as participating in a dialectical dance, focusing on what the debates surrounding imposture reveal about the eighteenth century's “tacitly understood conceptions of reality” (Lynch 2008); Ian Haywood, in *The Making of History* (1986), explores the ways that Macpherson's and Chatterton's inventions reflect the “historiographical theory of the time” (11). Chatterton's Rowley and Macpherson's Ossian make the

eighteenth century an appealing period through which to think about the consequences forgery might have for a wider culture. Grafton's study emphasizes that eighteenth-century forgers "worked within long-established traditions," stressing continuity rather than change (57). The methods of detection critics called upon in the early modern period and beyond, he writes, "belong to a coherent tradition that began in classical Greece" (98). Rather than view Richard Bentley's systematic exposure of the spuriousness of the *Epistles of Phalaris* as innovative, for example, Grafton interprets that philologist's techniques as being "part of the classical tradition in scholarship" (98). Though Grafton does rightly note that "[n]ew ways of forging require new methods of detection. The new scientific bibliography that [...] analyzes paper chemically to date it was developed to respond to brilliant nineteenth- and twentieth-century forgers like Thomas Wise" (Grafton 35), no sustained treatment of the relationship between forgery and earlier bibliographical methods of detection is offered. Taking Grafton's observation as a cue, I aim to explore how forgery attuned readers to the materiality of textual documents in the eighteenth century, and how the techniques of detection that emerged in the period crystallized into a discernible method that is still with us today, as the field of bibliography.

What was peculiar about forgery in the eighteenth century? For one, it was a popular trope of the period's fiction. The found-manuscript tale Thomas Chatterton deployed to introduce his invention of Thomas Rowley had much in common with the practices of early novelists. Devising strategies of verisimilitude for an emergent genre—and gulling countless readers in the process—English novelists masqueraded as editors of found manuscripts. The "Adventures of Robinson Crusoe" was, the nameless editor insists, "Written by Himself." Samuel Richardson followed suit, posing as the editor of found "Familiar Letters" in *Pamela* (1740); he later reprised the gesture with *Clarissa* (1748) and proclaimed on the title page that this "History of a Young Lady" was "Published by the Editor of *Pamela*." Imposture was so prevalent in the eighteenth-century book trade that it became a convention of publication, and its strategies were as much visual as they were verbal. As scholars like Janine Barchas have noted, the material embodiment of texts shaped the reading

experience of eighteenth-century Englishmen and women. The persuasive force of a title page's specious truth claims is predicated upon the idea that non-linguistic visual features—what Jerome McGann calls “bibliographical codes”—help authorize a text posing as something it's not. Outright forgeries, I want to argue, deploy bibliographical codes with a degree of intentionality that other categories of literature don't, and they therefore present us with a unique opportunity to interrogate, in D.F. McKenzie's words, “the book as an expressive form.” The deceptive products of eighteenth-century forgers reveal much about the overlapping manuscript and print cultures of the period, as fakers tried to anticipate what material forms their readers would accept as genuine. Just as important to understanding textual materiality in the eighteenth-century's evolving media landscape are the contemporary responses to such impostures. The “new methods of detection” that arose in the eighteenth century in response to a deluge of fakes indicate an increasing sensitivity to the materiality of textual documents.

Accompanying this discernible preoccupation with imposture in the period's fiction was the development of much stricter laws concerning criminal forgery. The South Sea Bubble created uneasiness about the stability of an economy that came more and more to rely on paper credit (“From Pillory to Gallows” 132). At the beginning of the eighteenth century, capital punishment for forgery only applied to those forging paper instruments issuing from the Bank of England. But in 1729, a statute was passed that made the forgery of *any* paper instruments eligible for capital punishment. This “sweeping and general” bill was a reaction, legal scholar Randall McGowen suggests, to a forgery case that “drove home an alarming conclusion about the importance of private credit to national prosperity, and the vulnerability of such credit to a particularly sinister kind of fraud” (109). The accused in the case in question was William Hales, once an apprentice to a goldsmith but who had since fallen on hard times and resorted to a career in forgery—his latest imposture attempting to defraud a member of Parliament. He and his accomplice were found guilty and pilloried. This high-profile case, combined with prevalent anxiety surrounding the precariousness of wealth built on paper credit, sparked a debate that resulted in the 1729 statute,

“An Act for the More Effectual Preventing and Further Punishment of Forgery, Perjury and Subornation of Perjury” (2 Geo. II, c. 25). Forging a paper instrument for *any amount* was now punishable by death. The act inaugurated a proliferation of legislation criminalizing forgery, leading the marquis of Lansdowne, in 1830, to dub the approximately 120 forgery statutes then in place the “sanguinary code” (“From Pillory to Gallows” 107).

McGowen notes that the “sweeping” nature of the 1729 statute was unique for capital legislation. The architects of the law “struggled to encompass the varied forms of paper then in use. They were forced to imagine the many different ways of describing the acts that threatened paper credit” (129). Peculiar in its sheer repetitiveness, the act is worth quoting at length:

Be it therefore enacted [...] That if any Person from and after the twenty-ninth Day of June in the Year of our Lord one thousand seven hundred and twenty-nine shall *make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly act or assist in the false making, forging or counterfeiting* any Deed, Will, Testament, Bond, Writing obligatory, Bill of Exchange, promissory Note for Payment of Money, Indorsement or Assignment of any Bill of Exchange, or promissory Note for payment of Money...then every such Person, being thereof lawfully convicted according to the due Course of Law, shall be deemed guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy. (*The Statues at Large* 699; emphasis mine)

Something forged is something *made*. The language seems at pains to demote false notes to the realm of the material. The statute, which does not differentiate between monetary amounts when it metes out justice, is unconcerned with the meaning the letterforms inscribed on the forged notes’ surfaces express. Stripped of symbolic, exchange value, these paper instruments—written texts—are removed from a financial and social economy reliant on circulation, and reimagined as essentially physical objects.

Thus conceived, forged paper instruments are primed for bibliographical inspection—they are, in short, objects that carry bibliographical, rather than linguistic, codes. The law’s decidedly material way of describing criminal forgery partakes in, and aligns with, that other sense of the word

denoting the activities of a blacksmith; as Samuel Johnson's *Dictionary* has it: "Forger: 1. One who makes or forms. 2. One who counterfeits any thing; a falsifier" (Groom 48). Nick Groom, in *The Forger's Shadow* (2002), traces the etymology of forgery, emphasizing its kinship with acts of physical making: "from the Old French *forgier* and Latin *fabricare* (fabric, fabricate—reminiscent of *texere*, weave, whence 'text')" (48). Across various contexts, Groom points out, forgery preserves its association with "construction," and thereby indicates an activity "not fully automated," and one that is instead evocative of "a sense of the craft of the hand" (48). As is the case with literary forgery, criminal forgery draws attention back to the text's scene of origin, to the moment it was constructed, crafted, made. When literary forgeries that were distributed in print came under suspicion in the eighteenth century, skeptics trusted that a manuscript, if produced, could verify authenticity. Boswell records Johnson's logical train of thought on the subject: "Let Mr. Macpherson deposit the manuscript in one of the colleges at Aberdeen [...] and, if the professors certify the authenticity, then there will be an end of the controversy" (Boswell 82). Johnson's recourse to the manuscript seems like a reflex; acts of forgery necessarily demand that readers think about processes of textual transmission.

Both the 1729 statute and forgery's etymological roots figure spurious texts much in the same way bibliographers approach all textual documents. In his oft-quoted talk for the Bibliographical Society in 1912, "What is Bibliography?," W.W. Greg detailed the practices that he thought fell under the field's purview: "a knowledge of the conditions of transcription and reproduction [...] the whole of typography and the whole of palaeography," and then, to drive home the point that the field's practitioners conceive of textual documents as primarily physical objects, Greg noted that "to the bibliographer the literary contents of a book is irrelevant" (Greg 44-6; qtd from Foot). G. Thomas Tanselle, in his *Bibliographical Analysis: A Historical Introduction* (2009), usefully explains that Greg was here attempting to "distinguish the listing of books on particular subjects [...] from the study of physical evidence" (21). In doing so, Greg helped shape and clarify the branch of the field known as analytical or critical bibliography, which concerns "the analysis of the physical features of

books with the goal of determining something about the objects' history" (Vander Meulen 115). Whether literary or criminal, forgery prompts a manner of seeing that prioritizes the interpretation of physical clues over linguistic signs—it invites bibliographical analysis. Such was the case when a few among the literati caught wind of the manuscripts Thomas Chatterton had been circulating in Bristol and London. Thomas Percy, in consultation with the antiquary Thomas Butler, inspected some of Chatterton's forgeries in a truly bibliographical mode, demonstrating how the materials could not have originated from the era Chatterton claimed they did. In a letter to Lord Dacre dated 6 September 1773, Percy relates Butler's findings: "he immediately pronounced them spurious [...] with regard to the parchment itself, it is evidently stained yellow on the back with Oker, to look like old parchment; but the fraud is so unskillfully performed, that you may see stains and besmearings on the other side" (Watkin-Jones 774). Though this paleographical, and bibliographical, investigation provided seemingly irrefutable evidence that the documents were not genuine, the Rowley controversy raged for many years after, perhaps indicating a widespread reluctance to rely on such forensic treatments of literary works, even as Chatterton's detractors increasingly framed the controversy in legalistic terms (Baines 151-169).

But at the moment the Rowley controversy was reaching its pinnacle, prosecuting attorneys at the Old Bailey were developing more sophisticated strategies for securing guilty verdicts in forgery trials, and they can therefore give us some sense of the bibliographical "climate" of the time. Edward Burch and Matthew Martin were convicted of forgery at the Old Bailey on September 11, 1771. With the attorneys examining and cross-examining witnesses about handwriting, the color of ink, and, most significantly, watermarks and chain-lines, the trial has been cited as "the first time such evidence had proven determinative in a legal proceeding" (Lynch 138), but the trial should be further considered within the long history of bibliographical detection. Sir Andrew Chadwick, whose will the two men forged and thereby threatened to deprive his widow of the estate, had died in 1768. Burch and Martin dated the forged will 1764, and it was this likely arbitrary decision that directly led to their hanging at Tyburn on January 2, 1772. The pair of forgers initiated their scheme

when they contacted John Lloyd, Chadwick's former agent and tenant, about the discovery of "papers of consequence" concerning the deceased's estate—Lloyd's account of this episode has all the hallmarks of the found-manuscript trope, with Burch and Martin vowing they recovered a forgotten "bundle" of documents from the dusty corner of some residence (*Proceedings*). As his agent, Lloyd was familiar with Chadwick's handwriting, but failed to recognize that the signature on the 1764 will was not genuine at the time Burch and Martin first brought it to him. Further witnesses acquainted with Chadwick were called to the stand at the Old Bailey to testify about discrepancies between the handwriting in the forged will and that found in exemplars confirmed to have come from Chadwick, one of which was a small Bible containing marginalia, but none of these testimonies definitively classed the 1764 document a forgery.

It was the expert eye of James Whatman II, who announced, in court, that he made more paper "than any body in England" (*Proceedings*), that ended up swaying the gentlemen of the jury. Whatman was able to link the paper on which the forged will was written to a particular, two-sheet mould he devised in January of 1768, the stock from which didn't reach London until March of that year, a full four years after the date Burch and Martin's paper instrument had been claimed to originate. No two moulds, Whatman observed, were alike: "they will differ in a wire, or something" (*Proceedings*). Lloyd had testified that Chadwick's bad case of gout made it impossible for him to write anything in the months prior to his death in 1768. But Whatman's remarks were more than incriminating enough on their own. The most convincing witness at the Old Bailey that day was textual, diplomatic, and bibliographical. The document spoke for itself.

From a certain vantage point, Whatman's testimony can be viewed as a kind of turning point in the forensic treatment of textual documents. The court was sufficiently impressed with his services that he was called upon to act as expert witness again in the forgery trial of William Wynne Ryland in 1783. This time, Whatman's testimony would help send one of his own—an engraver with connections to the book-trade—to Tyburn. A renowned artist when the trial took place, Ryland's success began when he was commissioned to engrave portraits by Allan Ramsay, and he soon after

enjoyed a handsome pension as engraver for George III, from 1761 until 1769. During his tenure, and capitalizing on the celebrity such a position brought him, Ryland set up a firm with Henry Bryer, selling prints they'd make of popular paintings (Clayton). That Ryland was such a prominent figure seemed to actually work against him in the trial, and matters were made worse by the fact that the forged £200 bill of exchange he was caught with defrauded the East India Company. Among other counts, the indictment charged Ryland with forging the bill, but it is unclear whether he did, and the evidence presented against him in court focused on his merely *using* the bill while knowing it to be a forgery. Whoever was responsible for the forgery had a steady hand: not even the deputy Secretary of the East India Company, whose own signature appeared on the genuine bill, could distinguish between the original and the fake copied from it. One George Monro, whose handwriting also appeared on the bill, testified that he remembered that the "ink sunk, at the time [he] made the mark on it," and by that feature alone could he distinguish the genuine from the forgery (*Proceedings*). The defense counsel's cross-examination tried to undermine the force of Monro's testimony by suggesting the unlikelihood that Monro could "recollect a blot" when he "wrote [his] name so many thousand times" (*Proceedings*). The bar at the Old Bailey, practiced by then in handling forgery cases, knew how to shake the jury's confidence in testimonies that relied on the recognition of ink and handwriting. But nothing could have prepared the defense for the irrefutable precision of James Whatman's testimony.

The detection of forgery centers on anachronisms, often of the linguistic variety, but in these cases, we see the detection of *physical* anachronisms. In the case of Burch and Martin, Whatman used what must be described as bibliographical evidence to conclusively differentiate two paper instruments separated by a period of four years. For his second performance, in Ryland's trial, he would be even more precise. Whatman connected a defect in a mould he hadn't used until 1782 to a defect in the paper the bill was written on, noting that there wasn't "the smallest variation in any turn or twist of the wires" (*Proceedings*). The bill Ryland was caught with had been dated 1780. As Geoffrey Day and Amélie Junqua observe in their article about Whatman's role in the trial, the "jury

took just thirty minutes to come to a decision. Ryland was convicted and sentenced to death” (75). The swiftness with which the jury arrived at their decision indicates the force a bibliographical investigation like Whatman’s could have on an eighteenth-century audience. This moment in legal history raises questions, as well, about the development of bibliographical techniques of detection at the Old Bailey. This relatively lesser examined feature of bibliography’s history warrants further investigation, as it may provide some insight into what conditions and events helped form it as a discipline.

Works Cited

- Baines, Paul. *The House of Forgery In Eighteenth-Century Britain*. Ashgate, 1999.
- Barchas, Janine. *Graphic Design, Print Culture, and the Eighteenth-Century Novel*. Cambridge University Press, 2003.
- Boswell, James. *The Journal of a Tour to the Hebrides, with Samuel Johnson, LL.D. The third edition, revised and corrected*, 1786. Eighteenth Century Collections Online. Gale. University of Virginia Library. 1 Apr. 2019.
- Clayton, Timothy. "Ryland, William Wynne (bap. 1733, d. 1783), engraver." *Oxford Dictionary of National Biography*. January 03, 2008. Oxford University Press,. Date of access 1 Apr. 2019.
- Day, Geoffrey and Amélie Junqua. “James Whatman II at the Old Bailey,” *The Library*, Volume 19, Issue 1, March 2018, Pages 73–76.
- Foot, Mirjam M. "The study of books", *ASLIB Proceedings*, Vol. 58 Issue: 1/2, pp.20-33, 2006.
- Gilreath, James. *The Judgement of Experts: Essays and Documents About the Forgery of the Oath of a Freeman*. American Antiquarian Society, 1991.
- Grafton, Anthony. *Forgers and Critics: Creativity and Duplicity In Western Scholarship*. Princeton University Press, 1990.
- Groom, Nick. *The Forger's Shadow: How Forgery Changed the Course of Literature*. Picador, 2002.
- Lynch, Jack. *Deception and Detection in Eighteenth-Century Britain*. Routledge, 2008.

- McGowen, Randall. "From Pillory to Gallows." *Past & Present*, No. 165, 1999, p. 132.
- McGowen, Randall. "Forgery and the Twelve Judges In Eighteenth-Century England." *Law and History Review*, vol. 29, Issue 1, 2011, pp. 221 - 258.
- Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 1 April 2019), September 1771, trial of Edward Burch Matthew Martin (t17710911-64).
- Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 1 April 2019), July 1783, trial of William Wynne Ryland (t17830726-1).
- Tanselle, G. Thomas. *Bibliographical Analysis: A Historical Introduction*. Cambridge University Press, 2009.
- The Statutes at Large, From the First Year of the Reign of King George the First to the Third Year of the Reign of King George the Second*, volume 5, 1763.
- Vander Meulen, David L. "Bibliography and Other History." *Textual Cultures: Texts, Contexts, Interpretation*, vol. 4 no. 1, 2009, pp. 113-128.
- Watkin-Jones, A. "Bishop Percy, Thomas Warton, and Chatterton's Rowley Poems (1773-1790)." *PMLA: Publications of the Modern Language Association of America*, vol. 50, no. 3, 1935, p. 769.
- Wilding, Nick. "Forging the Moon." *Proceedings of the American Philosophical Society Held At Philadelphia for Promoting Useful Knowledge*, vol. 160, no. 1, 2016, p. 37.

Galileo di Vincenzo Bonaiuti de' Galilei (Italian: [ÉjaliĒ`lÉ·Ēo ÉjaliĒ`lÉ·i]; 15 February 1564 – 8 January 1642) was an Italian astronomer, physicist and engineer, sometimes described as a polymath, from Pisa. Galileo has been called the "father of observational astronomy", the "father of modern physics", the "father of the scientific method", and the "father of modern science". *Sidereus Nuncius* (usually *Sidereal Messenger*, also *Starry Messenger* or *Sidereal Message*) is a short astronomical treatise (or pamphlet) published in New Latin by Galileo Galilei on March 13, 1610. It was the first published scientific work based on observations made through a telescope, and it contains the results of Galileo's early observations of the imperfect and mountainous Moon, the hundreds of stars that were unable to be seen in either the Milky Way or certain constellations with the naked eye