

The Cartulary of Flavigny

Medieval Academy Books, No. 99

The Cartulary of Flavigny

717–1113

edited by

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The Medieval Academy of America
Cambridge, Massachusetts
1991

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By the Medieval Academy of America
Library of Congress Catalog Card Number: 90-062436
ISBN: 0-915651-05-X
Printed in the United States of America*

This book is printed on acid-free paper

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Preface

Flavigny, founded in the early eighth century, was one of the most important Burgundian monasteries of the early Middle Ages. Its cartulary includes documents from the first four centuries of its existence. Yet this cartulary is very little known, even though it includes the only previously unpublished documents of which I am aware from the heartland of Francia in the Merovingian and Carolingian periods. It is here published for the first time.

From the documents emerges the history of a monastery very richly endowed at its foundation, which received gifts and privileges from kings yet still had to fight recurring battles against domination by laymen, domination by the bishops of Autun, loss of property, and loss of religious fervor. The cartulary records not only the monks' painstaking acquisition or reacquisition of property but also quarrels with laymen and ecclesiastics, a confraternity of prayers, participation in the reforms of the eleventh century by a monastery not associated with the much better known Cluniac or Cistercian orders, and two cases of murder.

I would like to thank Professor Stanley Chodorow of the University of California, San Diego, for first involving me in the editing of medieval documents and for providing a congenial working place where I collated the manuscripts. The librarians of the Bibliothèque municipale of Châtillon-sur-Seine were very helpful in providing me with a photocopy of their manuscript of the cartulary. A trip to France in 1986 was funded in part by an NEH Travel to Collections grant. Publication of the cartulary was assisted by a grant from the provost's office of Kenyon College.

Abbreviations

B	Brussels, Bibliothèque royale, MS 7827-74
C	Châtillon-sur-Seine, Bibliothèque municipale, MS 6
Collenot	M. Collenot, “Cartulaire du monastère de Flavigny,” <i>Bulletin de la Société des sciences historiques et naturelles de Semur n.s.</i> 3 (1886), 33–109
D	Paris, Bibliothèque nationale, Collection Baluze 40
GC	<i>Gallia Christiana</i>
Grignard	Dijon, Archives départementales de la Côte-d’Or, I F 213
MGH	<i>Monumenta Germaniae Historica</i>
DD	<i>Diplomata</i>
SS	<i>Scriptores</i>
P	Paris, Bibliothèque nationale, MS lat. 17720
PL	J.-P. Migne, ed., <i>Patrologiae cursus completus, Series Latina</i>
RHGF	<i>Recueil des historiens des Gaules et de la France</i>

Introduction

This is the first complete printed edition of the cartulary of the Benedictine monastery of Flavigny. The medieval cartulary was lost at the time of the French Revolution, but copies made in the seventeenth and eighteenth centuries make it possible to reconstruct that cartulary. Flavigny, originally a basilica dedicated to St. Prix (Sanctus Preiectus), became a Benedictine monastery in 719. Its cartulary was drawn up in the first part of the eleventh century and took its final form in the early twelfth century. The cartulary contains approximately sixty documents, depending on how one counts,¹ dating from between the early eighth and the early twelfth centuries.

The majority of the documents of this Burgundian monastery have never been edited or are edited in seventeenth-century volumes which are scarcely more available now than the manuscripts.² The publication of this cartulary, then, makes available for the first time a large number of documents from the early Middle Ages, perhaps the largest single previously unpublished group of documents from this period from the heartland of Merovingian and Carolingian rule.

FLAVIGNY

Flavigny is perched on a hilltop in the center of Burgundy, overlooking the Ozerain. (See the map on page 3.) Its hill has over the millennia been used as a settlement by a succession of peoples. Stone Age and Bronze Age

¹I have numbered the documents consecutively, 1 through 58, but they were not numbered in the original cartulary. Numbers were added in the margin of manuscript C, probably by M. Rossignol when he was planning to publish an edition of the cartulary using this manuscript as a base (see below). These numbers were used by M. Collenot when he published a summary of Rossignol's manuscript. However, Rossignol numbered the third document 2 bis rather than 3, so his numbers and mine do not correspond. Numbering must be arbitrary, because of such questions as whether one puts the second version of document no. 2 at the end, as I have done, following C; both B and P abbreviate this document to an incipit and a list of witnesses and insert it immediately after document no. 2. Documents nos. 26 and 41 could each be treated as two documents rather than one (as in B and P).

²Only the charter of Pippin the Short, the two charters of Charlemagne, the charter of Charles the Bald, and the charter of Philip II have received modern critical editions, and for four of these five charters the editors did not use C, the manuscript which I feel is the best, for reasons given below.

artifacts have been found there. The next hill north from Flavigny is Alesia (today the hill is Mt.-Auxois and the village Alise-Ste.-Reine), where Vercingetorix, the leader of the Gauls, made his last stand against the Romans. At the beginning of the eighth century, Flavigny became the site of a Benedictine monastery, which it remained until the French Revolution.

Although one cannot date the arrival of monks there precisely, it was probably around 717. It was in January of that year that Wideradus, their founder, endowed the basilica of St.-Prix of Flavigny with a large amount of property, at the same time as he gave smaller amounts to the basilicas of St.-Andoche of Saulieu and of Ste.-Reine of Alise, and a single villa to St.-Férreol of Besançon. In 719 he specified the monastic discipline which the monks of Flavigny should follow. (For a discussion of these dates, see below.) The first abbot was named Magoald, about whom nothing is known beyond his name.³

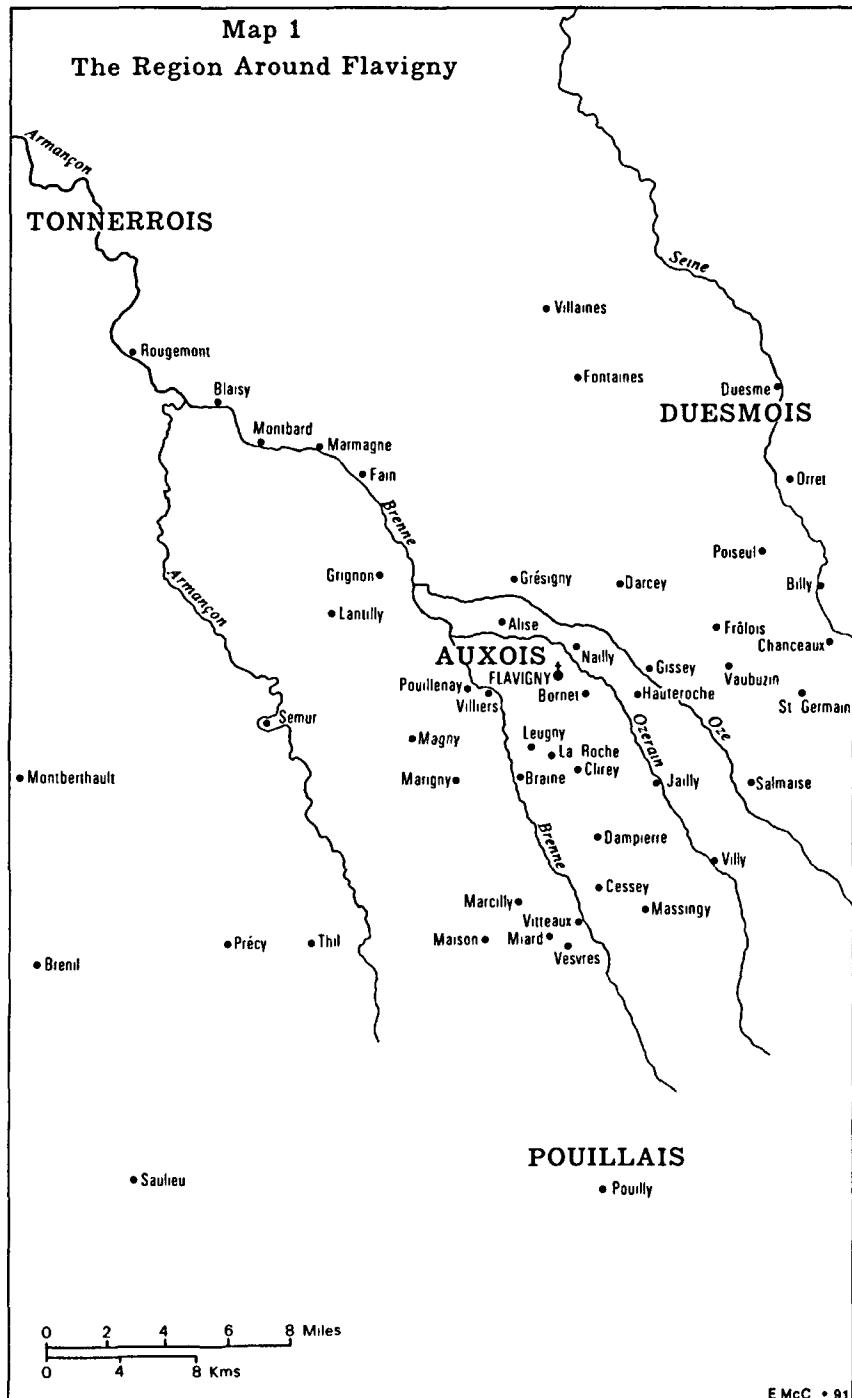
No more is known of Wideradus than can be deduced from his charters for Flavigny. He was the son of a man named Corbo, who received the favorable attention of and some property from Theoderic III (673–90/91). Wideradus himself was certainly very wealthy, for in his testament he gave away land located in dozens of *villae* spread across central Burgundy, especially in the Morvan. This high and still wild area is the watershed of central France, from which divide rivers destined for the Atlantic, the English Channel, and the Mediterranean. Wideradus called himself *abba*, which was probably why the later necrology of Flavigny called him the first abbot of the house, but this was more an honorary title than an indication of ecclesiastical office. The year of his death is not known, although the monks commemorated it on 5 October.⁴

Flavigny was the last of the great Merovingian foundations in Burgundy. It seems to have flourished for the first century and a half after its foundation, even though the eighth century was a low point for many other Frankish monasteries. As well as the substantial endowment they received from Wideradus, the monks began in the 740s to receive gifts from other laymen, including Pippin the Short and several counts. By this time the monastery was referred to as dedicated both to St. Prix and to St. Peter, a dual designation

³It is however tempting to see Magoald as connected to—or perhaps even identical with—the Magnoald who was abbot of Tusey or Tussonval in 696/97; MGH *DD regum Francorum e stirpe Merowingica*, pp. 61–63, nos. 69, 70.

⁴MGH SS 8:287.

Map 1
The Region Around Flavigny



which lasted until the eleventh century, after which time St. Prix was no longer mentioned.

In the middle of the ninth century, however, Flavigny began to fall under the influence of outsiders. First, around 850, Count Warin became abbot of the house. Then, some twenty-five years later, Bishop Adalgar of Autun took over the office and revenues of Flavigny. Even after Adalgar's death—his rector at Flavigny was accused of poisoning him, but was acquitted—bishops of Autun continued to act as abbots of Flavigny until the end of the tenth century. Although rectors (sometimes known as prelates) saw to the day-to-day functioning of the monastery, it gradually lost its regularity of life; the final decay of the monastic life was attributed at the beginning of the eleventh century to the reign of Bishop Rotmund of Autun (935–68), who was said to be incapable of resisting lay influence in the monastery's affairs.

At the end of the tenth century Flavigny was reformed to the Benedictine Rule by Bishop Walter of Autun (977–1018). He restored a large number of churches to the monks in 992 and named Heldric, the Cluniac monk who had become abbot of St.-Germain of Auxerre in 986, abbot of Flavigny as well. Flavigny's monks attracted a flurry of gifts from local laymen during the first decades of the eleventh century. They even received a chapel from King Robert II. But the monks had competition from monastic neighbors, most notably Cluny and Vézelay, which they had not had in the eighth century. In the twelfth century, with the foundation in 1119 of the Cistercian house of Fontenay, practically at Flavigny's door, a monastery which proved enormously attractive to the knights of the Auxois region and the Langres plateau, Flavigny suffered further diminution of relative prestige. Like St.-Seine and Moûtier-St.-Jean, two other old Benedictine houses of the region, Flavigny settled into relative obscurity for the rest of the Middle Ages.

There is little left now of Flavigny but its site, in the middle of a village which is largely abandoned. The medieval church is gone, leaving only the Carolingian crypt to which the remains of Ste.-Reine were translated in the ninth century. The conventional buildings, rebuilt after the Middle Ages, now house an anise candy factory.

THE CARTULARY OF FLAVIGNY

The medieval cartulary of Flavigny has been lost since the time of the French Revolution, and the original documents which were the basis of the cartulary longer than that. Three complete (or nearly complete) surviving copies of the cartulary were made in the seventeenth and eighteenth centuries, as well as a copy of over half its charters (though not in order). Both printed and manuscript copies of some individual charters are extant. It is from these sources that I have set out to produce an edition of the cartulary as it probably

existed in the twelfth century. This cartulary contains all the known documents from Flavigny from before the middle of the twelfth century.⁵

Although the complete cartulary of Flavigny has never been published, there have been several efforts to do so. In 1885 François Grignard announced plans, never realized, to publish the cartulary.⁶ He did, however, make his own copies of all the charters in the cartulary, on the basis of C and P; his manuscript is in the Archives départementales de la Côte-d'Or, 1 F 213, pp. 66–329. He rearranged the charters into what he considered the correct chronological order. At about the same time, and apparently independently of Grignard, M. Rossignol also made plans to publish the cartulary. He copied out all the charters, also using C and P, the only copies of the cartulary which he knew, but his death in 1886 prevented publication. His manuscript copy of the cartulary remained with his family, but a summary of the charters was published by M. Collenot.⁷

For this edition, I have followed the order of the cartulary, rather than rearrange the documents in chronological order. The cartulary is a text, put together in its present form by an eleventh- or twelfth-century monk who found the particular order significant, and it therefore seems important to preserve the form as well as the content of the collection. Chronological arrangement would at any rate be problematic, since for a number of charters the dating is approximate or tentative. It would be difficult to know how to treat those documents, such as no. 26, which are treated as two charters in some manuscripts and as one in others. Rearranging the charters would also make very confusing explanations of such issues as why the date in document no. 50 actually belongs to document no. 49, two documents which would be separated in a chronological arrangement, since they were issued fifty years apart. A chronological cross-listing of the charters follows this Introduction.

The latest document in the cartulary is from 1113, so it certainly took its final shape by the 1120s, but the cartulary may originally have been composed in at least some form close to a century earlier, since almost all the documents in it date from before 1020. If the cartulary was indeed put to-

⁵The only original charter from Flavigny from before the 1140s to have survived into recent times was a 1101 agreement between Flavigny and St.-Seine, catalogued as 6 H 116 at Dijon, Archives départementales de la Côte-d'Or. However, this document has been lost since at least 1971. It may have recorded the agreement which is also memorialized on a boundary stone, now at the Musée archéologique in Dijon, showing St. Peter of Flavigny pointing in one direction toward his lands, and St. Seine pointing in the other direction toward his. For charter production in the early Middle Ages, see, most recently, Rosamond McKitterick, *The Carolingians and the Written Word*, pp. 77–134.

⁶François Grignard, "L'abbaye bénédictine de Flavigny en Bourgogne," p. 25.

⁷M. Collenot, "Cartulaire du monastère de Flavigny," pp. 33–109.

gether around 1019, it would be the first cartulary known to have been composed in Burgundy. Those documents dating between 1020 and 1113, totaling only seven (and only five are after 1034), are scattered through the cartulary and may have been added when a twelfth-century scribe recopied the eleventh-century cartulary or possibly may have been inserted on separate pieces of parchment into the eleventh-century cartulary.⁸ Since the house is known to have received a large number of documents after about 1090, which are recorded in Hugh of Flavigny's *Chronicon* but are not found in the cartulary, it seems unlikely that a twelfth-century scribe made any major effort to rework the cartulary, or he would certainly have included these gifts.⁹

The cartulary is arranged roughly chronologically, with the exception of the above-mentioned documents from after 1019 and a few others. The scribe's intent does not seem to have been chronology *per se* but rather a grouping of documents dating from different periods in the house's history, doubtless following the grouping in the abbey's archives.

The first two documents in the cartulary are the two testaments of Wideradus, from 717 and 719. Documents nos. 3–5 are gifts from Pippin the Short, Charlemagne, and Louis the Pious; most medieval cartularies put royal charters at the beginning, immediately after their foundation charters. Documents nos. 6 through 11 and doubtless 12 were given in the middle decades of the eighth century, in the initial stage of the abbey's growth. Documents nos. 13 and 14 are two more royal charters, from 775/76 and 840. Document no. 15, from 1037, is the first of what may be later interpolations. The next three documents, nos. 16 to 18, are also out of chronological order, being from 966, 1100, and 977. With no. 19, however, there is a new chronological group (which could be considered to include no. 14 if one takes nos. 15 to 18 as a later interpolation); documents nos. 19 to 26 are all from the period from the 840s to the first years of the tenth century, with the exception of no. 22, from 1113. Documents nos. 27 to 48 all date from the period from the 990s to 1019. At this point the chronological organization breaks down. Document no. 49 is from 1034, document no. 50 from the 1080s, document no. 51 from 1018, documents nos. 52 and 53 from the ninth century, no. 54 from the end of the eleventh century, no. 55 from 894, and no. 56 from 1085. Documents nos. 57 and 58, which complete the cartu-

⁸See also Jean Marilier, "Notes sur la tradition textuelle des testaments de Flavigny," pp. 185–86, n. 6.

⁹Hugh of Flavigny, *Chronicon*, MGH SS 8:476. Hugh of Flavigny has sometimes been called the compiler of the cartulary, but this is highly unlikely; rather, he used it as one of the sources for his own chronicle. Those parts of the chronicle which listed gifts made to the monastery in the late eleventh century may have in some sense been intended as a supplement to the cartulary.

lary, are other versions of Wideradus's two testaments given at the beginning. One could perhaps assume that the scribe copied at the end all the documents he had come across too late to include at the proper chronological place or that the documents were separated from the other charters in the archives.

It will be evident that there are chronological gaps in the abbey's charters. The first gap is the close to thirty years between the establishment of Benedictine monks at Flavigny and the first record of gifts from anyone but Wideradus; but the eighth century is a notoriously sparse period for charters. The next gap, the fifty years between the end of the eighth century and 840, broken only by a charter from Louis the Pious, is more difficult to explain, although the long series of men who served as abbot for short periods during this span hints at internal difficulties in the monastery. Fifty years of relative prosperity followed, at least as measured by the survival of charters, but the century between the 890s and the 990s, the time in which the bishops of Autun directly controlled the abbey of Flavigny, is almost devoid of recorded monastic activity, with only two charters surviving. From the end of the tenth century on, documents from Flavigny are once again frequent.

As will be discussed further below, it seems most likely that two medieval copies of the cartulary existed in the seventeenth and eighteenth centuries, when all the existing copies were made. One was the twelfth-century cartulary, used by the copyists of the manuscripts I have called C and D, and the other a late medieval copy, used by the copyists of manuscripts B and P. The late medieval copy had apparently lost its final folio by the seventeenth century, for both B and P stop short of the end, after the first two lines of document no. 55. It had fairly minor differences from the original cartulary for most of the documents—spelling changes, a few transposed words, an occasional lacuna—but treated the two testaments of Wideradus differently than did the twelfth-century cartulary, as indicated further below.

THE MANUSCRIPTS

There are three essentially complete manuscript copies of the cartulary of Flavigny and a fourth that includes over half the charters. The manuscripts are as follows:

C: Châtillon-sur-Seine, Bibliothèque municipale, MS 6. This is a complete copy of the cartulary made in the early 1720s by an anonymous scribe, working for Dom Plancher; the latter had several scribes copy charters for him at the various Burgundian monasteries as he compiled his *Histoire de Bourgogne*.¹⁰ Manuscript C begins with page 385 and was originally bound as

¹⁰Marie-Louise Auger, who made a close study of the scribes who worked for Plancher and their method, referred to him as "D bouclés," for his characteristic way of writing the letter d

one volume with MS 7 of Châtillon, a history of Flavigny which ends with page 384. Manuscript C was used by Plancher for some of the charters of Flavigny in his *Histoire de Bourgogne*, although for many of the charters Plancher did not use C but rather reproduced the printed text of Mabillon, as a comparison of variant readings makes clear. This manuscript was in the library of St.-Bénigne of Dijon in 1767 when Dom Luc, the librarian, sent it to Jacques Amiens. It was probably from the latter's papers that it was acquired by the library of Châtillon.

The scribe who copied C most likely copied directly from the original twelfth-century cartulary, as evidenced by his adherence to twelfth-century (rather than classical) spellings and by his attempts at several points to reproduce monograms and even medieval handwriting. He was a very literal-minded scribe, copying what he saw even when he did not understand it; he made no attempt to emend or correct. He even copied the signature of Nicholas Coynart, the royal counsellor who officially verified the cartulary for the monks in 1658.¹¹

I have chosen C as the base manuscript for several reasons, including the literal-mindedness of its scribe. It is the only complete manuscript of the cartulary (B and P stop short of the end, after the first two lines of document no. 55, and D neither follows the cartulary's order nor includes all the charters); and it is the only one that does not try to impose classical spellings on the texts. For example, C consistently gives the form *eclesia*, whereas the other manuscripts all give the classical *ecclesia*. C gives only -e- where the other manuscripts (often inconsistently) try to restore the classical -ae- diphthong. As the scribe of C would not have changed from classical spelling if that was what was in his exemplar, it seems most likely that his is the only manuscript in which a faithful attempt was made to reproduce medieval spellings. As already suggested, it is most likely that he had the original cartulary before him, while B and P were probably copied from a late medieval copy of the cartulary and thus are one step further removed from the original.

He was probably at Flavigny after 1721, when Jean Bouhier went through Burgundy copying manuscripts, for Auger argues that in some of his other work "D bouclés" transcribed from Bouhier's copies. "D bouclés" was probably at Flavigny before 1725, when Plancher himself went there, at which point Plancher corrected the manuscript of C, doubtless against the original cartulary. Auger, *La Collection de Bourgogne (mss 1–74) à la Bibliothèque nationale*, pp. 61–64.

¹¹Because of Coynart's signature, with the comment, "paraphé ne varietur," modern scholars have often assumed that Coynart made a copy in 1658 and the scribe of C then copied Coynart's manuscript. See, for example, Jean Marilier, "Testamentum Wideradi coenobii Flaviniacensis abbatis," pp. 192–93.

D: Paris, Bibliothèque nationale, Collection Baluze 40. This volume includes copies of selected charters, not in the order of the cartulary, made by André Duchesne shortly before 1625 for use in his *Histoire généalogique de la maison de Vergy*. D contains copies of charters from many other monastic sources as well as the cartulary of Flavigny. Duchesne's spelling, in spite of intermittent attempts to impose classicism, is closer to C than either is to B or P, suggesting that he too used the twelfth-century cartulary.

B: Brussels, Bibliothèque royale, MS 7827-74 (formerly classified as MS 7856). This manuscript is a copy of the cartulary made in the first half of the seventeenth century, complete until document no. 55, where it stops after the first two lines.¹² It has been corrected in a contemporary hand, in many cases making it closer to the spelling or phrasing of C and D. One therefore suspects that the copyist had two exemplars, one from the end of the Middle Ages, which he used principally, and the original. The late medieval exemplar was also used by P, and the original was that used by C and D.

P: Paris, Bibliothèque nationale, MS lat. 17720. This is a copy made by Jean Bouhier in 1721. Because this manuscript and B are identical in content (both call document no. 58 a "third testament" and reproduce it in highly abbreviated form after document no. 2, and both break off after the first two lines of no. 55) and because they share some lacunae (of the sort made when a scribe accidentally skips a line), the two must have been copied from a common exemplar. P (the later of the two manuscripts) cannot have been copied directly from B, for in a number of places P gives -e- where B gives the classical -ae-, and Bouhier would not have set out to be less classical in spelling than his exemplar. P also reproduces none of the emendations which were added to B at the time it was written. Therefore B and P must be copied from another (now lost) copy of the cartulary, which I assume was made in the late Middle Ages. There are rubrics before all the charters in P, which were almost certainly composed by Bouhier himself.

Besides these four principal manuscripts, there are manuscript copies of several individual charters made in the seventeenth century by Dom Viole, Pierre-François Chifflet, and Jacob Sirmond. In several cases, I have also been able to use as independent witnesses printed editions of individual charters which were done by such scholars as Viole, Philippe Labbe, and Jean Mabillon before the medieval cartulary disappeared (although Mabillon in some cases seems to have used D). Viole's *Apologie pour la véritable présence de Sainte-Reine*, a pamphlet printed as part of an attempt to prove that the body of Ste. Reine was in Flavigny and not in the church of Alise-Ste.-

¹²Marilier is mistaken in saying that this manuscript does not follow the original order of the cartulary; "Notes sur la tradition textuelle des testaments de Flavigny," p. 186, n. 1.

Reine, where the canons of Alise said it was, is a valuable source for several of the documents. The copy of this pamphlet in the Bibliothèque municipale of Dijon has had the typographical errors corrected by hand, apparently by Viole himself.

NOTES ON THIS EDITION

For this edition, I have adopted the type of apparatus used in editions of papal decretals, where the original is lost and there are a number of copies with variants, scarcely any of which are significant. I have put all the variants at the end of each document, arranged by line number, where they can be consulted by those interested, without cluttering the text with numerous superscripts. Footnotes are reserved for occasional comments on the text itself and for identifications of people and places.

In the apparatus, the following conventions are used.

A square bracket shows that one word or phrase is replaced by another; hence "27 hactenus] habendum D" indicates that, on line 27, manuscript D reads "habendum" rather than "hactenus."

If the variant given in the apparatus unambiguously refers to a particular word, then that word and the square bracket are omitted; hence, if line 27 gives the reading "Gundobaldus," then "27 Gundoualdus B" would indicate that manuscript B gave this reading instead.

A colon separates a word and an addition to that word; hence, "27 abendum: nisi *praem.* P" indicates that, on line 27, the word "abendum" is preceded by the word "nisi" in manuscript P.

If more than one variant occurs on a particular line, then the line number is given only for the first variant. If different manuscripts give different variants for the same word, their variants are separated by commas; if two or more manuscripts give the same variant, then they are indicated together. Hence, if the text on line 27 reads "Gundobaldus," then "27 Gundoualdus B, Cundoualdus P" indicates the different variants in these two manuscripts, whereas "27 Gundoualdus BP" indicates that both have the same variant.

Three dots, such as "Gundobaldus] ... BP," indicate that, in one or more of the manuscripts, the copyist put an ellipsis instead of a word.

The following Latin indications are used in the apparatus for editorial comments and are always in italics.

ac: before correction

add.: add(s)

corr.: correct(s) (used for references to modern editions)

om.: omit(s)

marg.: in the margin

pc: after correction

per homoiotel: because of a similar word (explains a lacuna)

post: after

praem.: insert(s)

scripsi: I have written/emended

tr.: transpose(s)

Punctuation and capitalization are my own; none of the scribes, even C, attempted to give medieval punctuation, and it seemed pointless to reproduce the manuscripts' seventeenth- and eighteenth-century punctuation. I have consistently given *i* and *j* as *i*, in both capital and lower-case letters, and have given *u* and *v* as *V* in capitals and *u* in lower-case, except for Roman numerals, where I have used *v*.

I have for the most part used the spelling of C. Since the scribe did not try to "correct" the spelling to classical standards, I have followed him even for such variants as *abendum* for *habendum*, on the assumption that this was the spelling of the cartulary. When there are other scribes who saw the original and when C is clearly confused, I have not hesitated to follow one of the other manuscripts.

To avoid overloading the apparatus, I have not given the variants such as *ecclesia* or *ecclesiae* for *eclesia* or *eclesie*, the spelling always found in C; the reader can assume that all manuscripts but C had the former readings. In the same way, I have not given minor spelling variants that were due to attempts in manuscripts other than C to render an *-e-* as the classical *-ae-* (although it should be noted that D, like C and unlike the rest, spells St. Prix as *Sanctus Preiectus* rather than *Praeiectus*) and have passed in silence over such minor variations as *michi/michi*, *authoritas/auctoritas*, or *quatinus/quatenus*, though I have given the variants in the spelling of proper names. I have also left out such obvious transcriptional errors as the repetition of *offert* by C in no. 9, though I have noted all omissions.

For the most part, I have not included in the apparatus differences found in printed editions when those editions were based on the same manuscripts I used myself, as the differences are thus not true variants but only typographical errors or ill-conceived changes (such as attempts to classicize spelling, endemic in seventeenth- and eighteenth-century editions). In a few places, however, when a good modern edition (e.g., the MGH) has suggested an emendation or correction, I have noted that in the apparatus. I have also included variants from early printed editions which were based on now-lost transcriptions from the original cartulary.

I have tried to identify the places mentioned in the documents and have been successful in identifying most of them. Place identification is more difficult for the earlier than the later documents, as a number of the places seem simply to have disappeared, or at least their names have changed. As an

example of the changes in human topography after the eighth century, one can note that Bornet, important enough at the beginning of the eighth century to be an *ager*, the major subdivision of a pagus, subsequently lost all its importance, and its name is now preserved only in the names of two farms. By the eleventh century places were identified as being located in a particular county rather than a pagus, and almost all places can be readily identified. The Burgundian rural landscape changed substantially between the eighth and the eleventh centuries, but almost all the villages that were there in the eleventh century have been there ever since, under the same names.

Identifying places can be a difficult business. Some are obvious; for example, *Altarocca* is Hauteroche, located a few kilometers from Flavigny. The two best indices for identification are location—that is, if one place has been identified positively, then another village said to be nearby can probably be identified with some assurance even if it has a name which by itself could refer to several different modern villages—and the persistence of the particular Latin name through the late Middle Ages. For the latter, I am indebted to scholars who have traced the ancient forms of many place-names through medieval Latin and Old French until they finally took their modern forms.¹³ In the documents from Flavigny, because several of the monks' possessions are listed in several different documents, it is often possible to identify a place by context, even if its name has been garbled in the particular document. A final index is the dedication of the church, for by the eleventh century many villages had their own churches, which have been dedicated to the same saint ever since.

In identifying places, rather than use the French convention of identifying them by modern arrondissement and canton within the département, which is at best anachronistic for the early Middle Ages, I have given their location in terms of direction (north, south, etc.) and distance from a landmark, usually Flavigny. I have chosen to do this because many arrondissements are large in the relatively underpopulated parts of central Burgundy, making it difficult to find places, while identification by direction and distance makes location on a map very easy. An index of place names as well of personal names is found at the end of the volume.

For each document I have given a brief discussion of how I dated it if the dating is at all problematic. Often the various indications in the charter—the year of the incarnation, the indiction, and the regnal year of the king—do not

¹³Alphonse Roserot, *Dictionnaire topographique du département de la Haute-Marne*. Idem, *Dictionnaire topographique du département de la Côte-d'Or*. Maximilien Quantin, *Dictionnaire topographique du département de l'Yonne*. Georges de Soultrait, *Dictionnaire topographique du département de la Nièvre*.

agree. Although scribal error may account for some of these discrepancies, in other cases the monks seem simply not to have known the correct regnal year of the king. Documents from the early eleventh century, in order to be dated at all coherently, sometimes have to be dated by Robert II's original association on the throne with his father, sometimes by Hugh Capet's death. Since there are some original Burgundian charters in existence which give incorrect dates for Robert's regnal years, the difficulties with Flavigny's documents cannot all be due to scribal slips in copying.

THE TESTAMENTS OF WIDERADUS

The date of the foundation of Flavigny has been a confused issue since at least the eleventh century. The dates most usually given are 606, 706, and 721/22. In this section I shall explain why I have chosen 717, rather than any of the other dates, as the year in which Wideradus issued his great testament (document no. 1, repeated in different form as document no. 57), the document which can be said to mark the foundation of Flavigny.

First, some comments are necessary on the testaments themselves. Wideradus issued two testaments, no. 1 and no. 2 in all copies of the cartulary. In no. 1, which I date 717, he distributed his property to four churches, including Flavigny, and in no. 2, which I date 719, he confirmed the establishment of Benedict's Rule at Flavigny. Each of these two testaments exists in two versions. The second version of each is respectively no. 57 and no. 58.

Nos. 57 and 58 are written in a Latin much closer to Merovingian Latin than to that of the twelfth century. In C there is an attempt to reproduce what appears to be Merovingian handwriting in some of the signatures. Therefore, it seems most likely that the eighth-century foundation charters, which would have been very precious to the monks, were preserved on their original parchment, as well as being copied in somewhat cleaned-up Latin into the twelfth-century cartulary. Mabillon, who used the first charter in the twelfth-century cartulary as the basis of his edition, commented that he had also seen another version of the same text (which he had not used), which he guessed was from around the year 800, and that it was hard to read. Since he would not have found Carolingian minuscule hard to read, whereas Merovingian cursive would have been, it seems most likely that he meant that it was from before the year 800.

These two original Merovingian testaments were most likely physically attached to the end of the twelfth-century cartulary, which is why Coynard's signature, attesting to the validity of the cartulary, comes at the end of the second one, and why the scribe of manuscript C, literally copying the manuscript he had before him, makes them documents 57 and 58. I have followed C in putting these earlier versions at the end of the edition.

The issue of the testaments is confused by the fact that while no. 2 is only a cleaned-up version of no. 58, with the witness list given in briefer form (the bishops sign “in Christi nomine” in no. 58 but simply give their names in no. 2), documents nos. 1 and 57 are actually different. Although their content is virtually identical, they are respectively a testament given at Semur in January 717 and a confirmation of that testament given at Flavigny six days later (for the dates, see below). The first issuing of the testament was copied into the twelfth-century cartulary, but for whatever reason only the confirmation was preserved in its original Merovingian form.¹⁴

The way the late medieval copy of the cartulary (the exemplar for B and P) incorporated nos. 57 and 58 has created further confusion for modern scholars. The scribe seems to have intended to work these two charters in at the beginning of his cartulary, rather than copy them at the end. After giving the text of no. 1, he then gave the body of no. 2, but in his eagerness to incorporate the Merovingian versions, he used the closing and signatures of no. 57 in place of the closing and signatures of no. 2, even though they did not belong there.¹⁵ He then gave the first few lines of no. 58, calling it a “third testament,” and left out everything else of the body of the charter until reaching the closing and signatures, which he reproduced. Hence, the late medieval copy of the cartulary gave, in order, document no. 1 of the twelfth-century cartulary, then the body of no. 2, then the closing of no. 57, and finally a highly abbreviated version of no. 58, with its closing.

The difficulties with dating the testaments (documents 1, 2, 57, and 58) arise from the rather disparate chronological information in the charters themselves. No. 1 is dated in the first year of King Theoderic’s reign, and no. 57 in the second year; no. 1 is also dated DCCVI, but this date is lacking in no. 57. In manuscript C there is a marginal note that the second C seemed to be in a different ink. Probably on the basis of this, Dom Plancher gave the date as 606 rather than 706. Even at the end of the eleventh century 606 was taken to be the charter’s date; in his *Chronicon*, Hugh of Flavigny referred to Wideradus’s testament as having been given in 606, adding various chronological references of his own to the popes and emperors of the beginning of the seventh century.¹⁶ The belief that their abbey dated from the seventh

¹⁴McKitterick notes that it was fairly common in the St. Gall region in the eighth and ninth centuries for there to be two contemporary copies of a private charter, with one perhaps intended for the monastery and the other originally kept by the donor; *The Carolingians and the Written Word*, pp. 97–98.

¹⁵Mariélier, confused by the attachment of the closing of no. 57 to document no. 2 in manuscript P, concluded that the “Petit Testament” (no. 2) was reissued at the same time as no. 1 was issued; “Notes sur la tradition textuelle des testaments de Flavigny,” p. 190.

¹⁶Hugh of Flavigny, *Chronicon*, MGH SS 8:323.

century was strong at Flavigny; the gift of fishing rights at Glanon to the monks by Pippin the Short, a gift made in the middle of the eighth century (no. 3), was assigned by Hugh of Flavigny and by the necrology of the house (which Hugh may have compiled) to Pippin of Héristal, Pippin the Short's grandfather, in the second half of the seventh century.¹⁷

There are two major difficulties with 706 (or 606). First, it does not correspond with the first year of the reign of any King Theoderic. Second, Merovingian documents, while regularly dated by the regnal year of kings, were almost never dated by the year of the incarnation. Since the date 706 is not given in the earlier version of the testament (no. 57), it therefore seems most likely that the date DCCVI was added to the charter at a later time, perhaps when the cartulary was composed in the eleventh century.

If the first year of Theoderic's reign is the only authentic date in the document, it might seem logical to date the testament to 721/22, as Theoderic IV (721–37) succeeded Chilperic II (715/16–721) in 721.¹⁸ This date yields two chronological anomalies. First and most important, the second testament of Wideradus, usually called the "Petit Testament," in which he established observance of the Benedictine rule at Flavigny (no. 2), is explicitly dated in the fourth year of Chilperic's reign, that is, 719, and yet it reads as though it was done after rather than before the "Grand Testament" (no. 1), suggesting that the "Grand Testament" cannot have been issued in 721/22. Second, the "Grand Testament" survives in two essentially identical versions, with only the witness list and dating changed, one (no. 1) from 18 January of the first year of Theoderic, and the second (no. 57) from 24 January of the second year of Theoderic's reign. It seems most logical that these two were issued a week apart, rather than a year apart; the first was issued at Semur in the presence of King Theoderic, the second at Flavigny. Yet, since Chilperic II died between the end of January and early May 721,¹⁹ there does not seem to be any way to move the break between the first and second years of Theoderic's reign to between 18 and 24 January 722.

There is another possibility that solves these problems, and that is that the scribes who dated Wideradus's testament were dating King Theoderic's rule not from the death in 721 of his cousin Chilperic II but rather from the death of Theoderic's father, Dagobert III (711–715/16). Dagobert had been king of both Burgundy and Neustria, and he was succeeded by his cousin Chilperic in

¹⁷MGH SS 8:287, 339.

¹⁸This was the date chosen by Marilier, "Notes sur la tradition textuelle des testaments de Flavigny," p. 190.

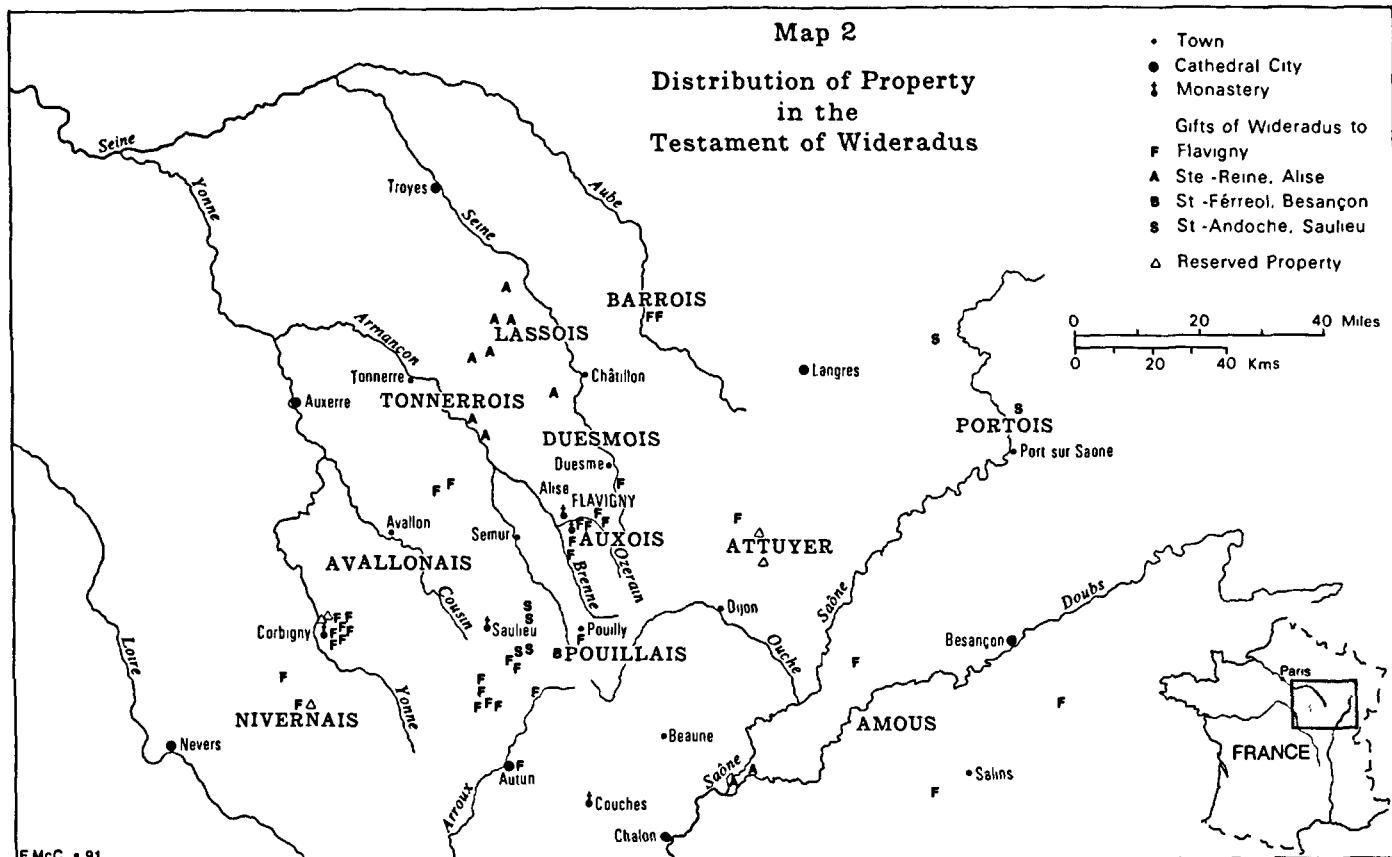
¹⁹I am here relying on the chronology of the Merovingian kings established by Bruno Krusch, MGH SS rerum Merovingicarum 7/2.502–5.

Neustria, but no one immediately succeeded as king of Burgundy. Those at Flavigny might well have considered Dagobert's son their real king, especially as he witnessed Wideradus's donation of large amounts of property to Flavigny. The precise date of Dagobert's death is not known, though it was probably at some point between early September 715 and late February 716.²⁰ If one assumes that Dagobert died between the eighteenth and twenty-fourth of January 716, then 18 January in Theoderic's first year and 24 January in his second year would both yield January 717. (This would also give unusual precision to the date of Dagobert's death.) This idea is given at least some further credence by the fact that the smudged or badly written DCCVI of the cartulary may actually have been intended to be DCCXVI (since the new year started in March, January 717 was considered part of 716). Although this is only speculation, it makes as much sense as that the scribe chose the date 706 (or 606), which corresponds to none of the other chronological indications of the charter. I have therefore dated the first testament of Wideradus and thus the foundation of Flavigny to January 717.

²⁰Ibid., pp. 501–2.

Chronological List of the Documents

717	1	992–1009	31
717	57	999 (?)	34
719	2	Early eleventh century (?)	48
719	58	1000 (?)	35
741–51	3	1000 (?)	36
748	6	1000	37
748	7	1000 (?)	38
751/52 (?)	10	1001	32
751/52 (?)	11	1002	33
Eighth century (?)	12	1002	39
768	8	1002	29
768	9	1004	30
775	4	1004	40
775/76	13	c. 1005	41
816	5	1011	42
840	14	1016	44
849	19	1018	27
c. 850	20	1018	43
864	52	1018 (?)	47
865	21	1018	51
872	53	1019	45
877	23	1019	46
878 (?)	24	1034	49
894	25	1037	15
894	55	1084–90	50
903	26	1085	56
966	16	c. 1090–1100	54
977	18	1100	17
992	28	1113	22



The Cartulary

1

Semur, 18 January 717

Wideradus makes his testament, giving property to St.-Andoche of Saulieu, Ste.-Reine of Alise, St.-Férreol, and Flavigny.

MANUSCRIPTS

C, pp. 386–99, no. 1.

D, fols. 14r–17r.

B, fols. 248r–252r, no. 1.

P, pp. 1–9.

Dijon, Archives départementales de la Côte-d'Or, G 3155; copy made in 1713 by François Guerin, “sur un extrait collationné sur le cartulaire l'abbaye de St.-Pierre de Flavigny.”¹

Grignard, pp. 66–77, on the basis of C and P; dated 606–720/21.

PRINTED EDITIONS

Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 87–91; abbreviated.

Charles Le Cointe, *Annales ecclesiastici Francorum*, vol. 4, pp. 680–81, on the basis of Viole; dated 722.

Jean Mabillon, *Acta sanctorum ordinis S. Benedicti*, vol. 3, pp. 632–35; dated 748.

Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, pp. i–iv, no. 1, on the basis of C; dated 606.

J.-M. Pardessus, *Diplomata, chartae, epistolae, leges aliaque instrumenta ad res Gallo-Francicas spectantia*, vol. 2, pp. 323–27, no. 514, on the basis of Mabillon; dated 721.

PL 88:1268–74, no. 56, on the basis of Mabillon, Le Cointe, and Plancher; dated 721.

J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, vol. 3, pp. 464–67, on the basis of Plancher; dated 706; abbreviated.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 269.

Maximilien Quantin, *Cartulaire générale de l'Yonne*, vol. 2, pp. 1–2, no. 1; dated 721.

Collenot, pp. 40–48, no. 1; dated 721.

¹Because of a typographical error, this copy is misidentified as being in Iasne C 3155 by Jean Marilier, “Testamentum Wideradi coenobii Flaviniacensis abbatis,” p. 59.

Text established on the basis of C, D, B, P, Arch. Côte-d'Or G 3155 (=G), Viole (=V), and Mabillon (=M).

Anno primo regnante Theoderico rege sub die xv kalendarum Febroariarum.

Ego in Dei nomine Vuideradus abba, filius uiri inlustri Corbonis quondam, sana mente integroque consilio, metuens humane fragilitatis casus, testamentum meum condidi, quem Aldofredo notario scribendo commisi, ut quando dies legitimus post transitum meum aduenerit, recognitis sigillis, inciso lino, ut legis decreuit auctoritas, per inluster uir Amalsindo, quem in hac pagina testamenti nostri legatarium institui, gestis reipublice municipalibus titulis, ut ab ipsis eius persecutione muniatur, et in carta basilice 10 Sancti Preiecti quam ego edificaui conseruandum decreui, ut quicquid unicuique de rebus meis propriis habere decreui singulariter in hoc testamentum meum inserere curaui. In reliquo uero qualescumque a quocumque epistole aut testamenta uel conscriptiones de nomine meo, uel manu mea firmate, ostense fuerint, ante hoc testamentum prenotate, quas hic non commemorauero, exceptis ingenuitatibus quas pro anime nostre remedio fecimus aut adhuc facere uolumus uacue permaneant. Et quod unicuique per hunc testamentum dedero dareque iussero id ut fiat, detur, prestetur, impleatur, te omnipotens testem committo. Quapropter dum non habetur incognitum qualiter, dispensante Deo, ad abendum loca sanctorum, Sancti Andochii Sedelocinse et Sancte Re 15 gine Alsinse et Sancti Ferreoli ubi ipsi pretiosi requiescant in corpore, in mea cura suscepi.² Insuper etiam et in loco nuncupante Flauiniaco, in agro Bur-nacinse in pago Alsinse monasterium in re mea propria meo opere construxi, atque Magoaldo abbatii cum monachis suis delegaui regulariter in perpetuo ad possidendum.³

20 25 Dono igitur ad basilicam supramemoratam Sancti Andochii martiris portiones meas atque loca denominata. Hec sunt in pago Alsinse et in Pauliacinse, Meseriaco, Ceresiaco, Vallinse; in pago Auallinse, Pasariniaco; in pago Comauorum, Scolingus, et Macereas; in pago Portinse, Eriffouilla et Dagomundi curtem; in pago Neuerninse, Senseriacum et Ariacum.⁴ Preter

²St.-Andoche of Saulieu, Ste.-Reine of Alise, and St.-Ferreol, doubtless of Besançon.

³Bornet is now the name of two farms (Bornet-Bas and Bornet-Haut), 2 km southeast of Flavigny. The pagus is Auxois.

⁴To St.-Andoche, in the pagi of Auxois and Pouillais, he gives property at Misserey, 11 km east-northeast of Saulieu, at Saiseray, 1 km north of there, and at an unidentified place called "Vallinse." Jean Marilier has identified "Ceresiaco" as Cercey, 22 km east of Saulieu, but then he cannot identify "Messeriaco"; Marilier, "Testamentum Wideradi coenobii Flaviniaciensis abbatis," pp. 70-71. In the pagus of Avallonais, "Pasariniaco" is, according to Marilier, Perchenais, 6 km north of Châtillon-en-Bazois, which is in turn 50 km southwest of Saulieu; *ibid.*, p. 71. This identification however seems unlikely as being too far from Avallon. I have not identified the two places in the pagus of Amous, but "Macereas" is also

illas uineas quomodo ille riulus currit qui de uineis Aldeberti ad pratum ua- 30
dit, totum illum clausum quem nos iussimus plantare, ad integrum cum exso
et regresso, una cum manso et colonica illa qui fuit Anseberto et modo tenet
illam Sicbertus, et ipsum Sicbertum cum uxore sua Letanestra uel infantes
eorum qui ipsam uineam debeant procurare, quam Sancto Preiecto dedimus.
In reliquo uero hec omnia suprascripta sicut a me, tam de alodo parentum 35
quam per quemlibet adtractum, tentum, dominatum atque possessum est, om-
nia ex omnibus, cum domibus, edificiis, terris, campis cultis et incultis,
municipiis, accolabus, libertis, uineis, siluis, pratis, pascuis, aquis aquarum-
que decursibus, omne genus pecudum maiore atque minore, mobilibus et 40
immobilibus, omnem rem inexquisitam, quicquid in ipsa loco superius no-
minata habere uideor, totum et ad integrum ad Sancti Andochii basilicam pro-
ficiat in augmentum.

Similiter donamus ad basilicam Domne Regine, ubi ipsa pretiosa re-
quiescit in corpore, in pago Ternodrinse, Videbelo, Cetunias, Anciaco, Ra-
barias; in pago Latinsinse, Villam Mauriane, Altamripam, Baniolos; in pago 45
Duismense, Stasiaco, Colubario, Vulloneco; in pago Ammaiorum, Carini-
aco et Casellas; in pago Portinse, Auiciaco et Puscione; in pago Athoari-
orum, Pusessionem.⁵ Hec omnia superius comprehensa sicut et illa alia loca
ad Sanctum Andochium dedimus, ita et ista ad Sancte Regine potestatem cum 50
omnibus integritatibus earum delegauimus.

in document no. 2. In the pagus of Portois, Enfonville is 35 km northwest of Port-sur-Saône, and according to Marilier, "Dagomundi curtem" is Amoncourt, 6 km north-northeast of Port; *ibid.*, p. 70. In the pagus of Nivernais, Censery is 12 1/2 km southeast of Saulieu, and Argey is 2 1/2 km east-northeast of Censery.

⁵In the pagus of Tonnerrois, Villon is 17 km east-northeast of Tonnerre; Channes is 6 km northeast of Villon, Ancy-le-Franc is 17 km southeast of Tonnerre; and Ravieres is 7 km southeast of Ancy. In the pagus of Lassois, Villemorien is 7 km southwest of Bar-sur-Seine; Hauterive (today Ricey-Hauterive) is 21 km northwest of Châtillon-sur-Seine; and Bagneux is 5 1/2 km west of Hauterive. In the pagus of Duesmois, Marilier identifies "Stasiaco" as Evoy, the name of a woods 14 km west-northwest of Duesme; *ibid.*, p. 71. Joseph Garnier, however, identified this place more plausibly as Savoisy, 22 km west-northwest of Duesme; Garnier, "Chartes bourguignonnes inédites des IX^e, X^e et XI^e siècles," p. 83. In the same pagus, Coulmier is 18 km northwest of Duesme. Bellenod is 7 km northwest of Duesme and 22 km north-northeast of Flavigny; Garnier makes this identification, *ibid.*, p. 83. Marilier, however, identifies "Vulloneco" as the ruined hamlet of Vadeny, 12 km west-southwest of Duesme; "Testamentum Wideradi coenobii Flaviniacensis abbatis," p. 72. In the pagus of Amous, Charnay is on the Saône, 7 km northeast of Verdun; and Chazelle is 3 km northeast of Charnay. In the pagus of Portois, I have not identified "Auiciaco," but "Puscione" is most likely Puseu, 7 km southeast of Port; this seems more likely than Marilier's identification of the place as Poissons, 35 km north of Chaumont, which would not be in the right pagus; *ibid.*, p. 71. In the pagus of Attuyer, "Pusessio" is probably Poinson (today Poinson-lès-Grancey), 43 km north of Dijon; this is Marilier's identification; *ibid.*, p. 71. Garnier, however, suggests instead Poiseul-lès-Saulx, 26 km east-northeast of Flavigny; "Chartes bourguignonnes inédites des IX^e, X^e et XI^e siècles," p. 61.

Similiter donamus et ad basilicam Sancti Ferreoli, ubi ipse dominus requiescit in corpore, et nos eam in regimine habemus, in pago Pauliacinse, Aciaco cum omnibus appendiciis suis ad integrum,⁶ sicut illa alia loca ad Sanctum Andochium et ad Sanctam Reginam ita et ad basilicam Sancti Ferreoli dedimus, in ea uera ratione ut dum nos adiuuimus, supramemoratas abbadias Sancti Andochii et Sancti Ferreoli uel Sancte Regine et omnes res sibi debitas uel ad se pertinentes in integritate seu et iamdicta loca nostra que nos ad ipsas delegauimus tenere et possidere quieto ordine faciamus. Post nostrum quoque discessum, supramemoratas eclesias et supradictas res unaquaque 60 casa per rectores suos absque ullius contradictione in suam faciat reuocare dominationem, in ea ratione ut monasteriolum nostrum Flauiniacum uel strumenta quod ad ipsum locum in honore Sancti Preiecti fecimus, in omnibus studeant conseruare, et si ipsa instrumenta inrumpere aut ipsum coenobiolum inquietare presumpserint aut res eius minuare uoluerint, nec hoc ualeant uindicare, sed res nostras quas ad supramemoratas basilicas Sancti Andochii et 65 Sancti Ferreoli uel Sancte Regine delegauimus amittant, et per protectionem regiam casa Sancti Preiecti Flauiniacensis cum omni integritate ipsas recipiat perpetualiter ad possidendum. Quod si pontifex uel aliquis quislibet dum adiuuimus de ipsis abbadiis uel de rebus earum nos expoliare uoluerit, aut ali- 70 quid minuare presumpserit, aut ego ipsas abbadias uiuens dimisero, nos res nostras quas ibidem delegauimus, licentiam habeamus ad nostrum dominium reuocare et quicquid exinde facere uoluerimus, liberam in omnibus habeamus potestatem.

Preterea quoque donamus donatumque in perpetuo esse uolumus ad iam 75 dictum monasterium Sancti Preiecti Flauiniacensis quod in agro Burnacinse opere nostro aedificauimus, in pago Alsinse, ipsum Bornadum cum ipso castro Flauiniaco, cum omnibus adiacentiis uel appendiciis suis ad integrum, et locella seu colonetas in Cadonato, Darciaco, Ceresio, Aguniaco, Gesciaco, Luueriaco, Luuiniaco, Pruiaciaco, Auderato, Montecellis; et in pago Terno- 80 drinse, Blaciaco et Marcomania;⁷ in pago Aualinse et Neuerninse siue Am-

⁶In the pagus of Pouillais, Essey is 7 km southwest of Pouilly.

⁷For Bornet, see above. The mill at Moulin-Duthu, near Flavigny, used to be known as Channay; see Joseph Garnier, *Nomenclature historique du département de la Côte-d'Or*, p. 152, no. 612. Darcey is 5 km northeast of Flavigny. Cercey is 28 km south; Marlier, who identified Cercey as one of the places given to St.-Andoche, called this "Ceresio" Cirey and said that it was near Venarey, 7 km northwest of Flavigny; "Testamentum Wideradi coenobii Flauiniacensis abbatis," p. 70. Eugny, now the name of a woods, is 2 km northeast of Flavigny. Gissey is 4 1/2 km east of Flavigny. Leurey is now the name of a stream near Pouillenay, 5 km west of Flavigny; see Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 213. Leugny is 4 km south-southwest of Flavigny. The name Preugny is now only the name of a bridge over the Brenne, 4 km southwest of Flavigny. Orret is 15 1/2 km northeast of Flavigny. According to Maurice Chaume, there used to be a place called Montceaux near Billy (14 km east-northeast of Flavigny); Chaume, *Les origines*

monias, curtem qui uocatur Corbiniacus et Antonum cum omnibus adiacentiis uel appendiciis earum in integrum, et colonicas in Liscomo, Dumsatio, Viriaro, Valentigos, Vallecrouaria, Iuliaco, Pagatiaco, Cassaniola, Vuldonaco, Careaco, Cappas, Degantiaco, Casseaco, Rioscella, Palatiolo, Gouilis, Sipiciaco et Sapiliaco, seu et illa colonica in Ariaco que fuit Anse- 85 berto cum ipso homine qui super commanet nomine Sigberto et uxore sua Ledanostra uel infantes eorum in integritate, quicquid ad ipsam colonicam aspicere uidetur cum omne supraposito, et illum clausum in ipso Ariaco,⁸ quomodo ille riuus de uinea Aldoberti descendit ad pratum, totum illum clausum quem nos plantare iussimus, cum exso et regresso in integrum; in pago 90 Barrinse, Falciole et Vlmedo; et in pago Pauliacinse, Balma et Corniciaco; et in pago Athoariorum, Hicio et Blandoniaco; et colonica in pago Amauorum, Fraxino, et areas in Salinis, Grausone, et Vigris; similiter et areas in Agustidunum ciuitate.⁹ Ista omnia que superius nominauimus cum omnibus appendiciis uel adiacentiis earum quantumcumque ibidem tenere et possidere uide- 95 mur, per quemlibet adtractum ad nos peruenit, aut legibus peruenire debet, totum et ad integrum cum omne supraposito a die presente in honore Iesu

du duché de Bourgogne, vol. 2, pt. 3, p. 870. Garnier however identified "Montecellis" as Monteil, a place he says no longer exists but which used to be near Chanceaux, 15 km east of Flavigny; "Cartes bourguignonnes inédites des IXe, Xe et XIe siècles," p. 83. In the pagus of Tonnerrois, Blaisy is 3 1/2 km northwest of Montbard, and Marmagne is 2 km east of Montbard.

⁸In the pagi of Avallonais, Nivernais, and Amous, Corbigny is 41 km west of Saulieu; Anthien is 8 km northeast of Corbigny; Auxois is 3 km northeast of Corbigny; Doussas is 4 km east of Corbigny; Viry is 3 km east of Corbigny; Valentinges is 6 km northeast of Corbigny; Vauclaix is 10 km east-southeast of Corbigny; Jailly is 13 km southwest of Corbigny; Pazy is 5 km southwest of Corbigny; Chasseigne is 7 km north-northeast of Corbigny; Voudenay is 9 km southwest of Arnay-le-Duc; Quarré-les-Tombes is 27 km northeast of Corbigny; Chappe is 12 1/2 km southeast of Saulieu; Diancey is 15 km southeast of Saulieu; Chissey is 18 km south of Saulieu; Ruisselle is 21 km south of Saulieu; Palaizot is 15 km south-southwest of Saulieu; and Goix is 1 km north-northwest of Palaizot. Sivry is 25 km south-southeast of Saulieu, and Savilly is 18 km south-southeast. Argey, already mentioned above among the property given to St.-Andoche, is 14 km southeast of Saulieu. See also Marlier, "Testamentum Wideradi coenobii Flaviniacensis abbatis," pp. 69, 71; and Georges de Soultrait, *Dictionnaire topographique du département de la Nièvre*, pp. 66, 197, 186, 188, 94, 90.

⁹In the pagus of Barrois, Ormoy-sur-Aube is 27 km south-southeast of Bar, and Foiseul is 2 1/2 km east of Ormoy. In the pagus of Pouillais, Beaume is 1 km east-southeast of Pouilly, although I have not identified "Corniciaco." This may be a mistaken transcription, as no. 57 reads "Comiciaco." Marlier calls it Commoisey and locates it near Châtellenot, 6 km southwest of Pouilly; *ibid.*, p. 70. In the pagus of Attuyer, Is-sur-Tille is 23 km north-northeast of Dijon. I have not identified "Blandoniaco." In the pagus of Amous, "Fraxino" may be Frasnes, 12 km north of Dole; Salins is 35 km southeast of Dole; Grozon is 15 km southwest of Salins; and Voires is 23 km southeast of Besançon. The final place mentioned here is Autun.

Christi Domini nostri et Sancti Preiecti martiris, Magoaldo abbati monachisque suis tradidimus ad possidendum, cum domibus, aedificiis, mancipiis,
 100 accolabus, libertis tam ibidem oriundis quam aliunde translatis uel ibidem
 commanentibus, uineis, siluis, campis, terris cultis et incultis, pratis, pas-
 cuis, aquis aquarumue decursibus, omne genus pecudum tam maiore quam
 minore, mobilibus et immobilibus, omnem rem inexquisitam, et quicquid
 dici aut nominari potest, totum et ad integrum ad iam dictum monasterium
 105 Sancti Preiecti Flauiniacum uel rectores eius proficiat in augmentum.
 Similiter et illas cessiones quas ad libertos nostros Grisberto et Grinberto
 clericos ad eorum ingenuitates confirmandas Daolonecas¹⁰ in Bornato et in
 Ceresio fecimus, quando eos pro anime nostre remedio ingenuos dimisimus,
 ut dum aduiuunt hoc teneant, et post ipsorum discessum cum omne supra-
 110 posito ad iam dictam casam Sancti Preiecti ubi eorum patrocinia et deffensio-
 nem constituimus reuertere faciant. Volumus etiam ut ingenuos eos
 fecimus, aut in antea fecerimus, quanticumque in ipsa loca manent que ad
 Sanctum Andochium et Sanctam Reginam et Sanctum Ferreolum uel ad
 Sanctum Preiectum delegauimus, inspectas eorum libertates super ipsas terras
 115 pro ingenuis commaneant, et aliubi commanendi nullam habeant potestatem,
 sed ad ipsa loca sancta debeant sperare, et nullus de ipsis lidemonium nostris
 heredibus nullatenus reddant, et de hoc quod eis per cartas dedimus ad aliquos
 aliubi uendere nec alienare habeant licentiam.

Preter ista omnia reseruamus in fauidia heredibus nostris Pagaciaco, in
 120 pago Neuerninse, curtem quam dicunt Montem; porcionis nostras in pago
 Aualinse, hoc est in Combremo, Chrispianaco, Colen similiter; et in pago
 Athoiorum, Vedisuineas, Voguntias, Luco, Sagoneco; in pago Portinse,
 Soluillare, Monricouilla, Ebronuillare, Saegalarias,¹¹ in ea ratione ut facta
 mea in omnibus studeant conseruare atque defendere. Quod si hoc facere ne-
 125 glexerint, quicquid eis deputauimus perdant, et de omni corpore facultatis mee
 redditur extranei. Et si aliquid comparauero uel adtraxero uel pro quolibet
 ingenuo ad nos peruenit aut in antea peruererit quod in isto testamento supra
 non commemorauimus, post nostrum discessum casa Sancti Preiecti per
 rectores suos recipiat perpetualiter ad possidendum.

¹⁰This is probably a corruption of “dua colentas”; see no. 57.

¹¹Pazy was already mentioned above; it is 5 km southwest of Corbigny. I have not identified which Mont in the pagus of Nivernais is meant. In the pagus of Avallonais, Combre is 4 km north-northwest of Corbigny; Cropigny is 1 km east of Combre; and Coulon is 7 1/2 km southeast of Corbigny. In the pagus of Attuyer, Lux is 8 km southeast of Is-sur-Tille; Vièvigne is 6 1/2 km south-southeast of Lux; Vonges is 27 km east of Dijon; and Sacquenay is 17 km northeast of Is-sur-Tille. In the pagus of Portois, I have not been able to identify any of the places mentioned; the possibilities that Marlier suggests, in Haute-Marne, north of Chaumont, would not have been in this pagus.

Per presentem itaque testamentum basilicam Sancti Preiecti quam meo 130
opere Flauiniaco construxi heredem meam instituo, eique presentem codi-
cellum comitto per quem ita constituo, ut nullus episcopus ullius ciuitatis
aut archidiaconus uel quilibet ex clero aut actores eclesie ullomodo de predicto
monasterio Sancti Preiecti nullum presumant exercere dominatum, non ad
mansionaticos aut repastus exigendo, non ad ministeria describendo, non ad 135
abbatem mittendo, nisi cum necesse fuerit chrysma petere, tabulas aut altaria
consecrare, sacros ordines benedicere, sicut Losodienses aut Lirinenses uel
Agaunenses monachi,¹² a quemcumque de sanctis episcopis sibi elegerint qui
hoc agere beat licentia sit eis expetere et illi hoc benedicere. Si autem kari-
tate exigente pontifex quilibet ab abbatे uel monachis ibi fuerit initatus, 140
simpliciter que ei a fratribus offeruntur accipiat, nulla exenia uel munuscula
amplius querat. Quod si fecerit a glorioso domno, quem tunc Deus regnum
Burgundie gubernare permiserit, hoc protinus emendetur. Cum uero abbas
ipsius loci acceperit transitum, quemcumque de semetipsis monachi ibidem
habitantes elegerint secundum Deum, aut si communi consilio aliunde sibi 145
meliorem eligere uoluerint, hoc in eorum maneat potestate. Quod uero Deus
auertat, ne ibidem sanctus ordo tepescat, potestas maneat monachis ibidem
habitantibus ad unum de sanctis monasteriis expedire et per eorum salubre
consilium eorum regulam emendare. Te igitur domna et sancta mater mea
eclesia Sancti Preiecti heredem instituo, quicquid unicuique deputauit fidei tuae 150
committo. Te quoque heredem meam in Deum et regis potestatem com-
mendo, ut contra omnes inquietudines sua te post Deum fortitudo defendat,
quia hoc quod tibi deputauit mallo te habere quam me, te magis quam ceteros
heredes ac proheredes meos.

Precor igitur dominum gloriosum regem tam tempore moderno regnante 155
quam futuro succedente, et per Dei tremendum iudicium adiurare presumo, ut
presentem codicellum uel iam dictum coenobiolum meum sua fortitudine
iubeat defensare, atque solidum in omnibus custodire, ut nullatenus ab infesta-
tione malorum hominum possit inrumpi, sed delectet monachis ibidem
conuersantibus uel sacerdotibus per loca sancta que presens codicellus noster 160
commemorat habitantibus pro me et uita regis et filiorum eius Dominum
suplicare. Si quis uero, quod futurum esse non credo, si aliquis heredum ac
proheredum meorum uel quislibet opposita persona presens hoc testamentum
meum infrangere conauerit uel temptare presumpserit, in primis usque dum ad
ueram emendationem proinde corrigatur Deum et sanctos suos habeat con- 165
trarios et a liminibus aeclesiarum efficiatur extraneus, et insuper inferat ei cui
pulsauerit una cum socio fisco auri libras triginta argento pondua quingenta

¹²The monks of Luxeuil, Lérins, and St.-Maurice of Agaune; these were very influential monasteries during the Merovingian period, and several Burgundian monasteries followed their customs. See Friedrich Prinz, *Fruhes Monchtum in Frankreich*, p. 104 and the maps.

- coactus exsoluat, et nichilominus presens pagina firma permaneat, stipulatione subnixa quam manu mea propria subter firmaui et bonorum hominum
 170 signis uel alligationibus roborandam decreui. Et quod superius memorari debueramus tam aurum quam argentum uel reliquias fabricaturas seu ministeria eclesie, uel strumenta cartarum, libros uel uestimenta eclesie, uel omne presidium quod michi legibus uiuens possidere uideor et michi redebetur, inspecto illo strumento quod antea ad Sanctum Preiectum uel ad abbatem Mago-
 175 aldum et monachos eius fecimus, post nostrum discessum ad ipsum monasterium Sancti Preiecti Flauiniacum reuertantur, et ipse abbas Magoaldus cum monachis suis pro anime nostre salute ea recipiat, et perpetualiter eis proficiat in augmentum, ut quicquid exinde facere uoluerint, liberam in omnibus habent potestatem faciendi.
- 180 Theodericus.
 Vuideradus abba.
 Gerefredus defensor.
 Amalsindus. Haldofredus.
 Actum Sinemuro castro, die kalendarum Febroariorum xv et scriptum per
 185 manum Haldofredi notarii, suadente et deprecante eodem uenerabili abbatे Vuiderado, immo sigillante perilustri uiro Amalsindone sigillo regio, anno Verbi incarnati DCCVI, domni uero Theoderici regis primo, adstante nobili et firmante uulgari populo, una cum deffensore Gerefredo clarissimo uiro.

I Theodorico GB^{PC}V xv] duodecimo G Februariarum GBPM 3 in Dei nomine *om.* M
 Guiderardus C abbas G illustris P, inlustris GP^{PC} 4 casus humanae fragilitatis *tr.* BP^{PC}
 casus *om.* P 5 scribendum G 8 pagine BP^{vac} nostri] mei D 9 ut *om.* BPV prosecu-
 tione DGVM 10 quem DV^{ac}M 10–12 ut — curaui *om.* M 12 aut] uel B 14 memorauero
 BP^{CP} 16 hoc G 17 ut id *tr.* V 19 Deo] Domino GV habendum DGBPVM Sedelicense
 G 20 ipsi *om.* V in corpore requiescant *tr.* DP^{PC}BP^{CP} 21 nuncupato BPV Burnacense G
 22 monasterium *om.* M 23 Magdoaldo V 26 Pauliacense GM 27 Meseriacum
 Da^cB^{ac}VM Cecesiacum Da^cB^{ac}VM, Ceseriaco G Vallense G Aualinse D, Aullense G
 Pasariniacum Da^cB^{ac}V, Passarinia M 28 Commauorum DBPVM Stolingus DGVM,
 Strolingus BP Macerias BP^{CP} Portense G Griffonuille C, Griffonuilla GPM 29 Dagomandi G, Vagomundi M Niuernense G Senseriaco DP^{PC}, Senseriarum V 30 de *om.* M
 31 exso] exito G 32 Auseberto V 33 illam] illa G Letanestra *om.* CGVM, *marg.* B,
 Letanostra *marg.* D 34 quam: ad add. DP^{PC} 35 hec omnia suprascripta *om.* M alodo]
 modo G 36 per] pro G quolibet G, quodlibet BP tentum *om.* V possessum est] pos-
 sessive C 38 accolabiis C 39 et] atque BP 43 Domne] Sanctae M 44 Ternodrense G
 Videbeldum Da^c, Vidibelo B, Vibelum M, Videbelum V; et add BP Cecunias DV, Secunias
 G, Cecumas BP, Cicunias M Anciacum Da^cB^{ac}M, Ancianco DP^{PC}, Ansiaco G, Ancyrum V
 45 Latenses G, Leotincinse M Villa GP Maurianem Da^c, Moriane G Altamiripa DP^{PC},
 Altaripa GBPV Baniolum Da^cMV, Baniolo DP^{PC}G, Baniolo BP 46 Stafiacum Da^cV,
 Stafiaco DP^{PC}G, Strafiaco BP, Stasiacum M Colubarium Da^cB^{ac}VM Vullonecum Da^c,
 Vullone P, Villenecum V, Vilnouetum M Amauiorum G Cariniacum Da^cB^{ac}VM 47 Portense G Auiciacum Da^cB^{ac}VM Puscionem Da^cVM Athoariorum] Moariorum G 48
 Pussessionem DBPM, Pusseion G, Puscionem V illa *om.* GM 51–179 Similiter —

faciendi *om.* V 51 et *om.* C 52 eam *om.* M Pauliacense G 53 Aciacum M omnibus
 omni integritate uel D^{pc}B^{pc}P sicut: et add. M 56 uel] et BP 57 seu et] sicut G 59
 decessum BP 60 faciant M 64 minuere P 66 amittans D 70 minuere P uiuens ipsas
 abbas *tr.* G 71 ibi M 74 quoque donamus *om.* M perpetuum P 75 Burnacense G
 76 Alcinse BP Burnatum D^{pc}, Burnadum B^{pc}P 78 seu] et G colonicas P, colonecis M
 Cadonato] ea donato G Gessiaco GM 79 Luuericico C Pruuiniaco Ba^cM Auderaco
 B^{pc}P Ternodrense G 80 Blasciaco G, Blauiaco B, Blauaco M Aualense G Neuernense
 G 82 uel] et G Liscouio B^{pc}P, Lisconio M 83 Viriaco DGM Valentengos G, Valen-
 tinas BP Vallecreuria BP 84 Cassiaco P 85 in Ariaco] Marieco D, in Aridco B 87
 Ledanestra BP 90 exso] egresso G integrum: et add DBPM 91 Barrene G Vlmodo
 M Pauliacense G Corniaco BPM 92 Blundoniaco P 93 Gransone P, Crausone M
 Augustodunum GM, Augustidunum BP 94 ciuitatem G 95 uel] et G tenere ibidem *tr.* BP
 et] uel D^{pc}B^{pc}P 96 legibus: ad nos add. BP debet: et add C 97 Ihesu P 100 accolabus
 CB^{ac} 102 maiorum P 103 minorem P 105 Flauniacensis P 106 Gysberto Da^cB,
 Ghisberto D^{pc}M, Gisberto P, Grimberto B, Gimberto M 107 Darlonecas B^{pc}P 108
 Cersio G ingenuas P 109 ipsorum] eorum D^{pc}B^{pc}P superposito DBPM 110 defen-
 siones GBP 114 supra G 115 alcubi G 116 Videmonium C, lidemonio D^{pc} 117
 nullatenus *om.* M eis] ipsis P 119 reseruauimus M Pagaciacum BPM 120 Neuernense
 G Monte G porciones P 120–121 nostras — Colen *om.* CGBM, *marg.* D 121 Cris-
 piciaco D 122 Atoariorum G Portense G 123 Ebrouuillare M 125 mee: penitus add
Dmarg Bmarg.P 126 uel adtraxero] aut adtraxero G 130 praesens DM, praesentem B
 130–131 opere meo *tr.* M 131 extruxi B^{pc}P 132 committo] commendo D^{pc}M, committo
 et commendo BP 133 ullomo] aliquid D^{pc}B^{pc}P 134 non] in C 135 mansionarios GB
 137 Tosodienses C Lirenenses D^{pc}, Lerinenses M uel] aut C 138 sanctis] supradictis
 BP 139 benedicere: uel consecrare add D^{pc}BP 140 ab *om.* C, *marg.* B 141 uel] aut G
 142 Deus] Dominus G 144 ipsis] illius M 145–146 subi meliorem *om.* M 146 meli-
 orem *om.* CDG, *marg.* B 151 Deum] Domini G 152 Dominum G 155 domno gloriovo
 rege G regnament DM 156 succedentem DM 160 noster *om.* M 164 meum *om.* BP
 165 Dominum G 166 ei cui] cui quem M 167 argenti M pondus GP, pondera M 169
 subtus G et *om.* M 170 memorare DGBP 171 seu] tam et B^{pc}P 173 redetetur]
 uidebetur G 177 ea *om.* G 178 ut] uel DGBP 180 Theodericus *om.* DGBP 181
 Vuyderadus G, Vuidradus M abbas DG; subscripsi add. P 183 Amalsindus. Haldofredus
om. V 184 castro: anno i Theodorici regis add. V Februariarum G xv] duodecim G 185
 Aldofredi G, Haldofreti V 186 Vuidrado M proinlustri G 186–187 anno — DCCVI *om.*
 M 186–187 anno — primo *om.* V 187 DCVI D uero *om.* M Theodorici GB^{ac}PM
 188 Gerefrido V

For the date of this charter, see the Introduction. It was reissued, six days later, at Flavigny; see document no. 57. “Theodericus” in line 203 is represented by a monogram in both C and Viole; G has some wiggles which presumably are meant to indicate a monogram.

Mabillon, who used the first charter in the twelfth-century cartulary for his edition, commented that he had also seen an earlier version, which he found hard to read. This was doubtless document no. 57; see the Introduction. D also had seen both texts; although he used no. 1 for his transcription, in a few places he corrected his manuscript to make it more like no. 57, including writing the closing from no. 57 in the margin. The text of P seems based on a single exemplar but still has more similarities to no. 57 than does the text of C or Mabillon. There-

fore one can conclude that the late medieval scribe who recopied the cartulary (from whose copy P worked) had himself incorporated some aspects of no. 57 into his copy of no. 1. Even though the scribe of B used the same exemplar as P for most of the cartulary, for no. 1 he seems to have used the twelfth-century cartulary, as his text is closer to C than his texts are for other documents. However, numerous corrections were made, presumably using the late medieval copy of the cartulary, to bring his text closer to that of P.

This charter is very much in the classic style of Merovingian testaments, as studied by Ulrich Nonn.¹³ The reference to property reserved “in fauidia,” which has confused some editors (Plancher read “infancidia,” Baudiau “in familia”), is a reference to the Roman law of “falcidia,” which required that a certain minimum be left to the testator’s relatives, to nephews if he had no sons.

2

Autun, 27 May 719

Wideradus confirms the possessions of Flavigny and establishes observance of the Benedictine Rule there.

MANUSCRIPTS

- C, pp. 400–7, no. 2.
- D, fols. 10r–11v.
- B, fols. 252r–254r, no. 2.
- P, pp. 9–15.

Grignard, pp. 91–97, on the basis of C and P; dated 721/22.

PRINTED EDITIONS

- Jean Mabillon, *Acta sanctorum ordinis S. Benedicti*, pp. 637–38; dated 744.
- Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, pp. iv–v, no. 2, on the basis of C.
- J.-M. Pardessus, *Diplomata, chartae, epistolae, leges aliaque instrumenta ad res Gallo-Francicas spectantia*, vol. 2, pp. 399–402, no. 587, on the basis of Mabillon and Plancher; dated 746.
- J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, vol. 3, pp. 467–68, no. 3, abbreviated.

SUMMARIES

- Maximilien Quantin, *Cartulaire générale de l’Yonne*, p. 2, no. 2.
- Collenot, pp. 48–51, no. 2.

Text established on the basis of C, D, B, P, and Mabillon (=M).

¹³Ulrich Nonn, “Merowingische Testamente,” pp. 1–129. He examines this particular one on pp. 33–34 and dates it 18 January 722. See also Patrick J. Geary, *Aristocracy in Provence*, pp. 27–29.

Sacrosancti loci reuerentia in honore Christi Flauiniaco castro in pago Alinsinse constructum, in Dei nomine Vuidradus abba.

Antiqua legum authoritas et principum decreta sancxerunt ut unusquisque dum manet in corpore de propria quam possidet facultate uoluntatem suam litteris inserat, ut perhennis temporibus inuiolata permaneat. Quapropter dum non habetur incognitum qualiter ego Vuidradus in Dei nomine abba una cum consensu uel uoluntate Galliarum pontificum in re mea propria apud Flauiniacum castrum in agro Burniacense qui ex successione parentum meorum michi euenit, in amore Christi saluatoris eterni et honore Sancti Preiecti uel coeterorum sanctorum meo opere construxi, donamus et donatum in perpetuum esse uolumus ad iam nominatum monasterium Sancti Preiecti uel abbati Magoaldo, qui ibidem sanctum ordinem Deo auxiliante gubernare faciat et suos monachos ibi instituat, ut per eius ordinationem ipse sanctus ordo perpetualiter sit institutus et conseruatus, Flauiniacum scilicet castrum ubi ipsum monasterium est constructum, cum ipso agro Bornacinse cum omnibus adiacentiis uel omnibus appendiciis eorum ad integrum. Similiter donamus curtem que uocatur Cadoniacus que fuit de dono quod dominus Theodoricus rex genitori meo concessit, et Gysciacum quam de Angoleno comparaui. Et donamus curtem que uocatur Darciacus et alia loca, Anciacum et Agoniacum uel Pruiniacum et Luguniacum potestatem Sancti Agolini uillare etiam. Similiter in pago Ternodrinse, curtem que uocatur Blaciacus et Marcomania. In pago Duismense, Audrate, Montecellis. In pago Aualinse, Cassaniola, Cappas uel Degantiaco et Cassiaco, una cum ipso oratorio quod meo opere construxi, et Palatiolo seu Gouilis et Prumanis uel Antonem.¹ Dono etiam Aglias, Balderias. In pago Belnisse, Sineuineas et Matronecum.² In pago Athoariorum, Flexo et Blandoneco. In pago Amaorum, Macerias et Fraxino seu Cariniaco et Casellas, et in Grausone uel Salinas portionem nostram, quicquid ibidem habemus uel legibus nobis redebetur.³ Ista omnia que

¹Up to this point, almost all these places were also listed in document no. 1. Bornet, Channay, Gissey, Darcey, and Ancy were all listed there. Eugny, Preugny, Leugny, Blaisy, and Marmagne were all listed in document no. 1, as were Orret and Montceaux, although these last two were listed as being in the pagus of Auxois rather than Duesmois. Also listed in the first testament were Chasseigne, Chappe, Diancey, Chissey, Palaizot, Goix, and Anthien. I have not identified "Prumanis."

²I have not identified these places. Maximilien Quantin suggests that "Balderias" was identical with a farm called Vaudran located near Lucy-le-Bois, which is 49 km west of Flavigny; *Dictionnaire topographique du département de l'Yonne*, p. 135. Alphonse Roserot says that there used to be a place called Sanvignes just north of Beaune, although he does not identify it as the place mentioned here; *Dictionnaire topographique du département de la Côte-d'Or*, p. 367. Joseph Garnier identifies "Matronecus" as Mercueil, 8 km south of Beaune; Garnier, "Chartes bourguignonnes inédites des IXe, Xe et XIe siècles," p. 85.

³Flée (today part of Dampierre-et-Flée) is 31 km northeast of Dijon. "Blandoneco" in the pagus of Attuyer is also mentioned in document no. 1. I have not identified "Macerias" in

superius quantumcumque ibidem per quemlibet adtractum tenemus totum et ad
 30 integrum cum omne supraposito in nostro uidelicet priori testamento,⁴ a die
 presente in honore Sancti Preiecti pro remedio anime mee uel eterna salute
 dedimus, cum domibus, edificiis, mancipiis, acolabus, libertis, uineis, siluis,
 campis, pratis, pascuis, aquis aquarumque decursibus, omne genus pecorum,
 libros, strumenta cartarum, ministeria uel uestimenta eclesie, mobilibus et
 35 immobilibus, omnem rem inexquisitam, quicquid dici uel nominari potest
 inibidem, totum et ad integrum ad suprascriptum Flauiniacum monasterium
 uel iam dicto abbati eiusque monachis perpetualiter protegente Domino tra-
 didimus ad possidendum. Et donamus areas infra Eduam ciuitatem et quan-
 tumcumque inibidem nobis legibus redebetur. Et dum omnes presules et
 40 nobiles persone agnoscunt et coprouincialibus nostris cognitum est, quod
 ego Vuidradus in mea re propria iam denominato monasterio et coenobiolo
 sancto ibidem propter Deum instituto quicquid exinde facere uolo presenti
 tempore, in omnibus michi libera manet potestas. Et dum ego per alia stru-
 menta ad monasteria Sancti Andochii uel Sancte Regine martiris, uel per alias
 45 eclesias de rebus meis propriis delegavi, propterea per presentem paginam
 cum consensu supramemoratorum pontificum constituo ut nullus episcopus
 ullius ciuitatis aut archidiaconus uel quilibet ex clero aut actores eclesie nul-
 lum ibidem exercere dominatum, non ad mansionaticos aut repasticos exi-
 gendo, nec ad ministeria describendo, non ad abbatem mittendo. Dum uero
 50 necesse fuerit chrisma petere, tabulas aut altaria consecrare, sacros ordines
 benedicere, abba uel monachi ibi consistentes a quocumque de sanctis epis-
 copis sibi elegerint, qui hoc facere debeat, licentia sit eis expetere, et illi hoc
 benedicere uel consecrare. Si uero caritate exigente pontifex quilibet ab abbatे
 loci illius ibi fuerit inuitatus, simpliciter que ei a fratribus offeruntur accipiat,
 55 nulla exenia uel munuscula amplius eis querat, neque de omnibus rebus ipsius
 monasterii ullam habeant potestatem. Quod si pontifex uel aliquis quislibet
 ex ecclasiasticis ministris uel aliqua emissa persona contra ipsum abbatem uel
 eius congregationem de suprascriptis ordinibus uel benedictionibus, seu de
 rebus propriis monasterii, uel per qualemcumque strumentum aut quocumque
 60 modo ad ipsam casam fuit, uel in antea fuerit delegatum ac decommutatum
 uel concessum, uel quicquid ad ipsum monasterium uel homines ipsorum
 monachorum pertinet, aliquid calumpniare aut inquietare, uel per quodlibet
 ingenium minuare temptauerit, nec hoc ualeat vindicare, et insuper illas res
 quas ad eclesias uel ad monasteria in eorum parochiis per alia strumenta uel
 65 testamenta delegauimus ipsas res perdant, et abba uel actores supradicti mo-

the pagus of Amous, but it was also in the first testament. Frasnes, Grozon, and Salins are listed in document no. I among the property Wideradus gave Flavigny, and Chamay and Chazelle among the property he gave St.-Andoche.

⁴This is a reference to document no. I.

nasterii Sancti Preiecti ipsas res sine ullius contradictione aut consignatione ad suam faciant reuocare dominationem. Cum uero abba ipsius sancti loci acceperit transitum, quemcumque de semetipsis monachis ibi habitantes secundum Deum et regulam Sancti Benedicti meliorem inuenerint, ipsum abbatem ibi instituant. Quod si ibi de se ipsis talem non inuenerint, communi consilio illi sanctiores monachi aliunde regularem abbatem, qui eos secundum regulam Sancti Benedicti regat, eligendum in eorum maneat potestate. Quod uero Deus auertat, ne ibidem ordo sanctus tepestat et ipse abba emendare hoc proponit aut neglegit, uel ipsi monachi hoc noluerint, tunc qui ex ipsis recto ordine secundum regulam ibi uoluerint uiuere, ubicumque in proximis monasteriis rectius et sanctius secundum regulam Sancti Benedicti inuenerint, potestatem habeant expetere, et per eorum salubre consilium ipsum sanctum ordinem regulariter emendare. Precor igitur gloriosum dominum cui temporibus modernis et futuris succendentibus Deus regnum Burgundie gubernare permiserit, et per Dei tremendum iudicium adiurare presumo ut presentem paginam uel facta mea ex iam dicto coenobiolo meo sua fortitudo contra omnem aduersitatem pro mercede sua uel regni sui stabilitate post Deum iubeat defensare atque solidum in omnibus custodire, ut nullatenus ab infestatione malorum hominum possit inrumpi, sed delectet abbati uel sacerdotibus seu monachis ibi conuersantibus pro uita ipsius et filiorum eius atque exercitu eius et omni populo catholico quieto ordine Dominum suplicare. Si quis uero, quod futurum esse non credo, si ego ipse aut aliquis heredum ac proheredum meorum uel quislibet oposita persona presentem paginam uel facta mea, que ego deuoto animo et bona uoluntate pro aeterna retributione feci et firmare rogaui per anteriorem uel posteriorem structionem uel pro quolibet modo aut ingenio infrangere conauerit, uel temptare presumpserit, in primis usque dum ad ueram emendationem proinde corrigatur, Deum et sanctos suos habeat contrarios, et a liminibus eclesiarum efficiatur extraneus, et siquid de rebus meis habet condonatum amittat et ad partem suprascripti monasterii Sancti Preiecti reuertatur, et insuper inferat ei quem pulsauerit una cum socio fisco auri libras xxx argenti pondua quingenta sicut in priori testamento habetur, coactus exsoluat, et quod repetit non vindicet, et nichilominus presens pagina omni tempore firma permaneat, stipulatione subnixa quam manu mea subter firmaui et bonorum hominum signis uel alligationibus tradidi roborandam.

Moderannus episcopus.

Chebroaldus episcopus.

Ridelenus episcopus.⁵

⁵According to GC, Moderannus was bishop of Autun. The historians of both Langres and Nevers have claimed Chebroaldus as their bishop; Gams included him in the list of bishops

- Erimbertus archidiaconus.
 105 Gauderannus abba.
 Nordebertus.
 Giso abbas.
 Actum Agustiduno ciuitate publice, et scriptum per manum Boseleni cancellarii, flagitante suprascripto patre Guidrado, anno iiii regni domini nostri regis Chilperici, die sabbati proximo ante kalendas Iunias, his stipulantibus quorum nomina superius descriptissimus.

I Sacrosancti: Secundum testamentum Vuideradi abbatis *praem* P 2 Alinsense B, Alsinse M abbas BP 9 aeterni D, *om.* BPM 10 et: in *add.* B 12 sanctum] secundum M 15 Bornacense M 17 Caldonicus P Theodericus DBP 18 Grisiacum BP, Gisiacum M Augoleno P 19 Dardiacus B 20 Pruniacum P potestate M Agelini P, Angelini M 21 Tormodrinse P 23 Deganciaco D^{ac}, Deganciacum D^{pc}, Degantiacum M, de Granciaco BP Cassiacum DM 24 Antonem] autore ... BP 25 Anglias M Sineaineas M 26 Blandonelo P, Blandonero M Amoeorum M 27 Carimaco M Cassellas DBPM Crausone P, Grusone M 30 uidelicet: et *add.* M 32 dominibus] omnibus BP accolabis C, accolabus M 35–36 inibidem potest *tr.* D 36 supradictum BP 37 protegente] pro regente BP tradimus DBP 38 Vt D 40 prouincialibus BP, cum prouinalibus M 41 Vuideradus P coenobiolo et monasterio *tr.* P 42 ibidem: praesumant *add.* D 48 mansionarios BP, mansiaticos M 49 nec] non DBPM 50 petere: et *add.* D 50–53 sacros — consecrare *om.* BP *per homiotel* 55 omnibus] hominibus P 56 habeat DM 58 benedictionibus] descriptionibus C 59 strumenta P 67 Dum BP [ipsius] illius M sancti *om.* M 68 monachi D^{pc}M 70 abbatem ibi] abbatem ipsi M si ibi] si ibidem M 74 praeponit D^{ac}, praeualet D^{pc}, preponit BP, postponit M negligit BPM 80 Dei *om.* BP 84 delicit BP 86 Deum D 88 per heredum C 91 aut] uel M 96 cum socio] consocio CD^{ac}BM pondus PM 96–97 sicut — exsoluat *om.* BP 97 uendicet P 105 abbas B 107 Gysy DB 108 Augustoduno B 109 Vuidrado D, ... B 111 superius *om.* B

There are two versions of this testament, the one given here and another, dated the same although the style is different, which is given as document no. 58. The witnesses and closing of document no. 2 are very different in the different manuscripts. I have here followed C. This same ending was originally in D and B as well, though both copyists crossed it out. D seems to have used the text of no. 2 but in several places corrected his copy to make it closer to the text of no. 58. In a few places, the copyists of B and P seem to have had trouble reading their exemplar and inserted dots rather than a word.

Mabillon gave the ending from document no. 58 instead of this one, doubtless because that ending is fuller, even though the text of the document is clearly that of no. 2. The other printed texts also all give the ending from no. 58, rather than this ending.

In P, this document is given the ending from no. 57, which is curious, since no. 57 is another version of document no. 1, not of no. 2. In B, a later hand also

of both sees, on the basis of this charter, without apparently realizing it was the same person. Ridelenus was presumably bishop of whichever see Chebroaldus did not head.

gave the ending from no. 57 after crossing out this one. I have put the variant readings for the closing from the various manuscripts with the appropriate documents; hence, I only give here the readings from C, D, and B (before the latter two were crossed out).

In this document, Wideradus specified that the monks should follow the Benedictine Rule; no rule had been specified when he gave them property in his testament two years earlier, and indeed he had spoken vaguely of the practices of "Luxeuil, Lérins, and St.-Maurice of Agaune."

3

741–751

Pippin the Short gives Abbot Gayroinus and the monks of Flavigny fishing rights at Glanon and asks them to sing a psalm for him daily and to pray for him and his descendants. The gift is conveyed in a set of ivory tablets.

MANUSCRIPTS

- C, p. 408, no. 2 bis.
D, fol. 21r.
B, fol. 254v, no. 4.
P, p. 16.
Grignard, p. 146, on the basis of C and P; dated 745/52.

PRINTED EDITIONS

- Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, p. 91.
Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, pp. 269–70. This and the other documents from Flavigny that Labbe edited are "Analecta monumentorum coenobii Flauiniacensis descripta ex schedis R. P. Iacobi Sirmondi, Societatis Iesu, presbyteri."
Charles Le Cointe, *Annales ecclesiastici Francorum*, vol. 5, p. 180, on the basis of Labbe.
RHGF IV:99, no. 84, on the basis of Labbe.
H.-L. Bordier, *Du recueil des chartes mérovingiennes*, p. 57, no. 9, on the basis of P; dated 747–752.
MGH *Epistolae Merowingici et Karolini aevi* 1:468, no. 19, on the basis of D, B, and P; dated 748–751, called false.

SUMMARIES

- Collenot, pp. 51–52, dated 748/9.
J. F. Böhmer, *Regesta imperii*, vol. 1, p. 32, no. 64 (62); dated 748–51, called false.

Text established on the basis of C, D, P, B, Viole (=V), and Labbe (=L).

In Christi nomine. Vir inluster Pippinus maior domus, Domno Gayroino et omni congregationi Sancti Petri et Sancti Preiecti Flauiniacensis monasterii salutem.

Mittimus tibi istas tabulas eburneas ad honorem Sancti Petri et Sancti
 5 Preiecti in quibus mandamus ut suscipiatis illam piscinam nomine Glen-
 nonem¹ ad opus fratrum, ut habeant inde fratres refectionem et orent assidue
 tam pro me quam et pro omni progenie mea praesenti et futura, et precor ut
 per omnem diem unum psalmum canatis. Saluto te et omnem congrega-
 tionem uestram.

1 In: Pipinus maior domus mittit monasterio Flauiniaci tabulas eburneas *praem.* P
 Cristi P Pipinus BP, Pepinus V Domno *om.* CVL 4 istas] has BP 6 fratres *om.* L 9
 uestram] nostram CBVL

There is no real reason to call this charter false, as Jean Marilier has made clear; some scholars have considered the ivory tablets odd, yet they make sense given the importance of Flavigny's scriptorium in the eighth century.² The date, between 741 and 751, is based on Pippin's years as major domo.

Hugh of Flavigny, in his *Chronicon*, says that Gayroinus became abbot in 663, succeeding Wideradus, and that he obtained Glanon, though he did not say from whom.³ The necrology of Flavigny says that Pippin, major domo, the father of Charles Martel (and thus grandfather of Pippin the Short), gave Glanon to the monks.⁴ The idea that the abbey was founded in the seventh rather than the eighth century seems to have been very strong (see the Introduction).

4

Thionville, 3 May 775

Charlemagne frees the monks of Flavigny, where Manasses is abbot, from having to pay a variety of tolls.

MANUSCRIPTS

C, pp. 409–11, no. 3.

D, fol. 21r–v.

B, fol. 255r–v, no. 5.

P, pp. 16–18.

Grignard pp. 160–63; dated 775.

¹Glanon is on the Saône, 20 km east of Beaune.

²Jean Marilier, "Le scriptorium de l'abbaye de Flavigny au VIIIe siècle," p. 33.

³MGH SS 8:339.

⁴MGH SS 8:287.

PRINTED EDITIONS

Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 92–94.

RHGF 5:732–33, on the basis of Viole.

PL 97:948–49, no. 28, on the basis of RHGF.

MGH DD Karolinorum 1:138–39, no. 96, on the basis of D, B, and P; dated 3 May 775.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 270.

Collenot, pp. 56–57; dated 775.

J. F. Böhmer, *Regesta imperii*, vol. 1, p. 80, no. 185 (181); dated 775.

Text established on the basis of C, D, B, P, and Viole (=V).

Karolus gratia Dei rex Francorum et dux Langobardorum ac patricius Romanorum, uir inlustris.

Si petitionibus sacerdotum quod ad profectum eclesiarum pertinet deuota mente prestamus, retributorem omnium bonorum Iesum Christum ex hoc confidimus. Petuit celsitudinem nostram uenerabilis uir Manasses abba de monasterio quod vocatur Flauiniacus in pago Alsinsi, quod est constructum in honore Domini nostri Iesu Christi uel Sancti Petri et Sancti Preiecti, ut omne teloneum intra regnum nostrum de negotiantibus eorum uel de omnibus hominibus eorum qui per ipsam casam sperare uidentur, ut nullum teloneum dare non debeant in ciuitatibus, marcatis, uicis, uillis, pontis, portibus, nec ipsi monachi seu negotiantes eorum et homines eorum qui per ipsam casam sperare uidentur, nec teloneum, nec pontaticum, nec rodaticum, nec barganaticum, nec pulueraticum, nec mutaticum, nec riuaticum, nec salutaticum uel laudaticum, nec trauaticum, nec de hoc quod homines eorum ad dorsum portare uidentur, et quicquid exinde ad partem fisci nostri reddere debent, totum in luminaribus uel in stipendia monachorum et susceptionem pauperum in nostra elemosina ad ipsam casam Dei concessimus. Quas nunc et moderno tempore concessum atque indulatum esse uolumus, ut sicut diximus de omnibus teloneis in ciuitatibus, uicis, uillabus, pontis, portibus, pontatico, rodatico, barganiatico, pulueratico, mutatico, riuadico, salutatico, laudatico, trabatico et de hoc quod homines eorum ad dorsum portant et de negotiantibus eorum uel de omnibus hominibus eorum, deuote pro ipsa casa Dei Sancti Petri et Sancti Preiecti omni tempore perpetualiter concessimus atque indulsimus. Similiter concedimus ad ipsam casam Dei in uillabus eorum seu super terruriis eorum uel cinctus eorum infra aut ad foris ibidem aduenerint et quicquid ibidem negotiatum fuerit omne teloneum sicut superius diximus ad ipsam casam per nostram preceptionem concessimus. Et ut hec preceptio firmior habeatur et per tempora melius conseruetur, manu nostra subter decreuimus adfirmare.

30 Data die v nonas Maii et scripta per Radonem apud Theodonem uillam, palatio publico, anno vii predicti domini nostri Karoli.

I Karolus: Karoli magni preceptum de teloneo *praem.* P, In nomine sanctae et indiuuiduae trinitatis *praem.* D Karolus *om.* C, *marg.* B, Carolus V et *om.* V Langobardum B 8 intra] infra corr. MGH 10 mercatis V 12 rotaticum corr. MGH 13 mulaticum BP ripaticum corr. MGH 14 uel] nec BPV ad *om.* BPV 17 nunc] nec C 18 et] a V 20 redatico PV, rotatico corr. MGH ripatico corr. MGH 21 laudatico caudatico P 24 concessimus P 25 aut *om.* BP 31 domini C

A monogram of Charlemagne is reproduced at the end in C and Viole. Louis the Pious confirmed this grant forty years later; see the following charter.

5

Aachen, 1 July 816

Louis the Pious recalls that the monks of Flavigny, where Apollinaris is abbot, were freed from a variety of tolls by his father, Charlemagne. Louis confirms this grant of immunity.

MANUSCRIPTS

C, pp. 411–13, no. 4.

D, fol. 24r.

B, fols. 255v–256r, no. 6.

P, pp. 18–20.

Grignard, pp. 166–68, on the basis of C and P; dated 817.

PRINTED EDITION

Theodor Sickel, “Beiträge zur Diplomatik. V.,” pp. 401–2, no. 10, on the basis of P; dated 816.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 270.

Collenot, p. 58; dated 817.

J. F. Böhmer, *Regesta imperii*, vol. 1, p. 261, no. 620 (600); dated 816.

Text established on the basis of C, D, B, and P.

In nomine Domini Dei et Saluatoris nostri Iesu Christi. Hludouicus diuina ordinante prouidentia imperator augustus.

Omnibus episcopis, abbatibus, ducibus, comitibus, uicariis, centenariis, actionariis, uel omnibus rempublicam administrantibus, notum sit quia uir 5 uenerabilis Apollinaris abba ex monasterio Flauiniaco, quod est situm in pago Alsense constructum in honore Domini et Saluatoris nostri Iesu Christi et Sancti Petri principis apostolorum et Sancti Preiecti martiris, obtulit obtutibus nostris quandam autoritatem domni et genitoris nostri Karoli bone

memorie piissimi augusti, in qua continebatur insertum qualiter idem excellentissimus imperator concessisset eidem monasterio omne teloneum de nego- 10 tiatoribus eorum, uel de hominibus eorum qui per ipsam Dei casam sperare uidentur, uel de hoc quod homines ad eorum dora portant, et ut in uillas eorum seu super terris uel cinctus eorum infra aut foris aduenerint aut negotiatum fuerit, omne teloneum per eandem authoritatem eidem concessisset monasterio. Pro firmitatis namque studio postulauit nobis prefatus Apollinaris 15 abba ut paterne authoritati hanc nostram superadderemus authoritatem. Cuius petitioni libenter adquieuimus et hanc nostram authoritatem eidem monasterio fieri iussimus per quam precipimus atque iubemus ut nemo teloneum nec in ciuitatibus, nec in mercatibus aut uicis seu uillis uel pontibus aut portis, ipsi monachi aut negotiatores eorum, aut homines eorum qui per ipsam casam Dei 20 sperare uidentur, nec portaticum, nec rotaticum, nec barganiaticum, nec pulueraticum, nec mutaticum, nec ripaticum, nec salutaticum, nec laudaticum, nec trauaticum, nec de hoc quod homines ad eorum dora portant, exigere aut exactare presumat, et quicquid in uillis seu super terris uel cinctus eorum uel in mercatum qui super terram ipsius monasterii constitutus est infra aut foris 25 aduenerit et negotiatum fuerit eidem monasterio concessimus, et ita ab omnibus conseruetur quemadmodum a domno et genitore nostro et a nobis concessum est. Et ut hec authoritas ab omnibus fidelibus nostris uerius certius- 30 que credatur, eam manu propria subter firmauimus et anuli nostri impressione signari iussimus.

Data die kalendis Iulii, anno Christi propitio imperii domni Hludouici pii imperatoris iii, indictione viii, apud Aquasgranas palatio regio.

1 In: Hludouici imperatoris augusti confirmatio de teloneo *praem.* P 4 actionariis C 5 Appollinaris B 6 Alsinse BP constructum *om.* C 10 concessit P 11 casam Dei *tr.* D casam *om.* C 13 super] per BP 15 Appollinaris C 20 qui *om.* C 22 laudaticum] caudaticum P 28 hec: nostra *add.* BP 29 firmamus BP

A monogram is reproduced at the end in C.

Indiction 8 is the year 815, which would be the third year of Louis's reign if one counts from his association with his father in 813. Sickel, however, dates the charter 816, saying that the year of the reign, counting from Charlemagne's death, gives 816, and that Louis was in Paderborn on 1 July 815. Given Louis's itinerary, 816 is therefore most likely, and the indiction must be mistaken.

Although this charter repeats the immunities granted in no. 4, it is not a precise repetition of the language of that charter. Both the spelling of some of the sorts of tolls and their declension had changed in the intervening forty years.

6

Flavigny, 12 May 748

Baio and his wife Cylinia give Flavigny, where Gayroinus is abbot, all they have at Pouillenay, Magny, and Preugny, in the pagus of Auxois. He also confirms his parents' gift of the church of St.-Symphorien of Pouillenay and a vineyard.

MANUSCRIPTS

C, pp. 413–16, no. 5.

D, fol. 12r–v.

B, fols. 256v–257r, no. 7.

P, pp. 20–22.

Grignard pp. 139–41, on the basis of C and P; dated 748.

PRINTED EDITION

H.-L. Bordier, *Du recueil des chartes mérovingiennes*, pp. 57–60, no. 10, on the basis of P; dated 749.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 269.
Collenot, pp. 52–53; dated 750.

Text established on the basis of C, D, B, and P.

Hortatur quemquam Christianum eloquii diuini eruditio, Consentire aduersario suo dum est cum eo in uia, id est sermoni Dei dum manet in hac uita terrigena, ne postmodum ab aduersario tradatur iudici et a iudice ministro cum suis nequissimis operibus a quo mittatur in carcerem, ubi duras poenas lugeat
 5 donec nouissimum quadrantem, id est ultimum peccatum, exsoluat.¹ Huic itaque aduersario ego in Dei nomine Baio et matrona mea Cylinia consentire cupientes, cogitauimus propter timorem Dei uel ueniam de peccatis nostris, ut ante tribunal Christi eterni Iudicis mereamur accipere, dare basilice sacro-sancte Flauiniacensi, in honore Sancti Petri et Sancti Preiecti constructe, ubi
 10 uenerabilis uir Garroinus abba cum suis monachis preesse uidentur, aliquantulum de facultatibus nostris. Nichil enim melius, nichil utilius esse prospicitur, quam ut homo quantum quis poterit de mundanis rebus comparet sibi paradisum et de terrena substantia transeat ad celestia.² Ideoque nos propter hoc cedimus a die presente cessumque in perpetuum esse uolumus predicte
 15 basilice Dei in pago Alisenso in uilla que dicitur Pulliniacus uel in ipsas fines Magnacensis et Pruuiniacum,³ cum uniuersis agris illic pertinentibus,

¹Matt. 5:25–26.

²Cf. Matt. 6:19–20 and 1 Cor. 15:49.

³Pouillenay is 5 km west of Flavigny, and Magny is 9 km west-southwest. Magny is mentioned again in document no. 9. Preugny, now disappeared, was 4 km southwest. It was mentioned in Wideradus's testament.

ex omni re nostra in integrum partem, tam terris ularis una cum supra positis aedificiis, mancipiis, libertis, ingenuis qui apud nos epistolas meruerint accipere inspectas eorum ingenuitates, ac labus cum merito eorum, uel omni re peculum tam maiore quam minore, uel quicquid dici aut nominari potest, 20 campis, pratis, siluis, uineis, pomis, pascuis, aquis aquarumque decursibus cum exo et regresso, cum rebus et corporibus quicquid in iam dictas fines uisi sumus possidere, tam de proprio quam de comparato uel de quolibet adtracto aut undecumque ad nos peruenit aut in antea legibus deuenire potest. Cum ipsa aeclisia que in ipsa villa aedificata est, que est in honore Sancti 25 Symphoriani, cum uinea que ad ipsam eclesiam pertinet et dicitur Romerengias quam parentes mei ibidem in eorum elemosina concesserunt una cum ipsis strumentis cartarum uel ipso atrio ubi ipsa eclesia fundata est, ad integrum, sicut diximus a die presente ad iam dictam basilicam Sancti Petri et Sancti Preiecti cedimus, tradimus atque transfundimus, ut quicquid exinde 30 actores ipsius monasterii facere uoluerint, ut ibidem proficiat in augmentum liberam atque firmissimam habeant in omnibus potestatem perpetualiter ad possidendum. Siquis uero quod absit aut nos aut ullus de heredibus nostris uel quislibet uel ulla emissa persona contra cessionem istam quam nos deuoto animo et sincero consilio fieri uel firmare rogauimus repetere uoluerit, 35 uindicare non ualeat, sed inferat partibus monasterii tantum quantum ipse res meliorate uoluerint et in fisci uiribus auri untias tres et hec cessio omni tempore firma permaneat.

Actum Flauiniaco castro publico et exaratum a Ghysberto presbitero, die Dominico ante medium mensem Maii, anno vii Childerici regis, suggestente 40 et deprecante immo confirmante eodem uiro inlustri Baione una cum matrone sua Cylinia, his presentibus et conlaudantibus simulque stipulantibus:

Fulcobertus	Ghyso
Gayribaldus	Addarius
Adalarius	Item Adalarius
Dado	Ghysbertus

45

I Hortatur: Baio et Cylinia dant ecclesiae Flauiniacensis Pulliniacum Pruuiniacum cum ecclesia Sancti Symphoriani et uinea Romerengia *praem.* P 2 dum est] dum it B 4 luat D 12 quisque BP 15 Alisense D 17 super D 18 meruerunt BP 21 aquarum BP 25 ipsa om. P 29 integrum: et add. BP 37 uiribus] iuribus D 39 Flauigniaco C a Ghysberto] Aghrisberto C, a Ghyberto BP 41 matrona BP 43 Chyso BP 45 Adalarius item tr. P 46 Chrisbertus C, Ghysbertus BP

In 748 the two Sundays in the first half of May were the fifth and the twelfth; the twelfth seems more likely from the wording.

Hugh of Flavigny says that, in the time of Gayroinus, whose abbacy he had begun in 663, Baio gave Flavigny Pouillenay with its church, Magny, and Preugny.⁴ See also the following document.

7

Flavigny, June 748

Cylinia, wife of Baio, adds to her husband's gift to Flavigny by giving the monks all she or her father Deodatus had at three villae in the pagus of Dues-mois. Baio confirms.

MANUSCRIPTS

C, pp. 416–18, no. 6.

D, fol. 13r–v.

B, fols. 257r–258r, no. 8.

P, pp. 22–24.

Grignard, pp. 143–45, on the basis of C and P; dated 748.

PRINTED EDITION

H.-L. Bordier, *Du recueil des chartes mérovingiennes*, pp. 60–61, no. 11, on the basis of P; dated 749.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 270. Collenot, p. 53; dated 750.

Text established on the basis of C, D, B, and P.

Procurandum est omni homini regenerato lauacro Spiritus Sancti ne sollicitudine et affectu terrene substantie salutem paruipendat anime sue, sed potius illi dominice uoci obaedire studeat que dicit, Thesauritate uobis thesauros in celo, ubi non furatur fur nec erugo eruginat nec tinea corrumpit.¹ Peruer-
 sum namque nimium est semper in his spem ponere que sub uno momento in se melius sperantes insperate solent relinquere. Ob hoc igitur ego in Dei no-
 mine Cylinia filia Deodati, augere cupiens elemosinam quam senior ac spon-
 sus meus inclitus Baio una mecum hoc anno mense Maio Flauiniaco contulit
 monasterio, cedo eidem monasterio ubi uir uenerabilis Gayroinus abba cum
 suis monachis preesse et omnipotenti Deo deseruire uidetur, cessumque con-
 sentiente et conlaudante predicto coniuge meo a die presenti et in perpetuum
 esse uolumus, propter remedium nostre anime et celestes thesauros adquiren-
 dos, in pago Dusmensi in uilla que dicitur Puteolis et Optemariaco et Cleri-

⁴Hugh of Flavigny, *Chronicon*, MGH SS 8:339. See also the Introduction.

¹Matt. 6:20.

aco² quantumcumque in ipsis fines uisa sum habere aut possidere aut genitor meus superius nominatus habuit, terras scilicet uilares cum ipsa casa indo- 15 minicata cum omnibus aedificiis, una cum uniuersis campis ibi pertinentibus, pratis, siluis, pomiferis, pascuis, aquis aquarumque decursibus cum exu et regressu, cum omnibus rebus atque corporibus seruos et ancillas uel quantum in ipsa uilla possidere uidemur aut ibi aspicere uidentur. Sicut dictum est totum in integrum a die presente cedimus, tradimus, atque transfundimus 20 et de nostro iure et dominatione in monachorum Flauinacensium tradimus potestate perpetualiter ad possidendum, et quicquid exinde facere voluerint tam abbas quam monachi predicti coenobii ut ibidem proficiat in augmentum licentiam habeant. Siquis uero hominum quod absit aut ullus heredum nostrorum uel quelibet persona contra cessionem istam, quam nos deuoto animo 25 fieri rogauiimus, litigare aut preripere conauerit, ne uindicet quod repetit, sed inferat partibus monasterii quantum ipse res eo tempore meliorate ualuerint et in fisci uiribus auri untias duas, et hec cessio omni tempore firma permaneat.

Actum Flauiniaco castro, anno vii Childerici regis, mediante mense Iunio, conlaudante ipso Baione una cum Cylinia uxore suo, et scribente Gysberto 30 notario, his stipulantibus quorum nomina in alia cessione descripta esse uidentur, cum Vuascardo et Santerio principibus.

1 Procurandum: Cylinia in augmentum precedentis eleemosinae dat in pago Duesmensi uillas Puteolis Optemariacum Cleriacum *praem* P 6 melias B nomine Dei *tr.* B 11 coniugo B 15 terram B 17 exitu B 26 ne] non D, nec BP uendicet P 30 Crisberto C, Gylberto BP

Hugh of Flavigny mentioned this gift in his *Chronicon*, saying that it took place in the seventh year of Childeric's reign; he had doubtless seen this charter.³

8

Flavigny, 768

Wandalgar gives Flavigny some of his hereditary property at Marcilly, in the pagus of Auxois.

MANUSCRIPTS

C, pp. 418–20, no. 7.
B, fol. 258r, no. 9.

²Poiseul-la-Ville is 12 km northeast of Flavigny; see Maurice Chaume, *Les origines du duché de Bourgogne*, vol. 2, pt. 2, p. 870, n. 6. Poiseul is also mentioned in documents nos. 14, 23, 28, and 35. I have not identified "Optemariacus." Clrey is located 5 km south of Flavigny; the monks had property there in the late Middle Ages. See Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 111.

³MGH SS 8:339. He calls the villaes "Puteolos," "Opicmariacum," and "Cleriacum."

P, pp. 24–26.

Grignard, pp. 157–58, on the basis of C and P; dated 768.

SUMMARY

Collenot, p. 54; dated 758.

Text established on the basis of C, B, and P.

Obtima salus humigenarum in hoc consistit hominum ut uoluntaria spe ad suum opificem indesinenter adhelent illique proprio sumptu placere studeant cuius commercio sanguinis sibi agnoscant cum iocunditate uitam absque defectu manentem. Quanto enim in lapsu peccati culpa carnis oblectante depresso se quisque nouit, tanto ad hanc capescendam arcus se cohercens in exhibitione boni operis et elemosina expedite insudare, Domino in euangelio dicente, Date elemosinam et ecce omnia munda sunt uobis.¹ Huius rei gratia ego infimus omnium fonte sacro renatorum Guandalgarius ne ridiculum michi fiant priora bona et ut secundis perhenne utar, sortior et hereditate michi iure paterno concessa aliquantulam partem ad basilicam Sancti Petri et Sancti Preiecti coenobii Flauiniacensis ubi reuerendus abba cum secum degentibus monachis digne Domino Deo seruit, iureque perpetuo trado quicquid in uilla que dicitur Marsiliacus² sita in pago Alsinsi habere uideor intus uel foras, uel quicquid in finibus ipsius uille a genitrice mea nomine Agliana excipere merui, uilares scilicet, casas desuper positas, campos, pratos ac pasturula, uineas, siluas cum aquis et riuulis, tam de proprio quam de comparato in integrum, ut quicquid ipsi monachi mutua dispositione predicti coenobii facere uoluerint ex nunc et in aeuum potestatem liberam ac firmam obtineant, absque cauillatione cuiuspiam hominis, et licet poena sit legenti tam michi ob ineptas repetitiones fraudulentorum hominum complacuit ob mutiscendas inserere. Si ego ipse aut ullus de meis heredibus aut quislibet presentium futurorumue hominum contra hanc cessionem cum murmure clamare cupuerit, nullatenus euindicet ast legum iudicio rectoribus ipsius coenobii una cum fisco uncias iii auri, et prenotata cessio integro tenore perpetim uigeat, manu nostra fideliumque nostrorum tactu confirmata.

Vandalgarii. Vstronii. Videgarii. Hilperici. Agantei. Ondolini. Auidigoni.

Actum Flauiniaco coenobio, scribente Samadolo leuita ac notario, anno xvii Pipini imperatoris.

¹Luke 11:41.

²Marcilly is 12 km south-southwest of Flavigny. See also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 234–35. Marcilly is also mentioned in document no. 28.

1 Optima: Guandalgarius dat Sancto Praeicto Flauiniacensis uillam Marsiliacum sitam in pago Alsinsi *praem.* P Optima P 10 et Sancti] Sanctique B 11 secum *om.* C 16 corporato BP 26 Vandalgarii: S. *praem* P 28 Actum] Cum BP

Although Pippin was never emperor, the charter may only be referring to his rule as king, in which case the date of the charter would be 768.

9

Flavigny, 11 June 768

Maurengus gives Flavigny, where Manasses is abbot, all his hereditary property in the pagi of Dijonnais and Duesmois, located in two villae. He also adds to his parents' previous gift of property at Magny.

MANUSCRIPTS

C, pp. 420–21, no. 8.

D, fol. 20r.

B, fols. 258v–259r, no. 10.

P, pp. 26–27.

Grignard, pp. 154–55, on the basis of C and P; dated 768.

SUMMARY

Collenot, pp. 54–55; dated 758.

Text established on the basis of C, D, B, and P.

Quisquis corpori eclesie regeneratione secunda se comperit conexum esse precauens ne sollicitudinibus diuiciisque mundanis eius anima suffocetur, continuaque amittat gaudia dum cum luce currit huius uitae in augmento sue fidei et premia adipiscenda aeterne quietis. Vnde uicem rependere Deo omnia bona largienti ualeat debet sollicite perpendere sibi namque maxima preparat lucra qui uoluntate munda creatori suo exigua offert munera. Huius rei gratia ego in Dei nomine Maurengus dono ad Sancti Petri Sanctique Preiecti coenobium, Flauinacense scilicet, quo reuerendus abbas Manasses cum sua monachicali cohorte honore totius religionis pollet, uniuersas res hereditario iure ad me pertinentes que sunt in pago Diuionensis uel Duismensis seu in uilla nun- 10 cupante Sacriba et Pradogalando in ipso utique pago Duismense et in fine Stabolensis,¹ quicquid in his possidere uideor in mansis, domibus, aedificiis,

¹Salives is 32 km east-northeast of Flavigny, and Prégelan is 30 km east-northeast. According to Alphonse Roserot, there was a hamlet called Etolat in the commune of Salives; Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 157. The proximity of these places to each other makes identification very likely, though another possibility is that "Stabolensis" is Etalante, 22 km northeast of Flavigny. See also Maurice Chaume, *Les origines du duché de Bourgogne*, vol. 2, pt. 3, pp. 868–70. Roserot, however, identifies

acolabus, terris humidis ac rugosis. Et in pago Alsinsi, in uilla que dicitur Magnacus,² eodem iure confero ad predicti coenobii fratrum suplementum 15 quicquid in ipsa uilla michi parentalis reliquit origo uel coemptitia cuncta proprio sumptu, sublatam omnem controversiam cuiuscumque hominis presentis et futuri. Quod si quis presumpserit iudicio legali districtus soluat monachis uncias iii argenti nilque obtineat quod inquirit.

Actum Flauiniaco coenobio, anno xvii Pippini imperatoris, iii Idus Iunii.

1 Quisquis: Maurengus dat conuentui Flauiniaciensi omnia quae habebat in uillis Sacriba Prata Galando et in fine Stabolensis *praem.* P eclesie: catholicae *add.* BP 7 ad *om* B 10 Diuionensi D Duismensi D 11 Pratogalando P 14 fratrum] firmum BP 18 monachis *om.* BP nihilque BP 19 Pipini BP

Although Pippin was never emperor, this charter, like the preceding, was probably done in 768. Because Maurengus says that he is adding to his parents' previous gift of property at Magny, he may be the son of Baio and Cylinia, who had given property there twenty years earlier; see document no. 6.

10

Flavigny, 751/52 (?)

Hildebrand gives Flavigny all his hereditary property in the villa of Miard, in the county of Auxois.

MANUSCRIPTS

C, pp. 421–22, no. 9.

B, fol. 259r, no. 11.

P, pp. 27–28.

Grignard, pp. 152–53, on the basis of C and P; dated 755/68.

SUMMARY

Collenot, p. 55, dated 752/68.

Text established on the basis of C, B, and P.

"Sacriba" as Saigrive, a farm in the commune of Francheville, 27 km east-southeast of Flavigny, and "Stabolensis" as Etaules, 7 km southeast of Francheville; *Dictionnaire topographique de la Côte-d'Or*, pp. 156, 336. In 1096, one Aymo, probably Aymo II of Tilchâtel, gave Flavigny an annual income drawn from the *castrum* of "Sacriba"; Hugh of Flavigny, *Chronicon*, MGH SS 8:476. Til is about equidistant from Salives and Francheville.

²Magny is 9 km west-southwest of Flavigny. It is also mentioned in document no. 6.

Mole criminum pressus flamarumque gehennalium formidans incendium,
 ego in Christi nomine Hildebrannus¹ ad coenobium uenio Flauiniacense iani-
 toris Petri ac Preiecti martiris honore sacratum, quorum pio interuentu ac sa-
 lubri supplicatione monachorum ibidem degentium adipisci merear meorum
 ueniam scelerum, et dono ipsis monachis successoribusque eorum omnem 5
 patrimoniale hereditatem qua potior in villa Miardo coniacentem,² in comi-
 tatu Alsinsi, cum domibus et vineis uniuersisque rebus uel mancipia adser-
 uiendum, funditus trado, ita ut perpetualiter exclusa omnis hominis calump-
 nia in monachorum abbatisque Manasse permaneant potestate. Quod si quis
 instinctu inquieti hostis in hanc donationem insurgere usurpandi causa pre- 10
 sumpserit, hic conuictus iudicaria lege nichil euindicit de his, sed pro iurgo
 conferat monachis uncias denas auri nisi eorum oratio intercesserit.

Actum Flauiniaco coenobio, anno Pippini regis primo.

1 Mole: Hildebrandus dat Manassi abbatii et coenobio Flauiniaciensi quicquid habebat in
 villa Miardo *praem* P Mole] ... BP 2 Hildebrandus BP Flauiniaensem C 13 Actum]
 clum B, cium P Pipini P primo *om.* CP

The copyists of BP seem to have had trouble reading the first word of this charter, for they put dots instead. The first year of Pippin's reign was 751/52, yet there are difficulties with this date. It is only given in B, not in C or P, and Abbot Manasses took office only in 755, according to the "Series" of abbots of Flavigny.³

11

Flavigny, 751/52 (?)

The priest Gundrad gives Flavigny, where Manasses is abbot, his property in the pagus of Duesmois.

MANUSCRIPTS

C, pp. 422–23, no. 10.

D, fol. 20r–v.

B, fol. 259v, no. 12.

P, pp. 28–29.

Grignard, pp. 149–51, on the basis of C and P; dated 755–68.

¹Léon Levillain suggests that this Hildebrand may be identical with Childebrand, who sponsored the continuation of Fredegar's *Chronicle*; MGH SS rerum Merovingicarum 2:177. Levillain, "Les Nibelungen historiques et leurs alliances de famille," p. 343.

²Miard is now a farm, located 15 km south of Flavigny. It is also mentioned in document no. 54.

³MGH SS 8:502.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 270.
Collenot, p. 54; dated c. 758.

Text established on the basis of C, D, B, and P.

Die ultimo propinquante, curandum est unicuique ne eum anticipent mortis
umbre utque eorum orrorem secludat luce elemosinarum aduersantur dum mu-
tuuo anima et caro semet accendat et enim splendor lucerne caliginem domus
pellit obfuscate ita elemosina reuerenter Deo oblata offerentis eliminatur faci-
5 nora. Vnde ego in nomine Christi Gundradus sacerdotali quamuis inmerite
functus officio ruinam auernalem nequissimis actibus carnis anime debitam,
miserantis Dei clementiam confidens atque sanctorum fideliumque suorum
suffragantibus secludere, dono perpetualiter abbatii Manassei monachisque,
presentibus et per tempora eui succendentibus coenobii Flauiniacensis culmine
10 apostolorum principis Petri ac martiris Preiecti circumquaque florentis, omnes
res quas legitimo cartarum iure in pago Duismensi possidere uideor et sitas in
fundo Baiodrinse, cum integra colonia Montecellis¹ persistentem et quicquid
ad ipsas pertinere conspicitur, ab hodierna die et deinceps ad casam Flauini-
calem funditus trado, ut quicquid exinde monachis secundum suum uelle libu-
15 erit facere in eorum sit iussione sine cuiuslibet hominis contradictione. Quod
siquis temere contra eos cupierit grunnire legum oppressus conflictu coeno-
bitis, soluat predicti loci lx solidos argenti sicque uacuus fiat callidus temera-
tor omni tempore rebus.

Actum Flauiniaco publice, anno regni Pippini principis primo.

1 Die: Gundradus sacerdos dat Manassi abbatii et conuentui Flauiniaciensi quicquid habebat
in fondo Baiodrinse *praem.* P 2 horrorem DBP 3 et enim] ut enim D 4 eliminat BP 5
Cundradus C, Gundradus BP 19 primo] ... D, *om.* CP

This document, like the preceding one, was given in 751/52 if the reading “primo” in B is correct, although C and P omitted this word and D inserted dots instead. Otherwise, it was given between 755, when Manasses took office, and 768, the year of Pippin’s death.

¹Barjon is 34 km northeast of Flavigny; for this identification, see Joseph Garnier, “Chartes bourguignonnes inédites des IX^e, X^e et XI^e siècles,” p. 83. “Montecellis,” which French scholars usually call Montceaux, is also mentioned in Wideradus’s testament. According to Maurice Chaume, there used to be a place of that name near Billy (14 km east-northeast of Flavigny), often mentioned in Oigny’s charters. (Oigny is 2 1/2 km north of Billy.) Chaume, *Les origines du duché de Bourgogne*, vol. 2, pt. 3, p. 870.

12

8th century (?)

Arduguinus gives Flavigny his hereditary property in the region of Vesvres.

MANUSCRIPTS

C, pp. 423–24, no. 11.

B, fol. 260r, no. 13.

P, p. 29.

Grignard, p. 164, on the basis of C and P; dated 755–68.

PRINTED EDITION

H.-L. Bordier, *Du recueil des chartes mérovingiennes*, pp. 61–62, no. 12, on the basis of P; dated 748.

SUMMARY

Collenot, p. 98.

Text established on the basis of C, B, and P.

Clarescat omnibus nostris diebus uiuentibus et per longa tempora seculi succendentibus quam ego Arduguinus, propter immarcessibilem aeterne felicitatis gloriam ad sequendam, omnem hereditatem meam que coniacet in pago Vauerensi,¹ cum mancipiis, aedificiis, uniuersisque rebus, dono ad limina sanctorum Petri apostoli ac martiris Preiecti Flauiniacensis utique coenobii, 5 ut in monachorum illinc degentium funditus amodo, usque ad finem uniuersae carnis libera maneat dominatione. Quod si ego aut quisquam hominum aliquid ex his subripere conatu maligno uoluerit, nullatenus quod inpetere nititur adsequatur, sed semper in generali monachorum stipendio reseruetur.

1 Clarescat: Arduguinus dat coenobio Flauiniaciensi omne quod habebat in pago Vavarensi *praem.* P 2 quam] quoniam BP

This document ends quite abruptly and may have lost a final portion; P gives two lines of dots. Like the preceding documents, it probably comes from the middle of the eighth century, but one cannot be sure.

¹Vesvres is 14 km south of Flavigny. It is also mentioned in documents nos. 14, 23, and 18, although this is the only mention of it as the center of a pagus. For this identification, see Joseph Garnier, "Chartes bourguignonnes inédites des IX^e, X^e et XI^e siècles," p. 80.

13

775/76

Charlemagne, at the request of Manasses, abbot of Flavigny, and of Theodulf, bishop of Orléans, grants Flavigny the right to maintain perpetual authority over any monastery the monks build at Corbigny. He sends them a silver reliquary with relics of the Holy Sepulcher and of St. James.

MANUSCRIPTS

- C, pp. 424–25, no. 12.
- D, fol. 22r.
- B, fol. 260r–v, no. 14.
- P, p. 30.

Paris, Bibliothèque nationale, MS lat. 12665, fol. 224v, a “Monasticon Benedictinum” of the eighteenth century, on the basis of Viole.

PRINTED EDITIONS

- Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 95–96.
- Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 270.
- Charles Le Cointe, *Annales ecclesiastici Francorum*, vol. 6, pp. 316–17, on the basis of Labbe.
- Jean Mabillon, *Acta sanctorum ordinis S. Benedicti*, vol. 3, p. 640, on the basis of Labbe; dated 777.
- GC 4:44–45, no. 5, on the basis of Viole, and not on the basis of BN lat. 12665, as the editors of MGH thought; both GC and that manuscript were based on Viole's edition.
- Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, p. v, no. 3, on the basis of Mabillon, and not on the basis of C, as the editors of MGH thought; dated 776.
- J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, vol. 3, pp. 468–69.
- RHGF 4:627, no. 13, on the basis of Labbe.
- PL 98:909–10, no. 10, on the basis of Labbe; dated 798.
- MGH DD Karolinorum 1:311–12, no. 228, on the basis of D, B, P, and BN lat. 12665; called a forgery; dated 775/76.

SUMMARIES

- J. F. Böhmer, *Regesta imperii*, vol. 1, p. 86, no. 204 (200); called a forgery; dated 775/76.
- Collenot, p. 57, dated 776.

Text established on the basis of C, D, B, P, Viole (=V), and Labbe (=L).

Karolus gratia Dei rex Francorum ac patricius Romanorum abbatii Manasse Flauiniacensis coenobii salutem.

Benedictum nomen Domini in seculum, quod per te et per monachorum tuorum laudabilem conuersationem plurimum glorificatur in gentibus, eo

quod laus eius in ore uestro semper uersatur. Petitionem itaque de constructione coenobii apud Corbiniacum, quam per Theodulfum episcopum Aurelianensem atque abbatem coenobii Floriacensis libenter suscepimus, et clementer concedimus et precipimus ut monachi, quos ibi mittetis, ne aliquando mandatorum Dei uiam obliiti, sepius in Flauiniacum reuertantur coenobium ibique officia sua compleant; et meliorati iussu tuo et monachorum tuorum 10 reuertantur. Censum uero quodcumque statueris eis, omni tempore soluant. Ab alio uero censu tuo amore liberos reddo, uti reddidi Flauiniacum. Mitto autem uobis capsam argenteam sepulcri Salvatoris et Sancti Iacobi apostoli fratris Domini reliquias continentem, orans et supplicans ut mei memores pro me et filiis nostris assidue apud Dominum interueniatis. Saluto te et omnem 15 congregationem uestram.

Ego Rado scripsi dictaui, anno viii domini nostri predicti regis Karoli, regnante Domino Iesu Christo in eternum.

1 Karolus: Preceptum Karoli imperatoris pro constructione coenobii apud Corbiniacum et de reliquiis sepulchri et Sancti Iacobi *praem.* P 3 per te et per] iuxta L, per te et BP 5 semper in ore uestro *tr.* L uersetur V 7 atque] aeque L Floriacensis: insinuatis *add.* Vac 8 mitteris BP 10 compleant] confirmirat L 11 quemcumque V, quemcumque L 13 apostoli *om.* V 16 uestram] nostram CDBPL 17-18 Ego — eternum *om.* BPV 17 scripsi: et *add.* D domni D 18 Domino: nostro *add.* L eternum] perpetuum D

This document has long been considered a forgery, but there seems no good reason to doubt its authenticity. It is given in the same style as Charlemagne's authentic documents. While the editors of MGH thought that this showed the forgers had used a real document as a model, it seems more likely that this charter was given at the same time as document no. 4 above, which while also written by Rado does not in fact use precisely the same wording (as one might expect a forger to do).

Böhmer-Mühlbacher called the charter false because of the appearance in it of Theodulf, bishop of Orléans, saying that he only became bishop in 794. In fact, the eighth-century history of Orléans is extremely unclear, and there is no solid evidence when he became either abbot of Fleury or bishop of Orléans; historians of Orléans formerly dated his accession to the see by the present document.

Although the editors of MGH argued that this document was forged in the eleventh century, when the monks of Corbigny were fighting against any supervision from Flavigny, the foundation charter for Corbigny from 864, document no. 52 below, which was accepted by both the monks of Corbigny and Flavigny as authentic, refers to the present charter. Wideradus seems to have intended to establish monks at Corbigny, even though he never did so, because he settled property on Corbigny in his testament; it is reasonable that two generations later the monks of Flavigny, who considered themselves Wideradus's principal heirs, would want to ensure that any monastery there would be under their jurisdiction.

14

Lucenay-l'Evêque, 4 December 840

Lothair I recalls that his father, Louis the Pious, had, through his missi, declared that certain property belonged to Flavigny, and confirms this grant himself.

MANUSCRIPTS

C, pp. 425–28, no. 13.

D, fol. 25r–v.

B, fols. 260v–261v, no. 15.

P, pp. 30–33.

Grignard, pp. 170–73, on the basis of C and P; dated 840.

PRINTED EDITIONS

Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 104–7.

RHGF 8:376–77, on the basis of Viole.

MGH DD Karolinorum 3:144–46, no. 50, on the basis of D, B, and P; dated 840.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 270. Collenot, pp. 59–60, dated 841.

J. F. Böhmer, *Regesta imperii*, vol. 1, pp. 436–37, no. 1076 (1042); dated 840.

Text established on the basis of C, D, B, P, and Viole (=V).

In nomine Domini nostri Iesu Christi Dei aeterni, Hlotharius diuina ordinante prouidentia imperator augustus.

Si petitionibus seruorum Dei quas nostris auribus insinuauerint libenter annuimus et eas ad effectum perducimus, non solum imperiale exercitus 5 consuetudinem, uerum etiam hoc nobis procul dubio ad aeternam remuneracionem rependi minimine diffidimus. Ideo nouerit omnium fidelium sancte Dei aeclesie ac nostrorum tam presentium quam et futurorum industria, quia monachi ex coenobio Flauiniacensi, quod constructum est in honore Beati Petri principis apostolorum uel Preiecti martiris, quod situm est in pago Alsinse, 10 nostram adierunt clementiam detuleruntque nobis quandam ordinationem quam dominus et pie recordationis genitor noster Hludouicus augustus inibi propter euitandas discordias, per missos suos, per Haldricum scilicet sancte Senonicensis eclesie uenerabilem quandam archiepiscopum,¹ necnon et Albericum Lingonensis eclesie episcopum² seu Motuinum Augustudunensis episco-

¹Aldric, archbishop of Sens.

²Alberic, bishop of Langres (c.817–38); MGH Concilia [Legum sectio 3] 2.681.

pum³ uel Bosonem uenerabilem Sancti Benedicti abbatem,⁴ olim instituit, 15
petierunt celsitudini nostre ut eandem ordinationem nostro corroboraremus
precepto. Quorum precibus ob diuinum amorem et mercedis nostre emolu-
mento adquiescentes hos celsitudinis nostre fieri decreuimus apices, per quos
memoratam genitoris nostri ordinationem et firmamus et omnino sancimus,
ut sicut a prefatis missis domini et genitoris nostri ordinatum atque insti- 20
tutum esse dinoscitur, a cunctis abbatibus qui in eodem per tempora ordinati
fuerint loco, deinceps stabile permaneat absque alicuius refragatione, id est de
ministerio Fuschardi colonicas quinquaginta, et de ministerio Bertharii xlviij,
et has uillas suprascriptas cum omnibus appendiciis uel adiacentiis earum,
uillam scilicet Vitiliacum et uillam Vuabram seu uillam Mansionilis⁵ et 25
uillam Cacauiacum⁶ necnon et uillam Oringiacum⁷ seu uillam in comitatu
Cabilonense que uocatur Vallis, et omnes res que in ipso comitatu sunt et ad
eundem pertinent coenobium, excepto medietatem uinerum que in eodem con-
iacent comitatu, seu uillam que uocatur Flexus et uillam Iuccus⁸ seu uillam
Putiolis uel uillam Glennonis et uillam Cancellis seu uillam Lubriacum⁹ uel 30
hospitia pastorum que sunt in loco qui uocatur Pargus et uineam que est ad
uestiarium fratrum et omnes uineas que sunt in Camariaco. Abba et frates
aequaliter diuidant forum uenalium rerum quod est in Alesia et in eclesia
Sancte Iuste tam anniuersarium quamque hebdomadarium et duas partes deci-
marum que sunt de Alesia.¹⁰ Hec omnia que suprascripta sunt ita omnino ad 35
eorum usus illis concedimus ad habendum sicut in ordinatione continetur
quam pridem dominus et genitor noster per prefatos missos suos instituit, ita

³Moduin, bishop of Autun between 815 and 840; Anatole de Charmasse, ed., *Cartulaire de l'église d'Autun*, vol. 1, pp. 31–32, no. 20; MGH Concilia 2.682, 795, 850.

⁴Boso, abbot of St.-Benoît-sur-Loire (Fleury).

⁵Villy is 13 km southeast of Flavigny; it is also mentioned in documents no. 23 and 28. Vesvres is 14 km south of Flavigny; it is also mentioned in documents nos. 12, 23, and 28. Maison-aux-Moines is 4 km west of Vesvres; it is also mentioned in documents 23 and 28.

⁶This is most likely a variant spelling for "Cachuiacum." Chichée, located 12 km southwest of Tonnerre, is also mentioned in documents nos. 16, 20, and 56.

⁷Origny is 22 km north-northeast of Flavigny; see also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 289.

⁸I have not identified the villa of "Vallis" in the county of Chalon, nor the villa "Iuccus." Flée is 31 km northeast of Dijon and is mentioned in document no. 2.

⁹Poiseul is 12 km northeast of Flavigny and is also mentioned in documents nos. 7, 23, 28, and 35. Glanon is 20 km east of Beaune; the monks had received fishing rights there from Pippin the Short (document no. 3). Chanceaux, 14 km east of Flavigny, is also mentioned in documents nos. 23 and 28; for this identification, see Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 84. "Lubriacus" is also mentioned in document no. 23. Roserot identifies "Lubriacus" with the "Luueriacus" of the testament; *ibid.*, p. 213. Leurey is the name of a stream 5 km west of Flavigny.

¹⁰I have not identified "Pargus" or "Camariacus," although "Pargus" is also mentioned in document no. 23. Alise is 4 km northwest of Flavigny.

ut a nemine ullam inde sentiant contrarietatem aut iniustum diminorationem.
 Volumus etiam atque omnino concedimus, ut ad culmina tectorum monasterii
 40 et queque ruinosa resarcienda tam abbas quamque militares uiri necnon et mo-
 nachi dent operam iuxta quod melius potuerint, sicut in iam dicta continetur
 ordinatione, ut idem monachi pro nostra ac totius imperii incolomitate Domi-
 no auxiliante preces fundere ualeant. Et ut hoc confirmationis nostre precep-
 tum pleniorum obtineat firmitatem, manu propria subter illud firmauimus et
 45 anuli nostri impressione adsignari iussimus.

Ego Remigius notarius ad uicem Agilmarii recognoui et subscrpsi. Data
 die iouis ii nonas Decembris anno Christo propitio imperii domini Hlotharii
 pii imperatoris in Italia xxi, in Francia i. Actum Luciniaco uilla in comitatu
 Belnense, in Dei nomine feliciter amen.

I In: Preceptum Hlotharii imperatoris pro confirmatione cuiusdam ordinationis Hludouici
 augusti genitoris sui *praem.* P Ihesu BP Clotarius PV 5 ad om. P 7 et om. V 9 apos-
 tolorum principis *tr.* BPV 11 et om. V Hlodouicus V 12 Aldricum D Senonensis V
 13 et om. BP 14 Augustodunensis BV 19 memorati BPV 20 domini et] dominicis P
 22 alicuius] ullius D 25 Vitiliarum V Vuabrani V Mansionalis BPV 26 Catauiatum V
 28 eundem] eudem P, idem V uinearum PV 30 Clennonis D 32 fratrū] frater P 34
 ebdomadarium DBP 39 tectorum] rectorum V 42 idem DPB^PCV 46 Agilmari D 46–49
 Data — amen *omi.* V 47 domni DB

Although 4 December fell on a Sunday, not a Thursday, in 840, it seems likely from Lothair's itinerary that he was in Burgundy in early December 840.

15

Dijon, 18 May 1037

Raynald, count of Burgundy, with his wife, Judith, and sons William and Hugh, gives Flavigny, where Amadeus is abbot, the rights to one of the cauldrons where the salt is boiled down at Salins. The monks will pray for him and his family.

MANUSCRIPTS

C, pp. 429–31, no. 14.

D, fol. 45r–v.

B, fols. 261v–262v, no. 16.

B, fol. 263r–v; a later addition in an eighteenth-century hand.

P, pp. 33–35.

Auxerre, Bibliothèque municipale, MS 152, pp. 955–58, seventeenth-century
 manuscript of Dom Viole.

Paris, Bibliothèque nationale, Collection Baluze 143, fol. 52r–v, early
 seventeenth-century manuscript of Chifflet.

Grignard, pp. 309–12, on the basis of C and P; dated 1037.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Verzy*, pp. 77–78, on the basis of D.

Pierre-François Chifflet, *Lettre touchant Beatrix, comtesse de Chalon*, pp. 202–4, no. 174, on the basis of BN Coll. Baluze 143; dated 1037.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 270. Collenot, pp. 92–93; dated 1043.

Text established on the basis of C, D, B, P, BN Coll. Baluze 143 (=F), and Auxerre MS 152 (=V). The two versions in B are designated as B¹ and B² where they differ.

5

Euangelice preceptionis salubriter uerbis monemur, ut si perhenni uita frui cupimus, mandata diuina seruare fideli mente curemus, Domino dicente, Vis ingredi ad uitam serua mandata,¹ quae quoniam multiplicia multipliciter sanctis indita paginis speciatim humanus animus ne quid cuncta recolere. Idcirco celestis dignatio generaliter ea una charitatis precepto dignitatem coartare, Propheta adtestante, Verbum consummans et adbrevians faciet Dominus super terram;² Apostolus quoque, Plenitudo legis dilectio.³ Hanc tunc rite tenemus si Deum omnimodis diligentes proximi etiam necessitatibus iuxta uires concurrere satagamus siquidem cum idem iubeat, Estote misericordes sicut et Pater uester misericors est,⁴ quicumque eum patrem habere 10 cupiunt in fratribus misericordes esse non negligunt. Id fideliter perpendens Raginaldus comes comitis Guillelmi filius⁵ simulque misericordie actibus qui per caritatem aguntur peccaminum ueniam consequi posse confidens uoluit suumque uelle ad effectum perduxit, ex suis rebus erga Dei seruos apud Flauiniacum coenobium in honore Petri apostolorum principis almique Pre- 15 iecti martiris dicatum liberalis existere quatinus in celesti regione regis regum et ipse experiri munificam clementiam queat in recompensationem. Denique uenerabilis uiri Amadei ipsius monasterii archimandrite cenobitarumque sub eius paternitate degentium precibus efflagitatus dedit pretaxatus comes iamdicto Flauiniaciensi coenobio ad supplementum uictus monachorum inibi Deo 20 famulantium apud Salinum uillam aream unam cum calderia que alio nomine bagerna uocatur, ut ibi fieret sal perpetuus ipsorum usibus profuturus. Vt uero eius donationis cessio apud sequentes eui posteros permanentem ac stabilem obtineat uigorem, hanc sue largitionis cartam fieri praecepit ac non

¹Cf. Romans 6:16.

²Cf. Isaiah 10:23.

³Romans 13:10.

⁴Luke 6:36.

⁵Raynald, count of Burgundy, son of Count Otto-William. Raynald had succeeded in 1026. For Raynald and his wife and family, see Constance Brittain Bouchard, *Sword, Miter, and Cloister*, p. 272.

25 modo suo uerum suorum fidelium nominibus insigniri iussit. In redibitione autem tanti muneris, a monachis loci ipsius per huius secli decursum pro eo eiusque prole uni de tribus pauperibus quibus mandato Domini pedes lauantur cotidiani diarii uictus prebebitur omnisque ebdomadis, feria quarta, una missa in generali conuentu cantabitur, seruata nichilominus illa sponsione quam
 30 dudum eius patri promiserant,⁶ scilicet ut pro illo totis temporibus feria sexta similiter unam conuentus missam caneret. De postremo tam pater quam is cum sua coniuge ac liberis in coeteris diuine seruitutis officiis Christo fauente participes fient. Addidit etiam postea predictus comes in augmentatione sue elemosinae uentas suprascriptae bagerne monachis predictis, ut sicut ipsam
 35 bagernam absque ullius calumnia possessuri sunt, ita uentas sine ullius calumnia perpetualiter possideant.

Actum Diuioni castro publice.

† Raginaldi comitis qui firmauit et firmare rogauit.

χ Iudid comitisse uxoris eius.

40 Φ Guillelmi filii eius.⁷

† Hugonis filii eius.

Θ Hugonis episcopi Autissiodorensis et comitis Cabilonensis.⁸

Α Teobaldi nepotis eius.⁹

* Raginaldi comitis Nerusnensis.¹⁰

45 ηη Hugonis episcopi Lingonensis.¹¹

≡ Beraldi episcopi Suessionis.¹²

Υ Adrilini abbatis.¹³

Gailonis. Garnerii. Borni prepositi ipsius comitis Raiginaldi. Odolrici militis. Garulfi. Rotgerii. Hugonis de Ceis. Hugonis filii Vuiricci comitis.
 50 Garnerii uentarii. Andale uxorius eius. Guidonis. Aymonis.

Ego frater Milo scripsi, dataui in mense Maio, xv kalendas Iunii, anno incarnationis dominice Gxxxvii, Henrici regis xii.

¹ Euangelice: Raginaldus comes una cum Iudith uxore sua et filiis laudantibus suis fidelibus dat conuentui Flauiniacensi aream cum calderia apud Salinum *praem.* P 2 diuina: *om* P dicente Domino *tr* B²F domno CB¹ Vis] Si uis V 3 ad] in B¹P quae quoniam] quequam C 4 ne quid] nequit DPVF 5 uno DVF dignitatem] dignata est DB²VF 6 consummans: est add. B¹P et *om.* V 11 in fratribus] infirmitatibus B¹P 12 Guillemi C, Guilelmi B¹P

⁶There is no written record of this earlier agreement between Flavigny and Otto-William.

⁷William Tête-Hardi, Raynald's successor as count of Burgundy.

⁸Hugh, bishop of Auxerre (999–1039) and count of Chalon. He was Count Raynald's great-uncle.

⁹Theobold, Hugh's nephew and successor as count of Chalon.

¹⁰Raynald, count of Nevers (1028–40). He was nephew of Count Raynald of Burgundy.

¹¹Hugh, bishop of Langres (1031–49).

¹²Berald, bishop of Soissons.

¹³I have not identified this abbot or the laymen who signed after him.

14 produxit B¹ 17 in recompensationem *om.* B¹PV recompensatione DB²F 23
 donationis] dominacionis B¹P sequentis DBVF 26 huius] eius P secuti B¹, saeculi PV,
 saecli F 30 sexta] uita B¹P 31 canere BP 33 Addit C postea] pro ea C, praeterea B¹P
 acmentatione C, augmentatione B²PVF sue *om.* B¹ 35 ulla BPVF 41 † — eius *om.* C,
tr. post 39 B¹PV 42 Autissiderensis D, Autiodorensis B¹PV 43 Theobaldi D²B¹PV
 44 Niuerensis B¹PVF, Niruernensis B² 47 Adzilni D, Adrilipi B¹P, Adizilini B²VF 48
 Guilonis P Raginaldi DBP Odoleric V 49 Rotgeri B²F Hugonis de Ceis *om.* B¹P
 Ceis] ... CD^aC^vV Vuicci B, Vuicci P 50 Aimonis C 52 Gxxxvii] Mxxxvii DF,
 Ixxxvii B, Txxxvii V Henrici] Enrici D, Henrici uero B¹, Enrici uero B²F

The date is clearly given as 1037, which corresponds with the dates of the witnesses, even though that was not the twelfth year of King Henry's reign. The symbols before the names of the witnesses are given in all the manuscripts except for P, where they are all replaced by a simple S., and F, where after the initial dagger all are replaced by S. The word "Ceis" on line 49 seems to have been hard to read in the twelfth-century cartulary, as several copyists replaced it with dots.

The second and later copy of this charter bound into B appears to be much closer to C and D than the first—or for that matter than the other charters in this manuscript. This suggests that the scribe of B² used the original twelfth-century cartulary rather than the later version B and P copied.

16

8 April 966

Achard, bishop of Langres, at the request of the knight Agano and of Simon, his own archpriest, gives Flavigny the church of St.-Martin of Chichée, in the county of Tonnerre. Adrald, the bishop of Autun's deputy as head of Flavigny, and his nephew Milo agree to a perpetual memorial at Flavigny for Achard.

MANUSCRIPTS

C, pp. 432–35, no. 15.

D, fol. 29r–v.

B, fols. 262v and 265r–v, no. 17. (The second version of the preceding number is in between.)

P, pp. 35–37.

Grignard, pp. 234–37, on the basis of C and P; dated c. 948.

PRINTED EDITION

Maximilien Quantin, ed., *Cartulaire général de l'Yonne*, vol. 1, pp. 143–44, no. 74, on the basis of C; dated 966.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, pp. 270–71.

Collenot, pp. 58–59, on the basis of C and P; dated 829.

Text established on the basis of C, D, B, and P.

In nomine summe et indiuidue trinitatis ac uiufice deitatis.

Ego Achardus alme Lingonensis eclesie pastor¹ eximus notum fore cupio omnibus presertim eclesie nostre filiis et fidelibus quia dum in gremio matris eclesie nobis a Christo conlate diebus sancte sinodi sinceriter residere et pro 5 uirium nostrarum qualitate negocia eiusdem eclesie quatinus Christo amniculante, una cum consilio et oratu nostrorum fidelium utrorumque scilicet ordinum, ad meliora proueherent ordinabiliter inuestigando perquirerem et rationabiliter tractando inuestigarem. Inter plura que tunc temporis inibi Deo authore decernendo stabiliuimus et statuendo decreuimus, ecce adierunt serenitatis 10 nostre optutus quidam nostri fideles Agano miles inclitus et archipresbiter noster Simeon humiliter nostram efflagitantes dignitatem et flexis poplitibus nostram exposcentes mansuetudinem ut altare Sancti Martini cum decimis sibi aspicientibus, quod est situm in comitatu Tornetrinse et in uilla Chichuiaco constructum,² quibusdam monachis Sancti Petri Flauiniacensis 15 cenobii, uidelicet prelato eiusdem cenobii Adraldo et ipsius nepoti Miloni, ex quorum uidetur esse prouidentia, per testamentum nostre largitionis pie et misericorditer conferre et iusto moderamine condonare non dedignemur. Nos uero eorum utilimam efflagitationem deuota mente suscipientes et aures nostre celsitudinis illorum obsecrationi adclinantes, desiderium illorum ad 20 perfectum ducere maluimus, consentientes prelibatis monachis Adraldo et Miloni, supra inserte eclesie altare nostris clericorum ac laicorum fauentibus fidelibus, ea auctoritate ut predictum altare cum suis decimis subiectum sit perpetualiter predicto coenobio Sancti Petri Flauiniacensis. Ipsi uero monachi Adraldus et Milo, quamdiu eis uita superstes fuerit, usum fructuarium ex 25 eo percipient ipsamque eclesiam instruere et in diuinis cultibus erigere studeant, nostrum quoque memoriale et omnium sancte Lingonensis successorum memoriam opportuna cum oratione agere non pigeant, debitumque synodale quod eclesie Sancti Mammetis debetur, paratam uidelicet et eulogias, nobis nostrisque successoribus statutis temporibus persoluere non tardant. 30 Statuimus ergo ut post finem illorum migrationis ipsum altare sine tenus et perpetualiter subiectum predicto cenobio maneat et fratres eiusdem loci summa cum stabilitate illud teneant, et nostrum memoriale et successorum nostrorum, sicut supra exaratum est, agere non tardant, saluo Sancti Mammetis obsequio. Denique in Deum et propter Deum contestamur et anathematis 35 uinculo alligamus huius paginule instituta corrumpentem aut uiolare cupientem. Vt hoc donum nostre largitionis firmior et securior perseueret et hanc

¹Achard, bishop of Langres (948–67)

²Chichée, located 12 km southwest of Tonnerre, is also mentioned in documents nos. 14, 19, and 56.

institutionem, nostris manibus et omnium clericorum ac laicorum corroborationibus stabilitam sancta synodus recognoscat.

Signum Achardi episcopi S. Milonis abbatis S.	
Beraldii prepositus S.	40
Godselmi archidiaconi S.	
Arnaldi decani S.	
Theudonis archidiaconi S.	
Eirmanii S.	
Simeoni diaconi S.	45
Vgonis S.	
Guidonis S.	
Alectorii S.	
Vuidrici S.	
Ingeluami S.	50
Stephani presbiteri S.	
Aymonis S.	
Ayrardi S.	
Framerui archipresbiteri S.	
Aldefredi S.	55
Ego Bruno episcopus ³ precatu domni Amadei abbatis ⁴ relegi et laudaui.	
Lambertus prepositus S.	
Ego in Dei nomine Lambertus quamuis indignus episcopus postea subscripsi. ⁵ Ayrardus archidiaconus.	
Tunc postea Hugo episcopus hoc scriptum re legit et confirmauit. ⁶	60
Ego Vuilencus leuita indignus ad uicem Raherii archicancellarii hanc scripturam scripsi et dataui vi Idus Aprilis, regnante Lothario rege anno xii.	

¹ In: Achardus episcopus Lingonensis hortatu Agano militis et Simeon archipresbiteri dat conuentui Flauiniacensi altare Sancti Martini cum decimis situm in comitatu Tornetrinse villa Chichiuiaco *praem.* P 4 sinceriter *om.* BP residerem BP 6 hortatu DBP scilicet: et *add.* C 7 ordinabiliter] ordinabitur B 10 obtutus P 11 Symeon BP 18 ultimam B, ultimam P 19 celsitudinis illorum] celsitudinis eorum BP 20 maluimus] malumus B, uoluimus effectum P 29 tardent DP 33 tardent DP 38 sanctam synodum B 39 Archardi BP Milonis abbatis S. *om.* P 41 Godselmi archidiaconi] Godselmarch C, Godselmarch BP 44 Ermanni DBP 45 Simeonis P 50 Ingeluami (Ingeluuni BP) S. *tr. post* 51 DBP 54 Framerici DB 56 precatum BP Amaldei BP 61–62 ad — xii *om.* BP

This was originally done in 966 and confirmed by the eleventh-century bishops of Langres.

³Bruno, bishop of Langres (980–1016).

⁴Amadeus, abbot of Flavigny between 1010 and c. 1040.

⁵Lambert, bishop of Langres (1016–31).

⁶Hugh, bishop of Langres (1031–49).

17

Flavigny, 1100

The knight Aymo Bruno of Grignon gives Flavigny, as he is dying, whatever rights he has in the church of Marmagne, including the third part of the tithes, and a serf named Dodo. The associated rights of justice are divided three ways, with Aymo's nephews keeping two-thirds for their lifetimes. The monks will bury Aymo. His sons—including one who is a monk at Flavigny—daughters, and sons-in-law all agree.

MANUSCRIPTS

- C, pp. 435–37, no. 16.
- D, fol. 40r.
- B, fol. 266r, no. 18.
- P, pp. 38–39.

Grignard, pp. 321–22, on the basis of C and P.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 414–15, no. 98, on the basis of C and P.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 271.
Collenot, pp. 95–96.

Text established on the basis of C, D, B, and P.

Notificamus posteris nostris quod quidam bone memorie Aymo Brunus miles de Grinione castello moriens dedit pro remedio anime sue et pro sui corporis sepultura Deo et sanctis Flauniacensis eclesie, ad usum fratrum in eclesia illa degentium, quicquid in eclesia Marmanie¹ in dominicatu pos-
5 sidebat et tertiam partem atrii et decimi eclesiae illius et unum seruum Dodonem nomine. Dedit itaque hoc totum sicut ipse uiuens in suo tenuit dominicatu, uidelicet quod iusticiam eclesie et atrii illius minister monachorum faciet et de reditu iusticie tres partes faciet, unam monachi habebunt, reliquas duas Gotefridus et Hugo nepotes ipsius Aymonis recipient. Pres-
10 biterum in eclesia illa monachi mittent et si dignum fuerit eicient absque calunnia utpote qui sicut dictum est iusticiam in eclesia illa et in atrio habere debent preter episcopalem pacem. Decimator monachorum erit et monachi eum iustificabunt per se modo suprascripto. Ut autem hoc donum durabile fiat, hanc cartam scribere curauit Iosbertus indignus monacus ipsius Aymonis
15 filius, rogatu et precepto patris sui et fratrum suorum, laude scilicet fratrum Pontii, Lecilini, Gisleberti, Heldierii, Hugonis, Aymonis, et Ioannis, so-
rorumque suarum Adline, Agathe, et Emmiline.

¹Marmagne, 17 km northwest of Flavigny.

Sed et isti testes in testimonium adfuerunt, Pontius comes,² Pontius de Rubeomonte, Hugo, Gualo, Gotefridus, socii ipsius Aymonis qui laudauerunt, Galterius et Letbaldus frater suus, Gotefridus nepos Aymonis qui 20 laudauit, Attaldus de Monte Sancti Baudelii, Hugo de Brienna, Hugo de Sinemuro, Tetbaldus de Donnapetra. Ex parte monachorum adfuerunt prepositus Hugo, Drago, Raginaldus, Bernardus, Heldebertus, Constancius.

Actum est hoc apud Flauiniacum tempore incarnationis Domini MC anno.

I Notificamus: Aymo Brunus miles dat ecclesiae et sanctis Flauiniacensis coenobii quicquid possidebat in dominicatu in ecclesia Marmaniae cum tertia parte atrii et decimae *praem.* P 2 Grigione C 2–3 corporis sui *tr.* BP 4 indominicatum P 9 Godefridus BP 15 et fratrum] et DB 16 Iohannis D 17 Adilinae DBP Emmilinae D, Emiliana B, Emiliaenae P 19 Gotefridus BP 20 Galtherius P 21 Artaldus D 22 Theobaldus BP 22–23 Hugo prepositus *tr.* DBP 23 Drogo BP, *om* D

Aymo Bruno was probably of the family of knights of Marmagne, who served the counts of Grignon and were generous to the Cistercian monks of Fontenay in the twelfth century.³

18

January 977

Walter, bishop of Autun, at the request of three knights, gives the monks of Flavigny the nearby church of St.-Genest. Milo is the provost and acting head of Flavigny.

MANUSCRIPTS

C, pp. 437–39, no. 17.

D, fol. 4r.

B, fols. 266v–267r, no. 19.

P, pp. 39–40.

Grignard, pp. 240–42, on the basis of C and P; dated 977/97.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 47–48, on the basis of D.

Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, p. xxxv, no. 31, on the basis of C; dated 997.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 271. Collenot, pp. 60–61; dated 843.

²Ponce, count of Grignon. The other laymen who signed after him were from Rougemont, Montberthault (probably), Brienne, Semur, and Dampierre.

³Constance Brittain Bouchard, *Sword, Miter, and Cloister*, pp. 134–37.

Text established on the basis of C, D, B, and P.

In nomine summe et indiuidue trinitatis ac uiufice deitatis.

Ego Vualterius sacrosancte Eduensis eclesie episcopus¹ notum esse uolumus omnibus eclesie nostre filiis et fidelibus quia dum apud Flauiniacum cenobium residerem et pro uirium nostrarum qualitate negotia eclesiastia qua-

tinus Christo adiuuante, una cum consilio nostrorum fidelium utrorumque uidelicet ordinum, ad meliora proueherentur ordinabiliter perquireremus. Adierunt nostram presentiam quidam nostri fideles, Arlebaldus miles, Erueus, et Raginaldus, nostram deprecantes serenitatem ut altare Sancti Genesii cum decimis ad illud pertinentibus quod est satum in comitatu Alsensi in oppido

10 Flauiniacensis monasterii constructum omnibus monachis Sancti Petri, uidelicet Miloni prelato² et cuncte congregationi predicti monasterii, per testamentum nostre largitionis misericorditer conferre et condonare dignaremur. Nos uero eorum utilissimam efflagitationem deuota mente suscipientes et obsecrationi consentientes, dedimus predicto Miloni prefati monasterii

15 preposito omnibusque monachis Sancti Petri Flauiniacensis cenobii pro amore Dei ac Beati Petri principis apostolorum cui data est ligandi atque soluendi potestas, ut ipse michi salutem anime et corporis concedat et ueniam peccati, et concedimus ut prefate eclesie altare cum atrio suo et decimis suis nostra autoritate subiectum sit predicto cenobio Sancti Petri Flauiniacensis

20 omnibusque eiusdem loci monachis. Statuimus ergo ut ipsum altare cum atrio et decimis suis sinetenus et perpetualiter monachi iam dicti loci cum summa stabilitate teneant et nostrum memoriale omniumque sancte Eduensis eclesie successorum antistitum memoriam opportuna cum oratione agere studeant, saluo Sancti Nazarii obsequio. Denique in Deo et per Deum obseruantur et anathematis uinculo alligamus huius paginulae instituta corrumperentem aut uiolare cupientem. Ut hoc donum nostre largitionis firmius et securius perseueret, et hanc institutionem nostris manibus et omnium clericorum ac laicorum stabilitam sancta synodus recognoscat.

Valterius episcopus.

30 Rotdulfus abbas.

Ascherius abbas.

Valterius leuita.

Elinardus leuita.

Adhuinus abbas.

35 Baldricus sacerdos.

Vuanincho archipresbiter Brt Tre.

¹Walter, bishop of Autun (977–1018).

²Milo, the bishop's representative as head of Flavigny. He was presumably the Milo who was nephew of his predecessor Adrald; see document no. 16.

Senerius archipresbiter.	
Beraldus archipresbiter.	
Arduinus archipresbiter.	
Richardus sacerdos.	40
Iosmarus.	
Ego Rodulfus leuita scripti et subscripsi, dataui die lunis in mense Ianuario, anno xxiii Lotarii regis.	

1 In: Vualterius episcopus Eduensis hortatu Arlebaldi Erue et Raginaldi militum dat ecclesiae Flauiniacensi altare Sancti Genesii cum decima *praem.* P 13 ultimam BP 21 atrio: suo
add P 34 Adhruinus BP 36–39 archipresbiter] archiepiscopus CB 36 Brt Trej Brt BP,
om. D 38 Beraldus archipresbiter *om.* P 41 Iosmarus *om.* D 42 Rotdulfus DB 43
 Lotharii D

The two “abbots” who signed after Bishop Walter were most likely not abbots but members of his cathedral chapter. At several sees in the late tenth and early eleventh centuries, including Langres and Autun, chapter officers were given the title of *abbas*.

19

Auzainvilliers, 25 June 849

At the request of Count Warin, rector of Flavigny, Charles the Bald confirms the immunity from tolls which his father, Louis the Pious, had given the abbey. He takes the monks under royal protection.

MANUSCRIPTS

C, pp. 439–43, no. 18.

D, fols. 36r–37v.

B, fols. 267r–268v, no. 20.

P, pp. 40–43.

Grignard, pp. 176–79, on the basis of C and P; dated 849.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 8–9, on the basis of D.

RHGF 8:503–4, on the basis of Duchesne, *Vergy*.

Arthur Giry, Maurice Prou, and Georges Tessier, eds., *Recueil des actes de Charles II le Chauve, roi de France*, vol. 1, pp. 310–13, no. 117, on the basis of D, B, and P; dated 849.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 271.
 Collenot, p. 61; dated 850.

Text established on the basis of C, D, B, and P.

In nomine sancte et indiuidue trinitatis. Karolus gratia Dei rex.

Cum petitionibus seruorum Dei iustis et rationabilibus diuini cultus amore fauemus superna gratia muniri non dubitamus. Notum sit igitur omnibus sancte Dei eclesie fidelibus et nostris presentibus atque futuris quia
 5 Vuarinus inluster comes necnon et rector monasterii Flauiniaci, quod est situm in pago Alsinse, constructum in honore Domini et Saluatoris nostri Iesu Christi et Sancti Petri principis apostolorum uel Sancti Preiecti, detulit obtutibus nostris auctoritatem immunitatis domni et genitoris nostri Hludo-
 uici serenissimi augusti, in qua continebatur insertum qualiter de more paren-
 10 tum suorum idem monasterium, ob amorem Dei omnipotentis et tranquillita-
 tem fratrum inibi consistentium, sub plenissima tuitione et immunitatis defensione suscepisset. Pro firmitatis tamen gratia postulauit predictus Vuarinus comes et monachi eiusdem monasterii ut paterno more eundem monasterium cum congregacione ibidem Deo famulante ac cum omnibus
 15 rebus ad predictum monasterium iuste pertinentibus sub nostra susciperemus defensione et immunitatis tuitione. Cuius petitionem, propter diuinum amorem et predictorum monachorum quietem, libenter suscepimus et sub plenissima defensione ipsam congregationem cum omnibus rebus eidem monasterio iuste et rationabiliter aspicientibus retinemus, ita uidelicet ut sub
 20 nostra defensione liceat eos quiete uiuere, et, sicut in precepto domni et genitoris nostri continetur, nullus episcopus territorii illius aut successores eius uel aliquis ex ministris illorum ibidem aliquod presumat exercere dominium, neque de rebus eiusdem monasterii aliquid auferre aut in usus eorum mittere aut quippiam minuere aut abstrahere presumat, et nullus iudex publicus nec
 25 quilibet exactor iudicarie potestatis uel ullus ex fidelibus nostris in eclesias aut loca uel agros seu reliquas possessiones memorati monasterii, quas moderno tempore in quibuslibet pagis et territoriis infra ditionem regni nostri iuste et rationabiliter possidet uel que deinceps in iure ipsius sancti loci uoluerit diuina pietas augeri, ad causas audiendas uel freda aut tributa exigenda
 30 aut mansiones uel paratas faciendas aut fideiussores tollendos aut homines eiusdem monasterii tam ingenuos quam et seruos super terram ipsius com-
 manentes distringendos nec ulla redibitiones aut inlicitas occasiones requirendas, nostris et futuris temporibus ingredi audeat uel ea que supra memorata sunt penitus exigere presumat, sed liceat abbati memorato suisque
 35 successoribus res predicti monasterii sub immunitatis nostre defensione quieto ordine possidere. Et quicquid exinde ius fisci exigere poterat in integrum eidem concessimus monasterio, scilicet ut perpetuo tempore ad peragendum monachis in eodem monasterio Deo famulantibus augmentum et supplementum fiat. Simul etiam detulerunt serenitati nostrarae auctoritatem domni et
 40 genitoris nostri in qua erat insertum qualiter idem piissimus augustus conces-
 sisset eidem monasterio omne teloneum de negotiatoribus eorum, uel de hominibus eorum qui per ipsam casam Dei sperare uidentur, uel de hoc quod

homines ad eorum dora deferunt, et ut in uillis eorum seu super terris uel cinctus eorum infra uel foris aduenerint et negotiatum fuerit, omne teloneum per eandem authoritatem eidem concessisset monasterio, quod pariter petierunt nos denuo nostra autoritate confirmari. Quorum petitionibus libenter adquie- 45 umus et per hanc nostram auctoritatem precipimus atque iubemus ut nemo teloneum nec in ciuitatibus, nec in mercatis aut uicis seu uillis uel pontibus aut portis, ipsi monachi uel negotiatores eorum, aut homines eorum qui per ipsam casam Dei sperare uidentur, nec portaticum, nec rotaticum, nec bar- 50 ganiaticum, nec pulueraticum, nec mutaticum, nec ripaticum, nec saluta- ticum, nec laudaticum, nec trauaticum, nec de hoc quod homines ad eorum dora portant, exigere aut exactare presumat, et quicquid in uillis seu super terris uel cinctus eorum uel in mercatum qui super terram ipsius monasterii constitutus est et infra aut foris aduenerit et negotiatum fuerit eidem monas- 55 terio concessimus, et ita ab omnibus conseruetur quemadmodum a domno et genitore nostro et a nobis concessum est. Et ut hoc auctoritatis preceptum ab omnibus fidelibus nostris uerius certiusque credatur, eam propria manu subter firmauimus et anuli nostri impressione signari iussimus.

Preceptum de Flauiniaco monasterio ut sub tuitione regis quiete illius loci 60 habitato res permaneant Amen. Data die vii kalendis Iulii, anno Christo propitio x regnante domno nostro Karolo, inductione xii. Actum Oseniuilla in Dei nomine feliciter Amen.

1 In: Preceptum regis Karoli confirmans immunitates concessas et teloneum ecclesiae Flauiniaciensi quae Ludouicus serenissimus augustus pater prius concesserat *praem.* P 7 Pre-
fecti: martyris *add* BP 8 domini C Ludouici BP 13 paterno] patris nostri BP 15
reciperemus DBP 20 domini BP 22 aliqui BP [illorum] eorum BP 24 quidpiam BP 26
reliquias CB^{ac} 29 pietatis C 30 tollendo CB^{ac} 39 domini B 46 confirmare D 48
mercatibus B portibus CD 60–63 Preceptum — Amen *om.* DBP^c P 63 Amen *om.* B

Yves Sassier has cast doubts on the authenticity of this charter, saying that the grant of immunity was probably only done around the year 1000, when a Cluniac monk became abbot of Flavigny.¹ However, this charter has few similarities to Cluny's foundation charter; the language rather is borrowed from the grant of immunity which Louis the Pious had given Flavigny earlier, in document no. 5. There is therefore no reason to doubt its authenticity.

¹Yves Sassier, "Quelques remarques sur les diplômes d'immunité octroyés par les Carolingiens à l'abbaye de Saint-Germain d'Auxerre," pp. 46–48.

20

c. 850

Seraphin gives Flavigny, where Count Warin is rector and Sarulf dean, a mansus at Chichée, in the pagus of Tonnerre.

MANUSCRIPTS

- C, pp. 443–44, no. 19.
- D, fol. 37r.
- B, fol. 270r, no. 21.
- P, p. 44.

Grignard, p. 182, on the basis of C and P; dated 847/50.

PRINTED EDITIONS

- André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 9–10, on the basis of D.
- Maximilien Quantin, *Cartulaire général de l'Yonne*, vol. 2, p. 3, no. 3, on the basis of C and Duchesne, *Vergy*.

SUMMARY

Collenot, p. 98.

Text established on the basis of C, D, B, and P.

Quia sicut ait Isaias propheta, Omnis caro fenum et omnis eius gloria uelut flos feni decidit, uerbum Domini autem permanet in aeternum.¹ Commodum fore anime mee ego in Dei nomine Seraphin arbitrans si rerum mearum aliquam portiunculam fidelibus ac electis eius qui illas michi contulit
 5 conditoris utique celi et terre conferrem, omnibus in Christo baptizatis notum esse cupio donasse me atque imperpetuum contulisse Sancto Petro et Sancto Preiecto Flauiniacensis coenobii, ubi uenerabilis uir Sarulfus decanus uice Vuarini comitis cum norma monachorum honorifice militat omnipotenti Deo, mansum uidelicet unum cum indominicata casa et uinea in pago Torno-
 10 trinse in uilla Cachiuiaco,² cuius uinee terminaciones considerantur duorum laterum e terra communali, et frons superior terra Ebonis, subterior uero strada consideratur publica, perticarum in longum habens cubitus xxxii intrans.

1 Quia: Seraphin dat ecclesiae Flauiniacensi mansum unum cum indominicata casa et uinea in pago Tormotrinse uilla Cachiuiaco *praem.* P 2 autem Domini tr. D 10 Chachiuiaco P

The date of the document is probably around the middle of the ninth century, as it mentions Count Warin, who was acting as abbot in the preceding document.

¹Cf. Isaiah 40.6–8.

²Chichée, 12 km southwest of Tonnerre, is also mentioned in documents nos. 14, 16, and 56.

There are two lines of dots at the end of P, presumably to indicate that the normal dating and signatures were missing.

21

October 865

Bishop Isaac of Langres, at the request of Jonas, bishop of Autun, gives Flavigny, where Eigilo is abbot, two churches in the pagus of Attuyer.

MANUSCRIPTS

C, pp. 444–47, no. 20.

D, fol. 28r–v.

B, fols. 270r–271r, no. 22.

P, pp. 44–46.

Grignard, pp. 184–86, on the basis of C and P; dated 865.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Collenot, pp. 65–66, dated 865.

Text established on the basis of C, D, B, and P.

In nomine trine et summe dominationis.

Ego Isahac opitulante summi Dei gratia presul humilis sancte sedis eclesie Lingonensis¹ notum fore cupio presentibus et futuris quod residens in propria sede prelibate eclesie michi a Deo concesse ministrandi uice dum sanctam celebraremus synodus et pro nostro posse studeremus in melius prouehere officia eiusdem matris eclesie, Deo donante et Sancti Spiritus gratia largiente, adiit nos serenissimus sacratissime Eduensis eclesie Ionas episcopus,² efflagitanter flagitans autoritatem nostri ordinis quatinus altaria consecrata in honore Sancti Petri apostolorum principis in duabus eclesiis, id est Domni Petri et Acellis et aliud altare dicatum in honore Sancti Sulpicii episcopi et 10 confessoris quod est in eclesia Fontanis,³ que uidelicet eclesie sunt in pago Attoriensi constructe, suntque de beneficio iuris monasterii Flauiniacensis coidam Eigilo abbatи, post futuro archipresuli eclesie Senonensi congrega-

¹Isaac, bishop of Langres from the 850s until his death in 880. *Annales S. Benigni Divonensis*, MGH SS 5:39; Robert Folz and Jean Marlier, eds., *Chartes et documents de Saint-Bénigne de Dijon, VIe-Xe siècles*, pp. 120–23, no. 89.

²Jonas, bishop of Autun in the 850s and 860s.

³Fontaine-Française is 33 km northeast of Dijon, and Dampierre is 6 km south of there. Arceau is 14 km northeast of Dijon. See also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 9, 138, 168. These properties are mentioned again in document no. 30, when the abbot gave them away, probably because they were some distance from the abbey.

tioni,⁴ necnon Flauiniaci cenobii a Deo sibi commisso, pro redemptione
 15 anime sue studeremus perpetualiter condonare. Nos igitur uenerabilissimi antis-
 titis preces non rennentes sed cum omni beniuolentia suscipientes assen-
 simus et concedendo concessimus prescripto abbati Eigilo monachisque sibi
 subiectis monasterii Flauiniacensis prelibata altaria. Equiperis nostrorum
 fidelium uotis eo iure ut cum decimis altaria teneant et perpetualiter
 20 habendo habeant ipsasque ecclias in meliorare studeant nostrum quoque
 memoriale et successorum pontificum huius sancte Linguonensis ecclie
 debito uenerationis obsequio per celebrent et debitum synodale quod Sancto
 Mameti debetur, paratas scilicet et eulogias statutis temporibus persoluant.
 Hanc autem cartam nostre beniuolentie non contra statuta kanonum proponere
 25 nitimus, sed uniti uiscere caritatis et uinculis digni amoris annuimus uotis et
 precibus supradicti pontificis. Quia quod uera caritate agitur nulla ratione
 destruitur, ea quoque qua possumus auctoritate dampnamus eos qui huius
 nostre institutionis paginule quid contrarium nisi fuerint uel aliquid cor-
 ruperint aut uiolauerint. Quocirca cum omni auctoritate firmamus et firmare
 30 fecimus clericis et laicis nostrisque fidelibus ut firma permaneat in omnibus
 temporibus.

Actum in synodo Linguonensi publice.

† Signum Isahac Linguonensis ecclie episcopi.

S. Vuarini abbatis. S. Anserii abbatis. S. Almarici archidiaconi.

- 35 S. Arnaldi archidiaconi.
- S. Otberti archidiaconi.
- S. Vrsini decani.
- S. Bernardi archiclauis.
- S. Vuarini presbiteri.
- 40 S. Madagaldi presbiteri.
- S. Galemandi presbiteri.
- S. Rotmundi leuite.
- S. Sirici leuite.
- S. Ingelberti leuite.
- 45 S. Gotzelini diaconi.
- S. Eurardi diaconi.
- S. Duranni diaconi.
- S. Arenberti subdiaconi.
- S. Vuarneri subdiaconi.
- 50 S. Gislerii acoliti.
- S. Godonis acoliti.
- S. Adrialdi acoliti.

⁴As Eigilo was not yet archbishop of Sens at the time of this charter, this phrase was probably a later addition.

† Ego quoque in Dei nomine Argrimus Linguonensium episcopus relegi et
meo signo signavi. Signum Geylonis Lingonensis episcopi.⁵

Ego in Dei nomine Saloardus leuita cancellarii fungens officio dictaui, 55
anno incarnationis dominice DCCCLXV, regni uero Karoli secundi impera-
toris xv, die sabbati mense Octobri.

1 In: Isaac episcopus Lingonensis ad preces Iona episcopi Augustodunensis dat duo altaria
sita in pago Attoriense Sanctorum Petri et Sulpitii ecclesiae Flavinacensi *praem* P 2 Isaac
BP 7 Heduensis D 13 Egilo BP 16 renuentes D, renitentes B, renitentes P 17 abbati
om. BP Egyilo D 18 Aequiperis DB, Aequiferis P 20 habeant *om.* BP 21 Lingonensis
DBP 23 Mammeti DBP 28 fuerit CB 30 facimus D 32 Lingonensi DB, Lingonense P
33 Isaac BP Lingonensis DBP 34 Amalrici D 35 S. Arnaldi archidiaconi *om.* P 48
Aremberti BP 52 Arialdi D 53 Lingonensium DBP

The year of the incarnation is given clearly as 865, a Saturday in October. Year
15 of Charles the Bald would be 855, but this date seems very unlikely, as
Egyilo's predecessor did not even become abbot until 856. It seems most likely
that the date originally read year *xxv* of Charles, who is apparently called "Em-
peror Charles II" here because of a later interpolation, as Charles the Bald did not
become emperor until 875. This would be the same sort of interpolation as the
comment that Egyilo later became archbishop of Sens.

22

Semur, 1113

A controversy is settled between Flavigny and Hugh of Maligny. Hugh claims as his fief an annual income in grain, but the monks claim that this fief was granted only to Hugh's father, Theobold Rufus, and was not hereditary. Bishop Stephen of Autun settles the quarrel; Hugh gives up his claim to the annual income but receives 1,000 solidi and a palfrey from the monks.

MANUSCRIPTS

C, pp. 447–49, no. 21.

D, fol. 49r.

B, fols. 271v–272r, no. 23.

P, pp. 47–48.

Grignard, pp. 327–29, on the basis of C and P.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Vergy*, p. 112, on the
basis of D.

⁵Geylo succeeded Egyilo as abbot of Flavigny in 866 and held the office until 870; he
then succeeded Isaac as bishop of Langres in 880. Hugh of Flavigny, *Chronicon*, MGH SS
8:355. Argrim was Geylo's successor in the see of Langres.

H.-P.-C. de Chastellux, *Histoire généalogique de la maison de Chastellux*, p. 246, no. 2, on the basis of Duchesne, *Vergy*.

SUMMARIES

Philippe Labbe, *Nova bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 453–54, no. 161.

Collenot, pp. 96–98.

Text established on the basis of C, D, B, and P.

Notum esse uolumus posteris nostris quia anno Domini MCXIII conuenerunt apud Sinemurum, ante presentiam domni Stephani Eduensis episcopi,¹ monachi Flauiniacenses et Hugo de Merlenniac filius Tetbaldi Rufi aduocati in audienciam pro quadam querela quam aduersus Flauiniacensem eccl esiam ipse Hugo inclamabat, de quodam scilicet feodo quod patrem suum Tetbaldum dicebat habuisse et hereditario tenore tenuisse ab abbatे Odone,² in quo feodo viii sextaria tritici et imina erant et iii modi auene et ii sextaria fabarum et imina, et quatuor solidi denariorum. At contra monachi feodium quidem esse datum non negabant ab abbatе Odone, sed ea conditione ut post obitum ipsius Tetbaldi rediret ex integro ad mensam fratrum absque ullius heredis sui calumpnia. Vtrisque igitur causam suam defendantibus, placuit prefato episcopo et his qui in tuitione cause utriusque partis conuenerant huic querele et altercationi hunc tandem imponere finem. Hugo ipse huius modi feodium eccl esie Flauiniacensi perpetua dimitteret dimissione ex integro, et Iosbertus prior et fratres eiusdem eccl esie animas Tetbaldi Rufi et uxoris sue et Richardi filii eorum absoluenter ab hac culpa, et pro beneficio illi Hugoni mille solidos Diuionensis monete et fratri suo Burchardo x solidos. Vuarpivuit itaque ipse Hugo in manu domni Stephani episcopi querelam istam, viii uidelicet sextarios tritici et iminam et ii sextarios fabarum et iminam, et iii modios auene et iiiii solidos denariorum. Et monachi, abbas Gerardus³ et Iosbertus prior eccl esie et Petrus et Hugo ad laudem capituli sui, animas Tetbaldi Rufi et uxoris sue et filii eorum Richardi ab huiusmodi culpa absoluenterunt et illi Hugoni firmauerunt per designatos terminos mille solidos Diuionenses et palefridum, Burchardo uero fratri suo x solidos.

25 Testes autem et adiutores hujus concordie fuerunt episcopus ille dominus Stephanus, Ansericus Augustodunensis prepositus et Humbaldus archidiaconus, Gotfredus canonicus, Pontius comes,⁴ Aderanus de Roca, Rot-

¹Stephen, bishop of Autun (1112–39).

²Odo II, abbot of Flavigny (1051–84).

³Girard had become abbot in 1100; Hugh of Flavigny, *Chronicon*, MGH SS 8:488.

⁴Ponce, count of Grignon. Grignon is 11 km northwest of Flavigny. The other places mentioned in this paragraph are La Roche, 4 1/2 km south of Flavigny; Frôlois, 7 km north-

mundus de Froletto, Gottefridus de Grinione, Arnulfus de Musiniaco, Humbertus de Brienna. Porro ex parte altera fuerunt Sauericus comes,⁵ Hugo de Monterelegali, Hugo de Tilio, Archenbalodus de Sancto Germano, Gislebertus de 30 Grisiniaco et Tetbaldus filius eius, Paganus et Girardus fratres.

Postea apud Sinemurum laudauit hoc totum ille Burchardus coram Hugone fratre suo, in presentia ducis Hugonis,⁶ et a Iosberto priore v solidos iterum recepit, uidentibus ex parte sua Hugone fratre suo et Vuinebaldo de Seleniaco et Tetberto preposito et Suinino de Gresiniaco, et ex parte nostra Pontio de 35 Argenteolo⁷ et Hugone Chasnart et Gottefrido de Grinione et Tetbaldo preposito. Iosbertus tunc temporis prior eclesie sicut et fecit ita et scripsit.

¹ Notum: Controversia transigitur inter monachos Flauiniacenses et Hugonem de Merleniaco super quodam feodo quod Tetbald Rufus tenuerat ab Odone abbatte *praem* P MCXIII] ... BP 7–8 iii — imina et *om.* BP *per homoiotel* 13 Hugo: *Vt praem.* D 16 eorum filii *tr.* BP 26 Augustidunensis D et *om.* D 27 Aderanus D, Aderannus BP 27–28 Hotmundus de Frolleto DBP 28 Hubertus DB 30 Hugo de Tilio *om.* BP Archembaldus BP 31 Telbaldus BP eius filius *tr.* B 35 Siuino D Grisiniaco DBP 36 Hugone: *de add* P 37 Iosbertus — scripsit *om.* D

Thebold Rufus of Maligny had been buried at Molesme, and when his younger son Richard died in 1113, Richard's older brother Hugh had his body carried to Molesme for burial beside their father. Theobold Rufus's other sons were Bochard and Gui, dean of Besançon.⁸

23

29 May 877

Pope John VIII confirms that Charles the Bald has given Adalgar, who had recently become bishop of Autun, the right to a long list of property that belonged to Flavigny.

MANUSCRIPTS

C, pp. 449–53, no. 22.

D, fol. 30r–v.

B, fols. 272v–273v, no. 24.

P, pp. 49–51.

Grignard, pp. 194–99, on the basis of C and P; dated 877.

east; Massingy, 13 km south-southeast; Brienne; Montréal; Thil, 20 km southeast; St.-Germain, 13 km east-southeast; and Grésigny, 6 km north-northwest.

⁵Savaric, count of Chalon and lord of Vergy.

⁶Duke Hugh II of Burgundy (1102–43).

⁷I have not identified "Seleniacus." Argenteuil is 41 km northwest of Flavigny.

⁸Jacques Laurent, ed., *Cartulaires de l'abbaye de Molesme*, vol. 2, pp. 203–4, no. 219.

Paris, Bibliothèque nationale, MS lat. 13817, fol. 281r-v; copy made by Jacob Sirmond in the early seventeenth century.

BN, Collection Baluze 139, pp. 1–2; a second copy made by Sirmond, virtually identical.

Dijon, Archives départementales de la Côte-d'Or, 6 H 12; two virtually identical copies made in 1658 and 1670.

PRINTED EDITION

J. v. Pflugk-Harttung, *Acta pontificum Romanorum inedita*, vol. 1, pp. 4–5, no. 6, on the basis of the 1658 copy in the Arch. Côte-d'Or (which he calls an eighteenth-century copy).

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Collenot, pp. 66–69; dated 877.

Philippus Jaffé, *Regesta pontificum Romanorum*, vol. 1, p. 393, no. 3104.

Text established on the basis of C, D, B, and P, the two Sirmond manuscripts (=S, or SI for MS lat. 13817 and Sb for Coll. Baluze), and the two copies in Dijon (=J, or J¹ for the 1658 copy and J² for the 1670 copy).

Iohannes episcopus seruus seruorum Dei religiosis monachis uenerabilis monasterii Sancti Petri quod appellatur Flauiniacum in perpetuum.

Omnium ecclesiarum Dei curam circumferentes opportet ut ea que bene ad diuinum cultum a fidelibus disponuntur apostolice autoritatis robore confirmemus, ut sicut unum corpus sumus in Christo et alter alterius membra,¹ ita omnes in causa pietatis non simus a mutue caritatis labore immo mercede diuersi. Quia igitur constat clementissimum principem spiritualem uidelicet filium nostrum Karolum semper augustum, sugerente fratre et coepiscopo nostro Adalgario sancte Agustudunensis eclesie antistite, monasterium Sancti Petri quod appellatur Flauiniacum quodque antea iuris regii fuerat, eidem Augustudunensi eclesie per precepti paginam in ius et proprietatem perpetuam larga munificentia contulisse. Presenti decreto decernimus et apostolice sedis auctoritate iubemus ut res quas uel idem Christianissimus imperator munifica pietate sua in usus et sustentationem predicti monasterii fratrum contulit, seu iuri quique Deum timentes pro remedio delictorum suorum eisdem diuerso tempore fratribus obtulerunt, necnon et uillam Pruiniacum² quam iam memoratus Adalgarius antistes qui eidem sancto monasterio presesse dinoscitur ex portione sua eisdem fratribus pro concamio alterius uille ipsorum fratrum que appellatur Vallis Bauonis,³ mire rationis affectu concessit, et ceteras uillas

¹Romans 12:4–5.

²Preugny, 3 km southwest of Flavigny, is also mentioned in Wideradus's testament and document no. 6.

³It is possible that this is identical with the "Vallis Bosina" of document no. 40 and hence is Vaubuzin, 9 km east of Flavigny.

nominatim expressas, id est Nouamuillam,⁴ Bornardum, Vidiliacum, Vabram, 20 Lubriacum,⁵ Germennacum, Cachiuacum, Mansionile, Cancellum,⁶ Valriacum, Glennonem, Darciacum, Puteolos,⁷ Menresum, et Pargos.⁸ Et siquid uel ipse de cetero illis largiri uoluerit uel si alii religiosi quilibet homines largituri sunt, amodo et deinceps ac perpetuo in fratrum proprie ac specialiter usus et stipendia ita sint segregate ac deputate, ut nec ipse frater et coepiscopus noster Adalgarius qui eiusdem nunc detinet gubernacula monasterii, agente nos ipso deprecante, nec successores eius episcopi, ullam omnino licentiam habeant uel ius ex his omnibus aliquid minuendi, aut manibus uel potestati secularium tribuendi aut aliquatenus ab usu fratrum alienandi siue ad usus portionis sue reuocandi uel repetendi, sed iuste et moderate tanquam Deo 30 contemplante regendi, quin potius et secundum normam religiosi propositi et salutiferam Beati Benedicti regulam gubernandi. Res uero que superfuerint et in abbatum iure consistere debent decenter et libere habeant et distribuant ipsi. Decernimus autem et presenti promulgatione precipimus ut quicquid sep- 35 dictus reuerendus antistes ex rebus monasterioli Corbiniacensis ad memoria- tum coenobium Flauiniacense pertinentis una cum consensu fratrum Flauinacensium salubriter et secundum Deum statuerit apostolica maneat autoritate subnixum et inconuulsum. Si quis uero magnorum aut etiam paruolorum cuiuscumque sit dignitatis seu professionis uel ordinis amodo et deinceps contra hoc apostolatus nostri priuilegium, a nobis eximiorum apostolorum 40 authoritate prolatum, in totum uel ex parte perpetrare ausu temerario forte presumpserit et hec que semel utiliter definita sunt rescindere uel repetere nisus extiterit uel res presignatas audaciter a iure ac dictione fratrum crebro memorati Flauiniaci monasterii subtrahere temptauerit, hoc agendi primo 45 uiribus omnibus careat dein inefficax utpote insolens et temerarius habebitur

⁴There are many locations called Villeneuve; Alphonse Roserot rejects the identification of this one with what might seem the most likely Villeneuve, 8 km north-northeast of Flavigny. Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 425.

⁵Bornet, now a farm 2 1/2 km southwest of Flavigny, was mentioned in Wideradus's testament. Villy, 13 km southeast of Flavigny, and Vesvres, 14 km south of Flavigny, are both mentioned in documents nos. 14 and 28, and Vesvres in document no. 12 as well. "Lubriacus," probably Leurey, now the name of a stream 5 km west of Flavigny, was mentioned in document no. 14.

⁶I have not identified "Germennacus." Chichée, 12 km southwest of Tonnerre, is mentioned in documents 16, 19, and 56. Maison, 14 km south-southwest of Flavigny, and Chanceaux, 14 km east of Flavigny, are mentioned in documents nos. 14 and 28.

⁷I have not identified "Valriacus." Glanon, 20 km east of Beaune, is mentioned in documents nos. 3 and 14. Darcey, 5 km northeast of Flavigny, is also mentioned in Wideradus's testament and in document no. 28. Poiseul, 12 km northeast of Flavigny, is also mentioned in documents nos. 7, 14, and 28.

⁸I have not identified these last two places, but "Menres" is also mentioned in document no. 52 and "Pargos" in document no. 14.

et ut sacrilegus comprobatus merito iudicabitur, quin potius nouerit se Dei omnipotentis iudicio anathematis nexibus per sedis apostolice ministerium penitus obligandum, nisi adhibito consilio fratrum condignum poenitentie peragat fructum, qui auditate nimirum improba uita merito corporis caruerit 50 et mentis.

Scriptum per manum Gregorii notarii regionarii et scriniarii sancte Romane eclesie in mense Maio, indictione decima,

† Bene ualete

55 *ivii kalendas Iunias per manum Anastasii bibliothecarii sancte sedis apostolice, imperante domno piissimo perpetuo augusto Karolo a Deo coronato magno imperatore anno ii et post consulatum eius anno secundo, indictione decima, orata pro o.*

1 Iohannes (Ioannes S): Iohannes papa VIII confirmat auctoritate apostolica preceptum Karoli imperatoris quo contulerat episcopo Augustodunensi monasterium Flauiniacensium quod erat antea iurus regii *praem.* P 8 Charolum J¹, Carolum J² 9 Augustodunensis BPSb, Augustodunensis SJ eclesie *om.* P 10 Augustodunensi PSJ 16 Prumiaccum S, Pruni-acum J 20 Bornadum DSb, Borrardum P, Bernadum SI Vidiliacum P 21 Cermennacum J Gachiuitacum BP Valiacum B, Valliacum P 22 Meresium J 23 religiosi *om* P 26 noster *om.* P eiusdem *om.* P 27 eius *om.* BP 28 ex] in S his] eis J 29 aut — alienandi *tr. post* 30 repetendi J 33 distribuant] instituant SI 36 fratrum Flauiniacensium consensu *tr.* J 44 Flauiniacensis P 45 uiribus] iuribus *corr.* Pflugk-Hartung deinde S 48 condignum *om.* SI 57 orata pro o *om* DSJ

The pope's monogram is reproduced in C, S, and J, after *Bene ualete* on line 53.

Bishop Adalgar (875–94) was of the family that later became the counts of Nevers.⁹ He was close to the royal court, and the king arranged for him to become bishop of Autun. Apparently when he became bishop he wished to take over the revenues of Flavigny, then the wealthiest monastery in his diocese. Much of the property listed in this charter had been confirmed as belonging to the monks by Louis the Pious; see document no. 14. Charles the Bald had already given Flavigny and Corbigny to the bishop and canons of Autun earlier in 877, before this papal confirmation. Later that same year this was confirmed at the Council of Ravenna.¹⁰ In 879 King Boso also confirmed, and Carloman again confirmed in 883 that Bishop Adalgar had Flavigny.¹¹

⁹Constance Brittain Bouchard, *Sword, Miter, and Cloister*, p. 341.

¹⁰Arthur Giry, Maurice Prou, and Georges Tessier, eds., *Recueil des actes de Charles II le Chauve, roi de France*, vol. 2, pp. 435–37, no. 420. Anatole de Charmasse, ed., *Cartulaire de l'église d'Autun*, vol. 1, pp. 50–51, no. 1 30

¹¹René Poupartin, ed., *Recueil des actes des rois de Provence*, 855–928, pp. 32–33, no. 17. Félix Grat, Jacques de Font-Réaulx, Georges Tessier, and Robert-Henri Bautier, eds., *Recueil des actes de Louis II le Bègue, Louis III et Carloman II, rois de France*, 877–884, pp. 178–79, no. 68.

24

Flavigny, 2 February 878 (?)

Ardrad, son of Grislaud and Plectrudis, gives Flavigny, where Bishop Adalgar is abbot, some mansi with serfs in the pagi of Avallonnais, Attuyer, and Auxois. The monks will give him fifty measures of grain and fifty of wine and ten pigs a year.

MANUSCRIPTS

C, pp. 453–56, no. 23.

D, fol. 32r–v.

B, fols. 273v–274v, no. 25.

P, pp. 51–54.

Grignard, pp. 214–19, on the basis of C and P; dated 893.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Collenot, pp. 69–70; dated 893/94.

Text established on the basis of C, D, B, and P.

Domine sacrosancte aeclesie dicatam in honore Sancte Petri et Sancti Preiecti necnon et Sancte Regine apud Flauiniacum monasterium constructam, ubi uenerabilis uir dominus Adalgarius episcopus preesse uidetur necnon et Aquinus prepositure regimine fungi, ego in Dei nomine Ardradus, Grislaudi quondam atque Plectrudis filius, cogitans casu humane fragilitatis uel pro 5 aeterna retributione, ut michi Dominus ueniam prestare dignetur, idcirco dono ad ipsam casam Dei, Sancte Marie scilicet semper uirginis et Sancti Michaelis et Sancti Petri Sanctique Preiecti, caeterorumque sanctorum quorum reliquie ibi continentur, res meas que sunt site apud Auenlense et in fine Ottisi- 10 acense uel uillam nuncumpantem Sasiriaccum, una cum duobus mansis et omnibus appendiciis eorum, et alias uillas Dissingiacum et Misciriaccum,¹ preter unum mansum quem Vuernerius tenebat quem Gonfredo dedi, alium mansum in Sasiriaco quem Ademaro dedi, in Dissingiacum alium mansum quem Vuichardo dedi, alias res preter ista tria mansa quantumcumque in iam dictis uillis superius nominatis uisus sum habere uel possidere, quicquid ex 15 paterna uel materna seu parentum meorum successione, tam de proprio quam de comparato uel de quolibet ingenio michi aduenit aut eueniri poterit, uel per nomen meum uel bonorum hominum inuestigare potueritis, cum mansis, campis, pratis, uineis, siluis, pomis, aquis aquarumque recursibus, farinariis

¹Saiseray and Misserey were mentioned in Wideradus's testament. Misserey is 25 km southwest of Flavigny and Saiseray 1 km north of there. According to Alphonse Roserot, the hamlet of Dessigney was located in the same commune; Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 139. See also Maurice Chaume, *Les origines du duché de Bourgogne*, vol. 2, pt. 3, p. 879.

20 cultis et incultis, quicquid dici uel nominari potest, una cum mancipiis his nominibus, Grisonem et uxorem suam Godanem et Gyrberganem, Alegrinum et uxorem eius Magensianem cum infantibus iii, Mauronem et Tuonem et Aquilinum, Aslannum, Giselmum, Adrieldem et infantes v, Ragenberganem, item Adrieldem cum infantibus suis quinque, Adalgianem cum filio suo Gis-
 25 lardo. Similiter dono alias res ad ipsam casam Dei rectoresque ipsius monasterii in pago Alsinse in uillis nuncupantibus, Vilare et Brino que sunt sitae in finibus Agerniacense uel Luuiniacense,² mansos scilicet cum pratis, campis, uineis, siluis, cultis et incultis, quicquid dici uel denominari potest, preter unum masellum in Luuiniaco et unam uineolam in Corticellas et campum
 30 unum ubi uocant Altarocca.³ Istan res suprascriptas, quantumcumque uisus fui habere aut possidere, omnia et ex omnibus in integrum ipsius aeclesie monachis ipsius monasterii tam pro me quam pro propinquis meis Cellone, Cetsennane marchione,⁴ Fulchidrude, Gislaldo, Plectrude, Gislerio suauo, Armoni monacho, trado atque transfundeo habendi ordinandi, sub ea tamen
 35 ratione ut de ipsis rebus ulla potestas neque per precariam neque per ullum prefatum beneficium non habeat licentiam nec minuere nec concamiare, sed sub integritate predice res ad ipsa luminaria et ad usus fratrum inibi commorantium permaneant ipsique monachi ibidem residentes eclesiam aedificere, ut de ipsis rebus Domino deseruant. Ideo ista statuimus ut quicumque hec
 40 que superius diximus suadente diabolo temptauerit uel presumpserit, a Patre et Filio iudicio Spiritus Sancti sit excommunicatus, et cum Iuda proditore Domini et Datan et Abiron aeternaliter dampnatus. Vnde nichil aliud accipio ab eisdem monachis, nisi annis singulis ex annonae modios I et ex uino similiter modios I, porcos x. Siquis uero, si ego ipse aut ullus ex heredibus meis aut
 45 ulla emissa persona contra hanc donationem uenire aut aliquam calumpniam generare presumpserit, non hoc ualeat euindicare quod repetit, sed inferat monachis eorumque successoribus seu ad ipsa luminaria ipsius eccliae Sancti Petri, auro libras c et in fisco auro libras x coactus exsoluat. Et haec donatio et uoluptas seu elemosina mea uel parentum meorum pro quibus trado omni
 50 tempore firma et stabilis atque inconuulsa permaneat, stipulatione subnixa.

Actum Flauiniaco monasterio siue castro publico.

S. Ardradi qui hanc donationem fieri iussit et firmare rogauit.

S. Albuini. S. Vuilengi. S. Sutgerii. S. Ebrierii.

²Villiers is 4 km west-southwest of Flavigny, and Braine is 6 km south-southwest. Villiers is mentioned again in documents nos. 38 and 53. Eugny, a name now only preserved as the name of a woods, was 2 km northeast of Flavigny, and Leugny is 4 km south-southwest. Eugny and Leugny were mentioned in Wideradus's testament.

³Courcelles is 19 km southwest of Flavigny. Hauteroche, 4 km southeast of Flavigny, is also mentioned in documents nos. 39 and 46.

⁴Marquis of Le Mans.

S. Eirici. S. item Ebrierii. S. Aaronis. S. Atillonis.

S. Airmani. S. Angleni. S. Ansedei. S. Blitgerii.

55

Ego in Dei nomine Eloradus clericus scripsi et subscrispi. Datum in mense Februario, iiiii nonas ipsius mensis, die purificationis Sancte Marie, regnante Domino nostro Iesu Christo in perpetuum, regni autem uel imperii augusti Karoli simplicis anno iii.

I Domine: Ardadus dat monasterio Flauiniacensi Susuriacum Dissinigiacum Misciriacum etiam quicquid habebat in uillis Villare et Brino &c. *praem* P 4 Gyslaudi D, Groslaudi B, Groslandi P 5 casum D, casus BP 5–6 pro aeterna] paterna C 7 Dei *om.* B 9 Aualense BP Ostisiacense P 10 Susuriacum BP 11 Dissinigiacum BP 12–13 quem Vuamerius — dedi alium mansum *om.* BP *per homoiotel* 13 Sasyriaco DBP 13–14 in Dissinigiacum — dedi *om.* BP *per homoiotel* 19 uineis, pratis *tr.* BP 20 incultis: et *add.* D 21 Gysonem D uxore sua Godane BP Girberganem D, Gyrb ergane BP 22 Tuonem] Cuonem BP 23 Giselmum] Ilsemum D, et Selmum BP Adriedem BP 24 Adalgranem D, Adalganem BP Gislurdo BP 27 Agermiacense P 33 Cetsennane] et Sennane BP Fulchidrade BP 34 Aymoni D habendum ordinandum BP^cP 35 nulla BP 38 ipsique — aedificere *om.* BP 39 domno C 41 domni C 48 et *om.* C 49 uoluntas D, uolumpitas B 51 seu BP 52–55 S. *om.* CD 53 Surgerii BP 54 Eyrici D, Errici BP Ebrierii item *tr.* P 55 Ayrmani DBP Blugerii B, Brugerii P 56 Eldradus DB, Elradus P Data D

The probable date of this charter is 878. Charles the Simple, who would not at any rate have been called “the Simple” in a contemporary charter, was never emperor. If one considers “Simplicis” a later addition, then the charter would have to have been given in the third year of Charles the Bald’s rule as emperor, except that he was emperor for less than two years, from December 875 to October 877. However, since no one succeeded him as emperor for four years, the monks of Flavigny may well have dated a charter from February 878 by Charles the Bald. The charter must at any rate have been given between 877 and 894, while Adalgar was both bishop of Autun and head of Flavigny. Some have dated it to 893 or 894, probably because of a confusion with the next charter, which is dated 894. A marginal notation in B dates it 883, by the imperial year of Charles the Fat.

25

Chalon, 1 May 894

Girfred, a monk of Flavigny, has been accused of poisoning Adalgar, bishop of Autun. The bishops of Burgundy gather together to hear the case. He clears himself by oath.

MANUSCRIPTS

C, pp. 456–60, no. 24.

D, fol. 47r–v; also first few lines (to “patrem” on line 4) repeated on fol. 33r, crossed out.

B, fols. 275r–276r, no. 26.

P, pp. 54–57.

Grignard, pp. 223–27, on the basis of C and P.

PRINTED EDITIONS

Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 3, p. 273, dated 894 (abbreviated).

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 17–19, on the basis of D.

GC 4:64–65, no. 25.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 271. Collenot, pp. 71–74.

Text established on the basis of C, D, B, P, Mabillon (=M), and GC (=G).

Anno DCCCXCIII, indictione xii, inuidiae instinctu malorum ortatu, abortata est infamis fama Flauiniaco monasterio et castro publico, in quem-dam loci illius leuitam et monachum Gyfredum, officio prelationis functum, quod piissimum patrem et reuerendum presulem domnum Adalgarium Aedu-
 orum episcopum letali extinxerit ueneficio. Huius criminis iniquissimum obiectum, Deo simul et hominibus horrendum, nonmodo ipsius aeclesie, uerum etiam totius Gallie aures pulsauit et infami satis elogio notauit. Pre-fatus uero leuita et monachus super illatione tanti facinoris nimium exhorruit, utpote qui tanta tamque preualida ab ipso dulcissimo patre persenserat bene-
 ficia, uti omnibus satis abundeque claret, super quo primitus consilium gloriōsi presulis domni Gualonis ipsius successoris expetiit, seque a tam nefandissimo scelere non minus cogitatu quam facto presentie illius, Deo teste et iudice omnium ac inspectore cordium, immunem firmauit. Denique tantus tamque precelsus pontifex, diuinorum necnon et humanorum scitus,
 filiorum eclesie consilio fultus, ouem sibi creditam perire noluit, sed insuper fomenta adortationum et medicamina diuinorum eloquiorum pie et misericorditer adhibuit, ut si forte diaboli pellatia quid simile cordi illius iniecerat saltem suggestione Spiritus Sancti et infusione ipsius uerbi eclesiastica institutione professus salubriter curari posset et ablui. Verum iam dictus leuita et monachus in nullo penitus tanti flagicīi conscius, iudicium sibi Sancti Spiritus proposuit et se ad quocumque examen eclesiastico more censeretur, modis omnibus promptissime deliberauit. Quocirca prenominatus presul tantum et tam inauditum facinus proprio cunctatus deliberare iudicio ad sanctam et comprouinciale synodus Aurelianī nominandi archiepiscopi et
 caeterorum coepiscoporum presentia discutiendum et diffinendum censuit. Quod et ipse ut pote immunitis haud quaquam distulit. Proinde Deo propitio prefixo kalendarum Maiarum die conuenere sacri pontifices, Aurelianus primas totius Galliae cum illustrissimis Gualone Aeduensi, Ardrado Cabil-onensi, Geraldo Matisconensi coepiscopis, simul et legatis memorandi

Teutbaldi Lingonensis episcopi,¹ apud Cabillonensem urbem, in aeclesia 30
Beati Precursoris Christi Iohannis, que est in prospectu eiusdem urbis, ubi
instituta sanctorum patrum canonice et regulariter promulgantes et eclesiastica
negotia diligentius pertractantes infamia notatum crebro dictum monachum
coram positum subtili indagine et multo examine discutere laborarunt. Quo
isdem monachus omni iudicio et more eclesiastico et humani iuris experi- 35
mento instructus nec huius infamie euidentem accusatorem nec alicuius cer-
titudinis proclamatorem repperire potuit. Quod tertio sub testificatione
Sancti Spiritus clamari iubentes et nichil prorsus uerisimile repperientes,
sancierunt communi consilio ut quia nec conuinctum nec etiam confessum
experiebant tamen quia uentilatum et usque locorum erat diuulgatum, ut ab 40
omni suspitione liberrimus redderetur, in uiciniori synodo quam omni
reuerentia dignus Gualo antistes erga filios aeclesiae celebraret, corporis
Christi et sanguinis illo examine, quod solum uerius probatur et terribilius
immo salubrius creditur, a flagitio diuulgato publice expiaretur, eo scilicet
tenore eundem prius testificantes ut si in aliquo conscienti tanti piaculi foret, 45
nullo modo ad sacra sumenda accederet, et si forte temerarie presumeret cen-
sura Sancti Spiritus et auctoritate apostolorum principis ab ipso uiuifco
redemptionis nostre pretio extorris fieret et cum Iuda Domini proditore dam-
natus aeternis inremediabiliter suppliciis addiceretur. Sin uero inmunem se
esse per omnia pernosceret, fisus misericordie Dei, tanti muneris donum ad 50
salutis sue remedium saluberrime percipere non diffideret. Quod omnibus
usque satis fuit. Inde igitur pastor piissimus, misericordia motus, illius
causa apud Flauiniacum coenobium et castrum publicum sanctam synodus
proprie ecclesie colligens, iuxta statuta supradictorum antestitum missarum
sollempniis deductis, omnibus in unum qui adfuere in primore ecclesia Sancti 55
Petri collectis, iam suprafatum premonuit uirum, ut sicut sibi ipsi con-
scientia dictaret ad sacra sumenda aut etiam refugienda, quoquo uellet modo, se
ipsum prefigeret. Quique in nullo hesitans, Deum sibi et ipsum quod per-
cepturus erat redemptionis pretium in testimonium et iudicium inuocans
fidissime, omnibus in prospectu positis queque supra fuerant prefixa, uotis 60
omnibus peregit. Hoc igitur tanto donatus munere ne unquam ulterius tam
emuloso sauciaretur uulnere, hoc scriptum a prefato seniore et subternotatis
suis coeuis petiti relegendum et manibus corroborandum.

¹The bishops are Aurelian, archbishop of Lyon; Walo, Adalgar's successor as bishop of Autun; Ardrad, bishop of Chalon between about 890 and 920; Gerald, bishop of Mâcon between 886 and about 920; and Theobold, who had become bishop of Langres in 888. There seems to have been some conflict at Langres after the death of Bishop Geylo, because at the same time as Theobold was bishop, a man whom Flodoard of Reims described as a relative of Charles the Simple (*Historia Remensis ecclesiae* 4.6, MGH SS 13:571), Argrim, who had been a monk at St.-Bénigne, also began appearing as bishop, from 889 until 910. See also document no. 21.

Valo humilis sancte Eduensis aeclesie episcopus relegi et subscrispi.
 65 Ardradus humilis Cauillonensis aeclesie episcopus subscrispi. Geraldus rector et humilis episcopus sancti Matisconensis subscrispi.

I Anno: Gyfredus monachus ueneficii accusatus coram Eduensi episcopo ad sinodum remittitur iudicandus et per participationem corporis et sanguinis Christi expiatu*praem.* P Anno *om.* CBP DCCCXCIII] ... P 2 aborta DBPG, aborta M est *om.* P, *marg.* B 3 Gerfredum MG 4 Eduorum DP 5 extinnerit C, extinxerat MG 9 ueneficia P 11 domni *om.* BP 13–22 Denique — deliberauit *om.* M 14 sciens G 16 medicamenta G 20 sibi *om.* P, *marg.* B 26 Quod — distulit *om.* M 27 Aurelianias C 28 Eduensi D Cabilonensi BPM 30 Teutbatoi C Cabilonensem BPMG 31–34 ubi — laborarunt *om.* M 34 laborauit B^ac P 35 omnium M et more] more MG 36 certitudinis] celsitudinis C 37–38 Quod — repperientes] Vnde praedicti episcopi M 40 uentilatum: est *add.* P usquam D, ubique P, ubique M 44–66 eo — subscrispi] &c. M 48 domni C 50 Dei *om.* PG, *marg.* B 55 in unum *om.* G primori DBP 58 Deum] Dominum BP 63 coeui] coepiscopis G 64 Vualo PG Aeduensis BPG 65 Cabilonensis BPG subscrispi *om.* BP Geraldus] Eradus C 66 sancti Matisconensis subscrispi] sanctae Matisconensis ecclesiae subscrispi D, ecclesiae Matisconensis B, sancti Matisconensis P, Matisconensis ecclesiae subscrispi G

The date is given as 894 in all manuscripts except for P, which gives dots instead. In C there is an attempt to reproduce the handwriting of the signatures, which perhaps were copied literally in the cartulary.

This is a very curious case. The accused poisoner would have wanted to get rid of the bishop controlling his monastery, in spite of the “benefices” Adalgar had given him. The new bishop of Autun, who headed the investigation, would probably have been happy himself to have Adalgar out of the way. Even though Girfred cleared himself officially, ending what threatened to become a scandal, the account still leaves the strong impression that he had indeed poisoned Adalgar.

26

Flavigny, 3 July 903

Norduinus, with his wife, Istiburgis, and their son, give Flavigny, where Bishop Walo of Autun is abbot, a mansus in the pagus of Auxois, which he had acquired hereditarily, and what he acquired from King Charles. He also gives the monks some serfs, who will pay an annual fee, and a golden cross with gemstones.

MANUSCRIPTS

C, pp. 461–63, no. 25.

D, fol. 48r–v; dated 897.

B, fols. 276v–277r, nos. 27–28.

P, pp. 58–60.

Grignard, pp. 229–31, on the basis of C and P; dated 894.

PRINTED EDITION

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 21–22, on the basis of D.

SUMMARY

Collenot, pp. 74–76; dated 896.

Text established on the basis of C, D, B, and P.

Sacrosancto monasterio constructo in honore Beati Petri apostolorum principis et Sancti Preiecti martiris ubi uenerabilis Vualo episcopus et abbas atque Otbertus prepositus cum norma fratrum ibidem preesse uidentur, ego in Dei nomine Norduinus et uxor mea Istisburgis, simul cum filio meo Vulingo cogitauimus pro remedio animarum nostrarum et diuina retributione ut aliquid de rebus nostris ad iam dictum monasterium conferre deberemus, quod et fecimus. Dedimus itaque plena et integra uoluntate rectoribus prefati monasterii mansum cum supraposito in pago Alsinse, in uilla Resteneso, in fine Magniacense,¹ totum ad integrum, quicquid mihi legitimo iure de hereditate genitorum meorum prouenit. Insuper quicquid per preceptum Karoli regis 10 adquisiuimus totum ad integrum donamus in usus fratrum, quicquid ibi uisi sumus possidere, uidelicet mansum suprascriptum cum terris, edificiis, uineis, pratis, pascuis, aquis aquarumque decursibus, exitibus et regressibus, mobilibus et immobilibus, quicquid ad ipsum mansum aspicere uidetur, cedimus, tradimus, atque transfundimus. Donamus etiam mancipia his 15 nominibus, Stephanus cum uxore sua Raginelde et filia sua Palsinna, Arembaldus et uxor sua Armeldis et filius eorum Arembertus, Archiuisa et filios suos duos, sub eo censo ut masculi denarios quatuor, femine duos de capite annis singulis simul et iornos duos, nisi redditus terre teneant, ut ipsum censem cadere debeat, ea tamen ratione ut nec in beneficium eos dare debeant, sed 20 tantum in generales usus fratrum habere et tenere debeant, nullo contradicente. Donamus etiam crucem auream cum gemmis, sub ea obtestatione, ut qui-cumque uel ipsam terram cum seruientibus uel ipsam crucem alienare presumperit offensionem Dei incurrat et aeterno anathemati subiaceat. Si quis uero, quod futurum non credo, si aut ipse aut aliquis de heredibus meis contra 25 hanc donationem uenire aut calumniare presumpserit, non ualeat euindicare quod repetit, sed primo Deo et angelis eius obnoxius habeatur et demum prefato loco auri libram unam coactus exsoluat. Et hec traditio, plena uolumptate a nobis concessa, omni tempore firma et stabilis maneat, stipulatione subnixa.

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Actum Flauiniaco monasterio siue castro publico.

¹Magny is 9 km southwest of Flavigny. Maurice Chaume says that there was once an area called Retenoy in the commune of Pouillenay, which is 5 km west of Flavigny; Chaume, *Les origines du duché de Bourgogne*, vol. 2, pt. 3, p. 865.

Norduini qui hanc traditionem fieri iussit. Itisburgis que concessit. Vuilengi qui concessit. Item Vuilingi. Vuicheranni. Rotfredi. Gulfracci. Alberici. Riculfi. Deodati. Ego in Dei nomine Gauzbertus ad uicem Rahingi
 35 monachi scripsi et subscrpsi. Actum quinto nonas Iulii, indictione vi, regnante Karolo rege regni autem v.

In nomine Domini Dei aeterni et Saluatoris nostri Iesu Christi, Vualo dispensante diuina miseratione humilis Aeduensis eclesie episcopus et abbas de abbatia Beati Petri Flauiniacensis monasterii omnium sancte Dei eclesie
 40 fidelium presentium scilicet et futurorum generalis uolumus.

I Sacrosaneto (Sacro BP): Norduinus dat monasterio Flauiniaciensi quicquid habebat in pago Alsinse in villa Resteneso et crucem auream cum gemmis *praem.* P 4 Itisburgis D 15 Dominamus CB^{ac} 16 Arembaudus B, Arembaudus P 17 Aymeldis D 18 suos *om.* C denarios BP 31 seu BP 32 Norduinus P Item Vuilengi B, Vuilengi item P 33 Vuicherani BP Vulfracci D 34 Ego — Gauzbertus] In Diuione Gausbertus BP 35–36 et — v *om.* BP 35 Actum] Data D 36 rege: anno *add.* D autem *om.* D 37 In: Carta Vualonis Eduensis episcopi et abbatis Flauiniacensis quae imperfecta in cartulari habetur *praem.* P Ihesu BP 38 Eduensis DBP 40 generalis uolumus *om.* D^{pc} uolumus *om.* B^{pc} P

This was probably done in 903, which is indiction 6 and is also the fifth year of Charles the Simple as king after the death of King Odo. Although both B and P treat the last section (beginning on line 37) as the beginning of a new charter, it seems most likely that this is only the bishop's confirmation of Norduinus's gift.

27

Autun, 1018

King Robert II gives Flavigny, where Amadeus is abbot, the chapel of St.-Jean outside the walls of Autun.

MANUSCRIPTS

- C, pp. 463–64, no. 26.
 D, fol. 34r.
 B, fol. 277v, no. 29.
 P, pp. 60–61.

Text established on the basis of C, D, B, and P.

In nomine summae trinitatis et indiuidue unitatis.

Ego Rotbertus gratia et benignitate redemptoris Iesu Francorum rex notum fieri uolumus industrie omnium sancte matris eclesie tam presentis quam future etatis fidelium quod quidam Amadeus abbas Flauiniacensis coenobii in
 5 honore Beati Petri apostolorum principis almique Preiecti martiris ac presulsi fundati ad nostram presentiam accesserit, petens quandam capellam nostri

ius, infra moenia Eduorum ciuitatis sitam et in honore Beati Iohannis euangeliste dicatam, supradicto loco scilicet Flauiniaco dari, que fratribus predicti loci ita erat necessaria ut ospitandi causa eis esset expetenda. Cuius petitio nec uisa est refragabilis nec iniusta. Si enim omnibus rationabilibus est 10 fauendum petitionibus, quanto magis illorum quorum remuneratio in die iusticie constat copiosior? Vnde quam huic simile multotiens ab antecessoribus nostris frequentatum audiuius ac factitatum libenter petitionis illius prebuimus effectum, quatinus locus saepenominatus, Flauiniacus uidelicet, et monachi ibi degentes atque inibi diuine maiestati famulantes, pretaxatam 15 capellam in honore Sancti Iohannis euangeliste ut diximus consecratam cum omnibus que ad ipsam pertinere uidentur perpetualiter, nullo inquietante deinceps possiderent. Et ut firmorem amodo tenendi haberent, adstipulationem hoc scriptum inde eis fieri iussimus et sigilli nostri impressione insigniri precepimus.

20
Actum Edue anno dominice incarnationis, i inductione, regni uero glorioissimi regis Rotberti xxx.

Vualterius Edue urbis presul.¹

Hugo Altissioderensis episcopus.²

Balduinus Tharohennis episcopus.³

Theodericus Aurelianis episcopus.⁴

Ego Balduinus cancellarius relegi et subscripsi.

25

¹ In: Robertus Francorum rex dat Amedeo et coenobio Flaumiensi capellam Sancti Iohannis euangelistae infra moenia Aeduorum sitam *praem.* P [summae] Iesu et C 2 Robertus BP Ihesu P 7 Aeduorum P 9 hospitandi DBP 11 renumeratio C 12 quam] quoniam DP 21 incarnationis: Millesimo XX *add.* D i inductione] inductione iii D 22 xxx: iii kalendas Martii *add.* D 23 Eduensis BP 24 Autisiorensis B, Autissiodorensis P 25 Tharaconensis BP episcopus] praesul DB 26 Theodericus: Ego *praem.* D Aurelianensis BP episcopus] praesul D

This was done in 1018, which is induction 1 and is also the thirtieth year of Robert's reign, dating from his original coronation in 988. King Robert is recorded on 18 June in the necrology of Flavigny, recalling that he gave the monks St.-Jean of Autun.⁵

This document was repeated and confirmed later by the duke; see no. 51. Although this particular document has not been published before, its existence was noted by Christian Pfister and William Mendel Newman in their summaries of no. 51. This document and no. 51 are only slightly different in the text, but the

¹ Walter, bishop of Autun (977–1018).

² Hugh, count of Chalon and bishop of Auxerre (999–1039).

³ Baldwin, bishop of Thérouanne.

⁴ Theoderic II, bishop of Orléans (1013–23).

⁵ MGH SS 8:286.

witness lists are quite different. Even though D gives the text of this document, he crossed out the witness list and replaced it by the list given in no. 51.

28

Autun, March 992

Walter, bishop of Autun, restores the regular monastic life at Flavigny under Abbot Heldric and restores churches to the monks which had been held for the last century by bishops of Autun.

MANUSCRIPTS

C, pp. 465–70, no. 27.

D, fols. 2r–3v; dated 992.

B, fols. 278r–279v, no. 30.

P, pp. 61–66.

Auxerre, Bibliothèque municipale, MS 152, pp. 959–62, seventeenth-century manuscript of Dom Viole; dated 992.

Grignard, pp. 244–50, on the basis of C and P; dated 989 or 979.

PRINTED EDITION

Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, pp. xxiv–xxv, no. 30, on the basis of C; dated 992.

SUMMARIES

André Duchesne, *Histoire généalogique de la maison de Vergy*, p. 44; dated 992.

Petrus Roverius, *Reomaus, seu Historia monasterii S. Ioannis Reomaensis*, pp. 172–73.

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Collenot, pp. 76–78; dated 992.

Text established on the basis of C, D, B, and P, and Auxerre MS 152 (=V).

Sancita confirmatione priscorum patrum et pietatis constitutione noscitur esse inuentum quatinus sacre matris eclesie antistites quos ad gubernandam plebem proprio Cristi sanguine redemptam, atque ad disponendas leges eclesiasticas elegit sibi diuina prouidentia, non solum ex decimis, uerum etiam ex 5 aliis facultatibus credite sibi eclesie inuigilent amplificare sanctorum eclesias que aut destructione paganorum aut infestatione falsorum Christianorum desolate et inedia absumpte debitum seruitium non ualent normaliter Deo reddere. Vnde sicut diximus perutile est pastoribus super comissum gregem impendere curam quo ministri eclesiarum utriusque ordinis illorum sustentati adiutorio 10 uiuere queant, et non solum ipsos pontifices, sed etiam omnes eclesie filios in assidua orationum cura associent. Quapropter ego Vualterius sancte Edu-

ensis eclesie Domino tribuente presul¹ omnibus presentibus atque futuris cognitum fore uolo, quia anno dominice incarnationis DCCCCXCII, indicione v, Heldricus primi celestis aule ianitoris et apostoli Petri atque martiris egregii Preiecti abbas² coenobii Flauiniacensis cum fratribus illic sub norma 15 Sancti Beati Benedicti, quod olim incumbente maligni spiritus fraude cessauerat, nunc suppeditante Domini dominorum gratia nobis pro posse laborantibus uiua regularis deuotionis professione degentibus, nostram humiliter deprecatus est caritatem ut abbacie nostre sedi decenter adnixe atque in honore prolibatorum sanctorum fundate, decimas ex capellis quarum beneficium est ex ipsa abbatia ad uictum et usus tam abbatis quam monachorum ibi Deo famulantium episcopalnis auctoritate firmitatis concederemus, ut omni tempore presentis uite tam ipsi qui nunc supersunt quam omnes successores eorum secundum Dei et sanctorum eius honorificentiam et illorum voluntatem sacerdotem inibi instituant, qui eorum obtemperando iussionibus omnino pareat. Igitur hec sunt altaria cum oblationibus cunctaque ad se pertinentibus, Flauiniaco altare Sancti Genesii;³ Altaroca altare Sancti Albini; Ialiaco altare Sancte Regine; Vidiliaco altare Sancti Martini; Cancello altare Sancti Antimi; Puteolis altare Sancti Victoris;⁴ Colonias altare Sancti Iuliani; Insulis altare Sancti Medardi; Mansionile altare Sancti Salvatoris; Fontanas altare Sancti Germani; Poliniaco altare Sancti Symphoriani; Masingiaco altare Sancti Petri; Marsiliaco altare Sancti Georgii; Siciaco altare Sancti Benigni; Fano altare Sancti Germani;⁵ Blatciaco altare similiter Sancti Germani;⁶ Vabra altare Sancti Balderici; Darciaco altare Sancti Benigni; Viitelo

¹Walter, bishop of Autun (977–1018).

²Heldric was a Cluniac monk who also became abbot of Moûtiers-St.-Jean and St.-Germain of Auxerre to reform them; Roverius, *Reomaus*, p. 174. He died in 1009.

³Bishop Walter had given the monks St.-Genest of Flavigny in 977; see no. 18.

⁴Hauteroche, 4 km southeast of Flavigny, is also mentioned in document no. 24. Jarry, 8 km southeast, is mentioned in document no. 42. Villy-en-Auxois, located 13 km southeast, is mentioned in documents nos. 14 and 23. Chanceaux, 14 km east of Flavigny, is mentioned in documents nos. 14 and 23. Poiseul, 12 km northeast of Flavigny, is mentioned in documents nos. 7, 14, 23, and 35. For these identifications, see also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 197–98, 202, 429, 84, and 303.

⁵I have not identified "Colonias" or "Insulis." Maison, 14 km south-southwest of Flavigny, is mentioned in documents nos. 14 and 23. Fontaines-en-Duesmois is 15 km north of Flavigny. Pouillenay, 5 km west of Flavigny, is mentioned in document no. 6. Massingy, 13 km south-southeast of Flavigny, is also mentioned in documents nos. 22 and 32. Marcilly, 12 km south-southwest of Flavigny, is mentioned in document no. 8. Cessey is 11 km south of Flavigny. Fain is 14 km northwest of Flavigny. For these identifications, see also Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 167, 308–9, 241, 234–35, 73, and 158.

⁶"Blatciaco" seems likely to be identical with the "Blaciaco" of the testament, but Roserot argues that the "Blaciaco" of the testament was Blaisy, 3 1/2 km northwest of

35 altare item Sancti Germani.⁷ Nos ergo pretextorum scilicet et ceterorum fratrum uoluntario consentientes animo, maxime quod nobis celestis remunerationis primum in uenturo aeuo mansurum sine dubietate speramus, consensu nostre eclesie archidiaconi Gerardi, aliorumque fidelium per huius firmitatis scriptum, prefatas decimas ad supplementum uictus ut premisimus
 40 largiti sumus, salua tamen circa illos dum aduixerint nostre donationis auctoritate. Ex his altaribus que nostro dono quidam nostrorum fidelium possident ceterum post discessum illorum concessimus ut prefati sumus quatinus omni tempore loco predicti sancti principis et apostoli Petri gloriosique martiris Preiecti concesse uinculo perpetue soliditatis permaneant, et presbiteri
 45 qui ab ipsis ibi statuti fuerint eorum iugiter utilitati consulant, omnique anno ad duas synodos nostre matris eclesie presentiam adeant, et seruitum semel in anno nobis nostrisque successoribus reddant, et si rite impleuerint hec nullam molestiam a nobis uel successoribus nostris patiantur. Insuper etiam nostri memoriale facere studeant perpetuo, cantantes psalmum ad letaniam omni
 50 tempore certis diebus quibus cantari licitum est, Domine exaudi orationem et non intres in iudicium cum seruo tuo, tam pro remissione peccatorum anime nostre quam antecessorum uel successorum nostrorum. Immo etiam et in aliis eorum bonis operibus nostri portionem omnimodis et semper ute poter qui ordinis huius ut ualui reparator extiti habere studeant. Itaque toto mentis
 55 desiderio postulamus quatinus quod nos pro redemptione anime nostre successorumque nostrorum simul et antecessorum deuota mente statuimus, nullo modo uioletur, sed ita a nostris corroboretur omnibus successoribus ac si sua uoluerint stabiliri statuta quae amicis aut simili ratione facere uoluerint pro animarum absolitione.

60 Acta Augustiduno feliciter in Domino.

Anscherius archidiaconus.

Hugo abbas et comes.⁸

Vualterius abbas.⁹

Vnericus abbas.

Gyrardus archidiaconus.

Erpertus abbas.

Vncbaldus abbas.

Hugo abbas.

65 Ermuinus abbas.

Richardus archidiaconus.

Ansisus precantor.

Rodulfus.

Montbard, and this "Blatciaco" is Blessey, 12 km southeast of Flavigny. This seems unlikely, as Blessey's church was Ste.-Anne, not St.-Germain, and all Roserot's other references to Blessey show it belonging to St.-Bénigne or St.-Seine, not Flavigny. Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 40, 42.

⁷Vesvres, 14 km south of Flavigny, is mentioned in documents nos. 12, 14, and 23. Darcey, 5 km northeast, is mentioned in Wideradus's testament and document no. 23. Vitteaux is 13 km south of Flavigny.

⁸Hugh, count of Chalon, abbot of Paray-le-Monial, and bishop of Auxerre in 999.

⁹Most of the "abbots" in the witness list were not actually abbots but officers of the cathedral chapter of Autun, who were given the honorary title of *abbas*.

Vualterius leuita.	Gislebertus leuita.	
Domninus presbiter.	Andreas.	
Raginaldus.	Item Rodulfus.	
Rotbertus.	Bererius.	70
Vuarnerius.	Raginaldus.	
Odolgerius.	Rotbertus.	
Gyraucus.	Ainaldus.	
Landricus comes Neuernis. ¹⁰	Erlegius.	
	Ansedeus.	75
Arlebaldus Sinemurensis. ¹¹	Aymus comes Alsensis. ¹²	
Tetbaldus. Enricus.	Adraldus.	
	Vualterius.	
Ego frater Flauardus indignus sacerdos scripsi ad uicem Rodulfi notarii in mense Martio, anno ii regnante rege Rotberto.		80
Hec auctoritas firmitatis post obitum sancte recordationis Vualterii presulsi relecta a domno Helmuino episcopo successore eius ¹³ gratifice est confirmata atque conlaudata, anno prefati regis xlvi.		
Helmuinus episcopus.	Aganus.	
Gausfredus archidiaconus.	Hugo.	85
Vuido.	Azilinus prepositus.	
	Bernardus.	
	Vualterius.	
Eusebius.	Vnericus.	90
Gyrbertus.	Seuuinus.	
Atto		
Rotbertus.		

¹⁰ Sancita: Vualterius Eduensis episcopus dat Heldrico abbatii et monachis Flauiniacensis coenobii xxiii altaria cum decimis ad usus monachorum *praem.* P 7 [normaliter] morahter BPV 10 etiam *om.* BPV 11 Aeduensis BV 16 Sancti *om.* V Beati *om.* D^{PC} 26 cunctisque D^{PC}BP 27 Altarocca D, Altarocha V 28 Videliaco BP 29 Antunii BP 31 Mansingiaco BP 32 Marciliaco DBV 33 Blactiaco D 34 Vutello CBP 35 et] de C 40 dominationis C 43–44 Praiecti martyris *tr.* BPV 58 facere *om.* V 61 Ascherius BV 63 Girardus BPV Expertus BP 64 Vnebaldus P 69 Rodulfus item *tr.* P 70 Robertus

¹¹ Landric became count of Nevers in 991 or 992 and count of Auxerre in 1002. This is the earliest charter he signed as count of Nevers. Count Landric lived until 1028. For his career, see Constance Brittain Bouchard, *Sword, Miter, and Cloister*, pp. 341–44.

¹² Arlebald of Semur appears in a 993 document for St.-Symphorien as Count Arlebald; André Déléage, ed., *Recueil des actes du prieuré de Saint-Symphorien d'Autun de 696 à 1300*, p. 41, no. 16.

¹³ Helmuin, bishop of Autun (1018–55).

BPV 72 Robertus BP 74 Niuernis V 77 Letbaldus V 78 Gualterius BP 80 ii] v DPC,
om. C Roberto V 82 domino BP 85 Gaulfredus BP 86 Asilinus praepositus. Vuido *tr.*
 P Asilunus B

There used to be a fourteenth-century *vidimus* of a twelfth-century confirmation of this charter in the Archives départementales de la Côte-d'Or at Dijon, catalogued as 6 H 36, but it has been lost. The order of the signatures, from Count Landric on, is slightly different in all the manuscripts. I have arranged them on the page in a way that makes sense of the different orders.

This charter records the restoration of Flavigny. It is explicitly dated by the year of the incarnation and the indiction, both of which give 992, even though that was not the second year of Robert's reign—this is doubtless why D "corrected" the regnal year. The charter was reconfirmed by Bishop Helmuin, apparently in 1033 or 1034, probably at the same time as the episcopal privilege of document no. 49, although Robert was no longer king by then.

The necrology of Flavigny records Bishop Walter on 29 October and says he restored nineteen altars.¹⁴ Much of the property listed is that for which the monks had received a confirmation from Louis the Pious and which Bishop Adalgar had taken when he became bishop of Autun; see documents nos. 14 and 23.

29

Auxerre, 28 July 1002

Landric, count of Nevers, for his soul and his relatives', gives Flavigny, where Heldric is abbot, an alod which one Willenc Pilansporcus had earlier given Flavigny.

MANUSCRIPTS

C, pp. 470–72, no. 28.

D, fol. 46r.

B, fol. 280r, no. 31.

P, pp. 66–67.

Grignard, pp. 257–59, on the basis of C and P; dated 997.

PRINTED EDITIONS

Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 4, p. 639, no. 21, on the basis of D; dated 1002.

Maximilien Quantin, *Cartulaire général de l'Yonne*, vol. 1, pp. 159–60, no. 83, on the basis of Mabillon; dated 1002.

¹⁴MGH SS 8:287.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, pp. 271–72.

Collenot, pp. 78–79; dated 1003.

Text established on the basis of C, D, B, and P.

Notitia qualiter Landricus comes gloriose memorie,¹ supplicante domno Heldrico abbat² cuncto etiam coetu Flauiniacensium monachorum, alodum quoddam quod uocatur Corbeton, quod olim Vuileucus qui uocatus est Pilansporcum Flauiniaciensi contulerat coenobio, quod noscitur dicatum in honore principis apostolorum Petri Sanctique martiris Preiecti, quodque ipse 5 domni Vualterii pontificis largitione necnon et predicti coenobii fratrum dum tenuerat, ob remedium anime sue diuinamque sibi repropitiandam clementiam seu etiam ob elemosinam animarum genitorum, fratrum filiorum et omnium propinquorum suorum iam dicto reddidit loco. Et ut ipsi fratres pro eo perpetualiter Domini misericordiam exorare non omittant quatinus hic et in 10 futuro ab omnibus malis erutus atque ab aeternae mortis discrimine liberatus sanctorum iungatur coetibus. Proinde huius rei notitiam ipso iubente immo hortante fieri placuit quatinus hec redditio ab ipso facta atque ab omnibus eius propinquis et fidelibus firmata et testificata perpetuo maneat inconuulsa. Si quis uero contra notitiam hanc aliquid aduersi agere conatus fuerit, ipse uide- 15 licet aut aliquis propinquorum uel successorum eius, non ualeat euindicare quod repetit, sed insuper cum Iuda proditore nisi resipuerit aeterno feriatur anathemate.

Actum Autissiodero publice.

Signum Landrici comitis ††.	Heldricus miles.	20
Bodo filius eius.	Magemfredus.	
Landricus filius eius.	Gotesmannus.	
† Richardi militis.	Milo.	
Aluualo miles. ³	Rotbertus.	
Iterius miles.	Vualterius.	25

Scriptum manu Guillelmi Sancti Germani monachi, iussu Landrici comitis, regnante anno vii rege Rotberto, v kalendas mensis Augusti.

¹Landric, count of Nevers (991/92–1028). This is his first known charter as count of Auxerre. His sons Bodo and Landric, who appear in this charter with him, soon disappear from the records.

²Heldric had been made abbot of Flavigny in 992 by Bishop Walter of Autun, who had been acting abbot of the monastery; see above, document no. 28.

³Aswalo and Iter are probably respectively the lord of Seignelay and the lord of Toucy, who were rivals for power in the Auxerrois in the early eleventh century. See Yves Sassier, *Recherches sur le pouvoir comtal en Auxerrois du Xe au début du XIIIe siècle*, pp. 91, 104.

1 Notitia: Landricus comes reddit monachis Flauiniacensis alodum quoddam quođ uocatur
 Corbeton *praem.* P 4 in *om.* CD, *marg.* B 6 domini P 7 repropitiandum BP 10
 obmittant D 15 hanc notitiam *tr.* BP 19 Autisiodoro P 20 Signum *om.* C Landrici:
 Domni *praem.* BD Heldricus miles *om.* P 21 Magenfredus BP 26–27 Scriptum —
 Augusti *om.* BP 26 Vuillelm̄ D

This charter must be dated by Robert's succession to his father in 996, rather than to his original coronation, because Landric only became count of Auxerre in 1002.

30

Flavigny, 1004

Heldric, abbot of Flavigny, grants the knight Girard and his two sons some property in the county of Attuyer. They will pay ten solidi a year for it. After their deaths and the deaths of the heirs of each of the sons, the property will return to Flavigny.

MANUSCRIPTS

- C, pp. 472–75, no. 29.
 D, fol. 38r; dated 995.
 B, fols. 280v–281r, no. 32.
 P, pp. 67–69.
 Grignard, pp. 260–61, on the basis of C and P; dated 998.

PRINTED EDITIONS

- André Duchesne, *Histoire généalogique de la maison de Vergy*, p. 50, on the basis of D; dated 995.
 Petrus Roverius, *Reomaus, seu Historia monasterii S. Ioannis Reomaensis*, pp. 173–74; dated 995.

SUMMARIES

- Philippe Labbe, *Novaë bibliothecae manuscriptorum librorum*, vol. 1, p. 272.
 Collenot, pp. 79–80; dated 1004.

Text established on the basis of C, D, B, P, and Roverius (=R).

Iure firmitatis atque securitatis antiquam patrum persequentes autoritatem,
 omnibus tam presentibus quam futuris notum esse uolumus quia adiit miles
 quidam nomine Gyrardus domni Heldrici abbatis presentiam¹ omniumque fra-
 trum Flauiniacensis coenobii, postulans eorum clementiam quatinus duobus
 5 filiis suis concederent potestatem quandam Sancti Petri ad ipsum locum per-
 tinentem, Fontanas uidelicet nuncupatam, Atthoariensis comitatu coniacen-
 tem quam et ipse eatenus tenere uidebatur per cartis donationem. Ergo pre-

¹Heldric, abbot of Flavigny (992–1009).

nominatus abbas cunctique prescripti monasterii fratres iamdicti vii
 clarissimi Gerardi suscipientes petitionem, consentiente domno Vualterio
 serenissimo Edue ciuitatis pontifice,² concesserunt duobus filiis illius, 10
 Gyrardo atque Ymberto, necnon uni heredi illorum qui primus post ipsos uesti-
 tis fuerit, prescriptam potestatem, Fontanas uidelicet cum ecclisia in eadem
 potestate sita, aliisque duabus eclesiis, una scilicet ex villa Domni Petri
 aliaque ex villa Acelsis nuncupata,³ cum omnibus appendiciis ad ipsam potes-
 tam pertinentibus, uel quicquid habere uidetur de ipsa potestate in villa Fis- 15
 cinis Diuionense comitatu consistente.⁴ Totum predictus concesserunt here-
 dibus, eo tenore et ratione ut quandiu uixerint teneant atque possideant,
 soluentes per singulos annos festiuitate Sancti Petri iii kalendas Iulii in censu
 solidos x, quem si neglexerint in duplum conponant et nequaquam perdant.
 Post obitum uero illorum trium heredum, redeat prescripta potestas ad pre- 20
 nominatum monasterium cum tribus eclesiis et villa nuncupata Fiscintias,
 omniq[ue] integritate et melioratione, necnon et cum duobus mansis in villa
 coniacentibus quos ipse Gerardus uolens eam augere de sua hereditate ipsi
 apposuit potestati. Ut autem hec presteria per succendentia annorum curricula
 securior haberetur, litterarum annotatione iamdictus abbas propriisque fratres 25
 nominibus dignum duxere corroborari, Heldricus abbas, Amadeus,⁵ Letaldus,
 Letbaldus, Leterius, Gauzbertus, Aymo, Rodulfus, Bertuinus, Gausfredus.

Actum Flauiniaco, viii anno regnante rege Roberto.

¹ Iure: Heldricus abbas Flauiniacensis concedit Gyrardo militi et duobus filiis potestatem dictam Fontanas et quidquid habebat in villa Fiscinis *praem.* P prosequentes DRB, pro-
 sequentes P 3 Girardus D, Gerardus R Hildrici R 4 Flauiniacensis R 6 Athoariensi
 D, Atoariensi R, Attoriensis B 7 et *om.* R Ego BP 8 [iamdicti] praedicti R 9 domino
 BP 11 Gerardo R Vmberto DB, Humberto R 14 Acelis DR 15 Fiscintius R 21
 Fiscintias R 22 villa: ... add DR 26 nominibus] manibus R 27 Gausbertus DRBP
 Rodulphus B 28 Flauiniaco R Roberto R

This was probably done in 1004. Although some of Flavigny's documents seem to be dated from King Robert's original coronation in 988, it is unlikely that

²Walter, bishop of Autun (977–1018).

³Fontaine-Française is 33 km northeast of Dijon, Dampierre 6 km south of there, and Arceau 14 km northeast of Dijon. The bishop of Langres had given Flavigny this property in 865; see document no. 21.

⁴Fixin, 10 km southwest of Dijon. The villa "Fiscintias," mentioned below, may be the same as "Fiscinis," or may be Fixey, 1 km north of Fixin. In the ninth century, the abbey of St.-Bénigne acquired property at Fixin and Fixey, "Fiscinis" and "Fisciatus"; E. Bougaud and Joseph Garnier, eds., *Chronique de l'abbaye de Saint-Bénigne de Dijon*, p. 256. See also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 162.

⁵Amadeus is doubtless the same as the monk who succeeded Heldric as abbot.

a document given while Hugh Capet was still alive, or had only just died, would be so dated.

31

992–1009

Heldric, abbot of Flavigny, grants the knight Hugh and his wife, Regina, and their three sons a mansus in the county of Duesmois, for an annual payment of forty-eight solidi.

MANUSCRIPTS

C, pp. 475–76, no. 30.

B, fol. 281r, no. 33.

P, pp. 69–70.

Grignard, pp. 295–96, on the basis of C and P; dated 990/1016.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, p. 485, no. 203, on the basis of C and P; dated c. 1000.

SUMMARY

Collenot, p. 99.

Text established on the basis of C, B, and P.

Si peruersorum hominum iure obstruatur altercatio et uerax humilium comprobetur ratio, propalare libet tam presentibus quam absentibus quoniam quidam miles nomine Hugo uxorque eius nomine Regina adierunt presentiam domni Heldrici abbatis omnisque caterue Flauiniacensis coenobii, poscentes
 5 illorum clementiam concedere sibi et tribus filiis eorum, Raginerio scilicet, Arenberto, atque Heldierio, mansum unum coniacentem in comitatu Dus-
 mensi uel in villa que dicitur Belrubrius,¹ quem quidam Vuarinus tenuerat,
 cum uniuersis rebus que ad ipsum respicere cernuntur. Quorum prelibatus
 abbas fratresque sacrati loci fauentes precatui ut cupiere concesserunt, ea
 10 uidelicet ratione ut dum sub hac luce morarentur et prenotati eorum filii
 tenerent ac possiderent, reddendo singulis annis in censu denarios ad forum
 Lintiliaco xlvi. Sublatos uero illos ab hac uita Dei iudicio sine cuiusque
 hominis hesitatione redeat pretaxatus mansus et cuncta ad eum pertinentia ad
 casam Sancti Petri Sanctique martiris Preiecti iam dicti Flauiniacensis
 15 coenobii.

¹I have not been able to locate this villa. Petit calls it Beaubuisson and Collenot calls it Baubry, but these are only guesses at what the modern French would be.

1 Si: Heldricus abbas concedit Hugoni militi et tribus eius filius mansum in uilla quae dicitur Belrabrius quod fuerat Vuarmi *praem.* P 6 Aremberto BP Dusminsi BP 7 Belrabrius BP 12 xlviij xi uici B, xluii P

This document can be dated only by Abbot Heldric. There is a line of dots at the end in P. The fair mentioned is at Lantilly, twelve km northwest of Flavigny.

32

Flavigny, 1001

Giselbert, a "noble vassal," gives Flavigny, where Heldric is abbot, an allod at Massingy. He and his wife, Addila, do so for their souls.

MANUSCRIPTS

C, pp. 476–77, no. 31.
B, fol. 281v, no. 34.
P, pp. 70–71.
Grignard, pp. 276–77, on the basis of C and P; dated 1004.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 488–89, no. 207, on the basis of C; dated 1002.

SUMMARY

Collenot, p. 84; dated 1010.

Text established on the basis of C, B, and P.

Ea que ad posteritatis memoriam inuiolata peruenire cupimus, ne alicuius falsitatis astu possint ullatenus uiolari, ratum censemus litterarum tradere annotationi. Itaque cunctis innotescere cupimus sancte matris eclesie cultoribus tam presentibus quam absentibus quamque etiam succendentium aetatum posteritatibus, qualiter quidam nobilis uassallus Gyslebertus nomine et uxor 5 eius Addila, uenientes ante obtutus domni Heldrici abbatis monasterii Flauiniacensis cuncorumque fratrum, dederunt Deo et Sancto Petro Sanctoque martiri Preiecto, pro suarum salute et remedio animarum, alodium suum quem habere uidebantur in Massingiaco uilla¹ et quid e paterna et auita hereditate illis prouenit cum omnibus ad ipsum alodium pertinentibus, terris scilicet cultis et 10 incultis, siluis, uineis, pratis, pascuis, aquis aquarumue recursibus, exitibus et regressibus, eo iure ut quoisque uixerint ipsi eum teneant et possideant. Et cuicumque horum duorum obitus primus euenerit, senioris scilicet aut coniugis iamdicti, medietas allodi ad prelibatum remaneat locum, cum medietate

¹Massingy, 13 km south-southeast of Flavigny, is also mentioned in documents nos. 22 and 28.

- 15 omnium bonorum suorum. Post mortem uero amborum cum omni melioratione totum ex integro cum omnibus ad predictum redeat coenobium. Vt uero hec cessio omni tempore inconulsa permaneat, hanc donationis sue autoritatem fieri rogauerunt et manibus propriis firmauerunt et parentum uel fidelium suorum manibus firmandam tradiderunt.
- 20 Actum Flauiniaco publice scriptumque a Rodulfo monacho, anno xiiii regnante rege Rotberto.

¹ Ea: Nobilis uassalus Gyslebertus una cum uxore Addila dant monasterio Flauiniacensi alodum suum in villa Massingiac *praem.* P 8 quem] quae B, quod P

It is most likely that this charter was dated from Robert's original coronation. This charter doubtless preceded the following charter, which was issued in 1002.

33

Flavigny, 8 January 1002

Odo, a cleric, confirms the gift of a mansus at Gissey which his father Giselbert gave Flavigny before he died. Bishop Walter of Autun had granted the mansus to Odo for his lifetime. Odo now specifies that after his death the serf who lives there will pay the monks the six solidi a year he now pays Odo, as well as a head-tax of two solidi a year.

MANUSCRIPTS

C, pp. 477–79, no. 32.
 B, fol. 282r, no. 35.
 P, pp. 71–72.
 Grignard, pp. 255–56, on the basis of C and P; dated 996.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 484–85, no. 292, on the basis of C; dated 994.

SUMMARY

Collenot, p. 78; dated 1002.

Text established on the basis of C, B, and P.

Omnibus Christiane religionis iura sectantibus tam presentibus quam futuris notum esse uolumus qualiter quidam clericus nomine Oddo Flauiniacensi coenobio almi clauigeri Petri Sanctique martiris Preiecti honore dictum, ob remedium anime sue ac parentum suorum, delegauit in presentia 5 domini Heldrici abbatis quemdam mansum Gisciaco uilla coniacentem,¹ quem

¹Gissey, located 4 km east of Flavigny, is mentioned in Wideradus's testament.

quondam pater eius Gislebertus ad ipsum destinauerat locum, sed per depreciationem uenerande memorie Vualterii presulis,² fratre suo Helinanno consentiente,³ ipsi uidelicet Odoni filio suo concesserat, eo tenore ut post obitum eius iamdicto traderet monasterio. Videtur autem in ipso manso contineri quedam mansio cum uinea et seruiente uno nomine Erberto cum 10 filiis suis, que omnia iam dictus clericus patris sui secutus conuenientiam sepedicto delegauit monasterio, tali scilicet ratione ut quandiu uiuens possederat ad festiuitatem Sancti Petri ii persoluat denarios. Post obitum uero eiusdem clerici predictus Erbertus filiique eius iamdictum teneant mansum, pro quo rectoribus monasterii prefati ad forum Lintiniacum vi in censu per- 15 soluant denarios, necnon et ii pro capitulicio singuli per singulos annos. Quod si aliquis de parentibus meis aut alia quelibet emissa persona hanc cartam calumniare uoluerit, non ualeat euindicare quod repetit, sed cui litem intulerit insuper una cum socio fisco vi libras auri coactus persoluat, etiam cum Iuda traditore maledictione damnatus si postea aliquomodo aduersari 20 temptauerit.

Actum Flauiniaco publice et signo Sancte Crucis ab ipso Odone corroboratum, Aymone monacho scribente atque datante in mense Ianuario, viii die, regnante rege Rotberto anno vi.

I Omibus: Oddo clericus filius Gyslebertii delegat conuentui Flauiniacensi quemdam mansum apud Gisciacum ullam ex conuenientia patris *praem.* P [Omnibus] Cunctis P, om. B 3 Praiecti martyris *tr.* BP 8 Oddoni P 17 omissa C 19 etiam] aeterna BP

The order of the documents in the cartulary suggests that Odo's late father Giselbert is the same as the "noble vassal" of the preceding charter. Therefore the present charter must have been issued after no. 32 and be dated by Robert's succession to sole rule. A charter issued during Hugh Capet's lifetime would not at any rate have been dated by Robert. See document no. 31 for another mention of the Lantilly fair.

²Walter, bishop of Autun (977–1018).

³This brother of Giselbert may be identical with the nephew of Count Aymo of Auxois of the same name; see no. 40.

34

Flavigny, 3 November 999 (?)

Wileradus gives Flavigny some allodial land at Marigny, in the county of Auxois, for the good of his soul. If he has a son, the son shall hold half of it for his lifetime.

MANUSCRIPTS

C, pp. 479–80, no. 33.

B, fol. 282v, no. 36.

P, pp. 72–73.

Grignard, pp. 264–65, on the basis of C and P; dated 1002.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 485–86, no. 204, on the basis of C; dated 1000.

SUMMARY

Collenot, p. 80; dated 1008.

Text established on the basis of C, B, and P.

- Deo ualde acceptabile et carum esse dinoscitur ut de terrenis adquiramus celestia et de transitoriis sine fine mansura. Idcirco ego Vuilerardus de salute mea et remedio anime mee que sunt site res proprietatis mee in Alsensi comitatu in uilla Madriniaco¹ dono Sancto Petro apostolorum principi et Sancto 5 martiri Preiecto Flauiniacensis coenobii. Donatumque in perpetuum esse uolo et de meo iure in illorum potestate et dominio transfundo et per cultellum et andelaginem donationem istam facio, uidelicet mansum i cum omnibus que ad ipsum mansum pertinere uidentur, terris scilicet cultis et incultis, uineis, pratis, aquis aquarumque decursibus, sub tali decreto et tenore ut quan- 10 diu uixerо ipsum alodium teneam usufructuario. Post mortem uero si sine filio uxoris decessero, totum ex integro cum omni inmelioratione ad ipsum locum remaneat, absque aliquo parentum aut propinquorum meorum successore uel herede, uxore et fratre uidelicet, sorore, nepote, aut aliquo michi qualibet propinquitate coniuncto. Quod si filium ex propria coniuge habuero, 15 ipse si mihi ei donare placuerit in uita sua predicti alodi medietatem teneat ac post mortem in perpetuo ad pretaxatum redeat locum. Quod si quis, quod nullatenus fieri credo, huic donationi mee contradixerit, non ualeat euindicare quod repetit, sed cum Iuda Domini traditore perpetua feriatur maledictione, si ab hac iniusta infestatione non resipuerit, stipulatione subnixa.
- 20 Actum Flauiniaco, anno xii regnante rege Rotberto, Rodulfo monacho scribente, iii nonas Nouembri.

¹Marigny is located 8 km southwest of Flavigny.

1 Deo: Vuilerardus dat monasterio Flauiniacensi alodium suum in villa Madriniaco *praem.* P
4 Petro *om.* C 15 ac] et BP 18 domni C

Because other charters in the cartulary were dated by the thirteenth year of Robert's reign and were certainly given in the year 1000, it seems most likely that this one, given in Robert's twelfth year, should be dated 999. The other possibility is 1008; there is no internal evidence for the date.

35

Flavigny, May 1000 (?)

Norbert and seven other men sell Flavigny, for seventeen solidi, one quarter of a wood in the county of Duesmois, which wood is mixed in with the possessions of the bishops of Langres and of the abbey of St.-Seine.

MANUSCRIPTS

C, pp. 480–81, no. 34.

B, fol. 283r, no. 37.

P, pp. 73–74.

Grignard, pp. 273–75, on the basis of C and P; dated 1003.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 486–87, no. 205, on the basis of C; dated 1001.

SUMMARY

Collenot, pp. 82–83; dated 1009.

Text established on the basis of C, B, and P.

Libet committere scripture si quid dono proprie uoluntatis aut pretio coemptionis excipit mater eclesia a cultoribus diuine religionis. Quapropter nos ingenui homines, Norbertus scilicet, Fulco, Alinardus, Vualterius, Tettbalodus, Oddilo, Lambertus, Signaldus, omnibus hominibus presentibus et futuris manifestum esse uolumus accepisse nos a monachis Sancti Petri et Sancti Preiecti Flauiniaci monasterii xvii solidos et uendidisse illis perpetu-aliter res proprietatis nostre que admixe sunt illorum rebus Sanctique Mammetis et Sancti Sequani in comitatu Dusmensi positas, ut illorum fuit uoluntas, id est quartam partem silue que ad nos pertinere cernitur, in silua que dicitur . . . in iam dicto comitatu radicata, cum uniuersa terra que paterna 5 et materna hereditate ad nos peruenit ibidem posita, que silua cum terra cingitur ita, ex duabus partibus est uilla cui nomen Iuiniacus et Bulculas et aqueductus, et aliis duabus partibus est uilla ingenua nomine Puteolis et 10

quercus Gyrberti,¹ iter habens per Fornellos ac Calmamscolam graditurque ad
 15 Carmiscalmam. Infra ergo terminationes istas superius nos nominati
 homines ingenui nostram quartam partem prefati monachis coenobii in
 integro uendidimus, ita ut quid eis libuerit agere ex tunc et in aeum agant de
 ea ex uirgultis scilicet magnisque aut mediocris inferioribus arboribus,
 exitibus et regressibus, cultis et incultis, teneantque perpetim ac possideant
 20 tam concava uallium quam ardua montium seu precipitia eorum absque ali-
 cuius contradictione, et quia iam dudum erat eorum pars quarta deinceps iure
 perpetuo sit eis medietas et quod nobis fuit consuetudinarium sit illis in ius
 perpetuum.

Actum Flauiniaco publice, regnante Rotberto rege xiii anno, scribente Ber-
 25 tuino monacho, in mense Madio.

1 Libet: Norbertus et alii ingenui homines uendunt monachis Flauiniacensis monasterii
 quartam partem siluae quae communis erat Sanctis Mammeti et Sequano *praem.* P 3 Gual-
 terius BP 4 Odilo BP Siqualdus B 9 in] ex BP 12 nomen] me BP Bulcubus P 14
 Eryberti BP iter] item C 21 et om. C

Because the succeeding charters dated in the thirteenth year of Robert's reign were from 1000, it is probable that this charter is as well. The name of the woods was apparently illegible in the cartulary, as all the manuscripts give an ellipsis instead. The eight "free men" were most likely cousins, because the wood in which they all had rights had come to them by heredity. Ownership of land in this area could clearly be quite complex, as these eight men shared a wood, which was intermingled with the property of two other churches already, and of which they only gave one-quarter to Flavigny.

36

Flavigny, 1000 (?)

The knight Milo and his wife, Emma, and their son ask Abbot Heldric to grant them a villa in the county of Brienne. He does so, for an annual payment of twelve denarii, for their lives and the life of the son's own heir. Milo also gives the monks his rights in another villa.

MANUSCRIPTS

C, pp. 482-83, no. 35.
 B, fol. 283v, no. 38.

¹Jugny is 17 km east-northeast of Flavigny. Poiseul, which is also mentioned in documents nos. 7, 14, 23, and 28, is 12 km northeast of Flavigny. I have not identified the other places mentioned here.

P, pp. 74–76.

Grignard, pp. 271–72, on the basis of C and P; dated 1003.

SUMMARY

Collenot, p. 81; dated 1008.

Text established on the basis of C, B, and P.

Sanctitum esse canonum institutione constat ut nemo clericus neque laicus terram ullius sancti teneat nisi testamentales litteras meruerit accipere ab episcopo uel abbatе seu a ceteris seruis eiusdem case Dei qui eidem loco deuote famulantur. Huius legem preceptionis custodiens, quidam ingenuus miles nomine Milo uxorque eius Emma adierunt presentiam domini Heldrici abbatis 5 fratribusque Flauiniacensium apud eundem coenobium pecierunt sibi fieri litteras ex quadam potestate Sancti Petri ac Sacri martiris Preicti que nominatur Alinum et est sita in comitatu Briensi.¹ Quorum annuere petitionibus dignum ducentes, concesserunt eis potestatem cum litteratura et filio eorum nomine Ayrardo, unique heredi qui primus post eorum obitum uestitus uisus 10 fuerit, predictam uillam cum suis appendiciis ac utriusque sexus mancipiis, eo tenore ut omni anno dum ea tenuerint in preclara solempnitate Sancti Petri que est iii kalendas Iunii soluant in censu monachis denarios xii. Si uero negligentes extiterint sua lege emendant et idcirco non amittant. Isdem uero Milo ob id sicut rectus eclesie mos est de suo iure in monachorum taxati 15 coenobii eius coniuge ac filio conlaudante transfundit quandam uillam nomine Asmantiam.² Exempto uero a seculo tertio herede, redeat cum omni inmelioratione predicta potestas ad casam Dei sine contradictione cuiusquam hominis, stipulatione utriusque partis adnixa.

Actum Flauiniaco, anno xiii regnis regis Rotberti.

20

¹ Sanctitum (Sancitum P): Milo miles una cum uxore Emma et filio Ayrardo inuestitur de uilla dicta Alinum *praem.* P 5 Emina C domini C 8 Brinensi BP 13 censem BP 14 emendabunt BP

If one dates this charter by Robert's original coronation, as many of the charters of Flavigny are dated, then the date is 1000. Since the next document in the cartulary is also dated to the thirteenth year of Robert's reign and is certainly 1000, then that year seems most likely for this document as well. Otherwise, it is 1008. Either date would do for Abbot Heldric (992–1009).

¹This is probably Aulnay, 12 km northwest of Brienne. Its distance from Flavigny would explain why the monks were willing to grant it to someone.

²I have not identified this villa.

37

Flavigny, August 1000

The nobleman Milo gives Flavigny, for the soul of his late nephew Aymo Pilo, who was killed at Grignon, some allodial property in the county of Beaune, including some which his mother had originally given his sister when she married. The monks agree to bury Aymo, who had asked as he was dying that this gift be made.

MANUSCRIPTS

C, pp. 483–84, no. 36.

D, fol. 39r.

B, fol. 284r, no. 39.

P, pp. 76–77.

Grignard, pp. 267–68, on the basis of C and P; dated 1003.

PRINTED EDITION

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 50–51, on the basis of D; dated 1000.

SUMMARY

Collenot, p. 83, dated 1009.

Text established on the basis of C, D, B, and P.

Oportunum uisum est priscis patribus digitis scriptorum tradere datum siquid fuerit religiosis ministris eclesie, quorum nos morem sequentes calamo adsignari omnibus Christi fidelibus cupimus quam quidam Milo nobili ortus progenie,¹ ut premium sibi adquireret celestis glorie, seu pro salute anime cuiusdam nepotis sui nomine Aymonis Pilo apud castrum Grinonem interempti, dedit Sancto Petro et Sancto Preiecto monachisque Flauiniacensibus, ut iamdic Peace eius nepos ante suum exitum eisdem loco sue sepulture donatione qua potuit donauerat, Aymone conlaudante comite,² quemdam alodium coniacentem in comitatu Belnensi, mansum scilicet unum indominicatum in 10 uilla nuncupante Montelia,³ quem mater sua Alquidis nomine dedit filie sue Eldesnodi in die desponsationis sue, et quicquid ad mansum ipsum pertinet, et in uilla que dicitur Tridia unum masellum et unum pratum et omnem terram ad eum pertinentem. Hunc uero confirmationis testamentum isdem Milo sub suo nomine fieri petiit atque ad corroborandum ceteris inibi titulatis tradidit, 15 decreuitque ut si quis fratribus prescripti coenobii calumniare presumpserit

¹Milo is probably the same Milo as the “noble vassal” who became lord of Thil; see documents no. 44 and 45.

²Aymo I, count of Auxois.

³Monthélie is 7 km southwest of Beaune.

quicquam ex his nichil euindicit, sed insuper coactus xii exsoluat libras argenti, et si non resipuerit aeternaliter pereat districto iudicio Dei.

Actum Flauiniaco castro publice, anno xiii regnante rege Rotberto, Aymone scribente monacho atque priore, ipso Milone poscente, mense Augusto, his stipulantibus, Aymo comes Alsensis eius consanguineus, 20 Ilerannus, Vualo, Aldo, item Aldo, Hugo, Rodulfus, Milo, Gausfredus, Ingelbertus, Hugo clericus, Arnulfus, item Gausfredus, Odolarius.

1 Oportunum: Milo pro salute animae nepotis apud castrum Grimonem interempti dat monachis Flauiniacensibus alodium in comitatu Belnensi in villa Montelia *praem.* P 2 nos om.
BP 3 quam] quoniam DP 4 sibi om. BP 16 iis BP 21 Iterannus C, Ileranus BP
Rodulphus B 22 Odelgarius B

This charter was given in 1000, as count Aymo of Auxois was still alive (see document no. 40, in which the count makes his testament, which is dated 1004 both by the year of the incarnation and by the seventeenth year of Robert's reign). His name is represented by a monograph in C, B, and P. The second witness after Aymo was doubtless Aymo's son Walo, and the first perhaps his nephew Heliannus.

38

Flavigny, March 1000 (?)

Anserinus Vomerius, for the soul of Alberic, gives Flavigny a mansus at Villiers, with a vineyard, bordering land the monks already have.

MANUSCRIPTS

- C, p. 485, no. 37.
- B, fol. 284v, no. 40.
- P, pp. 77–78.

Grignard, p. 266, on the basis of C and P; dated 1003.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 487–88, no. 206, on the basis of C; dated 1001.

SUMMARY

Collenot, pp. 81–82; dated 1009.

Text established on the basis of C, B, and P.

Ad memoriam anime cuiusdam uiri nomine Alberici reuocandam, liquide placet Anserino Vomeri uniuersis fidelibus pandere quoniam isdem uir adiens Flauiniacense coenobium contulit ethereo ianitori Petro ac Sancto martirri Preiecto in alimoniam monachorum ibi degentium quemdam mansum conia-

5 centem in villa nuncupante Vilare,¹ cum una uinea, et terminantur ex uno fronte atque latere terras Sancti Petri, de tercia est aqua procurrens, et de quarta uia publica esse uidentur. Ut in eorum perpetualiter maneat potestate faciendi que uelint sine contradictione mortalis hominis stipulatione subnixa.

Actum Flauiniaco castro, anno xiii regis Rotberti, in mense Marcio,
10 Bertuino monacho scribente. Albericus, Gotesmannus, Gislerius, Berardus,
Beraldus, Salocho, Tetbaldus, Gausbertus, Raynerius, Vualo.

¹ Ad: Anserinus dat in alimoniam monachorum Flauiniacensis coenobii quemdam mansum in villa dicta Villare cum uinea coniacente *praem.* P 9 in *om* B Martio BP 10 Berardus] Beraldus B, *om.* P 11 Beraldus] Letbaldus BP Reynerius BP Vualdo BP

This, like the preceding two documents, is probably dated by Robert's original coronation in 988. The date 1008 is, however, also a possibility.

39

Flavigny, 3 April 1002

Aymo, count of Auxois, who had quarreled with Flavigny over the protection rights he had claimed at three villae, restores all rights there to the monks.

MANUSCRIPTS

C, pp. 485–87, no. 38.

D, fol. 41r.

B, fols. 284v–285r, no. 41.

P, pp. 78–80.

Grignard, pp. 278–80, on the basis of C and P; dated 1005.

PRINTED EDITION

André Duchesne, *Histoire généalogique de la maison de Verzy*, pp. 44–45, on the basis of D; dated 1002.

SUMMARY

Collenot, pp. 84–85, dated 1011.

Text established on the basis of C, D, B, and P.

Antiquorum regum ac principum fidelium sanctionibus ubique locorum uulgatam inoleuisse sine dubio credimus firmiterque tenemus consuetudinem ut quicquid posteritati temporum succedentium mandare cupimus, litterarum adnotationi tradamus. Quapropter omnibus catholice matris ecclesie gremio 5 consistentibus tam presentibus quam absentibus et deinceps succendentibus

¹ Villiers, 4 km west-southwest of Flavigny, was also mentioned in documents nos. 24 and 53, when the monks received property there in 872 and 878.

notum esse uolumus qualiter quidam comes Alsensis comitatus nomine Aymo aduersus monachos Sancti Petri Flauiniacensis coenobii de saluato cuiusdam uille nomine Villene¹ habuit querelam, de qua uilla fratres ipsius monasterii cum idoniis testibus ligali auctoritate predicto comiti fecerunt sacramentum quod nullam aliquis preter monachos Sancti Petri in saluamento 10 eodem haberet rectitudinem, nec pater ipsius uel uno die ex eo uestitus fuit. Preterea aliarum uillarum Sancti Petri Sanctique Preiecti saluamenta tenebat, que uocantur his nominibus, Naaliacus et Altaroca,² que pro amore diuino Sanctique apostolorum principis Petri egregiique martiris Preiecti iamdicto loco, consentientibus laudantibus ac propria manu corroborantibus uxore et 15 filiis eius, reddidit semet ipsum de rectitudine quam in eis habere uidebatur ab ipso die exuens, quatinus pro hoc beneficio prestito intercedente eodem apostolo suorum delictorum a Domino ueniam mereretur. Quam dationem sub uinculo anathematis fecit, ut si quis unquam aliquo modo huic contraire uoluerit cum Iuda proditore Domini eterne maledictionis sortiatur uindictam, 20 stipulatione subnixa.

Actum Flauiniaco, anno xv regnante rege Rotberto, Arenberto monacho rogatu ipsius comitis notante, v nonas Aprilis.

S. Aymo comitis qui fieri rogauit et firmari.

Helinannus.	Vualo.	Vualterius.	Vbertus.	25
Hugo.	Bericho.	Erueus.	Item Hugo.	
Aldo.	Ernulfus.	Gausfredus.	Gotescalchus.	
Milo.	Guido.	Item Guido.	Gotesmannus.	

1 Antiquorum: Aymo comes Alsensis saluamenta restituit coenobio Flauiniacensi uillarum Villenae Naaliaci et Altaroccae *praem.* P 2 credimus *om.* BP 9 idoneis BP legali BP 10 nullum BP 13 Altacora C, Altarocca BP 17 exuente BP 18 domno C 20 domni C maledictionis] damnationis BP 22 Aremberto BP 25 Vmbertus D 27 Gotesdilchus BP

S. Aymo is represented by a monogram in C, B, and P. The date is a slight problem, as there is no 5th nones of April, but as both 3 March and 3 May are the 5th nones, it seems most likely that the scribe meant 3 April. The year must be calculated from Robert's original coronation, as Count Aymo died in 1004; see document no. 40. Many of the witnesses are the same as in documents nos. 37 and 40. Walo and Walter are Count Aymo's sons, and Helinannus and Hubert are probably his nephews.

¹Villaines is 19 km north of Flavigny.

²Nailly, now a farm, is 2 1/2 km east of Flavigny. Hauteroche is 4 km southeast of Flavigny. See also Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, pp. 277, 421.

40

Flavigny, 17 March 1004

Aymo, count of Auxois and Duesmois, makes his testament and gives Flavigny an oratory dedicated to St.-Germain, with fifteen mansi, some woods, and serfs with their families. His sons, Walo and Walter, and his nephews, Hubert, Girard, and Helinannus, all sign.

MANUSCRIPTS

C, pp. 487–92, no. 39.

D, fols. 41v–42v.

B, fols. 285r–286v, no. 42.

P, pp. 80–84.

Grignard, pp 288–92, on the basis of C and P; dated 1004.

PRINTED EDITION

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 45–47, on the basis of D; dated 1004.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 272.
Collenot, pp. 86–87, dated 1012/13.

Text established on the basis of C, D, B, and P.

Quoniam iuxta predicatoris egregii uocem, Non habemus hic manentem ciuitatem,¹ oportet nos satagere quandiu in hac conualle lacrimarum peregrinamur ut quando corruptele hoc et ammortale induerit incorruptelam et immortalitatem² omnipotenti Deo in regione uiuentium a seruitate corruptionis qua nunc detinemur liberati placeamus et in libertatem glorie filiorum Dei transferri mereamur, lucris et enim mundanis debet omnis Christianus secundum suum posse aeterna appetere premia, non enim perdet mercedem propriam qui potum aque frigide dederit pauperi pro nomine Christi,³ nempe de elemosina scribitur, quia sicut ignem aqua sic extinguit peccatum.⁴ Idcirco ego in Dei nomine Aymo amministrator rei publice comitatus Alsensis atque Dusmensis memor diuinorum apicum, ut contemplari merear facie ad faciem Deum deorum in Syon, dono Iesu Christo filio eius regi seculorum et Sancto Petro aedituo paradisi paradisorum martyrique ac sacrato presuli Preiecto, quorum honore pollet Flauiniacense coenobium, quoddam oratorium ex paterna hereditate conditum in memoria Sancti Germani, haud procul situm a

¹Hebr. 13:14.

²Cf. I Cor. 15:53.

³Matt. 10:42.

⁴Ecclesiasticus 3:33.

silua que dicitur Campus Sigillatus,⁵ cum omnibus appendiciis que ad ipsum dominicalem mansum aspicere uidentur, mancipliis scilicet et siluis, terris seu mansis cultis et incultis, ingressibus et egressibus, pratis, pascuis, aquis aquarumque decursibus. Siquidem dum proprii corporis robur et plenius uigor fauerent membris, decreueram illuc statuere coenobiolum monachorum, sed 20 nunc picea morte me prosequente, que nemini nouit parcere, salubrius michi uidetur atque utilius fore predictum oratoriolum Cristi confessoris Germani subdere ditioni monachorum Flauiniacensium quam ibidem adlethas Dei per aliquod spatium temporis coaceruare, ne forte necessitate coacti quandoque cogantur exire cum dedecore. Iam igitur omnipotenti Deo corpus cum spiritu 25 committens, pastoribusque precelsis Petro et Preicto necnon Beate Regine uel omnium sanctorum meritis quorum patrocinii felix prouehitur Flauiniacensis eclesia. Dono atque transfunduo coenobitis ibidem degentibus, ut eorum societatis particeps efficior in perhenne aeuum, predictum oratorium cum xv mansis et uniuersis rebus illuc pertinentibus perpetim ad possiden- 30 dum, ne uero unquam instigante diabolo pro largitis Deo donis aliqua alteratio oriatur, nominatim illa que tribuo, designo siluam scilicet quae dicitur Campus Sigillatus et illam que nuncupatur Litgia ex integro, et ex saltu qui appellatur Coepetus tercium fustem, dono totam etiam siluam que dicitur Collis, id est comma Maurilonis, aditio quoque quicquid ad cathanam Sancti 35 Germani pertinet quem de super ponciacum est et quicquid in Valle Bosina iure hereditario possidere videor,⁶ et mancipia quorum hec sunt nomina, Hubertus, Vuarinus, Constantinus et soror eorum nomine Eua cum omnibus filiis eorum, Raginaldus quoque et uxor eius Altrudis et filii eorum, Ermenierius, Constantius, Altrudis, Heldigardis, Magna, Hynrichus etiam et Fulcho 40 et soror nomine Magna, Erueus quoque qui et Valons, et Adelardus cum filiis suis, qui post capitalem censem omnis debitur terre michi, ut solebant monachis deinceps cum coruadis persoluant. Hec igitur omnia supra pretaxata et quicquid ad predictum oratorium pertinere uidetur, ut iam dixi, Flauiniaco transfunduo monasterio, ut precum prelibatorum sanctorum fideliumue mona- 45 chorum munitus presidio in aeternum ualeam esse cum Christo. Id uero omnibus uiribus contradico et per Dei districtum iudicium prohibeo ne ullus episcopus aut abbas uel monachi quicquam ex his omnibus que prediximus cuiquam homini causa beneficii dare aut uendere presumat. Quod si quis presumpserit, licentiam heredes mei calumpniandi habeant et repetendi, alias 50 uero quisquis mortalium hominum calumniari temptauerit siue heres siue ad

⁵St.-Germain is 13 km east-southeast of Flavigny and 3 km southwest of Chanceaux. For the identification of "Campus Sigillatus" with the "Cancellis" of documents nos. 14, 23, and 28, see Alphonse Roserot, *Dictionnaire topographique du département de la Côte-d'Or*, p. 84.

⁶Vaubuzin is 4 km northwest of St.-Germain.

finis seu quispiam hominum alienarie a Sancto Petro presumpserit anima illius deputetur in profundo tartaro teterimi abissi, cum his qui dixerunt Domino Deo, Recede a nobis,⁷ et nichil obtineat quod usurpari uoto maligni 55 serpentis oblectat, quin insuper coactus a principe legum monachis auri mundi reddit libras xxx nisi eorum intercesserit clementia, sicque huiusmodi causa omnino obmutescat. Testamentum uero hoc a me et a nostris heredibus atque proceribus confirmatum tam presentis quam eui sequentis omnes diuine legis cultores sine dubio cognoscant.

60 Aymo, in Christi nomine comes.

Gualo filius eius. Vualterius filius eius. Hubertus, Gerardus, Helinnanus nepotes eius.

Gerardus archidiaconi Sinemurensis castri.⁸ Gerardi uicecomitis S. Eructhi S. Hugonis. Gotescalchi. Tetzilinus. Guntardus. Hugo clericus. Otbertus.

65 Frotmundus. Otbertus Chaylus. Vuarnerius. Leogineus. Aduinus. Hubertus. Gyslebertus. Arnulfus. Albertus Viridus. Iterius.

Data die xviii kalendas Aprilis, anno dominice incarnationis Iiiii, regni autem regis Rotberti xvii, apud Flauiniacum. Laus sit et honor cuncta regenti per secula cuncta feliciter amen.

1 Quoniam: Testamentum Aymonis comitis Alsensis in quo dat monachis Flauiniacensis coenobii oratorium Sancti Germani cum appendiciis *praem.* P 3 corruptibile BP mortale B^pC 4 Deo] Domino BP 6 Dei *om.* BP 12 Ihesu BP 32 oriatur *om.* CB, *marg* D 35 commae BP Maurilonue B 36 quem] quae D 38 Varinus BP 40 Henricus C, Hynricus BP 42 suis *om.* BP 58 eui] eius BP sequentes P omnis B 60 in — comes] † BP 61 Humbertus D^pC Helinannus D 63 Gerardus] Signum Gerardi BP archidiaconus D S. Gerardi uicecomitis *tr* DBP Eructhi Eruei D^pC, Eruchi B 64 S. *om.* D Getescalchi BP Letzilinus P 66 Gislebertus BP Arnulphus BP Viridis BP Iterius *om.* D^pC 67 kalendarum D, *om.* B Aprilium D Iiiij] Miiij D, I B, TP 69 amen *om.* B

There actually is no 18th kalends of April, but the necrology of Flavigny records on the 16th kalends of April the death of Aymo, count of Grignon (the capital of Auxois), who became a monk and gave St.-Germain-la-Feuille ("Latifoli") to the monks.⁹ Although this is a testament, it is not like the "model" of Widerardus. Many of the witnesses are also found in documents nos. 37 and 39.

The manuscripts C, B, and P give "Aymo" (in line 60) in the form of a monogram. B has in the margin, in a later hand, "Hic deest chirographum Haymonis comitis."

⁷Matt. 7:23.

⁸The castle of Semur. I have not identified any of the signatories other than Aymo's sons and nephews.

⁹MGH SS 8:285. Though the community of St.-Germain is now identified as "St.-Germain-Source-Seine," it used to be called "St.-Germain-la-Feuille"; see Joseph Garnier, *Nomenclature historique du département de la Côte-d'Or*, p. 158, no. 630.

41

Early eleventh century

Walo, who calls himself a "noble knight," together with his wife, Judith, gives some serfs to Flavigny. Aymo Marduc, with his son Anseric, gives another serf for the soul of Aymo's wife.

MANUSCRIPTS

C, pp. 492–93, no. 40.

D, fols. 39v and 42v, both crossed out, first half only; the two versions are identical (except that the one on fol. 39v gives *clauigero* on line 9).

B, fols. 286v–287r, nos. 43–44.

P, pp. 84–85.

Grignard, p. 281, second half only, on the basis of C and P.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Vergy*, p. 49, first half only, on the basis of D. He adds a list of signatories which is in none of the manuscripts, even D: "Actum Flauiniaco publice in mense Augusto, anno iii regnante Rotberto rege. S. Vualonis, qui dedit et firmare rogavit; S. Judith, uxor eius; S. Aymonis comitis, fratris eius qui consentit; S. Heruei, fratris eius alterius; Milo, Vualterus, Rodulfus, Aldo, Hugo, Gausfredus."

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 483–84, no. 201, second half only, on the basis of C; dated c. 990. He adds the signatories from Duchesne, *Vergy*.

SUMMARY

Collenot, p. 99.

Text established on the basis of C, D, B, and P.

Omnipotentis Christi Iesu ineffabilis liberalitas tante pietatis exuberat gratia ut tam munifico quos redemit crurore proprio etiam donet donatiuo quo pro terreis adquirant celica propter ituris finis ignara, quod animo pertractans quidam miles nobilis stemmatis linea progenitus nomine Vualo,¹ una cum sua iugali nuncupata Judith, simulque rememorans suorum multitudinem 5 reatum atque ex eis indulgentiam a pio Iudice consequi desiderans dedit aliqua de suo Beato principi apostolorum Petro Sanctoque Preiecto martiri ac mona-

¹Walo, son of Count Aymo I of Auxois; see document no. 40. Because of the list of signatories which Duchesne added to this charter, Walo is sometimes called the brother of Aymo II of Auxois, but there is no other evidence for such a link, which in fact seems unlikely on the basis of other documents. It is impossible to determine where Duchesne obtained this list of signatories, but as it is not in his own copy of the charter, it must be treated with some doubt. See the discussion in Constance Brittain Bouchard, *Sword, Miter, and Cloister*, p. 286. For Walo, Judith, and their sons, see also Georges Chevrier and Maurice Chaume, eds., *Chartes et documents de Saint-Bénigne de Dijon, 990–1124*, pp. 63–64, no. 272.

- chis Flauiniacensis coenobii quatinus hanc illius deuotionem suis precatibus
Domino ipsique aethereo clauigeri commendarent. Ne autem per succendentia
10 temporum curricula aliquorum calumniantium astu falsitatis hec eorum,
Vualonis uidelicet eiusque coniugis, donatio eludatur harum apicum testamentum
fieri preceperunt suorumque characteribus onomatum insigniri. Dedit
itaque seruos hos Sancto Petro, Constantimum et uxorem eius nomine
Heldinsindim cum infantibus illorum, Arlemannum similiter fratrem eius.
- 15 Quia memoriam perscripta tam presentorum quam futurorum retinemus, in
nomine Iesu Christi omnipotentis huic carte inserere uolumus quod Haymo
Marduc et filius eius Ansericus pro anima domine Dannete coniugis Hay-
monis matrisque Anserici dederunt Sancti Petri ecclesie Flauiniaciensi Euinardum
filium Euuruini. Ex parte Haymonis testis est Henricus Ordeaceus, ex
20 parte monachorum Petrus de Puteo, Oldebertus, Vairot, Raynaldus cellararius
et filius eius.

1 Omnipotentis: Vualo nobili linea stemmatis progenitus dat monachis Flauiniaciensis coenobii seruos Constantimum Hedesindim &c *praem* P Ihesu BP 2 gratiam BP quos] quod
B donec B 3 terrenis P propter ituris] pro peritiris D finis ignara] ... P animo] omnino BP 6 reatuum DB aliquo B, aliquid P 9 domno C 11 horum BP 15-21 Quia
— eius om. D 15 Quia: Haymo Matluc cum filio Anserico dant ecclesiae Flauiniaciensi pro
anima donnae Dannetae Euinardum Cuurium *praem*. P presentorum] praeteritorum BP 16
Ihesu P 17 Matluc BP 18 Euinardum] et Vuardum C 19 Euuruini] Cuurium BP Hay-
monis: et add. C 20 de Puteo Petrus *tr.* BP

This is treated in C as one charter, and indeed the section referring to Aymo Marduc says that his gift is "inserted" in this charter, suggesting it was all written up together. B and P, however, treat it as two separate charters. The date is the early part of the eleventh century, doubtless after the death of Walo's father, Count Aymo of Auxois, in 1004; see document no. 40.

42

Flavigny, 1011

Walter, bishop of Autun, at the request of Abbot Amadeus of Flavigny, restores to the monks four villaे which had been taken from them by laymen and which had come into the bishop's hands.

MANUSCRIPTS

C, pp. 493-96, no. 41.

D, fol. 33r-v.

B, fols. 287v-288r, no. 45.

P, pp. 85-88.

Grignard, pp. 285-86, on the basis of C and P; dated 1005.

PRINTED EDITION

Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 4, pp. 644–45, no. 29; dated 1010.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 272.

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, p. 489, no. 208; dated 1003.

Collenot, pp. 85–86; dated 1011.

Text established on the basis of C, D, B, P, and Mabillon (=M).

Superne pietatis immensa clementia fauente, Vualterius Eduorum humilis episcopus omnibus Cristicolis ubique locorum degentibus notum esse cupio quia dum apud Flauiniacum coenobium residens tam priuatis quam publicis eiusdem loci utilitatibus, etsi non pro uelle, pro posse tamen, uoluntarie inseruirem expecierunt nostre liberalitatis munificentiam tum abbas nomine 5 Amadeus¹ tum etiam prelibati monasterii omnis monachorum concio ut quarumdam saluata uillarum ad eos pertinentium quarum hec sunt nomina, Iayliacus, Vuilliacus, Riuisiacus et Grisciacus,² que a secularibus personis abstracta sub mea dominatione reuocaueram et tenebam, eis proprio uictui pro futura concedere dignarer, siquidem ab ipsis fundationis auspiciis quibus idem 10 locus a sancte recordationis uiro, Vuidrado scilicet nobilissimo abbatte, coepit construi, per emensa multorum annorum curricula monachi ibidem Deo seruientes eadem saluata absque alicuius calumpniatoris inquietudine, usque ad tempora Rotmundi antistitis³ in suo dominio tenuerunt. Sed quoniam isdem presul langore corporis diu detentus potestati secularium non adeo resistere 15 potuit, quam multa non modo hec iam dicta uerum alia pretaxatum coenobium amisit, in tantum ut etiam ipse regularis ordo paulatim nostra usque ad tempora tepescens minime iam illic obseruaretur. Ergo quia regularem Beati Benedicti obseruantiam antea inibi ut dictum est omnimodis oblitteratam, ad integrum reformare studueram, iuxta illud Apostoli, Filioli 20 mei quos iterum parturio donec formetur Christus in uobis,⁴ id circa ratum duxi assensum prebere illorum humillime petitioni quatinus quibus sub monastice institutionis norma animarum emolumenta prouideram, eis quoque corporum subsidia in aliquo augerem, maxime cum illorum precatibus

¹Walter was bishop of Autun (977–1018), and Amadeus was abbot of Flavigny from 1010 to c. 1040.

²Jailly is 8 km southeast of Flavigny, and Villy-en-Auxois is 13 km southeast. Both of these had already been restored to the monks by Bishop Walter in 992; see document no. 28. According to Alphonse Roserot, there used to be a hamlet called Revisey in the commune of Jailly; *Dictionnaire topographique du département de la Côte-d'Or*, p. 325. Grésigny is 5 1/2 km northwest of Flavigny.

³Rotmund, bishop of Autun (935–68).

⁴Gal. 4:19.

- 25 domnus ac uenerabilis Bruno pontifex Lingonicensis⁵ suarum precum non
spernenda uota sedulus intercessor cumulauerit, fauentibus Fulchone Sues-
sionis episcopo ac comite Notcherio fratribus.⁶ Talium igitur fauore fretus et
pulsatus precibus, restituo et concedo prenominato abbatii et monachis, tam
qui ad presens ibidem esse uidentur, quam illis qui per succendentis eui metas
30 futuri sunt, premissarum saluamenta uillarum, obsecrans omnifaria prece suc-
cessores meos coepiscopos ut quod a me causa elemosine est factum apud
illos omni tempore permaneat inconuuulsum, ut nec ipsi ea in suos proprios
usus redigant, nec alicui in beneficio conferant. Quod si quis huius sancti
decreti nostri peruersus uiolator fore presumpserit ad effectum male temptata
35 perducere nullatenus ualeat, sed in presenti anathematis censura a matre eclesie
seclusus, in futuro nequaquam sidereis admisceri mereatur coetibus, sed cum
iniquis imas erebi descendat ad umbras.

In Christi nomine Vualterius episcopus Edue urbis indignus hoc fieri iussi
et firmando assensi. Bruno Lingonis presul, Fulco episcopus Sessionis ciu-
40 tatis, S. Beraldi nepotis eius,⁷ S. Notcherii comitis, S. Notcherii filii eius, S.
Adelise comitis, S. Raginardi, Albuini, Hermuini abbatis, Raynaldi pre-
positi, Vnerici, Clementis, Gausfredi, Vualterii, Guidonis.

Actum Flauiniaco, anno xv regnante Rotberto rege.

1 Superne: Vualterius Eduorum episcopus restituit Flauiniaci coenobio saluata uillarum
Iayliaci Vuilliaci Ruisiaci et Grisiaci *praem.* P Aeduorum M 3 residente M 4 eius BP
7 saluamenta M 8 Iarliacus M 13 saluamenta M 22 duxi *om.* BP 23 prouideram emolu-
menta *tr.* BP 26 Fulcone M 29 ibidem *om.* M 32 suos *om.* BP 33 nec] siue M 34
forte BP 37 imas] symas C 38 Aeduae M 39 Lingonensis B Fulcho D Suessionis
BPM 40–41 S. *om.* CDM 41 Adellissae M Rainaldi BP 42 Gaufredi M Vualterii
om. BP

In this charter, the dating must be by Robert's succession to Hugh Capet, be-
cause Amadeus only became abbot in 1010.

⁵Bruno, bishop of Langres (980–1016).

⁶Fulk, bishop of Soissons. He was brother of the count of Soissons.

⁷Berald, nephew of Bishop Fulk of Soissons, was probably identical with the Berald who
succeeded him in the see; see documents nos. 15 and 43.

43

Autun, 1018

Walter, bishop of Autun, and his successor, Helmuin, at the request of Hugh, count of Chalon and bishop of Auxerre, give the little monastery of St.-Georges of Couches to Flavigny, to restore the monastic life there, under the Benedictine Rule. Couches has been deserted by its monks and has only one priest still attending it.

MANUSCRIPTS

C, pp. 496–501, no. 42.

D, fol. 43r–v.

B, fols. 288v–290r, no. 46.

P, pp. 88–91.

Paris, Bibliothèque nationale, Collection Baluze 144, fols. 331r–332v, seventeenth-century copy made by Pierre-François Chifflet; dated 1126 in a later hand.

Dijon, Archives de la Côte d'Or, 1 F 214, pp. 46–50, copy made by François Grignard, on the basis of C and P; dated 1016/17.

Auxerre, Bibliothèque municipale, MS 152, pp. 947–50, seventeenth-century copy made by Dom Viole; dated 1015.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique de la maison de Vergy*, pp. 60–62, on the basis of D; dated 1017.Pierre-François Chifflet, *Lettre touchant Beatrix, comtesse de Chalon*, pp. 140–43, no. 126, on the basis of Coll. Baluze 144.Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 4, pp. 652–53, no. 37; dated 1026.

GC 4:76–77, no. 40 (abbreviated); dated 1026/27.

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 351–53, no. 10, on the basis of Duchesne, *Vergy*; dated 1019.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 272. Collenot, pp. 88–9; dated 1026.Christian Pfister, *Etudes sur le règne de Robert le Pieux, 996–1031*, p. lxxix, no. 64; dated c. 1019.Frédéric Soehnée, *Catalogue des actes d'Henry Ier, roi de France, 1031–1060*, pp. 2–3, no. 3; dated 1019.William Mendel Newman, *Catalogue des actes de Robert II, roi de France*, pp. 81–82, no. 65; dated 1025/26.

Text established on the basis of C, D, B, P, Auxerre MS 152 (=V), Coll. Baluze 144 (=F), Mabillon (=M), and GC (=G).

Quia constat uniuersalis statum eclesie pro meritis subiectorum atque rectorum sumere detrimentum sui uel incrementum, idcirco cernere est sepe numero quedam monasteria aliquoties fauente bonorum omnium auspice

Christo multigena augmentatione in dies ad meliora prouehi, aliquando uero
 5 aduersante illo de quo Dominus ait, Qui non est mecum contra me est et qui
 non colligit mecum spargit ad deteriora deici.¹ Hinc est quod quedam loca que
 regularis quandam tenore feruoris et temporalis opulentie bonis pollebant
 nunc statum pristine dignitatis amisisse et pene funditus euersa esse perspici-
 mus, quorum ruine pastores sancte matris eclesie, utpote illius summi pas-
 10 toris membra qui nouit ruinosa restaurare, congregare dispersa, pro uiribus
 debent concurrere ac supplementum sui iuuaminis omni sollicitudinis uigil-
 lantia exhibere. Huius considerationis cura instanti peruigil atque sollicitus
 dominus Vualterius Aeduorum presul monasteria sui episcopatus dicioni sub-
 dita pro Dei amore atque honore cum regulari Beati Benedicti institutione
 15 imbuere tum etiam bonorum presentium stipendiis sagaci industria quantum
 ualuit studuit augmentare, cumque his tam piis actibus iugiter indefessus
 operator insisteret animaduertit inter cetera quiddam coenobiolum Colchas
 nuncupatum, quod etiam olim magno honore simul et religione floruerat, ita
 penitus euersum ut nullus inibi monachorum, nullus maneret canonicorum,
 20 preter unum qui ibidem missam celebrare erat solitus presbiterum. Itaque quia
 pia intentione religiosaque sollicitudine statui unde deciderat, illud cupiebat
 reformare, sed quoniam a predecessoribus ipsius episcopis in beneficio secu-
 laribus ac potentibus uiris erat distractum atque datum, nequaquam absque
 eorum assensu ualebat effectui operam dare, tandem fuit consilii ut per lau-
 25 dationem Hugonis Cabilonensis comitis,² cuius beneficium erat, pretaxatum
 monasteriolum interim abbati uel monachis coenobii Flauiniacensis ad res-
 taurandum committeret, temptaturus in reliquum maiora reparacioni seu
 meliorationi eiusdem loci proficia, si id ei superstite uita superna concederet
 gratia. Sed quia uitam illius mors liuida nobis abstulit nec cepta perfectioni
 30 transmittere ualuit, idcirco ego Helmoinus Augustidunensis episcopus³ suc-
 cessor ipsius pia huius cepti auspicia que isdem dominus Vualterius antecessor
 et senior meus studuit incohare, cupio omnipotentis fauente misericordia con-
 ditoris, cum consilio et adiutorio iamdicti domni Hugonis comitis ad finem
 usque deducere. Cum uero sollicita mentis cura pertracto qualiter huius
 35 negotii efficientiam meliori fine peragam illud uel maxime ad hoc opus
 uirium fortitudinem michi uidetur eximere dum perpendo terras uel eclesias ad
 eundem locum pertinentes ita diuersis in partibus in multorum beneficio tra-
 ditas et distractas, ut nullatenus his possint auferri quorum subiacent dicioni.
 Quocirca quoniam penitus ita est destitutum atque destructum, quo iam per se
 40 sine alterius leuaminis solatio nequeat stare, nullum melius inuenire potui
 consilium, quam ut coenobio Flauiniacensi, quod miserante omnipotenti

¹Matt. 12:30.

²Hugh, count of Chalon and bishop of Auxerre (999–1039).

³Helmuin, bishop of Autun (1018–55).

Creatoris Sancti Benedicti pollet institutis quodque nostri episcopii adnectetur sedi, illud perpetuo iure subderem atque conferrem, ut scilicet tam abbas quam monachi eiusdem monasterii per succedentis eui moetas sub sui regiminis potestate et dominatione id habeant, restrictionemque aut restaurationem eius 45 agere summo studio procurent. At uero ad peragendum tam laudabile opus dapsilis liberalitas prenominati domni Hugonis comitis nobis non defuit, sed insuper ut diximus quia de eius beneficio erat ipse obnixis petitionibus ut huius testamentum auctoritatis facerem postulauit. Cuius fauore necnon canonicorum Sancti Nazarii siue aliorum nostrorum fidelium laudatione 50 fretus, necnon uenerabilis abbatis Amadei⁴ humilis suplicationum precibus adstrictus, statuo atque confirmo per hoc priuilegium nostre auctoritatis quatinus sine alicuius falsitatis uel calumnie iactura, sub regiminis dominio patris seu monachorum predicti Flauiniacensis monasterii prelibatus locus Sancto Georgio Christi testi dicatus, qui Colchas dicitur, fine tenus permaneat 55 ac perseueret, cum omnibus uidelicet que ad presens inibi haberi uidentur uel in futuris temporibus tam prelati Flauiniacensis quam alii homines ibidem donauerint uel quolibet modo adquirere poterint. Quod si quis huius nostre auctoritatis firmitati aliquo modo nisus fuerit refragari, hic talis perpetuo anathemate multatus eliminatusque a coetu fidelium aeterne damnationis 60 subeat supplicium.

Actum Augustiduno.

Helmoinus episcopus qui fieri iussit et firmari rogauit.

Rotbertus gratia Dei rex Francorum firmator extitit filiusque eius Enricus.

Hugo episcopus Autissiodirensis.	Ainaldus archidiaconus.	65
Lambertus episcopus Lingonensis. ⁵	Anseius diaconus.	
Gausfredus episcopus Cabillonensis. ⁶	Gausfredus abbas.	
Beraldus episcopus Suessionis. ⁷	Albuinus prepositus.	
Gauzlinus episcopus Matisconensis. ⁸	Guido abbas.	
Hugo episcopus Neuernensis. ⁹	Richardus archidiaconus.	70
Aganus abbas.	Hugo abbas. Erbertus abbas.	
Landricus comes. ¹⁰	Gerardus Sinemurensis.	
Otto comes nepos Hugonis episcopi. ¹¹	Vualterii signiferi.	

⁴Amadeus, abbot of Flavigny from 1010 to c. 1040.

⁵Lambert, bishop of Langres (1016–31).

⁶Geoffrey, bishop of Chalon (1015–39).

⁷Berald, bishop of Soissons.

⁸Jocelin, bishop of Mâcon (1016–31).

⁹Hugh, bishop of Nevers (1016–69).

¹⁰Landric, count of Nevers (991/92–1028).

¹¹Most likely Otto-William, count of Burgundy and Mâcon (981–1026), son of Bishop Hugh's sister, or possibly Otto-William's grandson Otto, who succeeded him as count of Mâcon.

Tetbaldus comes nepos ipsius episcopi.¹²

- 75 Reginardi. Anselei. Lamberti. Hugonis. Eruei. Achedei. Himmarus. Salecherius. Rotgerius. Airardus.

Anno notati regis Rotberti xxx, Guillelmo scribente uice Raginaldi cancellarii.

1 Quia: Helmuinus episcopus Augustidunensis ad laudationem Hugonis comitis Cabilonensis dat iure perpetuo in regimen monachis Flauiniensis coenobii monasteriolum Sancti Georgii de Colchis prope dirutum *praem.* P 4–12 aliquando — exhibere] &c G 5 illo] eo P 6 dispargit V deci M 8 poene C, paene M prospicimus M 11 ac] ad VBPF omnis BP 16 cumque: de add. V 19 poenitus C euesum V nullum V 21 cupiebat *om.* V 22 episcopi VBPF 28 maliorationi C concederet] accederet VBPF 32 et] ac C 36 fortitudine BP 38 possunt C quorum] quoniam M 39 poenitus C destructum atque destitutum *tr.* VBP quod V 43 scilicet] sancti licet C 50 nostrorum *om.* VBP 52 nostre auctoritatis *om.* BP 54 Flauiniacenses DFG 58 uel] ut C, aut M potuerint BMFG 59 firmi CB^{ac} 60 multatus VP a] de P 61 subeant VBP 63 Helmuinus DV BPMFG 64 Robertus G 65 Autissiodorensis DV BPMFG, Autissiodorensis M Ainaldi C, Aynaldus BPV, Aynaldi M archidiaconi CM 66 decanus VBMFG 67 Gausfredus episcopus] Gauffredus episcopus VPF, Gaufredus episcopus M Cabilonensis BPM Gausfredus abbas] Gaufredus abbas VF, Gaufredus abbas M, *om.* P 68 Berardus VP Suessionensis V 69 Gauslinus VB Guido abbas *om.* P 70 Niuernensis VBP Ruhardus C 71 Erbertus abbas: *om.* D, Guido abbas, Gausfredus abbas *add.* P 73 Vualterii signifer] S. Vualterii subscripti V, *om.* G 74 *ipsius om.* G 75–76 Reginardi — Airardus *om.* G 75 Reginardi — Hugonis] Anselei. Lamberti. Hugonis. Reginardi *tr.* V Lamberti VBP MF Eruei] Firuci M Achemdei DF 76 Ayrardus DV BPMF 77 Roberti G ad uicem V Reginaldi MG

This was doubtless done in 1018, as both Bishops Walter and Helmuin are mentioned. Since King Robert was present, it probably was given at about the same time as document no. 27.

44

Flavigny, 1016

Milo, viscount of Thil, called a “noble vassal,” arranges to give Flavigny some hereditary property when he dies, for his burial. His wife, Humberge, and his son agree.

MANUSCRIPTS

C, pp. 501–3, no. 43.

D, fol. 27r, abbreviated.

B, fol. 290v, no. 47.

P, pp. 91–93.

Grignard, pp. 293–94, on the basis of C and P; dated 1007.

¹²Theobold, Hugh's nephew and successor as count of Chalon.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 344–45, no. 4, on the basis of C; dated 1008.

SUMMARY

Collenot, pp. 87–88; dated 1016.

Text established on the basis of C, D, B, and P.

Hunc morem antiquitus inoleuisse luce clarius est, ut ea que posteris inconuulsa mandare decernerent ne a memoria penitus obliterarentur litterarum scedula tradere procurarent, quem nos pro uiribus imitari gliscentes notum esse per hanc donationis cartulam cupimus nonmodo presentibus uel etiam per succendentis aeui curricula succendentibus qualiter uel quibus presentibus Milo quidam nobilis uassallus de castello quod uocatur Tiliū¹ pro remedio anime sue suorumque redemptions peccaminum tradidit atque donauit donatumque esse perpetim uoluit ad sepulturam suam principi apostolorum Beato Petro Sanctoque martirri Preiecto monasterii Flauiniacensis siue monachis ibidem Deo seruientibus alodium suum quem iure hereditario apud uillam nuncupante Mascerolas consistentem possidebat, cum omnibus ad se pertinenteribus, id est siluis, uineis, pratis, uiridiariis, campis cultis et incultis, aquis aquarumue decursibus, per uoluntatem et laudationem uxoris sue Vmberge et filii sui Vuidonis, aliorumque parentum uel fidelium suorum, ut omni tempore ipsius rectores coenobii pretaxatum alodium liberum et honoratum, sicut isdem miles tenuerat, teneant et possideant, nec unquam ipsum alodium uel in eo habitantes causa saluamenti uel alicuius consuetudinis obsequium dant nec tenere permittant cuiquam homini, sed sibi perpetuo in proprios usus reseruent. Et ut hec donatio omni tempore stabilis et inconuulsa permaneat, die sepulture ipsius Milonis ab eius iamdicta coniuge et filio ceterisue fidelibus illius subter est firmata. 10 15 20

Actum Flauiniaco publice, xx regis Rotberti anno, Aymone scribente monacho.

Vmberga coniux prefati Milonis. Guntardus.

Vuido filius eorum.

Hybertus miles. Gyslerius.

Hubertus Rufus.

Hugo frater eius. Arlebaldus.

25

¹ Hunc: Milo nobilis uassallus de castello quod uocatur Tiliū dat coenobio Flauiniacensi quoddam alodium suum apud uillam dictam Mascerolas *praem.* P 4 uel] uerum DBP 6 Tillium BP 7 suae animae *tr.* DBP peccatorum BP 11 nuncupantem BP 16–21 nec —

¹The castle of Thil is 20 km southwest of Flavigny.

firmata] Etc. D 21 caeterisue B, caeterisque P 22 Roberti C 26 Hubertus DBP miles]
 Rufus D Gislerius D 27 Rufus] miles D, Ruffus P

The necrology of Flavigny records, on 22 July, Milo, viscount of Thil, who gave the cell of Précy.² For the date of this document, see the following one.

45

Flavigny, 18 August 1019

Gui, son of Milo of Thil, confirms his late father's gifts to Flavigny and adds pasture rights for one hundred pigs in the woods of Brenil.

MANUSCRIPTS

- C, pp. 503–4, no. 44.
- D, fol. 27r; the closing only, beginning with line 22.
- B, fol. 291r–v, no. 48.
- P, pp. 93–94.
- Grignard, pp. 300–2, on the basis of C and P; dated 1018.

PRINTED EDITION

- Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 348–49, no. 7, on the basis of C; dated 1018.

SUMMARIES

- Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 272.
- Collenot, pp. 89–90; dated 1026.

Text established on the basis of C, B, and P, plus D for the closing.

Secundum antiquorum morem parentum decretum esse nouimus litteris
 texere quicquid a fidelibus sancte confertur matri eclesie, ne quolibet fraude
 insidiante antico hoste amittat per negligentiam quod ei largitur per cuncti-
 potentis Dei indulgentiam, quem morem nos clientuli sequentes pandere
 5 omnibus fonte perennitalis obtamus qualiter Guido filius Milonis ex castro
 Tylii, adhuc in pube tenera uigens etate ueniens cum uenerabili urbis Edue
 Helmuino episcopo¹ apud Flauiniacum coenobium tradidit sancto principi
 Petro et glorioso presuli Preiecto res quas dudum pater suus in memoriam sue
 sepulture ibidem delegauerat in territorio Moruennis apud uillam Maserollus,
 10 alodium scilicet quemdam coniacentem et uniuersa ad se pertinentia in uineis,
 siluis, pratis, terris cultis et incultis, aquis recursibusque aquarum. Addidit-
 que huic elemosine prefatus clare indolis Guido omnem pagsnaticum, centum

²MGH SS 8:286. Précy is 1 1/2 km west of Thil.

¹Helmuin, bishop of Autun (1018–55).

uidelicet porcorum currentium in silua quam uulgo dicunt Brunim,² que silua pertinet ad uillam que nuncupatur Monasterolus, ea ditione ut monachi iamdicti coenobii in suo proprio iure teneant, nullusque sit eorum qui quic- 15 quam ex his omnibus cuicunque concedere homini, cuiuslibet rei causa liceat neque vendere nisi triplex ex ivaldioris pretii res fuerit presumat, sed proprio usui reseruent sine magne pusille mediocrisue persone calumpnia. Quam siquis inferre presumpserit nil euindicens fessus iuditio legum soluat monachis auri puri libras xx sicque digitum imponens ori obtunsus uerecundia 20 sileat de his in perpetuum.

Actum Flauiniaco publice, Helmuino episcopo una cum ipso Guidone conlaudante et propria manu firmante.

Helmuinus presul.	Arnaldus archidiaconus.	Bruno.
Guido.	Gausfredus abbas.	Rainardus. 25
S. Gualterii decani.	Albuinus prepositus.	Hugo.

Actum xxx anno regis Rotberti, Heldierio notante monachorum omnium in fimo mense Augusto xviii die atque datante post mensam fratrum comunale.

1 Secundum: Guido filius Milonis ex castro Tylii confirmat precedentem donationem et addit alodum coniacentem cum pasnatico censu in silua quae uocatur Bruuin *praem* P 2 qualibet BP 5 perennitalis] perhenni renatis C optamus BP 9 Maserollas B 12 pasnaticum P 13 Bruuim BP 14 conditione P 15 quicquam] cuiquam BP 20 puri om. BP ori imponens tr. BP 21 de his] deis C 24 Arnaldus archidiaconus] Arualdaredus BP Bruno] Brauodus BP 26 S. om CD Vualterii DBP 28–29 mensam — comunale] mensam fratrum concite D, ... fratrum concite B, subscriptionem fratrum concite P

Although the preceding document is dated in Robert's twentieth year as king and this in the thirtieth, it seems most likely that they are only a few years apart, as Gui is still a boy and recalls his father's burial as recent. Therefore, the former document was doubtless dated by Robert's succession to his father and this one by his original coronation. The witnesses are the officers of the cathedral chapter of Autun; see no. 43.

²Brenil, in the Morvan, is 12 km west of Thil. I have not been able to identify the villaes mentioned here or in the previous charter, but they were presumably nearby.

46

Flavigny, November 1019

The knight Bernuin and his wife, Richildis, who have received one hundred solidi from their serf, give him to Flavigny.

MANUSCRIPTS

C, pp. 505–6, no. 45.

B, fols. 291v–292r, no. 49.

P, pp. 94–95.

Grignard, pp. 303–4, on the basis of C and P; dated 1018.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 489–90, no. 209, on the basis of C; dated 1018.

SUMMARY

Collenot, p. 90; dated 1026.

Text established on the basis of C, B, and P.

Sicut uetitum est lege eclesiastica, serum eclesie non posse liberum fieri,
 nisi triplex compositio fiat, ita ingenuus dominus cui seruitis conditio sub-
 iacet serum suum ingenuum facere statim ut libuerit potest. Vnde ego
 Bernuinus nomine cum uxore mea uocabulo Richildis serum meum qui
 5 uocatur Vualterius, acceptis ab eo centum solidis denariorum, ingenuum non
 constituo sed Sancto Petro Flauiniacensis monasterii pro remedio anime mee
 serum perpetualiter delego, ea conditione ut ab hodierna die in obsequio
 seruorum Dei, monachorum scilicet inibi Deo famulantium, transeat, et
 seruile seruitum quod actenus michi fecit eisdem imperciatur deinceps mona-
 10 chis cum filiis uel filiabus quos amodo genuerit. Statuo autem atque con-
 firmo ego humilis miles Bernuinus ut neque ego seu aliquis heredum
 meorum, filiorum uidelicet uel nepotum aut quorumcumque propinquorum,
 eum ab hac casa Dei et Sancti Petri qualicumque occasione repetendo abstra-
 15 here presumat, uerum perpetualiter ut dictum est seruus eiusdem eclesie
 permaneat. Et ut hec carta donationis huius serui firma et inconuulsa per-
 maneat, eam manu propria corroborare dignum iudicauit et confirmare.

Actum Flauiniaco monasterio publice, anno regis Rotberti xxx, mense
 Nouembri, et datum ab Ansello monaco, Christo regi seculorum propitio.

Bernuinus qui fieri iussit. Richildis uxor eius. Bernuinus. Gosfridus.
 20 Rotbertus. Bernuinus. Aluualo. Hugo. Rodbertus. Desiderius. Seyardus.
 Vuillelmus. Oldebertus. Richildis. Hersindis.

1 Sicut: Bernuinus cum uxore sua Richildi dat monachis Flauiniacensis coenobii serum suum
 nomine Vualterium *praem.* P 7 obsequium BP 9 hactenus BP 13 casam C 20 Rod-
 bertus] Rotbertus BP Sayardus BP

Since other documents in the cartulary given in the thirtieth year of Robert's reign refer to 1018/19 rather than 1026/27, whenever there is independent evidence of the year, I have dated this document the same way.

47

Flavigny, 1018 (?)

Azilin gives Flavigny, for his soul, a mansus at Hauteroche, including vineyards, a house, and a mill.

MANUSCRIPTS

C, pp. 506–7, no. 46.

B, fol. 292r, no. 50.

P, pp. 95–96.

Grignard, pp. 305–6, on the basis of C and P; dated 1017.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 490–91, no. 210, on the basis of C; dated 1018.

SUMMARY

Collenot, p. 91; dated 1026.

Text established on the basis of C, B, and P.

Omnibus sub Cristianitatis iugo uiuentibus, tam prestantissimis personis quam infimis, presentibus et futuris, fieri pro certo esse cupimus qualiter quidam uir nomine Azilinus, reminiscens humane casus fragilitatis et dis- crimen aeterni suplicii et eorum societatem qui Domino placuerunt adipisci nisibus uniuersis cupiens, dedit monachis coenobii aethereioi ianitoris Petri ac martirris gloriosi Preiecti Flauiniacensis, iure perpetuo, partem quandam rerum suarum, unum scilicet mansum in comitatu Alsinsi apud uillam que dicitur Altarupis,¹ cum duabus uineis, casamque indominicatam iuxta eclesiam Sancti Albini sitam, et unum molendinum subtus eadem uilla non longe stabilitum cum uniuersis eorum appendiciis, quorum terminationem signat uia publica ex duabus partibus, alieque due cinguntur terra ipsius sancti. Hanc uero scripturam eo fieri monuit ne quis hominum propinquus uidelicet aut exterus praereptor umquam temerarius in largitis a se Deo eiusque fidelibus donis esse presumat, seruetur autem et permaneat in alimoniam monachorum prefati loci in secula.

Actum Flauiniaco, anno regnante rege Rotberto xxx. Azilinus. Fulcherius. Frodo. Adto.

¹Hauteroche is 4 km southeast of Flavigny. It is also mentioned in documents nos. 24, 28, and 39.

1 Omnibus: Azilinus dat ecclesiae Flauiniacensi Sancti Petri unum mansum in comitatu Al-
sinsi in ulla quae dicitur Altarupis *praem.* P sub *om.* BP 5 aetherei BP 8 Altatupis B
13 praereptor umquam] preceptorum que C 16 xxx *om.* BP Eulcherius C

I have dated this document 1018 because other documents in the cartulary dated to Robert's thirtieth year are dated from his original coronation rather than his succession to Hugh Capet. The year 1026 is also a possibility, however.

48

Early eleventh century (?)

Hubert confesses that he slipped into the abbey of Flavigny by night and killed two of the monks' men.

MANUSCRIPTS

- C, p. 507, no. 47.
- B, fol. 292v, no. 51.
- P, p. 96.
- Grignard, p. 307, on the basis of Viole; dated 1017/34.

PRINTED EDITION

- Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 122–23.

SUMMARY

- Collenot, p. 100.

Text established on the basis of C, B, P, and Viole (=V).

In nomine clementissimi Dei piissime miserationis.

Presentis aei futurique omnibus fidei Christiane ceruicem subdentibus
notum esse desidero ego Hubertus pre cunctis hominibus, in Deum et in
sanctam eclesiam, reus quoniam, sugerente humani generis hoste, noctu
5 ingrediens silenter coenobium Sancti Petri Flauiniacensis quo sanctum requi-
escit corpus Cristi martirris Preiecti atque Regine uirginis Theophilique eius
ministri, duos ibidem interficere feci homines, Hugonem uidelicet Rastellum.

1 In: Emenda Huberti pro occisione duorum hominum in coenobio Sancti Petri Flauiniacensis
praem. P 2 futurisque V 4 quoniam] quam C nocte V 6 uirginis] martyris BP

This document stops very abruptly; B, P, and Viole all give lines of dots at the end. From its position in the cartulary, the date is most likely the first half of the eleventh century.

Autun, 1034

Helmuin, bishop of Autun, at the request of Abbot Amadeus of Flavigny, confirms that the abbey of Corbigny has been dependent on Flavigny since its foundation. As the abbot of Corbigny has just died, it seems an opportune time to restore Flavigny's authority.

MANUSCRIPTS

C, pp. 508–9 [after p. 508, the pages are numbered 507, 508, 509], no. 48.

D, fol. 44r–v.

B, fols. 292v–293v, no. 52.

P, pp. 97–99.

Auxerre, Bibliothèque municipale, MS 152, pp. 951–53 (last page torn), copy made in the seventeenth century by Dom Viole; dated 1034.

PRINTED EDITIONS

Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 4, p. 669, no. 51, on the basis of D; dated 1034.

GC 4:78–79, no. 42, on the basis of Mabillon; dated 1034.

J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, pp. 471–72, no. 6, on the basis of GC.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 272. Collenot, pp. 93–94; dated 1055.

Text established on the basis of C, D, B, P, and Auxerre MS 152 (=V).

In nomine Domini nostri Iesu Christi. Ego Helmuinus Dei permittente clementia Heduensium episcopus.¹

Cum post sancte recordationis dominum Gualterium pontificem² res eclesie fluitantes sacerdotali procuratione pro posse regerem, adiit mansuetudinis nostre presentiam uenerabilis abbas Flauiniacensis Amadeus,³ ostendens in eclesie sue scriptis qualiter Corbiniacense coenobium monasterio Flauiniacensi iure esset antiquitatis subiectum et ab eisdem qui ipsam eclesiam suis patrimonii a principio ditauerant lege perpetua subiugatum.⁴ Et quia Corbiniacus a predicto capite tunc temporis et longe ante defecerat et in sui se status constantiam insolentia ductus erregerat, quia etiam abbas qui eum 10 qualitercumque rexerat paucis ante diebus obierat, accepta opportuni temporis occasione, nostram clementiam deprecatus est ut uetustatis antique statutis nostre proberemus corroborationis assensum, quo afferri de medio posset

¹Helmuin, bishop of Autun (1018–55).

²Walter, bishop of Autun (977–1018).

³Amadeus, abbot of Flavigny (1010–c.1040).

⁴See documents nos. 1 and 52.

quod irrepserat auaritia duce discidium. Nos uero ad eius petitionem nullius
 15 temeritatis leuitate inducti e sancte aeclesie nostre scriniis regum precepta
 Romanorumque pontificum proferri iussimus priuilegia, in quibus tanta
 eiusdem rei inuenta est consonantia, ut id differre nefas duceret communis
 omnium sententia. Exigebat etiam hoc per omnia maxima necessitas et si
 decesset paterne traditionis auctoritas. Regularis etenim ordinis rigore laxato,
 20 monachi Corbiniacenses communia bona in proprios usus transfuderant et
 generalis stipendii summa in particulas diuisa, grauem loco et infamem pau-
 periem induxerant. Patrum ergo ueterum decretis sufultus presenti necessitatibus
 consului et cleri nostri militie et plebis consultu, predicti abbatis precibus
 25 aurem accommodauit. Do igitur quia nunc non habebat, reddo quia olim
 habuerat, Corbiniacum Flauiniacensi monasterio, ita ut presens et tempus in
 omne futurus Flauiniacensis abbas iam dictam abbatiam sicut ceteras res sue
 eclesie diggerat, ordinet et disponat, nullius contradictionis turbatus impulsu,
 nullius calumniatoris incursu. Quia ergo ditionem et quod rectius est red-
 30 ditionem fecimus, scripti huius notitiam testem adhiberi decreuimus, ut et in
 futuro emergentis malitie machinamenta conterat et totius blasphemiae argu-
 menta refellat. Que etiam ut pleniorem obtineat firmitatis uigorem, manu
 eam propria firmauimus nostrorumque clericorum, abbatum, ac primatum
 subscriptione roborari insignirique rogauiimus.

Actum Augustiduno ciuitate.

35 * Helmuini episcopi.

C Vuidonis abbatis.

ζ Rodulfi. SS Rotberti.

Φ Vualterii cardinalis archidiaconi.

SS Hileranni.

α Gausfredi abbatis et archidiaconi.

Δ Brunonis precentoris.

40 λ Vualeriani archidiaconi.

SS Guidonis abbatis.

Θ Hugonis prepositi.

Π Vualterii.

ψ Ramaldi.

45 Cc Gyrberti.

X Aganonis abbatis et prepositi.⁵

⁵Perhaps Helmuin's successor as bishop of Autun (1055–98). This *abbas* is also in document no. 43.

ſ Odulgerii.	ζ Odilonis abbatis Cluniensis. ⁶
‐ Girardi	χ Odonis abbatis Autissioderensis. ⁷
Ψ Vualterii	ξ Hugonis episcopi Autissioderensis. ⁸
* Hugonis	H Hugonis Neruernensis. ⁹ 50 H Osaldi abbatis Sancti Martini. ¹⁰
＼ Rainaldi.	
ζ Seuuini.	
ϕ Lamberti.	
α Bertranni.	55
δ Rotberti.	
Γ Attonis.	
ζ Hynogonis.	
Λ Fulconis.	
I Achadei.	60
v Landrici.	
ſ Aganonis.	
SS Aduuuini.	
Hec sunt nomina canonicorum	
Sancti Nazari que exarta sunt.	65

Ego Bernardus scripsi uice Rainaldi cancellarii, anno uerbi incarnati
XXXIIII, Aeynrici uero regis anno v.

1 In: Helmuinus Eduensium episcopus monasterium Corbiniaci regimini tradit in perpetuum
monasterio Flauiniacensi *praem.* P 2 Eduensium VBP 26–27 ecclesiae suae *tr.* BP 35
episcopi *om.* B 38 Gauffredi V 40 Vualerani V 44 Rainaldi DV 47 Odalgeni B Clu-
niacensis BP 48 Oddonis D Autissiodorensis BP 49 Hubonis B, Hubbonis P Autis-
siodorensis P 50 H Hugonis] H Hubonis B Neyuernensis BP 51 Sancti Martini] marIN C
53 Seuuini] Semini V, Hermuini B, Helmuini P 55 Berlanni DVB, Bertramni P 57–59
Γ Attonis — Λ Fulconis *om.* V 57 Γ Attonis] Tattonis B, Tactonis P 58 Hyngonis D,
om. BP 60 Achadis V 63 Aduuini D, Alduini P 65 Nazarii D exarta sunt] ex aratalunt
C 66–67 Ego — v *om.* CVBP

The date is 1034 if D is right; although the dating is only given in D, manuscripts C, B, and P attach the same ending to the following document, where it is clearly incorrect. The date 1034 corresponds to the list of witnesses; the charter must in any event date to between 1032 and 1039.

The symbols before the names are in all the manuscripts, although some of the scribes seem to have had trouble with the Greek letters. The arrangement of wit-

⁶Odilo, abbot of Cluny (994–1049).

⁷Odo, abbot of St.-Germain of Auxerre (1032–52).

⁸Hugh, count of Chalon and bishop of Auxerre (999–1039).

⁹Hugh, bishop of Nevers (1016–69).

¹⁰Osald, abbot of St.-Martin of Autun.

nesses is somewhat different in every manuscript; the arrangement I have given preserves the groups into which they fall and could, if it was the original order, explain the order in all the manuscripts. Manuscripts V, B, and P give SS Rotberti and the names from Odulgerii to Hugonis twice, once in the sequence of names of canons of Autun and inserted again before Odilo, abbot of Cluny. All the names in the left-hand column (and probably the three on the upper right) are those of the canons of Autun; the officers come first, then the other canons.

50

1084–1090

Clarinus has built a mill on the monks' property at Ravouse, of which he will keep half the revenues during his life, but after his death and his wife's the monks of Flavigny shall hold it all.

MANUSCRIPTS

C, p. 509, no. 49.

B, fols. 293v–294r, no. 53.

P, pp. 99–100.

Grignard, p. 308, on the basis of C and P; dated 1034.

SUMMARY

Collenot, p. 92; dated 1036.

Text established on the basis of C, B, and P.

De molendino super Rauosam aquam.

Quia multa per longitudinem transitorii temporis in obliuione cadunt, ideo posteris nostris pandere curamus quo pacto Clarinus molendinum in fundo Sancti Petri super aquam Rauosam edificauit.¹ Statuerunt autem Clarinus 5 atque Rainaldus abbas quatenus Clarinus molendinum cum omnibus appendiciis construeret de quo dimidiam partem redditus dum uiueret ecclesie nostre redderet, atque post obitum suum mulierisque sue, ecclesia nostra, remota omni calumnia heredum suorum, in integrum totum possiderat.

Ego Bernardus scripsi uice Rainaldi cancellarii, anno uerbi incarnati 10 MXXXIII, Aeynrici uero regis anno v.

1 De — aquam (aqua C)] Clarinus edificat molendinum in territorio Sancti Petri Flauiniacensis super Rauosam aquam P 8 in] et C 9 Raynaldi BP 10 Heinrici P

The dates as given are those of Abbot Raynald's abbacy. The closing, dating the document 1034, does not correspond to Abbot Raynald and must belong to the previous document, where in fact it is given in D.

¹Ravouse is now a farm, on the Oze, 3 km north of Flavigny.

51

Autun, 27 February 1018

King Robert II gives Flavigny, where Amadeus is abbot, the chapel of St.-Jean outside the walls of Autun. Duke Robert of Burgundy confirms.

MANUSCRIPTS

C, pp. 509–11, no. 50.

D, fol. 34v; first two lines only, to “notum”; crossed out; and fol. 34r, the closing (starting with “ego” on line 21), replacing the closing from no. 27, which was crossed out.

B, fol. 294r–v, no. 54.

P, pp. 100–1.

Grignard, pp. 297–99, on the basis of C and P; dated 1013.

Paris, Bibliothèque nationale, Collection Baluze 139, p. 2, seventeenth-century copy by Jacob Sirmond.

Paris, BN, MS lat. 13817, fol. 282, seventeenth-century copy by Jacob Sirmond, virtually identical with the preceding.

Auxerre, Bibliothèque municipale, MS 152, pp. 943–44, copy made in the seventeenth century by Dom Viole.

PRINTED EDITIONS

Jean Mabillon, *Annales ordinis S. Benedicti*, vol. 4, p. 238, no. 49, on the basis of Coll. Baluze 139.

RHGF 10:601, no. 29, on the basis of Mabillon; dated 1018.

PL 141:956–57, no. 8, on the basis of Mabillon; dated 1018.

A. de Charmasse, “*Comptes de la Viérière d’Autun*,” pp. 251–52, n. 1, on the basis of P; dated 1018.Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, pp. 349–50, no. 9, on the basis of C; dated 1019.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 271.

Collenot, pp. 91–92; dated 1029.

Christian Pfister, *Etudes sur le règne de Robert le Pieux, 996–1031*, p. lxxviii, no. 63; dated 27 February 1019.William Mendel Newman, *Catalogue des actes de Robert II, roi de France*, pp. 61–62, no. 47; dated 27 February 1018.

Text established on the basis of C, D (for the signatures), B, P, Auxerre MS 152 (=V), and Sirmond (=S; Sb for Coll. Baluze 139 and SI for MS lat. 13817 where the two Sirmond manuscripts differ).

In nomine summe trinitatis et indiuidue unitatis.

Ego Rotbertus gratia et benignitate redemptoris Iesu Francorum rex notum fieri uolumus industrie omnium sancte matris eclesie tam presentis quam future etatis fidelium quod quidam Amadeus abbas Flauiniacensis coenobii in honore Beati Petri apostolorum principis almique Preiecti martiris ac presulius fundati ad nostram presentiam accesserit, petens quandam capellam nostri iuris

infra moenia Aeduorum ciuitatis sitam et in honore Beati Iohannis euangeliste dicatam, supradicto loco scilicet Flauiniaco dari, que fratribus predicti loci ita erat necessaria ut ospitandi causa eis esset expetenda. Cuius petitio nec uisa 10 est refragabilis nec iniusta. Si enim omnibus rationabilibus est fauendum petitionibus, quanto magis illorum quorum remuneratio in die iustitie constat copiosior? Vnde quoniam huic simile multotiens ab antecessoribus nostris frequentatum audiuimus et factitatum libenter petitionis illius prebuimus effectum, quatinus locus sepenominatus, Flauiniacus uidelicet, et monachi ibi 15 degentes atque inibi diuine maiestati famulantes, pretextatam capellam in honore Sancti Iohannis euangeliste ut diximus consecratam cum omnibus que ad ipsam pertinere uidentur perpetualiter, nullo inquietante deinceps possiderent. Et ut firmorem amodo tenendi haberent asstipulationem, hoc scriptum inde eis fieri iussimus et sigilli nostri impressione insigniri precepimus.

20 Actum Auedae anno dominice incarnationis Millesimo XVIII, indictione prima, regni uero gloriosissimi regis Rotberti xxx, iii kalendas Martiis. Ego in nomine Christi Galterius cathedre Augustudunensis urbis indignus episcopus assensi et propria manu firmaui.¹
 S. Hugonis episcopi.²

25 Ego in nomine ligni crucis Balduinus sancti sedis Tharoensis antistes adstipulaui.³
 Ego Teodericus Aurelianensis ciuitatis episcopus manu propria corroborau. ⁴
 † Ego Rotbertus dux Burgundiorum propria manu firmaui.

¹ In: Preceptum Rotberti regis Francorum de capella Sancti Iohannis baptisae ad muros Eduorum ciuitatis *praem.* P summe] sanctae P 2 Ihesu P rex Francorum *tr.* S 3–21 fieri — Martuis *om.* D 7 Eduorum VBP 9 hospitandi VBPS 11 renumeratio C 12 quoniam] quam C 13 facatum C 19 insigniri] muniri P, *om.* VB precepimus *om* VBP 20 Eduae VBP 21 Roberti V Martias S 22 Galtherius P Augustodunensis BPSb, Augustodunensis SI indignus *om.* S 25 Baldulinus VP Taruanensis Sb^{pc}, Taransi Sb^{dc}, Taransu SI, Tharohensis D, Faroensis CB, Furoensis P 27 Theodericus DBPS 28 Burgundionum D

Other than minor variations and the much fuller dating and witness list, this is the same charter as no. 27. It is probably in Flavigny's cartulary twice because it was originally given in 1018 and then reconfirmed by Duke Robert some time after 1031, when he took office in Burgundy.

¹Walter, bishop of Autun (977–1018).

²Hugh, count of Chalon and bishop of Auxerre (999–1039).

³Baldwin, bishop of Thérouanne.

⁴Theoderic II, bishop of Orléans (1013–23).

52

Flavigny, 22 March 864

Eygilo, abbot of Flavigny, recalls that Charlemagne gave his monastery the right to establish monks at Corbigny. He does so, putting twelve monks there under one Wulfrid, who will be their dean. He confirms the list of property belonging to Corbigny.

MANUSCRIPTS

C, pp. 511–16, no. 51.

D, fol. 26r–v.

B, fols. 295r–297r, no. 55.

P, pp. 101–6.

PRINTED EDITIONS

Georges Viole, *Apologie pour la véritable présence du corps de Sainte Reine d'Alize dans l'abbaye de Flavigny en Bourgogne*, pp. 107–12.

GC 4:58–59, no. 18, on the basis of Viole; dated 864.

J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, pp. 469–71, no. 5.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 272.

Charles Le Cointe, *Annales ecclesiastici Francorum*, vol. 6, p. 317.

Collenot, pp. 62–63; dated 864.

Text established on the basis of C, D, B, P, and Viole (=V).

Superni regis opitulante gratia sacri coenobii Flauiniacensis Eygilus nomine peccator et indignus abbas sacerdotali tamen officio indeptus,¹ cunctis fidelibus et sancte eclesie nostris successoribus monachis et abbatibus gaudium eterne felicitatis. Quia iuxta Saluatoris uocem comperimus, Sanctum spiritum spirare ubi uult,² et per Apostolum, Eundem paracletum didicimus 5 gratiam suam unicuique fideli diuidere prout uult, secundum capacitatis nostre modulum uenturis,³ ut presenti ratum fore duximus seculis quoniam anno DCCCLXIIII quod uerbum caro factum est, dum apud Flauiniacum sequenti die post humationem sacri corporis Regine martiris,⁴ xi scilicet kalendas

¹Eygilo, abbot of Flavigny and later archbishop of Sens; see above, document no. 21.

²John 3:8.

³Cf. I Cor. 12:4–11.

⁴Hugh of Flavigny also refers to the translation of the body of Sainte Reine from Alise to Flavigny; *Chronicon*, MGH SS 8:355. In the seventeenth century there was a great dispute between the canons of Alise and the monks of Flavigny over who actually had her body; Viole published the present document as part of an attempt to prove it had been at Flavigny for eight hundred years.

- 10 Aprilis, una cum Salocone,⁵ Ione Heduensis presuli cathedre coepiscopo,⁶ caritatis glutino nostreque familiaritatis collegio firmiter compaginato Deo propicio hylari residerem animo meo oratu ut pote nouiter ibidem precibus compulsus insignis regis Francorum Karoli piissimi augusti Hludouici filii a coenobio ueniens Prumie, annuente Treuerorum antistite⁷ ob pastoralem
 15 curam Flauiniacensis coenobii, oblata sunt ante nostram presentiam quedam litterarum monumenta a fratribus, inter que quoddam repertum est ubi erat insertum quod religiosus Flauiniacensem Manasses abba olim a rege Francorum duceque Langobardorum ac patricio Romanorum, magno scilicet Karolo, licentia accepta ad colliendos congregatis alterius duodenos monachos
 20 quibus perpetuo iure tam abbas quam monachi memorati Flauiniacensis coenobii praeessent omni tempore, uniuersis conlaudantibus fratribus coenobium Aualinse seu Neuernense voluerit edificare comitatu apud Ammonias in loco qui a Corbone uiro inclyto Corbiniacus dicitur, patre uidelicet sancte memorie Guideradi abbatis qui ipsum Corbiniacum cum
 25 omnibus uillis et eorum appendiciis tradidit Domino Iesu Christo Sanctoque Preiecto dum in eius honore uenerabile Flauiniacum construxit coenobium. Hoc igitur lectitans animaduerti fratrum omnium auida mente intentos esse animos idque a me perficiendum annuentibus intra se uultibus indicare consilio habitu cum prefato uiro rore sapientie perfuso, nostre ut diximus famili-
 30 aritati mente et corpore nexo Salocone, vice scilicet Ione episcopo, et cum nobilibus uiris qui ob aduentum tante uirginis pridie illo aduenerant, opere duxi commodum, memor Beati Benedicti dicti, Quia in omni loco uni Domino seruitur, uni regi militatur,⁸ uniuersis suggesteribus fratribus conlaudantibusue laudabilem uite patris Manasse uotum siquidem celebrato
 35 quod iam imminebat Paschali gaudio societatis tecum cementarii cum pluribus artificibus locum adii Corbiniacum in quo fundato oratorio in honore apostolorum principis Petri xii ibidem in memoriam xii apostolorum in inicio ad manendum constituimus fratres quibus prefecimus decanum in sancta conuersatione moribusque probum nomine Vulfridum, concedentes eorum
 40 necessariis usibus ipsum Corbiniacum cum suis appendiciis, omnesque uillas quas iamdictus in eodem comitatu coniacentibus Flauiniaco coenobio tradidit Vuideradus ut in eius testamento habentur, Antonum utique cum omnibus adiacentiis uel appendiciis earum in integrum, et colonetis in Liscomum,

⁵According to Hugh of Flavigny, in 865 Salocho, bishop of Dôle, died as a monk at Flavigny, and his body remained uncorrupted for two hundred years; *Chronicon*, MGH SS 8:355.

⁶Jonas, bishop of Autun in the 850s and 860s. Many of the people in this document also appear in no. 21, which was given the following year.

⁷The bishop of Trier.

⁸Benedict, *Regula* 61, ed. Adalbert de Vogué and Jean Neufville, *La règle de Saint Benoît*, vol. 2, p. 638.

Dunsatium, Viriacum, Valentingas, Valle Grouaria, Iuliacum, Pagatiacum, Cassaniola, Vuldonacum, Careacum, Cappas, Degantiacum, Cassiacum, 45 Roscella, Palatiolum, Gouilis, Sipitiacum et Sapiliacum, seu et illa coloneta in Ariaco que fuit Ansberti et quicquid ad eam aspicere uidetur, et clausum totum in integrum quem isdem Vuidradus plantare iussit.⁹ Has igitur uillas uel mansioniles hisdem fratribus monachisque nostris per labentia tempora et annorum illuc degentibus cum omnibus appendiciis suis uel uniuersum cen- 50 sum eorum reditibus ea ratione concedimus, ut in collaudatione et precepto Karoli magni continetur, ut semel in anno singuli qui sacerdotali seu leuitico funguntur officio per singulas hebdomas representent se Flauiniaco ibique sibi commissum celebrent officium, quo expleto nemo eorum ad cellam Cor- biniacensem regredi audeat donec ab abbate loci ipsius et a fratribus probata 55 eius uita in timore sancto suique propositi uoto imperetur regressus. Concedimus quoque eis mansum unum apud uillam que dicitur Menres, quo uenientes hospitentur monachi, et si necessitas exierit Loti aqua sua induant uestimenta,¹⁰ census uero a decano predicti loci Corbiniani annualis et triplex sic soluatur, ut viii kalendas Februarii et vii idus Septembris mensam fratum 60 Flauiniacensium ornent conuenientibus dapibus, pridie uero kalendis Decembris reddant c solidos in laneficiis uestibus. Hactenus de constructione et obseruatione coenobii Corbiniani. Nec in fine nostri testamenti omnipotentem Dominum obsecramus ut illius misericordia perpetuo nos defendat, tueatur, augeat, multiplicet et ut in uera caritate radicati et fundati ad gaudia 65 peruenire mereamur celi. Siquis uero infidelis aliter felle amaritudinis dulcoratus atque zelo cruenti liuoris inflatus quod descriptsimus aliquando contemnere uoluerit uel sepelictum Corbiniacum a subiectione et dominio coenobii Flauiniaci aliqua occasione scindere presumpserit, hic cum suis sequentibus aeterna maledictione damnatus pereat et nisi penituerit corde tenus 70 cum Hieroboam qui a Deo recessit et filios Israel recedere fecerunt et in aeter-

⁹This list of property is identical to what Wideradus had given to Flavigny in his testament (document no. 1) with the specification that it was attached to Corbigny, in the pagi of Avallonais, Nivernais, and Amous. Corbigny is 41 km west of Saulieu. Anthen is 8 km northeast of Corbigny. Auxois is 3 km northeast of Corbigny. Doussas is 4 km east of Corbigny. Viry is 3 km east of Corbigny. Valentinges is 6 km northeast of Corbigny. Vauclaix is 10 km east-southeast of Corbigny. Jaille is 13 km southwest of Corbigny. Pazy is 5 km southwest of Corbigny. Chasseigne is 7 km north-northeast of Corbigny. Voudenay is 9 km southwest of Arnay-le-Duc. Quarre-les-Tombes is 27 km northeast of Corbigny. Chappe is 12 km southeast of Saulieu. Diancey is 15 km southeast of Saulieu. Chissey is 18 km south of Saulieu. Ruiselle is 21 km south of Saulieu. Palaizot is 15 km south-southwest of Saulieu. Goix is 1 km north-northwest of Palaizot. Sivry is 25 km south-southeast of Saulieu, and Savilly is 18 km south-southeast. Argey is 14 km southeast of Saulieu. The gift from Ansbert is mentioned again in document no. 53.

¹⁰I have not identified either "Menres" or "Lot"; "Menres" was also mentioned in document no. 23.

num periit.¹¹ Preterea curam fidelium procurantes animarum decreuimus atque unanimiter statuimus ut si quis nobilium uel familiarium in illo sacro coenobiolo Corbiniano scilicet pro minuendis soluendisque peccatis et beata 75 requie sumenda, uiam petentes uniuerso carnis se sepulture tradiderint coenobite Flauiniacenses indefessis exorent Dominum precibus pro eorum absolutione animarum missasque ac officia persoluant ac si in eodem coenobio humata sint eorum corpora. Caevant autem fratres illi ne eorum pigritia anime defunctorum amittant promissa et debita eis gratuita uota.

1 Superni: De institutione et dotatione monasterii Corbiniani ab Egylo abbatte Flauiniacensi
praem. P sacri om C 2 nomine] necnon C 3 et sancte] sanctae DVB 5 parceletum C
6 nostrae capacitatibus *tr.* V 7 saeculis fore duximus *tr.* BP 8 cara P 10 Eduensis P 13
Francorum *om.* V Hludouici BP 16 erat *om* C 17 insitum VBP 19 altius BP 25
domno C Ihesu P 26 construit] condidit V 27 animaduerti] ... BP 33 domno C 34
conlaudantibusque V laudabilis V 35 sociatis DV 42 Antonium V 44 Valentigas BP
47 Anseberti DVB ad eam] ... BP clausuia V 48 idem V Vuideradus V plantari V
50 illic V uniuersum] in usum BP 57 Manres P 58 exegerit VBP Coti C 60 mensa
C 63 Nunc DV 65 multipliciter V 66 dulcoratur BP 67 cruenti] feruenti P 69
Flauiniaciensi V 70 sequacibus DVBP 71 Hieroboan B qui a Deo] quando BP 75
tradiderunt BP 76 pro eorum] precor B, precor pro P

This charter refers to document no. 13, in which Charlemagne gave Abbot Manasses of Flavigny the right to maintain his monastery's authority over any abbey at Corbigny.

53

25 January 872

Sigard, abbot of Flavigny, who has recently been appointed by Charles the Bald, gives some land to pay for lights at the tomb of St. Prix.

MANUSCRIPTS

C, pp. 517–18, no. 52.

D, fol. 23r.

B, fols. 297v–298r, no. 58.

P, pp. 106–7.

Grignard, pp. 188–89, on the basis of C and P; dated 872.

SUMMARY

Collenot, p. 66; dated 872.

Text established on the basis of C, D, B, and P.

¹¹I Kings 12–14.

Largiente gratia Dei et saluatoris nostri Iesu Christi, Sigardus humilis abba.¹ Dum cognitum est a bonis hominibus quod dominus senior noster piissimus et potentissimus rex Carolus Flauiniacum abbatiam, in honore Sancti Petri Sanctique Preiecti constructam et consecratam, michi concesserit ad regendum, ubi ego adueniens instrumenta cartarum de rebus omnibus 5 eiusdem loci ante nostram presentiam uenire iussi et inueni omnes res per maxime eclesie que in eodem monasterio predicti martiris Christi gloriosissimi constructum est ab antiquis traditus fuisse, cuius reuerentissimum corpus monachi eiusdem loci cum magno ingenio et sagacitate adquirentes in eodem coenobio collocauerunt perpetualiter permansurum ob cuius honorem 10 et domni senioris mei memoriam et pro remedio anime mee donare decreui ad luminaria iamdicti martiris augenda, decreui aliquid de terra, ut die noctuque ante illius sepulcrum ardeat lucerna, et quicquid ex eadem de terra et uinea exire debent thesaurarius ipsius eclesie semper accipiat. Dono itaque ad predictam casam Dei ad luminaria ipsius augenda in Villare uilla masellum i, 15 unde exiebant antea denarios iiiii, quem Vnaldus et coniux sua ad luminaria Sancti Petri et Sancti Preiecti dederunt, et alium masellum in uilla Dariaco quem Ansbertus et coniux sua dederunt,² unde exiebat antea libra i de cera. Petimus autem et testificamur omnes successores nostros ut ista nostra statuta inuiolabiliter custodiri permittant.

Sigardus gratia Dei abbas. In Dei nomine Ragingus prepositus subscribens consensi et consentiens subscripti.

Signum Bodonis monachi. Ego in Dei nomine Gauzharius monachus scripsi, mense Februarii, viii kalendas eiusdem mensis, anno xxxii regnante domno nostro Karolo rege.

20

25

I Largiente: Statutum Sigardi primi abbatis pro augmentatione luminarium ad sepulchrum Sancti Preiecti *praem.* P 3 Karolus DBP 8 constructa DBP traditas DBP 9 monachus D 11 donare *om.* C 12 aliquid *om.* BP 17 Clariaco D 18 que C ante B 21 abbas *om.* BP 23–25 Signum — rege *om.* BP 23 monachi — monachus] Mμ Σξ Indi Nθe Σαγ Isuhius Mμ C 24 scripsi. et dataui in *add.* D Februario D

C gives the monogram of Charles the Bald at the end.

¹According to Hugh of Flavigny, Sigard became abbot in 870; *Chronicon*, MGH SS 8:355. He had presumably died by 877, when Bishop Adalgar of Autun took control of the abbey.

²Villiers, which is 4 km west-southwest of Flavigny, is also mentioned in documents nos. 24 and 38. “Dariaco” must be the same as the “Ariaco” which document no. 52 said was the location of Ansbert’s gift; Argey is 14 km southeast of Saulieu.

54

c. 1090–1100

Peter of Vitteaux gives Flavigny, for his burial, allodial land at Miard, with its serfs. His father, Hugh, had already given two serfs there when he himself was dying.

MANUSCRIPTS

C, pp. 518–19, no. 53.

D, fol. 40v.

B, fol. 298r–v, no. 57.

P, pp. 107–8.

Grignard, pp. 319–20, on the basis of C and P; dated 1085/1100.

PRINTED EDITION

Ernest Petit, *Histoire des ducs de Bourgogne de la race capétienne*, vol. 1, p. 407, no. 79, on the basis of C and P; dated c. 1090.

SUMMARY

Collenot, pp. 100–1.

Text established on the basis of C, D, B, and P.

Notificamus omnibus Dei ecclesie fidelibus quod Petrus filius Hugonis de Viitello moriens pro sepultura sua dimisit Sancto Petro et Sancto Preiecto Flauiniacensis ecclesie alodium suum omnem, qui partim subiacet in villa que Miardis dicitur,¹ tam in pratis quam in campis et in siluis, seruos suos et 5 ancillas suas, nomina quorum sunt hec, Hugonem filium Constancii Donnini, filios Sicfredi, Mauritium, Iohannem, Hugonem. Dedit etiam unum hominem nomine Rainaldum quem pater suus tenuerat, qui est in villa que dicitur Isteleneus,² laudante Poncio Grinionensi comite.³ Pater autem suus moriens dimisit ecclesie predicte duos seruos suos Riualdum et Vualterium, 10 sed Vualterium ipse Petrus in suos usus retraxerat, sed ad mortem suam reddidit. Hec omnia laudauerunt parentes sui, Pontius Grinionensis comes, Aymo frater Pontii, Rotbertus de Viitello, Legerius de Gisiaco et Raginaldus frater suus. Testes fuerunt isti, Aymo Brunus, Girardus de Duismo, Gotefridus de Grinione, Brunardus uxor eius, uxor Rotberti de Viitello Emmiliana 15 nomine. Laudauit hoc Hulricus frater eius. Si aliqui.

1 Notificamus: Petrus de Vitello dat Flauiniacensis ecclesiae alodium in villa Mardis *praem.* P 1–2 de Vintello C, Demitello B, de Vitello P 4 Mardis DBP 5 Dominii P 6 Mauricium

¹Vitteaux is 13 km south of Flavigny, and Miard, now a farm, is 3 km southwest of there. For Miard, see also document no. 10.

²I have not identified this villa.

³Ponce, count of Grignon, which is 11 km northwest of Flavigny. Other places mentioned here include Gissey, 4 1/2 east of Flavigny, and Duesme, 18 km northeast.

D, Mauricii BP 7 Ramaldum C, Ruinaldum BP 8 Istelencus DB 9 suos *om.* BP Valterium C 12 Robertus BP Vintello C, Vutello BP 14 eius] ipsius B, *om.* D Mitello C, Vutello BP Emiliana BP 15 nomine — aliqui *om.* D Laudante BP Hutricus P eius — aliqui *om.* BP

This was probably done in the 1090s, as Aymo Bruno died in 1100; see document no. 17. The *si aliqui* at the end of this charter is doubtless the beginning of a penalty clause.

55

894

An association of prayers is formed between St.-Martin of Autun, where Gregory is abbot, and Flavigny, where Girfred is the head.

MANUSCRIPTS

C, pp. 520–22, no. 54.

D, fol. 31r–v.

B, fol. 298v, no. 58; a rubric and the first two lines only.

P, pp. 108–9; a rubric and the first two lines only.

Grignard, pp. 220–21, on the basis of C; dated 894.

SUMMARIES

Philippe Labbe, *Novaes bibliothecae manuscriptorum librorum*, vol. 1, p. 272.

Collenot, pp. 70–71; dated 894.

Text established on the basis of C and D, plus B and P for the first two lines.

Anno uerbi incarnati DCCCXCIII eodemque serenissimi Odonis regnantis primo et septimo, operante officio karitatis, inita est obnixius fraterna quedam bonisque omnibus ut credimus accepta societas inter religiosos uiros domnum scilicet Gregorium beatissimi Martini Augustudunensis coenobii abbatem¹ itemque principis apostolorum Petri Girfredum Flauiniacensis monasterii prelatum² ex utraque parte, inibi Deo famulantibus assensum prebentibus. Quam insolubiliter perpetuo conseruandamque dies singulos firmitatis augmenta capturam litterarum quoque monumentis tradere utriusque partis constat prouisione decretum ut res salubriter perpetrata ad post futuros successiones non relatu solum uerum et scripto transmissa decurrat. Pacti inter 10 eos foederis haec ratio est ut quicquid instantie laboris studiique salutaris pars

¹Gregory, abbot of St.-Martin of Autun, appeared in a charter of Charles the Simple in 900, when the king confirmed his abbey's privileges; Philippe Lauer, ed., *Recueil des actes de Charles III le Simple, roi de France*, 893–923, pp. 67–68, no. 32.

²Girfred, who acted as head of Flavigny under the bishop of Autun, was accused of poisoning Bishop Adalgar, either earlier or later in the same year. See document no. 25.

queque pro suis uiuentibus uel defunctis insumis id quoque pari deuotione pro fratribus hac sibi societate de uinctis exerceat absque imminucione retractatione interpolatione. Quid saepe illud quantumue sit quod agendum decernitur

15 ut cuiusque absque dubietate constet nouerit nos fratres coenobii almi Petri principis apostolorum in decessu cuiusque fratrum nostrorum e corpore per tringinta dies uespertinas nocturnas et matutinas agendas generaliter celebrare, ita ut tertio septimo et tricesimo die ex more id fiat solempniter. Missam quoque pro defunctis per dies prefatos cum oblationibus quotidie canimus.

20 Inter hec etiam anime pro salute illius duo canuntur ab omnibus psalteria, ceterum in his predictis diebus omni pacto officio psalmum pro eo canimus centesimum uicesimum nonum, flexo genu. Hoc igitur pro recentibus. Primo anni recursu uigiliam et missam celebрамus. Exinde reliquis anniuersariis psalmos duodecim canimus in kalendis omnium mensium pro uniuersis

25 defunctis nostre congregationis uigiliam et missam cum oblatione uotorum exemplus. Hec usu robustissimo retinentes ut pro nostris ita pro uestris quoque in reliquum annuentes Deo exercere curabimus, huius uicem officii a uestra karitate instantus reposcentes. Vtque hec honesta et a Deo ut credimus inspirata fraternitas non presentibus solum sed et posteris uberius innotescat,

30 oramus ut in die festiuitatis sacratissimi Martini confessoris Christi huius scripti continentia in sacri conuentus uestri presentia per annos singulos recitetur. Demum almificam dilectionem uestram petimus ut si quis libet nostrorum uicio suo lapsus abiectusue fuerit a uobis recipatur nec aliquorsum eat, quousque satisfactione acta spreto uitio aut recipiatur aut certe iudicio uestro

35 quid agendum sit decernatur. Hoc etiam de nostris exposcimus et ut hec rata permaneant manibus propriis subtersignauimus. Girfredus manu scripsit. SS Heldigarius. SS Girbertus. SS Gauzarius. SS Beringarius.

1 Anno: Carta societatis cum coenobio Sancti Martini Augustodunensis *praem.* P 2–37
fratera — Beringarius *om.* BP 4 Augustidunensis D 9 futuras D 12 insumis] infimus D
15 ut cuiusque] ... C 16 cuiusque fratrum] ... C 17 uespertinas] ... C 18 solemnius D
21 pacto] peracto D 27–28 a uestra] aurea C 36 Girfridus D 36–37 SS *om.* D

This document is clearly dated 894, which is the seventh year of Odo's reign, although the phrase "first and seventh" is confusing. The same rubric as in P was added to B in a later hand. The scribe of C seems to have had trouble reading his exemplar at several points and substituted dots for words.

According to a charter of St.-Martin of Autun, an association of prayers was formed between St.-Martin, Flavigny, St.-Bénigne, St.-Seine, Corbigny, St.-Pierre of Chalon, St.-Germain of Auxerre, Moûtier-St.-Jean, Pouthières, St.-Benoît-sur-Loire, and St.-Symphorien, while Odo was king.³

³J.-Gabriel Bulliot, *Essai historique sur l'abbaye de Saint-Martin d'Autun*, vol. 2, pp. 22–24, no. 9. The text is very different from the present charter.

56

Orléans, 1085

King Philip I, at the request of Abbot Raynald of Flavigny and of Bishop Agano of Autun, confirms the monks' possession of the churches of Couches, Semur, Beaulieu, Chichée, Glanon, St.-Jean of Autun, La Trinité of Thil, and the chapel of Thil.

MANUSCRIPTS

C, pp. 522–24, no. 55.

D, fol. 35r.

Paris, Bibliothèque nationale, Collection Duchesne 80, fol. 39r–v. This copy, made by Duchesne in a manuscript that concerns the dukes of Burgundy, is virtually identical with D; the only difference is that, in line 32, this manuscript reads "corroborandam."

Grignard, pp. 315–17, on the basis of C; dated 1085.

PRINTED EDITIONS

André Duchesne, *Histoire généalogique des ducs de Bourgogne de la maison de France*, preuves pp. 127–28, on the basis of Coll. Duchesne 80.

M. Prou, ed., *Recueil des actes de Philippe Ier, roi de France, 1059–1108*, pp. 283–85, no. 112, on the basis of C, D, and Coll. Duchesne 80; dated 1085.

SUMMARIES

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 272. Collenot, p. 95; dated 1083/5.

Text established on the basis of C and the two Duchesne manuscripts (=D).

In Dei omnipotentis nomine, ego Philipus gratia Dei Francorum rex.

Notum esse uolo omnibus sancte Dei eclesie fidelibus quia adiit nostre serenitatis presentiam uenerabilis uite uir et honorabilis persone Raignaldus Flauiniacensis coenobii abbas,¹ quod est constructum in honore principis apostolorum Petri et incliti martiris Christi Preicti, postulans fieri sibi et posteris suis nostre autoritatis preceptum de rebus ad predictum locum pertinentibus. Cuius petitionem nos iustum censem, tum eius amore qui nobis carnis iunctus est affinitate, tum etiam domni Aganonis Eduensis episcopi rogatu, in cuius diocesi locus idem situs est. Benigne postulata annuimus quatinus predicti loci fratres in eo quiete per nos degentes liberius 10 ualeant Domini clementiam exorare pro nostri regni stabilitate et nostra nostrorumque heredum pace et salute. Statuimus itaque per huius nostre auctoritatis decretum, statutumque et firmum imperpetuum esse uolumus ut omnes res ad ipsum locum pertinentes circum quoque quiete absque ulla calumpnia possideant et maxime has eclesias de quibus predictus abbas hoc 15

¹Raynald, abbot of Flavigny (1084–90), was a brother of the duke of Burgundy and hence a cousin of the king.

- preceptum fieri specialius rogauit, uidelicet eclesiam Sancti Georgii martiris Christi iuxta castrum quod dicitur Colchos sitam, et eclesiam Sancte Marie Dei genitricis in confinio castri quod Sinemuro dicitur, et eclesiam Sancte Sophie in uilla que dicitur Bellus Locus constitutam, et eclesiam Sancti Martini in uilla que dicitur Cicunias, et eclesiam Sancti Marcelli que est posita in confinio Glennonis uille, et eclesiam Sancti Iohannis euangeliste que est infra moenia Eduorum sita, et eclesiam Sancte Trinitatis cum capella Tilii castri, que est fundata in uilla que Presseracus dicitur.² Has igitur eclesias et cuncta tam ad ipsas quam ad locum predictum pertinencia et quicquid deinceps adquirere poterint, uolumus ut regia auctoritate in aeternum quiete possideant. Quod si quis aliquid ex his subripere eis presumpserit, si uisa huius decreti nostri auctoritate non resipuerit, reum se nouerit regie maiestatis et insuper eterne subiaceat maledictioni. Ut autem hoc nostre munificentie decretum perpetuum predicto loco prebeat tutamentum, et ut omni tempore maneat firmum et inconuulsum, proprie manus subscriptione et sigilli nostri impressione corroborauimus et manibus nostrorum optimatum corroborandum tradidimus.
- Affuit ibi Agano episcopus qui fieri postulauit et factum laudauit.³
 Philipus.
- Actum Aurelianis, anno incarnati uerbi MLXXXV, anno uero Philipi regis xxiii.

1 Philippus D 8 ionctus C 9 dioecesi C 10 fratres in eo] fratr̄is meo C 13 uolumus D
 20 Marcelli] Martni celli C 23 Prisciacus D 24 cunctas C 34 Philipus *om.* D 35
 anno] domini C Philippi D

Although 1085 was not the twenty-third year of Philip's reign, some other charters from the royal chancery also seem to take 1062 or 1063 as the starting point in numbering his years.⁴

²St.-Georges of Couches had belonged to Flavigny since 1018; see document no. 43. The necrology of Flavigny and the "Series" of its abbots both mention that Abbot Amadeus (1010–c.1040) established cells at Couches, Notre-Dame of Semur, and Ste.-Sophie of Beaulieu; MGH SS 8:286, 503. Semur is 15 km west of Flavigny. Beaulieu is 28 km northeast of Flavigny; Alphonse Roserot says that its church, a priory of Flavigny in the late Middle Age, was Notre-Dame, rather than Ste.-Sophie; *Dictionnaire topographique du département de la Côte-d'Or*, p. 376. St.-Martin of Chichée was given to the monks in 966; see document no. 16. For Glanon, see also documents nos. 3, 14, and 23. St.-Jean of Autun was given by the king in 1018; see document no. 27. La Trinité of Thil is located 20 km southwest of Flavigny, adjacent both to the castle of Thil and to Précy-sous-Thil. For Thil, see also document no. 44.

³Agano, bishop of Autun (1055–98).

⁴See the comments by M. Prou, *Recueil des actes de Philippe Ier, roi de France, 1059–1108*, p. 283, n. 1.

Flavigny, 24 January 717

Wideradus makes his testament, giving property to St.-Andoche of Saulieu, Ste.-Reine of Alise, St.-Férreol, and Flavigny.

MANUSCRIPTS

C, pp. 524–35.

D, fol. 17r (closing only, starting with “Actum” on line 175; in the margin, labeled “alie legitur”).

B, fol. 254r (closing only; this ending was given after the original ending of no. 2 was crossed off).

P, p. 15 (closing only, as the ending for no. 2).

PRINTED EDITIONS

H.-L. Bordier, *Du recueil des chartes mérovingiennes*, pp. 55–56, no. 8 (closing only), on the basis of P; dated 722.

Jean Marilier, “Testamentum Wideradi coenobii Flavinacensis abbatis,” pp. 61–69.

Text established on the basis of C, plus D, B, and P for the ending.

Regnante in perpetuum Domino nostro Iesu Christo, anno primo regnante Theoderico rege sub die xv kalendarum Feburariarum. Ego in Dei nomine Vuideradus abba, filius uiri inlustri Corbonis quondam, sana mente integroque consilio, metuens casus humane fragilitatis, testamentum meum condidi, quem Aldofredo notario scribendo commisi, ut quomodo dies legitimus post transitum meum aduenerit, recognetis sigillis, inciso lino, ut legis decreuit auctoritas, per inluster uir Amanlsindo, quem in hac pagine testamenti nostri legatario institui, gestis reipublici municipalibus titulis, eius prosecutio ab 5 ipsis moniatur, et in carta basilice Sancti Preiecti quem ego edificaui conseruandum decreui, ut quicquid unicuique de rebus meis propriis habere decreui 10 singulariter in hoc testamentum meum inserere curau. In reliquo uero qualiscumque, a quecumque epistolas aut testamenti uel conscriptionis de nomine meum, manu mea firmitas, ostensas fuerint, ante hoc testamentum prenotatas, quas hic non commemorauero, excepto de ingenuitatis quas pro anime nostre remedium fecimus aut adhuc facere uolemus uacuas permaneant. Et 15 quod unicuique per hanc testamentum dedero dareque iussero id ut fiat, detur, prestetur, impliatur, te omnipotens testem committo. Quapropter dum non habetur incognitum qualiter dispensante Deo ad habendum loca sanctorum, Sancti Andochii Sedelocinse et Sancte Regine Alsinse et Sancti Ferreoli ubi ipsi preciosi in corpore requiescant, in mea cura suscep. Insuper etiam et in 20 loco nuncupante Flauiniaco in agro Burnacense in pago Alsinse monasterium in re mea propria meo opere construxi, atque Magoaldo abbe cum monachis suis delegau. regulariter in perpetuo ad possidendum.

Dono igitur ad basilica supramemorata Sancti Andochii martiris portiones
 25 meas atque loca denominata. Id sunt in pago Alsinse et in pago Pauliacensie,
 Meseriaco, Ceresiaco, Vallinse; in pago Auallinse, Pasarinaco; in
 pago Conmauorum, Stolingas et Macerias; in pago Portinse, Eriffonuilla et
 Dagomundo curte; in pago Neuerninse, Senseriaco et Ariaco preter illas
 30 uineas quomodo ille riuulas currit qui de uineas Aldeberto ad pratum uadit,
 totum illum clausum quem nos iussimus plantare, ad integrum cum exofaro
 et regresso, una cum manso et coloneta illa que fuit Anseberto et modo illam
 tenet Sibertum, et ipso Siberto cum uxore sua Letanostra uel infantes
 eorum qui ipsam uineam debeant procurare, quas ad Sancto Preiecto dedimus.
 In relico uero hec omnia suprascripta sicut a me, tam de alode parentum quam
 35 per quolibet adtracto, tentum, dominatum atque possessum est, omnia ex omnibus,
 cum domibus, edificiis, terris, campis cultis et incultis, mancipiis,
 accolabus, libertis, uineis, siluis, pratis, pascuis, aquis aquarumue decursibus,
 omne genus pecudum maiore atque minore, mobilibus et immobilibus, om-
 nem rem exquisitam, quicquid in ipsa loco superius nominata habere uideor,
 40 totum et ad integrum ad Sancto Andochio basilica proficiat in augmentum.

Similiter donamus ad basilicam Domne Regine, ubi ipsa pretiosa requiescit
 in corpore, in pago Ternodrinse, Vidibelo et Cecunias, Ancianeo, Rabarias;
 in pago Latinsinse, Villa Mauriane, Altaripa, Baniolo; in pago Dues-
 mense, Stafiaco, Colubario, Vulloneco; in pago Ammauicorum, Cariniaco et
 45 Casellas; in pago Portinse, Auiciaco et Puscione; in pago Atoriorum, Puses-
 sion. Et omnia superius comprehensa sicut et illa alia loca ad Sanctum
 Andochium dedimus, ita et ista ad Sancte Regine potestatem cum omnis
 integritatis earum delegauimus humiliter.

Donamus et ad bassilicam Sancti Ferreoli, ubi ipse domnorum requiescit
 50 in corpore, et nos eam in regimine habitent, in pago Pauliacinse, Aciaco cum
 omni integritate uel appendiciis suis ad integrum, sicut illa alia loca ad
 Sancto Andochio et ad Sanctam Reginam ita et ad basilicam Sancti Ferreoli
 dedimus, in ea uera ratione ut dum nos aduiuimus, supramemoratas abbadias
 Sancti Andochii et Sancti Ferreoli uel Sancte Regine cum omnis res sibi
 55 debitas uel ad se pertinentes in integritate seu etiam dicta loca nostra que nos
 ad ipsas delegauimus tenere et possidere quieto ordine faciamus. Post nost-
 rum quoque decessum, supramemoratas eclesias Dei et suprastas res unaqua-
 que casa per rectores suos absque ullius contradictione in suam faciat reuocare
 dominationem, in ea ratione ut monasteriolo nostro Flauiniaco uel strumenta
 60 quod ad ipso loco in honore Sancti Preiecti fecimus, in omnibus debeant con-
 seruare, et si ipsa strumenta intrumpere aut ipsum coenobiolum inquietari pre-
 sumpserint aut res eius minuare uoluerint, nec hoc ualeant uindicare, sed res
 nostras quod ad supramemoratas basilicas Sancti Andochii et Sancti Ferreoli
 uel Sancte Regine delegauimus amittant, et per protectionem regiam casa
 65 Sancti Preiecti Flauiniacensis cum omni integritate ipsas recipiat perpetualiter

ad possidendum. Quod si pontifex uel aliquis quislibet et dum aduiuimus de ipsas abbadias uel de res earum nos expoliare voluerit, aut aliquid minuare presumpserit, aut ego ipsas abbadias uiuens dimisero, nos res nostras quod ibidem delegauimus, licentiam habeamus nos ad nostro dominio reuocare et quicquid exinde facere voluerimus, liberam in omnibus habeamus protestatem. 70

Preterea quoque donamus donatumque in perpetuo esse uolemus ad iam dicto monasterio Sancti Preiecti Flauiniaco constructo, quem in agro Bur-nacince opere nostro edificauiimus, in pago Alsinse, ipso Burnato cum ipso castro Flauiniaco, cum omnis adiacenciis uel appendiciis suis ad integrum, et locella seu colonetas in Cadonato, Darciano, Ceresio, Aguniaco, Gesciaco, 75 Luueriaco, Luuiniaco, Bruiniaco, Auderato, Montecellis; et in pago Ternodrinse, Blaciaco et Marcomania; in pago Auallinse et Neuerninse siue Ammonias, curtes qui uocatur Corbiniacus et Antonum cum omnis adiacenciis uel appendiciis earum in integrum, et colonetas in Liscomo, Dumsacio, 80 Viriaro, Valentigos, Vallecroaria, Iuliaco, Bagatiaco, Cassaniola, Vuldonaco, Cansaco, Cappas, Deganciaco, Casseaco, Boscella, Palaciolo, Gouilis, Sipiaco et Sapiliaco, seu et illa colonica in Areaco que fuit Anseberto cum ipso homine qui super comanet nomen Sigberto et uxore sua Ledanostra uel infantes eorum in integritate quicquid ad ipsa colonica aspicere uidetur cum omne superpositum, et illo clauso in ipso Ariaco, quomodo ille riuis de 85 uinea Aldoberto descendit ad pratum, totum illum clausum quem nos plantare iussimus, cum exso et regresso in integrum; et in pago Barrense, Falciole et Vlmedo; et in pago Pauliacinse, Balma et Comiciaco; et in pago Atoariorum, Hicio et Blandoniaco; et coloneta in pago Amaorum, Fraxino, et aream in Salinis, Grausone, et Vigris; similiter et areas in Agustidunum ciuitate. Ista 90 omnia que superius nominauimus cum omnibus appendiciis uel adiacenciis earum quantumcumque ibidem tenere uel possidere uidemur, per quolibet adtracto ad nos peruenit, aut legibus peruenire debet, totum et ad integrum cum omne suprapositorum a die presente in honore Sancti Preiecti uel ad abbate Magaldo cum monachis suis tradidimus ad possidendum, cum domibus, 95 edificiis, mancipiis, accolabiis, libertis tam ibidem oriundis quam aliunde translatiis uel ibidem commanentibus, uineis, siluis, campis, terris cultis et incultis, pratis, pascuis, aquis aquarumue recursibus, omne genus pecorum tam maiore quam minore, mobilibus et immobilibus, omnem rem inexquisitam, et quicquid dici aut nominari potest, totum et ad integrum ad iam dicto 100 monasterio Sancti Preiecti Flauiniaco uel rectores suos proficiat in augmentum, et illas cessiones quem ad libertos nostros Chisberto et Grinberto clericos ad eorum ingenuitates confirmandas dua colentas in Bornato et in Ceresio fecemus, quando ipsos pro anime nostre remedium ingenuos dimisimus, ut dum adiuuunt hoc teneant, et post eorum discesso cum omne supraposito ad 105 iam dicta casam Sancti Preiecti ubi eorum patrocinia et defensionem constituiimus reuertere faciant. Volemus etiam ut ingenuos eos fecimus, aut in

antea fecerimus, quanticumque in ipsa loca manant que ad Sancto Andochio et
 Sancta Regina et Sancto Ferreolo uel ad Sancto Preiecto delegauimus, inspec-
 110 tas eorum libertates super ipsas terras pro ingenuis commaneant, et aliubi
 commanendi nullam habeant potestatem, sed ad ipsa loca sancta debeant
 sperare, et nullum de ipsis lidemonium ad nostris heredibus nullatenus red-
 dant, et de hoc quod ad aliquibus eis per cartas dedimus nullatenus aliubi
 uendere nec alienare habeant licentiam. Preter ista omnia reseruamus in
 115 fauidia heredibus nostris Pagaciaco; in pago Neuerninse, curte quod dicunt
 Monte; portionis nostras in pago Aualinse, hoc est in Combremo, Cro-
 piesciaco, Colen similiter; et in pago Attariorum, Vedisuineas, Vogantias.
 Luco, Sagoneco; in pago Portinse, Soluillare, Monricouilla, Ebronnillare,
 Segalarias, in ea ratione ut facta mea in omnibus studeant conseruare atque
 120 defendere; quod si hoc facere neglexerint, quicquid eis deputauimus perdans, et
 de omni corpore facultatis mee penitus reddantur extranei. Et si aliquid com-
 parauerero uel adtraxero uel qualibet ingenio ad nos peruenit aut in antea pro-
 uenerit quod in isto testamento supra non commemorauimus, post nostrum
 decessum casa Sancti Preiecti per rectores suos recipiat perpetualiter ad pos-
 125 sidendum.

Per presente itaque testamentum basilicam Sancti Preiecti quem meo opere
 Flauiniaco construxi heredem meam instituo, eique presentem codicellum
 commendo, per quem ita constituo, ut nullus episcopus ullius ciuitatis aut
 archidiaconus uel quilibet ex clero aut actores eclesie aliquid de predicto
 130 monasterio Sancti Preiecti nullum presumant exercere dominatum, nec ad
 mansionaticos aut repastus exigendo, non ad ministeria describendo, nec ad
 abbatem dimittendo, nisi cum necesse fuerit chrisma petere, tabulas aut altaria
 consecrare, sacros ordines benedicere, sicut Lossodienses aut Lirinenses uel
 Agaunenses monachi, a quemcumque de sanctis episopis sibi elegerint qui
 135 hoc agere debeant licentia sit eis expetere et illi hoc benedicere uel consecrare.
 Siue pro karitate exigente pontifex quilibet ab abbatem uel monachis ibi
 fuerit inuitatus, simpliciter que ei a fratribus offeruntur accipiat, nulla exenia
 uel munuscula amplius querat. Quod si fecerit a glorioso domno, quem tunc
 Deus regnum Burgundie gubernare permiserit, hoc protinus emendetur. Cum
 140 uero abbas ipsius loci acceperit transitum, quemcumque de semetipsis mona-
 chi ibidem habitantes elegerint secundum Deum, aut si communis consilio
 aliunde sibi meliorem eligere uoluerint, hoc in eorum maneat potestate. Et
 uero Deus auertat, ne ibidem sanctus ordo tepescat, potestas maneat monachis
 ibidem habitantibus ad unum de sanctis monasteriis expedire et per eorum
 145 salubre concilium eorum regulam emendare. Te igitur domna et mater mea
 eclesia Sancti Preiecti heredem instituo, quicquid unicuique deputauimus fidei tue
 committo. Te quoque heredem meam in Deum et regis potestatem com-
 mendo, ut contra omnes iniqui inquietudines sua te post Deum fortitudo

deffendat, quia hoc quod tibi deputau mallo te habere quam me, te magis quam ceteris heredibus ac proheredibus meis.

150

Peto igitur domno gloriose rege tam tempore moderno regnante quam futuro succedente, et per Dei tremendum iudicium adiurare presumo, ut presentem codicellum uel iam dicto coenobilio meo sua fortitudo iubeat defensare atque solidum in omnibus custodire, ut nullatenus ab infestatione malorum hominum possit irrumphi, sed delectet monachis ibidem conuersantibus uel sacerdotibus qui per loca sancta quos presens codicellus noster commemorat habitantis pro me et uita regis et filiorum eius Domnum supplicare. Si quis uero, quod futurum esse non credo, si aliquis heredum ac proheredum meorum uel quislibet opposita persona presentem testamentum meum infrangere conauerit uel temptare presumpserit, in primis usque dum ad 160 ueram emendationem proinde corrigatur, Deum et sanctos suos habeat contrarios et a liminibus eclesiarum efficiatur extraneus, et insuper inferat ei cui pulsauerit unam cum socio fisco in auro triginta libras argente pondua quingenta coactus exsoluat, et nichilominus presens pagina firma permaneat, stipulatione subnixa quam manu mea propria subter firmaui et bonorum 165 hominum signis uel allegationibus roborandum decreui. Et quod superius memorare debueramus tam auro quam argento uel reliquis fabricaturis tam et ministeria eclesie uel omne presidium quod mihi legibus uiuens possidere uideo et michi redetur, in dicto illo strumento quid antea ad Sancto Preiecto uel ad abbatem Magoaldo et monachis suis fecimus, post nostrum discessum 170 ad ipso monasterio Sancti Preiecti Flauiniaco uel ad abbate Magoaldus cum monachis suis pro anime nostre salute ipsi hoc recipient, et perpetualiter eis proficiat in augmentum, uel quicquid exinde facere uoluerant, liberam in omnibus habeant potestatem faciendi.

Actum Flauiniaco castro publice. In Dei nomine Vuideras abba hunc 175 testamentum a me facto relegi et subscrispi. Ego Aldofredus rogatus hunc testamentum scripsi et subscrispi atque notaui, anno incarnationis Domini ..., regnante autem domino nostro Theuderico rege secundo anno, die nono kalendarum Febroariarum.

6 si ocgillis C 28 illas *scripti*] millas C 36 campisculis C 43 pago Latinsinse *scripti*] palgo Latinsinse C 45 Puscione *scripti*] Portinse C 53 adiuuimus C 56 queto C 61 aut *scripti*] autem C 75 Cadonato *scripti*] ea donato C 79 Dumsacio *scripti*] dum facio C 103 dua *scripti*] da C 153 codim celcum C 175 publico D hoc D 176 factum DBP subscrispi] ... CD Aldofredus Haldofredus notarius D, Haldofredus BP 177 testamentum: bona uoluntate *add.* D, cum bona uoluntate *add.* BP atque notaui *om.* BP anno: ab *add.* BP incarnatione BP ...) DCCVII BP 178 sub die DBP

This is a reconfirmation of no. 1, done six days later. The spelling is very different, the phrasing slightly different, and the dating and witnesses at the end different. The testament was clearly given twice, once at Semur and once at

Flavigny (see the Introduction), and the original Merovingian charter of the second version was kept at the monastery. There is a reproduction of a seal in P.

The text of this document is similar to a ninth-century text from a formulary, "Ad testamentum faciendum."¹ The relation between Wideradus's testament and the later formulary is discussed by Ulrich Nonn.² The formulary was doubtless from Flavigny and based on this testament.

I have followed the original spelling of manuscript C, rather than the emendations made in a later hand (probably by Plancher) to bring it closer to no. 1. Jean Marilier has attempted to reconstruct what the original Merovingian text might have been, using the formulary as a base. He gives many but not all of the spelling variations where C differs from the formulary or from the marginal corrections to document no. 1 in manuscripts B and P, which corrections he also uses as a source.³ As part of his work, Marilier identified many of the place names mentioned in the testament. (See document no. 1 for the places mentioned.)

58

Autun, 27 May 719

Wideradus confirms the possessions of Flavigny and establishes the observance of the Benedictine Rule there.

MANUSCRIPTS

C, pp. 535–42.

D, fol. 11v (the closing only, starting with "Actum" on line 98, added after the original ending of document no. 2 was crossed out).

B, fol. 254r–v, no. 3 (only a comment in French that this is the same charter again, plus the closing).

P, pp. 15–16 (highly abbreviated text, plus the closing).

PRINTED EDITIONS

Jean Mabillon, *Acta sanctorum ordinis S. Benedicti*, vol. 3, pp. 637–38.

Although he prints the text of document no. 2, he uses the fuller closing from no. 58.

Urbain Plancher, *Histoire générale et particulière de Bourgogne*, vol. 1, pp. iv–v, no. 2, on the basis of C. Although he prints the text of document no. 2, he uses the closing from no. 58.

¹MGH Formulae, pp. 476–77, no. 8.

²Ulrich Nonn, "Merowingische Testamente," pp. 110–21.

³Marilier seems in many places to have had trouble reading C. The following examples from the first few lines are typical: he miscounted the humps on "commisi" in line 5 and read it as "commisi"; he gives "recognitis" on line 6, whereas C clearly read "recognetis" before it was corrected; and he did not note that C (unlike the formulary) read "vir" rather than "virum" on line 7. For this reason, as well as the fact that he prefers the wording of the formulary to the wording of C, I have not felt it useful to enumerate the differences between his edition of this document and mine.

J.-M. Pardessus, *Diplomata, chartae, epistolae, leges aliaque instrumenta ad res Gallo-Francicas spectantia*, vol. 2, pp. 399–402, no. 587, on the basis of Mabillon and Plancher; dated 746. Although he prints the text of document no. 2, he uses the closing from no. 58.

J.-F. Baudiau, *Le Morvand, ou Essai géographique et historique*, vol. 3, pp. 467–68, no. 3. Although he prints the text of document no. 2, he uses the closing from no. 58.

SUMMARY

Philippe Labbe, *Novae bibliothecae manuscriptorum librorum*, vol. 1, p. 269.
He also prints the closing.

Text established on the basis of C, plus P for the first four lines and the closing, and D, B, Mabillon (=M), and Labbe (=L) for the closing.

In honore Christi Flauiniaco castro in pago Alinsinse constructo, in Dei nomine Vuidradus abba.

Antiqua legum auctoritas et principum decreta sanxerunt ut unusquisque dum manet in corpore de propria quam possidet facultatem uoluntatem suam litteris inserat, ut perhennis temporibus inuiolata permaneat. Quapropter dum non habetur incognitum qualiter ego Vuidradus in Dei nomine abba una cum consensu uel uoluntate Galliarum pontificis in re mea propria iam dicto loco Flauiniaco castro in agro Burniacense quem ex successione parentum meorum michi euenit, in amore Christi et in honore Sancti Preiecti uel ceterorum sanctorum meo opere monasterium construxi, donamus uero et donatumque in 10 perpetuum esse uolemus ad iam nominati monasterii Sancti Preiecti uel ad abbati Magoaldo, qui ibidem sancto ordine Deo auxiliante gubernari faciet et suos monachos ibi instituat, ut pro eius ordinatione ipse sanctus ordo perpetualiter sit institutus et conseruatus, Flauiniaco castro ubi ipse monasterius est constructus, cum ipso agro Burnacinese cum omnis adiacioniis uel appendi- 15 diciis earum ad integrum. Similiter donamus curte qui uocatur Cadoniaco qui fuit de dono que dominus Theudericus rex genitore meo concessit, et Gysciaco quem de Angoleno comparaui. Et donamus curte qui uocatur Darciaco et alia loca, Anciaco et Agoniaco uel Pruiniaco et Luguniaco potestate Sancti Agolini uillare etiam. Similiter in pago Ternodrinse, curte qui uocatur Blaciaco et 20 Marcomania. In pago Duismense, Audrate, Montecellis. In pago Aualense, Cassaniola et Cappas uel Deganciaco et Cassiaco, una cum ipso oratorio que meo opere construxi, et Palatiolo seu Gouilis et Prumanis uel Ancone. Dono etiam Aglias, Balderias. In pago Belnisse, Sineuineas et Matroneto. In pago Attoariorum, Flexo et Blandoneco. In pago Amaorum, Macerias et Fraxino 25 seu Cariniaco et Casellas, et in Grausone uel Salinas portionem nostram, quicquid ibidem abemus uel legibus nobis redebetur. Ista omnia que superius quantumcumque ibidem pro quolibet atracto tenemus totum et ad integrum, cum omne suprapositum in nostro scilicet priori testamento, a die presente in honore Sancti Preiecti pro remedium anime mee uel eterna salute dedimus, 30

cum domibus, edificiis, mancipiis, acolabiis, libertis, uineis, siluis, campis,
pratis, pascuis, aquis aquarumque decursibus, omne genus pecorum, libros,
strumenta cartarum, ministeria uel uestimenta eclesie, mobilibus et im-
mobilibus, omnem rem inexquisitam, quicquid dici uel nominare inibidem
35 potest, totum et ad integrum ad suprascripto Flauiniaco monasterio uel iam
dicto abbatii cum monachis suis perpetualiter protegente Domnino tradidimus
ad possidendum. Et donamus arias infra Eduam ciuitate quantumcumque ibi-
dem nobis legibus redebetur. Et dum omnes presules et nobiles personas
40 cum prouincialibus nostri cognitum, quod ego Vuidradus in mea re propria
iam nominato monasterio edificato et coenobiolo sancto ibidem propter Deum
instituto et quicquid exinde facere uolo presente tempore, in omnibus michi
libera manet potestas. Et dum ego per alia strumenta ad monasterium Sancti
Andochii uel Sancte Regine martiris, uel per alias eclesias de res meas pro-
prias delegui, propterea presentem paginam cum consensu supramemoratos
45 pontifices constituo ut nullus episcopus ullius ciuitatis aut archidiaconi uel
quilibet ex clero aut actores eclesie nullum ibidem presumant exercere domi-
natuum, non ad mansionaticos aut repasticos exigendo, nec ad ministeria
describendo, nec ad abbatem mittendo. Si uero necesse fuerit chrisma petere,
tabulas aut altaria consecrare, sacros ordines benedici, abba uel monachi ibi
50 consistentes a quocumque de sanctis episcopis sibi elegerint, qui hoc facere
debeat, licentia sit eis expetere, et illi hoc benedicere uel consecrare. Si uero
caritate exigente pontifex quilibet ab abbatte loci illius ibi fuerit inuitatus,
simpliciter que ei a fratribus offeruntur accipiat, nulla exenia uel munoscula
amplius eis querat, neque de omnibus rebus ipsius monasterii nullam habeat
55 potestatem. Quod si pontifex uel aliquis quislibet ex ecclasticis ministris
uel aliqua emissa persona contra ipso abbatte uel eius congregatione de
suprascriptis ordinis et per qualemcumque strumentum aut qualiscumque modo
ad ipsa casa fuit, uel in antea fuerit delegatum addetum committatum uel
concessum, uel quicquid ad ipso monasterio uel eorum homines pertinet,
60 aliquid calumniare aut inquietare, uel per colibet ingenuo minuare temptauerit,
nec hoc ualeat vindicare, et insuper illas res que ad eclesias uel ad monasteria
in eorum parrochias per alia strumenta uel testamenta nostra delegauimus
ipsas res perdant, et abba uel actores supradicti monasterii Sancti Preiecti
ipsas res sine ullius contradictione aut consignatione ad suam faciant reuocare
65 dominationem perpetualiter ad possidendum. Cum uero abbas ipsius sancti
loci acceperit transitum, quemcumque de semetipsi monachi ibi habitantes
secundum Deum et regulam Sancti Benedicti meliorem inuenerint, ipsum
abbatem ibi constituant. Quod si ibi de se ipsis talem non inuenerint, com-
nuni consilio illi sanctiores monachi aliunde regulare abbate, qui eos secun-
70 dum regula Sancti Benedicti regat, eligendum in eorum maneat potestatem.
Quod uero Deus auertat, ne ibidem ordo sanctus tepiscat et ipse abba emendare
hoc prevalet aut neglegit, uel ipsi monachi hoc noluerint, tunc qui ex ipsis

recto ordine secundum regulam ibi uoluerint uiuere, ubicumque in proximis monasteriis rectius et sanctius secundum regula Sancti Benedicti inuenerint, potestatem habeant expetire, et per eorum consilium salubri ipsum sanctum ordinem regulariter emendare. Precor igitur glorioso domno quem temporibus modernis et futuris succedentibus Dei regnum Burgundie gubernare permiserit, et per Dei tremendum iudicium adiurare presumo ut presentem paginam uel facta mea ex iam dicto coenobiolo meo sua fortitudo contra omnem aduersitatem pro mercede sua uel regni sui stabilitati post Deum iubeat defensare 75 atque solidum in omnibus custodire, ut nullatenus ab infestatione malorum hominum possit inrumpi, et delectet abbatii et sacerdotibus uel monachis ibidem conuersantibus pro uita ipsius et filiorum eius uel exercitui eius et omni populo catholico quieto ordine Domnum supplicare. Si quis uero, quod futurum esse non credo, si ego ipse aut aliquis heredum ac proheredum 80 meorum uel quelibet ex opposita persona presentem paginam uel facta mea, quem ego deuoto animo et bona uoluntate pro eterna retributione feci et firmare rogaui per alio anteriore uel posteriore strumento, uel pro qualibet modo aut ingenio infrangere conauerit Deum, uel temptare presumpserit, in primis usque dum ad ueram emendationem proinde corrigatur, Deum et sanctis suis 85 habeat contrarios, et a liminibus eclesiarum efficiatur extraneus, et si de rebus meis aliquid habet condonatum ipsas ammittat et ad pastibus suprascripti monasterii Sancti Preicti reuertantur, et insuper inferat ei cui pulsauerit una cum socio fisco auri libras triginta coactus exsoluat, et quod repetit non uindicet, et nichilominus presens paginam omni tempore firma permaneat, 90 stipulatione subnixa quam manu mea subter firmaui et bonorum hominum signis uel allegationibus tradidi roborandam.

Actum Augustidunum ciuitatem publice, anno quarto regnum domini nostri Chilperici regis, die sabbato proximo ante kalendas Iunias.

In Christi nomine Vuidradus abba hanc donationem a me factam cum bona 100 uoluntate relegi et subscripsi.

In Christi nomine Moderannus Christi dono uocatus episcopus consensi.

In Christi nomine Chebroaldus quamuis peccator episcopus subscripsi.

Ridelenus in Dei nomine donatus episcopus subscripsi.

In Cristi nomine Gauderannus etsi peccator abba subscripsi.

105

In Christi nomine Erimbertus archidiaconus subscripsi.

Nordebertus subscripsi. Giso subscripsi.

Ego Vosoleno subdiaconus hanc epistolam, a suprascripto patre rogatus, stipulaui et subscripsi et notaui, die sabbato a proximo ante kalendas Iunii, in anno iiiii regni domini Chilperici regis.

110

1 In: Sacrosancti loci reuerentia in honore Christi &c. *praem. CP^C*, Tertium testamentum Vuideradi abbatis. Sacrosancti loci reuerentia *praem. P* Alinsense constructum *P* 2 abbas *P* 4-97 de — roborandam *om. P* 19 Agomaco *C* 21 Marconia *C* 38 Et dum omnes

scripti] ... C 76 Reco C 98 Agustiduno D, Augustiduno BP, Augustoduno LM cuitate DBPLM regni DBPLM 100–1 In — subscriptis] Vuidradus abba subscripti BP 100 nomine: ego add L 102 In — consensij Moderannus episcopus subscripti BP Christi] Dei DLM Moderamus L 103 In — subscriptis] Chebroaldus episcopus subscripti BP Chedroaldus L 104 in — donatus om. BP 105 In — subscriptis] Gauderannus abba subscripti BP Christi DLM acsi DLM 106 In — nomine om. BP 107 Nordebertus subscripti. Giso subscripti om. L Gyo D, Cyso abba BP 108 Bosolenus D, Boselenus BPLM 109–10 die — regis] ut supra L 109 a om D Iuntas DBP 110 regni om. M

This is an earlier version of document no. 2. It differs from it in a few minor changes of phrase, a different formula of dating and witnessing, and especially in spelling differences; this document is written in a barbarous Latin of the type used in the late Merovingian period. A later hand has tried to bring the spelling in C, the only manuscript to give the complete text, closer to the spelling of no. 2, but I have retained the original spelling. It seems most likely that no. 2 is the twelfth-century cartulary copy and the present document the original Merovingian charter. There is some attempt in C to reproduce Merovingian signatures.

This version of the document has never before been published, except for the closing, although a later formula based on it is printed in MGH *Formulae*, under the heading, “Qui monasterio in proprio edificat, qualiter cartam faciat.”¹ In this ninth-century formula, the personal references and place names are eliminated, the phrases are slightly reordered, and the text only goes about three-quarters of the way through, ending at “Si quis uero.”

For the places and people mentioned, see document no. 2. For the date, see the Introduction.

¹MGH *Formulae*, pp. 480–81, no. 43. Jean Marlier mistakenly says that this formulary is based on document no. 57; Marlier, “Testamentum Wideradi coenobii Flaviniacensis abbatis,” pp. 58, 61.

Appendix

The Abbots of Flavigny

The following list of the abbots of Flavigny covers the period from the house's foundation in 717 until the early twelfth century, the date of the last document in the cartulary. References to primary sources are given in parentheses. The principal source of information on the abbots is the "Series abbatum Flaviniacensium" by Hugh of Flavigny (MGH SS 8:502–3). Hugh was working with the material available at Flavigny around 1100, including the charters in the cartulary. Sometimes he misdated the charters, which means that the dates he assigns to the abbots are not always reliable. Although I have given inclusive dates for some of the abbots, it is difficult to be positive, especially for the earlier ones.

Magoald

Abbot of Flavigny when the house was founded in 717 (documents nos. 1–2). Died on 24 July according to the necrology (MGH SS 8:286).

Gayroinus

Abbot in 748 (documents no. 6–7). Died in 755, on 6 July, while on a mission for Charlemagne, according to Hugh of Flavigny (*Chronicon*, MGH SS 8:351).

Manasses, 755–87

Ordained by Pippin the Short. Abbot in 760/62, when he attended the Council of Attigny (MGH Concilia 2:73), and in 775 (document no. 4). Died on 5 November according to the necrology of Flavigny, in 787 according to the "Series" (MGH SS 8:287, 502).

Adalbert, 787–91

Abbot for four years.

Zachō, 791–95

Died after four years in office, on 9 May, according to the necrology (MGH SS 8:285).

Alcuin, 795–802

Resigned after seven years as abbot. The head of the royal school.

Apollinaris, 802–26

Received Flavigny from Charlemagne. Abbot in 817 (document no. 5). Also abbot of St.-Bénigne of Dijon and of Moutier-St.-Jean. He died in 826, on 1 April, according to Hugh of Flavigny (*Chronicon*, MGH SS 8:352–53).

Vigilius

He succeeded in 828, two years after Apollinaris's death.

Adrevaldus

Louis the Pious used him as an envoy to Septimania in 834 and 838 (*Historia Hludowici imperatoris*, MGH SS 2:644). However, the "Series" of abbots says that he only succeeded in 839 and ruled for three years (MGH SS 8:502).

Marianus

The "Series" of abbots says that he took office in 845, but in his *Chronicon* Hugh of Flavigny says that he succeeded in Charles the Bald's first year, which would be 840/41 (MGH SS 8:355, 502).

Vulfald

Nothing is known of him beyond his name, given as Marianus's successor in the "Series" of abbots (MGH SS 8:502).

Warin

Count of Autun. He was rector of the abbey in 849 (documents nos. 19–20). Sarulf was dean under him.

Goser

Died in 855.

Hugh, 856–60

Became abbot in 856.

Eygilo, 860–66

Eygilo was founder and first abbot of Prüm, which he left in 860 for Flavigny (*Annales Prumienses* 853, MGH SS 15:1291; Regino of Prüm, *Chronicon* 853, 860, ed. Friedrich Kurze, MGH SS rerum Germanicarum in usum scholarum [1890], pp. 76, 78). Eygilo was abbot of Flavigny in 864 and 865 (documents nos. 21 and 52). He first established monks at Corbigny. He later became archbishop of Sens.

Geylo, 866–70

Son of one Count Geylo. Became abbot of Flavigny in 866. He left office in 870 to become abbot of Tournus and, while still abbot of Tournus, also became bishop of Langres (880–88) (Hugh of Flavigny, *Chronicon*, MGH SS 8:355; *Chronicon Trenorchiense* 22, 28, in René Poupartin, ed., *Monuments de l'histoire des abbayes de Saint-Philibert (Noirmoutier, Grandlieu, Tournus)*, pp. 85, 89).

Sigard

Became abbot in 870, according to Hugh of Flavigny (*Chronicon*, MGH SS 8: 355). Abbot in 872 (document no. 53).

Adalgar

Bishop of Autun (875–94). Took control of Flavigny in 877 (document no. 23). One abbot held office under him, Wolfard, brother-in-law of Louis II, who was ordained by the pope. Wolfard appeared in a charter of Carloman in 880/81 as the king's "protochancellor" (Félix Grat, Jacques de Font-Réaulx, Georges Tessier, and Robert-Henri Bautier, eds., *Recueil des actes de Louis II le Bègue, Louis III et Carloman II, rois de France, 877–884*, pp. 162–63, no. 61); he died on 6 September according to the necrology (MGH SS 8:286). After his death, Adalgar ruled Flavigny through rectors, rather than abbots. Adalgar died at Tournus while on the way to Rome in 894; Girfred, rector of Flavigny, was accused of poisoning him (document no. 25).

Walo

Brother of Manasses, count of Burgundy (Robert-Henri Bautier and Jean Dufour, eds., *Recueil des actes de Robert Ier et de Raoul, rois de France, 922–936*, pp. 205–7, no. 51). Bishop of Autun (894–919); ruled Flavigny through prelates named Obert and Raingus.

Hervé

Nephew of his predecessor Walo and son of Count Manasses (Anatole de Charnasse, ed., *Cartulaire de l'église d'Autun*, vol. 1, pp. 42–44, no. 26). Bishop of Autun (919–35). His prelate was Gausarius.

Rotmund

Bishop of Autun (935–68). He first gave Flavigny to Raino, and several other abbots then succeeded each other under his direction. Wichard, who acted as abbot, died on 14 June according to the necrology (MGH SS 8:286). Fulcher, who was also abbot of St.-Bénigne of Dijon, died on 28 April 955. Adrald was prelate in 966 (document no. 16). Adrald's nephew Milo also acted as abbot; the latter died on 5 December, according to the necrology (MGH SS 8:287).

Gerald

Bishop of Autun (968–77). Milo continued to act as abbot under his direction.

Walter

Bishop of Autun (977–1018). He gave the abbey, after Milo died, to Robert, a relative of the count of Nevers. When Robert proved himself incompetent, Walter made him prior of Corbigny and made Heldric abbot instead.

Heldric, 992–1009

A monk of Cluny. Oversaw the restoration of regular life at Flavigny (document no. 28). He was at the same time abbot of St.-Germain of Auxerre and of Moûtiers-St.-Jean (Petrus Roverius, *Reomaus, seu Historia monasterii S. Ioannis Reo-*

maensis, p. 174). Died on 14 December according to the necrology (MGH SS 8:287).

Amadeus, 1010–c.1040

Recovered Corbigny and set up cells at Couches, Semur, and Beaulieu. He was abbot in 1037 (document no. 15). Died on 19 March according to the necrology (MGH SS 8:286).

Aymo, c.1040–49

Accused of simony and forced to resign by Leo IX in 1049. Died on 26 December (MGH SS 8:287).

Odo I, 1049–51

A monk from Montiéramey. Resigned after two years as abbot. Died on 26 August (MGH SS 8:286).

Odo II, 1051–84

Died on 9 August (MGH SS 8:286).

Raynald, 1084–90

Brother of the duke of Burgundy. Died on 10 February (MGH SS 8:285). No abbot succeeded for seven years, except for the short-lived Elmuin.

Elmuin

Abbot for two months.

Hugh, 1097–1100

Author of the *Chronicon* of Flavigny. He said that his mother, Lady Dada of Montfaucon, was the daughter of Chlotildis, a daughter of Otto III. Hugh had been a monk at St.-Bénigne of Dijon before becoming abbot of Flavigny, at the urging of Archbishop Hugh of Lyon and of Bishop Agano of Autun. Forced to resign (*Chronicon*, MGH SS 8:287, 475–76, 488).

Girard

Had been prior. Replaced Hugh in 1100. Abbot in 1113 (document no. 22).

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