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ANONYMOUS (PIERRE DE TREIGNY?), *Avis aux Rois et aux Princes en leur Gouvernement* (Advice to Kings and Princes on Their Government), Part IV, with *Cérémonies des Gages de Bataille, Selon les Constitutions du Bon Roi Philippe de France* (Ceremonies of Trial by Combat, According to the Constitutions of the Good King Philip of France)

In French, illuminated manuscript on parchment

France, (Paris?), c. 1400; c. 1400-1425

ii + 104 + ii folios on parchment (good-quality parchment with traces of a few small repairs by the parchment maker ff. 11, 25), modern foliation [cited in this description] in pencil in Arabic numerals, with Latin minuscules for flyleaves, upper outer recto, a-b, 1-104, c-d (collation i-vi^s vii^t viii-ix^s x^t xi-xiv^s [1st flyleaf a stub, last flyleaf pasted to right board, ff. a-b, 1, 51v-52v, 89-104v, c-d blank]), horizontal catchwords in quires iii-vii, ix-xii, traces of signatures visible at lower fore-edge recto on a few leaves (e.g., f. 3, 33, 35, 49), ruled in plummet or light brown ink with top and bottom horizontal rules and vertical bounding lines extending into margins, pricking often visible at fore-edge and at bas-de-page (justification Part I, ff. 3-51 86 x 62 mm.; Part II, ff. 2rv, 53-88v, 86 x c. 72 mm.), copied in two main Gothic bookhands, an inconsistent textualis libraria in Part I and a textualis formata in Part II, both in black ink in 13 long lines with majuscules heightened by yellow wash, minor scribal corrections (ff. 18v, 58), notes to the rubricator in French, in a tiny current hand, in brown ink, bas-de-page at ff. 2v, 56v, 62v, 85, rubrics added by another scribe in red, with blue majuscules in rubrics in Part II, seventy-five 2- to 1-line ILLUMINATED CHAMPIE INITIALS by two artists (Part I, Part II), 2- to 1-line in gold on blue and pink grounds with white pen work, those in Part I also outlined in black, similar 3-line initial f. 53 with added brown pen work, one 2-line initial in red with black pen work (f. 2), minor cockling and buckling, overall in very good condition. EARLY BINDING, possibly original, fifteenth- or sixteenth-century binding of blind-tooled brown leather, lined on boards and spine with undyed textile, over wooden boards with three raised bands, leather torn away on spine revealing sewing support, end-paper lost on left board revealing leather turn-ins and three channels with tawed double thongs pegged into place, a few minor wormholes, traces of metal hardware at center fore-edge of both boards and traces of gilding along leaf edges, in a custom clamshell box, gilt title on spine. Dimensions 150 x 110 mm.

This secular text, written in readable French, combines two compositions from the milieu of the Valois court: a Mirror of Princes, designed to give advice to a young prince, and a legal text regulating "trial by combat" or dueling. Still in its early, perhaps original binding, it is a deluxe production, likely customized for an unknown, but well-off, patron with an interest in military tactics, since the first text is curated to include only advice on military conduct in line with the content of the second text. Surviving in few manuscripts, both texts are rare on the market, and this is a new witness to the first text, unknown to its recent editor.

PROVENANCE

1. Copied in France, likely in Paris, in the first quarter of the fifteenth century, based on paleographical and decorative evidence. It was produced in two distinct phases, reflected in its intriguing physical complexity. The first text was likely copied and perhaps decorated (but not rubricated) around 1400. The second text was copied at a slightly later date, and decorated by another artist, and added to the first text. The preface to the first text was copied and added at the beginning of the manuscript by this

second scribe. The whole codex was then rubricated by the hand of Part II. The manuscript closes with sixteen blank folia, suggesting openness to addition of related material.

Size, decoration, and the personalization of the contents of the opening text, which includes only the military part of a longer work (discussed below) suggest production for a wealthy patron involved in governance or the military, with considerable personal interest in the arts of war.

2. Added annotations in French, in brown ink and in pencil, in a 19th century hand, at ff. 1v, 2, 53, 55v, 87v, and 89, dated "le 8 âout 1822" (August 8, 1822) at ff. 1v and 55v. These notes comment on textual contents, and repeatedly compare our manuscript to one in the "Bibliothèque Royale" (f. 1v). For instance, at f. 55v, "sur le MS. pareil qui est à la bibliothèque où il ya des miniatures il est écrit mil trois cent dix" (in the similar MS in the library, where there are the miniatures, the date 1310 is written), and, at f. 89, "après cette ordonnance Dans le MS. des la Bibliothèque se trouve une autre matiere ei intitulée comment et en quantes manieres les princes Des alemaignes Sont faits et créés empereurs" (after this ordinance In the MS in the Library we find another matter entitled how and in what manner the princes of Germany are made and created emperors). We can identify the comparator codex as Bibliothèque nationale de France, MS français 2258.
3. Bookplate once pasted to front flyleaf (f. b) and now lifted.
4. Added mark, "RF 852" or "RE 852" or "RA 852," in pencil in a modern hand, at f. 1.
5. Added mark, "TB," in pencil in a modern hand, at rear flyleaf (f. d).
6. Sold, Artcurial, May 31, 2016, lot 1, to HS Rare Books.
7. London, Christie's, July 14, 2021, lot 14.

TEXT

ff. 2-51, [f. 1rv, blank; ff. 2rv, preface], incipit, "Ueu comment bon prince doit estre bien condicionnez et comment il doit gominer soy mesmes en son hostel sa faine et les enfans et tout son royaume en temps de paiz. ... cautelles de greuer son ennemi et de li garder de grief en terre et en mer. Le chapitre de la quarte partie soit en espicial"; [ff. 3-5v, list of chapters], incipit, "PRemierement comment leu puet eslire cheualerie estable. J: Deque mestier sont conbateus plus comienables. ij ... Item generalz enseignemens pour ceuls qui lez seigneurs en guerre doiuent aidier xxxii"; [ff. 5v-51, *Avis aux Rois et aux Princes en Leur Gouvernement*, Part IV], incipit, "PRemierement ace que bon prince sache eslire bonne cheualerie doit leu sauoir que a bon cheualier et soffisant sont requises deux vertuz cest assauoir proueece et prudeuce. ... penser de son mieulx et domager sez ennemis. Et tout affin que iustice soit faite et le bien commun garde a lonneur de dieu Amen";

Anonymous, *Avis aux Rois et aux Princes en Leur Gouvernement*, Part IV; Parts I–III omitted, leaving only the text's military content; edited, Lepot, 2007. Easily confused with similarly titled works, the text has been identified in five other manuscripts ("Avis aux rois," JONAS, Online

Resources), including Pierpont Morgan Library, M.456, the earliest and only illustrated copy (Lepot, 2012; Lepot, 2017).

ff. 53-88v, *Cy comaincent les cerimonies et ordonnances qui appertennent a gaige de bataille fait par querelle Selon les constitucions faites par le roy philippe*, incipit, "Philippe Par la grace de dieu Roy a touz ceulx qui ces presentes lautres verront. Sauoir fasons que comme ca en arriere pour le commun proffit de nostre royaume ... Maiz qui se plaint et iustice ne trouue la doit dieu requerir. Et se linter est sans orgueil ne mal talent par son bon requerre bataille ne doubter engin ne force. Car le vray iuge sera pour lui."

Cérémonies des Gages de Bataille; several editions exist, including Savaron, 1610, Crapelet, 1830, p. 4-35 is the most widely cited; see Hiltmann, 2011, p. 449 for further editions. At f. 55v, the second text is dated Paris, 1406, "Donne a paris le mescredi Lan mil CCCC et six," an error corrected to 1306 by a near-contemporary addition on f. 88v: "lan mil CCC et six." Sometimes included in a collection of texts drawn together under the title "Des droits d'armes," *Gages de bataille* survives in several versions in roughly a dozen witnesses, all dating from the fifteenth or sixteenth centuries (incomplete lists in "Ordonnance," JONAS, listing seven manuscripts, and Hiltmann, lists nine including one sold by Kraus, cat. 126, no. 11) – most famously, Bibliothèque nationale de France's sumptuously illuminated, mid- to late-15th century MS français 2258 (Monks, 1992, p. 58).

Our manuscript opens with the fourth part of *Avis aux rois*, an anonymous "mirror of princes"; the text is anonymous, but its recent editor suggests it may have been written by the French royal confessor Pierre de Treigny writing, c. 1347-1350 at the court of King Philip VI, for the edification of the young Valois princes Charles, Louis, Jean, and Philippe (Lepot, 2012, pp. 194-195). It is heavily indebted to, and frequently mistaken for, Gilles de Rome's (1243-1316) *De regimine principum*, an exceptionally popular treatise composed for France's Philippe IV (1268-1314). Texts of this genre instruct princes on elements of governance and right conduct, typically urging them to rule by valuing justice, the preservation of the common good, and the honor of God; to govern others as rightly as themselves; and to select wise and prudent advisers. The *Avis aux rois* includes four parts: the first discussing the qualities and virtues of a good prince, and stipulating vices to avoid; the second dealing with personal discipline and how a prince must care for his home and family; the third proffering advice on peacetime governance; the fourth defining virtuous and honorable conduct in warfare (Lepot, 2014, p. 8). Our manuscript omits the first three to focus solely on the arts of war: choice of encampment sites and men-at-arms, defense of castles and fortresses from war machines and other forms of attack, siege craft, and, most strikingly, naval warfare. Then an emerging aspect of military engagement the importance of warfare at sea would have been underscored for the French following disastrous defeats at the 1340 Battle of Sluys and 1346-1347 Siege of Calais (Sicking, 2010; Rose, 2002).

This martial focus is well-complemented by our manuscript's second text, *Cérémonies des gages de bataille*, a legal text regulating wager of battle, that is, 'trial by combat,' 'judicial dueling': a method of settling legal accusations via single combat. Arising from tribal laws of the Frankish Empire, the custom persisted in Germanic legal codes, spreading across Western Europe to France (Elema, 2012, pp. 3-5). There, in 1258, Louis IX (1214-1270) abolished judicial duels in the royal jurisdiction (Akehurst, pp. 7-14, c. 3). His grandson, Philippe IV, repealed the 1258 ordinance in 1306, officially permitting the practice again (Elema, 2012, pp. 14, 67-68). That

1306 ordinance – *Gages de bataille* – lays out detailed guidelines for such duels, from the arrival of appellant and defendant at the gates of the lists, until the final declaration of vanquished and victor (Monks, 1992, p. 50).

Attractively decorated, with an early binding and signs of nineteenth-century antiquarian or scholarly engagement, this pocket-sized codex would have been suitable for personal study or reference. Both texts appear to survive in relatively few manuscripts (see above), and are rare on the market, although we note that establishing an exact number is difficult, due to confusion with similarly titled texts in some sources. It has been especially difficult to determine a precise number of sales of these texts due to the multiple titles under which *Avis aux Rois* appears, as well as its conflation with Gilles de Rome's treatise and several similar medieval treatises (all of which appear under the same cluster of titles), and the circulation of the *Gages des batailles* in a group of texts drawn together under the title "Des droits d'armes," a title which is also applied to multiple texts. Nonetheless, it appears that the only recorded sales over the past century concern the manuscript described here.

LITERATURE

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Sicking, Louis. "Naval Warfare in Europe, c.1330-c.1680," *European Warfare, 1350-1750*, edited by Frank Tallett and D. J. B. Trim, Cambridge, 2010, pp. 236-263.

ONLINE RESOURCES

ARLIMA: *Les Archives de littérature du Moyen Âge* (listing seven manuscripts for the *Avis aux rois*, including our manuscript; note, one manuscript is listed in error)
<https://www.arlima.net/>,

"Avis aux rois et aux princes en leur gouvernement, Anonyme," JONAS
<http://jonas.irht.cnrs.fr/oeuvre/5431>

Elema, Ariella. *Trial by Battle in France and England*, PhD diss., University of Toronto, 2012
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