

***Privileges de l'hospital St.-Jean de Jerusalem* [Privileges of the Knights Hospitaller of Saint John of Jerusalem]**

In Latin and French, manuscript on paper

France, likely Western France (Poitou? Brittany?), c. 1465-1475 (after 1465)

8 ff., complete in two gatherings (collation i-ii4), on paper (single watermark with no exact match but of the type Briquet "Armoiries, Fleur de lis sommée d'un lambel. Ecu surmonté de la croix de la passion," close to no. 1545, Brittany, 1459; Nantes, 1460; Sarthe, 1474; or no. 1548, Blois, 1466; Poitiers, 1466-1474; Brittany, 1472), copied in brown ink in a cursive *bâtarde* script, on up to 30 long lines (justification 255 x 170 mm.), on unruled paper, contemporary foliation in Roman numerals, notarial copy with signatures enhanced with calligraphic pen flourishing, two notaries signing the present copies: J. Boitvin and A. Paré. Quires sewn together but left unbound. Dimensions 305 x 220 mm.

Complete in themselves, these two gatherings testify to the copy and authentication of important privileges promulgated by Louis XI, King of France, Pope Innocent IV, and Richard I, King of England in favor of the Brothers of the Order of the Knights Hospitaller (founded in 1113, and later to become the Order of Malta). The authenticated copies made by tabellions (notaries) in the second half of the fifteenth century were likely commissioned by a Brother Hospitaller of the French "tongue" in order to defend his personal rights or those of his Priory. They are copied in a fine clear notarial script.

PROVENANCE

1. Based on a single watermark and characteristic script, these bifolia were copied in France in the 1470s. The date of copy is necessarily after 1465 because of the presence of the latest dated privileges granted to the Order of the Hospitallers of St-John of Jerusalem confirmed by Louis XI of France in 1465, and copied here.
2. Palaeographical transcription accompanying original document, in blue ink, with many philological notes (7 pages recto-verso), very faulty transcription, by a scholar whose native tongue is Dutch.

TEXT

ff. 1-3v, Letters Patent confirming privileges granted to the Order of the Hospitallers of St-John of Jerusalem by Louis XI of France, 1461, in Latin and French, heading, *Privileges de l'hospital St-Jean de Jerusalem. 1461*; incipit, "Universis presentes licteras inspecturis iacobus de villers dominus insule ade consiliarius...notum enim facimus nos anno domini millesimo quadregesimo sexagesimo primo die martis duodecima mensis januarii..."; explicit, "[...] Sigillam prepositure parisiensis prefate duxecimus inpendendum anno et die martis predictis ainsi signé au blanc de la marge basse E. Contesse et sur le replé de ladite marge collatio facta est [signed] I. Boitvin pour coppie et collation; A. Paré pour coppie" (published in D'Escluseaux, 1700, pp. 18-20);

A note in D'Escluseaux reads: "Lettres patentes de confirmation du Roy Louis XI, dans lesquelles sont insérées celles des Rois Charles V, Charles VI, Jean et Philippes de Valois, ses predecesseurs..." (D'Escluseaux, 1700, p. 18). Dated Avesnes, 1461, these are the "Lettres confirmatives des privileges accordés par celles des mois de septembre 1330, décembre 1339, novembre 1350, juin 1364, janvier 1392, décembre 1423 et janvier 1453 à l'Ordre de St Jean de Jérusalem."

ff. 4-4v, Privileges granted to the Order of the Hospitallers of St-John of Jerusalem confirmed by Louis XI of France, 1465, in French, heading, *Coppie*, incipit, "Loys par la grace de dieu roy de france a premier huissier de nostre parlement en nostre sergent qui sur ce sera requis salut de la partie de nostre amé et feal conseiller et chambellan frere nicole de giresme grant prieur de france de l'ordre de l'ospital saint jehan de jherusalem..."; explicit, "[...] Donné a Paris le deuxiesme jour de septembre l'an de grace mil .cccc. soixante cinq et de nostre regne le cinquiesme ainsi signé par le roy a la rellacion du conseil. A Erlant [signed] *I. Boitvin pour coppie et collation; A. Paré*";

Confirmation of the privileges is granted by Louis XI in the presence of Nicole de Giresme was a Knight of Rhodes, Grand Prior of France in 1447 (the French tongue or "langue" grouped the Priors of Aquitaine, Champagne and the Grand Priory of France (Paris)). Nicole de Giresme is also known as one of the companions of Joan of Arc.

ff. 5-5v, Papal Bull of Innocent IV (1243-1254) regulating relations between the Church of France and the Brothers Hospitaller, in particular concerning the application of ecclesiastical law but especially concerning financial and land exaction against members of the Brothers Hospitaller, dated Lyon, 24 March 1251, in Latin; heading, *Coppie*, incipit, "Universis presentes literas inspecturis officialis parisiensis salutem in domino. Nos anno domini millesimo quadragesimo...quandam bullam domini Innocenti pape quartus..."; explicit, "[...] Datum lugdunensi...pontificatus nostri anno octavo...collatio sit N. de Biais. [signed] *I. Boitvin pour coppie et collation; A. Paré*";

Referenced in A. Potthast, *Regesta pontificum romanorum*, Vol. 2, Innocentius IV...(Berlin, 1875) no. 14250, p. 1176: "Cantori ecclesiae Senonensis mandat, inhibeat archidiaconis et decanis in Francia constitutis, ne fratrum militiae Templi homines pecuniaria poena puniant eorumque bonis et possessionibus exactiones indebitas imponant"; see also reference in E. Berger, *Les registres d'Innocent IV...*, Paris, 1887, vol. II, p. 219, no. 5233. Innocent IV sent the Cantor of the Church of Senones (Vosges) to enjoin the archdeacons and deacons of France to stop all financial and land exaction against the Brothers of the Order of the Temple (sic, for Brothers Hospitallers?).

ff. 6-7v, Copy dated 1371 of Letters Patent of Philippe le Bel, King of France, confirming the privilege granted by Richard King of England in favor of the Knights Hospitallers, in French and Latin, *Coppie*, incipit, "Coppie. A touz qui ces lectres verront hugues aubriot garde de la prevosté de paris scavoir faisons que nous l'an de grace mil .ccc. lx et unze...veismes unes lectres du roy nostre sire scellées de son grant scel en las de soie et cire vert contenant la fourme qui s'ensuit..."; "[...] Coppie soubz le grant scel es causes de la vicométe d'avrenches pour monseigneur le roy de navarre l'an mil .ccc. lxxiiii....collation faicte par R. Menitent tabellion de monseigneur le roy de navarre...[signed] *I. Boitvin pour coppie et collation; A. Paré*" (published in D'Escluseaux, 1700, pp. 3-4);

Amongst the privileges, King Richard Ist (1189-1199) states that the Hospitallers are not subject to secular law, and can be tried only by other Brothers of the Order. Also, they are not submitted to military draft. This is a copy of a 14th century "Vidimus" by Hugues Aubriot

(Prévot de Paris under Charles V, King of France) of the earlier Letters Patent of Philippe le Bel, confirming even earlier privileges granted to the Brothers Hospitaller by Richard I, King of England in the 12th century.

ff. 8-8v, blank, except inscription on fol. 8v: "Coppie de privileges de l'ospital de St Jehan de Jherusalem", followed by, in Latin: "Nullius valoris que ad regem".

These two gatherings were collated and copied on the originals by different hands but all signed "I. Boitvin pour coppie et collation" and "A. Paré pour coppie." They contain important confirmations of privileges granted to the Brothers of the Order of the Hospitallers of Saint John of Jerusalem by Louis XI, King of France, Pope Innocent IV, and Richard I, King of England. These copies were probably commissioned by either a member of the Brothers Hospitallers or to defend the rights of a particular priory that was involved in a conflict and in need of a readily available copy of the privileges. The originals of the present Bull and Royal Privileges granted to the Hospitallers of Saint-John of Jerusalem concerning French priories and French "langues" can be found in Paris, Archives nationales, Série M 1-9 [Ordre du Temple et de l'Hôpital de Saint-Jean de Jérusalem, puis de Malte / Bulles, privilèges impériaux et royaux, exemptions, statuts, titres relatifs à ces ordres successifs, XII-XVIIIe s.].

The community of the Hospital of Saint John was in existence by 1080. It operated a hospice attached to the Benedictine abbey of St.-Mary-of-the-Latins in Jerusalem, which served the needs of the poor and pilgrims visiting the Holy City. The capture of Jerusalem in 1099 during the first Crusade was to be a spectacular watershed for the community, at that time headed by the Blessed Gerard. As the Order's founder, Gerard probably adopted the Augustinian Rule, and his successor, Raymond du Puy, drew up the first Rule as the Master of an independent religious order (1120-1160). In 1113, Pope Paschal II granted ecclesiastical recognition to the new Order, called the Hospitallers of Saint-John of Jerusalem. It has been suggested that the Christian military orders were created in imitation of Muslim "ribats," fortified convents whose inmates combined a religious way of life with fighting the enemies of Islam. The flood of pilgrims to Jerusalem which followed its capture by the crusaders was associated with a complex system of hospices. By the mid-twelfth century, the Hospitallers had taken on military duties: the main headquarters were first in Jerusalem (c. 1080-1187), Acre (1191-1291), Rhodes (1309-1522) and finally Malta (1530-1798). From the thirteenth century onwards, the professed members of the Order were required to demonstrate descent from a knightly family if they wished to be brothers knights. Women were professed into the Order from an early date and internationally the Hospitallers were organized into priories. In the later medieval period, members of each Priory were grouped into "langues" (tongues).

LITERATURE

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[Rondinello, J.B.]. *Statuta hospitalis Hierusalem*, s.l.n.d. [Rome, 1586].

Société héraldique Pictave. *Bibliographie de l'Ordre de Saint-Jean-de-Jérusalem (Ordre de Malte)*, Niort, 2008, in particular chapters 34.

ONLINE RESOURCES

Paris, Archives nationales, Series M and MM – Ordres militaires et hospitaliers
<http://www.archivesnationales.culture.gouv.fr/chan/chan/fonds/edi/sa/m.htm>

See also Hospitaller Sources (Hospitaller Gateway)
<http://www1.uni-hamburg.de/hospitallers/>

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