

'cousin', but sometimes 'nephew', while ἀδελφιδός (more usually ἀδελφιδούς) means 'nephew', and no certain instance of its use for 'cousin' is given in the lexicons. Words of relationship at this time were however often used with different meanings (e.g. ἀνεψιός, and in Latin *nepos*), and, if Leo was nephew of Bryenes, he must have been Vardan's grandson, which chronology makes unlikely. Moreover, Sabas not only makes Leo ἀδελφιδός of Bryenes, but also Bryenes ἀδελφιδός of Leo, and therefore, as two men cannot be one another's nephews, we are compelled to take the word to mean 'first cousin'.<sup>7</sup> Accordingly, as Leo was first cousin of Bryenes, he must have been nephew either of Vardan himself or of his wife Domnica,<sup>8</sup> and it was therefore natural that he should hold the position in Vardan's army which is assigned to him in the story told by Genesisius, though it would be very unsafe to argue from this that Michael and Thomas were also serving under Vardan. The exact form of the relationship cannot be determined. Leo's father is called Bardas,<sup>9</sup> which represents 'Vard', and two brothers might very well bear these two kindred names, though Leo might equally well have been son of Vardan's sister or nephew of Domnica. Vardan, as his name shows, was, like Leo and a large proportion of the military leaders of the time, an Armenian, and it is hardly necessary to say that the surname Τοῦρκος does not mean that he was really a Turk, though, as in the case of the name Χάζαρος applied to Leo IV, it may mean that he had Turkish (probably Chazar) blood in his veins.

E. W. BROOKS.

### *The Materials for the Reign of Robert I of Normandy*

ROBERT I, commonly called Robert the Magnificent or, for no good reason, Robert the Devil, is one of the less known figures in the series of Norman dukes. His reign was brief and left few records, and it was naturally overshadowed by that of his more famous son, yet we shall never understand the Normandy of the Conqueror's time without some acquaintance with the period immediately preceding. The modern sketches<sup>1</sup> are scanty and unsatisfactory, and while the extant evidence does not permit of a full or adequate narrative, they can be replaced only when the available material has been more fully utilized and more

<sup>7</sup> It is very likely that Sabas had no authority except Peter; but even in this case his version shows that he uses ἀδελφιδός for 'cousin', and therefore understood ἐξάδελφος in that sense.

<sup>8</sup> Cont. Theoph., l. c.

<sup>9</sup> *Script. Hist. Byz.* (Bonn) xxx. 336.

<sup>1</sup> See, besides the older histories of Normandy, Palgrave, *History of Normandy and England*, iii. 141-90; Freeman, *Norman Conquest* (1877), ii. 179-91; Stenton, *William the Conqueror*, pp. 63-72.

carefully sifted. In this direction the publication of a critical edition of William of Jumièges has at last provided the necessary point of departure.<sup>2</sup>

The fundamental account is, of course, the sixth book of the Jumièges chronicler, who expressly declares himself a contemporary of the events therein recounted.<sup>3</sup> For many episodes this is our only contemporary authority, so that it is especially important to fix its value by checking it at the points where we have other evidence, as well as to supplement its meagre outline by information found elsewhere. On the narrative side the contemporary material is fragmentary and scattered, consisting of the bare mention of Robert's accession and death in the annals, and of disconnected references in the hagiographical literature. The dates of Robert's accession (6 August 1027)<sup>4</sup> and death (1-3 July 1035)<sup>5</sup> are fixed by the aid of the local necrologies; the pilgrimage is mentioned by contemporaries like Ralph Glaber<sup>6</sup> and the *Translatio S. Vulgani*.<sup>7</sup> The *Vita Herluini* speaks of his relations with Gilbert of Brionne;<sup>8</sup> the *Translatio Beati Nicasii* places him and his followers at Rouen on 12 December 1032;<sup>9</sup> Hugh of Flavigny<sup>10</sup> describes his reliance upon the counsel of Richard of Saint-Vannes. The most interesting of these writers is the author of the *Miracula S. Wulframni*, a monk of Saint-Wandrille who wrote shortly after 1053 and who characterizes Robert as follows:<sup>11</sup>

Hic autem Rotbertus acer animo et prudens priores suos virtute quidem et potentia exequavit; sed pravorum consultui, utpote in primevo iuventutis flore constitutus, equo amplius attendens regnum quod florens susceperat in multis debilitavit. Verum non multo post, celesti respectus gratia et bona que inerat illi natura et consilii iutus, respuit et eos quorum pravitate a recto deviaverat a suo consilio atque familiaritate sequestravit sueque iugo potentie versa vice fortiter oppressit ac se in libertatem que se decebat vindicavit atque ita propter preteritorum

<sup>2</sup> Guillaume de Jumièges, *Gesta Normannorum Ducum*, ed. Marx (Rouen, 1914). Cf. *ante*, pp. 150-3.

<sup>3</sup> vi. 1 'quorum actus partim intuitu partim veracium relatu comperimus'.

<sup>4</sup> Pfister (*Études sur la Vie et le Règne de Robert le Pieux*, p. 216, n.), who does not, however, meet all the difficulties of chronology connected with the date of Richard III's death, particularly the irreconcilable elements in the dates of the ducal charters of this period. Cf. Le Prévost. *Mémoires et notes*, i. 283. Unfortunately the two dated charters of Robert, neither of which is an original, are not decisive as to his accession, that for Cerisy (see list below, no. 3) placing November 1032 in his fifth year, and that for Montivilliers (no. 17) placing January 1035 in his eighth.

<sup>5</sup> *Historiens de France*, xxiii. 420, 487, 579. Ordericus, i. 179, gives 1 July.

<sup>6</sup> Ed. Prou, p. 108. Robert is not mentioned in Ralph's life of St. William of Dijon, who died at Fécamp in 1031: Migne, *Patrologia*, cxlii. 720.

<sup>7</sup> *Analecta Bollandiana*, xxiii. 269.

<sup>8</sup> Migne, cl. 697, 699; J. Armitage Robinson, *Gilbert Crispin*, pp. 87, 90. Cf. Robert's relations with Serlo of Hauteville: Geoffrey Malaterra, *Historia Sicula*, i. c. 38 f.

<sup>9</sup> Migne, clxii. 1165 f.

<sup>10</sup> *Monumenta Germaniae Historica, Scriptores*, viii. 401; cf. *infra*, n. 17.

<sup>11</sup> D'Achery, *Spicilegium* (Paris, 1723), ii. 288; Mabillon, *Acta Sanctorum Ordinis S. Benedicti* (Venice, 1734), iii. i. p. 353.

ignorantiam profectus Hierosolimam profunde penituit. Sed in redeundo malignorum perpeusus insidias, qui eius equum (quod iam experti erant) verebantur imperium, veneficio, ut didicimus, apud urbem Niceam occubuit ibique intra sanctam civitatis illius basilicam (quod nulli alii mortalium concessum est) honorifica donari sepultura promeruit. Verum vir tantus non pravorum tantum malignitate quam divino, ut credi fas est, iudicio decessit, qui iam unus eorum effectus erat quibus, ut apostolus conqueritur, dignus non erat mundus.

Here the characterization is fuller than in William of Jumièges,<sup>12</sup> but the fundamental agreement is striking and shows the view of his character which prevailed among ecclesiastical writers. The very phrase 'pravorum consultu' recurs in William<sup>13</sup> and, substantially, in a charter of Abbot Gradulf of Saint-Wandrille, shortly after 1035, who saw no occasion for redressing the balance by a glorification at the end:<sup>14</sup>

Quam filius eius et ab illo tercius in regno Robertus, in etate iuvenili perversorum consilio depravatus, supradicto sancto abstulerat confessori. Quo defuncto et a presentibus sublato, filioque illius succedente in regni honore paterno, ego abbas Gradulfus, diu dampnum tam grave perpeusus, &c.

Such phrases, taken in conjunction with the troubles with Archbishop Robert and Bishop Hugh of Bayeux described by William of Jumièges,<sup>15</sup> show plainly that there was a strong reaction against the church at the beginning of Robert's reign, a reaction afterwards ascribed to evil counsellors and covered up by the all-sufficing merit of the duke's pilgrimage and death.<sup>16</sup> The facts were evidently too flagrant to be ignored by William of Jumièges, favourable as is his narrative to the ducal house; not until the time of Wace could they be entirely passed over. The story that Richard III was poisoned by Robert may be in some way connected with the misdeeds of this period. To these years should probably be referred the troubles between the duke and his barons described by Hugh of Flavigny<sup>17</sup> in his curious account of the diabolical machinations of Ermenaldus the Breton, whom Richard of Saint-Vannes carried off to Verdun after re-establishing peace in Normandy, but who returned and by

<sup>12</sup> vi. 2, 3, 12.

<sup>13</sup> vi. 3 'pravorum consultu sponte sibi delegit'.

<sup>14</sup> Lot, *Études critiques sur l'Abbaye de Saint-Wandrille* (Paris, 1913), p. 61.

<sup>15</sup> vi. 3, 5. Cf. Fulbert of Chartres, in Migne, *Patrologia*, cxli. 225.

<sup>16</sup> On Robert's end cf. *Translatio S. Vulgani*, in *Analecta Bollandiana*, xxiii. 269.

<sup>17</sup> *Monumenta Germaniae Historica, Scriptores*, viii. 401 'Inflammatu princeps adversus optimates, fiunt discidia, excitantur iurgia, et uno intestino bello tota debachatur Normannia'. Besides the information accessible to him in the east of France, Hugh had opportunity to become acquainted with Norman traditions during his visit to Normandy in 1096 (*ibid.* 369, 393 f., 399, 407, 475, 482); his presence in Normandy is proved by an exchange between St. Bénigne and St. Stephen's which he attests (Archives of the Calvados, H. 1847) and by a charter of 24 May 1096 which he drafted (original in the library of Bayeux; *Revue catholique de Normandie*, x. 283).

means of the wager of battle secured the condemnation of several Norman leaders at the duke's hands.

The next set of authorities consists of the interpolators of William of Jumièges. The first group of interpolations, assigned by M. Marx to a monk of St. Stephen's of Caen writing under Robert Curthose, comprises two episodes (c. 8 *bis*) illustrating Robert's generosity, that of the smith of Beauvais and that of the poor knight, and (c. 11) the story of Robert's magnificence at Constantinople, as exemplified by the mule shod with gold and the fire fed with nuts. No source is cited for the last of these, which was probably, as we shall see, the common property of the period; but the earlier episodes are recounted on the express authority of Isembert, chaplain of the duke and later abbot of Holy Trinity at Rouen,<sup>18</sup> so that they have contemporary value. The additions of Ordericus, made before 1109, are confined to a fuller account of the family of Bellême, for which he could draw on the local traditions of the region.<sup>19</sup> In his *Historia Ecclesiastica* he adds certain further details respecting the reign: the founding of Cerisy (ed. Le Prévost, ii. 11); the reconciliation by the duke of Gilbert of Brionne and the house of Géré (ii. 25); the banishment of Osmund Drengot (ii. 53); the death of Dreux, count of the Vexin, on the pilgrimage (ii. 102, iii. 224 f.); and a fuller account of the relations of the duke to King Henry I, including the grant of the Vexin (iii. 223 f.).

If, as Stubbs thought probable,<sup>20</sup> Orderic's contemporary William of Malmesbury made use of William of Jumièges, he has no confirmatory value where the two accounts agree, as in the mention of the duke's aid to King Henry I or his tears and gifts at the Holy Sepulchre.<sup>21</sup> The Malmesbury chronicler adds the rumour that the pilgrimage was undertaken in atonement for the poisoning of Richard III; the name of the follower guilty of Robert's death, 'Radulfus cognomento Mowinus'; the guardianship by the king of France; and, in very brief form, the story of Arlette so fully developed by Wace, including her dream and the omen attending the Conqueror's birth.<sup>22</sup>

Of subsequent writers much the most important is Wace, who gives a full narrative of the reign which is repeated by Benoît de Sainte-More and the later vernacular chroniclers and has been used without discrimination by modern writers. The

<sup>18</sup> 'Hoc referre solitus erat de duce Rodberto Isembertus, primum quidem eius capellanus, postmodum vero sancti Audoeni monachus, et ad extremum abbas sancte Trinitatis.'

<sup>19</sup> He also gives the name of the commander of the fleet, Rabel, in c. 11. See *infra*, p. 267 and n. 41.

<sup>20</sup> *Gesta Regum*, p. xxi, citing the text, p. 161 f. Further investigation is desirable on this point.

<sup>21</sup> *Ibid.* pp. 211, 227.

<sup>22</sup> *Ibid.* pp. 211, 285.

question of Wace's sources, first seriously attacked by Körting in 1867,<sup>23</sup> requires a more thorough treatment upon the basis of the more abundant material and the more critical editions now available. His close dependence on William of Jumièges was clearly demonstrated by Körting, so that he must not be used as an independent authority in the portions on which they agree. At several points, however, in the reign of Robert, Wace offers material not to be found in William, partly by way of amplification, as in the account of the visit of Henry I and the campaigns by land and sea against the Bretons, partly in the form of new episodes. These are:<sup>24</sup> the foundation of Cerisy (ed. Andresen, lines 2,305-12); the poor knight (2,313-38); the clerk who died of joy at the duke's gift (2,339-88); the smith of Beauvais (2,389-2,430); the stories of Arlette and of the Conqueror's infancy (2,833-2,930); the investiture of William by the king of France and the guardianship of Alan of Brittany (2,979-94); and the full narrative of the pilgrimage (2,995-3,252). Something of the substance of the history of the reign, as well as much of its colour, depends upon the acceptance or rejection of these elements in Wace's poem.

A professional rhymester writing more than a century and a quarter after Robert's death does not inspire confidence as an historical authority unless the sources of his information can be definitely traced, a task which was long considered unnecessary and unfruitful. 'C'est', wrote Du Méril in 1862,<sup>25</sup> 'une question d'un très-mince intérêt, dont la véritable réponse satisferait bien mal la curiosité: c'était un peu tout le monde.' Such vague conclusions are not, however, in accord with the trend of more recent investigation, especially since the publication of M. Bédier's studies of the medieval epic, and the comfortable 'tout le monde' of earlier belief has in many instances been replaced by particular individuals or monasteries. Can anything of this sort be accomplished in the case of Wace? The answer is easy if we accept an emendation of Gaston Paris<sup>26</sup> in line 3,239, where, speaking of the duke's chamberlain Tosteins who brought back to Cerisy the relics procured at Jerusalem, he says,

De par sa mere fu sis aiues.

This does not make sense, nor does the reading of MS. B, which has 'mis aiues'. If, however, we accept B and emend the first pronoun, we have

De par ma mere fu mis aiues,

<sup>23</sup> *Ueber die Quellen des Roman de Rou* (Leipzig, 1867). It appears from the account of the four sons of William of Bellême (lines 2,461 ff.) that Wace used the interpolations of Ordericus.

<sup>24</sup> Cf. Körting's analysis, pp. 51-3.

<sup>25</sup> *La Vie et les Ouvrages de Wace*, in *Études sur quelques Points d'Archéologie et d'Histoire littéraire* (Paris, 1862), p. 269.

<sup>26</sup> *Romania*, ix. 526 ff. (1880).

which is perfectly intelligible and makes Tosteins the grandfather of Wace. If this be admitted, the whole narrative of the pilgrimage, as well as some of the personal episodes, would come from one of the duke's companions on the journey, not directly, for Wace could not have known a grandfather grown to manhood by 1035, but through the poet's mother.

In some instances the source can be further identified. Thus for the two stories of Robert's generosity we now have the authority of the Abbot Isembert.<sup>27</sup> That of the poor knight Wace reproduces closely, that of the smith of Beauvais he abbreviates; but the inference that he knew them in this form is strengthened by their probable connexion with Caen, where he was a *clerc lisant*. On the other hand, the account of Robert's magnificence at the Byzantine court cannot be derived wholly<sup>28</sup> from the interpolation in William of Jumièges, which says nothing of the cloaks used by the Normans as seats and left in the emperor's presence. In this respect the Latin text agrees better with the saga of Sigurd Jerusalem-farer, one of the many forms in which Gaston Paris has traced the story through medieval literature.<sup>29</sup> At this point Wace touches the broader stream of popular tradition.

In another portion of his narrative we find a definite and verifiable local source of information. It is noteworthy that in this part of his work Wace gives prominence to Robert's special foundation, the abbey of St. Vigor at Cerisy. Whereas Ordericus and Robert of Torigni barely mention its revival at this time,<sup>30</sup> Wace describes the privileges granted to the establishment by Robert, the sending of the relics thither by the chamberlain Tosteins, and the gifts made early in the Conqueror's reign by Alfred the Giant upon entering the monastery. Here we can test his statements by extant documents.<sup>31</sup> The abbey's jurisdiction is described as follows:

2,309 E tel franchise lur dunat,  
Cume li ducs en sa terre ad :  
Il unt le murdre e le larun,  
Le rap, le homicide, le arsun.

These are not specified in the ducal charter, but there is abundant evidence that such were the crimes regularly included in the grant

<sup>27</sup> *Supra*, p. 260 and n. 18.

<sup>28</sup> As M. Marx assumes, *Guillaume de Jumièges*, p. xxii.

<sup>29</sup> *Sur un Épisode d'Aimeri de Narbonne, in Romania*, ix. 515-46 (1880). Cf. Riant, *Les Scandinaves en Terre Sainte*, pp. 196 ff.

<sup>30</sup> Ordericus, ii. 11; Robert of Torigni, ed. Delisle, ii. 195; William of Jumièges, ed. Marx, pp. 252, 255. Cf. Wace, *Chronique ascendante*, line 213.

<sup>31</sup> *Monasticon*, vii. 1,073 f.; incomplete in Du Moustier, *Neustria Pia*, p. 431. For the abbey's possessions, see the *Inventaire sommaire des Archives de la Manche*, series H; the index to Longnon, *Pouillés de la Province de Rouen*; and Farcy, *Abbayes et Prieurés du Diocèse de Bayeux* (Laval, 1887), pp. 78 ff.

of ducal *consuetudines* which is there made.<sup>32</sup> Concerning the gifts of Alfred the Giant Wace is more definite :

3,593 Une vile, Luvres out nun,  
 Qui ert de sa garantisun.  
 Od tuz les apartenemenz,  
 E l'eglise de Saint Lorenz,  
 Ovec l'eglise de Taisie  
 Fist cunfermer a Ceresie.

Alfred's charter enumerates likewise 'totam terram meam de Leporibus . . . etiam totam terram quam Walterus presbiter de me tenebat in villa que dicitur Taissei'; and we know that these places, the barony of Lièvres and the churches of Tessy-sur-Vire and Saint-Laurent-sur-Mer, were part of the abbey's domain. Specific detail of this sort could be obtained only from the monks of Cerisy, through whom also would come the history of the relics brought by Tosteins, in case we hesitate to identify him as an ancestor of the poet. Wace had of course ample opportunity to converse with monks from Cerisy at Bayeux and at the court of Henry II, from whom they secured several charters; but there can be little doubt that he visited the abbey itself, which he locates exactly (lines 3,247 f.) between Coutances and Bayeux, three leagues from Saint-Lô, particularly as it was on the natural route between Caen and his native Jersey.<sup>33</sup> As the special foundation of Robert I this monastery would be the natural repository of tradition with respect to him, as Fécamp was for his father and grandfather,<sup>34</sup> and Cerisy may well be the source of other elements in Wace's narrative which cannot be distinguished in the absence of any remains of the local historiography.

Our confidence in the general credibility of Wace's account is further strengthened by the confirmation in other chronicles of particular statements of his which are not found in William of Jumièges. Thus the death of Robert by poison is mentioned by the monk of Saint-Wandrille,<sup>35</sup> as well as by William of Malmesbury,<sup>36</sup> and that of Count Drogo by Ordericus. Ordericus also relates the visit of Henry I at Easter, the grant of the Vexin, and the guardianship of Alan of Brittany.<sup>37</sup>

<sup>32</sup> *Ante*, xxiii. 504, xxiv. 210; *American Historical Review*, xiv. 461 f.

<sup>33</sup> For a later example of the confirmation of Wace by local documentary evidence, compare the account of Grimoud de Plessis (lines 4,219-42) with the charter in the Bayeux *Livre noir*, no. 3, and the inquest in the *Historiens de France*, xxiii. 699 f.

<sup>34</sup> See Bédier, *Richard de Normandie dans les Chansons de Geste*, in *Romanic Review*, i. 113-24 (1910), and in *Les Légendes épiques*, iv. 1-18, 389, 406. For Wace's own sojourn at Fécamp and use of its local traditions, see lines 2,246, 2,994, 6,781-918, and lines 1,356-9 in Andresen, i. 87; and cf. Gaston Paris, in *Romania*, ix. 597, 610.

<sup>35</sup> Mabillon, *Acta*, iii. 1, p. 353.

<sup>36</sup> *Gesta Regum*, p. 211.

<sup>37</sup> ii. 102; iii. 223-5. Whether Wace and Ordericus are entirely independent is a matter which needs investigation.

There remains the question how far the chroniclers are confirmed and supplemented by documentary evidence. Any study of such material must be provisional, until the early Norman charters shall have been collected and critically tested monastery by monastery, after the admirable example set by M. Ferdinand Lot in the case of Saint-Wandrille. Meanwhile a rough list of such charters of Robert I as have come to my notice may serve a useful purpose. In the absence of chronological data the list is arranged by religious establishments; grants of his reign attested or confirmed by Robert are included, but not charters of Richard II in which he appears as a witness.

1. AVRANCHES cathedral. Grants enumerated in notice of Bishop John. Pigeon, *Le Diocèse d'Avranches* (Coutances, 1888), ii. 667, from modern copy.

2. BEC. Consents to grant by Abbot Herluin, 1034-5. Mabillon, *Annales Ordinis S. Benedicti* (Lucca, 1739), iv. 361; Le Prévost, *Mémoires et Notes pour servir à l'Histoire du Département de l'Eure* (Évreux, 1862-9), i. 234.

3. CERISY-LA-FORÊT. Foundation charter of the monastery of Saint-Vigor, 12 November 1032. Vidimus of 1269-1313, in Archives Nationales, JJ. 62, no. 96; of 1351, *ibid.* JJ. 79 A, f. 340<sup>v</sup>; Cartulaire de Normandie (MS. Rouen, 1235), f. 84. *Neustria Pia*, p. 431; *Monasticon*, vii. 1073, from Norman rolls of Henry V; Delisle, *Cartulaire normand*, no. 768.

4. DIJON, Saint-Étienne. Confirms grants of his predecessors in Normandy. Subsequent to death of St. William in 1031. E. Deville, *Analyse d'un ancien Cartulaire de S. Étienne de Caen* (Évreux, 1905), p. 33.

5. ÉVREUX, Saint-Taurin. Gift mentioned in no. 10.

6. FÉCAMP. Comprehensive enumeration of his gifts to the abbey, 1032-5. Witnessed as follows: +Signum Rotberti Normannorum ducis. +Signum Willelmi filii eius. +Signum domni Rotberti archiepiscopi. +Signum Rotberti episcopi. Signum Gingoloi archiepiscopi. Signum domni Iohannis abbatis. +Signum Willelmi abbatis. +Signum Gradulfi abbatis. +Signum Rainerii abbatis. +Signum Durandi abbatis. +Signum Isemberti abbatis. +Signum Edwardi regis. Signum Balduini comitis. Signum Ingelranni comitis. Signum Gisleberti comitis. Signum Negelli. Signum Osberti senscali (?) +Signum Unfredi vetuli. Signum Richardi vicecomitis. Signum Gozilini vicecomitis. Signum Turstini vicecomitis. Signum Aymonis vicecomitis. Signum Toroldi constabularii.

Original (?) in Musée of the distillery at Fécamp, no. 3 *bis*. Unpublished; the extracts in La Roque, *Histoire de la Maison d'Harcourt*, iii. 19; iv. 1,323, seem to be from this charter. The attestation of Edward the Confessor as king throws some doubt on the document.

7. FÉCAMP. Fuller and more suspicious form of no. 6, with identical witnesses. Pretended original, Musée, no. 4 *bis*. Unpublished.

8. FÉCAMP. Charter notifying agreement between the abbey and Hugh, bishop of Bayeux, with reference to Argences. No witnesses; dated at Fécamp 'die Cęne dominicę quę habita est eo anno .iii. idus aprilis'; i.e. 1028 or 1034. Bibliothèque Nationale, Collection Moreau, xxi. 9, from a lost cartulary of the twelfth century.

9. FÉCAMP. Charter concerning the restoration of Argences to the abbey. Extract in Delisle, *Histoire de Saint-Sauveur-le-Vicomte*, pièces, no. 10, from a modern copy in the Archives of the Seine-Inférieure.

10. FÉCAMP. Charter exchanging Saint-Taurin of Évreux for Montivilliers as a dependency of Fécamp. Martène and Durand, *Thesaurus Anecdotorum*, i. 154. Cf. nos. 5 and 17.

11. JUMIÈGES. Adds his authority to his father's charter of August 1027 (?). Vidimus of 1498 and 1532, and Cartulary 22, in Archives of the Seine-Inférieure, f. 7 ff.

12. JUMIÈGES. Subscribes charter of Dreux, count of Amiens, 1031-5. *Gallia Christiana*, xi. instr. 10; *Neustria Pia*, p. 318; Soehnée, *Catalogue des Actes de Henri I<sup>er</sup>*, no. 37.

13. JUMIÈGES. Attests charter of Roger of Montgomery. Original in Archives of the Seine-Inférieure; copies, MS. Lat. 5424, f. 184<sup>v</sup>, MS. Lat. n. a. 1245, f. 175. See further Loth, *Histoire de l'Abbaye de Saint-Pierre de Jumièges*, i. 158.

13 a. JUMIÈGES. Grants Virville. Loth, i. 204.

14. MONT-SAINT-MICHEL. General privilege. Original in Archives of the Manche, H. 14990 (early copy H. 14991). *Mémoires de la Société d'Agriculture de Bayeux*, viii. 252 (1879); Round, *Calendar*, no. 704.

15. MONT-SAINT-MICHEL. Grant of one-half of Guernsey and other specified lands. Original in Archives of the Manche, H. 14992; vidimus in Archives Nationales, JJ. 66, no. 1496; cartulary in library of Avranches, f. 26. *Mémoires de la Société des Antiquaires de Normandie*, xii. 111; Round, no. 705; Delisle, *Saint-Sauveur*, pièces, no. 9 (extract only, from cartulary); Dupont, *Le Cotentin* (Caen, 1870), i. 463 f.

16. MONT-SAINT-MICHEL. Attests, together with Archbishop Robert († 1037) and others, charter of Edward the Confessor as king granting to the abbey St. Michael's Mount, Cornwall. Cartulary, f. 32<sup>v</sup>; Delisle, *Saint-Sauveur*, pièces, no. 18; Round, *Calendar*, no. 708. Robert's name does not appear in the text printed in the *Monasticon*, vii. 989, 'ex ipso autographo', and reproduced by Kemble, *Codex Diplomaticus*, iv. 251. Edward's title has generally been considered to render this charter questionable (cf. Freeman, *Norman Conquest*, ii. 527 f.); see, however, no. 6 for Fécamp and *infra*, p. 267.

17. MONTIVILLIERS. Foundation charter of the nunnery, with detailed enumeration of possessions. Given at Fécamp 13 January 1035. Copies in Bibliothèque Nationale, MS. Lat. n. a. 1245, ff. 112, 252; Archives of the Seine-Inférieure, G. 2068. *Gallia Christiana*, xi. instr. 326, from vidimus.

18. PRÉAUX. Consents to foundation of abbey. *Gallia Christiana*, xi. instr. 199.

19. PRÉAUX. Attests confused notice of donation by the hermit Peter. Le Prévost, *Eure*, iii. 169, from cartulary in Archives of the Eure (H. 711).

20. PRÉAUX. Notice of gift of Toutainville to abbey 'illo anno quo prexerit comes Robertus Ierusalem'. *Gallia Christiana*, xi. instr. 200; Delisle, *Saint-Sauveur*, pièces, no. 12 (from cartulary).

21. ROUEN cathedral. Charter of restoration issued conjointly with Archbishop Robert. Cartulary (MS. Rouen, 1193), f. 32 f.; vidimus in Archives of the Seine-Inférieure, G. 3680; cf. [Pommeraye,] *Histoire de*

*l'Église cathédrale de Rouen* (Rouen, 1686), p. 568, where another form of this charter is also mentioned.

22. ROUEN. La Trinité. Confirms the foundation of the abbey and enumerates its possessions, 1030. *Cartulaire de l'Abbaye de la Sainte-Trinité*, ed. Deville, no. 1; *Gallia Christiana*, xi. instr. 9; *Neustria Pia*, p. 412; Pommeraye, *Histoire de l'Abbaye de Sainte-Catherine*, p. 73.

23-6. ROUEN, La Trinité. Attests four grants to the monastery. *Cartulaire*, nos. 3, 5, 9, 24.

27. ROUEN, Saint-Amand. Confirms foundation. Vidimus of Philip the Fair, in 1313, in Archives of the Seine-Inférieure, and in Archives Nationales, JJ. 49, no. 47; cartulary in Archives of the Seine-Inférieure, f. 5 f. Pommeraye, *Histoire de Saint-Amand*, p. 76; La Roque, *Histoire de la Maison d'Harcourt*, iv. 2224 (extract); *Monasticon*, vii. 1100, from Norman rolls of Henry V. The relation of this charter to no. 22, which it closely resembles, and to the confusion respecting the beginnings of St. Amand, requires investigation.

28. ROUEN, Saint-Ouen. Adds his confirmation to that of his father in charter of 'Enna Christi famula': 'Et hoc signum + predictus comes Rotbertus cum suis episcopis atque militibus, scilicet Nigello, Osberno dapifero, atque aliis nobilibus manu sua' (breaks off). Pretended original, with a duplicate omitting Robert's confirmation, in Archives of the Seine-Inférieure; copy in the Bibliothèque Nationale, MS. Lat. 5423, f. 124<sup>v</sup>.

29. SAINT-WANDRILLE. Grant of the church of Arques, and its dependencies, 1031-2. Round, *Calendar*, no. 1422; Lot, *Études critiques sur l'Abbaye de Saint-Wandrille*, no. 13 (from cartulary in Archives of the Seine-Inférieure).

30. SAINT-WANDRILLE. General confirmation, 1032-5. Lot, *Études*, no. 14, where the various copies and editions are given.

31. Sells LE HOMME to his sister Adeliz. Mentioned in charter of Adeliz for La Trinité de Caen. Cartulary in Bibliothèque Nationale (MS. lat. 5650), f. 17<sup>v</sup>. Delisle, *Saint-Sauveur*, pièces, no. 34; Round, *Calendar*, no. 421.<sup>38</sup>

Not more than three of these documents are originals of charters issued by Robert himself, so that no diplomatic study is possible. It is clear that there was no ducal chancery: not only do we find no signature of chancellor or chaplain, but the varieties of style<sup>39</sup> and substance point plainly to local authorship. As

<sup>38</sup> The grant of Saint-James to Saint-Benoit-sur-Loire mentioned in the Conqueror's charter of 1067 (Prou and Vidier, *Les Chartes de Saint-Benoit*, i. 203), which was ascribed to Duke Robert by Stapleton (*Magni Rotuli*, i. xci), should probably be assigned to his uncle, Archbishop Robert.

<sup>39</sup> Thus the duke calls himself 'Ego Robertus Normannorum comes' (no. 3); 'ego Robertus gratia Dei dux et princeps Normannorum' (no. 4); 'ego Rotbertus filius secundi Richardi nutu Dei Northmannorum ducis et ipse per gratiam Dei princeps et dux Northmannorum' (no. 6); 'Robertus nutu Dei Northmannorum dux' (no. 8); 'ego Robertus gratia Dei dux Normannorum' (no. 9); 'ego Robertus comes filius magni Richardi gratia Dei dux et princeps Normannorum' (no. 15; cf. no. 14); 'Robertus divina auctoritate Normannorum dux et rector' (no. 17); 'Robertus divina ordinante providentia Normannorum dux et rector' (nos. 22, 27); 'ego Rodbertus gratia Dei consul et dux Normannorum' (no. 29); 'ego Robertus disposi-

only the charters for Cerisy and Montivilliers are exactly dated, it is impossible to draw up an itinerary or even to follow in the most general way the duke's progress throughout Normandy. The lists of witnesses, however, are sufficiently full to give us some notion of his *entourage*, in which four elements can be distinguished. First come the higher clergy, including regularly the duke's uncle, Archbishop Robert, commonly three or four bishops, and less frequently certain abbots; prelates from beyond Normandy appear occasionally, such as the archbishop of Dol (no. 6) and Odilo of Cluny (no. 29). The great lords of Normandy and the adjacent lands come next: Enguerran, count of Ponthieu, Baldwin of Flanders, Gilbert of Brionne, William of Arques, Mauger of Corbeil, Humphrey 'de Vetulis', Galeran,<sup>40</sup> Rabel, doubtless the commander of the fleet,<sup>41</sup> and on two occasions (nos. 6, 30), in spite of his tender years, the duke's son William. In this group it is possible also to trace the princes who took refuge at the Norman court: King Henry I, 'qui tunc temporibus profugus habebatur in supradicta terra' (no. 29; cf. no. 12); and the ethelings Edward and Alfred, who appear in no. 29 with 'signum Hetuardi' and 'signum Alureth fratris E.', and in no. 9 with 'signum Hetwardi, signum Helwredi', while Edward alone is found as king in nos. 6 and 16—a style which can be explained only by rejecting these charters, at least in their present form, or by admitting that he assumed the royal title during the lifetime of Canute. As compared with their importance in the succeeding reign<sup>42</sup> the group of household officers is small and ill-defined, comprising the seneschal Osbern,<sup>43</sup> who generally appears well up in the list but not always with this title, the constable Turoid, who is found at the very end of two apparent originals (nos. 6, 15), and Robert 'pincerna' (no. 15; cf. Round, no. 709); the chamberlains<sup>44</sup> and chaplains<sup>45</sup> mentioned elsewhere do not appear among the witnesses. Probably some of

cione divina Normannorum princeps' (no. 30). In the attestation he appears as 'ego Robertus princeps Normannorum gracia Dei dux' (no. 15); 'signum Rotberti marchisi' (no. 22); 'signum Rotberti Normannorum ducis' (no. 6); 'signum Roberti comitis et ducis Normannorum' (no. 30).

<sup>40</sup> Probably Galeran of Meulan, no. 27. On his difficulties with Robert, see *Neustria Pia*, p. 320.

<sup>41</sup> Nos. 13, 30. See the interpolation of Ordericus in William of Jumièges, ed. Marx, p. 155. Wace (lines 2,795, 2,805) calls him Tavel.

<sup>42</sup> *American Historical Review*, xiv. 471.

<sup>43</sup> 'Procurator principalis domus,' he is called by Ordericus: William of Jumièges, ed. Marx, p. 156. Anfredus likewise appears as dapifer in no. 29. 'Gislebertus senescallus' in *Cartulaire de la Trinité*, no. 5, may not be a ducal officer. Cf. Vernon Harcourt, *His Grace the Steward*, p. 7.

<sup>44</sup> William of Jumièges, p. 107; Wace, line 3,237. 'Radulfus camerarius filius Geroldi' is mentioned in no. 20.

<sup>45</sup> Isembert, in William of Jumièges, p. 108; Ernaldus, in *American Historical Review*, xiv. 471, n. 124 (full text in *Archaeologia*, xxvii. 26).

those who sign without title are also members of the household. At the end come the *vicomtes*, ordinarily without designation of districts, and attaining in one case (no. 15) the number of seven. In some instances, as in that of the well-known Neal of Saint-Sauveur, *vicomte* of the Cotentin,<sup>46</sup> it is plain that they too may attest without title.

Whether Robert's reign was marked by any acts of legislation, either secular or ecclesiastical, it is impossible to say. The first Norman provincial council of which we have mention is not earlier than 1042,<sup>47</sup> and the earliest formulation of ducal custom comes to us from the sons of the Conqueror.<sup>48</sup> Nevertheless, certain canons of the council of Lillebonne (1080) refer to the practice of Robert's time as the basis of customary right,<sup>49</sup> and respecting cemeteries the reference is so specific as to incline Tardif to the opinion that some actual document of the period is presupposed.<sup>50</sup> In this, as in other matters, it is likely that the conditions of Robert's reign often furnished the norm for that of his son.

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### *The Date of the Grand Assize*

ONE of the chief problems as yet unsolved concerning the legal reforms of Henry II is the date of the Grand Assize. So far as I know, the first mention of it is in Glanvill's work, as the chronicles and records of the reign are all silent on the subject. Seventeen years ago I discussed in a letter to the *Athenaeum*<sup>1</sup> a Yorkshire fine which had just been published by the Pipe Roll Society (vol. xxiii). Its date was 30 October 1197, and it mentioned that the 'tenant' had put himself 'in magna assisa domini Regis de Windlesores ad recognoscendum utrum ipse maius ius haberet', &c. There has now been brought to light in Mr. Farrer's *Early Yorkshire Charters*, vol. ii (1915), no. 1220, another Yorkshire fine, which is of earlier date, 16 October 1182, and of which the text is found in the Bridlington Cartulary.<sup>2</sup> In this fine the phrase occurs, 'unde predicti canonici posuerunt se in assisam de Windlesor' utrum illi an predictus Thomas maius ius in terram illam haberet'. This confirms the discovery that the Grand Assize was also known as the assize of Windsor, and it

<sup>46</sup> On whom see Delisle, *Saint-Sauveur*, pp. 2-4, pièces, nos. 1-16.

<sup>47</sup> Bessin, *Concilia Rotomagensis Provinciae*, p. 39. On the date of this council and on all questions concerning early Norman legislation, see Tardif, *Étude sur les Sources de l'ancien Droit normand* (Rouen, 1911), p. 29 f. <sup>48</sup> *Ante*, xxiii. 502-8.

<sup>49</sup> cc. 11, 13, 48, in *Layettes du Trésor des Chartes*, i. 25. Cf. Ordericus, ii. 318-23.

<sup>50</sup> *Op. cit.* p. 40.

<sup>1</sup> 28 January 1899, p. 113.

<sup>2</sup> An English abstract of it will be found in Lancaster's *Chart. of Bridlington Priory* (1912), p. 41.