ANONYMOUS

The Life of Saint Henry

Vita sancti Heinrici regis et confessoris

SABBATISMUS

Anonymous (c. 1147)
Vita sancti Heinrici regis et confessoris · The Life of Saint Henry

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Vita sancti Heinrici regis et confessoris

1

Anno ab incarnatione domini millesimo primo, ab urbe autem condita millesimo septingentesimo quinquagesimo secundo, Ottone puero Rome defuncto, vacante regni solio, cum de principe subrogando ageretur, omnium vota nutu divino ad eum inclinantur, qui tum in regno habebatur potissimus. Fuit namque per idem tempus dux Bauuariomm Heinricus tam bonitate quam nobilitate regia conspicuus et universa morum honestate preclarus. Hic inicium sapientię, timorem domini, pleniter secutus est, quia erat omni literarum studio principaliter imbutus et totus sane fide et actu catholicus. Hic ergo ab omnibus pari voto et communi consensu in regnum assciscitur divina utique disponente clementia, ut per temporalis regni fastigia ad culmen cęlestis regni pertingeret. Terrena enim bona omnia, sicut usu malo alios a salute prępediunt, ita alios usu bono ad salutem promovent.

2

Cui necdum cęaris vel imperatoris dignitatem obtinenti apparuit Ratispone sanctus Vuolfgangus in somnis visione tali. Visum namque est ei, quod manens in sancti Emmerammi ęcclesia accederet orandi gratia ad beati Vuolfgangi sepulchrum in eadem ęcclesia situm. Cumque ibidem deum sanctumque Vuolfgangum precibus intimis conaretur exorare, subito videbatur ei ipse sanctus astare et huiusmodi verbis ipsum appellare: „Intuere diligenter literas in muro, qui est secus tumulum meum, scriptas". Erat autem ibi, sicut videbatur, scriptum solummodo: Post sex. Evigilans vero Heinricus rex tractatione diuturna secum revolvit paucissima huius visionis scripta. In primis ergo arbitratus, quod post sex dies esset moriturus, multa dispensat pauperibus. Cum autem sex dierum numerus pręteriret et nichil in se corporalis molestię sentiret, putavit ad sex menses pertinere et eadem cępit timere. Transacto vero et huius numeri spacio nichilque in se infirmitatis passus, arbitratus est hunc numerum ad sex annos pertinere ideoque quę et supra cępit timere. Cumque sex annorum numerus integer pertransisset et septimi anni dies revolutus venisset, ipso die cęsaris dignitatem per apostolicam suscepit consecrationem. Tunc tandem sentiens, qualis esset sua visio, gratias egit deo sanctoque Vuolfgango, qui sibi talem revelare dignatus est sublimitatem.

3

The Life of Saint Henry, King and Confessor

1

In the year one thousand and one from the Incarnation of the Lord, and one thousand seven hundred and fifty-two from the founding of the City, when the young Otto had died at Rome and the royal throne stood empty, and men were deliberating whom to set in his place as prince, the wishes of all, by the will of God, inclined towards him who was then held to be the mightiest in the realm. For at that time Henry was Duke of the Bavarians, a man conspicuous for royal goodness as much as for royal birth, and renowned for every uprightness of character. He had followed to the full the beginning of wisdom, the fear of the Lord (Ps 111:10), for he had been steeped above all in every study of letters, and was wholly Catholic in faith and in deed. He, then, was raised to the kingship by all with one wish and common consent, the mercy of God so ordering it, that through the heights of a temporal kingdom he might attain to the summit of the heavenly kingdom. For all earthly goods, just as by evil use they hinder some from salvation, so by good use they advance others towards it.

2

While he had not yet obtained the dignity of Caesar or emperor, Saint Wolfgang appeared to him at Regensburg in his sleep, in a vision of this kind. It seemed to him that, staying in the church of Saint Emmeram, he went to pray at the tomb of the blessed Wolfgang, which is in that same church. And as he strove there to entreat God and Saint Wolfgang with heartfelt prayers, suddenly the saint himself seemed to stand beside him and to address him in these words: "Look carefully at the letters written on the wall beside my tomb." And there, as it seemed, was written only this: AFTER SIX. On waking, King Henry turned over in his mind for a long while the very few words written in this vision. At first, then, thinking that he was to die after six days, he gave away much to the poor. But when the six days had passed and he felt no bodily ailment in himself, he supposed that it referred to six months, and began to fear the same. When the space of this number too had gone by and he had suffered no sickness, he judged that the number referred to six years, and so began to fear what he had feared before. And when the full number of six years had passed and the day had come round in the seventh year, on that very day he received the dignity of Caesar by apostolic consecration. Then at last, perceiving what his vision had meant, he gave thanks to God and to Saint Wolfgang, who had deigned to reveal to him so great an exaltation.

3

Unctus igitur in regem beatissimus dei famulus temporalis regni non contentus angustiis pro adipiscenda immortalitatis corona summo regi, cui servire regnare est, militare disposuit. Summam etenim diligentiam in amplificando cultu religionis adhibuit; ęcclesias ditare possessionibus et immensis ornatibus augere cępit. Sedes autem episcopales, Hiltensheim, ubi a puero enutritus et literas edoctus fuit, Magdeburch, Argentinam, Missenam et Merseburch, quę barbarica immanitate adiacentium Sclavorum vastatę fuerant, restauravit et tam ipsis quam aliis episcopatibus per universum regnum in possessionibus et ornatibus innumerabilia contulir. [Hiltensheimensibus vero sanctum Gotehardum divina edoctus revelatione prędecit.]

Quid autem Merseburgensi ęcclesię specialius prę aliis contulerit, futurorum caritati volumus ex parte notificare. Hęc etenim ęcclesia tempore magni Ottonis – illius, inquam, qui ad Licum flumen sub sancto Ödalrico confessore Ungaros prostravit et reges eorum, Lelium videlicet et Assur, Ratispone principibus hoc fieri adiudicantibus in patibulo suspendit – assiduis incursionibus et hostili vastatione Sclavorum ad nichilum redacta est. Et quia violentiis vicinarum nationum non poterat resistere, in possessionibus, in religione et in omnibus, quę ad pontificalem dignitatem pertinebant, penitus cępit deficere. Accidit autem, ut eodem tempore Magdeburgensis ęcclesię archiepiscopus viam universę carnis ingrederetur, et Merseburgensis prędsul propter sapientiam sibi a deo collatam et propter multas virtutes, quibus adornatus erat – ob quas etiam Ottoni magno gratissimus extitit –, in cathedram Magdeburgensem prędicto rege id efficiente preponeretur. Factum est autem, ut Merseburgensis episcopatus penitus destrueretur et, quę potiora erant illius ecclesie in prędiis, in ministerialibus, in ornamentis, in ditionem Magdeburgensis ęcclesię transferrentur et de quibusdam reliquiis possessionum, quę Merseburch remanserant, abbatia inibi construeretur. Quod factum usque ad tempus pii confessoris Christi Heinrici immutatum permansit. Cum autem isdem rex convocatis principibus regni sui Chŏtelingenburch curiam celebrasset, universis in id ipsum consentientibus Poloniam et Boemiam cęterasque Sclavorum adiacentes regiones, quę fines regni sui vastabant, debellare disposuit.

4

Anointed king, then, the most blessed servant of God, not content with the narrow bounds of a temporal kingdom, resolved to do battle, for the winning of the crown of immortality, for the supreme King, whom to serve is to reign. He applied the utmost diligence to the increase of divine worship; he began to enrich churches with possessions and to augment them with immense adornments. The episcopal sees of Hildesheim, where he had been brought up from boyhood and taught his letters, of Magdeburg, Strasbourg, Meissen and Merseburg, which had been laid waste by the barbarous savagery of the neighbouring Slavs, he restored, and upon them and upon other bishoprics throughout the whole realm he bestowed countless gifts of possessions and adornments. Over the church of Hildesheim, taught by a divine revelation, he set Saint Godehard.

What he bestowed in particular upon the church of Merseburg above the others we wish to make known in part to the charity of those who come after. This church, in the time of Otto the Great — of him, I mean, who beside the river Lech, with the holy confessor Ulrich, overthrew the Hungarians, and hanged their kings, Lel and Assur, on the gallows at Regensburg by the judgement of the princes — was brought to nothing by the constant raids and hostile devastation of the Slavs. And because it could not withstand the violence of the neighbouring nations, it began to fail utterly in its possessions, in religion, and in everything that belonged to the episcopal dignity. It happened at that same time that the archbishop of the church of Magdeburg went the way of all flesh, and the bishop of Merseburg, for the wisdom granted him by God and for the many virtues with which he was adorned — for which he had also been most dear to Otto the Great — was set over the see of Magdeburg, the said king bringing it about. And so it came about that the bishopric of Merseburg was utterly destroyed: the better part of that church's estates, retainers and ornaments was transferred into the possession of the church of Magdeburg, and from certain remnants of the possessions that were left at Merseburg an abbey was built there. This arrangement remained unchanged until the time of Henry, the holy confessor of Christ. Now when this king had summoned the princes of his realm and held court at Chotelingenburg, with the consent of all he resolved to subdue Poland and Bohemia and the other neighbouring lands of the Slavs, which were laying waste the borders of his kingdom.

4

Congregato itaque exercitu contra prędictas nationes aciem direxit et faciens transitum per locum, qui Vualbech dicitur, gladium sancti Adriani martyris, qui pro reliquiis multo tempore ibi servabatur, accepit. Quo accinctus ex toto corde suo clamavit et dixit: „Iudica, domine, nocentes me, expugna impugnantes me, apprehende arma et scutum et exurge in adiutorium michi." Inde progressus castra metatus est in campo, ubi Merseburgensis ęcclesia sita est, et videns locum desolatum et in nichilum redactum ingemuit et ait: „Beate Laurenti, martyr Christi, si tuo interventu has barbaras nationes, ad quas pergo, Romano imperio et christianę religioni subiugavero, hunc locum desolatum tuo nomini consecratum divina favente gratia in pristinę dignitatis statum reformabo."

Ut vero principes Polonię et Boemię cęterarumque Sclavicarum gentium primates Romanum imperatorem cum exercitu ad debellandos eos advenire cognoverunt, innumerabili multitudine barbarorum collecta in bellum ei obviam processerunt. Quod pio regi per speculatores suos cito innotuit, et, sicut in omnibus angustiis suis solebat, ad orationis arma confugit. Invocatoque super se nomine domini beato Laurentio et beato Georgio et beato Adriano martyribus se suumque exercitum protegendum cum summa devotione commisit. Et cum omnes perceptione corporis et sanguinis domini confortati fuissent, ad locum certaminis venerunt. Ubi cum rex beatus verbis exhortatoriis ad viriliter agendum singulomm animos erexisset videnque adversariorum innumerabilem multitudinem clamavit ad dominum et ait: „Deus, qui conteris bella ab inicio, eleva brachium tuum super gentes, quę cogitant servis tuis mala. Disperge illos in virtute tua et destrue eos, protector meus. Pone illos ut rotam et sicut stipulam ante faciem venti." Hęc dicens aperti sunt oculi eius, et vidit glorioses martyres, Georgium videlicet, Laurentium, Adrianum, cum angelo percutiente exercitum suum prędcedentes et hostium cuneos ad fugam propellentes. Et sicut exercitus Sennacherib ab angelo percutiente contritus est et periit, ita omnis ista barbarorum multitudo per virtutem dei contrita proiectis armis sine effusione sanguinis christianorum fugę prędsidium quesivit. Quo viso rex sanctus elevatis oculis ac manibus in cęlum benedixit deo cęli et ait: „Benedico te, rex cęli et terrę, qui superbis resistis et humilibus das gratiam, qui custodis diligentes te et glorificatus es in gentibus propter datam nobis de cęlo victoriam." Victis ergo barbaris et, quę ad futuram pacem prodesse poterant, firmissima pactione stabilitis vir beatus cum suis in sua redierunt cum pace glorificantes et laudantes deum, qui salvat sperantes in se.

5

Having gathered an army, then, he led his host against those nations, and passing through the place called Walbeck he took the sword of the holy martyr Adrian, which had long been kept there as a relic. Girded with it, he cried out with all his heart and said: "Judge, O Lord, them that wrong me; overthrow them that fight against me; take hold of arms and shield, and rise up to help me" (Ps 35:1–2). Going on from there, he pitched camp on the plain where the church of Merseburg stands, and seeing the place desolate and brought to nothing he groaned and said: "Blessed Lawrence, martyr of Christ, if by your intercession I subject these barbarous nations against which I march to the Roman Empire and to the Christian religion, I will restore this desolate place, consecrated to your name, by the favour of God's grace, to the state of its former dignity."

When the princes of Poland and Bohemia and the chiefs of the other Slavic peoples learned that the Roman emperor was coming with an army to subdue them, they gathered a countless multitude of barbarians and came out to meet him in battle. This was quickly made known to the pious king by his scouts, and, as he was wont in all his straits, he took refuge in the weapons of prayer. Calling upon himself the name of the Lord, he committed himself and his army with the utmost devotion to the protection of the blessed martyrs Lawrence, George and Adrian. And when all had been strengthened by receiving the Body and Blood of the Lord, they came to the place of battle. There, when the blessed king had roused the spirits of each man with words of exhortation to act manfully, and saw the countless multitude of his adversaries, he cried to the Lord and said: "O God, who crushest wars from the beginning, lift up thine arm over the nations that devise evil against thy servants. Scatter them by thy power and destroy them, O my protector (Ps 59:12). Make them like a wheel, and as stubble before the wind (Ps 83:14)." As he said this his eyes were opened, and he saw the glorious martyrs, George, Lawrence and Adrian, going before his army with the smiting angel and driving the ranks of the enemy to flight. And as the army of Sennacherib was crushed by the smiting angel and perished, so all that multitude of barbarians, crushed by the power of God, threw away their arms and sought safety in flight, without the shedding of Christian blood. Seeing this, the holy king lifted his eyes and his hands to heaven, blessed the God of heaven and said: "I bless thee, King of heaven and earth, who resistest the proud and givest grace to the humble (Jas 4:6), who keepest those that love thee, and art glorified among the nations for the victory given us from heaven." So, the barbarians being vanquished, and whatever could serve a future peace having been settled by a most binding treaty, the blessed man and his people returned home in peace, glorifying and praising God, who saveth them that hope in him (Dan 13:60).

5

Cumque christianissimus rex Poloniam, Boemiam, Moraviam tributarias fecisset, ob reverentiam sancti Laurentii martyris conculcationem et destructionem Merseburgensis ęcclesię cępit pio intuitu misericordię et pietatis respicere et ad nichilum redactam in edificiis, in ministerialibus, in sęcularibus possessionibus, in ecclesiasticis ornamentis, inpristinum gradumpontificalis dignitatis, sicut deo et sancto Laurentio voverat, studuit restaurare. Nec prius ab operibus misericordię destitit, quoadusque eam ad antiquum statum dignitatis et pristinum honorem religionis ex integro perduceret.

6

Denique episcopatum Babenbergensem ex integro in suo domate fundavit, terminis videlicet ab adiacentibus episcopatibus legitimo concambio commutatis. Eundem vero episcopatum principibus apostolorum Petro et Paulo et preciosissimo martyri Georgio adtitulatum speciali iure sanctę Romanę ęcclesię contradidit, ut et primę sedi debitum divinitus impenderet honorem et suam plantationem tanto patrocinio firmius communiret. In meridiana quoque parte civitatis monasterium in honore sancti Stephani protomartyris sub ordine canonico construens, ex altera vero, hoc est aquilonari, aliud monasterium sub monachili regula in honore sancti Michahelis archangeli sanctique Benedicti abbatis constituens, sibi suęque civitati supra petram apostolicę firmitatis fundatę muroque et propugnaculis meritorum sancti Georgii cęterorumque sanctorum munitę ac exornatę, contra incentivos viciorum iactatus turrim fortitudinis in Stephano et contra refrigerantes flatus illius, qui in aquilone, unde malum omne pandetur, sedem ponere disposuit, refugium certum in angelico preparavit presidio, ut a dextris et a sinistris iusticię armis vallatę in nullo sufficiat insidiator prevalere.

7

His tribus ęcclesiis postea per Guntherum, eiusdem Babenbergensis sedis quartum pręsulem, et per Reginoldum, quendam virum nobilem, addita est quarta ęcclesia in honore sancte Marię matris domini et sancti Gingolfi martyris extra urbem versus orientem in loco Tierstat sub ordine et professione canonica. Denique sextus eiusdem sedis episcopus Hermannus extra urbem versus occidentem in honore sancti Iacobi apostoli, filii Zebedei, ęcclesiam sub ordine canonico iniciavit.

When the most Christian king had made Poland, Bohemia and Moravia tributary, out of reverence for the holy martyr Lawrence he began to look with a loving eye of mercy and compassion upon the trampling and ruin of the church of Merseburg, and, as he had vowed to God and to Saint Lawrence, he set himself to restore it, brought to nothing as it was in its buildings, its retainers, its secular possessions and its church ornaments, to its former rank of episcopal dignity. Nor did he cease from these works of mercy until he had brought it back entirely to its ancient state of dignity and to the former honour of religion.

6

Then he founded, wholly on his own domain, the bishopric of Bamberg, its boundaries having been exchanged with the neighbouring bishoprics by lawful exchange. This bishopric, dedicated to Peter and Paul, the princes of the apostles, and to the most precious martyr George, he handed over by special right to the holy Roman Church, so as both to pay the first see the honour divinely due to it and to strengthen his own planting the more firmly by so great a patronage. On the southern side of the city, too, he built a monastery in honour of Saint Stephen the Protomartyr under the rule of canons, and on the other side, the northern, he established another monastery under the monastic rule in honour of Saint Michael the Archangel and Saint Benedict the Abbot. Thus for himself and for his city — founded upon the rock of apostolic firmness, fortified and adorned with the wall and ramparts of the merits of Saint George and the other saints — he prepared, against the goads of the vices that assail it, a tower of strength in Stephen, and, against the chilling blasts of him who resolved to set his throne in the north, whence all evil shall break forth, a sure refuge in the protection of the angel; so that, walled about on the right hand and on the left with the arms of justice, the city may give no lurking foe the power to prevail.

7

To these three churches a fourth was later added by Gunther, the fourth bishop of that same see of Bamberg, and by Reginold, a nobleman: a church in honour of Saint Mary, the Mother of the Lord, and of Saint Gangolf the martyr, outside the city towards the east, in the place called Theuerstadt, under the rule and profession of canons. Then Hermann, the sixth bishop of that see, began a church under the rule of canons outside the city towards the west, in honour of Saint James the Apostle, the son of Zebedee.

Hanc Otto, humilis amator pauperum Christi, octavus eiusdem sedis episcopus, cooperante Eberharde prępositо consummavit et dedicavit ac stipem ordinemque illic deo servientium decenter disposuit. Sic locus Babenbergensis ęcclesiis et patrociniis sanctorum in modum crucis undique munitus Christo Iesu crucifixo cottidianum et sedulum celebrat officium et servitium pro primo suo fundatore, Heinrich secundo, imperatore piissimo, eiusque cooperatoribus et successoribus velaugmentatoribus omnibus. Et ut inibi militantibus domino maior tranquillitas et securitas ac reverentia ad supplicandum deo perseveret, prędictę quinque ęcclesię sic sunt locatę, ut fere ab omni strepitu et tumultu forensi ac populari sint decentissime segregatę.

8

Ut autem cunctis liquidius enitescat, qua vigilantia vir beatissimus novellę suę ęcclesię bona pacis et tranquillitatis etiam per succedentia tempora providerit, aliquas hic tam episcoporum quam regum inserimus confirmationis epistolas, ut, quia duo sunt, quibus hic mundus principaliter regitur, pontificalis auctoritas et regalis potestas, ex utroque horum a dextris suffulta et sinistris ab omnium molestia infestationum secure monstretur in perpetuum defensa. Dicente enim domino salvatore duos ęcclesię gladios sufficere, quorum unus, id est verbum dei, usque ad divisionem animę ac spiritus penetrat, alter, id est materialis, inflexibilia et dura corda rigore suo domat et premit, quicquid eorundem gladiorum iure hinc inde munitur, constat profecto, quod nullius mali incursione ab status sui rectitudine labefactatur. Prius tamen hic cartam Ottonis tercii imperatoris pręscribimus, ut scire volentibus, qualiter ipse locus Babenbergensis in ditionem sancti regis obvenerit, ex eadem conscriptionis pagina colligatur:

In nomine sancte et individuę trinitatis. Otto divina providentia imperator augustus. Noverint omnes nostri fideles pręsentes scilicet et futuri, qualiter nos ob interventum dilectissimę genetricis nostrę Adelheidę, caro nepoti nostro Bauuariorum duci Heinrico quoddam iuris nostri prędium, civitatem videlicet Babenberc nominatam, cum omnibus ad hanc respicientibus et eo in servitium versis et Nendilin Uraha in comitatu Berhtoldi comitis Volcfelt nuncupat(o) sita nostra

This church Otto, the humble lover of Christ's poor, the eighth bishop of the see, completed and dedicated with the help of Eberhard the provost, and he fittingly ordered the livelihood and the rule of those who serve God there. Thus the place of Bamberg, fortified on every side in the form of a cross with churches and the patronage of saints, celebrates daily and diligently the office and service of Christ Jesus crucified for its first founder, Henry the Second, the most pious emperor, and for all who have worked with him and succeeded him or added to his work. And so that those who do battle for the Lord there may enjoy the greater tranquillity, security and reverence in praying to God, the said five churches are so placed as to be most fittingly set apart from almost all the noise and tumult of the market and the crowd.

8

Now, so that it may shine out more clearly to all with what watchfulness the most blessed man provided for his new church the blessings of peace and tranquillity even for times to come, we insert here certain letters of confirmation, both of bishops and of kings; so that, since there are two powers by which this world is chiefly ruled, the authority of bishops and the power of kings, the church may be shown to be upheld by both of them, on the right hand and on the left, and defended securely for ever from the trouble of every assault. For since the Lord our Saviour said that two swords suffice the Church — of which the one, the word of God, pierces even to the dividing of soul and spirit (Heb 4:12), and the other, the material sword, by its rigour tames and subdues unbending and hardened hearts — whatever is fortified on both sides by the right of these two swords is assuredly shaken by the onset of no evil from the uprightness of its state. First, however, we set down here the charter of the Emperor Otto the Third, so that those who wish to know how the place of Bamberg came into the possession of the holy king may gather it from the page of that same document:

In the name of the holy and undivided Trinity. Otto, by the providence of God, emperor augustus. Let all our faithful, both present and to come, know that, at the intercession of our most beloved mother Adelaide, we have by our imperial power granted and firmly given in perpetual ownership to our dear kinsman Henry, Duke of the Bavarians, a certain estate of our own, namely the town called Bamberg, with all that belongs to it and is put to its service,

imperiali potentia in perpetuę usum proprietatis concessimus firmiterque donavimus cum utriusque sexus mancipiis, ędificiis, ęcclesiis, terris cultis et incultis et cum omnibus iure legaliterque ad hęc iam dicta prędia pertinentibus, eo tenore ut liber(o) ipse deinceps perfruatur arbitrio hęc tenendi commutandi dandi posteris relinquendi seu quicquid sibi libuerit inde faciendi. Et ut hoc nostrum preceptum stabilius firmiusque permaneat, hanc cartam inscribi iussimus anuloque sigillatam propria manu nostra roboravimus. Data V. Kal. Iulii, Indict. Iª, anno regni domni Ottonis XIII°, imperii autem VII°.

9

Anno igitur ab incarnatione domini M. VII°, Indict. Vª, in Kalendis Novembris magna synodus episcoporum aliorumque patrum habita est et celebrata in villa regia Frankenvurt mediante rege magno et pacifico Heinrico anno regni sui VI°. Nam dum idem deo devotus rex alta mentis consideratione secum volveret, in quo potissimum opere dei misericordiam sibi facilius conciliaret, divini instinctu consilii inspiratus disposuit, ut deum sibi heredem eligeret et conscriberet et episcopatum Babenbergensem, ut pręscriptum est, ex rebus hereditariis construeret, ut et paganismus Sclavorum ibi destrueretur et christiani nominis memoria perpetualiter inibi celebris haberetur. Sed cum barrochiam ad eandem sedem respicientem non haberet et sanctum pentecosten in eodem regni sui anno Mogontię celebraret, partem Wirziburgensis dioceseos, comitatum videlicet Ratenzgǒwe dictum, et partem pagi Volcvelt dicti inter fluvios Uraha et Ratenza sita(m), ab Heinrico Wirziburgensi episcopo firma ac legali traditione acquisivit tradens econtra Wirziburgensi ęcclesię C L mansos in vico Meinungun dicto et in proxime adiacentibus locis consentientibus et concurrentibus in hęc vota illius Heinrico Wirziburgense et Willigiso Mogontię metropolis archiepiscopo multisque, qui pręsentes fuerunt, archiepiscopis et episcopis legitimum hoc concambium attestatione sua et subscriptione roborantibus.

Gloriosissimus vero rex compos voti effectus pari supradictorum patrum consultu duos ex capellanis suis, Albericum et Ludeuuicum, adiunctis Wirziburgensis episcopi literis Romam usque direxit, quatenus bene hic cepta in melius proficerent auctoritate apostolica.

and Nendilin Uraha, situated in the county of Count Berthold called Volkfeld; together with bondmen of either sex, buildings, churches, lands tilled and untilled, and all things rightfully and lawfully belonging to the said estates; on this condition, that he may henceforth enjoy free power to hold them, exchange them, give them, leave them to his heirs, or do with them whatever he pleases. And that this our decree may remain the more stable and firm, we have ordered this charter to be written, and, sealed with our ring, have confirmed it with our own hand. Given on the fifth day before the Kalends of July, in the first indiction, in the thirteenth year of the reign of the lord Otto, and the seventh of his empire.

9

In the year of the Incarnation of the Lord one thousand and seven, in the fifth indiction, on the Kalends of November, a great synod of bishops and other fathers was held and celebrated at the royal palace of Frankfurt, under the presidency of Henry, the great and peaceable king, in the sixth year of his reign. For while this king, devoted to God, was pondering deeply within himself by what work above all he might the more readily win for himself the mercy of God, inspired by the prompting of divine counsel he resolved to choose and inscribe God as his heir, and to build the bishopric of Bamberg, as has been said above, out of his inherited property, so that the paganism of the Slavs might be destroyed there and the memory of the Christian name be held in honour there for ever. But since he had no diocese belonging to that see, and was keeping the holy feast of Pentecost at Mainz in that same year of his reign, he acquired from Henry, Bishop of Würzburg, by a firm and lawful conveyance, part of the diocese of Würzburg, namely the county called Radenzgau, and the part of the district called Volkfeld that lies between the rivers Aurach and Regnitz, giving the church of Würzburg in exchange a hundred and fifty manses in the village called Meiningen and in the places nearest to it. Henry of Würzburg and Willigis, Archbishop of the metropolis of Mainz, consented and joined in these wishes of his, and many archbishops and bishops who were present confirmed this lawful exchange by their attestation and subscription.

Having obtained his wish, the most glorious king, with the like counsel of the aforesaid fathers, sent two of his chaplains, Alberic and Louis, all the way to Rome with letters of the Bishop of Würzburg attached, so that what had been well begun here might be advanced to better things by apostolic authority.

At Romanus pontifex et universalis papa Iohannes piissimi regis devotioni congaudens habita in sancti Petri basilica synodo pro confirmando episcopatu Babenbergensi privilegium fecit conscribi et apostolica auctoritate firmari universis Gallię et Germanię episcopis rescribens, ut et ipsi pari communique auctoritate prędictum episcopatum roborarent. Cuius videlicet privilegii exemplar in hunc modum se habet:

Iohannes episcopus, servus servorum dei. Officii nostri est omnium sanctarum dei ęcclesiarum commoda generaliter considerare et maxime earum, quę specialiter sub iure ac dominio nostrę Romanę ęcclesię consistunt, si quod est, incommodum abolere, ne pro gravi incommoditate sua neglectę vilescant vel qualibet nacta occasione debita sollempnitate careant. Propterea omnibus sanctę dei ęcclesię fidelibus, pręsentibus scilicet atque futuris, notum esse volumus, quia dilectus et spiritalis filius noster Heinricus, gloriossisimus atque invictissimus rex, divina inspirante clementia de propriis hereditariis rebus pro sua suorumque parentum anima episcopatum in loco, qui dicitur Babenberc, perfectę fidei et caritatis devotione in honorem beatissimi Petri apostolorum principis esse constituit, commutatione facta iure ac legaliter cum Heinrico Wirziburgensi episcopo de aliqua parte parrochię sui episcopatus. Unde etiam prędictus episcopus nobis suas literas misit, ut suo consensu privilegio nostrę apostolicę auctoritatis episcopatus noviter factus fundaretur. Pro qua ratione Heinricus secundus, gloriosissimus rex, nuncios suos ad nos direxit, qui nobis hęc omnia dicerent et nos pro hac sede confirmanda interpellarent. Cuius sanctissimam intimationem paterna et pręcordiali dilectione intuentes omnes res, quas beato Petro apostolorum principi in loco prędnominato legitima ratione collectas contulit, nostrę auctoritatis privilegio confirmare decernimus, ea videlicet ratione, ut episcopus eius loci et qui in perpetuum sui fuerint successores eas secura tranquillitate possideant et liberam habeant potestatem res et proprietates eiusdem ęcclesię ordinare atque componere vel etiam augmentare; dissipare vero atque confundere nullam habeant potestatem. Nostra quoque auctoritate sanccimus, uti in terminis et in rebus eiusdem ęcclesię nulla sit infestatio tyrannorum vel aliorum quorumlibet pravorum hominum, sive sint in civitate ipsa Babenberc sive in castellis et villis, servis, ancillis, tributariis, decimis, forestibus, silvis, venationibus, piscariis, molendinis, campis, pratis, pascuis, terris cultis et incultis; et quicquid modo illuc pertinet vel in futurum acquiri possit, per nostrę auctoritatis privilegium corroboratum in secura quiete permaneat.

And the Roman pontiff and universal pope John, rejoicing at the devotion of the most pious king, held a synod in the basilica of Saint Peter and had a privilege drawn up and confirmed by apostolic authority for the confirmation of the bishopric of Bamberg, writing back to all the bishops of Gaul and Germany that they too, with like and common authority, should strengthen the said bishopric. The copy of this privilege runs as follows:

John, bishop, servant of the servants of God. It belongs to our office to consider the welfare of all the holy churches of God in general, and above all of those which stand under the special right and lordship of our Roman Church, to remove whatever hurt they may suffer, lest, neglected through some grave hurt, they decline, or on any pretext be deprived of the honour due to them. Therefore we wish it to be known to all the faithful of the holy Church of God, both present and to come, that our beloved spiritual son Henry, most glorious and most invincible king, by the inspiration of the divine mercy, has established out of his own inherited property, for his soul and the souls of his parents, a bishopric in the place called Bamberg, with the devotion of perfect faith and charity, in honour of the most blessed Peter, prince of the apostles, having made an exchange, by right and lawfully, with Henry, Bishop of Würzburg, of a certain part of the diocese of his bishopric. For this reason the said bishop has also sent us his letters, so that with his consent the newly made bishopric might be founded by a privilege of our apostolic authority. For which cause Henry the Second, most glorious king, sent his envoys to us to tell us all these things and to petition us for the confirming of this see. Regarding his most holy request with fatherly and heartfelt love, we decree that all the goods, lawfully gathered, which he has conferred on blessed Peter, prince of the apostles, in the aforenamed place be confirmed by the privilege of our authority, on this condition: that the bishop of that place and those who shall be his successors for ever may possess them in secure tranquillity, and have free power to order, arrange or even increase the goods and properties of that church, but have no power to squander or confound them. By our authority we also ordain that within the boundaries and among the goods of that church there be no molestation by tyrants or by any other wicked men whatsoever, whether in the town of Bamberg itself or in castles and villages, bondmen, bondwomen, tributaries, tithes, forests, woods, hunting grounds, fisheries, mills, fields, meadows, pastures, lands tilled and untilled; and whatever now belongs there or may be acquired in the future, strengthened by the privilege of our authority, shall remain in secure quiet.

Nullus ibi comes aut iudex legem facere pręsumat, nisi quam per concessionem gloriosissimi regis Heinrici vel successorum eius episcopus loci eiusdem deliberet. Nulla aliena potestas ibi per violentiam irruat. Sit ille episcopatus liber et ab omni extranea potestate securus, Romano tantummodo mundiburdio subditus, quatenus episcopus eo melius cum canonicis suis servitio dei possit insistere et primi constructoris eiusdem loci et recuperatoris iugiter memoriam habere. Sit tamen idem episcopus suo metropolitano Moguntiensi subiectus atque obediens. Quicumque hęc pręcepta servaverit, divinam remunerationem et apostolicam benedictionem accipiat. Qui autem contemptor et violator extiterit, perpetui anathematis dampnationi subiaceat, nisi resipiscens ad satisfactionem perveniat.

Scriptum per manus Petri notarii et scriniarii sanctę Romanę ęcclesię in mense Iunio, Indict. Vª.

I O

Habito igitur rursum generali concilio in Francenvurt, cui pręsedit venerabilis archiepiscopus Willigisus Mogontinus, universi archiepiscopi et episcopi, qui interfuerunt, numero XXX. VII, debita cum veneratione privilegium hoc sedis apostolicę suscipientes unanimiter devotis memibus laudaverunt et subscribendo roboraverunt.

De supradictis vero parrochię terminis ab ęcclesia Wirziburgensi commutatis, ne qua fieret in posterum querela vel dubitatio, subiectam conscribi paginam fecerunt; cui subscripsit primo quidem ipse Heinricus Wirziburgensis episcopus, deinde eiusdem ęcclesię prępositi sive presbyteri, numero VIIII.

Omnium sanctę dei ęcclesię fidelium tam presentium quam futurorum noticiam non latere desideramus, qualiter gloriosissimus rex Heinricus divinę, ut credimus, admonitionis stimulo compunctus de prędiis, quę dei gratia hereditarioque iure parentum in suę possessionis dominium provenerant, dei servitium augere episcopatum construendo desiderans, quo id legitime rationabiliterque fieri potuisset, Heinricum venerabilem Wirziburgensis ęcclesię provisorem, quatenus quendam locum Babenberch nuncupatum cum pago, qui Ratenzgowe dicitur, qui ad suę dioceseos statum pertinere videbatur, de suo iure in suum ius ad id perficiendum transfunderet, studiose cępit flagitare. Qui, quoniam iustę atque rationabiles causę videbantur, eiusdem augustissimi atque invictissimi regis peticionibus acquiescens cum communi cleri sui atque militum necnon totius populi consilio et consensu prefatum locum cum prędicto pago tribus parrochianis ęcclesiis exceptis cum suis adiacentiis, quarum hqc nomina sunt: Wachenrode, Lonerstat, Mulihusen, omni postmodum remota contradictione, suę potestati tradidit; alterius

Let no count or judge presume to make law there, save what the bishop of that place shall decide by the grant of the most glorious King Henry or his successors. Let no foreign power break in there by violence. Let that bishopric be free and secure from every outside power, subject only to the protection of Rome, so that the bishop with his canons may the better devote himself to the service of God and keep unceasingly the memory of the first builder and restorer of that place. Let the same bishop, however, be subject and obedient to his metropolitan of Mainz. Whoever keeps these precepts, let him receive the divine reward and the apostolic blessing. But whoever proves a despiser and violator of them, let him lie under the condemnation of perpetual anathema, unless he repent and come to make amends.

Written by the hand of Peter, notary and archivist of the holy Roman Church, in the month of June, in the fifth indiction.

10

A general council was then held again at Frankfurt, presided over by the venerable Archbishop Willigis of Mainz, and all the archbishops and bishops who took part, thirty-seven in number, receiving this privilege of the apostolic see with due veneration, praised it with one accord and devout minds and confirmed it with their subscriptions.

Concerning the aforesaid boundaries of the diocese exchanged with the church of Würzburg, so that no complaint or doubt might arise in the future, they had the following page written; it was subscribed first by Henry, Bishop of Würzburg himself, then by the provosts or priests of that church, nine in number.

We desire it not to be hidden from the knowledge of all the faithful of the holy Church of God, both present and to come, how the most glorious King Henry, pricked, as we believe, by the goad of a divine admonition, and desiring to increase the service of God by building a bishopric out of the estates that had come into his possession by the grace of God and by the hereditary right of his forebears, began earnestly to entreat Henry, the venerable guardian of the church of Würzburg — so that this might be done lawfully and reasonably — to transfer from his own right into the king's right, for the accomplishing of this purpose, a certain place called Bamberg, together with the district called Radenzgau, which was held to belong to the estate of his diocese. And he, since the reasons seemed just and reasonable, assented to the petitions of that most august and most invincible king, and with the common counsel and consent of his clergy and knights and of all the people handed over to his power the aforesaid place with the said district — excepting three parish churches with their appurtenances, whose names are these: Wachenroth, Lonnerstadt, Mühlhausen — every objection being thenceforth set aside; and

autem pagi, qui Volcfelt vocatur, in quo prefatus locus situs est, partem eidem regi concessit, quantum est de Babenberchad flumen Uraha, de Uraha in Ratenzam flumen, et sic iuxta decursum eiusdem fluminis in Moin et inde ad rivulum Wichebach, deinde ad caput eiusdem rivuli sicque qua citissime ac proxime perveniri potest ad Uraha. Actum in civitate Wirziburgensi, pręsente serenissimo imperatore Heinrico, ea conditione, ut decimam in novalibus iam incisis et ad mansum mensuratis cum veteri decima non commutuata Wirziburgensis ęcclesia retineat, in novalibus vero posthinc excolendis decimam Babenbergensis ecclesia possideat cum termino commutuato.

11

Sed et Iohannes Aquilegiensis patriarcha opus tam laudabile regis excellentissimi et piam erga Christum devotionem toto affectu amplectens Heinrico episcopo Wirziburgensi gratulationis plenam scripsit epistolam:

Beatissimo domino et sincera caritate diligendo Heinrico sanctę Wirziburgensis ęcclesię episcopo venerabili Iohannes sanctę Aquilegiensis ęcclesię patriarcha cum omnibus suę dioceseos episcopis fraternam dilectionem in eo, qui prior dilexit nos et tradidit semetipsum pro nobis, Iesu Christo domino nostro. Licet, reverende frater, fraternę dilectionis cura nos ammoneat, ut in omnibus operibus bonis, quę conditor humani generis misericorditer ad salutem cottidie disponit, immensas gratiarum actiones ipsi agere debeamus, quandocumque tamen vel ubicumque ex provectu sanctę ęcclesię vel eius exaltatione locatione aliquid nos magnifici operis audire contigerit, immensę devotionis affectu et spiritualis exultationis effectu illum laudare et benedicere et predicare debemus, cuius hęc dona sunt et a quo bona cuncta ineffabiliter procedunt. Qui inter innumerabilia sempiternę dignationis sacramenta ea etiam in suorum cordibus principum dictat, quę ad multorum exemplum et salutem profutura procurat. In quibus unum est, quod nuper divinitus factum maximam mentibus nostris leticiam generavit.

Audivimus namque, quod dominus noster Heinricus, gloriosissimus et invictissimus rex, divina sibi inspirante gratia ex suis prędiis et paterna hereditate in loco, qui dicitur Babenberc, episcopatum in honore beatissimi Petri apostolorum principis construxit et commutatione facta digne et legaliter cum vestra ęcclesia partem quandam ex eius diocesi acquisivit atque hoc concambium apostolice sedis privilegio corroboravit.

of the other district, called Volkfeld, in which the said place lies, he granted the king the part that runs from Bamberg to the river Aurach, from the Aurach to the river Regnitz, and so along the course of that river to the Main, and thence to the brook Wichebach, then to the head of that brook, and so by the quickest and nearest way that can be found back to the Aurach. Done in the city of Würzburg, in the presence of the most serene Emperor Henry, on this condition: that the church of Würzburg shall keep the tithe on the new clearings already cut and measured into manses, together with the old tithe, which is not exchanged; but on the clearings to be tilled from now on, the church of Bamberg shall possess the tithe within the exchanged boundary.

11

John, too, Patriarch of Aquileia, embracing with all his heart so praiseworthy a work of the most excellent king and his pious devotion to Christ, wrote to Henry, Bishop of Würzburg, a letter full of congratulation:

To the most blessed lord, to be loved with sincere charity, Henry, venerable bishop of the holy church of Würzburg, John, Patriarch of the holy church of Aquileia, with all the bishops of his province: brotherly love in him who first loved us and gave himself up for us (1 Jn 4:19; Eph 5:2), Jesus Christ our Lord. Although, reverend brother, the care of brotherly love admonishes us to render boundless thanks to the Maker of mankind for all the good works that he mercifully disposes every day for our salvation, yet whenever or wherever it befalls us to hear of some splendid work for the advancement of holy Church or its exaltation and establishment, we ought, with the affection of boundless devotion and in the fullness of spiritual joy, to praise, bless and proclaim him whose gifts these are and from whom all good things ineffably proceed. Among the countless mysteries of his everlasting condescension, he also prompts in the hearts of his princes those things that he provides for the example and salvation of many. Among these is one which, lately wrought by God, has brought the greatest joy to our minds.

For we have heard that our lord Henry, the most glorious and most invincible king, by the inspiration of divine grace, has built out of his own estates and his father's inheritance, in the place called Bamberg, a bishopric in honour of the most blessed Peter, prince of the apostles; that, having made an exchange worthily and lawfully with your church, he has acquired a certain part of its diocese; and that he has confirmed this exchange by a privilege of the apostolic see.

Quod quidem eximium et laudabile opus et eius dignissimam liberalitatem et vestram caritatem satis egregie predicabilem commendat, cum et suum est per Operationen et vestrum fit per dilectionem. In quo omnipotenti deo immensas gratias referimus, ad cuius inestimabilem gloriam spectat, quod per regem nostrum Heinricum, bonum et fidelem ministrum suum, fundatissimam pacem omnibus ęcclesiis prestat et insuper novam ęcclesiam format, per quam et de inimico humani generis in vicinas Sclavorum gentes deo opitulante triumphabit et innumerabilem familiam per lavacrum regenerationis sibi multiplicabit. Nos autem cum omnibus nostrę dioceseos episcopis hoc divinum opus in commune laudamus atque in eo iuste consentientes et subter conscribentes in perpetuum valere confirmamus.

12

Heinricus, divina prędordinante clementia rex, omnibus ęcclesię filiis tam futuris quam pręsentibus. Saluberrimis sacri eloquii institutionibus erudimur et pręmonemur, ut temporalia relinquentes bona et terrena postponentes commoda ęterna et sine fine mansura in cęlis studeamus adipisci consistoria. Gloria enim pręsens fugitiva est et vana, dum possidetur, nisi in ea aliquid de cęlesti eternitate cogitetur. Sed dei miseratio humano generi utile providit remedium, quanto partem cęlestis patrię terrenę substantię fecit esse precium.

Huius ergo nos clementię non immemores nec ignorantes nos gratuito divinę miserationis respectu regali dignitate sublimatos, congruum esse ducimus non solum ęcclesias ab antecessoribus nostris constructas ampliare, sed ad maiorem dei gloriam novas edificare easque devotionis nostrę donis gratissimis exaltare. Quapropter dominicis non surdum auditum prębentes pręceptis et deificis obtemperando intendentes suasionibus, thesauros divinę largitatis munificentia nobis collatos in cęlo desideramus reponere, ubi neque fures effodiant nec furentur neque erugo vel tinea demoliatur, ubi et, dum omnia nunc congesta recolimus, cor nostrum desiderio et amore sepius versetur.

Proinde patere volumus omnium fidelium universitati, quod quendam paternę hereditatis nostrę locum Babenberc dictum in sedem et culmen episcopatus provexi-mus et Romans sedis auctoritate firmatum atque venerabilis Heinrici Wirziburgensis episcopi consensu et dilectę coniugis nostrę Chunigundę voluntate pari etiam communique omnium nostri fidelium tam archiepiscoporum quam episcoporum abbatumque necnon ducum et comitum consulto decretoque

This excellent and praiseworthy work commends both his most worthy liberality and your charity, which deserves high praise, since it is his by the doing and becomes yours by love. For this we render boundless thanks to almighty God, to whose inestimable glory it redounds that through our King Henry, his good and faithful minister, he grants a most firmly founded peace to all the churches and, besides, forms a new church, through which, with God's help, he will triumph over the enemy of mankind among the neighbouring peoples of the Slavs and will multiply for himself a countless household through the washing of regeneration. And we, with all the bishops of our province, praise this divine work together, and, rightly consenting to it and subscribing below, confirm that it shall stand for ever.

12

Henry, by the foreordaining mercy of God king, to all the sons of the Church, both to come and present. We are taught and forewarned by the most wholesome precepts of Holy Writ that, leaving temporal goods behind and setting earthly advantages aside, we should strive to win the eternal dwellings in heaven that abide without end. For present glory is fleeting and vain while it is possessed, unless something of heavenly eternity be thought of in it. But the compassion of God has provided mankind with a useful remedy, in that he has made earthly substance the price of a share in the heavenly fatherland.

Not unmindful, then, of this mercy, nor unaware that we have been raised to royal dignity by the free regard of the divine compassion, we deem it fitting not only to enlarge the churches built by our predecessors, but also, for the greater glory of God, to build new ones and to exalt them with the most welcome gifts of our devotion. Wherefore, lending no deaf ear to the Lord's commands and attending obediently to his divine counsels, we desire to lay up in heaven the treasures bestowed on us by the munificence of the divine bounty, where neither thieves break through nor steal, nor rust nor moth destroys (Mt 6:20), and where, as we call to mind all that is now stored there, our heart may dwell the more often in longing and in love.

Accordingly we wish it to be plain to the whole body of the faithful that we have raised a certain place of our father's inheritance, called Bamberg, to be the seat and summit of a bishopric; and, confirmed by the authority of the Roman see, with the consent of the venerable Henry, Bishop of Würzburg, and the will of our beloved wife Cunigunde, and with the like and common counsel and decree of all our faithful, archbishops as well as bishops and abbots,

ac tocius regni nostri principum concordi devotione laudatum ad honorem omnipotentis dei et beatę Marię semper virginis sanctorumque apostolorum Petri et Pauli necnon sanctorum Kyliani et Georgii fundavimus, stabilivimus et corroboravimus, ut inibi nostrum parentumque nostrorum et Ottonis tercii imperatoris, videlicet antecessoris nostri, celebre habeatur memoriale et iugis pro omnibus orthodoxis mactetur hostia salutaris.

Oblatis igitur deo in eadem dilecta nobis ecclesia ad honorem et decorem domus dei ex metallis lapidibusque preciosis in varios usus sanctuarii vasis seu vestibus aliisque ornamentis ęcclesiasticis contulimus pręterea ad supra dictam sedem episcopalem prędia, ęcclesias, vicos, villas cum omnibus suis pertinentiis sive adherentiis, videlicet utriusque sexus mancipiis, areis, ędificiis, terris cultis et incultis, viis et inviis, exitibus et reditibus, quesitis et inquirendis, silvis, sagenis, venationibus, pratis, pascuis, campis, forestis, forestariis, ceilariis, censibus, aquis aquarumve decursibus, molendinis, mobilibus et immobilibus et cęteris omnibus, quę rite scribi aut appellari possunt quoquolibet modo, utilitatibus; pręsenti nostrę auctoritatis edicto statuentes, ut nobis in deo dilectus sepedictę sedis episcopus Eberhardus suique successores liberam dehinc habeant potestatem eadem pręscripta bona cum omnibus appendiciis suis tenendi, possidendi seu in quoslibet usus episcopatus convertendi. Fratribus autem canonicis deo ibidem famulantibus ad cottidiana temporalis vitę subsidia possessiones, quas tradidimus, nostra imperiali auctoritate proprietative possidenda confirmamus, ea videlicet ratione, ut pręfati canonici et eorum per successionem prępositi liberam dehinc cum ipsorum canonicorum consensu et consilio potestatem habeant in meliores usus commutandi, augmentandi et ad utilitatem suam quoquomodo redigendi, quatenus et ipsi, nostri benigne apud deum memores ac dilectissimę coniugis nostrę atque consortis regni Chunigundę parentumque nostrorum, versa vice beneficiis nostris pia atque assidua intercessione respondeant.

Si quis autem, quod absit, huius nostrę donationis munificentiam atque institutum apostolicę sedis et tot venerabilium patrum auctoritate firmatum destruere seu violare temptaverit, in die iudicii coram oculis dei tormento inextinguibili eternaliter luat. Quod ne eveniat, sed hęc traditio nostra atque decretum ab omnibus perpetualiter inviolabilis permaneat, hanc cartam inde conscriptam manu propria roborantes sigilli nostri impressione insigniri iussimus.

13

dukes and counts, and approved by the harmonious devotion of the princes of our whole realm, we have founded, established and strengthened it in honour of almighty God and of blessed Mary ever Virgin, of the holy apostles Peter and Paul, and of Saints Kilian and George; so that there a solemn memorial may be kept of us and of our parents and of the Emperor Otto the Third, our predecessor, and the saving Victim may be offered unceasingly for all the orthodox.

Having therefore offered to God in that church so dear to us, for the honour and beauty of the house of God, vessels of metal and precious stones for the various uses of the sanctuary, and vestments and other church ornaments, we have furthermore conferred on the aforesaid episcopal see estates, churches, hamlets and villages with all their appurtenances and dependencies, that is: bondmen of either sex, house plots, buildings, lands tilled and untilled, ways and pathless places, outgoings and incomings, things acquired and to be acquired, woods, fishing nets, hunting grounds, meadows, pastures, fields, forests, foresters, cellarers, rents, waters and watercourses, mills, movables and immovables, and all other profits whatsoever that can rightly be written or named in any way; ordaining by this present edict of our authority that Eberhard, bishop of the oft-mentioned see, beloved by us in God, and his successors shall henceforth have free power to hold, possess, or turn to any uses of the bishopric the said goods with all their appurtenances. To the brethren, the canons who serve God there, we confirm by our imperial authority, as their own property, the possessions we have handed over for the daily support of their temporal life, on this condition: that the said canons and their provosts in succession shall henceforth have free power, with the consent and counsel of the canons themselves, to exchange them for better uses, to increase them and to turn them in any way to their profit; so that they too, kindly remembering before God us and our most beloved wife and partner in the realm, Cunigunde, and our parents, may answer our benefits in return with pious and unceasing intercession.

But if anyone — which God forbid — should attempt to destroy or violate the munificence of this our donation and this foundation confirmed by the authority of the apostolic see and of so many venerable fathers, let him pay for it eternally, on the day of judgement, before the eyes of God, in unquenchable torment. And so that this may not happen, but this our gift and decree may remain inviolable by all for ever, we have confirmed with our own hand this charter written concerning it and ordered it to be marked with the impression of our seal.

13

Nec vero solummodo in vita adhuc superstite rege gloriosissimo, sed magis etiam post transitum eius de morte ad vitam felix ipsius plantatio, Babenbergensis videlicet ecclesia, divinę gratię ymbribus irrigata, de die in diem semper accipit incrementum, sepenumero a sancta specialique matre sua Romana ęcclesia uberibus pię consolationis potata ac saciata, regum quoque succedentium auctoritate vel privilegiis nobiliter ac firmiter in perpetuum sublimata.

Denique Swidegerus secundus Babenbergensis episcopus – quem Heinricus rex tercius tribus invasoribus apostolice sedis digne et iuste explosis centesimum et quinquagesimum papam constituens Clementem secundum appellavit, ipseque et coniux eius Agnes in die sancto dominici natalis imperialem benedictionem ab illo accepit – quanto amore primę kathedrę suę locum dilexerit, missis eidem a sede apostolica huiuscemodi privilegiis satis ostendit:

Clemens episcopus, servus servorum dei, sacratissime nostrę Babenbergensi ęcclesię in filiis et filiabus eius, clero videlicet ac populo, perpetuam in domino salutem. Dispensatio seculorum venit de principe cęlorum, qui, antequam secula efficerentur, pręcivit, qualiter disponerentur. Inde fit, ut non possit non impleri, quod ab ęterno illius oculo potuit pręvideri. Tanti numinis nutus te, suam karissimam filiam Babenberc, nobis in sponsam legitimam desponsavit, et arte regere, quantum in nobis fuit, sua propitiatione donavit. Certe nulli marito circa uxorem fides purior et amor ardentior quam circa te nobis, nec umquam vel in mentem venit te destituere et alii adherere. Sed nescio quo divinitus consilio actum est, ut matri tuę omnium que ęcclesiarum consociarer et aliquid non tamen omnino a te seperarer.

Ecce enim, cum illud caput mundi, illa Romana sedes heretico morbo laboraret, et karissimi filii nostri domni Heinrici imperatoris augusti pręsentia ad hoc invigilaret, ad hoc instaret, ut huiusmodi egritudinem propulsaret, explosis tribus illis, quibus idem nomen papatus rapina dederat, inter tot agmina sanctorum, qui aderant, patrum dignatio cęlestis gratię nostram indignissimam mediocritatem cunctis nisibus refragantem voluit eligi et altissimi apostolorum principis vice fungi. Avulsum me tunc a tuo gratissimo latere, sponsa dulcissima, quis dolor apprehenderit, quis meror confecerit, quo nescio pacto liceat exprimi, cum nobis omnem modum videretur transgredi. Plus honoris est, plus decoris plusque virium matri quam filie, utpote cui omne genu terrestrium flectitur; pro cuius arbitrio ianua cęli aperitur et clauditur; adversus quam nec portę pręvalent inferorum. Non tamen tantę dominationis cupido ostio nostrę mentis irrepsit cordisque cervicem libenter inflexit.

And not only in the lifetime of the most glorious king, but still more after his passing from death to life, his happy planting, the church of Bamberg, watered by the showers of divine grace, has always grown from day to day; again and again it has been given drink and filled at the breasts of holy consolation by its holy and special mother, the Roman Church, and it has also been nobly and firmly exalted for ever by the authority and privileges of the kings who came after.

Thus Suidger, the second bishop of Bamberg — whom King Henry the Third, when the three usurpers of the apostolic see had been worthily and justly cast out, made the hundred and fiftieth pope and named Clement the Second, and from whom he and his wife Agnes received the imperial blessing on the holy day of the Lord's Nativity — showed plainly enough how greatly he loved the place of his first see, by the privileges of this kind which he sent to it from the apostolic see:

Clement, bishop, servant of the servants of God, to our most holy church of Bamberg, in her sons and daughters, that is, her clergy and people: everlasting salvation in the Lord. The ordering of the ages comes from the Prince of the heavens, who, before the ages were made, foreknew how they would be ordered. Hence it is that what could be foreseen by his eternal eye cannot fail to be fulfilled. The will of so great a Godhead betrothed you, Bamberg, his dearest daughter, to us as our lawful bride, and by his favour granted us to rule you strictly, as far as lay in us. Surely no husband ever had purer faith or more ardent love towards his wife than we towards you, nor did it ever even enter our mind to forsake you and cleave to another. But by I know not what divine counsel it came about that I was joined to your mother, the mother of all churches, and yet was not wholly separated from you.

For behold, when that head of the world, that Roman see, was labouring under the disease of heresy, and the presence of our dearest son, the lord Henry, emperor augustus, was watching and pressing to drive out a sickness of this kind, those three to whom plunder had given the same name of the papacy were cast out; and among so many hosts of holy fathers who were present, the condescension of heavenly grace willed that our most unworthy lowliness, though resisting with all its strength, should be chosen and should act in the stead of the most high prince of the apostles. What grief seized me then, torn from your most dear side, sweetest bride, what sorrow wore me down, I know not how it may be expressed, since it seemed to us to pass all measure. There is more honour, more beauty and more strength in the mother than in the daughter, since to her every knee on earth is bent; at her will the gate of heaven is opened and shut; against her not even the gates of hell prevail. Yet no desire for so great a dominion crept in at the door of our mind or willingly bent the neck of our heart.

Satis nobis erat, tecum activam bene, contemplativam quoquomodo ducebamus vitam, pręsertim cum perfectus amor nec speciem alterius umquam nec intueretur opulentiam. Testem invocamus aciem divinam non commentari nos apologiam. Illa enim secreta cordis rimatur, cui (nulla) nox obtenebratur. Pro teste quoque utimur ipsa conscientia, ubi tua est sollicitudo continua. Interiorem pupillam nec tanta terrarum spaciositas nec tot retunaunt opposita, qum amicam meam, sororem meam, sponsam meam, columbam meam diligentiori cura circumspiciam et undique munitam faciam.

Concessum est nobis divinitus non ex nostris meritis, ut iam diximus, ius illud apostolicum, quo et cęlis imperatur et terris. Unde dignum duximus et accommodum decrevimus, ut de profectu nostro tu quoque proficias, et inde tibi amplius consulatur, unde ipsa potestas nobis ampliatur.

Piissimę recordationis domnus Heinricus imperator augustus te fundavit, te erexit, te etiam in altum culmen evexit. Quo supplice inexpugnabili muro et propugnaculis apostolici muniminis adversus omnes impias manus pręvalentes bene circumvallata es per prędecessores nostros, Iohannem scilicet XIIII papam et Benedictum. Quod et idem nos facere cupientes, ut triplici tuitione circumcincta per virtutem sanctę trinitatis nichil umquam paveas lesionis, nichil umquam ab aliquo molestationis, secura semper et quieta manens, in filiis et filiabus tuis semper deo devote serviens, devote obediens: statuimus per hoc nostri magisterii privilegium, ut de bonis illis omnibus, quę tibi, sponsa karissima, virgo castissima, ęcclesia speciosissima Babenberc, summa liberalitas eiusdem orthodoxi imperatoris de summa devotione procedens pio affectu contulit et nomine tenus illa per concambium convenientissimum et acceptissimum a Wirziburgensi et Eistetensi episcopis canonico et rationabili iudicio permutavit, vel quorumcumque post eum fidelium religiosa pietas obtulit et oblatura est usque in perpetuum, sive sint mobilia sive immobilia, nullus imperator, nullus rex, dux, marchio, comes, vicecomes et pręterea non archiepiscopus, non episcopus, non abbas nec ulla hominum persona audeat, temptet, presumat quicquam vel violentia vel fraude vel furto detrahere, minuere, mutilare. Quod si quis diabolico instinctu pulsatus crudeli temeritate admittere non perhorruerit et admissum citius emendare neglexerit, huiusmodi hominem, quicumque sit, de communione sacrosancti sanguinis et corporis domini nostri Iesu Christi et a participio totius christianitatis non solum excludimus, sed etiam propulsamus. Quin etiam apostolici anathematis acutissima lancea eum transverberamus, ut pro malefactis male perditus mortem gemat ęternam, associatus in gehenna inferioris inferni demonum principi, mortis inventori, et etiam Iudę sacrilego et proditori, undique

It was enough for us that with you we led the active life well and the contemplative after a fashion, above all since perfect love never looked upon the beauty or the wealth of another. We call the divine gaze to witness that we are not inventing an apology. For that gaze searches the secrets of the heart, and for it no night is darkened. We take as witness too our own conscience, where the care of you is constant. Neither the great breadth of the lands nor so many things set in the way can blunt the eye within, so as to keep me from watching over my friend, my sister, my bride, my dove (Song 5:2) with the more diligent care and making her safe on every side.

There has been granted to us by God, not for our own merits, as we have said, that apostolic right by which command is given both in heaven and on earth. We have therefore thought it right and decreed it fitting that you too should profit by our advancement, and that you should be the better provided for from the very source from which that power is enlarged for us.

The lord Henry of most pious memory, emperor augustus, founded you, raised you up, and lifted you to a lofty height. At his petition you have been well encircled, by our predecessors John the Fourteenth, namely, and Benedict, with an impregnable wall and with the ramparts of apostolic protection, which prevail against all impious hands. And we, desiring to do the same, so that, girded about by a threefold protection through the power of the Holy Trinity, you may never fear any harm, never any molestation from anyone, but remain ever secure and quiet, ever serving God devoutly in your sons and daughters and devoutly obeying him: we ordain by this privilege of our magisterium that, of all those goods which the supreme liberality of that same orthodox emperor, proceeding from the highest devotion, bestowed on you with loving affection — on you, dearest bride, most chaste virgin, most beautiful church of Bamberg — and of those which, as named, he exchanged by a most fitting and most acceptable exchange with the bishops of Würzburg and Eichstätt by canonical and reasonable judgement, or which the religious piety of any of the faithful after him has offered or shall offer for ever, whether movable or immovable, no emperor, no king, duke, margrave, count, viscount, and furthermore no archbishop, no bishop, no abbot, nor any person whatsoever shall dare, attempt or presume to take away, diminish or mutilate anything, whether by violence, fraud or theft. And if anyone, driven by the prompting of the devil, does not shrink from committing this with cruel rashness, and neglects speedily to amend what he has committed, such a man, whoever he be, we not only shut out but drive away from the communion of the most holy Blood and Body of our Lord Jesus Christ and from all share in Christendom. Nay more, we pierce him through with the sharpest lance of apostolic anathema, so that, wretchedly lost for his misdeeds, he may groan in eternal death, joined in the gehenna of the lowest hell to the prince of demons, the inventor of death, and also to Judas the sacrilegious traitor, hemmed in on every side

circumcinctus draconibus tartareis in ultionem sevientibus, nec in ultimo tremendi diei iudicio ad vitam resurgat, sed crudelissimum corpus resumens duplici contritione conteratur, infelicissimo et miserrimo vivendi genere mortem querens et non inveniens.

Qui vero pio intuitu proprias manus ab huiusmodi temeritate subtraxerit et, si ita res exegerit, adversum omnes insurgentes et quicquam auferre conantes ea bona defenderit, ad tuum tuorumque opus, sanctissima Babenberc, illa scilicet, ut predictum est, quę tibi collata sunt vel de cęro in ęternum tibi conferenda sunt, talis ab illo benedicatur, qui super cherubin sedet et gloriatur, pro eo quod hoc nostrę apostolicę auctoritatis privilegium studuit observare illesum suoque robore solidatum, quod nimirum consilio et voluntate necnon alacri promptoque animo karissimi filii nostri, iam superius memorati domni Heinrici imperatoris augusti, de nostra apostolica sede tibi transmissum eidem gratulare. Etenim ut te plantavit conditor tuus, ille primus Heinricus cęsar augustus, sic est hic secundus vestigia eius secutus et, ut pari nomine parique dignitate, sic pari devotione te rigavit, tibi incrementum dedit et adhuc, dum usque vixerit, deo miserante et inspirante dabit. In quo te, dulcissima sponsa, optamus in secula seculorum crescere, pollere, vigere, dicentes bene valete.

14

Post huius pię memorię Clementis felicem excessum, cum Damasus papa, qui et Poppo, Brixiensis prius episcopus, sedisset XXX tantum dies, Leo nonus, qui et Bruno, a supradicto Heinrico tercio imperatore electus et centesimus quinquagesimus secundus papa constitutus in signum benignitatis, quam erga Babenbergensem locum habuit, Hartwico tercio episcopo pallium direxit ab apostolica sede, scribens ei epistolam in hec verba:

Leo episcopus, servus servorum dei, Hartwico Babenbergensis ęcclesię venerabili episcopo perpetuam in domino Iesu Christo salutem. Si pastores ovium solem geluque pro gregis sui custodia die ac nocte ferre contenti sunt et, ut ne qua ex eis aut errando pereat aut ferinis laniata morsibus rapiatur, oculis semper vigilantibus circumspectant: quanto sudore quantaque debemus pervigiles esse diligentia nos, qui pastores animarum dicimur? Attendamus et susceptum officium exhibere erga custodiam dominicarum ovium non cessemus, ne in die divini examinis pro desidia nostra ante summum pastorem negligentię reatus nos excruciet, unde modo honoris reverentia sublimiores inter cęteros iudicamur.

by the dragons of Tartarus raging to avenge; and that at the last judgement of the dreadful day he may not rise to life, but, taking up again his most cruel body, may be crushed with a double crushing, seeking death in a most unhappy and wretched manner of living, and not finding it.

But whoever, with a pious regard, withholds his own hands from such rashness, and, if need require, defends those goods against all who rise up and try to take anything away, for the use of you and yours, most holy Bamberg — those, namely, as has been said, which have been bestowed on you or are henceforth to be bestowed on you for ever — let such a one be blessed by him who sits above the cherubim and is glorified, because he has striven to keep unimpaired and firm in its strength this privilege of our apostolic authority, which has been sent to you from our apostolic see by the counsel and will, and with the eager and ready mind, of our dearest son, the lord Henry, emperor augustus, already mentioned above: rejoice in it. For as your founder planted you, that first Henry, Caesar augustus, so this second Henry has followed in his footsteps, and as with the same name and the same dignity, so with the same devotion he has watered you, has given you increase, and, as long as he lives, will give it still, by God's mercy and inspiration. In him we wish you, sweetest bride, to grow, to flourish and to thrive for ever and ever, and we say: farewell.

14

After the happy departure of this Clement of holy memory, when Pope Damasus, also called Poppo, formerly Bishop of Brixen, had sat only thirty days, Leo the Ninth, also called Bruno, elected by the aforesaid Emperor Henry the Third and made the hundred and fifty-second pope, sent from the apostolic see the pallium to Hartwig, the third bishop, as a sign of the kindness he bore towards the place of Bamberg, writing him a letter in these words:

Leo, bishop, servant of the servants of God, to Hartwig, venerable bishop of the church of Bamberg: everlasting salvation in the Lord Jesus Christ. If shepherds of sheep are content to bear sun and frost by day and night for the keeping of their flock, and look about them with ever-watchful eyes lest any of them perish by straying or be torn by the teeth of wild beasts and carried off, with what sweat and with what diligence ought we to keep watch, who are called shepherds of souls? Let us take heed, and let us not cease to discharge the office we have received in keeping the Lord's sheep, lest on the day of God's judgement, for our sloth, the guilt of negligence torment us before the chief Shepherd, on account of that very thing for which we are now judged higher than others in the reverence of honour.

Ad missarum itaque sollempnia celebranda fraternitati tuę pallium transmittimus, quod antecessoribus tuis numquam ante concessum modo tibi primo concedimus rogatu dilectissimi filii nostri imperatoris Heinrici et pro veneratione antecessoris tui, pię memorię domni papę Clementis, et pro memoria Heinrici imperatoris primi, prefatę ęcclesię constructoris benignissimi. Quo tibi ter in anno uti permittimus salva auctoritate domnę Moguntię ęcclesię, scilicet in die sanctę resurrectionis et in nataliciis apostolorum Petri et Pauli et in sollempnitate sancti Dyonisii, eo quod tunc anniversarius dies celebratur domni papę Clementis supra memorati; hancque diem sanctam apostolica auctoritate statuimus celebrem esse per totum episcopatum. Cuius quoniam indumenti honor modesta actuum vivacitate servandus est, hortamur, ut ei morum tuorum ornamenta conveniant, quatenus auctore deo recte utrobique possis esse conspicuus. Itaque vita tua filiis tuis sit regula. In ipsa si qua tortitudo illis iniecta est dirigatur, in ea quod imitentur aspiciant, in ipsa considerando semper proficiant, ut tuum post deum videatur esse, quod bene vixerint. Cor ergo tuum neque prospera, quę temporaliter blandiuntur, extollant neque adversa deiciant, sed quicquid illud fuerit, virtute patientię devincatur. Nullum apud te locum odia, nullum favor indiscretus inveniat. Misericordem te, prout virtus patitur, pauperibus exhibeto. Oppressis defensio tua subveniat, opprimentibus moderata erectio contradicat. Nullius faciem contra iusticiam accipias, nullum querentem iusta despicias. Custodia in te ęquitatis excellat, ut nec divitem potentia sua aliquid apud te extra viam suadeat rationis audire nec pauperem de se sua faciat humilitas desperare, quatenus deo miserante talis possis existere, qualem sacra lectio pręcipit dicens: Oportet episcopum irreprehensibilem esse. Sed his omnibus salubriter uti poteris, si magistram caritatem habueris. Quam qui secutus fuerit, a recto aliquando tramite non recedit.

Ecce, fratrum karissime, inter multa alia ista sacerdotii, ista sunt pallii. Quę si studiose servaveris, quod foris accepisse ostenderis, intus habebis. Sancta trinitas fraternitatem vestram gratia suę protectionis circumdet atque ita in itineris sui via nos dirigat, ut post huius vitę amaritudinem ad ęternam simul pervenire dulcedinem mereamur. Data III. N(onis) Ian(uarii). Anno domni Leonis papę noni IIII, Indict. VIª.

15

For the celebration of the solemnities of Mass, therefore, we send your fraternity the pallium, which was never before granted to your predecessors and which we now grant to you for the first time, at the request of our most beloved son the Emperor Henry, out of veneration for your predecessor, the lord Pope Clement of holy memory, and in memory of the first Emperor Henry, the most generous builder of the said church. We permit you to use it three times a year, saving the authority of the lady church of Mainz: namely on the day of the holy Resurrection, on the feast of the apostles Peter and Paul, and on the solemnity of Saint Denis, because the anniversary of the aforesaid lord Pope Clement is then kept; and this holy day we ordain by apostolic authority to be kept as a feast throughout the whole bishopric. And since the honour of this vestment must be kept by a modest liveliness of conduct, we exhort you that the ornaments of your character may befit it, so that by God's grace you may be rightly conspicuous in both. Let your life, then, be a rule to your sons. By it let whatever crookedness has crept into them be set straight; in it let them see what to imitate; in contemplating it let them ever make progress, so that their living well may seem, after God, to be your work. Let not prosperity, which flatters for a time, lift up your heart, nor adversity cast it down; but whatever comes, let it be overcome by the virtue of patience. Let hatred find no place with you, nor indiscriminate favour. Show yourself merciful to the poor, as far as your means allow. Let your defence come to the help of the oppressed; let a measured firmness stand against the oppressors. Respect no man's person against justice; despise no one who asks for what is just. Let the keeping of equity excel in you, so that neither may the rich man by his power persuade you to listen to anything outside the way of reason, nor the poor man's lowliness make him despair of you; so that by God's mercy you may be such as the sacred reading commands, saying: A bishop must be blameless (1 Tim 3:2). But you will be able to use all these things to your salvation if you have charity as your mistress. Whoever follows her never departs from the right path.

Behold, dearest brother, among many other things, these are the marks of the priesthood, these of the pallium. If you keep them diligently, you will possess within what you are shown to have received without. May the Holy Trinity surround your fraternity with the grace of its protection, and so direct us in the way of its journey that after the bitterness of this life we may together deserve to come to eternal sweetness. Given on the third day before the Nones of January. In the fourth year of the lord Pope Leo the Ninth, in the sixth indiction.

15

Idem quoque pręsul apostolicus invitante Heinrico imperatore Teutonicas partes adiens Ratisponam venit sanctumque Wolfgangum, eiusdem urbis episcopum, de tumulo levavit. Inde Babenberc cum ipso imperatore transiens privilegia eiusdem loci a cancellario suo Friderico, qui sibi postea successit, perspici et coram imperatore populoque pronuntiari mandavit suaque auctoritate illa confirmavit. Cuius nimirum confirmationis descriptio in hunc modum se habet:

Leo episcopus, servus servorum dei, Hartwico Babenbergensi episcopo sibique canonice in sede episcopatus successuris in perpetuum eternam in domino salutem. Cum exigente cura pastorali totius sanctę dei ęcclesię nobis dei providentia commissę in partes Germanię venissemus, quę orientali Francię adiacent, prece dilectissimi filii nostri Heinrici, secundi imperatoris et tercii regis, ac supra fati dilectissimi confratris nostri episcopi Hartwici Babenberc venimus et in die natalis beati Lucę evangelistę inter missarum sollempnia, cum verbum dei haberemus ad populum, pręsente nominato karissimo filio nostro Heinrico et episcopis quam plurimis asstantibus etiam laici et diversis potestatibus seculi relecta sunt prędecessorum nostrorum privilegia, quibus idem locus fundatus et corroboratus est auctoritate Romana sanctę sedis apostolicę. Relecta est ibi et conscriptio et confirmatio Heinrici Wirziburgensis episcopi, qua pręditam Babenbergensem ęcclesiam banno episcopali et episcopii termino accepta placita commutatione firmavit; quę sic acta est:

Dum Heinricus, in imperio primus, in regno secundus, divini ignis amore succensus de pręddiis, quę dei gratia hereditario iure in suę possessionis dominium provenerant, dei servitium augere construendo episcopatum atque ordinando desideraret, quo id legitime rationabiliterque fieri potuisset, Heinricum venerabilem Wirziburgensis ęcclesię provisorem, quatenus pręditum locum Babenberc nuncupatum cum pago, qui Ratenzgowe dicitur, qui ad suę dioceseos statum pertinere videbatur, de sui iure in eius im ad id perficiendum transfunderet, studiose cepit flagitare. Qui, quoniam iustę et rationabiles causę videbantur, eiusdem invictissimi regis petitionibus acquiescens cum communi cleri sui atque militum necnon totius populi consilio et consensu prefatum locum cum pręddicto pago tribus parrochianis ęcclesiis cum suis adiacentiis exceptis, quarum nomina sunt kęc: Wachenrode, Lon‹e›rstat, Mulihusen, omni postmodum remota contradictione suę potestati tradidit; alterius autem pagi,

This same apostolic prelate, at the invitation of the Emperor Henry, came to the German lands and reached Regensburg, and raised Saint Wolfgang, bishop of that city, from his tomb. Passing thence to Bamberg with the emperor himself, he ordered the privileges of that place to be examined by his chancellor Frederick, who afterwards succeeded him, and to be read aloud before the emperor and the people, and he confirmed them by his own authority. The record of this confirmation runs as follows:

Leo, bishop, servant of the servants of God, to Hartwig, Bishop of Bamberg, and to those who shall canonically succeed him in the episcopal see for ever: eternal salvation in the Lord. When, as our pastoral care for the whole holy Church of God, committed to us by God's providence, required, we had come into the parts of Germany that border on Eastern Francia, at the request of our most beloved son Henry, the second emperor and third king, and of our most beloved brother the aforesaid Bishop Hartwig, we came to Bamberg; and on the feast of blessed Luke the Evangelist, during the solemnities of Mass, while we were preaching the word of God to the people, in the presence of our said dearest son Henry and of very many bishops, with laymen and various secular powers also standing by, the privileges of our predecessors were read out, by which that place was founded and strengthened by the Roman authority of the holy apostolic see. There was read out also the deed and confirmation of Henry, Bishop of Würzburg, by which, having accepted an agreed exchange, he secured to the said church of Bamberg the episcopal ban and the bounds of the bishopric; it was done as follows:

When Henry, first in the empire and second in the kingdom, kindled by the love of the divine fire, desired to increase the service of God by building and ordering a bishopric out of the estates that had come into his possession by the grace of God and by hereditary right, he began earnestly to entreat Henry, the venerable guardian of the church of Würzburg — so that this might be done lawfully and reasonably — to transfer from his own right into the king's right, for the accomplishing of this purpose, the said place called Bamberg, together with the district called Radenzgau, which was held to belong to the estate of his diocese. And he, since the reasons seemed just and reasonable, assented to the petitions of that most invincible king, and with the common counsel and consent of his clergy and knights and of all the people handed over to his power the aforesaid place with the said district — excepting three parish churches with their appurtenances, whose names are these: Wachenroth, Lonnerstadt, Mühlhausen — every objection being thenceforth set aside; and of the

qui Volcfelt nominatur, in quo prefatus locus situs est, partem eidem regi concessit, quantum est de Babenberc usque ad flumen Uraha, de Uraha in Ratenzam flumen, et sic iuxta decursum eiusdem fluminis in Moin et inde ad rivulum Wihirtbach, deinde ad caput eiusdem rivuli sicque qua citissime ac proxime perveniri potest ad Uraha. Et ut hęc traditio firma et inconvulsa permaneret, ipse prędictus pręsul Heinricus cum canonicis suis corroboravit et subscripsit.

Qua conscriptione relecta, cum iuxta votum omnium, ut semper iustis operibus favorem debemus, et nos prędictum venerabilem locum apostolica auctoritate vellemus corroborare, ipse prędnominatus eiusdem loci episcopus Hartwicus proclamationem suam fecit, quia locus suus a clericis Adelberonis Wirziburgensis episcopi temeraria pręsumptione invasus esset. Quod nos, quia utrique episcopi pręsentes aderant, inter quos causa stabat, ibidem volentes discutere, Adelberoni episcopo, a quo iniuria illata erat, deliberationem fecimus, ut obiectionem hanc, si posset, refelleret, si non, iustitię satisfaceret. Tunc ille inito cum suis omnibus qui aderant clericis et laicis consilio regrediens ad ambonem de illata iniuria se cum satisfactione excusavit et de omnibus, quę ad bannum et episcopalem iusticiam et potestatem Babenbergensis episcopi pertinerent, extunc et deinceps renuntiavit exceptis his causis, quas de bonis utriusque episcopii ipsi inter se episcopi possent legaliter definire.

Verum nos, sicut semper de provectu gaudemus fidelium et iustis operibus debemus augmentum, eundem locum Babenbergensem ab antecessoribus nostris corroboratum apostolica auctoritate ibidem viva voce corroboravimus et eandem corroborationem nunc etiam literis signamus, ut eundem locum et omnia, quę ibidem deo sanctoque Petro a felicis memorię Heinrici, secundo rege et primo imperatore, tradita sunt et quę in posterum iure acquiri possunt vel iuste acquisita sunt, prędia, mancipia, aurum, argentum, pallia, vasa, ornamenta vel alia utensilia, nemo audeat in perpetuum surripere, auferre aut commutare, nisi ad utilitatem eiusdem ęcclesię; sed episcopus eiusdem loci vel qui imperpetuum eiusdem fuerint successores secura eas tranquillitate possideant ac liberam habeant potestatem omnes res et proprietates eiusdem loci ordinare atque componere vel etiam augmentare; dissipare vero atque confundere nullam habeant inde potestatem aut dominationem. Insuper pro nostra auctoritate sanccimus, ut in terminis ac rebus eiusdem ęcclesię nulla sit infestatio tyrannorum vel aliorum quorumlibet hominum pravorum, sive sint in civitate ipsa Babenberc, sive in castellis, villis, servis, ancillis, tributariis, decimis, forestis, silvis, venationibus, piscationibus, molendinis, campis, pratis, pascuis, agris cultis vel incultis; aut quicquid modo illuc pertinet aut in futurum iuste acquiri poterit, per nostrę apostolicę auctoritatis privilegium corroboratum in secura permaneat quiete.

other district, called Volkfeld, in which the said place lies, he granted the king the part that runs from Bamberg to the river Aurach, from the Aurach to the river Regnitz, and so along the course of that river to the Main, and thence to the brook Wihirtbach, then to the head of that brook, and so by the quickest and nearest way that can be found back to the Aurach. And so that this conveyance might remain firm and unshaken, the said prelate Henry himself confirmed and subscribed it with his canons.

When this deed had been read out, and we too, in accordance with the wish of all — as we always owe our favour to just works — wished to strengthen the said venerable place by apostolic authority, the aforenamed bishop of that place, Hartwig, made his complaint that his see had been invaded by the clerics of Adalbero, Bishop of Würzburg, with rash presumption. Since both bishops between whom the case lay were present, we wished to examine it there and then, and we gave Bishop Adalbero, by whom the wrong had been done, time to deliberate, so that he might refute this charge if he could, and if not, give satisfaction to justice. Then he, having taken counsel with all his clerics and laymen who were there, returned to the ambo, excused himself for the wrong done, with satisfaction, and renounced from then on and for ever everything that belonged to the ban and to the episcopal jurisdiction and power of the Bishop of Bamberg, except those cases concerning the goods of either bishopric which the bishops themselves could lawfully settle between them.

And we, as we ever rejoice in the progress of the faithful and owe increase to just works, there and then by word of mouth strengthened by apostolic authority that same place of Bamberg, already strengthened by our predecessors, and we now seal this strengthening also in writing: that no one shall ever dare to filch, take away or exchange, except for the profit of that church, that place and all that has been given there to God and to Saint Peter by Henry of happy memory, second king and first emperor, and whatever may lawfully be acquired hereafter or has been justly acquired — estates, bondmen, gold, silver, hangings, vessels, ornaments or other furnishings; but the bishop of that place and those who shall be his successors for ever shall possess them in secure tranquillity and have free power to order, arrange or even increase all the goods and properties of that place, but shall have no power or lordship to squander or confound them. Moreover, by our authority we ordain that within the boundaries and among the goods of that church there be no molestation by tyrants or by any other wicked men whatsoever, whether in the town of Bamberg itself or in castles, villages, bondmen, bondwomen, tributaries, tithes, forests, woods, hunting grounds, fisheries, mills, fields, meadows, pastures, lands tilled or untilled; and whatever now belongs there or may justly be acquired in the future, strengthened by the privilege of our apostolic authority, shall remain in secure quiet.

Nullus ibi comes aut iudex placitum seu districtionem aliquam facere vel tenere audeat, nisi quam per concessionem gloriosissimi imperatoris secundi Heinrici vel successorum eius episcopus eiusdem loci deliberaverit. Nulla in aliqua dignitate posita magna parvaque persona per violentiam irruat. Sit ille episcopatus liber, Romano tantum mundiburdio subditus, quatenus episcopus liberius et delectabilius cum clericis suis servitio dei possit insistere et Heinrici primi imperatoris, eiusdem loci venerabilis fundatoris, nostrique, scilicet Leonis noni papę, ac nostrorum successorum, Heinrici quoque, karissimi filii nostri secundi imperatoris, atque omnium, quibus debitores sunt, memoriam iugiter habere. Sit tamen idem episcopus suo metropolitano episcopo Moguntino in canonicis causis tantummodo subiectus et obędiens.

Deliberatis igitur, sanccitis ac corroboratis omnibus supra dictis rebus, eidem sancto loco placuit addendum insigne honoris ecclesiastici a nostra apostolica auctoritate ducti amore et reverentia Clementis, pię memorię prędecessoris nostri – quem deus miro dispositionis ordine a prełatione huius loci ad sanctę Romanę catholicę et apostolicę ęcclesię apicem dignatus est accersire et mirabilius e Romanis finitimis defunctum corpus eius reducere, volens hanc ęcclesiam, ut ęstimamus, quasi novam tanto decoratam esse patrono Romanamque contentam et sufficientem pręteritis et futuris patribus manere ornatam –, quin etiam amore et desiderio fratrum, qui in suis recepere ęcclesiasticis stipendiis et cottidianis unum nostra vicissitudine regere fratrem, mitras gestandi concedimus licentiam, ea scilicet ratione, ut ab episcopo prędicti videantur digniores et honestiores presbyteri et diaconi, qui bonis moribus vel maturis ętatibus vel etiam prełationibus ipsius loci emineant his videlicet diebus: in nativitate domini et salvatoris nostri Iesu Christi et in cęna domini et in sabbato sancto et in die gloriosę resurrectionis eiusdem et sancto pentecosten et in die sancti Georgii et in die sanctorum Petri et Pauli et assumptionis beatissimę Marię et sancti Dionisii pro reverentia nostri prełibati prędecessoris domni Clementis papę, cuius anniversarius dies tunc ab eisdem fratribus agitur, et in anniversario die domni Heinrici imperatoris, eiusdem loci venerabilis constructoris. His vero concedimus hanc dignitatem, qui tantum specialiter excubant vel deserviunt apud prędicti prędecessoris nostri sepulchrum. Contentos tamen his sanccimus diebus fore nec ultra a quoquam temere usurpari, ne honor proprius apostolicę sedis vilescat.

Let no count or judge dare to hold any court or exercise any constraint there, save what the bishop of that place shall decide by the grant of the most glorious second emperor Henry or his successors. Let no person, great or small, set in any dignity, break in there by violence. Let that bishopric be free, subject only to the protection of Rome, so that the bishop with his clergy may devote himself the more freely and gladly to the service of God, and keep unceasingly the memory of Henry, the first emperor, the venerable founder of that place, and of us, Pope Leo the Ninth, and of our successors, and also of Henry, our dearest son, the second emperor, and of all to whom they are indebted. Let the same bishop, however, be subject and obedient to his metropolitan, the Bishop of Mainz, in canonical cases only.

All the aforesaid matters having thus been deliberated, ordained and strengthened, it has pleased us to add to that holy place a mark of ecclesiastical honour from our apostolic authority. We are moved by love and reverence for Clement, our predecessor of holy memory — whom God, by a wonderful order of his providence, deigned to call from the headship of this place to the summit of the holy Roman, catholic and apostolic Church, and, more wonderfully still, to bring his body back after his death in the lands near Rome; wishing, as we judge, that this church, as though new, should be graced with so great a patron and should remain adorned, content with a Roman and finding him sufficient, for its fathers past and to come — and also by love and longing for the brethren, who have received one brother into their church stipends and daily portions to govern in our turn. We grant them leave to wear mitres, on this condition: that the bishop shall choose the worthier and more honourable priests and deacons, who stand out for good character, mature age or office in that place, on these days namely: on the Nativity of our Lord and Saviour Jesus Christ, on the Lord's Supper, on Holy Saturday and on the day of his glorious Resurrection, on holy Pentecost, on the feast of Saint George, on the feast of Saints Peter and Paul, on the Assumption of most blessed Mary, and on the feast of Saint Denis, out of reverence for our aforementioned predecessor the lord Pope Clement, whose anniversary is then kept by those brethren, and on the anniversary of the lord Emperor Henry, the venerable builder of that place. This dignity we grant only to those who specially keep watch or serve at the tomb of our said predecessor. We ordain, however, that they be content with these days, and that it be not rashly usurped by anyone beyond them, lest the honour proper to the apostolic see be cheapened.

Hęc vero omnia supra dicta observari et custodiri in perpetuum nostra apostolica auctoritate decernimus, confirmamus et corroboramus. Qui vero, quod absit, huius nostri privilegii temerarius transgressor extiterit, dei et beatissimę Marię et beatorum Petri et Pauli omniumque sanctorum et nostra ęterna maledictione maledicatur et perpetui anathematis vinculis innodetur, nisi digna satisfactione resipuerit et canonice satisfecerit. Qui autem pio corde huius observator privilegii extiterit, dei omnipotentis et almę Maris et beatorum apostolorum Petri et Pauli benedictione ditatus ęterni regni particeps fieri mereatur.

Data per manus Friderici diaconi bibliothecarii et cancellarii sanctę Romanę catholicę et apostolicę ęcclesię, anno dominicę incarnationis Mº Lº IIº, anno pontificatus domni Leonis VIIII. papę IIII.

16

Nec minus ipse rex prędatus Heinricus tercius, Cůnradi imperatoris filius, dudum patre vivente rex constitutus ordinationis suę anno XIIº, regni autem primo, ad confirmandum Babenbergense episcopium privilegium, quod subiunctum est, scribi iussit superstite adhuc Eberharde, primo eiusdem sedis episcopo:

Heinricus, dei favente dementia rex. In examine dei cuncta conspicientis ęquale meritum credimus fore dantis et corroborantis. Credimus etiam, ad regalem nostram maiestatem pertinere totius regni curas pręcipueque omnium sanctarum dei ęcclesiarum commoda considerare et omnia eis adversantia sub omni festinatione abolere, ne vel gravi incommoditate vilescant vel qualibet pro nostra culpa orta occasione a pristino cultu et religione recedant, quatenus, dum hęc pro amore pariterque timore dei fideliter peragimus, illorum, qui hęc pio affectu deo contulerunt, meritis et gloria communicemus.

Proinde omnibus in Christo fidelibus, scilicet tam futuris quam pręsentibus, notum esse volumus, qualiter ob hanc spem per interventum dilectissimę matris nostrę Gisilę, imperatricis augustę, pro amore etiam dilecti fidelisque nostri Eberhardi, primi sanctę Babenbergensis ęcclesię episcopi, eundem locum, a divo imperatore Heinrico secundo pro sua suorumque anima in episcopatum divina inspirante dementia perfectę fidei spei caritatisque devotione in honore principis apostolorum Petri et sancti Georgii martyris sublimatum, consensu fidelium nostrorum sanccimus et omnium contradictione remota regalis nostrę maiestatis auctoritate corroboramus.

All the aforesaid we decree, confirm and strengthen by our apostolic authority, to be observed and kept for ever. But whoever — which God forbid — proves a rash transgressor of this our privilege, let him be cursed with the eternal curse of God, of most blessed Mary, of the blessed Peter and Paul and of all the saints, and with ours, and be bound with the chains of perpetual anathema, unless he repent with worthy satisfaction and make canonical amends. But whoever with a devout heart proves a keeper of this privilege, enriched with the blessing of almighty God, of gracious Mary and of the blessed apostles Peter and Paul, may he deserve to become a sharer in the eternal kingdom.

Given by the hand of Frederick, deacon, librarian and chancellor of the holy Roman, catholic and apostolic Church, in the year of the Lord's Incarnation 1052, in the fourth year of the pontificate of the lord Pope Leo the Ninth.

16

No less did this same King Henry the Third, son of the Emperor Conrad, who had long before been made king while his father was still living, in the twelfth year of his ordination and the first of his reign, order the privilege that follows to be written for the confirmation of the bishopric of Bamberg, while Eberhard, the first bishop of that see, was still alive:

Henry, by the favour of God's mercy king. We believe that in the judgement of God, who beholds all things, the merit of him who confirms will be equal to that of him who gives. We believe, too, that it belongs to our royal majesty to have care of the whole realm, and above all to consider the welfare of all the holy churches of God and to remove with all speed everything that opposes them, lest they decline through some grave hurt or, on any occasion arising through our fault, fall away from their former worship and religion; so that, while we faithfully perform these things for the love and the fear of God alike, we may share in the merits and glory of those who with pious affection gave these things to God.

Accordingly we wish it to be known to all the faithful in Christ, both to come and present, how in this hope, at the intercession of our most beloved mother Gisela, empress augusta, and also for the love of our beloved and faithful Eberhard, first bishop of the holy church of Bamberg, we, with the consent of our faithful, sanction that same place — raised to a bishopric by the divine Emperor Henry the Second for his soul and the souls of his kin, by the inspiration of God's mercy, with the devotion of perfect faith, hope and charity, in honour of Peter, prince of the apostles, and of Saint George the martyr — and, every objection being set aside, we strengthen it by the authority of our royal majesty.

Omnes etiam res mobiles et immobiles eiusdem sanctę dei ęcclesię, quas ipse divus imperator pro ardore cęlestis patrię ibidem larga manu contulit, ea ratione confirmamus, ut fidelis noster Eberhardus, eiusdem loci primus episcopus, eiusque in perpetuum successores secura eas tranquillitate possideant et liberam potestatem habeant res et proprietates eiusdem ęcclesię cum consensu cleri et populi ordinare, componere, commutare et augmentare. Nostra quoque auctoritate sanccimus, ut in abbatiis, monasteriis, comitatibus, foris, mercatibus, monetis, naulis, theloneis, castellis, villis, vicis, areis, servis, ancillis, tributariis, decimis, forestibus, silvis, venationibus, piscationibus, molendinis, aquis aquarumve decursibus, campis, pratis, pascuis, terris cultis et incultis, libris, argento et auro, gemmis, vasis, ornamentis vel aliquibus utensilibus in cultum et religionem dei ibidem collatis et in omnibus terminis rebusque eiusdem ęcclesię, aut quicquid ad prędens illuc pertinet vel ex his amplificari potest, nulla sit infestatio tyrannorum, nulla potestas ibi per violentiam irruat, nullus ibi comes aut iudex legem facere prędumat preter episcopum eiusdem loci, omnisque possessio deo famulantium ibi pro emunitate habeatur. Sit ille episcopatus liber et ab omni extranea et iniqua securus potestate, quatenus ibidem deo famulantes et primi constructoris memoriam digne celebrare nosque fautores et corroboratores possint et velint deo precibus suis commendare. Et ut hęc nostre auctoritatis traditio firma et inconvulsa permaneat, hoc privilegium inde conscriptum manu propria corroborantes sigilli nostri impressione iussimus insigniri.

Hęc nos de fundatione vel confirmatione sanctę Babenbergensis ęcclesię accepta occasione dixisse sufficiat, nunc ad ceptam narrationem de gestis beati viri animum stilumque vertamus.

17

Regisautem frater erat Brun, Augustensis sedis episcopus, qui felicibus fratris actibus invidens multas ei adversitatum iniurias, in quantum potuit, inferebat et, ubi per se non poterat, inferentibus se adiungebat vel alios ad inferendas exhortando stimulos eis [pravę] incitationis subigebat. Cui frater non solum talionem non reddidit, verum etiam fraterna instructus dilectione omnia dissimulando et patienter sustinendo illum bono vincere satagebat.

18

All the goods, too, movable and immovable, of that holy church of God, which the divine emperor himself bestowed there with a lavish hand out of his longing for the heavenly fatherland, we confirm on this condition: that our faithful Eberhard, first bishop of that place, and his successors for ever may possess them in secure tranquillity and have free power, with the consent of clergy and people, to order, arrange, exchange and increase the goods and properties of that church. By our authority we also ordain that in abbeys, monasteries, counties, markets, fairs, mints, ferry dues, tolls, castles, villages, hamlets, house plots, bondmen, bondwomen, tributaries, tithes, forests, woods, hunting grounds, fisheries, mills, waters and watercourses, fields, meadows, pastures, lands tilled and untilled, books, silver and gold, gems, vessels, ornaments or any furnishings given there for the worship and religion of God, and in all the boundaries and goods of that church, or whatever belongs there at present or may be added to it, there be no molestation by tyrants; let no power break in there by violence; let no count or judge presume to make law there save the bishop of that place; and let every possession of those who serve God there be held as immune. Let that bishopric be free and secure from every outside and unjust power, so that those who serve God there may be able and willing worthily to keep the memory of the first builder and to commend us, its upholders and confirmers, to God in their prayers. And so that this grant of our authority may remain firm and unshaken, we have confirmed with our own hand this privilege written concerning it and ordered it to be marked with the impression of our seal.

Let it suffice that we have said this much, as the occasion arose, about the founding and the confirmation of the holy church of Bamberg; now let us turn our mind and our pen back to the story we began, of the deeds of the blessed man.

17

Now the king had a brother, Bruno, Bishop of the see of Augsburg, who, envying his brother's good fortune, did him many injuries and wrongs as far as he could, and where he could not by himself, joined those who did so, or urged others on to do them and plied them with the goads of evil incitement. Yet his brother not only did not pay him back in kind, but, schooled in brotherly love, strove to overcome him with good, overlooking everything and bearing it patiently.

18

Quanta eius munificentia, quanta erga deum liberalitas extiterit, tam in illa Babenbergensi ęcclesia quam in aliis compluribus locis, manifestis operum declaratur indiciis. Solum quippe deum sibi elegit heredem, quatenus et ipse in consortium ęternę hereditatis eum assumere dignaretur. Liberos etenim secundum carnem nec habebat nec expectabat, quoniam quidem eam, quam pro coniuge habere videbatur, Chunigundam, numquam cognovisse, sed quasi sororem dilexisse certissime comprobatum est. Qualiter autem innotuerit, ad communem ędificationem prętereundum non est, ut et castimonię erudiamur exemplis et divinorum secretorum admiratione moveamur intelligentes, quemadmodum diligentibus deum omnia cooperentur in bonum.

Tantis namque ac talibus bonis temptatio deesse non potuit. Invidus enim omnium bonorum diabolus, ubi thorum immaculatum sauciare non valuit, zelotipię livore fędare cogitavit et eius saltem famam ledere, cui vulnus corruptionis infligere non potuit. Facta est igitur auctore diabolo suspecta criminis, quę non noverat maculam corruptionis. Sed quia crudelis est, qui famam negligit, expurgationis gratia ad vomeres candentes illud sibi iudicium elegit, quod propter duriciam hominum institutum esse cognoscitur. Cumque dilecta deo ad illud iudicium velut ovis ad occisionem duceretur, ingemuit et ait: „Domine deus, creator cęli et terrę, qui probas renes et corda, iudica iudicium meum et eripe me; te enim testem et iudicem hodie invoco, quia nec hunc pręsentem Heinricum nec alterum quemquam virum carnali commercio umquam cognovi." Hoc dicto stupentibus ac flentibus universis, qui aderant, vomeres candentes nudo vestigio calcavit et sine adustionis molestia secura pertransiit. Ita deus omnipotens vinculum castę dilectionis servavit, innocentiam comprobavit, integritati custodiam humilitatis adhibuit.

19

Inter hęc beatissimi principis gloria magis ac magis proficiebat, et gratia dei erat cum ipso. Non declinavit clypeus eius a bello, et hasta eius non est aversa. Apuliam a Gręcis diu possessam Romano imperio recuperavit et eidem provincię Ismahelem ducem prędecit. Qui postea in Babenbergensi loco mortuus et in capitolio maioris monasterii sepultus requiescit in domino. Beneventanum monasterium condidit et omni ornatus decore locupletavit.

20

How great his munificence was, how great his liberality towards God, both in that church of Bamberg and in very many other places, is declared by the plain evidence of his works. For he chose God alone as his heir, so that God in turn might deign to take him into the fellowship of the eternal inheritance. For he neither had nor looked for children according to the flesh, since it has been most surely proved that Cunigunde, whom he seemed to have as his wife, he never knew, but loved as a sister. How this became known must not be passed over, for the edification of all, so that we may both be taught by examples of chastity and be moved to wonder at the divine secrets, understanding how all things work together for good to them that love God (Rom 8:28).

For to goodness so great and so rare temptation could not be lacking. The devil, envious of all good things, when he could not wound the undefiled marriage bed, thought to soil it with the spite of jealousy, and at least to harm the good name of her on whom he could not inflict the wound of corruption. So, at the devil's prompting, she who had known no stain of corruption was suspected of a crime. But since he is cruel who neglects his good name, to clear herself she chose the ordeal of the red-hot ploughshares, which is known to have been instituted because of men's hardness of heart. And as she, beloved of God, was led to that ordeal like a sheep to the slaughter (Is 53:7), she groaned and said: "Lord God, Creator of heaven and earth, who triest the reins and the heart (Jer 11:20), judge my cause and deliver me (Ps 119:154); for I call thee today as witness and judge that I have never known in carnal intercourse either this Henry here present or any other man." Having said this, while all who were present stood astonished and weeping, she trod upon the red-hot ploughshares with bare feet and passed over them unharmed, without the hurt of any burn. Thus almighty God preserved the bond of chaste love, proved her innocence, and set humility as a guard over her purity.

19

Meanwhile the glory of the most blessed prince grew more and more, and the grace of God was with him. His shield did not turn back from battle, and his spear was not turned away. He recovered for the Roman Empire Apulia, long held by the Greeks, and set Ishmael over that province as duke. He afterwards died at Bamberg and, buried in the chapter house of the cathedral, rests in the Lord. He founded the monastery at Benevento and enriched it with every beauty of adornment.

20

Cumque civitates Apulię pertransisset et, quę ad utilitatem et honorem regni pertinebant, in eis prudentissime disposuisset, cępit infirmitate calculi laborare. Cuius morbi molestiam vir sanctus tanta patientia sustinuit, ut passiones carnis ad custodiam humilitatis a deo sibi collatas esse assereret et flagellum correptionis cenissimum signum paternę dilectionis esse affirmaret. Fomenta tamen curationum fecit sibi adhiberi, sed nulla medicorum subtilitate ad integrum potuit liberari. Ingravescente autem dolore ascendit montem Cassinum petiturus, ut per intercessionem beati Benedicti et sanctę Scolasticę sanitatis ei a deo prestaretur remedium. Veniens autem ad locum, ubi sanctorum reliquie fuerant reconditę, effudit animam suam in conspectu altissimi et per sanctorum suffragia, Benedicti videlicet et Scolasticę, precibus et lacrimis postulavit a deo salutem corporis et animę sibi prestari. Impletumque est, quod per prophetam dicitur: Exquisivi dominum et exaudivit me et ex omnibus tribulationibus meis eripuit me. Nam petiit et exauditus est; pulsavit perseveranter ad ostium miseratricis potentię et intromissus est. Interea rex cępit cogitare, quę de translatione sancti Benedicti audierat et quia reliquię eius dicebantur furtim sublatę et in alium locum translatę; ideo vir sanctus de corporali eius pręsentia dubitabat.

21

Completa itaque oratione homo dei ad hospicium se contulit et lassatus ac debilitatus in lectulo se collocavit. In quo obdormiens vidit sanctum Benedictum sibi assistere et ferrum sectorium ad medicinales sectiones aptatum manu tenere. Qui dixit ei: „Quia sperasti in deo et in sanctis suis, ecce missus sum a deo, ut per meam medicinam ab infirmitate tua libereris. Ecce ego, cuius ossa furtim sublata esse putabas, pręsentiam meam tibi exhibeo et in argumentum veritatis passiones tuas curabo." Hęc dicens partem illam corporis, ubi calculus herebat, medicinali ferro, quod tenebat, aperuit et evulso molliter calculo hyatum vulneris subita sanatione redintegravit calculumque, quem tulerat, in manu regis dormientis reposuit. Quo facto christianissimus imperator evigilavit et pertractans secum, quę circa ipsum per confessorem Christi gesta fuerant, videnque calculum, quem manu tenebat, vocavit satellites suos, qui regio more sibi semper assistebant, dixitque ad eos: „Pontifices regnique nostri principes vocate ad me, ut cognoscant et videant mirabilia dei, quę ineffabilis misericordia et inenarrabilis potentia eius fecerunt in me." At illi mandata regis celeri cursu perferentes ad principes perduxerunt eos ad regem.

When he had passed through the cities of Apulia and most prudently ordered in them what belonged to the profit and honour of the realm, he began to suffer from the stone. The saintly man bore the trouble of this disease with such patience that he declared the sufferings of the flesh had been given him by God to guard his humility, and affirmed that the scourge of correction was the surest sign of a father's love. He had remedies applied to him nevertheless, but by no skill of physicians could he be wholly freed. As the pain grew worse, he went up to Monte Cassino, to ask that through the intercession of blessed Benedict and Saint Scholastica the remedy of health might be granted him by God. Coming to the place where the relics of the saints had been laid, he poured out his soul in the sight of the Most High, and through the prayers of the saints, Benedict and Scholastica, he begged of God with prayers and tears that health of body and soul might be granted him. And there was fulfilled what is said by the prophet: I sought the Lord, and he heard me, and delivered me from all my troubles (Ps 34:5). For he asked and was heard; he knocked perseveringly at the door of compassionate power and was let in. Meanwhile the king began to think over what he had heard about the translation of Saint Benedict, how his relics were said to have been carried off by stealth and taken to another place; and so the saintly man doubted whether the saint was bodily present there.

21

His prayer finished, the man of God went to his lodging and, weary and weak, laid himself on his bed. Falling asleep there, he saw Saint Benedict standing beside him and holding in his hand a cutting knife fitted for surgical incisions. And he said to him: "Because you have hoped in God and in his saints, behold, I am sent by God, that by my healing you may be freed from your sickness. Behold, I, whose bones you thought had been carried off by stealth, show you my presence, and in proof of the truth I will cure your sufferings." So saying, with the surgeon's knife he held he opened that part of the body where the stone was lodged, and having gently drawn out the stone he closed the gaping wound with sudden healing, and laid the stone he had taken out in the hand of the sleeping king. When this was done the most Christian emperor awoke, and turning over in his mind what had been done to him by the confessor of Christ, and seeing the stone he held in his hand, he called his attendants, who in royal fashion were always in waiting on him, and said to them: "Call to me the bishops and the princes of our realm, that they may know and see the wonders of God which his ineffable mercy and unspeakable power have wrought in me." They carried the king's commands with all speed to the princes and brought them to the king.

Quos rex salutans resalutatusque ab eis sic allocutus est: „Fratres et commilitones mei, magnificate dominum mecum, et exaltemus nomen eius in id ipsum, quia ipse est magnus dominus et laudabilis nimis et magnitudinis eius non est finis. Ipse percutit et medetur, flagellat peccatores et pęnitentibus miseretur. Hunc humiliat et hunc exaltat; quia calix in manu domini vini meri plenus mixto. En ego, qui heri morti proximus fui, per misericordiam dei hodie vobis appareo sanus et aculeum mortis, quem heri gestavi inclusum corpori meo, hodie oculis vestris visibiliter ostendo." Hęc dicens ostendit calculum, quem manu tenebat, et ostendens cicatricem vulneris omnia, quę per sanctum Benedictum circa ipsum gesta erant, cunctis audientibus ex ordine referebat. At illi videntes et audientes mirabilia dei plus quam credi potest admirati sunt; et benedicentes deo diuque in laudem eius acclamantes de incolomitate regis gavisi sunt. Rursumque rex ad eos: „Quas", inquit, „gratiarum actiones aut quę munera tantis beneficiis condigna medico nostro Benedicto possumus rependere?" At illi omnes iudicaverunt eum regia munificentia dignum esse. Rex ergo ex consilio principum suorum ingentia munera in prędiis, in auro, in argento, in ornamentis plurimis ęcclesię sancti Benedicti contulit et valefaciens fratribus, qui eidem ęcclesię pręsidebant, a Cassino monte hylaris et sanus recessit. Ab eo autem tempore et deinceps quadam speciali veneratione et dilectione sancto Benedicto et omnibus monasticęreligionis cultoribus studuit deservire et in amplificandis et protegendis rebus ęcclesiasticis benignus et devotus pater existere.

Hęc in Cassino monte scripta inveniuntur, ut et moderni magnalia dei in memoria habeant et apud posteros per antiquitatem temporis in oblivionem non veniant.

22

Inde iter faciens Romam pervenit, ubi a Benedicto papa benigne et honorifice susceptus, quantas miserationes et beneficia per sanctum Benedictum ei dominus contulerit, indicavit. Benedictus vero papa gratias egit deo pro omnibus beneficiis suis et pro salute regis et totius populi catholici obtulit sacrificium laudis. Eodem tempore, sicut prędictum est, rex sanctus Babenbergensem fundum cum omnibus pertinentiis suis beato Petro contradidit et apostolico presuli extunc et modo defendendum commendavit et in commemorationem huius pactionis singulis annis album ambulatorem cum faleris Romano pręsuli dari constituit. Hoc quoque humilitate et devotione apud domnum papam obtinuit, ut ad Alamanniam accederet et Babenbergensis fundi novellam plantationem visitaret. Quod et ita factum est.

The king greeted them, and when they had returned his greeting, addressed them thus: "My brothers and fellow soldiers, magnify the Lord with me, and let us extol his name together (Ps 34:4), for he is a great Lord and greatly to be praised, and of his greatness there is no end (Ps 145:3). He strikes and he heals; he scourges sinners and has mercy on the penitent. He humbleth one and exalteth another; for in the hand of the Lord there is a cup of strong wine full of mixture (Ps 75:8–9). See, I who yesterday was near to death appear before you today in health by the mercy of God, and the sting of death that yesterday I carried shut up in my body, today I show visibly to your eyes." So saying, he showed the stone he held in his hand, and, showing the scar of the wound, he related in order, in the hearing of all, everything that Saint Benedict had done for him. And they, seeing and hearing the wonders of God, marvelled beyond belief; and blessing God and long acclaiming his praise, they rejoiced at the king's recovery. And again the king said to them: "What thanksgiving, what gifts worthy of such benefits can we render to our physician Benedict?" And they all judged him worthy of royal munificence. So the king, on the advice of his princes, bestowed on the church of Saint Benedict vast gifts of estates, gold, silver and a great many ornaments, and, bidding farewell to the brethren who had charge of that church, departed from Monte Cassino joyful and well. From that time onward he strove to serve Saint Benedict and all who practise the monastic life with a special veneration and love, and to be a kind and devoted father in enlarging and protecting the goods of the Church.

These things are found written at Monte Cassino, so that the men of today may keep in memory the mighty works of God, and that among those who come after they may not fall into oblivion through the length of time.

22

Journeying on from there, he came to Rome, where, received kindly and with honour by Pope Benedict, he told him how great were the mercies and benefits the Lord had bestowed on him through Saint Benedict. And Pope Benedict gave thanks to God for all his benefits and offered the sacrifice of praise for the welfare of the king and of all the Catholic people. At that same time, as has been said above, the holy king handed over the estate of Bamberg with all its appurtenances to blessed Peter, commended it to the apostolic prelate to be defended from then on and now, and in remembrance of this compact ordained that a white ambling horse with its trappings be given every year to the Roman pontiff. This too he obtained from the lord pope with humility and devotion: that he would come to Germany and visit the new planting on the estate of Bamberg. And so it was done.

Nam in proximo Aprili Alamanniam intravit omnibusque civitatibus illius regionis peragratis tempore, quo condixerant, Babenbergensem locum adire disposuit. Venit ergo V. feria maioris ebdomadę, hora sexta, sacris pontificalibus vestimentis indutus, sicut iam ad peragenda mysteria dei ac sollempne illius diei officium processurus erat; et suscipitur gloriosissime ab imperatore atque universis, qui aderant, principibus omnique clero et populo inęstimabili exultationis tripudio. Ut autem in adventu tam insoliti tamque exoptati hospitis deo nostro iocunda decoraque laudatio exhiberetur, prudentissimus regum quatuor in occursum eius choros psallentium decenter ordinavit: primum in ulteriore fluminis ripa, alium in citeriori, tercium ante portam civitatis, quartum in atrio ęcclesię; ubi primus omnium ipse rex data manu papam domum domini introducens divinis hinc inde ymnis canora suavitate resonantibus in episcopali kathedra locavit.

Debitum huius sacratissimę diei officium cum duodenis episcopis cooperatoribus apostolicus pontifex, similiter et aliorum dierum sequentium, summa devotione celebravit. In sancta autem dominica paschę, cum in matutinali officio Aquileiensis patriarcha lectionem primam, archiepiscopus autem Ravennas secundam, ipseque apostolicus recitaret terciam, omni denique ornatu et elegantia processionis sollempnia agerentur, veluti condecuit apostolicam dignitatem imperialemque magnificentiam in sancta sollempnitate sollempnitatum: quis non iudicet tam religiosam nostrisque in regionibus inusitatam celebritatem merito in noticia omnium Babenbergensis ęcclesię filiorum perpetuo haberi et memoriale eius in sęculum non derelinqui?

23

Sub eisdem diebus basilicam in honore sancti Stephani VIII. Kal. Maii idem venerabilis papa consecrans preciosis muneribus, quę adhuc ibi servantur, adornavit; ubi inter missarum sollempnia adoperatione septuaginta duorum episcoporum et unanimi consensu principum episcopatum ab omni sęculari potestate liberum esse constituit et cuncta, quę pontificali dignitati et utilitati congruebant, presentię suę auctoritate et privilegii sui attestatione bannique firmitate roboravit.

Cuius privilegii confirmatio talis est:

Benedictus episcopus, servus servorum dei, dilectissimo sibi in Christo semper domino et serenissimo regi Heinrico a deo coronato suoque spirituali filio, Eberhardo quoque confratri et coepiscopo suo, sanctę videlicet Babenbergensis ęcclesię venerabili episcopo, ęternam in domino salutem et apostolicam benedictionem.

For in the following April he entered Germany, and having travelled through all the cities of that region, he arranged to come to Bamberg at the time they had agreed. He came, then, on the Thursday of Holy Week, at the sixth hour, clothed in his sacred pontifical vestments, as one about to go forth to celebrate the mysteries of God and the solemn office of that day; and he was received most gloriously by the emperor and by all the princes who were present, and by all the clergy and people, with a dance of rejoicing beyond all reckoning. And so that at the coming of so unwonted and so longed-for a guest a joyful and seemly praise might be offered to our God, the wisest of kings fittingly arranged four choirs of singers to meet him: the first on the farther bank of the river, another on the nearer, the third before the gate of the city, the fourth in the forecourt of the church; and there the king himself, first of all, gave his hand to the pope and led him into the house of the Lord, while divine hymns resounded on every side with tuneful sweetness, and set him on the episcopal throne.

The apostolic pontiff, with twelve bishops assisting him, celebrated with the utmost devotion the office due to that most holy day, and likewise those of the days that followed. And on the holy Sunday of Easter, when at the morning office the Patriarch of Aquileia read the first lesson, the Archbishop of Ravenna the second, and the apostolic lord himself the third, and when, in short, the solemnities of the procession were carried out with every ornament and elegance, as befitted the apostolic dignity and imperial magnificence on the holy solemnity of solemnities: who would not judge that so religious a celebration, unknown in our regions, should rightly be kept for ever in the knowledge of all the sons of the church of Bamberg, and its memory never forsaken?

23

In those same days the basilica in honour of Saint Stephen, on the eighth day before the Kalends of May, was consecrated by the same venerable pope, who adorned it with precious gifts that are still kept there; and there, during the solemnities of Mass, with the assistance of seventy-two bishops and the unanimous consent of the princes, he ordained that the bishopric be free from every secular power, and all that befitted the episcopal dignity and profit he strengthened by the authority of his presence, the witness of his privilege and the firmness of his ban.

The confirmation contained in this privilege is as follows:

Benedict, bishop, servant of the servants of God, to his ever most beloved lord in Christ, the most serene King Henry, crowned by God, his spiritual son, and also to Eberhard his brother and fellow bishop, venerable bishop of the holy church of Bamberg: eternal salvation in the Lord and the apostolic blessing.

Inter omnia, quę divinę providentię consilio disponuntur, ad laudem respicit creatoris, quod etiam a summis viris deoque devotis intuitu pietatis et spe ęternę retributionis venerabilia loca eorum sumptibus sublimantur rectissimeque ordinantur, possessionum suarum beneficiis cumulantur et in meliorem statum Christo auxiliante commutantur. Unde, dilectissime fili, in omnibus, quę te ad laudem et gloriam redemptoris nostri devote et misericorditer fecisse manifestum est, nichil perfectius nichilque melius ad promerendum regnum cęlorum agere potuisti, quam quod illum tibi fecisti heredem, a quo ęternam accepturus es hereditatem, quodque sancta Babenbergensi ęcclesia ad episcopalis dignitatis fastigium per te sublimata, illic tibi beatissimam dei genitricem semperque virginem Mariam beatissimosque apostolos Christi Petrum et Paulum una cum sanctis martyribus Kyliano et Georgio elegisti in patrocinium; qui Christo propicio compensata vicissitudine adipiscendi regni cęlestis perpetuum prędstabunt auxilium. Pro tanto igitur deo eiusque sanctis collato servitio in primis ipsi gratias debitasque laudes referimus, qui tibi tam sanctum opus faciendum inspiravit et, ut ad votum tuum perficeres, largiflua pietate adiuvare disposuit. Deinde quoniam sancta Romana ęcclesia, quę bene fundata est supra firmam petram, hoc semper habuit verę caritatis indicium, ut de exteriorum gauderet provectu ęcclesiarum: competit nostro apostolico moderamini, ut nos, qui eidem deo auctore deservimus, sancto studio tuo plenissime congaudeamus sperantes tui operis habere portionem, si, quod tuum est per laborem, nostrum facimus per caritatem.

Quapropter, quoniam petisti a nobis una cum confratre nostro Eberharde, eiusdem sanctę Babenbergensis ęcclesię deo digno episcopo, ut omnia, quę privilegiorum auctoritate sibi suęque ęcclesię a predecessoribus nostris, videlicet domno Iohanne et Sergio, summis pontificibus, collata sunt, nostrę quoque auctoritatis privilegio confirmaremus, considerantes nos quidem vestrę devotionis affectum pięque voluntatis propositum libentissime petitionibus vestris assensum prębere decernimus.

Quocirca statuentes atque promulgantes coram deo et terribili futuro eius examine per huius nostri apostolici privilegii seriem et constitutionem sanccimus et beatę dei genitricis semperque virginis Marię necnon et beatorum apostolorum Petri et Pauli sanctorumque martyrum Kyliani et Georgii ceterorumque omnium sanctorum auctoritate, in quorum nomine prędnominata ęcclesia dedicata est, decernimus atque obtestamur tam apostolicę sedis futuros pontifices quam qui ęcclesiasticas administraverint actiones cunctosque christianitatis titulo insignitos, ut nullus habeat licentiam de his omnibus, quę eidem ęcclesię a prędecessoribus nostris per privilegia concessa sunt vel a nobis data vel danda sunt aut ab aliquibus fidelibus viris ac mulieribus prędfatę ęcclesię tradita sunt vel in antea futuris temporibus contradentur, tam in familiis quam in terris seu in aliquibus possessionibus convellendi, destruendi, molestandi vel alienandi.

Among all the things ordered by the counsel of divine providence, it redounds to the praise of the Creator that venerable places are raised up at their own cost by the greatest men, devoted to God, out of regard for piety and in hope of eternal reward, are most rightly ordered, heaped with the benefits of their possessions, and changed with Christ's help into a better state. Wherefore, most beloved son, of all the things you are known to have done devoutly and mercifully for the praise and glory of our Redeemer, you could have done nothing more perfect and nothing better for meriting the kingdom of heaven than this: that you have made him your heir from whom you are to receive an eternal inheritance, and that, having raised by your means the holy church of Bamberg to the height of episcopal dignity, you have there chosen as your patrons the most blessed Mother of God, Mary ever Virgin, and the most blessed apostles of Christ, Peter and Paul, together with the holy martyrs Kilian and George; who, by Christ's favour, will repay you in turn and grant you perpetual help to win the heavenly kingdom. For so great a service rendered to God and his saints, then, we give thanks and due praise first of all to him who inspired you to do so holy a work and resolved to help you with overflowing goodness to accomplish it according to your desire. Next, since the holy Roman Church, which is well founded upon the firm rock, has always had this mark of true charity, that she rejoices in the progress of other churches, it befits our apostolic governance that we, who serve that Church by God's appointment, should rejoice to the full in your holy zeal, hoping to have a share in your work if we make ours by charity what is yours by labour.

Wherefore, since you have asked us, together with our brother Eberhard, the God-worthy bishop of that holy church of Bamberg, to confirm by a privilege of our authority also all that was granted to him and to his church by the authority of privileges from our predecessors, the lord John and the lord Sergius, supreme pontiffs, we, considering the affection of your devotion and the purpose of your pious will, decree most willingly to give our assent to your petitions.

Wherefore, ordaining and proclaiming before God and his dreadful judgement to come, by the tenor and enactment of this our apostolic privilege, we ordain, and by the authority of blessed Mary, Mother of God and ever Virgin, of the blessed apostles Peter and Paul, of the holy martyrs Kilian and George and of all the other saints in whose name the aforenamed church is dedicated, we decree and solemnly charge both the future pontiffs of the apostolic see and those who shall administer the affairs of the Church, and all who bear the name of Christian, that no one shall have licence to tear away, destroy, molest or alienate anything of all that has been granted to that church by our predecessors through privileges, or has been given or is to be given by us, or has been handed over to the said church by any faithful men and women or shall be handed over in times to come, whether in households of dependants or in lands or in any possessions.

Si quis vero, quod non credimus, temerario ausu contra ea, quę hac nostra stabili et inconvulsa firmitate pie et fideliter per hoc nostrum privilegium disposita sunt, contraire temptaverit et hęc, quę a nobis ad laudem dei pro stabilitate pręscriptę ęcclesię statuta sunt, refragari aut in quoquam transgredi, sciat se auctoritate beati Petri principis apostolorum omnium nostraque, cuius immeriti vicem agimus, anathematis vinculis innodatum et cum diabolo eiusque atrocissimis pompis atque cum Iuda traditore domini nostri Iesu Christi ęterni incendii supplicio concremandum, nisi resipuerit et eidem ęcclesię digna emendatione satisfecerit. At vero qui devota intentione observator extiterit huius nostri privilegii ad cultum dei respicientis, benedictionis gratiam a misericordissimo deo et domino multipliciter consequatur et vitę ęternę particeps effici mereatur. Sancta trinitas caritatem vestram illibatam custodiat. Scriptum per manum Herhardi, scriniarii sanctę Romanę ęcclesię, in mense Iunio, indictione XI. Datum per manum Benedicti, Portuensis episcopi et bibliothecarii sanctę Romanę ęcclesię, anno deo propicio pontificatus domini nostri Benedicti summi pontificis et universalis octavi papę primo.

24

Eberhardo quoque primo Babenbergensis ęcclesię episcopo idem papa Benedictus scripsit epistolam de confirmatione eiusdem episcopii in hunc modum:

Benedictus episcopus, servus seruorum dei, dilectissimo in domino Iesu Christo filio, Eberhardo sanctę Babenbergensis ęcclesię venerabili episcopo, perpetuam salutem. Quandocumque nostrę apostolicę corroborationis pie exposcitur suffragium, celeri affectu est attribuendum. Et si in his exposcitur, quę durare perpetuo videntur, literis est etiam adnotandum, ne prolixitas temporum posteris hoc reddat dubium vel incertum. Quapropter notum esse volumus cunctis sanctę ęcclesię filiis, tam pręsentibus quam futuris, quid de episcopatu, quem christianissimus Heinricus imperator ad honorem principis apostolorum Petri Babenberc devotissime perfecit, actum in eadem ęcclesia nobis pręsentibus sit. Sepius enim obnixe dictus imperator fervens nimio amore episcopatus, quem tactus divino impulsu perfecerat honorifice, ad confirmandum eum apostolica auctoritate Babenberc adire nos deprecatus est. Cuius deprecationes assiduas et indesinentem instantiam de iusto desiderio procedere cognoscentes iniquum iudicavimus pręsentiam nostram illi denegare et inde humanam calliditatem contra venerabilem locum aliquando occasionem sumere.

But if anyone — which we do not believe — should with rash daring attempt to go against what has been piously and faithfully ordered by this our privilege with this our stable and unshaken firmness, and to resist or in any way transgress what we have ordained for the praise of God and for the stability of the said church, let him know that by the authority of blessed Peter, prince of all the apostles, and by ours, who unworthily act in his stead, he is bound with the chains of anathema and is to be burned in the torment of eternal fire with the devil and his most hideous pomps and with Judas, the betrayer of our Lord Jesus Christ, unless he repent and give satisfaction to that church with worthy amends. But whoever with devout intention proves a keeper of this our privilege, which looks to the worship of God, may he obtain manifold the grace of blessing from our most merciful God and Lord, and deserve to be made a sharer in eternal life. May the Holy Trinity keep your charity unimpaired. Written by the hand of Herhard, archivist of the holy Roman Church, in the month of June, in the eleventh indiction. Given by the hand of Benedict, Bishop of Porto and librarian of the holy Roman Church, in the first year, by God's favour, of the pontificate of our lord Benedict the Eighth, supreme pontiff and universal pope.

24

To Eberhard too, the first bishop of the church of Bamberg, the same Pope Benedict wrote a letter on the confirmation of that bishopric, in this manner:

Benedict, bishop, servant of the servants of God, to his most beloved son in the Lord Jesus Christ, Eberhard, venerable bishop of the holy church of Bamberg: everlasting salvation. Whenever the support of our apostolic confirmation is piously requested, it should be granted with ready goodwill. And if it is requested in matters that are meant to last for ever, it must also be set down in writing, lest the length of time make it doubtful or uncertain to those who come after. Wherefore we wish it to be known to all the sons of holy Church, both present and to come, what was done in our presence in that church concerning the bishopric which the most Christian Emperor Henry most devoutly completed at Bamberg in honour of Peter, prince of the apostles. For the said emperor, burning with exceeding love for the bishopric which, touched by divine impulse, he had honourably completed, often and earnestly begged us to come to Bamberg to confirm it by apostolic authority. Knowing that his constant entreaties and unceasing insistence proceeded from a just desire, we judged it wrong to deny him our presence, and to let human cunning one day take occasion from it against that venerable place.

Venimus igitur Babenberc, ubi ab eodem imperatore suscepti fuimus, prout poterat et noverat melius. Ęcclesiam autem cum omni integritate episcopatus sancte Romane ęcclesię, cui deo auctore pręsidemus, et nobis obtulit; quod videntes equum consideramus seriem huius nostri privilegii et episcopatum confirmare in perpetuum eumque tibi, dilectissime, et tuis successoribus concedere, ea videlicet ratione, hoc ordine, ut nullus umquam viventium, cuiuscumque sit dignitatis vel ordinis, contra hanc nostram confirmationem episcopatus venire audeat vel contra te tuosque successores ob hoc agere, neque liceat ei de omnibus, quę nunc habet vel habiturus est prędibatus episcopatus, vi, fraude aut iniqua calliditate aliquid abradere vel te tuosque successores de his omnibus inquietare aliquo modo; ita sane, ut singulis quibusque indictionibus sub nomine pensionis equum unum album nobis nostrisque successoribus persolvat cum sella conveniente Romano pontifici. Si forte, quod non optamus, aliquis superbus et arrogans temerario ausu contra banc nostrę pręceptionis seriem pie a nobis promulgatam venire aut agere temptaverit, sciat se domini nostri Iesu Christi et apostolorum principis Petri, cui oblatus est a iam dicto christianissimo imperatore episcopatus cum suis pertinentiis et cuius suffragium et iudicium per nos nostrosque successores expectat, anathematis vinculo innodatum et cum diabolo et cum eius atrocissimis pompis atque cum Iuda traditore domini et salvatoris nostri ęterno igni concremandum. Qui vero pio intuitu curator et observator huius nostrę salutifere pręceptionis extiterit, benedictionis gratiam et cęlestis retributionis gaudia a iustissimo iudice domino consequatur.

Scriptum per manus Raphonis notarii regionarii et scriniarii sancte Romane ęcclesię.

25

Ut autem ad superiora redeamus, unde paulisper digressi sumus, postquam vir sanctus Rome positus omnia, quę petebat, a domno papa impetravit, confirmatus apostolica benedictione Alpes Appenninas transcendit et dimisso exercitu in terram suam Cluniacum, eo quod multa de religione et statu loci illius audiret, orationis causa cum paucis familiaribus suis perrexit. Ubi cum plurima signa religionis et sanctitatis vidisset, sancti spiritus igne succensus coronam auream preciosissimis gemmis adornatam ad missam, quę de cathedra sancti Petri celebrabatur, optulit et fraternitatem monachorum suscipiens cum maxima humilitate et contritione cordis orationibus eorum se commendavit et in supplementum necessariarum rerum in Alsacia optima predia eidem congregationi contradidit.

We came, therefore, to Bamberg, where we were received by the same emperor as well as he was able and knew how. And he offered the church, with the whole integrity of the bishopric, to the holy Roman Church, over which we preside by God's appointment, and to us; seeing which, we consider it just, by the tenor of this our privilege, to confirm the bishopric for ever and to grant it to you, most beloved, and to your successors, on this condition and in this order: that no one living, of whatever dignity or order, shall ever dare to go against this our confirmation of the bishopric or to act against you and your successors on that account, nor shall it be lawful for anyone to scrape away anything, by force, fraud or wicked cunning, of all that the said bishopric now has or shall have, or to disturb you and your successors in any way concerning any of it; provided, however, that in each indiction it shall pay to us and our successors, by way of rent, one white horse with a saddle befitting the Roman pontiff. If perchance — which we do not wish — some proud and arrogant man should attempt with rash daring to come or act against the tenor of this our command, piously promulgated by us, let him know that he is bound with the chain of anathema of our Lord Jesus Christ and of Peter, prince of the apostles — to whom the bishopric with its appurtenances was offered by the said most Christian emperor, and whose help and judgement it awaits through us and our successors — and is to be burned in eternal fire with the devil and his most hideous pomps and with Judas, the betrayer of our Lord and Saviour. But whoever with a pious regard proves a guardian and keeper of this our saving command, may he obtain from the Lord, the most just judge, the grace of blessing and the joys of heavenly reward.

Written by the hand of Rapho, regional notary and archivist of the holy Roman Church.

25

But to return to the point from which we digressed for a little: when the holy man, while at Rome, had obtained from the lord pope all that he asked, strengthened by the apostolic blessing he crossed the Alps, and, having dismissed his army in his own land, went with a few of his household to Cluny to pray, because he had heard much of the religious life and the state of that place. There, when he had seen many signs of religion and holiness, kindled with the fire of the Holy Spirit he offered a golden crown adorned with most precious gems at the Mass that was being celebrated for the Chair of Saint Peter; and, received into the fellowship of the monks, he commended himself to their prayers with the greatest humility and contrition of heart, and handed over to that community excellent estates in Alsace to supply their needs.

26

Inde iter faciens per Leodium et Treverim transitum fecit et congregationes inibi deo famulantes plurimis largitionibus et prędiis ditavit. Et mirum, quod homo dei, qui circa ęcclesiasticas utilitates tanto studio et salutem animę suę flagrabat, in nullo provectum regni negligebat, quin immo sine effusione sanguinis, pietate et sapientia terminos regni sui dilatavit et imperialem dignitatem gloria et honore ampliavit et ornavit. Boemiam vicit ac subiugavit, Burgundiam in deditionem recepit, Pannoniam quoque fidei catholicę et Romano imperio adunavit. Victor autem aliarum nationum, apostolus fit Ungariorum.

27

Cum enim omnes adhuc infideles essent, Heinricus imperator ad fidei catholicę confessionem illos adtraxit. Quod ut facilius fieret, sororem suam Giselam Stephano regi matrimonio copulavit secundum apostolum dicentem: Sanctificatur vir infidelis per mulierem fidelem, et sanctificatur mulier infidelis per virum fidelem. Stephano itaque rege baptizato universa Pannonia verbum vite suscepit et mira rerum novitate per reges apostolos sanctę catholice ęcclesię incorporata est. O quam preclara tanti apostolatus societas; quam colenda et veneranda utriusque est sanctitas, per quos tot salvati et sanctificati sunt! Prefatus namque rex Ungariorum religiosus deoque devotus postea in executione bonorum operum permansit, quod divina pietas post mortem eius evidentibus indiciis ad sepulturam eius factis signorum miraculis demonstravit.

28

Burgundiorum quoque non humana, sed divina fuit victoria; qui cum armis et omnibus belli copiis essent instructi, viri ad bella doctissimi, armis positis, non hominis metu, sed dei nutu, rogantes ea, quę pacis sunt, dextras dederunt et ad insignia regalia lanceam clavo dominicę passionis insignitam addiderunt. Quemadmodum enim ad declaranda beati Martini confessoris merita dominus pacificum belli dedit exitum, ita et nunc servi sui meritis consimilem virtutem est ostendere dignatus. Similem igitur illum fecit glorię sanctorum; et sicut Moyses precibus magis quam armis triumphavit, ita gloriosissimus princeps per arma iusticię omnia Bella feliciter consummavit ac minime funestam et incruentam victoriam semper habuit.

26

Journeying on from there, he passed through Liège and Trier and enriched the communities serving God there with a great many gifts and estates. And it is a wonder that the man of God, who burned with such zeal for the good of the Church and the salvation of his soul, neglected the advancement of the realm in nothing; nay rather, without shedding blood, by piety and wisdom he widened the bounds of his kingdom and enlarged and adorned the imperial dignity with glory and honour. He conquered and subdued Bohemia, received the surrender of Burgundy, and united Pannonia too to the Catholic faith and the Roman Empire. Conqueror of other nations, he became the apostle of the Hungarians.

27

For when they were all still unbelievers, the Emperor Henry drew them to the confession of the Catholic faith. And that this might come about more easily, he joined his sister Gisela in marriage to King Stephen, according to the Apostle, who says: The unbelieving husband is sanctified by the believing wife, and the unbelieving wife is sanctified by the believing husband (1 Cor 7:14). So when King Stephen had been baptised, all Pannonia received the word of life, and by a wonderful new thing was incorporated into the holy Catholic Church through kings who were apostles. O how glorious the fellowship of so great an apostolate; how worthy of honour and veneration the holiness of both, through whom so many have been saved and sanctified! For the said King of the Hungarians, religious and devoted to God, afterwards persevered in the doing of good works, as the divine goodness showed after his death by clear signs, by the miracles worked at his tomb.

28

The victory over the Burgundians, too, was not human but divine; for though they were equipped with arms and all the resources of war, men most skilled in battle, they laid down their arms — not from fear of man but at the bidding of God — and, asking for the terms of peace, gave their right hands, and added to the royal insignia the lance marked with a nail of the Lord's Passion. For as the Lord, to declare the merits of blessed Martin the confessor, gave a war a peaceful end, so now too he deigned to show a like power through the merits of his servant. Thus he made him like the saints in glory (Sir 45:2); and as Moses triumphed by prayer rather than by arms, so the most glorious prince brought all his wars to a happy end by the arms of justice, and always won a victory without mourning and without bloodshed.

29

Denique gloriosissime consummatis huius vitę laboribus, postquam bonę opinionis odorem longe lateque redolere fecerat locumque sibi dilectum cum cęteris monasteriis ditando et ornando et excolendo ad perfectum adduxerat ad percipiendam inmarcescibilem coronam ab ergastulo carnis a domino evocatus est. Qui cum cerneret imminere mortis diem, citatis ad se parentibus et cognatis beatissimę imperatricis Chunigundę, nonnullis etiam regni primoribus, manu eam apprehensam commendavit illis huiusmodi verbis memoria dignis: „Hanc ecce", inquit, „michi a vobis, immo per Christum consignatam ipsi Christo domino nostro et vobis resigno virginem vestram".

30

In eius vero transitu terra plorante cęlum exultavit, sicut dominus per suam misericordiam revelare dignatus est. Sub ipsa etenim hora exitus illius cuidam servo dei in solitudine commoranti diabolus sub humana specie traditur apparuisse. Quem vir dei per spirituum discretionem protinus agnovit et ait: „Quo vadis?" Cui ille: „Ad exequias", inquit, „principis pergo". At ille respondit: „Vade, comple negotium tuum, in quantum tibi a domino permittitur; verumtamen consummato officio tuo adiuratus per deum vivum ad me revertere, ut per te rei exitum cognoscam" Post modicum reversus coram servo dei gemebundus astitit et voce querula et ingenti ululatu dixit: „Heu, heu! delusi sumus, in vanum laboravimus, quin etiam ab angelis dei confusi discessimus. Assistentibus enim hinc et inde nobis et spiritibus angelicis merita animę iustę in statera appensa sunt; et fasciculis peccatorum deprimentibus iam pene pars nostra pręponderaverat. Tunc subito adustus quidam superveniens catino aureo partis dextrę lancem oneravit mirumque in modum parti nostrę adeo pręponderavit, ut et ipsi catino ad terram collapso ruina signum collisionis impresserit. Itaque victores angeli animam nobis ereptam gaudentes in suum consortium abduxerunt."

29

At length, when he had most gloriously finished the labours of this life, when he had made the fragrance of his good name spread far and wide, and had brought the place he loved, with the other monasteries, to perfection by enriching, adorning and tending them, he was called forth by the Lord from the prison of the flesh to receive the unfading crown. When he saw the day of his death drawing near, he summoned the parents and kinsfolk of the most blessed Empress Cunigunde, and some of the chief men of the realm as well, and, taking her by the hand, commended her to them in these words, worthy to be remembered: "Behold," he said, "her whom you entrusted to me — nay, whom Christ entrusted — I give back to Christ our Lord himself and to you: your virgin."

30

At his passing, while the earth wept, heaven rejoiced, as the Lord in his mercy deigned to reveal. For at the very hour of his departure, it is said, the devil appeared in human form to a servant of God who lived in solitude. The man of God, by the discernment of spirits, at once knew him and said: "Where are you going?" And he answered: "I am going to the funeral of a prince." Then he replied: "Go, do your business, as far as the Lord permits you; but when your task is done, I adjure you by the living God, come back to me, so that I may learn from you how the matter ended." After a little while he returned and stood groaning before the servant of God, and with a plaintive voice and a great howl he said: "Alas, alas! We have been cheated, we have laboured in vain; nay more, we have gone away confounded by the angels of God. For with us standing on one side and the angelic spirits on the other, the merits of that just soul were weighed in the balance; and as the bundles of his sins pressed down, our side had already almost outweighed the other. Then suddenly a man scorched with fire came up and loaded the scale of the right side with a golden cup, and in so wondrous a way did it outweigh our side that, the cup itself falling to the ground, the crash left upon it the mark of the blow. And so the angels, victorious, rejoicing, carried off into their fellowship the soul snatched from us."

Hęc vero tametsi corporaliter gesta referantur, necesse tamen est, ut virtute spirituali completa intelligantur. Res etenim spirituales per corporales exprimuntur imagines, cumque aliud foris agitur aut dicitur, aliud intus geri significatur. Prememoratus et sepe rememorandus dei famulus calicem aureum in honore dei et commemoratione sancti Laurentii martyris ęcclesię Merseburgensi contulerat, cuius speciali patrocinio coram deo adiutus et in ipsa exitus sui hora creditur liberatus. Omni vero veneratione et admiratione dignum esse perpenditur, quod eadem hora calix in certa custodia clausus habebatur, nec minus tamen predictę collisionis materiale signum excepit.

31

De eodem quoque calice quid religiosorum virorum relatione in veritate audierimus, futurorum memoriis intimare opere precium duximus. Cum enim prędictus Christi confessor Heinricus pro disponendis regni negociis Marsipolim venisset, accidit, ut quadam die ad altare sancti Laurentii missam attentissime audiret; qua completa, sicut semper facere consueverat, ablutionem calicis sumere volebat, sed interveniente magno negocio regni, quod vir sanctus proposuit, tunc temporis fieri non potuit. Vocato itaque custode ęcclesię rogavit eum, ut calicem cum ablutione in mundo loco reponeret et cum omni diligentia servaret, quoadusque ipse exoccupatus aptum tempus et locum ad sumendam illam inveniret. Excrescentibus autem causis et placitis tota die illa vir beatus non potuit se expedire. Postera vero die post matutinas cum paucis secretariis suis clanculo monasterium introivit et diutius flexis genibus et profusis lacrimis deum exoravit accersitoque custode calicem cum ablutione sibi afferri pręcepit. Cumque allatus et discoopertus fuisset, invenerunt ablutionem illam in formam veri sanguinis transmutatam. Quod factum mirabile mox universis, qui aderant, innotuit, et nunc et semper in laudem dei et gloriam confessoris sui omnis ecclesia successoribus suis enarrabit.

Discite ergo divites huius seculi facere vobis amicos de mammona iniquitatis, ut, cum defeceritis, ipsi vos in ęterna tabernacula recipiant. Huius vero gloriosissimi principis ac beatissimi patris preconia linguam carnis reticere non convenit, in cuius transitu angelis triumphantibus cęlum exultavit.

32

Although these things are related as if done bodily, they must nevertheless be understood as accomplished by spiritual power. For spiritual things are expressed through bodily images, and while one thing is done or said outwardly, another is meant to be taking place within. The servant of God, already mentioned and often to be mentioned again, had given a golden chalice to the church of Merseburg in honour of God and in commemoration of Saint Lawrence the martyr; and it is believed that, helped before God by his special patronage, he was delivered at the very hour of his departure. And it is judged worthy of all veneration and wonder that at that same hour the chalice was kept shut away in safe custody, and yet it received the material mark of the blow described.

31

Concerning this same chalice we have thought it worth while to hand on to the memory of those to come what we have heard in truth from the account of religious men. When Henry, the aforesaid confessor of Christ, had come to Merseburg to settle the affairs of the realm, it happened one day that he heard Mass most attentively at the altar of Saint Lawrence; and when it was finished he wished, as he was always accustomed to do, to take the ablution of the chalice, but because some great business of the realm intervened, which the holy man had set in hand, it could not be done at that time. So he called the sacristan of the church and asked him to put the chalice with the ablution away in a clean place and keep it with all care until he himself, free of business, should find a suitable time and place to take it. But as cases and pleadings multiplied, the blessed man could not free himself all that day. The next day, after Matins, he went secretly into the minster with a few of his household, prayed to God a long while on bended knees and with flowing tears, and, sending for the sacristan, ordered the chalice with the ablution to be brought to him. And when it had been brought and uncovered, they found that the ablution had been changed into the form of true blood. This wonderful thing soon became known to all who were present, and now and always the whole Church will tell it to those who come after, to the praise of God and the glory of his confessor.

Learn, then, you rich of this world, to make yourselves friends of the mammon of iniquity, that when you fail they may receive you into everlasting dwellings (Lk 16:9). It is not fitting that the tongue of flesh should keep silent the praises of this most glorious prince and most blessed father, at whose passing heaven rejoiced as the angels triumphed.

32

Defuncto itaque beatissimo dei famulo, anno regni sui XX°IIII°., vitę quinquagesimo IIº, imperii vero XIº, corpus eius in ęcclesia beatorum apostolorum Petri et Pauli Babenberc honorifice sepultum est ac postmodum multis miraculorum virtutibus a domino glorificatum est.

33

Anno dominicę incarnationis millesimo XXº Vº, ab urbe condita millesimo septingentesimo septuagesimo VIº, Chůnradus, ex regni primoribus unus, sed regno antea per rebellationem adversus, principibus pro eius electione dissidentibus, Aribone autem Maguntino archiepiscopo et Eberhardo Babenbergens prędsule sibi faventibus, LXXXVº loco ab Augusto regnum suscepit et annis XV regnavit. Sublimatus autem in regni sede consilio Brunonis, episcopi Augustensis, fratris Heinrici imperatoris, qui semper, ut supra dictum est, felicibus eius invidebat actibus, Babenbergensemepiscopatum meditabatur destruere; quia idem Brun episcopus promisit reginę Giselę omnia predia hereditario iure ad se pertinentia filio eius Heinrico contradere. Locus igitur et tempus conventui statuitur, ubi hęc res ad certum perducatur. Nocte vero, quę diem prędcesserat, in qua hęc ventilanda erant, Eberhardus episcopus ad tentorium predicti Brunonis clam accessit lectoque eius assidens multa super hac re monendo, obsecrando, memoriam fratris animo inculcando cum eodem sollicitus egit. Qui ubi iam multa noctis hora transacta recesserat et episcopum pro auditis sollicitatum somnus obpresserat, visus est ei frater suus, imperator Heinricus, lecto suo astare faciemque suam barba ex una parte depilata turpatam obiectare. Cui super hac re stupido et admiranti ac, quis tam temerarios ausus in eum prędsumeret, interroganti: „Tu", ait, „hęc fecisti, qui me et sanctos dei, quos rebus a deo michi concessis dotavi, despoliare disposuisti. Cave iam ulterius super hac temeritate, ne incepta luas magna infelicitate." Ad hęc ille expergefactus ac de visione non parum perterritus menbrorum quoque horrore ac tremore non leniter est attactus. Mane autem facto, cum diu expectatus ad conventum procerum non veniret, regina pro filio sollicita nunciis missis obnixe rogavit, ut adveniens promissa perficeret.

So the most blessed servant of God died in the twenty-fourth year of his reign, the fifty-second of his life and the eleventh of his empire, and his body was buried with honour at Bamberg in the church of the blessed apostles Peter and Paul, and was afterwards glorified by the Lord with many mighty miracles.

33

In the year of the Lord's Incarnation one thousand and twenty-five, and one thousand seven hundred and seventy-six from the founding of the City, Conrad, one of the chief men of the realm, though formerly opposed to the kingdom through rebellion, received the kingship as the eighty-fifth from Augustus — the princes being divided over his election, but Aribo, Archbishop of Mainz, and Eberhard, Bishop of Bamberg, favouring him — and reigned fifteen years. Once raised to the throne of the kingdom, on the counsel of Bruno, Bishop of Augsburg, brother of the Emperor Henry, who, as was said above, always envied his good fortune, he planned to destroy the bishopric of Bamberg; for this Bishop Bruno had promised Queen Gisela to hand over to her son Henry all the estates that belonged to him by hereditary right. A place and time were therefore fixed for an assembly at which the matter was to be settled. But in the night before the day on which these things were to be debated, Bishop Eberhard went secretly to the tent of the said Bruno, and, sitting by his bed, dealt earnestly with him about the matter, warning, beseeching, and pressing upon his mind the memory of his brother. When, late in the night, Eberhard had gone, and sleep had overcome the bishop, troubled by what he had heard, his brother, the Emperor Henry, appeared to him standing by his bed and showing him his face disfigured, the beard plucked out on one side. And as he stood astonished and amazed at this, and asked who had presumed such outrageous daring against him, he said: "You did this, who resolved to despoil me and the saints of God, whom I endowed with the goods God granted me. Beware from now on of this rashness, lest you pay for what you have begun with great misfortune." At this he awoke, terrified not a little by the vision, and was seized besides by a shuddering and trembling in his limbs that was no light thing. When morning came and, long awaited, he did not come to the assembly of the nobles, the queen, anxious for her son, sent messengers and urgently begged him to come and fulfil his promises.

Ille vero affirmabat se tanta infirmitate gravari, ut nec de lecto surgere nec pedem posset quoquam movere. Cumque rogaretur, ut se in lecto ad conventum deportari pateretur, quo vel sic promissio perficeretur, omnino abdicavit seque in deum et in sanctos eius et in fratrem suum peccasse libera tandem voce proclamavit. Sic itaque divina pietas per merita famuli sui, ne spe, quam in se posuit, fraudaretur, omnia illius pravę conspirationis machinamenta repressit idque, quod ab eo bene ceptum est, confirmando semper exinde ad meliora provexit. l

3 4

Sed iam nunc ad miracula, quę post felicem illius transitum dominus ad declaranda meritorum illius insignia circa gloriosi corporis eius sepulturam operatus est, veniamus pauca ex his ad posterorum noticiam transferentes, quę aut veraci et indubitata maiorum relatione ad nos delata sunt aut ipsi modernis temporibus gesta probavimus et vidimus:

Mulier quedam contracta in ipsa civitate manebat adeo incurvata, ut ad gradiendum erigi nullatenus posset, sed reptaret potius manibus quam pedibus ambularet. Huic orationibus frequenter incumbenti divinitus aspiratum est, ut ad memoriam beatissimi viri accederet atque omnipotentis dei misericordiam obnixius imploraret. Accidit autem, ut dies anniversarius prędati patris et domini nostri congrua observatione celebrari deberet. Populo ergo more solito ad ęcclesiam confluente et clero vigilias vespertinas celebrante mulier quoque illa incurvata et contracta advenit et plena fide ac devotione usque ad locum sepulchri accessit dicens cum propheta: „Vota mea domino reddam in conspectu omnis populi eius." Ibidem ergo pernoctans in oratione universum, quod habebat, id est cor contritum et humiliatum, domino optulit et in fide Christi lacrimis rigavit pedes eius et capillis capitis sui tergebat et unguento ungebat. Et quoniam multum valet deprecatio iusti assidua, cum indefessa usque ad diem talibus sacrificiis insisteret, circa horam diei terciam inter ipsa missarum sollempnia, dum in secunda missa alleluia canitur, laus dei in hominibus ipso operis effectu adimpletur. Subito enim cernentibus cunctis, qui aderant, mulier quasi in extasi facta est, ac deinde sensim nervi, qui diriguerant, dissolvi et universa corporis menbra concrepantia cęperunt extendi; ac sic ordine suo tota incurvati corporis deformitas in suam naturalem pulchritudinem reformata est, ut mulier erecta et usum ambulandi et reliqua menbrorum officia cum omni integritate reciperet. Id autem certissima fide cognitum est referentibus fratribus boni testimonii, qui presentes huic miraculo se interfuisse et vidisse testati sunt.

But he declared that he was weighed down by such sickness that he could neither rise from his bed nor move his foot anywhere. And when he was asked to let himself be carried to the assembly in his bed, so that even thus the promise might be kept, he refused outright, and at last proclaimed with a free voice that he had sinned against God, against his saints and against his brother. Thus the divine goodness, through the merits of its servant, so that he might not be cheated of the hope he had placed in it, crushed all the schemes of that wicked conspiracy, and, confirming what he had well begun, ever after advanced it to better things.

3 4

But now let us come to the miracles that the Lord worked at the tomb of his glorious body after his happy passing, to declare the excellence of his merits, handing on to the knowledge of those to come a few of those which have either been brought to us by the truthful and undoubted account of our elders, or which we ourselves have proved and seen done in our own times:

In that same city there lived a crippled woman, so bent over that she could by no means stand upright to walk, but rather crawled on her hands than walked on her feet. As she was often given to prayer, it was inspired in her by God to go to the shrine of the most blessed man and implore the mercy of almighty God more earnestly. It happened that the anniversary of our said father and lord was to be celebrated with fitting observance. So while the people were flocking to the church as usual and the clergy were celebrating the evening vigils, that bent and crippled woman came too, and with full faith and devotion made her way to the place of the tomb, saying with the prophet: "I will pay my vows to the Lord in the presence of all his people" (Ps 116:14). Passing the night there in prayer, she offered to the Lord all that she had, that is, a contrite and humbled heart (Ps 51:19), and in the faith of Christ she watered his feet with tears, and wiped them with the hairs of her head, and anointed them with ointment (Lk 7:38). And since the unceasing prayer of a just man availeth much (Jas 5:16), as she persevered tirelessly in such sacrifices until day, about the third hour, during the solemnities of Mass, while the Alleluia was being sung at the second Mass, the praise of God among men was fulfilled in the very working of the deed. For suddenly, in the sight of all who were present, the woman became as one in ecstasy, and then little by little the sinews that had stiffened began to loosen, and all the limbs of her body, cracking, began to stretch out; and so, in due order, the whole deformity of her bent body was restored to its natural beauty, so that the woman stood upright and recovered in all their soundness the use of walking and the other offices of her limbs. This is known with the surest faith from the account of brethren of good repute, who testified that they were present at this miracle and saw it.

35

Neque⁹ hoc negligendum aut silentio prętereundum videtur, quod antiquitas tradidit et veridica relatione multorum memorię; commendavit. Quidam edituus in ordine laico ad custodiam ęcclesię deputatus furtis cępit assuescere et in ipsa ęcclesia, quęquę poterat, clanculo decrustabat. Sed quemadmodum bonis dei male utendo mali ipsa bona dei, quantum in se est, quodammodo convertunt, immo pervertunt in malum, ita e contrario summus artifex malis malorum uti novit semper in bonum et ipsa mala malorum quandoque etiam in bonum convertit ipsorum. Ut enim ad propositum redeamus, ille prędictus ęcclesiasticę custodię deputatus, cum iam inolita viciorum consuetudine ipsam consuetudinem peccandi iam sibi quasi legem fecisset, misericorditer a domino visitatus atque correptus est iuxta illud: Si iusticias meas profanaverint et mandata mea non custodierint, visitabo in virga iniquitates eorum et in verberibus peccata eorum. Nocte igitur quadam, dum in ipsa ęcclesia somnum caperet, servus dei aspectu terribili illi apparuit, qui et aspere invectus in eum dixit: „Species decepit te, et concupiscentia subvertit cor tuum. Quare hoc et hoc fecisti? Scito, quia rem iniquam operatus es." Hoc dicto illum de stratu suo protraxit et multis verberibus cesum cruentatum dereliquit. Hęc quidem somnians pertulit, sed expergefactus signa plagarum evidentia demonstravit et verba verberum argumentis comprobavit. Taliter ab immani prępicipicio retractus idem ipse postmodum in suo ministerio usque ad provectiorem etatem in ęcclesia permansit, et in eius correctione multi correcti sunt glorificantes deum, qui per servum suum iam coronatum in cęlis talia adhuc operatur in terris.

36

Quadam vice incerto casu cuidam accidit, ut dissociatis ab invicem naturalibus instrumentis mandibula loco suo dimota et oris impediret officium et naturalem humani decoris compositionem deformaret. Doloris etiam accedebat molestia, quam perpendere in alio commode valebimus, si ad nostri corporis infirmitatem animo recurramns. Talibus circumventus incommodis clamavit ad dominum et divinę pietatis obnixius imploravit auxilium.

35

Nor, it seems, should we neglect or pass over in silence what antiquity has handed down and commended to the memory of many by a truthful account. A certain sacristan of lay rank, appointed to keep the church, began to grow used to thieving, and in the church itself secretly stripped away whatever he could. But just as the wicked, by misusing the good things of God, in a manner turn — nay, pervert — those very good things to evil, as far as in them lies, so on the contrary the supreme Craftsman knows how always to use the evils of the wicked for good, and sometimes turns those very evils of the wicked to their own good. To return to our subject: when the said man, appointed to keep the church, had by the ingrained habit of his vices made the very habit of sinning almost a law to himself, he was mercifully visited and chastised by the Lord, according to that saying: If they profane my justices and keep not my commandments, I will visit their iniquities with a rod and their sins with stripes (Ps 89:32–33). One night, then, as he was sleeping in the church itself, the servant of God appeared to him with a terrible countenance and, inveighing harshly against him, said: "Beauty hath deceived thee, and lust hath perverted thy heart (Dan 13:56). Why did you do this and this? Know that you have done a wicked thing." Having said this, he dragged him from his bed, beat him with many blows and left him bloodied. He suffered this in a dream, it is true, but when he awoke he showed plain marks of the blows and proved the words by the evidence of the stripes. Drawn back in this way from a frightful precipice, the same man afterwards remained in his office in the church until an advanced age, and by his correction many were corrected, glorifying God, who through his servant, already crowned in heaven, still works such things on earth.

36

Once, by some uncertain mishap, it befell a man that the natural joints came apart, and his jaw, put out of its place, both hindered the use of his mouth and spoiled the natural composure of the human face. To this was added the trouble of pain, which we may readily weigh in another if we turn our mind to the frailty of our own body. Beset by such afflictions, he cried to the Lord and implored the help of the divine goodness more earnestly.

Ut ergo opera dei manifestarentur in illo, multis assistentibus et videntibus ad tumbam beati viri accessit et capite superimposito tamdiu precibus institit, quoadusque per merita servi dei sanitatem, quam desiderabat, accepit. Quid enim? Necessarium enim est, ut, qui domino universę creaturę obędiunt, illis creatura omnis certis legibus rationis per omnipotentis dei virtutem obędiat.

37

Item alio tempore contigisse in veritate audivimus, ut quidam a paralysi usque adeo vexaretur, ut exinde usum brachii iam perdidisset. Nutu divino admonitus est, ut ad sepulturam sancti corporis accederet et prostratus in oratione dei omnipotentis misericordiam per beatissimi viri ibidem requiescentis merita invocaret. Toto itaque corpore prostratus orationibus incubuit corde magis quam ore decantans cum propheta: „Adhesit pavimento anima mea, vivifica me secundum verbum tuum!" Quid ergo? Christus filius dei, qui super terram gradiens manum aridam habentem sanavit, idem nunc sedens ad dexteram patris eodem innovato miraculo per merita dilecti sui supplicem istum liberavit. Sanus equidem ille ab oratione surrexit et deum propiciatorem in commemoratione sancti sui glorificavit. Clamor ad cęlum attollitur, et cum debita gratiarum actione ymnus glorię omnipotenti deo ab universis assistentibus decantatur.

38

Hoc quoque successoribus nostris indicare curavimus, quod in diebus rogationum ad sepulchrum prędicti confessoris contigisse veraciter cognovimus. Quidam enim sacerdos cum populo suę procurationi commisso in diebus rogationum crucem cum ymnis et canticis ad monasterium sancti Petri et sancti Georgii deferebat; cum quo quidam cęcus alterius manu ductus veniebat. Is cum ad sepulchrum confessoris Christi venisset, ex toto corde suo rogavit sanctum Heinricum, ut per eius interventum restitueretur ei lumen oculorum. Cumque diu precibus et lacrimis pulsaret ad ostium pii confessoris, cunctis videntibus et in laudem dei acclamantibus redditus est ei visus per gratiam omnipotentis. Et mirum in modum, qui ad alterius manum ductus crucem domini secutus fuerat cęcus, modo propriis manibus crucem ferens cum laudibus dei populo domum redeunti ductum prebuit illuminatus.

39

So, that the works of God might be made manifest in him (Jn 9:3), with many standing by and looking on he went to the tomb of the blessed man, and, laying his head upon it, persisted in prayer until through the merits of the servant of God he received the health he longed for. And why not? For it must needs be that all creation, by fixed laws of reason and through the power of almighty God, obeys those who obey the Lord of all creation.

37

Again, we have heard in truth that at another time a man was so afflicted with palsy that he had already lost the use of his arm by it. He was admonished by the will of God to go to the tomb of the holy body and, prostrate in prayer, to call upon the mercy of almighty God through the merits of the most blessed man who rests there. So, lying prostrate with his whole body, he gave himself to prayer, singing with the prophet, with the heart rather than the lips: "My soul hath cleaved to the pavement; quicken thou me according to thy word!" (Ps 119:25). What then? Christ, the Son of God, who when he walked on earth healed the man with the withered hand, the same, now seated at the right hand of the Father, renewed the same miracle and freed this suppliant through the merits of his beloved. He rose from prayer whole indeed, and glorified God, his gracious helper, in the commemoration of his saint. A shout is raised to heaven, and with due thanksgiving a hymn of glory to almighty God is sung by all who stand by.

38

This too we have taken care to make known to those who come after us, which we know truly to have happened at the tomb of the said confessor in the Rogation days. A certain priest, with the people committed to his care, was carrying the cross with hymns and canticles in the Rogation days to the minster of Saint Peter and Saint George; and with him came a blind man led by another's hand. When he came to the tomb of the confessor of Christ, he begged Saint Henry with all his heart that through his intercession the light of his eyes might be restored to him. And when he had long knocked with prayers and tears at the door of the holy confessor, while all looked on and cried out in praise of God, his sight was restored to him by the grace of the Almighty. And, wonderful to tell, he who had followed the Lord's cross blind and led by another's hand, now, enlightened, carried the cross in his own hands and with praises of God led the people as they went home.

39

Aliud quoque divinę virtutis miraculum celebri commemoratione et certa fide cognitum est. Erat quidam languidus in ipsa civitate omnibus cognitus, cuius inferiora omnia a lumbis et infra omnino pręmortua fuerunt, adeo ut nec pedibus solo niti valeret, sed instrumento cuidam rotulis quatuor coaptato pendulus inherebat suique corporis molem manibus propriis pro possibilitate artificis volutabat. Idem loculum sanctissimi corporis frequentius visitare solebat et per dei misericordiam ad declaranda servi sui merita tantam gratiam consecutus est, ut menbra pręmortua vivificarentur, ac deinde baculis utrique humero subpositis pedibus terram tangeret et erectus incederet.

40

Modernis etiam temporibus contractus quidam, qui adhuc in carne superest, in eodem loco sanatus est et naturalem ambulandi usum recepit.

41

Preter hęc multa alia sanctitatis argumenta et experimenta frequenter in eodem loco visa sunt: debiles curati, cęci illuminati, dęmones ex obsessis corporibus visibiliter fugati, multi ex diversis infirmitatibus ibidem frequentissime liberati sunt domino testificante, quanta sanctorum gloria in cęlis sit, quos tantis miraculorum virtutibus in terris coruscare concedit, ne apud homines loco humili teneantur, qui apud deum meritis excelsi esse comprobantur.

Cum enim miraculorum attestationibus sanctitatem confessoris sui dominus declararet, Babenbergensis ęcclesię prelati crebrescentibus signis cum mandatis et literis [Chůnradi] regis ac principum Romam abierunt et, quam magna mirabilia deus per confessorem suum operaretur, domno papę [Eugenio] et Romane curię nunciaverunt. At illi gaudentes et pro tantę famę dulcedine deum glorificantes de canonizatione sancti regis Heinrici cęperunt sollicite ac diligenter ad invicem conferre, quatenus in decalogo conscriberetur sanctorum, qui virtutibus et signis probaretur assumptus esse in regnum cęlorum. Cui canonizationi quidam cardinalis [Iohannes nomine] cępit vehementer obsistere et proiecto timore dei, in quibuscumque potuit, non verecundatus est prędicto confessori Christi detrahere. Sed divina ultio detrahentem cęlesti verbere repente coercuit et, dum famam beati viri laceraret, potestas dei lumine oculorum eum privavit. At ille adeo percussus et humiliatus cęcitatis molestia et reatus sui conscientia cępit torqueri et, quoniam hanc plagam in confessorem Christi peccando meruisset, publica voce confiteri.

Another miracle of divine power, too, is known by wide report and with sure faith. There was in that city a sick man known to all, whose lower parts, from the loins downwards, were wholly dead, so that he could not even stand on his feet, but hung clinging to a contraption fitted with four little wheels, and rolled the bulk of his body along with his own hands as well as the device allowed. He was wont to visit the shrine of the most holy body very often, and by the mercy of God, to declare the merits of his servant, he obtained so great a grace that his dead limbs were brought to life, and then, with crutches set under each shoulder, he touched the ground with his feet and walked upright.

40

In our own times, too, a cripple who is still alive in the flesh was healed in that same place and recovered the natural use of walking.

41

Besides these, many other proofs and evidences of holiness have often been seen in that same place: the infirm cured, the blind given light, demons visibly put to flight from possessed bodies, many very often delivered there from divers sicknesses; the Lord thus bearing witness how great is the glory in heaven of the saints whom he allows to shine on earth with such mighty miracles, lest those be held in low esteem among men who are proved to be exalted in merit with God.

For when the Lord was declaring the holiness of his confessor by the witness of miracles, the prelates of the church of Bamberg, as the signs multiplied, went to Rome with mandates and letters of King Conrad and of the princes, and announced to the lord Pope Eugene and to the Roman curia what great wonders God was working through his confessor. And they, rejoicing and glorifying God for the sweetness of so great a fame, began to confer together carefully and diligently on the canonisation of the holy King Henry, so that one who was proved by virtues and signs to have been taken up into the kingdom of heaven might be inscribed in the roll of the saints. A certain cardinal named John began to oppose this canonisation vehemently, and, casting away the fear of God, was not ashamed to disparage the said confessor of Christ in every way he could. But divine vengeance suddenly checked the slanderer with a heavenly stroke, and while he was tearing at the good name of the blessed man, the power of God deprived him of the light of his eyes. Stricken and humbled in this way, he began to be tormented by the affliction of blindness and the consciousness of his guilt, and to confess with a public voice that he had deserved this blow by sinning against the confessor of Christ.

Et mirum in modum, quem prius dentibus detractionis lacerabat, hunc modo laudibus et preconiis usque ad sydera extollebat. Conversus itaque ad penitentiam celerem consecutus est indulgentiam et per intercessionem confessoris Christi denuo est illuminatus, ob cuius ultionem iusto dei iudicio fuerat excęcatus.

42

Simili modo cum in loco Babenbergensi, ubi prędictus confessor tumulatus fuerat, de canonizatione eius celebris fama haberetur, vir quidam religiosus de signis, que per eum fiebant, cępit dubitare et de permutatione exequiarum, quę in anniversario eius celebriter fiebat, intra semet ipsum dolere. Qui mox oculorum caligine adeo est plagatus, ut postea per confessorem Christi sanatus, quantum sanctitas eius apud deum posset, in curatione ipsius experiretur. Et mirandum est valde, quod de sanctitate tanti viri aliquis dubitare potuerit, cum conversationis sanctitatem, castitatis integritatem, elemosinarum largitatem, humilitatis custodiam et omnia opera iusticię usque in finem vitę suę cum summa devotione servaverit.

Sed sicut scriptum est: Nemo propheta acceptus est in patria sua. Vir ergo prędictus, gravatus defectu luminis, confugit ad patrocinia sanctorum deprecans, ut per eorum suffragia sanitas sibi restitueretur oculorum. Et cum ex dolore et labore et assidua veniarum incurvatione fatigatus fuisset, lassatum corpus somno reparavit. Cui dormienti sanctus Wolfgangus, eo quod eum familiarem in orationibus suis habuerit, apparuit et ait ei: „Ora confessorem Christi Heinricum, et liberabit te, quia, quod eius sanctitati derogasti, idcirco hęc plaga cęcitatis venit super te." Post hanc visionem expergefactus ex conscientia delicti sui intremuit et ad tumbam confessoris Christi concito gradu et devota mente properavit et procumbens terre a confessore Christi lacrimis et precibus suis excessibus veniam postulavit. Qui statim exauditus et pristinę sanitati restitutus gratiarum actiones deo et sancto Heinrico retulit et magnalia dei, quę circa ipsum deus fecerat, religiosis viris, qui nobis retulerunt, ipse enarravit.

43

Caveant igitur habitatores seculi domesticis dei et civibus sanctorum detrahere, quia necesse est eos hic et in eternum perire, qui sanctorum bonis operibus solent obloqui et invidere.

And, wonderful to tell, him whom before he had torn with the teeth of slander he now extolled to the stars with praises and commendations. Turned thus to repentance, he quickly obtained pardon, and through the intercession of the confessor of Christ received his sight again, he who for that confessor's vindication had been blinded by the just judgement of God.

42

In like manner, when there was a widespread report at Bamberg, where the said confessor had been buried, about his canonisation, a certain religious man began to doubt the signs that were being done through him, and to grieve within himself at the change in the solemn obsequies that used to be held on his anniversary. He was soon so stricken with a darkness of the eyes that, being afterwards healed by the confessor of Christ, he learned in his own cure how much the confessor's holiness could do with God. And it is greatly to be wondered at that anyone could doubt the holiness of so great a man, since he kept holiness of life, unblemished chastity, generosity in almsgiving, the guard of humility and all the works of justice with the utmost devotion to the end of his life.

But as it is written: No prophet is accepted in his own country (Lk 4:24). So the said man, burdened with the loss of his sight, fled for refuge to the patronage of the saints, praying that through their intercession the health of his eyes might be restored to him. And when he was worn out with pain and toil and with constant bowing in prostrations, he refreshed his weary body with sleep. As he slept, Saint Wolfgang, whom he held as a familiar friend in his prayers, appeared to him and said: "Pray to Henry, the confessor of Christ, and he will free you; for because you have disparaged his holiness, this stroke of blindness has come upon you." Waking after this vision, he trembled with the consciousness of his fault, hastened with quick steps and devout mind to the tomb of the confessor of Christ, and, falling to the ground, begged pardon of the confessor of Christ for his offences with tears and prayers. He was heard at once, restored to his former health, gave thanks to God and to Saint Henry, and himself told the mighty works that God had done for him to religious men, who related them to us.

43

Let the dwellers in the world, therefore, beware of disparaging the members of God's household and the fellow citizens of the saints (Eph 2:19), for those who are wont to speak against the good works of the saints and to envy them must needs perish here and for ever.

Quamvis ergo nunc tempora miraculorum non sint – signa enim debentur non fidelibus, sed infidelibus –, tamen, cum aliqua nobis preter solitum cursum ordinemque naturę eveniunt, omni veneratione amplectenda sunt, quatenus et ipse, qui mirabilis est in sanctis suis honorificetur, et nostra tarditas ad meliora quęque tantis virtutibus accendatur, prestante domino nostro Iesu Christo, qui cum deo patre et spiritu sancto vivit et regnat per infinita sęcula sęculorum. Amen.

Although, then, these are not now times of miracles — for signs are owed not to believers but to unbelievers (1 Cor 14:22) — yet when things happen to us beyond the wonted course and order of nature, they are to be embraced with all veneration, so that he who is wonderful in his saints (Ps 68:36) may be honoured, and our sluggishness may be kindled by such mighty works to all that is better; by the gift of our Lord Jesus Christ, who with God the Father and the Holy Spirit lives and reigns through endless ages of ages. Amen.

Cupientes vestre satisfacere dilectioni aliquid de canonizatione predicti sancti volumus describere.

Annuente rege Chonrado ceterisque regni primoribus prelati Babenbergensis ecclesie Romam legatos dirigunt rogantes, quatinus domino papa concedente canonizatio firmetur beati Heinrici, ut, cuius nomen scriptum esset in celis, memoria celebriter ageretur in terris.

Tandem apostolico prescribente canonizatus est in festo beati Gregorii pape. In signum autem canonizationis per eosdem legatos transmisit quedam munuscula, que putabat illis in partibus esse pociora. Illis itaque redeuntibus et tam bonum nuncium reportantibus merces eorum labori rependitur et deo omnipotenti ipsique regi Heinrico a clero et populo gratia cum laude refertur. Consilio autem inito, quid super hac re sit faciendum, differtur usque ad ipsius anniversarium, sed eiusdem ecclesie episcopus, scilicet Egilbertus, domino iubente ad proximum pentecosten viam universe carnis ingreditur, et res supradicta usque ad alium episcopum suspenditur. Anno autem dominice incarnationis M. C. XL. VII° III. Idus Iulii, astantibus et cooperantibus religiosis viris, scilicet Everhardo Salzeburgensis ęcclesię archiepiscopo, Everhardo Bavenbergensi episcopo, Hartmanno Brixensi episcopo ceterisque multis corpus beatissimi Heinrici de terra sublevatur et honorifice canonizatum inter sanctorum reliquias collocatur. Amen.

Wishing to satisfy your affection, we mean to set down something about the canonisation of the said saint.

With the assent of King Conrad and the other chief men of the realm, the prelates of the church of Bamberg sent envoys to Rome, asking that with the lord pope's consent the canonisation of blessed Henry might be confirmed, so that he whose name was written in heaven might have his memory solemnly kept on earth.

At length, by the apostolic lord's decree, he was canonised on the feast of blessed Pope Gregory. And as a sign of the canonisation he sent by the same envoys certain small gifts, which he thought were of the most worth in those parts. So when they returned bringing such good news, their labour was rewarded, and the clergy and people gave thanks with praise to almighty God and to King Henry himself. Counsel was taken as to what should be done in this matter, and it was put off until his anniversary; but the bishop of that church, Egilbert, by the Lord's bidding went the way of all flesh at the following Pentecost, and the matter was held over until another bishop came. Then, in the year of the Lord's Incarnation 1147, on the third day before the Ides of July, in the presence and with the help of religious men — Eberhard, Archbishop of the church of Salzburg, Eberhard, Bishop of Bamberg, Hartmann, Bishop of Brixen, and many others — the body of the most blessed Henry was raised from the earth and, canonised, was laid with honour among the relics of the saints. Amen.

Incipit prologus in vitam sancti Heinrici imperatoris

Heinricus imperator primus, dux Bauariorum, imperavit annis XXIIII et quinque mensibus, et permansit regnum vacuum annis duobus. Huius tempore luna versa est in colorem sanguinis. Notandum quod plures sunt Heinrici reges quam Heinrici imperatores. Unde tum legitur Heinricus primus; hic racione imperii dicitur primus, racione vero nominis secundus scribitur. Fuit enim quidam Heinricus ante ipsum rex. Huius autem Heinrici imperatoris uxor fuit sancta Kunegundis, et ambo virgines permanserunt et in ecclesia Babenberg, quam edificaverunt, choruscando miraculis multis ibidem clari requiescunt.

Hic enim Heinricus primus, dux Bauarie, ab omnibus principibus Bauarorum in imperatorem electus multa bella prospere gessit in Germania et Ytalia. Postremo volens soli deo vacare episcopatum Bambergensem fundavit. Regi autem Ungarorum Steffano suam Geysilam dans in uxorem tam ipsum quam totum regnum suum ad fidem convertit.

Tempore huius sancti Heinrici papa Benedictus nonus nacione Tusculanus ex patre Alberico sedit annis XIII. Iste eiectus est de papatu, et factus est papa Sabinensis episcopus, qui vocatus est Silvester secundus. Et iste quoque est eiectus et datus est papatus Iohanni archipresbytero sancti Iohannis ante portam Latinam, qui Gregorius VI. dictus est. Et habit‹o› papatu, cum esset rudis litterarumque ignarus, alterum papam ad vices ecclesiastici officii ad exequendum secum consecrari fecit. Quod cum multis non placeret, tercius superinducitur, qui solus vices duorum implevit. Uno itaque contra duos et duobus contra unum de papatu altercantibus et mortuo Gregorio Heinricus rex tercius contra duos Romam tunc accedit et eis canonica et imperiali censura depositis Swydegerium Bambergensem episcopum, qui Clemens secundus dictus est, in papatum per vim substituit; a quo Heinricus imperator secundus in ecclesia Later‹a›nense coronatus Romanis tunc sibi promittentibus se sine ipsius consensu numquam Romanum pontificem electuros.

Prologue to the Life of Saint Henry, Emperor

Henry, the first emperor, Duke of the Bavarians, ruled as emperor for twenty-four years and five months, and the kingdom remained vacant for two years. In his time the moon was turned to the colour of blood. It should be noted that there are more King Henrys than Emperor Henrys. Hence one reads at times "Henry the First": he is called the first by reason of the empire, but is written the second by reason of the name. For there was a certain Henry, a king, before him. This Emperor Henry's wife was Saint Cunigunde, and both remained virgins, and they rest in the church of Bamberg, which they built, famous there for the many miracles with which they shine.

This Henry the First, Duke of Bavaria, chosen as emperor by all the princes of the Bavarians, waged many wars successfully in Germany and Italy. At last, wishing to be free for God alone, he founded the bishopric of Bamberg. And by giving his Gisela in marriage to Stephen, King of the Hungarians, he converted both him and his whole kingdom to the faith.

In the time of this Saint Henry, Pope Benedict the Ninth, of Tusculum by birth, son of Alberic, sat for thirteen years. He was cast out of the papacy, and the Bishop of Sabina was made pope and called Sylvester the Second. And he too was cast out, and the papacy was given to John, archpriest of Saint John before the Latin Gate, who was called Gregory the Sixth. And having obtained the papacy, since he was uncouth and ignorant of letters, he had another pope consecrated alongside himself to carry out the duties of the Church's office. As this displeased many, a third was brought in, who alone filled the place of the two. So while one strove against two and two against one over the papacy, and Gregory having died, King Henry the Third then came to Rome against the two, and, having deposed them by canonical and imperial sentence, put Suidger, Bishop of Bamberg, who was called Clement the Second, into the papacy by force; by him Henry was crowned as the second emperor in the Lateran church, the Romans then promising him that they would never elect a Roman pontiff without his consent.

Ipse vero Clemens papa predictus non inmemor honorum et beneficiorum multorum ac pie fundacionis inclite ecclesie Bambergensis, sponse sue primarie, de Roma scribens et ipsam ecclesiam sponsam carissimam, amicam dilectissimam, sororem speciosissimam denominans variisque et multiplicibus donis spiritualibus enim privilegiis eam insigniens decoravit, ditavit ac commendavit. Ipse autem Clemens CLIIIus papa a sancto Petro apostolo sedit Rome annum unum, menses septem et dies VII. Tandem Rome defunctus et per Ytaliam ad Bambergensem ecclesiam perductus ibidem honorice est sepultus.

This same Pope Clement, not unmindful of the honours and many benefits and the holy foundation of the illustrious church of Bamberg, his first bride, wrote from Rome calling that church his dearest bride, his most beloved friend, his most beautiful sister, and, marking her out with various and manifold spiritual gifts — that is, with privileges — adorned, enriched and commended her. This Clement, the hundred and fifty-third pope from Saint Peter the Apostle, sat at Rome one year, seven months and seven days. At length he died at Rome, and, carried through Italy to the church of Bamberg, was buried there with honour.

Incipit prefacio in legendam sancti Heinrici.

Fuit dux Saxonie Luitolfus nomine, cuius filius fuit dux Otto. Hic habuit filium, qui vocabatur Heinricus humilis, et filiam Babam nomine, matrem Adelberti Babenbergensis, de cuius nomine idem mons Babenberck dictus est. Quem ob necem fratris sui Conradi decollaverat Ludewicus imperator. Et Ludewico mortuo sine herede Conradus, occisi fratris Conradi filius, in regno instituitur, qui adolescens mortuus finem fecit Karolorum. Mortuo sine herede Conrado universi primates convenerunt et ipsum Heinricum humilem coronaverunt. Duxerat iam autem Mechthildam sancte conversationis feminam, ex qua genuit Ottonem magnum et Heinricum ducem Bavarie. Otto magnus genuit Ottonem ruffum. Otto ruffus genuit Ottonem puerum. Heinricus dux Bawarie genuit Heinricum ducem. Hic Heinricus genuit Heinricum Babenbergensem. Otto enim imperator, dum Rome obisset sine herede adhuc adolescens, eductus est et Aquisgrani sepultus.

Anno igitur dominice incarnationis millesimo primo Heinricus secundus culmen regni adeptus annis XXIII ac mensibus quinque regnavit, XII sub nomine regis, XI sub nomine imperatoris, soli deo militans, cuius miliciam se gerere intellexit. Hic inter gesta Bohemiam subiugavit, totam Pannoniam per sororem suam Gyselam ipse christianam fecit, Apuliam a Grecis vi oppressam ipse eripuit, Troiam novam ipse destruxit, Capuam, Salernam, Beneventum ceterasque civitates a Grecis iam obsessas huic regno inclitus bellator restituit. Hic inter alia pietatis opera episcopatum Babenberck in honore sancti Petri sanctique Georgii constituit tantumque ipsum prediorum diviciis et omni ornatus decore, ut inpresentiarum cernitur, copiosissime ditavit. Hic, dum sciret se prolem moriturum non habiturum, quippe qui, ut verissime dicitur, consortem regni Kunegundam numquam cognovit sed ut sororem dilexit, terrena in celestia utpote mercator ewangelicus commutavit. Hic anno incarnationis domini millesimo XXIIII., III. Ydus Iulii, mundi perfectionis exemplar relinquens ad celos regnaturus perhenniter remeavit.

Preface to the Legend of Saint Henry

There was a Duke of Saxony named Liudolf, whose son was Duke Otto. Otto had a son who was called Henry the Humble, and a daughter named Baba, the mother of Adalbert of Babenberg, from whose name the hill was called Babenberg. Adalbert the Emperor Louis had beheaded for the killing of his brother Conrad. And when Louis died without an heir, Conrad, son of the slain brother Conrad, was set up in the kingdom; he died young and made an end of the Carolingians. When Conrad died without an heir, all the chief men came together and crowned that same Henry the Humble. He had already married Matilda, a woman of holy life, by whom he begot Otto the Great and Henry, Duke of Bavaria. Otto the Great begot Otto the Red. Otto the Red begot Otto the Boy. Henry, Duke of Bavaria, begot Duke Henry. This Henry begot Henry of Bamberg. For the Emperor Otto, having died at Rome without an heir while still a youth, was carried back and buried at Aachen.

In the year of the Lord's Incarnation one thousand and one, then, Henry the Second attained the height of the kingdom and reigned twenty-three years and five months, twelve under the name of king and eleven under the name of emperor, a soldier of God alone, whose warfare he knew himself to be waging. Among his deeds, he subdued Bohemia; he himself made all Pannonia Christian through his sister Gisela; he himself snatched Apulia from the Greeks, who held it by force; he himself destroyed New Troia; and, a renowned warrior, he restored to this realm Capua, Salerno, Benevento and the other cities already besieged by the Greeks. Among other works of piety, he established the bishopric of Bamberg in honour of Saint Peter and Saint George, and enriched it most abundantly with wealth of estates and every beauty of adornment, as is seen to this day. Knowing that he would die without offspring — for, as is most truly said, he never knew Cunigunde, the partner of his reign, but loved her as a sister — he exchanged earthly things for heavenly, like the merchant of the Gospel. In the year of the Lord's Incarnation one thousand and twenty-four, on the third day before the Ides of July, leaving the world a pattern of perfection, he returned to heaven to reign for ever.

Post obitum vero Heinrici cognomento pii Conradus, ex regni primoribus unus, regnum suscepit et XV annis regnavit. Hic Heinrico imperatori, filio suo, quem ex Gyselam de Liutpurck genuerat, promotionem Spirensis episcopatus commisit in extremis. Heinricus igitur, Conradi filius, eundem episcopatum magnifice exaltavit. Cuius cepta opera Heinricus misericors et pater pauperum patrum desideriis satisfaciens perfecit, qui ibidem in domino requiescit. Hic Heinricus, quartus ab humili Heinrico, reliquit Heinricum, qui adhuc adolescens a Paschali papa ordinatus imperium gubernavit.

After the death of Henry, surnamed the Pious, Conrad, one of the chief men of the realm, received the kingdom and reigned fifteen years. On his deathbed he entrusted the advancement of the bishopric of Speyer to the Emperor Henry, his son, whom he had begotten of Gisela of Liutpurck. Henry, then, the son of Conrad, raised that bishopric magnificently. The works he had begun were completed by Henry the Merciful, father of the poor, fulfilling his fathers' wishes; and he rests there in the Lord. This Henry, fourth from Henry the Humble, left a Henry who, while still a youth, was ordained by Pope Paschal and governed the empire.