Huosiland

A Small Country in Carolingian Europe

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Access Archaeology



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Preface

This is the story of an imagined country or landscape - imagined in two senses. The first sense is explained in Part 1/1. Although the land itself, roughly western Bavaria between the rivers Isar and Lech, retains its basic contours, it has been much altered by 1200 years of human habitation. Forests have been cleared and replanted, marshes and bogs drained, river courses channelized, cultivated fields opened and enlarged for mechanization. No structures from the early Middle Ages remain. They have either perished or, like the cathedral of Freising, been completely rebuilt. There is nothing which allows us to visualize directly either the natural or the built landscape we shall be describing. Nor do we have representations of any of the persons we shall meet. All these things can only be visualized in our imaginations. What we do have is a book, a codex written at the end of our period, which presents them all to us in the small and disjointed narrative vignettes contained in its numerous documents. These are deeds recording mostly petty property transactions which were normally composed on or near the occasions they describe and written on behalf of the people they record and their ultimate beneficiary, the bishopric of Freising. They are small, contemporary word-portraits which still exist thanks to the pious concerns and diligent efforts of a bishop and a monk of Freising cathedral. The picture which they have preserved for us is at once very constricted and yet surprisingly expansive. What we derive from viewing their picture is limited not solely by the range of their depiction but also by the active engagement of our intellects and our imaginations.

The second sense is explained in Part 1/2. There is no 'Huosiland' in the sense of a single bounded and recognized territorial country as there was, for example, a bishopric of Freising and a duchy of Bavaria. Those places, however vague and contested their borders and however loose and undefined their internal constitutions, were recognized by contemporaries as distinct territorial entities established in both secular and ecclesiastical law with customary powers, rights and prerogatives. The western part of the Bavarian diocese of Freising, here called Huosiland, was not such a place. But it was a place where both contemporary witness and later historical memory recognized some features in the proprietary landscape peculiar to it and where its inhabitants joined together in local institutions and cooperative activities to regulate its affairs for their own benefit and for the benefit of the larger entities of Church and State to which they belonged. In that sense, Huosiland was only a microcosm of broader early-medieval society – although perhaps one with some distinctive individual peculiarities. But it is still special because it was a microcosm which we can see and examine in astounding detail and vividness through the codex which was transcribed and preserved at Freising for our use.

This Freising codex, a deed register or cartulary (a liber traditionum or Traditionsbuch in Latin and German), is described more fully in the Introduction (Part 1/1); the entire codex can now be viewed as a digital edition from the Bavarian State Library in Munich (www.bayerische-landesbibliothek-online. de) by searching under 'Inhalte/Handschriften und Autographen/Freisinger Handschriften, Cozroh Codex'. It was edited and published along with related and successor documents by Theodor Bitterauf in the early 20th century, and both volumes of the printed edition are now available on line from the Münchener Digitalisierungszentrum (MDZ: www.digitale-sammlungen.de) by searching 'Bitterauf Freising'. The deeds from the codex translated in Part 4B comprise essentially all of the documents surviving for our imagined place.

A version of this study was first conceived when I was a graduate student at the University of Toronto in the early 1970s. At that time, intensive regional studies were relatively new. I believe the original impetus came after the war from early-modern French historians associated with the journal founded before the war by Marc Bloch and Lucien Febvres, *Annales. Economies, sociétés, civilisations.* For medievalists, the

most important French work of this sort was undoubtedly Georges Duby's 1953 study of the Mâconnais in the 11th and 12th centuries. In 1966 Rodney Hilton, one of the founders of the journal, *Past & Present*, published his study of the West Midlands around the year 1300. In 1969 the Munich historian Karl Bosl published the second edition of his structural study of Franconia around the year 800. It had been extensively supplemented by Bosl's pupil and my friend, Wilhelm Störmer, whom I first met when I studied in Munich in 1969-70 and participated in Bosl's doctoral seminar. I mention these three studies in particular, not only because of their importance, but also because of their variety. They offered no one single template for such a study, only the charge that one should try to encompass a specific place in its human totality and try to mobilize the full range of the available evidence to do that. The French call this 'total history' which may overshoot the mark a bit but is aimed in the right direction.

Duby based his study on the deeds assembled in the modern edition of the cartulary from the great abbey of Cluny. In the third chapter of his memoirs, *History Continues* (English edition) he describes the excitement during his initial reading of the cartulary when 'A torrent of words and names tumbled out of the Recueil, words whose lost meaning I had to recover, names that attached to forgotten personnages whom I had to identify ...' (p. 13). That is very close to how I felt when I first started reading through the Freising cartulary. Here was an entire world filled with all aspects of human life that might be recovered with persistence, energy and a bit of creativity. I had first used the Freising cartulary during my stay in Munich, but it was only after I returned to Toronto that I learned how to read it productively. That was Josef Sturm's history of the origins of the Bavarian counts of Preysing (1931) where he developed and applied a method for reconstructing social relationships in a world lacking family names. This method is now more generally associated with Gerd Tellenbach and his Freiburg school of early-medieval historical prosopography which, in my view, was the most important in post-war medieval German historiography, but which largely ignored Bavaria – and Sturm. Sturm's study focused on a single earlymedieval Bavarian landscape lying directly across the Isar River from Huosiland and south and east of Freising. A portion of that same landscape, the district of Ebersberg, was then studied carefully in the manner of the Annales school by Hannelore Lehmann in a remarkable 1965 East German dissertation which, unfortunately, was only published in a summary article.

None of these excellent works has provided a 'model' for me. All historians use some common methodologies, but history as a discipline is, nevertheless, somewhat anarchic. Every historian has his or her own approach, and every subject has its own peculiarities and problems. But they did inspire me and forced me to think about what I wanted to do. They suggested possibilities. The distinguishing characteristic of the present study is the emphasis on, even the primacy of, the translated sources. This is the same general approach that I used in my earlier book on Bavarian slavery (A Large-Scale Slave Society, 2002) and I hope that other scholars will benefit now as then from some of my discussions as well as from the translated texts. The closest parallels to this approach are probably the volumes in the older series, Paul Lemerle's Collection Historique from Aubier, and Geoffrey Elton's Historical Problems, Studies and Documents from Allen and Unwin. But this study differs slightly from those excellent series where the documents were more illustrative than, as here, normative for the historical narrative. As I explain more fully in Part 1/1, my narrative is conceived as an introduction to the sources while the sources provide the substance for the narrative and, at the same time, determine (and limit) its scope. The reader, of course, will have to judge my success.

At first – many years ago – I thought I would put together a simple documentary reader for all of early-medieval Bavaria. This was, to a large extent, dictated by circumstances. After a short academic career, I spent the balance of my professional life in international business. That change of careers required that I choose an activity which could be taken up and put down on short notice and with numerous interruptions. Translating was just the right thing to keep me professionally involved with history. But after retirement I was again able to take up my earlier research interests. The specialized scholarly

studies that I then had the leisure to undertake were often centered on documents I had first become aware of doing my translations. There is no better discipline for close reading than translation which forces one to make precise choices otherwise easily ignored. Those studies progressively convinced me that it would be more valuable – both as an original scholarly effort and as an aid to teaching – to concentrate on a particular area within Bavaria and thus to present a complete documentary portrait of a particular regional society. But this led me, inevitably, to want to relate in some more descriptive and analytical way the story – or, more properly, the stories – that these documents tell us. The narrative depends on the documents, and, I hope, the documents are illuminated in the narrative.

For someone unfamiliar with documents of this sort, becoming accustomed to the name forms may be a problem. Bavarian personal names from this period normally consist of two parts or nameelements although single-element shortened forms and nicknames are not unusual. Except for a few leading individuals discussed in the commentary, I have not attempted to normalize the numerous personal names on the assumption that they are superfluous for most students and that persons doing detailed advanced research will want to consult the critical editions and original documents. But the translations here retain the document numbers of Bitterauf's edition, and his second volume contains a complete and highly-accurate index of all names normalized according to philological principles with full cross-references by document number. It can be consulted on line easily by the relevant alphabet letter where it will be noted that certain letters (B/P, C/K, D/T, F/Ph/V, I/J/Y and U/V) are treated as equivalent and interchangeable as they often are in the original documents. Bitterauf's index also supplies all cross-references to the other Freising documents in which the name (but not necessarily the person) occurs allowing an individual dossier for a person to be assembled. Most of the names of persons occurring in the deeds as donors and officials and virtually all of the witnesses are male, but, in the appurtenance lists of slaves, women's names are numerous and usually listed following those of the male slaves. Distinguishing male from female names can be tricky even for an experienced scholar and may often rely on context.

Bitterauf's index also includes all documented place-names which often also consisted of two parts, a personal name plus a topographical descriptor of some sort. In my translations I have normally provided modernized versions of the base form of the place-names as they occur in the documents. I have also provided a topographical Gazetteer of all place-names occurring in the translated documents for places within Huosiland (Part 5). About 250 separate places are noticed there. The principal places occurring can be located readily by the full term provided in the Gazetteer through a common map program such as Bing and Google. But for some of the smaller places or for places where the same name occurs for multiple locations, I have provided an indication of approximate location to narrow the search. By using these tools it is possible to assemble dossiers of particular places and to map topographical interrelationships. In some cases, the Gazetteer entry shows that modern qualifiers such as 'Ober/Unter', that is, 'Upper/Lower', have been added to the early-medieval place-name to indicate a subsequent division of an early entity into two places, but it is often very difficult (or even irrelevant) to determine which is indicated in the deed. An exception is the occurrence of two 'Mochings', important places now Feld- and Ampermoching where I have attempted to distinguish them. Where a place name is given in its early-medieval form in italics, this indicates that the place either no longer exists or its precise modern location cannot now be determined. I have not included Freising in the Gazetteer because it occurs too frequently to be useful.

Some of the translations printed here date from my original work in the 1970s to which I have added more or less continuously up to the present. Over that period of more than forty years my approach to translation has evolved. Every translation, no matter how good, is an interpretation of the original document which is why scholars prefer to work with the original texts. Early on I attempted to produce fluent literary translations of the Freising deeds which – I now believe – exaggerated the coherence,

finality and public legitimacy of these private documents. Today however, I am inclined to take a more literal approach which better reflects their improvised and tentative elements as provisional attempts to supplement essentially oral proceedings as will be discussed further in Part 1/1 and elsewhere. Of course, other people might – with equally good reason – prefer my earlier approach. In any case, I have reviewed all of the translations and tried to revise them where that seemed warranted as well as to check their accuracy against the original Latin texts. Revision, however, can be a never-ending process. Every time I revisit a document I am tempted to make some small change, a temptation which I try hard to resist, since I cannot be certain that I now know more than I did then. In a very few cases where I was unusually perplexed or had some other problem with the document or its dating, I have indicated this with a [?]. I can only request the reader's indulgence for inconsistencies and inaccuracies where they (inevitably) occur.

There is, of course, another and more contentious aspect to translation when terms from a past and far different society must be translated into a modern idiom. There are three terms in this study and in the translations which are likely to cause some confusion or even offense. Perhaps the most disturbing is my use of the word 'slave' to translate Latin 'servus', 'ancilla' and 'mancipium'. In English, the more general usage for these terms is a borrowing from modern French, 'serf', or a circumlocution such as 'dependent peasant'. Beginning in 1983 with my article 'Family and Familia in early-medieval Bavaria', through several intermediate studies and my book, *A Large-Scale Slave Society*, I have set out in detail why I prefer the admittedly harsher term 'slave'. I realize that my conclusions have not been universally (or even generally) accepted, but I do still feel obliged to follow my own research on this matter.

Perhaps less substantively contentious but still likely disorientating has been my regular use of the term 'sheriff' in other publications to translate the Latin 'comes' when virtually all English-language historians would use another French term, 'count'. Again, I have set out my reasons for this in detail, most recently in my study, *Town and Country*, where I have tried to show that 'count' is both anachronistic and seriously misleading for our period and place. The 'comites' (pl.) of early-Carolingian Bavaria were generally modest, albeit important, royal officials with limited provincial jurisdictions who exercised no powers of their own, possessed no hereditary claims on family succession to office, and presided over relatively limited proprietary estates of their own. That began to change in the 10th century, and by the 11th century the term 'count' is, indeed, appropriate in some cases for the Bavarian 'comes'. Admittedly, of course, the Anglo-Saxon 'shire reeve' or 'sheriff', can also have anachronistic connotations, especially for Americans. Since I hope that this study and particularly the translations will be used by students new to the period, I have given this problem some thought but finally retained my usual practice with this alert for the neophyte.

The final and, in my view, much more debatable term is the Latin 'advocatus' or, less frequently, 'defensor' which I translate as 'steward'. It is true that these two terms appear under the Carolingians most frequently in our evidence as functional designations for someone acting as an 'attorney' (a possible translation) for an ecclesiastic or a woman in legal proceedings where those persons lacked full legal capacities. But, when we observe people like Piligrim (Part 2/5) occurring multiple times over many years as the bishop's 'advocatus', I think we can also detect the use of the term as one designating an office. And I suspect that the office had other largely-undocumented functions relating to the general administration of estates for persons like the bishop whose status and duties limited their own ability to do so. The office of 'advocatus', appears, like the 'comes', to be a Carolingian innovation in Bavaria, and, also like the 'comes', the authority and status of the 'advocatus' was considerably enhanced after the 9th century when such positions attached to major churches were consolidated under powerful dynasts who used them to expand their lordships. Neither this nor any of these translation issues can be determined on purely linguistic or lexicographical grounds, and the reader now has the historical materials needed to make a determination of his/her own.

A final point: some readers may be upset by the absence of footnotes. I understand their concern, and I am certainly no enemy of footnotes as anyone will know who consults my specialized scholarly studies where they frequently overwhelm the text itself. But here I thought it would be better to keep the reader fully focused on the primary documents which are cited abundantly in the text. Those are the items which deserve an occasional detour from the narrative. I also refer in the text from time to time to secondary studies which I think are particularly relevant to a particular point. In compensation for the lack of footnotes, I have arranged the bibliography (Part 3) according to the parts of the introductory narrative and provided some guidance for the reader who wishes to determine the basis in the scholarly literature (if any) for my assertion or to learn more about a particular topic.

I have been working on various aspects of both the text and the translations for about four decades now, and it really is impossible here to acknowledge all of the assistance I have received along the way. This particular manuscript, however, has benefited from the comments of anonymous readers and from Chris Wickham of Oxford, now retired. Chris' help here and previously is particularly appreciated because we have never met, he has no obligation towards me, and we do not always agree. Nevertheless, he has been very generous with his valuable time. I must also mention my friend, the late Wilhelm Störmer (Munich), whom I first met in 1969 and who was always ready to provide assistance and encouragement which was especially welcome to someone working outside the normal academic structures. We met in Karl Bosl's seminar in Munich where Störmer was Bosl's Assistent. Bosl's reputation has suffered enormously in recent years. His scholarly work is seldom cited today, and his largely-gratuitous reinvention of his relationship with the NS regime led to the revocation of public honors. I, like many others, was always quite aware of his scholarly and personal shortcomings. But it is also impossible to deny that he energized the study of Bavarian history in a very difficult period of academic history, and he was always very considerate to me personally. For over 50 years my wife, Jóna, has tolerated my historical preoccupations and has even taken considerable trouble to improve the literacy of this text.



Part 1. Contexts: Structures and Communities

Part 1/1. Introduction

In the mid-740s a new Law Code for the Bayarians was issued by Duke Odilo (r. 736x7-748), but we have no manuscripts of the Code before the early 9th century. That is well after Odilo's son, Duke Tassilo (r. 748-788/94), had been deposed by his cousin, the Frankish King Charlemagne (r. 768-814), and Odilo's ducal line replaced with an entirely new Bayarian royal line descended from Charlemagne's son, the Emperor Louis the Pious (r. 814-840). So we cannot say with assurance exactly what Odilo's earlier version of the Code contained because we have only later Carolingian redactions, and we know that later revisions and additions were made, most prominently by Charlemagne in his reforms of 802 with their clear impact on Bavaria (see below, Part 1/3). The existing Code appears, in any event, to include earlier as well as later redactions and is thus quite complex textually. Some of the surviving sections or Titles such as the compensation lists for personal injuries (Titles 4-6) and the specification of ducal qualities (Title 2/9) appear to be quite archaic and may even date back, as the Prologue to the Code states, to much earlier redactions under the Merovingian kings in the 6th and 7th centuries. Others such as the provision for the comital court or 'placitum' (Title 2/14) are almost certainly later Carolingian additions, since, as we shall see, this institution did not exist previously in Bavaria. Some, such as the legitimation of Odilo's ducal line, the Agilolfings and five other noble lineages or 'genealogiae' (Title 3) may have been innovations by Odilo himself. Its compact structure and limited scope is singular, and it has no parallel in the other ethnic law codes. This Title may be only a remnant of the earliest period under Charlemagne when there was still some question of how Bavaria should be ruled; its retention is more of a puzzle (see below, Part 1/2).

The entire first Title of the Law Code of the Bavarians provides elaborate legal sanctions protecting the Church, its property and clergy. While there were certainly Christians and churches in Bavaria long before Odilo's time, a properly-organized Church according to canonical law with a clerical hierarchy under bishops does not predate the early 8th century. And it was not finally regularized with papal approval until the Anglo-Saxon missionary Boniface, acting as a papal legate in 739, established the four Bavarian bishoprics which still exist today, Freising (now with Munich), Regensburg, Passau and Salzburg (now in Austria). For nearly 60 years after this Bavaria lacked any metropolitan organization with an archbishop although one had been anticipated from the earliest papal plans for Bavaria in 715/6. Nor was Bavaria subject to the Frankish church of Mainz as were the other dioceses east of the Rhine River. Rather, the Bavarian dukes cultivated direct relations with Rome to maintain their political autonomy from the Franks. But, in 798 under Charlemagne, Salzburg – and not Regensburg, the political center of Bavaria – with its bishop, Arn, was elevated to metropolitan status. Under the Carolingians the Bavarian church thus continued its earlier and distinctive independence of the large eastern Frankish province of Mainz.

Parts of Title 1 may be quite old and borrowed from earlier Frankish legislation such as the sanctions for killing a bishop (Title 1/10; not translated). Others may be of a later date and reflect more recent canon law and practice. The very first (LB 1/1) provides for gifts to the Church:

In Order that if any Free Bavarian or any other Wishes to Give His Allod or any other Property to the Church, He May Have Free Power

In order that if any free person may wish and give his properties to the Church for the redemption of his soul, he may have permission from his own portion after he has divided with his sons. No one may prohibit him, neither the king nor the duke nor any [other] person may have power of

prohibiting him. And what he may give, vills, land, slaves or any property, all of it whatsoever he may give for the redemption of his soul, let he himself confirm it through a written deed [epistola] by his own hand, and let him summon witnesses, six or more, and let them place their hands upon the deed, and let their names be noted there, whomever he may ask. And then let him place that deed upon the altar, and thus let him convey that same property in the presence of the priest who serves there. And after this let him have no power thence, neither he nor his descendants except as the defender of that church may wish to offer as a benefice; rather let the goods of the church be defended by the bishop, whatever may be given by Christians to the Church of God.

The detailed concern in this provision with legal procedure and the use of a written instrument, which it here calls an 'epistola', are sophisticated characteristics which stand in sharp contrast to many other sections of the Code. A strong reason for thinking that this particular provision dates to the period of Odilo's rule is the first appearance during his reign of dated historical documents which directly reflect these provisions of the Law Code. Indeed, these earliest deeds from both the Freising cartulary (TF 1; below, Part 2/1) and the Passau cartulary (TP 2), both issued under Odilo, represent the forms and contents of early-medieval deeds in a very fully-developed state.

It is likely that written instruments were used on occasion to document title at an earlier date, but, because a Bavarian Church with established dioceses did not exist prior to Odilo, and there was no clear legal requirement for written evidences, those documents have not been preserved. The church of Salzburg may have had some earlier written notices of donations under Odilo's ducal predecessors, but, when around 788x90 Bishop Arn, evidently concerned about possible threats to diocesan property under the new Carolingian regime, gathered information in a register, the Notitia Arnonis, he still relied heavily on sworn oral testimony, 'from very old and trustworthy men, monks and laymen', all named (Ibid., c. 8/8; not translated). It is possible that Latin-speaking persons, Romani, who continued to inhabit parts of Bavaria, particularly in the dioceses of Passau and Salzburg, preserved intact some older Roman legal forms in their property transactions (TP 1, not translated) just as they seem to have maintained usages in their liturgies from late Antiquity. But elsewhere in Bayaria there is no evidence before Odilo's reign for what could be called a deed, that is, a proper written instrument for property transfer. The most common contemporary Latin term for such an instrument was 'traditio' or 'conveyance', a word which comprehends both the act or transfer of the property itself and its written record, which, as we saw, was also called 'epistola', a 'letter', and also a 'cart[ul]a' or 'charter'. But from then, and particularly under his son Duke Tassilo, the number of such deeds to the end of the Agilolfing regime in 788/94 is substantial and then increases rapidly in the early years of Carolingian rule.

The diocese of Freising in western Bavaria accounts for by far the largest share of this new Bavarian literate record keeping. It is difficult to establish precise numbers, since the nature of these records and the manner in which they were preserved do not always allow sharp distinctions and not all deeds are dated precisely. But in the modern edition of these deeds by Theodor Bitterauf, the period we will consider, the century from the beginning of written records in the mid-8th century to the mid-9th century, there are 741 document entries to the end of Bishop Erchanbert's pontificate in 854 of which almost a quarter come from the first half. No other Bavarian diocese has such a rich archive and very few other churches in all of Europe can produce a comparable count from this early date, particularly when the relatively modest size and peripheral location of the diocese are considered. Moreover, as Mark Mersiowsky's recent explorations of early medieval documents have made clear, Freising's deeds are particularly instructive on issues relating to the realization of the conveyances they document.

We owe this extraordinary documentary treasure to the two men who were responsible for assembling the bishopric's first deed register or cartulary. The Freising Bishop Hitto (s. 811-835) entrusted oversight of this work to the new priest and monk, Cozroh, in 824. Cozroh's initial task was completed in two

parts in mid-830. The earliest deeds preserved in Freising's archives, dating from the pontificates of three of Hitto's episcopal predecessors, were copied by pontificate through the present manuscript folio 186v. The deeds from the early years of Hitto's pontificate to the year 830 were also enrolled in parallel through present folio 354v. These first two parts were written largely though not exclusively by Cozroh, and for both of these parts he composed an analytical table of contents or 'Renner' which numbered the deeds by pontificate in the order of the manuscript. The wording of these 'Renner' entries usually corresponds to the short descriptive header – normally the donor's name and location of the gift – affixed to the beginning of each deed.

Since these two parts of the cartulary were conceived partly as memorials to the donors' generosity (see below), some attention was given to their appearance which can be readily seen at the Bavarian State Library's website where a digitized file of the entire codex is available (see the Preface for the links). They are neatly written and have simple ornamental capital letters although they are not highly decorated. An exception is the header for Bishop Hitto's deeds where his role as patron is suitably recognized (fo. 187r; see cover). Cozroh continued to work on the register in a third part as one of several scribes. He was still drafting and entering new deeds into early 848 (cf. TF 699, 701) when he probably died. This third part of the cartulary has a strictly utilitarian appearance as a functional record of properties. At this time, a new register (B) was also begun which contains primarly exchanges of property between Freising and various proprietors rather than conveyances of gifts as previously (see below).

None of these deeds survives in the original, so Cozroh is personally responsible directly or indirectly for the preservation of nearly all of our early Freising documents. Fortunately, there is every indication that Cozroh was an exceptionally scrupulous worker as were his colleagues. In Cozroh's own words from his Prologue to the cartulary (TF Prologue), Bishop Hitto, 'instruct[ed] him in this manner: neither to omit nor to add anything unless something were ascertained to be corrupted by fault of the scribe', that is, by clerical error. They chose to copy the deeds in full text including all names rather than merely producing summaries of their contents. This was done to provide better security for the properties but also to preserve the pious memory of persons who had benefited the diocese and those who had assisted them.

In this way Bishop Hitto intended that, 'forever might endure the memory of those who enriched and endowed this cathedral church with their goods or whatever they conveyed and granted to the same cathedral church for the remedy of their souls.' Whenever we read these deeds we validate his pious intent, and we can compare the names of the persons who occur in these deeds with the list of 'Brothers from Freising' who were included in the great confraternity book created at the important monastery on the Reichenau island in Lake Constance. There Hitto's successor, Bishop Erchanbert, heads the list of the living clerical and lay 'brothers' in the prayer confraternity while Hitto heads the list of the 'deceased' so the entry must date from after his death in 835 and before Erchanbert's in 854 (MGH, Necr. Germ., Supplementum, pp. 320-21). Unfortunately, the memorial notices from 9th century Freising itself are relatively late and scrappy; it is not clear how much confidence should be allowed to their death dates, for example, Hitto's on 11 December. Despite their designation as 'brothers' (*fratres*), the persons remembered as benefactors in these prayer lists comprised numerous women as well as men, and their study in relation to the deeds would considerably enrich our knowledge of early-medieval aristocratic women.

Another later Freising clerk, Conrad the Sacristan, a senior cathedral official, created a new cartulary in 1187. He may have intended to perpetuate the pious 'memorial' function of Cozroh's cartulary, but he was probably primarily interested in creating a diocesan history, perhaps influenced by the great Freising bishop and historian, Otto of Freising, who died in 1158. Conrad followed the order of Cozroh's volume closely. This is fortunate because the original eighth gathering of pages in the first part,

formerly located between the current folios 64v and 65r of the surviving manuscript and containing 13 deeds (Renner: Arbeo 59/60 to 72), is now missing from the first part of Cozroh's manuscript, and we must rely on Conrad's transcripts for their texts. Unfortunately, Conrad omitted the names of the witnesses to these deeds, providing only a summary reference to the entry in Cozroh's cartulary which is given in square brackets in the translations in Part 4. But Conrad may also have had access to original deeds still surviving in the episcopal archive but not entered by Cozroh (see TF 193b).

Cozroh and Hitto also arranged the deeds 'more rationally' (in their view) in rough chronological order by the pontificates of Freising's bishops and not topographically as was common in other early cartularies such as those of Passau and Mondsee in Bavaria and elsewhere in eastern Francia. Bishop Arn of Salzburg had also used a chronological scheme when a third of a century earlier he had first assembled information on his diocesan properties (see above), but there the properties were arranged by order of the Bavarian dukes, not Salzburg bishops, and his 'notices' only summarized later oral testimony (see below). Cozroh's cartulary was then, in some sense, a novel undertaking, a chronological documentary history of the early diocese without any connecting narrative. But, so far as we know, no episcopal 'gesta' or chronicle of the deeds of the individual bishops was composed although the encomium of Bishop Hitto in Cozroh's Prologue might be considered a limited attempt to create such a record for Cozroh's episcopal patron.

This chronological rather than topographical arrangement of Cozroh's cartulary is important for our study, since we shall be looking only at the far western portion of the diocese which, together with adjacent parts of the diocese of Augsburg, I have called 'Huosiland', and their procedure complicates our work. Of the more than 700 Freising deeds from our period, a disproportionate number (perhaps, almost half) seem to be relevant for a study of Huosiland. But it is impossible to be more precise, since not all early place names can be identified with certainty, and, as I shall indicate presently, Huosiland's borders are not absolutely fixed by clear geographical boundaries. Topographical organization of the cartulary would have helped us immensely to identify locations. Still, there can be little doubt that western Bavaria is one of the most intensively documented landscapes in all of early-medieval Europe. And, as we shall see, the quality of the documentation is unexcelled in its detail and intrinsic interest. It would be even richer if neighboring Augsburg's diocesan archive had survived.

Some documents in our dossier are not full deeds of conveyance (Latin: traditio, pl. traditiones) but only very summary, written notices or memoranda after the fact (notitia, pl. notitiae) which merely record informally some of the main points of the conveyance without all of the legal formalities. Other of our 'deeds' are even more rudimentary but contain interesting information on various episcopal transactions and conditions. Some deeds record sales to and from the bishopric as was also required by the Law Code (Title 16/15; not translated), and increasingly towards the middle of the 9th century they record exchanges of properties which soon became the dominate form of ecclesiastical property transfer and which evidently required royal license. Church property could not be diminished, and deeds of exchange were intended to ensure equality of value in the exchanged properties, since the properties were described precisely. That significant change, from deed of gift to exchange, has still not been adequately explained, but it appears to have happened outside Bavaria as well. These exchanges have the value of providing very precise information on the lands and people being exchanged, but they are less informative on other matters and certainly not as interestingly discursive as the deeds. These exchanges, like many of the sales and purchases recorded in the cartulary were probably intended to consolidate diocesan holdings out of the scattered donations received randomly from various persons over the course of almost a century.

Altogether in Part 4 I have translated nearly 350 Freising documents from Cozroh's cartulary which I believe are related to Huosiland during our century although, as indicated above, certainty is elusive in

some cases. In general, I may have erred on the side of inclusiveness, but I believe all of these deeds are in some way apposite to the enterprise regardless of their precise provenance. To these Freising deeds, I have added eight other documents from various sources. In addition to short excerpts from the Bavarian Law Code, there is a unique document from the diocese of Augsburg, a survey which provides detailed information on episcopal estate organization and which can be paired usefully with a corresponding provision in the first Title of the Law Code (LB 1/13) and with several Freising deeds. There is one deed from the faraway monastery of Mondsee, now in Upper Austria, which records disputed property in southern Huosiland. And there are two deeds from the monastery of Schäftlarn on the river Isar which itself was located in the southeastern part of Huosiland on the river Isar. Finally, there is one royal charter from King Ludwig whom we call 'the German', the first Carolingian king of Bavaria (r. 826-876).

The reason for the name 'Huosiland', will be explained in the next section, but for now it is enough to give its approximate geographical dimensions. In its broadest and most general sense, Huosiland is the area of Bavaria to the west and directly to the north of the episcopal seat at Freising and lying between the rivers Isar and Lech (see Map). In the west, the Alemannic diocese of Augsburg, which belonged to the Frankish province of Mainz, not to Bavarian Salzburg, extended eastwards beyond the Lech and covered the western portion of Huosiland, but, unfortunately, all of Augsburg's early records except for the survey noted above have been lost. We shall be concerned with only that one Augsburg document which was preserved elsewhere, but a number of Freising deeds concern properties within the diocese of Augsburg. A narrower definition of Huosiland would restrict it to the land between the rivers Amper and Glonn and directly adjacent areas of which the area to the north of Allershausen and Freising is the most important. These rivers are both western tributaries of the Isar; the Glonn enters the Amper near Allershausen, an important place in Huosiland (Part 2/5). The Amper then flows eastwards from Allershausen and to the north of Freising, entering the Isar east of Freising at Moosburg. I have included several places in this area directly north of Freising reaching into the headwaters of the rivers Ilm and Abens because of their adjacency to central Huosiland (see, for example, Part 2/1 for Zolling). Like the Lech, the Amper and the Isar have their origins south of Freising in the Alps, and this southern Bavarian piedmont country, which includes the Bavarian lake country around lakes Starnberg and the Ammersee, also contains important centers of Huosiland. The distance from the monastery of Schlehdorf, which clearly came under Huosi control (Part 1/4) and which is located in the far to the south in the alpine piedmont, to the cathedral of Freising on the Bavarian plateau in the extreme north is about 100 km; from east to west it is only about 50 km. The central portion between the rivers Amper and Glonn can be toured easily in a short day with a leisurely stop for lunch. It is not a large place.

During the Late Roman Empire, the area of Huosiland pertained to the province of Raetia II with its capital at Augsburg. Both in the Roman period and the very first post-Roman centuries, this eastern portion of Raetia II, which extended to the river Inn, appears to have been a relatively empty landscape. It was crossed by important roads leading both east to the prosperous neighboring province of Noricum and south to Italy, but there are few archaeological evidences for important villas and none for urban settlements beyond Augsburg. Likewise, it is relatively poor in the rowgrave cemeteries which are characteristic of the earliest medieval settlements from the 6th century to the early 8th, and its place names belong to types generally diffused in Bavaria only during the late-Merovingian and early Carolingian periods after 700. In short, Huosiland was largely a transit landscape in late Roman and very early medieval times, but this seems to have changed in the early 8th century when settlement appears to have intensified, possibly proceeding northeastwards from the Alpine piedmont along the principal rivers as well as southwest from the area around Freising. 'Ried' place names, which indicate man-made clearings of woodlands or assarts, are abundant there, pointing to the nature and intensity of settlement in our period. Thus, the deeds from Huosiland in the Freising cartulary reflect a human landscape which was a relatively new creation in the mid-8th century when our documentation begins.

Although thus somewhat marginal and remote, Huosiland did not remain static over our century or isolated from developments elsewhere in Carolingian Europe. We have already touched on some of the important political and ecclesiastical changes which occurred there. The most striking, of course, is that the entire top layer of the political order was restructured (though not replaced) at the end of the end of the 8th century by Charlemagne and further altered by his descendants in the early 9th century. This had major consequences for much of the political elite, but some more fundamental changes were already well underway under the Agilolfing dukes. We have just noted one: their introduction of a written Law Code with its requirements for formal, written documentation in addition to oral testimony. As historians, we continue to benefit from that revolution. And this necessarily went together with improved education and literacy which is usually ascribed, not without reason, to the 'Carolingian Renaissance', a development which can be discerned readily in the Latinity of our deeds which become both more technically 'correct' and more grammatical in the early 9th century.

In his Prologue to the cartulary (TF Prologue), Cozroh draws attention to the zeal of his bishop, Hitto, in reforming sacred studies and liturgy at the cathedral after 811. But well before this Bavaria was provided with episcopal and monastic writing establishments or 'scriptoria' producing substantial materials, many of which still reside in the magnificent manuscript collection of the Bavarian State Library in Munich and which were described so acutely in Bernhard Bischoff's two monumental catalogue volumes. Still, there is no denying that the quality of the Latin in our documents improves noticeably during our period while becoming in some ways, unfortunately, more stereotyped in conventional forms and containing less discursive information. But this important cultural change is one area where Huosiland participated only marginally, since, as we shall see, monasteries were entirely absent from its core territory between the Amper and the Glonn although several important ones were located further south in the alpine Piedmont. This deficiency in northern Huosiland was to some extent made good by the proximity of the episcopal seat at Freising. We have ample evidence for its ready accessibility from Huosiland, and the bishop never seems to be far away when invited to visit, nor his agents lacking when problems and new tasks arose. Moreover, several of the most important members of the Freising clergy and their lay officials, including Bishop Hitto himself, seem to come from Huosiland. But Huosiland was not a learned landscape.

Huosiland, like Bavaria and, indeed, like all societies in all places at all times, contained elements of both difference and similarity to its larger environment. Nor, as we noted, was it static over our century when its older and largely autonomous ducal rule was replaced by Carolingian institutions. In order to present both the common and the unique characteristics, I have divided my introductory study into two parts, 'Contexts' and 'Connections' which, in an earlier day, I probably would have called (equally alliteratively) 'Structures' and 'Societies'. Drawing on the translated documents in Part 4 and on more general historical knowledge of the period, the balance of Part 1 (Contexts) provides short, contextual accounts of royal and ducal governance, church, economy and society in Carolingian Huosiland. They address in turn four issues:

- Part 1/2. Why have I called this region 'Huosiland'?
- Part 1/3. How was it governed by the duke and then the king and their officers?
- Part 1/4. How was the Church structured and governed, and what do we know about religious practices and beliefs there?
- Part 1/5. How were the economy and society organized?

With the partial exception of Part 1/2, we shall see that Huosiland was not a unique or even a highly-exceptional place. Rather, it was typical in many respects of the larger Frankish society and Carolingian polity of which it became a very small part. Three of the fundamental structural changes there, the establishment of the comital system of local governance, the introduction of the bi-partite manor,

and the expansion of a parochial system under episcopal control, are all common to Frankish lands in the late 8th and early 9th centuries, albeit with significant regional variations. But, because of the exceptional documentation preserved for Huosiland, we can see these features particularly clearly and their development in greater and more vivid detail which makes it a particularly rewarding place to study. Still, as we shall see in Parts 1/3 and 2/3 there remains the possibility that Huosiland itself was divided between two forms of political organization, the one typically Carolingian and the other, perhaps, more archaic.

The general historical contexts provided in Part 1 are supplemented in Part 2 (Connections) by six detailed explorations of individual documents or document clusters and the individuals and social groups they depict and the issues they seek to resolve. These six studies present close readings of those sources and give particular attention to their documentary as well as to their historical contexts. Some of our documents tell very complete stories about people and events on their own. But in most cases, they require that we put them into relation with others in order to extract their full significance. These six brief documentary sketches or narrative 'tales' present some people and places which are exceptionally well documented. They illuminate the larger historical issues raised in Part 1 and raise new issues. But they equally show the limitations to our knowledge which early-medieval historians must accept even when the documentation is so exceptional. My intent in both Parts 1 and 2 is not to preempt further work by exhaustive analysis, but rather to highlight a few outstanding issues and documents in order to introduce (and induce) readers into further study on their own in using the extensive document dossier contained in Part 4. With those documents the reader has all the tools required to construct new 'Contexts' and to draw new 'Connections' for Huosiland.

Part 1/2. Huosiland?

In the summer of 791 Charlemagne moved his court to Regensburg in Bavaria which lies on the northernmost bend of the River Danube. With the fortifications from the old Roman legionary fortress still intact (as they are yet today), a cathedral presided over by a loyal Carolingian supporter, Bishop Sindbert, and a major monastery, St Emmeram, Regensburg was the only place in Bavaria with the infrastructure required to support a royal court on a sustained basis. This was necessary because there were evidently problems with his newly-subjected Bavarians. Charlemagne's first cousin, Tassilo, from the ducal line of the Agilolfings, had been deposed under military pressure in 788 and was now confined to a monastery in far western Francia, but, despite a massive and carefully-staged show trial, Tassilo's claims to rule must still have possessed some legitimacy. The establishment of unquestioned Carolingian authority in Bavaria would require further and possibly-prolonged attention there. Moreover, with its position on the Danube, the major East-West transportation axis in central Europe, and with good road connections over the Alps into Italy, Regensburg offered the strategic position and good communication lines which Charlemagne needed to pursue his new military venture against the Avars, a semi-nomadic people who occupied what is now Lower Austria and Hungary.

At Regensburg Charlemagne held his great council of war where the injuries suffered from the Avars, particularly against the Church, were rehearsed as (somewhat questionable) justifications for the undertaking. An advanced camp was then set up at Lorch on the River Enns, a southern tributary of the Danube and Bavaria's eastern frontier with Avaria. Lorch too was the site of an old Roman legionary fortress, part of which may still have been serviceable. There Charlemagne received a message from his son King Pippin in Italy reporting a highly-successful incursion from Italy into Avaria. Clearly encouraged by this ostensibly favorable omen and having completed penitential rites to secure divine assistance, Charlemagne then launched a three-pronged incursion into Avaria with a Saxon and Frisian contingent advancing along the north bank of the Danube. Charlemagne and his young son, Louis, with their Franks followed the south bank along the old Roman highway, and both columns were supported by