

# **The 1418 Statutes of the Order of the Knights of St Lazarus of Jerusalem for the Houses in Gevenn and Sedorf**

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## **Abstract**

This paper gives a summary of the Statutes of the Houses of Gevenn and Sedorf within the Order of St Lazarus of Jerusalem published in Latin at Gfenn in 1418. Following a translation made by himself into English and summary of the same document, Chev. Prof. Horatio Vella will go through the contents, which vary from the conduct of the elections held by the Commendator, through legal procedures adopted in times of disagreements with the same Commendator, to all the obligations expected from the Commendator and the two Mistresses of the two mentioned Houses. The paper will highlight important and interesting points evident in this document and will also discuss the Latin used in it.

## **Introduction**

Two years ago, at the Grand Hotel in Via Roma, Palermo, Chev. Andreas Rademachers spoke about a document which he described as the oldest compilation of rules and the only preserved transcript made during the Crusader period.<sup>1</sup> He was referring to the period which covered from 1314 to 1321, a century before the present Statutes which I have translated and which were written for the Houses in Gevenn and Sedorf. That document included new laws, the Rule of St Augustine, being the core of the book, the Jerusalem laws and an appendix to the new laws. The Commendator of the same Houses of Gevenn and Sedorf was then Chev. Siegfried.

In that document, reference was already made to the presence of Sisters in the Convents, and to the beginning of the existence of the House

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<sup>1</sup> Andreas Rademachers. The Statute book of Seedorf – the oldest Rules of the Order of St Lazarus. *Acta Historiae Sancti Lazari Ordinins*, 2017, 2: pp.27-34

of St Lazarus in Jerusalem, which cared for the lepers who were excluded from the Order of St John. It mentioned King Baldwin as one of the founders of the Order of St Lazarus of Jerusalem.

The Hospital of St Lazarus in Jerusalem accepted the Brothers also from the Templars, who then took up the habit of the Order of St Lazarus. The Grand Master was a healthy Knight residing in the Holy Land, and his position was confirmed by the Pope. But in 1253, the Grand Master had to be a leper. All Knights gave up their properties to the Order to help the poor and the needy.

That document included also a calendar for “Lent” which was a period of 40 days celebrated not just before Easter as today, but also before Christmas.

The present document, summarized below, however, reveals that the practice of the mentioned Augustinian Rule had been neglected; that the Knights continued to donate their property “as of old” to the Order, and that Sedorf and Gevenn continued to be in the hands of the Order of St Lazarus for that century.<sup>2</sup>

## **Summary**

This document was written by Brother John Swarber, Commendator of Gevenn and Sedorf, who proposed to correct the past behaviour of the Brothers and Sisters of the two Houses and to proclaim new Statutes for the election of the Commendator. At the time of the writing of these Statutes, Sister Agnes De Eitlingen looked after the interests of the Sisters in Gevenn, while Sister Catherine Buklin looked after the interests of those Brothers and Sisters in Sedorf. At the death of the Commendator, the House of Gevenn was, in the space of eight days, to call for an election,

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<sup>2</sup> Original manuscript held at the Benedictine Monastery at Seedorf, Ur, Switzerland. Transcribed in: D. von Leitenben - Dufschuffe (ed.). *Statuten oder Sakungen des St. Lazarus Ritterordens von Jerusalem. für die Häuser Gvenn und Seedorf*. Der Geschichtsfreund: Mitteilungen des historischen Vereins der fünf Orte Luzern, Uri, Schwyz, Unterwalden und Zug, 1858, 4: pp.219-233

while the House of Sedorf was do the same in the space of fifteen days. Those Brothers and Sisters were to choose a new Commendator preferably from their two Houses, but certainly one from the same Order, within a period of six months. He had to be a priest, before or after his election, to look after the spiritual and material interests of all the Brothers and Sisters of the two Houses. Good speech, fame and good life for this priest, and knowledge, manners and age were to be the requisites for this new Commendator. In addition, a confessor, approved of by the Commendator, was to be employed to hear confessions for the members of the two Houses. The Provost and Chapter of the Abbey of Saints Felix and Regula in Zurich was to appoint a Commendator for the two Houses if they failed to come to an agreement on his election after six months since the announcement, and such an election had to be held once every four years. Those who did not accept the result of the election made by the Provost and Chapter of the Abbey of Zurich were to be excommunicated, and could only be absolved of their sins if they were to be on the point of death.

The new Commendator had to try to remove the past damages caused by disagreements, give account of his income and expenditure, and administer the property of the two Houses. He was to live in the House of Gevenn at the expense of the two Houses, for which he received 130 florins. If the Commendator was to be accused of being irresponsible with the money or property of the two Houses, or if disagreement were to arise between him and the two Houses, a commission of four people was to be formed to investigate the matter, of which one was to be chosen by the Commendator himself from the Chapter of the Abbey of Saints Felix and Regula, another one chosen by the same Commendator from the University of Zurich, and two others chosen by the Mistress and the Convent of Gevenn. If the Grand Master or his delegate were to be present during this controversy, he would join the commission of four people in deciding for or against the Commendator. The decision of these four men would be binding. If the Commendator was to be found guilty, he was to be deprived of his Office.

The money the Commendator received for his subsistence did not cover the travelling expenses he made to the Convent in Sedorf: these were to be paid by the House of Sedorf itself, to which he had to travel at least once every four years. For every voyage made every four years, the Commendator received four Florins. The Statutes indicated that he could travel to that House every year at his own expense, but was to be paid for his canonical visit which every four years he combined with the General Chapter of the two Houses. If he had to visit the House of Sedorf to fix problems raised by one or more individuals, that person or individuals were to pay for his travelling expenses.

On taking the oath at the beginning of his government, the Commendator was to receive two keys for two chests which preserved the seal, letters, ornaments and arms. These Statutes also required the resignation and election of the Mistress of the House of Sedorf every four years, and that she would give an account of her past government. The Statutes also refer to the observance of Canonical Hours through recitations and wearing of the habit, including the veil for the Sisters. New members were to transfer their property to the Order, and pay their dues to the Commendator, the Mistress and to every member in the two Houses. The Grand Master was to be given a tribute of a half a Mark of silver on his visit to the two Houses. In every General Chapter, these Statutes were to be read and explained, especially for the benefit of new members of the Order. Three copies of the Statutes were to be made, one for each of the two Houses, and one for the Church of Zurich. The signing of these Statutes took place on the 23<sup>rd</sup> April 1418, during the Pontificate of Martin V at the Diocesan General Council held at Constance within the Province of Mainz, when the Grand Master was Lord Peter Des Raux.

### **Comment**

It appears from these Statutes that the Commendator was in charge of the two Houses, that of Gevenn and that of Sedorf; that each House had a governing Sister, and that the Sister in charge of the House in Sedorf was responsible for all the members, male and female, of that House. There was also a bond between the two Houses and the Chapter of the

Abbey of Saints Felix and Regula as well as with the Municipality or University of Zurich. It appears also that before the writing of these Statutes, there were schisms and negligence in the observation of rules. There was also negligence in the wearing of the habit and the practice of the Canonical Hours, for which reason Commendator John Swarber made his recommendations for the future. Above all, the new Commendator was to look after both the material and the spiritual interests of the two communities. Strictness was observed in the obedience shown to the elected Commendator, the punishment for disobedience being excommunication. Computation of finances and preservation of seals and other documents in locked up chests were insisted upon.

### The Latin Language

These Statutes were written in legal and long sentences which hamper their understanding. Punctuation-marks do not always correspond to those which we use today. Also, in one and the same paragraph, more than one concept can be noticed, and so the understanding of every paragraph can be reached only after several attempts are made. In addition, the diphthong “*ae*” is rendered as “*e*” (e.g., *ipse* for *ipsae*), and this may cause some confusion at times.

There are a few spelling mistakes, such as *semotis* for *remotis* [p.223]<sup>3</sup>, *refidentiam* for *residentiam* [p.224], *assumtis* for *assumptis* [p.225], *causa visitandi causa* for *visitandi causa* [p.227], and *atroque* for *utroque* [p.231].

Grammatical mistakes occur in for *pro nobis* [p.220], when we know that the preposition *pro* takes the ablative case; *exclusis* for *exclusi* [p.222], when *exclusi* in the nominative case should agree with *Fratres* and *professi*; *reget* for *regat* [p.223], when the jussive subjunctive mood is required, and not the future indicative; *faciet* for *faciat* [p.223], for the same reason given for *regat* above; *una sola duntaxat camera preexcepta* for *unam solam duntaxat cameram praeexceptam* [p.224] in the

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<sup>3</sup> The pagination notes noted throughout the present article refer to the pagination of the published transcript.

accusative case as object of the verb *possidere*; *in* for *per* [p.225], where the sense requires “by them” and not “into them”; and *alterum* for *alteram* [p.227], when *alteram* refers to *pars* (*partium*) which is feminine in gender, and not masculine.

When no misspellings or mistakes in Latin occur, then we meet with divergences from the use of Classical Latin. The most common occurrence is *per* when here it means “by”. But we also encounter several uses of *quod* + subjunctive mood where Classical Latin would use the accusative and infinitive construction, and the use of *quando* for *cum*, when *quando* in Classical Latin is used for questions.

### **The Legal Style**

The legal style in which these Statutes were written is characterized by very long sentences, sometimes seemingly unending, repetitious expressions, like *antefati* and *saepe dictarum*, and conglomerations of synonyms, like *volumus etiam*, *statuimus et ordinamus*; *reconditis et reservatis*; *persolutis et expeditis*; *de consensu et beneplacito*; *quando et quotiens*; *debent atque tenentur*; *quod profectum, commodum, utilitatem et honorem*; *receptis, collectis, expositis et elargitis*; *res et bona*; *redditus et proventus*; *universi et singuli*; and *stare et obedire*.

### **Conclusion**

These 1418 Statutes were written by Commendator John Swarber for the Convents of the Houses of Gevenn, the residential place of the Commendator, and that of Sedorf, to correct their past negligence of the Rules of the same Order, and to establish norms for the future elections of the Commendator, as well as for his elimination in extreme cases of misgovernment. The members of the two Convents were to wear a habit, recite the Canonical Hours and donate their money to the Order.