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**[p.1] New Documents relating
to the Origins of
Religious Orders in Malta**

George Aquilina and Stanley Fiorini

Our recent publication *The Origin of Franciscanism in late Medieval Malta* focussed on the Late Medieval Maltese context within which the two branches of the First Order of St Francis, the Conventuals and the Observants, came to be founded within a few years of each other towards the end of the fifteenth century. A number of hitherto unknown or ignored documents relating to these foundations were incorporated to show how the precursors of the First Order in Malta were the Order's tertiaries regular who had toiled at Rabat, Malta, for well over a century previously. Since the completion of this work a number of other relevant documents have come to light, in both local and foreign archives, that both corroborate our thesis as well as shed light on the early years of other religious orders during the same century.

The Franciscans

In the subsequent debate generated by the conclusions of the book¹ it emerged that, perhaps, a clear enough distinction had not been drawn between what was established on sound documentary evidence and what was only proposed as hypothetical. With a view to clarifying our position we note that during the first half of the fifteenth century at Rabat, Malta, there existed a Franciscan complex consisting of three distinct but mutually interactive elements, namely the Church of St Francis flanked on one side by the Friary of St Francis and on the other by the Hospital of St Francis. As was the custom at the time, this institution was endowed with benefices that generated sufficient funds for its upkeep. In this case there were two distinct *jura patronatus*, one known as the *Beneficium Ecclesie Sancti Francisci*, which was a *jus patronatus laicorum* insofar as it was the City jurats who had the prerogative of appointing its rector, and the other [p.2] was the *Beneficium Hospitalis Sancti Francisci*, which was a *jus patronatus regium* whose incumbent was appointed by the King of Sicily.²

Document IV of the book outlines the history of the benefice held in the church during the second half of the fifteenth century: Fra Guglielmo Lucchisi (alias Baldiri) of the Third Order was its incumbent till his death around 1488. By this time the Tertiaries had dwindled down to their last member. The Mdina jurats therefore offered the *juspatronatus* to Padre Francesco Scalisti of the First Order - obviously a foreigner - on condition that he obtains Papal dispensation as the benefice rightly belonged to the Tertiaries *a lo quali ordini et religioni de jure spetta ditto iuspatronatu*. Scalisti was neglectful in executing this duty so that the benefice was taken away from him and given to Fra Giacomo Maffa of the Third

¹ Restricting attention to what appeared in *The Sunday Times* (Malta) during 1995, *vide* 19 March, pp. 40-1; 26 March, p. 18; 2 April, p. 17; 9 April, p. 17; 16 April, p. 34; 24 September, p. 17; 7 October, p. 17; 22 October, p. 18; 29 October, p. 18.

² The distinction between the two benefices is very apparent from the manuscript NLM Lib. MS. 732 ff. 9^v, 14^v-16 which describes both giving extracts of the Palermo Cancelleria records relating to them.

Order (another foreigner). In 1496 Maffa renounced the benefice and the Maltese cleric Andreotta Savieta offered to undertake it with all its burthens - *servire ditto ecclesia ut moris est* - and, in order to abide by stipulated conditions, he offered to become a member of the Third Order. This can leave no room for doubt that the Church of St Francis with its concomitant benefice of the *terre di San Francesco* was associated with the Tertiaries and with no one else. These Tertiaries had to be priests, not laymen, in order that they could offer Mass in the church.

That these Tertiaries were, furthermore, regular - in the sense that they lived in a community - can be deduced from Document III of the book which also shows how the First Order Conventuals came to establish themselves here. This document, dated 1494 and titled *Erectio*, is a petition to His Holiness by Padre Giacobbo de Leo, Minister of the Order in Sicily, to establish two communities of the First Order, one in Rabat, Gozo, and the other in Rabat, Malta, in the *locus* - which means friary - that belonged to the Tertiaries and by whom it was bequeathed to the First Order in the will of the last surviving Tertiary, who must have been Baldiri. Document G, *infra*, corroborates this scenario. It is a notarial registration of an appointment of a First Order commissioner for Malta, emanating from the Order's Provincial Chapter held in Agrigento in 1478. The object of the mission was fourfold: (i) to establish friaries in Malta, (ii) to accept potential new members both into the First and the Third Orders, (iii) to accept benefices, and most importantly, (iv) to dispose of the *locum Sancti Francisci de Tercio Ordine nostro*. This document is best interpreted as plans being made by the [p.3] Conventuals (the reference to the acceptance of benefices rules out the Observants) for the taking over of the Tertiaries' *locus* once they came into full possession of the friary³ after Baldiri's death.

To seal the case for the Tertiaries' presence in the fifteenth century one can propose some further evidence (Document I, *infra*). This document, dated 1523, explains how Vicar General Don Doymo Nacci had issued an injunction against the Augustinians who had refused to participate in the St Sebastian procession in protest against their being deprived of their right of precedence *vis-à-vis* the Franciscans, both Conventuals and Tertiaries, by the late Bishop Jaymo Valguarnera (1495-1501). Thus in 1523 it was very well known that the Tertiaries had been present as an Order on the island.

Within this framework, what is more natural to suggest than that the *Ospedali di San Francesco*, which is unthinkable to conceive of as unrelated to the Church, on which it abuts, and to the friary associated with it, was run by the same organization responsible for the church and friary, namely the Franciscan Tertiaries. This is admittedly a hypothesis insofar as we are not in possession of documents to prove it. But many indicators point towards the plausibility of this suggestion, not least, the fact that in Sicily,⁴ as elsewhere, it is well established that Tertiaries went in precisely for this kind of charitable activity. That Fra

³ G. Andreozzi, 'Il movimento penitenziale francescano in Sicilia nei secoli XIII-XIV,' *Francescanesimo e Cultura in Sicilia (secc. XIII-XVI) - Atti Convegno Internazionale Palermo, 7-12 marzo 1982* (Palermo, 1987) 117-141.

⁴ This friary must have been the one referred to as *conventus S. Francisci* in the 1442 will of the Dean of the Cathedral, Canon Bernardus Yaner and to which the Dean's brother Frater Benedictus must have belonged (Seventeenth century transcript of will in acts of Not. D. Portelli, NAV R399/7 f. 326^v). Frater Benedictus was the incumbent of the *terre di San Francesco* in 1436 (NLM Lib. MS. 721 (Rollo de Mello) ff. 2-4^v).

Nicolò Papalla, or indeed also Fra Paulo Papalla before him,⁵ both of the first order were appointed rectors and beneficiaries of the *Ospedale* in no way invalidates our thesis. This kind of appointment dovetails perfectly with the pattern of similar appointments at the time whereby Sicilians, Catalans and other foreigners were given benefices belonging to the Maltese Church without their ever or hardly ever setting foot on the island. This was an old grievance of the Maltese which only began to be redressed in 1521.⁶ As has been already asserted, [p.4] from the score of references to Nicola Papalla himself in the *Cancellaria* records of Palermo not a single one describes him as present on Malta; he is always shown as royal chaplain and *elemosiniere*, as confessor to the queen and as *custode della rotella dei Giudei* in Palermo, Messina and elsewhere. These onerous duties were incompatible with a continued presence on Malta. More significantly, because it sheds light on how Maltese funds got channelled abroad, in 1393 the Duke Martino nominated Papalla to the See of Malta for which favour the Franciscan offered a payment on the revenues of the Maltese diocese to help finance the King's war.⁷ More to the point, Document A (*infra*) makes explicit reference to how much the King was dissatisfied with the running of the Maltese Hospital and Church precisely because their funds and other possessions were being diverted to alien uses. It appears that the King's admonitions went unheeded as his successor, Alphonsus, had to reiterate the same in 1433 ordering the Mdina jurats to take over their administration.⁸ The resistance to the King's demands can now be better gauged. The earliest secure reference to the *Universitas'* control of the Hospital and consequent change of the name to Santo Spirito, is as late as 1467.⁹ Document F (*infra*) now bridges the lacuna between 1433 and 1467 adequately; in 1455 the Hospital was still known as San Francesco.

One further document (Document H, *infra*) recently unearthed at Palermo in the *Conservatoria di Registro* records sheds light on a peculiar aspect of happenings at Gozo. It appears that in 1489 the building of a Franciscan friary at Rabat, Gozo, was already in progress. The intriguing note here is that this was meant to be a friary of SANCTA MARIA JESU DE OBSERVANCIA and not a conventual establishment. What is even more tantalizing is that the friar making the request, and being granted permission by the viceroy, was none other than Frater Matheus de Episcopo ORDINIS SANCTI FRANCISCI DE OBSERVANCIA who later appears as first *guardianus* of the CONVENTUALS at Rabat, Malta. It appears that, for some reason that will probably remain unknown, Frater Matheus changed allegiance sometime around 1490 and carried over with him the church and convent he had toiled to set up.

[p.5] The Augustinians

When the Augustinians came to Malta is not known. If however, their claim that they had been here before the Franciscans (*supra*) is well-founded then any date before 1370 is possible for their arrival. The earliest record of an Augustinian presence on Malta remains, however, a document of 1413 from the Palermo Archives that narrates the undignified

⁵ Details in fn. 1, *supra*.

⁶ S. Fiorini, *The 'Mandati' Documents at the Archives of the Mdina Cathedral, Malta: 1473-1539* (Malta, 1992) xxxviii-xxxix.

⁷ S. Fodale, 'I frati minori in Sicilia tra i Martini e lo scisma (1392-1412),' *Francescanesimo*, 81.

⁸ S. Fiorini, *Santo Spirito Hospital at Rabat, Malta. The Early Years to 1575*, (Malta, 1989), Doc. II.

⁹ *Ibid.*, Doc. III.

manhandling of the Prior of the Malta Rabat Priory by men who broke into his cell in the dead of night by first removing the masonry from the walls.¹⁰ Document B (*infra*), although later and hence does not clarify further the question of the origin of the Austin Friars on these islands, is rather important on two counts. The document, dated 1415, consists of a letter of the Augustinian provincial of Sicily to the Avignonese antipope Benedict XIII apologizing for being unable to travel to Malta on account of the dangers of piracy but assuring him that he had sent message to the friars of the Malta Priory enjoining them that their allegiance is to Avignon and not to Rome. On the one hand, the document sheds some light on the very confused situation obtaining during the time of the Western Schism (1378-1417). It is clear here with whom the Augustinians in Malta, as in Sicily, were siding in 1415.

On the other hand the Sicilian provincial makes no mention of the Gozo Priory in that year so that one is given to understand that this priory did not then exist. It is not very likely that in the rather important matter discussed he could have omitted another priory under his jurisdiction. One concludes that the Gozo priory must have been founded some time between 1415 and 1450. The later date can be deduced from Document E (*infra*) as in that Jubilee Year the Augustinian Church on Gozo is mentioned as one of the shrines at which the customary indulgences could be obtained. In this connexion one notes the mention of Sancta Maria dila Gructa with no reference to the Dominicans. Document C is a clear statement that in the wake of the Moorish invasion of 1429 there were no religious Orders in Malta in 1432 except for the Augustinians.

The Benedictines

The earliest secure reference to the *Abbatia Vecha sive di S. Pietro* to date has been the monastery's appeal for help in 1477 as recorded in the *Universitas*' [p.6] Council minutes corroborated by the corresponding *Mandatum* for 2 *unci boni ad opu di la maramma dila abatia dila chitati*.¹¹ The identity of the name of San Pietro with that of a *Hospitale Sancti Petri intus Civitatem*, known already in 1418,¹² has provoked the conjecture that the monastery's foundation was linked, somehow, with that of the hospital. Thus, for example, Ferris incorrectly asserts that the hospital was transformed in 1418 into the monastery, adding for good measure, that this happened under the auspices of Bishop Platamone who was, coincidentally, a monk of the same order.¹³ Document F (*infra*) now provides some more solid foundations to this conjecture although on somewhat different lines from those suggested by Ferris. This document is an injunction by Pope Callixtus III, soon after his election to the throne of Peter, directed to the Maltese Archdeacon. His Holiness states that he had received representations both from the Mdina Council and from the Bishop of Malta, Antonius [Alagona] who was a Benedictine, noting that in Malta there were two hospitals for the poor and for pilgrims, namely that of St Peter, inside the walls, and that of St Francis, outside them, and that, although well-endowed, they were not being much frequented. On the other hand, it was pointed out that the citizens of Mdina lacked a monastery where they could place their daughters who remained spinsters. His Holiness was therefore ordering the Archdeacon to

¹⁰ ASP, Real Canc. 48 f. 165, published by A. Luttrell, 'The Augustinians at Malta: 1413, *Analecta Augustiniana*, xxxviii (1975) 297-301.

¹¹ NLM Univ. 11, f. 358 (4.ii.1477) and MCM ACM Misc. 36, f. 21 (4.iii.[1477]).

¹² Will of Domina Margarita de Pellegrino (D'Aragona) dated 5.vi.1418 in the acts of Notary Antonio Azzopardo, from a copy of 1613 in the acts of Notary A. Allegritto NAV R16/28 f. 823^v.

¹³ A. Ferres, *Descrizione storica delle chiese di Malta e Gozo* (Malta, 1866) 101.

suppress the Hospital of St Peter and to found in its stead a nunnery of the Order of St Benedict which he proceeded to endow with an income of up to 24 *uncie* annually from the revenues of the two hospitals. Apart from the obvious fact that the Benedictine monastery of St Peter owes its foundation to this decree, the document also illustrates the reasons behind the financial support given by Santo Spirito Hospital to the nunnery on a number of subsequent occasions.¹⁴

Another document (Document D, *infra*) sheds light on both the Hospital of St Peter's and on the Mdina connexions of the Augustinians. A royal letter of 1434 makes reference to 'a recent request' by the Augustinians of Rabat to the *Universitas* officials to make use of the Hospital of St Peter in Mdina as a place where they could house their silverware and other precious objects in times of danger from the Saracens. Indeed, the Augustinians did not have a Rabat residence [p.7] at the time as this had been devastated by the Moors in 1429 (Document C). In the same letter the King instructs the Cathedral Dean that the Augustinians should be given the running of the hospital including the care of the sick and of the poor, the chanting of the Divine Office and the celebration of a Mass every Monday of the year and of other Masses as prescribed by the testator who bequeathed the property. He also insisted that the friars' lodgings should be kept apart from those of the poor and the infirm and that the hospital's revenues should be directed first to the needs of the latter and the maintenance of the building. The obligation on the part of the Augustinians to say a Mass every Monday at the Church of St Peter's (later belonging to the Monastery of St Peter's) was still being fulfilled in the seventeenth century, which fact baffled the Monastery Procurator of the day who confessed: *Il Ven. Convento di Santo Augustino e obbligato a fare dire una Messa ogni Lunedì nella Chiesa del Monastero di S. Pietro per un legato...CHE NON HO POTUTO SAPERE DA CHI fu lassato*. This shows that the Augustinians did take up residence in Mdina in the first half of the fifteenth century. Very probably connected with this event one notes that down to the nineteenth century there were still vestiges of Augustinian property close to Palazzo Inguanez.¹⁵

The traditional view most commonly held to date has been that the monastery of St Peter was the first nunnery to be founded in Mdina and that only later, towards the end of the fifteenth century, a second nunnery dedicated to St Scholastica was set up, through the efforts of Bishop Jaymo de Valguarnera, in the former Jewish Synagogue of Mdina.¹⁶ This opinion was doubtlessly encouraged, if not engendered by the fact that documents of the early sixteenth century and later refer to St Scholastica as the *abatia nova* to distinguish it from St Peter's, referred to as *abatia vecha*.¹⁷ In spite of this, certain old references to Santa Scolastica,

¹⁴ Fiorini, *Santo Spirito*, 10.

¹⁵ L. Agius, *L'Ordine Agostiniano nelle Isole di Malta e Gozo* (Malta, 1931) 13. G.A. Ciantar, *Malta Illustrata*, iii (Malta, 1772-80) 273, claims that to his day a house near Palazzo Inguanez contained a cistern known as St Augustine's Well. A century later, A.A. Caruana states that the Augustinian emblem consisting of a mitre was still to be seen a few years before his time of writing: A.A. Caruana, *Monografia Critica della Grotta di San Paolo nel Sobborgo di Melite, l'Antica Capitale di Malta* (Malta 1899) 40.

¹⁶ G.F. Abela, *Descrittione di Malta* (Malta, 1647) 355-6. Ferres, 101, 283-4. A.P. Vella, *Storja ta' Malta*, i (Malta, 1993) 144.

¹⁷ For the terms *abatia nova* and *abatia vecha*, text of will of Paula de Stuñica, dated 23.xii.1513, published in J. Busuttil, 'Three Wills,' *Melita Historica*, ix/2 (1985) 108:

recently rediscovered, necessitate a different reading of events. It appears that Santa Scolastica was already in existence, somewhere, well before [p.8] 1495 given that at least two distinct testators made bequests in its favour as recorded in the acts of Notary Luca Sillato who died sometime before May 1486.¹⁸ It is readily admitted that the originals of these acts are now lost but seventeenth/eighteenth-century calendars of important wills and other contracts therein exist whose authenticity one cannot dismiss lightly. One finds among these that the noble Ilagia, daughter of Bartholomeo de Bernardo and wife of Andrea Falsone I.U.D., left a legacy in favour of the monastery church as early as 1443 and that, furthermore, the noble Pino de Bordino made a similar bequest of money to the monastery as recorded in the same acts.¹⁹ If the year 1443 is correct, then Santa Scolastica was in existence even before San Pietro. In an attempt to reconcile this seemingly conflicting information one can, perhaps, take a clue from an oral tradition preserved within the walls of St Peter's that there existed in the past a certain divergence of attitude and of purpose between the two nunneries insofar as St Scholastica was originally purportedly intended for the unmarried daughters of the upper crust in Maltese society whereas at St Peter's no such distinctions were made. Judging by the known surnames of the nuns at St Peter's in 1487,²⁰ this certainly appears to be the case for this nunnery although, unfortunately, no comparable contemporary information is available for St Scholastica to corroborate this hypothesis. If one accepts this theory, then one can interpret the request by the *Università* and by the Bishop to found St Peter's in 1455 as being prompted by urgings from the commoners of Mdina who would have been understandably irked that the nobles had an institution to accommodate their unmarried daughters which barred entry to their own offspring. One can then interpret the term *abbatia nova* applied to St Scholastica as referring to the new premises rather than to the institution, these premises having become available only after the expulsion of the Jews in 1492 and which were in fact occupied in 1495-96, as is well-known.²¹

[p.9] THE DOCUMENTS

Document A

12 February 1403.

Item legavit monasterio S. Scolastice sub vocabulo la abbatia nova tarenos vi ponderis tarenos iij monasterio S. Petri sub vocabulo labbatia vecha.

¹⁸ NAV Not. G. Zabbara R494/1(I), f. 7 (13.iv.1486), to appear in S. Fiorini (ed.) *Documentary Sources of Maltese History. Pt. I: Notarial Documents, No. 1: Notary Giacomo Zabbara, 1486-1488*, Doc 10.

¹⁹ NLM Lib. MS. 695 (Testamenti di Maschi), f. 334^v no. 1583. *Ibid* MS. 751, p. 156. MCM ACM Misc. 368, f. 121.

²⁰ Text in Fiorini, *Documentary Sources*, Doc. 136 (6.iii.1487).

²¹ NAV Not. G. Zabbara R494/1 (IV) f. 4^v (2.vi.1496). In this contract, the citizen of Mdina Michael Xerri, while making a donation of 3 gold *uncie* to the monastery, asserts that, with the authority and on the instructions of Bishop Valguarnera, he had set up anew the Monastery of St Scholastica in the former Jewish synagoge: *actend[ens] ad pium et sanctum opus edificacionis et fundacionis monasterij sub titulo S. Scholastice DE NUOVO FUNDATI et edificati Jn loco sive tenimento domorum olim miskita sive sinagoga Judeorum Meliveti*. One concludes that the foundation date must lie between 30 March 1495, the date Valguarnera was appointed bishop, and 2 June 1496, the date of the contract.

Archivio di Stato, Palermo, Real Canc. 40, ff. 59^v-60

King Martin, who has received complaints that the revenues of the Cathedral of Malta and of the Hospital of St Francis outside the walls of the City were being diverted to alien purposes, instructs the Jurats and the Judges of the City and Island of Malta to inquire into, and to redress the situation.

Martinus etc. Juratis et Judicibus Civitatis et Insole Melivetj fidelibus nostris gratiam etc. Cum serenitas nostra nuper acceperit assercionem quorundam certa bona ecclesiarum seu hospitalis et monasteriorum Sancti Pauli ac Sancti Francisci Intus et extra Civitatem Jacencium mobilia scilicet et stabilia ut proventus et redditus eorumdem per nonnullas personas et presertim per Juratos preteritos quibus huiusmodj onus Incumberat dum male administrarj sed in maximo preiudicio ecclesiarum dictarum distrahi et usurparj, volentes Ecclesiarum bona eorumque redditus et proventus per quemlibet ad augmentum devocionis nostre fideliter ministrarj vobis predictis presencium tenorem conmicimus et mandamus quatenus omnj solemnj inquisicione previa omnia et quecumque bona ecclesiarum hospitalis et monasteriorum predictorum penes quascumque personas inventa quoquovis modo indebite hactenus alienata cuiuscumque gradus [f. 60] et condicionis existat perquirere, Invenire et habere effectualiter debeatis per vos eorumdem hospitalis et monasteriorum comodis fideliter convertenda.

Data Cathanie die xij^o februarij undecime Indictionis.

Rex Martinus.

Dominus rex mandavit mihi f. p. officij prothomagistro notario.

Document B

7 April 1415.

Archivio Segreto Vaticano, A.A. Instr. Arm. C. n. 484.

Frater Jacobus di Antonio da Trapani, provincial of the Augustinians in [p.10] Sicily apologizes with antipope Benedict XIII of Avignon explaining that he was unable to cross over to Malta due to the grave dangers of attack by Muslim corsairs but assuring that message had been sent to the Prior and friars of the Malta friary instructing them to remain loyal to Him.

Published in G. Pistorio. 'Riflessi dello Scisma d'Occidente in Sicilia' (Catania, 1974) 110, Doc. 28.

Magnifice domine, prelibata recomendatione subiecta in omnibus et devota preceteris terrenis atque celestibus tandem ad vota successibus congaudere hinc est quod per Dei gratiam totum factum est iuxta mandatum magnificentie vestre in quantum valui et potui et quod hoc sit verum micto reverentie vestre instrumentum testatum et roboratum secundum possibilitatem provincie nostre Sicilie verum quod insulam Melevitanam propter agarenorum piratas non valui meos dirigere gressus; tandem mandavi priori ceterisque fratribus conventus insule predicte quod deberent obedientiam sanctissimo atque beatissimo domino nostro pape Benedicto et quod in omnibus missis convetualibus deberent intercedere et

commemorationem facere pro eo sub pena rebellionis. Demum et instrumentum facerent et deinde mitterent dominationi vestre et sic facient indilate. Demum etiam magnifice domine vestram magnificentiam duco exortandum quod si possum aliquod plus operari pro sanctitate et sublimatione domini nostri immo si expedit resupinum crucem ascendere ecce me paratum usque ad mortem. Ad presens non aliud nisi quod magnificentia vestra me vestrum continuum oratorem suscipiat commendatum. Dominus sit vobiscum amen.

Datum Nari m.cccc.xv. die vii mensis aprilis VIII indictionis.

Vester in omnibus vere inutilis frater Jacobus de Antonio de Trapano im meritis provincialis Sicilie provincie ordinis fratrum heremitarum Sancti Augustini.

Document C

18 December 1432

Archivio Segreto Vaticano, Registrum Supplicationum 284, ff. 9^v-10.

A request addressed to His Holiness Pope Eugene IV on behalf of the Austin friars of Malta. It asserts that three years previously Malta had been devastated by a Moorish onslaught which had spared only Mdina and during which the friars had lost their church in Rabat and practically all their property. Several, [p.11] including the friars themselves, were then seeking refuge in Sicily. As in Malta there was no other religious order at the time and the Austin friars were much needed because they could communicate with the Moorish-speaking population, they were requesting His Holiness to convert funds from pious legacies and other sources to the reconstruction of their church and priory without molestation from third parties.

Beatissime Pater, cum a tribus annis citra vel eo circa Insula Melevitana que proxima Infidelibus Sarracenis et Moris et quasi in eorum portu (?) sita est per eosdem Infideles violenter capta, ingressa et tota dis[po]liata, destructa et quasi depopulata, sola Civitate Melevitana dempta, fuit; in quo ingressu conventus fratrum Heremitarum Sancti Augustini extra muros dicte civitatis cum eorum ecclesia aliisque domibus penitus destructi et quasi et nichilum reducti omniaque eiusdem conventus perdita fuerunt, sic quod fratres qui, paupertate cogente, fere omnes dictam insulam desinere (?) et ad Regnum Sicilie se transferre oportuit. Cum autem, Pater Sancte, populus insule—utpote (?) an aliis locis (?) Christifidelium—et qui linguam loquitur derivatam (?) Sarracenis qui proximius maxime (?) predicatoribus et aliis viris ecclesiasticis qui eum (?) in fide Catholica instruat (?) noscunt (?) indigere nec in ea sit conventus ordinis cuiuscumque nisi supradictus [f. 10] qui maximis indiget reparacionibus et sum[pti]bus est destitutus ut prefertur (?), et igitur, Pater Sancte, conventus ipse reficj et fiens—pred—scientes in eo decenter sustentarij verbumque Dei prelibato populo—sciente voluit supplicatur Sanctitas Vestra pro parte Prioris et Fratrum dicti conventus quatenus omnibus Christifidelibus qui pro refectione seu reparacione ecclesie et conventus predictorum ac fratrum Inibi pro tempore degencium <sustentacione>¹ pias elemosinas et grata caritatis subsidia erogaverint manusque ad illa porrexerint adiuvantes (?) seu de bonis sibi adeo collatis largiti fuerint necnon qui ecclesiam et conventus predicti in omnibus pro cancell—dari consuetis festivitatibus et eorum octavis devote visitaverint decem annos et totidem quadrigenas (?) de veris indulgencijs perpetuis temporibus di—quasi omnia et singula

¹ Marginal or interline insertion denoted thus: <...>

bona ad tam pium et necessarium opus legatur (?) ad illud applicentur nec per ordinarium locj vel alios quodcumque possit aliqua canonica aliave porcia de eis petj vel exigj indulgere et concedere—dignemini de gracia constitutionibus apostolice et aliis contrarijs non obstante quibuscumque.

Concessum ut petitur in presencia domini nostri Pape.

Card. (?)—iriden. (?)

Datum Romae apud Sanctum Petrum quintodecimo (?) Kalendas Januarij. Anno Secundo.

[p.12] Document D

2 August 1434.

Archivio di Stato Palermo, Real Cancelleria 69, ff. 139^{r-v}.

King Alphonse confirms the concession in perpetuity by the Universitas officials and the Cathedral Dean of the administration of the Hospital of St Peter in Mdina to the Augustinian Friars of Rabat under certain conditions that had to be observed.

Pro Monasterio Sancti Augustini Civitatis Melivetj.

Alfonsus etc. Dilectis et fidelibus nostris Capitaneo, Judicibus, Juratis et universitate Civitatis et Insule Meliveti ac devoto nostro Decano Melivetanensis ecclesie salutem et gratiam. Oblata nuper Maiestati nostre humilis supplicacio prioris et fratrum Monasterij Sanctj Augustinj ordinis heremitarum de dicta Civitate Meliveti continebat Quod cum propter/Infidelium/¹Incursum Infidelium Saracenorum qui vicinj sunt eidem Insule nequientes habitare tute In eorum monasterio quod est extra menia Jamdicte civitatis pecierint ab universitate predicta quod eis concederent ecclesiam hospitalis Sanctj Petrj que est intus dictam civitatem ut Inibi secure morantes preservarent argentum, Jocalia et alia bona mobilia predictj monasterij et eisdem fratribus universitas Jpsa concessit hospitale predictum sub certis condicionibus In contractu exinde facto contentis remictens eos universitas eadem ad nostros vicereges qui tunc erant pro nobis In dicto Regno Sicilie ut eis confirmarent concessionem eandem quj confirmantes concessionem ipsam quantum (?) ad eos spectabat remiserunt eosdem ad quondam dominum Maurum olim episcopum Melivetanensem ex eo quod causa spiritualis erat, quj episcopus confirmavit tam concessionem universitatis eisdem quam confirmationem viceregum prelibatam. Et nichilominus ad maiorem cautelam habentes recursum ad Sanctissimum In Christo Patrem Papam Eugenium quartum exposita et Santitate sue comisit per Apostolicas bullas vobis [f. 139^v] eidem Decano ut Juxta discrecionem vestram eisdem priorj et fratribus consignaretis aliquam domum vel ecclesiam Intus dictam Civitatem pro causa predicta prout In dictis bullis lacius vidimus continerj quarum vigora vos predictus decanus posueritis eosdem priorem et fratres In possessionem dicti hospitalis. Quapropter Maiestati nostre supplicarunt humiliter ut confirmantes concessionem et confirmationem prelibatas eisdem per vos exequj mandare dignemur. Qua supplicacione clementer admissa laudantes, acceptantes, ratificantes et confirmantes tam concessionem predicte ecclesie factam per eandem [p.13] universitatem modo quo supra quam

¹ Deleted text denoted thus: /.../

confirmacionem nostrorum viceregum et exinde predictj quondam episcopi Maurj ac eciam prelibatas bullas eiusdem Sanctissimi Patris quam eciam concessionem predicti hospitalis per vos eorumdem Decanum vigore dictarum bullarum factam eisdem priorj et fratribus de quibus omnibus claram habemus noticiam vobis et vestrum cuilibet dicimus et expresse mandamus vosque devotum nostrum decanum supradictum requirimus et ortamur actente quatenus eisdem priori et fratribus prelibatis predictas concessiones tenentes et observantes, eos Jn possessione videlicet quam hospitalis eiusdem ponatis et effectualiter Inducatis Inductosque manuteneatis et defendatis Juxta predictarum concessionum seriem et tenorem servatis tam omnibus pactis et condicionibus adiectis Jn contractu concessionis universitatis predicte per eosdem priorem et fratres et eorum successores Jn perpetuum et precipue quod dictj fratres teneantur Jta ut decet et secundum facultatem hospitalis predictj ordinare et retinere hospitale predictum ordinatum pro Jnfirmis et pauperibus ac eciam teneantur quolibet die lune celebrare missam et divinum officium cantando et aliam missam planam Jnfra qualibet edomada pro anima conditoris ipsius hospitalis Jn altarj deputando ad hanc causam secundum voluntatem ipsius conditoris expressam Jn eius testamento. Item quod locus pauperum et Jnfirmorum sit separatus ab habitacione fratrum predictorum, ac eciam quod de redditibus proventuris ex ipso hospitalj primo subveniatur dictis pauperibus et Jnfirmis cum consensu Juratorum predicte Civitatis et exinde si supererit redditus convertantur Jn reparacione hospitalis ipsius Juxta predictam conditoris testamentariam disposicionem quam per omniam volumus salvam fore Jtaque Jn aliquo non elidatur ipsius testatoris voluntas et dispositio hocque non mutetis aut differatis aliqua racione vel causa cum sic omnino fierj velimus et Juberemus.

Data Jn urbe felicj Panormj die ij^o mensis Augustj xij^o Jndiccionis sub anno dominice Incarnacionis m^occcc^oxxxiiij^o.

Rex Alfonsus.

Leonardus de Bartholomeo prothonotarius extra provisionem consilij et vidit eciam Antonius de Bononia,

Document E

10 July 1451.

Archivio Segreto Vaticano, Reg. Lat. 396 ff. 16^v-18.

[p.14] *The granting of indulgences to the faithful of the Maltese diocese during the Jubilee Year 1450. The following shrines on Malta and Gozo visits to which were linked with the obtaining of the indulgences are explicitly mentioned. In Malta: The Cathedral (Melevitana Major), St Augustine's, St Paul's in the Rabat Cemetery, S. Maria de Gructa and S. Maria de Vitutibus; in Gozo: S. Maria infra (that is below, taken to mean S. Maria ta' Savina), St James', St George's, St Augustine's and St Peter's in the Rabat Cemetery. The exclusion of the Matrice is, possibly, explained by failure of that Church to pay a tax associated with this occasion.*

Indulgencia annj Jubilei in Civitate et diocesi Melevitana concessa.

P. de Roveto.

Nicolaus etc. Ad futuram rei memoriam. Pastoris eterni quj pro salute generjs humanj se in precium immolare non abnuit, vices quamvis immeriti gerentes in terra (?) cura (?) gregem dudum nobis ex alto commissum quem indefessa solitudine cupimus in loco pascue collocarj extendentes paterne consideracionis intuitum eo celerius singulorum fidelium occurrimus dispendijs illosque Apostolicis prosequimur favoribus quo eos velutj mons (?) et B(—)¹ ecclesie peculiare filios in visceribus gerimus caritatis. Dudum siquidem felicitatis recordacionis Clementis VI et Gregorj XI predecessorum nostrorum Romanorum Pontificum vestigijs inherentes diversa super indulgencijs Annj Jubilei a Christifidelibus vere penitentibus et confessis consequendis per eos concessas litteras innovavimus, approbavimus et confirmavimus ac eciam indulsimus, statuimus, decrevimus et ordinavimus quod omnes Christifideles quj vere penitentes et confessi in Anno Nativitatis Dominj Millesimo quadringentesimo quinquagesimo proxime preterito certis expressis diebus [f. 17] Beatorum Petri et Pauli Basilicæ ac Lateranensis et Beate Marie Maiori et de Urbe ecclesie visitarent omnium peccatorum suorum plenissimam remissionem consequeretur prout in (—) (—) de confectis litteris quarum tenores ac si de verbo ad verbum inserte forent presentibus haberj volumus pro inserto [ut]² plenius continetur hinc est quod nos cupie[ntes] Incolas et habitatores Civitatis et diocesjs Melevitanensis ac inibi hinc ad Quatuor menses a die publicacionis presencium in ecclesia Melevitana faciente computandum se repperientes et undecumque ad illas ex quavis causa declinantes, intentu (?) Carissimj in Christo filij nostrj Alfonsi Aragonum et Sicilie Regis sub cuius dominio partes ille fore noscuntur [p.15] spiritualibus favoribus prosequi eorumque animorum salutj salubriter providere volentes volumus ac eisdem Incolis, habitatoribus et declinantibus seu ibidem se repperientibus huiusmodj cuiuscumque sexus aut dignitatis, status, gradus, ordinis, dominijs, lingue vel condicionis fuerit eciam sive preterito Anno Jubileo huiusmodi Romam causa Jubilei accesserint sive non Apostolica auctoritate indulgemus ut confessor ydoneus secularis vel regularis quem ex aliquibus per Venerabilem Fratrem nostrum Antonium Episcopum Melevitaneum et dilectum filium Guillelmum Archipresbiterum ecclesie Melevitane Duxerit eligendum Omnibus et singulis Incolis ac habitatoribus ac declinantibus et ibidem se repperientibus huiusmodi vere penitentibus et confessis postquam eos seu eorum quemlibet ab omnibus et singulis suis criminibus, peccatis, delictis et excessibus eciam in casibus nobis aut sedi Apostolice specialiter vel generaliter reservatis de quibus confitebuntur absolverit sibique penitentiam salutarem iniunxerit, ac vota quecumque per eos forsitan emissa in alia opera caritatis commutaverit super quibus eidem confessorj auctoritate Apostolica predicta tenore presencium facultatem plenariam elargiuntur ac eciam post quam quartam partem expensarum et oblacionum quas se ad predictam urbem venissent, in veniendo, stando, offerendo et ad propria re(—)ando pro decencia personarum suarum juxta Ipsorum consciencias fecissent in reparacione et fabricacione Basilicarum et ecclesiarum urbis huiusmodi necnon in subsidium adversus Theucros et alios catholice fidei hostes prestandum dum taxat et non alias convertendum Collectorj generalj vel specialj Camere Apostolice in partibus illis deputato seu per nos aut auctoritate nostra deputando realiter et cum effectu in pecunia numerata vel alijs equivalentibus rebus aut bonis exbursaverint, tradiderint et assignaverint ad litteras per eosdem Episcopum et Archipresbiterum vel alterj eorum nostra auctoritate quam eis et eorum cuilibet conferimus concedendas ac manu condecantis vel condecencium signandas vel subscribendas ac sigillo Clavium Sancti Petri per Nos ad id deputato muniendas in quibus de exbursacione ipsam mencionem pri(—) (—)benius concedere valeat quod ipsi et eorum quilibet sit vere penitentes et confessi videlicet Insulanj Insule Melevitane Maiorem et Sancti Augustini ac Sancti Pauli in Cimiterio, necnon Beate Marie de Gructa et eiusdem Beate Marie

¹ Illegible or undecipherable text denoted thus: (—)

² Editorial insertion denoted thus: [...]

de Virtutibus Melevitane, Insulanj vero Insule Gaudisij Melevitane Diocesis, Beate Marie infra et Sanctj Jacobj ac Sanctj Georgij necnon Sanctj Augustinj et Sancti Petri in Cimiterio extra muros opidi Gaudisij dicte Diocesis ecclesias videlicet si Incole Civitatis Melevitane vel eius suburbiorum per decem si vero alij per Quinque continuos vel interpolatos dies [f. 17^v] visitando vel si adeo debiles seu divinis humanisve obsequijs insistentes vel alie qualitercumque impediti fuerint quod peregrinarj nequierunt aliud pium opus loco visitacionis huiusmodi quod idem confessor eis duxerit iniungendum faciendo vel complendo plenissimam omnium peccatorum suarum remissionem [p.16] ac eiusdem Annj Jubilei plenam Indulgenciam provide consequantur et habeant ac si eodem Anno Jubileo ad prefatam Urbem pro indulgencijs huiusmodi consequendis accessissent Basilicasque Lateranensem et Beate Marie Maioris ecclesias prefatas Quindecim diebus visitassent Ita tamen quod idem Confessor laboret personalem quem quilibet eorum si propterea ad ipsam urbem venisset passus fuisset commutet prout sibi videbitur in alia opera pietatis quodque (?) propterea Incole, habitatores, declinantes et se repperientes huiusmodi quj prefatam quartam partem persolverint ac prefatas ecclesias visitaverint ut prefertur, Confessorem qui eis semel tantum in mortis articulo pro commissis (?) eciam si de illis Sedes Apostolica esset merito consulenda salutarj (—) penitentia plenam omnium peccatorum suorum remissionem et indulgenciam eadem auctoritate concedere valeat eligere possint. Preterea concedimus, volumus petere et indulgemus quod confessor eligendus huiusmodi cum illis qui in totum vel in partem seu per tot dies peregrinarj animo petierint ac eciam dominus Episcopus seu aliquis vel aliquj per eum deputati cum illis de quibus sibi videbitur qui (—) (—) in toto vel in parte solvere nequi(—)erint (?) dispensare et penitus remittere valeant non peregrinacionem seu non solucionem huiusmodi in alia pietatis opera convertendo. Quodque si aliquj dubij fuerint vel obscurj an ad peregrinacionem vel solucionem vere impotentes vel debiles aut (—)ine imperditj seu vere pauperes fuerint aut super calculacione summe expensarum quas fecissent hesitaverint, Episcopus ac deputatus seu deputatj per eum huiusmodj super suffcincia, impotencia, impedimentj et penurie ac calculacione huiusmodi ac super omnibus alijs quibuscumque personis laicis, secularibus aut religiosis eciam inclusis ordinum quorumcumque utriusque sexus pro tempore occurrentibus eciam super absolucione penitenciarum re(—)ctione vel so(—)itacione dubijs, ambiguitatibus vel scrupulis decidere, determinare ac declarare eaque dubia solvere commutare et ad(-)re possunt seu quilibet eorum possit. Concedimus eciam per presentes pariter et indulgemus de(—)eum id quod in dubijs huiusmodj determinaverint valere eosque in quorum favorem de(—)bunt indulgenciam ipsam consequj posse et debere ac si nulla s ambiguitatis vel hesitacionis dubia occurrissent huiusmodj autem litteras per eosdem Episcopum et Archipresbiterum ut perfertur concedendas in memorialibus seu Registris penes Notarium seu scribam ad hoc deputatum vel substituendum ab eo describi et annotari iubemus ac de prefatis exbursacionibus et assignacionibus tria fierj quinterna in quibus qualibet die prout facte fuerint per eundem scribam substituendum vel substituendos huiusmodj continentur(?) et describantur, quorumquidem quaternorum duo penes eundem Notarium et reliquum eorumdem penes eundem collectorem seu alium vel alios ad hoc auctoritate nostra specialiter deputandos seu substituendos eorumdem volumus. Conservari volumus insuper quod transumptum presencium litterarum per duos [p.17] Notarios autenticos subscriptum et cum (?) Episcopi sigillo munitum ubicumque exhibita fuerit vel ostensa ea prorsus [f. 18] fides adhibeatur ac illis stetur in omnibus et per omnia prout staretur ipsis originalibus litteris si forent realiter exhibite vel ostense, presentibus post quatuor menses a die publicacionis earumdem in Cathedralj ecclesia Melevitana computandos (—) duraturis. Nulli ergo (—) concessionem, elargicionem, collacionem missionis (?) indultj et voluntatis infringere etc. Si quis etc.

Datum Rome apud Sanctum Petrum Anno etc. millesimo quadringentesimo quinquagesimo primo, Sexto die (?) Julij, Anno Quinto:-

L. Therunda

De Curia

Document F

4 November 1455.

Archivio Segreto Vaticano, Reg. Lat. 498, ff. 236^v-237^v.

Following a petition by the Universitas of Malta, Pope Callixtus III addresses the Archdeacon of the Cathedral of Malta instructing him to suppress the Hospital of St Peter situated in Mdina and to found in it a monastery for Benedictine nuns. Financial support for the new institution is to come from the revenues of the said Hospital of St Peter inside the City and from that of St Francis, outside it.

Calistus etc. Dilecto filio Archidiacono ecclesie Melevitane Salutem etc. Apostolice servitutis /officium/ nobis immerito desuper officium iugiter mentem nostram excitat et inducit utcirca quo pro statu prospero monasteriorum aliorumque piorum locorum immo personarum in illis sub religionis observancia vacantium assidue studio, pie vie et presertim eorum que virginitatis pudore accensisque lampadibus obviam se preparant ire sponso pro futura conspicimus et religio cum augmento divinij cultus propagatj valere operosis studijs intendamus. Sane pro parte Venerabilis Fratris Nostri Antonij Episcopi Melevitanj necnon dilectorum filiorum nostrorum et comitatus <civitatis> Melevitane nobis nuper expedita peticio continebat /pet./ quod licet ab olim duo unum videlicet intra <sub> Beati Petri et aliud extra muros dicte civitatis sub Sancti Francisci invocationibus hospitalia pauperum pro illorum et peregrinorum illuc transeuntium receptaculo fundata fuerunt, Tamen, pro eo quod raro pauperes et [p.18] peregrini inibi confluunt contingit plerumque fructus, redditus et proventus dictorum hospitalium ad usus etiam minus necessarios applicari. Et sicut eadem peticio subiungebat nullum in eadem civitate vel Insula Melevitana Monasterium monialium ordinis Sancti Benedicti hactenus constructum reperitur ex quo cives eiusdem civitatis indigentes non habentes in facultatibus unde filias suas innuptui tradant detrimentum patiuntur quodque si dictum hospitale Sancti Petri in eo /hospitali/ hospitalitate suppressa penitus et extincta monasterium [f. 237] monialium dicti ordinis pro una Abbatissa que inibi caput esset et nonnullis monialibus conventum inibi facientibus erigeretur, et ipsi monasterio sic erecto dictum hospitale Sancti Francisci cum omnibus iuribus et pertinenciis suis perpetuo uniretur, annectetur et incorporaretur ex hoc civium indigencium predictorum necessitatibus provideretur et diversis scandalis que alias formidantur occurreretur idque etiam cederet ad divinij cultus augmentum et religionis huiusmodi propagationem. Quare proparte Antonij Episcopi et comitatus predictorum asserentium quod fructus, redditus et proventus hospitalium predictorum vigintiquatuor unciarum monete Regnj Sicilie secundum comunem extimacionem valorem annum non excedunt nobis fuit humiliter supplicatum ut super hijs opportune providere de benignitate apostolica dignarentur. Nos igitur qui divini cultus augmentum et religionis huiusmodi propagatione intensis studijs affectamus de premissis certam noticiam non habentes huiusmodi supplicacionibus inclinati discretioni tue, per apostolica scripta mandamus quatenus verbis qui fuerint evocandi super premissis omnibus et singulis ac eorum circumstantijs universis <auctoritate nostra> te diligenter informes et se per

informacionem huiusmodi ea fore vera repereris super quo tuam conscienciam oneramus hospitalitatem in dicto hospitali Sancti Petri eadem auctoritate supprimas et post suppressionem huiusmodi si eam feceris dictum hospitale Sancti Petri in Monasterium monialium ordinis Sancti Benedicti dicta auctoritate erigas in eoque Abbatissalem dignitatem nec non certum monialium pro modo facultatum inibi assumendarum numerum institutes ac huiusmodi erigendo Monasterio de persona idonea pro hac prima vice eadem auctoritate provideas illamque profiteas inibi in Abbatissam curam, regimem et adm[nistracion]em ipsius monasterij sibi in spir[itu]alibus et temporalibus plenarie conmicendo ac faciendo sibi a dictis conventu (?) reverentiam et obedientiam /devotas/ debitas exhiberj ac illi dictum hospitale Sancti Francisci cum omnibus iuribus et pertinenciis supradictis eadem auctoritate <nostra> unias, incorpores ac annectes Ita quod liceat ex tunc Abbatisse erigendi Monasterji huiusmodi pro tempore existenti per se vel alium corporalem hospitalis Sancti Francisci Juriumque et pertinenciarum predictorum possessionem propria auctoritate libera apprehendere [f. 237^v] illiusque fructus, redditus et proventus in suos et Monasterij ac pauperum huiusmodi usus perpetuo convertere et retinere diocesani loci et cuiuslibet alterius [p.19] licencia super hoc minime requisita necnon omnia alia et singula que Jn premissis et circa ea quomodolibet necessaria vel opportunia fuerint facias, statuas, ordines et exequaris Non obstantibus constitutionibus et ordinacionibus Apostolicis necnon dicti ordinis iuramento confirmacione Apostolica vel quavis alia firmitate roboratis statutis et consuetudinibus ceterisque contrarijs quibuscumque. Aut si aliqui super provisionibus sibi faciendis de huiusmodi vel aliass /benefices acciones (?)/ hospitalibus in illis partibus speciales vel generales Apostolice Sedis vel legatorum eius litteras impetraverit eciam si per eas ad Inhibicionem, reservacionem et de(—)um vel alias quomodolibet sit processum quasquidem litteras et processus habitos per easdem et quemcumque inde secuta ad dictum hospitale Sancti Francisci volumus non extendi sed nullum per hoc eis quo ad assecucionem hospitalium aliorum preiudicium generarj. Et quibuslibet privilegijs et indulgencijs ac litteris Apostolicis generalibus vel specialibus quorumcumque tenorum existant per que presentibus non expressa vel totaliter non inserta effectus earum impedirj valeat quomodolibet vel differrj et de quibus quorumque totis tenoribus specialis et expressa ac de verbo ad verbum presentibus mencio habenda esset ceterisque contrarijs quibuscumque proviso quod Jpsam unionem, annexionem et incorporacionem huiusmodi in dicto hospitali Sancti Francisci si qua illi immineat nullatenus negligatur se eius debite portentur onera consueta. Et insuper ex nunc irritum decrevimus et inane si secus super hijs a quo quam quavis auctoritate scienter vel ignoranter contigerit actemptarj.

Datum Rome apud Sanctum Petrum Anno Incarnacionis Dominice Millesimo quadringentisimo quinquagesimo quinto pridie nonas novembris Anno primo:
p. Lv. De Varris.

Document G

29 March 1478.

Notarial Archives, Valletta, Not. Giacomo Zabbara MS. 1132, f. 6^v.

The appointment, with Papal sanction, by the Franciscan Provincial for Sicily of a Franciscan friar minor as vicarius et commissioner for the Maltese islands. The purpose of the mission is the recruitment and acceptance of members for the first and third orders, the foundation of friaries, the acceptance of benefices, and especially, the taking over of the Franciscan Third Order friary of the City of Malta. The Vicarius is given a Socius to

accompany him and serve him on his mission. The appointment emanates from the Provincial Chapter held at Agrigento on that date.

The document is in a poor and fragmentary state of preservation.

[p.20] (—)mo frat[er] .a. de r. frater (—) (—) (—) (—) (—) (—) (—) et Reverendissim[us] patris generalis vicari [salutem] (—) (—)duam sempiternam. Cum per aliquos (—) (—) (—) gaudenses fuerim requisitus ut Jbidem (—) (—) (—) (—), videns eorum devocionem et Jmmensam caritatem et (—) (—) condescendendas, hinc est quod te, de cuius vita (—) (—) virtute a nonnullis venerabilibus fratribus (—) (—) (—), in meum vicarium et commiss[arium] in illis insul[is] (—) (—) plenitudine pot[estatis] (—) (—) Jnstitutam quam denuncio per presentes, dans [tibi] <plenam et> [lib]eram auctoritatem, ut loca nostri ordinis, de licencia nobis concessa a summo pontifice, (—) [ad Jn]star fabricare et pro viribus hedificare et reditus in locis legatos acc[ipere] (—) (—). Jnsuper concedo tibi unum socium qui tecum stare et moram trahere tibi que servire un(—) (—)t. Volo eciam quod possis Induere quemcumque ad ordinem nostrum sive primum [sive] tertium venerit, nolens tamen quod has presentes aliquis me Inferior cuiuscumque condicionis et gradus, molestare presumat. Hee autem licere sint tibi Interim(?) oleum(?) salutaris apud quoscumque sive episcopum Illius civitatis aut aliquos cives eandem (?) necc.e (?) fuerit Jn eundo, stando et redeundo quibus te carius Jn domino commendatum facio. Jnsupe tibi do plenam facultatem meam in et super loco Sancti Francisci de tercio ordine nostro in prefata civitate de quo possis et valeas providere (?) ser.m quod tibi savicius videbitur et placuerit.

Datum Agrigent[is] in nostro provinciali capitulo Jbidem celebrato die xxviii[us] marcij 1478 xj Indiccionis.

Et si Episcopus Illius civitatis favet ordinationes, contentor g(—) ut ordinetur socius vester ad ordinem subdiaconatum; frater n.d. minister concedit et sic vult (—).

Visa.

Document H

14 December 1489

Archivio di Stato, Palermo, Conservatoria di Registro 73, ff. 81^{r-v}.

The Viceroy grants royal land called il-Habel at Rabat, Gozo, to Frater Matheus de Episcopo of the Franciscans of the Observance to enable him to enlarge a friary of Sancta Maria de Jhesu whose construction was already begun.

In perpetuum super terris regie curie nominatis JI Habil sitis Jn Insula Guadisij.

[p.21] Venerabilis frater Matheus di lu Piscopu ordinis Sancti Francisci de observancia pro quodam loco sub vocabulo Sancte Marie de Jhesu Jn terra Insule Gaudisij.

Provisio domini Viceregis etc. quod debeat dare pro subvencione dicti loci Incepti sub dicto vocabulo ut possit adlargare et ampliare dictum de territorio regie curie ut Infrascriptum sine tamen Interesse partis.

Ferdianandus etc.

Vicerex etc. Nobilj Secreto et magistero procuratorj civitatis et terre Insolarum Melivetj et Gaudisij fidelj Regio dilecto salutem. Noviter per licterj dilj Juratj di la dicta terra havimo Jntiso lo venerabilj fratj Mactheo di lu Piscopu ordinis minorum di la terra predicta homu religiosu havirj Jn honurj dilo omnipotentj deu et dila sua Jntemerata matrj Virginj Maria et dilo beatu Sanctu Franciscu principatu unu locu cum una ecclesia di lu dictu beatu Sancto Francisco ad effectu di ordinarij Jn lu dictu locu et ecclesia unu conventu di lu ordinj predicti Lu situ dilu qualj e constitutu Jn li limiti dilj territorij dila Regia curtj nominatj JI Habil siti Jn finibus Rabatj Jpsius terre et non si potirj dictu locu et ecclesia complirj ne ampliarj si non havissi lu dictu venerabilj fratj Macteu alcuna partj dilu dictu territoriu tantu per allargarj et ampliarj dictu locu quantu eciam per havirindi qualchi subvencionj di fructj et cosj di orti ad opu dilu dictu conventu supplicandonj dictj Juratj volimo alo dicto venerabilj fratj Macteo [F. 81^v] concedirj alcuna particella di lu dictu territorio. Nuj vero actento zo essirj cosa pia et digna di laudi como tendenty Lu honurj et exaltacionj dilo divino cultu et religionj cristiana tenore presecencium havimo provisto et per la presentj ci dicimo et comandamo digiatj vuj una cum li dictj Juratj supervinirj Jn lu territorio predicto di la Regia curtj et di quillo sencza Interesse di partj alcuna particularj darritj tantj partj che sia sufficientj et bastantj ala ampliacionj et decoracionj dilu dictu Locu et ecclesia secundo la necessita requidira remictendo vuj per la presentj omnj cosa alu arbitriu vostru et dilj pefatj Juratj exequendo la presentj cum effectu secundu di vuj confidiamo non di facendo lo contrario ex quo talj e nostra voluntatj per quanto la regia gratia havitj cara.

Datum Panormj xiiij^o decmebris viij^o Indiccionjs M^occcc^oLxxxviiiij^o

Gerrando Dacuña.

Vidit thesaurarius

Dominus vicerex mandavit mihi Antonio Deodato viser. per thesaurarium.

[p.22]

Document I

19 January 1523

Cathedral Museum, Mdina, CEM AO 7A, ff. 174-5^v.

A protest by the Augustinian Friars against the Vicar-General who had issued an injunction that they should take part in the St Sebastian procession without also assigning them their rightful place in the procession. The question relates to their precedence litigation with the Franciscans Conventual whom Bishop Valguarnera had preferred over the Augustinians in such matters.

An eighteenth-century copy of the document exists in MCM ACM Misc. 176, pp. 725-6.

Ad quendam JnJuntionem factam per Reverendum dominum Doymum Naccium J.U.D. vicarium generalem diocesis Melivetane factam venerabilibus priorj et fratribus Sancti Augustini ordinis heremitarum continentem, quod cum effectu sub pena excommunicationis debeant Jn die Sancti Sebastiani accedere cum cruce ad dictam processionem et Jn omnibus processionibus ut Jn ea latius continetur, declinando prius expos[itionem] (?) Jn ea Jn et quatenus amentatur (?) etiam breviter, respondetur quod cum alias Jpsi venerabiles fratres

tamquam tenentes domum Sancti Augustini In fundacione antiquiore domo Sancti Francisci propter dictam antiquitatem In fundacione (—) Jpsi venerabiles fratres tam In sessionibus quam in processionibus obtinebant et tenebant potioem, anteriorem ac digniorem locum loco fratrum Sancti Francisci tanquam dictus locus Sancti Francisci erat sub tertia regula quam quando (?) fuit firmatus sub prima regula In qua po[ssessio]ne dignoris ac potioris loci dignitatis In sessionibus dat. (?) fratres respondentes fuerunt et erant ac steterunt et permanserunt donec et quo usque alias Reverendus dominus Jaimus Valguarnera tunc episcopus predictus (*sic*) diocesis de fact. part. Inaudit. dictos Venerabiles fratres [a] dicta po[ssessio]ne dignoris locj spoliavit a quo spolio Jpsi Venerabiles tunc appellarunt ad Curiam Metropolitanam seu Romanam prout In libello appellacionis continetur et, app[ellacio]ne InterJecta, optinuerunt rescriptum Apostolicum directum Reverendo Domino Henrico de Bordino qui, utj delegatus, deberet de Justitia provideri super facto dictj spolij ut In dicto rescripto latius continetur; quo presentato et compilato et concluso processo (*sic*) et volente dicto quondam Reverendo procedere ad promulgacionem et determinacionem sententie dictj spolij, prefatj Venerabiles fratres Sanctj Francisci allegarunt velle votum Sancte Curie Romane quo mediante processus huc usque pependit et non sinit sentenciam dictj spolij promulgarj. Pro tanto modo si Jpse Reverendus Vicarius vult et mandat quod Jpsi Venerabiles Sanctj Augustinj debeant Incedere In processionibus non declarando eis locum pro Justitia administranda cultuque Domino colendo ac [p.23] scandalo alicuius rixe Inter dictos fratres Sanctj Augustinj et Sanctj Francisci evitando Jpsi Venerabiles fratres Sancti [f. 174^v] Augustini, Invocato prius omnipotentis Dej et Summj Pontificis nomine, prefatum Reverendum dominum Doymum presentem Vicarium Generalen dicte diocesis requisierunt sub pena ducatorum ducentorum Sedj Apostolice applicandorum ac pene denegante Justitia In processionibus cum cruce vel sine cruce nisi prius et ante omnia provideat et providere debeat super facto dictj spolij Juxta tenorem rescriptj Apostolicj super hoc Impetrato virtute cuius fuit consiliatus processus dictj spolij et sententia (—) et determin (—) quatenus ad eum spectat et non aliter et restituere prefatis Venerabilibus locum potioem et digniorem In procedendo cum dictjs processionibus cuius loci po[ssessio]ne fuerunt spoliatj de facto ut supra et tunc Jpsi Venerabiles fratres sunt promissi ut filij obediencie Incedere cum dictjs processionibus et quatenus Jpse dictus Vicarius non vult sentenciare quod provideat quod Jpsi Venerabiles fratres Sanctj Augustinj de facto restituantur ad posicionem dictj locj dignitatis dign[ioris] In procedendo cum processionibus prout et quemadmodum Jpsius locj po[ssessio]ne fuerunt spoliatj alias In casu contrarij Jpsi Venerabiles fratres Sanctj Augustinj utj Indebito InJunctj ad dicta InJuntione et penis In ea adJectis per presentem In Vim libellj appellarij appellarunt et appellant ad Interim ad quem spectat offerendo pecunias et cartam requirendo sub penis predictis prefatum dominum Vicarium debere eos admittere et admictos mandare (—) dictam appellacionem alias sentiat se Incursum In penas predictas prestando q(—) eundem de omnibus damnis Interesse et expensis Judiciarijs et extra et maxime In habendo recursum ad [homines] superiores constituendo eum In dolo, mora et culpa etc. Hanc etc. (—) et appellacione alias super facto dictj spolij InterJecta In suo robore et firmitate etc.

Die xviii^o Januarij xj^o Indictionis 1523

Lecta fuit et data presens (—) (—) (—) (—)

[f. 175] (*blank*)

[f.175^v]

19 Januarij 1523. Protestatio sive appellatio cuiusdam m[and]ati per Reverendum Dominum Vicarium fratribus Sancti Augustini quod debeant venire cum cruce In processionibus fiendis in honorem Sancti Sebastiani quam protestacionem ipse Reverendus vicarius admisit si et In quantum de Jura debet etc.

[George Aquilina OFM and Stanley Fiorini]