

## A Land Inheritance Dispute in Gozo in 1485

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On 8 and 9 February 1485 witnesses were heard on behalf of Joanni (or Johannes) de Bonnichio (Bonnici) and the cleric Gullielmus Kinzi against Petrus, Jacobus and Liuni de Pontremoli in the court of the town mayor of Gozo, the depositions of whom were on 2 March 1485 transferred to the court of the bishop's vicar in the same island. In the proceedings which were instituted by Johannes de Bonnichio, Johannes Mintuf stated that on the preceding Friday, 4 February 1485, while he was at his farmhouse in the district of Ghammar he heard a great noise and loud voices coming from the direction of the vineyard and farmhouse belonging to Johannes de Bonnichio located at Tal-Ghamburi.<sup>1</sup> Having gone to see what it was all about, he found Johannes Bonnichio, Gullielmus Kinzi, Angelus Farruge and Laurencius, the slave belonging to donna Perna, the mother of the plaintiff, working in their vineyard called Iċ-Ċanta, which used to belong to Andreas Bonnichi, Perna's son. Inside the same vineyard there were Jacobus de Pontremoli and his brother Liuni, two of the accused, who were quarrelling with the others. The Pontremoli brothers had their swords drawn, while Johannes de Bonnichio was telling them, 'Away. God be with you! I do not want to quarrel or fight with you.' The other two, however, burst into insults in the common speech of Gozo, 'Son of a miserable slut, fucked in her arse. Get out of the place you have entered, get out!' Jacobus told the plaintiff Johannes, 'See with whom I have come to fight! The son of a miserable stinking slut, fucked a hundred times in her arse', while Liuni told Johannes, 'If I get hold of your shit-beard<sup>2</sup> with my hands I'll show you!' Johannes told him in front of Perna his wife in the same language of Gozo, 'You miserable worthless man! You lout, you shit-beard!' while Johannes merely said, 'Go, God be with you, you have nothing to do with me,' both Liuni and Jacobus repeatedly rushing in on him in their great anger to beat him, while the cleric Laurencius de Pontremoli, Liuni's brother, threw well-aimed stones at Johannes and at the cleric Gullielmus Kinzi and their companions from the top of the field-wall. Johannes Mintuf, the craftman Antoni Sabbath and Angelus Farruge did their best to keep the two sides apart.

Jacobus then went to the place where Johannes's crossbow lay and handed it over to the cleric Gullielmus de Pontremoli, who strung it and set it ready for firing, with a bolt in place. His designed target was Johannes Bonnichio, but just then Petrus de Pontremoli arrived. He immediately entered the vineyard and began to encourage his son Jacobus and his nephews Liuni and Laurencius, exclaiming 'Hit them with the stones and aim well. Break the heads of the louts, thieves and sons of thieves!', he himself flinging stones at the cleric Gullielmus Kinzi. The witness saw Petrus with a stone in one hand, pushing donna Perna with the other, and telling her, 'Go with your husband and leave me alone', because she told him, 'Kinsman, kinsman, go in God's name.' He told her 'You are not my kinswoman (commari), nor am I your kinsman.' Then Petrus told Johannes in his wife's presence, 'Wretched man. Lout. Son of a fucked stinking slut, fucked a hundred times in her arse!' words which he repeated several times while he continued to push Perna along and she protested, 'Kinsman, kinsman. Why are you in such a fury and utter such insults?' Petrus merely answered, 'Go, God be with you. You are not my kinswoman', and he continued to push her along. Johannes was a virtuous and honest person, usually a peaceful man, satisfied with living quietly and peaceably by his honest work. He was a person of substance whom he had known for twenty years. His wife Perna was also of good reputation, condition and style of life, the daughter of the late nobleman Franciscus de Platamone, one of the principal gentlemen of Gozo. The vineyard in which they were quarrelling had once belonged to the late Franciscus Bonnichi, the father of Johannes. It was rumoured in Gozo, two

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<sup>1</sup> Cath. Mus., Mdina, CEM, AO, vol. i, fol. 402.

<sup>2</sup> 'barba di merda'.

months before, that Andreas de Bonnichio had perished in the shipwreck of the vessel belonging to Petrus Delia, dying intestate.<sup>3</sup>

Paulus Albanisi said<sup>4</sup> that he was on the public highway close to the farmhouse belonging to Johannes Mintuf on Friday, 4 February 1485, when he heard a great noise coming from the vineyard of the late Franciscus de Bonnichio. On reaching it he found inside it Johannes Bonnichi and Perna his wife as well as Gulliellmus Kinzi and also Laurencius, the slave of donna Perna, Johannes's mother. Jacobus and Liuni Pontremoli were also in the vineyard, quarrelling with the others and telling them, 'Get out of here where you have no call to be.' Johannes answered, 'Get yourself out from our property where my mother sent me to work.' Liuni and Jacobus then told Johannes and his companions, 'What have you come to do here, you children of sluts? Get out of here and go away.' Liuni and Jacobus together with the cleric Laurencius, Liuni's brother, continually threw stones at the others. Johannes Bonnichi told them, 'Go and God be with you! You have nothing to do with me, as this property is my mother's.' Liuni and Jacobus repeatedly advanced towards their opponents, trying to hurt them with their drawn swords. Johannes himself had a lance in his hand and Angelus Farruge had a sword. While they assaulted each other in this way, Jacobus noticed Johannes's crossbow in the vineyard. He snatched it up and handed it over to his brother, the cleric Laurencius, telling him, 'Here prepare it. Then let him have it.' And shouting to the plaintiff, 'See your crossbow. Do you want me to kill you with it?' Just then, the nobleman Petrus de Pontremoli arrived on the scene. He shouted to his son and nephews, 'Let them have it. They are lower than us. Break the heads of these louts who want to take the property of my niece. Johannes does not know whose son he is.' In great anger and rage, he flung great stones at the plaintiff and his companions and at donna Perna who, addressing Petrus, told him, 'My friend! Go away. God be with you! For God's sake, don't!' Petrus told her, 'Attend to your husband, not to me.' Hitting her with his *tebano*, letting it fall and then throwing further stones at Johannes, by which time, Laurencius had prepared the crossbow with the bolt in place all ready to fire at Johannes, telling him, 'I'll kill you.' He had known the plaintiff for the previous six years. The vineyard itself had belonged to the late Franciscus Bonnichi, Johannes's father.<sup>5</sup> Johannes Zabar mostly repeated what the previous two witnesses had said, merely adding that Petrus de Pontremulo had told his nephew as he handed him the crossbow, 'Get him on the face with the bolt.'<sup>6</sup>

Andreas Girberto, the son of Johannes, himself investigating the shouts from the vineyard, discovered Liuni and Jacobus de Pontremulo with drawn swords standing inside and the cleric Laurencius on the field wall throwing stones at the plaintiff and his companions, telling them, 'Get out of here; this vineyard belongs to Ysabella my sister.' Johannes answered that it belonged to his mother, 'You others have nothing to do here. Get out yourselves, we are on our own property.' Jacobus shouted back, 'See this son of a slut.' Petrus de Pontremoli called on his kinsmen, 'Up! Up Get at them with good sized stones, and break their heads, these louts!' picking up stones himself off the ground and flinging them angrily at Johannes, while Perna approached him and, embracing him, exclaimed 'Kinsman! kinsman! Don't do anything', but Petrus pushed her aside denying that he was her kinsman. Petrus's son and nephew then burst out, 'You miserable worthless man, you lout!' Petrus retrieved Johannes's crossbow. He shouted out to Johannes, 'See, here's your crossbow! Do you want me to kill you with your own crossbow?' He handed it over to his brother, the cleric Laurencius, telling him, 'Prepare it and shoot at his face.' Laurencius set about the task. 'At his face with the crossbow,' Jacobus insisted.

The witness then and other worthy persons interposed and kept the two sides apart, and shortly afterwards the town officials, that is the town mayor, the judge and the court registrar, arrived and took them all away to the town.<sup>7</sup> In the parallel case instituted by the cleric Gulliellmus Kinzi he repeated most of what he had said before but this time explained that he was at the vineyard belonging

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<sup>3</sup> Ibid., fols. 402-403<sup>v</sup>.

<sup>4</sup> Ibid., fol. 403<sup>v</sup>.

<sup>5</sup> Ibid., fols. 403<sup>v</sup>-404<sup>v</sup>.

<sup>6</sup> Ibid., fol. 405<sup>v</sup>.

<sup>7</sup> Ibid., fols. 405-406.

to Lancias Chini when he heard the row. Jacobus had exclaimed, 'See these sons of stinking sluts. They do not want to get out', while the cleric Laurencius shouted at the other cleric, 'You thief, you son of a thief. We shall wipe you off the face of the earth!' and Petrus de Pontremoli, on his arrival at the scene, exclaimed, 'Let him have it, the lout, son of an excommunicate!' One blow aimed at Gullielmus would not have left a bone whole in his face had he not avoided it. Only the intervention of several bystanders prevented greater harm.<sup>8</sup> Gerus Gurabe, who was in Lemi de Cache's farmhouse when the rumpus started, confirmed everything the others had said and also stated that the cleric Gullielmus was a youth of good reputation and of a good mode of life, virtuous, honest and well behaved, the nephew of Perna, who was the widow of the late Franciscus de Bonnichio.<sup>9</sup> Demetrius Huynes, Johannes, the son of the craftsman Lemi de Cachi, Paulus Ballistrera and the craftsman Antonius Sabbath, the last two of whom were both at the latter's vineyard, all confirmed what the previous witnesses had said without adding anything new.<sup>10</sup>

On 18 February 1485 Petrus de Pontremoli presented a criminal charge in the vicar's ecclesiastical court of Gozo against the cleric Guillelmus Kinzi. He alleged that Kinzi had, in concert with Johannes Bonnich, Laurencius, the slave belonging to Perna de Bonnichio, his mother's sister, and Angelus Farruge, his mother's brother, with drawn swords attacked his son Jacobus and nephews Liuni and Laurencius as well as eventually himself. They had torn the clothes of the former with their swords and had injured Liuni in his thigh. This the Pontremoli persons had suffered while they entered the vineyard situated in the district of Sancti Juliani de Hamburi belonging to Ysabella, the wife of Andreas de Bonnichio and the craftsman Antonius Sabat where they had gone on behalf of Isabella herself owing to Andreas's absence. Their opponents had tried to expell them in order to take possession of Isabella's own property.<sup>11</sup>

The cleric Gullielmus Kinzi denied the accusation. He said 'Misser, the truth is that, this very month, Perna the widow of Franciscus de Bonnichio', his own mother's sister, called on him and told him, 'Oh Gullielmus, please for the love of myself ask someone of your friends to go with you to my vineyard which used to belong to the late Andria my son together with my slave Laurencius and work it and dig it up properly.' He had therefore asked the cleric Antonius Chakem who agreed to help him as a friend according to the custom of Gozo. They then joined up with Johannes Bonnich, Angilu Farruge and Laurenczu, Perna's slave, who were also going to the same vineyard having all been asked by Perna, Johannes being her son and Angilu her brother. They had started to work when the Pontremoli people arrived. These began to revile them, calling them thieves and louts and claiming that the vineyard belonged to Liuni's sister. As they were obviously trying to provoke Johannes to a fight, he had himself retrieved his sword, which he always carried with him both inside and outside of the town of Gozo, especially as he was the lieutenant of the archdeacon. In the meantime, the four Pontremoli persons charged Johannes Bonnich and himself with their drawn swords, especially Petrus and Laurenczu, calling them names as before, threatening to wipe them off the face of the earth. Seeing this, he had held out his sword in self-defence as best he could, without striking at anyone, while Jacobu and Liuni struck with their swords and cut off his gabardine which he held over an arm and hit him also on the knee and cut off his *busakina*. He was ordered by the court to remain available at its convenience under a penalty of twenty uncie of general currency, Geronimus Falczuni standing surety.<sup>12</sup>

Witnesses on behalf of Petrus de Pontremoli began to be heard on the same day. Matheus Bongibin testified that Andreas de Bonichio, the husband of Isabella, who was the niece of Petrus de Pontremoli, had owned for some time past the vineyard at Sancti Juliani de Hamburi near those of Johannes de Bonichio and Antoni Sabat right up to the day he went to Sicily. This he had known for

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<sup>8</sup> Ibid., fol. 415<sup>r</sup>.

<sup>9</sup> Ibid., fol. 415<sup>v</sup>-416<sup>v</sup>.

<sup>10</sup> Ibid., fol. 416<sup>v</sup>-417.

<sup>11</sup> Ibid., fol. 376.

<sup>12</sup> Ibid., fol. 376<sup>v</sup>-377.

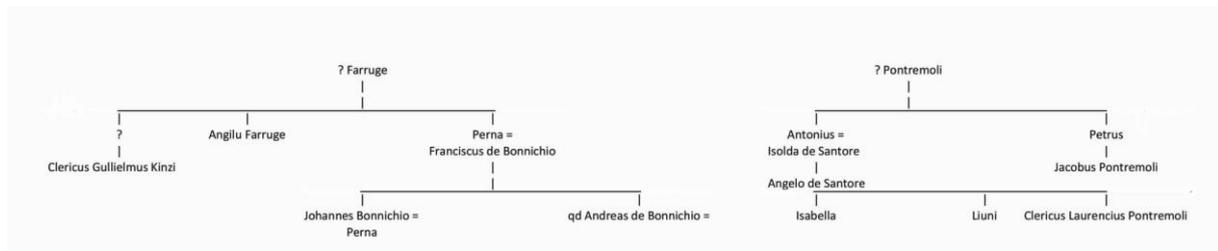
as long as he could remember. He had also known Andreas and Isabella as lawfully married husband and wife for the previous ten years. He had seen Isabella's father and brothers frequenting the vineyard and its farmhouse without anyone challenging them but he could not tell with whose permission or at whose bidding they did so. He insisted that Petrus de Pontremoli had not carried any arms on his arrival at the vineyard on the day of the affray. Laurencius had picked up a lance at Antoni Sabat's farmhouse before he entered Andreas de Bonnichio's vineyard by way of the rubble wall dividing it from Sabbat's.<sup>13</sup>

Simon Muntuf testified that, travelling on Thursday, 3 February 1485, to the town of Gozo from the countryside together with his nephew or grandson Fidericu Muntuf he was thus addressed by his kinsman precisely as they reached the door of St. Gusman's chapel: 'Johannes Bonichi is afraid of the Turks as he is sending a lance to his vineyard.' He thereupon saw and recognized Johannes's little dark-skinned child passing on horseback with a lance in hand. Next day he heard from several persons of the quarrel which Johannes had had that day with the plaintiff.<sup>14</sup> Paulus Albanisi stated that during the first week of January he had heard that Isabella, the wife of Andria Bonnichio, wanted to lease out her husband's vineyard to a vintner according to the custom of Gozo. He had therefore called on her and obtained the lease at the rate of two parts in every five according to Gozitan custom. She gave him the hoe to use and the key to the farmhouse.<sup>15</sup>

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Family tree of Andreas de Bonnichio and his wife Isabella

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On 1 March 1485 witnesses were heard on behalf of the cleric Gullielmus Kinzi against the accusations of Petrus de Pontremolo. Joannes Vinicianus said that before Xmas Andreas de Bonichio left Gozo for Licata in Sicily with the vessel of Petrus Delia. It was subsequently said that they had reached Licata and had left that town to return to Gozo, but never arrived back in that island. It was common belief that all on board had perished when the vessel was shipwrecked, especially as planks from her were discovered on the shore of that island. He knew that many of the relatives of the missing persons on board, such as the wife of Nardu Benjamin, who was also said to have been on board, had arranged for public mourning, with the sounding of church bells, the saying of requiem masses and other funeral ceremonies. During the affray in the vineyard he had seen the Pontremoli standing with drawn sword inside it near the walnut tree. They would have injured their opponents seriously had the latter not defended themselves and other youths not intervened to keep the two sides apart. They repeatedly reviled their enemies, calling them in the common speech of Gozo, *bin il micarram*, which in Latin means 'lu figlu de lu arrussicatu', in other words 'son of the anathemized'. He saw the cleric Gullielmu protecting himself with the gabardine which he had wrapped round his arm and which saved him from a sword thrust given him by Liuni. He had not reached the scene at the beginning of the quarrel but he did hear Johannes Bonnichio telling his assailants, 'Good men, go

<sup>13</sup> Ibid., 380<sup>v</sup>.

<sup>14</sup> Ibid., fol. 381.

<sup>15</sup> Ibid., fol. 381<sup>v</sup>.

away and God be with you. We do not want to quarrel with you. Therefore go away *cum deo* and leave us in peace.’ But Petrus answered, ‘I want to stay here inside my niece’s vineyard. Let’s see who is going to chase us away.’ He had frequently seen Johannes Bonnichio taking his crossbow with him to shoot wild pigeons (*palumbi de fora*).<sup>16</sup>

The carpenter Antonius Sabat said that the planks of Delia’s ship had been discovered dispersed on the shore of Gozo. He had identified them since he had himself repaired and reconditioned the vessel only a few days before her departure for Sicily, planks which he had himself personally worked on with his own hands. They were also recognized by others. Funerals and the normal ceremonies for the dead were held by the relatives of most of the men who were believed to have been shipwrecked,<sup>17</sup> as he had done himself for his stepson Leonardu Benjamin.<sup>18</sup> Petrus Pontremoli and his son Jacobus were presumptuous persons used to helping out each other because they belonged to the gentry, and sometimes justly sometimes unjustly they wished always to come out on top or, as was commonly said, ‘They play with advantage and wish their word to be accepted and when they are opposed they usually take the upper hand against others, reviling them and defaming and abusing them without any fear of God or of justice.’<sup>19</sup> Joannes Muntuf stated that, though he had not himself seen the washed up planks, his own brother Petrus Muntuf, had been one of the men who had suffered shipwreck in that vessel. When he helped to separate the contenders in the vineyard on the day of the affray, he had a stick in his hand instead of a lance.<sup>20</sup> The cleric Antonius de Cachi stated that it was his opinion that it was lawful for anyone who went out of the town to carry arms. In fact he thought all should carry defensive weapons since it frequently happened that those who went out into the countryside without arms met with great danger both of Moors or other sorts of corsairs or evil men, as had happened to himself about four years previously: he had gone out *a pistari* with some other young men when they were captured by the Moors.<sup>21</sup> On 1 March 1485 Petrus de Pontremoli presented his reply to the defence pleas.<sup>22</sup> He argued that if it should be held by the other side that the vineyard had been donated as alimony by the late Franciscus de Bonnichio to Andreas the son of his wife Perna who was the sister of Gullielmus’s mother, it should now revert to Perna seeing that Andreas had died intestate and without leaving any children. Whatever Gullielmus had done the day of the fight he had performed in self defence. The field had been given to him as alimony because he was Franciscus’s illegitimate son and, therefore, incapable of inheriting otherwise. Andreas had been conceived at a time when Franciscus was married to Isolda the mother<sup>23</sup> of Angeli de Santoro. A mother could not lawfully succeed her illegitimate son who died without having drawn up a will, but should be completely excluded from the succession. Perna had appeared before the court of the town mayor of Gozo eight days before the incident and asked for an inventory to be made of the effects of the late Andria and for her to be put in possession of them, and she asked for legal advice from a lawyer on the matter. She was supported in this by the cleric Gullielmus Kinzi and notary Andria de Benjamin acted as her lawyer.<sup>24</sup> As they did not succeed in obtaining possession by way of law, they proceeded to occupy the vineyard in person by going there themselves in an armed fashion. Gullielmus went about Rabat in a disturbed and angry manner on the morning of the incident looking for his friends and begging them to accompany him to the vineyard to help and assist him in case there should be anyone of Isabella’s relatives already there, telling everyone, ‘Come with me to put the vineyard in my aunt’s possession.’ This was the reason and cause of the affray that had occurred.<sup>25</sup>

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<sup>16</sup> Ibid., 392-393.

<sup>17</sup> ‘fachendu trivulu, sonandu li campani, fichiru cantari misse et altri obsequi funerali prout interfuit, vidit et audivit predictus (testis)’, *ibid.*, fol. 393.

<sup>18</sup> *Ibid.*, fol. 393.

<sup>19</sup> *Ibid.*, fol. 394<sup>v</sup>.

<sup>20</sup> *Ibid.*, fol. 395.

<sup>21</sup> *Ibid.*, fol. 495.

<sup>22</sup> *Ibid.*, fol. fols. 418-421<sup>v</sup>.

<sup>23</sup> ‘habebat in eus legitimam uxorem donnam Izoldam mulierem filiam (crossed out) matrem Angeli deSanntoro’: *ibid.*, fol. 419.

<sup>24</sup> *Ibid.*, fol. 419<sup>v</sup>.

<sup>25</sup> *Ibid.*, fol. 420.

On the honesty of the private life of the cleric Gullielmus Kinzi, he submitted that Gullielmus was libinous and kept a concubine publicly. One was the slave of Rev. Matheus de Brunecto<sup>26</sup> and he had procreated two children from her in contempt of the precepts of the bishop of Malta which had been published in the parish churches of the town of Gozo. He now had another concubine with whom he lives. He is a self-conceited and proud youth much used to quarrelling. The bishop had decreed that no person, whether lay or clerical, should keep a concubine on pain of excommunication and further punishment at his discretion. This decree was published in the parish churches of Gozo and a copy fixed for public reading in the mother church of the town.<sup>27</sup> He was of plebeian origin, born of parents of humble condition, mere mercenaries or employees. On the other hand, the plaintiff, Petrus de Pontremoli, and his son Jacobus and nephew, the cleric Laurencius, were peaceable and quiet persons who behaved well, the offspring of well-to-do parents, of the principal gentlemen of Gozo. Seeing the great difference in social status between the plaintiff and his companions on one side and his opponents on the other, the latter should not have opposed or resisted the former but, on the arrival of the former, they should have slunk away and avoided their glance.<sup>28</sup> Nor could it be argued firmly that Andria had perished in the shipwreck merely because planks of the ship on which he was travelling had been found. Such vessels and brigantines were normally damaged or lost planking in assaults from corsairs and their people taken away to distant countries.<sup>29</sup> The common belief that he had perished and the grief and mourning shown by relatives of the others, the bodies said at first to have been seen by fishermen but afterwards denied by them, all tending to prove that Andras had actually perished, in fact works in the plaintiff's favour since Andrea's widow should succeed to his property as Perna had to be completely excluded from it as already shown.<sup>30</sup>

The plaintiff's witnesses began to be heard on 7 March 1485. Johannes de Cachi related how on the day of the incident he happened to be standing in front of the door of the church of St. George's at Rabat, Gozo, together with the craftsman Antonius Sammut<sup>31</sup> and others, when he saw the cleric Gullielmus Kinzi hurrying fast towards his home in the company of Laurencius, Perna's slave. Shortly afterwards they again passed, in great haste, and going in the direction of the public square of Rabat. He noticed that he carried a sword under his mantle. He immediately guessed that trouble was going to arise between Johannes Bonnichi and the cleric Gullielmus on one side and the relatives of Isabella, Andria Bonnichi's wife on the other. Johannes Bonnichi had already asked him for the hoe which he had in his keeping, 'because I want to go to hoe the vineyard of Andria my brother before the Pontremoli arrive or others sent there by Andria's wife: they have told me they are going to hoe the vineyard. I shall return it when I finish the hoeing.' He promised either to send it or go himself to help the work but finally decided to keep away lest something wrong happened.<sup>32</sup> He confirmed, among other things, that it frequently happened that brigantines and other vessels were rammed by corsair ships leading to the loss of planking. He had also heard it said that several corpses were found on the shore but the report was subsequently denied.<sup>33</sup>

Angelus de Santoro declared that Franciscus de Bonnichio had procreated Andreas from Perna before he had married her, as he was married to Izolda, the witness's own mother.<sup>34</sup> Notary Gullielmus de Sansone said that one day in February he had been asked in the town square of Rabat, by Johannes de Bonnichio and the cleric Gullielmus Kinzi to make an inventory of the belongings of Andria Bonnichi, Johannes's brother, because it was publicly rumoured that he had perished in the bergantinu belonging

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<sup>26</sup> MS Bornecto

<sup>27</sup> Ibid., fol. 420v.

<sup>28</sup> Ibid., fols. 420<sup>v</sup>-421: 'Item quod atempta condicioni dicti accusatoris et dictorum Jacobi sui fili et dictorum suorum nepotum ac eciam condicione dicti accusati, accusatus ipse et consortes et participes in dicto delicto de quo tractatur non foru (et) non su di paraju cum lu dictu accusatori et consorti ne divianu metrisi ad offendiri a lu dictu accusatori et consorti et stari a conzi cum loru immo supra vinendu li dicti accusatori et consorti divianu fugiri et scansari a conspectu dicti accusatoris et dicti Jacobi fili sui et dictorum Leonis et clerici Laurenti suorum nepotum.'

<sup>29</sup> Ibid., fol. 421<sup>v</sup>.

<sup>30</sup> Ibid.

<sup>31</sup> MS: Zamut.

<sup>32</sup> Ibid., fol. 422<sup>v</sup>.

<sup>33</sup> Ibid., fol. 422<sup>v</sup>.

<sup>34</sup> Ibid., fol. 423.

to Petru Delia alias Durduri. He attributed the bishop's decree against concubinage to about two years previously. He who told him that he had seen corpses at sea later said that he could not be certain whether they were actually corpses or something else.<sup>35</sup>

The remaining six witnesses – the craftsman Antonius Sammut, Lanceas Theuma, Matheus de Cachi, Antonius de Suria, Gullielmus de Nicolachio and Antonius de Manuele – mostly repeated or confirmed what had already been said by others.<sup>36</sup> De Suria gave the name of Kinzi's first concubine as Laurencia who was the slave of Don Matheus de Brunecto. This he knew from her own owner.<sup>37</sup> On 14 March 1485 the ecclesiastical court official Marcus Poeta reported that, at the command of the bishop's vicar in Gozo, he had gone to the residence of the cleric Gullielmus Kinzi to cite him to appear in court to answer charges made against him by the nobleman Petrus de Pontremoli. He did not find him there and was told by some persons that he had gone over to Sicily. His fiduciary Johannes Bonichi appeared in court together with notary Andreas Benjamin, Gullielmus's defence counsel. Bonichi asked the court to excuse Kinzi's absence, because he had gone over to Sicily on urgent business, since he had to bring back wheat for himself and his family who were in great need of it, and for other important reasons. Bonichi declared that he was himself prepared to answer in Kinzi's place if required to do so.<sup>38</sup>

On 15 March 1485 the defence pleas of Gullielmus Kinzi were presented to the court. He first invoked his pleas and witnesses and those presented also by Johannes de Bonnichio in the court to the town mayor of Gozo. He then started by arguing that it did not matter that Perna could possibly not inherit the effects left by her illegitimate son. It should suffice to show that he had gone to the vineyard in obedience to her expressed wish arising from her conviction that *prima facie* the field was then hers as the heir of her late son Andreas.<sup>39</sup> He and Johannes de Bonnichio had gone to the vineyard simply and purely to work and improve it as was amply proved by the evidence they presented. He had done so in the belief that she had succeeded to the effects of the late Andria de Bonnichio since he did not have notice or information of Ysabella's objections. If, in fact, Andria was still alive he worked in the vineyard for the love he bore him as his cousin.<sup>40</sup> He and his companions had entered the vineyard peacefully and quietly in order to work and improve it. The Pontremoli people, however, having found them already there, started by throwing stones and drawing their swords with the greatest fury and anger they attacked them, stoned them and inflicted terrible and cruel blows of the sword so that it was necessary for them to defend themselves and repel their aggressors, telling them that they did not want to quarrel or fight with them.<sup>41</sup> In addition, Johannes de Bonnichio pointed his lance at their breasts as they lurched at him and he could easily have run them through or any of them, but he did not do so because he never wanted to harm them, his only thought and that of his companions being merely that of working in the vineyard on behalf of Perna if Andria was dead and on his own behalf if he happened to be still alive.<sup>42</sup> The Pontremoli should have instead of assaulting them told them in a civil manner to get out of the vineyard if they believed that Ysabella really owned the vineyard and if they refused they could have required them to do so in the king's name under the penalty payable to the royal fisc or to the town mayor and punish them by the power of the court, defending Ysabella's right by civil action not by stoning or striking with the sword or by slandering as they had done.<sup>43</sup> It did not matter that Johannes de Bonnichio had a lance and crossbow in his farmhouse since it was lawful to carry arms whenever one went out of town. Nor did it matter that the slave Laurencius brought a lance from the farmhouse of Antonius Sabbath for self defence.<sup>44</sup> As to the accusation that the cleric Gullielmus Kinzi was libidinous and kept a concubine, he submitted that his reputation was well established by the witnesses he produced. Nor did it matter that he had sometimes, like any

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<sup>35</sup> Ibid., fol. 423<sup>rv</sup>.

<sup>36</sup> Ibid., fols. 423<sup>v</sup>-425.

<sup>37</sup> Ibid., fol. 424<sup>v</sup>.

<sup>38</sup> Ibid., fol. 397.

<sup>39</sup> Ibid., fols. 426-427.

<sup>40</sup> Ibid., fol. 427.

<sup>41</sup> Ibid., fol. 427<sup>rv</sup>.

<sup>42</sup> Ibid., fols. 427<sup>v</sup>-428.

<sup>43</sup> Ibid., fol. 428<sup>rv</sup>.

<sup>44</sup> Ibid., fols. 428<sup>v</sup>-429.

youth, had carnal knowledge of some prostitute, particularly of Laurencia, the slave of Don Matheus de Brunecto, since this was the custom and the nature of youths.<sup>45</sup> He did not keep her as his public concubine either in his house or under the same roof or at his table. Nor did he keep any other in any such manner but always outside his home and away from his table as other youths did and were in the habit of doing.<sup>46</sup>

On 2 May 1485 the sentence was promulgated and published by the vicar general of Malta. The accused was absolved of the accusation and set free.<sup>47</sup>

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<sup>45</sup> Ibid., fol. 429: ‘nec tamen afficit ipsum accusatum si tamquam iuvenis aliquibus vicibus se conjunserit et carnaliter cognoverit aliquam peccatricem mulierem et specialiter Laurenciam servam donni Mathey de Brunecto quia de more et natura est iuvenum.’

<sup>46</sup> Ibid.,

<sup>47</sup> Ibid., fol. 425<sup>v</sup>.