

MELITA HISTORICA



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The *Fondo Mesina* in the Archivo Ducal de Medinaceli

Stanley Fiorini and Horatio Caesar Roger Vella¹

Heartened by the discovery in Madrid of the important Byzantine poem which we recently published, jointly with Mgr Joseph Busuttil, as *Trista ex Melitogaudio: Lament in Greek Verse of a XIIth-century exile on Gozo*, and given that the manuscript, having originated here, found itself in Spain via Messina, we have been on the lookout for the possible existence of other manuscripts with a similar history. The suspicion that Messina was an important repository of Greek manuscripts and that some of these originated in Malta was, more recently, confirmed by the discovery in Parma of the *Tetraevangelio* – Palatina 5 – which finally reached that library from Constantinople via Malta and Messina.² In view of this, our interest was, naturally, aroused by the private archives in Spain of the *Duque de Medinaceli* held partly in Seville and partly in Toledo as these are known to contain medieval material that came specifically from Messina in the section *Fondo Mesina*. After prolonged correspondence with the administration of the archives, facilitated through the assistance of

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² S. Fiorini, 'Greek Protopapas of Malta', *The Sunday Times of Malta*, 8 January 2012, 48.

several kind intermediaries,³ we were finally given the go-ahead to visit the Toledo section of the archives where the *Fondo Mesina* parchments are housed. We should like to express our gratitude to the Rector of the University, Professor Juanito Camilleri, who fully backed us in this endeavour, both morally and practically. Thanks are also due to Dr Juan Larios de la Rosa, Archivist, who personally went out of his way to make the voluminous material fully available for our consultation. The object of this short communication is to make known to Maltese researchers our findings at *Medinaceli* in order to avoid reduplication of effort.

History of the *Fondo Mesina*

It all started on 7 July 1674 when the city of Messina, led by its nobility, rebelled against Spanish rule, particularly in order to protect their ancient privileges against perceived liberalism of the Spanish Viceroy. Till that time the city had enjoyed a long period of affluence, stability and flowering of its culture. The most direct witness of this civilization and the evolution of their society, of its economic well-being and the stability of its institutions, starting from Norman times till that fateful date, was contained precisely in the mass of documents held in the *Archivio della Torre* held in the basement of the Cathedral Tower of the city. The rebels, heartened by the support offered them by Louis XIV of France, held out for full four years. But when Louis withdrew his backing, in contempt of the Sicilians' petty provincialism, on 15 March 1678, Spanish troops entered the city and the rebellion was over.

The new Spanish Viceroy, Francisco de Benevides, Conde de Santiéstan, appointed in 1679, conceived a terrible revenge against the city. The town-hall was razed to the ground and its site ploughed and sown with salt. In its place was set an equestrian statue of King Carlos II trampling the hydra of rebellion. The metal from which it was cast came from the great bell in the cathedral tower which had summoned the citizens to rebel. The basement of that tower yielded a cache of great chests containing the city archives. On 9 January 1679, the Viceroy's agent, with his own hands, opened the chests and stuffed their contents in their entirety into twenty-three sacks which he summarily carted away to Palermo, thereby depriving the *Civitas Nobilis* of its collective

³ In this regard, we are especially grateful to Professor Jeremy Johns of Oxford, Profesor Carlos Martínez-Shaw of Madrid, and Prof Carmel Vassallo of the University of Malta.

memory. In view of what prompted the rebellion, the Viceroy's decision was deliberately taken in order that 'the privileges may be wiped from the memory of the people'.⁴ Benevides' successor as Viceroy, Francisco Mendoza Pacheco, IV Duque de Uceda, on his retirement in 1696, took with him to Spain all these parchments together with all other Greek manuscripts he had acquired, including the Constantinos Lascaris collection and the poem from *Melitogaudos*.⁵ There the documents stayed until 26 April 1992, when they were taken to the *Laboratorio di Restauro* of Turin,⁶ where they were restored and microfilmed, after which 115 of them returned briefly to Messina for a lavish exhibition entitled *Messina: Il ritorno della memoria storica*.⁷ Back in Spain, specifically at the *Casa de Pilatos*, in Sevilla, they had been, theoretically,⁸ inaccessible for research till that date.⁹ Eventually, the collection consisting of 1425 parchments, beautifully and lavishly restored, was moved to the *Museo Tavera* of Toledo where the *Archivo Ducal de Medinaceli* of the *Fundación Casa Ducal de Medinaceli* is now housed (together with other archives), and where we consulted the parchments. The cataloguing of the 1425 parchments is, still, not complete but sufficient progress has been made to identify practically all that is required.

Although prior to our visit the collection had been described to us as *este fondo contiene la documentación de los privilegios de ciudades y villas*

⁴ D. Mack Smith, *A History of Sicily: Medieval Sicily 800–1713*, London 1968, 226–232. J. Johns, *Arabic Administration in Norman Sicily*, Cambridge 2002, 11–12. On the relevance of these documents for Sicilian history, cf. G. de' Giovanni-Centelles, 'Croce e Spada nella Sicilia del Gran Conte: Le nomine vescovili', G. de' Giovanni-Centelles (ed.), *Ruggero I Gran Conte di Sicilia: 1101–2001*, Roma: Istituto Italiano dei Castelli, 2007, 220–221. F. Giunta, 'Il fondo Sicilia dell'Archivio della Fondazione Medinaceli', in: *Del nuovo sulla Sicilia musulmana. Atti della Giornata di Studio: Roma, 3 maggio 1993*, Roma: Accademia Nazionale dei Lincei, 1995, 153–166.

⁵ S. Lucà, 'Dalle collezioni manoscritti di Spagna: Libri originari o provenienti dall'Italia greca medievale', *Rivista di Studi Bizantini e Neocellenici*, [54], n.s. 44, 2007, 39–96, esp. 52–53.

⁶ Initial negotiations between the trustees of the archives and the Italian *Ministero per i Beni Culturali* to collaborate on the maintenance of the archives began in 1989: personal communication by Professor Carlos Martínez-Shaw.

⁷ The exhibition was held in Palazzo Zanca between 1 March and 28 April 1994; the catalogue, likewise entitled *Il Ritorno della memoria*, was published in Palermo by Edizioni Novecento.

⁸ Although in general scholars were not allowed to view these parchments, some pre-1994 publications by Spanish scholars are not unknown, notably, María Eugenia Gálvez's, 'Fragmento de *Yárida* del Archivo Ducal de Medinaceli de Sevilla', in *Historia, instituciones, documentos*, Sevilla: Publicaciones de la Universidad 1985 and *idem*, 'Los manuscritos árabes del Archivo Ducal de Medinaceli', *Actas de las jornadas de cultura árabe e islámica: 1980*, Madrid 1985.

⁹ Information on the site <http://www.paoloferrarissrl.it/medinaceli.htm>.

de Sicilia, in effect the collection contains precious little that does not concern Messina directly and from our 'Maltese' point of view it has proved to be rather disappointing. None the less, such a rich source of primary documentation was bound to yield material, however obliquely related, and shed some light on a period of our history that is so poorly documented and hazily known.

We examined about a quarter of the 1425 parchments and looked at the descriptions of all the other items catalogued so far. In one way or another all concern the Monastery of San Salvatore *de Lingua Phari* of Messina. The following five documents being published here are both typical of the material and have something to say about Malta. None of them, except the last, are described in the Messina exhibition catalogue.

Description of the documents

The first document, which has hitherto been known only through a late copy in the *Biblioteca Vaticana*, dates to King Roger's reign. It concerns a litigation that arose between the diocesan Church of Catania and the Monastery of San Salvatore over the construction of a water-mill in close proximity to another. The two parties come to an agreement before the *Regia Curia* convened at Messina in the presence of experts including Nicholaus, the son of Admiral Eugenius, and Symeon, the son of the Admiral of Admirals, George of Antioch. Symeon receives a mention in the poem *Tristia ex Melitogaudio*, where he appears as one of the *árchontes tou sekretou*, an office that had come into being by 1141. The present document, dated as it is to 1143, would confirm Symeon in this position and explain his presence as an expert in the Curia in his capacity of financial adviser.

The second document of half a century later concerns Malta more directly as it is a donation to the same monastery of San Salvatore by Margaritus di Brindisi, Admiral of the royal fleet and Count of Malta. In 1193, with the consent of his wife, Marina, Margaritus grants the Archimandrite Leontius of San Salvatore the village of Cremastro, in the district of Mascali. He had, in turn, obtained this property by royal bequest. This document was, likewise, known through the XVIIth-century copy in the Vatican Library.

The third document concerns the villeins of the village of Tuccio in Calabria, who, having refused to give their due services to their lord, the

Monastery of San Salvatore of Messina, as their forbears had done before them, are brought to justice before the Imperial *Justiciarius* of Calabria, Marinus de Valle, and his Judge, Johannes Deodatus. The interest for Malta here derives both from the fact that it is clear that the serfs are, in their majority, Greeks, and also from the names themselves, many of which replicate others from Maltese nomenclature. Dealing with the latter, first, prominent among these surnames is *Callea* which, occurring as it does in 1233, a good half a century before any Spanish infiltration of Sicily, clearly harks to its Greek – not Spanish origin, as claimed by several – akin to several other Greek names starting with *kalós* – (beautiful) and its derivatives. In Malta too it is present before the start of the Spanish period in 1283, occurring as it does in 1277.¹⁰ Incidentally, another occurrence of the appellative, but as a personal name – *Calleas senex filius Acintuli*¹¹, shows that the surname is, in fact, a patronymic. Worth noting is the occurrence of *Zarb* (*Czarbo*), possibly referring to Serbian/Macedonian ethnic origin, and *Czorrici*, nowhere else encountered hitherto, yielding a plausible etymology for the Maltese place-name Žurrieq. It is not out of place to remark here that the surname *Zourrēca*, appearing in Sicily in 1182, occurs at the end of a Greek diploma in a list of 35 witnesses, all bearing Greek names.¹² In Malta the surname *Zarb* is equally early as it is found in a document of 1283: *Vita gener Sansonis de Sarbo*.¹³ Also of interest is the personal name *Arcudius* (v. 33) which also occurs as a patronymic in the same document (v. 34). In Malta it appears as a patronymic in a document of 1299: *Ego Manfredus de Arcudio, qui supra judex Gaudisii*.¹⁴ Although the surname *Cuczucli* (vv. 35, 36) has not been encountered in Malta, it sheds light on another analogous surname of Greek origin – *Cuschieri* – derived from its earlier form *Cuczocheri*. Girolamo Caracausi explains the meaning as deriving from medieval Greek *koutzós* (*zoppo, storpio*) + *kheir* (*mano*), hence ‘having an amputated

¹⁰ S. Moscati, ‘Fonti per la storia di Malta nel R. Archivio di Stato di Napoli, *Archivio Storico di Malta*, VII/4, 1936, 477–509, esp. 506.

¹¹ A. Garufi, ‘I documenti inediti dell’epoca normanna in Sicilia: I’, *Documenti per Servire alla Storia di Sicilia*, Ima ser.: Diplomatica, XVIII, Palermo: Reber 1899, 82 Doc. XXXIV (20.i.1159(?), ind. VII). This document is transcribed from the Archivio di Stato, Palermo, Tabulario vescovile di Cefalù, n. 131, cod. perg. saec. XIII, 24–26.

¹² S. Cusa, *I diplomi greci ed arabi di Sicilia*, I, Palermo: Lao, 1868, 431.

¹³ G. Silvestri, *De Rebus Regni Scilieae: 9 Settembre 1282–26 Agosto 1283*, Palermo: Lo Statuto 1882, 611–2, Doc.DCLXXVIII = J. Galea, ‘Documenti per servire alla storia medievale maltese’, *Melita Historica*, II/3, 1958, 199, Doc. IV.

¹⁴ H. Bresc, ‘Malta dopo il Vespro Siciliano’, *Melita Historica*, VI/3, 1974, 319.

/ maimed / mutilated / paralysed hand'.¹⁵ Although in Malta the earliest occurrence – *Cuskeri(us)* – only goes back to 1324,¹⁶ in Sicily, *Cuczocherii* is already encountered in 1095,¹⁷ and indeed, is still used in that form now.¹⁸ The second point to be made here is that the vast majority of the serfs in the village of Tuccio in 1233 are Greeks; in one instance there is also a priest included together with his son: *Mule presbiterum, Leonem filium eius* (v. 33). This confirms the fact that the Normans reduced to servile status all those found in occupied territories, irrespective of their ethnic and/or religious affiliation. Translating this to the Maltese-Gozitan situation, the statement lends credence to the existence in Malta and Gozo of Greek serfs as late as the 1370s.¹⁹

The fourth document yields the name of a hitherto unknown member of the Cathedral Chapter of Malta, Canon Alduinus Lanza, in 1344, living in Catania, as was the common practice at the time.²⁰ The document is a bull of Pope Clement VI who has received complaints about the Archbishop of Messina, Raymundus, who was demanding, under pain of excommunication, an annual tribute of 12 gold *uncie* from the Cistercian Abbey of *Santa Maria de Novara*. The Pope appoints the Abbot of *San Nicola de Arenis* of Catania and the Maltese Canon, Alduinus Lanza, residing in Catania, to give him expert advice on the matter.

Like the document of 1233, the final document relates to the serfs and other property and rights of San Salvatore of Messina. Although dated 1372, its most important feature is the exhumation of information of a century earlier in the form of an investigation concerning the rights of San Salvatore from the time of Charles of Anjou [1266–82]. It appears that

¹⁵ G. Caracausi, 'Suffissi mediogreci nella moderna onomastica siciliana', *Bizantino-Sicula III: Miscellanea di Scritti in Memoria di Bruno Lavagnini*, Palermo: Istituto Siculo di Studi Bizantini e Neoellenici 2000, 23–36, esp. 29. *Cuczucli* may refer to a defect of the legs < Gk. *oklás*, bent hams.

¹⁶ S. Fiorini, *Documentary Sources of Maltese History, II: Documents in the State Archives, Palermo, No. 1: Cancelleria Regia: 1259–1400*, Malta: University Press 1999, Doc. 78.

¹⁷ R. Pirro, *Sicilia Sacra*, I, Palermo: Coppula 1733, 77.

¹⁸ Cf. Bibliography of Professor Bruno Lavagnini, in *Bizantino-Sicula III, cit.*, item No. 372, contribution by Jean Coutschoras.

¹⁹ Bresc 1974, 321 Doc. II. Fiorini 1999, Docs. 48, 99

²⁰ Fiorini 1999, Doc. 181 (23.vii.1393) where the King and Queen write to the Canons of the Maltese Chapter residing in Catania, in Syracuse and at Lentini. *Idem*, 'The Clergy of Malta to 1460', *Melita Historica*, XIII/2, 2001, 165–208 esp. 172–176: Canons Philippus de Agrigento (1329), Johannes de Regio (1357), Gualterius de Agusta (1362–3), Franciscus Mustaccioso (1388–90), Paulus Nani (1388–93), Bartholomeus de Pascali (1390), Antonius Budara (1398), Tucius de Beninato (1399–1402).

the problems for the monastery from rebellious serfs in 1233 (cf. Doc. III) were not resolved over the following half a century. The investigation of the late XIIIth century brings out into the open a situation that paralleled that obtaining in the Maltese islands at the time of the Giliberto Abate report of c.1241, namely, the coexistence of several lords with distinct rights over their villeins, all living in close proximity to each other. In the same way that the document shows how the village of Tuccio embraced villeins owing duties to (i) the Royal Curia, (ii) the Archbishop of Reggio, (iii) Domina Margarita de Longastreva, (iv) the Monastery of San Salvatore, and others, so in Malta and Gozo, there were at least three lords – the Royal Curia, the Count of Malta, and the Bishop of Malta – demanding duties from their respective *villani*. This helps to shed light on how Giliberto's population figures can be properly interpreted.

It is to Dalli's credit to have established that the population figures in Giliberto's census, tallying as they do with the incomes and expenses in the rest of the document, are genuine as they stand and represent only that part of the population depending directly on the royal demanum. In a sense, the figures are defective as they do not account for another section of the population accountable to other lords. Here, in Doc. V, we have a parallel situation, in Sicily, exhibiting the coexistence of several lords with respective rights over different sections of the population of Tuccio. This lends credence to what has been suggested was, very probably, happening in Malta in 1241. This point will be developed further in a forthcoming publication.

The Documents

Document I

ADM perg. 108

June 1144, indiction VI (*sic*).^a

A litigation had arisen between the Church of Catania and the Messinese Monastery of San Salvatore concerning rights over a mill, in the region of Mascali, constructed close to another pertaining to the Church of Catania. The two parties come to an agreement before the Court of King Roger in Messina, in the presence of experts including Symeon, the son of George of Antioch, Admiral of Admirals.

XVIIIth-century copy in Biblioteca Vaticana, Vat. Lat. 8201, f. 50, from which published in: Jamison 1913, 453-5, Appendix I, and White 1984, 406-7, App. XVIII.

Dissensio fuit inter Ecclesiam nostram Cathaniensem et Ecclesiam Sancti Salvatoris Messane de quodam molendino quod ipsi volebant facere juxta molen^{l²}-dinum nostrum de Mascalo quod est apud Pliero in pertinenciis Sancti Johannis, quod ab illis fieri non permictebamus. Unde Domino Magnifico Regi R[ugerio] conquesti^{l³} sunt adeo quod ex ipsius precepto et nos et ipsi in Curia Domini Regis Messane convenimus ut ibi presente Curia de prefata calumpnia discuteretur^{l⁴} et rationis examine unicuique nostrorum quod suum esset conferretur. Venimus igitur et nos et ipsi in Curiam, quod videntes quidam sapientes et^{l⁵} discreti viri, videlicet, Dominus Symeon Domini Georgii Admiratorum Admirati filius et Magister Thomas et Rogerius filius Boni et Nicholaus^{l⁶} Amirati Eugenii filius et Aschetinus Cathaniensis Archid[iaconus], et Ric[ardus] de Brolio, et Petrus de Lentina et Herveius de Terona qui nequaquam vo^{l⁷}-lentes discordiam esse inter Ecclesiam nostram et Ecclesiam Sancti Salvatoris Messane prefatam dissensionem in pacem converti studuerunt. Ex precepto^{l⁸} igitur Domini Regis mediatores effecti quod super hoc in mente habuerunt, Deo volente, peregerunt. Sic autem inter nos et illos pax firmata fuit, l⁹ quod Ecclesia nostra concessit eis ut molendina aque facerent quotquot voluerint iuxta prefatum molendinum nostrum vel

^a June of the VIth indiction corresponds to the year 1143.

superius vel inferius |¹⁰ ita tamen ut, si superius fecerint molendina, non perdat molendinum nostrum aquam unde non possit molere pro defectu aque. Sin autem |¹¹ inferius ut non revertatur aqua refluendo unde rota molendini nostri habeat impedimentum vel perdat suum molere. Preterea con- |¹²-cessimus eis medietatem terre nostre quam iuxta molendinum nostrum habebamus pro descensu asinorum, et alia medietas terre ipsius remansit |¹³ nobis, et ut habeant licentiam irrigare terram suam ab aqua desuper molendinum nostrum ita tamen ut molendinum nostrum non perdat |¹⁴ suum molere, magis quam solet preferito tempore ante hanc concordiam. Hec omnia fuerunt facta inter nos et illos tali conditione |¹⁵ ut Ecclesia eorum de prefato molendino nostro nequaquam faciat nobis molestiam vel impedimentum. Siquidem Ecclesia eorum invenietur proclama- |¹⁶-tionem faciens et molestiam contra nostram Ecclesiam de prefato molendino nostro .CC. bisancios donet nostre Ecclesie et Curie Regali |¹⁷ .CCC. Et similiter si nostra Ecclesia voluerit infringere prefatam concordiam inter nos et eos factam, donet Ecclesie eorum .CC. bisancios |¹⁸ et Curie Regali .CCC. et has prefatas conventiones concessi Ego Ivanus Cathaniensis Electus consilio et assensu fratrum meorum de quibus |¹⁹ aliqui subscriberunt. Et ut presens privilegium inviolatum et firmum maneat Ecclesie nostre sigillo plumbeo illud sigillari fecimus et Ecclesie |²⁰ Sancti Salvatoris Messane deditus.

Anno de Incarnatione Domini M-C-XLIIII inductione VI, mense Junii.

Hec crux + quam fecit |²¹ Ivanus predictus Electus, et hanc + Hugo Prior, hanc quoque + Fulcherius, et hanc + Girardus magister, hanc vero + Robertus Iaciis |²² Magister, et hanc + Lucas, hanc quoque + Nicolaus Cantor.

Document II

ADM perg. 114

September 1193, indiction XII.

Margarito di Brindisi, Count of Malta, with the consent of his wife Marina, makes a donation of the village of Cremastro, in the district of Mascali in Sicily, to the Monastery of San Salvatore, called Mandra Messane.

This document is referred to in Garufi 1907, p. 277 #2, known to the author from the XVIIth-century copy in the Biblioteca Vaticana, Vat. Lat. 8201, f. 10. Pirri (Sicilia Sacra, II, 980) publishes it Ex Tabulario Archimandrit[ael], fol. 5 et 6.

In nomine Dei aeterni et Salvatoris nostri Hjesu Christi.

Anno de Incarnatione eiusdem mill[ensi] mocent[ensim] nononage[nten] simo tertio mense Septembbris indictionis duodecimae, regni vero Domini nostri Tancredi Dei gratia invictissimi² et triumphatoris Regis Siciliae, Ducatus Apuliae et Principatus Capuae anno quarto feliciter regnante cum eo Illustrissimo filio eius Domino nostro magnificentissimo Rege Rogerio anno secundo cum gloria. Amen.^{1³}

Quia ad patrata delictorum piacula plurimum interesse credunt[ur] omnibus equanimiter collata beneficia coenobiis sed potissimum Sanctis Ecclesiis et religiosis coenobiis Deo famulantibus helemosinae et beneficia exhibita⁴ tanto fecundiora remedia nanciscuntur quanto familiarius summo opifici suscepta eorum devocio parentatur. Eo itaque Spiritu spirante, qui ubi vult spirat et animos⁵ de bono in melius ad quecumque optima exercenda invitat, nos Margaritus de Brundisio Dei et regia gratia Comes Maliae et Regis victoriosissimi stolis Admiratus,^{1⁶} universis presencia scripta legentibus et audientibus manifestum fieri volumus, quia sincero animo et pura conscientia de bona et gratuita voluntate nostra, pro^{1⁷} honore et gloria omnipotentis Dei et Sanctae Ecclesiae reverentia necnon pro delictorum nostrorum remedio consequendo, donavimus, tribuimus et presenti^{1⁸} scripto tradidimus et concessimus Monasterio Sancti Salvatoris, quod Mandra Messane dicitur, presidente et moderante Archimandrita, Venerabili domino Leontio,^{1⁹} quidquid iuris et rationis nos habuisse visi sumus in nostro Casali quod dicitur Cremastro, sito in contrata que dicitur Calatabiani, quod ad nos ex firma donatione et^{1¹⁰} concessione nostri Regis pertineat in perpetuum in iure, proprietate et possessione eiusdem monasterii, sicut est, cum omni iure,

proprietate et pertinentiis¹¹ suis circum circa et infra. Et sicut ipsum Casale olim, ante nostram donationem, dicti Reges tenuerunt iuxta tenorem sigilli sui, quod modo habent, ita ipsum¹² Casale libere habeant et possideant iure proprietatis et commodum et utilitatem Ecclesie prefate et ad velle eorum exinde faciendam libere et expedite sine¹³ impugnatione, contradictione et calumnia nostri et nostrorum heredum numquam modo quolibet eis inferenda nec machinanda nobis, per nos, nec per summissam¹⁴ personam. Ideo ad munimen et perpetuam securitatem eorundem fratrum predicti Monasterii presens scriptum nostra et Illustris Domine Comitisse uxoris nostre¹⁵ subscriptione firmatum et nobilium virorum testimonio roboratum sibi fieri fecimus per manus Magistri Riccardi Notarii donatum et prefato Asrchipandrite et aliis¹⁶ suis monachis ipsum tradimus conservandum.

Feliciter Messane actum anno, mense et indictione predictis.¹⁷

+ Margaritus de Brundisio Comes Malte.¹⁸

+ Signum proprie manus Illustris Comitisse Domine Marine uxoris domini Comitis Margariti que supra confirmans.

Document III

ADM perg. 151

September 1233, indiction VII.

The serfs of Tuccio in Calabria, having refused to give their due services to their lord, the Monastery of San Salvatore de Lingua Phari of Messina, are brought to justice before the Imperial Justiciarius of Calabria, Marinus de Valle, and his Judge, Johannes Deodatus.

+ In nomine Domini nostri Ihesu Christi.^a Anno ab Incarnatione eius millesimo ducentesimo tricesimo tercio.

Imperante Domino nostro Friderico Dei gracia invictissimo Romanorum Imperatore semper¹ [Augusto] Jerusalem et Sicilie Rege, Imperii eius anno terciodecimo, Regni Jerusalem anno octavo et Sicilie tricesimo septimo, mense Septembbris septime indictionis.

Dum Nos Mari-¹-nus de Valle Imperialis Justiciarius Calabrie apud Nevenforum(?) curie regeremus sessionem nobiscum Johanne Deodatus Imperialis Curie Judice, Frater Pannucius monachus Ecclesie Sancti¹ Salvatoris de Lingua Messane nobis presentavit imperiales licteras in hac forma:

Fridericus Dei gratia Imperator semper Augustus Dei gratia Jerusalem et Sicilie Rex.

Marino de Valle Justiciario Calabrie fide-¹-li suo gratiam suam et bonam voluntatem.

Querelam Conventus Sancti Salvatoris de Lingua Messane nostrorum fidelium recepimus continentem quod villanus eorum et quidam alii apud Tuccium morantes debita et¹ consueta servicia denegant eis facere que temporibus dictorum augustorum progenitorum nostrorum predicto Sancto Salvatori et usque ad hec tempora felicia nostra facere consueverunt. Addiderunt eciam quod nemora eorum per¹ violenciam destruerunt nec ab eis justiciam possunt consequi eo quod sunt homines diversorum. Cum igitur dicto conventui in eorum iure velimus adesse, fidelitati tue precipiendo mandamus quatenus, vocatis qui fue-¹-rint vocandis et cognitis cause meritis, si rem invenieritis ita esse, predictos villanos dicti monasterii et alios quos tibi expresse nominabunt ut debita et consueta servicia conventui memoratol¹ exhibeant et quod ipsorum

^a Christi in abbreviated Greek characters.

nemora non destruant, debita discretione compellas, ut pro defectu justicie justam nequeant replicare querelam.

Data Castro Joanne VI^o Augusti VI^e indictionis.^b

Quarum auctoritate licterarum, ad^{l¹⁰} petitionem predicti Fratris Pannucii procuratoris Archimandrite et Conventus Sancti Salvatoris de Lingua Messane, de qua procuracione nobis constitit, citari fecimus secundum predictam formam imperialium licterarum,^{l¹¹} videlicet, Gregorium Proczi et fratres eius, Nenect(____), filium Pape Coste Trullurronum(?) (____)^c am Chitam quam citationem peremptorie faciendi commisimus, Domino Nuchiforio Romeo de Mesa ut^{l¹²} citati predicte peremptorie ut die Lune quinto Septembris septime indictionis predicte (____)(____) coram Nobis dicto Fratri Pannucio pro parte dictorum Archimandrite et Conventus Sancti Salvatoris iuxta te-^{l¹³}-norem dictarum imperialium licterarum in iudicio responsuri, quo termino veniente, predictus Frater Pan[nucius], procurator pro parte Archimandrite et conventus, comparuit coram nobis offerens se paratum pro-^{l¹⁴}-cedere contra predictos secundum formam imperialium licterarum quia non comparuerunt. Eodem vero die ...^d

... etc. etc. ...

Ne autem quod gestum est ab humana memoria labi pos-^{l³⁰}-it hoc scriptum scripsi.

Ego Jacobus publicus Notarius qui predictis omnibus interfui et meo signo signavi.

Eodem vero modo processimus contra Basilium Scaccharo, filium eius Basilium Dilacas, Leonem^{l³¹} Alexi Sergium fratrem eius, Nicolaum Sisinnum, Basilium Rodocalium, fratrem eius, filium Marcianum Saoni, Costam Cutripi, Johannem Czachariam, Johannem Bagala, Nuchiforum Callea, fratrem eius, Spatarum Ban-^{l³²}-bacarum, Matheum Calleam, Theodorum Calleam, Costam Czarbo, Nicolaum Bacala, fratrem eius Johannem Czarbo, Calocherium Calopinachi Basilium Tigani, Andream Lemo, Johannem Czorrici, Theoderum Sacharro, ^{l³³} Basilium Tabernici, Arcodium Calleam, Theoderum Calleam, Siderium Cutripi, fratrem eius Mule presbiterum, Leonem filium eius, Basilium Piratum, Andream Piratum, Mule filium Magistri Mu-^{l³⁴}-lene, senem Spiratum,

^b On 14 August Frederick is at Castrum Joannis: Huillard-Bréholles, IV/I, 451-452.

^c Here and throughout, (____) indicates illegibility of text.

^d Here follow the witnesses' declarations.

Theofilactum, Nicolaum de sene Arcudio, fratrem eius Basilium, Johannem de sene Arcudio, senem Leonem, filium eius, Leonem Calleam, Comitam Czuccurram, Johannem³⁵ Crinata, filios Johannis Cuczucli, Costam et Theoderum, senem Johannem Cuczucli, Costam Cuczucli, Leonem Pocamelli, Costam Agrillitatium, senem Comita Puczum. Theoderum fratrem³⁶ eius, Leonem Cuczucli, Nicolaum de Papa Costa, Theoderum de Notario Costa, Leonem [et] Johannem fratres eius, Basilium Cuczucli, Johannem fratrem eius, Costam de Papa Costa, Johannem, Petrum et Leonem³⁷ fratres eius, Nicolaum Pocamelli, Johannem Crinata et Johannem Fataczogu.

Simili[ter] per dictum Dominum Nuchiforum citatos, ipsorum contumaciam puniendo.

+ Ego Marinus Imperialis Justiciarius Calabrie.

+ Ego Notarius Johannes Imperialis Curie Judex.

Document IV

ADM perg. 375

Avignon, 14 Kal. Januarii anno III Clementis VI [19 December 1344]. Bulla.

Archbishop Raymundus of Messina, had demanded under pain of excommunication, the annual payment of 12 gold uncie from the Abbot of the Cistercian Monastery of Sancta Maria de Novara in the district of Messina, contrary to claims by the same Abbot. The case, having been referred to the Holy See, is passed on by Pope Clement VI for expert advice to the Abbot of the Monastery of San Nicola de Arenis of Catania and to Alduinus Lanza, a Canon of the Church of Malta living in Catania.

Clemens Episcopus Servus Servorum Dei.

Dilectis filiis Abbati Monasterii Sancti Nicolai de Arenis Cathanen.
diocesis et Priori Cathanensis, ac Alduino Lancea Canonico ^{1²} Milevitan.
Cathanie commoranti Ecclesiarum Cathanien. et Melitan.

[Exposizione] sua Nobis dilecti filii Abbas et Conventus Monasterii de Nucaira, Monasterio Cistercien. ad Romanam ^{1³} Ecclesiam, nullo medio pertinenti Cubilonen. diocesi subiecti, Cistercien. Ordinis Messanen., petitione monstrarunt quod licet idem Monasterium Cistercien. cura ^{1⁴} omnibus monasteriis sibi subiectis, et personis degentibus in eisdem ab omni iurisdictione, dominio et potestate, quorumlibet iudicium ordinariorum per speciale ^{1⁵} Apostolice Sedis privilegium sic prorsus exemptum et eidem Sedi immediate ita quod iidem ordinarii nequeunt in monasteria et personas predictas ^{1⁶} potestatem vel iurisdictionem aliquam exercere dictumque Monasterium de Nucaria subiectum esset eidem Monasterio Cistercien. tempore concessionis privilegii supradicti, et tam dicti Abbas et Conventus eiusdem Monasterii de Nucaria quam predecessores eorum in pacifica possessione vel quasi libertatis et ^{1⁸} immunitatis huiusmodi fuerint a tempore supradicto, tamen Venerabilis Frater noster Raymundus Archiepiscopus Messanen., asserens sibi licere, tam vigore indulti apostolici ^{1⁹} super hoc specialiter sibi ut dicebat concessi, quam de iure ut minus veraciter asserebat exigere ac recipere caritat[u]m subsidium ab omnibus et singulis ^{1¹⁰} personis ecclesiasticis suarum civitatis et diocesis non exemptis seque ordinasse exigere et levare ab eisdem personis huiusmodi subsidium et curasse quod ^{1¹¹} predictus Abbas pro huiusmodi subsidio sibi solvere duodecim uncias auri eidem Abbati pro se et monachis suis per suas licteras mandavit ut,

visis¹² eisdem licteris, sibi seu factoribus suis solveret pro huiusmodi subsidio duodecim uncias auri, alioquin in eos ex tunc excommunicationis sententiam promulga-¹³-bat, propter quod, pro parte ipsorum Abbatis et conventus dicti Monasterii de Nucaria, cum idem Archiepiscopus huiusmodi subsidium vigore dicti¹⁴ privilegii vel de iure a non exemptis dumtaxat exigere posset, ac Abbas et Conventus Monasterii de Nucaria predicti, a iurisdictione quorumlibet¹⁵ iudicium ordinariorum ut premictitur sint exempti ad Sedem Apostolicam extitit appellatum. Quocirca discretioni vestre per apostolica scripta mandamus quatenus, ¹⁶ vocatis qui fuerint evocandi et auditis [audien]dis propositis, quod vistum fuerit appellatione remota decernatis facientes quod decreveritis per¹⁷ censuram ecclesiasticam firmiter observari. Testes autem qui fuerunt nominati si se gratia, odio vel timore subintraverint censura simili appellatione cessante cogatis¹⁸ veritati testimonium perhibere. Quod si non omnes hiis exequendis potueritis interesse duo verum ea nichilominus exequantur.

Data Avinione XIII Kal. Januarii Pontificatu nostri anno tertio.

Matheus Paschalis.

Bulla abest.

Document V

ADM perg. 255

Naples, 15 May 1372.

Further to Doc. III, supra, the Magistri Racionales of the Reginal Curia in Naples, having been asked by Frater Nimpus, Abbot of the Monastery of San Gregorio de Gipso and procurator of the Monastery of San Salvatore de Lingua [Phari] of Messina, to look into the result of the investigation held by King Charles I [1266–82] concerning the rights and properties of the Monastery of San Salvatore, transume this document, reproducing the result of the investigation, in order that the present Justiciars can be guided by it in ensuring that the Monastery's rights are maintained.

Abstract in Ritorno della memoria, pp. 260–261, #89.

Magistri Racionales Magne Reginalis Curie in Archivo Neapolis residentes.

Universis et singulis Justiciariis, Capitaneis et officialibus aliis quocumque nomine censeantur presentes licteras inspecturis tam presentibus quam futuris fidelibus reginalibus amicisque nostris¹ salutem et dilectionem sinceram.

Scire nos volumus quod veniens coram nobis Venerabilis et religiosus vir Frater Nimpus Abbas Monasterii Sancti Gregorii de Gipso ac procurator et negociorum gestor Monasterii Sancti Salvatoris de Lingua, Messane, sua nobis expositione¹ mostravit quod cum iniquitatis filii certa bona cuiusdam mon[asterii] occupare satagunt in eorum animabus lexionem et dicti monasterii intollerabilis detrimentum, propter quod Frater Nimpus idem nobis supplicavit, actentius ut inquire facere deberemus quemdam quaternum¹ inquisicionis facte tempore quondam bone memorie domini Caroli Primi Jerusalem et Sicilie Regis, continentem bona omnia que tenent et partibus Calabrie tam Prelati ecclesiarum quam monasterii ibidem sita et si in dicto quaterno inquisicionis predicte inveniretur aliquid spectans¹ ad dictum monasterium quod dictum monasterium in dictis partibus Calabrie aliquid tenuisset et possidisset tempore inquisicionis iamfate de illis aliquod tesfrimoniale seu scriptum facere tam ad dicti monasterii cautelam quam omnium quorum vel cuius inde interest seu inter-¹-esse poterit certitudinem, ut quociens et quando erit opus, de contentis in quaterno eodem [potest] fieri plena fides. Nosque, advertentes exposicionem prefatam rite procedere et presertim

quia ad Presidentis spectat officium jurgia unumcumque tollere ut certand[a] materia sopiaatur, propterea qua-^l⁷-terniones antiqui sistentes in dicto archivo diligenter perquiri fecimus, et inter quaterniones ipsos invenerimus quemdam quaternum continentem bona que tenet Prelati ecclesiarum et monasterii in iustificariatis Calabrie et Vallegratis prout per dicta et iuramenta nonnullorum testium, l⁸ func examinatorium, in eodem quaterno conscriptus vidimus contineri. Et inter cetera monasteria cum bonis in eodem quaterno scripta invenimus in eodem quaterno bona que tenet predictum monasterium Sancti Salvatoris de Lingua, Messane, in Calabria. Et inter cetera bona l⁹ dictum Monasterium Sancti Salvatoris tenebat et possidebat, in ipsis bonis continebantur tempore inquisitionis prefate et fide vidimus oculari modo qui sequitur infrascripto: In Mes[san]a et pertinenciis eius Nicolaus Biliczi vassallus ipsius monasterii juratus et interrogatus dixit l¹⁰ quod predictum monasterium, ultra partes Mes[san]e, vassallos subtos, videlicet, Nicolaum Belliczi, Costam Belliczi, Nichiforum Belliczi, qui tres, quia sunt de una casata, reddunt monasterio aureos tareneos III; Item, Johannem Arcumanum, Leonem Arcumanum, Chorum Arcuman[um] l¹¹ qui reddunt monasterio tarenos III., Item Georgius Cutroneus aureos tarenos III, Costa Rapa, Theodosius \frater eius/ reddunt aureos tarenos III; Item, Philippus Aczimarus reddit tarenos II; Item Basilius Pappabovo reddit tarenos II; Item, Nicolaus de Massina [et] filii Johannis de Missineo, reddunt tarenos III; Leo Dan- l¹²-nes aureum tarenum I. Petrus de Silurno, Nicolaus Cramallia, Basilus Russitanus jurati et interrogati super premissis omnibus dixerunt ut primus. In Tuchio et casalibus eius Judex Johannes Agullitanus juratus et interrogatus dixit quod totum territorium Vallis et terre cum l¹³ est Monasterium Sancti Salvatoris de Lingua, Messane, ubi habet viginti sex casatas villanorum et habet diversos redditus et servicia ab aliis hominibus habitantibus in predicto territorio Ecclesie quorum ubique sunt vassalli Domini Regis et alii sunt vassalli quorundam aliorum baro[num] l¹⁴ sic[ut] inferius distinguetur, videlicet, decem de predictis villanis quorum quilibet dicitur habere duos boves reddit quilibet monasterio annuatim cum ipsis bobus pro quolibet pariclo bovum operas (—) que sunt opere XL, valent tarenos XX; Item, alii sexdecim angari[at]i Ecclesie qui l¹⁵ habent boves quilibet eorum reddit monasterio annuatim operas ad brach[ium] XII, que sunt opere CXCII, valent unciam I et tarenos XVIII; Item quilibet eorum reddit gallinam unam, que sunt galline viginti[se]x, valent tarenos VI+; Item, dixit quod, preter predictos vigintisex villanos, l¹⁶ tenet idem monasterium in Casale

Presten(?) duos vassallos qui reddunt monasterio annuatim tarenos III et gallinas IIII qui sunt C galline: tareni V; Item dixit quod in Casali Sancti Theodori tenet alios vassallos tres, quorum quilibet reddit monasterio tarenos aureos duos et gallinas duas, qui sunt tareni VI et grana (____),¹⁷ [qui] valent tarenus I et grana X; Item dixit quod idem monasterium tenet in Casali Castelle alios vassallos quinque, quorum quilibet reddit anuafim monasterio sex operas ad brach[ium] et gallinam unam, que sunt opere XXX et galline .V., val[entes] ipse opere et galline aurei tareni VIII et grana XV; Item dixit [quod]¹⁸ monasterium tenet in Casali Rapanadi alios vassallos tres quorum quilibet reddit monasterio per annum operas ad brach[ium] .VI. et gallinam unam, qui sunt opere XVIII et galline tres, valentes ipse opere et galline tareni V et grana V; Item dixit quod Nicolus Calabro reddit monasterio, pro quadam exc[adencia]¹⁹ quam tenet ab eo, tarenos III et gallinam unam, valentes grana IIII; Item dixit quod tenet in Casali (____)essana quamdam excadenciam que consistit in vineola una et quibusdam terricellis, valentes sibi per annum aureos tarenos III; Item, dixit quod tenet in predicto Casali Castelle vineam u[nam que]²⁰ reddunt sibi per annum de musto salmas quatuor, valentes aureos tarenos X; Item, dixit quod idem monasterium tenet in Casali Gadurumi ortum unum qui valet sibi per annum tarenum unum; Item dixit quod dictum monasterium tenet ibidem prope ecclesiam quoddam magnum olivetum qu[od]²¹ [reddit sibi] olei cafisa mille, valentes, ana tarenos II per cafisa, uncias LXVI et tarenos XX; [Item, tenet] ibi tres pecias vinearum qui reddunt de musto salmas XLI, valentes uncias III et tarenos X; [Item,] habet in Flumaria de Tuchii molendina quinque qui valent in cabella auree uncie (____); [Item]²² dixit [quod] morticia et excadencia monaster[ii] venduntur in ca[be]llam (____)(____)(____)(____) quod exigitur ab illis qui seminant in terris ecclesie venditur in [cabella anno] quolibet pro aureis uncisi X; Item habet prope monasterium jardina duo que su[nt] (____)²³ possent valere annuatim tareni XV; Item dixit quod in terris et culturis monasterii quas [tenet in manibus suis] possunt esse continue ad seminandum et ad magisandum arat(____) bov(____) (____)(____) ac tenet et laborat monaster[ium] in eis cum aratris bovum quatuor qu[e]²⁴ estimata est valere sibi per annum uncias octo; Item, dixit quod nemora ipsius monasterii (____)(____) de tempore glandium aureas uncias X; Item, dixit quod terragia que proveniunt monasterio de [terratis et culturis] quas laborant diversi homines regionis ascendunt ad XXV salmas (____) et²⁵ valent aureas uncias III et tarenos X; Item, dixit quod bancus justicie vassallorum quorum venditum est hoc anno pro

unciis aureis VI; Item, dixit quod [i]dem monasterium pro hominibus et aliis bonis qui tenent in brachium reddit Regie Curie annuatim ligna galearum XV; Item d[ixit quod] ¹²⁶ Curia habet in terra et casalibus Tuchii vassallos CCLXXVIIII que[qui]dem persone sunt homines demanii, sed quia habitant in terra monasterii, quilibet eorum reddit monasterio operas ad brachium III^{er}, duas ad seminandum et duas ad metendum, que sunt opere mille CXVI, v[alentes] ¹²⁷ uncias VIII et tarenos VIII, ana III^{er} operas pro fareno uno; Item dixit quod monasterium ipsum cogit (sic) omnes predictos vassallos demanii ad faciendum justiciam in curia sua sicut alios veros vassallos quos, quod videtur facere in preiudicium et derogacionem Reg[ie Curie; Item,] ¹²⁸ dixit quod Archiepiscopus Reginus tenet in Tuchio in casalibus suis vassallos XXXVIII qui, pro eo quod habitant in terra monasterii, quilibet eorum reddit monasterio operas ad barchium VI, que sunt opere CCXXVIII, valentes unciam I et tarenos XXVII; Item, (____)¹²⁹ Atravi tenet in Tuchio vassallos XVIII qui reddunt monasterio quilibet operas sex que sunt opere CXIII, valentes tarenos aureos XXVIII et coguntur ad justiciam in curia monasterii; Item dixit quod Domina Margarita de Longastreva tenet ibidem v[assallos] [quin]-¹³⁰-decim quorum quilibet reddit monasterio operas sex ad brachium per annum que sunt opere XC, valentes tarenos XXII et coguntur ad justiciam in curia monasterii; Item dixit quod Episcopus Bove tenet ibidem vassallos sex qui reddunt operas XXXVI, valentes (____) [et coguntur] ¹³¹ ad justiciam in curia monasterii; Item, dixit quod monasterium Sancti Nicholai de Calamicro tenent ibi vassallos se(____); [Item,] (____)¹³² Tenoci(?) tenet ibi vassallos sex qui faciunt monasterio operas LXII ad brachium et coguntur in curia monasterii, valentes aureos tarenos XVIII; Item, dixit quod monasterium Sancti Bartholomei de Solano tenet [ibidem] vassallos octo qui reddunt monasterio operas XLVIII, val[entes] (____)¹³³ et coguntur ad justiciam in curia monasterii. Spadanus Munderi, Notarius Johannes Theoderus Polagrenus, Johannes Bibianus, Leo Cholo de Castellis, Constantinus Limo, Gligorius Clinii, Basilius Scolaris, Johannes (____), ¹³⁴ Scancinus Strago, Andreas Vellegatus, Basilius Licari, jurati et interrogati super premissis dix[erunt] uti primus; Item predicti testes dix[erunt] quod monasterium predictum habet in Tuchio animalia subta, videlicet, boves VIII, oves C^{VI}, porcos XL, (____) - ¹³⁵-ani de tenimento(?) arenarum; S. Robertus de Guillocto juratus et interrogatus dixit quod monasterium predictum tenet in quarteri[o] Suriani N(____) de Paltar qui habet terras laboratorias de tuminis L et dantur ad cohoptam qui valent per annum in victualibus cur(____)

(____)-|-³⁶-minus de Ragito, S. Petrus de Costantino, S. Petrus Mavire(?), S. Ricc[ard]us Cind(____) (____) juratus sic decet et interrogatus dixit per omnia ut primus. Que predicta omnia in predicto quaterno inventa diligenter et fideliter scribi fecimus nich(____) (____)³⁷ minuto et in presentem paginam scribi mandavimus et fecimus ad cautelam monasterii supradicti ut qu[ocien]s erit opus possit (____) fieri plena fides. S(____)hentes nichilominus harum tenore Justiciariis et officialibus supradictis ut eumdem mo[nasterium] (____)³⁸ qui sunt tempore inquisitionis prefate ipsum monasterium manuteneant et defendant ac faciant ab al[iis] de ipsorum juribus ipsi monasterio spectantibus ipsi monasterio interesse responderi. Presentes autem licteras post debitam inspectionem earum reman(____)³⁹ (____). In cuius rei testimonium presentes nostras licteras (____) fieri fecimus nostris sigillis munitas.

Date Neapolis anno Domini millesimo trecentesimo septuagesimo secundo die XV^o Maii X^e indictionis.^a

^a At the bottom, the fragments of five seals are appended.

- A nineteenth-century merchant, writer and politician: Giuseppe Pulis Montebello
Albert Ganado
- Julian Trevelyan and Mary Fedden: Their Journeys to Malta and their interpretation of the Landscape
Lawrence Pavia
- Iz-Żjara tal-Emir Faħri id-Din il-Magħluni f' Malta, (1615)
Gużei Gatt
- A Newly Reattributed Painting by Francesco Vanni in Malta
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Stanley Fiorini and Horatio Caesar Roger Vella
- The History of the Criminal Code: British vs. Natives, again ...
Mark A. Sammut
- Latin wine decanted into a Semitic carafe: the obscure term "midheb" in Vassalli's Lexicon and its possible usefulness for the legal historian
Mark A. Sammut

