

# **Social Relationships in Mid-Sixteenth-Century Malta: An Analysis through Notary Juliano Muscat's Register R376/11**

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## **Introduction**

The themes to be discussed in this paper transpire from the notarial deeds of Notary Juliano Muscat, and in particular register R376/11. This was compiled by Notary Muscat between February and August 1545, although it also includes a number of entries from 1546. In all, 330 separate acts were analysed. The volume, held at the Notarial Archives in Valletta (NAV), is written in Medieval Latin, although some Italian, Sicilian and Maltese words were used as well.

Social relations in mid-sixteenth-century Malta were extensive, variable, and constantly changing. Even in a small island like Malta people lived their lives within different social settings which were nonetheless concurrent and overlapping. The nature of the source at hand, that is, the notarial register R376/11, determined the subdivision of this paper into five parts. The first part sets out a framework within which to place the lives and actions of the people who appear in the acts of Notary Muscat. The next part outlines and discusses the merits and limits of notarial acts for historical research, while providing a short biographical sketch of Notary Muscat himself. The discussion then examines social relationships in terms of two dichotomies: Employers and Employees, Masters and Slaves. The final part is concerned with gender issues, and in particular with women's lives, in the belief that notarial records can help to redress the almost complete silence that shrouds women's history in the sixteenth century.

## **Context and Environment**

In this discussion 'Environment' is seen as the product of a complex interaction of human and physical factors, and not simply as a material backdrop. The coming to Malta of the Knights of St John altered completely its geo-strategic significance but seems to have – at least initially – impinged little, if at all, on the lives of most Maltese. Mid-sixteenth-century Malta existed in a wider Mediterranean and European context, which over the decades was to impinge more often and more directly on local developments; in Abela's

words: "*Ecco Malta posta fra l'Isole d'Italia, e per conseguenza nell'Europa*".<sup>1</sup> The years 1545 to 1550 were characterized by a certain lull in the Habsburg-Ottoman struggle for supremacy in the central Mediterranean as the two camps took some breathing space. Nonetheless, corsairing activities still went on and tensions ran high on both sides.<sup>2</sup> From Malta, the Order of St John fully participated in the incessant Habsburg-Ottoman Mediterranean-wide struggle.<sup>3</sup> Late fifteenth-century Malta had been fully aware of the bitter consequences intrinsically implied in its frontline existence.<sup>4</sup> By the 1540s the negative implications of being on the frontier were further accentuated. Malta belonged to a Christian commonwealth led by Charles V and opposed to the Muslims. It was this overall reality that had brought about an accidental change of ruler,<sup>5</sup> which in turn brought the islands further at the heart of the conflict and linked them with the North African outpost of Tripoli. Notarial documents reveal that the 20-odd years political link between Malta and Tripoli created a substantial amount of commercial links as well.<sup>6</sup>

Mid-sixteenth-century Malta was a predominantly agrarian society. Its strategic importance was beginning to assert itself now that the island was the headquarters of the Knights of St John, but most of its economy was still dependent on agriculture. This in turn made land the most valuable asset one could possess. Notwithstanding the fact that the acts under study give only fragmentary evidence, a general picture of the environment of mid-sixteenth-century Malta can still be elicited. In contrast with nowadays' largely built-up landscape, mid-sixteenth-century Malta was much more rural. Fields, gardens (that is, places where horticulture was practiced) and vineyards, interspersed by isolated farmhouses or clusters of farmhouses of the Hal Millieri type, dotted the landscape of much of central and southern Malta.<sup>7</sup> Very prominent natural features of the landscape were the valleys, as in *gued Inchita*.<sup>8</sup> Some fields were left fallow, so that when the Noble Gregorio Xerri sold to the Noble Perio de Maczara of Syracuse a field at *Dejr il-Baqar*, it was specified that parts of it were left uncultivated.<sup>9</sup>

Not all land was private land, some of it being the highly cherished public lands and spaces known in Maltese as *xaghri*, which are literally pockets of workable soil in the limestone landscape.<sup>10</sup> Some lands were feudal holdings, meaning that their owners had owed some military obligations to the Crown, for serfdom had long disappeared from Malta.<sup>11</sup> One example is the *feudi di la marsa* which belonged to the Calava family.<sup>12</sup>

The use of space for residential purposes is dynamically related to the physical and social environment. Changes in this environment affect the utilisation of

space and alterations in the man-built environment resulting from shifts in the pattern of utilisation of space affect social behaviour.<sup>13</sup> A considerable number of people did not live in a constructed house. Quintinus in fact noticed: 'they dig caves and these are their houses'.<sup>14</sup> After all, caves are particularly suited to the Mediterranean climate since they keep cool in summer and warm in winter. It is significant to note that some houses had a cave attached to them, probably illustrating some intermediate stage from troglodytism to constructed houses.<sup>15</sup> Quintinus also observed that most houses had very primitive roofing,<sup>16</sup> so that when the noble Nicola Bondino bought a house from Marco and Paolo Grixti (father and son) for 2 *uncie*, it was considered worthwhile specifying that this house had a roof of slabs.<sup>17</sup> A house in Birgu might even have an upper floor and be worth 70 gold ducats.<sup>18</sup> Some houses had water cisterns, which guaranteed a supply of water. These houses also tended to have trees with them.<sup>19</sup> Most houses, even those in urban areas like Rabat and the Castle of Gozo, often had a plot of land attached to them.<sup>20</sup>

There has been an assumption that in pre-industrial Europe, every family occupied a space of its own, but this was not necessarily so.<sup>21</sup> For example, Margerita Burg and Thomaso Falzon (mother and son) decided to share their house with Joanna Mifsud to whom they sold a room in their house for 18 *tareni* redeemable after 6 years.<sup>22</sup> It would appear that, generally speaking, in rural areas people who shared a house were relatives.<sup>23</sup> On the other hand, in urban areas, virtual strangers were forced to live in close proximity owing to poverty and a shortage of affordable housing.<sup>24</sup> Thus, for instance, Matheo Haius of Rabat leased half a house from Josepho Sillato of Rabat paying 8 *tareni* a year. The other half was leased to the Honourable Petro Vaccaro and his wife Clara.<sup>25</sup>

In these traditional face-to-face societies, nicknames were common coinage and sometimes even Notary Muscat used them to identify his clients. Nicknames were as much a means of unambiguous identification, as they were a means of social control.<sup>26</sup> They were a popular and unofficial form of personal and family nomenclature and as such were only very rarely recorded by notaries, scribes, and priests.<sup>27</sup> The information contained in Table 1 is therefore all the more valuable.

Title	Name	Provenance	Nickname	Reference
	Andrea Actard		gamal	f.628v, et seq.
Hon.	Jacobo Aczupard		gebil	ff.604-605, et seq.
Nob. Not.	Vincencio Bonaventura		carpati	ff.633v-634v, et seq.
	Antonio Camenzuli		zayfi	ff.655-656v, et seq.
	Joannes Falsun		marchis	ff.631v-632
	Laurentio Haius	Hal Qormi	chibeyca	ff.728-730
Ma.	Ferdinando de Modica		millardia	ff.550v-551, et seq.
Nob. Not.	Francesco Rochoni	Birgu	turres	f.610v
	Josepho Sillato	Rabat	emeni	ff.548-549, et seq.
	Mariano Vella		xironta	f.751v
	Joannes Zarb		saymar	ff.669v-670v
	Antonio Zimech		schime	ff.742v-744
	Juliano Zimech	Haż Żebbuġ	schuse; sardayna	ff.685v-687, et seq.

**Table 1.** Nicknames which appear in the acts of Notary Juliano Muscat, R376/11, 1545.

## Notarial Acts, Historical Research and Notary Juliano Muscat

The cardinal point about notarial acts is that they were essentially private records. Although the notary was a public figure of great weight in society, his records were intimately private. Every act was the result of the coming together of different parties in front of the notary to record some aspect of their daily lives.<sup>28</sup> Most of these transactions took place between private citizens. Sometimes, however, one finds institutions dealing with individuals, as when the *universitas* hired the Honourable Juliano Vella of Birgu to go to Licata to buy grain.<sup>29</sup>

The notarial profession exhibits a long tradition in the Mediterranean, dating back to Roman times.<sup>30</sup> Waley points out the enormous number of notaries to be found in the thirteenth-century Italian city-republics: there were 2,000 in Bologna, 1,500 in Milan, and 600 in Padua. According to Waley, the fact that notaries were literate disrupts the conventional picture of medieval society, comprising literate clergy and illiterate laymen, and accords them a unique role in society.<sup>31</sup> Both Waley and Dalli discuss the notary's role as part of an administrative set-up. They were people whose social pre-eminence depended primarily on their ability to secure a tight hold over municipal affairs. They were literate, which was, at best, an instrument of social control and, at worst, a weapon against potential enemies.<sup>32</sup> Among the first duties of all notaries was to listen diligently. The notarial acts, written in Latin, do lose in

proximity to the mother tongue, but they gain in proximity to the remembered experience of the individual, with all its specificity.<sup>33</sup> The significance of notaries as links in the chain of everyday life cannot be dismissed. It was their profession which gave a certain stability to society in that the keeping of written records allowed for a more sedentary way of life for businessmen and others. Thus, for example, when Joannes Harabi, a Maltese living in Agrigento, sold to Nicola de Brincato a *tuminata unum de terra in contrata ta chilas app. tal chofor*, the transaction could be performed through Matheus Vella, a relative of Joannes Harabi, who presented Notary Muscat with the necessary documentation from Notary Angelo de Aratio of Licata, and from Notary Matheo de Capito of Agrigento.<sup>34</sup>

Having formed such an intimate and integral part of Mediterranean medieval and early modern societies, the records left by notaries are crucial to the reconstruction of these same societies. Prominent historians of the like of Dopsch, Pirenne, Bloch, Duby, and Herlihy, have all made extensive use of notarial documents in their works.<sup>35</sup> In Maltese historiography, notarial acts were first utilised by Abela, although their greater use came after the Second World War in the works of Bresc, Fsadni, Fiorini, Wettinger, and Dalli.

As a tool for historians, notarial records lend themselves to the study of a variety of fields. For instance, they are useful for the history of politics and institutions as when they show the workings of the *universitas*, how it raised its money, and the relationship of its jurats with the new Hospitaller Government. Wills and marriage contracts offer glimpses into the religiosity of the people concerned. Wettinger found notarial records useful for the study of clerical concubinage<sup>36</sup> and he also used them to produce numerous works about medieval Maltese nomenclature; he considers notarial acts as the most abundant and reliable source for place-names. Notaries had to be very careful in recording place-names since any error could invalidate their documentation. Wettinger, using mostly notarial acts, unleashed a mass of information on landownership and leasing, employment agreements and the sale of agricultural products and farm animals.<sup>37</sup> Hardly any other source, at least prior to 1600, compares with notarial acts for the study of language and linguistics. Most notaries also knew Maltese, a very important consideration in a place where almost everyone spoke only the vernacular.<sup>38</sup> Fiorini and Brincat have also made extensive use of notarial acts for their linguistics studies.<sup>39</sup>

Nonetheless, according to Violante, it is in the study of social relationships

and mentality that notarial acts excel.<sup>40</sup> The history of mentality emerges, for instance, in the use of formulae in notarial acts. Some historians dismiss notarial formulae as mere repetitions; this is a criticism that Zemon-Davis hauls at notarial acts. She argues that although marriage contracts, wills and other contracts are plentiful and reveal much about the actions, plans, and sensibilities of men and women who could not even sign their names, the documents are dominated by notarial sequences and formulae.<sup>41</sup> On the other hand, formulae themselves are the result of centuries of social developments, and as Violante points out, they reveal those deep innate under-currents of materialism and spirituality which mould societies over the *long duree*.<sup>42</sup>

As an established notary, Juliano Muscat took under his wing Enrico Zarb and Ferdinando Ciappara as his apprentices.<sup>43</sup> Furthermore, he was also involved in no less than four different business partnerships or *societates*. From the number of references to it in R376/11, it emerges that the most important of these *societates* for the year 1545 was the one in conjunction with the Honourable Michaele Vassallo, Joannes Muxi and Joannes Muscat.<sup>44</sup> Their main line of business involved the buying of cumin for export and the selling of cloth.<sup>45</sup> This *societas* also owned a shop in the *Platea* of Mdina, a very advantageous spot for any business.<sup>46</sup>

The two historians that have made most use of the acts of Notary Muscat are Wettinger and Fiorini. Wettinger made extensive use of Juliano Muscat's acts in his *Place-Names of the Maltese Islands*. He consulted the first ten volumes from R376/01 to R376/10, except for R376/08. He also consulted MS. 979, which is an original manuscript of Juliano Muscat.<sup>47</sup> Wettinger also referred to the acts of Notary Muscat in his compilation of explicit references to the Maltese language in Malta's public records, from the fifteenth to the seventeenth centuries.<sup>48</sup> Fsadni and Wettinger also consulted R376/34 in connection with their work on the *Cantilena*.<sup>49</sup>

Fiorini describes Notary Muscat in 1564 as being an 'aging, well-established and experienced notary'.<sup>50</sup> He made use of a number of Notary Muscat's volumes in order to provide a preliminary etymology of Maltese prior to 1600.<sup>51</sup> In his work about *Santo Spirito* Hospital, Fiorini points out how the main source of income for the hospital came from its real estate consisting of an appreciable amount of land and other immovable property, such as, houses and warehouses.<sup>52</sup> Fiorini's main source of information were notarial records, in particular, Muscat's, and he consulted a whole range of the notary's volumes.<sup>53</sup> From what Fiorini extrapolates and from what the acts in R376/11 reveal, it would appear that Muscat was *Santo Spirito's* most regular

notary. In register R376/11, the Noble Francesco Serrano and Simone Bartolo are described as the procurators of the hospital.<sup>54</sup> They bought the income of 1 *uncia* a year derived from a house in Mdina in Bishop's Road (*ruga appellata dilo episcopato*) from the Noble Jacobo Callus.<sup>55</sup> In conjunction with St Paul's Cathedral, the hospital also owned a territory in Gozo called *il casam di notar Janmuzo*, which was leased to Raynelio Damfasina of Gozo for four years for a total of 41 *uncie*.<sup>56</sup> Finally, in the marriage contract of the Noble Lady Imperia Caxaro to the Noble Thomaso de Bonello, the latter's parents gave him a plot of land known as *dilo hospitali* which had a lease of 12 *tarini* a year payable to the hospital.<sup>57</sup>

## Employers and Employees

In the medieval frame of mind, clearly still evident in mid-sixteenth-century Malta, a trifunctional society of *oratores, bellatores et laboratores*, that is, those who pray, those who fight, and those who work, was still in operation.<sup>58</sup> It can even be said to have been reinforced by the sudden influx of a huge corpus of *bellatores* like the Hospitallers. Those who prayed and those who fought had no time for other business (such as the working of the land), which was also below their social status. They had to employ *laboratores*, thus creating a whole set of employer-employee relationships.

Most employer-employee contracts in R376/11 concerned the hiring of an administrator / worker, known as a *gabellotto* to manage or to work the land. The Reverend Pancratio Michalleff, Archdeacon of the Mdina Cathedral and Procurator for the Bir Miftuħ Chapel, for instance, hired the Honourable Salvo Briffa of Hal Luqa to work the lands of his benefice in Gudja and Hal Safi, for four years for 2 *uncie* a year payable at Easter time.<sup>59</sup> Besides paying rent, a *gabellotto* could have a number of other obligations. For example, when the Reverend Domenico Cubelles, Bishop of Malta, hired Thomaso Haius and his son Teramo to look after a garden for two years, they had to pay 33 *uncie* a year, plant a number of citrus trees and thirty fruit trees, and they had to give a number of oranges to the Bishop. They were also obliged to guard against trespassing animals, failing which they had to pay fines according to the damage perpetrated.<sup>60</sup>

The phenomenon of absentee landlords in Malta was an old one and always a thorn in the side of the Maltese *universitas*, but they were still present in 1545, extracting substantial incomes from their lands in Malta. Simone

Barthalo paid 218 *uncie* for an eight-year lease on the territory of *dilo monti calibo* to the Noble Lady Margerita de Falco and her daughter Lady Notella de Falco, widow and daughter, respectively, of the Noble Orlando de Falco. These ladies were from Agrigento. The middleman between de Falco and Barthalo was a Palermitan, the Noble Hieronimo Calvo, who lived in Malta.<sup>61</sup> Another substantial landholder in Malta was the Maczara family of Syracuse. The Noble Perio de Maczara and his wife, Lady Clara Maczara *de aragona*, owned lands at Mrieħel, *beb il gizire* and *Dejr il-Baqar*.<sup>62</sup> They also owned a garden in *contrata sante marie ta-xeuxa*, known as *deir-is saf*, which they had bought from the Reverend Canon Matheo de Surdo.<sup>63</sup> Joannes de Maczara, son of Perio and Clara, was also in possession of a church benefice in Malta known as *il hueleg* in *contrata di ben guerrad*.<sup>64</sup> Before returning to Syracuse, Perio de Maczara made all the necessary arrangements in terms of choosing the *gabbellotti* for his lands and the conditions under which they were to work.<sup>65</sup>

Shepherds were hired to take care of flocks of animals, such as when the Noble Alvaro de Nava and the Noble Joannes Lancea Inguanes leased to Salvo Delie of Rabat their herd of sheep and goats in *dilo monticalibo* for two years. Salvo had to pay 4 *tareni* 10 *grani* per head for every sheep and 3 *tareni* 10 *grani* per head for every goat, also giving a third of the produce to the owners. Salvo was also to give the owners four cloaks and two lambs. After the two years, Salvo was to keep the wool from the animals, but only after giving some of it to the owners.<sup>66</sup> This is but one example of how the inhabitants of Mdina dominated the economic life on the farms and received most of the profits. On the other hand, it should be said that without their participation the shepherds would not have had enough goats and sheep to tend.<sup>67</sup>

Some people were not employed to work the land but to provide a service. When the Monastery of St Peter of Mdina, known as *la abatia vecchia*, needed to have its well waterproofed, it hired the craftsmen Augustino Mifsud, Michaelae Michalleff, and Pancratio Grima. When the work was done, the procurator of the monastery, the Noble Simone Bartolo, paid these artisans the sum of 15 *uncie* 14 *tareni*. They had covered 14 *salme* with *battumj*, the Maltese term for waterproofing,<sup>68</sup> for 1 *uncia* 2 *tareni* per *salma*. The payment was made on condition that the well would not leak within a year's time. If a leak occurred, Augustino and his partners had to make good for it.<sup>69</sup>

Angelo Aczoppard of H'Attard hired Antonio Cardona of the same *casale* to cut and carry enough stone to build a house:



*"Taglarij tantj petrj et cantunj sufficientj et mures factj ad opus edificij et fabrice unius domus longitudinis cannarum quinque ex parte exteriorij altitudinis ... deci et octo cantimurj ... et taglarej tuctj li capitellj canali et balasj di palmj octo luno sufficientj ... per lo tecto seu copertura"<sup>70</sup>*

The *maczcanj*, known in Maltese as *mazkan*, left over was to be given to Antonio. The work had to be completed within a year and a half, with Angelo paying Antonio 2 *uncie* 12 *tareni*.<sup>71</sup> This contract can be described as falling under the category *opus ad tascam*, whereby a man received an agreed sum of money for scrapping stone or some similar work that was easy to estimate quantitatively.<sup>72</sup> Despite the attested belief that mid-sixteenth-century Maltese lived in primitive huts, it is evident that the value of stone as a primary resource and its utilisation were not neglected. Although Antonio Cardona may not have been a mason, it is evident that he had the capacity to measure the quantities of stone necessary for the piece of work planned, which attests to the presence of highly skilled craftsmen in mid-sixteenth-century Malta.

## Masters and Slaves

During the sixteenth century, the recruitment of galley slaves for Mediterranean warships of all nationalities became an especially brutal type of slave trade in convicts.<sup>73</sup> The extensive corsairing activities of mid-sixteenth-century Malta meant that the local market would be well provided for. Slaves formed a category of men and women without any form of legal rights and families of their own. They did not have even a name, save that given to them by their masters.<sup>74</sup>

Slaves were at the mercy of their owner's whims and were expected to do everything. They were usually meant for heavy work, as the phrase *ad usu di magaseni* shows. Contracts of sale of slaves could go into a few details about their skin colour, religion and name, but not always. Thus, for example, we are only told that the Venerable Zacharia Cachie sold to the Noble Nicola Xara, 'one black female slave', for 19 *uncie* 15 *tareni*.<sup>75</sup> A slave mother was often sold off with her child, as when the Noble Vincentio and Guagliarda Vasco of Mdina bought a black slave and her four-year-old son for 28 *uncie* from the Honourable Antonio Vassallo,<sup>76</sup> and when Joannes Michalleff sold to Nicola Jacobo Haius a black slave called Caterina with her black infant son called Georgio for 26 *uncie*.<sup>77</sup> The price of slaves was determined both by the market situation and the qualities of the individual slave.<sup>78</sup>

A difference emerges between the extent of slavery in Birgu and the countryside. Since Birgu was the only maritime outpost of the island and a prime centre for corsairing, the numbers of slaves there was bound to be more pronounced.<sup>79</sup> Slaves who became the property of the sedentary landowners were usually taken into the family household and remained with the family. Thus, when Agatha Camenzuli married Bertu Zammit, her parents gave her a dowry which included 80 *uncie*, a plot of land, a cloak, a dress and a black slave called Georgio.<sup>80</sup> This way, Georgio, the slave of the Camenzuli family, would now follow his mistress into her new household.

Most of the slaves whose name is given had a Christian name. This leads one to conclude that they had been baptized, but of course, embracing Christianity did not automatically mean freedom. Slaves could achieve their freedom only through manumission, that is, by buying their freedom from their masters, either by paying for it themselves or having someone else pay for them. In the acts under study we come across two *manumissi*, freed-slaves.<sup>81</sup> Sometimes, this change of status did not really signify a change in one's way of life. For instance, when the Reverend Matheo de Surdo hired Blasio Xuereb of Rabat to work a garden in *contrata sante marie ta xeuxe*, we find an anonymous *manumissus de Vassallo* attached to the garden; for him, life must have went on pretty much as it had before his change of status.<sup>82</sup>

On the other hand, some ex-slaves seem to have integrated well into Maltese society. Thus, Domenico Grima, *manumisso de vassallo*, bought two plots of land from the Noble Francesco de Bordino and his mother the Noble Hysabella de Bordino for 7 *uncie, cum gratia*<sup>83</sup> for four years. Then on 25 March 1547, the Noble Lady Hysabella de Bordino, on behalf of her son, who was away from Malta, ceded the said land to Domenico Grima for 11 *uncie*.<sup>84</sup> For legal purposes, Domenico Grima seems to have had to carry his title of ex-slave forever, but other than that, the contract is a normal sale-of-land transaction. Moreover, Domenico seems to have been in possession of a substantial income.

When someone bought a slave, he/she would expect to get the value for his/her money. Therefore, if something happened to the slave which reduced his/her value, the owner would try to seek compensation. Such was the case of the Honourable Teramo Michalleff: he had bought a slave called Antonina for 21 *uncie* from Dianora Maffia, widow of Carolo Maffia. Teramo complained that Antonina was not getting her menstrual cycle (*nun venerunt menstrua ipi serva*) and that she had not worked for six months; the reason for Antonina

not experiencing her cycle was not specified. Teramo wanted his money back from Dianora but the widow did not have the means to do so. The Honourable Petro Xerri intervened on her behalf and an agreement was reached whereby if Antonina did not get her menstruation within four months, then Dianora had to compensate Teramo.<sup>85</sup>

## Women and the Family

In pre-industrial societies women and the family were so closely equated as to be hardly considered as separate. Consequently understanding the history of women can only come by confronting the history of the family.<sup>86</sup> For many ancient and medieval writers, the status of women was naturally subordinate, but it was not cruel or despotic. Indeed it was beneficial for both women and men, and for society that women should occupy such a position.<sup>87</sup> St Paul retracted many of the gender-neutral or egalitarian claims of the early Christians, enjoining women to remain subordinate to their husbands.<sup>88</sup> Marriage placed men in a socially dominant position over women, especially since they became responsible for their wives in the eyes of the law.<sup>89</sup> People lived within a social and cultural system which was male-dominated, but which at the same time permitted concerted female action in public, particularly in defending basic social values. Although in theory women were meant to be subordinate to the men, in reality they often were not.<sup>90</sup> In Maltese history women have for long have been invisible or marginalized, however, in recent years, dissertations done at the University of Malta and a number of published works have started to shed light on this segment of the Maltese population.<sup>91</sup> Notarial records have a significant part to play in increasing understanding about the lives of women in the past. Of the women who appeared in register R376/11, 25% were unmarried, 48% were married and 27% were widows.

The Council of Trent (1545 – 63) took marriage away from the hands of the laity and placed it under the strict supervision of the clergy.<sup>92</sup> But in pre-Tridentine Malta of the 1540s, marriage was still a very personal affair and this is the reason why very detailed marriage contracts were drawn up. The signing of the marriage contract, at which the notary officiated, preceded the wedding, at which the priest officiated. The contract guaranteed the wife her dowry, other property, and widow's portion, which afforded her some independence in the family economy.<sup>93</sup> Certain clauses were always included – a declaration of the bride's virginity, a declaration that the marriage was to be celebrated *ala greca seu ala romana* and that a priest will be present.<sup>94</sup> That a clause

specifying that the marriage be celebrated in front of a priest was included is indicative of those pre-Tridentine attitudes where couples could live together without too many formalities. A case in point is that of the Honourable Lady Helegia Tabune: while setting down her will she included a clause where she declared that she and her husband, the Honourable Thomaso Tabune were a married couple despite the lack of any written agreement.<sup>95</sup>

In both urban and rural settings, marriage was closely linked with property or a job and the enjoyment of income.<sup>96</sup> The wedding of the Noble Lady Imperia Caxaro to the Noble Thomaso de Bonello was by far the richest marriage contract encountered in the acts under study. A first consideration to be made here concerns periods of mourning. Imperia's father, the Noble Luca Caxaro, was dead, so her uncle, the Venerable Brandano de Caxaro, took care of her.<sup>97</sup> From a separate entry it emerges that Luca was still alive on 22 April 1545.<sup>98</sup> Imperia was therefore celebrating her wedding only four months after the death of her father.<sup>99</sup> Though this may seem like a short space of time, it nonetheless reflects a familial and societal need to have brides with rich dowries married and secured as soon as possible. On a different note, not only did this marriage contract include the usual clause about the presence of a priest, but it was declared that three priests would celebrate this marriage, including the Venerable Brandano de Caxaro himself.<sup>100</sup>

In mid-sixteenth-century Malta it was the dowry which tangled the threads of a woman's fate.<sup>101</sup> Imperia's dowry included two houses, one in Wied il-Busbies, the other in Mđina *In quarterio sante marie de scalis*; a plot of land known as *xyhaira* in *contrata Ponta siuttilj*; 10 *uncie* 6 *tareni* cash and a black female slave called Mathia with her infant daughter Helena.<sup>102</sup> To complement all this, Thomaso gave Imperia a *dodarium*<sup>103</sup> of 41 *uncie*. Thomaso's parents, the Noble Antonio and Lady Paula Bonello, gave him four plots of land: *ta librag* at *casal musta*, *ta liudi* at *ghiren lussifus*, *il chbule* at *ta barie*, and a plot of land known as *dilo hospitali*, with a lease of 12 *uncie* a year to *Santo Spirito* Hospital. Thomaso was also given a black slave.<sup>104</sup> An additional entry states that Notary Muscat read out the act to the Noble Lady Paula Bonello, mother of Thomaso, and that she had approved the arrangements. This last clause not only reflects a certain level of education on the part of Paula, because she could understand Latin, but also shows how women could have an important say in the management of property.

Since time immemorial marriages had served the purpose of uniting the great families of a land.<sup>105</sup> A very typical example of one such marriage was that

between the Noble Caterinella Inguanes, who was sixteen years old, and the Noble Perio de Naso, who was eighteen years old. This marriage did not just represent the coming together of two individuals, but also of two families. Calculated friendship of this kind confirmed and reinforced kinship and marriage ties translating them into practical terms, reciprocal obligations extending over two or three generations.<sup>106</sup> The marriage was arranged on the one hand, between the Noble Lady Paulina Inguanes, widow of Jacobo Inguanes and mother of Caterinella, and on the other, the Noble Paulo de Naso, father of Perio. The marriage was even sanctioned by a bull from Rome.<sup>107</sup> The young couple to be wed could hardly have had any say in these arrangements.

Once married, the husband and wife were expected to be faithful and sexually available to one another. The Catholic Church instructed its confessors to inquire into sexual behaviour with the intention of discouraging the use of contraception.<sup>108</sup> Childbirth was dangerous and could easily claim the life of mother and child; it has been estimated that for every 1,000 births, 25 mothers died.<sup>109</sup> In such circumstances, precautions had to be taken. Namrata Aczupard, wife of Petro, of Siggiewi, prepared her will, and made her husband her universal heir. She also left a house in Hal Qormi to be divided between her son Vincentio Pachi, born from her first marriage with Lentio Pachi, and her brother Francisco Chiantar. But the main purpose of this will was related to Namrata being pregnant. Fearing she might die during labour, she left to her unborn baby two plots of land.<sup>110</sup> One can almost feel a mother's desperate wish to make sure her baby would be well provided for, even if she would not be around to do it herself. But death was a constant companion to Europeans of all ages in a century when men and women faced disease, natural catastrophes, wars and lack of hygiene without much protection.<sup>111</sup>

The great number of widows that appear in Notary Muscat's acts is generally explained by the fact that, unlike the de Naso-Inguanez marriage mentioned above, most marriages tended to be characterized by a disparity of age between the groom and the bride, with the man often being quite older than his wife.<sup>112</sup> Widows and single women who lived by themselves were viewed suspiciously and were prone to be suspected of bad conduct and easily accused of prostitution.<sup>113</sup> That is why the idea of a *mundualdus*,<sup>114</sup> a guardian, was set up. Women were not legally competent, therefore, they had to be under the legal protection of a legally competent male.<sup>115</sup> Out of sixty-four single women only nine did not have a *mundualdus* to represent them, exceptions that prove the rule that women needed to have a legal

guardian. Nonetheless they are crucial exceptions, for when a *mundualdus* was not present, social custom was being disregarded.<sup>116</sup>

A very revealing case is that of Joanna Mifsud, daughter of the deceased Demetrio Mifsud. She is described as being a 'nun of the third order', that is, a tertiary.<sup>117</sup> She bought a room in a house in Rabat from Margerita Burg, widow of Manfred Burg, and from her son Thomaso Falzon of Rabat, who was eighteen years old. It was specified that the room faced west and overlooked the courtyard. The price was of 18 *tareni cum gratia* for six years. Women who decided to live a holy life as tertiaries placed their family honour in jeopardy by the mere fact of their celibacy.<sup>118</sup> Thus, not only was Joanna representing herself in this transaction, but she was also defying social custom by going to live on her own.<sup>119</sup>

Power and Shahar believe that many single women supported themselves as shopkeepers.<sup>120</sup> Such was the case of the Noble Lady Imperia de Grugno, widow of the Noble Francisco de Grugno, of Mdina, who owned two shops in the *Platea* of Mdina, one of which she sold to Antonio Vassallo and Joannes Zarb for 10 *uncie cum gratia* 9 years, but also paying an *uncia* a year.<sup>121</sup>

Without detracting any of the significance of the above examples, one should keep in mind that they were exceptions to the rule, and that most women needed a man to help them out in a male-dominated world. For example, Joanna Dingli, widow of Jacobo Dingli, needed the help of the Noble Michaelde de Allegritto, an 'outsider', to make sure that the annual income of 5 *uncie* promised by her father, was given to her by her brothers Jorlando and Augustino Burg.<sup>122</sup> Lady Contessa Xara, widow of the Honourable Petro Xara, also needed the intervention of an outsider, the Noble Thomaso Barun of Syracuse, to recuperate some money from the Honourable Alfio de Gallo, known as *lu chirculo* of *terra palaczolj*.<sup>123</sup> Paula Cachie, widow of Stephano Cachie, was represented by her 'dearest son' Benedicto, who was eighteen years old in selling a house to Luca Haius of Siggjewi for 14 *uncie* and 6 *tareni*.<sup>124</sup>

Many women married to men older than themselves became widows at an early age, often in their early twenties; a good number of these tended to remarry. If a woman became a widow without some form of financial security and or work, it was imperative for her survival to find a new husband. Under such circumstances a hasty remarriage after the death of the first partner was frequent.<sup>125</sup> The wicked stepfather or stepmother of the fairytales had their basis in quite common experiences, even if the wickedness was often not

so much a matter of evil inclination as of family jealousies over the actual or prospective inheritance of property.<sup>126</sup> A case in point was that of Joanna Vella. Joanna married twice, with both husbands dying before her. From her first husband, Joannes de Bono, she had a son, Leonardo. From her second husband, she had four children. A quarrel developed between Leonardo de Bono on one side and his mother Joanna Vella and her children on the other. Leonardo claimed that he and his offspring were the rightful heirs to a house. Joanna and her children refused and instead offered to pay Leonardo 8 *uncie*. In the end, the dispute was settled by Joanna giving to Leonardo a plot of land in *casal tel harabi* which stood next to land belonging to the *venerabilis conventi carmelitani*, in exchange for the house.<sup>127</sup>

## Conclusion

Medieval Malta had been a *civitas* – one of many – within the Kingdom of Sicily. By 1798 Malta was practically a sovereign state, with a grand master who was every inch a monarch.<sup>128</sup> In between these two poles lay the mid-sixteenth-century Malta portrayed above, slowly breaking away from its medieval characteristics and moving steadily into the seventeenth and eighteenth centuries.

The landscape of mid-sixteenth-century Malta was predominantly rural and its economy was essentially agrarian and it follows that most of its people lived in the countryside and were involved in agriculture. Their lives, actions and interactions, as analysed in this paper show the existence of a vibrant popular culture in mid-sixteenth-century Malta, existing outside the limelight of the *histoire evenementielle*. Furet argued that the only way to reintegrate the masses into history was through demography and sociology, through numbers and anonymity. However, as Ginzburg argued, the characteristics of particular social strata within a specific time frame can be discerned in the typical or a-typical behaviour of individuals handpicked from the masses.<sup>129</sup>

Men and women performed different but complementary tasks, although women's jobs tended to be more closely associated with the home.<sup>130</sup> This does not mean that women were excluded from public life: the Noble Lady Imperia de Grugno owned two shops in Mdina.<sup>131</sup> It is not even a case of women being perforce illiterate and uneducated; just as some women could only understand Maltese,<sup>132</sup> so the Noble Lady Paula Bonello and Margerita Buchaiar were educated and could understand Latin when they heard it.<sup>133</sup> It

was rather a situation where women formed an integral part of a whole set of social relationships which, at one and the same time, made them dependent on the actions of other members of their families and indispensable for the survival of these same members.

Finally, a comparison of marriage patterns as discerned in R376/11 with the findings of Bowman and Sultana for the seventeenth century<sup>134</sup> and those of Ciappara for the eighteenth century<sup>135</sup> reveals two phenomena in early modern Malta. The first one concerns the continuous and predominant presence of widows who remarried. The second one, reflecting the greater cosmopolitan character of seventeenth and eighteenth century Malta shows many more Maltese, especially women, marrying people of foreign extraction. This is a clear-cut example of how the process of Europeanisation<sup>136</sup> was not just something relegated to language, the arts and manners, but was a process seeping down Maltese society and fundamentally changing its character.

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## NOTES

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- <sup>3</sup> C. Cassar and D. Cutajar, 'Malta's Role in Mediterranean Affairs: 1530-1699', in Mid-Med Bank Ltd. (ed.), *Malta: Studies of its Heritage and History*, (Malta, 1986), 105.
- <sup>4</sup> C. Dalli, 'In Frontiera Barbarorum: Waiting for the Turks on Late Medieval Malta', in S. Fiorini (ed.), *Proceedings of History Week, 1994*, (Malta, 1996), 117.
- <sup>5</sup> F. Braudel, *The Mediterranean and Mediterranean World in the Age of Philip II*, Vol. I, (Lon Angeles, Berkeley, London, 1995), 150.
- <sup>6</sup> D. Bezzina, *Early Hospitaller Birgu: a Study of the Acts of Notary Nicolo' de Agatis, 1538 – 1540*, unpublished B.A. Hons. dissertation, (University of Malta, 2001), 96. A. Williams, 'Tripoli and the Knights of St. John Revisited', in P. Xuereb (ed.), *Karissime Gotifride – Historical Essays Presented to Professor Godfrey Wettinger on his Seventieth Birthday*, (Malta, 1999), 97-102.
- <sup>7</sup> R376/11, 527v.-f.529, (24.ii.1545), *et. seq.* R376/11, f.683-f.684, (15.iv.1545). G. Wettinger, 'The Village of Hal Millieri: 1419 – 1530', in A. Luttrell (ed.), *Hal Millieri: A Maltese Casale, its Churches and Paintings*, (Malta, 1976), 48.
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- <sup>9</sup> R376/11, 618v.-f.619, (19.iv.1545).
- <sup>10</sup> R376/11, 956v.-f.961, (19.viii.1545). G. Wettinger, 'Agriculture in Malta in the Late Middle Ages', in M. Buhagiar (ed.), *Proceedings of History Week, 1981*, (Malta, 1982), 31. P. Horden and N. Purcell, *The Corrupting Sea – A Study of Mediterranean History*, (Oxford, 2001), 220.
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- <sup>12</sup> R376/11, f.750, (13.v.1545).
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- <sup>14</sup> Quintin d'Autun, 'Insulae Melitae Descriptio [Lyon 1536]', in *The Earliest Description of Malta*, trans. H. C. R. Vella, (Malta, 1980), 39.
- <sup>15</sup> R376/11, f.573-574v., (9.iii.1545).
- <sup>16</sup> Quintin d'Autun, 'Insulae Melitae Descriptio', 31.



- <sup>17</sup> R376/11, f.721-f.722, (29.iv.1545), '...cumhi tecto di balati...'.  
<sup>18</sup> R376/11, 745v.-747v., (11.v.1545), '...locum domorum soleratum et terraneum...'.  
<sup>19</sup> R376/11, f.711v., (24.iv.1545). R376/11, 536v.-538v., (26.ii.1545).  
<sup>20</sup> R376/11, 558v.-f.558, (4.iii.1545). R376/11, f.561-f.564, (6.iii.1545). R376/11, 536v.-538v., (26.ii.1545); *et seq.*  
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<sup>22</sup> R376/11, 538v.-f.549, (26.ii.1545).  
<sup>23</sup> A. Collemp, 'Families: Habitations and Cohabitations', in R. Chartier (ed.), *A History of Private Life, III – Passions of the Renaissance*, (Cambridge Massachusetts, and London United Kingdom, 1989), 509. R376/11, f.630-631v., (24.iii.1545).  
<sup>24</sup> Collemp, 'Families: Habitations and Cohabitations', 509.  
<sup>25</sup> R376/11, f.548-f.549, (28.ii.1545).  
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<sup>27</sup> G. Wettinger, 'Late Medieval Maltese Nicknames', *Journal of Maltese Studies*, 6, (1971), 34-46.  
<sup>28</sup> C. Violante, *Atti Privati e Storia Medievale, Problemi di Metodo*, [Fonti e Studi del Corpus membranarum italicarum], (Rome, 1982).  
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<sup>31</sup> D. Waley, *The Italian City-Republics*, (London, 1978), 20.  
<sup>32</sup> C. Dalli, 'Capitolì: the voice of an Elite', in S. Fiorini (ed.), *Proceedings of History Week, 1992*, (Malta, 1994), 6-8.  
<sup>33</sup> Cf. N. Zemon-Davis, *Fiction in the Archives – Pardon Tales and their Tellers in Sixteenth Century France*, (Stanford, California, 1987), 22.  
<sup>34</sup> R376/11, f.854-f.855, (10.vii.1545).  
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<sup>36</sup> G. Wettinger, 'Concubinage among the Clergy of Malta and Gozo ca. 1420-1550', *Journal of the Faculty of Arts*, vi, 4, (1977), 166.  
<sup>37</sup> G. Wettinger, 'Agriculture in Malta in the Late Middle Ages', 1.  
<sup>38</sup> *Ibid.*  
<sup>39</sup> S. Fiorini, 'Ut Vulgur Dicitur – Pre-1600 Material for a Documented Etymology of Maltese', in P. Xuereb (ed.), *Karissime Gotifride – Historical Essays Presented to Professor Godfrey Wettinger on his Seventieth Birthday*, (Malta, 1999), 161-76. J. M. Brincat, 'The Cantilena: Vintura. Why? Who?', in P.Xuereb (ed.), *Karissime Gotifride – Historical Essays Presented to Professor Godfrey Wettinger on his Seventieth Birthday*, (Malta, 1999), 177.  
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<sup>42</sup> Violante, *Atti Privati*, 23.  
<sup>43</sup> S. Fiorini, 'Malta in 1530', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530 – 1798: Studies on Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 85.  
<sup>44</sup> R376/11, 582v.-583v. (11.iii.1545), *et seq.*  
<sup>45</sup> R376/11, f.682v., (15.iv.1545) *et seq.* R376/11, f.588v., (15.iii.1545) *et seq.*  
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<sup>48</sup> G. Wettinger, 'Linguistic Pluralism and Cultural Change in Medieval Malta', *Mediterranean Language Review*, 6-7, (1990-93), 160.  
<sup>49</sup> M. Fsadni & G. Wettinger, *L-Ghanja ta' Pietru Caxaru - Poezija bil-Malti Medjevali*, (Malta, 1983), 32.  
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<sup>55</sup> R376/11, 685v.-f.687, (15.iv.1545).  
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- 63 R376/11, 620v.-f.622, (19.iii.1545).
- 64 R376/11, f.626v., (21.iii.1545). R376/11, 626v.-f.627, (21.iii.1545).
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- 79 For a discussion about slavery in Birgu see Bezzina, *Early Hospitaller Birgu*, 62-6.
- 80 R376/11, 673v.-f.677, (15.iv.1545).
- 81 R376/11, 505v.-f.508, (11.ii.1545); R376/11, f.566-567v., (7.iii.1545).
- 82 R376/11, f.566-567v., (7.iii.1545).
- 83 The term *cum gratia* meant 'the right of redemption'. A seller could repurchase the property at the original price for up to one year, one month, and one day from the date of sale, unless other time parametres were specified.
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- 93 N. Castan, 'The Public and the Private', in R. Chartier (ed.), *A History of Private Life, III – Passions of the*

Renaissance, (Cambridge Massachusetts, and London United Kingdom, 1989), 411.

- <sup>94</sup> R376/11, 997v.-1001v., (30.viii.1545).
- <sup>95</sup> R376/11, f.529-530v., (24.ii.1545).
- <sup>96</sup> Herlihy, *Medieval Households*, 142.
- <sup>97</sup> R376/11, 997v.-1001v., (30.viii.1545).
- <sup>98</sup> R376/11, 708v.-f.709, (22.iv.1545).
- <sup>99</sup> For a discussion about mourning practices and marriage see, G. Wettinger, 'The Young Widow on Gozo Who Remarried Too Soon, 1465-68', *Melita Historica*, xii, 20, (1997), 140-50.
- <sup>100</sup> R376/11, 997v.-1001v., (30.viii.1545).
- <sup>101</sup> C. Cassar, *Society, Culture and Identity in Early Modern Malta*, (Malta, 2000), 148.
- <sup>102</sup> R376/11, 997v.-1001v., (30.viii.1545).
- <sup>103</sup> The *dodarium* or dower, was a sum fixed in the marriage contract which the groom promised to give to his bride.
- <sup>104</sup> R376/11, 997v.-1001v., (30.viii.1545).
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- <sup>107</sup> R376/11, f.561-f.564, (6.iv.1545).
- <sup>108</sup> Koenigsberger, et. al., *Europe in the Sixteenth Century*, 68.
- <sup>109</sup> *Ibid.*, p. 69.
- <sup>110</sup> R376/11, f.630-631v., (24.iv.1545).
- <sup>111</sup> Koenigsberger, et. al., *Europe in the Sixteenth Century*, 69.
- <sup>112</sup> Klapisch-Zuber, 'Women and the Family', 297.
- <sup>113</sup> *Ibid.*, p. 310.
- <sup>114</sup> The *mundualdo* was a Lombard institution which in the course of time found its way into Sicily and Malta. A *mundualdo* was a legally competent male who took under his wing a woman to represent her in a legal transaction where she couldn't appear by herself. The *mundualdo* could be the husband, father, brother, uncle, or even a friend of the woman.
- <sup>115</sup> S. Fiorini, (ed.), *Documentary Sources of Maltese History, Part 1, Notarial Documents, No. 2, Notary Giaconom Zabbara: R494/1 (II – IV), 1447 – 1449*, (Malta, 1999), 429.
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- <sup>120</sup> E. Power, *Medieval Women*, (Cambridge, 2000), 49. S. Shahar, *The Fourth Estate - A History of Women in the Middle Ages*, (London and New York, 1983), 194. Samuel K. Cohn, 'Women and Work in Renaissance Italy', in J. C. Brown and R. C. Davis (eds.), *Gender and Society in Renaissance Italy*, (London and New York, 1998), 107-26.
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- <sup>122</sup> R376/11, 546v.-547v., (27.ii.1545).
- <sup>123</sup> R376/11, 502v.-f.503, (9.ii.1545).
- <sup>124</sup> R376/11, f.591-593v., 593v.-f.597, (16.iii.1545), '...caru filij'.
- <sup>125</sup> M. Baulant, 'La famille en miettes: sur aspect de la démographie du xvii<sup>e</sup> sieDle', *AESC*, 27, 1972, 967, quoted in, Cassar, *Society, Culture and Identity*.
- <sup>126</sup> Koenigsberger, et. al., *Europe in the Sixteenth Century*, p. 66.
- <sup>127</sup> R376/11, f.789-791v., (13.vi.1545).
- <sup>128</sup> V. Mallia-Milanes, 'Was Early Modern Malta an 'Isolated World'?', in C. Marullo di Condojanni (ed.), *Conference at Fort St. Angelo of the S.M.O.M.*, (Malta, 2000), 23.
- <sup>129</sup> C. Ginzburg, *Il Formaggio e I Vermi - Il Cosmo di un Mugnaio del'500*, (Torino, 1976), xix.
- <sup>130</sup> Jordanova, 'The History of the Family', 51.
- <sup>131</sup> R376/11, f.769-770v., (22.v.1545).
- <sup>132</sup> Busuttill, *Economy, Society and Women in Malta in the 1530s*, 82.
- <sup>133</sup> R376/11, 997v.1001v., (30.viii.1545). R376/11, 979v.-f.984, (22.viii.1545).
- <sup>134</sup> R. Bowman & P. Sultana, *Marriages between 1627 – 1650: A Study of the Records held in the Parish Church of*

*Our Lady of Porto Salvo and St. Dominic at Valletta*, Unpublished B.A. Gen., (Royal University of Malta, 1973), 20.

<sup>135</sup> Ciappara, *Marriage in Malta*.

<sup>136</sup> For a discussion of the Europeanisation of Malta in Early Modern times, see V. Mallia-Milanes, 'Introduction to Hospitaller Malta', in V. Mallia-Milanes (ed.), *Hospitaller Malta – Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 3-42; and 'Paths of Power and Glory – The Hospitaller Grand Master and his Court in Valletta', in A. Ganado (ed.), *Palace of the Grand Masters in Valletta*, (Malta, 2001), 71-9.