

THE *CAPITULA* OF GOZO, I

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A full treatment of the subject of the *capitula* of the Maltese Islands is found in *Documentary Sources of Maltese History* (DSMH), Part III No. 2 (Fiorini, 2014). The object of this paper is to distil therefrom conclusions regarding Gozo.

Definition

We can take here as a working definition for *capitula* (Latin, plural of *capitulum*, meaning ‘chapter’), as “petitions or pleas to the authorities for the redress of grievances”. The format of these petitions laid out in paragraph/chapter-form – whence their name – gave rise to how

this genre of official documentation came to be called. A set of *capitula* is said to be ‘complete’ if it also includes the royal or vice-regal response to the respective ‘chapters’ with the unqualified or qualified *placet*, signed by the *Protonotarius* or *Secretarius*, as the case may be. Thus, for example, of the following sets of *capitula*, the one of 1450 is not complete. It may have been just a draft of demands intended to be presented before the King or Viceroy and, perhaps, never actually submitted; this will be discussed *infra*. Whatever the case, they reflect the aspirations and needs of the Gozitan people and of the *Universitas* at the time.

The *Capitula* of Gozo: 1432-1531

Date	Original Source	DSMH III/2, Doc.	Ambassadors
*31.x.1432	ASP Canc. 68, ff. 33 ^v -4 ^v ASP Prot. 33, ff. 18 ^v -9 ^v	9	Johannes Urgelles
*20.vii.1439	ASP Canc. 74, ff. 603 ^v -4	15	Angelus de Manuele
19.x.1439	ASP Canc. 75, ff. 181 ^v	16	?
*12.xi.1439	ASP Canc. 75, ff. 186-7 ASP CDR 20, ff. 9-10 ACM Misc. 34, ff. 134 ^v -5, 163 ^v -4	17	Angelus de Manuele
5.xi.1443	ASP Canc. 81, ff. 109 ^v -11	18	Nicolaus de Algaria
*[4.iii.1450]	ASP Prot. 5, ff. 301-2 ^v	20	Fra Mateus Zurki OESA
14.v.1453	ASP Canc. 90, ff. 202-3 ^v ASP Prot. 45, ff. 759-60	24	Johannes Urgelles
14.vii.1467	ASP Canc. 119, ff. 240 ^v -1 ASP Canc. 118, ff. 324 ^v -5	29	?
26.vi.1479	ASP Canc. 141, f. 605 ^v	32	?
*22.v.1507	ASP Prot. 214, ff. 283 ^v -5 ^v ASP Canc. 224, ff. 304 ^v -6	40	?
16.i.1516	ASP Canc. 249, ff. 321 ^v -4 ^v	45	Nicolaus Calabachi
6.iv.1521	ASP Canc. 269-270, ff. 365 ^v -9 ^v	47	Antonius lu Platamuni
11.vii.1530	NLM Lib. 670: 76-7 ^v	50	Franciscus Platamone
i-viii.1531	NLM Lib. 670: 42-5 ^v	52	Vitus Vagnolo, Jacobus Inguanes, Vallurius de Algaria, Andriotta Mannara

Further to these, one can also consider other sets of *capitula* which, though not sent by the Gozitan *Universitas*, are also of concern to Gozo. These include:

Date	Original Source	DSMH III/2, Doc.	Ambassadors
24.vi.1411	ASP Cancelleria 7, ff. 112 ^{rv}	2	Diego de Porto Carrero
6.iv.1419	MCM ACM Misc. 34, ff. 103-8 ^v ASP Protonotaro 20, ff. 121 ^v -6 NLM Università 9, 5 ^v -11	4	Johannes Vaccaro
13.v.1427	MCM ACM Misc. 34, ff. 255-8 NLM Lib. MS. 737, pp. 529-35 MCM ACM Misc. 27, ff. 305-8	5	Don Cataldo Cusburella Don Gregorio Bonello

A number of Maltese and Gozitan *capitula* appear to be paired, both bearing the same date or one differing only by a day or two; in the Gozitan list (*supra*), these are marked by an asterisk. Of these matched *capitula* the Maltese sets are as detailed hereunder:

Maltese *Capitula* paired with Gozitan *Capitula*

Date	Original Source	DSMH III/2, Doc.	Ambassadors
30.x.1432	ASP Canc. 68, ff. 32 ^v -3 ^v ASP Prot. 33, ff. 37-38	8	Simon de Mazara Antonius Desguanes
20.vii.1439	ACM Misc. 34, ff. 247-8 ^v ASP Canc. 74, ff. 601 ^v -2 ^v ACM Misc. 27, ff. 40-42	14	Angelus de Manuelli
4.iii.1450	NLM Univ. 11, ff. 66 ^{rv}	21	Fra Mateus Zurki OESA
22.v.1507	ACM Parchments Par 388 ASP Prot. 214, ff. 542 ^v -53 ASP Canc. 222, ff. 430 ^v -3 ACM Misc. 34, ff. 120-30 ^v NLM Univ. 9, ff. 188-98	41	Manfred Caxaro

In summary, of the fifty or so sets of *capitula* which have survived for both islands, eleven belong to Gozo and three others concern also Gozo. Five of these were presented jointly by the ambassadors of the two *Universitates*. Only four of the eleven Gozitan *capitula* have appeared in print before, the remaining seven appear for the first time in *DSMH*.

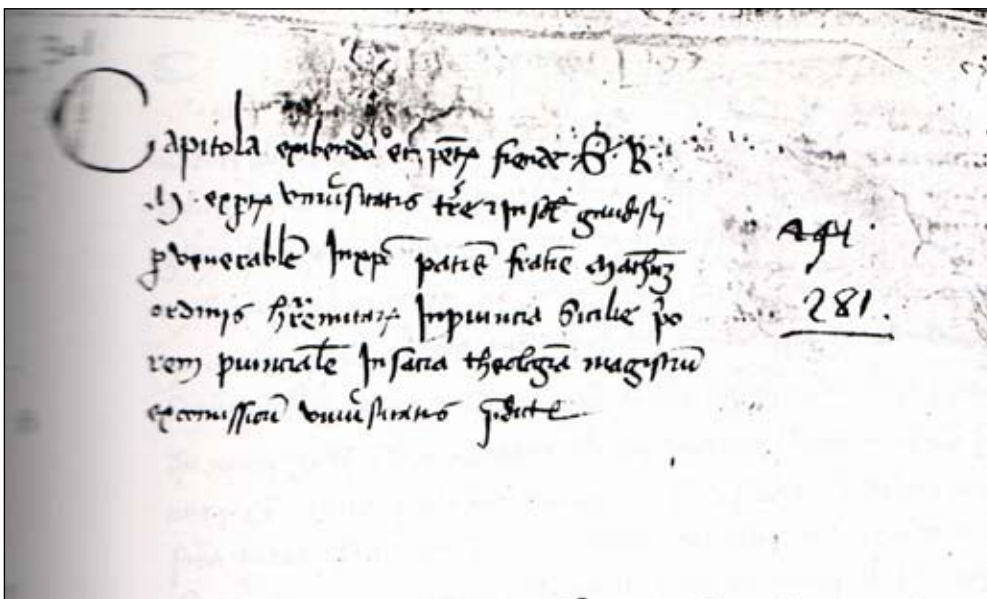
Frequency of Gozitan Appeals by *Capitula*

One notes that there seem to be three distinct periods which produced the Gozitan *capitula*. In the first period, covering the first half of the XVth century, one finds the first six sets of Gozitan *capitula* covering a span of 21 years, with successive *capitula* occurring within at most 7 years. In the second period, covering the second half of that century, one finds large gaps of time between successive sets – gaps of 14 years, 11 years and

28 years, respectively – until the beginning of the XVIth century when these gaps start to close up again, during the first 30 years of the XVIth century – the third period – with three sets occurring within 14 years, as originally. This is in sharp contrast with the Maltese *capitula* whose maximum gap between successive *capitula* is of 10 years, between 1439 and 1449. Various reasons can be adduced for this: the relative *capitula* may be lost, and evidence does exist for lost *capitula*. But what I retain more likely is that there may have been loss of interest and insufficiency of motivation – certainly not insufficiency of needs – of the Gozitan Council. One notes that none of the four sets of paired *capitula* belong to the second period, the middle 50 years. It is possible that when a joint effort was made between the councils of the two islands then the Gozitan *Universitas* acted. Another general remark is that Gozitan *capitula* tended to be much shorter than Maltese *capitula*.

Contents

The *capitula* fall within the broad category of official, as opposed to private, documentary source material, and perhaps this official character cannot be emphasized enough. Their authors generally belonged to the élite inner core of the town council which could undoubtedly exercise much influence on what was included and what omitted from the *capitula*. The *capitula* would, normally, be structured in the following way: an identificatory formula, noting the municipality making the demands and its ambassador or ambassadors through whom these were being conveyed, followed by an address professing loyalty and fealty to the Crown, and a customary *capitulum* demanding commendation *in genere et in specie* of the whole municipality and the population it represented (or pretended to represent). Then a sequence of itemized *capitula* would follow, with a *capitulum* being reserved for each demand. Once the set of *capitula* is presented to the relevant authority – the King or Viceroy – the authority’s response is appended at the end of each *capitulum* and signed by the *Protonotarius* or *Secretarius*. The response can be a straight refusal or acceptance – a *placet* – or a qualified *placet*. *Capitula* without these responses are worthless from the municipal point of view. After 1412 a viceregal *exequatur* – a writ of execution – became also mandatory to put the royal decisions into effect. This *exequatur* could be obtained soon after the royal assent or it could take a long time to obtain, depending on the political forces at play. This delay can be a cause of confusion where the date of the *capitula* is concerned.



even grovelling, of those who conceive them. This attitude revealed the reality of complete dependence on the royal authority, not only in minuscule municipalities like those of Malta and Gozo but also of prominent *Universitates* like those of Palermo or Messina. The

The title of the *Capitula* of Gozo to be presented by Fra Matheus Zurki O.E.S.A., Provincial of Sicily and Master in Sacred Theology, on 4 March 1450 [Archivio di Stato Palermo, Protonotaro 5, f. 301].

terminology used – *flexis genibus, baciari la mano* – expresses the condescending royalty displaying its benevolent paternalism to kneeling supplicants. The harsh reality was that the power of decision lay wholly in royal hands.

Ambassadors

The identity of the ambassadors is of some interest and importance. **Johannes Urgelles**, for example, appears twice, in 1432 and 21 years later. Urgelles is an interesting personality. He first appears in the documentation in 1431 being elected Jurat of Gozo. In that same year he was chosen to represent the island as its ambassador before King Alphonsus the Magnanimous in Messina with the *capitula* of that year. Clearly a Spaniard who had settled in Gozo, who could speak the language as well as His Majesty himself, was a clear choice for ambassador. Furthermore, he was also Jurat of Gozo, so that he knew well about the problems he was going to talk about. This was also to his own personal advantage, coming so close to the seat of all power in the kingdom. His star was, very obviously, in the ascendant. It appears that Urgelles had been engaged in royal service in the recently-constituted fleet against Barbary corsairs and he had excelled in this service. In compensation, the King, who now had even dealt personally with Urgelles as Gozo's ambassador, preferred him for the captaincy of Gozo, at the expense of the Palermitan Paulus Gallo, whom he removed from office for unstated reasons. The interesting thing is the way Gallo was removed from office. It was precisely in the IXth *capitulum* of 1432, presented by Urgelles, that the Gozitan *Universitas* had objected to Gallo, even if no names were mentioned, where the *capitulum* reads:

IX Item, supplicari ki non obstanti qualuncata concessioni facta a qualsivogla persuna di la dicta capitania [del Gozo] di unu annu ad altru oi di unu annu si et altru no, la dicta capitania sia solamenti annuatim, revocandu omni altra concessioni facta a qualsivogla persuna modo predicto.

(IX Also, to plead [with His Majesty] that in spite of any other concession made by anyone concerning the captaincy [of Gozo] for one year to another or on alternate years, the said captaincy should last for only one year, while revoking any other concession made to any other person, as said.)

The King, who did not need to beat about the bush, was very explicit in his response:

Placet Regie Maiestati, annullando concessionem jamfactam de dicta capitania Paulo Gallo ab anno XII indicionis ...

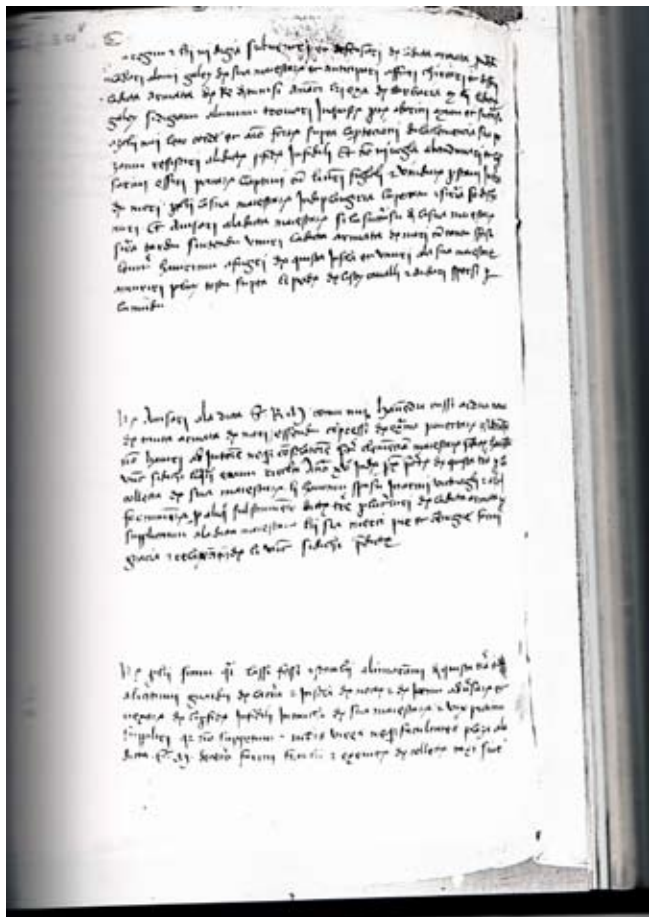
(It pleases His Majesty to annul the concession already made to Paulus Gallo concerning the captaincy for the XII indiction ...)

Gallo had, in fact, been given the captaincy of Gozo in 1431 for the two years 1431-32 in recognition of his services to the Crown both in the Naples campaign and elsewhere. It is not stated that Urgelles was promoting his personal interests and exploiting his unique position of ambassador, but the outcome of the whole affair was certainly beneficial to him.

He was chosen a second time to be ambassador of Gozo in 1453 and was elected Jurat of Gozo four other times, in 1450-51, 1457-8, 1462-3, and in 1467-8. In 1450-51 he was asked to declare what he knew about the Jewish physician Abraham Safaradi and the taxes he paid in Gozo. He certainly owned a house in *Terra Gaudisii*, probably in the *Castello*.

The next Gozitan ambassador to consider is **Notary Angelus de Manuele**, who, like Urgelles, was also chosen twice for this office, in July 1439 and again in November of that year. De Manuele was certainly Gozitan even if for most of his active years he had transferred himself and his family to Malta. The De Manuele family is Gozitan, Notary Angelus' earliest notarial work was performed in Gozo – cf. the wills and inventories of 1424-1427 drawn up for the Gozitan Pellegrino family [I/3: 207-209] – and as late as 1437 he is described as *habitor Terre Gaudisii* when he was Judge to the Gozitan Capitular Court [II/2: 388]. Yet, in 1436, he was acting as Judge of the Maltese Captain's Court. [II/2: 375]. While in Malta he came in contact with other legal professionals with whom he clubbed in order to monopolize the Judgeship of Malta, forming, with three other Notaries – Notary Corradus de Alaymo and Notary Fridericus Calavà, his contemporaries, together with Notary Antonius Falzon, their junior and a novice in the business – a kind of Notarial College or 'Union', if you like.

This 'union action' may well have been pursued to counteract opposing forces in the *Universitas*



Facsimile of ASP Protonotario 5, f. 301v.

coming from feudatories who sought to monopolize other key lucrative posts such as the gabelles of the same *Universitas*. Like these, the notaries certainly exploited the prevailing situation in which King Alphonsus, very short of funds to finance his *amprisa* against Naples and eager to wring out of his subjects all the money he could lay his hands on, found it very convenient to pawn land and offices to interested parties prepared to come forward with the money. The pawning of the Maltese islands to Monroy was still very fresh in everybody's memory. Soon afterwards he 'sold' the Marsa fief to the Castellan Pedro del Busco for 3,164 gold ducats *cum carta gratie redimendi*, that is, with right of buying it back, in effect a pawning [II/2: 452]. He pawned the office of the captaincy of Malta to Antonius Desguanez and to his son Geraldus for 170 *uncie* [II/2: 467], and now the judgeship of the captain's court was acquired by these notaries for 300 *uncie* [II/2: 467, 548-9, 554]. The captaincy of Gozo was similarly pawned to Franciscus de Platamone and Antonius de Vagnolo for another 50 *uncie* [II/2: 476], whereas the King's representative, the Viceroy Baptista Platamone, taking the cue from his master,

even dared to pawn the whole of the island of Gozo to Johannes de Caro [II/2: 454] – a hitherto unnoticed incident. None of these goings-on were very palatable to the Maltese and Gozitans who protested loudly, quoting their right of resistance *manu forti* to stop them [II/2: 459].

These four notaries, under the leadership of Notary Corrau de Alaymo who appears to have handled all the writing, made a joint plea to King Alfonso to monopolize between them the office of judge of the captaincy of Malta taking it alternately in turns with effect from 1 February 1437. The King's favourable reply was issued on 21 January [II/2: 384]. The office was, in fact, being held by Notary De Manuele for the year 1436-37, as noted, and Notary Friderico had been promised that same post precisely for the year 1437-38, following [II/2: 375]. Nor was this the only lucrative post our notaries had their eye on. Similar pleas with the King and writs of execution to favourable replies by the viceroy can be verified for (i) Notary Corrau in respect of the treasury of the *Universitas* when he successfully objected that Jacobo de Carastro, a foreigner, had been given that office in violation of the privileges of Malta, to have him removed and himself appointed in his stead [II/2: 385], (ii) Notary Angelo de Manuele in respect of the post of judge in Gozo for the year 1437-38 [II/2: 388], (iii) Notary Friderico Calavà in respect of the office of comptroller of ports (*viceportulanatus Melite*) which carried a salary of no less than six gold *uncie* annually [II/2: 371], as well as the office of clerk in the Mdina Captain's Curia, which had earlier been, unrightfully given to the same Pino de Carastro [II/2: 372].

The resistance within the Council to similar moves can be gauged by their reaction to concerted efforts by the town carpenters in the 1460s and 70s. In the case of our notaries, King Alfonso had to intervene in order to restrain De Manuele from holding practically a double post of judge in both Malta and Gozo in order to give the opportunity to others; in this case, to the benefit of Notary Andrea de Benjamin of Gozo [II/2: 421-2]. In each of the two *Universitates* the number of salaried legal posts came to five or six, namely three judges and one notary at the Civil Court and an assessor or judge of the Captain's Court; later on a judge or notary of the Jurats' court began to be appointed as well. However, competition was tougher than it seems

at first as the Civil Court had only one post for a *judex litteratus* with the remaining two being filled by *judices ydioti* (that is, *indocti*), who did not require much legal training and were often quite illiterate and unable even to sign their own names as they quite often unashamedly admitted [I/3: 141-5]. By the mid-fifteenth century there were as many as seven or eight qualified notaries working contemporaneously, and some four or five other local *jurisperiti*, all of whom aspired for a steady annual salary. The situation was further exacerbated when the monarch made *ex gratia* appointments, foisted on the *Universitas*, which hurt most especially when the beneficiaries were foreigners. The argument that this practice ran counter to Maltese privileges at times paid dividends such as when Notary Corrau managed to oust Jacobo de Carastro using precisely this argument.

Thus, it is seen that Notary Angelus de Manuele was optimally placed to act as ambassador in 1439 for both Gozo, his island of origin, and Malta, where he settled with his progeny (from his wife Imperia he had four children, including Don Henricus, all settled in Mdina [I/1: 77, 163]) the city and island he got to know so well through his professional contacts and his very active and prominent presence in the City's Municipal Council. He exploited his prominent position and standing – in 1458 he was even Judge of the Appeals Court – by holding on simultaneously to the judgeship of Malta and of Gozo in 1438 at the expense of the Gozitan Andreas de Benjamin [II/2: 421]. By contrast, Benjamin was a very altruistic person. Of his own accord, Benjamin offered that the judgeship which had just been granted to him be shared with his colleagues Fridericus de Nicolacio and Petrus de Caxaro [II/2: 422].

The next ambassador to consider is the Augustinian friar **Fra Matheus Zurki de Malta**. This is the second time that a religious, not a politician, is chosen as ambassador to present *capitula*, the first time was when Don Cataldus Cusburella, *Cappellanus Major et Vicarius*, together with Canon Don Gregorius Bonello, in 1427 represented Maltese interests before the Viceroy in Palermo in the Monroy affair [III/1: 6]. Zurki was another very prominent personality. In 1434, when he is mentioned as the first known Inquisitor for Malta and Gozo, he is described as *Baccalarius in Sacra Theologia*, but he must have continued with his

studies as, when he was attending the Mdina Council sessions between 1450 and 1454, he appears as *Magister in Theologia*.

The draft of his Gozitan *capitula* has not been noted before although a gist of what could have been the corresponding Maltese *capitula* is extant in Council minutes of 5 March 1450. It is very likely that these parallel sets of *capitula* were never actually submitted for approval as it transpires that Malta's petitions were presented just three months later by Stephanus de Pirera with considerable overlap of content with Zurki's planned requests. Fra Matheus was present in Council on 21 October 1450 when a certain item on the agenda was being debated. The item concerned whether Stephanus de Pirera should be reimbursed for his journey to obtain an official statement that the *capitula* should come into force. Zurki's contribution to the debate was dry and to the point, hinting at some underlying rivalry between the two:

Si utiliter capitula pro universitate impetravit et bene fecit et gessit quod habeat dictas expensas; si vero non utilia gessit quod nichil habeat.

(If the capitula he requested on behalf of the Universitas have proved useful and he did well, then he should be reimbursed his expenses; if, on the contrary, they were not useful, then he should get nothing.)

Doubt was being cast on Pirera's effectiveness in his mission.

Not much is known about the next ambassador, **Nicolaus de Algaria**, except that he climbed the ladder of local Gozitan municipal power from the lowest rung: He started with a royal push when, in 1436, he was elected as an *acatapanus ex gracia* [II/2: 370]. Next he is heard of, in 1440, accusing a Gozitan Jew, a certain Sadia Inglisi, of theft of a wine-goblet; was he ingratiating himself with the powers-that-be, jumping on the anti-Semitic bandwagon? [II/2: 449]. Thereafter, he filled the post of Jurat several times, in 1443, the year he was chosen as ambassador, and later in 1457 and 1470 [II/2: 474, 585; II/3: 142].

Between 1446 and 1450 he was *gabellotto* of the Gozitan Vicesecrecia when he was investigated for a discrepancy in the balance, but ultimately acquitted by the Viceroy [II/2: 608]. The Viceroy's favour was

never lost as, we are informed, that the fact he had a family of 10 children in 1474, which became 11 by 1476, induced the Viceroy to grant him 2 *salme* or 32 *tomna* of royal land, adjoining his other land in Gharb, on which to plant a vineyard for his own use [II/3: 224, 263].

Nicolaus Calabachi was active in the Gozitan scene at the turn of XVIth century. He was Notary to the Civil Court of Gozo for 1488-89, 1499-1500 [II/4: 129, 433] and for 1504-05 [II/5: 92] and was elected Jurat for 1496-97 [II/4: 360] and for 1502-03 [II/5: 41]. In 1497 he was appointed Procurator for the Gozitan *Universitas* in a deal with the Viceroy concerning the purchase of grain for the island [II/4: 396]. For some unstated crime, in July 1504, he was tried, found guilty and sent into exile in the *Castrum Montis Sancti Juliani* [Erice] in Sicily for three years, but had his sentence commuted to the payment of a composition of 6 *uncie* [II/5: 101]; in May 1506, he was still being chased by the Curia to settle his debt of 6 *uncie* to the Crown [II/5: 129]. This did not preclude him from being appointed Jurat for a third time in 1505-06 [II/5: 111] and also responsible for the works on the Citadel – walls, ravelins and ditches – in the post of *Mastro Marammeri* [II/5: 114]. He was also Treasurer of the Gozitan *Universitas* for 1509-10 and 1511-12 [II/5: 203, 274].

For the years before 1530, the last of all to consider is **Antonius lu Platamuni**. Understanding the family background of Antonius is important. The Platamuni were a very prominent Sicilian family, who counted a Viceroy of the realm – *Babtista* de Platamone [1436-41] – among its members, have had early connexions with these islands, not all

above board. In 1344, Rev. Placitus de Platamone, a priest of Catania, had falsified a papal bull and the Bishop of Malta was sent by the Pope to look into the matter. In 1411, during the troubled years of the Western Schism, for some reason as yet not understood, Queen Bianca presented the Benedictine monk Dom Antonius de Platamone of Catania for the episcopacy of these islands [II/2: 148] even though he had already been consecrated Bishop of Malta two years earlier on 29 July 1409. At this time, Bertus di lu Platamuni already appears as a Jurat of Gozo for 1402-3 [II/2: 31]. We next encounter Franciscus Platamone as Captain for Gozo in 1428-9 [II/2: 251], who valiantly combatted the Moors during the invasion of that year, for which he was reappointed Captain of Gozo for 1432-3, having been Jurat for 1431-2 [II/2: 292, 322, 328-9]. Having supported King Alphonsus by a contribution of 50 gold *uncie* for the King's Neapolitan *amprisa*, Platamone and the knight Antonius Vagnolo managed to secure the captaincy of Gozo indefinitely and for as long as it was His Majesty's pleasure, starting in 1437 (when Babtista Platamone was Viceroy!) on alternate years between them [II/2: 343, 383, 413-4, 467, 476-7, 580]; Platamuni also succeeded in being a Jurat for 1454-5 [II/2: 558].

Twenty-seven years later, in 1464, Franciscus was still claiming this right to the captaincy on alternate years, but being unable to carry out his duties due to his old age and frail health, he managed to transfer this right to his son Sanchius [II/3:45]. In 1437 Franciscus requested and was granted by the Viceroy (Babtista Platamone!!) the lease of the royal barren stretch of land called then *Ix-Xagħrata' Sannat*, bounded on the South and East by the



Nicolaus Calabachi who was active in the Gozitan scene at the turn of XVIth century was also responsible for the works on the Citadel which included the walls, ravelins and ditches. [Photo courtesy GTA website].



The *Ta' Ċenċ* cliffs. The surrounding territory probably got its name from Cianciu (Sanchius) Platamone when he inherited it from his father, Franciscu. [Photo courtesy Wikipedia.org].

cliffs above the sea and on the North by *Wied Mgarr ix-Xini* and *Tal-Gruwa*; this description clearly identifies the *xagħra* as what is now called *Ta' Ċenċ* [II/2: 415, 443, 492]. Sanchius also called Ciancius, Franciscus' son, also got a push forward by the Viceroy (always the same Platamone!!!) when, as a young person, he was twice appointed *Acatapanus ex gratia* in 1437-8 and 1440-1 [II/2: 408, 445]; later, he went on to become Jurat in 1473-4, 1477-8, 1483-4 [II/3: 186, 297, 400]. It was, very probably, due to him that present-day *Ta' Ċenċ* got its name, when he inherited his father's property. It is very clear that the family could throw its weight about using their connexions high up in the Sicilian echelons of power. Let me remind you that it was precisely the Viceroy Babtista Platamone who dared sell the whole island of Gozo to Joannes de Caro, just ten years after the Monroy affair, for which King Alphonsus came down on him like a ton of bricks! [II/2: 454 (1.xii.1440)]. Both Ciancius and his son Antonius – the ambassador of 1521 – were accused and convicted of rape and got away with it rather lightly with the payment of a composition [II/3: 348; II/4: 19, 91].

On another occasion in 1486 both father Ciancius, son Antonius and son-in-law Notary Pinus Saliba were investigated for some unstated misdemeanour [II/4:19]. It is clear that Antonio could pull strings in the right places and, in fact, the *capitula* he presented on behalf of Gozo were among the best received by

the Viceroy. He was elected Jurat of Gozo in 1486 [II/4: 32]. The incident of the raping of Fsadni's daughter (while her father was on the coast on *mahr*s duty) occurred in 1488; it is stated in

the proceedings that that was not the first time that Palatamuni had molested the girl [II/4: 91]. He was appointed Notary to the Civil Court in 1496 [II/4: 360]. Locally too, he had good family connexions with legal background, very handy to represent him in court; his sister Nella was the wife of Notary Pino Saliba [V/1: 84]. By 1517 the sowing of wild oats of his youth was apparently forgotten in Gozo and he had acquired enough respectability to be appointed one of the guardians of Johanna, a poor orphan girl of the Kinzi family [V/1: 23]. He drew up his last will in 1538 from which we conclude that he owned a chapel of the Annunciation, somewhere in Gozo, in which he established an *animagium* to benefit his freed slave, Cerbonius, should he persevere in his vocation for the priesthood [V/1: 83].

For the ambassadors earmarked to face L'Isle Adam with requests concerning the preservation of their ancient privileges, soon after the arrival of the Order, let it be said simply and briefly that these were Jurats elected for 1530-31 and 1531-32. Let us turn to the contents of the *capitula*, starting with

The Paired *Capitula*

In those *capitula* written as a joint effort with the Maltese *Universitas* one notes, naturally, certain requests which are repeated *verbatim* in both sets of paired *capitula*. One common plea is the confirmation of privileges granted by past

monarchs. Thus, in the presentation of *capitula* to King Alfonsus at Messina in 1432, *capitulum* VIII of Urgelles reads:

Item, ... confirmari tucti nostri privilegii, consuetudini et prehemincii scripti et non scripti,

(Also, ... to confirm all our privileges, customs and preeminences, written and unwritten.)

corresponding word for word to *capitulum* II of the Maltese *capitula* of that year. The same is found in 1507 where Manfred Caxaro, very probably the same ambassador for both *Universitates*, making representations to Ferdinando *el Catolico* at Naples' Castelnuovo, repeats the same demand in the first *capitulum* of the Gozitan set and, in slightly different form and with respect to specific privileges, in the Maltese *capitula* XIV and XXII. This was an important demand that needed to be made to each successive monarch lest what had been achieved in the past gets forgotten and lost. This must be one of the reasons why privileges and *capitula* related to them were written on more durable parchment, rather than perishable paper, in order to preserve them for posterity. An extremely interesting reference, albeit taken from Stephanus de Pirera's Maltese *capitula* of 1450, is that Malta's *Universitas* reminds King Alfonsus of rights to certain stretches of land which had been given to Malta's *Universitas* a good 300 years earlier, that is, in the time of King Roger, a plea which the King respects if what was asserted can be proved. This preservation of privileges, of course, as a by-product, protected also the narrow interests of those compiling the *capitula*, with all they included and omitted to include, and of the ambassadors presenting them.

It is of interest to note how in the paired *capitula* at times the same ambassador, naturally and as expected, represented both islands – Notary Angelus de Manuele in July and in November 1439, Fra Matteus Zurki in 1450 and Manfred Caxaro in 1507 – which made economic sense. But on one occasion, even though the *capitula* of both islands were presented on the same day, the ambassadors were different. This happened on 30-31 October 1432 when Johannes Urgelles presented Gozo's and Simon de Mazara (together with four others) presented Malta's. One wonders why! The reason

can, perhaps be found hidden in Urgelles' XIth *capitulum* which innocently reads:

[XI] Item, supplicari ki li frumenti dila curti non si pozanu extrahiri dila dicta insula, ymmo ki sia deputati per la dicta insula havenduchi necessariu.

([XI] Also, to plead that the grains of the Curia should not be allowed to be exported from the island, but rather that they should be reserved for the said island in case of need.)

Urgelles tried to be not very explicit in making his point. What he actually wanted to say was: "Let Gozo enjoy its grain and let Malta solve its own grain problems". What the ambassador refrained from saying openly was stated explicitly for him by the not-so-dumb King Alfonso who, for the second time, was not prepared to beat about the bush:

Placet Regie Maiestati quod frumenta que colliguntur in dicta Insula Gaudisii deputentur pro usu ipsius insule, ita tamen quod, si factis novis recollectionibus et, recollectis victualibus ipsius insule, frumenta superhabundant, vetera possint extrahi pro usu Civitatis et Insule Meliveti.

(It pleases His Royal Majesty that the grains harvested in the said island of Gozo should be channelled for the needs of that island, but however, if when new harvests are made it transpires that the grain is overabundant, then the old grain can be exported to the City and Island of Malta.)

Thus it is seen that here we have a case of divergence of interests of the two *Universitates*. One can point at another document of 1335 where this is very evident.

A feature common in both Maltese and Gozitan *capitula* is a tendency to moan about poverty and sterility, at times in language that sounds very hyperbolic, although it may well be not very far from the truth. Thus, in the *capitula* of 1419, when pleas were being made for the construction of a tower on Comino for the defence of both islands, for which Gozo had to fork out a quarter of all expenses [cap. IX], it is stated that unless such a tower is erected, Malta *sirra per deveniri ad finali excidiu et destrucionem in la maynera di Gozu*. In the Gozitan *capitula* of July 1439, the levy of the



The Santa Marija Tower on Kemmuna, dominating Il-Fliegju. The Capitula of 1419 clamoured for the erection of this tower in order to curb corsairs that had made the island their lair, whence to pounce on unsuspecting prey. The contributions by the Maltese and Gozitans were to be in the ratio 4:1, corresponding to the populations ratio. It took full two centuries, to the year, before this Maltese and Gozitan dream could be realized. [Photo courtesy visitgozo.com].

tax on Gozo is described as *teste Deu, extrahirimu quasi di intra li ossa nostri* [cap. VI], “God being our witness, the money was gouged out of us as if from our bone-marrow!”. This kind of language was frequently used in connexion with pleas to avoid taxation and other pleas for help. Citing from Gozitan capitula:

actenta la extrema paupertati per la vinuta dili Mori per modu ki pirdiu tucta la bestiami et pero non si po siminari et la insula est povira et distructa [III/2: Urgelles (1432), II];

(in view of the extreme poverty following the Moorish invasion on account of which all farm animals were lost, it is not possible to sow and the island is poor and ruined.)

This plea of course came very soon after the tragic attack of September 1429 when a Moorish horde of thousands carried away into slavery some 3,500 inhabitants.

non haviamu speranza per la grandi paupertati et per carencia di navili, supplicandu, actenti la penuria la quali paciamu, ki non si trovava in la insola unu cochu di frumentu ne unu cochu di orgiu, et si non per Simuni di Mazara et Antoni Mule, ... ja moriamu di fami [III/2: De Manuele (vii.1439), IV].

(we have lost all hope on account of the extreme penury and the loss of [our] vessels, pleading that, in view of the

poverty under which we are labouring, [to the extent] that a grain of wheat or a grain of barley is not to be found on the island, and had it not been for Simon de Mazara and Antoni Mula, ..., we would have all died of hunger.)

la nostra paupertati, et grandi penuria supra quistu scoglu arridu et diviriamu essiri provisionati et scarichi et non essiri gravati di colta, declarandu ala Sua Signuria ki si la genti di quista insola havirissiru habilimenti di exiri, ja la insola sirria dishabitata [ibid., V].

([in view of] our poverty and great penury on this arid rock, we need to be provisioned, and not burdened with taxes, declaring to His Lordship that if the people of this island had the means of moving out of it, by now it would have been completely uninhabited.)

Item, perki simu quasi lassi, fessi et stanki ali marammi di quista terra ed ali continui guardii di la terra et insola di nocti et di jornu adversati et vexati di li perfidi infidili inimichi di Sua Maiestati, et vix putimu suppliri quia non suppetinu nobis vires neque facultates [III/2: Zurki (1450), V].

(Also, because we have lost all our energy, we are tired and exhausted [working] on the walls of this town and toiling at the [coastal] watches of this town [that is, the Citadel] and island, day and night, attacked and molested by the perfidious infidels, enemies of Your Majesty, we can hardly provide for ourselves because we do not have the means and the strength.)

and finally, to get a taste of the language:

nui stamu mal appuntu di muri, ki li nostri mura su in maiori parte dirruppati et tristi et peyu di armi ki non indi havimu et peius di victuagli ki murimu di fami et simu cussi poviri et inhabli ki non inputimu providiri, et per consequens havimu grandissimu terruri et pagura di la armata [di lu Re di Tunisi] ki trovandoni, quod absit, cussi sprovisti et mal appuntu, fussi nostra totali disfacioni pero supplicamu ala clemencia di la Maiestati predicta, fuis lacrimis, tantu humili et devotamenti quantu putimu ki per exaltamentu et hunuri di la gloriusa corona sia Sua merci vultari li ochi di la Sua pietati in ver di nui miskini isolani luntani et remoti [f. 301v] [dal]u regnu, et ki ni digia subveniri et defensari di la dicta armata providendu mandari alcuni galey di Sua Maiestati et anticipari affari chircari et disfari la dicta armata di Re di Tunisi ananti ki exa di Barbaria oy ki li dicti galey si digianu alu minu trovati in quisti parti a darini ayutu et succursu azoki nui, leto corde et animo forti, supta la protezioni di la clemencia Sua pozamu resistiri ali dicti perfidi infidili. Et non ni vogla abandunari et lassarini essiri portati captivi cum li nostri figlioli et vinduti per scavi in terra di Mori, per ki la Sua Maiestati indi plangiria lu peccatu et sirria so dishonuri. Et avisari ala dicta Maiestati si lu succursu di la Sua Maiestati sirra tardu sintendu viniri la dicta armata di Mori cum tantu sforsu leviter havirimu a fugiri di quista insola et viniri ala Sua Maiestati a muriri pluy tost supta li pedi di li soy cavalli et andari spersi per lu mundu [ibid., III].

(We are badly provisioned with walls, because our walls are in a ruinous state, and worse can be said for armaments which we do not have, and worse still for victuals because we are dying of hunger and cannot provide for ourselves, on account of which we are terrified of the forces [of the King of Tunis] which, should they attack us, which God forbid, and find us so unprepared, that would mean the end of us all. We therefore plead the clemency of Your Majesty, shedding tears as humbly and devotedly as we can, that for the honour and the glory of the Crown, you would turn your merciful eyes towards us, poor islanders, distant and remote from the Kingdom [f. 301v] that Your Majesty would deign to come to our aid and defence, providing some galleys from Your Majesty's armada to preempt any attempt of the forces of the King of Tunis before they leave the shores of Barbary, or at least that the galleys find their way to these parts to come to our aid and succour so that we, with a

joyful heart and brave spirit, under the protection of Your Clemency, may be able to resist the perfidious infidel. And do not abandon us and permit that we and our children be carried captives and sold into slavery in a Moorish land, for should that happen, then Your Majesty would weep the sin and be dishonoured. And make it clear to His Majesty that if His help is late in coming rather than waiting for the Moors we would rather flee and die under the hooves of his horses and get dispersed on the face of the earth.)

This kind of language must have been particularly effective when demands concerning the defence of the island were concerned or when the island needed grain badly for its survival.

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