

The impact of the arrival of the Knights of the Order of St John on the commercial economy of Malta 1530-1565

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March 2012

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***To Deborah
For always being there for me***

ABSTRACT

Much has been written about various aspects of the long presence of the Knights of the Order St John on the island of Malta. Nonetheless, throughout this literature there is one noticeable omission - a study of the commercial development of the harbour area during the first decades of the Order's rule. Despite Malta's small size, the presence of the Order of St John (1530 -1798) ensured an inflow of foreign resources which eventually permitted very dense human settlement and an international projection beyond the island's shores which was largely disproportionate to what would normally have occurred in such a small and sterile island. The maritime nature of the Order and the heavy dependence on imports hastened the creation of an efficient maritime communication system. The development of all these economic activities resulted in a prime economic means of generating wealth and served as a pull factor to a large number of enterprising individuals, both local and foreign. Early modern Hospitaller Malta eventually saw the consolidation of an enterprising business class, which, out of sheer necessity, grew accustomed to operating well beyond its narrow confines. In turn, this contributed to the island becoming more open to connectivity with the outside world. Hence, the main aim of this thesis is to explore in detail various economic activities taking place in Malta during this particular period which spans from 1530 to 1565. The year 1565 has been chosen as a marker since during this year there was a break in the normal chain of events due to the turmoil created by the Great Siege. In order to reach this goal the practical functioning of commerce with its agreements and disputes, its currencies, its trading posts and its nodal points shall be analyzed. Furthermore, this thesis strives to show how notarial evidence, together with that derived from records of various tribunals set up on the island at the time, supplement each other and help to fill in gaps. While discussing different methodological approaches to the study of the Mediterranean, the first chapter of this study shall also assess Malta's place within the wider Mediterranean historiographical framework. It shall also trace the development of Maltese historiography and its

contribution to the study of legal, economic and social issues relating to the sixteenth century. Furthermore, this study shall place the various series of primary sources used for its compilation in their proper context, thus allowing the reader to evaluate better the significance of the information provided. The second chapter shall evaluate how the arrival of the Order provided for the setting up of new institutions and for the promulgation of new laws in order to consolidate its authority over the island despite repeated promises to respect and honour ancient rights and privileges. The following three chapters shall each be dedicated to a particular case study which will try to address specific topics that have been largely neglected in Maltese historiography. Thus, starting with an analysis of the grain trade, which was of the utmost importance for a sterile island with an ever-increasing population, it will be followed by another case study which seeks to evaluate the role of women, their legal persona and how this affected their contribution to the island's economic activities. The final chapter will try to establish whether there were any commercial links between Malta, often described as the frontier and bulwark of Christianity, and its neighbouring Ottoman North African territories. If such trade existed, how did merchants, both Christian and Muslim, manage to overcome religious antagonism which should have inhibited the easy flow of trade? The objective of this study shall therefore be to shed much-needed light on economic activities taking place in and around the harbour area during a largely unexplored period in Maltese history. Moreover, it shall seek to provide a better understanding of Mediterranean commercial relations since the Maltese harbour was a point of intersection not only for people of different nationalities, but even for people of different faiths, such as Muslims, Jews and Christians of different denominations. All had one common goal which unified them, that is, trading and making profit out of it.

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Notes and Explanations

References from Notarial Primary Sources

Notaries practising in Malta have grouped and bound their registers from 1 September to 31 August, the administrative year corresponding to the Indictional year, hence following the style of Byzantium.¹ However, they have not adopted a uniform method to indicate the start of a new calendar year. Some of them considered 25 March as the initial day of the year, thus adopting the Florentine year system² known as *ab incarnatione* which principally reflected the belief that this was the day when Jesus Christ was conceived.³ Thus, the acts covering the period 1 January to 25 March of those notaries using this system reflect the previous year, that is, instead of 1 January 1534, this would read 1 January 1533 and so forth up to 25 March. In this study, contracts which have an *ab incarnatione* system of dating will be distinguished by the inclusion of *ab inc* after the date – (10.ii.1544 *ab inc*).

Other notaries have utilized what was known as the Roman or papal indiction whose first day was either 25 December, better known as *nativitate* referring to Christmas, or else 1 January. All the documents used for this study having this system of dating have recorded the New Year on 1 January. It is to be noted however, that at times, both types of dating feature in a volume of a

¹ G. Wettinger, *Acta Iuratorum et Consilii Civitatis et Insulae Maltae*, (Palermo, 1993), 15.

² In the Florentine calendar the year began on 25 March instead of on 1 January, which is why some dates have an apparent one-year discrepancy. This was not unusual since the French year began on Easter day until 1564, the Venetian year on 1 March until 1522, and the English year on 25 March until 1752. B. Blackburn & L. Holford-Strevens, *The Oxford Companion to the Year*, (Oxford, 1999), 103, 785, 880.

³ The series of Roman, Papal, or Pontifical Indictions introduced in the ninth century started from the first day of the civil year, in some cases being 25 December, in others 1 January. This system was also common in Western Christendom, but in spite of its appellation, it was by no means exclusively used in papal documents. The date when the year commenced varied at different periods and in different countries. When Julius Caesar reformed the calendar (45 B.C.), he fixed 1 January as New Year's Day, a character which it seems to have never quite lost, even among those who for civil and legal purposes have chosen another starting point. The most common of such starting points were 25 March (Feast of the Annunciation, "Style of the Incarnation") and 25 December (Christmas Day, "Style of the Nativity"). In Rome and a great part of Italy, it was from 25 December, until Pope Gregory XIII reformed the calendar (1582) and fixed 1 January as the first day of the year. However, the years according to which papal Bulls are dated still commence on Christmas Day.

<http://www.newadvent.org/cathen/03738a.htm> (accessed on 9 May 2009). Refer also to Blackburn & Holford-Strevens, *The Oxford Companion to the Year*, 770-771.

particular notary. It is believed that this has occurred since very often notaries used to include *Eodem* instead of the date when drawing up contracts. This implies that a particular contract was drawn up on the same date as the one preceding it. At times, one contract can include several folios containing *Eodem* with no definite date. This must have caused some inconvenience, since one would have to go back and scrutinize a number of folios to establish the exact date to which that particular *Eodem* was referring.

Therefore, occasionally, both *Eodem* and the date feature in some contracts. A close inspection of the calligraphy and ink indicates that it is likely that the date was added at a later stage, probably to facilitate the work of those wanting to consult the documents. When such documents were analyzed during this study, the dates were reproduced according to that which was added later. The acts of Notary Giuseppe de Guevara, R 224 & MS 778 are an example of such instances. Another observation related to the dating system in notarial acts is the application of religious feasts serving as time markers when referring to future dates. These often represented stipulated time markers for various obligations, such as, the repayment of a loan.

References from the notarial primary sources are reported thus:

- The main archival repository always precedes the reference to the actual acts;
- The manuscript "MS" (original) number or the register "R" (true copy) number is written as in the following examples, NAV, R 4/1 or NAV, MS 514/1;
- The deeds quoted are followed by the folio reference and the date in which the act was drawn;
- The letters n.f. indicate that folios were not enumerated. In this case, reference is denoted by stipulating the date of the deed.

Therefore, a typical example of a notarial register reference is NAV, R 4/1, ff. 17-18v, (13.x.1557) or NAV, MS 514/1, n.f., (13.ix.1557).

Unless otherwise indicated, all translations from original manuscripts are the author's own. Wherever possible, place names have been recorded according to their modern names. Thus, Naxar becomes Naxxar, Luca – Luqa, and so on. Words and expressions in Latin or Italian, including weights, measurements, currencies and titles, are written in italics. Whenever a question mark [?] appears in the text, it indicates that the word could not be deciphered. Since abbreviations are a common feature of the documents consulted, especially in the case of titles, hereunder is a list providing a key to abbreviations present in this work.

| | | |
|-------------|---|--------------------|
| <i>Don.</i> | = | <i>Donnus</i> |
| <i>Fra.</i> | = | <i>Frater</i> |
| <i>Hon.</i> | = | <i>Honorabilis</i> |
| <i>Rev.</i> | = | <i>Reverendus</i> |
| <i>Ven.</i> | = | <i>Venerabilis</i> |
| <i>Ma.</i> | = | <i>Magnificus</i> |
| <i>Mag.</i> | = | <i>Magister</i> |

Currency

| | | |
|---|---|---|
| 1 <i>uncia</i> ⁴ or 2 ½ <i>scudi</i> | = | 30 <i>tari</i> |
| 1 <i>scudo</i> ⁵ | = | 12 <i>tari</i> |
| 1 <i>tari</i> | = | 20 <i>grani</i> |
| 1 <i>grano</i> | = | 6 <i>dinari</i> ⁶ or <i>piccioli</i> |

⁴ The *uncia* was not an actual coin; at least until the time of Grand Master Manoel Pinto de Fonseca (1741-1773), it served only as a unit of account. See H. Calleja Schembri, *Coins and Medals of the Knights of Malta*, (London, 1966), 10; A.M. Vassallo, *Prices of Commodities in Malta and Gozo 1530-1630*, BA Hons. dissertation, (University of Malta, 1976), 13.

⁵ All notarial contracts consulted for this work stipulate that the *scudo* was worth 12 *tari*, “*ad ra[tio]nem tarenorum duodecim singulo scuto*” (at the rate of 12 *tari* per *scudo*), NAV, MS 514/1, n.f., (27.vi.1558) to quote an example. According to Joseph Sammut, “the first coins which appear to have been minted in Malta by the Order of St John, were the gold *zecchini* pieces struck during the brief reign of Grand Master Pietrino del Ponte (1534-1535). The *Zecchino*, called by the Maltese either *zekkin* or *skud tad-deheb* [gold *scudo*] was the standard coin for the gold coinage”. J. C. Sammut, *Currency in Malta*, (Malta, 2001), 35; see also M.A. Sant, *Coinage Problems facing the Order of St John in Malta*, MA dissertation, (University of Malta, 1967), 49. The silver *scudo* was the standard coin and unit of account and was equal to 12 *tari*. At least up to the late 1630s, the Maltese *scudo* maintained a par value with its Sicilian counterpart. Sammut, *Currency in Malta*, 35.

⁶ For the first 35 years after the Order's arrival in Malta, the only copper piece minted on the island was the *picciolo* or *dinar* minted by Claude de la Sengle (1553-1557). However, his successor Jean de Valette (1557-1568) minted a large amount and variety of copper coins. Sant, *Coinage Problems*, 90. Sammut, *Currency in Malta*, 35, S. Fiorini (ed.), *Documentary Sources of Maltese History, Part I Notarial Documents, No. 1, Notary Giacomo Zabbara R 494/1(I): 1486 – 1488*, (Malta, 1996), xvii.

During the period under study, Sicilian coins used in Malta prior to the arrival of the Order were still in circulation. Consequently, in the documents consulted there is also reference to various other currencies, and one comes across such phrases as *pecunia argentea aquilarum*,⁷ *scutis solis boni auri et iusti ponderis vel eorum iusto valore*⁸ or *ducati auri*.⁹ Wherever possible, any information regarding their equivalent value noted in the corresponding documents has been included in the study.

Weights and Measures

Vital to the study of any economy are weights and measures adopted in that particular market since these provide a relation between the commodity purchased and its price, while ensuring that both parties in a commercial transaction had the necessary means to assure their proper interests. Weights and measures also shed light on whether taxes imposed on various items were light or heavy. In this study it will be noted that different provinces in Sicily used different weights and measures differing from one another, the Maltese system being very similar to that of Messina. The *tumolo* was the basic measurement used for dry goods such as the different types of grain, while the *quartuccio* was the fundamental unit used for liquid measures. The following are weights and measures used in Malta featuring in this study.¹⁰

⁷ NAV, Notary Placido Abela, R 4/1, f. 19v, (20.x.1557). On 16 May 1529, the town council of Mdina deliberated that the silver *aquile* previously circulating for 1 *tari* 4 *grani* each, should pass current according to their weight. A *bando* dated 2 November 1536 fixed the *aquile* of standard weight at 23 *grani* each, while another *bando* dated 1 February 1537 ordered that the new *aquile* and *tari* should *circulate* without any reference to their weight. Sant, *Coinage Problems*, 297.

⁸ NAV, Notary Placido Abela, MS 514/1, n.f, (16.v.1558), or NAV, Notary Giuseppe de Guevara, R 224/1, f. 49v, (22.iv.1540).

⁹ NAV, R 4/1, f. 7, (6.x.1557).

¹⁰Weights were either made of stone, iron or brass. All weights were inspected, adjusted and sealed by the *catapans*, the officials in charge of weights and measures. Vassallo, *Prices of Commodities*, 25.

Measures of Capacity

a) For Wheat, barley and rye¹¹

| | | |
|------------------------------|-----------------------------------|---------------------|
| 1 <i>Salma</i> ¹² | = 16 <i>Tumoli</i> | = 288.510000 litres |
| 1 <i>Tumolo</i> | = 6 <i>Mondelli</i> ¹³ | = 18.031875 litres |
| 1 <i>Mondello</i> | = 10 <i>Misure</i> | = 3.005312 litres |
| 1 <i>Misura</i> | = 10 <i>Lumini</i> | = 0.300531 litres |
| 1 <i>Lumino</i> | | = 0.030053 litres |

b) For other cereals (including pulses, seeds and salt)

| | | |
|-------------------|---------------------|---------------------|
| 1 <i>Salma</i> | = 16 <i>Tumoli</i> | = 334.656000 litres |
| 1 <i>Tumolo</i> | = 6 <i>Mondelli</i> | = 20.916000 litres |
| 1 <i>Mondello</i> | | = 3.486000 litres |

Liquid Measures¹⁴

Olive Oil¹⁵

| | | |
|---------------------|---------------------------------------|--------------------|
| 1 <i>Barile</i> | = 2 <i>Cafisi</i> | = 40.892000 litres |
| 1 <i>Cafiso</i> | = 4 <i>Quarte</i> | = 20.446000 litres |
| 1 <i>Quarta</i> | = 4 <i>Quartucci</i> | = 5.111500 litres |
| 1 <i>Quartuccio</i> | = 4 <i>Terzi</i> | = 1.277875 litres |
| 1 <i>Terzo</i> | = 2 <i>Casbe</i> or 2 ½ <i>misure</i> | = 0.319469 litres |
| 1 <i>Casba</i> | = 1 ½ <i>Misura</i> | = 0.159734 litres |
| 1 <i>Misura</i> | = 4 <i>Quartini</i> | = 0.127787 litres |
| 1 <i>Quartino</i> | | = 0.031947 litres |

All other types of oil were sold according to weight at the equivalent of:

| | |
|--|----------------|
| 1 <i>Quintale</i> of 100 <i>Rotoli</i> | = 79.378714 kg |
|--|----------------|

¹¹ All measures and their equivalents quoted from, A. Martini, *Manuale di metrologia, ossia misure, pesi e monete in uso attualmente e anticamente presso tutti i popoli*, (Turin & Loescher, 1883), 810.

¹² 'The Maltese for *salma* is *modd* worth 4 *wejbiet* and 1 *wejba* worth 4 *tomniet*. The Maltese *tomna* is worth 6 *sigħan*. Although the Maltese *siegħ* and the Sicilian *mondello*, *munneddu* are not the same fraction of a *tomna*, in Malta the *siegħ* was referred to as a *mondello* in various documents.' Fiorini, *Documentary Sources, Part I, No.1*, xviii.

¹³ According to Anthony Vassallo, the Sicilian dry measure differed mainly from the Maltese in the subdivisions of the *tumolo* which was sub-divided into four *mondelli*. Vassallo, *Prices of Commodities*, 27.

¹⁴ The Maltese system of liquid measure was rather complicated; oil, vinegar, wine and honey were measured by respective *quartuccio*, the fundamental unit of measurement used in this system. Vassallo, *Prices of Commodities*, 38-49.

¹⁵ All measures and their equivalents quoted from Martini, *Manuale di metrologia*, 810-811.

Wine

| | | |
|-------------------------------|------------------------|--------------------|
| 1 <i>Barile</i> ¹⁶ | = 4 <i>Quartare</i> | = 42.570000 litres |
| 1 <i>Quartara</i> | = 9 ½ <i>Quartucci</i> | = 10.642500 litres |
| 1 <i>Quartuccio</i> | = 2 <i>Pinte</i> | = 1.120263 litres |
| 1 <i>Pinta</i> | | = 0.560132 litres |

Weights¹⁷

| | | |
|------------------|-------------------------------|----------------|
| 1 <i>Cantaro</i> | = 100 <i>Rotoli</i> | = 79.378714 kg |
| 1 <i>Rotolo</i> | = 2.5 <i>Libbre</i> (30 once) | = 0.793787 kg |
| 1 <i>libbra</i> | = 12 <i>Once</i> | = 0.317515 kg |
| 1 <i>Oncia</i> | | = 0.026460 kg |

Measures of Length¹⁸

| | | |
|----------------------------|------------------|-------------------|
| 1 <i>canna</i> (for cloth) | = 8 <i>palme</i> | = 2.090038 metres |
|----------------------------|------------------|-------------------|

¹⁶ The *barile* was both a measure of standard capacity and a container having a barrel shape. "A decree issued on many occasions during the sixteenth century ordered that every '*barile*' of wine had to be measured and a sign showing its capacity in *quartari* or in *quartucci* had to be put on it". Vassallo, *Prices of Commodities*, 45-46. Refer to NLM, Univ.14, f. 742, (7.ix.1588).

¹⁷ All weights and their equivalents quoted from Martini, *Manuale di metrologia*, 810-811.

¹⁸ Martini, *Manuale di metrologia*, 810.

Abbreviations

Archival Abbreviations

| | |
|----------------------|---|
| CAM, AO | Cathedral Archives of Mdina, Malta, <i>Acta Originalia</i> |
| CAM, CEM | Cathedral Archives of Mdina, Malta, <i>Curia Episcopalis Melitensis</i> |
| CAM, AIM | Cathedral Archives of Mdina, Malta, Archives of the Inquisition |
| CAM, Misc. | Cathedral Archives of Mdina, Malta, <i>Miscellanea</i> Collection |
| NAM, MCC | National Archives of Malta, <i>Magna Curia Castellania</i> |
| NAM, ACA | National Archives of Malta, <i>Suprema Appellationis Curia et Tribunalis Publicae Audientiae Causae</i> |
| NAM, CA | National Archives of Malta, <i>Comune Aerarium</i> |
| NAM, MCC, AO | National Archives of Malta, <i>Magna Curia Castellania, Acta Originalia</i> |
| NAM, MCC, Reg. AO | National Archives of Malta, <i>Magna Curia Castellania, Registrum Actorum Originalium</i> |
| NAV | Notarial Archives Valletta |
| NLM | National Library of Malta |
| NLM, AOM | National Library of Malta, Archives of the Order of Malta |
| NLM, AOM, Lib. Bull. | National Library of Malta, Archives of the Order of Malta, <i>Liber Bullarum</i> |
| NLM, Lib. MS | National Library of Malta, Library Manuscripts Collection |
| NLM, Univ. | National Library of Malta, <i>Università</i> Manuscripts Collection |

Other Abbreviations

| | |
|---------------|------------------------|
| <i>ab inc</i> | <i>ab incarnatione</i> |
| Doc./Docs. | Document/Documents |
| f./ff. | folio/folios |
| Fig. | Figure |
| MS | Manuscript |
| n.f. | no folio number |
| R | Register |
| v. | verso |
| Vol./Vols. | Volume/Volumes |

Map 1: The Mediterranean Area



Map 2: The Maltese Islands c.1565



Acknowledgements

This work would not have been possible without the assistance of a number of people who have supported me in the course of its preparation. First and foremost, I would like to express my gratitude to my supervisor, Dr. Maria Fusaro, without whose invaluable teaching, guidance and insights, I am certain I would never have been able to conclude a single chapter. Dr. Fusaro's unstinting assistance and enthusiasm were the force which enabled me to remain resolute even during difficult times. I am also indebted to Dr. Ann Williams who believed in my potential and who sparked off this entire research journey. I have benefitted from the intellectual input of many, among whom I must thank Mr. Charles Dalli and Dr. Stephen Spiteri for generously sharing their profound knowledge and views in the various discussions which ensued with the beginning of each new Chapter.

Generous help was forthcoming from too many people, of these I feel compelled to mention Maroma Camilleri at the National Library of Malta and Mario Gauci at the Cathedral Museum in Mdina. No words can express my deep gratitude to them for offering me their professional help wrapped in so much kindness, and for making those painstakingly lengthy and exhausting hours far easier to endure. I must also thank Paul Camilleri at the Notarial Archives for putting up with my incessant demands which at times required immediate assistance, and Noel D'Anastas who is in charge of the Legal Section at the National Archives. I am most grateful to Dun Nikol Aquilina, my Latin teacher, for patiently reading with me various passages in Latin and for helping me with translations.

I am particularly grateful to my friend Francesca Balzan who was always there to listen, to help, and to encourage, by putting forward constructive criticism, but above all, by being a true friend throughout. Special thanks also go to Theresa Zammit Lupi for lending a helping hand during difficult times and to Moira Cross for accepting to proofread this thesis in a relatively short period of time.

A big thank you goes to my family for putting up with so many hours of moaning and for always showing genuine interest in far too long conversations about my research: to my sister Veronica and my mother Mary for their daily prayers; to my husband John for his support and to my adoring children, Sarah, Deborah and Alan. Thank you all for being so caring, understanding and patient. To Deborah particularly, I owe my biggest debt. Not only has she shared house chores, cooking, and shopping, but she has also lent a helping hand during various stages of the thesis by drawing up maps, getting books from the library, and providing me with helpful tips on Information Technology. Deborah has shared my anxieties, my fears, and my elation upon making new discoveries. She has always been there to listen assiduously. Indeed, she was not merely a daughter, but above all, a true and loving friend. To her I dedicate this work. Last but not least, I would like to thank God for giving me the strength and the motivation to pursue this huge undertaking.

Chapter One

Mediterranean and Maltese Historiography

1.1 Introduction

Early modern history has occupied a central place in Maltese historiography mostly due to the wealth of the archives of the Order of St John of Jerusalem¹ which have attracted both local and foreign scholars.² Notwithstanding the generous amount of studies contributed so far, the period covering the first decades of the Order's stay, that is, from 1530 to 1565, has had no more than a passing mention in the literature published to date. The present work strives to redress partly this situation by conducting an in-depth study of various trading activities taking place in Malta during this time within the context of a developing and changing legal and institutional structure, and by placing Malta within the wider Mediterranean context. The year 1565, which also marks the four-month Ottoman siege of Malta,³ has been chosen as a marker since it represents a break in the chain of normal affairs which, as may be expected, affected trade and

¹ The Roman Catholic Church did not attempt to formulate any coherent definitions of a religious-military order. According to Anthony Luttrell 'any definitions involve elements of anachronism, and coherent determinations can only be derived indirectly from a range of sources such as the orders' own rules, their papal privileges and a wide variety of other texts which provide indications rather than explicit or authoritative definitions'. In 1951, the 12th century military-religious orders were qualified as "*ordini monastici laicali*" with fighting functions endorsed by the Vatican. A. Luttrell, *Studies on the Hospitallers after 1306, Rhodes and the West*, (Aldershot, 2007), 1:79. Furthermore, Jonathan Riley-Smith gives this specific definition, 'Military orders are orders of the Roman Catholic Church, the brothers (and occasionally sisters) of which are professed religious, subject to the usual obligations of, and constraints in, canon law, except one: some of them had the right and duty to bear arms. Since priests are forbidden by canon law to use forces, these orders were - and one of them still is - unusual in that they were run by their lay brothers, the knights'. J. Riley-Smith, 'Towards a History of Military-Religious Orders', in K. Borchart, N. Jaspert & H.J. Nicholson (eds.), *The Hospitallers, The Mediterranean and Europe: Festschrift for Anthony Luttrell*, (Aldershot, 2007), 269-284, 269. The only two surviving military orders of knighthood which still survive today are those of The Hospital of St John of Jerusalem and the Teutonic Order. J. Riley-Smith, 'Introduction', in V. Mallia-Milanes (ed.), *The Military Orders, History and Heritage*, Vol. 3, (Aldershot, 2008), xxi.

² <http://www.libraries-archives.gov.mt> (accessed on 16 February 2009).

³ The publication of sixteen decrees connected with the 1565 siege issued by the Ottoman Imperial Council together with a reproduction of the Malta Campaign Register (a recently recovered Ottoman manuscript) shed new light on the importance given by the Ottoman Empire to the invasion of Malta. Indeed, we now have concrete proof from the Ottoman side which complements western sources that this was regarded as a very important military expedition. A. Cassola, *The 1565 Ottoman Malta Campaign Register*, (Malta, 1998), 122-123.

other economic activities. The main aim of this study shall thus be to analyze hitherto unexplored primary material which sheds light and gives insight into everyday life in the Maltese harbour area.

The underlying questions this study seeks to answer and interpret are mainly the following: what were the principal elements which shaped Malta's economic and social transition from the late middle ages into the early modern era? Most studies present the first few decades of the Order's rule as a period of indecisiveness, a time when the Hospitaller Knights were reluctant to invest their money and energy in an arid and bare island. Does the study of contemporary legal documents support this hypothesis, or does it offer a new reading of Maltese history? How did the local authorities react to the new laws promulgated by their new masters?

How about the local merchant community? Were these people 'borne up on the rising tide of a favourable "conjuncture"',⁴ with the coming of the Hospitaller Knights? To what extent can the historian state that these merchants grasped and pursued opportunities afforded to them as a result of the establishment of the new rulers? Did the coming of a naval Order provide the merchant class with a more prominent and active role in Maltese society? Do their actions and aspirations mirror similar trends in Europe? How do women fit into the picture? Were they protagonists in what was considered a man's world? Did they have any legal rights which they could use for economic gain? Were they better off, similar or worse than their European counterparts when it came to legal representation? Furthermore, how did men perceive the role of women in business affairs? How much did the novel role of Malta as the headquarters of a Christian Military Order affect its commercial links with the neighbouring North African territories and even as far as the Levant? Did the Rhodiot merchant community exploit existing trade links which they enjoyed with the subjects of the Ottoman Sultan? Did trade overcome religious divides? What was ended by the events of 1530, and what, on the other hand found a novel injection of investment by means of which it could flourish?

⁴ F. Braudel, *Civilisation matérielle, Economie et Capitalisme, XVe-XVIIIe siècle*, (3 volumes, Paris, 1979), Vol. II, 336, as quoted in, J. Day, *Money & Finance in the Age of Merchant Capitalism*, (Oxford, 1999), 148.

1.2 Malta and the surrounding Mediterranean context

The sixteenth century can be classified as a period of transition in European history characterised by a number of changes on the economic, social, religious and political level. In the long run, such changes were to disintegrate the old medieval order, and challenged traditional and established ways of thought.⁵ Although Malta was slow in shedding its medieval character, events taking place in the wider European context ultimately affected the island's society. Amongst other things, this century witnessed the westward culmination of the Ottoman Empire and its establishment as a Mediterranean power,⁶ together with the Habsburg-Valois contention which became more acute due to close Franco-Ottoman relations.⁷

Other important aspects characteristic of this century were the quarrels of reformation and its spread to western and eastern Europe⁸ which saw religious orders, as that of the Knights Hospitallers, lose substantial income from their estates.⁹ An event which would in subsequent years affect Malta greatly was the conquest of Rhodes by Süleyman the Magnificent from the Hospitaller Order of St John in 1522. After this loss the Knights had to wander for more than eight years from port to port at the mercy of their various hosts.¹⁰ The Hospitallers were in desperate need of territory to rule and a base from where they could consolidate and centralize not only their activities against the Muslim enemy, but even the communication between the conventual authority and the rest of the priories. The Knights were well aware of the importance of these

⁵ H.G. Koenigsberger, G.L. Mosse & G.Q. Bowler, *Europe in the Sixteenth Century, A General History of Europe*, (London & New York, 1989), 1.

⁶ M. Kunt & C. Woodhead (eds.), *Süleyman the Magnificent and His Age*, (London & New York, 1995).

⁷ Koenigsberger et al, *Europe*, 233-239; M. Greene, 'Resurgent Islam: 1500-1700', in D. Abulafia (ed.), *The Mediterranean in History*, (London, 2003), 219-249, 220.

⁸ Koenigsberger et al, *Europe*, 181.

⁹ As happened to the Order's property in Portugal, Naples and Savoy amongst other places.

¹⁰ V. Mallia-Milanes, 'A trial of Hospitaller strength: from Rhodes to Malta via Nice and Villefranche, 1523-1530', in G. Salvatore (ed.), *La Navigation du Savoie: Réseau des arsenaux historiques de la Méditerranée. Actes du Colloque: Premières journées internationales du patrimoine maritime méditerranéen, 27 au 30 mars 2003, Villefranche-sur-Mer*, (Nice, 2006), 73-81; V. Mallia-Milanes, 'A Pilgrimage of Faith, War, and Charity: The Order of the Hospital from Jerusalem to Malta', in J. Carvalho (ed.), *Religion, Ritual and Mythology: Aspects of Identity Formation in Europe*, (Pisa, 2006), 83-96.

issues if they were to confirm their significance in the Christian world. As Mallia-Milanes states, they were experiencing “a crisis of identity”;¹¹ thus, notwithstanding certain difficulties which will be highlighted in Chapter Two, they viewed the possession of Malta as a positive step towards regaining their *raison d’être*. Not only was the island considered a frontier base due to its close proximity to Muslim territory, but, through the utilization of its superb harbours, it could also serve as an excellent base for their naval activities. The continuance of the Holy War from this base would do justice to the constant flow of revenue from their commanderies spread all over Europe.

However, the act of receiving the island as a fief from Charles V projected the Order as now obliged to pay homage to the Spanish King. The Hospitallers, who were very keen on promoting their neutral status due to their heavy dependence on the benevolent actions of European Kings, knew that they had to tread very carefully in their diplomatic relations. This was especially so with the King of France since most of their income was derived from his domains.¹² Within this complex scenario of political struggles, Malta’s strategic location on the central axis of the Mediterranean and the use of its first class harbours by the Spanish naval base,¹³ accelerated the island’s significance within the wider Mediterranean context.¹⁴

As shall be extensively discussed in Chapter Two, ever since 1428, Malta was afforded the right of direct royal government by the Aragonese crown, a privilege enshrined in King Alfonso’s charter dated 20 June of the same year.¹⁵ This charter, later known as ‘*Magna Carta Libertatis*’,

¹¹V. Mallia-Milanes, ‘La donazione di Malta da parte di Carlo V all’Ordine di S. Giovanni’, in B. Anatra & F. Manconi (eds.), *Sardegna, Spagna e Stati Italiani nell’Età di Carlo V*, (Urbino, 2001), 137-148.

¹²A. Williams, ‘*Sacra Militia*, the Order of St John: Crusade, Corsairing and Trade in Rhodes and Malta 1460-1631’, in M. Fusaro, C. Heywood, M. S. Omri (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel’s Maritime Legacy*, (London & New York, 2010), 139-156, 150.

¹³F. Braudel, *The Mediterranean and the Mediterranean World in the age of Philip II*, (trans. S. Reynolds), (2 volumes, Berkeley, Los Angeles & London, 1995), Vol. II, 850.

¹⁴Braudel’s assessment is that the coast of Naples and Sicily together with Malta were ‘Italy’s maritime front against the Turks’, Braudel, *The Mediterranean*, Vol. II, 849.

¹⁵Similar privileges had already been bestowed on the islands. These were a renewal of Martin I’s pledge of 1397 that the islands would always be regarded as part of the royal *demanio*. Dalli, *Malta, The Medieval Millennium*, 211, 215, 248-249.

was a milestone in political relationships with the Aragonese crown. While welcoming the islands in his *demanio*, King Alfonso 'guaranteed the population the right to resist with force (*manu forti*) any future enfeoffment'.¹⁶ In fact, in subsequent years, reports of the enfeoffment of the island were strongly resisted by the local community and regarded as a serious violation of the island's liberty and privileges.¹⁷ From 1429 to 1530 the islands were administered by a relatively stable municipal government presided over by the royal captain (the Maltese *#akem*), and centred on the yearly elective administration of a team of four *jurats* (town council members) who were assisted by an inner circle of town councillors and municipal employees. Most aspects of administration were shouldered by the *jurats*. These included amongst others, the annual auction of taxes and revenues, the militia roster of watch duties, the running of the market, the activities of shopkeepers, issues concerning foreign and local merchants, the importation of grain and the maintenance of public order.¹⁸

On 10 April 1524, a meeting held by the members of the island's municipal council discussed alleged reports that Charles V had donated the islands to the Order of St John of Jerusalem. The members of the *Università*¹⁹ also discussed which measures were to be adopted should this enfeoffment materialize. Six years later, on 23 March 1530, the Emperor and his mother Joan issued a charter at Castel Franco wherein Malta, Gozo and the North African enclave of Tripoli were given as a free fief to the Knights of St John.²⁰ Chapter Two will investigate possible reasons why no sign of rebellion was recorded as having taken place on the Order's arrival. However, it could be safely stated that among the reasons was the revived Ottoman advance in

¹⁶ Dalli, *Malta, The Medieval Millennium*, 211.

¹⁷ An episode which is included in the records of the municipal council dated 20 July 1450, refers to rumours that King Alphonso gave the Maltese islands to the Order of Montesa (founded 1316 after the dissolution of the Templars) who were faithful servants of the crown of Aragon. During this meeting the majority of council members agreed that these knights should be expelled by force (*expellantur per vim*). C. Dalli, *Iż-Żmien Nofsani Malti*, (Malta, 2002), 198-199.

¹⁸ For a more detailed analysis of the functions of the municipal council refer to Dalli, *Malta, The Medieval Millennium*, 217-224.

¹⁹ The Municipal Town Council.

²⁰ NLM, AOM 70. In acknowledgement of this fief the Order was commanded to deliver to the Viceroy of Sicily a falcon once a year on All Saints' Day

the Mediterranean and the regular raids by both Muslim²¹ and Christian enemies of Aragon²² targeted at the poorly-guarded islands.²³ Such considerations must have influenced the local population to welcome the new masters with friendship instead of those of aggression. As shall be further discussed in Chapter Two, this welcoming approach is also to be observed in the light of the Order's promise to honour the privileges and liberties which the Maltese enjoyed prior to their rule which however were continually breached.

Despite Malta being ceded to the Knights of St John, politically and economically it remained closely connected to Sicily since the military Order fitted in nicely with the expansionist ambitions of the Viceroys of Spanish Sicily in North Africa.²⁴ Grand expeditions like those of Tripoli in 1560 were primarily undertaken through the initiative of the Viceroy of Sicily rather than following the Spanish King's own initiative.²⁵ As shall be discussed in Chapter Five, apart from joining other Christian forces, the Order also proved to be a constant nuisance for the Ottomans since, not only did it attack privateering allies of the Ottomans, but it also posed a constant threat to Muslim shipping routes and commerce. Thus, with the establishment of the Knights Hospitallers as 'border warriors', the islanders were faced with two opposing realities, on the one hand they now benefitted from the direct rule of the Order who sought to enhance the defence of the island, while at the same time the Order's unrelenting excursions against the Ottoman fleet made Malta a prime target for Ottoman vengeance. The dramatic repulsion of the Ottomans from Malta in the

²¹ Similar to the Hafsid invasion of September 1429 when the invaders numbered 18,000 troops on board 70 galleys. According to one source, this raid cost 3,500 inhabitants their freedom. This figure rises to 4,500 in a report reaching Venice in October (more than one third of the population), Dalli, *Iż-Żmien Nofsani*; Dalli, *Malta, The Medieval Millennium*, 235-236; and the Ottoman sack of the *Borgo* in 1488, Dalli, *Malta, The Medieval Millennium*, 240.

²² Such as the Genoese raids of the 1440s. Dalli, *Malta, The Medieval Millennium*, 232.

²³ According to Braudel, the dilapidated state of most coastal and inland fortresses and fortifications in Naples and Sicily was a usual sight by the beginning of the 16th century, and only occasionally would there be a provision for modernization. Braudel, *The Mediterranean*, Vol. II, 850.

²⁴ For a more detailed exposition of these ambitions up to 1525 see C. Trasselli, *Da Ferdinando il Cattolico a Carlo V: L'esperienza siciliana 1475-1525*, (2 volumes, Soveria Mannelli, CZ, 1982), Vol. 1, 205-236.

²⁵ Braudel, *The Mediterranean*, Vol. II, 854-865.

siege of 1565 vindicated the losses of Rhodes in 1522 and Tripoli in 1551.²⁶ This was also indispensable for the justification of the Order's presence in the Mediterranean in view of Ottoman imperial designs.

The post-siege period witnessed a massive infrastructural programme that included the building of a new fortified city, Valletta. To a large extent this structural change was made possible through the continuous flow of revenue from the Order's European priories. By the end of the sixteenth century the urban population of the island registered a considerable increase.²⁷ The harbour towns attracted people not only because of the protection they offered through their fortified bastion walls, but also due to their dynamism generating multiple commercial activities which were well-documented even in the pre-siege period in the harbour town of Birgu.²⁸

Thus, the establishment of the Order of St John on the island brought with it new social and economic values, not only through the various reforms embedded in new statutes and ordinances, but even through new exigencies demanded by the Knights. These demands were reflective of their high social standing and conspicuous consumption thus playing a significant role in bringing to the island an entirely different way of life. As shall be shown in Chapter Five, the expansion in Malta's trade links were a direct result of the establishment of the Order on the island which led to the setting up of a stronger commercial network between Malta and other neighbouring countries. Attractive trade opportunities brought together a number of individuals and entrepreneurs acting from different locations taking advantage of Malta's ideal location in the central axis of the Mediterranean.

²⁶ The 1551 Ottoman landing in Malta was not a great success, Turgut Reis the renowned and feared Ottoman corsair, found Gozo to be relatively easy prey. The latter was so ill-defended that the Ottomans managed to capture easily about five thousand inhabitants who were taken away as slaves. Afterwards, the Ottomans proceeded with their journey and succeeded in capturing the fortress of Tripoli.

²⁷ V. Borg, *Birgu: a demographic overview 1558-1658*, BA Hons. dissertation, (University of Malta, 1999); S. Fiorini, 'Demographic Growth and the Urbanization of the Maltese Countryside to 1798', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St John of Jerusalem*, 297-310; S. Fiorini, 'Demographical Aspects of Birgu up to 1800', in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), 219-254.

²⁸ J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, MA dissertation, (University of Malta, 2007).

1.3 The Mediterranean in European Historiography

That the Mediterranean region has been a favourite focus of study among numerous historians is reflected in the huge amount of literature, comprising both books and journals, covering the history of the region from antiquity to contemporary times. Insights in the main historical themes of the Mediterranean, such as, the geography and the connectivity or otherwise of the region and the impact of trade on cultural barriers, have all been the focus of much debated studies. The following discussion of the different methodological approaches adopted by various historians to the study of the Mediterranean, especially with regards to its economic life and the movement of cross-cultural trade, is not meant to be exhaustive. The main aim is to place the questions raised in this thesis in the context of other debates and highlight the contribution which studies such as the present one can bring to historical enquiry, while at the same time it also seeks to highlight their limitations.

1.3.1 Different methodological approaches to the study of the Mediterranean

A name synonymous with Mediterranean historiography is that of one of the most eminent founders of the *Annales* school of thought, Fernand Braudel. Braudel's huge contribution, *The Mediterranean and the Mediterranean World in the Age of Philip II*,²⁹ has been termed by Labrousse as marking 'an epoch in world historiography'.³⁰ Braudel treated with contempt³¹ the

²⁹ F. Braudel, *The Mediterranean and the Mediterranean World in the age of Philip II*, (trans. S. Reynolds), (2 volumes, Berkeley, Los Angeles & London, 1995). First published in France under the title *La Méditerranée et la Monde Méditerranéen à l'Époque de Philippe II*, 1949, second revised edition 1966.

³⁰ E. Labrousse, as quoted in P. Horden & N. Purcell, *The Corrupting Sea – A Study of Mediterranean History*, (Oxford, 2000), p. 36. For a critical analysis of Braudel's work refer to R. Romano, *Braudel e Noi – Riflessioni sulla cultura storica del nostro tempo*, (Rome, 1995).

³¹ Braudel refers to traditional history or the history of events as being no more than the foam on the waves of the sea of history, he states that, "we must learn to distrust this history with its still burning passions". According to Braudel, social, economic and geo-historical changes, which take place over a long period of time, are what really matter. Braudel, *The Mediterranean*, 'Preface to the First Edition', 21.

writing of an *histoire événementielle*,³² that is a study of history built exclusively around political events. In his work, he attempted to write a new kind of history known as ‘total history’ (*histoire totale*),³³ or structural history, showing the entire region’s life in a given period, and to discover the collective destiny of the Mediterranean in the sixteenth century.³⁴ Braudel puts special emphasis on how the geography of the region shaped the various civilizations that flourished on its shores and well beyond. He also discusses the plurality of historical time and the privileged role played by the *longue durée*³⁵ in the life of Mediterranean society,³⁶ since, he states, one cannot properly evaluate events without considering the substantially slower geographical and structural changes that influenced these events. In his work, amongst other issues, he discusses the unity and the coherence of the Mediterranean region; a homogeneous climate was the source of its physical unity which imposed its uniformity on both landscape and ways of life, which made possible a uniform rhythm of life with “identical problems and general trends if not identical consequences”.³⁷ In his discussion regarding the region’s economy he argues that although agriculture was the major sector in the Mediterranean during the sixteenth century, it was also an inelastic mode of production, since most of the agricultural products remained outside the

³² “a dismissive term for the history of events, launched by Braudel in the preface to his Mediterranean, but already used by Paul Lacombe in 1915 (while the idea goes back further still, to Simiand, Durkheim and indeed to the eighteenth century).” P. Burke, *The French Historical Revolution: The Annales School, 1929-89*, (Cambridge, 1990), 113.

³³ P. Burke, ‘Overture: the New History, its Past and its Future’, in P. Burke (ed.), *New Perspectives on Historical Writing*, (Cambridge, 1992), 1-23, 2-6. “Febvre liked to speak of *histoire tout court*, as opposed to economic or social or political history. R.H. Tawney, in 1932, used the term *histoire intégrale*, perhaps on a French model. But the anthropologist Marcel Mauss liked to use the adjective *totale* to characterize the approach of his discipline. Braudel employed the term in the conclusion to the second edition of his *Mediterranean* and elsewhere.” Burke, *The French Historical Revolution*, 114.

³⁴ Braudel, *The Mediterranean*, Vol. II, 1238 -1244.

³⁵ “This phrase became a technical term after its employment by Braudel in a famous article. [‘Histoire et sciences sociales: la longue durée, *Annales*’, 17 (1958)]. A similar conception underlies his *Mediterranean*, but in that book he wrote of *une histoire quasi immobile* (for the very long term) and *une histoire lentement rythmée* (for changes over a mere century or two).” Burke, *The French Historical Revolution*, 114.

³⁶ D. Tomich, ‘The Order of Historical Time: The Longue Durée and Micro-History’, *Colloquium to Commemorate the 50th Anniversary of Fernand Braudel*, “*Histoire et sciences sociales: La longue durée*,” *Annales E.S.C.*, XIII, 4, 1958, 24-25 October 2008.

<http://www2.binghamton.edu/fbc/archive/tomich102508.pdf>, (accessed on 22 August, 2012).

³⁷ Braudel, *The Mediterranean*, Vol. 1, 14 (preface to the English translation of 1972)

monetary economy.³⁸ For Braudel, the sixteenth-century Mediterranean was still a world of peasants and landlords where possession of land was still a very important matter. Furthermore he states that, although there was an increase in the circulation of money, this was mainly restricted to the urban centres and hardly touched the countryside where barter and payment in kind remained predominant. Another kind of unity was human unity, achieved through navigation, communication, transport and means of exchange through land and sea routes. Through all of these, the Mediterranean became interconnected. Braudel's estimation of the numerous islands found in the Mediterranean Sea, amongst which lies Malta, is that these were isolated worlds that had a precarious, restricted, and threatened life (with the exception of Sicily, which however he points out, although rich was poorly served in the regions of the interior).³⁹

Braudel's novel method of approach to history attracted considerable criticism, even though in his second edition of his work he complained that he had been 'much praised and little criticized'.⁴⁰ Such reaction was of course expected since by their own nature, the intrinsic value of such seminal studies trigger off intellectual debates which spread like wildfire and involve several disciplines within the humanities and social sciences, and which ultimately raise more questions than might possibly be answered.⁴¹ The main criticisms put forward to the 'Braudelian approach' included amongst others that the historian endorsed environmental determinism, and depicted a world unresponsive to human control. According to Braudel, man was a prisoner not only of his physical environment, but also of his mental framework.⁴² "When I think of the individual", he wrote, "I am always inclined to see him imprisoned within a destiny [*enfermé dans un destin*] in

³⁸ Braudel, *The Mediterranean*, Vol. I, 425.

³⁹ Braudel, *The Mediterranean*, Vol. I, 154, 383.

⁴⁰ Burke, *The French Historical Revolution*, 380.

⁴¹ M. Fusaro, 'After Braudel: A Reassessment of Mediterranean History between the Northern Invasion and the *Caravane Maritime*' in M. Fusaro, C. Heywood, M. S. Omri (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel's Maritime Legacy*, (London & New York, 2010), 1-22, 1.

⁴² Burke, *The French Historical Revolution*, 40.

which he himself has little hand".⁴³ This new history was history written in deliberate reaction against the traditional 'paradigm', better described as 'Rankean history'.⁴⁴ As a consequence Braudel has been criticized for relegating certain perceptions, attitudes, beliefs, events and individuals, like honour, shame, masculinity,⁴⁵ the Reformation, the Counter-Reformation, the Baroque, the clash of Islam and Christianity and Philip II, to relatively few pages of his work.⁴⁶

Maria Fusaro states that recent studies on Mediterranean early modern trade have shown it "to be much more complex than has been acknowledged either by Braudel himself, or by traditional economic historiography".⁴⁷ The almost invisible line which separated aggressive corsairing expeditions from commercial navigation is one aspect which has only recently started to be analyzed and evaluated. Following this path, the present study strives to re-assess not only the economic realities of Malta, but also how these can be applied to unravel the daily life of sixteenth-century Mediterranean traders and seafarers in general; their aspirations, their success and their failures. The Maltese islands present an ideal case study since, through its wealth of extant documentation mainly derived from court and chancery records complemented by notarial acts, it portrays the interplay between corsairing and trade in an unparalleled manner. These documents also shed light on a variety of agreements and show how at times merchants, traders and moneylenders from all across the Mediterranean sought to circumvent the law in order to make profit certain. On the other hand, concern to find trading allies as near as North Africa and as far as the Levant compelled the Knights Hospitallers to make full use of existing links which the Rhodiote community, and also Muslim captives, enjoyed. Furthermore, this study seeks to assess the impact of institutional change on Malta's micro-economy and on how this affected its wide

⁴³ F. Braudel, *La Méditerranée et le monde Méditerranéen à l'Époque de Philippe II*, (2nd edition, enlarged, 2 vols., 1966; English trans., 2 vols., London 1972-3), 1244 as quoted in Burke, *The French Historical Revolution*, 40

⁴⁴ Burke, 'Overture: The New History', 2 – 3.

⁴⁵ Burke, *The French Historical Revolution*, 39

⁴⁶ D. Abulafia, *The Great Sea: A Human History of the Mediterranean*, (London, 2011), xxvi.

⁴⁷ Fusaro, 'After Braudel: A Reassessment of Mediterranean History between the Northern Invasion and the *Caravane Maritime*', 5.

maritime trading zone. It shall be argued how, in spite of the island's lack of essential resources, the establishment of a strong naval power that sought to maximize the use of Malta's excellent harbours and its strategic position, provided the necessary impetus for commerce to grow in an unprecedented way.

Moving back to Braudel's work, it is to be noted that his hypothesis of a slow and almost static growth in the economy of sixteenth-century Mediterranean islands has not been hitherto tested within Maltese historiography. However, Stephen Epstein tackled this subject with respect to late medieval Sicily, which, although constituting a fertile and much larger island than Malta, was still considered to be highly underdeveloped. It had traditionally been suggested that Sicily's underdevelopment was mainly due to "landlord absenteeism, low investment, lack of innovation, and peasant poverty and exploitation".⁴⁸ Historians such as Braudel and Bresc⁴⁹ put forward hypotheses which stated that Sicilian agricultural workers pursued subsistence strategies that made them heavily dependent on foreign trade, and this consequently justified the quasi-static pace of economic development. Epstein on the other hand dismissed this interpretation and instead suggested that although peasants used seemingly 'archaic' tools such as oxen and scratch ploughs, "yield ratios in Sicily up the eighteenth century seem to have been equivalent or higher than in the most advanced northern European countries."⁵⁰ Furthermore, Epstein argues that Sicilian economic development during the late middle ages and early modern period was largely shaped by regional political and institutional structures which regulated access to markets. As institutions changed, these brought with them a change in economic policies that ultimately affected the long-term economic development of that particular society.⁵¹ Agricultural workers

⁴⁸ S. R., Epstein, *An Island for itself – Economic Development and Social Change in Late Medieval Sicily*, (Cambridge, 1992), 163.

⁴⁹ H. Bresc, 'Reti di scambio locale e interregionale nell'Italia dell'alto Medioevo', in R. Romano & U. T. Tucci (eds.), *Storia d'Italia, Annali, VI*, 135-178, Epstein, *An island for itself*, 162.

⁵⁰ Epstein, *An island for itself*, 163.

⁵¹ Epstein, *An island for itself*, 1, 95, 162-168.

adopted what he refers to as strategies of regional integration and specialization which made them more commercialized. Through such schemes, the production of high-value added agricultural products, such as silk and to a lesser extent sugar, was intensified. Ultimately this proved to be economically rewarding, while at the same time it supported a much more export-oriented economy.

Does Epstein's theory also hold for the Maltese context? As shall be discussed in Chapter Three, medieval and early modern Malta was heavily tied to an agrarian based economy and highly dependent on foreign imports. A striking difference between Sicilian and Maltese peasants was that unlike their Sicilian counterparts, Maltese peasants usually owned at least a field and were greatly disinclined to alienate their property outright.⁵² Consequently, such ownership of freehold land placed Maltese peasants in a superior status than those of Sicily where allodial property was limited.⁵³ On the other hand, just like in the Sicilian context, tax exemptions on the import of various staple food such as wheat and wine, granted by the Spanish monarchs since medieval times, encouraged landholders to invest in niche products for foreign markets. These included products such as cotton and cumin, which required less arable land to cultivate than wheat, and brought in better financial rewards. As a direct result of this specialization local wheat production diminished, thereby appearing to expose the island to a precarious life. However, as shall be discussed in Chapter Three, this insufficiency is to be evaluated vis-a-vis the local producer's choice of sowing high-value products.

Although Epstein's theory for the Sicilian economy does not fully fit the Maltese picture, there exist many similarities between the two economies. In fact, as already referred to above, the preference for the production of specialized goods which was experienced in the Sicilian economy

⁵² G. Wettinger, 'Agriculture in Malta in the Late Middle Ages', in M. Buhagiar (ed.), *Proceedings of History Week, 1981*, (Malta, 1982), 1-48, 6-7.

⁵³ Epstein, *An island for itself*, 282.

may also be said to have taken place in Malta in the late middle ages. This preference not only made Maltese farmers more export-oriented but also more dependent on Sicilian grain imports. Similarly to Sicily, the socio-institutional and organizational context played a relatively major role in the economic development of the island. Even though Malta registered a high level of peasant land ownership versus the limited peasant smallholding in Sicily,⁵⁴ from the late thirteenth century, fiefs in Sicily “began to parcelled out as farms (*masserie*) of fifteen to forty hectares [...] the size of the *masserie* seems to have been the result of bargaining between the landlord and the *massaro* based on criteria of commercial profitability.” Similarly for the Maltese context the leasing out of parcels of land by the landowner, referred to in notarial documents as *Cabella*, *Incabellacio* or *Gabella*, was a common occurrence ever since medieval times.⁵⁵ Thus, in both islands, the structure of property rights to land made it possible for land to be parcelled out and managed in a way which was not an obstacle to agricultural development.⁵⁶

Just like in the Sicilian context, a credit system through which a lender advanced working capital including farm animals and cash⁵⁷ was already established in Malta before the coming of the Knights.⁵⁸ This system is defined by Epstein as a system where “merchants advanced capital to producers, which was repaid with grain at a price (the *meta*) agreed upon after the following harvest; the *meta* embodies the rate of interest.”⁵⁹ Due to the fact that Maltese notarial acts for the period under study are more abundant than those for the medieval period, these document

⁵⁴ In Sicily large proportions of arable land were under feudal lordship, however, Epstein states that “with the law *Volentes*, promulgated by Federico III in 1296, which legalized the sale of whole fiefs to individuals of ‘equal or greater dignity’ than the seller... particularly from the mid-fourteenth century, and increasing during the fifteenth –[the effect of this law] was to accelerate the circulation and fragmentation of ‘feudal’ land, at first only among the aristocracy, but increasing also among urban nobility, merchants and high government officials”. Epstein, *An island for itself*, 165.

⁵⁵ S. Fiorini (ed.), *Documentary Sources of Maltese History Part 1 Notarial Documents No.3 Notary Paolo Bonello MS. 588: 1467-1517 & Notary Giacomo Zabbara MS. 1132: 1471-1500*, (Malta, 2005). Docs 1-2, 7, 13,91, 98, 102,132,150,168,175, 188,193, 202, 206.

⁵⁶ Epstein, *An island for itself*, 165-166.

⁵⁷ Epstein, *An island for itself*, 166.

⁵⁸ Fiorini (ed.), *Documentary Sources, Part 1 Notarial Documents No.3*, Docs 13, 19-21, 24, 31, 32, 44, 47, 55, 57, 65, 66, 77, 78, 86, 88, 114, 138, 139, 201.

⁵⁹ Epstein, *An island for itself*, 167.

more frequently the important representation of petty transactions where small amounts of cotton, cumin and wheat were traded for cash advances. At times such agreements were done well before harvest time, thus suggesting that these advances helped to stimulate the economy and ensure that the farmer was provided with the necessary working capital.

Another attempt at dealing with the history of the Mediterranean as a whole and on a long time-scale is Horden and Purcell's hefty work, *The Corrupting Sea: A Study of Mediterranean History*.⁶⁰ This study, which is the first part of a two-volume project, offers a discussion on the historiography of the region from pre-history to the middle ages, and also covers ideas like Mediterranean micro-ecologies; revolution and catastrophe; the geography of religion and the uses of social anthropology. Making use of a wide array of primary sources, the authors ambitiously and painstakingly aim at testing Braudel's interpretation of the *longue durée* and stress the relationship between the diverse localities of the Mediterranean and the 'connectivities' that link them to each other. In the authors' opinion, Mediterranean unity went through a slow but gradual disintegration phase. The Mediterranean's overarching role was that of "mediator and boundary, as zone of transition and agent of comparison and differentiation".⁶¹ The authors state that great events did exist, however, these should not be over-emphasized but taken as forming part of this gradual transformation. Horden and Purcell challenge traditional views regarding the region's agrarian society, which according to them, have underestimated "the complexity and sophistication of the responses of producers to their circumstances".⁶² They place emphasis on systems of exchange, which sought to satisfy primary needs and commodities such as grain, oil and timber, and not on the traditional major trade routes. In their view the tendency to ignore "low trade" in favour of high commerce has resulted in producing a Mediterranean economic

⁶⁰ P. Horden & N. Purcell, *The Corrupting Sea – A Study of Mediterranean History*, (Oxford, 2000). For an interesting commentary on Braudel and on Horden and Purcell, see B. D. Shaw, 'Challenging Braudel: A New Vision of the Mediterranean', *Journal of Roman Archaeology*, 14, (2001), 419-453.

⁶¹ Horden & Purcell, *The Corrupting Sea*, 460.

⁶² Horden & Purcell, *The Corrupting Sea*, 273.

history which led to a “misleading dominance... of the defined trade route and of labelled resources”.⁶³ For the authors Mediterranean islands, like Malta, held a “gravitational pull” on shipping, thus the sea surrounding these islands did not serve as a barrier, but rather, this maritime connectivity role linked these islands to the outside world and introduced them to new systems of trade.⁶⁴ Horden and Purcell’s work has been mainly criticized for tackling certain topics, like trade and piracy, in a general way and for having a penchant for lengthy theoretical discourses. David Abulafia has also noted that this work was “still not so far from Braudel: the *longue durée* has lengthened considerably, yet the people who inhabit this landscape are masses and waves”.⁶⁵ He also notes that in their last analysis, the authors “are essentially concerned with what happens on land rather than on the surface of the sea itself.”⁶⁶ Another criticism refers to the book’s lack of references to one of the major players in Mediterranean history, the Ottoman Empire, since according to the authors this empire had its “centre of gravity well beyond the region”,⁶⁷ apart from the fact that the book deals with a period before the Ottoman Empire reached the Mediterranean.

Another leading scholar who has contributed greatly to our knowledge of Mediterranean political and commercial affairs, especially during the high and late middle ages, is David Abulafia. His recent *The Great Sea: A Human History of the Mediterranean* takes the reader from the age of the Phoenicians to the Mediterranean in modern times, and he provides a narrower definition of this Sea than that given by Braudel. In the preface Abulafia explains that the work deals more with the Mediterranean Sea and the littoral communities that established themselves around its rim. In the author’s own words “My ‘Mediterranean’ is resolutely the surface of the sea itself, its shores and its islands, particularly the port cities that provided the main departure and arrival points for

⁶³ Horden & Purcell, *The Corrupting Sea*, 365.

⁶⁴ Horden & Purcell, *The Corrupting Sea*, 138.

⁶⁵ D. Abulafia, *The Mediterranean in History*, (London, 2003), 25.

⁶⁶ Abulafia, *The Great Sea*, xxv.

⁶⁷ K. Fleet, ‘The Mediterranean’, *Journal of Early Modern History*, Vol. 6, No. 1, (2002), 63-72, 63-66.

those crossing it".⁶⁸ Islands whose inhabitants looked outward have a special mention in this history. It is thus for this reason, he states, that the Maltese feature more prominently than the Corsicans.⁶⁹ Abulafia also emphasises the economic importance of tiny port cities like Amalfi, and how their merchants, despite being small in number and having a restricted hinterland, managed to prosper. The book has five chronological sections each discussing the varying cycles which led to the weaving of trade and cultural exchange between different powers during different chronological periods, and the processes which ultimately lead to their rupture or reversal. The merchant is a central figure in this narrative, since an important part of the sea's history is the process of exchange and competition that was naturally driven by the need to provide commodities ranging from the most exotic and costly like salves, spices and silk to the most essential like grain and wine. According to Abulafia, "Whereas Braudel offered what might be called a horizontal history of the Mediterranean, seeking to capture its characteristics through the examination of a particular era, this book attempts to provide a vertical history . . . emphasizing change over time."⁷⁰

Another work which Abulafia has edited and which was intended to take a different route from the works of Braudel and Horden & Purcell is a collection of ten essays entitled, *The Mediterranean in History*, which treats the Mediterranean from prehistory through to the year 2000 AD. In Ryan Balot's review of the collection however, Abulafia was criticized for being indebted to Braudel's *longue durée* model, and this notwithstanding that Abulafia set out to distance himself from this type of historiography by exaggerating deficiencies found in Horden & Purcell's volume due to its methodological proximity to Braudel's Mediterranean.⁷¹ In defence of the fact that in this work certain topics have been emphasized more than other equally important

⁶⁸ Abulafia, *The Great Sea*, xvii.

⁶⁹ Abulafia, *The Great Sea*, xxiv.

⁷⁰ Abulafia, *The Great Sea*, xxvi.

⁷¹ R. K. Balot, *Bryn Mawr Classical Review*, <http://ccat.sas.upenn.edu/bmcr/2004/2004-07-51.html>. (Accessed: 26 October 2008).

themes, the editor states that each author was allowed to develop her/his own argument in the way s/he deemed best. However, a common factor for all contributors was the “concern to relate developments on one side of the sea to those on another and to show how the Mediterranean is far more than an empty space between the landmasses of Europe, Africa and western Asia”.⁷² Thus the authors gave great emphasis to the human element in Mediterranean history, something which, the editor states, was lacking in Braudel’s way of interpreting history. Abulafia goes on to explain that, “in writing the history of the Mediterranean it is essential to write a human history of the Mediterranean Sea expressed through the commercial, cultural and religious interaction that took place across its surface”.⁷³ The editor here makes reference to Shlomo Goitein’s multi-volume classical work, *A Mediterranean Society*, which depicts a world of Jewish merchants trading from India to Sicily. Through the discovery of documents in the Geniza of old Cairo dating back mainly from 950 to about 1200, the author managed to bring to life the thoughts and activities of a prosperous, mercantile ‘middle’ class and of what he referred to as a medieval free-trade community and democracy. These merchants were an integral part of a Mediterranean society wherein Jews and Arabs enjoyed a mobility that did not exclude contact with European traders, even during times of hostility between the Cross and the Crescent. Goitein had thus shown that the discovery of new evidence can transform our perspective of a period. Likewise, *The Mediterranean in History* places particular emphasis on the way in which the sea acted as a medium to enable communication, exchange, and conflict among the diverse political, social, and religious groups found in the Mediterranean basin. It is Molly Greene’s contribution to the collection, “Resurgent Islam: 1500 – 1700”, which mainly deals with the sixteenth-century Mediterranean. While tracing the rise of the Ottoman power and the Ottoman-Christian rivalry,

⁷² Abulafia, *The Mediterranean in History*, 9.

⁷³ Abulafia, *The Mediterranean in History*, 26.

Greene illustrates the role of the sea in creating large conglomerations of power and wealth, while at the same time linking hostile powers through trade.⁷⁴

In view of these historiographical approaches, can a study of trading activities taking place in Malta during the sixteenth century shed light on supposed larger inter-group relationships taking place in the Mediterranean? Can it provide an explanation as to how different religions and cultures traded successfully? Maltese private and public records, such as notarial acts and chancery documents, provide the historian with a good representation of both Christian and Muslim traders criss-crossing the Mediterranean. These documentary traces allow for the examination of specific informal networks that managed to infiltrate markets which were outside their geographical, political or cultural area. In this study it will be shown how, through the issue of official permits such as safe conducts, the government played a central role in reducing uncertainty and in helping to foster trade links.⁷⁵ The study of Malta's first few decades under the Knights Hospitallers make such a study even more interesting since, together with the local entrepreneurial community was added the Greek community of merchants. As already noted, while serving the Order in Rhodes, these had already benefitted from strong links with traders in the Levant and beyond. This issue is of great importance if one is to understand how both Muslim and Christian merchants sought to exploit each other's markets. It also exposes the need for having trustworthy merchants who, even in the lack of legal coercion, could deal with foreign merchants especially those across the geographical, religious and cultural divide. As Francesca Trivellato explains, a recent historiographical trend has looked at "how economic exchanges occur in the absence of violence, institutional coercion or a common legal system. Using game theory

⁷⁴ M. Greene, 'Resurgent Islam: 1500-1700', in Abulafia, *The Mediterranean in History*, 219-249.

⁷⁵ This same procedure was adopted by the Ottomans for foreign merchants or visitors since these had to obtain a special authorization or safe conduct from the sultan or local *kadi*. Islamic Law permitted the enslavement of a non-Muslim foreigner who did not qualify for capitulation guarantees. H. Inalcik & D. Quataert (eds.), *An Economic and Social History of the Ottoman Empire 1300-1914*, (Cambridge, 1994), 193-194.

and rational theory models, its advocates explain good conduct in business as a result of informal elements (such as friendship, reputation, information flow, and shared beliefs) that induce self-interested individuals to commit themselves to honesty".⁷⁶ Trivellato further suggests that "the pursuit of economic gain was inseparable from the development of a common logic".⁷⁷

1.3.2 Ottoman-Christian connectivity throughout the Mediterranean

During the thirteenth century the Byzantine Empire had lost all of its overseas territories to the benefit of the Italian city-states, mainly Venice and Genoa. This made them economically dependent on the Latins, who in turn benefitted from full exemption on tariffs and other incentives and monopolized the trading in foodstuffs and raw material from the Black Sea to the communes of Italy.⁷⁸ Exploitation of the indigenous people by the Catholic Latin feudal masters and shortage of wheat often led to insurrections by the common people who were led by the Orthodox clergy. The advent of Ottoman rule in these territories established a general policy which saw the start of a scheme intended to abolish sovereignty rights over the territories which originally belonged to the pre-Ottoman states and to deal with the colonies according to Islamic rules regarding non-Muslim subjects or foreigners under capitulatory amnesty.⁷⁹ After the conquest of Constantinople by the Ottomans in 1453, rigid measures controlling mercantile traffic between the Mediterranean and the Black Sea were put in force. Elizabeth Zachariadou explains how in the middle of the fifteenth century, when Rhodes was under Hospitaller rule, the Greek-Orthodox monks of Patmos who were Ottoman subjects, maintained good relations with the Hospitallers.⁸⁰ She further explains that the dual protection which these monks enjoyed benefitted both Muslims and Christians in trading matters and even for spying purposes. The author discusses

⁷⁶ F. Trivellato, 'Jews of Leghorn, Italians of Lisbon, and Hindus of Goa: Merchant Networks and Cross-Cultural Trade in the Early Modern Period', in D. R. Curto & A. Molho (eds.), *Commercial Networks in the Early Modern World*, (European University Institute, Florence, 2002), 59-89, 63.

⁷⁷ Trivellato, 'Jews of Leghorn, Italians of Lisbon, and Hindus of Goa', 65.

⁷⁸ Inalcik & Quataert (eds.), *An Economic and Social History of the Ottoman Empire*, 271-272.

⁷⁹ Inalcik & Quataert (eds.), *An Economic and Social History of the Ottoman Empire*, 272-274.

⁸⁰ E. Zachariadou, 'Monks and sailors under the Ottoman Sultans', in *Oriente Moderno*, Nuova serie, Anno 20 (81), Nr. 1, 'The Ottomans and the sea', (2001), 139-147, 144.

how at times *firmans* obtained by these Greek monks to buy grain from Ottoman territory carried with them spying missions on the movement of the Turkish forces. This is attested from several letters written by the Abbot of Patmos to the Venetians during the Ottoman siege of Rhodes. In fact, after visiting the Ottoman sultan's camp in Rhodes and obtaining a *firman* to buy grain from Menteşe, this abbot supplied the Venetians with various information regarding the movement of the Ottoman fleet. On the other hand, these monks also established similar relations with the Ottoman Turks, thereby, in Zachariadou's own words, "Patmos got the best of the three worlds: Muslim, the Roman Catholic and the Greek Orthodox".⁸¹ Emphasizing the need for having good links even in enemy territory, Chapter Five of the present study shall try to prove how existing business links between Rhodiots and foreigners were exploited by the Knights Hospitallers once established in Malta. Similar to what had happened in Rhodes, the Order's aim was not simply to extend the island's trading zone, but even to spy on the enemy. The Maltese local population thus also tried to exploit all possible links and get the best out of the three worlds – Muslim, the Roman Catholic and the Greek Orthodox. Christian and Muslim captives⁸² also served as mediators who circulated information on the enemy through their ransoming activities. Until a decade ago very few histories focused on ransom procedures and their role in the economy of the

⁸¹ Zachariadou, 'Monks and sailors under the Ottoman Sultans', 145.

⁸² Fontenay insists that one needs to differentiate between the term "captives" and "slaves" since the former had an exchange value, while slaves had a use value. The majority of captives were bought with the intent of making a good investment while slaves were bought to reap the fruits of their labour. According to Fontenay one thus needs to distinguish between Christian or Muslim slaves who sought to redeem themselves and "black" African slaves who were acquired from the sub-Saharan and who lived in shackles without the hope of ever being ransomed. M. Fontenay, 'Esclaves et/ou captives: préciser le concepts', in Wolfgang Kaiser (ed.), *Le commerce de captives: les intermédiaires dans l'échange et le rachat des prisonniers en Méditerranée, XVe-XVIIIe siècle*, (Rome, 2008), 15-24. Fontenay's argument has been criticized in that not all Christian and Muslim slaves were eventually ransomed, in fact the majority died in slavery, and that contemporary writers used both terms interchangeably in their sources. D. B. Hershenzon, *Early Modern Spain and the creation of the Mediterranean: Captivity, Commerce, and Knowledge*, (PhD thesis, University of Michigan, 2011), 25. http://deepblue.lib.umich.edu/bitstream/2027.42/89664/1/hershenz_1.pdf: (accessed 26 October 2012). Salvatore Bono on the other hand argued that only those slaves who were eventually ransomed could be termed as "captives", and this distinction could only be made after the actual ransom has taken place. S. Bono, 'Slave Histories and Memoirs in the Mediterranean World: A Study of the Sources (Sixteenth-Eighteenth Centuries)', in M. Fusaro, C. Heywood, M. S. Omri (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel's Maritime Legacy*, (London & New York, 2010), 97-115, 100.

Mediterranean⁸³. A fresh perspective was presented by historians like Wolfgang Kaiser who redefined redemption processes and classified them as forming an economy of ransom.⁸⁴ This economy was fuelled by another important sector in the economy of Mediterranean countries – the *corso*. Kaiser argues that the regulation of corsairing activities and the subsequent ransoming processes provided a means for rationalizing trade with the “enemy”. Following this line of thought, this paper will explore how ransom intermediaries interacted with institutions who in turn tried to regulate their activities through the issue of safe passages. Such practice helped to weave a web of connectivity throughout the Ottoman-Christian Mediterranean and shape the economic policies of both religions. It will also show how the ransoming of Christian and Muslim captives did not always follow a separate process, one independent from the other, but at times these ransom expeditions were combined to fully exploit a round trip voyage by taking “home” redeemed “infidel” slaves and bringing back Christian captives in the incoming journey. Thus such processes are no longer depicted as single phenomena but rather as a more complicated process of negotiation which required mutual co-operation between the two main religions who were constantly contesting for power in the Mediterranean.

The exploitation of both notarial and chancery documents highlight this kind of activities in an unprecedented way. Furthermore, the role of Muslim captives which is so evident in these documents complements recent studies which have addressed the long-neglected economic role

⁸³ These include *Annales* historians like J. Mathiex, “Trafic et Prix de l’Homme en Méditerranée aux XVII^e et XVIII^e Siècles”, *Annales*, E.S.C., 9 (1954), 157-164; L. Valensi, “Esclaves Chrétiens et Esclaves Noirs à Tunis au XVII^e Siècle”, *Annales*, E.S.C., 9 (1967), 1267-1288 who tackled Christian slavery in North Africa from an economic perspective by looking at prices, markets and profits. More recently historians like Ellen Friedman analyzed the activities of religious orders who were commissioned to carry out ransom procedures in the Maghrib, E.G. Friedman, *Spanish Captives in North Africa in the Early Modern Ages* (Madison, Wis., 1983). The most comprehensive work to date is that by R.C. Davis, *Christian Slaves, Muslim Masters: White Slavery in the Mediterranean, the Barbary Coast, and Italy, 1500-1800*, (New York, 2003).

⁸⁴ W. Kaiser, ‘La excepción permanente. Actores, visibilidad y asimetrías en los intercambios comerciales entre los países europeos y el Magreb (siglos XVI-XVII)’, in José Antonio Martínez Torres (ed.), *Circulación de personas e intercambios en el Mediterráneo y en el Atlántico (siglos XVI, XVII, XVIII)*, CSIC, 2008, 171-189; ‘L’économie de la rançon en Méditerranée occidentale (XVIe-XVIIe siècle)’, in S. Cavaciocchi (ed.), *Ricchezza del mare, ricchezza dal mare*, (secc. XIII- XVIII), (2 volumes, Florence, 2006), Vol. 2, 689-701.

of the Ottoman Empire. In line with prevailing historiographical concerns, Ottoman studies pre-dating the Second World War were centred almost exclusively on political and military events. As Inalcik explains, “the Ottomans represented for the Europeans primarily a military intrusion, requiring latter day crusades that haunted the Western memory”.⁸⁵ A growing interest in the West as regards social and economic history, together with better accessibility to Ottoman archives made it possible to shift the discussion and expand Ottoman historiography to include similar historical debates. This study shall strive to follow in this path and through a better accessibility of notarial sources, which have only recently started being tapped to enrich Malta’s social and economic history, it hopes to offer a somewhat “different” historical perspective. Breaking away from the traditional role assigned to the “Turk” - that of the “enemy”- in this thesis the “Turk” shall be shown as a negotiator and business partner, a role which even though limited, has been highly underestimated. Established historical links remained in place, thus Sicily was still Malta’s main life-blood of supplies. However, it shall be shown how alternative routes were often explored and exploited by the Knights, routes which often required carrying out trade with the “Turk” or with subjects of the Ottoman Empire.

Revenue from taxes on slaves and customs duties constituted a major source of income for both Maltese and Ottoman economies.⁸⁶ Slaves were a crucial human commodity for the proper functioning of a naval organization like the Hospitaller Order, built around a fleet of galleys. Apart from being essential in both the military and economic areas, at the same time they were an integral part of society. The same may be said as regards Ottoman society since even here slaves contributed considerably towards its proper functioning. Such demand made slaves an indispensable form of manpower in pre-industrial societies and consequently a regular flow was

⁸⁵ Inalcik & Quataert (eds.), *An Economic and Social History of the Ottoman Empire*, 2.

⁸⁶ During the fourteen month period covering the years 1577-78 these contributed to an estimated 29% of the total revenue coming from Ottoman possessions in the Crimea. Inalcik & Quataert (eds.), *An Economic and Social History of the Ottoman Empire*, 283.

deemed essential. In Malta's case this demand was accelerated by the coming of the Knights Hospitallers who managed to establish a highly active slave market and almost immediately upon their arrival turned the island into a main centre for human trafficking. The meteoric profits derived from such activity served as a healthy incentive for both Ottoman and Christian raiders and traders. Similar to the Islamic system of permitting slaves to work under limited service contracts, in Malta slaves were also allowed to gain their own income, small as this might have been. Such independent activity permitted slaves to save up for their ransom price which in many cases was agreed upon before a notary. Just like in Islamic lands,⁸⁷ Christians looked upon the manumission of a slave as a charitable act and such good deeds constitute a common feature in wills where testators made sure to insert a clause whereby a slave, or perhaps more, were to be set free upon the testator's death. Other notarial acts indicate how manumission agreements between masters and their captives were formulated and offer various possible terms and conditions with which the parties were bound. It shall also be shown how the Mediterranean was not only a space dominated by the political players, but also a space where an ensemble of intermediaries holding diverse religious beliefs played an active role in building trading networks through activities such as the ransoming of slaves. As already highlighted, captured, ransomed or runaway slaves also played an instrumental role in the production and circulation of knowledge, not only about other captives but also answered questions which arose about military defence.

1.3.3 Political change and its impact on commercial activities

Exploring a geographically closer island to Malta and taking a focused approach on one of the most understudied kingdoms of the Mediterranean is David Abulafia's *A Mediterranean Emporium: The Catalan Kingdom of Majorca*.⁸⁸ As the title suggests this work analyses, the Mediterranean Kingdom of Majorca established by James I the Conqueror (r. 1213-1276) in 1276.

⁸⁷ Inalcik, Quataert (eds.), *An Economic and Social History of the Ottoman Empire*, 284.

⁸⁸ D. Abulafia, *A Mediterranean Emporium: The Catalan Kingdom of Majorca*, (Cambridge, 1994). This kingdom included the Balearics, Montpellier and other Catalan domains mostly east of the Pyrenees.

Abulafia utilizes its history to give a broader overview of commercial and political developments in the Western Mediterranean, such as trading relations between different ethnic and religious groups made up of Muslims, Christians and Jews, from the thirteenth to the fifteenth century. Furthermore he offers an insight on the Christian-Muslim conflict and its impact on European expansion in the Atlantic and North African coasts, and how the Catalans contributed to this commercial and political expansion through their technical knowledge, especially that of the use of portolan charts and atlases.⁸⁹ Abulafia has shown how the establishment of a strong political power, coupled with the commercial activities of both local and foreign seafarers in a particular region, greatly motivated and enhanced trade within that region and thus contributed to the strengthening of commercial relations, which is exactly what I will argue happened in Malta's case. This was especially so since the 'international standing'⁹⁰ of a particular place could be enhanced through already established foreign links which the ruling body enjoyed with foreign countries. Another striking similarity between the two Mediterranean islands was the way in which the inhabitants of both islands, especially the trading community, may have looked at a change of ruler. From their part, the Majorcan inhabitants, especially the Catalan population, may have perceived this change⁹¹ as a secure means to better their trading prospects, while, as shall be discussed later on, this thesis puts forward the hypothesis that one of the reasons which could have led to the peaceful establishment of the Knights Hospitallers in Malta was the possible support gained from established merchants who, until the arrival of the Order, had been prevented from holding key administrative positions. Just like in Malta's case, Majorca could not have survived without trade due to a heavy dependence of supplies, like grain, from Sicily. Soon after the conquest of Majorca, both Pope Gregory IX and Innocent IV granted special privileges to

⁸⁹ Abulafia, *A Mediterranean Emporium*, 12.

⁹⁰ Abulafia, *A Mediterranean Emporium*, 75.

⁹¹ That is from that of the James II King of Majorca to Peter the Great of Aragon.

the Christians of the island to trade with the Muslims in North Africa.⁹² Such concessions were not unique and were occasionally granted to various Catholic rulers.⁹³ As shall be shown in Chapter Five, while still in Rhodes the Knights already enjoyed similar concessions, and even prior to their establishment in Malta, they petitioned the Holy See to grant them permission to trade with Muslims due to the island's insufficient resources.⁹⁴ The ideal geographic positioning of both islands, facing the Muslim world, turned them into important centres of the international slave trade, where many slaves passed through the islands in transit for other European countries, the Levant or North Africa, thus acting as a clearing house for this trade and the profitable business of the ransoming of captives.⁹⁵

The ambition of the present work is to move away from the main inward looking and self-centred historiographical traditions which have moulded Maltese historical perceptions. Through the scrutiny of new evidence which emerges from notarial contracts, this analysis seeks to place Malta within the wider Mediterranean context. Thus, an attempt is made to place the island's trade within the larger commercial picture of the first-half of the sixteenth century. This will be achieved by looking at Latin trade with the Ottomans during a highly important and understudied period in Maltese history, that of the transition from the medieval to the early modern period.⁹⁶ Taking into account the historiographical reviews presented above, sixteenth-century Malta could well be considered either in Braudelian terminology as an 'isolated and self-contained world

⁹² Abulafia, *A Mediterranean Emporium*, 14

⁹³ See for example Pope Innocent III's licence to Venice to Trade with the Saracens in 1198 in J. P. Migne (ed.), *Patrologiae Cursus Completus*, (Paris, 1855), Vol. CCXIV, 493, reprinted in R. C. Cave & H. H. Coulson, *A Source Book for Medieval Economic History*, (Milwaukee, 1936; reprint ed., New York, 1965), 104-105, see also F. C. Lane, 'The Venetian Galleys to Alexandria, 1344', in B. G. Kohl & R. C. Mueller (eds.), *Studies in Venetian Social and Economic History*, (London, 1987), XII, 431-440.

⁹⁴ S. Paoli, *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano, oggi di Malta*, (2 volumes, Lucca, 1737), 201-202.

⁹⁵ Abulafia, *A Mediterranean Emporium*, 15.

⁹⁶ Although the chronological limits of the early modern period are open to debate, the beginning of the early modern period referred to in this study refer to c. 1500 for the international context, while for the Maltese context this is usually allocated to a later date this being the arrival of the Knights of the Order of St John in 1530. C. Dalli, *Malta, The Medieval Millennium*, (Malta, 2006), 13.

which the sea surrounded', or else in Horden & Purcell's interpretation as an island which, although small, maintained important links with the outside world through its maritime activities. One might say that both these affirmations are true in Malta's case since lack of sufficient documentary sources tend to project medieval Malta as a 'land of hunger', while more abundant sources dating to the Knights rule convey a picture of an island which 'although lying off the major trade routes', had a vibrant economy based on trade. A fresh reading of Malta's history based on a wider geo-historical perspective including the comparative study of other Mediterranean islands like Pantelleria, Majorca, Menorca, Rhodes or Chios can throw new light on development in Malta and Gozo, although one must exercise caution when evaluating these comparisons since they lean towards the arbitrary where no explicit evidence is found.⁹⁷

In this study it is argued that, contrary to the prevailing historical interpretation which claims that it was only in the late sixteenth century that Malta registered a boom in its commercial activities, the arrival of the Knights Hospitallers immediately accelerated the island's trading power in the Mediterranean. Once the Knights got a better understanding of the island's trading potential and of the relationship between the commercial economy of Malta and that of other Mediterranean territories they managed to create new opportunities. They strengthened existing links with Sicily and were essential for establishing important links with Ottoman lands and merchants as far as the Levant. Thus the Knights managed to bring over and cultivate a business relationship which had already been tested and adopted when they were stationed in Rhodes. As shall be discussed, in order to implement this economic policy the Knights made use of various Rhodiote merchants who often spoke Arabic and Turkish and served as mediators thus benefiting from long-established trading relations. The knowledge, skills and market intelligence which these merchants possessed made it possible to facilitate trading negotiations. Consequently, although Sicily remained the main provider of the island, other markets were being sought to cater for the

⁹⁷ Luttrell, 'Approaches to Medieval Malta', 14.

heavy increase in the demand of various commodities, both essential and exotic. The subject therefore shall not only consider trading patterns in Malta but the relationship between the changing functions of the Maltese islands within the wider Mediterranean trading community and how these managed to function in what were considered hostile seas. In order to assess this significant change in Maltese commercial economy, trading patterns will be examined through the scrutiny of documents left by the merchants themselves, especially commercial contracts, so far ignored by Maltese historiography. An attempt will be made to place trading relations in Malta within the wider context, by comparing trading patterns in both the pre and post Knights period. This exercise may be undertaken by examining various agreements entered into by both local and foreign merchants who used to stop over to conclude a business deal. This work will thus mark an important step not only in Maltese historiography but in seeking new primary evidence for the study of sixteenth-century Mediterranean trading patterns.

1.4 Historians of Malta and sixteenth-century historiography

Chronological subdivisions adopted for other European countries have influenced how historians of Malta established the island's own sequential divisions. However, as Anthony Luttrell rightly argues, "periods have no historical reality of their own, and periodization is in the last resort a historians' tool, a matter of convenience".⁹⁸ Historians of Malta have always found the medieval period, in Malta's case running until 1530,⁹⁹ and the subsequent first few decades after the establishment of the Hospitaller Order of St John in Malta, difficult to handle mostly due to either lack or inaccessibility of material covering the period.

⁹⁸ A. Luttrell, 'Approaches to Medieval Malta', in A. Luttrell, *The Making of Christian Malta, From the Early Middle Ages to 1530*, (Aldershot, 2002), II, 1-70, 14. For a discussion on historical divisions see P. Burke, *The Renaissance – Studies in European History*, (2nd edition) (Basingstoke & New York, 1997).

⁹⁹ Although the chronological limits of the early modern period are open to debate, the beginning of the early modern period referred to in this study refer to c. 1500 for the international context, while for the Maltese context this is usually allocated to a later date this being the arrival of the Knights of the Order of St John in 1530. C. Dalli, *Malta, The Medieval Millennium*, (Malta, 2006), 13.

Primary sources which help contribute towards an analysis of the life of the inhabitants and their activities - be they political, social, cultural or economic - are rather scarce for most of the medieval period. This paucity of documentation is only alleviated from the late fifteenth century onwards. Nonetheless, such documentation is still sparse when compared to data relating to the post-siege period (after 1565). The survival of both Maltese¹⁰⁰ and Gozitan *capitoli*,¹⁰¹ municipal records from Malta (ca. 1450), royal chancery records at Palermo, Sicily,¹⁰² and a collection of official correspondence exchanged between the Maltese municipal council and Sicilian authorities known as *Acta Aragonensia*,¹⁰³ ecclesiastical records (mostly court proceedings), as well as notarial protocols, is significant since these sources provide vital material for the reconstruction of the island's social, economic and cultural history which helps to fill in some of the gaping holes.¹⁰⁴ A considerable number of these primary sources has been transcribed and published mainly through the efforts of Godfrey Wettinger and Stanley Fiorini. Nevertheless, there still remains much more to be done; a case in point is the collection of municipal acts covering the period 1512-1530 which still awaits publication.¹⁰⁵

Research in foreign archives, especially targeting Spanish and Sicilian, also needs to be tapped and exploited in order to offer a more comprehensive view of Maltese history. Although the medieval period has somewhat benefitted from the above-mentioned wave of research, the same cannot be said for the transition period between the medieval phase and the early modern

¹⁰⁰ For a transcription of the oldest known Maltese *capitoli* see, R. Valentini, 'Gli ultimi Aragonesi ed i primi Castigliani in Malta', *Archivio Storico di Malta*, Vol. VIII, No. 1, (1936-1937), 72-101; see also S. Giambruno & L. Genuardi (eds.), *Capitoli inediti delle città demaniali di Sicilia approvati sino al 1481*, Vol. I, (Palermo, 1918), for Malta 375-444, for Gozo; 323-38; M. Miège, *Histoire de Malte*, (Paris, 1840), Vol. II, 7, 60 *et seq.*

¹⁰¹ C. Dalli, 'Capitoli: The Voice of an Elite', in S. Fiorini (ed.), *Proceedings of History Week 1992*, (Malta, 1994), 1-18. The *capitoli* were petitions highlighting various issues presented by a prominent Maltese citizen to the crown. Dalli, *Malta, The Medieval Millennium*, 199.

¹⁰² S. Fiorini, *Documents in the State Archives, Palermo, 1259-1400*, (Malta, 1999); G. Wettinger, *Acta Iuratorum et Consilii Civitatis et Insulae Maltae*, (Palermo, 1993).

¹⁰³ J. Del Amo García, S. Fiorini, G. Wettinger (eds.), *Documentary Sources of Maltese History, Part III Documents of the Maltese Universitàs, No. 1 Cathedral Museum, Mdina, Archivum Cathedralis Melitæ, Miscellanea 33: 1405-1452*, (Malta, 2001).

¹⁰⁴ Dalli, *Malta, The Medieval Millennium*, 17.

¹⁰⁵ This refers to NLM, Univ. 12.

one of Hospitaller domain. In the vast literature dealing with Malta's early modern period, which has attracted great interest from Maltese historians, the first decades of the Knights' rule has had no more than a restricted passing mention. Most works dealing with the sixteenth century treat it as a series of personal magistracies of Grand Masters and emphasize particular events such as the Great Siege of 1565 and various complex politico-religious conflicts. While these are essential, such studies have often been conducted at the expense of curtailing or neglecting social and economic aspects which could provide a sharper picture of Maltese society and its economic activities.

This heavy lack of interest cannot be attributed to absence of documents. Various primary sources, like notarial deeds, court records and chancery documents, which could have been exploited for such historical enquiry, have been overlooked for too long a time. Maltese historians seem to have been obsessed with the history of the Knights of St John rather than the history of the Maltese people under the Knights of St John. In view of the existing lacuna relating to the Knights period from 1530 to 1565, there still remains a vital question in Maltese historiography which awaits an answer: what were the principal elements which shaped Malta's economic and social transition from the late middle ages into the early modern era? Does this transition merit a focused attention, one which goes beyond the chance reference it has been afforded through the wider historical perspective?

Starting with a brief introduction of the Mediterranean context of which Malta formed part, the following analysis touches on some of the main themes which have provoked and governed studies relating to Malta during the sixteenth century, while at the same time it underscores existing gaps still awaiting inquiry.

1.4.1 Political, institutional and legal historiography

Throughout the Later Middle Ages, Malta's position *vis-à-vis* Sicily was one of dependence *de facto*, since it relied on Sicily for the supply of its food and also for its defence needs, yet of equality *de jure*, since both islands were under Aragonese rule.¹⁰⁶ The islands followed administrative patterns similar to those in Sicilian municipalities. However, unlike the Sicilian town councils, it went largely its own way except in matters concerning the Crown. This was mainly due to geographical considerations which resulted in a greater measure of autonomy than those enjoyed by the neighbouring Sicilian towns as, in practical terms Malta was cut off from the direct rule of Palermo. In fact, in view of the dangerous trip one had to undertake to appear in person in the Courts of Appeal at Palermo due to pirate-infested seas, the population was allowed its own local court of appeal on the island. The Maltese representatives who appealed before Charles V in view of Malta's enfeoffment to the Knights were assured that the island would still be subject to prevailing Aragonese jurisdiction and laws. However, in 1533, just three years after their arrival, the Hospitallers started to promulgate new laws which ultimately led to the usurpation of these hard-won medieval privileges.¹⁰⁷

It is in this light that one has to assess histories of Malta written with a view of promoting some core ethnic values of the Maltese when these were either subject to an oligarchic type of rule, or later, under colonial rule. The official historiographer of the Order Giacomo Bosio, writing in the late sixteenth and early seventeenth centuries, sheds light on various aspects of Maltese history which were directly linked to the Order's presence, such as the ceding of Malta by Charles V and the transfer of the seat of government from Notabile to Birgu.¹⁰⁸ He also touches upon the Order's first years in the *Castrum Maris*, and the problems arising from the heavy influx of people

¹⁰⁶ G. Wettinger, 'The Nature of Maltese Politics, c. 870-1964' in V. Mallia-Milanes, (ed.), *The British Colonial Experience 1800-1964: The Impact on Maltese Society*, (Malta, 1988), 19-34, 24-25.

¹⁰⁷ P. De Bono, *Sommario della Storia della Legislazione in Malta*, (Malta, 1897), 169-173.

¹⁰⁸ G. Bosio, *Dell'Istoria della Sacra Religione et Illustrissima Militia de S. Giovanni Gerosolimitano*, (3 volumes, Rome, 1594-1602), Vol. III.

constantly arriving in the new harbour city. The author discusses the defence of the island and the turbulent period of the Great Siege, the supply of food and other matters relating to the administration of the island. However, Bosio mainly produced a work which focused primarily on enhancing the Order's glorious past and thus his historical interpretation is not considered to be a completely reliable source of information.

Notwithstanding Bosio's bias, to date his work is still one of the most quoted sources since the author had access to the Order's archives through the services of his brother, *Fra*. Gio. Ottone Bosio, the Vice-Chancellor¹⁰⁹ in charge of the Order's archives.¹¹⁰ In fact, Bosio makes occasional references to highly important documents which have gone missing in the course of time and which are only reproduced in his work, such as the Commissioner's report on Malta of 1524.¹¹¹

The first extensive history of Malta written in the clerical tradition and published locally in the seventeenth century, was written by a Maltese who also was the Vice-Chancellor of the Order, Gian Francesco Abela (1582?-1655). Comparatively little was published on Maltese history before Abela's *Della Descrizione di Malta*.¹¹² This erudite scholar aimed at reconstructing a glorious history of Malta and at the same time providing a fundamental framework within which one could trace the development of the Maltese *patria*.¹¹³ The historian described the late medieval administrative and political structure, and used several early modern collections of Maltese municipal charters and 'privileges'.¹¹⁴ Although his work is considered a great achievement, Abela,

¹⁰⁹ For a better understanding of the functions of the Vice-Chancellor within the Order's hierarchical structure refer to M. Camilleri, 'The Chancery of the Order of St John', in C. Farrugia (ed.), *Guardians of Memory, Essays in remembrance of Hella Jean Bartolo Winston*, (Malta, 2008), 157-191, 168-173.

¹¹⁰ No one was allowed to take out documents from the chancery. However, Bosio was given a special permission by the Grand Master and the Council to take out those documents he considered necessary for the compilation of his work. Camilleri, 'The Chancery', 164.

¹¹¹ Bosio, *Dell'Istoria della Sacra Religione*, Vol. III, 30-31.

¹¹² G.F. Abela, *Della Descrizione di Malta Isola nel Mare Siciliano con le sue antichità, ed altre notizie Libri Quattro*, (Malta, 1647).

¹¹³ C. Dalli, 'Enlightening the Middle Ages', in P. Xuereb (ed.), *Karissime Gotifride-Historical essays presented to Godfrey Wettinger on his seventieth birthday*, (Malta, 1999), 3-16, 4.

¹¹⁴ These charters were referred to on various occasions during different rules in order to invoke Maltese historic rights to an autonomous municipal administration. Dalli, 'Enlightening the Middle Ages', 9.

in line with early seventeenth century historiography,¹¹⁵ re-invented past historical details in an effort to build a history which incorporated his readers' beliefs and convictions.¹¹⁶ In the two centuries which followed Abela's history one comes across only studies on Maltese popular culture and linguistics.¹¹⁷

In the early decades of the twentieth century, a large proportion of Maltese medieval charters and privileges were transcribed and published through the work of learned scholars like Monsignor Alfredo Mifsud¹¹⁸ and Roberto Valentini.¹¹⁹ This was also a time when the country was experiencing a tug of war between imperialist and nationalist claims. While the former traced Malta's origins to Punic times, the latter highlighted Italy's attachment to Maltese institutions. The claim made by the Italian fascist government that Malta was a "*terra irredenta*", belonging by right to Italy, led to the setting up of an institute for the study of Maltese history, namely, *Regia*

¹¹⁵ E. Breisach, *Historiography, Ancient, Medieval & Modern*, (Chicago, 1994), 190-194.

¹¹⁶ Being a member of an Order that considered itself as the defender of the Christian faith, Abela re-invented most of the Arab period and produced a history based on tradition wherein Malta's Christianity and its European roots had a continuous history. This subject is thoroughly investigated by A. Luttrell, 'Girolamo Manduca and Gian Francesco Abela: Tradition and invention in Maltese Historiography', *Melita Historica*, Vol. VII, No. 2, (1977), 105-132. On a completely different note, a contemporary of his, Filippo Borg, a rebellious ex-schoolmaster, wrote a *relazione* which portrayed the Knights and their rule in a somewhat hostile manner. Although Borg's sources are questionable, this work is nonetheless reflective of a popular interpretation by someone who did not feel obliged to glorify the Order. For a complete version of this *relazione* refer to G. Wettinger, 'Early Maltese Popular Attitudes to the Government of the Order of St John', *Melita Historica*, Vol. VI, No. 3, (1974), 255-278.

¹¹⁷ G.F. Agius De Soldanis, *Della lingua punica presentemente usata dai maltesi... ovvero nuovi documenti li quali possono servire di lume all'antica lingua etrusca [...]*, (Rome, 1750); M. A. Vassalli, *Ktyb yl Klym Malti Mfisser byl-Latin u byt-Talyan, Sive Liber Dictionum Melitensium[...] Lexicon Melitense Latino-Italum*, (Rome, 1796); G. Vassallo, in his *Storia di Malta*, published in 1854, repeated much of the inaccuracies propagated by Abela; C. Cassar, *Society, Culture and Identity in Early Modern Malta*, (Malta, 2000), Introduction xxxiii.

¹¹⁸ Mifsud published numerous documents in local newspapers like *Malta* from the 1890s onwards and also articles like 'Le Franchigie Costituzionali Alfonsiane e l'invasione dei Mori del 1429', *Archivum Melitense*, Vol. III, Nos. 8-12, (1918-1919), 332-340; 'L'Approvvigionamento e l'Università di Malta nelle passate dominazioni', *Archivum Melitense*, Vol. III, No. 5, (1918), 163-212, 'L'Approvvigionamento e l'Università di Malta nelle passate dominazioni: Documenti Inediti', *Archivum Melitense*, Vol. III, No. 6, (1918), 223-234. Amongst other topics the latter analysis dealt with communal taxes in late medieval Malta. Although this provides a good insight into the ways in which taxation was imposed by the *Università*, it lacks detail and a comprehensive historical approach. Further insights into this analysis were brought to light by V. Bezzina in 'Taxation and Tax Evasion in 15th Century Malta, 1450 -1499', *Storja 2001*, (Malta, 2001), 14-25.

¹¹⁹ Valentini published a number of documents related to Maltese late medieval administrative history. R. Valentini, 'Gli Ultimi Re Aragonesi ed i primi Castigliani in Malta', *Archivio Storico di Malta*, Vol.VIII, No. 1, (1936-1937), 72-101; and in a series entitled, 'Documenti per servire alla Storia di Malta', *Archivio Storico di Malta*, Vol. XVIII, No. 4, (1937), 462-99; Vol. IX, No. 1, (1937-1938), 97-123; Vol.X, No. 1 (1938-1939), 58-76.

Deputazione di Storia di Malta. The institute's journal, *Archivio Storico di Malta*, was managed from Rome by highly-competent researchers like R. Valentini, E. Rossi, E. Gentile, G. Semprini and P. Falcone amongst others.¹²⁰ Although these historians were politically-inspired and thus obliged by the fascist regime to highlight Malta's continued and natural historical link to Italy, they undertook their research in a scientific way by conducting their studies on primary documentation.

During the course of his studies, Valentini in particular was highly critical of the Order and accused it of suppressing the Sicilian-style commune and of allegedly keeping G.F. Abela from giving a true account of Malta's past links with Sicily.¹²¹ However, through the efforts of these historians, and also through those of Monsignor Alfredo Mifsud,¹²² a handsome number of original fifteenth century documents from municipal and ecclesiastical collections were transcribed and published for the first time. This signified a generous contribution towards Maltese historiography albeit tied to the historical paradigm established by historians like G.F. Abela that projected Malta's unbroken links with Europe and Christianity.

In the second half of the twentieth century, Godfrey Wettinger, a prominent Maltese historian of the late medieval period, transcribed and published a fundamental source of local administrative history.¹²³ Together with historians like Charles Dalli¹²⁴, Stanley Fiorini¹²⁵ and Henri

¹²⁰ Cassar, *Society, Culture and Identity*, Introduction xxxiv.

¹²¹ R. Valentini, 'La sopravvivenza della "Università Melivetana", fino alla cessazione delle infeudazioni dell'isola', *Archivio Storico di Malta*, Vol. VII, No. 1, (1935), 33-70.

¹²² Among the works of A. Mifsud are, 'La Cattedrale e l'Università, ossia, il Comune e la Chiesa in Malta', *La Diocesi*, Vol. II, No.3, (1917), 34-44; 'L'Approvigionamento e l'Università di Malta nelle passate Dominazioni', *Archivum Melitense* Vol. III. No. 5, (1918); 163-211; 'L'Approvigionamento e l'Università di Malta nelle passate Dominazioni, Documenti Inediti', *Archivum Melitense*, Vol. III, No. 6, (1918), 223-234; 'Papi, Fortificazioni e Tasse nel Passato di Malta', *Archivum Melitense*, Vol. III, No. 1, (1919), 399-430; 'Appunti sugli archivi di Malta', *Archivum Melitense*, Vol. II, No. 13, (1912-1913), 9-67.

¹²³ Wettinger, *Acta Iuratorum*. This volume consists of more than 600 folios of medieval administrative documents which shed light on town council meetings, public proclamations and other transactions of the *Mdina Università*. A study of these documents was carried out by V. Bezzina in *The Administration of the Maltese Islands, A Study of the Acta Iuratorum et Consilii Civitatis Insulae Maltae*, unpublished MA dissertation, (University of Malta, 1999).

¹²⁴ Dalli, 'Capitoli'. The *capitoli* or petitions presented by the communities of Malta and Gozo to the Aragonese Crown are preserved in the central archives at Palermo and were published by Bartolomeo and

Bresc,¹²⁶ Wettinger provided fresh reading relating to the day-to-day public administration of the municipal council, thus throwing light on various aspects of the local medieval administration.

Notwithstanding this renewal, there still exist major lacunae with regard to Maltese political, legal,¹²⁷ legislative and institutional history. Apart from the works already quoted, of interest to the historian wishing to undertake such analysis are various works including that published in 1737 by Sebastiano Paoli, entitled *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano, oggi di Malta*¹²⁸ and other legal studies published in the erudite style during the nineteenth century by Maltese judges. Worthy of mention are Antonio Micallef's two volume work, *Dritto Municipale di Malta*, published in 1843 wherein the author analyzed the laws promulgated by Grand Master de Rohan, and also his *Trattato delle Procedure Civili nel Foro di Malta*.¹²⁹ Micallef's works are full of useful annotations and explain the different set-up and functions of the various courts and tribunals, some of which had been established prior to the Order's rule.¹³⁰ Another interesting, albeit at times inaccurate work is that published by Judge P. De Bono in 1897.¹³¹ This study contains some interesting references to primary sources some of which may provide attractive material for further scientific inquiry. The work covers the lengthy

Giuseppe Lagumina in the *Codice diplomatico dei Giudei di Sicilia*, (Palermo, 1884-95); 'In Fronteria Barbarorum: Waiting for the Turks on late Medieval Malta', in S. Fiorini (ed.), *Proceedings of History Week 1994*, (Malta, 1996), 115-126; 'Medieval Communal Organization in an Insular Context: Approaching the Maltese *Universit s*', *The Making and Unmaking of the Maltese Universitas*, (Heritage Supplement) (Malta, 1993), 1-10, 9.

¹²⁵ S. Fiorini, *The 'Mandati' Documents at the Archives of the Mdina Cathedral, Malta 1473 -1539*, (Malta, 1992); 'The Vice-Admiracia Insularum Meliveti et Gaudisii', in C. Vassallo, (ed.), *Consolati Di Mare and Chamber of Commerce*, (Malta, 2000), 29-43.

¹²⁶ H. Bresc, 'The "Secrezia" and the Royal Patrimony in Malta: 1240:1450', in A. Luttrell (ed.), *Medieval Malta: Studies in Malta before the Knights*, (London, 1975), 126-162. Bresc's study on the *Secrezia* of Malta during the late middle ages was the first major study based almost exclusively on Palermo documentation, G. Wettinger, 'The Archives of Palermo and Maltese Medieval History: A First Report', in M. Buhagiar (ed.), *Proceedings of History Week, 1982*, (Malta, 1983), 59-68, 59.

¹²⁷ Under the Order the legal system remained similar to that of Sicily. However, in the early days of their rule, the Order put into effect new legislations. These laws and legislations were revoked in 1818 under British rule. Thanks are due to Raymond Mangion, Legal Historian, University of Malta for this verbal communication dated 2nd February 2009.

¹²⁸ S. Paoli, *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano, oggi di Malta*, (2 volumes, Lucca, 1737),

¹²⁹ A. Micallef, *Trattato delle Procedure Civili nel Foro di Malta*, (Malta, 1839).

¹³⁰ A. Micallef, *Dritto Municipale di Malta*, (2 volumes, Malta, 1843).

¹³¹ De Bono, *Sommario della storia della legislazione*.

period from Phoenician rule up to the late nineteenth century, and also includes a brief history of the prevailing Canon Law.

On the other hand, Vincenzo Bonavita's (1752–1829) work, comprising a set of twelve dissertations was never published, and unfortunately has not survived in its complete form.¹³² From the table of contents one may appreciate Bonavita's efforts to encapsulate, "*tutte le memorie, che era possibile di rintracciare negli archivi pubbliche, e private, e nelle recenti collezioni di carte sicole per quanto me permettano le occupazioni della mia legale professione, e degli impieghi delli quale son stato onorato dai rispettivi Governi*".¹³³ He puts forward some interesting comments regarding contemporary fellow academics, who according to him, were guilty of depriving the medieval period of its due importance and relegating it to a dark age in Maltese history.¹³⁴ Such remarks of course portray strong traits of nationalistic emotions. Bonavita further stresses that in 1585, in order to project their image as benefactors of the island, the Knights did not leave in either written or structural form, any evidence of the 'glorious medieval history' of Malta. He asserts that they destroyed a number of notarial volumes during the last years of their domain. This claim contradicts what Gian Francesco Abela noted in 1647, that is, Maltese notarial registers and documents held at the Mdina Archives did not go further back than 1460, attributing

¹³² Vincenzo Bonavita was a judge under the Order and subsequently under the French and the British. He was forced to leave Valletta during the French Blockade due to food shortage and later accused of treason by the Maltese insurgents and stripped of all his property and offices and sent in exile to Gozo. Once the British gained power he immediately tried to gain their favour and was gradually reinstated into the public sector. Thanks are due to Roger Vella Bonavita for this information which was communicated on 30 October 2009. Ignazio Bonavita, a relative of Vincenzo, was appointed Archivist of the Suppressed Tribunals by the French rulers. This repository was known as *Depot General des Archives des Chancelleries et Tribunaux Supprimes*, and was set up on 26 July 1798. G. Gatt, 'Gli Archivi di Malta durante il periodo della occupazione Francese e i primi anni della dominazione Inglese', *Archivio Storico Di Malta*, Vol. IX, No. 4, (Rome, 1938), 411-424, 412.

¹³³ (All the memories, which were possible to trace in public and private archives, and in the recent collection of Sicilian papers which my legal profession permits me to study, and from the commissions which I was honoured to carry out by respective governments). CAM, Misc. 273, V. Bonavita, *Dissertazioni Storico Legali su Malta e Gozo*, introduction. (from now on referred to as Bonavita, *Dissertazioni Storico Legali*)

¹³⁴ "*in oscurità i secoli di mezzo, come se fossero allora di minor considerazione*", Bonavita, *Dissertazioni Storico Legali*, introduction.

the missing registers to the carelessness of the Maltese.¹³⁵ Bonavita's claim was also later negated by Mons. Alfredo Mifsud who stated that a comparative analysis of existing surviving documentation tallies with the list of privileges listed down by the town council in medieval times.¹³⁶

Despite being heavily biased in favour of the new British rulers, Bonavita's dissertations are food for thought and for further scientific investigation, especially since he actually lived during the last days of Hospitaller rule and was even commissioned by the Order to compile an inventory for their archives in 1797.¹³⁷ Bonavita provides useful references to primary sources which are still extant in Maltese archives.¹³⁸ It is indeed a pity that his work has been lying in archival repositories for almost a hundred and seventy years without ever being analyzed.¹³⁹ Other works which provide the essential basis for a thorough study of local legal history are those by Giuseppe and Vito La Mantia, both of whom, amongst others,¹⁴⁰ reproduced the ancient laws of the various municipalities of Sicily which laws were the framework on which Maltese law was based.¹⁴¹ Giuseppe La Mantia also published a seminal study wherein he took account of the various administrative statutes and petitions (*Capitoli*) put forward by the Maltese municipal town council prior to the arrival of the Order of St John.¹⁴²

¹³⁵ Abela, *Della Descrizione di Malta*, 548. The earliest known extant Notarial register is that of Notary Paulo Bonello, NAV, MS 588/1, 1467-1517.

¹³⁶ Mifsud, 'Appunti sugli archivi di Malta', 36-37.

¹³⁷ NLM, Libr. MS 672, f. 50.

¹³⁸ During the course of this study, some primary sources referred to by Bonavita have been examined by the author and the references were found to be correct. Nonetheless, it was occasionally observed that they could have existed in Bonavita's time but went missing later on when the Notarial Archives suffered two direct hits in April 1942.

¹³⁹ According to Simon Mercieca, Bonavita's manuscripts "present a serious historiographical problem; they are considered unreliable because the information [for the medieval period] was taken from the fabrications of Abate Vella", S. Mercieca, *Gio Anton Vassallo's Storia di Malta, questing after a national soul*, (Malta, 2005), 19.

¹⁴⁰ For example, V. La Mantia, *Storia della Legislazione Civile e Criminale di Sicilia*, (Palermo, 1866).

¹⁴¹ V. La Mantia, *Antiche Consuetudini delle Città di Sicilia*, with an introduction by A. Romano, (Messina, 1993).

¹⁴² G. La Mantia, 'Capitoli e Statuti Amministrativi Dell'Isola di Malta approvati dai Re o Vicere di Sicilia 1130-1530', *Archivio Storico di Malta*, Vol. VIII, No. 1, (1936-1937), 1-17.

A positive development in this line of inquiry would thus be to take stock of what has recently been published and also analyze the works quoted above to assess the reliability or otherwise of their content by tracing back their references to original sixteenth century sources wherever possible. This would inevitably lead the scholar to consult documents relating to the Archives of the Order, records of the *Università*, records held at the Notarial Archives, and those pertaining to the various juridical institutions, both secular and ecclesiastical, which were set up on the island at the time. All such primary documentation should of course comprise the backbone of any scientific enquiry. Further exploration of other publications in this field which have only been partially studied, like the incunabulum of Johannes Petrus Apulus entitled *Capitula et Constitutiones Regni Siciliae* of 1497,¹⁴³ and the work of Francesco Testa, *Capitula*,¹⁴⁴ would also prove indispensable tools since the historian of Malta's legal history should be well-grounded in that of Sicily. Such cross-referencing and investigation would offer the historian the possibility of tracing the development of the legal system from Aragonese to Hospitaller rule, and assess how legislations which were introduced during Hospitaller rule impinged upon the local population.

1.4.2 Social and economic historiography

In 1958, Bernard Clarke Weber lamented on the lack of a comprehensive and adequate account of Malta's past and suggested a number of significant topics covering the period 1500-1798 deserving further investigation. Amongst others these included various aspects of social history, commercial and economic affairs of Malta from the sixteenth to the end of the eighteenth centuries, and also the use of aids offered by related fields and disciplines, such as anthropology, economics, geography, psychology, and sociology.¹⁴⁵ Such comments were well-addressed since,

¹⁴³ From this work, Stanley Fiorini has studied and reproduced those *capitoli* which are related to the Maltese Vice-Admirals. S. Fiorini, 'The Vice-Admiracia Insularum Meliveti et Gaudisii', in C. Vassallo (ed.), *Consolati Di Mare and Chambers of Commerce*, (Malta, 2000), 29-43, 29-43.

¹⁴⁴ F. Testa (ed.), *Capitula Regni Siciliae que ad hodiernam diem lata sunt*, (Palermo, 1741).

¹⁴⁵ B.C. Weber, 'The History of Malta, 1500-1798: Some Opportunities for Research and Writing (1)', *Melita Historica*, Vol. 2, No. 3, (1958), 141-145. Weber was Professor of History at the University of Alabama U.S.A.

as already outlined, Maltese history was still heavily biased towards political and institutional history well into the twentieth century.

The idea put forward by the French Annales School of history,¹⁴⁶ mainly that of writing history from below and giving a voice to the neglected past experience of different factions of the population inspired local inquiry. Foremost amongst the pioneers who reacted against the traditional paradigm was Godfrey Wettinger, whose contribution to Malta's social and economic history is considered a turning point in Maltese historiography.¹⁴⁷ Wettinger based his studies on the systematic and meticulous scrutiny of both local and foreign archival repositories, especially those held in Sicilian archives. Together with academics like, Fr Mikiel Fsadni O.P.,¹⁴⁸ Fr George Aquilina O.F.M.,¹⁴⁹ and Stanley Fiorini¹⁵⁰ he cultivated a new appreciation for notarial documents, and probed new ecclesiastical documents which had never before been considered essential tools for historical inquiry.

His introduction to Maltese history was through Professor Seraphim Zarb O.P. He has at least two articles in *Scientia*, the journal edited by Zarb, both co-authored by J. McCormick. Neither is however of Maltese interest.

¹⁴⁶ *Annales* historians have insisted that they do not represent a "school," though they have often been identified as such, but rather a spirit marked by openness to new methods and approaches to historical research. G. G. Iggers, *Historiography in the twentieth century: from scientific objectivity to the postmodern challenge, with new epilogue*, (Middletown, OH, 2005), 51.

¹⁴⁷ Dalli, 'Enlightening the Middle Ages', 7.

¹⁴⁸ Fsadni's works include amongst others; 'The Dominicans', in Bugeja et al (eds.), *Birgu, A Maltese Maritime City*, (2 volumes, Malta, 1993), Vol. II, 663-715; *Esperjenzi ta' Kittieb*, (Malta, 1994); *Id-Dumnikani fir-Rabat u fil-Birgu*, (Malta, 1974); and together with G. Wettinger, *Peter Caxaro's Cantilena: a Poem in Medieval Maltese*, (Malta, 1968); expanded in the Maltese edition: *L-Għanja ta' Pietru Caxaru: Poezija bil-Malti Medjevali*, (Malta, 1983).

¹⁴⁹ G. Aquilina & S. Fiorini (eds.), *Documentary Sources of Maltese History Part IV Documents at the Vatican No.1 Archivio Segreto Vaticano Congregazione Vescovi e Regolari Malta: Visita Apostolica no. 51 Mgr Petrus Dusina, 1575*, (Malta, 2001).

¹⁵⁰ Fiorini's works include, *Documentary Sources of Maltese History Part 1 Notarial Documents No.1 Notary Giacomo Zabbara R494/1(I): 1486-1488*, (Malta, 1996); *Documentary Sources of Maltese History Part 1 Notarial Documents No.2 Notary Giacomo Zabbara R494/1(II-IV): 1494-1497*, (Malta, 1999); 'The Earliest Surviving Accounts Books of the Cathedral Procurator: 1461-1499', in S. Fiorini (ed.), *Proceedings of History Week, 1992*, (Malta, 1994), 101-116; 'The Resettlement of Gozo after 1551', *Melita Historica*, Vol. IX, No. 3, (1986), 203-235; 'The Rhodiot Community of Birgu, A Maltese Maritime City: 1530-c.1550', in V. Mallia-Milanes (ed.), *Library of Mediterranean History*, Vol. I, (Malta, 1994), 183-241; 'Demographical Aspects of Birgu up to 1800', and several others.

By exploiting these new sources of research, historians have adopted a more analytical methodology for the writing of history which in turn produced fresh readings on Maltese social and economic history, and presented new insights into how new questions about the past could be formulated.¹⁵¹ In so doing, they provided a framework to encourage further in-depth studies in areas which, due to the complex, dispersed and relatively scarce primary material had remained largely understudied. Nevertheless groundwork done by these historians for the essential development of such histories needs to be investigated further through a more thorough exploitation of local archives as well as supplementary investigation of foreign archives, thus giving these studies a broader understanding by way of comparison. A case in point is Wettinger's seminal work on slavery, which although published in 2002, was mainly researched and written in the 1960s, its sources being derived most exclusively from manuscripts and archives available at the time, namely, the then Royal Malta Library¹⁵² and, to a minor extent the records of the Suppressed Tribunals.¹⁵³ Taking into account Malta's prominent position as a centre for slave dealing,¹⁵⁴ the role it played as 'host' to a constant stream of slave-captives, and the continuous capture of the local inhabitants by Barbary pirates, exceptional new insights may be derived from the detailed study of material whose compilers were not deliberately or consciously recording for

¹⁵¹ A new determination to present ordinary people's experiences included novel focused research, G. Wettinger, *The Jews of Malta in the Late Middle Ages*, (Malta, 1985); *Slavery in the Islands of Malta and Gozo, ca. 1000-1812*, (Malta, 2002); 'Agriculture in Malta in the Late Middle Ages', in M. Buhagiar (ed.), *Proceedings of History Week 1981*, (Malta, 1982), 1-48; 'Early Maltese popular attitudes', 255-278; 'Aspects of Daily Life in Late Medieval Malta and Gozo', in V. Mallia-Milanes & S. Fiorini (eds.), *Malta: A Case Study in International Cross Currents*, (Malta, 1991), 81-90; 'Concubinage among the Clergy of Malta and Gozo c.a. 1420-1550', *Journal of the Faculty of Arts*, Vol. 6, No. 4, (University of Malta, 1977), 165-188; 'Honour and Shame in Late Fifteenth Century Malta', *Melita Historica*, Vol. VIII, No. 1, (1980), 65-77; 'The Young Widow on Gozo who remarried too soon, 1465-68', *Melita Historica*, Vol. XII, No. 2, (1997), 139-150; S. Fiorini, 'Rabat and its People in the Late Middle Ages', in J. Azzopardi, (ed.), *St. Paul's Grotto Church and Museum at Rabat, Malta*, (Malta, 1990), 3-34; 'A prescriptions List of 1546', *Maltese Medical Journal*, Vol. 1, No. 1, (1988), 19-31; 'Artists, Artisans and Craftsmen at the Mdina Cathedral in the Early Sixteenth Century', *Melita Historica*, Vol. X, No. 4, (1991), 321-352; 'Carni per lu Carnivalj', *Melita Historica*, Vol. IX, No. 4, (1987), 311-314; 'Church Music and Musicians in Later Medieval Malta', *Melita Historica*, Vol. X, No. 1, (1988), 1-11.

¹⁵² The present National Library of Malta.

¹⁵³ These documents are deposited at the National Archives of Malta, Rabat.

¹⁵⁴ Braudel, *The Mediterranean*, Vol. II, 867. According to Peter Earle, only Leghorn, in the Christian Mediterranean, had a prize market that could rival Malta. P. Earle, *Corsairs of Malta and Barbary*, (London, 1970), 178.

posterity. On the one hand, court and inquisitional proceedings offer first-hand accounts from the protagonists, while notarial acts, play witness to the aspirations or limitations of captives¹⁵⁵ and other slave-related commercial transactions. As Wettinger himself states in the preface of his book, “One could, of course, have written complete theses on slavery in Malta on the basis solely of the new documentation”.¹⁵⁶

Although historians have treated the Hospitaller period as a sort of “golden age”, on the other hand they have somehow downplayed the socio-economic strengths of late medieval Malta and often projected the island as one of Braudel’s ‘lands of hunger’.¹⁵⁷ To date, there is only sparse literature which questions this theory, and there definitely exists no thorough study which can shed light on its veracity. Just like Quintin D’Autun in 1533,¹⁵⁸ Nicola Martoni, an Italian notary and pilgrim on his way to the Holy Land, was astonished at finding Malta so well-populated in 1394. He also made reference to the relatively spacious, ‘European’ style townhouses where the wealthy families lived.¹⁵⁹ It is interesting to note that recent studies in other disciplines have shown that the local scene was not as bleak as the very early eyewitness accounts conducted by members of the Hospitaller would have us believe.¹⁶⁰ According to Mario Buhagiar, an art historian, “Late

¹⁵⁵ Notarial acts hold hundreds of agreements entered into by captive persons, ranging from manumissions to partnership agreements.

¹⁵⁶ Wettinger, *Slavery in the islands of Malta*, Preface, xxix.

¹⁵⁷ Cassar, *Society, Culture and Identity*; V. Mallia-Milanes, ‘Was early modern Malta an ‘isolated world’?’, in F. Marullo di Condojanni (ed.), *Conference at Fort St. Angelo of the SMOM*, (Malta, 2000), 23-28; A. P. Vella, *Storja ta’ Malta*, Vol. II, (Malta, 1979); J. F. Grima, *Żmien il-Kavallieri f’Malta 1530 – 1798*, (Malta, 2001); B. Blouet, *The Story of Malta*, (London, 1967).

¹⁵⁸ J. Quintin d’Autun, ‘Insulae Melitae Descriptio (Lyon, 1536)’, in *The Earliest Description of Malta*, (trans H.C.R. Vella), (Malta, 1980).

¹⁵⁹ C. Dalli, ‘*Siculo Ingenio, Afro Confuso: Malta in the Later Middle Ages*’, in K. Gambin (ed.), *Malta Roots of a Nation*, (Malta, 2004), 65-72, 67.

¹⁶⁰ In 1524, just over a year after its loss of the island of Rhodes, the Order dispatched a commission made up of eight men who were given the task of assessing Malta, Gozo and Tripoli’s strengths and weakness. The commissioners produced a rather negative eyewitness account of the island’s state of affairs, indicating the island’s harbours as its most, and perhaps only, redeeming factor. The original report is now lost, however, luckily it was summarized by Giacomo Bosio in his *Dell’ istoria della Sacra Religione*, Vol. III, (Rome, 1602). Another eyewitness account was carried out in 1533 by a priest who was also a French member of the Order of St John, Jean Quintin d’Autun, Quintin d’Autun, ‘Insulae Melitae Descriptio (Lyon, 1536)’.

Medieval Malta was not an artistic desert... contrary to what is normally believed the Renaissance reached Malta before the coming of the Knights".¹⁶¹

Moreover, archaeological surveys carried out both on land and underwater, have shown that Maltese history has a great potential in this field, resulting in finds which can help widen the historian's perspective.¹⁶² In view of these new approaches, historians of Malta need to re-evaluate existing evidence, and define new sources of research in order to establish the level and quality of socio-economic activity in Malta before 1530. It is hoped that such investigation would confirm or otherwise the existence of a rather small but vibrant upper class jealous of its semi-autonomous state and possibly exploiting the common villagers, and of a merchant class based in Birgu which, although successful in its trading endeavours, was not allowed to participate in the administration of the island.

The history of the early years of Hospitaller rule in Malta is also still to be written. In most studies, these early, crucial years are hardly ever presented as more than a time of indecisiveness and lack of commitment by the Order. Anthony Luttrell informs us that, "settlement on Malta had in some ways a rather impermanent character until the late 1560s".¹⁶³ Propagating new insights as regards this hypothesis Victor Mallia-Milanes however states that this theory verges somewhat on the mythical. In order to substantiate his claim he presents his audience with the following historical facts. By 1529 the Order's hope of re-conquering Rhodes had fallen through.¹⁶⁴ Besides, the Knights were intent on alienating themselves from the political turmoil which was unfolding in

¹⁶¹ "The citadel of Mdina, the *Castrum Maris* on the Grand Harbour, and the Gozo Castle, became enclaves of Latin culture with churches and palaces in the Siculo-Romanesque tradition. Patronage was surprisingly well informed in Mdina, which developed into an Italian style *civitas* with a politically powerful cathedral chapter, a local government. and an educated class of notable and gentry of Siculo-Aragonese descent." M. Buhagiar, *The Late Medieval Art and Architecture of the Maltese Islands*, (Malta, 2005), Preface xi.

¹⁶² T. Gambin, 'A window on history from the seabed', *Treasures of Malta*, Vol. X, No. 1, 71-77; 'That Elusive Ship: The Search for the Wreck of the Santa Maria', in T. Cortis & T Gambin (eds.), *De Triremibus, Festschrift in honour of Joseph Muscat*, (Mata, 2005), 55-66.

¹⁶³ A. Luttrell, 'Introduction', in G. O'Malley (ed.), *The Knights Hospitaller of the English Languge 1460-1565*, (Oxford, 2005), 1-24.

¹⁶⁴ V. Mallia-Milanes, 'Introduction to Hospitaller Malta', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 1-42, 6.

Europe, although at first, in view of the Habsburg-Valois rivalry,¹⁶⁵ the French Knights¹⁶⁶ were reluctant to accept Malta from Charles V since this would have subjected them to an enemy of the French monarchy. Protestantism complicated matters further for the Knights because during the sack of Rome in 1527,¹⁶⁷ they were at Viterbo¹⁶⁸ and thus they had to defend the city from Charles V's militia. Their involvement in this conflict made it clear that there was no place for the Order in continental Europe. In addition, Malta, being distant from religious conflict on the European mainland and close to infidel territory, represented a place where the Order could continue to exist.¹⁶⁹ Tripoli, often cited as an alternative for Malta, was one of the main reasons which protracted negotiations for the transfer to Malta.¹⁷⁰ In 1531, barely a year after their arrival, the Knights attacked Modon, ransacked it and abandoned it, when they could have held onto it.¹⁷¹ In 1533 Charles V offered the Order Al-Mahdīya to replace Tripoli and suggested that the Order should move its headquarters to the North African mainland – an offer which the council of the Order declined.¹⁷²

Mallia-Milanes explains thus regarding the first few years of the Knights in Malta, “there was no question of the Order’s disguising its ulterior intentions of avoiding committing itself to a

¹⁶⁵ M. E. Wiesner-Hanks, *Early Modern Europe, 1450-1789*, (Cambridge, 2006), 111.

¹⁶⁶ These constituted a majority over the other langues. Out of the eight langues which constituted the Order of St John, three were French, namely, Provence, Auvergne and France. The other langues were Italy, Aragon, Castile and Leon, England and Germany. A. Williams, ‘Constitutional Development of the Order of St John’, in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 285-296, 286.

¹⁶⁷ This was an offensive aimed at exerting pressure on Pope Clement VII to be more flexible in resolving matters between Protestants and Catholics in Europe.

¹⁶⁸ Clement VII was a member of the Order and a former prior of Capua, thus, he had a special bond with the Order. Since the knights were in Rome prior to Clement’s election as Pope, the Cardinals appointed Grandmaster l’Isle Adam as guardian of the Conclave. On Clement’s election, they were given the city of Viterbo in recognition. S. Mercieca, *The Knights of St John in Malta*, (Malta, 2005), 23.

¹⁶⁹ Mercieca, *The Knights*, 23.

¹⁷⁰ Mallia-Milanes, ‘Introduction to Hospitaller Malta’, 6.

¹⁷¹ K.M., Setton, *The Papacy and the Levant (1204-1571)*, (4 volumes, Philadelphia, 1984), Vol. III, *The sixteenth century to the reign of Julius III*, 352.

¹⁷² H. Nicholson, *The Knights Hospitaller*, (Woodbridge, 2001), 121.

permanent stay on Birgu.¹⁷³ The town offered too little comfort to the dejected Hospitallers”,¹⁷⁴ the Order’s main intention was to build a fortified naval base on Mount Sciberras (later Valletta) and not to invest heavily in the distressingly small *castrum maris*. According to the author, the problem of a depleted treasury, which became more acute with the confiscation of the English langue and other estates in Europe,¹⁷⁵ was the major reason which kept the Order from initializing this costly infrastructural project in the early years.

In an attempt to produce ‘a total history’ of Malta’s early modern society, culture and identity, Carmel Cassar opted to cover various topics in a single study,¹⁷⁶ which, however, individually merit a deeper and more focused historical enquiry.¹⁷⁷ The same author also delved into new fields of historical inquiry by emulating what are known as ‘third generation of *Annales* historians’.¹⁷⁸ Publications of this kind include, *Witchcraft, Sorcery and the Inquisition in Early Modern Malta*,¹⁷⁹ which aims at reconstructing the complexities of popular magic in a central Mediterranean island society, and *Daughters of Eve*,¹⁸⁰ a book aiming at provoking discussion on the role of women during the late sixteenth and most of the seventeenth century. As Cassar explains in the introduction to his work, he adopted a new method of interpretation leaving out dogmas which were dominating the main issues of religious beliefs, and also eliminating from his discussion political changes and other activities forming part of the study of events. He justifies

¹⁷³ For an account of the Order’s stay in Birgu refer to, V. Mallia-Milanes, ‘The Birgu Phase of Hospitaller History’, in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), 73-96.

¹⁷⁴ Mallia-Milanes, ‘Introduction to Hospitaller Malta’, 6.

¹⁷⁵ For a brief account of the upheavals taking place in European religious life during the 16th century and their effects on the Hospitaller Order refer to Nicholson, *The Knights Hospitaller*, 117-121.

¹⁷⁶ Starting from historical geography, he then moves on to consider economy, demography, the emergence of a new form of state, and culture in its various forms. Cassar, *Society, Culture and Identity*.

¹⁷⁷ A case in point was his quantitative analysis in Chapter Five of the book dealing with migratory trends in Early Modern Malta based on a selection of volumes from the National Archives of Malta, namely the *Registri Patentorum, 1564-1798* and the *Registro Revelationibus Manciporum, Volume Unico, 1588-1617*, Cassar, *Society, Culture and Identity*, 94-120.

¹⁷⁸ P. Burke, *The French Historical Revolution: the Annales school, 1929-89*, (Stanford, 1990), 65-67.

¹⁷⁹ C. Cassar, *Witchcraft, Sorcery and the Inquisition. A Study of Cultural Values in Early Modern Malta*, (Malta, 1993).

¹⁸⁰ C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002).

any criticism this method of approach may receive by asserting that this novel method has 'been found to lend itself well in the study of socio-cultural topics', and that 'new methods of interpretation can only be properly valued by those who have made a serious attempt to understand them'.¹⁸¹

Choosing to focus on socio-demographic traits in and around the harbour area during the early modern era, Simon Mercieca has contributed significantly to a better understanding of population trends in the port area and to the contribution of foreign settlers to the development of Maltese culture and economy.¹⁸² Unfortunately, the precious information found in Baptismal and *Status Liberi* documents on which these studies are based is lacking or very scanty for the pre-siege period (prior to 1565), thus leaving a lacuna in this field. Stanley Fiorini sought to overcome this problem partially by deriving demographic data from a selection of notarial registers.¹⁸³ Fiorini's paper on Birgu's population provides the best overview so far as regards the pre-siege period, but, it must once again be stated that this period awaits a deeper investigation. Fiorini's model could be expanded to cover a wider geographical area making use of a wider selection of notarial acts.

Another contributor who has mainly dealt with the harbour area during the sixteenth and seventeenth century is Anne Brogini. In her hefty book entitled *Malte, frontière de chrétienté (1530-1670)*¹⁸⁴ the author provides a well-documented review of this period. However, it is evident that the work is deficient in delivering novel material for the early decades of the Knights'

¹⁸¹ Cassar, *Daughters of Eve*, 2.

¹⁸² S. Mercieca, *Community Life in the Central Mediterranean. A Socio-Demographic Study of the Maltese Harbour Towns in Early Modern Times: Bormla 1587-1815*, Unpublished PhD thesis (University of Paris-IV Sorbonne, 2001-2002); 'The Spatial Mobility of Seafarers in the Mediterranean: A Case Study based on *Status Liberi* Documentation (1581-1640)', *Journal of Mediterranean Studies*, Vol. 12, No. 2, (2002), 385-410; 'Malte: Les arsenaux maritimes au cours des années aperçu de leurs dimensions urbaines', in R. Ghirlando, S. Mercieca & M. Renault, (eds.), *La Navigation du Saviour: Étude de sept arsenaux historiques de la Méditerranée*, (Malta, 2006), 170-225; S. Mercieca, 'Amicitia Extenditur ad Extraneos, Marriage Law and the concept of Citizenship (1563 – 1798)', *Journal of Mediterranean Studies*, Vol. X. No. 1 & 2, 2000, 151-171, 158-159.

¹⁸³ Fiorini, 'Demographical Aspects of Birgu up to 1800', 219-254.

¹⁸⁴ A. Brogini, *Malte, frontière de chrétienté (1530-1670)*, (Rome, 2006).

stay and merely reproduces material which has already been published. The same author has also contributed a number of papers in the journal *Cahiers de la Méditerranée* which provide interesting insights into various social aspects of the sixteenth and seventeenth centuries. Once again though, the initial years of the Knights' stay are not thoroughly dealt with in these studies.¹⁸⁵

The harbour area¹⁸⁶ and the various ancillary services it generated¹⁸⁷ have attracted the inquisitive eye of a considerable number of academics who have carried out pioneering work in this field and registered substantial progress. Unfortunately, there is a current paucity of studies covering social and economic aspects relating to the sixteenth century, in particular to the pre-

¹⁸⁵ A. Brogini, 'La population de Malte au XVII^e siècle, reflet d'une modernité', *Cahiers de la Méditerranée*, Vol. 68, (2004): Available at: <http://cdlm.revues.org/index641.html> (accessed on 18 January 2012); 'Inquisition, élément de l'identité maltaise (xvi^e-xvii^e siècles)', *Cahiers de la Méditerranée*, Vol.66, (2003): <http://cdlm.revues.org/index96.html> (accessed on 18 January 2012); 'Marginalités et contrôle social dans le port de Malte à l'époque moderne (XVI^e-XVII^e siècles)', *Cahiers de la Méditerranée*, Vol. 69,(2004): <http://cdlm.revues.org/index786.html> (accessed on 18 January 2012); 'L'esclavage au quotidien à Malte au xvi^e siècle', *Cahiers de la Méditerranée*, Vol. 65, (2002): <http://cdlm.revues.org/index26.html> (accessed on 18th January 2012). For further references refer to Bibliography under 'internet sources'.

¹⁸⁶History related to Maritime activities has been enriched with various studies in the past twenty-five years, even through quantitative analysis. Nonetheless these mainly cover the eighteenth and nineteenth centuries; J. Debono, *Port and Trade Activity in Malta, 1750-1800*, (Malta, 2000), J. Muscat, 'Maltese Shipping and Boatbuilding in the 18th and 19th Centuries', in K. Damianidis (ed.), *The Evolution of Wooden Shipbuilding in the Eastern Mediterranean during the 18th and 19th Centuries*, (Athens, 1993), 70-78; J. Debono, 'The Wine Trade in the Eighteenth Century', *Melita Historica*, Vol. X, No. 1, (1984), 74-92; H. Frendo, 'Ports, Ships and Money: The Origins of Corporate Banking in Valletta', *Journal of Mediterranean Studies*, Vol. XII, No. 2, (2002), 327-350; C. Vassallo, 'The Maltese Merchant Fleet and the Black Sea Grain Trade in the Nineteenth Century', *International Journal of Maritime History*, Vol. XIII, No. 2, (2001), 19-36; M. D'Angelo, *Mercanti Inglesi a Malta, 1800-1825*, (Milano, 1990); C. Vassallo, *The Malta Chamber of Commerce 1848-1979. An Outline History of Maltese Trade* (Malta, 1998).

¹⁸⁷ The *corso* has attracted a steady flow of contributions from both local and foreign scholars; S. Bono, *I Corsari Barbareschi*, (Turin, 1964); S. Bono, 'Naval Exploits and Privateering', in V. Mallia-Milanes, (ed.), *Hospitaller Malta 1530-1798: Studies on Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 351-397; S. Bono, *Corsari nel Mediterraneo. Cristiani e musulmani fra guerra, schiavitù e commercio*, (Milan, 1993); M. Fontenay & A. Tenenti, 'Course et Piraterie Méditerranéennes de la fin du Moyen-Age au début du XIX^eme Siècle', in M. Mollat (ed.), *Course et Piraterie: Etudes présentées à la Commission Internationale D'Histoire Maritime à l'occasion de son XV^e colloque international pendant le XIV^e Congrès Interantional de Sciences historiques San Francisco, août, 1975*, (2 volumes, Paris, 1975), 78-136, V; M. Fontenay, 'La place de la course dans l'économie portuaire: l'exemple de Malte et des portes barbaresques', in S. Cavaciocchi (ed.), *I porti come impresa economica (sec. XII - XVIII)*, (Florence, 1988), 1321-1347; A. Blondy, 'The Barbary Regencies and Corsair Activity in the Mediterranean from the Sixteenth to the Nineteenth Century. From the Community of Origin to Evolutionary Divergence', *Journal of Mediterranean Studies*, Vol. XXII, No. 2, (2002), 241-248; X. Labat Saint Vincent, 'Course et commerce en Méditerranée au XVII^e siècle: étude de la présence maritime française à Malte au cours de quatre conflits majeurs', in S. Requemora & S. Linon-Chipon (eds.), *Les tyrans de la mer. Pirates, corsaires et flibustiers*, (Paris, 2002), 83 -98; Williams, 'Sacra Militia', 139-156; M. Green, "'Victims of Piracy?" Ottoman Lawsuits in Malta (1602-1687) and the Changing Course of Mediterranean Maritime History', in Fusaro et al. (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel's Maritime Legacy*, (London & New York, 2010), 177-201.

siege period. The nature of everyday life in Birgu and how the economic and strategic role of the harbour served as a pull factor not only to the local population, but to other people from the Mediterranean littoral, are questions which still require a deeper investigation and which will be the focus of this thesis. What were the opportunities which were generated as a direct result of the Order's rule? How much did the Order's presence enhance Malta's trade connections throughout the region? In view of the complete lack of port registers, can a comparative approach be sought through the scrutiny of primary sources, such as notarial acts, to establish any difference in trading links and commodities which existed prior to, and after, the coming of the Order? Was trade done only with neighbouring Christian countries? What about the local business community? What type of financial mechanism did it use to promote its activities? Where these in line with their Mediterranean counterparts? Could a study of the ecclesiastical records reveal how much the usury prohibition impinged on business deals? What about the agrarian society? Who invested in cotton and cumin, the two main cash crops which helped balance out Malta's dependence on Sicily for the importation of grain? Who were the merchants acting as middlemen to procure wheat? Were villagers participants in local trading investments? Was it just the harbour area which attracted foreign settlers or do we find these filtering in villages as well? How do women fit into the picture? Can one trace whether they were involved in economic activities? What did actually end by the events of 1530, and what, on the other hand, found a novel injection of investment by means of which it could flourish? Does a linear approach to history encourage periodization to the extent that at times transitional periods are totally obliterated?

The answers to such questions still constitute a noticeable omission in Maltese historiography. These are essential not only in themselves but also in order to offer a better understanding of how, a maritime-oriented Order – the Order of the Knights of St John - stimulated the economy, transformed the life of a people and enhanced the strategic importance of an island which, not only gave them back their *raison d'être*, but ultimately their autonomy.

1.5 Primary Sources

The primary sources consulted for the compilation of this thesis derive from four of the main archival depositories in Malta. Notarial registers will constitute the main primary source of information and shall be supplemented with relevant primary documentation from the Cathedral Archives, namely *Curiae Episcopalis Melitensis*, records of the *Magna Curia Castellania* housed at the National Archives, and records at the National Library of Malta which vary from Municipal records of the town council, to various chancery and other administrative documents. An overview of the relevance of these documents to the compilation of this study follows. This overview will mainly explore the collection housed at the notarial archives in Valletta since this has hitherto been a highly understudied fond.

1.5.1 Notarial documents - the notary's role in society

During the period under study, notaries¹⁸⁸ together with clergymen¹⁸⁹ formed that social group on whom the largely illiterate mass of the population depended. This all becomes evident when one realizes the importance attached to Notarial deeds by the entire community.¹⁹⁰ From the twelfth century, as towns grew and their societies became more complex, the legal profession

¹⁸⁸ For an account of the training required by Maltese to hold the Notarial warrant up to 1500 refer to Fiorini, *Documentary Sources of Maltese History, Part 1, No. 3*, Introduction xlv. For the early modern period refer to NLM, AOM 469, (1640), NLM, *Del Dritto Municipale di Malta, Nuova Compilazione con Diverse Altre Costituzioni*, (1784). For the Sicilian context refer to H. Besc, 'Il notariato nella società siciliana medioevale', in *Per una storia del notariato meridionale* (Consiglio Nazionale del Notariato, Studi storici sul notariato italiano), VI, (1982), 189-220.

¹⁸⁹ During the 16th century, these two categories overlapped in Malta. In fact, during an Apostolic visit in 1575, the Papal delegate Monsignor Pietro Dusina forbade Don Lorenzo De Apapis, the parish priest of St. George's Church in Rabat, Gozo, and the holder of most of the ecclesiastical benefices in Gozo, from exercising his notarial profession. De Apapis ignored these orders and continued practising his profession until 1583. He defended his profession by stating that it was a means to help his fellow countrymen. P. G. Pisani, 'Gozitan notaries (1400 – 1884) – a collage', *The Sunday Times of Malta*, 27 April, 2003, 41. De Apapis's records are archived under the reference NAV, R 203. Other ecclesiastics exercising the Notarial profession during the sixteenth century include Don Matteo Surdo, canon of the Chapter General, archpriest of the Cathedral church of Mdina, vicar capitular and vicar general, NLM, Libr. MS 1214, f. 22, Don Brandano Caxaro, NAV, MS 719 & R 175, Don Consalvo Cancur NAV, MS 670 & R 140, Don Giorgio Buttigieg, NAV, R 23, Don Giuseppe Caxaro, NAV, R 176, Don Maria Antonio Ciappara, NAV, R 187, Don Giovanni Debono, NAV, R 207 and Don Giovanello Falzon, NAV, R 248.

¹⁹⁰ Dalli, *Iż-Żmien Nofsani*, 195. For the Sicilian context refer to Besc, 'Il notariato nella società Siciliana medioevale'.

became increasingly important in the secular world. Hence, notaries and lawyers assumed responsibilities disproportionate to their numbers, since they possessed skills vital to the development of a more complex social order. An important aspect to remember when studying notarial deeds is that although they carried a public function, they were essentially private records¹⁹¹ and reflect the outcome of the coming together of different parties before a legal representative in a particular period that was regulated by its own laws and customs. They therefore provide a snapshot of the daily lives and activities of a diverse span of the population, making them an important source for the study of social attitudes and behaviour.¹⁹²

Yet how does one define the word “social” in this context, and what kind of social knowledge is specific to archives? Blouin and Rosenberg provide the following definition, “Whether instituted by the state, organized by public or private entities, or assembled by individuals, archives collect the effects of pasts that are never lived in isolation. The materials in all private and personal archives link their subjects in some way to broader social processes and activities and can always be used to explore these as well as more personalized patterns of lived experience. State and national archives, of course, quite deliberately create knowledge about broader social phenomena, centering especially around the practices of the nation and the state but also around subjects that state officials have deemed of political or social importance”.¹⁹³

¹⁹¹ According to Valenti the difference between a public and a private document is that the former is, “*quello emesso da una pubblica autorità in forma tale che i mezzi di autenticazione emanano dall’autorità stessa che compie l’atto documentato*”; (that issued by a public authority in such a form that the means of authentication emanate from the same authority which draws up the act); whereas a private document, “*e quindi non cancelleresco, è quello in cui l’autore dell’azione o della documentazione, chiunque esso sia, si comporta come un privato cittadino, cioè cerca i mezzi di autenticazione al di fuori della propria persona e della cerchia della propria autorità*” (and therefore not a chancery [document], is that in which the author of the action or of the documentation, whoever this may be, behaves like a private citizen, meaning that he looks for methods of authentication outside of his persona and his authority). Valenti, *Il documento medievale. Nozioni di diplomatico generale e di cronologia con 30 tavole*, as quoted in I. Soffietti, *Problemi di notariato dal medioevo all’età moderna*, (Torino, 2006), 21.

¹⁹² Violante, *Atti Privati*, 69.

¹⁹³ F. X Blouin & W. G. Rosenberg, *Archives, Documentation and Institutions of Social Memory: Essays from the Sawyer Seminar*, (Ann Arbor, MI, 2007), Preface and Acknowledgements, viii.

Notaries provided various legal services to a far larger body of clients than their less numerous and more prestigious colleagues the lawyers. Their services were required by practically all sections of the population most of whom had to place a partially-forced trust in them, since, as already mentioned, a large share of the population was illiterate and ignorant of legal terminology and language. A case in point is found in a contract dated 16 July 1558. Here, in an additional note inserted by the notary on 20 July 1558, it was stated that the act was, "*lecto et declarato tenore suprascripti contractus de verbo ad verbum prout iacet in materna lingua per me notarenum*" (sic).¹⁹⁴ The notary's role in various agreements was not to make decisions for his clients but to represent their choices in a manner formally compliant with the prevailing law.

During the medieval period the notary's role was also of particular importance in Malta's municipal administrative set-up, and various notaries held key positions in municipal affairs. According to Dalli official ordinances and petitions presented by these municipal councils, "prove the existence of an urban stratum of notarial and administrative people who were undoubtedly socially distinct even from the wealthy peasant landholders, and whose social pre-eminence depended primarily on their ability to secure a tight hold over municipal affairs".¹⁹⁵ Town councils and decision-making thus became dominated by a social stratum which incorporated notaries, merchants, and wealthy landed families, while at the same time the system excluded the participation of the peasantry and artisans.¹⁹⁶ In 1487-1488 notaries like Paolo Bonello, Graciano Vassallo and Laurentio Farrugia were in fact *judex curiae civilis*,¹⁹⁷ as was Notary Jacobus Falzon in

¹⁹⁴ NAV, MS 514/1, n.f., (16.vii.1558). Literally meaning: Having been read and declared in the course of the above written contract as lies word for word in the maternal language by me notary. For a study of Maltese words used in medieval Notarial acts refer to S. Fiorini, '*Ut Vulgo Dicitur: Pre-1600 Material for a Documented Etymology of Maltese*', in Xuereb (ed.), *Karissime Gotifride*, 161-176.

¹⁹⁵ Dalli, 'Capitoli', 7-8.

¹⁹⁶ C. Dalli, 'Medieval Organization in an Insular Context: Approaching the Maltese *Universit s*', in *The Making and Unmaking of the Maltese Universit s*, Heritage Supplement, (Malta, 1993), 9. Dalli also states that in 1466 artisans were banished from municipal offices on the basis that craftsmen sometimes managed to get voted in office by offering to pay for drinks at inns. Dalli, 'Medieval Communal Organization', 9.

¹⁹⁷ A judge in the civil court.

1495-1496 and various others.¹⁹⁸ The notary's role in the sixteenth century did not differ much from that of previous centuries. It is however pertinent to note that, as shall be shown throughout this study, his services were much more greatly in demand not only by the local population but even by foreigners due to the substantial increase in economic activities taking place on the island as a result of the Order's presence.

Most notaries did not depend solely on their legal profession for their livelihood but, just like in the Sicilian context,¹⁹⁹ they are also documented as investors in landholding and ancillary agricultural activities. Such is the case of Notary Graciano Vassallo who owned land and livestock which he later leased out to farmers and shepherds, while at the same time subleasing extensive tracts of farming land.²⁰⁰ Likewise Notary Ingomes de Brancato, who received his warrant as notary in 1473, became a judge of the municipal council in 1476 and is described by Fiorini as engaging in farming activities in partnerships, dealing in the sale of farmstock, and also acting as property negotiator.²⁰¹

The possible diversity of a notary's engagements may be gleaned at through the study of the life of Notary Placido Abela, whose Notarial registers span the period 1557 to 1591.²⁰² Apart from practising his legal profession, Abela set up his own school in Birgu, where he was *professor artis gramaticae*. In addition he was a member of the Inquisitor's establishment,²⁰³ a post carrying also the title of Chancellor of the Tribunal, which was indispensable for the workings of the Court.²⁰⁴ Yet another notary, Juliano Muscat, was involved in various business partnerships and

¹⁹⁸ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xlix.

¹⁹⁹ Bresc, 'Il notariato nella società Siciliana medioevale', 209.

²⁰⁰ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xlix.

²⁰¹ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xlix.

²⁰² NAV, MS 514/1, (1557-1560), R 4/1, (1557-1558), R 4/2, (1569-1576), R 4/3, (1576-1591). Notary Abela was granted his warrant to practise as a notary on 13th September 1557 after being examined by Francesco Mego and Johannes Vassallo. NLM, AOM, Lib. Bull. 426, f. 188v, (13.ix.1557).

²⁰³ Abela was also involved in the alleged plot to kill Grand Master La Cassière, J. Abela, *A Window on Early Hospitaller Malta, A Study of the acts of Notary Placido Abela 1557-1558*, BA Hons. dissertation, (University of Malta, 2003), 5-8.

²⁰⁴ Vella, *Storja ta' Malta*, 45. For a shortlist of the duties carried out by a notary holding this capacity refer to A. Bonnici, *Medieval and Roman Inquisition in Malta*, (Malta, 1998), 77.

societas agreements which included the buying of cumin for export, and the selling of cloth from a shop situated in the main square of Mdina.²⁰⁵ Most often the notary was thus a legal practitioner, a town official, a landowner and a businessman, often investing in the grain trade whose supply was the responsibility of the town officials.

A great majority of notaries exercised their practice in the main centres of activity on the island, usually the town squares of Mdina, Birgu and, after the 1570s, Valletta. As shown in Table 1.1., while in the medieval period the majority of notaries had their offices in Notabile, the capital city of the island at the time, the establishment of the Knights Hospitallers in 1530, and the subsequent transfer of the city to the harbour area, resulted in the ever-increasing establishment of a number of notaries in the port cities of Birgu and Valletta. The Order's presence in Birgu served to establish this town as the island's main financial centre. Although a multitude of contracts referring to financial transactions requiring the services of the money changer do not actually mention the names of the latter, most must have been notaries since these often acted as deposit agents.²⁰⁶ A case in point is Notary Antonio Bonello who received a deposit of 200 *scudi* which was to be done *in pecunia numerata*,²⁰⁷ *in pace et de plane ut bancus*,²⁰⁸ in respect of a

²⁰⁵ E. Buttigieg, 'Social Relationships in Mid-Sixteenth-Century Malta: An Analysis through Notary Juliano Muscat's Register R 376/11, *Storja 2008*, (Malta, 2009), 47-66, 52.

²⁰⁶ J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, Unpublished MA Dissertation, (University of Malta, 2007), 60.

²⁰⁷ '*In pecunia numerata*: in hard cash or in counted coins? The expression *numerare pecuniam* means both to count and to pay cash.' R. S. Lopez & I. W. Raymond, *Medieval Trade in the Mediterranean World Illustrative Documents translated with Introduction and Notes*, (New York, 1990), 167. According to Lane and Mueller, *Pecunie* meant debits and credits as well as the coins used to pay debts and collect credits. See F. C. Lane & R. C. Mueller, *Money and Banking in Medieval and Renaissance Venice, Vol. 1 Coins and Moneys of Account*, (Baltimore & London, 1985), Preface xiii. Zerbi called those coins that constituted the basic links or coins in specific years and sectors of the economy '*moneta numerata*'. These were coins that parties to a transaction understood would be used in stating a price or in counting out the payment of debt defined in a money of account. Tommaso Zerbi as quoted in Lane & Reinhold, *Money and Banking*, 9.

²⁰⁸ Basically meaning that he will pay peacefully and in full, see R. Giuffrida (ed.), Vito Cusumano, *Storia dei Banchi Della Sicilia*, (Italy, 1974), 226. According to Trasselli this formula substantially meant that the person acting as surety or guarantor obliged himself to pay the creditor as if he (the guarantor) was a banker, C. Trasselli, *Note per la storia dei banchi in Sicilia nel XV secolo*, Vol. II, 'I banchieri e i loro affari', (Cosenza, 1993), 55.

court order involving the Knights Adriano Maimon and Pietro Ros.²⁰⁹ Other contracts reveal that notaries were also often appointed as procurators²¹⁰ or else provided surety as in the case between two Syracusan merchants, Antonio Mangiapane and *Nob.* Fortugno Baccanisi.²¹¹

Table 1.1 Notaries practising in the towns 1520 – 1600

| | 1520s | 1530s | 1560s | 1580s | 1600 |
|-------------------------|-------|-------|-------|-------|------|
| Notabile (Mdina) | 7 | 11 | 6 | 12 | 8 |
| Birgu (Vittoriosa) | 1 | 4 | 7 | 9 | 10 |
| Valletta ²¹² | * | * | 3 | 10 | 13 |

Source: A. Attard, *Index of notaries 1465-1894*, (Malta, 1979), 6-8, 10-19

1.5.2 The evolution of notarial practice in Malta up to the early modern period

The public institutional nature of the notarial profession constitutes the main reason why, throughout its long evolution, it has been modelled and subjected to diverse political systems in force throughout various periods.²¹³ Even in Malta's case, this evolution has close connections to the vicissitudes of the islands. After the end of Arab rule and the establishment of the Norman conquerors in 1091, Malta began to form part of the *Regnum Siciliae*.²¹⁴ This meant that the islands followed the same general laws and regulations subsequently promulgated by the monarchs of the *Regno*. Thus, King Roger II's *Assisae* (1140) which expressed a major concern

²⁰⁹ NAV, MS 514/1, n.f., (1.iii.1560),

²¹⁰ A procurator was entrusted to carry out various business tasks which differed according to the specific needs of his client. Consequently, in one instance he could be commissioned to retrieve or deposit money abroad, while in another he could represent his client in either a civil or criminal court case. Abela, *Port Activities*, 97-102.

²¹¹ NAV, MS 778/4, ff. 197-198, (8.viii.1564).

²¹² Work on the building of Valletta started in 1565, and the knights officially transferred their seat to the new city in 1571.

²¹³ A. Bartoli Langeli, *Notai - Scrivere documenti nell'Italia medievale*, (Viella, 2006), 13.

²¹⁴ Prior to Arab rule Malta was under Byzantine control from around 535 to 870. The thirty-year conquest of Sicily by the Normans was concluded in 1091 with the Norman annexation of Malta. Dalli, *Malta, The Medieval Millennium*, 31-66, 73.

about the falsification of documents,²¹⁵ but a tolerated the prevailing disparate local custom and practice,²¹⁶ must have also applied to the Maltese context.²¹⁷ In all probability, as in Sicily's case,²¹⁸ this military conquest by a feudal society numerically-disadvantaged vis-à-vis a population familiar with both Greek, and to a larger extent Arabic alphabet, gave rise to dependence by the rulers on the existing administrative body.²¹⁹

As opposed to Roger II, Frederick II's (1198 - 1250) institutional innovations promulgated in his *Liber Constitutionum*²²⁰ (1231) sought to enforce more rigid and strict laws to regulate the notarial profession. His detailed amendments sought to target two main issues, the office of the notary and the drawing up of contracts. He thus suppressed all local rights²²¹ and decreed that the appointment of notaries was the sole prerogative of the monarchy. In order to better guarantee the validity of deeds and make them legally binding, Frederick ordered that all contracts be henceforth published in the presence of a judge, (*iudex ad contractus*), who, together with the notary and the witnesses, had to endorse the deed. Deeds had to be formally drawn up (*redazione*) and thus made public instruments (*instrumentum publicum*) within eight days of their

²¹⁵ Concern for forgeries was prevalent in medieval times. Refer to A. Hiatt, *The making of medieval forgeries: false documents in fifteenth-century England*, (London, 2004); J.Crick, 'The art of the unprinted: transcription and English antiquity in the age of print', in J. Crick & A. Walsham (eds.), *The Uses of Script and Print, 1300-1700*, (Cambridge, 2004), 116-134, 122-3.

²¹⁶ Prior to 1150, very few Latin notaries are documented in Sicily. The Normans must have used both Greek and Arab notaries for their legal needs as is witnessed in the ecclesiastical archives of places like, Milazzo, Demenna Vizzini, Catania, Mistretta and Messina. Bresc, 'Il notariato nella società siciliana medioevale', 189-220. For a detailed approach of the evolution of the Notarial profession from Classical times to the High Middle Ages refer to M. Amelotti & G. Costamagna, *Alle Origini Del Notariato Italiano*, (Milano, 1995).

²¹⁷ Fiorini, *Documentary Sources, Part I, No. 3*, Introduction xii –xiii.

²¹⁸ D. Abulafia, *The Western Mediterranean Kingdoms 1200-1500: the struggle for dominion*, (London, 1977), 8-9.

²¹⁹ Bresc, 'Il notariato nella società Siciliana medioevale', 193. According to David Abulafia, around the year AD 1000 out of the entire population of Sicily there were almost no Latins or 'Italians', about 40% were Greek, a significant number were Jews and the majority was an Arabic-speaking population of Muslims. Abulafia, *The Western Mediterranean Kingdoms*, 8.

²²⁰ There exists a vast literature regarding Frederick II. As regards his constitutional reforms one may consult, D. Abulafia, *Frederick II: a medieval emperor*, (London, 1988).

²²¹ After winning the German crown, Frederick sought to take measures against his enemies in Sicily. This programme was implemented seriously in 1220 on his return from the North. Among those repressed were the Muslims of Sicily who in their vast majority were deported to Lucera. The Genoese in both Sicily and Malta were also successfully repressed. Abulafia, *The Western Mediterranean*, 16-17.

drafting (*rogatio*).²²² It is pertinent to note however that since the Maltese islands were for the duration of Frederick's rule, and indeed most of the thirteenth century, a County administered by the Genoese De Castro family,²²³ it is debatable whether these laws automatically applied to Malta.²²⁴

Very sparse documentation exists for the short eighteen-year Angevin interlude, although it is in this period that the first documented evidence of the appointment of notaries to Malta is found. A document dated 7 August 1270²²⁵ asserts that the islands did not have a single notary public to look into their needs. This situation must have been remedied, since on 4 March 1271, a Notary Daniel de Danielis is recorded to have drawn up a deed at the Malta *Castrum*, while another notary, Antonio Cappillerio, describing himself as *publicis Insularum Malte et Gaudisii notarius*,²²⁶ drew up a will on 29 July 1274, listing all items found at both the *Castrum Maris* and the *Castrum Civitatis* of Mdina.

In his seminal study on Notaries and Notarial Practice up to 1500, Fiorini observes that the format of these deeds is in harmony with both earlier ones from Sicily and later ones from Malta, and conforms to Frederick II's *De iudicibus et notariis publicis et eorum numero*.²²⁷ It is also to be noted that this lack of notaries public could well have resulted from Frederick II's constitutional reforms reflecting the King's desire to check papal influence since, as has already been noted, the King decreed that judges and notaries were to be appointed only from within the *demanium* and

²²² O. Condorelli, *Il notariato in Italia Meridionale, Sicilia e Sardegna*, 6. http://www.jura.uni-bonn.de/fileadmin/Fachbereich_Rechtswissenschaft/Einrichtungen/Institute/Rh._Institut_Notarrecht/Tagung_Notargeschichte/Condorelli-Vorentwurf.pdf (accessed on 31 March 2009).

²²³ German warlords and Genoese pirates seized control of different parts of Sicily, such as the Maltese islands and Syracuse. Dalli, *Malta, The Medieval Millennium*, 93-113. Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction xiii-xiv.

²²⁴ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction xiii-xiv.

²²⁵ V. Laurenza, 'Malta nei documenti del R. Archivio di Napoli', *Archivio Storico di Malta*, Vol. 1-4. (1934), 9 Doc. IX, as quoted in Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xv.

²²⁶ Laurenza, 'Malta nei documenti del R. Archivio di Napoli', 32-36 Doc. XL, as quoted in Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xvi-xxiii.

²²⁷ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction xv.

this was the sole prerogative of the monarch.²²⁸ It was only in the *Consuetudines* of Catania, approved by King Lodovico (r.1342-1355) on 7 December 1345,²²⁹ that things seem to have started to take a different turn since the Church was now given the right to appoint notaries.²³⁰

Only a handful of instruments relating to the notarial profession have survived for the early Aragonese period.²³¹ The chancery records at Palermo begin to yield more information towards the mid-fourteenth century when Malta was reintegrated within the royal *demanium*.²³² Very scanty documentation survives for the turbulent period of the *Regno* between 1378 and 1391.²³³ It is only in 1398, when Malta was once again established as an integral part of the royal *demanium*,²³⁴ that a list of notaries public is documented. The following notaries, namely, Albano Sillato, Nicola de Insola and Nicolòso de Bandino, were given their warrant and appointed by King Martin I²³⁵ for Malta.²³⁶ These were authorized to exercise their profession in both the Maltese

²²⁸ Condorelli, *Il notariato*, 6.

²²⁹ La Mantia, *Antiche*, CLVIII. Later on these were reinforced by the *Consuetudines* of Palermo promulgated by King Alfonso in 1440. La Mantia, *Antiche*, CCXLIX; Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xviii.

²³⁰ The prohibition for priests to become notaries applied only for notaries public, since the Holy See usually authorised the Bishop to appoint his own notaries.

²³¹ During the late thirteenth and early fourteenth centuries the names of a number of notaries are recorded in Maltese documentary sources. These are recorded as either serving as witnesses to various deeds or referred to as acting in Malta. For a detailed account refer to Fiorini (ed.), *Documentary Sources of Maltese History, Part 1 No. 1*, Preface xvi-xxi.

²³² A. Luttrell. 'The Earliest Documents Transcribed in the Cathedral Archives Mdina: 1316-1372', in J. Azzopardi (ed.), *Archives of the Cathedral of Malta Misc. 32A: 1313-1529*, (Malta, 1977), 29-51; Dalli, *Malta, The Medieval Millennium*, 171-172.

²³³ After Frederick IV's death in 1377, his daughter Maria was crowned Queen of Sicily, however she was immediately placed under the tutelage of Artale Alagona and the *Regno* was divided into four spheres of influence. For over 15 years these offered a united front to Martin's Aragonese claim for Sicily. Dalli, *Malta, The Medieval Millennium*, 183-5.

²³⁴ Dalli, *Malta, The Medieval Millennium*, 188.

²³⁵ In 1390 Queen Maria married Martin the Younger, son of the *Infante* of Aragon who became Martin I of Sicily. Dalli, *Malta, The Medieval Millennium*, 187.

²³⁶ Bonavita lists the following notaries who according to him were mentioned in old documents: Nicolò Cardara 1372, (?) Azzopard (13?), Lancza Gatt 1365, Nicolò de Insula 1419, Nardo de Alaimo Lancza (?), Luca de Sillato (?) Ingomez de Brancato 1475, Corrado de Alaimo, Angelo de Manuele and Antonio de Falzone, ACM Miscellanea Vol. 273, Bonavita, *Dissertazioni Storico Legali*, 319-319v. A number of these notaries are listed by Fiorini and are also mentioned in the acts of Notary Paulo Bonello NAV, MS 588, (1467-1517) and Notary Giacomo Zabbara NAV, MS 1132, (1471-1500). Refer to Fiorini, *Documentary Sources, Part 1, No. 3*, lvi-lvii and *passim*.

archipelago and in Val di Noto,²³⁷ the latter being mainly included due to the possession of feudal territories by the Maltese aristocracy and the bishop of Malta.²³⁸ These notaries were also given the task to accompany the islands' *saette* sailing to Terranova, Licata, Vindicari and Pozzallo, and register agreements entered into for the provision of wheat by the *Università*.²³⁹

In the fifteenth century, a number of Sicilian notaries are documented as appointed judges of Malta, and significant changes are recorded as taking place.²⁴⁰ In 1440, *Capitula tabellionum et de eorum salario et de sollemnitate contractuum, instrumentorum et testamentorum*, was issued in order to regulate the activities of the notarial profession throughout the Kingdom of Sicily.²⁴¹ Among other things these *Capitula* stipulated that two witnesses, further to the presence of a judge and that of the notary drawing up the document, were required when the contract did not exceed the value of a gold *libra*. In the eventuality that this amount was exceeded, three witnesses further to a judge were to be present. Witnesses had to be literate persons and in the event that the presence of illiterate witnesses was demanded, these had to show their consent by placing a sign of the cross next to their subscription. Registration of contracts was relaxed from eight days to one month from the date of the completion of the deed. The *Protonotario* or the *jurats* annually appointed one or two *Revisores* to ensure the proper keeping of the deeds. It was imperative for the latter to perform their work with the utmost diligence. If a notary was found negligent, he

²³⁷ The Val di Noto is a geographical area of south east Sicily dominated by the limestone Iblean plateau.

²³⁸ Bresc, 'Il notariato nella società Siciliana medioevale', 204. The rule of the Catalan counts of Malta was interrupted when Ludovico of Sicily incorporated Malta and Gozo in his *demanium* in 1350. According to Dalli, in 1366 the crown appointed Manfred Chiaromonte as magnate to the Maltese County. Manfred possessed vast territories in the Val di Noto as well as considerable control over Palermo. The islands became part of the Chiaromonte's apanage and those families which had been rewarded by Frederick IV for their support, probably partly staffed the administration of the Chiaromonte in Malta. Dalli, *Malta, The Medieval Millennium*, 168-170.

²³⁹ Bresc, 'Il notariato nella società Siciliana medioevale', 204. The provisioning of wheat was considered a public service which was undertaken by the *Università*. Duty free concessions had been granted since medieval times. One of the first acts was by King Peter of Aragona in 1283. Mifsud, 'L'Approvigionamento e l'Università di Malta', 170-171.

²⁴⁰ For a detailed approach refer to Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, xv. Apart from fulfilling duties related to the notarial profession, notaries would also fill important administrative posts which would enable them to contribute to local decision making. Dalli, *Malta, The Medieval Millennium* 171.

²⁴¹ Published *in extenso* as Doc. 220 in Appendix III in Fiorini, *Documentary Sources, Part 1, No. 3*, 240-250.

risked a year's suspension not only from his office, but from all salaried posts such as judgeships with the *Università*.²⁴² Notaries were also bound by law to keep an alphabetical index, known as *Repertorio*, containing lists of all contracting parties listed in their acts.²⁴³

During the sixteenth century, the notarial profession was regulated by diverse *prammatiche*²⁴⁴ which mainly sought to reinforce previous legislations and highlight the important role of the notary in exercising diligently his profession.²⁴⁵ Under Grand Master La Cassier (r. 1572-1581) the post of *Notaro degli spogli* was established. This was analogous to that occupied by the *Magister Notarius* and its sole function was to act as registrar for criminal causes and for those involving the property of defunct religious. Notary Giuseppe de Guevara was the first notary to occupy this office and was selected by the Council of the Order in 1572.²⁴⁶ These changes basically reflect the growing needs of an expanding society, which necessitated more specialized posts in the service of Justice to care for its legal needs. Towards the end of the thirteen year rule of Grand Master Hugo Loubeaux de Verdale (r. 1582-1595) this grand master issued a new codification entitled *Statuta et Ordinationes*, promulgated in 1593. Among the said laws the title *De Tabellionibus* applied to the notarial profession and among other things stated that contracting

²⁴² Fiorini, *Documentary Sources, Part I, No. 3*, Introduction, xxxii.

²⁴³ It is interesting to note that several copies of these indexes are still extant and survive either in separate volumes covering several years of practice, or annexed to individual Notarial volumes. In these lists clients were alphabetically listed according to their first names and not according to their surnames.

²⁴⁴ A *Prammatica* was a long-established practice considered as unwritten law and resting for authority on long consent which was in time established as a law. During the Order's rule several *Prammatiche* were used in conjunction with Roman law. The latter was used to regulate all matters not covered by the *Prammatiche*, provided that the *Prammatiche* did not contain contrary dispositions. Judge De Bono's definition of the term reads '*la legge dettata a richiesta d'un corpo, di una università, di un collegio*', De Bono, *Sommario della Storia della Legislazione*, 214. In a nineteenth-century dictionary one finds the following two definitions, '*Riscritto, o Risposta del sovrano dato col parere del suo consiglio a qualche collegio, ordine ecc., il quale lo ha consultato sulla maniera di governarsi in certe contingenze; senso piu generale- Quel che si pratica in materia di relazioni civili e sociali, per consuetudini stabili*', N. Tommaseo & B. Bellini, *Dizionario della Lingua Italiana*, (2nd edition) (Tornio, 1861), Vol. III, 1162.

²⁴⁵ This was also the case in Sicily, Condorelli, *Il notariato*, 2. On 20 June 1553 Grand Master Juan D' (1536-1553) promulgated the laws known as *Pandectae et Ordinationes* which contained a section entitled *Jura magistri notarii* and another one *Jura notariorum* in order to regulate court and other fees. These were later re-confirmed by Grand Master Jean Paul Lascaris Castellar (r. 1636-1657), NLM, Libr. MS 439, *Prammatiche Lascaris 1640-1692*, f.249v.

²⁴⁶ J. Pace, *The position and general organisation of the legal profession in the Maltese islands throughout the domination of the Knights of St. John and up to the third decade of British rule*, LL. D thesis, (University of Malta, 1961), 65-66.

parties were to be personally known to the Notary in order to avoid any possible fraud by falsification of names. This is the first instance when notaries had to add the clause: “Cognitus per me...”²⁴⁷, under pain of deprivation of office.²⁴⁸

It is interesting to observe that in his dissertation on notarial practice, Bonavita states that the Order’s arrival challenged the established laws regulating the notarial profession. According to him, this was mainly due to the establishment of notaries from Rhodes who continued to draw up contracts according to their ways and customs since they did not want to part with their own traditional way of practising the notarial profession.²⁴⁹ He further states that, contrary to its promise to govern according to existing laws, the Order introduced a substantial part of the laws of Rhodes which had nothing to do with the laws of the *Regno*, thus going against long established public conventions in Malta which stated that legal instruments were to comply with the laws of the Sicilian Kingdom.²⁵⁰

Bonavita’s claims have to be put within the context of the period written.²⁵¹ However, the author refers constantly to primary sources from notarial deeds and municipal records to substantiate his claims. As has already been noted, these references could be useful for anyone undertaking the study on legal history in Malta since they could be checked and verified. Bonavita asserts that Rhodiote notaries did away with local customs of notarial practice, such as the need for the contracting parties and witnesses to sign the deed, and the regulation stipulating that the

²⁴⁷ “Known by me...”

²⁴⁸ Pace, *The position and general organisation of the legal profession*, 76.

²⁴⁹ Notaries previously employed by the Order in Rhodes had been governed by notarial law entitled “De Notariis et eorum Salaris”, which was enacted by Grand Master Fra. Emerici D’Amboyse (r. 1503-1512) in 1509. NLM, Libr. MS 153, 13-18 (new printed pagination).

²⁵⁰ Bonavita, *Dissertazioni Storico Legali*, 323v. In the *Capitula tabellionum* of 1440 it is stated that: “*In instrumentis etiam imperiabilibus quibus partes extra regnum utuntur forma presentium capitulorum servetur*”, literally meaning-In imperial instruments too, which the parties make use of outside the kingdom, the present form should be kept. Doc. 220 in Appendix III in Fiorini, *Documentary Sources, Part 1, No. 3*, 242.

²⁵¹ Bonavita wrote his dissertation during the first years of British rule in Malta. He tried to befriend the British so as to be re-instated in the administrative sector.

number of witnesses had to relate to the value of the obligation.²⁵² An indication that such breaches in local notarial practice might have been the norm may be perceived from *Prammatiche* issued later in 1687, when Grand Master Carafa (r.1680-1690) sought to apply the law anew.²⁵³ It was only however in the eighteenth century, during Grand Master's de Rohan's reign (r.1775-1797), when such practice became mandatory. This could well reflect the fact that until this date this procedure was still not being adopted by most practising notaries.²⁵⁴

The Notarial Archives were originally set up in 1640 under Grand Master Lascaris²⁵⁵ (r.1636-1657) who underscored the importance of the proper keeping of notarial documents in the Deed of Foundation of the *Archivio Notarile* which stated thus: "*essendo di tutta importanza la conservation e fedel custodia delle pubbliche scritte et atti a gl'interessi de nostri sudditi*".²⁵⁶ Regulations enforced by this grand master relating to notarial practice included a ban on the stipulating of any sort of maritime contract or even a contract in which one of the parties was a member of a religious order unless expressly authorised by the grand master.

²⁵² Bonavita, *Dissertazioni Storico Legali*, 323v.

²⁵³ Carafa's *Prammatiche* were drafted by Dr. Massimiliano Balzano and were finalised on 12 September 1681. They were divided into twenty-seven sections which were in turn subdivided. The tenth section deals with the regulation of the office of the notaries, and contains provisions relating to marriage and other agreements, and to the drafting and registration of deeds. NLM, Libr. MS 1408.

²⁵⁴ "*Tutt' i contratti, compresi quelli di donazioni tra vivi, fatti per mano di pubblico Notaro, o contenuti in privata scrittura o chirografo, dovranno essere sottoscritti da' contraenti; e non sapendo, o non potendo costoro scrivere, da altri di loro speciale commissione, e dai due necessarj testimonj; altrimenti saranno nulli: e mancando i pubblici Notari a quanto si prescrive in questo: per la prima volta incorreranno nella pena d'onze cinquanta a pro' del Fisco, e nella seconda, oltre a quella pena, siano privati dell'esercizio dell' officio Notariale.*" (All contracts, including those relating to donations made during lifetime [*inter vivos*] which are drawn up by a public notary or else which are private scriptures, have to be signed by the contracting parties; and should these not know how or not be able to write, [the said documents] have to be signed by other persons whom they appoint, together with two other witnesses, otherwise, these [documents] will be deemed to be null. In case of breach of this law, public notaries will be fined fifty *uncia* which are payable to the fiscal officer, for the first offence; and for the following offence, in addition to this fine, their practising warrant of notaries will be withdrawn). NLM, *Del Dritto Municipale Di Malta*, Codice Rohan, Libro I, Capo XLI, ix, 70.

²⁵⁵ These were known as the Public Archives and were temporarily housed in the upper hall contiguous to the Oratory of the Major Conventual Church of St John, Valletta. An archivist was chosen as keeper of the notarial acts and was also responsible for issuing copies. He was subject to the supervision of the Vice-Chancellor of the Order, took an oath of office and vowed not to allow the acts to be taken out of the premises. He had to sign all copies given out and without his signature these would have no value or effect before tribunals.

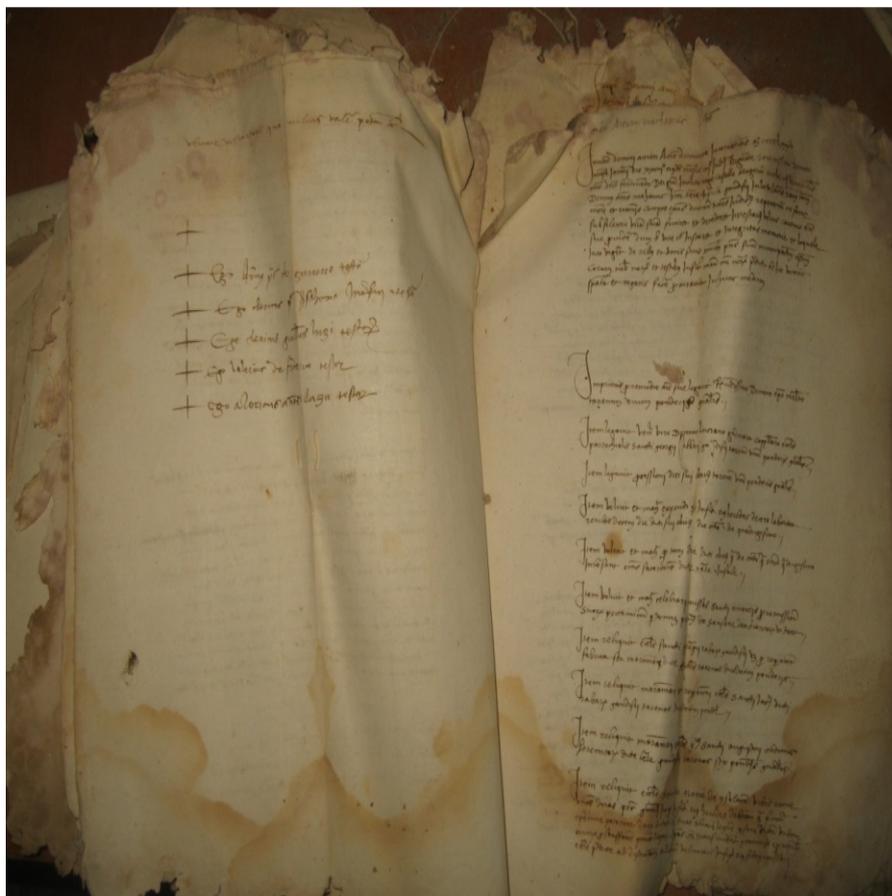
²⁵⁶ (Being of great importance the conservation and safe custody of public deeds and acts for the welfare of our subjects). NLM, AOM 469, ff. 260-261.

Title number eleven of the laws promulgated by Grand Master Antoine Manoel de Vilhena (r.1722-1736) deals with *Notari, Archiviari etc.*²⁵⁷ These laws tried to strengthen and establish the formalities and requisites of notarial deeds, especially so that they might enjoy greater authority and so do away with possible disputes which may arise as regards to their contents and authenticity. The history of legislation under the Knights of St John culminated under Grand Master de Rohan through the publication of the *Diritto Municipale di Malta* on 17 July 1784. Chapter 41 of the First Title is dedicated to Notarial practice and entitled *Notari Publici e Stipulanti*. Most of this Chapter reconfirms the provision enlisted in the Vilhena Code though there is also a large percentage that may be considered completely new and other provisions which met with some modifications so as to meet the requirements of the time. A case in point being that which stated that the Notary was required to hold three different warrants to be able to exercise his profession to its fullest extent. “The first warrant only enabled an individual to act as a senior notary’s clerk, the second warrant attributed to a qualified notary the faculty of drawing up contracts “inter vivos”; while lastly, by means of the third warrant, a notary was allowed to receive acts “causa mortis”, such as wills and codicils.”²⁵⁸ The Code de Rohan also dealt with the language used for drawing up contracts and stipulated that all commercial contracts were to be written in the Italian language. The provisions contained in this Code of Laws remained in force throughout the first half of the nineteenth century, when legal improvements which were effected in other spheres of Maltese law rendered them obsolete since the profession was expanding and the need for a more profound and sophisticated legislation was being felt.

²⁵⁷ For a fuller insight refer to C. Vella, *The Notary Public in Malta from the Vilhena Code of 1723 to Ordinance V of 1855*, LL.D thesis, (University of Malta, 2006).

²⁵⁸ T. Spiteri, *The Functions and Responsibilities of Notaries Public*, LL.D thesis, (University of Malta, 1973), 25-26.

Fig. 1.1 The fragile quire of a notarial register dated 1485 which was discovered during the restoration project at the Notarial Archives, Valletta. Most of the deeds in this bundle refer to wills and are countersigned by the witnesses as was stipulated by the prevailing law of the *Regno*.



Source: NAV, Unclassified collection, document found during re-sorting of documents by the author and at present temporarily archived in Medieval Documents section.

A common factor found in various regulations ever since medieval times are the provisions which addressed the need for the good preservation of these manuscript volumes.²⁵⁹ Among these, one finds that keepers of notarial acts had to be licensed notaries public and that they had to bind their registers in '*pergamena*'.²⁶⁰ They also had to keep an alphabetical index of the acts

²⁵⁹ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, *passim*; NLM, *Del Dritto Municipale di Malta*, 80.

²⁶⁰ Also known as *membrana* or *cartapechora*, *pergamena* or parchment was ideal for bookbinding. From a study of the corpus of these parchment bindings used to cover some of the notarial registers carried out by Theresa Zammit Lupi as part of her doctoral thesis, it was established that some of the covers originated from different choral books, the earliest dating to the 16th century. T. Zammit Lupi, *Cantate Domino: Early Choir Books for the Knights in Malta*, (Malta, 2011), 19-20. The script and musical notations can still be

which they drew up for each administrative year and, most importantly, they had to ascertain that the acts were kept in safe custody at all times.²⁶¹

1.5.3 The four volumes of an act

According to Patinella's manual for notarial practice which was published in Palermo, the notary had to keep in total four volumes comprising four copies of the same act each year.²⁶² The first copy was called *Quinterniolum*, or *Bastardellum*²⁶³ which in Sicily was known as *Venimecho*.²⁶⁴ Here, the first minutes of the contract were jotted down and accordingly these had to include the date, the type of contract, and the name and surname of contractors. The notary was warned not

clearly made out. Some of the pages contain illuminated initials, painted in bright colours and highlighted in shell gold. Some initials are decorated with floral designs, while others are embellished with skilfully rendered profile views of grotesque heads which recall mask designs originating in classical antiquity, and adopted in all forms of the decorative arts from the Renaissance onwards. The parchment is actually the treated skin of an animal such as cow, calf or sheep. This material is very strong and durable and was a costly luxury product in the past. It may have been for these reasons that when the pages from the choral books were cut out, most probably as a result of the Tridentine reforms, they were not discarded and were instead re-used as bindings for a number of Notarial volumes. It is interesting to note that most of the volumes covered in this manner contain Notarial acts pertaining to the 17th century. It is not known at what stage these volumes were covered by these re-used illuminated pages. Was this their original binding? Or was it a later binding, using centuries-old discarded parchment sheets, used to re-cover these volumes perhaps because their original binding had started to disintegrate? Whatever the case, the binders unwittingly preserved these wonderful works of art when they pressed them into service as bindings. Thanks are due to Francesca Balzan for this information.

²⁶¹ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction, *passim*; NLM, *Del Dritto Municipale di Malta*, 80.

²⁶² J. A. Patinella, *Tyrocinium sive, Theori-Practica tabellionatus officii [...]* (2nd edition) (4 volumes, Palermo, 1777). (The IVth volume apart from being an index to the other three volumes also contains separate sections grouped as *Clausulae*, *Caeteratarum* and *Constitutiones et Ordinationes Pandaectae*), Vol. IV, *Constitutiones et Ordinationes Pandaectae*, 5. The first edition of this work was published in 1740. However the original work precedes this date, since in this copy it is said that this edition was first published under the auspices of Marcus Antonius Columna who was elected Viceroy of Sicily in 1577. Furthermore, the 18th century copy states that the work had been copied from a collected work of Joseph Cesino Foglietta, entitled *Pragmaticarum Regni Sicilæ, p[ars] 2, to[m]us 3*. G. Aquilina, *The full clause explaining the et cætera abbreviation in two manuscripts of the National Library of Malta*, (Malta, 2005), 9-13. Thanks are due to Fr George Aquilina OFM for making a copy of this rare publication available to the author.

²⁶³ According to Fiorini, the term *bastardello* originates from Sicilian (*bastardeddu*) which means a Notarial register that recorded the names of the *bastardi* (foundlings) at the Palermo hospital. The use of a *bastardello* or *pictatium* (Sicilian: *Pitazzu*, Maltese: *Pitazz*), was officially imposed in the *Capitula Tabellionum* of 1440 issued by Giliberto Centelles and Baptista Platamone. These *Capitula* governed the profession of Notaries Public throughout the Kingdom of Sicily. Fiorini, *Documentary Sources, Part I No. 3*, Introduction, xxxi.

²⁶⁴ This could well be derived from the Latin *vade mecum* – 'come with me', which referred to a small book that could easily be carried around. Thanks due to Fr. Nicholas Aquilina for this information communicated on 8 February 2011.

to leave any record of acts solely in this register, but to transfer them in their entirety within one day in another register known as the *Protocollo*. It is interesting to note that the *Protocollo* register was also commonly known as the *Bastardellum*,²⁶⁵ and while the very first drafts in the original *Bastardellum* could be destroyed once details of the act were transferred to the *Protocollo sive Bastardellum*, the latter could not be destroyed at any point in time.

Furthermore, no amendment or cancellation of an act was acceptable unless through the drafting of another contract which superseded it. *Protocollo* thus comprised the second register wherein the notary, apart from faithfully copying the minutes according to their sequence, inserted the necessary legal clauses and formulae which were missing in the initial draft copy. No page or space was to be left empty and there were to be no annotations in the margins as a pretext of error since such abuse would lead to the suspension of the notary's licence. The opening page, like all the opening pages in the following volumes, had to hold the notary's *signum* and had to be written in the Notary's own handwriting, "*In prima pagina hujus libri volumes, ut Notarius sua manu scribat*".²⁶⁶

The third volume was called the *Minutarum* where, prior to publishing the acts, the notary had to make sure that the act was according to the wishes of the contracting parties and made any alterations if necessary, after which he had to write down the deeds in their extended form and ensured that they contained the subscription of the contracting parties. The fourth volume was the *Registrum* which also contained the extended form of the act and could not be written on folded folios.²⁶⁷ Once again all the details had to be written faithfully and chronologically in the register as was done in the previous registers, without any interruptions or blank pages, as per acts registered in the *Minutarum*. It was the notary's duty to ensure that at the end of each year, these were bound in parchment and kept in order. For each administrative year he was obliged to

²⁶⁵ A. Romano, 'Bastardelli, protocolli e registri. La registrazione notarile degli atti in Sicilia fra medioevo ed età moderna', *Archivi per la storia*, Vol. VI, No. 1-2, (1993), 61-78.

²⁶⁶ Patinella, *Tyrocinium*, Vol. IV, *Constitutiones et Ordinationes Pandaectae*, 5-6.

²⁶⁷ For an example of a folded folio or *folio plicato* refer to Fig. 1.3 first picture on the left.

keep a *repertorio* or alphabetical list of the contracting parties. This was not only done to facilitate his work should he be requested to produce a copy of a particular contract, but also to aid whoever wanted to inspect the volume for his personal use.²⁶⁸

From a study carried out at the Notarial Archives Valletta, it may be discerned that at least three different types of registers mentioned by Patinella, namely, *Protocollo sive Bastardellum*, *Minutarum* (in Maltese archives it is now referred to as the Original copy) and the *Registrum* (now known as the Register copy) are still extant.²⁶⁹ Notaries practising in Malta applied more or less the same format to their volumes, starting with the invocation of God's blessing, the date and indiction,²⁷⁰ the name of the reigning Pope and that of the Grand Master. The notary's name and the places where he was licensed to practise were also noted in the opening folio of his registers.²⁷¹ Usually, this long introduction would finish with a prayer to the Father, Son, and Holy Spirit, and it would also often invoke the help of the Virgin Mary. The notary's signature and *signum* would also be placed on the front page as is depicted in Fig. 1.2.

As regards the procedure adopted when registering details of the contracting parties, in many instances their names were supplemented by the names of their father and/or by stating their profession or craft, together with details of their place of domicile. As has already been noted elsewhere, titles of persons were not always meticulously recorded. Therefore, while in a particular contract you would find a person being designated with a title, he or she might well be simply listed by his or her name in another. A wife would be distinguished by the mention of her husband, and similarly, a widow would be distinguished by inserting the name of her deceased

²⁶⁸ Patinella, *Tyrocinium*, Vol. IV, *Constitutiones et Ordinations Pandaectae*, 5.

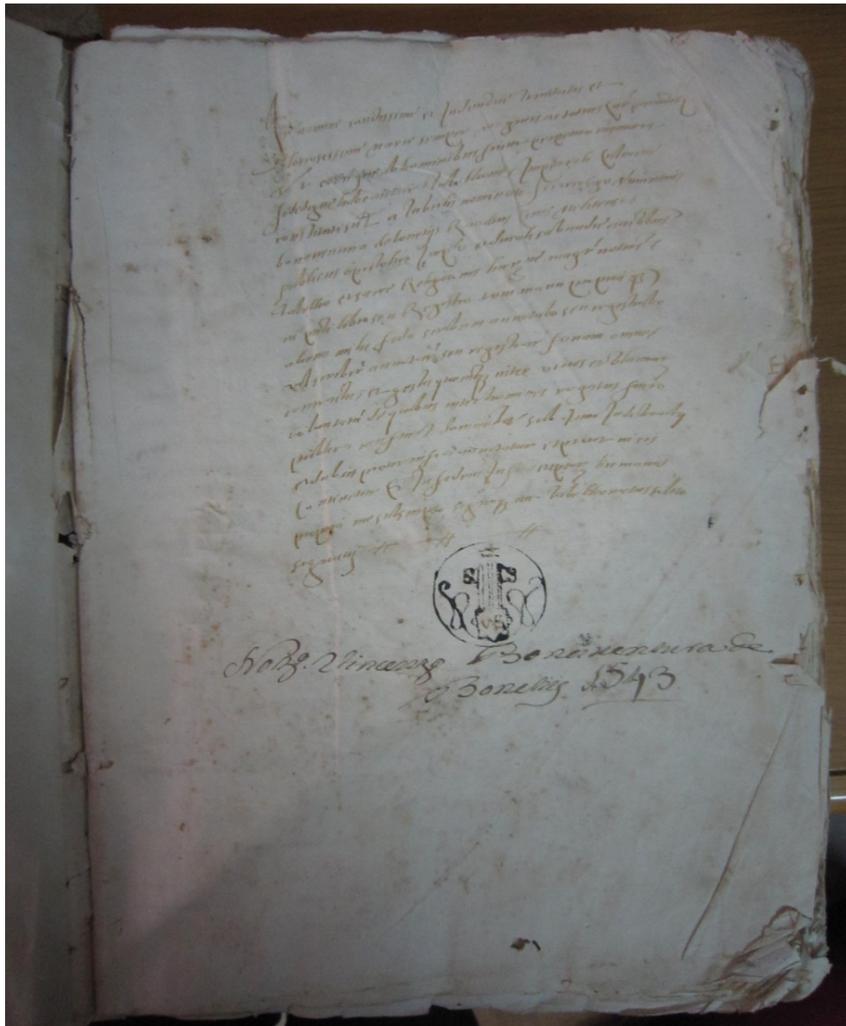
²⁶⁹ This must be due to the fact that the original minutes noted in the first copy of the *Bastardellum* could be thrown away after being transferred to the *Protocollo sive Bastardellum*.

²⁷⁰ 'In medieval records, the year, whether reckoned by the Christian era or the ruler's reign, is often accompanied by an indiction. This term, derived from the Latin *indicare*, to declare or impose, in the late Roman Empire denoted the annual assessment of levies in kind, from 287 the reforming emperor Diocletian regulated these on a five-year basis, which gave way to a 15-year cycle.' In the West indictions gradually declined into a mere affection of notaries. B. Blackburn & L. Holford-Stevens, *The Oxford Companion to the Year*, (Oxford, 1999), 769-770.

²⁷¹ During the course of this study it was noted that not all notaries put down this information in each of their volumes.

husband. As shall be shown in Chapter Four, husbands were also at times obliged to declare their wife's name and her consent in certain agreements. In the case of foreigners or foreign residents in Malta not only would their country of origin be indicated, but often, more detail including the particular region from where they came would also be specified. In case of shipmasters (*patroni*), in addition to the above, these would generally include in the contract the name of their ship and her capacity.

Fig. 1.2 The opening page of the acts of Notary Vincenzo Bonaventura de Bonetiis R 206/7 for the year 1543, wherein he states that he is a Rhodiote notary, particularly that he is the appointed notary of the Knights of St John, and that he holds Maltese citizenship . His signature and *signum* are also distinguishing features on this folio.



Source: NAV, Notary Vincenzo Bonaventura de Bonetiis R 206/7, (1543).

It is pertinent to note that even today each notary holds two different registration numbers, one for the Original volumes and the other for the Register copies. Thus, for example, Notary Placido Abela's acts may be traced either under MS 514, referring to the Original volumes or else under R 4, referring to the Register copies. Unfortunately, although thousands of volumes of *Bastardelli* copies are still extant, these are not catalogued and thus present certain difficulties for the researcher since most of them are still not available for consultation.²⁷² *Bastardelli* volumes are usually, though not always, half the size of the other two volumes, approximately A5 in size, and carry the same registration number as the Register copies.

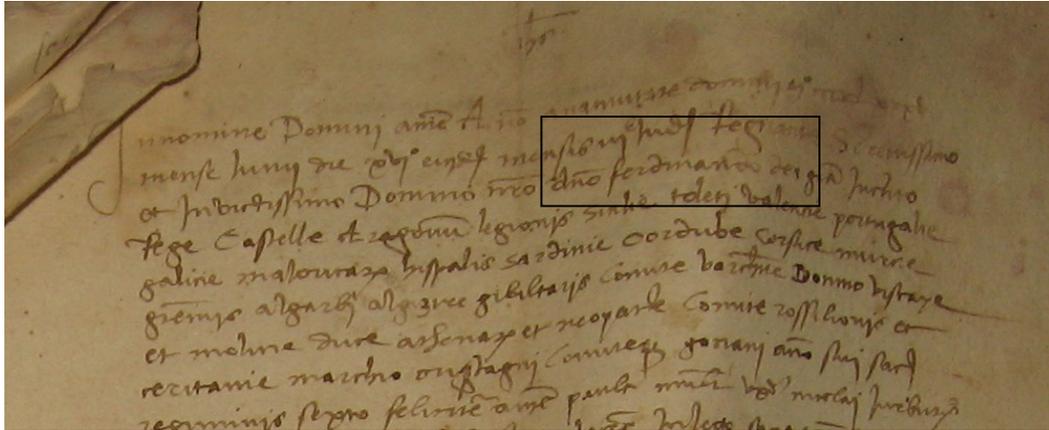
Fig. 1.3 The evolution of an act (from left to right) - copy of a sixteenth-century act relating to the sale of wax which is still extant in three different registers, *Protocollo* or *Bastardello* copy R 4/1 in *folio plicato*, n.f., the Register copy R 4/1, n.f., and the Original copy MS 514/1, f. 32.



Source: NAV, Notary Placido Abela, R 4/1 & MS 514/1, (9.xi.1557).

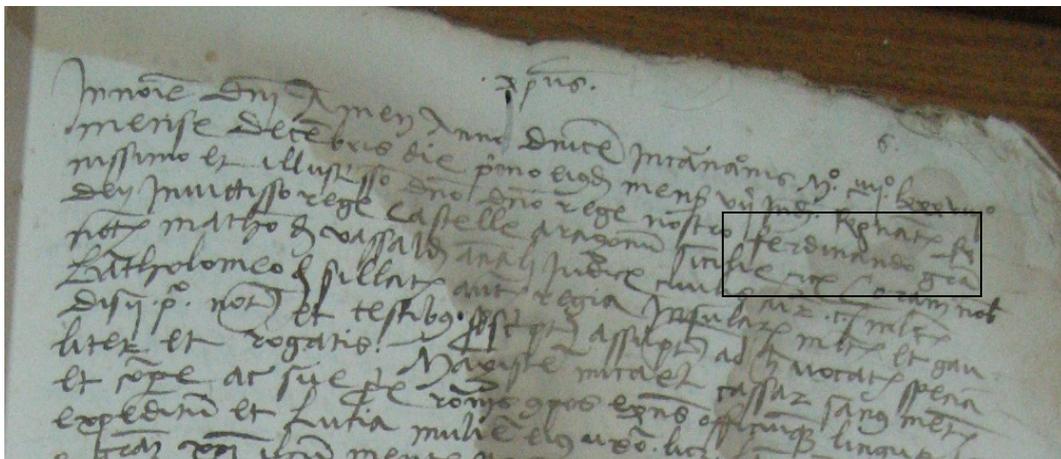
²⁷² The Notarial Archives Resources Council, a non-profit, voluntary, non-government organization bringing together researchers, academics and other interested citizens, was set up in 2005. Its main aim is to support the Chief Notary to Government and Keeper of the Notarial Archives, together with all the staff, in their quest to preserve for posterity the rich collection of Notarial deeds kept in the Notarial Archives of Malta. In 2010 this organization embarked on a project which targets the recording of all *Bastardelli* volumes in a digital database. Such initiative would ultimately help students and scholars tap sources which had hitherto been inaccessible. By 19 January 2012 approximately 3,000 volumes were duly recorded and could be handed to researchers.

Fig. 1.4 The name of Ferdinand II of Aragon is herein mentioned together with the territories under his rule. The mention of the Spanish monarch in Notarial registers was interrupted during the Order’s rule, though not immediately.



Source: NAV, unclassified document in loose format dated 1485. Document found during re-sorting of documents by the author and at present temporarily archived in Medieval Documents section.

Fig. 1.5 1 December 1538, eight years after the arrival of the Order of St John, the name of King Ferdinand is still recorded in Maltese notarial deeds.



Source NAV, Notary Bartolomeo Sillato, MS 1069/1, f. 6, (1.xii.1538).

1.5.4 Characteristic elements

Among the characteristic elements making up a Notarial document, the invocation of God’s blessing is perhaps the most striking feature. The monogram of the name of Jesus, would often accompany phrases such as “In nomine Domini Dei et Salvatoris nostri Ihesu Christi” and, “In

nomine Sancte et Individua trinitatis et gloriosissima maria virginis". All these prayers were invariably used in the opening quire of a Notarial volume, with the initial letter "I" often being enlarged and beautifully illustrated with intricate designs.²⁷³

Fig. 1.6 Together with the monogram of the name of Jesus, the elaborate initial letter "I" was a particular feature in Notarial deeds, often serving as a distinguishing sign for a particular notary.



Source: NAV, Notary Pietro Calleja R 123/3.



Source: NAV, Notary Marc'Antonio Chiappara R 187/2.

²⁷³ This letter often distinguished one notary from another since each notary often had his own particular elaborated letter "I". Pedani Fabris states that these were almost as much a distinguishing feature as the *signum* of the notary. M. P., Pedani Fabris, "*Veneta Auctoritate Notarius*": *Storia Del Notariato Veneziano (1514-1797)*, (Milano, 1996), 79.

Another important element found in Notarial deeds which requires the special attention of the researcher is the dating of the acts. Notaries practising in Malta grouped and bound their registers from 1 September to 31 August, the administrative year corresponding to the indictional year following the style of Byzantium.²⁷⁴ However, notaries did not adopt a uniform method to indicate the start of a new calendar year. Some of them considered the 25 March, as the initial day of the year, thus adopting the Florentine year system²⁷⁵ known as *ab incarnatione* which principally reflected the belief that this was the day when Jesus Christ was conceived.²⁷⁶ Others have used what was known as the Roman or papal Indiction whose first day was either 25 December, better known as *a nativitate* referring to Christmas, or else 1 January.²⁷⁷ According to Patinella's manual, notaries had to write each day, month, year and Indiction in full in all their registers.²⁷⁸

Another important aspect of Notarial acts was the application of religious feasts serving as time markers when referring to future dates. In the pre-industrial agrarian society, every activity, including time, was seemingly saturated with religion, and divisions of night and day and the year

²⁷⁴ Wettinger, *Acta Iuratorum*, 15.

²⁷⁵ In the Florentine calendar the year began on 25 March instead of on 1 January, which is why some dates have an apparent one-year discrepancy. This was not unusual since the French year began on Easter day until 1564, the Venetian year on March 1 until 1522, and the English year on March 25 until 1752. Blackburn & Holford-Strevens, *The Oxford Companion to the Year*, 103, 785, 880.

²⁷⁶ The series of Roman, Papal, or Pontifical Indictions introduced in the 9th century, made the series start from the first day of the civil year, which was in some cases being 25 December, in others 1 January. This system was also common in Western Christendom, but in spite of its appellation it was by no means exclusively used in papal documents. The date at which the year commenced varied at different periods and in different countries. When Julius Caesar reformed the calendar (45 B.C.) he fixed 1 January as New Year's Day, a character which it seems to have never quite lost, even among those who for civil and legal purposes chose another starting point. The most common of such starting points were 25 March (Feast of the Annunciation, "Style of the Incarnation") and 25 December (Christmas Day, "Style of the Nativity"). In Rome and a great part of Italy, it was from 25 December, until Pope Gregory XIII reformed the calendar (1582) and fixed 1 January as the first day of the year. However, the years according to which papal Bulls are dated still commence on Christmas Day. Available at: <http://www.newadvent.org/cathen/03738a.htm> (accessed on 9th May 2009). Refer also to Blackburn & Holford-Strevens, *The Oxford*, 770-1.

²⁷⁷ Pedani Fabris, *Veneta Auctoritate Notarius*, 81-2.

²⁷⁸ Patinella, *Tyrocinium*, Vol. IV, *Constitutiones et Ordinationes Pandaectae*, 10.

remained largely ecclesiastical.²⁷⁹ Thus, religious feasts often represented stipulated time markers for various obligations such as, the repayment of a loan. Among the most popular feasts mentioned in Notarial acts one finds: Martinmas (11 November),²⁸⁰ Christmas Day (25 December),²⁸¹ Shrove Tuesday and Easter Sunday (between 22 March and 25 April),²⁸² the Feast of St John the Baptist (24 June),²⁸³ the Assumption of the Virgin (15 August)²⁸⁴ and Michaelmas (29 September).

1.5.5 The *signum*

By the middle of the twelfth century, the progressive diminution of the number of witnesses needed to attest to the validity of the contract reflected how the notary, who originally was a simple scribe, had by that time acquired the power to grant a document the *publica fides*.²⁸⁵ The signing of the document, together with the *signum*, were the essential elements certifying that the act was drawn by a specific individual who had the required juridical requisites to make the document he drew up legally-binding. Once the notary adopted a particular *signum* he had to adhere to using it for the rest of his life and was not allowed to change it in any way: "*Signum suum Tabellionatus, quod semel assumpsit, mutare nullatenus potest.*"²⁸⁶ The *signum tabellionis* was originally drawn by hand; however, later on in the early modern period metal stamps were utilized to print it.

²⁷⁹ C. Cassar, 'Popular Perceptions and Values in Hospitaller Malta', V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 429-474, 444.

²⁸⁰ NAV, MS 514/1, n.f., (23.xi.1557).

²⁸¹ NAV, MS 514/1, n.f., (16.vii.1558).

²⁸² NAV, R 4/1, f. 77 (1.xii.1557).

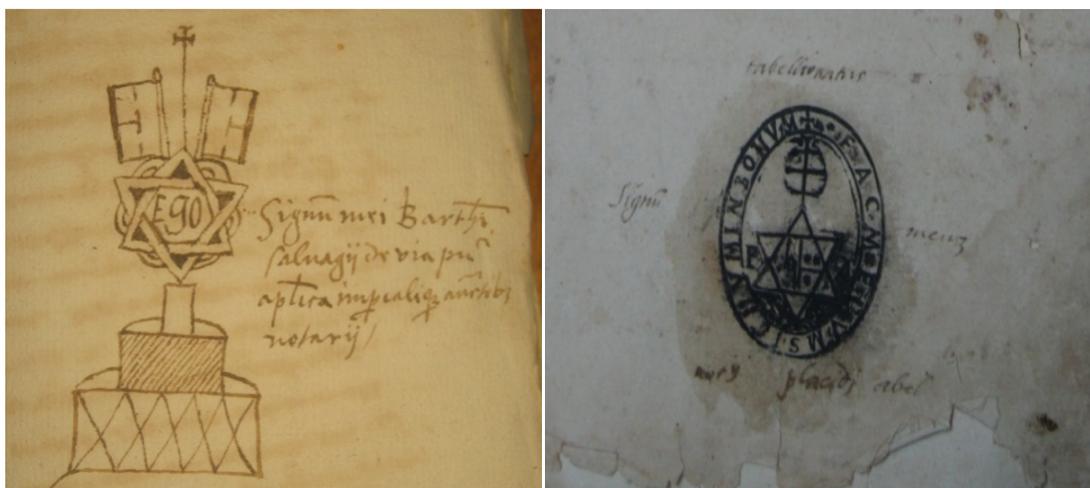
²⁸³ NAV, MS 514/1, n.f., (12.vii.1558).

²⁸⁴ NAV, R 4/1, f. 141-141v (31.xii.1557).

²⁸⁵ Pedani Fabris, "*Veneta Auctoritate Notarius*", 84. This meant that the document carried with it a promise of protection.

²⁸⁶ Patinella, *Tyrocinium*, Vol. IV, *Constitutiones et Ordinationes Pandaectae*, 12.

Fig. 1.7 Evolution of the *signum tabellionis* from the hand-drawn version to the stamped imprint.



Source: Right: NAV, Notary Bartolomeo Selavagij de Via R 439/1 (1531), *Signum mei Bartholomei Salvagij de Via publici apostolica imperialique auctoritatibus notarij*.

Source: Left: NAV, Notary Placido Abela MS 514/1, (1557-1558), *Tabellionatus Signum meus Notarij Placido Abel*. The words in the stamp read *In Bonum Fac Mecum Signum*

Extant notarial registers indicate that notaries did not sign each and every act. Some of them even seem to have omitted the inclusion of the *signum* and their signature in the opening pages, wherein, as already discussed, most of the information regarding the notary's practice were noted. It is important to mention however that copies of deeds given to the respective contracting parties needed to be signed by the notary himself who used to add the following words in abbreviated form on the documents: *Coll[atio] Sal[va]*, which means, that it was a true and faithful copy of the original.²⁸⁷ If any other copies were needed, the notary would note down the following information at the top of the deed found in his register: *D[ata] C[opia]* (copy given), the latter not always being accompanied by a date.²⁸⁸

²⁸⁷ Aquilina, *The full clause*, 59.

²⁸⁸ "La nota, data copia, si faccia anche ne' registri, da' quali sar  estratta: ed in ogni caso che si far  la copia dalle minute, per non trovarsi allora i registri in ordine; si dovr  fare detta nota nelle minute, e successivamente ne' registri" (The note, data copia, shall be made even in registers, from where [the act] is extracted: in case the copy is made from the minutes due to the registers not being in order; this note has to be included in the minutes [today's Register volumes], and subsequently in the registers). NLM, *Del Dritto Municipale di Malta Nuova Compilazione con Diverse Altre Costituzioni*, (Malta, 1784), 76.

honour the conditions stipulated in the contract.²⁹⁰ These clauses were written in a uniform style by all notaries suggesting that notaries were all trained and obliged to use them in specific contexts. The deed was legally considered a valid instrument. Hence, in case of breach of contract, it ensured compensation even through the requisition of assets. A typical example is the following clause commonly used in contracts dealing with personal obligations such as those relating to the commissioning of works of art, building contracts, transportation of merchandize and so forth:

*Alias teneantur ad omnia, et singular damna, interesse et expensas quomodolibet subeunda; et insuper, et eo casu, liceat conductori conducere alium operarium, o veramente, famulum, sub quocunque stipendio; et cum invenerit, et acceperit, id omne cedat damno, et interesse praedicti obligati. Et haec omnia, et singula intelligantur, et sint, contra ipsum obligatum praesentem, et audientem, protestata, notificata, et requisita, cuiuscunque alius protestationis, requisitionis, et notificationis necessitate exclusa.*²⁹¹

(Otherwise he [the one who is carrying out the work] is bound for every and each change, interest and expenses suffered, and as above, in that case, the contractor may employ another worker, or in truth, any person, under any wage, and when he finds him and he accepts [the new worker], all this he cedes from this damage, and interest of the aforementioned responsible to carry out the work. And all these, and each are understood, and in fact they are, against the one who is commissioned who is here present and who is hearing, and therefore there is no need for any further claims, requests and notifications).

Such clauses as the above would not usually be written in full in the contract but designated with a simple &c (*et caetera*). This was done not only to facilitate the Notary's work but also to speed up business transactions. The clauses entered in abbreviated form were those which were approved by the state whose full meaning was reproduced in a manual for notaries.²⁹²

²⁹⁰ Condorelli, *Il notariato*, 2.

²⁹¹ Thanks are due to Fr. Nicholas Aquilina for his assistance in this translation. This clause basically means that the person who is commissioned to carry out the work is liable to pay for any expenses related to the full completion of work even if third parties are commissioned, either by him or by the commissioner of works, to do this in his stead. Aquilina, *The full clause*, 26.

²⁹² Patinella writes the following regarding the *et caetera* clauses: "*per maggiore facilità di negozi, con alleggerimento del travaglio de' Notari, dichiarato, non essere necessario distendere nelli protocolli, & registri quegli, Et caetera, i quali si ritroveranno distesi in un formulario ordinate di tali clausule*" (For the expedience of business and to facilitate the work of the notary, it is declared that it is not necessary to extend the *Et*

Notaries were duty bound to explain to their clients the full meaning and implications not only of these *et cætera* clauses, but of the whole deed.²⁹³ It is to be noted that the vast majority of deeds analyzed during the course of this study were written in Latin, although sometimes Italian and Spanish vernacular elements were used as well.²⁹⁴

Furthermore, in order to express better the client's wishes it was deemed necessary for the notary to write down particular words or phrases in *vulgari sermoni* (in the vulgar). These words were often followed by the phrase, *ut vulgo dicitur*.²⁹⁵ In Malta's case this system served to encapsulate various placenames, nicknames, surnames and other expressions in Maltese which would have otherwise been lost to posterity. In fact, vernacular medieval Maltese is only known to have survived in a Maltese poem written by Notary Pietro Caxaro who died in 1485.²⁹⁶ Pietro's nephew, Brandano Caxaro, a priest and a notary, copied the poem on the last quire of his first notarial volume.²⁹⁷

1.5.7 Other primary sources

Other documents supplementing information derived from Notarial sources are Episcopal Court proceedings deposited at the Mdina Cathedral Museum Archives and Civil Court proceedings deposited at the *Banca Giuratale*, the latter being the Legal Documentation Section of the National Archives of Malta. As the name suggests, the Episcopal Court was an ecclesiastical tribunal seeking to enforce Canon law in Malta. As shall be explained in Chapter Two, similar to the Sicilian context, Canon law was part and parcel of the Civil law of the country and lay tribunals

cætera clauses which are laid down in the manual of such clauses). Patinella, *Tyrocinium*, Vol. IV, *Caeteratarum*, 1; see also, Aquilina, *The full clause, passim*.

²⁹³ "A prima usque ad ultimam lineam sermon materno", Aquilina, *The full clause*, 7.

²⁹⁴ For a deeper insight into the use of Notarial Latin refer to Langeli, *Notai*, 24-28.

²⁹⁵ Fiorini, *Documentary Sources, Part 1, No. 3*, Introduction xxxii.

²⁹⁶ Wettinger & Fsadni, *Peter Caxaro's Cantilena: A Poem in Medieval Maltese*; Wettinger & Fsadni, *L-Għanja ta' Pietru Caxaru. Poeżija bil-Malti Medjevali*, C. Dalli, 'The Earliest document in Maltese - a great discovery', *The Sunday Times of Malta*, May 18, 2008. 57.

²⁹⁷ NAV, R 175/1, (1533-1536).

referred to it when the civil laws were silent. Thus, the influence of Canon law on the development of legislation was indeed significant.

As shall be delineated in the next chapter, the authority of the Roman Catholic Church increased considerably in Malta during the reign of the Knights Hospitallers as a result of an existing concord between Church and State. The supreme head of the Order was the Pope, who wielded immense authority and whose decrees were automatically applicable in Malta. The jurisdiction of the ecclesiastical courts was thus quite extensive and included also the members of the Civil Government. The registers consulted from this collection which have been of interest for this study were the *Acta Originalia*, which contain several instances of cases regarding commercial litigations, usury, fraud or theft,²⁹⁸ and the *Liber Usurarium*,²⁹⁹ which, as the name suggests, contains cases involving usurious practices.

Prior to giving details of the records consulted at the *Banca Giuratale*, it needs to be noted that, as in Rhodes, the inhabitants of Malta were governed by a separate code of laws from the one applicable to the members of the Order.³⁰⁰ Thus, the Grand Master played a dual position since on the one hand he was subject to the Order's statutes and was considered *primus inter pares*, while at the same time he ruled over Malta as a feudal lord. In 1533, in a body of laws entitled *Statuti ed Ordinanzioni*, Grand Master L'Isle Adam (r. 1530-1534) established the *Magna Curia Castellaniae*³⁰¹ or Magisterial Law Courts.³⁰² According to this statute, the jurisdiction of the

²⁹⁸ For a detailed list of their content refer to Azzopardi, *Handlist of the Episcopal and Pro-Vicaral Archives*, 3.

²⁹⁹ Although these registers start from 1570, at times they make reference to earlier cases.

³⁰⁰ Williams, 'Sacra Militia', 142.

³⁰¹ Extant *Acta Originalia* records of the MCC span from 1543 to 1798 whereas the *Registrum Actorum Originalium*, span from 1535 to 1797. However it is to be noted that very sparse material exists for the period under study.

³⁰² NLM, Libr. MS 704, Vol. 2, No Title. This volume contains miscellaneous documents dating from ca 1500 to 1765. The only known copy of the *Codice di Verdala* 1593 is found in ff. 97-146v. Verdala confirmed L'Isle Adam's *prammatiche* in paragraph 120 of these laws. L'Isle Adam's laws are also found in NLM, Libr. MS 148 *Codice di Lascaris*, 1640, ff. 24v-26 (new stamped pagination) and in NLM Libr. MS 439, *Prammatiche Lascaris*, ff.33v-36 (new stamped pagination). C. Cassar, *A Concise History of Malta*, (Malta, 2000), 84; A. Luttrell, 'Malta and Rhodes: Hospitallers and Islanders', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 255-284, 267-268.

new Castellan was limited to the new fortress and its adjacent buildings; this basically included the castle by the sea and the new city of Birgu, although later on it was extended over the population residing in the towns around the harbour area and the eastern half of Malta.

This was a Court of first instance and consisted of the *Castellano*, who was always a Knight of the Order, and two other judges, one of whom enjoyed civil jurisdiction and the other criminal jurisdiction, an Exchequer,³⁰³ a vice-Exchequer, two notaries and several clerks.³⁰⁴ As already indicated, Knights were exempt from its jurisdiction because they were prosecuted within the Order. Records of Magisterial Court date from 1543 to 1798, though it must be delineated that not much has survived covering the period up to 1565. Other records complementing these are the *Registrum Actorum Originalium* which date from 1535 comprising short notes of the cases heard at the Magisterial Court and some references to meetings of the Birgu *Università*.³⁰⁵ Prior to the setting up of the *Consolato del Mare* in 1697, this court was also concerned with cases involving corsairs flying the flag of the Grand Master. On the other hand, cases concerning the Order's Common Treasury were dealt with by the court of the *Comune Aerarium*.³⁰⁶

The inhabitants of Notabile, Naxxar, Birkirkara, Siggiewi and Żebbuġ fell under the jurisdiction of the *Curia Capitanealis*³⁰⁷ presided over by the *Capitano della Verga*, also known as the *Hakem*³⁰⁸ of the city. He was assisted by an Assessor of the Law (or Chief Judge) and four Judges known as *Giurati*. This court could not inflict any corporal punishment without the approval of the Grand Master. L'Isle Adam's statutes provided that the inhabitants could choose to be judged by a tribunal of their choice as long as this was done through mutual consent of the

³⁰³ Referred to in documents by the Italian name of *procuratore fiscale*.

³⁰⁴ De Bono, *Sommario della storia della legislazione*, 171, see also: The National Archives Malta, https://secure2.gov.mt/nationalarchives/searchingfonds.aspx?page_info_id=11 (accessed on 19 January 2012).

³⁰⁵ These span from 1535 to 1797.

³⁰⁶ Wettinger, *Slavery in the Islands of Malta*, 619. These records span from 1552 to 1796.

³⁰⁷ The records of the *Curia Capitanealis* span from 1538 to 1814.

³⁰⁸ The prefect of the city or Captain of the Rod who was the Chief Justice and who presided over the Municipal Council.

parties.³⁰⁹ Cases of appeal were presented at the *Magistratus Civitatis Notabilis*, composed of four *Giurati*. However, the only two extant archival sources related to the office do not fall within the parameters of this study. The latter relate to the records of the *Supremum Justitiae Magistratum* which cover the years 1778 to 1798 and the *Officium Magistratis Secretiae* covering the period 1570 to 1798. This office also had jurisdiction to deal with matters involving the *Università*, funds or *cumuli*,³¹⁰ the hospital of Notabile, transgressions of the *bandi* and other cases within the limits of Notabile and its district.³¹¹

Other records found at the *Banca Giuratale* which have been useful for this study are the *Cedulae Supplicae et Taxationes*,³¹² which among other refer to various petitions put forward by the citizens to the Judge of the *Castellania* in order to safeguard their interests. These include requests for payments not yet honoured, receipts of tax payments and requests for the granting of licences to operate shops. Unfortunately, the *Registrum Patentarum*, holding the records of shipping destinations from the Maltese port to various other Mediterranean ports is only available

³⁰⁹ The island's civil court prior to the arrival of the knights was made up of two legally-trained judges as well as a commoner judge known as *Judex Idiota* who was assisted by at least one notary. The *jurats* of the municipal government had their own judge who was known as *Judex Juratorum*. These also made use of the services of a notary. The *Ħakem* or prefect of the city enjoyed criminal jurisdiction across the island, and controlled the prisons. The captain's court was presided by a specially-appointed assessor or judge and his notary. The other chief royal official in Malta who exercised *de facto* jurisdiction over the sea castle and the inhabitants of the small hamlet of Birgu was the *Castellan* of the *Castrum Maris*. Gozo had its own separate Castellany and tribunals which dealt with civil and criminal cases of the inhabitants of Gozo, except feudal and *fidecommissarie* cases and those within the competence of the *siniscallia* and the *secretia*. Of the three castellanies the one at Birgu was considered the most important since it controlled and patrolled the Maltese waters. The Church had its own Court known as the *Curia Episcopalis Melitæ* where a specially-appointed judge and his court notary or *actuaries* held sessions. Dalli, *Malta, The Medieval Millennium*, 217-219.

³¹⁰ Basically meaning income.

³¹¹ C. Farrugia, 'The Records held at the *Banca Giuratale* – Mdina', in *The National Archives of Malta Newsletter*, No. 2, (2000), 6. In his work on the history of Maltese legislation, Paolo De Bono states that L'Isle Adam also grouped together Birgu, Żejtun, Żurriq, Gudja and Qormi while at the same time separated them from Notabile by placing them under the jurisdiction of a magistrate. He further states that this Grand Master eventually tried to make them subject to the Castellan's jurisdiction. However, this move met with great opposition and the Grand Master had to renounce the proposed changes. De Bono, *Sommario della Storia della Legislazione*, 172. When making such claims De Bono does not provide any references and proof that such changes were actually implemented has not yet been found.

³¹² Vols. I-VI span from 1564 to 1600.

from 1564.³¹³ Another interesting source is the *Registrum Depositorium Magna Curia Castellania*³¹⁴ which comprises cases related to bad debts or redemption of land, and accounts for the various deposits made in respect of their eventual repayment.

Other records which have been quite informative are those of the *Suprema Appelationis Curia et Tribunalis Publicae Audentiae Causae*.³¹⁵ These refer to appeals addressed to the Grand Master to grant permission for particular cases which had already been heard at the *Castellania* to be heard at the Court of Appeal. Of interest to this study for grasping a broader view of the local situation are also the cases presented at the *Officium Commissariorum Domorum*, also known as the tribunal of the *Officio Delle Case*, whose records are extant as from 1555. From a tiny 'hamlet with tottering shacks',³¹⁶ in just a handful of years, Birgu had developed into a bustling new port city. While the continuous influx of inhabitants created an acute social problem, the ever-increasing demand for property created a fertile market for landowners who wanted to speculate.

Already by 1531, the housing situation was so critical that Grand Master L'Isle Adam found it necessary to enact a law through which this tribunal³¹⁷ was appointed to fix and determine the fair rent and also to deal with disputes regarding houses and shops. It was presided over by two Commissioners who were Knights of the Order and by two jurats, one of whom was to be Maltese and the other Greek or Frank.³¹⁸ Any matters relating to the financial administration of the islands were dealt with by the *Camera Comptorum Communis Aerarii* which was established in 1440. During the rule of the Order this tribunal was composed of a President, the Procurators of the Treasury, A Chief Treasurer, the Procurator of the Grand Master, sixteen Knights, two from each

³¹³ Vol. I spans from 1564 to 1578.

³¹⁴ Vol. I spans from 1560 to 1588.

³¹⁵ Records span from 1531 to 1777.

³¹⁶ Quintin d'Autun, *Insulae Melitae Descriptio*, 30-31.

³¹⁷ This was the first tribunal to be created in Malta by the Order.

³¹⁸ This tribunal was initially presided by two knights and three Maltese residents of Birgu. However, after having received a number of complaints relating to exorbitant prices being charged in respect of the Rhodiot community, Grand Master D'Homedes changed the composition of the tribunal. S.R. Borg Cardona, 'The *Officio delle Case* and the Housing Laws of the earlier Grand Masters 1531-1569', *The Law Journal*, Vol.III, No. 1, (University of Malta, 1951), 39-69, 39-41.

langue called *Uditori dei Conti*, and a secretary.³¹⁹ Unfortunately, documents pertaining to this series date from 1552 and are very sparse for the rest of the period under study, thus presenting a lacuna for the first decades of the Order's rule.³²⁰

Last but not least are the manuscripts found at the National Library of Malta, which vary from municipal records of the *Università* to council minutes of the Order of St John and copies of the various *prammatiche* issued during the Order's rule. Proclamations and legal codes were normally found in the tribunals concerned with their enforcement, but, these eventually found themselves archived with the Manuscript collection at the National Library of Malta.

Liber Bullarum (Magisterial Bulls), are registers of the Chancery which contain, among other matters, the granting of appointments such as those of Councillors to the Supreme Court of Justice and other civil appointments and the concession of passports and official licences.³²¹ The *Liber Conciliorum* consists wholly of the minutes of the Council of the Order and thus contains the deliberations of the latter as regards both the internal management of the Order and the Government of the Maltese Islands.

The *Registro degli atti dell'Università della Città Notabile* is an indispensable primary source for the examination of the effects of the arrival of the Order of St John on Maltese society. These registers hold the records of the municipal body responsible for the internal administration of Mdina and, under the rule of the Order, of the Western half of Malta. Information contained therein dates back to ca. 1450 with registers Univ. 1 (1500-1599), Univ. 12 (1512-1531) and Univ. 13 (1531-1570) being of particular interest since they cover both pre and post period of the arrival of the Knights. These include official demands presented by the municipal emissaries to the King of Sicily or his Viceroy, public proclamations, price lists, importation of wheat,³²² export of local

³¹⁹ Farrugia, 'The Records', 7.

³²⁰ These span from 1552 to 1796.

³²¹ Camilleri, 'The Chancery'.

³²² NLM, Univ. 202 contains original letters of the consuls and procurators of the *Università* relating to the *massa frumentaria*, 1536-1579.

produce like cumin and cotton, imposition of taxes, customs duty tariffs, health and sanitary issues, names of the Captains of the Rod (*Capitani della Verga*), of jurats and treasurers of the *Università*, judges and lawyers and various other matters regarding the administration of the islands.

Even though the *Università* was effectively kept in check by the Order, its records give important evidence on the role played by Malta's municipal elite, thus providing the researcher with valuable records relevant to the different areas of influence between the Order of St John and the local authorities. As may be perceived from the above, the economic and political scene is crystallized in these documents since state regulations and other directives issued by the town council were duly recorded.

1.6 Conclusion

As has already been stated, information relating to the first few decades of the Knights' rule is restricted when compared to that available for the post-siege period. The vicissitudes of time did not facilitate the process of preserving a comprehensive collection of this period. Until this day documents pertaining to the period under study are scattered in various archives and often bound in a disorderly manner. This situation makes it even more difficult to ascertain why particular documents were archived in a specific series. It is hoped that consultation of these documents will not only shed light on the effects of the arrival of the Order on the commercial activities of the island, but also help to clarify the present classification of the documents by establishing their relevance for a particular series. In order to fulfil this scope a deeper insight into the workings and jurisdictions of the various courts and tribunals is essential. An analysis of the legal, juridical and administrative situation in both pre and post 1530 will thus constitute the subject of the following chapter.

Fig. 1.9 Detailed Map of Malta. The Castle of Birgu (bottom right) is given prominence as the main defence post and harbour of the island and Mdina, the seat of the old *Università*, has the most prominent buildings in the centre of the island. Note how Valletta, the city built after the Siege of 1565, is still shown as a barren promontory between Mdina and Birgu.



Source: Giovanni Francesco Camocio, 1570, Cathedral Archives Malta.

Chapter Two

New Institutions and Legislations 1530-1565

2.1 Introduction

Although Maltese historiography still lacks a serious discussion of the development of medieval institutions¹ studies conducted so far of surviving documentary evidence have demonstrated that already by the fifteenth century the Mdina and Gozo *Università*, or town councils, were fully-developed institutions within the framework of the Kingdom of Sicily.² The act of cession of the islands as a free and noble fief to the Order by Charles V³ included the provision that all privileges and liberties of the Maltese were to be preserved and honoured.⁴ Notwithstanding this sworn promise, it only took the Order a few months to start nibbling away at these jealously-guarded rights⁵ and alter the political and administrative role of the town council in a radical way.

The aim of this chapter is to analyze these institutional changes by focusing on the functions and privileges enjoyed by the *Università* before the arrival of the Order and the

¹ C. Dalli, 'Medieval Communal Organization in an Insular Context: Approaching the Maltese *Universitàs*', *The Making and Unmaking of the Maltese Universitas*, (Heritage Supplement) (Malta, 1993), 1-10, 2.

² On the development of the administrative institutions in the Kingdom of Sicily refer to A. Romano (ed.), *Cultura ed istituzioni nella Sicilia medievale e moderna*, (Soveria Manelli, CZ & Messina, 1992); A. Baviera Albanese, *Diritto pubblico e istituzioni amministrative in Sicilia. Le fonti*, (Rome, 1974); M. Bellomo, *Società e istituzioni dal medioevo agli inizi dell'età moderna*, (9th edition) (Rome, 1999).

³ The fief was granted on 23 March 1530 and accepted on 25 April 1530. The original deed of cession is preserved at the National Library of Malta, NLM, AOM 70. 'Normally a royal fief was enjoyed by the possessor for as long as he, or his heirs, survived. When, however, the possessor forfeited the fief either through rebellious conduct or behaviour unworthy of the trust placed in him by his sovereign, then the land reverted to the overlord, to be conferred on another favourite.' E.R. Leopardi, 'The Island of Gozo (1432-1453)', *Melita Historica*, Vol. III, No. 3, (1962), 77-80, 78.

⁴ Similar to the Sicilian context, starting from the first decades of the fourteenth century, a set of privileges and charters, often referring back to much older customs, was used as proof of the *libertates* enjoyed by the community.

⁵ Documents referring to the deliberations of the Council General of the Order with regard to accepting the island as a fief include, NLM, AOM 286, *Sacra Capitula Generalia* (1526-1538), ff. 5-5v, (Viterbo, 23.v.1527), ff. 23v-24 (Syracuse, 25.iv.1530), ff. 25-28 (Messina, 10.vi. 1530).

subsequent gradual but significant changes implemented by the latter during the first decades of their rule. Particular attention shall be given to the town council's role in controlling and conducting various economic activities pivotal for the island's subsistence. To date, Maltese historiography has treated this transitional period in Malta's political, social and economic development in a rather isolated and self-centred manner. In Braudelian terminology historians have presented the island as an 'isolated and self-contained world which the sea surrounded'. It would be thus pertinent to enquire whether the historian can persist in adopting such isolationist views. Did Malta experience political reforms which were particular to the local context, or is it possible to produce a comparative analysis based on a wider geo-historical perspective? In seeking to answer this question, it is however important to note that one must exercise caution when evaluating such comparisons since lack of explicit evidence may tend to lean towards the arbitrary.⁶

2.2 The administration of the Maltese Islands prior to 1530

The historian who sets out to study the history of Maltese institutions during the medieval and early modern period has to ground himself firmly in contemporary developments taking place in Sicily since both islands formed part of a greater entity, the *Regno*. Notwithstanding Malta's strong connections with Sicily, as early as the mid-thirteenth century, a report prepared by Gilberto Abbate for Emperor Frederick II covering the period 1230-1240, highlighted the differences which then existed between the Maltese customs and those of Sicily. This report indicates that although set within the Sicilian framework, the Maltese governing body adopted its own rules which were tailor-made to accommodate the island's particular way of life, "*Homines insularum ipsarum vivunt aliis moribus et constitutionibus, quam alii homines regni nostrae*

⁶ A. Luttrell, 'Approaches to Medieval Malta', in A. Luttrell, *The Making of Christian Malta, From the Early Middle Ages to 1530*, (Aldershot, 2002), II, 1-70, 14.

Siciliae"⁷ (The men of this island live under customs and constitutions which are different from those of the men of our Sicilian reign).

In his seminal work on Sicilian institutions, Andrea Romano asserts that the beginning of the fourteenth century witnessed an attempt to revive the juridical apparatus of the *Regno* from the crisis of the preceding century. In substance, this re-organisation defined two separate levels of jurisdiction, a municipal one, regulated by *consuetudines* and *privilegio* of the various municipalities within the *Regno*; and a royal one, which was in turn divided into two separate areas. These comprised a peripheral area of jurisdiction, with civil and criminal authority being granted to feudal lords and officials holding royal appointments in the various towns, and the other having a more central role pertaining to the *Regia Gran Corte*.⁸ The latter held the highest jurisdictional authority over both civil and criminal cases while at the same time it held competence over cases relating to feudal rights.⁹

During King Alfonso's reign (r.1416-1458), the distinction between civil and criminal jurisdictions became even more delineated, both areas having a distinct set-up and a tailor-made set of procedures.¹⁰ It is to be noted that La Mantia remarked the following with regard to civil law in Malta, "*Per quanto riguarda il diritto civile sono qui da accennare anzitutto le regole sulla*

⁷A. Mifsud, 'Appunti sugli archivi di Malta', *Archivum Melitense*, Vol. II, No. 13, (1912-1913), 9-67, 34. Luttrell argues that, "Malta was attached to Sicily for many centuries, but it was also a small and barren island off the African coast, situated further south than Tunis. Malta was influenced by Spain and Byzantium as well as from Sicily and Italy, and the persistence of its fundamentally non-European language is only the most striking pointer to the unreality of many Sicilian parallels.... Maltese institutions changed slowly, often lagging well behind the developments of those who ruled them from afar", quoted from Luttrell, 'Approaches to Medieval Malta', 14.

⁸ During Alfonso's rule this continued to be the most significant tribunal. It was composed of four biannually-appointed judges, who were chosen from among the most illustrious lawyers of the cities of Catania, Messina, and Palermo and another from the *Regno*. A. Romano, 'Note sull'ordinamento giudiziario del Regno di Sicilia', in Romano (ed.), *Cultura ed istituzioni*, 197-225, 217.

⁹ R. Andrea, 'Note sull'ordinamento giudiziario del Regno di Sicilia', in A. Romano (ed.), *Cultura ed istituzioni nella Sicilia medievale e moderna*, (Soveria Manelli, CZ & Messina, 1992), 197-225, 211-214. Sentences delivered by this court could be appealed at the *Tribunale della Sacra Regia Coscienza*, while appeals concerning the rulings of the *maestro secreto*, who was in charge of the royal revenues, the *secreti* of the major cities, and the *maestro portulano* or harbourmaster were heard at the *Magna Regia Curia Rationum*. Romano, 'Note sull'ordinamento', 214.

¹⁰ These reforms were only completed later on in 1530, under Viceroy Pignatelli, and they constituted the Sicilian code of procedure until 1819.

*comunione di beni fra coniugi contenute nei capitoli del 1458. Come ho ricordato altrove, l'isola di Malta seguiva le consuetudini di Messina su quella materia*¹¹ (As regards civil law, I would like to point out that, above all, the regulations regarding the community of property between a married couple are found in the Capitoli of 1458. As I have mentioned elsewhere, the island of Malta followed the laws of Messina on this matter). Prior to the arrival of the Order of St John in Malta, the municipal government of Mdina (Notabile) held jurisdiction over the whole island of Malta, except the harbour area known as *Castrum Maris* which had its own Castellany.¹² Just some 5 km in the north-west of Malta, the island of Gozo¹³ also had its own town council which was administered independently from that of Malta.¹⁴

The Maltese medieval town council¹⁵ was a secular institution¹⁶ which displayed a highly protective role in providing for the various needs of the local population.¹⁷ Not only did it control political and military affairs, but it also directed and controlled the economy of the island, affording little or no chance of involvement to those who fell outside its circle. The *Università* was presided over by the royal captain¹⁸ appointed specifically by the Crown. Such royal appointments

¹¹ G. La Mantia, 'Capitoli e Statuti Amministrativi Dell'Isola di Malta approvati dai Re o Vicere di Sicilia 1130-1530', *Archivio Storico di Malta*, Vol. VIII, No. 1, (1936-1937), 1-17, 12.

¹² C. Dalli, *Malta, The Medieval Millennium*, (Malta, 2006), 243.

¹³ Almost no material prior to 1551 survives for Gozo except for its *capitoli* which in the main are similar to contemporary Maltese ones. Dalli, 'Medieval Communal Organization', 1; E. R., Leopardi, E. R., 'The Island of Gozo (1432-1453)', *Melita Historica*, Vol. III, No. 3, (1962), 77-80.

¹⁴ This tripartite division is mentioned as early as 1241 when Giliberto Abate declared that the *castrum maris Malte* was one of three castles on the Maltese islands, the others being those of Mdina and Gozo. G. Wettinger, 'The Castrum Maris and its Suburb of Birgu during the Middle Ages', in Bugeja et al (eds.), *Birgu, A Maltese Maritime City*, 31-71, 33.

¹⁵ Extant documents produced by the town council include, the town council records of its meetings, the *mandati* documents (authorizations for payment), and the *capitoli*. Dalli, 'Medieval Communal Organization', 1. For the relationship between the *Università* and the Crown refer to H. Bresc, *Un Monde Méditerranéen, Économie et Société en Sicile 1300-1450*, (2 volumes, Palermo, 1986), Vol. II, 717-719.

¹⁶ By the laws of the Sicilian Kingdom, the clergy could not attain any of the municipal or royal offices. G. Wettinger, 'The Nature of Maltese Politics, c. 870 -1964', in V. Mallia-Milanes (ed.), *The British Colonial Experience 1800 -1964: The Impact on Maltese Society*, (Malta, 1988), 19-34, 23-4.

¹⁷ This protective role is best expressed in a set of *capitoli* presented in 1466: '*questa Università comu matre et quilla che divi procurari a lu bonu et quietu viviri di lu so populu et soi figli.*' NLM, Univ. 3, Doc. 1 as quoted in Dalli, 'Medieval Communal Organization', 9. (This *Università*, like a mother, is the one who has to provide for the good and peaceful living of its population and its children).

¹⁸ Unlike the *jurats*, since the captain was an official appointed by the Crown, he was not dependent on the municipal election mechanism. In 1416 the captaincy and its judgeships were extended to two-year terms.

of high ranking urban officials reflected the need for the Crown to secure good relations with the various demesnes in order to achieve social stability and political consensus when needed.¹⁹ The set up of such groups is highly evident of the Crown's continuous attempts to control territories through the distribution of patronage and reflects its concern not only at resisting foreign invasions, but even in its efforts to subdue local revolts when the need arose.²⁰

The royal captain was assisted in his duties by a group of annually elected town magistrates or *jurats*, who had to be residents of Malta.²¹ As is well attested from extant municipal records, these members were chosen from the uppermost social layer of the local major land-owning families who all sought to dominate the island's key appointments, often by establishing alliances through intermarriage.²² The *jurats* were aided by other public officials who fulfilled different functions within the institution's jurisdiction.²³ Among the functions pertaining solely to the royal captain there was the captaincy-at-arms,²⁴ which basically made him the official

His appointment usually started from September. Nevertheless, if no new official was appointed from Palermo the town council temporarily extended the appointment of the existing town mayor. A similar case can be found in, G. Wettinger, *Acta Iuratorum et Consilii Civitatis et Insulae Maltae*, (Palermo, 1993), Doc. 137. The salary of the royal captain was the responsibility of the town council. In 1475 the Mdina town council was given the concession of having the royal captain made accountable to them for his deeds. C. Dalli, 'Capitoli: The Voice of an Elite', S. Fiorini (ed.), *Proceedings of History Week 1992*, (Malta, 1994), 1-18, 10.

¹⁹ S. Epstein, *An island for itself, Economic development and social change in late medieval Sicily*, (Cambridge, 1992), 357.

²⁰ H. Bresc, 'The "Secrezia" and the Royal Patrimony in Malta: 1240:1450', in A. Luttrell (ed.), *Medieval Malta: Studies in Malta before the Knights*, (London, 1975), 126-162, 140. As was the case in 1426 and 1427 when there was a local rebellion against Gonsalvo de Monroy to whom Malta was pawned in 1421. Dalli, *Malta, The Medieval Millennium*, 201-211.

²¹ Dalli, 'Medieval Communal Organization', 9.

²² A royal decree issued in 1435 stated that all municipal offices had to be annual and held by persons who had resided in the islands for at least five years. Dalli, 'Medieval Communal Organization'; see also C. Dalli, *Malta, The Medieval Millennium*, (Malta, 2006), 216-220.

²³ Dalli, 'Medieval Communal Organization', 1. The officials of the town council consisted of the royal captain (also known as *Capitano della Verga* (Captain of the Rod) or *Hakem* (meaning ruler in Maltese), four *jurats*, three judges of whom two were *letterati* (legally trained) and one *judex idiota* (commoner judge), a notary, a number of *accatapani*, the latter being mainly responsible for the control of weights and measures and public health, the *baiuli* who's main role was to settle agricultural disputes, the municipal archivist and the *marammerius* who supervised public works. Dalli, *Malta, The Medieval Millennium*, 217-218.

²⁴ Dalli, *Malta, The Medieval Millennium*, 220.

responsible for public peace, the police and the citizen militia or *Dejma*.²⁵ This rank, however, became increasingly a separate royal appointment after the second half of the fifteenth century. The royal captain's court was distinct from the municipally-controlled court and had its own assessor or judge and notary. It also controlled the town prisons; charged its own fines²⁶ and enjoyed criminal as well as civil jurisdiction.²⁷

The Jewish community,²⁸ which accounted for approximately a third of Mdina's population before its expulsion in 1492,²⁹ had its own governing institutions, and fell under the direct full jurisdiction of the captain's court.³⁰ The royal captain or *Hakem* was more directly involved in town politics than the other royal officials in Malta since he presided over town council meetings, while other key officials, including the *secreto*,³¹ the *maestro portulano* or harbour-master,³² the vice-admiral³³ and the Castellan of the *castrum maris* only attended if they were requested to do

²⁵ The *Dejma* was formed of groups of villagers led by constables and was different from the organized coastal guards or *Maħras*. S. Fiorini, 'The Municipal councils in the Maltese Islands: 1530-1800', in *The Making and Unmaking of the Maltese Universitas*, (Heritage supplement) (Malta, 1993), 13-24, 13.

²⁶ Captains often abused their power and imprisoned people to extort fines from them. Dalli, 'Medieval Communal Organization', 9.

²⁷ Juridical authority at times seemed to overlap. However, it must be noted that the choice of tribunal depended on the nature of the case as established in the *capitula* of the *Regno* and of the community, as well as according to the rights and duties customarily attached to each office. (Thanks are due to Charles Dalli for this communication dated 13 May 2010).

²⁸ Since Malta and Gozo were dependencies of Sicily whose Viceroy was subject to the rule of the King of Spain, events affecting Spanish Jews in the fifteenth century had their repercussions on both Sicilian and Maltese Jews. G. Wettinger, *The Jews of Malta in the Late Middle Ages*, (Malta, 1985), 2.

²⁹ King Ferdinand's expulsion decree was signed in Spain on 31 March 1492 and promulgated in Palermo on 18th June 1492. All Jews were given three months to settle their affairs and were to leave the Sicilian Kingdom by 17 September 1492. Wettinger, *The Jews of Malta*, 117. However, until 1509 there still existed the post of commissioner responsible for the assets of the Jews who charged 3 *aquile* (equivalent to 3 silver *tareni*) for each exhibited document, while the notary charged a fee of 4 *aquile*. Trasselli, *Da Ferdinando il Cattolico a Carlo V: L'esperienza siciliana 1475-1525*, (2 volumes, Soveria Mannelli, CZ, 1982), Vol. 1, 161 fn. 38.

³⁰ Dalli, *Malta, The Medieval Millennium*, 220.

³¹ The *Secreto* and *Vice-Secreto* controlled the revenues from the royal patrimony of Malta and Gozo respectively. Bresc, 'The "Secrezia" and the Royal Patrimony', 126-162. For a list of the revenues of the *Secrezia* refer to R. Valentini, 'Funzione storica e dispersioni del patrimonio demaniale di Malta', *Archivio Storico di Malta*, Vol. XIII, No. I-III, (Rome, 1942), 1-39, 30-31.

³² The *portulano* was responsible for the control of measures of grain and for the importation of wheat from Sicily.

³³ A number of Vice-Admirals aided the Admiral of Sicily in his duties of patrolling the seas around the realm. One of these was the Vice-Admiral of the Maltese islands. Apart from having a share from the revenues exacted out of activities like corsairs' spoils, shipwrecks, departure of vessels from port, the importation and

so by the members of the *Università*. Similarly artisan groups found harsh resistance from members of the town council when the former wanted to form part of this administrative circle.³⁴ However, the *Università* mobilized a high degree of popular participation when it was confronted with issues considered of 'national' importance, like, rumours of possible enemy invasion, or the imposition of taxes.³⁵ Such gatherings were called *parlamentu generali* during which representatives from the main villages were requested to attend.³⁶

The same restrictions were applied to Church participation in municipal meetings. Even though the Ecclesiastical Authorities constituted a major institutional force on the Maltese islands,³⁷ clergymen were beyond municipal control, and as a rule were excluded from participating in the town's politics except in 'national' matters or else in those which directly concerned them.³⁸ The *Università* however had the right to appoint proctors for ecclesiastical institutions where it had an interest, such as at Santo Spirito Hospital in Rabat,³⁹ and the cathedral church in Mdina. Friction between the two institutions often led to harsh rulings. A worthy mention was the decision taken by the Bishop⁴⁰ in June 1480 to excommunicate a number of persons who had attended a council meeting wherein it was discussed whether any provisions

export of various commodities, fishing, and so forth, he also decided both civil and criminal cases involving seamen. The last Maltese Vice-Admiral encountered in the registers of the town council dating to September 1513 is Salvus de Falczono; see S. Fiorini, 'The Vice-Admiracia Insularum Meliveti et Gaudisii', in C. Vassallo (ed.), *Consolati Di Mare and Chambers of Commerce*, (Malta, 2000), 29-44. See also C. Trasselli, *Il Mediterraneo e Sicilia all'inizio dell'epoca moderna*, (Cosenza, 1977), 32-48.

³⁴ These were banned from municipal participation in 1466. Dalli, 'Medieval Communal Organization', 9. Refer to Wettinger, *Acta Iuratorum*, Doc. 394, wherein the appointments of Antoni Xikilune and Antoni Lukis were revoked because one was a tailor and the other a cobbler, and Doc. 431, wherein Cola Xara, a tailor, argued against his removal from the post of *acatapano* claiming that this was not contrary to one of the *capituli* which stated that artisans could not obtain the post. The Viceroy acceded to his request not to be excluded *prima facie* while at the same time instructed the municipal authorities to send their objections.

³⁵ A. Mifsud, 'La Cattedrale e l'Università, ossia, il Comune e la Chiesa in Malta', *La Diocesi*, Vol. II, No.3, (1917), 34-44, 42.

³⁶ Mifsud, 'La Cattedrale e l'Università', 40-44.

³⁷ The Maltese islands were a suffragan diocese of Palermo. Dalli, *Malta, The Medieval Millennium*, 244.

³⁸ G. Wettinger, 'Early Maltese Popular Attitudes to the Government of the Order of St. John', *Melita Historica*, Vol. VI, No. 3, (1974), 255-278, 260.

³⁹ This right was deprived to them later on in the 1600s. Fiorini, 'The Municipal Councils', 17.

⁴⁰ Up till the arrival of the Order in 1530, Bishops of Malta did not reside on the island. In the last decade of the fifteenth century, the municipal council objected to the total negligence of Bishops and appealed to the Crown to induce them to visit the diocese at least once a year. NLM, Univ. 9, ff. 170-170v, as quoted in V. Borg, *The Maltese Diocese during the Sixteenth Century*, (Malta, 2009), 2.

should be taken against him in view of allegations of him having depredated the effects of another cleric, namely, Don Matheus Galia.⁴¹

Of the many grievances forwarded to the Crown by the municipal council, one highlights particularly the preoccupation of the latter regarding the granting of benefices to non-resident members of the clergy. In a memorandum presented to King Ferdinand II, the monarch was requested to address the following issues: that he exerted his influence with the Pope so that the latter refrained from conferring Maltese benefices to foreigners and instead conferred them to Maltese citizens,⁴² that the Viceroy be empowered to stop any such foreign conferment, and that the King induced foreigners endowed with Maltese benefices to reside on the Maltese islands on pain of loss of such entities.⁴³ Although the King annexed his *Placet* to the memorandum on 13 February 1508, he refrained from approving the last two requests, adding that he was however disposed to legislate that in future all ecclesiastical benefices previously held by foreigners were to be assigned to Maltese clerics on their vacancy in line with the policy adopted by the Diocese of Messina.⁴⁴ During the reign of Charles V, however, a further concession was granted since the King requested the Viceroy to consult him prior to approving such transfers. Moreover, Pope Leo X issued an indult on 22 March 1521 which among other instructions, decreed that in future ecclesiastical Maltese benefices could be only conferred to clerics *originarii et oriundi* of Malta.⁴⁵

In her history of early modern Europe, Merry Wiesner-Hanks comments that, “by 1450 villages in many parts of Europe had become what were called communes, with institutions of self-governance such as councils or courts that regulated planting and harvesting, and might

⁴¹ Wettinger, *Acta Iuratorum*, Docs. 764, 765, 788, 770, 740, 771. It seems that this property had to go to the Cathedral.

⁴² Applications to become citizens of Mdina were received at the office of the Mdina town council. See Fiorini, ‘Demographic Growth and Urbanisation of the Maltese Countryside’, 299. The Grand Master also granted special privileges to foreigners; see for example NLM, Lib. Bull. 415, f. 215, wherein Grand Master L’Isle Adam granted Pietro Lomellini, a Genoese Consul, and all his descendents on the island of Malta all the prerogatives and privileges of Malta.

⁴³ These would have been granted to Maltese ecclesiastics.

⁴⁴ CAM, Misc. 30, No. 22, ff. 198v-199v as quoted in Borg, *The Maltese Diocese*, 2.

⁴⁵ Originating from and residing in Malta. Borg, *The Maltese Diocese*, 11.

represent the village as a whole to outside political authorities. In some places such groups could issue ordinances and make legal decisions, either in conjunction with the local lord or on their own". The author further informs us that, "the towns and cities that won their independence from local lords and gained charters had even stronger institutions of governance".⁴⁶

A similar situation prevailed in Malta when, in 1428, the Maltese redeemed their island from the feudal lord Don Gonsalvo de Monroy for the sum of 30,000 Aragonese florins. On 20 June of the same year King Alfonso welcomed the islands back in his *demanio* and issued an extraordinary royal charter, known as the *Magna Carta Libertatis*, in favour of the Maltese islands. According to Dalli, not only did this event "mark a political milestone in the relationship with the crown for the next hundred years",⁴⁷ but the fifteenth century was "Malta's municipal age *par excellence*".⁴⁸ The administrative duties of the now quasi-independent town council included among other, the supervision of the town market⁴⁹ and public health,⁵⁰ the establishment and inspection of weights and measures,⁵¹ the importation and distribution of wheat,⁵² the fixing of retail prices,⁵³ the exacting of municipal taxes on wine⁵⁴ and other merchandise exported out of the island,⁵⁵ together with the payment and collection of various other taxes. The council also had the right to appoint Maltese consuls in Sicilian cities and to process and tackle matters relating to corsair vessels in the Maltese harbours.⁵⁶ Other important duties assigned to the town council

⁴⁶ Wiesner-Hanks, *Early Modern Europe*, 112.

⁴⁷ Dalli, *Malta, The Medieval Millennium*, 211.

⁴⁸ Dalli, *Malta, The Medieval Millennium*, 215.

⁴⁹ Wettinger, *Acta Iuratorum*, Doc. 7.

⁵⁰ Wettinger, *Acta Iuratorum*, Doc. 563. The official in charge of public health and orderliness was called the *accatapanum*. Dalli, 'Medieval Communal Organization', 9.

⁵¹ Wettinger, *Acta Iuratorum*, Doc. 78.

⁵² Wettinger, *Acta Iuratorum*, Doc. 73.

⁵³ Wettinger, *Acta Iuratorum*, Doc. 139. These were standard price-lists issued to curb abuses in the prices of commodities, and as such there is no concrete evidence that these were actually the prices charged by retailers.

⁵⁴ Wettinger, *Acta Iuratorum*, Doc. 132.

⁵⁵ The town council controlled the production of barley and cumin and the exportation of the cotton crop. Wettinger, 'Agriculture in Malta in the Late Middle Ages', 13-27.

⁵⁶ Wettinger, *Acta Iuratorum*, Doc 81.

were the organisation of the roster of night watch duties,⁵⁷ the maintenance of the town walls,⁵⁸ the complaints of the town's representatives against the investigations of the royal commissioners,⁵⁹ and disputes related to the Bishop.

Various agendas presented before the members of the council give us a good indication of the workings of the town council while offering excellent insights into the relationship between the institution and other royal officials of the Crown, and between the *Mdina Università* and that of Gozo.⁶⁰ A typical example of the variety of matters dealt with in a council meeting is provided in a set of minutes dated 2 October 1469. During this meeting, one of the items discussed was that related to farming out of the wine tax known as '*trium quartuchiorum*' - the members gave special attention to the fact that revenue derived from this tax had been distributed to several persons instead of it being devoted to necessary work on the town walls. Another item on the agenda was connected to updating the roster of watch duties referred to in the minutes as *lu quaternu de la guardia*. Finally, the council proceeded to tackle a particular problem concerning shortage of wheat and the measures to be taken in respect of those caught hoarding it.⁶¹ In another council session, the members discussed the position of the Maltese consul at Licata (in Sicily), another issue concerning foreign wine merchants who apparently used to sell barrels of wine which were not completely full, and yet another matter concerning the supply of wheat. Finally, it considered an offer put forward by a Genoese merchant for the supply of arms.⁶²

The council's citizen-judges were also authorized by the Crown to dispense civil as well as criminal justice and had their own judge the *judex juratorum*. It is interesting to note that the

⁵⁷ Wettinger, *Acta Iuratorum*, Doc. 163.

⁵⁸ Wettinger, *Acta Iuratorum*, Doc. 13. This was the responsibility of the *supramarammerius*.

⁵⁹ Royal commissioners were regularly appointed to report on the administration of the Maltese islands. Refer to Bresc, 'The "Secrezia" and the Royal Patrimony', 148.

⁶⁰ The latter's legal and administrative documents preceding the year 1551 were destroyed in a *razzia* which took place in the same year when almost all of the island's population was taken captive by Turgut Reis, the Ottoman corsair.

⁶¹ Wettinger, *Acta Iuratorum*, Doc. 342.

⁶² Wettinger, *Acta Iuratorum*, Doc. 384.

Maltese *Università's* consuls posted in Sicilian towns and *caricatori*⁶³ also enjoyed civil and criminal jurisdiction over the Maltese community which resided there.⁶⁴ However, the most distinct prerogative of this administrative body was its right to send its ambassadors with *capitoli*, or petitions and grievances, to the *Curia Regis* (the Crown). A similar petition was presented in respect of an appointment made in 1527 by the Viceroy of Sicily, wherein the captain-in-arms was given the right to enjoy extended authority. The council immediately drew the attention of the Crown that such appointment breached the rights and privileges of the Maltese.⁶⁵ In another instance, the town council refused to accept the appointment of a royal commissioner⁶⁶ assigned to hear a case regarding usury, since, they stated, this was an infringement of their privileges.⁶⁷ An inventory of these rights and charters was drawn up during a meeting held on 8 February 1471, wherein it was also stated that the original documents containing these privileges were kept '*intra la caxa di la Universitati*'.⁶⁸

According to Romano, from the fourteenth century, the Sicilian *Università* began to profit from a collection of privileges which were often connected to older laws and customs. When deemed necessary, this corpus of privileges was cited in order to provide proof of the town-councils' rights or else they would be presented to the sovereign who would be requested to confirm them. Cases in point as regards the Maltese context are the promise made by the new lord of Malta, Don Antonio Cardona in 1421, who pledged to observe to the letter these

⁶³ These date back to the times of Frederick II and were specially designated ports for the supply of grain which were mainly located in the western half of Sicily where much of the grain was grown. , D. Abulafia, 'Lo stato e la vita economica', in P. Toubert & A. Paravacini (eds.), *Federico II e il mondo mediterraneo*, (Palermo, 1994), 165-187. The word was also used for sixteenth-century grain elevators.

⁶⁴ Dalli, 'Medieval Communal Organization', 1.

⁶⁵ NLM, Univ. 12, f. 408 *et seq.*

⁶⁶ These were also known as *sindicaturi* and were portrayed by the municipal elite as oppressive intruders since they were beyond the control the council. V. Bezzina in *The Administration of the Maltese Islands, A Study of the Acta Iuratorum et Consilii Civitatis Insulae Maltae*, unpublished MA dissertation, (University of Malta, 1999), 2.

⁶⁷ Wettinger, *Acta Iuratorum*, Doc. 965.

⁶⁸ Wettinger, *Acta Iuratorum*, Doc. 405.

privileges,⁶⁹ and once again in 1428 when King Alfonso promised to respect these rights after the Maltese had redeemed their islands from the rule of Gonsalvo Monroy.

Before the Order's establishment in 1530 and likewise during the first decades of their rule,⁷⁰ they were also requested to promise that they would not in any way breach such rights. Ultimately, however, it is to be observed that the council members of the *Università* sought such assurances since these guaranteed the *status quo* of power and hegemony of the ruling social class which governed Malta like a quasi-independent principality. Such situation places Malta in a similar position to that of other European towns wherein, by the end of the fifteenth century, the majority were governed by an oligarchy composed of a patriciate of rich merchants and property owners whose composition varied considerably.⁷¹

Such key positions within the administrative bodies of the islands meant that these officials could often pursue their own private interests by regulating municipal politics to meet their own agendas.⁷² In 1434, the town council proposed a six-month embargo on imported wine due to a serious threat on the local viticulture. However, members of the said council, namely, Simone de Mazzara, Angelo Vaccaro and Federico Calava, were exempted from this embargo.⁷³ Such preferences are also reflected in the records of the town council meeting held on 6 October 1462, wherein it was discussed whether the merchant Federico Calibachi, who was also one of the *jurats*, should be entrusted with the provisioning of wheat from Sicily during his forthcoming trip to the island.⁷⁴

⁶⁹ NLM, Univ. 3.

⁷⁰ For example refer to NLM, AOM, Lib. Conc. 85, f.121, (7.xi.1533) (new pagination); AOM, Lib. Conc. 87, (4.v.1547); AOM, Lib. Conc. 88, f.120, (30.viii.1552).

⁷¹ Romano (ed.), *Cultura ed Istituzioni*, 41; H. G. Koenigsberger, G. L. Mosse, & G. Q. Bowler, *Europe in the Sixteenth Century, A General History of Europe*, (London & New York, 1989), 91-92.

⁷² R. Valentini, 'L'Espansionismo aragonese nel Mediterraneo come causa della decadenza di Malta', *Archivio Storico di Malta*, Vol. XII, Nos. 2 & 3, (1941), 99-130, 122-127; Dalli, 'Medieval Communal Organization', 1.

⁷³ Bresc, 'The "Secrezia" and the Royal Patrimony', 133.

⁷⁴ Wettinger, *Acta Iuratorum*, Doc. 219. Among the chief requisites for being commissioned to import wheat there were loyalty and a good representation in the town council.

In another instance, the council was summoned to discuss the ‘wrongdoings’ of two of its members who were said to have been working against the interests of the *Università*. The latter grievance resulted after the Viceroy had been petitioned to send a commissioner to investigate various abuses of the town officials.⁷⁵ In fact, in June 1475, confronted with such serious allegations, the Crown appointed a commissioner, namely, Paolo de Carcella,⁷⁶ to investigate the matter further.⁷⁷ Such interference disturbed greatly the town officials who expressed their resentment stating that they were “*fatigati ad fari moramma in sey locki a li mura de la terra che su isbandati et undi sua singuria si divira mandarin ajutu ni manda commissariu*” (sic).⁷⁸ In his study on Sicily and the Sicilians between 1475 and 1525, Trasselli discussed similar issues of misconduct prevalent in the Sicilian context. Similar to Malta, he notes that Sicilian *nobiles*⁷⁹ often caused trouble for the *Universitates* in order to improve their financial position.⁸⁰

The strongest secular authority which fell outside municipal jurisdiction on Malta and enjoyed freedom from certain impositions⁸¹ was the Castellan⁸² of the *castrum maris*⁸³ (castle-by-the-sea). Ever since its earliest known mention in 1223 the castle is depicted as being of supreme importance for the security, not only of the island, but even for the safety of Sicily itself,⁸⁴ and, for

⁷⁵ Wettinger, *Acta Iuratorum*, Doc. 596.

⁷⁶ Referred to as ‘*juris legum doctori consiliario et fideli regio dilecto*’.

⁷⁷ Wettinger, *Acta Iuratorum*, Doc. 616.

⁷⁸ (tired of repairing the walls of his [the King’s] land which are dilapidated, and therefore his Highness should send help and not commissioners).

⁷⁹ As regards the formation of the *nobiles* class and its political and social connotations within the framework of the *regno* Epstein states that, ‘Groups defined along lines of property and occupation began to form during the first decades of the fifteenth century [...] Within the group as a whole, the expansion of the state and urban administration, and of the volume of resources the group managed, led to the formation during the first three decades of the fifteenth century of an increasingly strong identity as a specifically *civic* nobility, whose members began to describe themselves as *gentilhomini* or *nobiles*.’ Epstein, *An island for itself*, 357-358.

⁸⁰ Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, Premessa.

⁸¹ G. Wettinger, ‘The *Castrum Maris* and its suburb of Birgu during the Middle Ages’, in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu: A Maltese Maritime City*, (2 volumes, Malta, 1993), Vol. I, 31-71, 45.

⁸² In 1416 it was established that the castellan could not hold the office of the royal captain. He was paid from the revenues of the royal patrimony.

⁸³ The first mention of the castle dates to 1223 in the Genoese chronicles originally commenced by Andrea Caffaro. Wettinger, ‘The *Castrum Maris*’, 33.

⁸⁴ The importance attached to this post by the Crown is clearly shown in 1223 when Count Henry Piscatore, feudal lord of Malta, lost favour with the Emperor. He was consequently imprisoned, and although he

this reason, the Castellan received special treatment from the Crown.⁸⁵ At least as early as the thirteenth century, special care was taken not to combine the office of the Castellan with that of the royal captain.⁸⁶ This royal official was meant to exercise *de facto* jurisdiction over the *castrum maris* up to the *tagliata* or ditch which cut the castle off from the mainland. However, the Castellan often extended this area to include the adjoining *borgo* of Birgu.⁸⁷ The latter was a small yet vital settlement to Maltese economy since its residents comprised merchants, artisans, sailors and shopkeepers, including a handful of Jewish families,⁸⁸ who found security in the Castle whenever they needed it.⁸⁹

Those falling under the Castellan's jurisdiction usually did not take part in the island's roster of watch duties and even refused to pay the taxes collected by the municipal government.⁹⁰

The upkeep of the *castrum maris* was financed by the incomes of the *secrezia* and from the

managed to restore his authority, he was not granted the rule over the castle. This post was later denied even to his son Count Nicoloso in 1259. Wettinger, 'The Castrum Maris', 33-4.

⁸⁵ Wettinger, 'The Castrum Maris', 42.

⁸⁶ "*Cap. CCCXC [Rex Alphonsus] Quod Castellani non possunt esse Capitanei Item suplica lo dicto Regno che in una medesima Terra oi Città nixuno pocza essere Castellano e Capitano (Confer Cap 2 Regis Martini); ne haviri altri officii in la dicta Terra o Città (Cap. 32 Regis Joannis)*": F. Testa, *Capitula Regni Siciliae que ad hodiernam diem lata sunt*, (Palermo, 1741), i, 351 as quoted in Wettinger, 'The Castrum Maris', 38. (*Cap. CCCXC [King Alphonsus] that Castellans cannot be Captains likewise in the said Kingdom or in a similar land or town, (Confer Cap. 2 Regis Martini), nor hold other offices in the said city or town, (Cap. 32 Regis Joannis).*" However, there were various instances when this policy was not followed mostly due to the financial constraints of the Crown. Wettinger, 'The Castrum Maris', 38.

⁸⁷ The Castellan and his men, that is, those persons falling under his jurisdiction, were restricted from carrying arms in the city. They were also obliged to submit themselves to the tribunal of the royal captain if they broke the law *extra castrum*. Furthermore, they could not extend their power, be it juridical or as an excuse for an exemption from tax, outside their territory. In addition, they could not interfere with port or corsairing activities. Finally, the Castellan had to submit to the tribunal of the town council if he was denounced by third parties or by the *jurats*. Valentini, 'L'Espansionismo aragonese', 127 fn. 99. In 1458, the Mdina authorities alleged that since the Castellan and his companions were intermarried with the notables of the town, they were spending quite a lot of time there. It seems that they habitually carried weapons in contravention of the prohibitions of the royal captain, and were often involved in fights which led to the wounding of citizens, after which they sought refuge in the castle. Wettinger, 'The Castrum Maris', 46.

⁸⁸ Wettinger gives some examples of the numerous business transactions which he managed to register from the records of Notary Consalvo Cancur R 140. At present, some of this notary's volumes are listed as being misplaced, a situation which has been reported several years ago. Wettinger, 'The Castrum Maris', 62; Dalli, *Malta, The Medieval Millennium*, 221

⁸⁹ According to Wettinger, during the middle ages the castle was strong enough to resist various direct assaults and at least two long-drawn sieges. Wettinger, 'The Castrum Maris', 33.

⁹⁰ Dalli, *Malta, The Medieval Millennium*, 221. These seem to have started accumulating at least as early as 1408 when King Martin decreed that "all the persons of the castle were henceforth freed from all new imposts". Wettinger, 'The Castrum Maris', 45.

revenues of the castle's tavern, as were the wages of the officers and men working there.⁹¹ Such special grants which were conceded to the Castellan reflect that the area under his control was considered of the utmost importance for the safety and well-being of the entire island. One must also observe that this location, being the main port of the island was a major link that connected Malta with the outside world.⁹² It provided the necessary services to import victuals and other commodities, as well as making available other services related to the export of the local produce, the latter being an activity which helped balance out payments in respect of foreign imports. The Castellan's office therefore represented a threat to the municipal council since his independence was a direct challenge to its bid for total hegemony of the island's administration. Consequently it follows that frequent conflicts arose between these different institutions since their interests overlapped, especially as regards specific areas of jurisdiction.⁹³

A similar instance is found in the minutes of the town council wherein it was recorded that a debate arose regarding a petition put forward by some debtors from Żejtun, a village contiguous with the maritime city of Birgu. The latter claimed that they fell under the jurisdiction of Castellan and thus refused to pay the taxes which were due to the municipal council of Mdina.⁹⁴ Such

⁹¹ Bresc, 'The "Secrezia" and the Royal Patrimony', 139. Until at least 1508, the tax on wine known as *quartuchu pro quartara* went towards the expenses incurred for the repair of the castle. Wettinger, 'The Castrum Maris', 41-42.

⁹² It was the only settlement situated close to the shore the island's inhabitants set up their homes further inland in view of recurrent corsair and pirate raids. Wettinger, 'The Castrum Maris', 33.

⁹³ Various other protests were registered like that dated 8 September 1467 when "Franciscu Vella alias Bercax of Birgu registers a protest against the noble Johannes de Mazara, Captain of the city and his judge and assessor, Notary Petrus Caxaro, complaining that while he (Bercax) was under the jurisdiction and protection of Johannes de Guevara (who was Castellan of the *castrum maris* between 1458 and 1487), as his servant, he and his son Thomeus were accused of insulting Antonius Bonnici but the privilege of protection, while accorded to himself, was denied to his son. He objected that it was unfair that father and son should belong to different jurisdictions". Fiorini, *Documentary Sources, Part I, No. 3*, Doc. 15. A counter-protest was registered on 11 September 1467 claiming that both Mazara and Caxaro were acting within their rights. Fiorini, *Documentary Sources, Part I, No. 3*, Doc. 23.

⁹⁴ The claim regarded the export of a horse and ten *salme* of barley. Wettinger, *Acta Iuratorum*, Doc. 101. The people of Żejtun were claiming that they had been under the Castellan's jurisdiction and thus were exempted from payment pro rata to the royal *collecta* tax, since before 1460. The town council thought otherwise and insisted that if they did not perform guard duties and were not paid employees at the castle they could not be exempted. In 1494, the Palermo authorities decreed that the inhabitants of Żejtun were to contribute to the defence of the castle rather than participate in the island's general militia organization.

repeated behaviour was judged unacceptable by the *jurats*, and, in a particular meeting held on 18 May 1468, the council read out a letter which was sent by the Viceroy to the Castellan. The contents of this communication reprimanded the Castellan for sequestering a consignment of wheat on its arrival from Sicily, and for other unjust actions.⁹⁵ An extract of the letter reads as follows:

Cum licteri di quissa Università simo informati vui vicecastellanu li proximi jorni vinendu certi frumenti ad opu et subiectioni di questa chitati et insula vilu prindistivu per forcza ultra zo vi haviti inferuto et continuamenti inferiti multi altri gravizii et indebiti novitati incomictendovi in cosi chi non diviti contra la forma di li capituli et ordinacioni di quista chitati. (sic)⁹⁶

Just prior to the arrival of the Order, by the early years of the sixteenth century, relations between the two institutions worsened to such an extent that the town council filed a case against the Castellan before the *Magna Curia Castellania* which it eventually won.⁹⁷

The *Secreto* of Malta and *Vicesecreto* of Gozo were also royal officials who held substantial political power since they exercised authority in the King's name, and were in charge of collecting revenues deriving from the income of the royal patrimony. The Maltese *Secreto* was often, though not always, selected from the civic nobility who, although resident in Malta, held lands in Sicily attached to the semi-feudal nobility.⁹⁸ The *Secreti* were held personally liable for the proper administration and regular payment of grants and salaries, and the raising of taxes, with the possibility of having their personal goods seized if they defaulted. In view of these responsibilities it was necessary to have a personal fortune and to provide guarantors in order to hold such

However, they still had to receive instructions from the Royal Captain and not the Castellan, unless the former proved to be negligent in carrying out his duties. Wettinger, 'The Castrum Maris', 49-50.

⁹⁵ Wettinger, *Acta Iuratorum*, Doc. 293, see also Doc. 877.

⁹⁶ (Through a letter sent by the town council we are informed that you, vice-castellan, some days ago have sequestered by force a supply of wheat which was destined to provision this city and island, apart from performing other grievances by interfering with issues which do not concern you, and this against the provisions laid down in the charters and ordinances of this town).

⁹⁷ Dalli, 'Medieval Communal Organization', 10.

⁹⁸ In one instance, on 20 December 1443, Petrus de Busco, a Catalan knight and ship's captain, was granted for life the office of the *Secreto* together with the right to all that remained from the revenues after the payment of wages and pensions to soldiers, and to holders of grants. Bresc, 'The "Secrezia" and the Royal Patrimony', 144.

position.⁹⁹ This royal official, together with that of the town council, negotiated annually a sum of money to be collected known as *collectio*.¹⁰⁰ This system often led to protests by both tax-payers and town authorities, the latter insisting that due to the island's financial deficit, it could not guarantee the fulfilment of various expenditures like the paying out of salaries or the upkeep of the defence system. Such complaints led to the concession of granting part of the royal patrimony revenues or *gabelles* to the town council to alleviate them from this encumbrance. The *Secreto* enjoyed two types of income, one derived from consumption and foreign commerce,¹⁰¹ and the other pertaining to the exploitation, either through direct administration or through the lease of lands held by the *regis curia*.¹⁰²

Bresc's analysis of the Maltese *Secrezia* indicates that in the last quarter of the fourteenth century, taxes due to this office from Gozo derived mainly from tax on gardens and fountains, while those on consumption constituted a lesser income. In Malta, the royal revenues seem to have depended less than those of Gozo on the agricultural economy, since only one-third of the revenues accounted for came from the exploitation of these lands.¹⁰³ Such low income reflected the transformation of the royal *massarie*¹⁰⁴ of the thirteenth century into fiefs which brought a census to the *Curia* by the fifteenth. By 1506, the Crown's policy to alienate these fiefs¹⁰⁵ and

⁹⁹ Bresc, 'The "Secrezia" and the Royal Patrimony', 144.

¹⁰⁰ For a deeper insight into the income of the Royal revenues refer to, Valentini, 'Funzione storica e dispersione del patrimonio di Malta', 1-39.

¹⁰¹ Part of these incomes must have been enjoyed by the harbour-master (*portulano*). However, there seems to be scanty information on the income enjoyed by the latter. Bresc, 'The "Secrezia" and the Royal Patrimony', 129.

¹⁰² According to Bresc, it is difficult "to calculate the respective values of the *gabelles* and the incomes from the lands, gardens and water-rights of the *curia*", see Bresc, 'The "Secrezia" and the Royal Patrimony', 129.

¹⁰³ Bresc however also notes that the *massarie* or farms of the *curia* were administered directly and the revenue from them is not known, Bresc, 'The "Secrezia" and the Royal Patrimony', 129.

¹⁰⁴ The *massarie* were vast domains of royal fiefs or *latifundia* which were devoted to the growing of cereals through the exploitation of a labour force of *vilani*, Bresc, 'The "Secrezia" and the Royal Patrimony', 131. The loss of these revenues led to the creation of new taxes in the fourteenth century, especially due to financial pressures created by military and political necessities. Bresc, 'The "Secrezia" and the Royal Patrimony', 134.

¹⁰⁵ Roberto Valentini compares the volume containing such alienations of fiefs, namely, NLM, MS 870, *De insulis Meliveti et Gaudisii eiusque secretia, feudis et iuribus. Capibrevium, concessionones et Privilegia prout in Regia Cancellaria Regni Sicilie*, with William I's Domesday Book. Refer to his analysis of same volume in Valentini, 'Funzione storica e dispersione del patrimonio demaniale di Malta', 1-39.

other incomes¹⁰⁶ led to a heavy drop in their revenue.¹⁰⁷ The substantial increase registered in the revenue of alienated fiefs is indicative of the unproductive way in which these were administered by the royal authorities prior to their alienation. Suffice it to mention clear examples like that of *Ginen el Firen* and *La Quattara* which in 1506 registered an increase of 25 *uncie* in respect of their income of 5 *uncie* in 1439, and that of the Marsa feud which between the same period practically quadrupled.¹⁰⁸ During the initial years of Hospitaller rule, the problem relating to low revenues from royal income was considered a major financial setback for the Knights. In fact, in a bid to be conceded extra duty-free grain quotas, the Grand Master emphasized that the Order was relieving the Crown of great financial burden by investing substantial sums of money on an island which financially contributed only 41 ducats¹⁰⁹ per annum to the Royal Crown's revenues.¹¹⁰

The *Secrezia* also benefitted from additional revenues, among which were those derived from the rent of shops in Mdina which belonged to the curia and other buildings such as the castle at Gozo, and from extraordinary income such as the chance finding of some form of treasure.¹¹¹ Taxes collected by the *Secrezia* of both Malta and Gozo amounted to 511 *uncie* and 200 *uncie* respectively in 1506. According to Barberi,¹¹² of the total amount of revenues, about 311 *uncie*

¹⁰⁶ Like for example dues on tunny-fishing, rights of passage, registration dues in ports etc., Besc, 'The "Secrezia" and the Royal Patrimony', 141.

¹⁰⁷ Besc, 'The "Secrezia" and the Royal Patrimony', 131.

¹⁰⁸ Besc, 'The "Secrezia" and the Royal Patrimony', 144.

¹⁰⁹ The ducat was worth 13 *tari*, ACM, Misc. 440, ff. 3-3v, (1540). R. Valentini, 'Il Patrimonio della Corona in Malta fino alla venuta dell'Ordine', *Archivio Storico di Malta*, Vol. V, Nos. I-4, (1934), 3-32; S. Fiorini, 'Malta in 1530', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 111-198, 164.

¹¹⁰ R. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', *Archivum Melitense*, Vol. IX, No. 4, (1935), 137-237, 172.

¹¹¹ In 1458/9 five boys discovered a hoard of 248 Byzantine gold pieces which were sent to the Viceroy. Besc, 'The "Secrezia" and the Royal Patrimony', 136.

¹¹² Barberi was secretary of state of the *Regno* and was commissioned by King Ferdinand the Catholic (r.1479-1516) to draw up a report on the state of Royal Patrimony which had shrunken immensely after King Alfonso's reign. For a list of the major feudal lands refer to, R. Valentini, 'Funzione storica e dispersioni del patrimonio demaniale di Malta', *Archivio Storico di Malta*, Vol. XIII, No. I-III, (Rome, 1942), 1-39, 31 fn. 115. See also, A. Luttrell, 'The Earliest Documents Transcribed in the Cathedral Archives Mdina: 1316-1372', in J. Azzopardi (ed.), *Archives of the Cathedral of Malta Misc. 32A: 1313-1529*, (Malta, 1977), 29-52, 34-36.

were paid out in salaries to officials holding royal offices such as those at the castle-by-the-sea,¹¹³ the *Secreto*, and others.¹¹⁴

Although by the mid-fifteenth century the oversimplified traditional medieval tripartite division of society overlooked various large groups, it is still relevant to highlight the significant way in which society was split up, that is by social rank or what later came to be known as “estate” or “order”. This partition was highly dependent on family of birth and function in society, although other factors contributed to a rise in the rank.¹¹⁵ A citizen or member of the town council could shape relationships of power and access to wealth at the local level. Thus, through economic considerations, the existing social scale permitted the movement of its members up or down the scale.¹¹⁶ The monopolizing trends in the process of decision-making of the Maltese urban élites, such as Desguanes, Vaccaro, Calibachi, Burdino, Sillato, Xahica, Caxaro, Mazzara and Guevara, are evident from the town council records.¹¹⁷

As already highlighted, along with the nobles, other social groups which participated in municipal representation were property holders, merchants, lawyers and notaries. Following is a list of the members together with their title, who were present for a council meeting held on 11 September 1512. From the list, it is highly discernible that even though the Maltese kept their Arabic language after the expulsion of the Muslim community, there is a total preponderance of

¹¹³ For a breakdown of the annual pay of the Birgu garrison refer to, Bresc, ‘The “Secrezia” and the Royal Patrimony’, Table IV, 138. The upkeep of the *Castrum Maris* also benefitted from the revenues of the castle’s tavern. Bresc, ‘The “Secrezia” and the Royal Patrimony’, 139.

¹¹⁴ A. Mifsud, ‘Papi, Fortificazioni e Tasse nel Passato di Malta’, *Archivum Melitense*, Vol. III, No. 1, (1919), 399-430, 410. Valentini, ‘Funzione storica e disperione del patrimonio demaniale di Malta’, 34.

¹¹⁵ Here, the concept of “class” is not adopted, since it is a term which pertains to a later period. In the fifteenth century Europeans adopted a tripartite division of society. This division led to generalizations of large groups, such as nobles, members of clergy and peasants, thus varying greatly in their political and financial status. At the same time they totally discarded large communities such as Jews and Muslims. Society was thus divided by social rank, or by what came to be known as “estate” or “order”. Wiesner-Hanks, *Early Modern Europe*, 26-27.

¹¹⁶ Trasselli, *Da Ferdinando il Cattolico a Carlo V*, 238.

¹¹⁷ G. Wettinger, ‘Honour and Shame in Late Fifteenth Century Malta’, *Melita Historica*, Vol. VIII, No. 1, (1980), 65-77, 68.

Sicilian and Catalan surnames with respect to those of Arabic origin. This reflects what Bresc calls the Latinization of the island from the top:¹¹⁸

Manfredus Grugnu, *capitani officii*
Magnificus Antonellus Goffredus de Inquanez
Nobilis et Egregius¹¹⁹ Johannes de Cantore
Magnificus Martinus Gatt de Inguanes
Nobilis¹²⁰ Petrus de Hunica
Honorabilis¹²¹ Rainerius Bonello
Magnificus Jacobus Angeraldus de Inquanez
Egregius Notarius Paulus Bonello
Magnificus Antonius de Guivara
Nobilis Johannes de Laimo
Magnificus Mattheus de Guivara
Nobilis Berengarius de Cali
Nobilis [?] de Inquanez
Honorabilis Caddus de Reficano
Egregius Notarius Petrus de Laimo
Honorabilis Antonius Cassar
Nobilis et Egregius Manfredus Caxaro
Nobilis et Egregius Johannes Calava
Egregius Notarius Gratianus de Vassallo
Honorabilis Petrus Bonello
Nobilis Simon Caruana
Honorabilis Mag.¹²² Michael Genolu *Chirurgus*
Egregius Bertus de Vassaldo *Iudex Captanei*
Egregius Nobilis Jacobus Fianzuni *Iudex Curia Civili*
Honorabilis Mag. Willelmus Fauzuni *Regius Massarius*
Honorabilis Mattheus de Armanino
Honorabilis Nardus Calleja
Honorabilis Julianus Baglio
Honorabilis Johannes Zammit
Honorabilis Mattheus Bondino¹²³

The small, insular and resource-limited context which was afforded to this select group of town representatives, together with the way they controlled the annual elections, encouraged and

¹¹⁸ Bresc asserts that the island, being arid and poor, did not attract whole colonies of farmers or labourers. However, its strategic importance attracted soldiers and administrators. Bresc, *Un Monde Méditerranéen*, 625.

¹¹⁹ *Egregius* usually referred to lawyers and notaries. Wettinger, *Acta Iuratorum*, 16.

¹²⁰ *Nobilis* usually referred to fief holders. Wettinger, *Acta Iuratorum*, 16.

¹²¹ *Honorabilis* was often used for other members who held property or were prominent merchants. Wettinger, *Acta Iuratorum*, 16.

¹²² *Magister* referred to craftsmen ranging from the town surgeon to the village carpenter. Wettinger, *Acta Iuratorum*, 16.

¹²³ CAM, Misc. 273, Bonavita, *Dissertazioni Storico Legali su Malta e Gozo*, introduction. (from now on referred to as Bonavita, *Dissertazioni Storico Legali*), f. 168.

guaranteed maintenance of the *status quo* in the island. Thus, Malta followed the same pattern as other medieval states in Europe, wherein those who were politically active had acquired most of their power through the development of local judicial institutions and through the protection of the property rights of the ruling class.¹²⁴

Bresc notes that the fundamental aim of this municipal body was to secure the highest possible revenue for the town-council. This they did through repeated official requests like that wherein they requested the abolition of privileges enjoyed by other royal offices; by compelling the scattered population to live in Mdina, and thus ensuring a better hold over them; and by trying to secure the administration and incomes of all royal offices¹²⁵ while at the same time forbidding the exportation of revenues to Sicily.¹²⁶ The political influence and hegemony of this group of socially pre-eminent people is perhaps best exemplified in their rejection from council representation of other estates deemed to hold a lower place in the social hierarchy, such as the artisans. Dalli notes that, “the era of municipal administration in the Maltese islands had given them what was in practice autonomy. A local social stratum made up of municipal nobles was able to govern the rest of the population without much outside interference while acting as the supreme mediator between the Crown and the rest of the population”.¹²⁷ This fundamental reality was made possible by the novel structure of relationships between the crown and the demanial communities which had evolved in the Kingdom of Sicily.¹²⁸

¹²⁴ J.R. Strayer, *On the Medieval Origins of the Modern State: With new forwards by Charles Tilly and William Chester Jordan*, (Princeton, 2005), 61. In spite of harsh opposition from local authorities, different forms of juridical power were at times also transferred to the direct rule of new lords when conceding feudal privileges, like for example in 1361 when Jacobus de Peregrino was castellan as well as *capitano* of Malta. Wettinger, ‘The Castrum Maris’, 38.

¹²⁵ In 1427 the town council requested that the *Secreto* and all royal officials should henceforth be indigenous islanders, and in particular that the Maltese *secrezia* be freed from the control of the *maestro secreto* of Sicily. Bresc, ‘The “Secrezia” and the Royal Patrimony’, 145.

¹²⁶ Bresc, ‘The “Secrezia” and the Royal Patrimony’, 150.

¹²⁷ Dalli, ‘Medieval Communal Organization’, 10.

¹²⁸ Bresc, *Un Monde Méditerranéen, 731-732*.

2.3 Sources of income

Starting from the thirteenth to the eighteenth century, Europe adopted a common taxation system with local variants emphasizing indirect, as opposed to, direct taxation. Taxes on essentials produced a large share of the regular income for these countries; taxes from port dues followed by those on wine, grain, cattle and salt. In view of such taxes being imposed on necessary commodities rather than on luxury goods, the burden fell more heavily on the poor rather than on the rich.¹²⁹ Similarly in Malta, the *Università* could only hope to reach its targets and objectives through the proper administration of income derived from various forms of taxes and levies imposed on domestic and foreign trade, as well as from fines. By means of these revenues the town council not only financed various projects and worked towards the strengthening of the defence system of the island, but, as has already been noted, also paid out salaries to officials of various institutions.

Just like other communities within the *Regno*,¹³⁰ Malta had at times to bear the brunt of the Crown's fiscal crisis.¹³¹ Such was the case under Martin I (1356- Jan 1410), during whose reign, the *Università* of both Malta and Gozo were conceded extensive rights, among which they were authorized to impose new taxes or *gabelle* on imports¹³² and exports, and on the retail of essential commodities like wine¹³³ and oil.¹³⁴ Such instances provided excellent opportunities for the *Universitates* to extend their reach.

¹²⁹ P. Spufford, 'The Role of Entrepreneurs in State Formation', S. Cavaciocchi (ed.), *Poteri Economici e Poteri Politici Secc. XIII-XVIII, Atti della "Trentesima Settimana di Studi"*, 27 aprile – 1 maggio 1998, (Florence, 1999), 483-500, 485-486.

¹³⁰ Epstein, *An island for itself*, 355.

¹³¹ Financial needs led to the pawning of Malta on 20 January 1421 for the price of 30,000 Aragonese florins, about ten times the annual royal income from both islands. Dalli, *Malta, The Medieval Millennium*, 204, 210.

¹³² A thirtieth *ad valorem* on all imported merchandize. Bresc, 'The "Secrezia" and the Royal Patrimony', 134.

¹³³ This was set at one florin per *botta* of imported wine, two *quartucchi* on each *quartaria* of wine sold in retail. Bresc, 'The "Secrezia" and the Royal Patrimony', 134.

¹³⁴ Bresc, 'The "Secrezia" and the Royal Patrimony', 150. Dalli, *Malta, The Medieval Millennium*, 189,200,204.

Various other taxes were also imposed, as is attested in a number of *capitoli* dating 1409 or 1410. In these *capitoli*, the town council petitioned the Crown to revoke a set of restrictions which had been imposed on corsairing activities. Among other these included a 20% tax payable to the admiralty, as well as payments of *tratte*¹³⁵ on supplies for Maltese-based galleys.¹³⁶ This process was intensified under Alfonso V (1416-1458) who, according to Epstein, “made peremptory demands for financial aid and expanded the range of financial and administrative burdens which localities had to bear, leaving it to communities to meet them as best they could and shifting the focus of conflict over allocation to the localities”.¹³⁷ Such measures led to a situation in which taxes were also used for *ad hoc* and often short-termed purposes, including buying back of local privileges¹³⁸ or local offices¹³⁹ which were sold outright to provide the Crown with much needed current income.¹⁴⁰ Royal finances on the other hand had three main purposes: to support the Crown; to finance the defence of the realm and to be distributed among the subjects in patronage or for service.¹⁴¹

To offset payments made in respect of the island’s dire need to import essential foodstuffs and commodities, taxes were imposed on practically all commodities. The town council was also under the obligation of collecting taxes for the Crown called the *collecta* or by its Spanish name, *donativo*,¹⁴² a tax which was ultimately handed over to the royal commissioner or *sindicaturi*. Each village had its own *gabellotto/i*, whose job was to organise and supervise the collection of royal

¹³⁵ A *tratta* or an export licence was a special duty with an oscillating value. While one *salma* of wheat had to pay one *tratta*, the same measure of barley paid only half a *tratta*. C. Trasselli, ‘Una statistica maltese del secolo XVI’, *Economia e Storia*, IX (1966), 474-480, 475.

¹³⁶ Dalli, *Malta, The Medieval Millennium*, 200.

¹³⁷ Epstein, *An island for itself*, 355. See also D. Mack Smith, *A History of Sicily: Medieval Sicily 800-1713*, (London, 1968), 94-104.

¹³⁸ This was the case with the pawning of Malta to the Castilian alay captain Gonslavo Monroy in 1421. The Maltese redeemed their island back in 1428.

¹³⁹ Dalli, ‘Medieval Communal Organization’, 9.

¹⁴⁰ Mack Smith, *A History of Sicily*, 97.

¹⁴¹ Epstein, *An island for itself*, 379. The *Secreto* benefitted from taxes like the *dohana* or customs dues, the *mahdia* or Gozo ferry tax, the *gisia* or poll-tax imposed on Jews, and other minor taxes. Bezzina, *The Administration of the Maltese Islands*, 82.

¹⁴² This name signified that in theory this was a gift by the parliament. Mack Smith, *A History of Sicily*, 96.

and municipal taxes. This job carried with it the power to enforce discipline in case of default, and was delegated to the highest bidder at a public auction which was held annually towards the end of August. The *gabellotto*, usually a wealthy person, would declare to honour to pay the *Università* an agreed sum of money which would have been collected from the tax payers.¹⁴³ He acquired his salary and registered a profit by retaining a percentage of the amount collected. From the records of council minutes it is clear that auctions for tax farming were not always successful and council members were at times presented with a situation where no one applied for this post. Such was the situation in a meeting during which the town council discussed the unsuccessful auction for the post of a tax farmer in respect of the tax on imported wine called, *cabella intrate sive floreni pro vegete/butti*.¹⁴⁴

Among the *gabella* mentioned in the records of the *Università* one comes across *gabella del mandenaro*¹⁴⁵ which enabled the *Università* to impose a tax of two *denari* on every *rotolo* of meat sold. Although this tax continued to be exacted until the end of the Order's rule, members of the Order, who were the prime consumers of meat on the island, were exempted from this impost.¹⁴⁶ In an analysis of the prices of meat for the period 1467 to 1534, Vassallo illustrates how the Order's arrival affected meat prices. The author noted that for the sixty-year period between 1467 to 1528 the prices of most types of meat registered only a slight increase, while conversely, during the early years of Hospitaller rule, meat prices registered sky-high increases which at times even doubled.¹⁴⁷

¹⁴³ Bezzina, *The Administration of the Maltese Islands*, 75.

¹⁴⁴ Wettinger, *Acta Iuratorum*, Doc. 50.

¹⁴⁵ This tax was approved by the Viceroy D. Lopo Ximenes de Urrea on 17 January 1460. A.M. Vassallo, *Prices of Commodities in Malta and Gozo 1530-1630*, BA Hons. dissertation, (University of Malta, 1976), 125.

¹⁴⁶ NLM, Univ. 202, f. 215. Letter sent on 1 December 1565 by Commendatore Cellieus to the *jurats* of Mdina. This tax was farmed out to the highest bidder. After the issue of the September price-list for meat, the issue of a *bando* proclaimed that retailers had to indicate the number of animals they had for slaughter and these had to pay the tax due on their meat. Butchers were required to weigh their meat in the presence of the tax-farmer in order to ensure just payment of tax due. The penalty for evading this tax could cost the individual nine times the amount of tax evaded. NLM, Univ. 14, f. 405, (12.ix.1582); Vassallo, *Prices of Commodities*, 126.

¹⁴⁷ Vassallo, *Prices of Commodities*, 120-160.

A tax which was discontinued after the Order's arrival was related to the sale of local wine called *xisa vini sive tri quartuchi per quartara*.¹⁴⁸ This was possibly done to promote the production and consumption of local wine which does not seem to have been renowned for its quality.¹⁴⁹ The *cabella baractari*, which was a tax imposed on payments done in kind and by bartering,¹⁵⁰ also survived down to 1530. The imposition of such tax demonstrates that bartering must have been a common way of paying dues, which in turn reflects a situation wherein a good section of the population lacked cash in hand or found it difficult to undertake trading activities which involved cash transactions. In addition to the above taxes owners of oxen had to contribute a specific amount of wheat known as *el-mahares* or *gius delle guardie*.¹⁵¹ Other taxes were *xorta*, a tax on games of chance, *barbaria* which was a tax and monopoly on barbers, *consura* or *cusia* on tailors,¹⁵² *conciaria* on tanning of hides, *dohana* on imports and incomes from sales, *mahdia* on the ferry between Malta and Gozo,¹⁵³ and *tintoria* on the dyeing of cloths.¹⁵⁴

The table below gives a breakdown of taxes which were collected as part of the revenues of the Royal Crown in 1506. These figures indicate that, just like the European context, taxes on imports produced the largest share of the island's regular income.¹⁵⁵ As already noted, with the transfer of Malta to the Knights of St John, these revenues were transferred to the revenues enjoyed by the Grand Master. In addition to these, there was another income of 98 *uncie*, 1 *tari*, 8 *grani* collected from a 15% tax which feudal lords residing outside the island had to pay as a

¹⁴⁸ According to Fiorini the last mention of the *cabellotto xise* occurs in 1548, see NLM, Univ. 13, f. 251v, and Fiorini, 'The Municipal Councils', 20 fn.77. The Castellan was exempt from paying tax on wine. Bezzina, *The Administration of the Maltese Islands*, 83.

¹⁴⁹ Wettinger, 'Agriculture in Malta', 23.

¹⁵⁰ Fiorini, 'Malta in 1530', 172.

¹⁵¹ Prior to the construction of coastal watch towers the farmers (*massari*) contributed towards the expense and maintenance of the cavalymen who guarded the shore. The latter would warn them if the enemy was sighted so that the farmers, together with their animals, could have ample time to refuge in fortified zones. In 1691 the quantity to be contributed was that of one and a half *mondello* of meslin (a mixture of wheat and barley) for the first and second ox or cow. Mifsud, 'Appunti sugli archivi di Malta', 39, fn.122.

¹⁵² Bresc, 'The "Secrezia" and the Royal Patrimony', 134.

¹⁵³ This was a tax on livestock carried from Gozo to Malta and up to 1602 it was still exacted. Fiorini, 'The Municipal Councils', 20.

¹⁵⁴ For a full list refer to Bresc, 'The "Secrezia" and the Royal Patrimony', 134.

¹⁵⁵ Spufford, 'The Role of Entrepreneurs in State Formation', 486.

contribution towards the island's security.¹⁵⁶ This tax was still being exacted until 1600. After, it seems to have shrunken considerably and eventually fizzled out.¹⁵⁷ It is important to observe that the figures reproduced below should not be interpreted as showing the yearly fixed income from the Maltese islands since it is not known whether Barberi was 'giving the figures for a particular year which he regarded as an average one, or merely providing some isolated and unrepresentative statistics'.¹⁵⁸

¹⁵⁶ On 22 May 1507, King Ferdinand sanctioned a tax of 15% on the assets of those who did not reside on the island. Mifsud, 'Appunti sugli archivi di Malta', 39, Valentini, 'Funzione storica e dispersione del patrimonio demaniale di Malta', 34 fn. 122.

¹⁵⁷ Fiorini, 'The Municipal Councils', 20.

¹⁵⁸ Bresc, 'The "Secrezia" and the Royal Patrimony', 127.

Table 2.1 Revenues of the Royal Crown in 1506.¹⁵⁹

| Type of Tax | Income in <i>Uncia, Tari and Grani</i> ¹⁶⁰ |
|---|---|
| <i>La gabella della Cascia e del peso</i> (Tax on merchandize – import) ¹⁶¹ | 93.02.00 |
| On exports | 18.18.00 |
| On land where wheat is sown | 9.20.02 |
| On land where barley is sown | 5.12.00 |
| On cumin | 0.15.00 |
| On cotton | 7.15.00 |
| On leather | 5.20.00 |
| On linen | 5.10.10 |
| On dye | 0.13.10 |
| <i>La tassa delle tratte sulle bestie</i> On animals ¹⁶² | 0.10.00 |
| On biscuits | 2.00.00 |
| On anchorage ¹⁶³ | 1.00.00 |
| On the redemption of slaves ¹⁶⁴ | 1.6.00 |
| <i>Le gabelle della barba e dell'ufficio del Bajulo a censo</i> The income from the office of the Bailiff and the tax on barbers | 20.0.00 |
| From feudal land which was not alienated (These were not listed in Barberi's report on the Royal Patrimony) | N/A |

Source: Mifsud, 'Papi, Fortificazioni e Tasse', 414.

In order to relate the above amounts to some contemporary values, it would be relevant to give an indication of the approximate prices of some commodities and salaries relating to

¹⁵⁹ Under the Order's rule, these taxes were modified and gradually increased in such a way that, Customs revenues in 1775 amounted to 75,000 *scudi* per annum. For a more detailed breakdown of these taxes refer to A. Mifsud, Papi, Fortificazioni e Tasse nel Passato di Malta', *Archivum Melitense*, Vol. III, No. 1, (1919), 399-430, 410 fn.2.

¹⁶⁰ These amounts were given in Sicilian currency usually referred to as *ponderis generalis* or *bona moneta* equivalent to the *uncia* of 30 *tari*, the *tari* of 20 *grani* and the *grano* of 6 *denari*. The Maltese currency, also divided into *uncia*, *tari*, *grani* and *denari*, was worth one-seventh of the Sicilian. It is however not known if and in what metal Maltese money was coined. Besc, 'The "Secrezia" and the Royal Patrimony', 127, fn.4; Fiorini, 'Malta in 1530', 162-163.

¹⁶¹ In 1646 a tax of 18 *tari* per *uncia* was paid on all types of merchandize imported and exported from Maltese ports. Over and above this tax there was another tax known as *dritto di cascia*, which amounted to one *tari* per *uncia* on the same merchandize. A total of 7,000 *scudi* per year were collected from these taxes. Mifsud, 'Papi, Fortificazioni e Tasse', 410, fn.1.

¹⁶² Animals exported from Malta included donkeys, horses and goats. Valentini, 'Funzione storica e disperione del patrimonio demaniale di Malta', 30 fn.109.

¹⁶³ This was calculated according to the number of masts. Valentini, 'Funzione storica e disperione del patrimonio demaniale di Malta', 31 fn. 112.

¹⁶⁴ Under de Valette this was increased to 25 *scudi* per slave.

roughly the same period. Some salaries provide compounding differences when compared to others. A case in point was the salary paid out to the Viceroy who received 700 *uncie* per annum against the 30 *uncie* earned by a high-ranking official like the Castellan.¹⁶⁵ However, when the latter's pay is compared to the annual salary of the deputy Castellan who got 8 *uncie*, this seems to have been quite a good remuneration. A labourer's daily income between 1494 and 1496 was approximately 10 *grani*,¹⁶⁶ which only rose by 2 *grani* by 1534,¹⁶⁷ while that of a master mason, craftsman or his assistant ranged from 1 *tari* 8 *grani* to 1 *tari* 2 *grani* 3 *dinari*.¹⁶⁸ Such figures indicate that there existed wide discrepancies between incomes, making various commodities on the market affordable only to a handful of people.

Fiorini has calculated that the cost of supplying the basic amount of bread for a family of six added up to 6 *tari* per month, thus indicating that a labourer who supported the same number of persons in his family had to budget half his earnings for the supply of bread alone.¹⁶⁹ However, in view of Malta's agrarian-based economy, this problem would have been alleviated since most of the items would have been available to the consumers who were also the producers. Such a situation led to the elimination of the need to buy a variety of staple commodities which found their way to the consumers even through the bartering process. As has already been noted, this was such an important economic activity that the authorities imposed a tax on it.

¹⁶⁵ Bresc, 'The "Secrezia" and the Royal Patrimony', Table IV, 138.

¹⁶⁶ Fiorini, 'Malta in 1530', Table IX, 171.

¹⁶⁷ Most of the salaries of the *Università* were paid in Sicilian money, thus 10 *uncia boni* was equivalent to 29 times the wage of a labourer. Fiorini, 'Malta in 1530', 171.

¹⁶⁸ Fiorini, 'Malta in 1530', Table IX, 171.

¹⁶⁹ Fiorini, 'Malta in 1530', 170.

2.4 The donation

Although the deed of donation of the Maltese Islands to the Order of Saint John was issued on 23 March 1530,¹⁷⁰ negotiations for the cession of Malta had already started as early as 1523.¹⁷¹ Malta, situated at a comfortable distance from the rest of the European countries, seemed to present a good option to allow the Order to establish itself and consolidate its presence without provoking any worries from surrounding countries as regards the possible invasion of their territory.¹⁷² The island was also conveniently close to enemy territory to permit the Order to exercise its main function as *milites Christi*.¹⁷³

Notwithstanding Malta's ideal setting on the central axis of the Mediterranean, the Knights were well aware of the difficulties this donation presented. For this reason, they pleaded with the King to grant them a three or four-year stay in Syracuse which would permit them to fortify the island. Furthermore, they viewed the island as unable to provide them with their daily needs, and therefore they also requested to benefit from the enjoyment of tax free concessions

¹⁷⁰ Original deed of cession is preserved at the National Library of Malta, NLM, AOM 70. For a translation of the deed of donation by Louis Mendola with additional historical material by V. Mallia-Milanes refer to <http://www.regalis.com/malta/deedCharles.pdf> (accessed on 18 January 2012).

¹⁷¹ The exact date and outcome of the initial discussions on the possibility of settlement in Malta is still not known. However, according to the early sixteenth-century Venetian diarist, Marino Sanuto, 'on 10 April 1523... Grand Master Philippe Villiers de L'Isle Adam, wrote to the Signory of Venice to thank them for their hospitality and referred to his appeal to the Emperor Charles V, offering him 100,000 ducats in cash for the seaport of Brindisi or the Mediterranean island of Malta.' R. Fulin et al (ed.), *I Diarii di Marino Sanuto*, (58 volumes, Venice, 1879-1903): xxxiv, 98, as quoted in V. Mallia-Milanes, 'Introduction to Hospitaller Malta', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 1-42, 2. Refer also to Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 137.

¹⁷² 'During the XIV century the Hospital on the island of Rhodes and the Teutonic Order in Prussia and Livonia created order states which ruled over virtually independent territories. The Hospitallers developed a formula for an island-based order state which allowed it after 1530 to survive on Malta with a genuine military function for many centuries. The Teutonic Order faced mounting difficulties as almost all its neighbours became Christian so that the principal justification for its existence was eroded'. A. Luttrell, *Studies on the Hospitallers after 1306: Rhodes and the West*, (Aldershot, 2007), I, 88.

¹⁷³ 'The military-religious orders were corporations of religious within the Roman Church whose special function was to oppose the infidel or the pagan', Luttrell, *Studies on the Hospitallers after 1306*, I:88. While the Order of the Templars was ever since its foundation composed of military men with a warlike purpose, the Hospitaller Order of St John added this military activity to its charitable concerns only gradually. Luttrell, *Studies on the Hospitallers after 1306*, I, 80-1.

on various essential commodities which were to be imported from both Sicily and Naples.¹⁷⁴ The Viceroy of Sicily Ettore Pignatelli,¹⁷⁵ who according to Bosio in 1523 insisted that the Grand Master remain in Messina until he sorted out the Order's matters,¹⁷⁶ had good motives for supporting the Order's possible establishment on the Maltese islands,¹⁷⁷ as this would have rid him of the financial burden which the defence of the islands constantly presented to a Crown which was experiencing serious financial difficulties.¹⁷⁸ Equally positive about the cession were Pope Adrian VI (r.1522-1523) and King Henry VIII of England (r.1509-1547), who intervened before Charles V in favour of this grant.¹⁷⁹

As already highlighted, the political context played a major role in Charles V's decision to renounce the direct administration of the Maltese islands and offer it together with the Tripoli base. The island served as a frontier to Ottoman expansion, thus its loss would inevitably bring the enemy closer, apart from providing the Muslims with excellent port facilities. Furthermore, the Order's presence would also ensure that there would be constant policing of the pirate-infested seas, which prevented effective commercial activities with the East and with North Africa. However, the Order's request for possession of the island '*cum mero et mixto imperio*'¹⁸⁰ - which translated in the delegation of all powers, political, administrative, fiscal, military, judiciary and

¹⁷⁴ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 144.

¹⁷⁵ Pignatelli was appointed Lieutenant General on 22 February 1517 and then promoted to Viceroy of Sicily by Charles V.

¹⁷⁶ G. Bosio, *Dell'Istoria della Sacra Religione et Illustrissima Militia de S. Giovanni Gerosolimitano*, (3 volumes, Rome, 1594-1602), Vol. III, 15.

¹⁷⁷ A. Giuffrida, *La Sicilia e l'Ordine di Malta 1529-1530, La centralità della periferia Mediterranea*, (Palermo, 2006), 13.

¹⁷⁸ The extent to which Pignatelli felt that Malta was a 'burden' may be discerned from the way in which he removed all duty free quotas and when lamentations from both the Order and the Mdina *Università* reached the King, the latter ordered that these be conceded. Notwithstanding, Pignatelli issued the quotas but at the same time imposed taxes relating to these quotas. NLM, Univ. 13, f. 247. See also Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. III, 181, refers to the instructions given to the Order's ambassadors to Charles V in respect of their diplomatic mission for the cession of the Maltese islands.

¹⁷⁹ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. II, 180.

¹⁸⁰ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche' 143.

feudatory - was met by the King's difficult terms of transfer¹⁸¹ which at first were unacceptable due to the *sine qua non* addition of Tripoli.¹⁸² It was at this very early stage of discussions that the Maltese town council members, giving ear to rumours of the possible alienation of their islands from the royal demesne,¹⁸³ decided to take action.

Accordingly, on 10 April 1524, the council convoked the *parlamentu generali*, and during this meeting, it was deemed unacceptable that the islands should, once again, be given as a fief. It was further agreed that, "in virtue of the said town's privileges the *jurats*, on behalf of the *Università* send as ambassadors *magnificus* Alvarum de Casseres, one of the *jurats*, and *magnificus* Antonium Bonellu, doctor of laws, to resist and fight against the said concession."¹⁸⁴ These were to go directly to the Viceroy and should their mission fail, they were to put forward their complaints before the King himself.¹⁸⁵ Unfortunately, due to lack of relevant documentation in local archives, the outcome of this meeting is still not known.¹⁸⁶

In the meantime, on 28 June 1524, eight months after the Order's official request to Charles V, the Knights commissioned eight of their members to visit Malta, Gozo and Tripoli, and submit a report on, among other things, the state of the city and its fortresses, the number of villages or castles comprising the number of able-bodied men, the revenues and the production of agricultural produce per annum, the quality and the quantity of potable water, wood, stone, lime

¹⁸¹ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche' 147.

¹⁸² Bosio, *Dell'istoria della sacra Religione*, Vol. III, 77E.

¹⁸³ According to Valentini these were strengthened by the meetings held between L'Isle Adam and Pignatelli in Messina. Valentini, *I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche*, 145.

¹⁸⁴ "in virtute privilegii dicte civitatis magnifici Jurati nomine Universitatis recurrant et mittant in ambaxiatores magnificos Alvarum de Cassares, unum ex Juratis, ac Mag. Antonium Bonellum ju. u. Doctorem, ad resitendum et inpugandum dictam concessionem". NLM, Univ. 12, (10.iv. 1524). Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. V, 183-184. Three representatives were eventually chosen and in addition to the above mentioned two, Giacomo Ingeraldo Inguanez was to form part of the delegation. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 146.

¹⁸⁵ Trasselli states that Charles V was not familiar with Sicily, did not hold a Latin or Mediterranean education and was thus not tied in any way to the paternalistic traditions of his predecessors. For the King, the privileges granted by the Crown did not hold any special significance and he did not in any way feel that he had to honour them. Trasselli, *Da Ferdinando II Cattolico a Carlo V*, Vol. II, 723.

¹⁸⁶ Research carried out in foreign archives, such as those in Sicily or Spain could well shed light on this important episode in Maltese history.

and other building material which would facilitate the building of defence structures. The Commissioners were also instructed to inspect '*quella lingua o strectura de dita insole dove, speculando la carta, havemo piu' volte ragionato se porria commodamente edificare lo Castello o vero forteza per la residentia del Convento*',¹⁸⁷ making clear, as early as 1524, their intention to build the future fortress city of Valletta.¹⁸⁸

Pignatelli, signing as El Conte de Monteleone, sent definite instructions to the Mdina town council regarding the visit of these Knights. He shrewdly camouflaged the expedition as one heading for Tripoli on a mission assigned by the Crown, and, to use his own words, the Knights were to be given "the best possible treatment" by the local authorities, and supplied with all that was required for the continuation of their journey.¹⁸⁹ Such tactics project a clear picture that the Crown was seeking to keep the Maltese oblivious to any negotiations which were underway on the possible transfer of Malta to the Knights, thus trying as much as possible to avoid the eventual build up to any resistance by the Maltese *Università*. The captain-in-arms, Girolamo Campo, together with a *jurat*, was to accompany the Order's delegation, since, it was stated, they were to have access even to the most confidential information, and wanted to see the ports and other localities on the islands. Unfortunately, the official report presented by the eight-men commission after their investigations is at present lost. A summary of the findings was however noted by Bosio.¹⁹⁰ These reveal that except for the excellent harbour facilities, the commissioners opined that the islands had nothing to offer.

¹⁸⁷ 'To visit that tongue or stretch of land of this island where, as has often been speculated, the Castle or fortress which would serve as residence to the Convent could easily be built'. Document reproduced in Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. VII, 185-187.

¹⁸⁸ The foundation stone of Valletta was laid after the Ottoman siege of 1565 by Grand Master de Valette (1557-1568) on 28 March 1566.

¹⁸⁹ "*cum omni charicze et bon tratamiento possibile*", NLM, Univ. 12, f. 362v, (13.vii.1524).

¹⁹⁰ Bosio, *Dell'Istoria della Sacra Religione*, Vol. III, 29-32.

Interestingly, according to Bonavita, during the course of these negotiations in June 1526, Pignatelli appointed *Fra.* Alfonso Paradal,¹⁹¹ a Spanish merchant and a servant-in-arms of the Order, officer in charge of the defence of the *Castrum Maris*.¹⁹² Bonavita further claims that the Viceroy did this as a strategic move to facilitate the arrival of the Order should Maltese authorities offer any resistance. The appointment by monarchs of members of the Order of St John as Castellans in various strategic positions throughout Europe was not an uncommon feature during the sixteenth century.¹⁹³ Why would then such claim merit further investigation? The almost total hegemony of de Nava and de Guevara families¹⁹⁴ as Castellans of the *Castrum Maris* up to the coming of the Hospitallers in 1530 has always been asserted by historians.¹⁹⁵ Even Bosio, when writing his history of the Order of St John, states that Alvaro de Nava had been appointed Castellan for life by the Spanish monarch, and when the Order took over in 1530, as compensation for losing his office, they offered him an annual payment of 32 ½ Sicilian *uncie*.¹⁹⁶ In view of such statements, how much can Paradal's supposed appointment in 1526, and Bonavita's claim of him being stationed in Malta at the *castrum maris* as a strategic move by the Sicilian Viceroy, be substantiated by extant evidence?

On examining the minutes of the municipal council meeting held on 22 June 1526, it may be safely ascertained that a *Fra.* Alonso (sic) indeed found his way to Malta in 1526, and was

¹⁹¹ In a biographical note Bosio writes the following about Paradal, "*Alfonso Paradal Biscaino entra in Rodi assediato et havendo perduta una sua nave in servizio della Religione e da quella stipendiato sotto l'habito di Donato, e fu poi Gran Visconte di Malta*". (Alfonso Paradal from Biscay sails in a besieged Rhodes and having lost his ship while in service of the Religion is by it [the Religion] rewarded by being made a Donat, and later *Vicecomite*. Bosio *Dell'Istoria della Sacra Religione*, Alphabetical Index of Vol. II.

¹⁹² Bonavita, *Dissertazioni Storico Legali*, ff.26v-27.

¹⁹³ There were other instances when members of the Order of St John were placed as Castellans in European castles. See for example, British History Online, <http://www.british-history.ac.uk/report.aspx?compid=92249> (accessed on 30 January 2012), which refers to a Knight of the Order of St John in charge of a castellany in England in 1462. Thanks are due to Stephen Spiteri for this information dated 30 January 2012, see also, Giuffrida, *La Sicilia e l'Ordine di Malta*, 21.

¹⁹⁴ These were two of the major land-owning families in Malta.

¹⁹⁵ Wettinger, *The Castrum Maris*, 43. A. Luttrell, 'The House of the Castellan of Malta', in *Heritage*, No. 9, (Malta, 1978), 161-165, 161.

¹⁹⁶ Bosio, *Dell'Istoria della Sacra Religione*, 84.

subsequently “*in custodiam castris huius Insule*” (sic).¹⁹⁷ His arrival does not seem to have provoked any protests from the *Università*, since, the only discussion regarding his arrival was related to whether he would be allowed to go to the Castle to perform his duties or be kept in ‘*purgazione di contumacia*’¹⁹⁸ for forty days. Opinion differed and various councillors further expressed their opinion that if after this period the health authorities held further reservations regarding his good state of health, *Fra.* Alonso would have to remain in quarantine until he was certified free from any contamination.¹⁹⁹ The full name of *Fra.* Alfonso Paradal and his connection with the Hospitaller Order before 1526 is securely mentioned by Bosio, who notes that during the siege of Rhodes, the Spanish Alfonso Paradal had shown great courage and even lost one of his ships in the service of the Order. Bosio further states that in order to reward him for his loyalty the Order bestowed on him the title of Donat of the Order.²⁰⁰

Various documents pertaining to the very first years of Hospitaller rule also make continuous reference to Paradal, who is noted as holding important administrative positions in the new administrative frame of the Order.²⁰¹ In fact, notarial acts pertaining to the year 1538²⁰² and 1545,²⁰³ refer to him as *maiozem vicecomite huius suburbi melitae*,²⁰⁴ apart from other documents

¹⁹⁷ “in charge of the castle of these islands”. NLM, Univ. 12, f. 409v, (22.vi. 1526).

¹⁹⁸ In quarantine. NLM, Univ. 12, f. 409v, (22.vi. 1526).

¹⁹⁹ NLM, Univ. 12, f. 409v, (22.vi. 1526).

²⁰⁰ For a more detailed description of Paradol’s participation in the siege of Rhodes refer to Bosio, *Dell’Istoria della Sacra Religione*, Vol. II, 698-707.

²⁰¹ Paradal seems to have been very active in various economic activities as there are several references to his name in notarial registers. Some examples may be found in NAV, Notary Nicolò de Agatiis, R 202/2, ff. 150-151v, (15.ii.1537 *ab inc*), R 202/3, ff. 78-81, (29.xi.1538); R 202/9, ff. 272v-273, (5.ii.1544 *ab inc*). See also NAM, MCC, Reg. AO, Vol. I, f. 50, (30.ix.1536) which refers to a *Fra.* Aloysius Pardal [sic] *vicecomes* and NAM, MCC, Reg. AO, Vol. I, f. 147, (3.ix.1538), wherein Paradol is mentioned as performing the duties of a sanitary official. See also S. Fiorini, ‘The Rhodiote Community of Birgu, A Maltese Maritime City: 1530-c.1550’, in V. Mallia-Milanes (ed.), *Library of Mediterranean History*, Vol. I, (Malta, 1994), 183-241, 191, 194. Fiorini lists Paradal as a member of the Rhodiote community. However, in documents he is never referred to as being Greek but listed as a *biscanio*.

²⁰² NAV, R 202/3, f. 78, (28.xi.1538).

²⁰³ NAV, R 202/9, f. 272v, (5.ii.1545).

²⁰⁴ For the duties and functions of the *Vicecomite* in Hospitaller Rhodes refer to NLM, Libr. MS 153, *Pragmaticae Rhodiae, F. Emerici D’Amboyse Magni Magistri Sacrae Religionis Hierosolymitanae*, ff. 9v-10. During Hospitaller rule in Malta, this office did not experience any major changes, A. Micallef, *Diritto Municipale di Malta Compilato Sotto De Rohan G.M. Or Nuovamente Corredato di Annotazioni*, (2 volumes,

which refer to him as forming part of the Confraternity of the Purification of the Blessed Virgin which had been established in the principal church of the *Castrum Maris* prior to the arrival of the Order.²⁰⁵ If Bonavita²⁰⁶ is to be believed, before the Order's arrival, Paradal was not very highly regarded by the *Secreto* since his name was last on the salaries list. Bonavita substantiates his claims by referring to two protests which were filed by Paradal and which, according to him, were registered in the acts of Notary Giacomo Bondino on 2 and 3 November 1528.²⁰⁷ If indeed the *Fra.* Alonso documented in the town council minutes of 1526, was in effect the newly-appointed official in charge of the defence of the castle, could his appointment have correlated with ongoing negotiations for the donation of Malta?

Bearing in mind that in 1524 the municipal council had already petitioned its objections to the Crown when rumours started spreading regarding the ceding of Malta to the Order, and considering also that the Maltese had the right to bear arms against the imposition of feudal lords, could this move by the Sicilian Viceroy prove significant in the circumstances? This appointment would have taken place concurrently with another appointment, that of the new captain-in-arms, Johannes Ribes Altes.²⁰⁸ Could such cautious manoeuvring be intended to strengthen royal control over the port and use of artillery in the event of any resistance put up by the islanders following

Malta, 1841), Vol. I, 53-59. Thanks are due to Albert Ganado for making a copy of this publication available to the author.

²⁰⁵ M. Fsadni, 'The Dominicans', in Bugeja et al (eds.), *Birgu, A Maltese Maritime City*, Vol. II, 663-715, 672.

²⁰⁶ Bonavita, *Dissertazioni Storico Legali*, f.27.

²⁰⁷ Various lacunae in the acts of Notary Giacomo Bondino indicate that these seem to have been lost, most probably due to damage sustained through two direct hits which the *Auberge d'Italie* suffered in April 1942 during World War II. The auberge then housed the Notarial collection and according to an inquiry report prepared by H. Jenkinson on the state of the archives of Malta in May, 1944, the bombing on these two occasions resulted in the destruction or damage of some 2,000 volumes. *Report by Mr. H. Jenkinson, C.B.E. on The Archives of Malta*, (May 1944), (acknowledgements due to Michael Ellul for providing me with a copy of this document). The present volumes show signs of re-binding whose material indicates that it could have been done during the British period. It is thus probable that when Bonavita was writing his dissertations in the first decade of the nineteenth century, these acts were still extant and available for his perusal.

²⁰⁸ NLM, Univ. 12, ff. 408v-409, (11.v.1526). A transcription of a copy of this letter found at the Cathedral Archives is available in, J. Del Amo García, S. Fiorini, G. Wettinger (eds.), *Documentary Sources of Maltese History, Part III Documents of the Maltese Universitas, No. 1 Cathedral Museum, Mdina, Archivum Cathedralis Melitæ, Miscellanea 33: 1405-1452*, (Malta, 2001), Doc. 124.

the donation of the island to the Knights Hospitallers?²⁰⁹ Should the need have arisen, would Paradal have taken over from de Nava and facilitated the landing of troops and artillery of the Order?

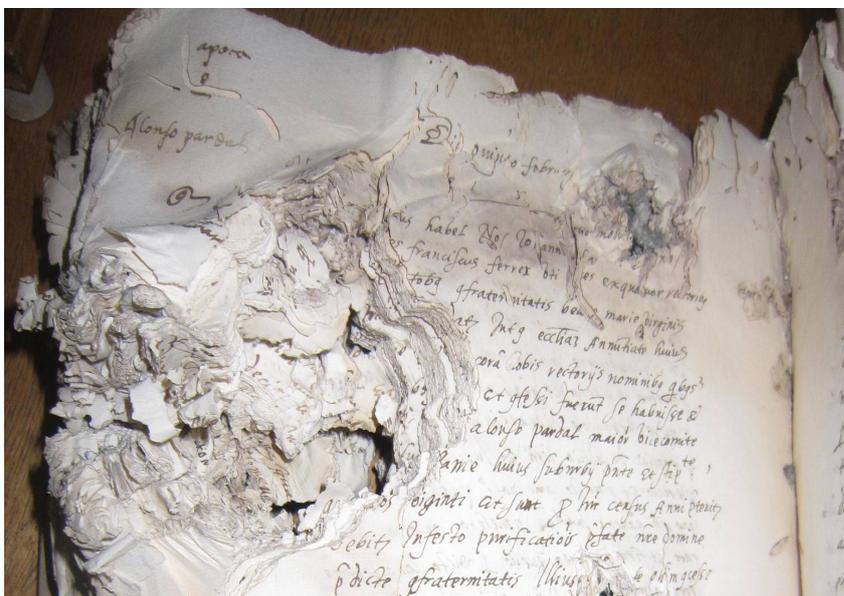
As observed elsewhere, the manning of the *Castrum Maris* had always received special attention by the Crown due to the high level of importance it carried for the security of the whole island.²¹⁰ Having already given proof of his loyalty towards the Order in the Siege of Rhodes and being also of Spanish origin would have made Paradal the ideal candidate for such post. Just how real the issue of a possible resistance by the islanders was for the Knights may be perceived from a chancery document dated 24 July 1530 which gladly notes the peaceful transfer of government, “*havendo havuto adesso el possesso pacifico*”²¹¹ (sic) (having had now the peaceful possession [of Malta]). The missing link in this puzzle seems to be the lost notarial document of Giacomo Bondino which would confirm the true identity of *Fra.* Alonso and his official designation. Perhaps the collection at the Notarial Archives will hold further surprises for the historian in the future.

²⁰⁹ The reason given for appointing Johannes Ribes Altes was that there was an increase in the number of Turkish and Moorish ships in the seas of the realm. Ribes Altes was reprimanded in March 1527 by the Viceroy “for interfering in the running of the Maltese judicial system by pretending to decide cases outside his jurisdiction contrary to Maltese privileges... it was further stressed that the Captain at arms’ jurisdiction is limited to war time and to four specific cases identified in the *capitula*”, Del Amo Garcia et al (eds.), *Documentary Sources, Part III, No. 1*, Doc. 127.

²¹⁰ Wettinger, ‘*The Castrum Maris*’, 42.

²¹¹ NLM, AOM, Lib. Bull. 414, f. 271v, (24.vii.1530).

Fig. 2.1 The deed drawn up between Alonso Pardal (sic) and members of the Confraternity of the Purification of the Blessed Virgin, showing clear signs of the extensive damage sustained by numerous notarial documents during the Second World War.



Source: NAV, Notary N. de Agatiis, R202/9, ff. 272v-273v, (5.ii.1545).

Matters for the transfer to Malta seem to have protracted after the initial discussions²¹² even more so when the Order started to consider the prospect of reconquering its Rhodian home²¹³ which however had fallen through by 1529. Bosio informs us that Grand Master L'Isle Adam, having lost hope in generating enough funds to recapture Rhodes, was considering attacking Modon, a well-fortified city which could serve the purpose of the Order since it could be

²¹² The General Chapter held on 23 May 1527, unanimously approved the acceptance of Malta and Gozo as the seat of the Order on condition that the Order would not be made vassals to the Spanish Crown. Diplomatic envoys were immediately sent to various European Kings and princes in order to assure them of the Order's continued neutrality, Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XXI, 202, Doc. XXIV, 204, Doc. XXV, 205.

²¹³ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. I VII, 160-162. On 7 October 1527 the Order anchored at Nice due to the bad political situation in Italy and the outbreak of plague. L'Isle Adam's letters from this port addressed to various European powers communicated only the Order's proposed reconquest of Rhodes and did not mention the donation of Malta. From here the Grand Master tried to mobilize the necessary forces to undertake this feat. The Maltese harbours were to accommodate the Order's fleet which was to embark on this mission. NLM, AOM, Lib. Bull. 414, f. 258, (13.vi. 1529). Charles V offered 25,000 *scudi* for this expedition, while the King of Portugal offered 15,000 ducats. NLM, AOM, Lib. Bull. 414, f. 271v. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 161-162. Accordingly, the Order's fleet left from Villefranche on 18 July 1529 and anchored in the Maltese ports on 29 August 1529. From here the Grand Master received news from his envoy Antonio Bosio that the project to conquer Rhodes had fallen through. Refer to letter written by the Grand Master to Pope Clement VII on 26 September 1529. NLM, AOM, Lib. Bull. 414, f. 259v, transcribed in, Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XXXIII, 214-215.

made impregnable with minor costs. It seems however that even this project was shelved, since the Grand Master thought it too risky.²¹⁴ Thus, on 26 September 1529, the Grand Master once again requested Pope Clement VII to negotiate with Charles V on the question of Malta,²¹⁵ even though, “[with Malta] lacking every comfort and pleasure, we shall suffer a lot, which [suffering] we will be willing to endure since we shall be situated in a place where Christianity will benefit from our service... and his Majesty and all the Christian princes will acknowledge this as a fact”.²¹⁶

However, the Order’s stay in Sicily was becoming more uneasy.²¹⁷ By mid-May 1530 the town authorities were once again discussing the donation of Malta and elected two ambassadors²¹⁸ to represent them in their objections to the Viceroy, with specific instructions to head directly to the King’s court if talks with the Viceroy did not have a positive outcome.²¹⁹ The council based its objections on a juridical issue since in 1428 the Maltese had redeemed their islands from the feudal lord Monroy for the sum of twenty thousand florins which entitled them the privilege to declare as being null and void any agreement involving the transfer of Malta and Gozo to a feudal lord. This privilege was reconfirmed even by Charles V and his mother Joan on 22 September 1516.²²⁰ Although the outcome of this meeting is unknown due to lack of documentation, according to Bonavita, Pignatelli assured the Maltese delegation that this was a

²¹⁴ Bosio, *Dell’Istoria della Sacra Religione*, Vol. III, 75.

²¹⁵ NLM, AOM, Lib. Bull. 414, f. 259v, transcribed in, Valentini, ‘I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche’, Doc. XXXIII, 214-215.

²¹⁶ “*per esser priva d’ogni commodità et piacere, havremo da soffrire assai, il che faremo volentieri per essere situate in parte dove la christianità riceverà servizio da noi... et sua M.tà et tutti li principi christiani lo congnoſcerano per effetto*”. NLM, AOM, Lib.Bull. 414, f. 271. From a document containing the instructions given to Fra. Ludovico de Andugar the Grand Master’s envoy to the King of Portugal on 24 July 1530.

²¹⁷ This may be testified by a chancery document dated 21 May 1529 which sheds light on the importance for the Order to have its own harbour to function properly. The reported incident states that a captured enemy ship which was now the property of the Order had anchored in Brindisi and the Castellan there immediately took hold of it, depriving the Order of the lucrative rewards. NLM, Lib. Bull. 414, f. 258, (21.v.1529).

²¹⁸ These were G. Ingeraldo Inguanez and Antonio Bonello. Valentini, ‘I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche’, 168.

²¹⁹ Valentini, ‘I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche’, Doc. XL, 224.

²²⁰ Valentini, ‘I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche’, 168.

short-term fief since the Knights intended to reconquer their Rhodian Island, thus their stay was of a temporary nature.²²¹

Unlike the Order's invasion and subsequent occupation of Rhodes in the fourteenth century,²²² the occupation of Malta and Gozo was conducted in a peaceful manner, through a number of contracts between Charles V, the Church, and members of the respective town councils of the two islands. Bonavita states that the Knights, aware of the fact that two of the most capable diplomats were away from the island, took advantage of the situation and immediately sent their procurators with the royal commissioners to negotiate terms with the remaining members of the town council. However, such claims are not backed up by documentary evidence and could be doubtful.²²³ What, on the other hand is documented and places Bonavita's claim in a stronger light, are the events taking place on 17 June 1530. On this date, the representatives of the Maltese²²⁴ consented to the relaxation of the 30,000 florins (20,000 had been paid in 1428 and the other 10,000 were forgiven by Monroy on his deathbed) to the Grand Master hoping that when the Order left Malta and Gozo, the sum would still be deposited at the *Regia Curia* and consequently the islands would retain their place within the royal demesne.²²⁵ This attitude reflects a situation wherein the municipal authorities were truly considering this alienation to be of a short-term nature, while proving beneficial to the Knights since these could claim these

²²¹ Bonavita, *Dissertazioni Storico Legali*, f. 28.

²²² The Rhodians capitulated on terms which guaranteed their rights, A. Luttrell, 'Malta and Rhodes: Hospitallers and Islanders', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 255-284, 259.

²²³ Bonavita, *Dissertazioni Storico Legali*, f.28.

²²⁴ Apart from the members of the town council there were also the representatives of the villages of Naxxar, Birkirkara, Żurrieq, Siggiewi, Birmiftuħ, Żejtun and Qormi. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XLI, 226.

²²⁵ NLM, Univ. 12, f. 549v, (17.vi.1530); Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XLI, 225-226. (Note that Valentini's reference to this document has been changed because this volume, like many others in the section of the Archives of the Order which were previously part of the Library Manuscript collection, for a time was inventoried as MS 929. Thanks are due to Maroma Camilleri for this information communicated on 30 January 2012). This agreement was ratified by the Grand Master by means of a Bull issued from Syracuse on 18 July 1530. NLM, AOM, Lib. Bull. 414, f. 270. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XLII, 227.

privileges when the need arose.²²⁶ The following day, on June 18, the Order's procurators obliged themselves to honour the privileges and customs of the local Church.²²⁷

By way of these agreements, the Order made the Maltese party to the delivery of the islands under the feudal grant, and thus succeeded in obtaining the consensus of the leading institutions. Consequently, they could now safely establish themselves without running the risk of being sabotaged. Valentini offers a different perspective on this mutual agreement. While making reference to Bosio's work wherein the latter states that L'Isle Adam held secret negotiations with a view of conquering Modon from the Ottomans, according to Valentini, this move reflected the Order's intentions to leave Malta as soon as the Modon campaign materialized.²²⁸ However, if this was the case, why then did the Knights opt to ransack the fortress-island in September 1531, barely a year after their arrival, and leave when they could have held onto it²²⁹ and leave Malta?²³⁰

The legal characteristics of the Maltese grant which was 'in perpetual, noble, full, and free enfeoffment',²³¹ were mainly that it was a fief of the first order; that it was free, because it did not entail the duty of military service by the Order; that it was noble, because it had attached to it the prerogative of nobility,²³² which meant the surmounting of the Coat of Arms with the Marchional

²²⁶ Like for example when negotiating for duty free grain quotas.

²²⁷ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 169.

²²⁸ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 169. (Note that Valentini quotes the old reference to this document in his work, that is, Arch. Catt. Ms. XXVII, c. 691. This has now been re-classified and should read ACM, Misc. 28, f. 347-new stamped pagination).

²²⁹ Setton, *The Papacy and the Levant*, Vol. III, 352.

²³⁰ Anthony Luttrell informs us that, "the old principle that the military orders could retain lands won from the infidel was recognized in 1307 in a papal confirmation of the Hospital's rights to Rhodes which it had conquered from enemies of Christendom, that is from 'schismatic Greeks' and from 'infidels' who must have been Turks", A. Luttrell, 'The Earliest Documents on the Hospitaller *Corso* at Rhodes: 1413 and 1416', in B. Arbel (ed.) *Intercultural contacts in the medieval Mediterranean*, (London & Portland Oregon, 1996), 177-188, 178; Mallia-Milanes, 'Introduction to Hospitaller Malta', 6-7.

²³¹ "*in feudum nobile, liberum et francium*", NLM, AOM, Lib. Bull. 414, f. 221v. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XXXVII, 222.

²³² If a fief had the prerogative of being noble it was thus called, otherwise if the feudal lord did not hold the right of nobility it was called *ignobile* or *plebeo*. P. De Bono, *Sommario della Storia della Legislazione in Malta*, (Malta, 1897), 168 fn.2.

Crown;²³³ and finally that it was *mero e misto*, because full civil, criminal, and political power was attached to it. The Hospitallers were bound to the annual feudal payment of a falcon or a hawk on All Saints to Charles V as King of Sicily or subsequently to his successors.

On 10 June 1530, the Order received the Crown's permission to appoint persons who held administrative and judicial roles and other officials, while at the same time it had to confirm and approve the municipal laws, immunities and privileges of the Maltese or if necessary, amend them accordingly.²³⁴ This last clause did of course give the Order a free hand to embark on a policy which sought to accommodate both the islanders and the rulers, the latter having their own laws and customs which had been tested in Rhodes for more than two hundred years. On 22 June 1530, almost four months prior to the Grand Master's official possession of the islands, Aurelio Butigellis²³⁵ in his competence as lieutenant of the Grand Master and Governor of Malta, issued the first laws which were to regulate feudal lands.²³⁶ These stipulated that nobody could alienate immovable assets to foreigners or to other Maltese domiciled abroad without the written consent of the Grand Master; secondly, whoever possessed feudal lands and privileges had to produce proof of ownership, under pain of losing all rights.²³⁷ Those resident in Malta were given fifteen days to comply, while those living in the *Regno* had forty days, and those posted outside the *Regno* had six months from the date of the said proclamation. Lastly, there was a ban on hunting wherein killing partridge was declared illegal, a fine of 10 *uncie* was imposed on anyone caught breaching this law.

²³³ Later on in the 18th century Grand Master Pinto (r. 1741-73) assumed the title of Most Serene Highness and changed the armorial emblems of the Order by substituting the Marchional Crown by the Royal Crown. He also started creating and granting titles of nobility. In 1753 he even denied Charles VII of Naples the right to send an ecclesiastical visitor to inquire about the prevailing condition of the Church in Malta. Mallia-Milanes, 'Introduction to Hospitaller Malta', 5.

²³⁴ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XXXVII (B), 220-221.

²³⁵ NLM, AOM, Lib. Bull. 414, f. 273v. On 20 October 1531 Buttigelli appointed his brother Paolo as his procurator see, NAV, Notary Giacomo Bondino, MS 585/1, ff. 159-160v, (20.x.1531). In the spring of 1534 he was successful in capturing three Turkish galleons in the waters off Djerba, Bono, 'Naval Exploits and Privateering', 354.

²³⁶ NLM, Univ. 7, ff. 173v-174, (22.vi.1530).

²³⁷ NLM, Univ. 7, f. 174 *et seq*, still holds the original copies of the documents containing proof of titles produced by the various feudatories.

On 15 July 1530, at the insistence of the town council, the Grand Master ratified the promise made earlier by the Order's procurators²³⁸ and declared that "if the royal captain, the *jurats*, the *Università* and the people of these islands and towns promise and swear in honest in favour of us and our successors, we promise not to violate and to observe their privileges, immunities and their good customs".²³⁹ In the same month, the town councils of both Malta and Gozo sent the names of the new town officials who were to take office in September for the Grand Master's approval, thus indirectly confirming that they had accepted him as the islands' new ruler.²⁴⁰ The Grand Master approved these officials without any restraints,²⁴¹ thus carefully ensuring that long-standing pretensions to administrative posts were satisfied and that a smooth transition of power would be effected.

When discussing the administrative framework of the island it is essential to place the councillors of Mdina and the merchant entrepreneurs of Birgu in their separate spheres. It is interesting to note that a petition list for the opening of a Dominican friary in Birgu in 1528²⁴² provides a good insight into the surnames connected with Birgu, mostly connected to maritime activities, prior to the arrival of the Order. At the same time, the complete lack of these same

²³⁸ The appointed procurators were the Knights Ugo de Copons and Giovanni de Bonifaciis, refer to Doc. XXXVII, in Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 220.

²³⁹ "*Se capitaneo, Juratis, Universitàti et populo eiusdem insule et civitatis promississe et iurasse in animam nostrum nostrorumque sucessorum inviolabilem observationem privilegiorum, immunitatum, libertatum, franchisiarum, jurium, laudabilium consuetudinum et bonorum morum eorundem.*" Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XXXVII (D), 221

²⁴⁰ The *jurats* for Gozo were Giacomo Inguanez, Andriota Manara, Vito Vagnolo and Valerio d'Alagara. Vincenzo Castillata was the treasurer. The *actapani* were Rodrigo Pontremolo and Antonio di Francesco Platamone *ex gratia*. The civil court's judges were Andriota di Santi, Nardo Manara and Massimo Falzoni, while Florio Sansone was the Civil Court's notary. *Matheum Andree Sanctorum* was *magistrum munditie*. In Malta's case the *jurats* were: Nardo de Bordino, Nicolo Sagona, Antonnio Falzoni and Bernardo Cassar. The *acctapani* were Luca D'Armenia and Antonio Zammit and the treasurer was Mariano D'Armenia. The judges of the Civil Court were Graziano Vassallo, *letterato*, Guglielmo Ribera and Giovanni Bitirio, and the court's notary was Franchino d'Aligrito. *Nobilis* Giovanni Calavà was confirmed as *Secreto*. NLM, AOM, Lib. Bull. 414. f. 273v. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 170-171.

²⁴¹ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XLII, 227.

²⁴² As Wettinger rightly points out, the list comprises the names of particular persons and is not strictly comparable to militia or *angara* records. However, those whose signature was solicited were, undoubtedly, among the leading men in the community of Birgu. Wettinger, 'The Castrum Maris', 59. The original deed is lost. Nevertheless, a copy still survives in the Dominican Archives Rabat. This was transcribed by Stanley Fiorini see S. Fiorini, 'Demographical Aspects of Birgu up to 1800', in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), Docs. I & II; Fsadni, 'The Dominicans', 672-673.

surnames, such as that of the Abelas,²⁴³ in contemporary documentation recording members of the municipal nobility of Mdina, or other royal appointments for that matter, is highly noticeable.

Such situation also suggests that at the time Birgu was a centre for commercial maritime activities which lacked any prestigious social connotations. This situation must have led to a sharp divide between the councillors in Mdina and the established merchants of Birgu.²⁴⁴ The latter must have comprised a wealthy section of Maltese society at the time since their ships were considered of such strength as to provide assistance to the Royal fleet both in 1432 as well as in 1510 when King Ferdinand the Catholic conquered Tripoli.²⁴⁵ Once again, during the town council meeting dated 31 January 1520,²⁴⁶ the councillors agreed to send twelve ships, namely *grippe* and *galeotte*, to join the Royal forces in Trapani and thus ordered the Birgu ship owners to abide by the council's decision.²⁴⁷ In response to such orders these *patroni* insisted that although they were ready to send their vessels in aid of the King, they were not ready to provide the sailors since in their opinion this was to be done by the authorities.²⁴⁸ The town council members did not favour this request and only agreed to contribute to the sailors' pay in the form of a loan only up to Trapani. It stands to reason that the *patroni* must have looked with contempt at the municipal authorities of Mdina for burdening them with such expenses. Their disdain must have escalated the next day when the town crier read out a *bando* which stated that, "no skipper of *grippi* or other types of vessels should leave harbour without an authorization from the town mayor and the aldermen on pain of death and confiscation of their goods".²⁴⁹

²⁴³ Abela was a surname that was intrinsically tied to mercantile activities in the late medieval and early modern period. Wettinger, 'The Castrum Maris', 66. For the importance of the Abelas as regards maritime connections refer to Fiorini, 'Demographical Aspects', 224-226.

²⁴⁴ Wettinger, 'The Castrum Maris', 58-59.

²⁴⁵ Fiorini, 'Demographical Aspects', 224.

²⁴⁶ NLM, Univ. 12, ff. 232-234.

²⁴⁷ These orders list five Abelas in a list of 13 names. Wettinger, 'The Castrum Maris', 66.

²⁴⁸ Wettinger, 'The Castrum Maris', 65.

²⁴⁹ Wettinger, 'The Castrum Maris', 66.

Being presented with such facts, a number of questions present themselves to the historian. Why were these merchants not represented in the municipal council when the latter took such significant and costly decisions in their regard? Did they vie for a place in the local administrative set-up? Did they vie for a place within the higher echelons of society? This surely materialized later on in the seventeenth century when Gian Frangisk Abela (1582-1655) was appointed Vice Chancellor of the Order. Would a future study focusing on the increase in title-holders, a phenomenon experienced in the eighteenth century, show any kind of link to this new emerging élite?²⁵⁰ What did the coming of a strong naval establishment really mean to these *patroni*?

It therefore stands to reason that these merchants knew well that the presence of a prestigious maritime Order would have translated itself into much greater potential for those wishing to enhance and develop their maritime activities. The establishment of a naval power meant improved port facilities and better policing of navigational waters at a time when piracy was on the increase.²⁵¹ New investment opportunities were also to be expected since the Order's presence was sure to generate more work and attract new trading partners. A list comprising the inhabitants of Birgu making use of the services of Notary Nicolò de Agatiis during the years 1538-40 sheds light on the influx of people who made their way to Birgu in the early years of Hospitaller rule.²⁵² While the 1528 petition referred to earlier included only twenty-five different surnames from among the residents of Birgu, data extracted from the above-mentioned notarial acts lists

²⁵⁰ A. Caruana Galizia, 'The Maltese Nobility during the Hospitaller Period: Towards a Reappraisal', *Symposia Meltensia*, Vol. 7, (2011), 89-102.

²⁵¹ Brogini, *Malte, frontière de chrétienté*, 30-32.

²⁵² D. Bezzina, *Early Hospitaller Birgu: A Study of the Acts of Notary Nicolò de Agatiis 1538-1540*, BA Hons. dissertation, (University of Malta, 2001), Appendix 1, 102-107.

one hundred and forty one different surnames,²⁵³ fifty eight of which belong to foreigners resident in Birgu.²⁵⁴

However, as has already been observed, the rule of the Hospitaller government also meant that the merchants could hope to climb a step further in the social ladder. As is documented from the earliest records which shed light on the activities of the Birgu *Università*, the names of these merchants appear in council meetings after 1530 and are appointed to fill in key administrative posts.²⁵⁵ Thus, the advent of the Order represented a break with the past for a group of Maltese who had in earlier times been excluded from such positions. These immediately took advantage of the chance afforded to them and started to participate in public affairs. It therefore follows that the presence of the Knights allowed ambitious persons who were closely linked to commerce, not only to enhance their trading activities but even to climb the social ladder. In turn, this new emerging faction of society helped the Knights to establish control over an area which was crucial to the well-being of their governance, while serving as an important source from where the Knights could register the pulse of the population. Once again, these facts present the scholar with a fundamental question. In view of the generation of all these new economic activities, how much was the Mdina town council afraid of the allegiance which, not only these *patroni*, but even a good section of the population could offer the Order? Is this yet another reason which explains the smooth transition of power from the hands of the municipal council in Mdina to that of the Hospitaller Order in Birgu?

When dealing with the transfer of Malta to the Knights of St John and the reaction of the Maltese, local historiography tends to focus on the actions of just one particular strata of society,

²⁵³ Once again Abela (Habel, Xabela, Chabela) is the most common surname in Birgu.

²⁵⁴ In these Notarial registers not all contracting parties had their place of origin noted next to their name. Therefore, despite providing very good insight, this list does not represent or give details of each resident of Birgu for the period. It also excludes the Knights who used the services of the notary during at the time. These are listed in a separate comprising 134 different Knights. Bezzina, *Early Hospitaller Birgu*, Appendix II, 108-111.

²⁵⁵ NAM, MCC, Reg. AO, Vol. II., n.f., (13.ix.1552), MCC, Reg. AO, Vol. I, ff. 101v-102, (1.ix.1537), ff. 146v-147, (3.ix.1538), ff. 199v-200, (1.ix.1539).

the upper layer which held important municipal posts. However, how far can one say that this 'one group' model encompassed the thoughts and feelings of the other persons making up different social groups? As has already been discussed, the municipal council was made up of a tightly-knit group of nobles, lawyers and landowners who largely excluded other social groups from their circle. Put together, did not the latter comprise a greater force than the ruling elite? Did they not also have their own aspirations and ambitions?

As has been shown in an earlier study dealing with the economic activities taking place in and around the port in the early years of Hospitaller rule,²⁵⁶ the establishment of the Order generated myriad new economic opportunities which ultimately saw not only the local population flock to Birgu, but even foreigners. Not only did merchants, traders and craftsmen enhance their economic activities, but many of these also discovered that life-long aspirations to have their group participate in administrative posts were now being realized. As shall be shown, after 1530, merchants, tailors, cobblers, stonemasons and silversmiths had representatives in official posts. Were therefore the Knights the only real threat to the *status quo* of the nobility of Mdina, or did they have other 'enemies' in the form of aspiring social groups?

2.5 A pact to honour local privileges broken too soon? – The early legislations and the usurpation of local rights

Although the donation of the Maltese islands to the Hospitaller Order was secured by a pact to honour existing laws and customs, the Knights' establishment implied that the new masters were empowered to promulgate new laws.²⁵⁷ As shown in this Chapter, the emanation of such laws and legislations was ultimately intended to ensure the effective administration of the

²⁵⁶J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, Unpublished MA dissertation, (University of Malta, 2007).

²⁵⁷ See A. Williams, 'The Constitutional Development of the Order of St John in Malta, 1530-1798', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 285-296; Williams, '*Sacra Militia*', 139-156; Paoli, *Codice Diplomatico*; De Bono, *Sommario della storia della legislazione*.

Maltese islands and to give the Order the upper hand in pivotal decision-making issues which would ensure a stable government. However, just how successful the Knights were in establishing their island state in Malta is still a matter of contention. Before assessing these arguments, an overview is needed of the set-up of new institutions and laws promulgated by the Knights in the period 1530-1565.²⁵⁸

As early as 1533 Grand Master L'Isle Adam issued a code of laws under the name of *Statuti ed Ordinazioni*. Although rudimentary in nature, these laws had a pillar-like function in the constitutional set-up in force during the Order's rule, not only because they were the very first laws to be enacted by the Hospitaller Order, but even due to the fact that they remained in force for a substantial number of years.²⁵⁹ As referred to earlier, among other issues these laws established the office and tribunal of the *Castellania* that had formerly functioned in the city of Rhodes.²⁶⁰ This court, which was of first instance, was presided by the Castellan, who was one of the highest ranking officials in the Order's hierarchy. Apart from being responsible for the internal affairs of the Order, he was also responsible for the secular aspect of the law in the Courts.²⁶¹ This newly-established tribunal thus, did not only deal with cases involving the Order, but also heard

²⁵⁸ It is interesting to note that as late as 1895 a court sentence given regarding the case of *Nobile Formosa vs Nobile Attard Montalto* decreed that "the old Sicilian laws continued to apply in so far as they were not revoked or changed by contrary legislation after the occupation of the Knights, since Malta was not conquered but donated *ex munificentia*". W.D. Barz, 'The Maltese Statuti e Ordinamenti of 1533', (trans. J. Sammut), *Id-Dritt*, (official organ of the Law Society, University of Malta), Vol. XV, (1990), 5-20, 7.

²⁵⁹ The promulgation of this code of laws was issued on 5 September 1533 and the text is divided into six chapters. NLM, Libr. MS. 148, Codice di Lascaris, ff. 24v-26; NLM, Libr. MS. 439, ff. 33v-36. These laws were later re-confirmed by various Grand Masters, such as Verdala (paragraph 120 of the Code of Verdala of 1598) and Lascaris in his *Prammatiche* issued in 1640. They were only superseded in 1724 by the Code of Manoel, NLM, "*Codice di Manoel*", *Leggi e Costituzioni Prammaticali, Rinuovate, reformate, ed ampliate dal Serenissimo, ed Eminentissimo Signor Fra D. Antonio Manoel de Vilhena de Conti di Villaflor: Gran Maestro della Sacra Religione Gerosolimitana, e dell'Ordine Militare del S. Sepolcro, Principe di Malta, e Gozo, & c: Colle Pandette, ed Inidice de Titoli, e delle materie*, (Malta, 1725). See also, Barz, 'The Maltese Statuti', 5-20.

²⁶⁰ For the functions and duties of Castellan refer to NLM, Libr. MS. 153, *Pragmaticae Rhodiae, F. Emerici D'Amboyse Magni Magistri Sacrae Religionis Hierosolymitanae*, ff. 5-5v. See also A. Luttrell, 'The Rhodian Background of the Order of Saint John in Malta', in J. Azzopardi (ed.), *The Order's Early Legacy in Malta*, (Malta, 1989), 3-14, 5; A. Luttrell, 'The Fourteenth-Century *Capitula Rodi*', in A. Luttrell, *The Hospitallers of Rhodes and their Mediterranean World*, (Aldershot, 1992), 204-211, 205.

²⁶¹ Together with the Castellan, this court consisted of two judges, one of whom enjoyed a civil jurisdiction and the other a criminal jurisdiction. De Bono, *Sommario della storia della legislazione*, 171.

appeals from the *Università* of both Malta and Gozo. The inhabitants of Birgu were subjected to this tribunal, however, this law allowed those parties who fell under the jurisdiction of the Royal Captain of Mdina, the right to claim the jurisdiction of the Castellan if they so desired.²⁶² Such steps were of course a subtle attempt to attract the inhabitants to submit to the Order's jurisdiction rather than to that of the municipal council of Mdina. Various petitions were put forward by members of the *Università* in this regard.²⁶³ A clear reference to such grievances is noted in the town council minutes dated 8 June 1531, wherein it was resolved that the town councillors had to plead in front of the Grand Master to restore to the council "*lo integra jurisdictioni civili et criminali di tutta la insula et so populu et etiam dilu Burgu come sempre fu*".²⁶⁴

As previously mentioned, the appointments of officials making up the town council were, from as early as July 1530,²⁶⁵ confirmed by the Grand Master. Notwithstanding the increasing limitations in its functions, the composition of the town council remained basically the same as that of its medieval precursor. Other administrative posts which continued to function during Hospitaller rule were those of the inspector of weights and measures, namely the *accattapani*; the *Secreto*, who now administered the property of the Grand Master, collected related taxes and issued building permits; the *Portulano*, responsible for the control of measures of grain and the importation of wheat from Sicily; and the *Credenziero*, who issued receipts to cover all imported

²⁶² "*Qui Castellaniae Burgi praest, lus dicere non debet extra territorium suum, quod dumtaxat nouis Burgimoenibus, continentibusque aedificiis determinamus, Reliquis Melitae Incolies ad Praefecti Ciuitatis Iurisdictionem pertinentibus, et consentient tunc protest eis, et aduersus eos lus dici ab eo, cuius Tribunal communi consensus elegerint*" - "He who presides over the Castellania of the Borgo should not administer the law outside his sphere of office which we limit to the new fortress and its adjacent buildings. The rest of the inhabitants of Malta fall under the jurisdiction of the prefect of the community. Those who through some kind of contract subject themselves to another jurisdiction and consent to it, could be then judged by the latter tribunal which they have chosen through mutual agreement", English version quoted from Barz, 'The Maltese Statuti e Ordinamenti of 1533', 14-15.

²⁶³ Fiorini, 'The Municipal Councils', 13.

²⁶⁴ NLM, Univ. 12, f. 564v.

²⁶⁵ NLM, AOM, Lib. Bull. 414, (1528-1530), ff. 270-270v.

provisions. Some other offices ceased to function; these included the office of Vice-Admiral, and that of *Massaro*.²⁶⁶

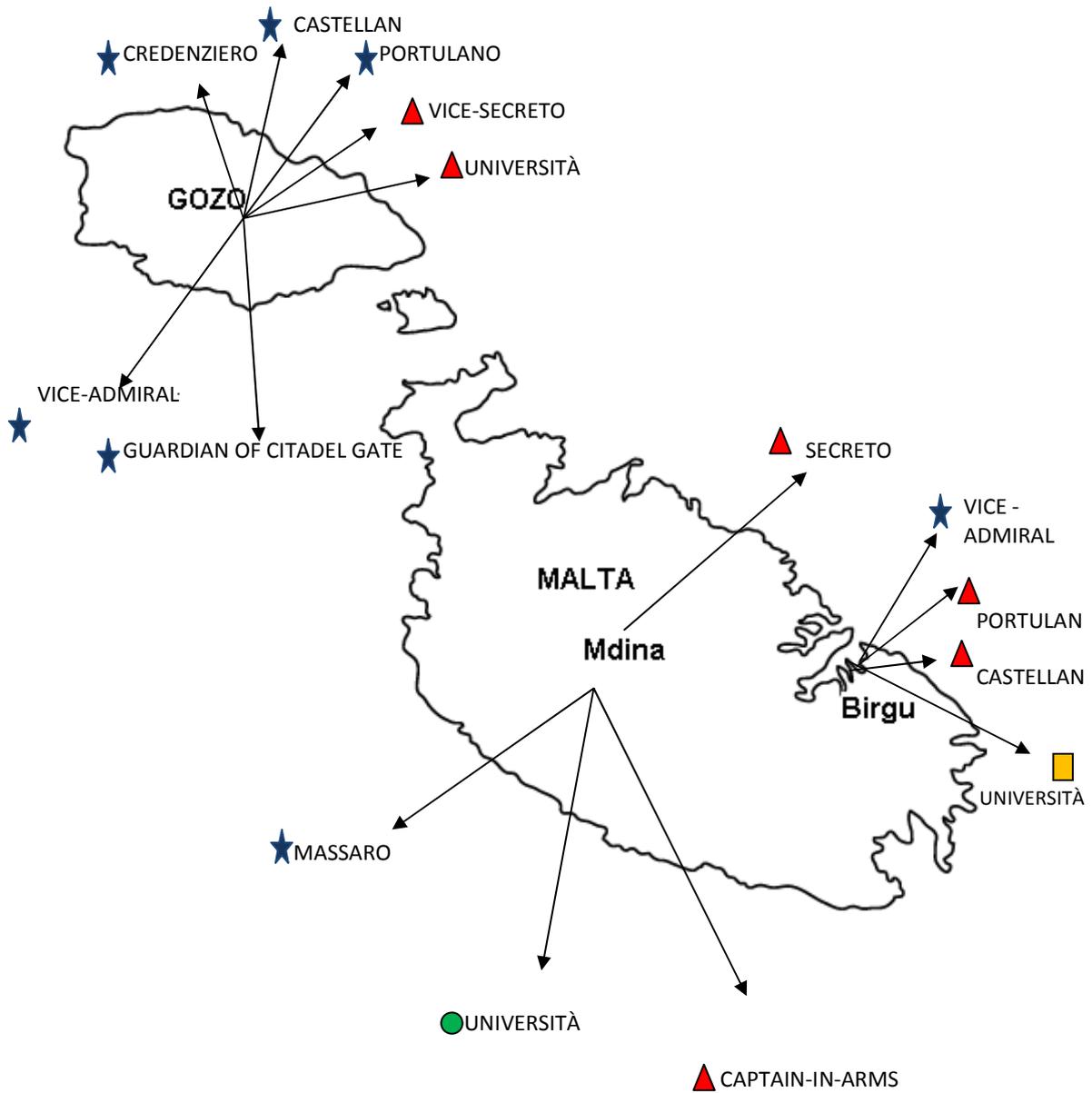
The Gozo *Università* suffered even heavier blows than that of Malta. In fact, after the great Turkish incursion of 1551,²⁶⁷ the Order resolved to replace the post of Captain of the Rod with that of a Knight who also acted as Governor of the island, leaving in place the functions of the *jurats*, judges and *accattapani*. In addition to the above, most medieval offices pertaining to the Gozitan island were also abolished by the Order. These included, the office of *Credenziero*, Castellan, Guardian of the Citadel Gate, Vice-Admiral and *Portulano*.²⁶⁸ The 1551 disaster, which cost the captivity of almost all the island's population, reflected Gozo's weak defence system, a fact which must have given the Order a free hand in changing almost completely the administrative structure of the island. This episode must also have had serious repercussions on the Maltese population who ultimately knew that, notwithstanding their loyalty to the Spanish Crown, the latter had made little effort for the proper upkeep of the defence system of the islands. On the other hand, the Hospitallers, who almost immediately started work on the defence system at Birgu, were showing some form of commitment to the island's safety by investing considerable sums of money and undertaking a number of infrastructural projects which seemed to offer at least some measure of comfort to the population.

²⁶⁶ In medieval times the *massaro* had been responsible for the income derived from customs duties. Fiorini, 'The Municipal Council', 16-7.

²⁶⁷ The Muslims of the Ottoman Empire were invariably referred to and grouped under the umbrella word 'Turks' by Europeans without making any specific ethnic or regional distinction. When the term 'Turk' is used in this study it is because this same word is used in the original documents.

²⁶⁸ Fiorini, 'The Municipal Councils', 16-7. Unfortunately Gozo lacks proper documentation for the period since after the 1551 *razzia* most of the documents went missing. See NLM, Libr. MS, 1214, for a list of notaries whose notarial volumes were missing from the Maltese archives due to the 1551 Turkish incursion on Gozo.

Fig. 2.2 Royal and municipal offices – pre and post 1530



- ▲ ROYAL AND MUNICIPAL OFFICES TAKEN OVER BY THE ORDER
- CONTINUED TO FUNCTION WITH LIMITED RESPONSIBILITIES
- NEW INSTITUTIONS
- ★ ABOLISHED

Since the naval engagements of the seafaring Hospitallers required the transfer of the seat of Government from the old medieval town of Mdina to the Castle of St Angelo and its suburb of Birgu,²⁶⁹ members of the Order and their entourage soon took over the few houses that could provide them with at least a minimum of comfort.²⁷⁰ The town was too distressingly small, and the shortage of proper housing led the Knights to take up makeshift residences while undertaking an intensive building programme. As early as 1531, the first law regulating housing was enacted in order to control lease agreements and to enable the Knights and their followers to find proper housing. The heavy influx of new residents led to a situation where demand exceeded supply, proving to be very profitable for speculators, thus seemingly leading to 'a black market in lodgings'.²⁷¹

In order to address this problem Grand Master L'Isle Adam issued the *Ordinationes Domorum*,²⁷² and as a result, the tribunal of the *Officio delle Case* was set up. It is interesting to note that the composition of this tribunal included three Maltese residents in Birgu together with two Knights. These were given very wide powers, among which was their right to force the compulsory sale of houses, to dictate the just price of houses, and to deal with disputes.²⁷³ It can be argued that the inclusion of Maltese citizens in such tribunals was a measured step intended to gain local support and provide a means to assess popular attitudes. Notwithstanding such measures, it seems that the Rhodiote community in Birgu was still bearing the brunt of exorbitant prices since, on 26 May 1548 another Ordinance regulating housing was promulgated in view of

²⁶⁹ Birgu had the added advantage of being distant from Mdina, the seat of the old Maltese feudal nobility who were, for obvious reasons, reluctant to share a home with the Order. R. de Giorgio, *A City by an Order*, (Malta 1985), 33.

²⁷⁰ According to Bosio '*non eran nel Borgo all'ora tante habitationi... erano per questo costretti à far camerate, & à ricoverarsi à dieci, & à quindici insieme in ogni piccola casetta*'. (At the time there weren't many houses in Birgu... for this reason they [the Knights] were compelled to share lodgings, and to shelter in [groups of] ten, and even fifteen in each little house), Bosio, *Dell'Istoria della Sacra Religione*, Vol. III, 297.

²⁷¹ S.R. Borg Cardona, 'The *Officio delle Case* and the Housing Laws of the earlier Grand Masters 1531-1569', *The Law Journal*, Vol. III, No. 1, (University of Malta, 1951), 39-69, 42.

²⁷² NLM, AOM, Lib. Bull. 415, f. CCXXIII.

²⁷³ For a detailed list of the functions of this tribunal refer to, Borg Cardona, 'The *Officio delle Case*', 41-42.

the complaints put forward in this regard.²⁷⁴ Among other things, this Ordinance changed the composition of the tribunal, which, although retaining its two Knights as Commissioners, substituted the three Maltese representatives with a Maltese and a Rhodian *jurat*.²⁷⁵

The inclusion of members from the Rhodiot community in key administrative posts alongside Maltese officials is documented in various other instances. In the records of the *Magna Curia Castellania*, Simon Exarcopulo is noted as serving the post of *catapanus* between the years 1532-1533,²⁷⁶ while Theodorus Zacharias and Stephanus Guascon were appointed jurats for the administrative year 1534-1535.²⁷⁷ Similarly, between 1537-1538 Johannes Callamia was one of the four appointed jurats of the *Università*, Theodorus Zacaria was a health official together with the Maltese Johannes and Paulus Habel, Laurentius Ros was a *catapanus* with another Maltese, Luca Vella, Petro de Vera was the government official for gold and silversmiths, Simon de Petrollo was that for tailors, Johannes Portughes appointed as the government official in charge of stonemasons, while Antonio de Lauda was appointed official in charge of cobblers (*sabbatero*) together with another Maltese official, Juliano Vella.²⁷⁸

The appointment of both Maltese and Rhodiot officials sharing the same offices ensured a healthy mix of representatives and projected the government's efforts to integrate as much as possible two communities which had substantial cultural differences. However, the implementation of such policy serves also as a clear indicator showing how during the initial years of Hospitaller rule, the administrative power in the commercial heart of the island was partly

²⁷⁴ Borg Cardona, 'The Officio delle Case', 43.

²⁷⁵ Borg Cardona, 'The Officio delle Case', 45. For a deeper insight into all Ordinances regulating housing up to 1569, especially those of 1555 and 1562, refer to Borg Cardona, 'The Officio delle Case', 39-69.

²⁷⁶ This refers to the administrative year which started on the 1 September and ended 31 August.

²⁷⁷ Fiorini, 'The Rhodiot Community', 198.

²⁷⁸ NAM, MCC, Reg. AO, Vol. I, ff. 102v-103, (1.ix.1537) see also ff. 146v-147, ff. 199-200. There were other members who were appointed apart from those indicated above. However, only those who were specifically noted as being Rhodiot or Maltese have been mentioned above.

delegated to persons whom the Maltese still viewed as ‘foreigners’ resident on the island. This must have worried considerably the elite at Mdina.²⁷⁹

Just like their predecessor, the Grand Masters who ruled after L’Isle Adam until 1565 did not promulgate any major law codes. Juan D’Homedes (r. 1536-1553) issued the laws known as “*Pandectae et Ordinationes*”, which were mainly targeted to regulate court fees as well as other fees.²⁸⁰ The subsequent Grand Master, Claude de la Sengle (r. 1553-1557) published his “*Bandi e Commandamenti*” in 1555. Of these, the most relevant law for this study is the one in which he ordered that all foreigners²⁸¹ who were not traders be expelled from the island. This law is to be seen in the light of the great difficulties which the Order was facing to provide an ever-growing population with the necessary food supplies, apart from other problems related to the defence of the island in case of a siege.

From a cursory look at Appendix II, which lists eighty-eight foreign clients of one sole notary for the administrative year 1557-1558,²⁸² one may appreciate the heavy influx of new arrivals the harbour area experienced after the establishment of the Knights. The occasional number of imported workmen from Sicily which the Order needed for its building programme

²⁷⁹ One must keep in mind that the port of Birgu was the major gateway linking Malta to the outside world.

²⁸⁰ These were divided into six chapters as follows: *Jura indicum*; *Jura decretorum*; *Jura candelarum*; *Jura magistri notarii*; *Jura notariorum*, and lastly, *Jura advocatorum et procuratorum*. NLM, Libr. MS 148, *Codice di Lascaris*.

²⁸¹ The term ‘foreigner’ in this context excludes members of the Order and those of the Rhodiote community who came to Malta with the Knights of St John.

²⁸² NAV, R 4/1 & MS 514/1, (1557-1558). It is important to note the following; MS 514/1 covers the period 1 November 1557 to 1560. However, only the acts covering the same period as register R 4/1, (1557-1558) have been analysed for the compilation of this list. Volume R 4/1, covers the period 2 October 1557 to 1 September 1558 and is divided into four sections. The first section holds the acts starting from ff. 2-3v, (2.x.1557) up to f. 145v, (31.xii.1557), while the second section contains a register of procurations commencing from f. 1-3v, (7.x.1557) and ending with a deed on f. 140-40v, (18.viii.1558). In all, this section holds a total of 106 procurations. The third section is also a register containing 109 procurations and begins with the act found in ff. 1-2, (5.ix.1558) and ends with the act on ff. 139-142v, (30.viii.1559). The fourth section starts with the act referenced ff. 143-143v, (1.ix.1558), and the last noted act is in ff. 173-174 (24.xi.1558). It is important to state that sections regarding procuration acts are not included in this analysis. Thus, in all probability the number of foreigners in Birgu using the services of this notary was even higher.

must be added to these figures.²⁸³ This human invasion in the harbour area was creating serious problems of over-population and consequently in case of a siege, it would have been difficult to offer the necessary refuge to everyone within the walls of the small town. Of particular interest to the reader in order to visualise better the relation between population density in Birgu and its defence is Bosio's description of how the town had to accommodate an influx of refugees following the raid by Turgut Reis in 1551.²⁸⁴ Following is Abbe de Vertot's English translation of the account:

There were not houses enough to lodge all this multitude, they were most of them obliged to stay in the market-places and the streets; and what added to their misfortune, was, their being exposed during all the dog-days to the heat of the sun, which rages with intolerable violence in that burning climate. The infection and stink that exhaled from the excrements of these poor creatures, thus crowded together, would soon produce contagious distempers [...] and there was but little water in the cisterns.²⁸⁵

More significant changes took place during the 1550s under the rule of Grand Master de Valette²⁸⁶ who proved more despotic than his predecessors. He tried to take over all the income of the Mдина *Università* which at the time amounted to approximately 11,000 *scudi* annually, and in return he promised to pay the salaries of the officials of the town council and fork out 600 *scudi* per annum in favour of its functioning.²⁸⁷ Furthermore, this Grand Master restricted extensively the petitioning powers of the Mдина *Università* by threatening to resort to harsh punishments against anyone who dared to oppose his orders.²⁸⁸

²⁸³ A. Hoppen, 'The Fortification of Malta, 1530-1798: The Impact on the Maltese', in V. Mallia-Milanes (ed.), *Hyphen*, Vol. III, No. 3, (1980), 103-114, 104.

²⁸⁴ Bosio, *Dell'Istoria della Sacra Religione*, (2nd impression, Naples, 1684), 297.

²⁸⁵ A. de Vertot, *The History of the Knights of Malta*, (London, 1728) (2 volumes, facsimile edition, Malta, 1989), Vol. II. 115. In addition to these, in the lower strata of society were the slaves, whose number was on the increase due to an increasing demand.

²⁸⁶ For a reappraisal of de Valette see, V. Mallia-Milanes, 'Frà Jean de La Valette 1495-1568', in T. Cortis (ed.), *The Maltese Cross*, (Malta, 1995), 117-129.

²⁸⁷ C. Cassar, 'La Valette Bl-Assedju Riesaq', in E. Bartolo (ed.), *Min Kien Callus?*, (Malta, 2003), 55-62, 55.

²⁸⁸ In 1561, Josep Callus, a medical doctor, businessman and councillor in the Mдина town council was condemned to death for having tried to send a petition to the King of Spain, wherein he accused the Order of usurping local rights and privileges. This petition was intercepted by the Order and Callus was immediately accused of treason. Fiorini also states that during the Order's rule there was a systematic

De Valette's repressive measures are however to be investigated within the proper prevailing context of political tension in the Mediterranean. The Spanish Crown was facing great challenges in maintaining a prime position within the contesting Mediterranean powers, while the Ottoman-French relations seemed to be taking a favourable turn at a time when the Ottoman forces were expanding into Europe, the Middle East, Egypt and North Africa. Barbary corsairs, especially those stationed in Algiers, were continuously attacking Christian shipping and conducting successful piratical excursions on most Mediterranean shores.²⁸⁹ Malta was not spared of these incursions, even more so when the Ottoman forces knew that in order to gain hegemony in the Mediterranean, the island would have to be subdued to their rule. Thus, attacks by the Ottoman fleet were quite frequent, the most significant being those undertaken by Turgut Reis in 1547, 1548, 1550 and the worst one being registered in 1551 under Grand Master Juan D'Homedes, when, after besieging Mdina the Turkish fleet attacked Gozo and took almost all the inhabitants as captives. From Gozo, Turgut proceeded to attack the Order's base at Tripoli, and succeeded in ousting the Hospitallers from this strategic North African post. Various other rumours of imminent Ottoman attacks kept arriving from abroad.²⁹⁰ This must have preoccupied the ruling Grand Masters since they could not afford to suffer yet another defeat in the eyes of the Christian world.

In 1558 de Valette consolidated further his power through a concession made by King Philip II of Spain, wherein it was decreed that cases relating to feudal lands were now to be decided by the Grand Master, and any newly elected Grand Master was also exempted from

destruction of evidence which might have shed light on this case. S. Fiorini, 'X'Nafu dwar Callus', in Bartolo (ed.), *Min kien Callus?*, 15-53.

²⁸⁹ See P. Earle, *Corsairs of Malta and Barbary*, (London, 1970).

²⁹⁰ The Order was constantly sending its spies to investigate the progress of the Ottoman army. See for example NLM, AOM, Lib. Bull. 418, f. 201, (12.vii.1543) where *Fra. de Aguila* was to sail to the Levant with an armed galley, "per sapere et intendere li progressi et nove de larmata turchesca et ritornare subito darne aviso" (sic) (to spy on the progress of the Turkish armada and return back immediately to give us news).

having to submit his appointment for approval by the Viceroy of Sicily.²⁹¹ Such measures must be seen in the light of the hegemony enjoyed by various feudal lords in Malta, who, prior to the arrival of the Knights had participated in what Bresc terms an “accelerated dilapidation of the royal patrimony”.²⁹² The gradual spread of the Order’s control over feudal lords, and their policy to acquire much of what had been once the property of the ‘private’ and make it ‘public’ by incorporating it to the Grand Master’s territory, was a process which according to Fontenay was an “almost undeniable feature... in line with an evolutionary process which had begun during the late middle ages, [where] there appeared everywhere a tendency to strengthen the powers of the Prince who, with the help of an important corps of officers, lawyers and other ‘civil servants’, was supposed to work for the public weal, regardless of social antagonisms”.²⁹³ Fontenay further argues that this trend was not successful in the Mediterranean as it was in the North-West of Europe, since in the former, the nobility seem to have taken over the state by the seventeenth century. However, in Malta’s case it was the state, ultimately governed by a group of European nobles, which gradually took over the local nobility and diminished its claim for a legitimate participation in the administration of the island.²⁹⁴ Once again, the claim that Malta was still for all intents and purposes part of the Regno, provided these nobles with a valid reason to give allegiance to the King rather than the Knights.

The local religious-political situation was not an easy one. As Ann Williams argues, “although the population was Catholic, the religious situation was much less favourable than it

²⁹¹ De Bono, *Sommario della storia della legislazione*, 173-174.

²⁹² Bresc, ‘The “Secrezia” and the Royal Patrimony’, 126-162. Bonavita states that in view of loan advances made to the *Regia Corte*, rich families of Malta were pawned various offices and lands. The de Nava family held the Castellan’s office and the rich Marsa feud; the de Guevaras enjoyed the income from the office of the *Secrezia* of both Malta and Gozo and were also lords of the Għajn Tuffieħa feud; family Inguanez was pawned the office of the Bailiff, while the Falzons were conceded that of the Vice-Admiralty. However, he does not give references to primary sources. Bonavita, *Dissertazioni Storico Legali*, f. 105v.

²⁹³ M. Fontenay, ‘The Mediterranean 1500-1800’, in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 43-110, 89-70.

²⁹⁴ The main work on Maltese nobility is still J. Montalto’s, *The Nobles of Malta 1530-1800*, (Malta, 1980); for a reappraisal of the subject see Caruana Galizia, ‘The Maltese Nobility during the Hospitaller Period: Towards a Reappraisal’, 89-102.

had been in Rhodes”.²⁹⁵ The Maltese Church, which in medieval times had no say in political issues, was soon to become the only institution which held enough power to oppose the ruling masters.²⁹⁶ It was granted great privileges by the Holy See, and the Order could not impose its laws or regulations on the clergy without the consent of the Pope or the Bishop.²⁹⁷ The latter had scarcely ever resided in Malta prior to 1530.²⁹⁸ However, he was thereafter nominated from among the members of the Order and resident on the island.²⁹⁹ According to the conditions stipulated in the grant of the Maltese islands, the Bishop’s appointment had to be approved by the King of Sicily, from candidates nominated by the Grand Master. The Bishop established himself as a political figure on the island, and despite usually being a former member of the Order, “on his appointment to the bishopric he generally became an opponent of the policies of the Grand Master”.³⁰⁰ The Bishop tended to “ally with the upper clergy at Mdina and represent the interest of the Maltese as against the foreign Hospitallers”.³⁰¹ However “neither the bishop nor the inquisitor was likely to reveal the sources of his information or the way he influenced or manipulated the political sentiment of the people. This leaves a large part of the story untold in view of the foreign extraction of both bishop and inquisitor”.³⁰² A particular source which was commented upon by the said historian relates to a ‘*relazione*’ written in the early seventeenth century³⁰³ by Dun Filippo Borg³⁰⁴ which sheds some light on the political scene during the first decades of the Order’s stay. Borg relates how “the Order began, as foretold, by treating people

²⁹⁵ Williams, ‘*Sacra Militia*’, 150.

²⁹⁶ Wettinger, ‘Early Maltese popular attitudes’, 255.

²⁹⁷ G. Wettinger, *L-attitudni tal-Maltin Lejn il-Kavallieri*, in Bartolo (ed.), *Min kien Callus?*, 7-14, 9.

²⁹⁸ C. Dalli, *Iż-Żmien Nofsani Malti*, (Malta, 2002), 117-119; Dalli, *The Medieval Millennium*, 225-226.

²⁹⁹ Mifsud, ‘La Cattedrale e l’Università’, 41.

³⁰⁰ Wettinger, ‘Early Maltese popular attitudes’, 255.

³⁰¹ Luttrell, ‘Malta and Rhodes’, 274.

³⁰² Wettinger, ‘Early Maltese popular attitudes’, 256.

³⁰³ For a full account of this ‘*Relazione*’ refer to Wettinger, Wettinger, ‘Early Maltese popular attitudes’, 255-278. This account was written by Borg with biased feelings wherein he gave his opinion of the political situation as he understood it and not as a scholar. Wettinger, ‘Early Maltese popular attitudes’, 264.

³⁰⁴ Dun Filippo Borg was the first provost of the canonry of Birkirkara and held the post of school-master at Mdina in his late teens between October 1583 and November 1585. He had been acting school-master without pay since 1582 and in 1622 he was Vicar General. Wettinger, ‘Early Maltese popular attitudes’, 257.

well and during the first four magistracies the people lived well and happily. Then followed Grand Master La Valletta, a Gascon knight, who muzzled the people and imposed burdens on them in 1560".³⁰⁵ When these burdens affected the clergy, these became staunch opponents of the Grand Master's administration and usually appealed to Rome, especially when they were called upon to contribute towards the upkeep of the town walls. As Godfrey Wettinger further informs us, "Church-State dispute concerned mainly church rights, not the rights and privileges of the people and the old municipality vis-a-vis the Grand Master – it was largely a reassertion of church rights which the local church authorities had allowed partly to lapse during the later middle ages, allowing laymen to intervene in the financial administration of the Church (Cathedral, hospital, etc) as they had been doing at least since the fifteenth century".³⁰⁶

Members of the Order in turn were exempt from the Bishop's jurisdiction since they had their own clergy and their Conventual church in Birgu, and later in Valletta. These newly-conceded powers led to the direct participation of the clergy in political affairs, which later on became a recurrent feature in Maltese political history. Furthermore, the Bishop also attended the Order's Council, and at times, this resulted in moments of great political tension. Matters aggravated after 1574 when the Holy See appointed an Inquisitor³⁰⁷ who established his own palace and exercised his own jurisdiction. Moreover, he was also empowered to try cases involving suspected abuses, including those involving the Knights themselves. In addition, papal delegates were at times sent to report on the state of religion with a view of implementing changes which would ensure that the island was in line with Counter Reformation standards established by the Council of Trent.³⁰⁸

During the late medieval period the Maltese community was heavily attached to the Church, priests being the main representatives of villages and the focus of social organization. According to Charles Dalli "it seems that the Church had the means to control the population,

³⁰⁵ Wettinger, 'Early Maltese popular attitudes', 268.

³⁰⁶ Wettinger, 'Early Maltese popular attitudes', 260-261.

³⁰⁷ Luttrell, 'Malta and Rhodes', 274.

³⁰⁸ Williams, '*Sacra Militia*', 150.

impose orthodoxy, and reach out against any sign of deviance from the established social and cultural norms”.³⁰⁹ Carmel Cassar argues that during the Hospitaller rule the parish priest’s role came to be challenged by the Knight who was nominated as the local captain of the Militia in larger villages, since this position became “a new source of patronage attracting all those who sought favours from the Hospitaller Government”.³¹⁰

The extent of the Knights’ success in building upon their Rhodian experience and coordinating an efficient state organization in Malta has been the subject of diverging opinions. Anthony Luttrell argues that once in Malta the Order “followed many standard practices which formed part of an extraordinary continuity of institutions and traditions which enabled the Hospital successfully to transfer its unique form of government, its ‘island order state’, from Rhodes to Malta”.³¹¹ Contrary to Luttrell’s view, historian Ann Williams argues that it took the Knights nearly a hundred years after their arrival in Malta to build adequately on the foundations of their Rhodian state, highlighting the immense difficulties which arose due to the material losses of the move to the West.³¹²

Such statements need to be evaluated in the light of extant evidence which could provide a clearer picture of the actual situations. In Rhodes, during the fourteenth century, the Order had promulgated the *Capitula Rodi*,³¹³ and later in 1509 a much more extensive legislation entitled *Pragmaticae Rhodiae*.³¹⁴ Even though in Malta’s case, the Hospitaller Order had promised to take over a regulated community which followed the laws promulgated by the Kings of Sicily, it was difficult, if not impossible, for them to discard their Rhodian laws and customs which had already

³⁰⁹ Very little is known about pre-1400 religious communities on the Maltese islands, Dalli, *Malta, The Medieval Millennium*, 225-226.

³¹⁰ Cassar, ‘Popular Perceptions and Values’, 437.

³¹¹ A. Luttrell, ‘Hospitaller Birgu: 1530-1536’, in *Crusades*, Vol. II, (Society for the Study of the Crusades and the Latin East) (Aldershot, 2003), 121-150, 121.

³¹² Williams, ‘*Sacra Milita*’, 147-148.

³¹³ For a transcription of the surviving document see Luttrell, ‘The Fourteenth-Century *Capitula Rodi*’, 204-211.

³¹⁴ The recodification of the customs and statutes of the town of Rhodes dated 24 February 1510 survives in a 17th copy, NLM, Libr. MS 153, and in an 18th century copy under NLM, Libr. MS 740. Luttrell, ‘The Fourteenth-Century *Capitula Rodi*’, 205-206.

been tested for the past two hundred years. Things were even more complicated due to the settlement of the Greek community following them since, as shall be explained, these did not want to partake of their Greek customs or fall under the laws and jurisdiction of the Maltese. In fact, as early as 1530, in order to attract Rhodiote settlers on the island, the Order supplicated Pope Clement VII to grant those who followed the Order from Rhodes the exemption from the jurisdiction of the Bishop of Malta and instead fall under the ecclesiastical authority of the Prior of the Conventual Church. This request was granted on the grounds that these new settlers did not speak or understand Maltese.³¹⁵ Such requests reflect how even before its establishment on the island, the Rhodiote community³¹⁶ showed its concern over being governed by local laws,³¹⁷ while at the same time the Maltese town council pressed hard to ensure that long established local laws and customs were respected.³¹⁸

During the initial years of their stay, the Knights were finding it increasingly hard to have to adopt different rules for a people governed by the same authority. It was thus that in the Chapter General of 1555, two Knights, the Conventual Chaplain and three Maltese lawyers were appointed to examine prevailing Sicilian and Rhodian civil and criminal law and to try to form a common law which would suit both Greeks and Maltese.³¹⁹ To date, the outcome of this commission's report is not known. However it seems that at the time no consensus was reached since another commission was requested to undertake the same task on 3 July 1560, but it seems that even this commission did not produce the desired solutions, or if it did, these were not implemented.³²⁰

³¹⁵ Paoli, *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano* Vol. II, 201-202.

³¹⁶ By 1575 there were three Greek parishes in Birgu serving seventy-four families. Luttrell, 'Malta and Rhodes', 266-267.

³¹⁷ Bonavita, *Dissertazioni Storico Legali*, f. 125.

³¹⁸ Refer to Chapter Two, *passim*; Luttrell, 'Malta and Rhodes' 267-268.

³¹⁹ NLM, AOM 89, f. 50 (new enumeration), (24.ix.1555).

³²⁰ NLM, AOM 90, f. 108 (new enumeration in pencil), (3.vii.1560). Occasionally, the Rhodian statutes were confirmed together with the Maltese statutes, such as in 1543, NLM, AOM 1651, f. 121; in 1548, NLM, AOM 1651, f. 130 and even later in 1640 by Grand Master Lascaris (1636-1657) in NLM, Libr. MS 439, f. 249v

2.6 The privilege to import duty-free grain

A fundamental privilege enjoyed by the Maltese ever since medieval times was the granting of duty-free grain concessions.³²¹ Even though the deed of donation of the islands did not mention the continuation of such tax exemptions, the Order knew that for a sterile island such as Malta, this was a vital prerogative.³²² As previously noted, the choice of the Maltese town councils to keep their place within the Regno gave the right to enjoy certain privileges which the island had acquired in time. One of these privileges was the granting of duty-free victuals for the islands' subsistence. The Order not only sought to take advantage of these concessions but even requested the Crown to make a further concession of six thousand *salme* of wheat,³²³ which was to be granted for its sole use³²⁴ in addition to the duty-free amounts which Malta, Gozo and Tripoli³²⁵ were already allowed to import.³²⁶

The justification for such claim was that the Order had to invest a considerable sum of money in order to provide the island with a better defence system, and it was not prepared to pay extra duties on essential commodities which would ultimately deplete its treasury. Negotiations in this regard proved to be rather difficult. In fact, the Viceroy was not even inclined to renew

which states "*Copia delle Pragmatiche di Rodi cioè l'esecuzioni delle sentenze confirmate dalle Pragmatiche di questo dominio*".

³²¹ One of the first acts granting duty free concessions was that of King Peter's of Aragon in 1283. Mifsud, 'L'Approvvigionamento e l'Università di Malta', 170-171.

³²² While still in Rhodes, Charles V conceded the Order a licence to export up to 500 ducats worth of wheat from Sciacca, Sicily. They were however prohibited from getting any supplies from the wharfs at Agrigento, Termini and Licata. The first of such licences was granted on 27 August 1513, re-confirmed periodically. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 174, fn.1.

³²³ This amount was to be divided as follows: 5,000 for the use of the Order and the remaining 1,000 for Tripoli. NLM, AOM, Lib. Bull. 414, f. 279.

³²⁴ It is estimated that after the Knights' arrival there was an increase in population by about 3,000. This number included the Knights, their slaves and servants and the Rhodian families who accompanied them. Fiorini, 'Demographic Growth', 298- 299.

According to a supplication made by Grand Master L'Isle Adam to Charles V on 8 October 1530, during the 9 years prior to the arrival of the Order the Maltese were allowed 12,000 *salme* of duty free wheat per year, while Tripoli was conceded 2,200 *salme* of wheat. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', Doc. XLVI, 234.

³²⁶ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 174. The delivery of this petition was entrusted to the Knight Francesco Nibia and to Pietro Cassar as ambassador of the Maltese *Università*.

established privileges relating to duty-free concessions once the donation terms were agreed upon, let alone increase duty-free quotas.³²⁷ To add salt to the wound, towards the end of 1531, the Viceroy even extended trading restrictions by imposing a tax on the export of meat and biscuit from Sicily.³²⁸ Such disagreements obstructed greatly the Order's establishment on the island, especially since it was facing serious financial difficulties and thus had no intention of loading its treasury with extraordinary fiscal burdens which went above and beyond its means. The Order also knew that if this hard won privilege was negated to the Maltese, they would regard the Order's arrival as having upset long-standing agreements, apart from the fact that the inhabitants would be reluctant to pay extra taxes on staple food.

Threatening to renounce the donation under such circumstances,³²⁹ the Order eventually managed to obtain the necessary concessions, albeit at a lower quota than that requested. Both islands were eventually granted 9,500 *salme* of wheat, 700 *salme* of barley and 300 *salme* of vegetables.³³⁰ This concession marks a decrease in annual figures of imported duty-free wheat conceded in the nine-year period prior to the arrival of the Order, since, according to a petition presented by Grand Master L'Isle Adam to Charles V, Malta and Gozo had in the past been granted 12,000 *salme* of duty-free wheat annually. As shall be discussed in Chapter Three, the limited quotas and the increase in population, coupled with various bouts of famine, eventually induced the Order to seek alternative sources of grain supply other than Sicily.

The political context favoured the Order's imperative to consolidate its hold on the Maltese islands, as did the policy it adopted of divide and rule. As early as 1533 and perhaps more,

³²⁷ According to Bosio, the Grand Master's objection to Pignatelli's claim for the rich Marsa fief in Malta, provoked contempt from the latter, and as a result, the Viceroy refused to grant such concessions. Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 174 fn.1; NLM, AOM, Lib. Bull. 414, f. 279. As regards the importance of the Marsa fief in respect of the *Secrezia's* revenues refer to Valentini, 'Funzione storica e dispersione del patrimonio demaniale di Malta', 24-25.

³²⁸ Valentini, 'I Cavalieri di S. Giovanni da Rodi a Malta: Trattative diplomatiche', 174.

³²⁹ NLM, AOM, Lib. Bull. 414, f. 279, (8.x.1530).

³³⁰ NLM, AOM 6421, ff. 1-3v. "Essecutoria del Vicere Duca di Monteleone le 26 Agosto 1532 de Diploma dell'Imperatore Carlo V data in Brusselles le 9 Marzo 1531".

this policy was clearly being implemented through the establishment of another *Università* at Birgu³³¹ which eventually took over the key role played by the old *Università* of Mdina.³³² This new institution was supposedly set up to cater for the needs of the urban area surrounding the Grand Harbour. However, the dominance of this new establishment administered by members of the Order, engulfed most of the functioning of the Mdina *Università*.³³³

2.7 Taxes and defence of the island

The Knights regarded the issue of the island's security as paramount. As already highlighted, during the Middle Ages, the upkeep of town walls and various watch posts and the proper provisioning of the town in case of a siege, was the responsibility of the *Università*. This responsibility gave it the right to collect taxes to cover expenses incurred for such projects. A particular tax whose income partially³³⁴ suited this purpose was the tax on the sale of wine called *xisa vini sive tri quartuchi per quartara*.³³⁵ The town council was reluctant to renounce to any share of its sources of income, especially when these were rendered more profitable through commercial trading.

The *Università* was, however, stripped of its right to collect this tax by the Knights as early as August 1530, when Governor Buttigellis on behalf of the Order took over the right of its administration. The agreement between the two parties stipulated that the town council was to receive the annual payment of 450 *uncie* to compensate for the loss of this privilege. Barely three

³³¹ Notarial documentation is testimony to the existence of the Birgu *Università* at least as early as January 1533. Fiorini, 'The Rhodiot Community', 198.

³³² The Mdina *Università* included the parishes of Żebbug, Siġġiewi, Naxxar and Birkirkara, Cassar, *Society, Culture and Identity*, 36- 37.

³³³ The harbour area *Università* incorporated the parishes of Bir Miftuħ, centred on the village of Gudja, Żejtun, Qormi and Żurrieq. By 1551 the *Università* of Gozo and its decisions were taken over by a Knight of the Order. Cassar, *Society, Culture and Identity*, 36- 37.

³³⁴ The income from this tax was also used for paying town council officials, and during certain periods even the upkeep of the castle-by-the-sea. Mifsud, 'Papi, Fortificazioni e Tasse', 409.

³³⁵ Mifsud, 'Appunti sugli archivi di Malta', 38. Also known as "*la tassa dei tre quartucci*", Mifsud, 'Papi, Fortificazioni e Tasse', 408.

years later, this was almost halved to 250 *uncie*.³³⁶ The records of the town council meeting held on 8 June 1531 contain a strongly worded petition addressed to the Grand Master, wherein he was admonished that he had “no right to act as he was wont to do in Rhodes and usurp to himself the right of dictating regulations governing the running of the watch”.³³⁷ It seems however, that such petitions fell on deaf ears and this even when the topic was crucial to the Knights’ interests. In one of these petitions for example it was argued how unjust it was to have the Royal Captain stripped from his right to collect much needed taxes to defend the island.³³⁸ Clearly the Knights felt they were better suited to take care of defence matters than local authorities.

The Grand Master even sought to look into the financial records of the *Mdina Università* and began to request financial statements of all the Treasurer’s accounts.³³⁹ It is however interesting to note that although there were such strong objections, when it came to taking important decisions as to the action to be taken against such grievances, the council was almost divided in this regard. The Royal Captain himself, Paulo de Naso, and another nine councillors opted to assume a conciliatory stance and opposed the confrontational attitude which nineteen other councillors wanted to pursue.³⁴⁰ Such divisions were greatly beneficial to the Order while at the same time weakened any possibilities for the *Università* to regain its rights. However, why would the Royal Captain, a high-ranking official who is deprived of his rights react negatively towards a militant attitude? Did he perhaps assume that it would have been futile to fight against an Order which had the support of the Viceroy of Sicily, and also of most of the kings and princes of Europe? Did de Naso and his supporters have ulterior motives which went beyond ‘national’ interest, and which translated themselves into personal gain? Then again, who were the

³³⁶ In 1450 it was sold at 761 *uncie* of Maltese money. Mifsud, ‘Papi, Fortificazioni e Tasse’, 409.

³³⁷ Fiorini, ‘The Municipal Councils’, 13; NLM, Univ. 12, ff. 560-564.

³³⁸ NLM, Univ. 13, ff. 44-45v, (8.ii.1532).

³³⁹ Fiorini, ‘The Municipal Councils’, 14.

³⁴⁰ Fiorini, ‘The Municipal Councils’, 13.

stakeholders when it came to 'national' matters, the masses or the select few? Why did de Naso³⁴¹ opt for self-exile later in the century?³⁴² Undoubtedly, from the very first few years of Hospitaller rule, a good number of town council officials were aware that the Order's authority over the island's affairs was beyond their control. It was now a matter of gradually relenting power yet holding enough to survive by clutching to old privileges which were gradually disintegrating.

Although the town council's income potential was continually being weakened, it was still held responsible for the maintenance and proper upkeep of Mdina's walls, and thus was constrained to introduce new taxes targeted to finance such projects. Already by 1536, the council had approved a tax of two *tari* on every *salma* of wheat and one *tari* on every *salma* of barley imported from Sicily. This tax was not imposed on all the territory of the island, but only on Mdina, Rabat and the four parishes which were its dependencies. Throughout the sixteenth century, similar taxes were imposed for this same purpose, not only on wheat, but on meslin³⁴³ (a mixture of wheat and barley), wine, meat and other commodities.³⁴⁴ Such additional expenses reduced considerably the profits of merchants who often filed protests against the town council, since, they claimed, not only did their activities not render any profits, but they were also losing out on their investments.

2.8 Conclusion

On analyzing the Sicilian context, Epstein argues that the "lack of widespread social conflict and anti-monarchical action in fifteenth-century Sicily was not so much the result of successful royal endeavour, as of the Sicilian upper classes' decision to abide by *pactismo*

³⁴¹ Paolo de Naso was Royal Captain in 1531-2 and *jurat* in 1534-5, 1538-9, 1542-3, 1546-7, 1551-2. Fiorini, 'The Municipal Councils', 14.

³⁴² Various members of the nobility who had also been, at one time or another, members of the town council opted for self-exile. Fiorini, 'The Municipal Councils', 14.

³⁴³ Also known as 'small corn', which was a mixture of wheat and barley, F. Braudel, *Civilization and Capitalism 15th-18th Century: The Structures of Everyday Life*, Vol. I, (Berkeley & Los Angeles, 1992), 109.

³⁴⁴ Mifsud, 'Papi, Fortificazioni e Tasse' 408.

[contractual political consensus] in their own interest”.³⁴⁵ Even in Malta’s case, the political and fiscal power handed down by the Crown to the élite, what Bresc terms “noblesse civique” made up of *nobiles, egregi, magnifici* and *honorabili*, gave them a primary role in the economic and social life of Malta and Gozo which enabled them to enhance their financial position. Thus, domestic political autonomy was traded for loyalty and subordination which addressed Aragonese fiscal needs.

The arrival of the Hospitaller Order of St John in 1530, threatened this political and administrative set-up. Old structures still remained; however, municipal autonomy could no longer really be sustained, since their potential to act independently was dwindling systematically. Thus, the functions of the old *Università* and its primary role in town politics and economy weakened considerably.³⁴⁶ As shall be discussed in Chapter Three, the Order regarded this institution as a potential means wherein old privileges and concessions enjoyed by the *Università*, such as the granting of duty-free grain supplies and other victuals, could be exploited and used to the benefit of the new rulers. For this reason, although in many instances the Order acted in direct confrontation with the old town by establishing its own institutions and administrative centre, yet on the other hand it gave the old town council a life line since the Order knew well that it was an essential link with which the island could claim her share of grain concessions from the *Regno*.

³⁴⁵ Epstein, *An island for itself*, 392.

³⁴⁶ Dalli, ‘Medieval Communal Organization’, 10.

Chapter Three

The Grain Trade

3.1 Introduction

On 27 December 1554, the Mdina municipal council held a general assembly expressing its concerns, *“perche nella insula havemo gran mancamento de frumenti”*.¹ Similarly, only five months later, in May 1555 the assembly once again gathered due to the *“mala ricolta de grani che si dimostra in questa insole de Malta”*.² Minutes referring to such instances are a recurring feature in municipal council meetings since hunger did not augur well for the stability and prosperity of any government. An important factor that affected grain imports and its distribution greatly was the heavy influx of new arrivals in 1530. As observed in Chapter Two, increase in population levels was the most striking effect of the advent of the arrival of the Knights Hospitallers, a phenomenon which was mostly felt in the port town of Birgu, ultimately affecting the whole island.

Lack of reliable documentation permitting a proper study of this phenomenon has only enabled historians to speculate on possible population figures. Scrutiny of various official reports, most of which were prepared with a view of attaining much needed duty-free grain quotas, need to be treated with caution since these might have reported higher levels of population in order to attain added quotas. A report drawn by the Order’s Commissioners in 1524 mentions 12,000 inhabitants on the island of Malta and around 5,000 in Gozo.³ Although exact population figures in Malta before the arrival of the Order are not known, various sources point to a figure amounting

¹ “Because in the island there is a great shortage of grain”, NLM, Univ. 202, n.f., (27.xii.1555).

² “The bad harvest which this island of Malta is registering”. NLM, Univ. 202, n.f., (15.v.1555).

³ S. Fiorini, ‘Demographic Growth and the Urbanization of the Maltese Countryside to 1798’, in V. Mallia-Milanes, V. (ed.), *Hospitaller Malta 1530-1798: Studies on Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 297-310, 297.

to 20,000.⁴ As already noted, documents reporting population figures after the arrival of the Knights need to be treated with caution since they could have been inflated to concede the island more duty-free wheat supplies. In 1535, the envoys of the *Mdina Università* sent to Sicily to negotiate wheat quotas informed the Viceroy that the islands had a population of 28,500,⁵ while another report drawn up in 1545⁶ by the same *Università* informs us that with the arrival of the Knights, the population figure had escalated to 30,000 in 1530.

Despite the possibility that this remark might have represented an inflated figure, it needs to be evaluated in the light of how this heavy influx was perceived by the *Mdina Università* as having affected drastically local grain supplies.⁷ However, in the report it was further noted that by the time of its writing, this figure had dwindled to 22,000, due to the fact that many people had fled the island when faced with serious food shortage. Was this decrease a cause for worry for the Sicilian authorities? Did the officials mention it in their report to project a scenario wherein the island could be gradually depopulated thus left at the mercy of the enemy and to the detriment of the Spanish Crown? The report also noted that, in addition to the 22,000 figure, some 2,000 merchants and craftsmen found their way to the island and were constantly commuting in order to perform various economic activities. Although exact figures or port records relating to arrivals or departures are not available for the period, the 2,000 figure relating to merchants and craftsmen seems plausible since as mentioned in Chapter Two, such fluctuations in population

⁴ Quintin d'Autun estimated that the Maltese population in 1533 the Maltese population exceeded 20,000. J. Quintin d'Autun 'Insulae Melitae Descriptio (Lyon, 1536)', in *The Earliest Description of Malta*, (trans H.C.R. Vella), (Malta, 1980), 29; Fiorini, 'Demographic Growth', 298; C. Cassar, *Society, Culture and Identity in Early Modern Malta*, (Malta, 2000), 122; G. Wettinger, 'Agriculture in Malta in the Late Middle Ages', in M. Buhagiar (ed.), *Proceedings of History Week, 1981*, (Malta, 1982), 1-48, 13.

⁵ ACM, Misc. 34, ff. 351v, 366. (Old reference was ACM, Misc. 37, refer to, Azzopardi, *Archives of the Cathedral of Malta*, Appendix III, 26-27).

⁶ NLM, Univ. 13, ff. 247-247v. Fiorini, 'Demographic Growth', 298.

⁷ Again one must be very cautious when interpreting such reports since their main intention was to procure duty free quotas.

figures, especially those of Birgu, are evidenced in the number of new names appearing in notarial acts.⁸

The grain trade in Malta was an economic activity which was a perennial major concern for an island where the production of wheat was particularly low and far from accommodating the needs of an increasing population.⁹ As Fontenay observes, during the sixteenth century, “the search for grain was universal”, and although the islands’ dearth in producing cereal was an intrinsic part of the problem, this was by no means exclusive to the Maltese community.¹⁰ This chapter aims to provide an insight into the subject, and in so doing help to address more general questions about how local commerce functioned, emphasizing the role of the local investor in the grain trade.

Such analysis shall not only focus on investments deposited at the municipal town council’s office, but shall even comprise other investments which were covered by public contracts mostly known as *societas* or *debitum* agreements. This theme shall thus project, in part, the relationship between Sicilian *caricatori*, who were Malta’s main grain suppliers, and local importers of grain, while striving to show how the process of commercialization of peasants and landowners in targeting niche products for the export market not only continued under the Knights, but found a new injection of capital to grow.¹¹ It is hoped that such analysis might also serve as a model for similar patterns of trading relationships taking place in the same period between Sicily and other Mediterranean ports.

⁸ Fiorini, ‘Demographical Aspects of Birgu’, 238.

⁹ For a detailed list of the years of famine and scarcity of cereals in Malta and Gozo during the sixteenth century refer to, Vassallo, *Prices of Commodities*, Table xiv, 80.

¹⁰ M. Fontenay, ‘The Mediterranean World, 1500-1800: Social and Economic Perspectives’, in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 43-110, 62.

¹¹ As regards the grain trade between Malta and Sicily in the late middle ages refer to, M. A. Aloisio, ‘A test case for regional market integration? The grain trade between Malta and Sicily in the Late Middle Ages’, in L. Armstrong, I. Elbl, and M.M. Elbl (eds.), *Money, markets and trade in late medieval Europe: essays in honour of John H. A. Munro*, (Leiden, 2007), 297-309.

Finally, this chapter shall also deal with how the Hospitaller government and the other two *Università* worked together, not only to procure the best possible wheat quotas from Sicily, but even to try to control and stabilize the price and distribution of grain. Keeping staple food supplies affordable had one big benefit, filling empty stomachs thus keeping the population happy. At the same time, this Chapter will explain the way in which the imposition of taxes on a product which was inelastic in its demand proved to be a main source of revenue which could sustain expenses related to the defence of the island.

3.2 Land, its produce and use in the light of notarial acts 1467 -1565¹²

Theories put forward by the *Annales* school of thought, implicating a slow, nearly static pace of life, argue that during the sixteenth century, most economies making up the Mediterranean region were bound to their own internal organization which did not permit their countries to register an increase in production levels and thus making them dependent on foreign trade. Furthermore, such hypotheses suggest that this situation reflected high lack of initiative and innovation and eventually led to these places remaining largely unattached to the money economy.¹³

Providing a seminal study on the economy of medieval southern Italy, Epstein, on the other hand argues against this theory of dependence on foreign trade wherein medieval peasants invariably pursued subsistence strategies. According to the author, social conflict and demographic change brought about significant changes wherein peasants became more commercialized through the relaxation of social constraints on commercial activities. Thus, contrary to the view that Sicily was an underdeveloped Mediterranean island having an almost unchanging substratum

¹² For problems relating to the set-backs of deriving information from Notarial acts refer to S. Epstein, *An Island for itself – Economic Development and Social Change in Late Medieval Sicily*, (Cambridge, 1992), 14-15.

¹³ F. Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, (trans. S. Reynolds), (2 volumes, Berkeley, Los Angeles & London, 1995), Vol. I, 382-3.

of everyday life,¹⁴ Epstein's work strives to show how, through peasant involvement in the market, the Sicilian economy registered an expansion in its activities and became ever more export-oriented.¹⁵ Can any of the two hypotheses be applied to the Maltese context?

During the medieval and early modern period, Malta was heavily tied to an agrarian type of economy,¹⁶ bartering being a significant means of payment and meriting the imposition of tax. Land was an important source of wealth and its possession, whether by a title or lease, was a vital factor for subsistence. From a study of archidiaconal tithes for 1536 conducted by Godfrey Wettinger it transpires that between one third and one half of the villagers, mostly peasants, owned a field or at most two. This situation was quite different from that in neighbouring Sicily, wherein land was invariably owned by the King, the feudal lords or the ecclesiastical authority, and never by the peasants.¹⁷ People were unwilling to sell property outright and instead they either rented it or sold it with the right of redemption,¹⁸ the latter being noted down in notarial acts as *cum gracia seu facultatis redimendi*.¹⁹ From a study conducted on the acts of Notary Giacomo Żabbara for the years 1486-1488, it was identified that there was a substantial difference in the totals of lands sold with the right of redemption and those sold outright. In fact the latter

¹⁴ Refer to Epstein, *An island for itself*, 1-24, for a treatment of the historiography and sources relating to Italy's *questione meridionale*. This refers to theory that "the economy of southern Italy or *Mezzogiorno*—which includes Sicily and Sardinia and borders on central Tuscany to the north—was permanently overtaken by that of central and northern Italy at some point during the High or Late Middle Ages", Epstein, *An island for itself*, *ibidem*, 1.

¹⁵ Epstein, *An island for itself*, 402-412.

¹⁶ Here again Epstein argues that although agriculture is always assumed to be less productive than manufacturing, there are in actual fact no "*a priori* reasons for deciding whether this is the case, or even whether agriculture will be more or less capital-intensive than manufacturing at a particular level of technological development". Epstein, *An island for itself*, 8.

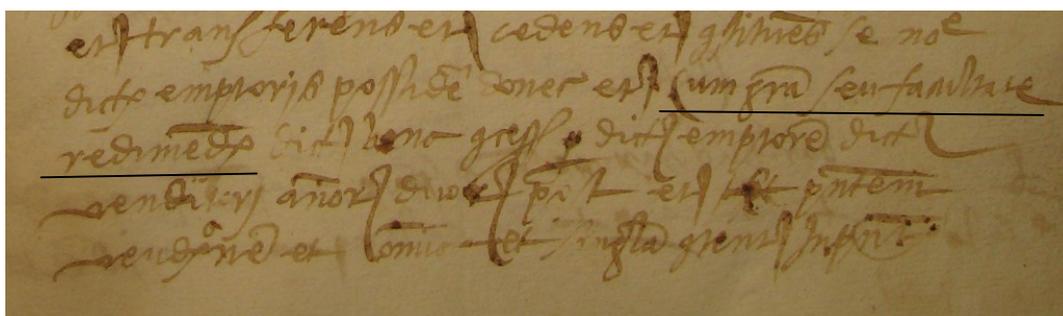
¹⁷ Wettinger, 'Agriculture in Malta in the Late Middle Ages', 6-7.

¹⁸ The period stipulated for redemption differed, at times even set till after the death of the seller. The heirs being given the right to pay the redemption money within a stipulated time after his death.

¹⁹ For a deeper insight into the sale or rent of property with the right of redemption clause refer to J. H. Munro, 'The usury doctrine and urban public finances in late-medieval Flanders (1220-1550): rentes (annuities), excise taxes, and income transfers from the poor to the rich', in S. Cavaciocchi (ed.), *Fiscal Systems in the European Economy from the 13th to the 18th centuries*, *Atti della Trentanovesima Settimana di Studi*, 22-26 aprile 2007, (Florence, 2008), 974-1026.

amounted to only 10.20% of all land value sold.²⁰ Most of these sales therefore represented no actual loss of patrimony. However, as shall be fully explained in this Chapter, they emphasized the constant use of land as a tool to obtain much needed credit.

Fig. 3.1 Formula stating that the property could be redeemed by its original owner – *cum gracia seu facultatis redimendis*.



Source: NAV, Notary Lorenzo Agius R 7/1, f. 5, (18.i.1524).

The dependence of Malta on Sicily as its grain supplier was accentuated when local producers sought to reduce the significance of grain production, particularly wheat, one of the ‘plants of civilization’,²¹ and instead direct their toils to producing cash crops such as cotton and cumin,²² both of which were considered of high quality, thus in great demand in foreign markets.²³ In fact, Godfrey Wettinger even states that cotton from Malta and Alexandria formed the basis of the cotton industries of Genoa, Montpellier and Barcelona, and together with Sicilian production, it eventually took the place of Turkish cotton at Barcelona in the fourteenth and fifteenth

²⁰ For a detailed breakdown of these transactions refer to S. Cachia, *The Family and the Land in Late Medieval Malta: A Study of the Acts of Notary J. Zabbara, 1486-1488*, Unpublished BA (Hons) dissertation, (University of Malta, 2002), 53. This study analyzed landholding in medieval Malta from a total of 340 Notarial acts pertaining to Giacomo Zabbara. These had been previously transcribed by Fiorini in, S. Fiorini (ed.), *Documentary Sources of Maltese History, Part 1, Notarial Documents, No.1, Notary Giacomo Zabbara: R494/1(I) 1486-1488*, (Malta, 1996).

²¹ The other two being rice and maize. F. Braudel, *Civilization & Capitalism 15th –18th Century: The Structures of Everyday Life*, Vol. I, (trans. S. Reynolds), (Berkeley & Los Angeles, 1992), Vol. I, 107.

²² Botanically known as *Cuminum Cyminum*, bitter cumin was principally used for the flavouring of food and drinks, for pharmaceutical preparations and for perfume. The sweet type or else *Pimpinella Anisum* (in Maltese *ħlewwa*, in English aniseed) was, and still is, used mainly as a condiment for food. Wettinger, ‘Agriculture in Malta’, 22.

²³ Wettinger, ‘Agriculture in Malta’, 13-23. For the export of grain from Malta to other Mediterranean countries until 1437, and its abundance or shortage in the Maltese late medieval period refer to Wettinger, ‘Agriculture in Malta’, 13-14.

centuries.²⁴ This trend was also common in other Mediterranean regions where “richer kinds of farming such as vines, and livestock were in constant competition with cereal growing”,²⁵ especially due to the fact that the latter required large areas for relatively low yields. Testimony to the way landlords in Malta controlled the use of their land by the farmer may be found in notarial acts wherein the landlord made sure to impose certain conditions when leasing out his land. Such was the case for example in a contract dated 24 December 1557, wherein it was stipulated that the farmer was constrained to sow only cotton on the last year of the land lease, and could not sow barley or wheat.²⁶

Epstein argues that Notarial contracts are “biased towards certain kinds of deferred transaction, which as far as commercial relations are concerned tend to over represent high-value, often foreign-based, trade over local exchange. Most day-to-day transactions, many informal work relations, and most patterns of livelihood were only recoded by chance and have left few written traces.”²⁷ Contrary to such claims, from research carried out at the Notarial Archives, Valletta, it may be safely ascertained that daily petty transactions are rather abundant in these volumes for the period under study, thus making the representation of villages an important factor when analyzing the latter’s contribution towards economic activities. Although Epstein’s argument may hold when studying deep rural transactions, on a small island like Malta, the role of the market tended to be stronger, making Notarial participation a much more common feature. The influx of

²⁴ Wettinger, ‘Agriculture in Malta’, 16.

²⁵ Braudel, *The Mediterranean*, Vol. I, 573. According to Horden and Purcell, various island-societies contain highly renowned productive niches. P. Horden & N. Purcell, *The Corrupting Sea - A Study of Mediterranean History*, (Oxford, 2000), 220. A drawback in cultivating wheat was that it had to be rotated since it couldn’t be cultivated on the same land for two consecutive years without serious harmful effects. It also required a space two or three times the surface area it occupied. Braudel, *Civilization & Capitalism*, Vol. I, 114.

²⁶ “*In pacta et conditione quod dictus conductor non possit nec et liceat seminare in dicta clausura ordeum nec frumentum in ultimo locationis anno sed liceat ei seminare cottinis*” (sic). NAV, R 4/1, f. 124, (24.xii.1557). A document of 1449 stated that “arable land of two crops, viz, land which is suitable for the production of wheat and barley and cotton... is better and more valuable than land of one crop, that is land which is not suitable for the cultivation of cotton, and it is worth and usually valued if not by a half at least by a third more.” CAM, CEM, AO, Vol. II, f. 25, as quoted in Wettinger, ‘Agriculture in Malta’, 18 fn.100.

²⁷ Epstein, *An island for itself*, 14-15.

foreigners in the island made such participation even more common because the registration of notarial deeds provided a safety mechanism to a community which was highly cosmopolitan.

In fact, the sale of cotton and cumin, even in small quantities, has a recurring mention in notarial acts.²⁸ Unfortunately, it is not often stipulated whether the produce was for local use or ultimately for export. It is to be noted that partnership agreements with a view to trade in the export of petty amounts of cotton were not uncommon thus making this activity open to petty investors as well.²⁹ A typical example is a *societas* agreement dated 1539³⁰ between Johannes Muscat from Lia and Petrus Muscat which states that Johannes was to put in 6 *uncie ponderis* as capital while Petrus promised to offer his labours. It was further agreed that Petrus was to set sail on the first good weather and export the same amount of cotton.³¹ The contract also stipulated that both parties were to bear the same risks of the venture – “*ad commune lucrum et expensas*”(sic).

Various foreigners are also documented as buying petty amounts of both cotton and cumin. In a contract dated 25 August 1541, Tommaso Bonnichì from Ғal Bisqallin concluded a sale of bitter cumin with Giovanni Morsello from Pantelleria but residing in Bormla. A total of 1 *cantaro* and 40 *rotoli* of cumin were sold for 1 *uncia* 8 *tari* 10 *grani*, at the rate of 27 *tari* per *cantaro*. The stipulated sum was to be paid in Birgu when the said Giovanni returned from Messina aboard the *grippo*³² belonging to Antonio Scarpello.³³ In yet another contract, Stefano Cafori, a Maltese citizen from Siġġiewi stated that he received from the Greek Lorenzo Ros, and from Giovanni Sayti, 6 *uncie* 1 *tari* 7 *grani* as payment for 93 *rotoli* of spun cotton. This sale was registered in the acts of

²⁸ See as examples NAV R 202/1, ff. 23v-24, (28.iv.1536), R 202/4, ff. 111-111v, (20.i.1539 *ab inc*), f. 153v, (5.iv.1540), ff. 161v-162, (8.iv.1540), f. 168v, (12.iv.1540), ff. 170-171v, (12.iv.1540), f. 175, (19.iv.1540), ff. 187-187v, (27.iv.1540), ff. 188v-189, (27.iv.1540), ff. 194v-195, (29.iv.1540), f. 199v, (5.v.1540), R 224/13, ff.10v-11v, (2.ix.1557), f. 38v, (7.ix.1557), f.46v, (9.ix.1557), f. 71v, (11.ix.1557).

²⁹ See also NAV, R 4/1, ff. 132- 132v, (30.x.1557), NAV, R 224/17, ff. 605v- 607, (10.ii.1560 *ab inc*)

³⁰ NAV, R 376/2, Notary Juliano Muscat, ff. 29v-30v, (10.ix.1539).

³¹ The actual price of the cotton *per cantaro* was not listed in the document.

³² The *grippo* was one of the more important lateen rigged merchant ships of the Order and of local *patroni*. It was similar to a brigantine and was mainly employed by local master for the transport of grain and other victuals. J. Muscat, *Sails Round Malta: Types of Sea Vessels 1600BC-1900AD*, (Malta, 2008), 484.

³³ NAV, R 224/1, ff. 202v-203, (25.viii.1541).

notary Giuseppe de Guevara on March 3 1540.³⁴ In an interesting contract dated 21 July 1543,³⁵ the Maltese, *Hon.* Johannes Micallef received a total of 99 gold *scudi* in the form of cloth and other merchandize. This sum was part of a larger sum due to Micallef by Magnificus Johannes Charreta in respect of the sale of four sacks of spun cotton which the latter had sold for him in France, and also for an advance in cash amounting to 30 gold *scudi* which had been forwarded by Micallef. This contract shows how local producers of niche products were constantly trading their produce and seeking markets outside Malta. With the arrival of the Order such opportunities enhanced as a result of the heavy influx of merchants who not only served as a link with merchants abroad, but conducted financial transactions in cash encouraging the flourishing of a money economy.

Various innovations in shipping played a crucial role in the export trade, especially after 1350. Among these was the establishment of maritime insurance which replaced the more antiquated sea loan agreements.³⁶ The well-documented use of such innovations by local merchants proves that these were in line with their European counterparts thus attaining a level of comfort which made risks less dangerous.³⁷ A common form of insurance contract highlighting the risks covered by such policies is one concluded on 4 April 1536. This agreement covered a shipment of 18 *cantari* of spun cotton to be loaded from Birgu and shipped to Licata on the *fusta*³⁸ belonging to Giacomo Bonnichi. The said *fusta* was secured to travel to any other port which may have been deemed necessary for the purpose of this trade. It was further stated that should any misfortune covered by the said insurance take place, mainly fire, shipwreck or piratical attacks, the

³⁴ NAV, R 224/1, f. 180v, (25.vi.1541).

³⁵ NAV, R 206/7, f. 190, (21.vii.1543).

³⁶ Epstein, *An island for itself*, 269. The big insurance centre was Venice even for ships or cargoes that never touched at that port. R. de Roover, *The Rise and Decline of the Medici Bank*, (Harvard & Oxford, 1963), 151.

³⁷ See for example, NAV, R 202/1, f. 87, (5.viii.1536), f. 18, (21.iv.1536), R 202/1 Part II, ff. 2v-3, (5.ix.1536), f. 13, (15.ix.1536), R 202/1, ff. 13, (7.iv.1536), R 202/4, ff. 211-212, (21.v.1540), f. 233v, (28.vi.1540), ff. 266-266v, (29.vii.1540), R 202/5, ff. 88v-89, (21.xii.1540), R 202/6, f. 11, (7.ix.1541), R 4/1, f. 135v (30.xii.1557), ff. 41-41v, (19.ii.1558), MS 778/4, f. 133, (23.iii.1562), ff. 166-167v, ([?].[?].1562). For further reading on the use of insurance policies in sixteenth-century Malta refer to J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, MA dissertation, (University of Malta, 2007), 88-95.

³⁸ A *fusta* was "slim, fast and low in the water, carried 18 to 22 benches or oars on both sides, one mast and a jib and was armed with two or three small guns. It was manned by 50 to 100 men who acted as soldiers, sailors and rowers when necessary. The *fusta* was smaller than a galleot". Muscat, *Sails Round Malta*, 484.

insurers were bound to pay the amount insured without any objection within four months, as was customary.³⁹

Notarial acts also shed light on the relationship between the merchants and the local agrarian producers who delivered the essential commodities, such as cotton and cumin, thus enabling trading. Such was the case in an agreement between a priest from Żurrieq who sold 52 *scudi* worth of spun cotton to the Greek Georgio Gaglego.⁴⁰ In another instance, in February 1543, Johannes Michallef from Birgu agreed to load on his ship a cargo of spun cotton weighing 89 *rotoli*, destined for Messina. He also promised his client, namely Francesco Dearmenia to sell the spun cotton for the approximate price of not less than 5 *uncie* 10 *tari* 4 *grani* per *cantaro*, since the prevailing selling rate was approximately 6 *uncie per cantaro*.⁴¹

An interesting recurring feature in almost all references to cotton is that it was described as traded as *cutoni filati*, which means that it was not being sold or exported in its raw form, but already spun. Lack of documentation as to who was actually doing the spinning work does not enable us to determine the type of workforce. However, these documents can be used as broad economic indicators for activities which cannot otherwise be investigated in much detail. A possible hypothesis is that women were already engaging themselves in this type of domestic industry either together with their husbands or else while the latter were employed in more strenuous work in the fields or out at sea.⁴²

It is perhaps in the light of situations such as those presented above that one must evaluate the use of general terms, such as 'land of hunger', when describing the local economic

³⁹ NAV, R 202/1, f. 8, (4.iv.1536). For further reading on the use of insurance policies in sixteenth-century Malta refer to Abela, *Port Activities*, 88-95.

⁴⁰ NAV, R 224/1, f. 410v, (23.xii.1542).

⁴¹ It is interesting to note that in an earlier contract dated 1533 the quoted price per *cantaro* of spun cotton was that of 8 *uncie* 7 *tari* 10 *grani*. NAV, R 439/9, f. 27v, (3.i.1533).

⁴² M. E., Wiesner-Hanks, *Early Modern Europe 1450-1798*, (Cambridge, 2006), 196; O. Hufton, *The Prospect Before Her: A History of Women in Western Europe 1500-1800*, (New York, 1998), 155-159.

situation in the early sixteenth century.⁴³ In the same way in which Epstein argues against the hypothesis that Sicily's economic backwardness resulted from lack of innovation and investment, Malta's economic backwardness needs to be evaluated in a far broader and deeper manner wherein the country's shortage of grain production is to be seen within the context of its preference for specialization in niche products such as cumin and cotton – the commercialization of agriculture. As Wettinger affirms in his study on late medieval Maltese agriculture, "Maltese farming was sufficiently productive in one way or another to defray the expenses on wheat, on other foods as well as superior textiles and a whole range of other objects needed from abroad. It paid also, indirectly, for the island's normal needs of defence, and enabled substantial rents to be sent regularly abroad to absentee landlords".⁴⁴ Such modifications in crop produce indicate that the investor or producer must have had more profitable returns which not only allowed him to subsist, but even to enjoy extra rewards, minimal as these might have been. Concurrently, the preference of landlords and farmers for cash crops as against staples did not only bring in much needed foreign currency which balanced off trade payments in respect of grain imports,⁴⁵ but ultimately placed the island as a prime producer of specialized crops.⁴⁶

This preference for cultivating niche products is also to be seen within the wider European context. According to Epstein, a crucial factor affecting directly specialization in the late middle

⁴³ Cassar, *Society, Culture and Identity*, 3.

⁴⁴ Wettinger, *Agriculture in Malta*, 3.

⁴⁵ Wettinger calculates that to balance off the importation of 9000 *salme* of wheat per year, the island needed to export well over 1000 *cantara* of ginned cotton (cotton fibres separated from their seeds). However, other considerations must be evaluated, such as, the income derived from the export of cumin and the fact that much of the exported cotton was spun into yarn before export thereby raising its price by at least a third. Wettinger, *Agriculture in Malta*, 18.

⁴⁶ The cultivation of cotton was widespread on the Maltese islands since Classical times to the mid-nineteenth century. H. Bowen-Jones, *Malta background for Development*, (Durham, 1961), 225. The importation of cotton from Malta is mentioned in Genoa in the second half of the 12th century. During the 14th century there is reference to it being exported to various places such as Syracuse, Tripoli, Venice, Ancona, Bari and Barcelona. In the same period Pegolotti listed Malta among the six main cotton producing countries. During the 16th century, the French writer Rabelais used the phrase *blanc comme cotton de Malthe*, indicating the high regard which Maltese cotton enjoyed on the international market. Wettinger, *Agriculture in Malta*, 16.

ages was the re-distribution of incomes which was provoked by a loss of population in most western European regions, ultimately benefitted peasants, wage-earners and artisans. The low elasticity of demand for food grains provides only a marginal effect in income distribution. However, contrary to the above, income distribution “can have considerable effects on demand for manufactured goods and higher-quality foodstuffs [...] during the late middle ages, the redistribution of incomes led to a considerable increase in demand for more and better non-staple foodstuffs and cheap manufactured goods, especially cloth, which in turn provided the main stimulus for specialization of agriculture and manufacturing”.⁴⁷

3.3 The need for a credit market

People conceived of price as “the relation between an amount of money and a quantity of a commodity, the former being variable and the latter fixed”.⁴⁸ By the sixteenth century, Sicily had established a sophisticated agricultural credit market which had started to develop in the early fifteenth century. This enabled investors to advance capital to the producers or their agents at an agreed price (*meta*) per *salma* of wheat which was set after the following harvest. The operation of this credit system eventually helped to decrease uncertainty while at the same time it stabilized production, prices and consumption.⁴⁹ Similarly, in Malta, ever since medieval times, extant documentation points to a situation wherein this seems to have been a common trend. A case in point is an agreement drawn up in May 1525 between the Catalan merchant Melchior Ferrer and Juliano Calabro, wherein Ferrer forwarded 11 *tari* 12 *grani* while Calabro promised to sow bitter cumin in his fields and to deliver the equivalent amount of the sum forwarded in this produce by the following August.⁵⁰

⁴⁷ Epstein, *An island for itself*, 77. For a classic example of the preference to cultivate a cash crop over grains, see M. Fusaro, *L'uva passa. Una guerra commerciale tra Venezia e l'Inghilterra, 1540-1640*, (Venice, 1997).

⁴⁸ W. Kula, *Measures and Men*, (trans. R. Szepter), (Princeton, 1986), 102.

⁴⁹ Epstein, *An island for itself*, 144.

⁵⁰ NAV, Notary Lorenzo Agius, R 7/1, ff. 30-30v, (27.v.1525).

During the period under study such practice is well documented and one can safely say that the agricultural credit market was well-established even in the initial years of the Order's stay. Being a naval Order, the Knights hastened to create an efficient maritime communication system under their own tutelage that eventually helped the harbour area to develop into a veritable centre of activity which could be compared to any other south European coastal urban centre.⁵¹ Good port facilities and the policing of the surrounding waters by the Order's Navy attracted foreign merchants to the island, and this, coupled with the increase in population, triggered a greater demand for local produce. Testimony to this demand are various notarial acts, like those found in the records of the Rhodiot notary Nicolò de Agatiis. Between 29 January 1540 and 5 May 1540 this notary recorded nine contracts with respect to the sale of cumin⁵² and three contracts with respect to the sale of cotton,⁵³ all of these represented a cash advance made by the investor to the producer. Notarial documents reflect that even members of the Order forwarded much needed advances to producers. The Knights seem to have immediately started tapping into small amounts of local sources of wheat to ensure the provision of sufficient supplies. Their worries as to the lack of supplies extended even further than the supply of grain for local consumption since they also had to ensure that their galleys, and other visiting galleys using Malta as their port of call, were well-provisioned.⁵⁴

Evidence for such practice is brought to us from various notarial sources. A case in point was a contract regarding a loan of 256 *tari* advanced by the Knight *Fra. Johannes Bonifacius Baulino* to Johannes Vassallus from Attard on 5 November 1530, barely a month after the Order's

⁵¹ C. Cassar, 'U Mulu de Malta: The Maltese Trade in Donkeys and Mules', *Storja*, (1996), 12-20, 12.

⁵² NAV, R 202/4, ff. 111-111v, (29.i.1539 *ab inc*), f. 150v, (1.iv.1540), ff. 153v-154, (5.iv.1540), ff. 161v-162, (8.iv.1540), f. 168v, (12.iv.1540), ff. 170-170v, (12.iv.1540), f. 178, (19.iv.1540), f. 189, (27.iv. 1540), ff. 194v-195, (29.iv.1540).

⁵³ NAV, R 202/4, f. 171, (15.iv.1540), ff. 187-187v, (27.iv.1540), f. 199v, (5.v.1540).

⁵⁴ A case in point was the squadron of ninety strong vessels which were assembled in the summer of 1559 at Messina whose objective was the fortress of Tripoli. These reached Malta on 2 December 1559, however were forced to spend most of the winter on the island due to bad weather. J. Abela 'De Uxore Proxima Futura Magistri Hieronymi Cassar: New Light on Girolamo Cassar's Immediate Family', in *Melita Historica*, Vol. XIV, No. 4, (2007), 375-385, 379 fn.13 & 380 fn.18.

establishment. This loan represented an amicable advance in cash to be repaid by the coming July in the form of a supply of wheat estimated at 32 *tari* per *salma*.⁵⁵ On the same day the same Knight drew up two similar contracts, one representing 128 *tari* forwarded to *Hon.* Augustinus Borgius from Casali di Girgor,⁵⁶ and another forwarded to his co-villager Bartholomeo Borgius. This latter loan amounted to 96 *tari* equivalent to 3 *salma* of wheat to be delivered in July.⁵⁷ Thus, while in a particular contract this same Knight is found actively involved in buying shares in a corsairing expedition,⁵⁸ in the next he is investing in the local agricultural produce. Similarly, in February 1531, Melchior Ferrer, a recurring name in notarial deeds connected to various trading activities, advanced a loan of 2 *uncie* to Inigo and Mattheo Camilleri from Żurrieq. These on their part were to provide him with an equivalent amount of “new cumin” (*cumini nuovum*) (sic), which was to be delivered by the following June.⁵⁹ A similar transaction conducted by the same Ferrer on the same day was concluded with Nardus and Bertos Camilleri, also from Żurrieq. On this occasion the sum was of 4 *uncie* also described as an amicable loan in respect of the future supply of cumin.⁶⁰

Other interesting aspects which serve to illustrate how trade credit was becoming increasingly the way forward for various types of trading operations are reflected in various notarial contracts which shed light on the use of the services of the money changers.⁶¹ At least

⁵⁵ NAV, R 439/1, ff. 1-2, (5.xi.1530), this would be equivalent to 8 *salme*.

⁵⁶ NAV, R 439/1, ff. 2-3v, (5.xi.1530).

⁵⁷ NAV, R 439/1, ff. 3v-5, (5.xi.1530).

⁵⁸ NAV, R 439/1, ff. 35v-36v, (22.xii.1530).

⁵⁹ NAV, R 439/1, ff. 41-42, (3.ii.1531).

⁶⁰ NAV, R 439/1, ff. 42-43v, (3.ii.1531). Some other examples are NAV, R 439/1, ff. 43v-44, (7.ii.1531), ff. 44v-45v, (7.ii.1531), R 439/2, ff. 67-68v, (24.ii.1531), ff. 70v-71v, (24.ii.1531), R376/3, f. 472v, (21.iv.1540), ff. 472v-473, (21.iv.1540), R 376/4, f. 13v, (5.ix.1540), R224/1, ff. 111v-112, (13.xii.1540), f. 112v, (16.xii.1540), f. 114v, (29.xii.1540), R 376/11 (no.2), f. 504, (11.ii.1545), R 224/13, f. 10v, (2.ix.1557), f. 11v, (02.ix.1557).

⁶¹ The money changer formed the link between the public and the mint which was essential for the smooth operation of a money market. R. de Roover, *Money, Banking and Credit in Medieval Bruges – Italian Merchant Bankers, Lombards and Money Changers – A Study in the Origins of Banking*, (Cambridge, Mass, 1948), 220-221.

from the late medieval period,⁶² these are recorded as a source of trade credit used on the island, business partners finding it profitable to channel their work through their services. Such was the case of Petrus Muscat, who confessed to being indebted with Bertho Muscat for the amount of 15 *uncie 15 tari ponderis*.⁶³ This sum was the remaining amount from the proceeds of a *societas* agreement which had been reached between the two partners wherein the objects of the company included the carrying out of trade in *cuyrami barbantis*.⁶⁴ In this particular act, Petrus was to pay back his partner *in pace et de plano ut bancus*⁶⁵ on his first visit to Sicily.⁶⁶ In yet another contract Georgius Cachie was indebted with Francesco Hajius for the sum of 2 *uncie 5 tari argenti ponderis*, the price of thirty four *canne*⁶⁷ of cloth (*dublecta et fustayna*) at the rate of 5 *carlini*⁶⁸ *per canna*. Once again the debtor promised to pay *ut bancus* in Sicily by the coming Easter or on his first visit to the island.⁶⁹ Such cases indicate that links with Sicilian banks⁷⁰ by local private

⁶² For example NAV, R 7/1 for the period 1524-1528 holds a total of sixteen contracts mentioning the use of the money changer.

⁶³ Fiorini explains that “in pre-1530 Malta both Sicilian and local currencies were in circulation. The money of account for both was reckoned in *uncie* worth 30 *tari*, the *tari* worth 20 *grani* and the *grano* worth 6 *denari* or *pichuli* (*piccioli*). When distinction between the two needed to be made, it was clearly indicated in the documentation by the use of the term *ponderis generalis* for the Sicilian currency and *pecunia Malte* or *Gaudisii* (as the case may have been) for the local currency”. S. Fiorini, ‘Malta in 1530’, in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 111-198, 162.

⁶⁴ In leather from Brabant.

⁶⁵ Basically meaning that he will pay peacefully and in full. See V. Cusumano, *Storia dei Banchi Della Sicilia*, R. Giuffrida (ed.), (Italy, 1974), 226. According to Trasselli this formula substantially meant that the person acting as surety or guarantor obliged himself to pay the creditor as if he (the guarantor) was a banker. C. Trasselli, *Note per la storia dei banchi in Sicilia nel XV secolo*, Vol. II, ‘I banchieri e i loro affari’, (Cosenza, 1993), 55.

⁶⁶ NAV, R 7/1, n.f., (2.i.1525).

⁶⁷ Cloth was measured in *canne*, or *qasba* in Maltese, with one *canna* being approximately 2.06m long. Epstein, *An island for itself*, xii. Bowen-Jones translates one *canna* in 2.095m. Bowen-Jones, *Malta background for Development*, 13.

⁶⁸ The silver *Carlino* was worth 10 *grani*. This coin was available in either gold or silver. J. C. Sammut, *Is-Sistema Monetarja ta’ Malta*, (Malta, 2007), 86.

⁶⁹ NAV, R 7/1, n.f., (2.i.1525).

⁷⁰ Nowadays, to speak of banks conjures up images of prominent buildings reflecting the power of the private initiative, and of large regulatory agencies instituted to represent the interest of the state and of depositors. In the medieval and early modern period, most banks were miniscule in physical terms, but their importance in monetary terms was considerable. The tables of money changers and bankers were located in the centre of business districts. They took up little space: a booth or stall in a public square, or a small ground-floor room, perhaps connected to a small back room in a public building or in a private place. F. C.

entrepreneurs existed even prior to the Order's arrival, albeit minimally recorded. These enabled merchants to make use of financial instruments such as bills of exchange and promissory notes thus facilitating trading agreements. The arrival of the Order and the continuous influx of foreign merchants greatly increased demand for such financial dealings. How did the presence of the Order affect the transfer of money between Malta and other countries?

Large sums of money being transacted between the Order's commanderies scattered all over Europe necessitated the establishment of a strong financial institution to pool in these revenues. As early as 1529 the Order started taking the necessary steps to provide for the easy flow of these revenues. For this purpose the Order's Receiver in Palermo was made responsible for collecting these revenues. A study conducted by Carmelo Trasselli established how by 1570 this Sicilian depositary had already become an international bank.⁷¹ Such an important institution could not but greatly facilitate financial transactions between Malta and other European countries, making the island's financial services stand in line with those of other Southern European countries where this type of practice was very common.⁷² Through the provision of these facilities, more foreign merchants were attracted to the island which was now offering the necessary set-up to cater for most of their business needs.

Often the merchant who had correspondents overseas could offer the same services of a banker. A client might request him to transfer a sum of money overseas. This he could do since he could order that payment was made by a correspondent of his who owed him money in respect of a particular agreement. In this way the merchant retrieved his money faster. Furthermore, if the client who made the initial request was owed money by the merchant himself, he would not issue

Lane & R. C. Mueller, *Money and Banking in Medieval and Renaissance Venice, Vol. 1 Coins and Moneys of Account*, (Baltimore & London, 1985) Lane & Muller, 83.

⁷¹ C. Trasselli, as quoted in A. Giuffrida, *La Sicilia e l'Ordine di Malta 1529-1530, La centralità della periferia Mediterranea*, (Palermo, 2006), 23. de Roover gives the following definition of an international bank: "*banchi grossi*, which did an international business and traded in bills of exchange", de Roover, *Money, Banking*, 151.

⁷² Abela, *Port Activities*, 39-48.

money, but limit himself to be legally covered by a contract or promissory note. Through such practice, a current bank account may be said to have been established between the merchant and his correspondent.⁷³ When various clients started leaving amounts of money owed to them by the merchant as deposit for future overseas payment, such as letters of exchange, the merchant could use this money to invest in other business affairs.

Another aspect of the need for money and how it could be generated is found in contracts which refer to the sale of land, particularly those which included the clause of the right of redemption mentioned earlier. When analyzing these documents, and in order to place them in their proper context, it is important to bear in mind the prevailing dogma of the Catholic Church which prohibited the taking of any profits on loans, be they charitable or commercial.⁷⁴ Thus, in order to carry out their trade at a profit and at the same time respect prevailing laws, money lenders had to find ways and means to circumvent such laws. Economic transactions in land proved a preferred way in which such needs were addressed and met. Often, when landowners found themselves in financial constraints, they would trade in their property for cash, while reserving the right to re-purchase the property when navigating in better economic conditions. As shall be shown in Chapter Four, the inclusion of interest in the actual price not only of land, but of various other commodities used to secure money loans, ensured that the creditor recovered the amount due plus interest without openly declaring profit.⁷⁵ At this stage, it is important to state that, as shall be discussed in Chapter Four, from the records of Ecclesiastical tribunals, it may be safely stated that various persons being charged with carrying out usurious practices were often accused of having forced their victims to draw up 'fictitious' contracts like the ones mentioned

⁷³ Trasselli, 'Note per la storia dei banchi', 63; Lopez & Raymond, *Medieval Trade*, 16, 162.

⁷⁴ In the Byzantine Empire this viewpoint never prevailed. Hence, interest on loans continued to be regarded as legitimate. See Lopez & Raymond, *Medieval Trade*, 157; F. C. Lane, *Venice and History, The Collected Papers of Frederic C. Lane*, (Committee of Colleagues and Former Students eds.), (Baltimore, 1966), 56-57; de Roover, *The Rise and Decline*, 12, 108-109.

⁷⁵ Refer to NAV, R 7/1, ff. 3v-4, (18.i.1525), ff. 4-4v, (18.i.1525), which relate to two contracts where the same piece of land changed hands more than once in just one day.

above containing 'hidden' interest which at times were so exorbitant that the debtor could not rid himself of the debt.⁷⁶

3.4 Local cereal production and consumption

Lack of sufficient extant documentation limits the historian in giving a detailed and accurate account of both local cereal production and quantities imported for the period under study. Some statistical data related to post-1565 does however help us get a glimpse of local yields during the sixteenth century. When discussing local grain harvests, Bosio states that in about 1566, when the population amounted to approximately 20,000 people, local crops yielded about 25,000 *salme*.⁷⁷ Assuming consumption per capita to be on the high side of 1.5 *salme* of cereal per annum,⁷⁸ this figure would have sufficed to feed approximately 16,500 persons, that is 66% of the population. Such figures indicate that the island was not as arid as most supplications to the Viceroy projected it to be. It is pertinent to note however that Bosio's figures present us with a global picture which does not give a breakdown of the different cereal yields, thus making it difficult to actually assume that crop production was not so dismal. In 1575, the Apostolic Delegate Mons. Pietro Dusina, reported that the island produced about 4,000 *salme* of wheat and 13,000 *salme* of barley, and further noted that with greater efforts from the part of the farmer higher yields could be redeemed.⁷⁹

A series of tax records covering the first half of the 1580s for Birkirkara, Naxxar, Siggiewi and Żebbug (all significant cereal producers),⁸⁰ also offer a good indication on the general trend of

⁷⁶ CAM, CEM, *Registrum Usuriarorum Melitae, Liber Primus 1570-1571*.

⁷⁷ G. Bosio, *Dell'Istoria della Sacra Religione et Illustrissima Militia de S. Giovanni Gerosolimitano*, (3 volumes, Rome, 1594-1602), Vol. III, 776.

⁷⁸ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f. 189.

⁷⁹ NLM, Libr. MS 433, 'Discorso di Malta di Pietro Dusina', ff. 18-24.

⁸⁰ Such figures do not include the total production output since some producers may have been left out. Moreover, these declarations do not include the amount of seeds which were sown and the amount of cereal that was due to the 'metiture', since as was customary in Malta, these were deducted from such tax declarations. Vassallo, *Prices of Commodities*, 64, especially fn. 1.

agricultural activity in Malta and once again, indicate that there was an overwhelming preponderance of barley and meslin⁸¹ production vis-a-vis wheat.⁸² Small landholdings by farmers were recorded in 1546, when twenty-three landowners of Naxxar,⁸³ who held twenty-nine holdings which were subject to decanal tithes,⁸⁴ paid a mere total of 1 *salma* 12 *tumuli* and 2 *mondelli* of wheat.⁸⁵ It is clearly evident that most of the produce deriving from these farmers must have served to accommodate their personal needs, and consequently reduced the availability of wheat on the local market.⁸⁶

Anthony Vassallo, in his study on prices of commodities in Malta during the sixteenth century, provides a good analysis of local cereal production.⁸⁷ As has already been observed, in Malta the cultivation of barley and meslin was preferred to that of wheat production. Building his thesis through examination of extant primary sources, Vassallo attests that the farmer's preference to sow meslin and barley was due to the fact that these cereals enjoyed a higher seed/yield ratio than wheat.⁸⁸ In terms of barley produce, consumed mostly by the local livestock, it is important to highlight that exorbitant transport costs and navigational risks were prohibitive to a relatively low-priced cereal such as barley. Consequently, local production was encouraged since the island could benefit from higher yields.

⁸¹ "A mixture of cereal species that are sown and harvested together. The mixture wheat/rye is known as meslin, but in trade is usually classified with wheat". Food and Agriculture Organization of the United Nations, <http://www.fao.org/es/faodef/fdef01e.htm> (accessed on 24 February 2012). This type of grain is referred to by other names like *maħlut* and *mixta*. Wettinger, 'Agriculture in Malta', 13; Bowen-Jones, *Malta background for Development*, 195.

⁸² Vassallo, *Price of Commodities*, 62-66.

⁸³ In 1522, the Naxxar landowners held land which was spread out over the northern part of Malta. Wettinger, *Agriculture in Malta*, 7.

⁸⁴ Wettinger notes that "tithes presumably originally represented tenths of the production of each holding." Wettinger, *Agriculture in Malta*, 7.

⁸⁵ Wettinger, *Agriculture in Malta*, 6.

⁸⁶ Vassallo, *Prices of Commodities*, 66. Average annual consumption *per capita* of wheat was subject to wide variations.

⁸⁷ Vassallo, *Prices of Commodities*, 59-71.

⁸⁸ Vassallo, *Prices of Commodities*, 59-60.

In 1590 the Viceroy of Sicily, Conte d'Alva, commissioned Diego del Quadro⁸⁹ to produce a detailed report on local cereal production and consumption. The four-month visit and subsequent report⁹⁰ had the principal aim of justifying the need for conceding duty-free quotas. It is important to note that Del Quadro's report was produced at a time when Sicily was experiencing a crisis in its cereal production while trying to compete with the supply of cheap grain from Northern countries.⁹¹ It therefore comes as no surprise that the authorities were questioning Malta's demands, especially since Del Quadro noted that the island produced a total of 34,976 *salme* and 9 *tumuli* of cereals, which consisted of 1,783 *salme* of wheat, 13,764 *salme* and 9 *tumuli* of meslin and 19,429 *salme* of barley.⁹² Out of these he deducted 15,000 *salme* used as fodder for animals, including the Grand Master's cavalry.⁹³ Thus, del Quadro estimated that the *Università* was left with an amount of approximately 20,000 *salme* of cereal for a population of circa 29,000. Such workings indicate that only 45% of the population was covered by local yields and consequently Del Quadro reported that not only were present quotas to be kept, but these were to actually increase in quantity.⁹⁴ Del Quadro also noted that should the island be besieged, it had enough supplies to last it four months, enough time for reinforcements to arrive from nearby countries.

The Order's necessities were quite a different story since, according to del Quadro, the Grand Master and 'his house' (*sus casas*) needed a total of about 30 *salme* of wheat per year, while each Knight needed approximately 4 *salme* of wheat annually. In addition high-ranking

⁸⁹ On the subject see also, Giuffrida, *La Sicilia e l'Ordine*, 15-16.

⁹⁰ He returned to Messina on 30 July 1590. Trasselli, *Una Statistica*, 475. NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva alla Ma. Del Re Filippo et sopra la numerazione dell'anime della Religione e popoli di Malta e Gozo, e del grano che queste producono un'ano' per l'altro, fatta da Diego Quadra, sopra l'aum.to delle tratte...', ff. 183-186v. Trasselli informs us that another copy, presumably that which was presented to the Viceroy, is found at the *Archivio di Stato di Palermo, Patrimonio, n. provv. 2032, Recuperate di Materiali Diversi del 1590-91*, ff. 195-200, Trasselli, *Una statistica*, 476.

⁹¹ The year 1590 was one of great scarcity and famine in both Sicily and Malta. Braudel, *The Mediterranean*, Vol. II, 604; B. Dal Pozzo, *Historia della Sacra Religione de San Giovanni*, (Verona, 1703), 326; Vassallo, *Prices of Commodities*, Table XIV, 80.

⁹² NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', ff. 184,189.

⁹³ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f. 189.

⁹⁴ Taking del Quadro's estimate of consumption *per capita* to be 1 ½ *salme*.

Knights were conceded extra quotas for their servants, like for example the Knights of the Grand Cross who were allocated another 12 *tumuli* per month for a total of six slaves.⁹⁵

In answer to the above report, the Sicilian Viceroy Count d'Alva, informed the Spanish King that del Quadro had taken wrong estimates of consumption *per capita* since he had assumed that all the population needed 1½ *salma* per head,⁹⁶ when in fact "*per sapersi quante tratte si possono estrarre sempre si ha calcolato una salma per anima e questo calcolo sempre ha riuscito*".⁹⁷ D'Alva further explained that women,⁹⁸ who amounted to approximately 45% of the population, did not require more than one *salma* since, unlike men, they did not perform a lot of heavy work (*essi non travagliare tanto corporalmente, che habbiano bisogno di straordinario si come un homo*).⁹⁹ Men who worked in the fields on the other hand required 2 *salma* of wheat per year, however, it was noted that these did not make up more than 10% of the population. Moreover, children under five and old people were said to require no more than ½ a *salma* of wheat per year.¹⁰⁰ Thus, according to the Viceroy, Del Quadro's report was erroneous in its conclusions and duty-free grain quotas could not be estimated upon these findings.

It seems that the exact number of mouths to feed was not the only issue worrying the Sicilian authorities since these were also very much concerned when rumours started spreading that parts of these supplies were being used illicitly by members of the Order who were smuggling

⁹⁵ It was stated that the Order needed about 8,551 *salme* of wheat. A breakdown of the members of the Order on the island reads as follows: 13 Knights of the Grand Cross, 61 Commanders, 422 Knights, 65 Chaplains, and 69 brothers-servants-in-arms, bringing these to a total of 640. The Order also had four galleys with 1,417 sailors and 411 slaves, while the Grand Master had two galleys with 769 sailors and a total of 209 personal slaves. NLM, Univ. 1, 'Relatione del Calcola dell'Anime della Religione...', f. 183.

⁹⁶ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f.189.

⁹⁷ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f. 189v, "In order to know how many *tratte* may be exported the estimate of one *salma per capita* has always been used, and this with success".

⁹⁸ Del Quadro split the female population into those under and above 5 years of age. Thus, in this context, 'women' means the female population above the age of 5.

⁹⁹ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f.190.

¹⁰⁰ NLM, Univ. 1, 'Relatione che fa il V. Re Conte d'Alva', f.190.

duty-free grain to other countries at the detriment of the royal revenues.¹⁰¹ Nonetheless, this issue is another matter and shall be dealt with later.

3.5 The price of wheat

Prices of local grain were usually, but not always, fixed by the *Università* towards harvest time, that is by end of June or early July.¹⁰² At times price-lists were also included in the official September price-lists, as that issued by the *jurats* in 1534 entitled “*pandecta merche frumentij ordej carnum et aliarum rerum*”.¹⁰³ The latter were meant as retail prices, however, the former type of lists generally contained two different prices, one meant to cater for the general public, and the other to be used between merchants and farmers when negotiating the sale of cereal produce.¹⁰⁴ These grain merchants, who were not necessarily the official sellers of wheat,¹⁰⁵ advanced money to the landlords, or to farmers, and were paid back the equivalent of their loan in wheat or other grains. Such advances were usually agreed on in front of a notary and often, but not always, it was stipulated that the loan was “*nomine puri et veri mutui gratis*”.¹⁰⁶ A typical deed representing a similar transaction would state thus:

¹⁰¹ NLM, Univ. 1, ‘Relatione che fa il V. Re Conte d’Alva’, f.183. On the subject see Trasselli, *Una statistica Maltese*, 476. Similar instances of illicit use of export licences may be found in Braudel, *The Mediterranean*, Vol. I, 573.

¹⁰² See for example NLM, Univ. 13, f. 64v, (18.ii.1534), wherein a *bando* issued in February stated that nobody could sell wheat for more than 3 *tarì* per *tumino* on pain of being fined 4 *uncia* payable to the fiscal officer of the Grand Master, and f. 126, (26.xi.1536), stating that no one could sell barley for more than 1 *tarì* and 1 *grano* per *tumino*. The *Università* of Gozo issued a separate price list which was usually determined by the prices prevalent in Malta. Vassallo, *Prices of Commodities*, 73.

¹⁰³ Price list of commodities, wheat, barley, meat and other goods. NLM, Univ. 13, f. 76v-78., (1534).

¹⁰⁴ In Gozo these were distinguished by the words *meta* and *contrometa*, the latter being the retail price. Vassallo, *Prices of Commodities*, 74-75.

¹⁰⁵ Official wheat sellers were referred to in documents as *magazinieri*.

¹⁰⁶ NAV, R 376/2, (17.ix.1539), f. 58v. Literally meaning “what was thine becomes mine”. For a deeper insight into the usury doctrine and the Roman law concept of law as *mutuum* see Munro, ‘The usury doctrine and urban public finances’, 974-1026.

Die vigesimonono mensis novembris primo Indictionis Mill[esimo] Quinq[ue]gesimo Septimo.

Hon[orabilis] virgilius de amato neapolitanus incola ville actard huius insule melite p[rese]n[te]s coram nobis sponte vendidit, hon[orabilis] Mag[iste]ro mariano zaharia incole meliten[sis] p[rese]nti etc. salmas tres ordei boni nitidi mercantibilis et receptibilis recollectionis proxime future prime indictionis instantis Quas quidem salmas tres ordei dicuts hon[orabilis] Virgilius venditor dare et consignare p[ro]misit eidem hon[orabilis]. Mag[iste]ro Mariano emptori delatas et positas in hac nova civitate melite in pace et de plano per totum mensem Junij p[ro]xim[o] venturium seminet ipse venditor aut no[n] seminet recolligat aut no[n] recolligat, alias si defecerit teneatur et se teneri voluit ad co[m]munem valorem, quanti co[m]muniter valuerit ordeum In hac insula et nova civitate melite, Et hoc p[ro] p[re]t[er]io pretij nomine p[er] ut seu quanti co[m]muniter In hac Insula dictu[m] ordeum constiterit in dicto mense Junij consigantionis tempore, de quo quidem pretio dictus hon[orabilis] venditor confessus est habuisse et recepisse p[er] ut p[rese]nt[is] habuit et receipt a p[re]dic[to] emptore untiam p[onderis]: ge[n]eralis: unam Rx.ns etc. Residuum vero quoquid et quantum fuerit dictus hon[orabilis] emptor dare solver ac rea[li]t[er] numerare p[ro]misit ipse venditori In hac nova civitate melite In pecunia numerate in pace et de plano ut bancus etc. In consignatione p[re]dic[ti] ordei etc. Actum in nova Civitatae Melitae p[rese]ntibus nob[il]is Vincentio Muscato et hieronimo romano testibus notis etc. (sic).

29th day of the month of November of the first indiction of the year one thousand five hundred and fifty seven.

Hon. Virgilius de Amato, a Neapolitan resident in the village of Attard in the island of Malta, in front of us, and of his own accord, sells to *Hon. Mag.* Mariano Zaharia a resident of Malta, who is present, three *salme* of good barley which is to be traded and received in the coming harvest of the first indiction. These three *salme* of barley, the said *Hon.* Virgilius, the seller promises to give and consign to the said *Hon. Mag.* Mariano, the buyer, in this new city of Malta, peacefully and in full, in total from the harvest of the coming June, and if he does not have a good harvest he promises to supply the same amount of barley, in the island and city of Malta, and this for the same price, or to deliver the equivalent amount at which the price of barley is fixed in June. Of the above sum, the vendor confessed to have received from the buyer one *uncia ponderis generalis*. The rest of the sum the buyer promises to pay to the vendor, in the new city of Malta, in cash peacefully and in full on consignment of the said barley etc.¹⁰⁷

Act done in the new city of Malta, in front of *Nob.* Vincentio Muscat and Hieronimo Romano as witnesses.

¹⁰⁷ NAV, R 4/1, ff. 69-69v,(29.xi.1557).

Other contracts are more specific about price fluctuations. For instance, an agreement between two soldiers interested in trading in barley between Malta and Gozo states thus regarding the consignment of 10 *salme* of Gozitan barley and the eventual payment of 10 *scudi* for its worth:¹⁰⁸

| | |
|---|---|
| <p><i>Et hoc pro precio quo valuerit ordeum generalis in dicta insula gaudisi in dicto mense et si valuerit tunc maioris preci, dictus emptor teneatur reficere dictum residuum in consignatione dicti ordei et si valuerit minoris preci dictus venditor teneatur restituere illud superfluum quod apparuerit habuisse Alias in casu dictus venditor defecit in dicta consignatione ordeij voluit se tenerij ad maiorem valorem et precium et ad omina alia damna et expensas quas propter ea subisse dictum emptorum constabit. (sic)</i></p> | <p>And this for the same price for which barley is valued in this island of Gozo in this month, and if this is of a higher price, the said buyer binds himself to rectify this residue on consignment of the said barley, and if it is valued to be cheaper in price, the said seller obliges himself to reimburse this excess which he had had. Otherwise, in case that the said vendor defaults in consigning the said barley he obliges himself to pay for any damages and expenses which the buyer may incur.</p> |
|---|---|

This procedure of advance buying and selling of cereals gave rise to various abuses especially when debtors found themselves in serious financial constraints. Since as has been observed, the Catholic Church's teaching instructed that, "*pecunia pecuniam non parit*",¹⁰⁹ thus loans containing a profit margin were condemned, without making any distinction between charitable loans and commercial loans.¹¹⁰ Businessmen found themselves in an ambivalent position: their profession and their goals were morally acceptable, but the routine they had to follow to attain these objectives was reprimanded. Monetary advances were thus shrouded in legal terminology with which the businessman could circumvent such prohibitions without seemingly appearing to be lending at a profit. Loans in various forms and agreements, such as the

¹⁰⁸ NAV, R 4/1, ff. 38v-39, (15.xi.1557).

¹⁰⁹ "Money cannot beget money". Before the sixteenth century the term usury did not mean the taking of excessive interest but the taking of any percentage of profit from money loans, it was only in 1515 that the Fifth Lateran Council authorized credit through the *Monti di Pietà*. H. Denzinger, *The Source of Catholic Dogma*, (London, 1957), 238.

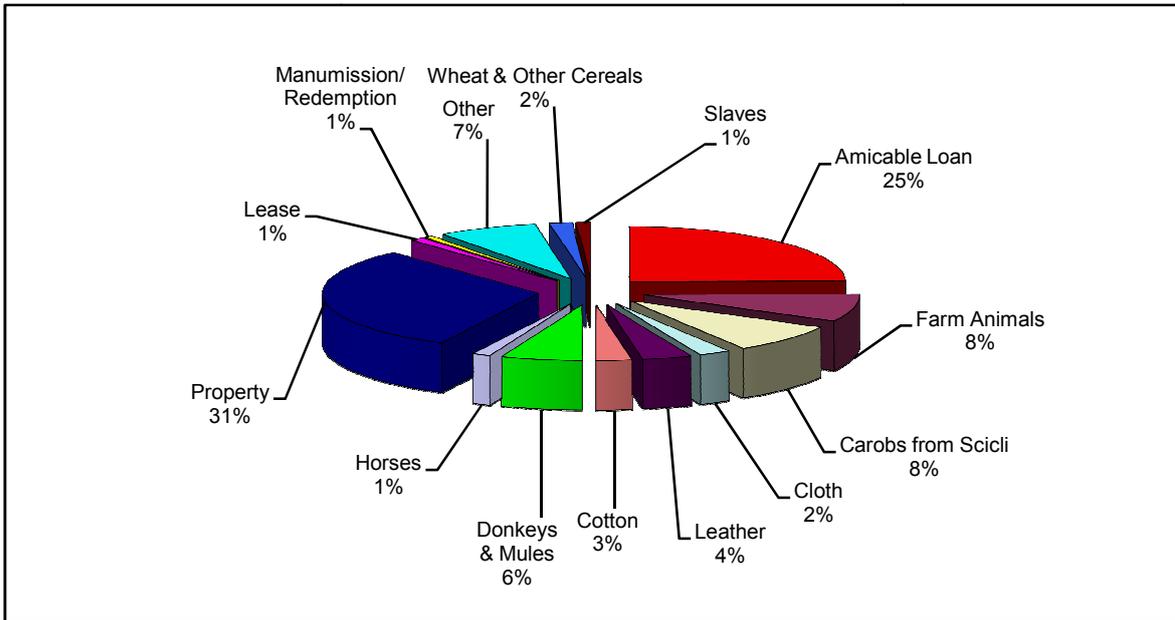
¹¹⁰ Lane, *Venice and History*, 56-57.

above-quoted advance loans to farmers, ultimately made the loan contract a very widespread type of contract in medieval and early modern times.

Following is an analysis of three hundred contracts categorized as *Debitum*, *Venditio* and *Mutuum* found in the acts of Notary Giuseppe de Guevara for the period September 1560 up to August 1561. This sample represents various transactions which had to be repaid in cash, through the services of the money changer at Birgu. This register has been chosen since it holds a substantial number of contracts of various types and could therefore give more representative data of the different kinds of economic activity taking place. In fact there are nine hundred and sixty contracts in all. The notary's clients include foreigners and members from all sections of Maltese society, from Knights to manumitted slaves. Furthermore, Notary de Guevara had been practising in Birgu since 1537 and continued up to 1574. Thus by 1560-1561 he was already a well-established notary. In these contracts, all the repayment terms stipulated that repayment was to be done in cash and in the vast majority of cases, in the new town of Birgu. As may be perceived from the chart, advances of money in the form of amicable loans make up 25% of the total amount, second only to transactions done in relation to sale or purchase of property¹¹¹ which amounted to 31%. Such data gives a clear indication that cash transactions were rapidly infiltrating the islanders' way of life and slowly, but gradually, were partly substituting a barter type of economy.

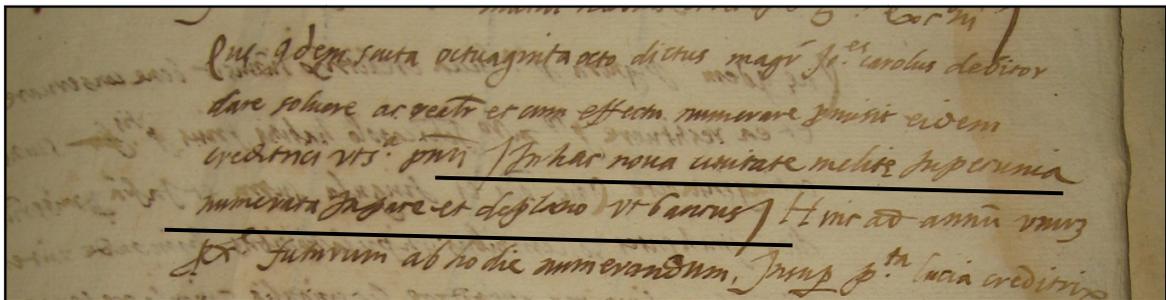
¹¹¹ Property here refers to both built and unbuilt property.

Fig. 3.2 Selection of 300 contracts categorized as *Debitum*, *Venditio* and *Mutuuum* which had to be repaid through a cash payment.



Source: NAV, R 224/17, (1560-1561).

Fig. 3.3 Reference which states that the debt had to be repaid in cash, through the services of the money changer at Birgu “[...]In hac nova civitate melitae in pecunia numerata in pace et de plano ut bancus[...]”



Source: NAV, MS 514/1, n.f., (28.ii.1560)

As regards farmers, they tended to borrow money in the first few months of the year in order to be in a position to buy seed or any other tool, such as oxen, which were necessary for cultivating land.¹¹² In most contracts it was stipulated that payment was to be done in July, thus

¹¹² Braudel, *The Mediterranean*, Vol. I, 582.

immediately after harvest time. If the yields were good, these would be in a position to repay the loan in grain. However, if the harvest was poor, or they were victims of raids,¹¹³ they were often exposed to high interest rates. This is especially reflected in the insertion of clauses stating that in case that the said vendor defaults in consigning the product he obliges himself to pay for any damages and expenses which the buyer might incur.¹¹⁴

A salient characteristic of price trends pertaining to the wheat trade was their volatility. Price of local wheat was lower than that of Sicilian wheat,¹¹⁵ not only because imported wheat carried with it extra transport costs, but also due to its inferior quality. Still, in Malta, the general price trend of wheat was naturally very much dependent on the outcome of Sicilian harvest,¹¹⁶ and accordingly, prices of local produce registered their peak in years of Sicilian harvest failures or political instability. As shown by Vassallo in his analysis of prices of Sicilian wheat, for the period 1523-1629,¹¹⁷ prices escalated during years of famine and scarcity. For example in October 1557¹¹⁸ due to famine, the cost price rocketed to 48 *tari* 10 *grani* per *salma* of Licata (227kg),¹¹⁹ and dropped to 26 *tari* 8 *grani* 2 *piccioli* a year later. Periods of unrest also caused inflation, a case in point being the price of wheat for February 1565, practically three months prior to the arrival of the Turkish Armada. During this period the cost price of wheat stood at 37 *tari* two *grani* 5 *piccioli*

¹¹³ See case quoted in Abela, *Port Activities*, wherein a farmer was pleading not guilty to the accusations put forward by a priest in respect of the non-payment of a lease regarding a field named *Santa Catarina*. The farmer stated that although the lease was due on the previous Christmas day, he was hindered from effecting payment due to the fact that the fruit of his work was consumed by the Turkish Armada during the siege of 1565. The commissioners decreed that in spite of such a loss, the contract still stipulated that he was obliged to pay even in case of '*pesti et armata et altri*', and thus in view of such clear conditions they had no other option but to order him to pay. CAM, CEM, AO, MS 46, ff. 31- 31v, (5.iii.1566).

¹¹⁴ NAV, R 224/17, ff. 605v- 607, (10.ii.1560 *ab inc*). For further reading on the circumvention of usury by means of technical terminology refer to, Lopez & Raymond, *Medieval Trade*, 105, 143-145, 157-161, 159, 396; Trasselli, '*Note Per La Storia Dei Banchi*', *passim*.

¹¹⁵ Difference in prices between Maltese and Sicilian wheat did not follow an annual parallel trend, but differed according to the turn out of the harvest for that particular year. Vassallo traced a steady increase in local wheat prices between 1530-1630. Vassallo, *Prices of Commodities*, 84-86.

¹¹⁶ Sicily had a bad harvest every three to four years. For a detailed account of Sicilian exports of wheat during the period under study refer to Braudel, *The Mediterranean*, Fig. 51: Sicilian exports, Vol. I, 598.

¹¹⁷ Vassallo, *Prices of Commodities*, Appendix II B.

¹¹⁸ NLM, Univ. 201, n.f., (1557).

¹¹⁹ Vassallo, *Prices of Commodities*, Appendix II B.

per *salma* of Licata, while it fell to 22 *tari* per *salma* a year later. It is also important to note that due to the high proportion of Sicilian imports, abundant harvests in Sicily meant that local crop failures did not have a drastic effect on price trends.¹²⁰ Selling price for barley followed a different pattern since, unlike wheat, abundant production of local barley made it possible for prices to be directly tied to local yields rather than dependent on Sicilian ones. The third type of grain produce, meslin, was chiefly a local product and was mostly used in the production of a type of bread called *pane misturato*. Since this produce was a mixture of wheat and barley, its pricing generally depended on the proportions it contained of these two grains, and accordingly followed their same pattern.¹²¹

3.6 The *Università* and the importation of grain.

Although the grain trade did not carry the high profits derived from importation of luxury goods such as pepper and spice, the enormous volume of its business, which not only supplied main trading routes but even secondary channels, provided investors coming from various strata of society the possibility to invest even minimal sums of money. The market in wheat was also the main reason for the existence of the three Maltese *Università*, and, in line with the rest of Sicily, these sought to regulate as best as they could any business activities related to this trade. By the sixteenth century, Sicily enjoyed a leading position as exporter of the produce. It had a sophisticated and highly-organized system of administration, Palermo being the commercial centre of this long-standing trade.¹²² As has been discussed, throughout the Order's rule, the Viceroy of Sicily conceded annual provisions of duty-free grain to the Maltese islands, albeit with

¹²⁰ Vassallo, *Prices of Commodities*, 83-84.

¹²¹ Vassallo, *Prices of Commodities*, 91-92. An eighteenth-century manuscript describing the method of how wheat and barley proportions were calculated states that a sample of one *tumulo* was taken and the wheat was separated from the barley. Additional documentation found in the records of the town council does not only confirm that such sampling was done, but that these samples were preserved at the town council's office. Vassallo, *Prices of Commodities*, 92 fn. 5, 93.

¹²² Palermo did not handle loading or transport but had under its wing everything to do with the *negozio furmentario*, Braudel, *The Mediterranean*, Vol. I, 581.

continued great difficulty. The opposition to concede *tratte* comes as no surprise, as Braudel rightly explains, “fiscal greed was as insatiable over grain as it was over salt. And the grain trade opened the door to a series of graces and favours. It was an instrument of power, a means of pressure, a way of repaying services and granting privileges”.¹²³ Accordingly, at times, Sicilian Viceroy conveniently turned Malta’s dependence in a ‘grain weapon’¹²⁴ which, now and again they sought to use in order to fulfil African expansionist ambitions.¹²⁵

Throughout the Mediterranean, and Malta was no exception, the dire need to import wheat acted as a stimulus for both local and foreign investors who aspired to enhance their business activities by engaging in a short distance form of grain traffic. There were basically two ways in which one could invest in this sector. The most predominant method was when the *Università* issued a call for interested investors to declare their intended share. The other method was by contributing, through the issue of a sum of money as capital, in a venture partnership. Although the traditional skills and experience of seafarers gave them a high degree of competence and an ability to operate independently, the latter type of venture agreements carried with them relatively higher risks than those which were commissioned by the *Università*, since, throughout their journey these merchants were not accompanied and protected by the Order’s galleys,¹²⁶ thus running a greater risk of whole cargoes of grain possibly falling in the enemy’s hands.¹²⁷

¹²³ Braudel, *The Mediterranean*, Vol. I, 572.

¹²⁴ This term was used by Abulafia to describe the political repercussions of Venice’s dependence on Apulian grain in the fourteenth century. See D. Abulafia, ‘Grain Traffic out of the Apulian Ports’, in D. Abulafia, *Mediterranean Encounters, Economic, Religious, Political, 1100-1550*, (Ashgate, 2000), IX:25-36, 26.

¹²⁵ This was the case with the Viceroy Giovanni de Vega who refused to furnish Malta with wheat and other victuals since he had been irritated by the Commissioners of the Order whose report dated 30 January 1554 included negatively comments on the possibility of the Order taking over Mehdiya and protecting it against the infidels. J. Abela, ‘Il-Gran Mastro Claudio de la Sengle’, in *Il-Mument*, 5 September 1999, 20-23. On Vega see also Braudel, *The Mediterranean*, 117, 910, 911-912, 974.

¹²⁶ Refer to NAV, R376/11, f. 701v, (22.iv.1545), where, in a contract regarding the transport of 1,800 *salme* of wheat, it was specifically stated that the Order’s galley was to be used.

¹²⁷ The “enemy” here implies not only Muslim attackers, but even unscrupulous sailors of the same religion.

The Birgu *Università*, conveniently situated near Malta's main harbour, eventually enjoyed greater power than the other two *Università*.¹²⁸ As is documented in the various correspondence categorized as *lettere secrete* between the town councils and their representatives in Sicilian *caricatori*,¹²⁹ supplying the local market with duty-free wheat provisions entailed a great deal of diplomatic and bureaucratic activities.¹³⁰ It is through such documents that one might get a glimpse of the rather difficult and anxious life of the grain merchant. The *Università* had to ensure that a substantial sum of money was collected before any vessel was sent to import duty-free grain from Sicily. Through the issue of a *bando* it invited potential money lenders in the grain trade to declare their intended investment. This type of loan system from the inhabitants carried a percentage of interest,¹³¹ and, since wheat was exempt from direct duty, the interest paid to the investors was a sort of indirect tax regulating the price of bread on which excise duty by way of a stamp was also imposed.¹³² Under the direction of the *Università*, the money forwarded by these money lenders, together with the list comprising their names was sent with the *patroni* of vessels to Sicily,¹³³ Licata being the main supplier of grain for the Maltese Islands.¹³⁴ The Maltese Consul in Licata kept a copy of this list which also stated the individual investment of each depositor.

¹²⁸ Its superiority to the other *Università* may be perceived even in the way it issued certain standards which had to be followed by the other two councils. For instance on 14 October 1564 it informed the town council of Mdina that, with the Grand Master's consent, it was sending a *catapan* to standardize the Maltese *tumulo*. NLM, Univ. 202, f. 180.

¹²⁹ Mostly found in NLM, Univ. 202, which contains over 300 letters spanning from 1536 to 1579 dealing mainly with the wheat trade. The majority of these documents were sent from Licata by Maltese representatives in Sicily.

¹³⁰ See also, Giuffrida, *La Sicilia e l'Ordine, passim*.

¹³¹ Up to 1576 profit was fixed at 6 *tari* per *salma* of wheat. However, starting from October of that same year each investor was entitled to 2 *tari* on every *scudo* he contributed. NLM, Univ. 14, (10.x.1576), f. 163; Vassallo, *Prices of Commodities*, 108.

¹³² Each loaf of bread was stamped to control and reduce illicit sale of the item.

¹³³ NLM, Univ. 202, ff. 11-12v, (22.x. 1555), f. 15, (25.ix.1555). A typical example of the appointment of the *patrone* by the *Università* is found in NLM, Univ. 13, f. 270, (23.x.1531), wherein Fernando Vella who was *patronus* (ship master) of his *grippi* was commissioned to load the said ship with wheat for the subsistence of the city and island of Malta. See also NLM, Univ. 5, (10.x.1556), f. 17, for a list of Maltese *patroni* who were commissioned to import wheat. This list also includes the amount to be paid by each to "*lo signori baruni*" of Sicily for the purchase of wheat. See also NAV, R 376/11, f. 501v, (8.ii.1545) where the Mdina *Università* is commissioning Juliano Vella from Birgu to import 368 *salme* of wheat, hence forwarding him the sum of 233 *uncia*.

In this regard, some of the most interesting contracts analyzed throughout this study represent investments for the supply of wheat from Agrigento. In one such contract dated 26 January 1550, a year that registered a great scarcity of grain¹³⁵ leading to famine,¹³⁶ Antonio Mihallef, a *patrone* from Birgu was commissioned by the *jurats* of the Birgu *Università* to supply 320 *salme* of durum wheat.¹³⁷ Antonio had to buy the wheat from 3 different *magazeni*. Attached to this contract was the list of shareholders together with their respective investment which globally amounted to 78 *uncie* 22 *tari* 6 *grani*. This sum covered the payment for 68 *salme* and 5 *tumoli* of wheat. Investments varied from 2 *uncie*, the sum deposited by Antonio Calabro to 29 *uncie*, the sum deposited jointly by Matteo dello Re and his son Nicola.¹³⁸ It was further stated that the established price, fixed by the *ambaxatores*,¹³⁹ was 1 *uncia* 4 *tari* 11 *grani* per *salma*.

On the same date a similar contract was drawn up between the *Università* and merchant Michele Russo.¹⁴⁰ Russo was licensed to import a total of 462 *uncie* worth of wheat from Agrigento, of which Bernardo Cassar and Francesco Bonello, received a balance of 83 *uncie* 8 *tari*, covering 72 *salme* and 4 *tumoli* of wheat from various investors. Four separate lists,¹⁴¹ comprising

¹³⁴ NLM, Univ. 202 contains over 300 letters spanning from 1536 to 1579, which deal mainly with the wheat trade. The majority of these documents, categorized as *lettere secrete*, were sent from Licata by Maltese representatives in Sicily

¹³⁵ Braudel, *The Mediterranean*, Vol. I, 604.

¹³⁶ Bosio, *Dell'Istoria della Sacra Religione*, 277.

¹³⁷ NAV, MS 778/1, ff. 16–17v, (26.i.1550). This refers to *grano forte*. The *Università* usually preferred to buy either this type of wheat or the *grano di rocella*. Cassar, *Society, Culture and Identity*, 38.

¹³⁸ Nicola dello Re must have succeeded his father in the grain business, since his name recurs in the trade. He did not only play the part of the investor, but sometimes he was also given the task of hiring out ships for the consignment of wheat. Such was the case in a particular contract wherein he hired the services of Antonio de Messina from Birgu to ship 370 *salme* of wheat from Licata to Malta, NAV, MS 778/1, ff. 12-13, (2.ix.1549).

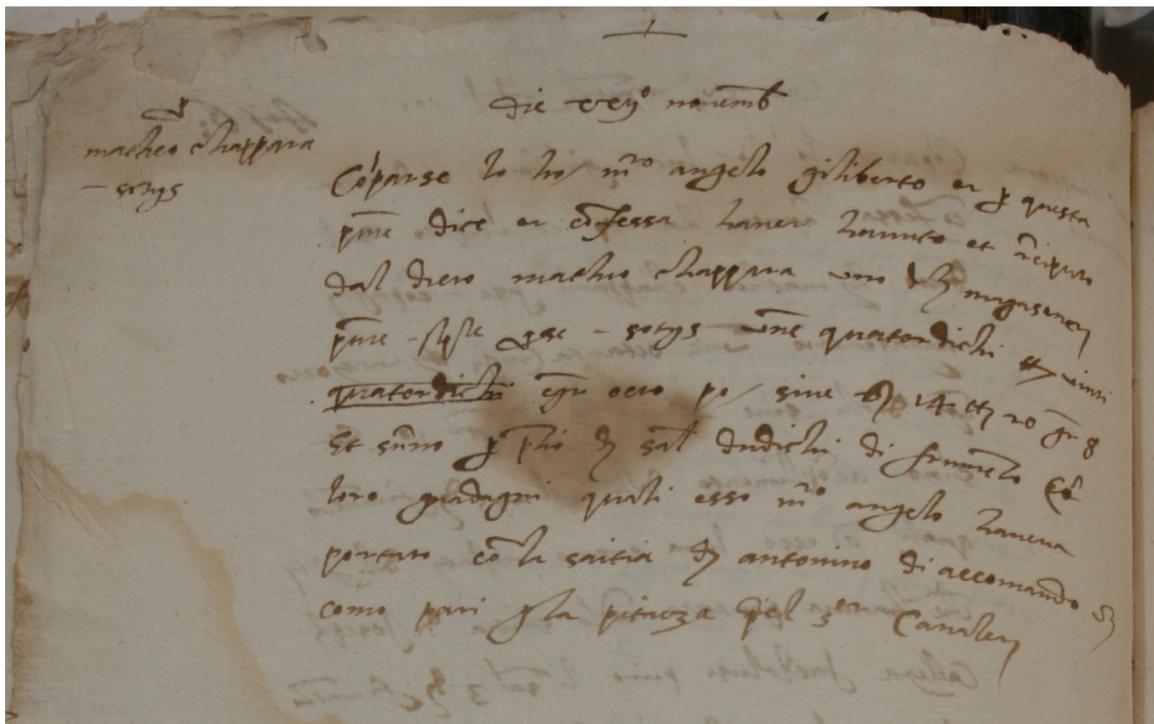
¹³⁹ The *meta* established the maximum selling price at which a products. However, this was not the market price but a rate which was fixed every year by the *Università* in each town to reflect the state of the harvest within its territory. Cassar, *Society, Culture and Identity*, 36. The *Università* bought grain supplies at going market prices.

¹⁴⁰ NAV, MS 778/1, ff. 25-26v, (26.i.1550). Michele Russo and Paolo de Avola were captains of two grain ships which sank in autumn 1554. This was a tragedy for the Maltese population since at the time the island was registering a great scarcity in its wheat provisions which was accentuated through various measures adopted by the Viceroy of Sicily Giovanni de Vega who refused to supply Malta with wheat and other victuals. Abela, 'Il-Gran Mastru Claudio De La Sengle', 20-23.

¹⁴¹ These lists had no folio number but were inserted in NAV, MS 778/1 between ff. 16- 16v, (26.i.1550).

names of *patroni* who had to embark on the voyage, investors and their share, the amount to be purchased and the prevailing buying price of wheat, were attached to these contracts. Comparing these four lists it may be observed that most of the investors feature in all. Thus, for example, Simone Bartulus invested 34 *uncie*, 14 *uncie*, 12 *uncie* and 21 *uncie* respectively in all four ventures. Likewise Matteo Cassaro invested 8 *uncie*, 12 *uncie* and 10 *uncie*, while Stefano Bartalus and his son-in-law Blasio Borg, invested 8 *uncie*, 8 *uncie* and 4 *uncie* 7 *tari* 6 *grani* respectively.¹⁴² The money lenders who invested in the grain trade were paid their deposits and profits after the official wheat merchants distributed all the Sicilian wheat supplies.

Fig. 3.4 A declaration made by an investor in the grain trade, namely *Mag. Angelo Giliberto* stating that he had been paid with profit by *Matheo Chiappara*, one of the official grain merchants.



Source: NLM, Univ. 13, f. 446v, (28.xi.1565).

¹⁴² Abela, *Port Activities*, 112-114.

Collection of the necessary amount of money for undertaking such a perilous journey was one of the major problems encountered by the *Università*. It seems that prior to the arrival of the Order, the Crown at times paid out loans in favour of the *Università* of Malta and Gozo so that both could meet their financial burdens. Such practice is found in a document dated 26 October 1531,¹⁴³ which makes reference to an earlier document dated 13 March 1527, wherein the ambassadors of both *Università* obliged themselves to repay the *Regia Curia* a total sum of 1,400 ducats in gold through the bank of *Mag. Cosimi Xicorta*. It was further stated that the sum was to be divided as follows, 1,000 ducats for the supply of wheat to Malta and another 400 to Gozo¹⁴⁴ - (*per accaptari frumenti per loro subsidio*). On 14 May 1530 the Crown informed the *jurats* that they were going to send *Nob. Gio Battista Carusu*, one of the Crown's bookkeepers (*rogituri*), to inspect the books of account relating to this particular transaction. From an additional note at the end of the document it is possible to state that by 28 January 1531 the matter had been settled and payment had been effected in Palermo.

3.7 The complicated lives of the consul and the grain merchant

With Licata being Malta's major grain supplier, it stands to reason that the Consul of Malta in Licata played an active role in the whole process of supplying the island. First and foremost, several months prior to the actual export of the produce he kept himself well-informed on the current price of wheat in order to be in a preferential position and make the best possible bargain. Accordingly, on 19 December 1558 the then Consul of Malta in Licata, Luca de Armenia, wrote to the town council of Mdina urging them to send the necessary documentation together with the relative payment and ships in order to load the requested wheat since its price was quite advantageous.¹⁴⁵

¹⁴³ NLM, Univ. 12, ff. 43-43v, (26.x.1531).

¹⁴⁴ NLM, Univ. 12, ff. 542-543v, (14.v.1530).

¹⁴⁵ NLM, Univ. 202, f. 20, (19.xii.1558).

The consul's duties also enabled him to make appeals before the Sicilian authorities with respect to the granting of extra duty-free quotas. Such was the case in 1558 when de Armenia wrote back to the town council of Mdina informing them that he "*essendo ritrovato a sua eccelencia et lamentandome de la provista di tanto poco summa a tanto populo... mi have provisto de altri salmi milli*".¹⁴⁶ In addition, the consul took care of freight charges, port dues and the safety of the cargo ship which required a proper insurance coverage to guard against possible risks. He was also entrusted with the settling of bills, and to favour the Malta *Università* with regard to finding the necessary credit bills that ensured smooth transaction of grain supply. It seems that this operation translated itself in differing percentage profits throughout the years. Thus, while in 1560 it was stated that there was a commission of 15 *grani* per *salma* of grain which the consul bought,¹⁴⁷ in 1575 "*le mie ragioni*" or "my dues" were stated by the consul as being 5 *grani* per *salma*.¹⁴⁸

Smaller supplies of wheat arrived also from other *caricatori* particularly from Agrigento (Grigenti) and Terranova which were other important suppliers of wheat from the south coast of Sicily.¹⁴⁹ As may be perceived from the following map, apart from Castellamare there was no significant export port in Northern Sicily. The concentration of export ports along the south coast benefitted Malta since it facilitated communication and as a result, freight charges were reduced considerably.

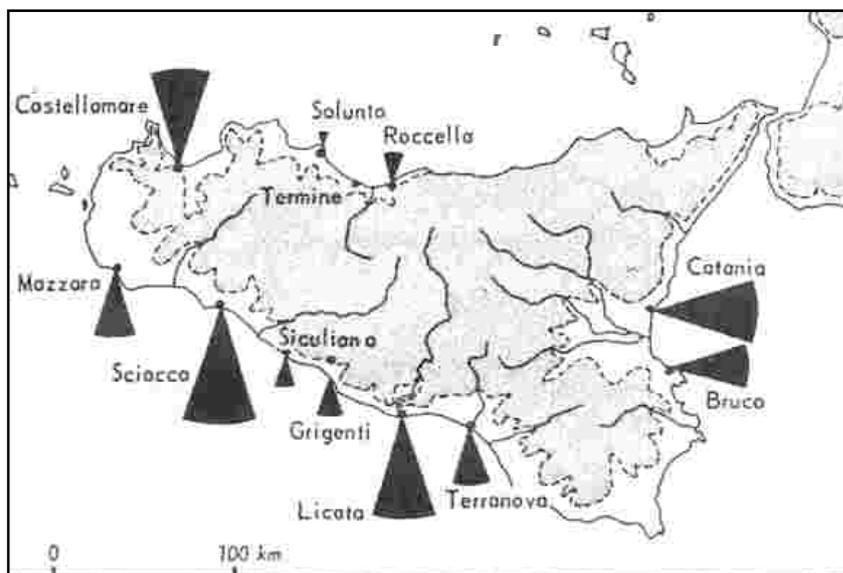
¹⁴⁶ "Having been to His Excellency and lamenting of such small concessions to such a lot of people [...] he granted me another one thousand *salme*". NLM, Univ. 202, ff. 26-26v. (1.[?].1558).

¹⁴⁷ NLM, Univ. 202, f. 46, (25.i.1560).

¹⁴⁸ Vassallo, *Prices of Commodities*, 102 fn. 3.

¹⁴⁹ For more information regarding ports and mercantile traffic in sixteenth-century Sicily refer to M. D'Angelo, 'Porti e Traffici Marittimi in Sicilia Tra Cinquecento e Seicento', in G. Simoncini, *Sopra i Porti di Mare, Vol. III Sicilia e Malta*, (Florence, 1997), 71-110.

Fig. 3.5 Main Sicilian *caricatori* in 1532.



Source: Braudel, *The Mediterranean*, Vol. 1, 580.

Freight charges comprised other costs added to the cost price of wheat. Consuls were reluctant to pay additional charges over those previously stipulated even if a valid reason was given by the *patroni*. A similar situation was brought to the attention of the *Università* of Birgu, when the consul claimed that the *patroni* had asked him for an additional *carlino* (10 *grani*) over and above the usual price because they had gone to Agrigento.¹⁵⁰ In another instance, in 1536, the Mdina town council issued a proclamation stating that nobody could charge more than 4 *carlini* (2 *tari*) for wheat being imported from Licata and 5 *carlini* (2 *tari* 10 *grani*) for wheat loaded from Terranova, on pain of being fined 1 *uncia*.¹⁵¹

At times, *patroni* were also harassed in Sicilian ports wherein they were demanded to pay several dues on cargo which was supposed to be exempted from tax. Maltese envoys reported these abuses to the Sicilian authorities and reminded them that the privileges granted by the Emperor to the Maltese were to be respected. In response to one such abuse, on 1 May 1536, the

¹⁵⁰ NLM, Univ. 202, f. 66, (11.ii.1562).

¹⁵¹ NLM, Univ. 13, f. 124v, (26.xi. 1536).

Secretus of Sicily¹⁵² decreed that all those officials who abused of their offices were to pay a fine of one thousand florins.¹⁵³ A similar case of overcharging by Sicilian authorities is found in a letter dated 1542, wherein the *Secreti* of Agrigento, Licata and Heraclia were instructed by the *Secretus* of Sicily, Knight Julianus Corbera to stop charging Maltese seaman the fee of 1 *tari* duty when this should be charged at 5 *grani*.¹⁵⁴

It is evident from such documents that before supplies of wheat were shipped to Malta a decisive portion of the final cost price was already incurred before the wheat was even loaded on ships.¹⁵⁵ The cost price as bought from the Sicilian wheat merchants was often the cause of much worry for the Maltese representatives who sought to cut down costs to the minimum.¹⁵⁶ Apart from the above-mentioned expenses, other charges were incurred from the moment the wheat actually arrived in Malta to its consignment at the Mdina grain stores.¹⁵⁷ Wheat was measured by the officials in Birgu and a charge on every *salma*, known as *misuratura*, was paid.¹⁵⁸ Transport of wheat from Birgu to Mdina was subject to charge on every *salma* which was called the *portatura*. If it was transported further from Mdina, another extra charge was payable to porters (*bastasi*). Apart from other petty expenses, the *Università* also charged a fee on every *salma* of wheat. This was not fixed but depended on the current price of wheat.¹⁵⁹ The sale and distribution of wheat

¹⁵² At the time the *Secretus* was Nicola Pollastra.

¹⁵³ J. Del Amo García, S. Fiorini, G. Wettinger (eds.), *Documentary Sources of Maltese History, Part III Documents of the Maltese Universitàs, No. 1 Cathedral Museum, Mdina, Archivum Cathedralis Melitæ, Miscellanea 33: 1405-1452*, (Malta, 2001), Doc. 134.

¹⁵⁴ Del Amo Garcia et al, *Documentary Sources*, Doc. 136, see also Doc. 120.

¹⁵⁵ A good example providing a breakdown of the various expenses incurred in Sicily prior to shipment is found in a letter sent to the town council by the Consul of Licata, Leonardo Calava in 1556, NLM, Univ. 5, ff. 17-18, (10.x.1556).

¹⁵⁶ Anthony Vassallo noted that on 19 March 1575 about thirteen different expenses amounting to 25 *uncie* 26 *tari* 10 *grani* were incurred on a consignment of wheat. Vassallo, *Prices of Commodities*, 102 fn. 4.

¹⁵⁷ As regards transaction costs and productivity gains see, F. C. Lane, 'The Economic Consequences of Organized Violence', *Journal of Economic History*, 18, (1958), 401-417; see also D. C. North & R. B. Homas, *The Rise of the Western World: a new economic history*, (Cambridge, 1973), 164.

¹⁵⁸ Vassallo, *Prices of Commodities*, 103. It is not stated who the beneficiary of this income was.

¹⁵⁹ Vassallo, *Price of Commodities*, 103.

stored at Mdina was entrusted to the official wheat merchants¹⁶⁰ whose remuneration was called *eresimonia*, the latter amounting to two Maltese *mondelli* on every *salma* of Licata or approximately 5 kg on every 227 kg of Sicilian wheat sold. The annual remuneration of these merchants was calculated at 2.2% of the running selling price of a *salma* of wheat multiplied by the annual volume of wheat sold.¹⁶¹

3.8 The Order's Receiver in Sicily and the export of cereals

The establishment of the Knights in Malta necessitated a re-organization of how revenues from their European priories reached the Common Treasury in Malta. As has already been mentioned, Giuffrida states that once the Knights settled in Malta, Sicily became the main financial centre of the Order since all revenues incoming from the European priories were directed to the Sicilian priory. Furthermore, the Order's Receiver¹⁶² in Sicily was delegated with the huge responsibility of making sure that all these cash inflows were transferred securely to the Common Treasury in Malta.

The person chosen to fill in this post also enjoyed special privileges since not only was he often appointed as the Order's procurator in Sicily, but even had the right to select and appoint additional procurators to help him in his duties. Furthermore, since Sicily was also Malta's main grain supplier, his responsibilities also oscillated between having to keep good relations with the Viceroy and assure the continuation of the granting of special *tratte*, to logistically supporting the Order's fleet. The Receiver was also responsible for overseeing to the smooth export of all of the island's necessities, and when the need arose, to act as the appointed legal representative in court

¹⁶⁰ These were also responsible for selling local grain and rice.

¹⁶¹ Vassallo, *Prices of Commodities*, 105-6.

¹⁶² Until 1357 responsions were paid to the Priors. However, the Chapter General held in Rhodes during that year decreed that in each priory must have commanders holding the title of Receivers responsible for the collection and eventual transfer of these responsions to the Common Treasury. Through this reform the Grand Master ensured stricter financial, administrative and political control. Giuffrida, *La Sicilia e l'Ordine*, 22.

cases concerning the Order.¹⁶³ Documents preserved at the Notarial Archives of Palermo shed light on the power delegated to the Order's appointed procurators with regard to the export of wheat and other victuals. Utilizing his good knowledge of the Sicilian market the procurator was accordingly authorised to:

In the name and on behalf of the said Holy Order endeavour to export from the said city of Licata and its wharfs all and every quantity of wheat, barley, wood, meat live and dead, cheese, *equicasea*,¹⁶⁴ wine and any other victual or other necessary goods for the said Holy Order and make receipt or receipts of these exports.¹⁶⁵

It stands to reason that it was essential for a person holding such a prestigious post to enjoy good relations with Sicilian authorities, especially those higher up in the hierarchy. Whenever the need arose, the Maltese town council would refer any problems related to the shipment of goods from Sicily to Malta to the Receiver. From extant correspondence exchanged between the Receiver and the Maltese *Università* it becomes immediately clear that most of the time the functions of the Sicilian Receiver overlapped with those of the Maltese Consul stationed there. This is because, as already noted, the Sicilian Receiver enjoyed good relations with Sicilian government officials and thus his intervention was often preferred to that of the Consul. In fact, the Receiver often used his influence to speed up shipments of cargo or to remedy any injustices which Maltese *patroni* might have suffered at the hands of Sicilian officials. Such was the case in February 1536, when *Fra.* Simone di Bonanno,¹⁶⁶ one of the Order's most trusted receivers and

¹⁶³ Giuffrida, *La Sicilia e L'Ordine*, 85. He was also commissioned to deliver the annual falcon due in respect of the donation, a ceremony registered through a notarial deed. Giuffrida, *La Sicilia e L'Ordine*, 85.

¹⁶⁴ This literally means horse-cheese. One of the most popular cheeses in Malta until the late 18th century was *cacio cavallo* which is documented as early as 1590. This word may possibly be referring to this type of soft cheese which is still very popular in Southern Italy. (Thanks are due to Liam Gauci for this information forwarded on 3 September 2010). See also S. Fiorini, *The 'Mandati' Documents at the Archives of the Mdina Cathedral, Malta 1473 -1539*, (Malta, 1992), lix, wherein *cascavalli* or *cacio cavallo* is described as large oblong cheeses produced in pairs.

¹⁶⁵ "*Nomine et pro parte dicte Sacre Religionis, extrahendum et extrahi petendum et faciendum ex dicta civitate Leocate et eius carricatorio omnia et singula frumenta, ordea, lignaminas, carnes vivas et mortuas, casea, equicasea, vino et alia quecumque*". Quoted from Giuffrida, *La Sicilia e L'Ordine*, 87

¹⁶⁶ The Sicilian *Fra.* Bonanno was a crucial link between the Malta and Sicily due to the high esteem which his family held with the Royal Crown. For a deeper insight into his life and work, especially the period when

procurators, presented a copy of the privileges enjoyed by the Maltese to the Sicilian Portulan and requested that the latter ordered the Vice-Portulan of Licata to stop hampering Maltese ships from loading their cargo.¹⁶⁷

As already noted, the Order's Receiver in Sicily was also responsible for signing the necessary receipts authorizing Maltese ships to load grain supplies and ship them to Malta, apart from providing the necessary bills of exchange to facilitate payments between Malta and Sicily. In this respect, the Receiver was aided by other procurators who functioned on two distinct levels. On the first level, there were those who were in charge of the shipment of grain from specific *caricatori*, and on the second level he appointed a procurator to supervise and be accountable for all the shipments of grain effected from the different *caricatori*. The latter was thus empowered to "*apocas extracionum omnium illorum frumentorum, ordeum et aliorum leguminum*"¹⁶⁸ (issue receipts for the export of all wheat, barley and other pulses). It is thus clear that although the role of the Order's Receiver in Sicily has not attracted local scholarly attention,¹⁶⁹ his role in various transactions, effecting the proper functioning of the Order in Malta, merits serious investigation. This is especially so since his post also dictated that he represented the Order in commercial litigations and other disputes. Consequently, any extant documentation relating to such litigations would broaden our perspective on how his office functioned and on the relations between Malta and the Sicilian *caricatori*.

he was Receiver of the Order between 14 August 1529 and September 1537, see Giuffrida, *La Sicilia e L'Ordine*, 26-31.

¹⁶⁷ NLM, Univ. 202, f. 1, (21.ii.1536).

¹⁶⁸ Giuffrida, *La Sicilia e L'Ordine*, 28.

¹⁶⁹ Apart from Giuffrida, some other Italian scholars have tackled themes concerning the administrative organization of the Order of St John in Sicily, see, Giuffrida, *La Sicilia e L'Ordine*, 21 fn. 2.

3.9 The Miller and the Baker

The work of the millers was a labour cost which was essentially tied to the cost of bread and biscuit.¹⁷⁰ Each of the three cereals carried a different price for its grinding, wheat being the most expensive, and meslin placed mid-way between wheat and barley.¹⁷¹ Prices demanded by the millers were to be in accordance with those issued sporadically by the town-council, though it is not clear on which criteria these prices were established.¹⁷² Regulation of such prices by the town council ensured that millers did not demand excessive prices for their services which then would be loaded on the price of bread. In his analysis of grinding prices, Vassallo shows that these tended to fluctuate just like the price of the commodity itself, therefore suggesting a strong link between the labour cost of the miller and the general price trend of grain.¹⁷³

During the sixteenth century, people from all strata of society consumed bread in its various forms since it was an integral part of everyone's diet. Its different forms were also representative of social inequalities. Consequently, while the rich consumed white bread, both a rarity and a luxury,¹⁷⁴ those coming from the lower echelons of society ate bread made from inferior flour or from barley and rye. Similar to European countries the price of bread in Malta was kept quite stable throughout the sixteenth century. It was the weight of the individual loaf which varied according to prevailing prices, which, in turn, very much depended on the availability of the

¹⁷⁰ Biscuit was the main food on ships. It was flat bread that was baked twice for longer keeping. It was considered a provision of war and was prepared in the Order's bakeries. The Knights had large stores for provisions and munitions in Messina, Syracuse, and Augusta in Sicily.

¹⁷¹ Vassallo, *Prices of Commodities*, Table XVIII, 114.

¹⁷² Refer to NLM, Univ.13, ff. 377-379, (28.ix.1562), wherein the price list issued by the town council ordered millers to charge 4 *grani* per *rotolo* for wheat, 5 *grani* per *tumino* for meslin and 4 *grani per tumino* for barley.

¹⁷³ Vassallo, *Prices of Commodities*, 115.

¹⁷⁴ Braudel, *Civilization and Capitalism*, Vol. I, 137.

product. The authorities knew well that a rise in bread price often led to much agitation among the people.¹⁷⁵

As may be perceived from the following table, throughout most of the sixteenth century the local price for a loaf of bread stood at 2 *grani* for a small loaf and 4 *grani* for a bigger loaf. The decision on the weight of a loaf of bread was arrived at after a calculation of the *rotolos* of bread produced from one *tumulo* of wheat was compared to the current price of wheat.¹⁷⁶ The year 1591 is of particular interest since during this year, Europe experienced the great southern famine which resulted in general dearth of cereals. As may be noted, this phenomenon resulted in a sharp rise in price of bread.

Table 3.1 Prices and weight of bread in Malta during the sixteenth century.

| Date | Price Grani/Piccioli | Weight in Ounces | Type of Grain |
|------------------------------|-------------------------|------------------|---------------|
| December 1533 | 1.2 | - | Wheat |
| December 1533 ¹⁷⁷ | 1.00 | - | - |
| September 1534 | 1.00 | 15 | Wheat |
| September 1534 | 0.4 | 6 | Wheat |
| October 1535 | 2.00 | 18 | Wheat |
| October 1535 | 1.00 | 9 | Wheat |
| September 1538 | 2.00 | 12 | Wheat |
| September 1539 | 2.00 | 13 | Wheat |
| September 1562 | 2.00 | 12 | Wheat |
| September 1563 | - | 12 | Wheat |
| November 1565 | - | 15 | Wheat |
| September 1567 | 2.00 | 12 | Wheat |
| September 1568 | 2.00 | 12 | Wheat |
| September 1569 | 2.00 | 12 | Wheat |
| October 1569 | 2.00 | 10 | Wheat |
| September 1572 | 2.00 | 12 | Wheat |
| April 1573 | 2.00 | 12 | Wheat |
| September 1573 | 2.00 | 12 | Wheat |
| September 1575 | 2.00 | 12 | Wheat |
| October 1576 | 2.00 | 10 | Wheat |

¹⁷⁵R. Cancila, *Il Pane e La Politica, La Rivolta Palermitana del 1560*, (Naples, 1999), Braudel, *Civilization and Capitalism*, Vol. I, 43; H. G. Koenigsberger, G. L. Mosse, & G. Q. Bowler, *Europe in the Sixteenth Century, A General History of Europe*, (London & New York, 1989), 41-43.

¹⁷⁶Vassallo, *Prices of Commodities*, 117.

¹⁷⁷Source: NLM, Univ. 13, f. 62v, (20.xii.1533).

| | | | |
|----------------|------|------|------------------|
| September 1577 | 2.00 | 9 | Wheat |
| June 1578 | 2.00 | 10 | Wheat (Maltese) |
| Dec 1578 | 2.00 | 10 | Wheat |
| April 1579 | 2.00 | 12 | Wheat |
| January 1580 | 2.00 | 9 | Wheat |
| November 1580 | 2.00 | 10 | Wheat |
| November 1584 | 2.00 | 10 | Wheat |
| September 1585 | 2.00 | 10 | Wheat |
| September 1587 | 2.00 | 11 | Wheat |
| December 1587 | - | 12 | Wheat |
| September 1588 | 2.00 | 11 | Wheat |
| September 1589 | 2.00 | 10 | Wheat |
| September 1590 | 2.00 | 10 | Wheat |
| September 1591 | 2.00 | 10 | Wheat |
| December 1591 | 4.00 | 8.5 | Wheat |
| December 1591 | 5.00 | 9.5 | Wheat |
| December 1591 | 8.00 | 16.5 | Wheat |
| September 1592 | 2.00 | 10 | Barley |
| September 1592 | 4.00 | 14 | Wheat |
| January 1595 | 2.00 | 7 | Wheat |
| January 1595 | 4.00 | 14 | Wheat |
| March 1595 | 4.00 | 14 | Wheat |
| August 1595 | 2.00 | 10 | Wheat |
| September 1596 | 2.00 | 10 | Wheat |
| July 1596 | 2.00 | 10 | Wheat |
| November 1596 | 2.00 | 8 | Wheat (Sicilian) |
| November 1596 | 2.00 | 12 | Wheat (Maltese) |
| September 1597 | 2.00 | 12 | Wheat (Sicilian) |
| September 1597 | 2.00 | 12 | Wheat (Maltese) |
| May 1599 | 2.00 | 12 | Wheat (Maltese) |
| August 1599 | 2.00 | 12.5 | Wheat (Maltese) |
| December 1599 | 2.00 | 11 | Wheat (Sicilian) |

Source: Vassallo, *Prices of Commodities*, 211-213.

Bakers were often warned to produce only bread of the official weight. This was stated in various proclamations, among which was one issued by the *Università* of Birgu in 1536 which declared that, “no baker or any other person may sell or dare to bake bread of lesser weight than that established by the *jurats* under a penalty of fifteen *carlini*¹⁷⁸ and the bread will be distributed

¹⁷⁸ Equivalent to 7 *tari* 10 *grani*.

to the poor as per orders given by the *jurats*".¹⁷⁹ Furthermore the *bando* stated that no tavern keeper should dare to sell from his shop bread of a lighter weight.¹⁸⁰ In a price list of commodities dated 1562, it was declared that a loaf of bread weighing 12 ounces had to be sold at 2 *grani*.¹⁸¹ For comparative purposes, following are some other commodities which were listed together with the price of bread in this list.¹⁸²

Table 3.2 Pandetta or price list of various commodities issued in 1562.¹⁸³

| Commodity | Weight / Quantity | Value [Price?] |
|--|---------------------------|-------------------------|
| Bread | 12 ounce loaf | 2 grani |
| Eggs | One dozen | 10 grani ¹⁸⁴ |
| Beef – Ox (<i>La carni di bovi</i>) | One rotolo ¹⁸⁵ | 10 grani |
| Beef - Cow (<i>La carni dela vacca</i>) | One rotolo | 9 grani |
| Veal - up to one year old Calf (<i>Vitella di uno anno infra</i>) | One rotolo | 15 grani |
| Veal 12-18 month old calf (<i>Vitella di uno anno in sus</i>) | One rotolo | 14 grani |
| Beef- Heifer (<i>la carne de lo genicza</i>) | One rotolo | 13 grani |
| Mutton - ram castrated (<i>lo castratu</i>) | One rotolo | 13 grani |
| Mutton – ram (<i>La carne di muntuni</i>) | One rotolo | 12 grani |
| Lamb (<i>la carne del agnello</i>) | One rotolo | 12 grani |
| Meat – female kid (<i>La carne del agnelastra</i>) | One rotolo | 12 grani |
| Lamb – weaned (<i>La carne del angello smamato</i>) | One rotolo | 12 grani |
| Meat - She Goat (<i>La carne della capra</i>) | One rotolo | 15 grani |
| Meat – Ewe | One rotolo | 6 grani |

¹⁷⁹ "Che alcuno fornaro o altro persona che sia posit vendir o sia ardito far lo pane manco de lo pezo che sira ordinate per li dicti S[igno]ri jurati soto pena di carlini xv et lo pani sera distribuito ali poveri per ordinationi de li s[igno]ri jurati." NAV, MCC, Reg. AO, Vol. 1, ff. 46-47, (4.ix.1536).

¹⁸⁰ "Che nulla tavernaro sia ardito di vendere in sua taverna panis che non sia de justo pezo", NAM, MCC, Reg. AO, Vol. 1, ff. 46-47, (4.ix.1536).

¹⁸¹ NLM, Univ.13, ff. 377-379, (28.ix.1562).

¹⁸² NLM, Univ.13, f. 377-379, (28.ix.1562).

¹⁸³ The original listing is reproduced in brackets so as not to diminish the significance of the items.

Translation of these commodities is taken from Vassallo, *Prices of Commodities*, 217-218.

¹⁸⁴ 6 *dinari* or *piccoli* being equivalent to 1 *grano*. Thus one egg cost 5 *dinari* or *piccoli*.

¹⁸⁵ One *rotolo* being equivalent to 0.7934 kg, Vassallo, *Prices of Commodities*, 21.

| | | |
|--|----------------------------|----------|
| Fish (<i>Scorchia</i>) | One rotolo | 10 grani |
| Fish – Yellow spotted eels (<i>Murini</i>) | One rotolo | 8 grani |
| Fish (Bestuni) | One rotolo | 6 grani |
| Cheese (<i>muxo di Sicilia</i>) | One rotolo | 11 grani |
| Cheese (<i>Stagnato di Sicilia</i>) | One rotolo | 23 grani |
| Cheese (<i>Stagnato de Malta</i>) | One piece (<i>pezia</i>) | 3 grani |

Source: NLM, Univ.13, ff. 377-379, (28.ix.1562).

Licensed bakers were allowed different quantities of wheat with which to produce bread and each loaf had to be stamped by the appointed official of the *Università*. By way of this procedure, the amount of bread produced was calculated with that of the given quantity of wheat. If there resulted a surplus in the wheat supplied to the baker, he was advised that he still owed that extra amount.¹⁸⁶

The tight control placed over the grinding of wheat and baking bread was put in place to assure the strict regulation of these commercial activities for the benefit of the authorities who sought to regulate the consumption of cereals. Through such measures the *Università* not only made sure that it was in full control over a vital necessity commodity such as wheat, but also made sure that any old surplus stocks would be utilized without going to waste to the detriment of the council's coffers and to retain public peace.¹⁸⁷ Heavy penalties were in force for those who dared contravene official orders.

In fact, in 1568, Grand Master de Valette instructed the *Università* of Mdina to issue a bando which prohibited the sale of any type of wheat, barley or meslin from that year's crop, and to warn bakers and grinders that this proclamation included also their activities. In case anyone was caught breaking this law, heavy penalties were in force, among which were the confiscation of

¹⁸⁶ An excellent example is found in NLM, Univ. 201, *Primo Conto mandato dal Signor Commendator del Grano*. Unfortunately it is not dated but bound in between documents dated 1545. It consists of a booklet containing a list of bakers, the amount of wheat they were supplied, the number of loaves of bread they produced annually and the surplus of wheat which was owed to the *Università*.

¹⁸⁷ In 1577 the Birgu *Università* distributed 400 *salme* of old wheat to all bakers to be used prior to newer supplies. Vassallo, *Prices of Commodities*, 119 fn. 2 & 3.

the produce, and also the confiscation of the mill and donkey used for grinding. The *Università* were reminded of their duty to check that such law was enforced and adhered to, and those persons who supplied the authorities with information regarding such breaches were to be allowed half of the confiscated produce while their name was kept secret.¹⁸⁸ This proclamation did not stipulate the reason for such a law to be enforced, however, most probably, the island's granaries contained a substantial surplus of grain from the previous year's harvest and therefore the authorities wanted to get rid of this supply before it rotted.

The Order's presence, which also served as a pull factor to merchants and sailors from neighbouring countries, created heavy demand for wheat and its final products, bread and biscuit. Consequently, the need for the services of bakers and millers also increased. It was not unusual for foreign bakers to set up their business in Birgu and employ foreign staff. Such was the case with Ambrosio Tradeno from Trapani who set up a bakery in Birgu and hired the services of the Genoese baker Thomasius Scala, so that the latter may work "*in eius furno*" (in his bakery) for one continuous year for the salary of 1 *scudo* per month.¹⁸⁹

Orders for supplies were also commissioned to bakers who operated outside the islands. An agreement which supports this claim is that entered into between *Fra. Simone de Bonanno*, the Order's Receiver in Sicily, and four Sicilian bakers stationed in the city of Palermo. The latter sold to the said *Fra. Bonanno* a total of 400 *cantari* (32,000 kg) of biscuit bread which were "*bene cocti, asciupti, bene condizionati*"¹⁹⁰ for the price of 13 *tari* 5 *grani* per *cantaro*. An interesting aspect of this contract is how certain clauses shed light on the ever-oscillating price of wheat and other difficulties connected to the supply of biscuit necessary for the Order's fleet. Anticipating such difficulties, *Fra. Simone* agreed to reimburse any expenses which the bakers might incur in future should there be an increase in the tax on flour. It is also stipulated that, should they be

¹⁸⁸ NLM, Univ. 5, f. 5, (19.vi.1568).

¹⁸⁹ NAV, Notary Matteo Briffa, R 91/3, ff. 126v -127v, (16.ix.1568).

¹⁹⁰ "Well-cooked, dry and in good condition", Giuffrida, *La Sicilia e L'Ordine*, 89-90.

forced by the *Università* of Palermo or by the Royal Court to work for them instead, *Fra*. Simone promised to intervene on their behalf, and the bakers, in their turn, agreed to reimburse a deposit of 80 *uncie* which *Fra*. Bonanno had made in respect of this contract should negotiations to this effect prove unsuccessful and they were not in a position to honour the agreement.¹⁹¹

3.10 Risks, contraventions and litigations

Since Antiquity, the sea loan had been the only means of transferring risks in maritime transport from the shipper to another person.¹⁹² By the late middle ages however, mainly thanks to innovations by Italian merchants, marine insurance gradually replaced this type of agreement.¹⁹³ In this way travelling and sedentary merchants were trying to protect themselves as best as they could against pirates and other perils of the sea.¹⁹⁴ Since by the fifteenth century marine insurance was securely established, contracts adopted a rather stereotyped wording of the policies, and the terms only varied when the needs of contractors demanded specific clauses or additional provisions. Such insurance contracts,¹⁹⁵ usually categorized as *Securitas*¹⁹⁶ by the notary, were also the means by which the *Università* sought to minimize the risks. In an official correspondence addressed to the Vice Portulan of Licata dated 1531, the town council promised to provide surety to a ship owed by a Maltese *patrone* which was at the time anchored in Licata,

¹⁹¹ Giuffrida, *La Sicilia e L'Ordine*, 89-90.

¹⁹² F. E. de Roover, 'Early Examples of Marine Insurance', *The Journal of Economic History*, Vol. 5, No. 2 (1945), 172-200, 175.

¹⁹³ The big insurance centre was Venice, even for ships or cargoes that never touched at that port. de Roover, *The Rise and Decline of The Medici Bank*, 151.

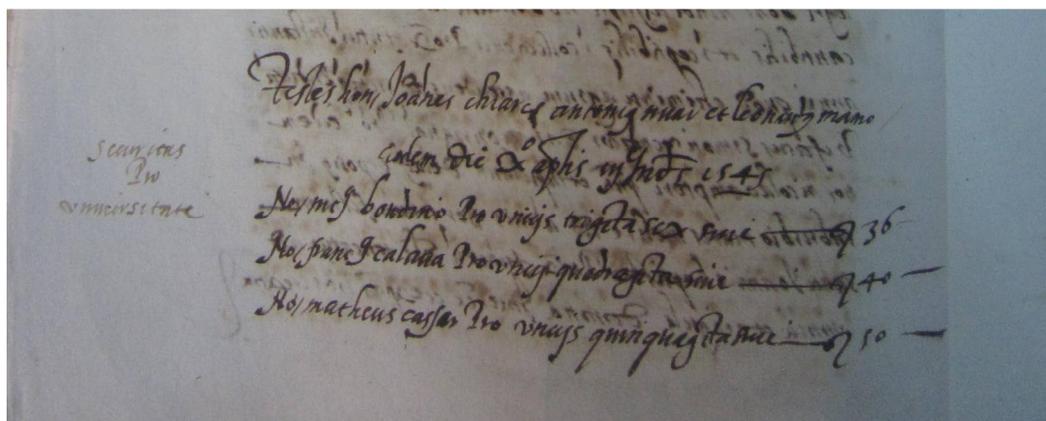
¹⁹⁴ Lopez & Raymond, *Medieval Trade*, 255. Refer to NLM, Univ. 202, f. 76, (2.xii.1562) wherein it is stated that a shipload of 160 *salme* of wheat from Licata was wet and in bad condition due to the rough weather.

¹⁹⁵ From available documentation one may discern that various established merchants acted as insurers. Abela, *Port Activities*, 92-93.

¹⁹⁶ According to Tenenti, it was only the increasing involvement of notaries in drawing up deeds of this nature which led to the categorization of insurance contracts as *Noli e sicurtà*, starting from 1563. Prior to this date Ragusan notaries listed them under 'miscellaneous' acts. A. Tenenti & B. Tenenti, *Il Prezzo del rischio: l'assicurazione mediterranea vista da Ragusa, 1563-1591*, (Rome, 1985), 93. However, this does not seem to be the case in Malta since various insurance documents prior to 1563 were already being grouped under *securitates*. Refer to NAV, R 202/1, f. 7v, (4.iv.1536), R 202/1, f. 87, (5.viii.1536), R 202/1, Part II, f. 13, (15.ix.1536).

and laden with wheat waiting to be shipped to Malta. They further confirmed that the ship, described here as a *fusta*, was to be *ad securitate et melioribus modo quo possunt*.¹⁹⁷

Fig 3.6 Insurance contract entered into by the *Università* of Mdina with respect to a consignment of wheat from Licata.



Source: NAV, R 376/11, ff. 652v-654v, (10.iv.1545)

At any rate, the loss of capital for the *Università* in such overseas ventures was of course a serious affair, since the *Università* operated with the capital of various investors. Practical and effective measures were taken in order to avoid losing a ship and its cargo due to a mishap, one of these measures being the way in which they distributed the collected capital to various *patroni* in order to spread the risks. A typical example of an insurance contract is an act dated 10 April 1545 which covers a round trip voyage (*de intrata et de uxita*) of a ship of the Order commissioned by the *Università* to supply the island with 426 *uncie* worth of wheat from Licata. The very first lines of the contract list the names of the insurers and the guaranteed capital (Fig. 3.6). Unfortunately, the insurer's premium is not stated. An extract from the contract reads as follows:

¹⁹⁷ Was to be insured in the best possible way. NLM, Univ. 13, ff. 40-40v. (25.ix.1531). As regards insurance contracts drawn up in Malta during the period under study refer to Abela, *Port Activities*, 88-95.

| | |
|--|--|
| <p><i>[...]De intrata supra uncijs quatuorcentis viginti sex po[onderis] ge[neralis] consignatis no[bilis] scibbe navis seu barchie sacre religionis Sancti Jo[h]anis Hierosolimitani nominates S[ancta] Maria capitanzata per Rev[eren]dum Fratrem [...] seu per alias quo suis ad opus illas unice 426 apportandi ad caricatorium civitatis leucati et riscium incipiat et incipit debeat ex illa hora qua dicta barchia cum dictas pecunijs discedet a portu huius insule et durat et durare debeat donec et quousque dicta barchia una cum dictis pecunijs [?] a bono salvamento in dicto caricatorio leucatis et dicte pecunie posite fuerint in terra a bono salvamento de uxita super tanta quantitate frumenti ementi ex dictis uncia 426 ut che assecuratis et totum riscium curret et curret debeat ex hora qua dicti frumenta incipient onerati supradicta [?] barchia et durat et durare debeat ibi stando onerando o disonerando et deinde cedendo cundi stando et navigando ad voluntatum capitanei seu aliorum quonominus donec et quousque dicta frumenta erunt exonerata in portum suburbij maris melite in terra ad bonum salvamentum [...] (sic).</i></p> | <p>[...]On the arrival of four hundred twenty six uncie good money consigned to the noble scribe of the ship of the Order of St John of Jerusalem named Holy Mary which is captained by Reverend Father [...] or any other person who is entrusted to deliver the said 426 uncie at the wharf of the city of Licata, and the risk starts and must start from the time that the said vessel with the said money leaves the port of this island and lasts and must last up to and until the said ship with the said money [arrives] safely in the said wharf of Licata and the said money is placed safely on land [at Licata]for the export of the same amount of wheat bought from the said sum of 426 uncie and that the insurers are responsible for any risks from the time that the said wheat is loaded on the above-mentioned [?] ship and lasts and is to last till it is loaded or unloaded and afterwards cede and navigate according to the wishes of the captain or any other person in his name until this wheat shall be safely unloaded in the port of Birgu in Malta [...].</p> |
|--|--|

Any claims forthcoming from the above insurance contract were to be honoured by the insurers within one month from the filing of the claim.¹⁹⁸ The latter time clause is interesting to note since, as I have demonstrated elsewhere, in the majority of insurance contracts pertaining to the same period, even those containing cargos of wheat,¹⁹⁹ the period allowed to the insurers for reimbursement of damages was generally documented as being four months from the time of the filing of the claim, and this according to the local custom.²⁰⁰

As has already been stated, investors reaped the fruit of their investment after all expenses were deduced and the wheat was distributed. However, not all investments were always

¹⁹⁸ NAV, R 376/11, f. 652v-654v, (10.iv.1545).

¹⁹⁹ NAV, R 202/1, ff. 18-18v, (18.iv.1536).

²⁰⁰ "In lo tempo solito et consueto di mesi quatuor" NAV, R 202/1, f. 8, (4.iv.1536). See Abela, *Port Activities*, 88-95.

fruitful. On 16 March 1548 the Grand Master and the town *jurats* issued a *bando* informing investors that due to unforeseen difficulties, the wheat which had to be loaded from the *caricatori* of Licata was not yet loaded.²⁰¹ Consequently all those who invested in this expedition were advised to declare their investment to the insurers, and if they were reluctant to risk, they could either retrieve half their investment or all of it from the office of the *jurats*. In the event that a claim was not filed by the investor, the *Università* would consider this act as a show of the investors' intention to continue with the business of importing wheat and this at their own risk, without prejudice to the *jurats*.²⁰²

Prior to setting out on a venture trip, *patroni* were always legally bound to shoulder any damages which may have resulted due to either carelessness from their part or else breach of contract. On 23 October 1531 *patronus* Fernando Vella was commissioned by the town council to go to Licata to load a consignment of wheat. The contract stipulated that, should there be any damages to the cargo of wheat, he was obliged to pay together with his partners Leonardis di Burdino and Bernardus Cassar, for these damages plus any other interests which might accumulate.²⁰³ On the same date, two other *patroni*, namely Juliano Bellye and Jurlando Grini, were accused of not honouring an agreement according to which they had to import the necessary wheat as commissioned by the town council of Mdina.²⁰⁴ Expenses for breach of contract could be quite hefty, as may be observed from a document which stated that Matheus Vella, who had been commissioned by the town council to load a cargo of wheat from Terranova, was obliged to pay 100 *uncie* should he default in supplying the wheat.²⁰⁵ Similarly, Johannes Mannara was

²⁰¹ It was not stipulated when it had to be loaded.

²⁰² NLM, Univ. 13, f. 250, (16.iii.1548).

²⁰³ NLM, Univ. 12, f. 42, (23.x.1531).

²⁰⁴ NLM, Univ. 12, f. 42, (23.x.1531).

²⁰⁵ NLM, Univ. 13, f. 62, (4.xii.1533).

commissioned to import 6 *salme* of wheat, and was tied to the payment of a penalty of 2 *uncie* payable to the fiscal officer should he default.²⁰⁶

Contracts were not always honoured, and various accusations were made in respect of breach of agreements. Litigations also arose over various unforeseen or unexpected expenses not agreed to beforehand by both parties. Such was the case between Nicola Dello Re from Rabat and *jurat* Gregorio Xerri. Nicola declared that he had shipped 250 *salme* of wheat from Licata to Malta on Bartolomeo Xarricato's ship. Furthermore, he stated that the *jurats* expected him to pay 2 *tari* *per salma* as tax²⁰⁷ on the same consignment. Dello Re was contesting this since he claimed that he was not obliged to pay it according to the agreement done with Gregorio Xerri.²⁰⁸

In a case presented at the *Magna Curia Castellania*,²⁰⁹ Giovanpaolo Ros claimed that the *jurats*²¹⁰ of Birgu owed him the sum of 3 *uncie* 17 *tari*, which were due to him in respect of expenses incurred following a consignment of wheat from Licata to Malta. Giovanpaolo explained that he had repeatedly asked them to effect payment but to no avail. As a last measure, he was thus requesting the intervention of the court to help him recuperate the said sum.

Another case which once again concerns the *jurats*²¹¹ of Birgu is that wherein Paolo Canizaro appointed Alessandro de Randazo to act as his procurator and recover a sum of 300 *scudi* due to him in respect of a consignment of wheat, which had been imported on the ship of Knight

²⁰⁶ NLM, Univ. 13, f. 67v, (10.iv.1534).

²⁰⁷ The taxing of cereals offered a reliable source of income to the government's coffers and ensured that it covered various expenses incurred when undertaking works in respect of the upkeep of fortifications and the maintenance of soldiers. NLM, Univ. 13, ff. 307-308v, (13.viii.1552), '*... che al presente non havemo ni de poter pagar dicti soldati che sia facta una taxa supra li frumenti de Sicilia...*', (since at present we are not in a position to pay the said soldiers let it be that a tax on Sicilian wheat is imposed), NLM, Univ. 201, n.f., (20.vi.1560). See also A. Hoppen, 'Military Priorities and Social Realities in the Early Modern Mediterranean: Malta and its Fortifications', in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 399-428, 402.

²⁰⁸ NAV, MS 778/1, ff. 19-20, (28.ix.1547). The plea did not mention what kind of tax the importer was expected to pay.

²⁰⁹ NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1. ff. 83-83v, (9.vi.1564).

²¹⁰ The *jurats* who were notified of this claim were Giacomo Caloriti, Giovanni Domenico de Franchiscus Bartolomeo Habella and Giacomo Chilia. NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1. f. 83v, (22.vi.1564).

²¹¹ In this case these were Ludovico Casata, Pietro Ros, Antonio Abela and Narducio Cassar. NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1. f. 36, (8.iii.1564).

Romegas.²¹² Alessandro stated that after distributing the wheat, he requested to be paid; however the *jurats*, who were under the obligation of effecting payment to his credit, insisted that on orders issued by the Grand Master, the money intended to be used to buy wheat had been allocated for the upkeep of the fortifications of the city. A disappointed Alessandro stated that the *jurats* had instructed him to wait until they collected money from taxes.²¹³ By now a substantial amount of time had passed from this incident and he had still not been paid. Alessandro explained how some of the other partners who were with him on this deal were by now either dead or left destitute due to this bad investment, since they had incurred a lot of expenses and interest. Alessandro insisted that he was convinced that the authorities would never fortify the city '[...]a spesi et con dinari d'altri maxime di mercanti[...]',²¹⁴ thus he was pleading for justice so that he may return home to Terranova and praise the righteousness of the Maltese court. He was given a chance to do so on 21 March 1564, when the court decreed that the *jurats* had to effect payment within eight days from that date or else they would be jailed.²¹⁵

The strict supervision of the local authorities on the local grain trade may be perceived through the issue of various *bandi* regulating the trade. On 17 October 1537 distributors of wheat were reminded that they needed an official licence from the *Università* of Mdina (*la licentia con la polisa deli dicti Signori jurati*) in order to carry out their trade;²¹⁶ while on 15 November 1538 the town council demanded a fine of 2 *uncie* from anyone who sold wheat in the villages without first

²¹² NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1. ff. 36-39, (8.iii.1564). Romegas was one of the most renowned Hospitaller corsairs. For more published sources regarding his life and achievements see Bosio, *Dell'Istoria della Sacra Religione*, Vol. III, 389,838,847; Dal Pozzo, *Historia Della Sacra Religione*, 146; E. Rossi, *Storia della Marina dell'Ordine di San Giovanni di Gerusalemme*, (Rome, Milan, 1926), 44, 51; U. Mori Ubaldini, *La Marina del Sovrano Ordine Militare di San Giovanni di Gerusalemme di Rodi e di Malta*, (Rome, 1971), *passim*; Bono, 'Naval Exploits', 356, 359,390. The latest work published is a biography by C. Testa, *Romegas*, (Malta, 2002); see also Abela, *A Window on Early Hospitaller Malta*, 62 65.

²¹³ It was not specified to which taxes they were referring.

²¹⁴ At the expense of the merchants. NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1. f. 38v, (20.iii.1564).

²¹⁵ NAM, MCC, 'Cedulae Supplicae et Taxationes', Vol. 1, f. 39, (21.iii.1564).

²¹⁶ NLM, Univ. 13, (17.x.1537), f. 151v, on the same subject issued by the Birgu *jurats* see NAM, MCC, Reg. AO, Vol. 1, f. 21, (11.iii.1536).

taking it to the city.²¹⁷ In yet another *bando* issued by the Grand Master and the Castellan of Birgu on instructions of the Mdina Viceportulan in March 1536, it was proclaimed that all wheat imported from Sicily had to be covered by a licence issued by the Mdina *Università* under pain of being fined 50 *uncie* payable to the fiscal officer, and another 5 *uncie* divided between the Castellan and the Vice-Portulan of Mdina. The merchant also had to pay *tratte* and any expenses and interests accrued from this contravention plus any other fines which the Grand Master might choose to impose. Finally this proclamation decreed that no person was allowed to sell any wheat to foreigners. Those in possession of wheat produce were reminded that they had to go with the said commodity to the office of the *jurats* for the wheat to be weighed accordingly prior to any other business activity taking place.²¹⁸ On 19 March 1536 a *bando* stated that no one could sell wheat for more than 4 *carlini per tumino* on pain of being fined 1 *uncia ponderis* payable to the *marammero* of the city and eventual confiscation of the wheat.²¹⁹ Such documents reflect the consistent involvement of both *Università* in trying to control the grain trade from the two main administrative centres of the island.

A difficult question to answer is whether all duty-free wheat supplies were actually used for the island's necessities. As already noted, this issue was one which deeply concerned Sicilian authorities since they suspected that part of these supplies were smuggled instead of being utilized for the benefit of the population. The eventual commissioning in 1590 of Del Quadro to investigate such misappropriation does not seem to have shed light on this matter. In fact, Del Quadro's report was quite detailed on the production and consumption of cereals. However, he did not tackle the issue of illicit trading in grain. On the contrary, in his report he projected a picture wherein the island was not sufficiently supplied for its daily needs, let alone to use these *tratte* for economic gain. It is possible that Del Quadro could not establish the validity or otherwise

²¹⁷ NLM, Univ. 13, f. 171v, (15.xi.1538).

²¹⁸ NAM, MCC, AO, Vol. 1, ff. 20v-21, (11.iii.1536).

²¹⁹ NLM, Univ. 13, (19.iii.1536).

of such rumours. Sicilian authorities were quite rigorous in requesting that Maltese vessels produce evidence which confirmed that any tax free grain supplies which were granted were truly intended for Malta.

Some interesting information which, although compiled much earlier than Del Quadro's report, might shed light on situations which could have served as a basis for similar rumours relating to the illegal use of tax free concessions is found in the form of instructions given to the Treasurer in Tripoli as regards a consignment of wheat to the North African fortress in 1544.²²⁰ In these instructions it was noted that the amount of wheat to be exported from Malta to Tripoli amounted to two thousand four hundred and fifty eight Maltese *salme*. This cargo was to be shipped on six *grippi* belonging to the Maltese *patroni* Brayto Burlo, Antonio di Messina,²²¹ Nardo Falson, Alfonso Habell and Luis Habell. The Treasurer was instructed to keep enough supplies from this consignment which could supply the fortress for six months. What is highly interesting is the mention of how he had to dispose of any "extra" supplies. Accordingly the instructions read that these supplies were to be sold at an advantageous price to the Moors who had to pay in good money. Furthermore it was decreed that should slaves be given instead of money as payment for the wheat, these were to be bought on behalf of the Common Treasury. The Treasurer in Tripoli was also warned to strike the best deal possible with the Muslims and if the latter, "*vi vorranno caricar tropo li precij de dettj negri*",²²² he should on his part ask for a higher price for the wheat. All income derived from this sale was to be placed in a box which was to be locked with two keys. Nobody could sell wheat outside the Castle except that sold on behalf of the Order which had to be registered at the customs office as well.

On the return trip, having sold all or most of this wheat in cash or in exchange of slaves, the Treasurer had to make sure that no more than 300 or 400 *salma* were left as surplus.

²²⁰ NLM, AOM, Lib. Bull. 418, ff. 229v-230v, (17.x.1544).

²²¹ Antonio de Messina was also a jurat of the Birgu *Università* and had two *grippi* taking part in this expedition.

²²² "Ask for exorbitant prices for these 'black slaves'"

Considering that on 17 February 1565 the Knights had to write to both the Portulan of Sicily and the Vice-Portulan of Syracuse to assure them that 100 *salma* of wheat had been loaded on their galleys for their use only “*et non ad altro effetto*”, the sale of greater quantities of wheat to Muslims would surely have disturbed the Sicilian authorities.²²³ The examination of such documentation does indeed pose a question of whether all the duty-free wheat conceded by the Sicilian Kingdom to supply a supposedly ‘hungry and barren island’ was in actual fact being utilized for its original purpose or, when the chance arose, parts of the supplies were traded for financial gain.

Another interesting document which sheds light on the probable clandestine re-export of duty-free imported grain is a joint proclamation released in 1536 by the Grand Master, the Castellan of Birgu and the Vice-Portulan of Notabile (Mdina).²²⁴ The document states thus:

| | |
|--|--|
| <p><i>Che nexuna persona de qualsivoglia stato grado et conditione sia au[tor]izato et p[re]sumi ex dicta insula meliveti extrahir per altro loco frumento orgi ligumi et altri victuaglia che se extrahirano de lo regno de Sicilia ad nome de la Università et qualo que sara lo contrario sia in pena di unci cinquanta alo fisco et unci cinquam per mediatate al dicto S[ign]or Castellano et sua corte et per alia medietate al dicto vice portulano e de pagar la tracta e tutti danni et interssi de tali frumenti et victuaglia et altra pena bene iusta reservata ala volunta de Mon[sign]or R[everendissi]mo.</i></p> <p><i>Et similmenti che nexuna p[er]sona di qualsivoglia grado stato conditione sia au[tor]izato nec p[re]suma de li frume[n]ti venino ex regno sicilia ad opus bisogno et suburation de li citadini de dicta insula che vinda e p[re]suma vindiri a p[er]sona extranea qui [con]tranvinera sia i[n] pena [?]</i></p> | <p>That no person of any state, grade or condition is authorized to export from this island of Malta to another place, wheat, barley, pulses or other victuals, which are exported from the Kingdom of Sicily on behalf of the <i>Università</i>, and if there is such an infringement he is obliged to pay a fine of 50 <i>uncie</i> payable to the fiscal office and five <i>uncie</i>, half of which are payable to the Castellan and the other half to the Vice-Portulan, and to pay the export licence and all damages and interests derived from this wheat and victuals and other penalties which are justly reserved to the discretion of the Grand Master.</p> <p>And similarly that no person of any grade, state or condition is authorized to sell to foreigners wheat which is imported from the Kingdom of Sicily for the benefit and well-being of the citizens of this island on pain of being fined [?]</p> |
|--|--|

²²³ NLM, AOM, Lib. Bull.427, (17.ii.1565). It was agreed that these were to be deducted from the *tratte*.

²²⁴ NAM, MCC, AO, Vol. 1, f. 21, (11.iii.1536).

In the light of the above-mentioned *bando*, it is interesting to note the following contract entered into between Knight Bonifacius Baiulino and the *patrone* of a new galley which was to be armed for a corsairing expedition in 1530. In this agreement among other things it was stipulated that the *patrone* was to receive 1,000 gold *scudi*²²⁵ worth of wheat and other goods necessary for provisioning the said galley.²²⁶ This was quite a significant amount of money which translated itself into a considerable amount of wheat and victuals. Was this amount truly targeted at provisioning the galley,²²⁷ or were there ulterior motives of a commercial twist veiled in this agreement wherein the *patroni* of galleys leased their ships and entered into agreements with members of the Order, thus combining economic motivation with military factors?

3.11 Income derived from wheat and the upkeep of fortifications

The inelastic demand for cereals proved a significant and reliable way of revenue collection everywhere in Europe, and Malta was no exception. Income derived from these taxes ensured that various expenses incurred when undertaking works in respect of the upkeep of fortifications and the maintenance of soldiers were secured. In times of great scarcity, the income from this tax was also used to subsidize the high prices of Sicilian wheat, especially when purchasing grains for the benefit of the poor.²²⁸

In the event of a general crisis, wherein both Sicilian and local wheat yields were drastically low, the *Università* had to resort to the taxing of real estate. Such was the case in 1556 when a tax of 5 *grani* on every *uncia* was imposed on “*li beni stabili*” (immoveable property). Terms of payment for these dues were also stipulated and it was resolved that half of this tax was to be paid by the coming Easter, while the other half was to follow by the following Easter. Those

²²⁵ Approximately 400 *uncia* or 12,000 *tari*'s worth.

²²⁶ NAV, R 439/1, ff. 5-14v, (9.xi.1530).

²²⁷ According to Guilmartin, “decks clogged with merchandise made a poor fighting platform”; J. F. Guilmartin, *Gunpowder & Galleys: Changing Technology & Mediterranean Warfare at Sea in the 16th Century*, (revised edition) (London, 2003), 46.

²²⁸ Vassallo, *Prices of Commodities*, 67.

who had an income below 10 *uncie* were ordered to give six days per year work in respect of the construction of the town walls.²²⁹ It is to be noted that the imposition of such taxes from a particular *Università* did not necessarily affect all the population, but was generally directed at collecting revenue from the villages which were subject to its jurisdiction.²³⁰ For example, between the period 1552-1585, the *Università* of Mdina imposed a tax on both local and Sicilian grain on at least ten different occasions chiefly directed at collecting revenue from Mdina, its suburb of Rabat and the four villages falling under its jurisdiction, namely Birkirkara, Siggiewi, Naxxar and Żebbug (Table 3.3).²³¹

As may be seen from the table below, even though Maltese wheat sold for much less than Sicilian wheat it carried the same tax rate as Sicilian wheat, which meant that tax was not calculated in proportion to the price of wheat but was blanket for all types. Barley was almost always taxed half the taxable amount of wheat, and meslin was approximately half-way between the other two cereals.

Table 3.3 Various taxes imposed on cereals by the *Università* of Mdina 1552-1588.

| Date | MALTESE In <i>tari/grani per salma</i> | | | SICILIAN In <i>tari/grani per salma</i> | |
|------------|---|------------------|------------------|--|--------|
| | Wheat | Meslin | Barley | Wheat | Barley |
| 13/08/1552 | <i>un tertio</i> ²³² | <i>un tertio</i> | <i>un tertio</i> | 2 | - |
| 15/03/1555 | - | - | - | 2 | 1 |
| 05/12/1557 | 2 | 1.1 | 1 | 2 | - |
| 21/09/1558 | 4 | 3 | 2 | 6 | 3 |
| 10/06/1563 | 2 | 1.1 | 1 | 2 | 1 |
| 14/05/1562 | 2 | 1.1 | 1 | 2 | - |
| 21/02/1570 | 1.1 | 1 | 0.15 | 1.1 | - |
| 04/10/1580 | 4 | 3.1 | 1.1 | 4 | - |
| 20/05/1582 | 6 | 4 | 2 | 6 | - |
| 19/06/1585 | 2 | 1.1 | 1 | 2 | - |

Source: Vassallo, *Prices of Commodities*, 69.

²²⁹ NLM, Univ. 201, n.f., (22.v.1556).

²³⁰ Vassallo, *Prices of Commodities*, 68.

²³¹ Vassallo, *Prices of Commodities*, 68.

²³² It is not clear whether this tax meant the payment of one-third the price of a *salma* of wheat or the payment of the price of the amount of cereal of a dry measure called the *tertio*. Although this specific measure is hard to come by in documents, it could be possible that it was one of the various sub-divisions of the *salma* and the *tumulo*. Vassallo, *Prices of Commodities*, 70.

The general phobia of a Turkish attack and the bad state of the islands' fortifications were the main justifications which were continuously exploited by the *Università* over and over again whenever it needed to impose additional taxes. Phrases such as “*si ha inteso com il turcho apparichia grandi armati in questo anno qualle mandari contra noj[...] la Università et povera et non ha modo de farsi fortificare*”²³³ were common enough in the minutes of the council meetings.²³⁴ The stable demand for cereals meant that any taxes imposed on this product generated a good return for the coffers of the town council from people coming from all strata of the population.

However, bread issues were a delicate matter which could provoke unwanted instability in the country. The *Università* thus sought to be careful in the manner in which it established new tax impositions, and almost on all occasions the threat of an imminent enemy attack, which at times was flavoured by the mention of the great number of Turkish ships reportedly on their way to lay waste to the island, was a convenient reason which seemed to subdue the population into accepting new taxes on essential commodities. All these claims found support in the fact that frequent *razzias* (Turkish raids) on Maltese coasts did take place and must have impinged heavily on the minds of the inhabitants.

A case in point was the *razzia* which took place in May 1551, which is recorded as being one of the worst attacks on the island of Gozo so much so that the island was literally depopulated.²³⁵ People faced a reality wherein the chance of becoming a slave was something they had to live with. Most probably everyone had a relation or a friend who could recount the terrible ordeal of becoming a slave, and the great financial burden imposed on those who wanted to acquire their freedom. Thus, any actions from the part of the ruling and administrative bodies which were intended to provide a “safer” home seem to have been tolerated.

²³³ (It is known that this year the Turk is building up large fleets which he intends to send against us [...] the *Università* is poor and does not have the means to fortify [the island]). NLM, Univ. 201. n.f., (4.v. 1556).

²³⁴ NLM, Univ. 201, n.f., (4.v.1556); see also Univ. 13, f. 131v, (28.ii.1537), Univ. 201, n.f. (15.iii.1555).

²³⁵ S. Fiorini, ‘The Resettlement of Gozo After 1551’, *Melita Historica*, Vol. IX, No. 3, (1986), 203- 235.

3.12 The capture of grain ships

According to Braudel, during times of great famine, “if all else failed, the last great resource was to turn to the sea, to watch out for grain ships, seize them, then to pay the party concerned for the cargo later”.²³⁶ Even in Malta’s case, in order to address problems of acute cereal shortages, the Order resorted to the seizure of grain ships²³⁷ of co-religionists, a situation which generated a lot of tension and litigations. Every time famine threatened, these cargo ships, either anchored at the Maltese harbour or out at sea, became potential targets and a potential quick fix for feeding the starving population. One such case was that of the ship “Bellina”, wherein the *Università* of Messina accused the two *Università* of Malta of illegally and forcefully unloading the ship’s cargo of wheat at the Maltese harbour to the detriment of the citizens of Messina.²³⁸ Although the Knights of the Order generally paid for seized cargos, they were renowned for their cruel behaviour during such attacks,²³⁹ which was often condemned and described as resembling that of the corsairs of Tripoli.²⁴⁰ The minutes of the Mdina town council meeting held on 27 December 1554 reported that “*perche nella insula havemo gran mancam[en]to de frumenti et al p[rese]n[t]i li galeri dela religionj sono andatj et si ret[rov]ano fora dela insula[...]*”.²⁴¹ They further stated that if the Order’s expedition was successful, any wheat which was made available up to a quantity of 4000 *salme*, would be purchased by the *Università* at their own risk, possibly meaning that they would pay for the expense incurred and would also deal with any legal issues arising

²³⁶ Braudel, *The Mediterranean*, Vol. I, 331.

²³⁷ See for example Dal Pozzo, *Historia della Sacra Religione*, 524, where the author makes reference to the mission given to the galleys of the Order to search for wheat in the Levant.

²³⁸ Vassallo, *Prices of Commodities*, 82.

²³⁹ Braudel, *The Mediterranean*, Vol. I, 331.

²⁴⁰ Braudel, *The Mediterranean*, Vol. I, 331.

²⁴¹ (Because the island is suffering from great scarcity of wheat at present the galleys of the Order have sailed out and are overseas [...]).

from the capture. In the event that the Viceroy conceded extra amounts of wheat from Sicily, the captured cargo would be sold.²⁴²

The year 1559 was yet another year which registered scarcity in the supply of wheat, and as was the practice in such instances, a cargo of wheat from Terranova was captured by the Knights. Afterwards, the Mdina *Università* excused its actions by stating that it took this decision since, “*questo popolo al presente in gran fami havemo deliberato detta navi di scaricare [...]*”.²⁴³ In the year 1562, which registered great scarcity of wheat, a chancery minute stipulated that a letter had been sent by the Order to the Portulan of Sicily and to the Vice Portulan of the *caricartorio* in Licata stating that in view of the great shortage of wheat which existed on the island, the Knights had ordered the unloading of 300 salme of wheat from the ship of *Hon. Giovan di Giovanni* and *Martino di Trapani*.²⁴⁴ Such moves reflect how the Knights were quick to justify their actions in the eyes of Sicilian authorities, since, as has already been noted, Sicily was the country’s main trading link and its granary. Difficult relations with this island would surely impede the easy flow of trade and place Malta in a critical situation. From the above-quoted documentation it is also evident that in times when the Hospitaller government faced great difficulties in provisioning the island, the town council of Mdina supported the Knights in their endeavours to acquire, in all possible ways, the necessary grain, contributing to both economic and political stability of the island.

²⁴² NLM, Univ. 201, n.f., (27.xii.1554). Presumably this would be done since if the Viceroy had conceded the amounts requested it would have been a problem to store great quantities of wheat, apart from the possibility that the wheat could rot.

²⁴³ (This people at present suffering from starvation we gave orders to the ship to unload [..]). NLM, Univ. 201, n.f., (15.xii.1559).

²⁴⁴ NLM, AOM, Lib. Bull. 427, f. 250, (4.iv.1562).

3.13 Conclusion

During the sixteenth century, supply of agricultural foodstuffs met great difficulty in satisfying the constant increase in demographic levels throughout Europe.²⁴⁵ Similarly in Malta, the search for sufficient grain was a constant preoccupation for its rulers, both before and after the arrival of the Knights. Ever since medieval times, given the nature of the terrain, and the relative infertility of the land, Malta's agriculture was primarily targeted at producing niche products that required less space than grain. At the same time, these cash crops yielded high quality products which were in great demand in foreign markets, thus providing cash for the local population. This cultivation strategy proved beneficial in offsetting the substantial payments which the country had to fork out to import almost all of its vital necessities.

Duty-free concessions on various staple products had been a privilege from which the islands benefitted ever since the medieval period. Several diplomatic efforts and bureaucratic procedures had to be followed in order to ensure their periodical renewal; consuls and merchants faced several obstacles even after these were officially granted. With the arrival of the Order the island experienced a sudden increase of about 25% of the existing population, apart from another considerable inflow of foreign people, mostly merchants, traders, sailors and craftsmen, who were attracted to the island by the Order's establishment. This flood of people meant more mouths to feed and the Order was well aware that without the special concessions of the duty-free *tratte*, the governance of the island would prove difficult, if not impossible. It would also have been impossible for the Order to exist without the continuous inflow from its European revenues since these supplied the financial underpinnings for its Convent.²⁴⁶ Consequently, any diplomatic

²⁴⁵ Sicily doubled its number of inhabitants during this century and as already explained even the Maltese islands' population increased considerably. Fontenay, 'The Mediterranean 1530-1800', 61; Braudel, *Civilization & Capitalism*, Vol. I., 104, 183.

²⁴⁶ Hoppen, 'Military Priorities and Social Realities', 400.

negotiations with the Spanish Crown for the concession of duty free quotas had to be agreed upon against neutral terms²⁴⁷ so as not to upset other European benefactors.

Malta's heavy dependence on Sicily as its major provider of staple goods led to a situation wherein the islands' market prices followed the general trend of prices in Sicily. The fluctuating price of Sicilian grain with its many added costs, ultimately affected the weight of local bread whose growing cost ended up being shouldered by consumers. One should also be careful when interpreting prices found in *pandette* (price lists). These were just the official retail market prices. The absence of relevant documentation which would help a better correlation of these prices with the actual ones demanded on the market makes it very hard to establish the real selling price of a commodity.²⁴⁸ In addition, just like in medieval times, grain proved to be an ideal commodity for the imposition of indirect taxes. The latter mostly served to endow the authorities with the necessary revenue for the proper upkeep of the town walls and the payment of various salaries, especially those of soldiers.

On the other hand, the steady encroachment of the medieval *Università's* privileges by the Hospitaller Order ensured that the new rulers held under their control a crucial sector which was necessary for the smooth governing of the islands. The Hospitaller Knights knew well that 'bread and butter issues' were not to be left to the discretion of the administrative élite making up the old town council of Mdina. On the other hand, the Order was careful not to upset too much old structures since they were the key to the grain depositaries of Sicily.

²⁴⁷ NLM, Lib. Bull. 425, ff. 261v-262, (1.iv.1557). This document makes particular reference to the privilege of neutrality granted by the Spanish monarch to the Hospitaller Order. Specific instructions were issued to *Fra. Bernardo de Guymaran* who was to embark on a mission to the King of Spain and had to "*procurarete ch'il privilegio di neutralità che sua M[ae]sta a concesso a nostra religion pervalersene in tempo di guerra, sia pubblicato nelle frontiere et che per accomodarne quelli che n'haveranno bisogno se ne facino molte copie autentiche sopra l'originale*" (sic) (ensure that the privilege of neutrality which His Majesty conceded to Our Religion prevails in time of war, and is published on all frontiers, and to accommodate those who would be in need of a copy, let it be that many of authentic true copies from the original be made).

²⁴⁸ Fiorini, 'Malta in 1530', 167.

Chapter Four

Women and Economic Activities

4.1 Introduction

Women had a recognized role in pre-industrial European society which varied according to their social standing.¹ Despite the fact that a substantial body of recent research on the social and economic history of women has been forthcoming as regards the European context, the same cannot be said for the Maltese context. In fact, the conspicuous absence of secondary literature regarding the role of women in economic activities² or their legal rights has been both an obstacle and a challenge when writing this chapter which aims at provoking a discussion on the subject. Even though women are rarely present in the traditional Maltese primary sources, for example in the Archives of the Order, scrutiny of sources such as notarial documents open up windows on their activities and role within society. In turn, these shed light on their contribution to the economy, and how their actions played a part in the “events that constructed and transformed society or that tore it apart”.³

Why is women’s history in Malta still neglected? This lack of interest may be due to a variety of reasons but perhaps the greatest stumbling block is that most of women’s actions

¹H. Kamen, *Early Modern European Society*, (London, 2000), 157.

² Carmel Cassar’s work on the Impact of the Council of Trent on women in Malta is still the only major work solely dedicated to women studies. C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002). Other publications in the form of papers include the works of Y. Vella, ‘Women Victims of Crime in Eighteenth Century Malta’, in T. Cortis (ed.), *Proceedings of History Week 2003*, (Malta, 2004), 17-23; ‘Earthly Madonnas? 18th century Women Trouble-Maker’, in *Storja 98*, (University of Malta Historical Society, 1998), 33-40. Other unpublished material includes J. Sciberras, *Women in Early Sixteenth-Century Malta*, M.A. dissertation, (University of Malta, 2004). This work examines the role of women in Malta in the first half of the sixteenth century, mainly after 1530. It focuses on the social and economic position of women during this period and gives a broad view on their condition at different stages of their life cycle, i.e. as daughters, wives, mothers and widows.

³ N. Zemon Davis & A. Farge, ‘Women as Historical Actors’, in G. Duby & M. Perrot (gen. eds.) & N. Zemon Davis & A. Farge (eds.), *A History of Women: Vol. III Renaissance and Enlightenment Paradoxes*, (Cambridge, Mass, London, 1993), 1-7, 1.

throughout the centuries, even those of an economic nature, were invisible to governing bodies. This reality leads to a situation where finding the proper sources which could help formulate a historical analysis proves rather difficult, although it must be added, not impossible. Furthermore, unlike their counterparts in Europe, Maltese women are still reluctant to explore the roots of their marginalized position in society despite the increase in the number of female history students in the last decades. In other words, today's Maltese women are still separated from the women of the past. Thus, Maltese historiography is still largely written on actions of men and bound by dominant constructions of masculinity which ostracizes women or relegates them to a secondary place in Maltese history.⁴

To remedy partly this situation this Chapter aims at provoking a discussion on the subject of women in the early decades of Hospitaller rule and to investigate how the political changes of 1530 affected the economic role of women in Maltese society. Are such changes adequately recorded to build a proper judgement of the subject? If so, what types of records allow the historian to open up small windows on actual conditions? Can distinguishing features be detected between elite women and those of the populace, or between maidens, married women and widows? What particular economic activities are recorded for female foreign settlers? Were Maltese women sharing the same ideas of business commitment as their foreign counterparts?

In 1536, Jean Quintin d'Autun wrote thus when describing Maltese women: "not at all ugly, but [they] live very much as if they were uncivilized; they do not mix with other people; they go out covered in a veil, as if to see a woman is here the same as to violate her."⁵ How much did prevailing attitudes towards women, who from the above description seem to have been quite secluded from the rest of society, affect their economic activities? Were women passive in the

⁴ For example one of the latest publications in Maltese historiography takes its cue from the historiographies of nobility, faith, masculinity and the Order, E. Buttigieg, *Nobility, Faith and Masculinity: The Hospitaller Knights of Malta, c.1580-c.1700*, (London & New York, 2011).

⁵ J. Quintin d'Autun, 'Insulae Melitae Descriptio (Lyon, 1536)', in *The Earliest Description of Malta*, (trans. H.C.R. Vella), (Malta, 1980), 41.

face of so many exhortations to obedience? Is there any indication of the consequences of the Reformation, when women's obedience and role in the family went through a significant transformation?⁶ It is pertinent to note that in the following discussion, the subject of female slavery and prostitution, although representing a thriving activity in the harbour area, will not fall within the parameters of this study, since it is believed that the peculiarities of both subjects deserves a study in its own right.

As already stated, material for such a subject is practically non-existent, and in order to be able to validate the arguments presented and place them in their proper context it was necessary to construct the existing framework of a woman's legal persona from various notarial references, and also from scrutiny of prevailing laws. Due to the abundance of notarial sources and the limited period available for consultation, the choice of registers was done mainly using three criteria, firstly, that the notary practised in Birgu, secondly, that the volume consulted was in a good state of preservation and thirdly that both Rhodiot and Maltese notaries were represented in the sample.

Fig. 4.1 Maltese women drawn by the Knight of Malta *Fra. Opizio Guidotti* in c. 1600.



Source: NLM, Libr. MS 413/I, f. 164a.

⁶ Duby & Perrot (gen. eds.) & Zemon Davis & Farge (eds.), *A History of Women Vol. III*; C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002), *passim*.

4.2 New trends in the study of the history of women

New historical research interests during the twentieth century, especially those emerging in the 1960s, comprising topics such as minorities, demography and popular culture have greatly contributed to spearhead interest on the history of working women. Pioneers in the field, like Bertha Philpotts, Alice Whitcomb Clark⁷ and Eileen Power have contributed much towards exposing realities which had previously never been scientifically investigated. Following such contributions and mainly as an offshoot of women's movement and demands for civil rights in the late sixties, there has been, ever since, a flowering of scholarly studies devoted to various aspects of women's history which tried to place them within political, social, economic and geographical contexts. Such studies drew on sources which had hitherto not been used to illustrate the "culture of the lower classes".⁸ These included primary sources such as notarial deeds, records of the inquisition, *catastos*⁹, and agricultural manuals.

Iggers argues that after the Second World War, "claims of segments of the population previously excluded from historical narratives, foremost among them women and ethnic minorities, led to the creation of new histories sometimes integrated into a larger narrative, but often apart from it", thus challenging traditional historiography which had concentrated on political and social issues, with their variety and approach.¹⁰ This new approach of writing 'a history from below' demanded the inclusion of segments of the population previously ignored.¹¹

⁷ For a review of Alice Clark's *Working Life of Women in the Seventeenth Century*, (1919), refer to N. Zemon Davis, "'Women's History' in Transition: The European Case' in *Feminist Studies*, Vol. 3, No. 3/4 (1976), 83-103.

⁸ C. Ginzburg, *The Cheese and the Worms*, (Baltimore, 1992), preface xiv.

⁹ The *catasto* was a fiscal record created for the purpose of compiling tax assessments and aid governments in the collection of public revenues. It seems that the actual word derived from the Greek *kata-stikhos* meaning "lines reading down", which is what these records were basically composed of since they contained lists of various forms of wealth held by urban residents. D. Herlihy & C. Klapisich-Zuber, *Tuscans and their Families, A study of the Florentine catasto of 1427*, (New Haven & London, 1985), 9.

¹⁰ G.G. Iggers, *Historiography in the twentieth century: from scientific objectivity to the postmodern challenge, with new epilogue*, (Middletown, OH, 2005), 7.

¹¹ Iggers, *Historiography*, 7.

A major flaw and limitation in the manner in which women's history had been traditionally presented during the 1960s and 1970s was that it treated "women in isolation from men, [and] it ordinarily said little about the significance of sex roles in social life and historical change".¹² More recent studies have addressed this problem, targeting demographic and gender questions which delved into previously unexplored themes such as life expectancy, rate of fertility and corresponding births, geographical mobility, age at marriage and dowries of different social groups in society, sexual activity and the like.¹³ This process instigated new questions which in turn gave rise to new perceptions mostly derived from archival sources. This field of study is constantly developing with new primary sources being investigated and interpreted, thus providing valuable additional information not only on women but on societies and their functions in general, at times even undoing popular perceptions. The latter is especially so in relation to women's economic activities, marginal and almost invisible prior to the factory system.

However, focused studies have shown that, while the character of work has differed throughout the years, the intensity and participation of women has always been very significant.¹⁴ Stanley Chojnacki has put forward different hypotheses than those of Christine Klapisch-Zuber, whose work projected women in Renaissance Florence in a rather bleak context whose actions were hampered by multiple male-centred restrictions.¹⁵ For Chojnacki the picture was not so gloomy since he observed that "the same phenomena that appear to have had a negative impact on the lives of Florentine women, such as the increasing importance of ever-larger dowries, gave Venetian woman power they had not had before the Renaissance".¹⁶ Translation of this power through wills drawn up for women is analyzed in a study by Laura McGough who, building on recent interpretations of the nature and configuration of state power in early modern Europe

¹² Zemon Davis, "Women's History", 83.

¹³ Zemon Davis, "Women's History", 87.

¹⁴ L. A. Tilly & J. W. Scott, *Women Work & Family*, (New York & London, 1987).

¹⁵ C. Klapisch-Zuber, *Women, Family, and Ritual in Renaissance Italy*, (Chicago, 1985).

¹⁶ J. C. Brown, *Gender and Society in Renaissance Italy*, (London & New York, 1998), 2; S. Chojnacki, 'Dowries and kinsmen in early Renaissance Venice', *Journal of Interdisciplinary History*, Vol. 5, (1975), 571-600.

calling for more fluid boundaries between public and private realms,¹⁷ claims that “women’s sizeable gifts to charitable institutions helped sustain these institutions as alternative sites of power, different from and at least partially autonomous from the centralized state”.¹⁸ Furthermore, authors like Isabel Chabot and Samuel Kline Cohn have argued against Klapisch-Zuber’s and Herlihy’s¹⁹ hypothesis which stated that women were progressively excluded from the labour force in Renaissance Italy. On the contrary, Chabot²⁰ and Kline Cohn²¹ stress that women’s participation in the economy at the time was even larger and more diversified than it had previously been.

4.3 How much weaker in the eyes of the law?

It is undisputable that legal systems and law codes in early modern Europe reflected prevalent theories and perceptions mainly based on traditional notions that highlighted the fragility and weaknesses of the female sex.²² Equality between the sexes was surely not a concern for lawgivers in the past since their main concern was the ‘reproduction of family and kinship units’.²³ Merry Weisner, however, points out that even though such laws depict women as a mere shadow of their male counterpart, they were primarily intended to create the ideal or desired situation which did not often reflect the real functioning of a society.²⁴ Thomas Kuehn further

¹⁷ Foremost among the pioneers of such historical thought are Norbert Elias, David Gentilcore, and Giorgio Chittolini.

¹⁸ L. J. McGough, ‘Women, Private Property, and the Limitations of State Authority in Early Modern Venice’, *Journal of Women’s History*, Vol. 14, (2003), 32-52.

¹⁹ D. Herlihy & C. Klapisch-Zuber, *Les toscans et leurs familles: une étude du catasto florentin de 1427*, (Paris, 1978), 582-583.

²⁰ I. Chabot, ‘La reconnaissance du travail des femmes dans la Florence du bas Moyen Age: context idéologique et réalité’, in S. Cavaciocchi (ed.), *La donna nell’economia secc. XIII-XVIII*, (Florence, 1990), 563-576.

²¹ S. Kline Cohn, ‘Women and Work in Renaissance Italy’, in J.C. Brown & R.C. Davis (eds.), *Gender and Society in Renaissance Italy*, (London & New York, 1998), 107-126.

²² C. Opitz, ‘Life in the Late Middle Ages’, in G. Duby, M. Perrot (gen. eds.) & C. Klapish-Zuber (ed.), *A History of Women: Vol. II Silences of the Middle Ages*, (Cambridge, Mass & London, 1992), 269-270. T. Kuehn, ‘Daughter, Mothers, Wives, and Widows: Women as Legal Persons’, in T. Kuehn, S. Seidel Menchi (eds.), *Time, Space and Women’s Lives in Early Modern Europe*, (Kirksville, MO, 2001), 97-115, 97.

²³ Kuehn, ‘Daughter, Mothers, Wives’, 97.

²⁴ Wiesner-Hanks, *Women and Gender*, 43.

maintains that the effectiveness of such legal restrictions in controlling women's actions is open to interpretation.

According to Kuehn, depending on their circumstances, some women managed to twist their way around hindrances, such as that of being represented by a *mundualdus*,²⁵ and at times they even managed to reduce these obstacles to mere formality.²⁶ Kuehn's study, which is more heavily based on the workings of law and its operations and ambiguities, challenges Klapisch-Zuber's analysis who, according to the author, arranged her subjects in a "neat analysis" where there are no "loose ends" and "everything has its place in a structure, a function to fulfil and a meaning to express".²⁷ Kuehn further believes that when historians tend to project an "inalterable structure" onto the past, this tends to omit events which although not very frequent, did actually take place, such as donation of property to a mother remarried into another family by her son from her first marriage.²⁸ Legal texts, such as those used for this study, thus serve as an indispensable tool and help us to understand better different forms of social behaviour since, as Kuehn explains, "social behaviour took forms and meaning from norms, and social personhood rested on the substrate of legal personhood".²⁹

Late Imperial Roman law reserved fewer restrictions for women than the later laws promulgated during the medieval period, even though the latter descended mostly from Roman law. There, limitations affecting a woman's legal persona restricted her from exercising the rights of *patria potestas* and from obligating herself for others, notably to stand as surety. Even though

²⁵ The word *mundualdus* derived from the word *mundium*, found in the Germanic codes of law, which excluded all females from all public affairs and transactions. Women were represented by a *mundualdus*, a legally-competent male who took under his wing a woman to represent her in a legal transaction where she could not appear by herself. The *mundualdus* was generally, but not always, a husband, father, brother, uncle or a friend of the woman. S. Fonay Wemple, 'Women from the Fifth to the Tenth Century', in Duby & Perrot (gen. eds.) & Klapish-Zuber (ed.), *A History of Women, Vol. II*, 169-201, 174. (Refer also to Section 4.4). For the legal function of the *mundualdus* refer to T. Kuehn, *Law, Family & Women, Towards a Legal Anthropology of Renaissance Italy*, (Chicago, 1991), 212-237.

²⁶ Kuehn, *Law, Family & Women*, 6; T. Kuehn, 'Person and Gender in the Laws', in J.C. Brown & R.C. Davis (eds.), *Gender and Society in Renaissance Italy*, (London & New York, 1998), 87-91.

²⁷ Kuehn, *Law, Family & Women*, 6.

²⁸ Kuehn, *Law, Family & Women*, 5.

²⁹ Kuehn, 'Person and Gender in the Laws', 91.

the *ius commune* excluded women from authoritative legal and political participation, it did not hamper them with disabilities regarding marriage, property, the capacity to dispose of it, or much else. Beyond the impediment of standing surety for another, “women were free in *ius commune* to own and dispose of property by all legal means and had equal inheritance rights with men”. The influence of medieval canon law also established that they could serve as guardian for their children after the father’s death.³⁰ The right to dispose of their property without their husband’s consent proved beneficial to the Church, especially after the reforms adopted by the Council of Trent, which emphasized the charitable aspect of the Christian soul.

The Lombard conquest of Italy brought with it the practice of the *mundwaldus*, thus limiting women’s legal capacities and establishing that they had to act with the consent of a male figure. Roman law was the legal system by which most countries of southern Europe, including Italy, and later on in the sixteenth century a good part of northern Europe³¹ including Germany, tried to bring more conformity to ‘highly localized and often contradictory and conflicting law codes’.³² It also guaranteed absolute rights of the father (*patria potestas*) and the secondary status that had been accorded to women, on the basis that these were not responsible for their actions due to their “fragility, imbecility, irresponsibility, and ignorance”,³³ and because, it was said, they were inept to keep a secret as well as cunning and greedy. Notwithstanding such legal prejudice vis-à-vis their male counterparts, women “did have rights and prerogatives in law, and in the life of virtually every woman who reached adulthood and [who] had some property certain occasions could bring these legal rights into action”.³⁴

³⁰ Kuehn, ‘Person and Gender in the Laws’, 93.

³¹ Roman law had enormous influence on the development of common law, the latter being adopted in England. Common law placed an emphasis on legal precedent and tradition. Accordingly under common law “a married woman was not considered a legal person but was totally subsumed within the legal identity of her husband”. Wiesner-Hanks, *Women and Gender*, 44.

³² Wiesner-Hanks, *Women and Gender*, 43.

³³ Wiesner-Hanks, *Women and Gender*, 46.

³⁴ Kuehn, ‘Person and Gender in the Laws’, 92.

The Maltese situation was mostly similar to that found in the Italian and wider European context, although it is necessary to make an important distinction between two different kinds of power, that is, one which was wielded by dynastic succession, and the power acquired through elective means.³⁵ When it came to guilds and republics, there was no elective form of power which allowed women any executive role. Nonetheless, when it came to the monarch who was chosen by God, this choice had to be accepted even if the “chosen one” was a female. In Maltese society women were totally excluded from participating in local politics or serving in any other public office. A woman could not serve as judge or lawyer, and the law debarred her from participating in the institutions of government which included municipal and community assemblies. She had no right to testify in court in criminal cases, or serve as an oath helper, juror, guarantor or procurator.

This situation was further strengthened with the arrival of the Order of St John, more so since this was an organization that totally excluded women’s participation within its hierarchy.³⁶ The Hospitaller Order was a governing body that was first and foremost a religious order of professed Knights of noble origin³⁷ who took a vow of chastity. Unlike countries where marriage was considered an important political manoeuvre which determined strategic alliances between

³⁵ N. Zemon Davis, ‘Women in Politics’, Duby & Perrot (gen. eds.) & Zemon Davis & Farge (eds.), *A History of Women: Vol. III*, 167-183, 168. As regards monarchies and the power of queens, Natalie Zemon Davis writes that “republics and monarchies gave different scope to the political role of women. The oligarchic republics, such as Florence of the early Renaissance, Venice, the Swiss cantons, and the German imperial cities, afforded the fewest settings in which women could enjoy political power publicly [...] In contrast, those polities organized as kingdoms - France, England, Spain, the German principalities, and ducal Florence of the later Renaissance - had places formally reserved for women and arenas for public and semi public female action. Where power was acquired by dynastic succession rather than by election or cooperation, women were anointed as queens, and birth and marriage became matters of high politics”. Zemon Davis, ‘Women in Politics’, 169-170.

³⁶ While still in the Holy Land, the Order of St John “incorporated a branch of sisters who lived according to the rules of the canonesses of St. Augustine. These sisters were headed by a prioress who was directly subjected to the grand master. After the Order left Palestine, we find these sisters also in Aragon, England, Bohemia, and Germany, but in the fifteenth century this female branch had been reduced to a few sisters”. T. Freller, *Malta-The Order of St John*, (Malta, 2010), 60. As regards the founding of the Jerosolimitan Nuns in Malta refer to, G. Aquilina, OFM, *The Jerosolimitan Nuns, the Church and Monastery of Saint Ursula Valletta – Malta*, (Malta, 2011).

³⁷ During the chapter-general held in Rhodes in 1354, it was decided that serving brothers (*fratres servientes*) were to be excluded from being promoted to knights, and the latter were to provide proof of their noble descent. Freller, *Malta-The Order of St John*, 64.

families, in Malta women did not feature in the political schemes of the island's ruling élite, the Knights of the Order of St John.³⁸

Notwithstanding that women seemed to have lost any indirect political strategic influence which they had enjoyed during the medieval period through networks of marriage alliances, indirectly, through their right to own and transfer property, they participated in the political process since, as McGough states, "the transmission of property after death is, ultimately, a political problem".³⁹ This was especially so when one considers the political environment in Malta where three different and autonomous heads of institutions were all accountable to the Pope, these being the Grand Master, the Bishop and later on after 1574, the Inquisitor. In her study on women and the Reformation, Elisja Schulte van Kessel attests that, "women played an important part in the reform policies of the clergy, which had every reason to want to sabotage the all powerful kinship system".⁴⁰ The majority of Maltese women who were testate left cash bequests to make good on a number of religious services for the repose of their soul, while richer women also left land endowments.⁴¹ Several records dealing with land given as *juspatronatus*⁴² reveal that

³⁸ This of course does not exclude the fact that some knights did indulge in sexual pleasures which at times bore illegitimate fruit. Such relationships were however regarded as illicit ones and had to be obliterated from the Order's history and shrouded from the public eye. Thus, the political influence of women through such personal relationships was insignificant.

³⁹ McGough, 'Women, Private Property', 33.

⁴⁰ E. Schulte van Kessel, 'Virgins and Mothers between Heaven and Earth', in Duby & Perrot (gen. eds.), & Zemon Davis & Farge (eds.), *A History of Women: Vol. III*, 132-166, 149.

⁴¹ Wives also appear alongside their husbands when a couple made such bequests. See S. Fiorini, (ed.), *Documentary Sources of Maltese History, Part V Documents in the Curia of the Archbishop of Malta, No. 1, The Registrum Foundationum Beneficiorum Insulae Gaudisii 1435-1545*, (trans. Rev. Joseph Busuttill), (Malta, 2006), Docs. 9, 21, 58, 66, 70 as examples. For examples of bequeaths solely by women see Docs. 15, 26, 82.

⁴² At times also called *animagium* in documents. According to Fiorini, the term is not encountered in Canon Law. However, it is "used co-extensively with the term *benefice* or, in ecclesiastical jargon, a living, which in turn often translates as *beneficium* in Latin". The term is descriptive of, "the single situation whereby members of the faithful (the founder or founders of the benefice) bequeath property (usually immobile, but pecuniary bequests are not unknown in the present records) on condition that a priest of their choice (called the rector of the benefice) reciprocates by praying (usually celebrating Masses) for the repose of the founders' souls [...]. After the demise of the founder, the patrons (usually the heirs) nominate successive rectors for canonical approval by the Ordinary, as required by Canon Law (Can. 1546)". Fiorini, *Documentary Sources of Maltese History, Part V, No. 1*, Introduction, liii-liv.

the foundation of such *jus*, and the eventual nomination of rectors appointed to administer such benefices were carried out by noblewomen.

As Joanne Sciberras has shown in her study on women in early sixteenth-century Malta, women feature extensively in contracts relating to the cession of land to members of the clergy. In fact, when a new rector was appointed to a benefice it was generally the daughter or wife of the founder of the benefice who presented him with the *juspatronatus*, a practice which seems to have been an important duty for women of noble origins.⁴³ This study has also shown that in such cases the husband did not act on behalf of his wife and seems not to have interfered in the presentation of such benefices.⁴⁴ The Bishop, however, held the right to approve successive rectors or to appoint rectors himself in the event that the line of patrons died out. In his study on such bequests, Fiorini states that documents reflecting such a situation are numerous and contain the following terms to express this state of affairs: "*beneficium devolutum ad manus nostras [id est, Episcopi] ob non presentationem patronorum*",⁴⁵ (Benefice reverted to our hands [that is of the Bishop] due to the non presentation of patron).

The importance of women and their dowries in the economic life of their family and ultimately of the whole society, is best understood in a law which was promulgated by Grand Master Lascaris in 1640. This decreed that, since the Order was receiving reports regarding the exploitation of women's property by their husbands, women could no longer obligate themselves on behalf of their husbands without first obtaining permission from the Grand Master, thus making it hard for husbands to carry out any form of economic activity which might have been

⁴³ Sciberras, *Women in Early Sixteenth-Century Malta*, 81-83, especially Table 3.2 which lists those women who donated land as *juspatronatus* between the years 1506-1554.

⁴⁴ Sciberras, *Women in Early Sixteenth-Century Malta*, 83.

⁴⁵ Fiorini, *Documentary Sources, Part V, No. 1*, Introduction, liv.

generated through the use of their wife's dowry.⁴⁶ Opposition to the imposition of such restrictions was so great that this law was revoked that same year.

From the above it is relatively clear that while the Hospitaller government was trying hard to regulate women's legal rights and put in place a stronger patriarchal society, prevailing and long established customs giving women property rights were well-engrained in Maltese society, as there was a clear need to have an adequate amount of flexibility allowing joint and equal participation in business of both husband and wife. Local customs also proved a strong opposing force to the will of the Knights Hospitallers whose schemes to restrict further the activities of Maltese women later on in the mid-seventeenth century seem to have failed. The revocation of this law just a few months after its promulgation also shows how a hundred years from their arrival, local Maltese structures of power under the Knights were far stronger than previously assumed, indeed strong enough to successfully fight unpopular government decisions.

4.4 The *mundualdus*

As has already been discussed, the Hospitaller Order was granted the right to rule over the islands on condition that the prevailing laws and customs of the inhabitants be respected and observed. An interesting comment put forward by Bonavita in one of his legal dissertations relates specifically to the non-observance of local customs as regards the validity of a woman's legal persona by the newly-established masters. Bonavita asserts that, contrary to established local custom which subjected women to perpetual male tutelage, Rhodiot notaries who had moved to Malta with the Knights did not make use of the services of a *mundualdus*, that is, of a male representative to act on behalf of women in contracts.⁴⁷ He maintains that this was due to the fact

⁴⁶ NLM, Libr. MS 439, f. 48 (new pagination).

⁴⁷ CAM, Misc. 273, V. Bonavita, *Dissertazioni Storico Legali su Malta e Gozo*, introduction. (from now on referred to as Bonavita, *Dissertazioni Storico Legali*), f. 327v. Roman law did not require unmarried adult

that, as was customary, with them, they continued to follow the *Diritto Romano*, wherein women had full rights of administration over their dowry and could enter into contracts of obligation on their own behalf without the consent of their husband, thus indirectly suggesting that the Knights had given more legal power to women.

In order to substantiate his claim Bonavita refers to a contract drawn up on 25 March 1535 by the Rhodiot notary Vincenzo Bonaventura de Bonetiis, wherein the widow Agatha Zoppardi from *Casali Sancta Caterina* made a donation to her children without being represented by a *mundualdus*.⁴⁸ As already noted in Chapter Two, Malta followed the laws of Messina as the framework for local civil law codes, therefore⁴⁹ it could be said that Agatha was acting within the parameters of the local law. This is because, according to the prevailing law, ***Mulier cuoque virum non habens se et sua obligare potest***⁵⁰ (a woman who does not have a husband can obligate herself). Thus, although a wife could not enter into contracts of obligation without the consent of her husband, the woman or widow who did not have a husband could in effect enter into contracts of obligation.⁵¹

women to have guardians but had only known guardianship for children. Wiesner-Hanks, *Women and Gender*, 46.

⁴⁸ This contract still survives in NAV, R 206/1, Notary Vicenzo Bonaventura de Bonetiis, f. 195v (25.iii.1535).

⁴⁹ G. La Mantia, 'Capitoli e Statuti Amministrativi Dell'Isola di Malta approvati dai Re o Vicere di Sicilia 1130-1530', *Archivio Storico di Malta*, Vol. VIII, No. 1, (1936-1937), 1-17, 12.

⁵⁰ V. La Mantia, *Antiche Consuetudini delle Città di Sicilia*, with an introduction by A. Romano, (Messina, 1993), 41.

⁵¹ Under the earlier laws of Messina this section stated thus, "*Uxor cum marito suceptis filiis obligari potest, non susceptis filiis obligari similiter potest si pro communi utilitate vel necessitate obligationi facta fuerit. Mulier vero virum non habens se et sua obligare potest*". (If children are born a wife could obligate with her husband. If no children are born she can similarly obligate herself if this was for the common good of the couple). Thus, later laws which stated that a married woman could not obligate herself reinforced the authority of the husband over his wife's legal actions. La Mantia, 'Consuetudini di Trapani nelle quali e contenuto il testo antico delle consuetudini di Messina' in *Antiche Consuetudini*, 14. La Mantia also states that the laws of Palermo, Messina, Catania, Castiglione, Noto and Corleone restricted married women from acting as surety, from alienating property which was given to them as part of their dowry and from writing up testaments. Married women had to have their husband's consent in order to enter into contracts of obligation, appear at Court and make donations. La Mantia, *Storia della Legislazione*, 142 fn. 2; see also La Mantia, *Antiche Consuetudini*, *passim*.

On analyzing earlier documents drawn up in Malta in the late fifteenth century, one may discern that, although the appointment of a *mundualdus* was a local custom,⁵² it was not uncommon for a widow or a nubile to make a donation, will or contract of obligation without the presence of a male representative. This may be exemplified through analysis of a donation *inter vivos* which Ysmiralda, widow of Paulj Zarb, made to her daughter Johanna, whereby she gave her a third part undivided of a house with adjoining fields and courtyard. Stipulated in the contract was a clause whereby the transferor reserved part of the house for herself. It was furthermore stated that the property formed part of the “*comunj substancia matrimonij Jpsius Ysmiralde cum dicto Paolo*”, thus highlighting that it was part of the community of property from the said marriage with Paolo, implying that it was Johanna’s rightful *legittima*.⁵³

In another instance, in May 1487, Domina Clara de Stunica, a Maltese citizen resident in Mdina, promised to sell 35.8 *salme* of wheat to Peri Caruana who also hailed from Mdina. Domina Clara, who was a spinster, was not represented by a *mundualdus* and the contract stipulated that she “*vendidit et Jpsius causa vendicionjs dare et assignare promisit, convenit et se obligavit honorabili Perio Caruana suo concivj*” - (sells and with respect to this sale promises to give and consign, agrees and obligates herself towards Perio Caruana her co-citizen) – the said amount of wheat. It is to be noted that this Domina Clara was a landed proprietor since it was stated that the wheat was to be supplied from one of the territories she held. The woman also gave a number of silver items as security which she recovered on 30 August of the same year as she had honoured the contract - a detail inserted in a marginal note.⁵⁴ Such documents reinforce the hypothesis that

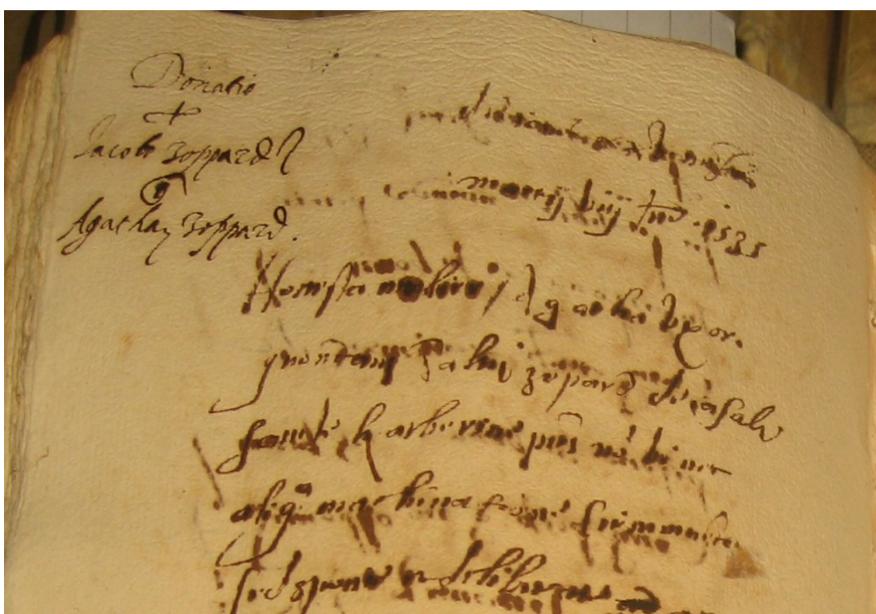
⁵² That this was the local custom may be proved by various notarial documents, such as the following which states thus, “*Jpsa mulier Catherina Jn presenti contractu cum provisione consilio et auctoritate Vincencij Barbar suj filij presentis etc. per eamdem Caterinam assumptj Jn procuratorem sive mundualdum ut morjs est mulierum*”[sic], (The said woman Catherina [appearing] in this contract with the consul and authority of Vincentius Barbar her son, who is present, etc, by the said Catherina appointed as procurator or *mundualdus* as is the custom with respect to women). S. Fiorini (ed.), *Documentary Sources of Maltese History, Part 1, Notarial Documents, No.1, Notary Giacomo Zabbara: R494/1(I) 1486-1488*, (Malta, 1996), Docs. 11, 12.

⁵³ Legitimate inheritance share. Fiorini, *Documentary Sources, Part 1 No. 1*, Doc. 128.

⁵⁴ Fiorini, *Documentary Sources, Part 1 No. 1*, Docs. 183, 191.

emancipated women or widows had a legal persona and some options for exercising it, since they did enter into contracts of obligation without a male representative. It is interesting to note that although in the majority of contracts husbands, sons, and sons-in-law did serve as a *mundualdi* to women, giving their authority to the drawing up of a contract, they in no way ascribe it to themselves or to an inclusive “we”.⁵⁵

Fig. 4.2 The donation of Agatha Zoppardi from Casali Sancta Katherina to her children, a deed which was drawn by the Rhodiote notary Vincenzo Bonaventura de Bonetiis without the woman being represented by a *mundualdus*.



Source: NAV R 206/1, Notary Vincenzo Bonaventura de Bonetiis, f. 195v (25.iii.1535).

From the documents analyzed throughout this study it is evident that the use of a male guardian was a local custom well-engrained in Maltese society even before the arrival of the Knights.⁵⁶ In a study carried out by Emanuel Buttigieg on the acts of Notary Juliano Muscat covering the year 1545, he noted that out of a total of sixty-four contracts involving the participation of unmarried or widowed women, only nine women were not represented by a *mundualdus*. Out of these nine, three were unmarried and six were widows, some of whom were

⁵⁵ Kuehn, 'Daughters, Mothers, Wives and Widows', 106-107.

⁵⁶ Fiorini, *Documentary Sources, Part 1 No. 1*, Docs. 11, 23.

landed proprietors of noble origin.⁵⁷ Therefore, although according to the law single women or widows could act alone, it seems that these often opted to choose a *mundualdus* to represent them.⁵⁸ The reason for such preference is to be seen in the light of prevailing prejudiced sexual ideologies shared by society as a whole which sought to project that “woman is of the weaker sex than the male [...] and the laws have less confidence in a woman”.⁵⁹ Thus these women psychologically must have felt more “protected” when commissioning a male representative.

In a number of deeds drawn up by notaries operating in Malta both prior to and during the first few decades of Hospitaller rule, it may be discerned that although the use of the *mundualdus* was a local custom, in certain instances, such as when making wills, married women were not under the obligation to have a male guardian. Thus, Donna Zarra de Brancato wife of *Egregius* Gomes de Brancato from Mdina, left all her assets to her son, whom she nominated as her universal heir, while to her husband, who was still alive when the will was drawn up, she did not leave anything.⁶⁰ Supervision by male authority was also not always noted down in other types of notarial deeds. This often depended on whether the woman was single, married or a widow and also on her socio-economic status. A typical example is when Her Highness *Donna* Joanne de Manuele, who was the Duchess of Medina Celi and Vice-Queen of Sicily, is documented to have been physically present for the drawing up of the contract in which she became a shareholder in an armed ship at the cost of 680 *uncie*,⁶¹ or when *Nob. Mulier Donna* Katerina Romana received the hefty sum of 480 gold *scudi* in cash (*pecunia numerata*) as an amicable loan from Antonio de

⁵⁷ E. Buttigieg, *Fifteen Years into Hospitaller Rule, A Study of the Acts of Notary Juliano Muscat 1545*, BA Hons. dissertation, (University of Malta, 2002), 81-87.

⁵⁸ La Mantia, *Antiche Consuetudini delle Città di Sicilia*, 41.

⁵⁹ Kuehn, *Law, Family & Women*, 218.

⁶⁰ NAV, Notary Giovanni Simon De Lucia, R 229/29, ff. 1934-1949, (14.v.1615), NAV, Notary Giulio Cumbo, R 196A/1, f. 1, ([?].i.1500).

⁶¹ NAV, MS 514/1, n.f., (15.xi.1559).

Celestis. The woman was not represented by a *mundualdus*, but her title must have played an important part in the terms of this transaction.⁶²

Other examples include those relating to the appointment of procurators,⁶³ money loan contracts⁶⁴ donations, sale,⁶⁵ and purchase⁶⁶ and lease⁶⁷ of property. However, despite the fact that these cases were not uncommon, the general trend in various economic transactions concerning women reflects a scenario wherein women were accompanied by a male representative, or, in the case of married women, it was the husband who usually appeared on behalf of his wife or who gave his wife the authority to enter into contracts.

4.5 The marriage contract and its implications on women's economic activities

Reasons for an active and frequent participation by women in business deals may have been manifold. However, it is pertinent to note that marriage contracts were an important instrument, both prior to and after 1530 in giving women property rights which ultimately affected deals in trade and commerce. Women owned two types of property: dowries and non-dowries, the former being the woman's share of her parents' wealth. The administration of dowries was transferred to the husband upon marriage through a legal act which regulated the parameters within which he could manage such assets. Terms and conditions set in pre-nuptial contracts

⁶² NAV, R 206/7, ff. 190v-191, (22.vii.1543).

⁶³ NAV, MS 514/1, n.f., (19.iv.1560). Agatha, a widow from both her first marriage with Giovanni Caruana, and then from her second marriage with Notary Giovanni Rapa (whose registers are still to be found at the Notarial Archives, Valletta under MS 1033 (1535-1547), appointed Giovanni Luca Abel as her procurator to act as a debt collector. NAV, R 224/1, f. 76v, (16.viii.1540), *Donna* Martina Deperalta widow of Antonio appointed Pietro Deperalta and Pietro Decapdevilla as her procurators to carry out business for her in the Castle of Tripoli.

⁶⁴ NAV, MS 514/1, n.f., (28.ii.1560), Giovanni Carlo Merulla declared to be in debt with respect to an amicable loan amounting to 80 *scudi* at the rate of 12 *tari* per *scudo* which he borrowed from Lucia, wife of Georgio de Johane Curtina; NAV, R 202/5, f. 87v, (19.xi.1540), Johanna, wife of a captive and Guglirada wife of Philippi, were in debt with Catherina, wife of Ambroxi Calabresi for the sum of 12 gold ducats.

⁶⁵ NAV, R 202/2, f. 81v, (22.xi.1537), R 173/3, f. 12v, (8.iv.1538).

⁶⁶ NAV, R 224/1, f. 128, (29.i.1540 *ab inc*); R 202/11, f. 122v, (17.x.1546), R 202/7, ff. 212-212v, (13.viii.1543).

⁶⁷ NAV, R 196/1, Section A, f. 33, (15.iii.1533).

entered into between the spouses' families were thus crucial in establishing the extent to which a woman could control property received from a dowry.

Documentary evidence contained in notarial acts points mainly to four customs which were mentioned by notaries when formalizing people's union: those done *vel juxta leges Latinorum* or *alla Latina*, those contracted *vel juxta Graecorum leges* or *alla Greca*, those done *juxta usum Romanorum* or *alla Romana*, and those which stipulated simply that the marriage was done according to the marriage customs prevailing in Malta. Analysis of various marriage contracts reveals that contracts done *alla Greca* or *alla Romana* in actual fact referred to the same type of agreement. This may be confirmed from various marriage contracts drawn up during different periods, like that of Agatha Pace and Blasio Bezzina in 1562,⁶⁸ or that of Marietta Cassar drawn up much later in 1595, which stated that the marriage contract was done "*ad morem ritum et consuetudinem Romanorum quod vulgalitur dicunt alla greca sive alla Romana*",⁶⁹ - (according to the Roman customs which in the common language is known as *alla greca* also known as *alla Romana*).

A marriage contract conducted according to either of the aforementioned customs did not carry a religious or a cultural distinction, the main difference was an economic one. Although there were various regional variations, the laws of Palermo⁷⁰ give a good indication of the main distinction between a contract of marriage done according to the Latin custom and that done according to the Greek custom since, in clause 41 under the heading *De prohibita alienatione dodarii et bonorum dotalium*, it is stated that in agreements done under the Greek custom, dowry goods which were given to the husband by the wife or her family could not be sold, even if the husband had the consent of his wife, since these did not belong to him but to his wife and her heirs. This prohibition however did not apply to those citizens who lived according to the Latin

⁶⁸ NAV, Notary Giuliano Muscat, R 376/44, Part. I, f. 114, (29.ix.1562).

⁶⁹ NAV, Notary Giorgio Zelivo, R 508/8, f. 701, (13.iv.1595).

⁷⁰ G. Naso issued an edition of these laws in 1478 and they were subsequently re-issued in various other editions, see, La Mantia, *Antiche Consuetudini*, 165 fn. 1.

custom, wherein marriage agreements done according to the Latin formula established that if the couple procreated, or else after the elapse of one year from the consummation of their marriage, the dowry goods could be mixed and consequently considered part of the mutual possessions of the husband and wife.⁷¹

On analyzing contracts which solely and specifically state that the contract was drawn up according to the Maltese custom it could be established that this type of contract was half way between the Greek and the Latin custom since, although just like the Latin pattern it was ultimately based on the tripartite division of goods,⁷² in most of the cases analyzed this partition was not to take place before the children born out of the marriage reached the age of fifteen. Thus it may be said that during this interim period or in case the couple was sterile, just like in the Greek custom, the separation of the couple's assets was a requisite.⁷³ It is pertinent to note that the formula '*secundum usum et consuetudinem Insule Meliveti*' seems to have been frequently used as a safety valve to safeguard the interest of both parties concerned and accordingly it is even found in contracts drawn up according to the Latin, Greek or Roman custom.

Notarial acts pertaining to the medieval⁷⁴ and early modern period indicate that in Malta the Greek or Maltese customs were the preferred types of agreement when drawing up marriage contracts. Analysis of marriage contracts taken from the registers of two notaries namely Nicolò

⁷¹ La Mantia, *Antiche Consuetudini*, 189. One is to note however that there were many regional variations. La Mantia, *Storia della Legislazione*, 156; La Mantia, *Antiche consuetudini*, 190

⁷² Micallef, *Diritto Municipale di Malta*, Vol. I, 321.

⁷³ Following these legal limitations, most contracts included similar clauses as the following: "[...] *Quod quidem matrimonium presenti contrahentes declaraverunt et declarant illud contraxisse ... Juxta usum melitesi hac tam conditione ... quam hinc ad annos quindecim ad hodie numerates natis filijs ex ipso matrimonio vel non natis bona utrius [?]} sponsi numquam interea confundantur[...]*" ([...]that indeed this matrimony the present contracting parties declared and declare that they contract ... according to the custom of Malta here under the condition [that]... from henceforth to fifteen years from today whether children are born out of this matrimony or not the goods of anyone of the spouses [?] at no time must in the meantime be mixed[...]), NAV R 4/1, f. 137v, (30.xii.1557); see also, R 202/6, ff. 68v-70, (7.xii.1541); R 514/1, n.f., (24.iii.1558); R 4/1, ff. 28-28v, (1.xi.1557).

⁷⁴ Fiorini, *Documentary Sources, Part I, No. 1*, Docs. 139, 152, 234, 274, 302, 341.

de Agatiis⁷⁵ and Placido Abela,⁷⁶ and others taken randomly,⁷⁷ point to a situation where this preference seems to have grown much stronger after the arrival of the Order since none explicitly document the use of the Latin type of marriage agreement, but indicate that the contract was done either according to the Greek or Maltese custom. For example, Notary de Agatiis drew up three marriage contracts in the year 1539-1540 two *alla greca* and one *secundum usum meliteum* (sic), while in the year 1540-1541 he drew up another two, both done *alla greca*.⁷⁸

All the contracting parties held the title of *Honorabilis* and transferred immoveable property as part of the promised dowry.⁷⁹ It is pertinent to note, however, that donation of land as part of dowries may be traced back to persons who did not hold a title before their name. Such references could of course have been omitted by the notary, and thus it is difficult to identify the representation of people in such contracts according to their social standing. The contracts of Placido Abela for the year 1557-1558 include six marriage contracts, four done according to the Maltese custom and two according to the Greek/Roman custom. Once again the contracting parties held the title of *Honorabilis* and transferred immoveable property, except for one contract, that entered into by a Knight of the Order, namely, *Fra.* Gullielmo Couppier who promised a lavish dowry to his manumitted slave Victoria amounting to 281 *scudi*, which included also two slaves.⁸⁰

The contracts analyzed randomly⁸¹ were also found to be drawn up according to either the Maltese or Greek custom. Of particular interest were the records of Notary Nicolò de Agatiis

⁷⁵ These included R 202/4, (1539-1540) and R 202/5, (1540-1541).

⁷⁶ NAV R 4/1, ff. 137-139, (30.xii.1557), ff. 13-15v, (10.x.1557), ff. 127v-31, (1.xi.1557), ff. 39v-42, (15.xi.1557), ff. 22-26, (29.x.1557).

⁷⁷ Once again the choice of registers was done on the aforementioned criteria, mainly that the notary practised in Birgu, that the volume consulted was in a good state of preservation and thirdly that both Maltese and Rhodiote notaries were represented in the sample.

⁷⁸ NAV R 202/5, ff. 172v-173v, (21.iv.1541), ff. 268-274v, (7.viii.1541).

⁷⁹ NAV R 202/4, ff. 191v-193v, (29.iv.1540), ff. 237v-239v, (4.vii.1540), ff. 277-278, (11.viii.1540).

⁸⁰ NAV, R 4/1, ff. 22-26, (29.x.1557).

⁸¹ NAV R 202/6, f. 68v, (7.xii/1541), ff. 52-53, (7.xi.1541), R 224/1 ff. 424, (17.i.1543), MS 514/1 n.f., (24.iii.1558), n.f., (14.viii.1558), n.f., (17.iv.1558), n.f., (13.vi.1558), n.f., (13.iv.1558), n.f., (28.xii.1559).

for the three-month period covering September to December 1546.⁸² During this period this notary drew up five marriage contracts; three were done *alla greca*, one according to the Maltese custom and one according to the Rhodian custom,⁸³ the latter having similar conditions as contracts done according to the Greek custom. This means that it could well have referred to the same type of contract. The contracting parties in all the above-mentioned contracts with the exception of one held the title of either *Honorabilis* or *Nobilis* and all except one included the transfer of immoveable property. The exception was an agreement drawn up according to the Greek custom between two Sicilians, the bride coming from Mazara and the groom from Syracuse. Although no immoveable property was transferred, the dowry promised consisted of various valuable items amounting to over 35 *scudi*. Preference for such contracts sheds light on the importance given by families to keep the family patrimony within the respective lineal lines of inheritance. Such conditions were also imposed by the bride's family to make it difficult for the husband to alienate property without the consent of the wife. This situation led to the husband being more restricted in conducting any form of business with the goods brought over by the wife as part of her dowry.

The arrival of the Knights did not change laws regarding dowries or inheritance which affected a woman's legal persona. However these restrictions must have greatly affected significantly the flow of commerce especially when wives were not present to give their consent. As shall be shown later, even though these types of marriage contracts restricted husbands from alienating property outright, they are still found to be drawing up contracts alienating the wife's property on condition that, according to a "new law" which had been established, the wife ratifies the contract at the first instance.⁸⁴ The preference of choosing these types of marriage contracts is thus to be seen in the light of the ever-increasing need for ready cash that was created by the

⁸² R 202/11, ff. 19v-21v, (26.x.1546), ff. 23-25, (31.x.1546), ff. 29v-31, (11.xi.1546), ff. 40-41v, (20.xi.1546), ff. 55-57, (3.xii.1546).

⁸³ NAV, R 202/11, ff. 23-25, (31.x.1546).

⁸⁴ Refer to 4.10.

steady growth of a money economy, especially in the harbour area. The sale of immoveable property which often included right of redemption was increasing greatly and proved a common way to secure loans which, as shall be shown, at times were repaid against usurious gains.

From a court order referred to in an act dated 1487, it transpires that women knew well the rights such contracts gave them and as a result, they defended the control they enjoyed over their private property. This was especially so when payment of debts entered into by their husbands was concerned. In a particular contract, Granata, who was the widow of Johannes de Falzono, was reported to have threatened to appeal against a court sentence which adjudged that a slave belonging to her late husband was to be transferred to one of his creditors in order to make up for bad debt relating to the sale of some oil. In her appeal Granata stated that her marriage had been contracted *alla Romana* and thus the slave was rightfully hers since it had been part of her dowry. Consequently, Granata claimed that the slave could not be taken away from her.⁸⁵ The dispute was ultimately settled through payment of an amount of money agreed to by both parties, and the slave returned to his rightful owner.⁸⁶

In another court case Ysolda, widow of Zaccarias Bonnici sued Stephanus Barbara regarding the division of a field which Ysolda had received as part of her dowry, part of which had been sold to the said Stephanus by her late husband. After taking the case to the Court of First Appeal,⁸⁷ the Court's final verdict was that Stepahnus had to give Ysolda a half undivided part of the field, plus three *pensas cuctonj mahalugij*.⁸⁸ He was also ordered to construct a dividing wall at his own expense.⁸⁹ These settlement cases between women and their male opponents are revealing of the fact that late medieval and early modern Maltese women held property rights which they jealously guarded notwithstanding the heavy social bias contained in their legal

⁸⁵ Fiorini, *Documentary Sources, Part I, No. 1*, Doc. 152. Also published in G. Wettinger, *The Jews of Malta in the Late Middle Ages*, (Malta, 1985), Doc. 46.

⁸⁶ Fiorini, *Documentary Sources, Part I, No. 1*, Doc. 274.

⁸⁷ *Curiam primarum appellacionum*, Fiorini, *Documentary Sources, Part 1, No. 1*, Doc. 64.

⁸⁸ Carded cotton, cotton with seeds removed. Fiorini, *Documentary Sources, Part 1, No. 1*, 342.

⁸⁹ Fiorini, *Documentary Sources, Part 1, No. 1*, Doc. 64.

disability. These contracts also highlight the limitations imposed by the law as regards the alienation of a woman's dowry by the husband. Although the dowry was passed on to the man upon marriage and he had the right to control and invest it, technically the dowry was the sole property of the woman and the husband was only entitled to the interest it bore. He did not have any right to alienate it outright, and it passed on to the woman after his death or else passed on to her heirs after her demise.⁹⁰ Juxtaposing this element in Maltese marriage contracts and the English medieval concept of *coverture*⁹¹ one may note the advantage Maltese women had over their English counterparts. This factor is better explained in the following quote taken from the writings of Sarah Kirkham Chapone, an eighteenth-century British feminist who stated that: "a woman by our Laws alienates all her own Property so entirely by Marriage, that if she brought an hundred thousand Pounds in money, she cannot bequeath one single Penny".⁹²

4.6 Women in the economy of a port city

Debates relating to the participation of women in labour have put forward claims that the functions attributed to women within the family context, that is, child bearers, child carers and as providers of domestic labour, have been the major reason why women found it hard, and at times even impossible, to pursue activities in highly-skilled work which required specific training and experience.⁹³ Possible lack of continuity to provide a service, led to women involving themselves in lower paid jobs which did not require particular skills, thus making a vacant post easier to fill in. John Hajnal argued in favour of the distinctive uniqueness of West European women, who married at a relatively later age than their counterparts in other regions. Marriage was thus regarded as the formation of an economically independent household, unlike other systems, where women

⁹⁰ McGough, 'Women, Private Property', 37-38.

⁹¹ While through marriage a woman's legal persona was engulfed by that of her husband, the unmarried woman had the right to make contracts in her own name and to own property.

⁹² S.K. Chapone, *Hardships of the English Laws in Relation to Wives*, (London, 1735), 29-30, quoted from Sperling, 'Marriage, Kinship, and Property', 170.

⁹³ R. M. Smith, 'Women's Work and Marriage in Pre-Industrial England: Some Speculations', in Cavaciocchi (ed.), *La Donna nell'Economia Secc. XIII-XVIII*, 31-55, 33.

married at a very young age.⁹⁴ The latter usually moved directly from their father's household to that of their husband's, their father-in-law still assuming the headship thus retaining their subordinate position at least until their widowhood.⁹⁵ Another tendency which Hajnal associated with the tendency to marry at a later age was that a good number of adolescent males and females found work as domestic servants. In view of the above, one questions whether the position of Maltese women followed a similar pattern to that described by Hajnal, or whether the local scene offers different dimensions. How much were women in Malta involved in economic activities which went beyond the traditional roles assigned to them?

Lack of contemporary statistical data, like tax tolls, which provides exceptional sources for the history of labour,⁹⁶ makes it impossible to estimate and categorize Malta's workforce during this period. The conservative mentality which ruled a society reluctant to recognize and accept change, especially with regard to women, did much to obscure and distort the historian's interpretation of the specifics of their activities. As previously stated chancery and other official documents pertaining to the period of the Knights does not include the participation of women as part of the workforce of the island. Therefore although their contribution affected greatly economic activities in various sectors, their voices in history are silent. Women's participation in various occupations like agricultural labour, domestic help, as hostel keepers, retailers, weavers, petty financiers, administrators of their husband's affairs, and in numerous other jobs was not claimed and thus had not been the subject of any document of the time.

This workforce thus tends to be invisible except for some sporadic mention, or else when reference for it is made indirectly in legal documentation. A window on women's place in the economic life of Malta in the sixteenth-century may thus be partly gleaned at from notarial documents and court cases, since, in these instances women often declared their particular

⁹⁴ See also, La Mantia, *Storia Della legislazione Civile e Criminale di Sicilia*, 141.

⁹⁵ Smith, 'Women's Work and Marriage in Pre-Industrial England', 34-35.

⁹⁶ See for example Herlihy, 'Women's Work in the Towns', 103-130.

function and status in society. The pitfall in consulting such documents is that they do not offer reliable statistical representation, and while some activities may have been recorded due to specific circumstances, others could well have been totally ignored. One must therefore be aware that the cases presented in this study do not constitute the main picture. They are referred to since they project actual situations, and although some might not have been numerous or common, they are still documented as having taken place, and therefore cannot be excluded from historical interpretation.

Notwithstanding the prevalent patriarchal environment and cultural obstacles that were strengthened through various legal restrictions, numerous documents illustrate that women played more than a passive role in business related activities. It is of course important to note major significance was given to feminine virginity, thus limiting their freedom of movement and choice of work.⁹⁷ However, as was highlighted above, local law gave women some compensating factors with regards to preserving their property rights. Prevailing laws provided that a daughter had a share in the property of her family of origin either through inheritance or dowry.⁹⁸ According to the laws of Messina, if the father or the mother died without leaving a will, all the children living with the surviving parent had the right to an equal share.⁹⁹ The survival of a contract dated 16 September 1559¹⁰⁰ goes even further than this, since the property of the late Petrus Mifsud who died *intestato*, was equally divided between his children, namely Leonore, Gaspare and Aghata, all

⁹⁷ Herlihy, 'Women's Work in the Towns', 119.

⁹⁸ "*Viro et uxore dividere cum filiis, tertia pars bonorum debetur patri, altera matri, reliqua tertia filio vel filiis*" (The husband and the wife have to divide [their property] with the children, one third is the share of the father, the other that of the mother and the remaining one third of the son or children). La Mantia, *Antiche Consuetudini*, 35-42.

⁹⁹ "*Praemortuo patre vel matre ab intestate, filio vel filiis viventibus cum patre vel matre superstite, tertia pars praemortui cedi filiis. Et sic iidem filii habent duas tercias partes bonorum unam debitam sibi iure naturae, alteram parenti praemortui*" (If the father or mother die without leaving a will, the son or children living with the surviving father or mother, have a right to a third share. And in this way these children have a right to two thirds of the inheritance, one as their rightful portion of the inheritance and the other being the share of the deceased parent). La Mantia, *Antiche Consuetudini*, 36.

¹⁰⁰ NAV, MS 514/1, n.f., (16.ix.1559).

of whom were married,¹⁰¹ and Antonella who was a widow. This presents a local scenario in which even married women living outside the family unit shared in the inheritance.¹⁰² As discussed before, marriage laws provided for the protection of this property and did not permit its alienation by husbands without the consent of the wife, acquisitions or losses made by the couple during marriage were to be equally shared, and usually, widows were appointed guardians of their minor children, giving them the chance to invest the inheritance.

When considering the role of women in the economy of early modern Malta, a cardinal point to remember is that the port city of Birgu had been meteorically transformed from a mere hamlet into an overcrowded cosmopolitan city and home to one of the most active naval powers in the Mediterranean. Birgu's population was in various respects different from what one found in other villages and towns in Malta. Primarily, being the new seat of government it housed the members of the Order, a male community made up of approximately five hundred Knights,¹⁰³ who had to accommodate themselves in an extremely small area. Furthermore, Fiorini argues that the Rhodiote community which followed the Order was made up mostly of men. His calculations point to a situation wherein there were nearly three hundred male Rhodiot to approximately one hundred and twenty Rhodiote females.¹⁰⁴

Added to these was the constant incoming wave of foreign merchants and seafarers who continued to tip the scale as regards Birgu's predominant male community. The sudden and heavy increase in Birgu's population created various economic needs which presented themselves into

¹⁰¹ Another example which testifies that females had a share in their parents' inheritance is a late 15th century contract, where in Catherina, the pregnant wife of Albanus de Urso, drew up her will since she feared the potentially-fatal consequences of childbirth. Although Catherina had already mothered two sons from a previous marriage as her universal heir she left the unborn child, be it male or female. To her other sons she left the "*comuni substancia bonorum matrimonij*" which she had enjoyed from her first marriage with their father. Fiorini, *Documentary Sources, Part 1, No. 1, Doc. 41*.

¹⁰² Unfortunately this was the only document encountered during this research relating to the inheritance of an *intestato*. Future research might thus confirm or otherwise this hypothesis.

¹⁰³ It is difficult to assess the exact number of knights stationed in Malta at any one time. Williams, '*Sacra Militia*', 140.

¹⁰⁴ S. Fiorini, 'The Rhodiote Community of Birgu, A Maltese Maritime City: 1530-c.1550', in V. Mallia-Milanes (ed.), *Library of Mediterranean History*, Vol. I, (Malta, 1994), 183-241.

employment opportunities for both genders, not only for Maltese but even for foreigners. As shall be discussed, women were active participants in most activities and ultimately not only addressed the basic needs of the Birgu population, but contributed to the economic well-being of the new city. Furthermore, through their consent in alienating property against cash payments, they were an important element to provide the economy with a steady flow of cash.

4.7 Domestic Service

Domestic industry was one of the ways how the economies of city and countryside were linked.¹⁰⁵ Rural residents travelled from the countryside to the city in order to sell their produce or perhaps to hire out their services as domestic servants. Unfortunately, contracts relating to the hiring of domestic help by both men and women are not a common feature in notarial records for this period. One could only hope to find the odd one or two in the volume of a particular notary.¹⁰⁶ Moreover, most people would not have chosen to regulate their employment through a legal act, but through verbal agreement, especially if these were short-term jobs. However, the few records that have been identified throughout this study help to give an insight, albeit limited, on work conditions stipulated by employers as regards to domestic help.

In the contracts analyzed, which in the women's case amounted to only two, servant help was hired for a definite period of time, the servant liable to incur any related expenses in case of breach of contract. Such work did not require special training other than that which an employee had acquired from personal experience through helping out in his or her family's daily chores.

¹⁰⁵ Wiesner-Hanks, *Women and Gender*, 112, C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002), 152-157.

¹⁰⁶ One here has to keep in mind that the abundance of notarial documentation and the difficulty which at times they present to reader, does not make it possible to give a complete analysis of these types of contracts, especially in view of the restricted time permitted for the research. One has also to keep in mind that notarial registers differ in their contents, in so far as one might come across a volume which has an abundance of a particular type of contract while another volume pertaining to the same period might not include even one contract relating to the same topic. Thus in these circumstances any generalizations are best avoided. The volumes chosen for this research were NAV, R 224/1, (1537-1543), R 202/4, (1539-1540), R 202/5, (1540-1541), R 206/7, (1543), MS 514/1, (1557-1560). These were selected because all four notaries practised in Birgu, two were Maltese and two were Rhodiot and the volumes are in a good state of preservation.

Both contracts stipulated that the employee had to lodge at the employer's residence, clothes and food being provided by the employer. This type of work could prove to be quite convenient, both for parents who hired out their children, and for married women, since although it was not well-paid, it was respectable and exempted the employee or her/his guardian from extra costs of living. A better appreciation of such benefits may be noted in a particular contract dated 25 July 1558,¹⁰⁷ wherein *Hon. Mulier Angelina*, wife of *Hon. Magistri* Francesco Romedio, hired out her services to *Discreta Mulier* Hyerene Vallistera, a resident of Birgu. The agreement was to last the whole of Vallistera's life, provided the work carried out was honest and licit. In return for these services Angelina was allowed to live together with her husband and their son at her employer's house. The full and final payment for this work was to amount to twenty-five *scudi*, five of which were given as a down payment on the drawing up of the agreement. As regards the remaining sum due, this was to be paid out after the death of the employer.

The names of the persons involved in this particular contract serve as important indicators as regards Birgu's ever-growing community. Both the surnames of the employer and the employee have a foreign connotation suggesting that the contracting parties could have been attracted to the island due to the presence of the Hospitaller Order. Other important indicators are the titles *Honorabilis* and *Magister*, since, as has been already highlighted the former usually referred to landed proprietors while *Magister* was a title given to people who practised a craft. In this case *Magister* Francesco, Angelina's husband, could well have tried to establish himself in Birgu in order to carry out his craft. Angelina's work would have thus not only provided extra income for the family but also the necessary shelter the family needed in an area where exorbitant cost of property could compromise the standard of living of the family.¹⁰⁸

¹⁰⁷ NAV, MS 514/1, n.f., (25.vii.1558).

¹⁰⁸ For the housing problem in Birgu during the early period of Hospitaller stay refer to S.R. Borg Cardona, 'The *Officio delle Case* and the Housing Laws of the earlier Grand Masters 1531-1569', *The Law Journal*, Vol.III, No. 1, (University of Malta, 1951), 39-69; S. Fiorini, 'Demographical Aspects of Birgu up to 1800', in L.

In another contract Marietta, daughter of the late Johannes Greci from Constantinople, and her mother Caterina, widow of the late Pancrati Derando, obliged themselves to lease the services of eighteen-year-old Marietta to Lucretia de Caxaro, a Maltese resident in Birgu married to *Hon. Constantini Zograf* from Rhodes.¹⁰⁹ The agreement was to last six years, during which time Lucretia was to provide Marietta with food and clothes. After the elapse of six years, by which time Marietta would have been twenty-four years of age, Lucretia promised to give the servant 2 *uncie* (equivalent to 5 *scudi*) and various other items including a cloak and a bed according to the Maltese market custom.¹¹⁰ Another condition was that if Lucretia died prior to the elapse of the six-year period, Marietta would still be entitled to the money and the goods. Marietta's mother stood surety to her daughter's obligation in this contract, and elected a *mundualdus* in this respect. Marietta, who was not married, could well have concluded this agreement in order to make good for a humble dowry. Another interesting aspect of this contract is the inclusion by the notary of the place of origin of the contracting parties which truly uncovers the increasing cosmopolitan society of Birgu which contrasts sharply with the medieval Birgu described by Wettinger when he stated that it was probably "a humdrum commercial, maritime and perhaps fishing centre without any particular, prestigious, social connotations".¹¹¹

Nevertheless, what were men being offered as domestic service providers? Did they have similar conditions to those of the above-mentioned women? Such questions prove difficult to address and answer with accuracy, particularly in view of the fact that often cash payments were combined with payments in kind difficult to validate. However, notwithstanding the dearth in available sources, a comparative approach of available documentation which evaluates the

Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), 219-254, 228-243; J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, MA dissertation, (University of Malta, 2007), 180-185.

¹⁰⁹ NAV, MS 514/1, (21.i.1558), f. 26-26v.

¹¹⁰ Most probably this was a bed given to brides as part of their dowry, but the exact definition is not available.

¹¹¹ G. Wettinger, 'The Castrum Maris and its Suburb of Birgu during the Middle Ages', in Bugeja et al (eds.), *Birgu, A Maltese Maritime City*, 31-71, 59.

income and working conditions of both genders would help widen our perspective on prevailing conditions of work. Thus we find that in a particular contract pertaining to the year 1560 it was declared that a certain Mariano from Birkirkara, who was thirteen years of age, was leased by his father to provide domestic services to *Hon. Oliverios Felici*.¹¹² The agreed wage was 2 *scudi* per year in addition to food, shelter and clothing. Mariano's father was also bound to guarantee the good and honest services of his son. Should there be breach of contract as a consequence of which Oliverio was obliged to find a new servant, any extra expenses incurred had to be borne by the boy's father. In yet another contract, a Neapolitan leased his services as a domestic worker for 10 *scudi* per year in addition to shelter, food and clothes.¹¹³

In 1535, Alvarus Fernando from Lisbon leased his services to Knight *Fra. Antonio Tavares* for two years at the monthly rate of 1 gold ducat.¹¹⁴ Salvus Chabela, who came from the small Maltese village of Pasqualino, leased his services to Antonio Scarpello for the duration of eight months.¹¹⁵ A considerable difference in the conditions of work of this contract setting it apart from the others was that Salvus was bound to serve his master, not only in his house, but also on his ship when Scarpello was travelling. The agreed sum for such work was 4 gold ducats (4 *scudi* 3 *tari*) together with food and shelter. It stands to reason that payment for this service was considerably higher than that of any given to women in the contracts analyzed since the work involved much greater risks for the employee. However, it is also evident that the pay is much lower than that given to the Neapolitan or the Portuguese domestic helpers mentioned above. Could this point to a situation where Maltese workers were paid lower than their foreign counterparts? If this was the

¹¹² NAV, MS 514/1, n.f., (3.i.1560).

¹¹³ NAV, R 206/7, ff.115, (23.iv.1543).

¹¹⁴ The exact words used in these contracts read "locat operas servicia sue persone" and the type of work is described as "sevicijs domesticis" (sic). R 202/4, f. 42, (22.x.1535). In NAV, MS 778/4, Part II, ff. 96- 97v, (2.iii.1563), it is stated that one ducat was equal to 13 *tari*, similarly in NAV, R 202/1, ff. 41-41v, (7.vi.1536) wherein Didaco Hernandes, a Spanish merchant, sold a thirty-year-old black slave, the agreed price was that of 28 gold ducats, which were to be repaid in the provision of four *cantari* of salted meat at the rate of 70 *tari per cantaro*, and the remaining 6 gold ducats and 6 *tari* in cash. This makes the gold ducat equivalent to approximately 13 *tari*.

¹¹⁵ NAV, R 224/1, f.194v, (4.viii.1541), see also f. 172v, (30.v.1540).

case, was it because they lacked particular skills? Future investigation of these primary sources targeting such issues might shed light on these matters.

From the above-mentioned contracts it seems that vacancies for domestic help in Birgu were mostly filled by foreign men and women, the latter most probably following their families to the island. One must also keep in mind that Birgu had a slave community which also served its masters in domestic tasks, thus making such posts less available. Maltese women seem to have been much more secluded from society and averse to grasp new job opportunities presenting themselves at Birgu. As already discussed in Chapter Three, most women would have even been productive in their own families, either helping out in the fields or doing some other form of domestic work. The arrival of the Knights created a higher demand for agricultural products and thus farmers, labourers and their families were also benefitting from the establishment of the Knights despite being cut off from the capital city. Young women had no choice of course; everything depended on the woman's family and on traditions in villages, and whether the work was available at a short radius.¹¹⁶ Since Birgu was a male-dominated society comprising mostly 'foreigners' made up of Knights, Rhodiots and merchants, families would have also looked down on such vacancies which could compromise the honour of a woman, especially in an area where prostitution thrived.¹¹⁷

4.8 The business oriented woman

Throughout Europe, the possibilities for women to acquire apprenticeship in some form of male-associated craft were very limited during the sixteenth century. Such limitations were mostly due to prejudices against a woman's mental and physical abilities. Furthermore, it was perceived that a virtuous woman had to be chaste and once married had to dedicate herself to her family by providing companionship to her husband, looking after his household and raising his children.

¹¹⁶ C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002), 156.

¹¹⁷ C. Cassar, *Society, Society, Culture and Identity in Early Modern Malta*, (Malta, 2000), 134-135.

Virginité was a requisite for a blessed and honourable marriage, and thus girls were kept under the close scrutiny of their relatives, affording them practically no opportunity to receive formal training in a trade or expand their knowledge. Although women were seen to be adequately suited to perform tasks such as midwifery and spinning, they were very often judged unfit to work in jobs which required concentration and strength.¹¹⁸

It is in this historical context that contracts relating to women with particular crafts who ran their own business are to be evaluated. A striking example which practically questions the non-practice of men's crafts by women is that of a woman who lived in Birgu in 1540, namely, Clara Laspatara *alias* Donatalj.¹¹⁹ Clara, faithful to her name or most likely nickname, was a sword maker (*spatarata* from *spada*) and accordingly before Notary de Agatiis agreed to instruct Hieronymus de Paulo de Bluiso, from Syracuse, in the art of making and decorating swords. The apprenticeship had to last five years, during which time Clara was to provide her trainee apprentice with clothes, food and lodging in addition to two gold *scudi*. Therefore, apart from being self-employed in a traditional male job and supplying the market with such an important commodity, Clara also provided opportunities for trainee work.

Similarly to Clara, widows or single women are found to be involved in economic activities¹²⁰ and, at times, negotiated shoulder to shoulder with men without the use of a male guardian.¹²¹ One such case is that of Elena Morenam, a Rhodiot woman who was personally present for a contract of obligation wherein she bought 8 ½ *scudi* worth of black cloth from Johannes Ghymes.¹²² Similarly on the same day, Ghymes sold 3 *scudi* worth of the same cloth to

¹¹⁸ Wiesner-Hanks, *Women and Gender*, 104.

¹¹⁹ Clara was not married. Bezzina, *Early Hospitaller Birgu*, 59.

¹²⁰ The acts of Notary Nicolò de Agatiis for the year 1538-1540, hold a total of twenty-five contracts from a total of six hundred and sixty-five involving widows or single women (3.8%). D. Bezzina, *Early Hospitaller Birgu: A Study of the Acts of Notary Nicolo de Agatiis 1538-1540*, BA Hons. dissertation, (University of Malta, 2001), Table 3.4, 57. The acts of de Agatiis for 1540-1541 hold a total 2.9% of acts involving widows or single women (excluding marriage contracts).

¹²¹ Bezzina, *Early Hospitaller Birgu*, 57.

¹²² NAV, R 202/5, f. 21v, (6.ix.1540).

Domenica, daughter of Paulo Baldacchini, and even on this occasion, the woman was not represented by a *mundualdus*.¹²³ In another instance, Clara Pornicudine, a Rhodiot woman, lent 41 ½ *scudi* to Marchus Schembri from Zabbar, which was to be repaid on request of Clara.¹²⁴ What happened if women were not paid their dues? Did they present their case at the Court? The answer is in the affirmative. This is verified in a document wherein *Hon.* Helena Morena filed a case¹²⁵ at the *Magna Curia Castellania* in respect of the non-payment of a loan by *Hon.* Georgi Stupoglo.¹²⁶ The court ordered the instant repayment of the loan. However, Georgi was not in a position to pay and was thus sent to row on the galleys of the Order. It seems that Helena was not at peace with her conscience by the outcome of this case. She thus drew up a contract wherein she absolved Georgi from all dues while stating that she had proceeded in this manner through a merciful act and *pro remedio anima sua* (to pay for her sins).

Widows are also found conducting various business deals which vary from the sale or purchase of property or other commodities to advancing cash loans. A study of these acts depicts the active participation of foreign women who had established themselves in Malta, for example from a total of seventeen single women and widows found in the acts of Notary de Agatiis for 1538-1540, four did not have their country of origin, two were Maltese and eleven were foreign, with nine being Rhodiot.¹²⁷ One such Rhodiot was *Hon. Donna* Catherina, a widow who while in Syracuse had aided financially her co-citizen Gaspare Balurdo to be redeemed from captivity. Merely one month after the arrival of the Order of St John, that is on 26 November 1530,¹²⁸ the same Catherina is found in Birgu receiving “*unam catenam auri cum maglietis centum viginti sex et unum anulum auri in quo est ligata una perla*”, (a gold chain with a hundred and twenty six

¹²³ NAV, R 202/5 f. 21v, (6.ix.1540).

¹²⁴ NAV, R 206/7, ff. 27-27v, (13.ii.1543).

¹²⁵ The Notarial act contains minimal information about the case therefore it is not known whether the woman filed the case through a male representative.

¹²⁶ NAV, R 206/7, f. 292, (12.x.1543).

¹²⁷ Bezzina, *Early Hospitaller Birgu*, 57.

¹²⁸ NAV, R 439/1, ff. 18-18v, (26.xi.1530).

*maglietis*¹²⁹ and a gold ring with a pearl), as payment for redemption services effected through the work of Nicola Pino as stipulated in an earlier contract drawn up in Syracuse.

Married life for a woman did not necessarily mean the end of her life as a contributor to the financial well-being of the family. In early modern times, among many couples, women acquired the skills of their husbands in a particular trade or else participated in family run businesses. In a particular notarial document, *Donna* Lorenza, mother of the *aromatario Nob.* Franco de Nicolò, was hiring out the services of a shop assistant. She owned the shop jointly with her son, and both obliged themselves to give the employee 16 *tari* per month together with food, drink and clothes.¹³⁰ Furthermore, in August 1545,¹³¹ *Hon. Mulier* Catherina bought a house in Birgu from *Hon. Fava* for the price of 35 gold *scudi*. The seller reserved the right of redemption - "*cum carta recuperanti*"¹³² - a clear sign that the sale was triggered by the need for liquid cash which Catherina managed to supply.

In another instance taking place on 8 November 1541, Madalena Ellum and her husband obliged themselves jointly in an equal and similar way in front of Notary Nicolò de Agatiis in respect of debt relating to the consignment of a quantity of cloth which the couple bought from a merchant from Lyon.¹³³ In this case the wife is assuming a joint liability with her husband and is therefore taking on the role of business partner more than that of the traditional wife. Most probably the declaration of the wife to be liable for any debts is here necessary in case payment requires the alienation of property from the dowry. The hiring of rooms must also have been another profitable business in an area which was struggling with the continuous inflow of foreign merchants and traders frequently visiting the island on business trips. It seems that *Donna* Catherina, wife of Blasio Aquilina, offered such accommodation facilities since, on 10 April 1560

¹²⁹ This could mean that it was worked in a weave or twist with three or more strands.

¹³⁰ NAV, R 4/1, ff.147v-148. (6.ix.1558).

¹³¹ NAV, R 439/36, f.151, (28.viii.1545).

¹³² With the right of redemption.

¹³³ NAV, R 202/6, f.53. (8.xi.1541).

she appointed Gabriele Codina, a citizen of Palermo, as her procurator and gave him the task of administering a hostel situated in the vicinity of the Magisterial Palace, in Birgu, which she owned.¹³⁴

As has already been argued, women were often left in charge of their children's inheritance and this often meant that they had to act as debt collectors and also as investors of their children's capital. A case in point is *Nob. Donna* Beatrice de Modica, whose husband left her as the guardian of their son's inheritance. On 16 April 1541 this widow was recorded as having received part of a larger sum of money due to her late husband which she now had to safeguard for her son's future well-being.¹³⁵ Similarly, *Donna Catherina* widow of Johannes Burlo, "*tam nomine suo prop[ri]o q[ua]nti tutritio nomine filiorum et heredum dicti quondam olim sui virj*" (on behalf of herself and as guardian and on behalf of the son and heir of her late husband), filed a declaration at the notary's office stating that on the first voyage of a ship to the castle of Tripoli she was going to send a fourteen-year-old slave named Maxama to be redeemed for the price of 100 ducats.¹³⁶ In another act, Johanna Buhagiar, also the guardian of her son's inheritance, sold 18 canes worth of cloth to Georgius Chilia,¹³⁷ ensuring to mention specifically that she was acting on behalf of her son and her future heirs, and thus the proceeds from this sale benefited all.

What about mothers who were not married? Are they found in notarial acts? One such instance is the sale of a house which Margerita, the manumitted slave of the late Reverend Philippus de Guevara, sold to Manoli de Lindo.¹³⁸ Some details shed light on Margerita's state of life as the deed informs us that she had a son though the father was not mentioned. In this contract she was being represented by a *mundualdus* who was also from Żebbug. Although

¹³⁴ NAV, MS 514/1, n.f., (10.iv.1560), see also, R 224/17, ff. 510v-511v, (14.i.1560). In the late 16th century a woman by the name of Louisa ran a hostel in Birgu and was described by her clients as being a "clever and well dressed business woman". T. Freller, 'Excellent Accommodation on Moderate Terms: Maltese Inns, Hostels and Hotels in days of old', *Treasures of Malta*, Vol. XII, No. 2, 27-32.

¹³⁵ NAV, R 202/5, f.171, (16.iv.1541).

¹³⁶ NAV, R 202/5, ff. 124-124v, (30.i.1541).

¹³⁷ NAV, R 376/11, No. 2, f. 521, (20.ii.1544).

¹³⁸ NAV, R 206/7, ff. 50-50v, (19.ii.1543).

originally Margerita had the status of a slave, once set free she enjoyed all the privileges of a “free” Maltese woman. On reading such documents, some questions come to mind. Was the property left to her by the priest, her ex-master? Was her son also the son of the late Philippus who had given her freedom before he died? Was this how a section of the marginalized community acquired property and climbed the social scale? It is perhaps in such cases that the ambiguity of law comes out more clearly. Through manumission, a person who before had no legal rights was “admitted” to society by the stroke of a pen, it just took the actions of a benevolent master.

4.9 Women and transactions in property

As previously explained, according to prevailing laws, women could own and inherit property, while husbands had to have the consent of their wives prior to alienating any property received as part of their spouse’s dowry or inheritance. Such rights gave them the power to transfer property through their wills, make donations *inter vivos*, and yield the necessary authority for the legitimate sale of property. Even if the vast majority of women did not own large territories of land, they could still negotiate their small possessions and become financial actors within the island’s economy. In this whole process, widows seem to have been the major benefactors, since once widowed they were in a more advantageous position than nubile or married women. Having outlived their husbands, they earned more autonomy and therefore had opportunity to sell, purchase, invest, inherit, or even marry into financial assets.¹³⁹ A wife’s role in the family’s economic affairs therefore did not have the relatively static function which has been traditionally described by confining her to a mere housewife who was in constant subordination to her husband, but could be invested with responsibilities crucial to her family’s prosperity.

Evidence for the married woman’s contribution in business deals, whether alongside her husband, or once widowed acting alone or jointly with her siblings, is a common occurrence in

¹³⁹ M. Chojnacka, *Working Women of Early Modern Venice*, (Baltimore & London, 2001), 27.

notarial acts. A typical case implying more than a simple act of sale is a contract drawn on 6 May 1525, wherein Catherina, wife of Amatore Delia, bought a house in Rabat from Johannes Saliba, “*cum auctoritate dictus sui maritus*”.¹⁴⁰ The price for this sale was fixed at 10 *uncie*, to be repaid in the following manner, 3 *uncie* on the drawing up of the contract, 4 *uncie* in kind in the form of a donkey, and the remaining 3 *uncie* were to be repaid in cash *ut bancus*¹⁴¹ by the following Easter. In a marginal note in the same contract it was annotated that barely a week after this sale, precisely, on the 13th of the same month, Catherina re-sold the house to the same Johannes for the price of 7 *uncie*, while on the same date, a new contract was drawn up for the sale of the same house between the same contracting parties. This time the house was sold for 10 *uncie* and 20 *tari* which, as in the previous sale, had to be repaid in different forms of payment within a period of two years. Johannes however held the right of redemption fixed at nine years from date of the contract.¹⁴² Such successive contracts of sale and purchase of the same property with their fluctuating values reveal the fictitious nature of such transactions wherein agreed prices did not reflect the real value of the property and thus in all probability contained a hidden interest.

Analysing all three agreements Catherina is documented to have forked out 6 *uncie* in cash the first time (excluding the donkey), received 7 *uncie* when re-selling the property, and once again bought the house for 10 *uncie* 20 *tari* with the seller keeping the right for its re-purchase. As has already been highlighted, the condition of the right of redemption in such contracts meant that in reality the seller retained possession of the property, the buyer in turn enjoying the option to sell off the property if the time clause for redemption was not met. As explained in Chapter Three, not only do the above-quoted contracts offer a clear indication of the importance of real estate as a tool generating much needed liquid cash, but they also demonstrate the important role played by married women in the business cycle of their husbands.

¹⁴⁰ NAV, R 7/1, f. 28v, (6.v.1525).

¹⁴¹ Through the services of the money changer.

¹⁴² NAV, R 7/1, ff. 29-29v, (13.v.1525).

As already noted above, at times wives took on the same burden as their husband in contracts of debt and assumed the role of business partners. Two such partners were the *Argazzino* of the Bishop, *Nob. Ferdinandus Montero*, and his wife who obliged themselves to pay the sum of 7 *uncie* to *Hon. Paolo Bellia*. This sum was invested by the couple in a “*bastaso di chintimulo*”, or grinding mill, complete with its two grinding stones and accessories.¹⁴³ In another act, a certain Donna Julia who was a widow, gave her two brothers a special mandate permitting them to sell three oxen, a cow and a one-year-old sheep, a black donkey and 10 *salme* of hay which were in the territory of *Donna Julia*’s late husband.¹⁴⁴ All these commodities were sold to *Hon. Mariano Vella* who bought them for himself and on behalf of his wife, his son and his daughter-in-law Agatha. In an additional note the notary also stated that he had read the contract word for word in Maltese to Agatha, who in turn stated that she “*de eius spontanea voluntate ratificavit et ratificat dictum contratum obligando se nomine proprio ac una eque principaliter et insolidum cum predicto hon. Mariano emptore et debitore*”, (out of her own free will is ratifying the said contract obligating herself in an equal and joint share with the said *Hon. Mariano* the buyer and debtor).

A number of women appear in sixteenth-century documents as lease-holders either of land or built-up property. Leases were very common in Malta, wives of farmers constantly involved in transactions related to the lease of land for a stipulated period which were either paid in cash or in kind, the latter most often being a share in the produce.¹⁴⁵ Another common type of transaction involving women and property was the sale of census.¹⁴⁶ The acts of Notary Placido

¹⁴³ NAV, R 206/7, f. 345, (20.xi.1543).

¹⁴⁴ NAV, MS 514/1, n.f., (16.vii.1588).

¹⁴⁵ NAV, R 196A, Section I, f. 6, (13.iv.1532); f. 35, (11.i.1543). See also Sciberras, *Women in Early Sixteenth-Century Malta*, 90-98.

¹⁴⁶ “A medieval term with various meanings, including the following: (i) An impost established by contract; this was introduced at a time when people were very sensitive to the evil of usury and adopted it as a way of making money short of imposing interest on loans, which was forbidden. (ii) A more restricted notion of the same idea of tax, which has survived, namely an annual payment in cash or kind that the owner of land imposed when leasing his property will full ownership rights and with no right of redemption. This second meaning is akin to, though not identical with, the classical concept of *emphyteosis*, *q.v.* The main difference

Abela for the years 1557-1558¹⁴⁷ indicate that out of a total of eight sales of census which had the right of redemption clause, five included women, three appeared together with their husband,¹⁴⁸ one was a widow¹⁴⁹ and another one was married but was represented by her brother-in-law.¹⁵⁰ This type of transaction was also often carried out by creditors in order to hide usurious profits, the seller mortgaging the property but holding the right of redemption. An example of the latter case is a contract dated 22 November 1557¹⁵¹ wherein *Hon.* Petrus Degisberto and his wife who were Dutch, obliged themselves and their future heirs in a contract relating to the annual and free sale of six *tari* of income deriving from a house which they had in Bormola, a suburb of the new city of Birgu. The property in question was worth 2 *uncie* and thus the six *tari* represented the 10% census allowed by law according to the Royal Bull.¹⁵² Stipulated in the contract was also the condition that should the present sellers or their heirs pay the 2 *uncie* in the future, the buyer had to accept this price and return the property.

Likewise, the couple *Hon.* Johannes Hagius and his wife Agnetis from the village of Mqabba sold the census of a house in Qrendi, while reserving the right to redeem the property in

from *emphytheosis* was that in census nothing really remained in the hands of the original owner.” Fiorini, *Documentary Sources, Part 1, No.2*, 422.

¹⁴⁷ Data for the years 1557-1558 derived from MS 514/1 & R 4/1.

¹⁴⁸ NAV, R 4/1, ff. 47v-49v, (22.xi.1557), R 4/1, ff. 142v-143v, (31.xii.1557), MS 514/1, n.f., (28.vii.1558), R 4/1, ff. 155-156v, (16.ix.1558).

¹⁴⁹ NAV, R 4/1, ff. 148v-149, (16.ix.1558).

¹⁵⁰ This was *Hon. Mulier* Agatha, wife of Johanni Raymondus Burlo who was represented by Marianus Burlo. The Burlo were seafarers and thus most probably Johanni was at the time away from the island. NAV, R 4/1, ff. 173-174, (24.ix.1558). As regards the Burlo family and their connection with seafaring refer to G. Wettinger, ‘The Castrum Maris and its Suburb of Birgu during the Middle Ages’, in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), 31-71, *passim*. S. Fiorini, ‘Demographical Aspects of Birgu up to 1800’, in L. Bugeja, M. Buhagiar, S. Fiorini (eds.), *Birgu A Maltese Maritime City*, (Malta, 1993), 219-254, 222-224.

¹⁵¹ NAV, R 4/1, ff. 47v-49v. (22.xi.1557).

¹⁵² “*Uncijs duabus p[onderis] g[eneralis] censualibus supra venditionis ad rationem de decem pro centenario Juxta formam bulle apostolice et regie pragmatice*”, MS 514/1, n.f., (10.i.1558). Most probably this refers to the papal bulls *Regimini* (1425 and 1455) which were in force at the time wherein credit through annuities was subject to the following conditions: 1. the annuities created had to be assigned to a specific piece of real estate; 2. it had to be possible to buy them back again if the debtor so desired; 3. they might not represent a higher annual income than 10 per cent of the capital invested. H. Van Der Wee, ‘Monetary, Credit and Banking Systems’, in E.E. Rich, & C.H. Wilson (eds.), *The Cambridge Economic History of Europe*, Vol. V (Cambridge, 1977), 290-393, 304.

a year's time.¹⁵³ More complicated was the contract entered into by *Hon.* Galceranus Randun wherein the latter gave authority to both his wife Oliveria and to his mother-in-law Catherina to enter into a contract of obligation relating to the sale of an annual census of a house. In the said contract, Catherina furthermore promised that her minor son would honour this obligation in the future if he was requested to do so, thus most probably this property was part of the dowry of Oliveria.¹⁵⁴

Outright sale of census without the redemption clause was less popular and accounted to three such instances. In all three cases the wife appeared with her husband as one of the vendors or as giving her consent.¹⁵⁵ Such contracts shed light on the legal position of married women, who on one hand were prohibited from entering into contracts of obligation without their husband's authority, but on the other hand they were considered equally accountable and capable of acting as guarantors of debts entered into by their spouses. They also shed light on the important and increasing role of women in consenting to alienate property as a means to generate cash in a society which was quickly developing its money economy. The need for cash in hand was a direct result of the arrival of the Order since the increase in trading activities required a constant cash flow with which businessmen could trade especially with other merchants hailing from other countries in the Mediterranean.

4.10 Married Women and contracts of obligation

Malta's heavy participation in corsairing activities meant that a good number of men stayed away from home for lengthy periods, died in while fighting the enemy, or were taken as captives by Muslim corsairs. These factors conferred particular functions on women, who had to administer and run the family's possessions, be they meagre or prosperous. Such cultural and political contexts are important when evaluating the plurality of indicators which determine the

¹⁵³ NAV, R 4/1, ff. 131-131v, (5.x.1558).

¹⁵⁴ NAV, MS 514/1, n.f., (10.i.1558).

¹⁵⁵ NAV, R 4/1, ff. 70-75v, (29.ix.1557), MS 514/1, n.f., (10.i.1558), n.f., (16.ix.1558).

economic needs of Malta. In other words, in a variety of situations and circumstances, women were indispensable to keep the wheels of commerce turning not only through their participation in traditional roles, but also as previously noted, through their consent and participation in contractual obligations, without which on many instances the married male could not obligate himself due to the limitations imposed by law.¹⁵⁶

Women thus assumed a peculiar and rather frequent role in Maltese society, as under particular circumstances they found themselves being representatives of their spouses, and were literally shouldered with responsibilities which were traditionally associated with men. Thus, notwithstanding ancient prejudice questioning their accountability and their ability to choose between right and wrong, women are found among the main actors of society. Despite being legally restricted in their actions, society needed to provide enough leeway in its law system for their participation if it wanted to function smoothly. In spite of the fact that laws reflected male notions, law makers made concessions for when a woman could or could not act independently.

For example, in Malta, notarial acts are testimony to a situation where the wife could enter into contracts of obligation if her husband was held in captivity. Such was the case registered in the acts of Notary de Agatiis on 10 March 1539 concerning Paula, wife of Jacobo Camilleri, the latter being noted by the notary as absent since he was taken as a slave by Muslims - *servi hostium infedelium*.¹⁵⁷ Paula was concluding the sale of a house on her behalf and on behalf of her husband and their children, wherein it was also stipulated that, upon his return, her husband was bound to comply with the “new law” and ratify the said agreement, as were their children on their coming of age:

iuxta formam novi ritus scilicet quam dittus Jacobo cum primum post liminij reversionem fecerit ratificabunt presentem contractam et ditti eius filii cum fuerint etatis perfectem presentes coram nobis una simul aequae principaliter et insolidum (sic)

¹⁵⁶ This has been discussed in the analysis of the different type of marriage contracts.

¹⁵⁷ NAV, R 202/4, ff. 136-137, (10.iii.1539 *ab inc*).

(According to the new rite, which states, that on his return, the said Jacobo will ratify the present contract as will his children when they are of age, in front of us, in a similar and equal joint way)

Paula held the right of redemption of the said property which was set at three years from the date of sale. In a marginal note dated 11 May 1539, Paula is reported to have received the money from the buyer, who was a Knight of the Order. An additional marginal note carrying the date of 7 February 1542, informs us that by this time, that is almost three years after the initial agreement, Jacobo was once again a free man. In line with notarial practice, the notary read the said contract to Jacobo in Maltese and Jacobo, after confirming that he fully understood the obligations imposed by the said agreement, ratified it. Ratification of acts was a requirement which was also requested in case of the absence of women from contracts, thus pointing to a situation where women held a partial responsibility with their husbands in contracts of obligation.

As noted earlier, most probably such laws were enforced to create a protective barrier against any possible mis-management of the wife's patrimony by the spouse while giving the husband more flexibility if he wished to enter into a contract of obligation and his wife was not present for the agreement at that particular time. This was the case in a contract dated 29 September 1557 wherein Paulus Barbara and his son-in-law Carolus Formosa,¹⁵⁸ jointly entered into a contract of obligation on their behalf and on behalf of their respective wives. The men promised that according to the prevailing law, both their wives:

“presentem contractum ac omnia et singula in eo contenta ratificabunt et approbabunt, ac una eque principaliter et insolidum cum prenomatis eorum viris ad solutionem”

(had to ratify and approve the present contract, and were jointly and equally liable together with their aforementioned husbands to honour the debt).

This does not seem to have been limited to Malta since in a contract dated 30 March 1543 it was stated that in a previous contract drawn up in Palermo by Notary Theronimus Gittard on 8 January of the same year, Didacus Barbara claimed to be in debt with *Magnifico* Fernando

¹⁵⁸ NAV, R 4/1, f. 70, (29.ix.1557).

Decrinnas for the sum of 80 gold ducats which he was obliged to pay in various ways spread over a period of three years. Didacus's wife Bartholomea was hereby ratifying this contract in Malta and guaranteeing to renounce to any property rights should there be breach of contract.¹⁵⁹ The wife of a captive could also issue receipts of payment on behalf of her captive husband. This was the case of Imperia, wife of Bartholomeo Grima who at the time was in captivity. Due her husband's absence, Imperia issued a receipt to the Knight *Fra. Jacobo De Aspramonte* with respect to the rent of a house.¹⁶⁰ It is through such cases that one appreciates just how much society needed the participation of women in order to keep the economy's rhythm stable. Had women not been conceded such powers, it would have been difficult for debts to be paid, for husbands to be redeemed and for the family's economic activities to continue. The woman whose husband was held in captivity found herself dealing with quite a handful of problems. She had to seek intermediaries who provided the link with the Muslim world, she had to negotiate terms with respect to redemption of her husband, while facing a financial crisis in her endeavour to procure the necessary redemption money.

Usurers were ready to capitalize on such situations and squeeze blood out of desperate clients. It could be said that a woman assumed the leading role in the family at its most difficult time. Issues connected with corsairing and ransoming grew exponentially after the arrival of the Knights in Malta. This in turn, had a direct effect on the entirety of the local population, while also pushing women to participate more in these types of transactions. Ultimately, the situation became so unbearable and caused so many economic pressures that in 1607 the Knights established the *Monte di Redenzione*. This was a government institution founded by private bequests for the philanthropic objective of rescuing from slavery any of the natives who might have fallen prey of the enemy and did not have the means to ransom themselves.¹⁶¹

¹⁵⁹ NAV, R 206/7, f. 85v, (30 March 1543).

¹⁶⁰ NAV, R 202/4, f. 212, (22.v.1540). An approximate profit of 14%.

¹⁶¹ Rossi, D., *The Monte Di Pietà in Hospitaller Malta*, BA Hons. dissertation, (University of Malta, 1998).

The arrival of the Knights increased dramatically opportunities for both Maltese and foreigners to work as soldiers or sailors on merchant ships or on corsairing ventures, the latter being privately armed or else flying the flag of the Order or the Grand Master. As already noted, when these men fell into the enemy's hands, wives of captives faced serious problems since it was not guaranteed that they would ever re-unite with their loved ones. What happened if a husband died in captivity or out at sea? A request deposited at the Magisterial Law Courts by both wife and daughter of Martino Vella, who presumably died while in captivity, reveals that the local authorities were very cautious in declaring a person dead, and collected the testimonials of eye witnesses in order to officially proclaim death. It was thus that *Hon. Nicolaus Demitiri*, who had been taken as a slave with Martino, declared that the poor man had "*morse et trapasso della presente vita dentro Brevisa dove allora se trovava esso testimonio scavo et esso proprio testimonio lo sottorro*"¹⁶² (sic) (died and passed away at Brevisa where at the time the said witness was held slave and he himself had buried him [Martino]).¹⁶³ Such precautionary measures are of course understandable because on the one hand, a section of the population could be facing a situation where their assets were frozen and they could do nothing about it, on the other hand the legitimate claim over assets by husbands who "returned from the dead" would provoke much social and legal difficulties.

4.11 Loans – *sine aliquo usurarum*?

Consumption credit was an essential factor for the temporary or continuous needs of the poor, the less poor, as well as those in the higher echelons of society who, at some time or another, were compelled to seek cash advances at exorbitant rates advanced by usurers. In Rhodes the Order had set up the *Monte di Pietà* in 1505, making it one of the earliest Monte to function outside Italy. In Malta Papal approval for this institution was a long drawn out affair

¹⁶²NAM, MCC, AO, Vol. 1, ff. 209v-210, (1562).

¹⁶³ This topic and further examples will be dealt with in Chapter Five.

which gave rise to various protests by the Order. In fact it was only in 1713 that approval for its establishment was consented in terms of the Bull *Inter Multiplices*. The Grand Master held exclusive jurisdiction *pro tempore* and there was a 2% rate of interest on amounts of over 10 *scudi* to set off salaries of officials and other administrative expenses.¹⁶⁴ In the absence of an institutionalized lending organization such as the *Monte di Pietà*,¹⁶⁵ usurers flourished and assumed a relevant economic role in sixteenth-century Malta. In effect, acting as a pawnbroker not only guaranteed the creditor full repayment, but even a hefty profit margin. Whether or not licensed, services of the pawnbroker remained essentially illegal, and Christian usurers still had to return illicit profits in return for absolution.¹⁶⁶ As shall be discussed, women seem to have been well-integrated in the entangled circle of usurers and served well the function of petty money lenders against the pawning of goods.

Two sixteenth-century registers found at the Cathedral Museum Archives, known as *Registrum Usurariorum Melitae*, contain declarations received at the Episcopal Court relating to usurious practices in the port city of Birgu. In 1570, the then Vicar General, Don Antonio De Bartoli¹⁶⁷ felt that the practice of usury in Birgu was a deep-rooted affair leading to much misery. In order to check and contain such practices, he issued an edict which was delivered at the Dominican Church of the Annunciation on the 18 December 1570. The edict proclaimed that any person aware of any usurious dealings had the moral obligation to report them to the Episcopal Court, or risk being excommunicated by the Church. These registers contain declarations and accusations made by various people in response to this edict and are not proper trial cases. Although they pertain to the years 1570-1575, various testimonies make reference to particular situations which occurred well before that period and thus fall within the parameters of this study.

¹⁶⁴ F. C. Lane & R. C. Mueller, *Money and Banking in Medieval and Renaissance Venice, Vol. 1 Coins and Moneys of Account*, (Baltimore & London, 1985), 76.

¹⁶⁵ Rossi, *The Monte Di Pietà*, 18, 31-32.

¹⁶⁶ Lane & Mueller, *Money and Banking*, 76.

¹⁶⁷ For a detailed description of the life of Antonius Bartolo STD (1533-1608) refer to Borg, *The Maltese Diocese during the Sixteenth Century*, 158-164.

The testimony of the Rhodiot Notary Bonaventura de Bonetiis¹⁶⁸ in the Episcopal Court on 22 December 1570 is of particular importance. This is because from his testimony it is evident that various types of credit contracts often carried a hidden interest rate which permitted the creditor to make good profit out of the issued capital, “*non obstante che li instrumento dice di semplice mutuo*” (notwithstanding that the contract stated that it was a simple loan).¹⁶⁹ Notary de Bonetiis’s profession did not only permit him to be cognisant of actual situations, but also to be a participant in the actual formulation and conclusion of such business deals through careful manipulation of legal terminology. Reference could in this instance be made to the multitude of money loan and trade credit contracts which ended in dispute facing serious accusations of usury. As explained earlier on in this study, often, when concluding a loan contract, interest was included in the total sum due since this measure assured that the creditor recovered the original capital plus the interest without him openly declaring profit. Such instances were a common occurrence all over the Mediterranean as is evidenced by the Notary’s deposition against the prosperous Greek merchant Johannes Callamia¹⁷⁰ in 1570 which stated that the latter, “*da piu tempo have usato et usati di fare contracti in li acti del revelantj di cambij a ragione di trenta p[er] cento o vinti cinqu[e] p[er] cento da Malta in Messina et Saragosa*”,¹⁷¹ (it has been some time that [Callamia] has been doing and has done exchange contracts in the acts of the said witness, from Malta to Messina and Saragosa at the rate of 30 or 25%).¹⁷² Yet another witness stated that the same Johannes forced his debtors to draw up fictitious contracts in order to shroud any signs of usury.¹⁷³

¹⁶⁸ NAV, R 206, Notary Vincenzo Bonaventura de Bonetiis’s Register volumes seem to be all extant and the 51 volumes plus 1 index in his collection span the period 1534-1576.

¹⁶⁹ CAM, *Registrum Usuriorum Melitae, Liber Primus*, f. 6 (new enumeration in pencil).

¹⁷⁰ Johanni Callamia came to Malta with the Knights in 1530, see, Fiorini, ‘The Rhodiot Community of Birgu’ *passim*.

¹⁷¹ CAM, CEM, *Registrum Usuriorum Melitae, Liber Primus*, f. 15v.

¹⁷² Some examples of Callamia’s contracts for the year 1543 found in the acts of Notary Debonetiis have the following reference NAV, R 206/7, f. 114, f. 151, f. 162, f. 166, f. 255, f. 261, f. 313, f. 406,

¹⁷³ CAM, CEM, *Registrum Usuriorum Melitae, Liber Primus*, f. 4v (new enumeration in pencil).

Furthermore, the *Vice-Comite* of the *Magna Curia Castellania* stated that once he was constrained to borrow a sum of money amounting to 100 *scudi* from the said Callamia; however, the creditor made sure to document that the sum borrowed was that of 111 *scudi* thus including a profit of 11%.¹⁷⁴ While Callamia was busy collecting his dues, his wife, Zacalu was busy washing her hair with oil which made her hair turn blonde. Unfortunately for her, she ended up in front of the inquisitor accused of practising witchcraft, a highly serious crime for a woman of her social standing.¹⁷⁵ Her accuser Bartholomeo Faraone, declared that she had committed the crime eleven years earlier. What made Bartholomeo speak now? Was Zacalu the victim of her husband's enemies?¹⁷⁶

As has already been discussed, women are also documented to have lent "amicable" loans, thus acting as important generators of much needed liquid cash. Nonetheless did women, as in Johannes Callamia's case, make use of the legal possibilities which made possible a usurious practice? Did the law permit them to lend money against security of landed property? The answer to the latter question is yes. This may be confirmed from various contracts which depict women as suppliers of liquid cash. In a particular contract dated 1558, *Nob.* Salvus Axac declared to be indebted to *Hon. Mulieri* Venture, widow of *Hon. Magistri* Johannes Fallon, with respect to a loan of ten *uncie* and, in order to provide sufficient security for the borrowed amount, Salvus hypothecated a field and a house he had in Senglea.¹⁷⁷ Testimony of *Magnificus* Leonardo Garibo confirms that some women did not miss any opportunities which came their way and even found ways of circumventing the law in their favour. The above-mentioned witness stated that a certain

¹⁷⁴ "In pura rei veritate non havea havuto altro eccetto scuti cento e li altrj scuti undici se li piglo per guadagni di un anno"(sic). CAM, CEM, *Registrum Usuriarorum Melitae, Liber Primus*, f. 7 (new enumeration in pencil).

¹⁷⁵ Cassar, *Daughters of Eve*, 44, 113.

¹⁷⁶ CAM, AIM, Proc. Crim. Vol. 3B case 26, f. 453.

¹⁷⁷ NAV, 514/1, ff. 40-40v. (18.ii.1558).

Mariecta Falson, who was a well-known usurer in the port area, hid any profits made through the drawing up of fictitious contracts which included a 10% profit on sums of money lent.¹⁷⁸

A detailed analysis of the first volume of these registers pertaining to the years 1570-1571 provides the researcher with some interesting insights into women's active investment and the management of their property (Refer to Appendix III). As may be seen from Chart 4.1 below, the testimony of 59 witnesses (45 males and 14 females), revealed a heavier participation in usurious practices from the part of women.¹⁷⁹ In fact female usurers exceeded their male counterparts by about 65%. At the same time, the average amount of money issued by women was much less than that of their opposite sex, since the average sum loaned by males was 324% in excess to that issued by women (Chart 4.2). It is to be noted here that women's participation in commerce was restricted by their more limited access to capital than that available to men of their class since this generally came to them from inheritances and dowries. Furthermore, as has already been discussed, most married women needed the consent of their husbands in order to enter into contracts of obligation and even if these found ways and means to act on their own they were still limited in their investment ventures.¹⁸⁰ Another striking feature is the number of male accusers amounting to 76.3% as opposed to 23.7% female accusers. Do such figures point to a situation where these were seen to be upsetting the social order? As Merry Wiesner-Hanks explains, "the maintenance of proper power relationships between men and women served as a basis for and a symbol of not only the larger political system but also for the functioning of society as a whole. Relations between the sexes often provided a model for all dichotomized relations that involved authority and subordination, such as those between ruler and subject".¹⁸¹

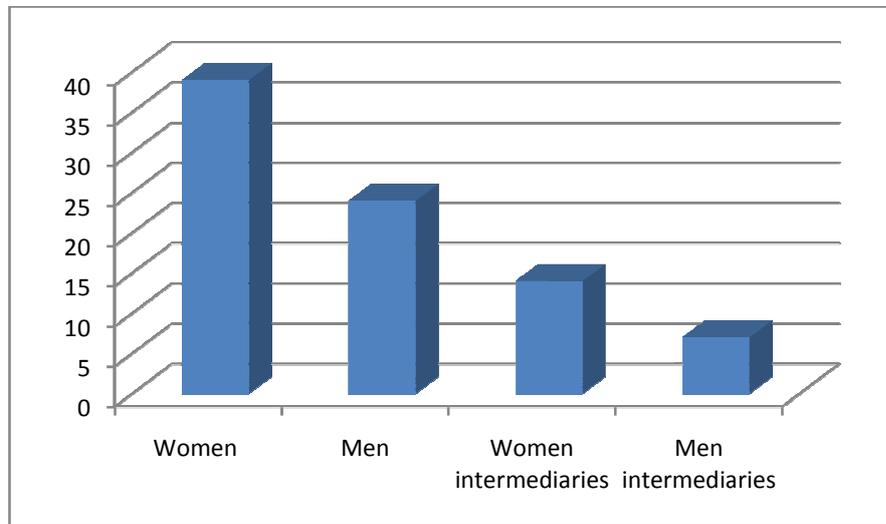
¹⁷⁸ In particular he mentions the acts of Notary Mattheo Briffa which are still extant and carry the reference, NAV, MS 612 and R 91 (1565-1585). CAM, CEM, *Registrum Usuriorum Melitae, Liber Primus*, f. 17v.

¹⁷⁹ In Chart 4.1 those usurers who were accused more than once or those who had the same general name to describe them e.g. "Jewish woman" were counted once. The same procedure was applied to men.

¹⁸⁰ Wiesner-Hanks, *Women and Gender*, 130-131.

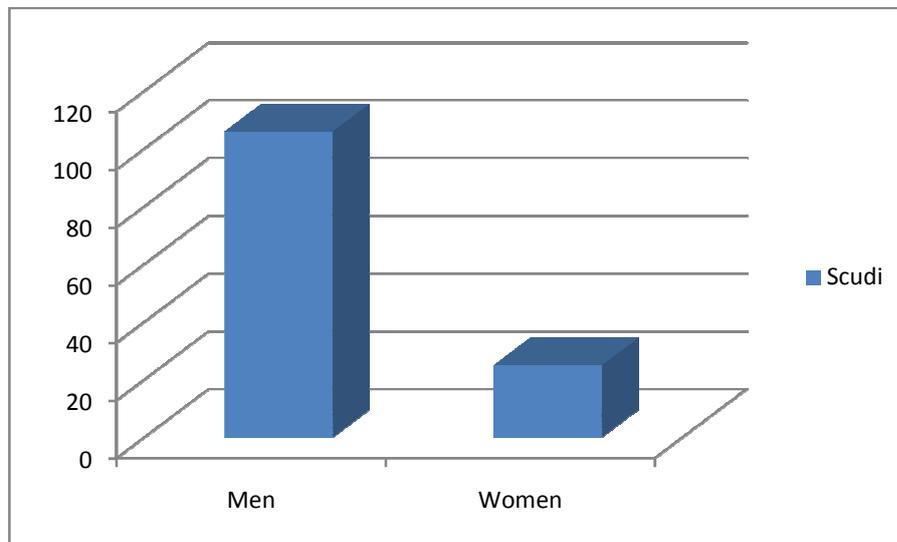
¹⁸¹ Wiesner-Hanks, *Women and Gender*, 295.

Chart 4.1 Individuals who were accused of usurious practice.



Source: CEM, *Registrum Usuriarorum Melitae, Liber Primus (1570-1571)*.

Chart 4.2 Average of Credit Advances in Scudi.



Source: CEM, *Registrum Usuriarorum Melitae, Liber Primus (1570-1571)*.

The first woman to be mentioned in this register is a Sicilian widow named Domenica, resident in Birgu, accused of lending sums of money at considerable profit of 12%.¹⁸² Following are

¹⁸² CAM, CEM, *Registrum Usuriarorum Melitae, Liber Primus*, ff. 1-2v.

the words used by the witness to describe the matter: *“Doppo alcuni giorni ragionando con la medesima Domenica in casa di essa testi posita in questa nova cita li hebbe a dire de novo come haveva dato et imprestato ad un cavaliere cento scuti con havere preso da lui pegni d’oro et esserli promesso da dicto cavaliere dodecj scuti per cento di beveraggio¹⁸³ over di guadagno”* (sic) (After a couple of days, talking with the same Domenica in her house which is situated in this new city, she recounted once again how she had given and lent to a Knight, one hundred *scudi*, and had pawned from him some gold items and had made him promise [to give her] twelve *scudi* for every hundred as profit). Another Maltese woman whose name was not registered was accused of lending money at a profit of one *carlino* per month, while *Hon.* Catherina Allegritta accused Angela di Manete of having lent money to both her daughter Veronica and to a certain slave belonging to Carla Barberi at a monthly profit of 5 *grani* per *scudo*. When referring to women who *“donano a guadagno”*¹⁸⁴ (lent at a profit), the same Catherina testified that there were many women who lent at the same rate or even at the monthly rate of one *tari* per *scudo*. Offhandedly she recalled the names of Paula Dalli, Paula the mother-in-law of *Magistro* Paulo Haxixe, the mother-in-law of Juliano Vella from Bormla, a woman known as Angelina Latappera, *“et multi altri degli quali non si arricorda”*, (and a lot of others whom at the moment she did not remember).

The benefits of pawning are set very clear in various statements such as that made by Mariecta the wife of Michaelis Manero, who said that she had needed to borrow the sum of eight *scudi* which she did through the intermediary service of *Magistro* Johannes Carolo Marullo. Marullo obtained the requested money from a certain Paula, who as security requested a number of items worth *“il duppio et triplo”* (double and triple) the sum lent, and made her pay interest of 5 *grani* per month. Another statement made by Marietta de Carli from Birgu reveals that she had borrowed the sum of 10 *scudi* through the services of Antonella Chilia. As a means of security she had to pawn a number of items worth 30 *scudi* and was obliged to pay monthly interest of 6 *grani*

¹⁸³ This term usually refers to drink money or what we call tips; but in this context it refers to profit.

¹⁸⁴ The verb *“donare”* in Italian means to *“make a gift”*, but here it is used colloquially to mean *“to lend”*.

per *scudo*.¹⁸⁵ In this particular case, Marietta further stated that apart from this loan she had borrowed another loan from Agatha, wife of Antonio Condo, who had lent her money at monthly profit of 10 *grani per scudo*. The witness further stated that she knew that a certain Thomasina Marrazza and Gianna di Monolj di Gratiana¹⁸⁶ from Birgu also lent at a profit, while the widow of Stephani Deassufunio had told her that she had lent money at a profit of 10% – “*con recupero diec per cento di guadagno*”.¹⁸⁷

It becomes very clear from various testimonies that a number of women accused before the Court were not the principal actors providing capital, but acted as intermediaries between the borrower and the lender (see Chart 4.2). In fact these amounted to fourteen out of a total of eighty-four accused and out of these thirteen all were described as acting on behalf of female lenders, one of them also serving as an intermediary for both men and women. Male intermediaries amounted to seven, out of whom four were intermediaries for women. These intermediaries were very careful in shrouding their activities and in admonishing their clients to keep silent, never mentioning or making reference to the principal agent in this complicated usurious cycle, most probably as they were afraid of being prosecuted by the Ecclesiastical Authorities. It was thus that the actions of the above-mentioned Antonella, an intermediary, were described by her client:

[...]non sapendo pure cui fosse la donna principale che e patrona di dectj denari anchi perche[...] e stata pregata essa revelante da decta [Anto]nella che non la dovesse scoprire [...]per non caricare sua conscientia” (sic)

([...]not knowing who the main woman who was the owner of the said money was, even because[...] she [the witness] was requested by Antonella [the intermediary] not to find out who lent her the money [...] so as not to have a heavy conscience)

¹⁸⁵ CAM, CEM *Registrum Usuriorum Melitae, Liber Primus*, f. 4v (new enumeration in pencil).

¹⁸⁶ Mentioned in the list of inhabitants of Birgu for the years 1538-1540. Bezzina, *A Study of the Acts of Notary Nicolo de Agatiis*, 104.

¹⁸⁷ CAM, CEM *Registrum Usuriorum Melitae, Liber Primus*, f. 5 (new enumeration in pencil).

Of course having a “heavy conscience” meant that borrowers could be tempted to accuse their lenders at the Bishop’s Court which at times would turn out a profitable move since if a money lender was found guilty of usury he or she would have to renounce to any hefty profit.

This register also contains testimony of a woman who actually admitted to having lent money at usurious gains, namely *Hon. Mulier Hysabella*, the wife of Michaelis de Christofaro, who testified that she had lent money through the services of Madonna La Giorgentana. Hysabella stated that she did not know who the client was. However, she was given 3 *tari* of profit which she was ready to reimburse immediately.¹⁸⁸ Could the debtor have been a person of high social standing wanting to shroud his or her identity? Intermediaries would have proved useful in this sense. In any case, in a microcosm like Birgu the spoken word carried a great deal of weight and was quick to circulate. It transformed, built or destroyed reputations, and being short of cash was not something to be proud of.

Hysabella’s confession and her readiness to reimburse illicit profits very much reflect the doctrine of the Tridentine Church that according to Carmel Cassar had, “mounted a heroic response to the Protestant schism and in its efforts to revitalize the Church reached out in all directions to control and dominate the life of the faithful, including women”.¹⁸⁹ De Roover explains such actions in the following way: “usurers were excluded from the communion of the Faithful: they were not supposed to attend Divine service: they were not admitted to the sacraments; and they were denied burial in hallowed ground. This was the theory, at least. In practice things were a little different. Because of God’s infinite mercy, usurers always could obtain absolution in *articulo mortis* provided that they repented their sins and offered to make restitution”.¹⁹⁰ In this case, *Mulier Hysabella* was not “at the point of death” but was convinced that she would be admitted back to the Church’s fold if she repented and restored the usurious gains she had received.

¹⁸⁸ CAM, CEM, *Registrum Usuriorum Melitae, Liber Primus*, f. 12.

¹⁸⁹ Cassar, *Daughters of Eve*, 193.

¹⁹⁰ R. de Roover, *Money, Banking and Credit in Mediaeval Bruges – Italian Merchant Bankers, Lombards and Money Changers -A Study in the Origins of Banking*, (Cambridge, MA, 1948), 151.

In another case, Bernardina Milanese confessed that she had borrowed a sum of money amounting to 30 *scudi* from Alexandro Abel¹⁹¹ and hypothecated her house which was situated in Birgu next to the Order's Infirmary. Bernardina's budget was obviously at a heavy deficit, and, out of her distress or due to deceit, instead of cash Bernardina was given 30 *scudi* worth of cloth at 6 *tari* per cane, which cost her an additional 4 *tari* in making it whiter (*in fare bianchiari*). However, when she went to sell it in the town square she only got 2 *tari* 10 *grani* per cane. She ended up borrowing more money and in great financial difficulties, and unable to pay the heavy debt, she was constrained to draw up a contract and sell the house which she had hypothecated to her debtor.¹⁹² The ruin and distress of Bernardina and others who testified before the Bishop represents the everyday plight of a multitude of other persons, who like Bernardina experienced financial difficulties and sought to remedy them by obtaining advances from unscrupulous money-lenders. In the above case the woman's imprudence is observed in the manner she accepted the terms imposed on her by her creditor. Little did she consider that the consequences of her deal would entangle her in a vicious circle of exploitation! Alexandro on the other hand, not only got rid of some merchandize which seems to have been soiled, but at the same time, he capitalized on Bernardina's misfortune by adding her property to the deal. These money lenders were often termed "suppliers to the gallows" since most often their despairing victims ended up in a vicious circle of delinquency and crime.¹⁹³ Indeed some women, as shall be seen in the subsequent case, possibly ended up prostituting themselves.

At times women were the indirect victims of usurious practices, as was the case of the wife of Ambrosio Manero, a merchant from Birgu. In an ever-growing money economy, trade credit was an important tool for the merchant since it enabled him to carry on with his business

¹⁹¹ Alexandro Abel was a notary by profession and brother to Notary Placido Abela, whose acts still survive though not in complete form. J. Abela, 'A Window on the acts of a Maltese Sixteenth Century Notary-Placido Abela', in J. F. Grima (ed.), *60th Anniversary of the Malta Historical Society-A Commemoration*, (Malta, 2010), 207-236, 212.

¹⁹² CAM, CEM, *Registrum Usuriarorum Melitae, Liber Primus*, f. 22.

¹⁹³ de Roover, *Money, Banking and Credit*, 149.

even when navigating in difficult waters. This is exactly what Ambrosio did due to cash shortage. In order to supply his business with the needed commodities, Ambrosio called upon his brother-in-law, *Magistro* Vincenzo Franzese, the latter being highly renowned in Birgu for his usurious practices.¹⁹⁴ Instead of ready money, Ambrosio asked for a trade credit of 130 *scudi* worth of goods, a request which Vincenzo did not hesitate to meet on condition that Ambrosio paid a hefty interest rate. Being again in need of money, Ambrosio once more requested an additional 60 *scudi* from his brother-in-law as he wanted to buy merchandize from a Venetian ship which had just anchored at port. It seems that although Ambrosio did not miss out on his weekly repayments, the accumulated interest was so great that after some years he ended up paying double the amount and still had not satisfied the debt. Vincenzo's mother tried to remedy the situation and went to her son to plead with him that he may find the conscience to return the exorbitant profit to his brother-in-law unless he wished to see his sister turn into a prostitute for the sake of his greed.¹⁹⁵ It seems however that even though Vincenzo was at the time in a very poor state of health, his mother's plea did not affect his actions. On the contrary, the documents attest that he cursed his mother and told her he neither held her as his mother nor considered his sister as one of the family, since, according to him, they were just trying to ruin him.

Catherina, the slave of *Nob.* Antonio de Via also ended up being a victim of usury since her master had pawned her with respect to a loan he had made with Lazzaro Bonnichi. Both contracting parties had agreed that Catherina was to work for Lazzaro for a period of three or four months at the most, the slave giving him 1 *tari* worth of work per day. However it seems that Lazzaro was not content with the slave's output and kept renewing her term each month for almost eight months. The miserable slave fled to her original master and begged him to release

¹⁹⁴ The date of the document is 22 December 1570, but the witness stated that this case happened a few years earlier.

¹⁹⁵ CAM, CEM, *Registrum Usuriarorum Melitae, Liber Primus*, ff. 15v-16.

her from Lazzaro's possession since he was ill-treating her and even threatened to lock her up in jail if she did not satisfy the debt in full.¹⁹⁶

Such testimonies clearly expose the negative effects which the Catholic Church's restrictions on the taking of interest had on the growth of a healthy economy since merchants and traders, being in constant need of ready cash, at times had to resort to borrowing from ruthless usurers. Thus, instead of re-investing their profits in order to generate more work, honest gain served to fill the pockets of usurers with the consequence that many ended up bankrupt, and their families impoverished.

Notarial acts also serve as testimony to women who were active participants in the credit market, and this not only locally but even outside the island's shores. In a particular act dated 1551,¹⁹⁷ Giovanni Callamia and Giacomo Caloriti, both Rhodiot citizens of Malta, transferred a variety of gold items to Nicola Panthuineno, the appointed procurator of *Domina* Helena Gratiana. The contract stipulated that the said procurator was to hand over the items to Emanuele Gatana, another Rhodiot merchant, who in turn was to deliver them to the said Helena in the city of Messina. In another instance, Clara La Carruba, who was resident in Birgu also found it opportune to lend capital to foreigners since, on 15 December 1540 she is recorded to have lent 6 *scudi* to a Neapolitan merchant through the services of two Neapolitan intermediaries who on their part hypothecated their personal goods and promised that she would get repaid in three month's time in the port of Birgu.¹⁹⁸

Apart from highlighting the commercial interaction which existed between various negotiators scattered throughout the Mediterranean, these contracts also highlight the fact that women, such as Lady Helena and Clara, although being adventurous in their dealings, sought to protect their capital when investing in a risky overseas transaction. In order to ensure that their

¹⁹⁶ CAM, CEM, *Registrum Usuriorum Melitae, Liber Primus*, ff. 19v-21.

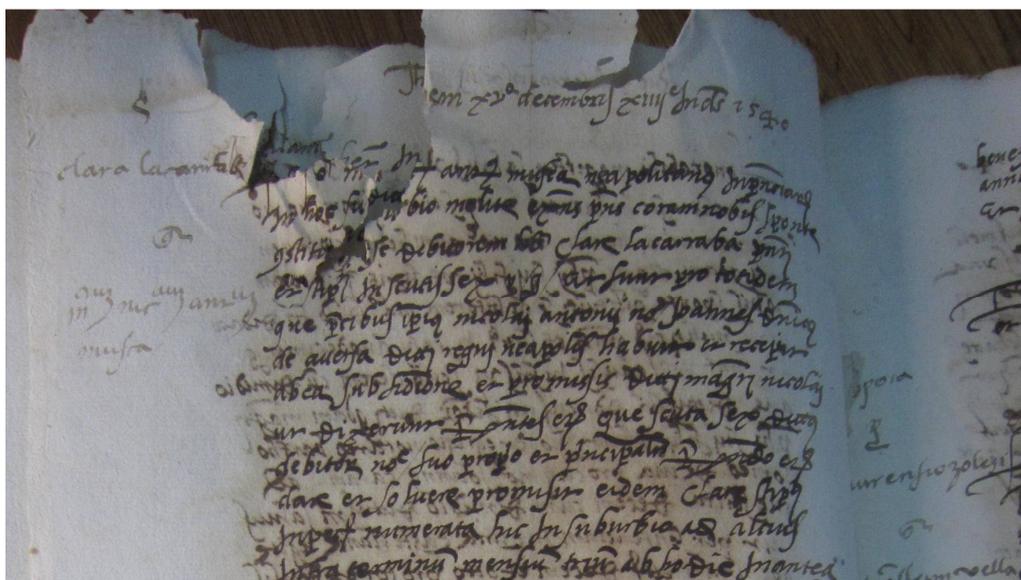
¹⁹⁷ NAV, R 439/42, ff. 15v-17, (21.vi.1551). All the persons mentioned in this act are Rhodiot.

¹⁹⁸ NAV, R 202/5, f.98v, (15.xii.1540).

investment was safely guarded, they usually drew up contracts and made use of the services of a male procurator who would be mainly responsible for collecting or paying debts and representing them in court cases if the need arose.

Knights of the Hospitaller Order are also documented to have borrowed considerable sums of money from women, as was the case of the Knight *Fra. Hieronymus Picullus*, who borrowed 100 *scudi* from Beatrice de Adamo, while relinquishing various goods as security.¹⁹⁹ Beatrice seems to have been quite an active business woman since her name is encountered in various financial transactions. This woman's financial stability is also reflected in a particular act where she is recorded to having built a house in Birgu which was adjacent with the property of the Knight *Fra. Rosset*, a prominent Knight who was in charge of the Order's slaves.²⁰⁰ Highly successful business women like Beatrice do not represent the typical Maltese or foreign woman resident in Birgu. However, as has been shown, various women participated directly in economic activities either alone or as partners with their spouses.

Fig. 4.3 Clara La Carruba (top left) recorded as having lent money to a Neapolitan merchant



Source: NAV, R 202/5, f. 98v, (15.xii.1540).

¹⁹⁹ NAV, R 202/4, ff. 34-34v, (8.x.1539).

²⁰⁰ NAV, R 202/3, ff. 36v-37, (15.x.1532).

4.12 Conclusion

Bringing forth the realities of everyday life, primary sources such as those found at the notarial archives make it possible to study the multicultural society which had established itself in Malta, and how this entwined with the local population. This Chapter has brought forth the possibilities or limitations which were afforded to women and how these, through different means, contributed to the island's economic development. During medieval times, marriage alliances constituted an important and strategic tool for those aiming at holding important positions among the ruling élite. However, women did not feature in the political schemes of the Order whose members vowed to be chaste for the rest of their lives. Although excluded from political affairs, women, through their numerous charitable bequests and through the transfer of property to the Church, indirectly started to give more power to an Institution which was a staunch opponent of the Order, that of the Bishop of Malta. This study has further shown how even prior to 1530, Maltese women were far better than most of their European counterparts. They enjoyed property and inheritance rights allowing them to dispose of their dowries and their assets in the manner they deemed fit, their husbands acting as administrators but requiring their wife's consent if they wanted to alienate property. The arrival of the Knights did not change or take away any of these rights, which were deeply rooted in old laws and customs, or at least they did not try to in the early decades of their stay.

Almost overnight, the presence of the Knights created a ready market for goods reaching unprecedented proportions. The economy boomed, especially in the retail sector which now needed to cater for a larger community with a variety of needs. The influx of new arrivals created various job vacancies for women which went beyond the traditional roles assigned to them. Clara Laspatara manufactured swords, *Donna Caterina* owned a hostel, *Hon. Mulier Angelina* found work as a domestic servant, and *Donna Lorenza*, together with her son who was an *aromatario*, opened their own shop and even hired extra hands. Notarial documents portray a situation where

during the first decades of the Knights' stay foreign women were more attracted than Maltese women were to partake in economic activities being offered in the harbour area. Maltese women possibly keeping to more traditional domestic work associated with village life or went to Birgu to sell their produce.

Cash was fast becoming the essential tool when conducting business transactions and lack of it hindered people from participating in the economic life of the island. The need for money, which was often advanced through hypothecation or sale of land, saw women take a greater participation in their husband's business deals since it was only through the wife's consent that land received as dowry could be sold or placed as security for much needed loans. Lack of cash also created a steady market for money lenders some of whom soon sought to exploit those who were financially weak, thus starting a whole process where weaker and poorer members of society ended up being swallowed by an ever-growing spiral of debt. The usurer made sure to cover his/her loans not only through hypothecation of property, but even by drawing up contracts which contained hidden interest.

As shall also be shown in the following Chapter when tackling the subject of ransoming slaves, circumvention of law to hide exorbitant interest rates was not only adopted by Maltese money lenders but extended over a much wider radius across the Mediterranean. Although lending smaller sums of money than their male counterparts, women also lent money at high rates and seem to have had a good network of agents working for them. Catherina Allegritta remembered many of their names in front of the Inquisitor. Angela, Paula and Angelina Latappera were among those she could recall, but there were many others she claimed. People like Bernardina Milanese ended up being victims of a vicious circle, where usurers applied their own rules and imposed their own penalties on doubtful debtors, some of whom ending up prostituting themselves to pay up debts which in reality could never be settled through their meagre income. It was a situation where the rich got richer and the poor got poorer. The absence of a charitable

institution, like that of the *Monte di Pietà*, which in Rhodes seems instead to have already been functioning by 1505, aggravated the situation.²⁰¹ While in Rhodes, the Knights knew that in establishing a lending institution many problems related to usury and to the exploitation of the poor would be considerably reduced. Locally, due to constant disagreement with the Roman Curia the institution took long to develop.²⁰² The setting up of the *Monte* was yet another aspect of their Rhodian state which the Knights were not successful in transferring automatically to Malta and it was only very late in their tenure of the islands that they managed to establish the institution.

²⁰¹ Rossi, *The Monte di Pietà*, 18.

²⁰² The approval of the *Monte di Pietà* by the Roman Curia was a long drawn affair which generated a lot of protests from the Order. It was finally approved on 9 September 1713. Rossi, *The Monte di Pietà*, 31-32. See also de Roover, *Money, Banking and Credit*, 150-151

Chapter Five

Trade with North Africa and the Levant

5.1 Introduction

If one had to outline a rather simplified and schematic sketch of the Mediterranean World during the first half of the sixteenth century, it would be sufficient to state that this region was split in two opposing sections, to the north and west lay Christian Europe, while to the east and south lay Muslim Africa-Asia. However, the Mediterranean cannot be defined by this over-simplified picture, for within this space, in the West, the *Morisco*¹ community in Spain, remained a unique cultural community and managed to conduct its business activities despite being severely persecuted, since as Braudel notes, “how could a hard-working people avoid becoming rich in a country flooded with precious metals and populated by an abundance of *hidalgos*² for whom any work was dishonourable?”.³

Other Jews⁴ and Arab-Muslims, uprooted and expelled from their native land by the Spanish rulers, established themselves in North Africa engaging in corsairing activities against Spanish coasts and shipping. In the Eastern Mediterranean Christian communities made up of Genoese colonies who established themselves in Chios, Lesbos, Phokaea and Pera, and also

¹ From the beginning of the sixteenth century, baptized Muslims and their descendents were known as *Moriscos*. Since there were various *Morisco* societies scattered in Spain their conversion, which was generally forced, took place at different periods starting with the Moors of Granada in 1499 in violation of the promise made to them by the Spanish Crown in 1492. The general expulsion of the *Moriscos* took place between 1609-1614. F. Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, (trans. S. Reynolds), (2 volumes, Berkeley, Los Angeles & London, 1995), Vol. II, 780-802, M. A. Ladero Quesada, ‘*Mudéjares and Repobladores in the Kingdom of Granada (1485-1501)*’, in A. Meyuhás Ginio (ed.), *Jews, Christians and Muslims in the Mediterranean after 1492*, (London, 1992), 53-77; N. Matar, *Europe Through Arab Eyes, 1578-1727*, (New York, 2009), 82.

² Members of the Spanish aristocracy.

³ Braudel, *The Mediterranean*, Vol. II, 792.

⁴ The expulsion of the Jews from Spanish domains took place in 1492.

Venetian colonies established in Cyprus, Crete and other neighbouring islands, competed with Greeks, Copts, Armenians, Jews and other non-Muslim subjects of the Ottoman Sultan in their daily pursuit to conduct trade and take advantage of commercial opportunities.⁵ As Molly Greene states, “from the time of the Fourth Crusade in 1204 onward, the eastern Mediterranean was the point of intersection for not two, but three, enduring civilizations- namely, Latin Christianity, Eastern Orthodoxy, and Islam”.⁶

The Ottoman central government in Istanbul was supposed to hold a balancing control over its vast territories, however this task proved too difficult to accomplish especially for far away domains and, as Suraiya Faroqhi explains, “when we look more closely at day-to-day events in the borderlands it soon becomes clear that central regulation was only part of the story”.⁷ The Barbary Regencies had more autonomy than other provinces in the Ottoman Empire and during the sixteenth century Ottoman authority was delegated to provincial Pashas who most often were, to put it in Peter Earle’s words, “often the conquerors themselves, ambitious and powerful men, not likely to trouble themselves too much about the wishes of a superior so many miles away at the other end of the Mediterranean”.⁸

⁵ Suraiya Faroqhi explains that “the Ottoman ruling elite was by no means hostile or even indifferent to trade: quite to the contrary, large-scale wholesaling traders were allowed to enrich themselves”, S. Faroqhi in, ‘The ruling elite between politics and “The Economy”’, in H. Inalcik & D. Quataert (eds.), *An Economic and Social History of the Ottoman Empire 1300-1914*, (Cambridge, 1994), 545-575, 545-546; Fontenay, ‘The Mediterranean World, 1500-1800: Social and Economic Perspectives’, in Mallia-Milanes, V. (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 43-110, 49. See also K. Fleet, *European and Islamic trade in the Early Ottoman state: The merchants of Genoa and Turkey*, (Cambridge, 1999).

⁶ M. Greene, *A Shared World: Christians and Muslims in the Early Modern Mediterranean*, (Princeton, 2000), 4. See also B. Arbel (ed.), *Intercultural Contacts in the Medieval Mediterranean, Studies in Honour of David Jacoby*, (London, 1996) which tackles the long-lasting convergence and intricate interaction between Christians, Muslims and Jews in its widest sense.

⁷ S. Faroqhi, *The Ottoman Empire and the World Around It*, (London, New York, 2007), 27.

⁸ P. Earle, *Corsairs of Malta and Barbary*, (London, 1970), 24. Earle further explains that the second generation of governors were appointed for a triennial period and these found it difficult to maintain power due to frequent revolutions so they had to seek the help of the janissaries. The latter eventually wielded real power over the regencies which grew in their autonomy, with Constantinople mostly concerned with the region remaining Turkish since it was a valuable part of the Empire’s defence system. The Barbary corsairs accepted the obligation of Turkish sovereignty since when it came to supporting the Turks, they accompanied the Empire in its naval warfare against the Christians. Earle, *Corsairs of Malta and Barbary*, 24.

Furthermore, by the middle of the sixteenth century, European officials and merchants enjoyed good relations with the Ottoman administration and were even allowed to live and travel to the capital or to provincial trading centres.⁹ On the Christian side, Venice, a significant player on the political chessboard of the sixteenth century which controlled important positions in the otherwise Ottoman-dominated eastern Mediterranean,¹⁰ was often accused of pursuing her commercial interests with the Ottomans to such an extent that these ran counter to the Christian fight against the Muslim.¹¹ As for the French, they drew up several agreements with Ottomans during the 1530s and 1540s,¹² and, as Peter Earle remarks, “their concept of peace seems to have had a strange duality about it. On the one hand was the attitude of a trading nation who wanted to expand her commerce in the Mediterranean. Peace with Turkey and Barbary made good sense, and had the added advantage of encouraging hostility against Spain, often a common enemy”.¹³ It is therefore clear that both in Ottoman as in Christian lands, government policies most often reflected the political and economic interests of the country rather than following religious and ideological issues.

The full exploitation of lucrative trade opportunities was the common factor which in theory motivated all these participants in their daily struggle against religious ideologies which impeded significantly the easy flow of trade. The Mediterranean region was indeed an intricate

See also S. Faroqhi, ‘Trade: regional, inter-regional and international’, in H. Inalcik & D. Quataert (eds.), *An Economic and Social History of the Ottoman Empire 1300-1914*, (Cambridge, 1994), 474-530.

⁹ Due to lack of documentation it is difficult to give a quantitative analysis of such occurrences and studies mainly depend on the writings of contemporaries or else on perspectives adopted by modern historians. Faroqhi, *The Ottoman Empire*, 29.

¹⁰ These included Crete which remained Venetian until the war of 1645-69 and Cyprus which they kept until 1570.

¹¹ V. Mallia-Milanes, *Venice and Hospitaller Malta, 1530-1578*, (Malta, 1992).

¹² During the battle of Pavia in 1525, the king was taken prisoner by the Habsburgs and subsequently liberated after the payment of a hefty ransom price which included substantial political concessions. This situation led the king to conclude several deals with the Ottoman sultan Süleyman. Such ententes remained a constant possibility especially during the war years of 1680s and 1690s. Faroqhi, *The Ottoman Empire*, 33.

¹³ Earle, *Corsairs of Malta and Barbary*, 38.

combination of such inter-mingling where sea-trade and sea-conflict coexisted,¹⁴ a space which thus cannot simply be defined by its edges,¹⁵ or its religious beliefs. According to Nabil Matar, “as much as [Muslim] jurists condemned such intercourse with the *nasara* [Christians], they stood as little chance of putting an end to it as did Christian clergy, princes, and even the papacy of curbing Christian trading with the Muslim world”.¹⁶ As regards to Malta, to what extent did the Christian princes of the island want to curb trading activities with the Muslim world? Were the restrictions imposed by the Hospitaller government aimed at cutting-off Christian-Muslim trading contacts, or were they used as a means to control such trading and justify it in the eyes of the Christian world?

It will be the main concern of this chapter to try and offer a picture of the Mediterranean where different cultures, apart from clashing, found it also opportune to move along each other’s shores to trade despite their traditional enmity.¹⁷ Malta, the official base for Christ’s militia, and as such considered the epitome of the Christian fight against the Muslim, offers an excellent example of this paradox. This micro-historical study will look into the individual trajectories of the protagonists, be they merchants, Knights, slaves, clergy or lay people. It shall thus seek to outline the practical way in which commercial and financial activities functioned under such circumstances. Such analysis is essential if one needs to probe into the actions of the different stakeholders in Mediterranean trade since they were very traditional and often bound by strong religious beliefs.

Results drawn from primary sources will shed light on the ever-growing local and foreign commercial activities taking place in the Maltese harbour area, making special reference to the

¹⁴ M. Fusaro, ‘After Braudel: A Reassessment of Mediterranean History between the Northern Invasion and the *Caravane Maritime*’ in Fusaro, M., Heywood, C., Omri, M. S. (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel’s Maritime Legacy*, (London & New York, 2010), 1-22, 7.

¹⁵ D. Abulafia, ‘Introduction: What is the Mediterranean’, in D. Abulafia (ed.), *The Mediterranean in History*, (London, 2003), 11-65, 11.

¹⁶ Matar, *Europe Through Arab Eyes*, 10.

¹⁷ Salvatore Bono has even noted the presence in Tunis of Maltese merchants purchasing prize ships and cargoes during the seventeenth century. S. Bono, ‘Guerra, Corsara e Commercio nel Maghreb Barbaresco (Secoli XVI-XVIII)’, in G. Lopez Nadal, (ed.), *El Comerç Alternativ. Corsaris i Contraban (ss XV- XVIII)*, (Mallorca, 1990), 133-144, 141-142.

way in which these interplayed with the presence of the Knights Hospitallers. These not only managed to provide the essential institutional framework for commercial activities to flourish, but even strengthened existing maritime links and built upon local expertise, thus gratifying the abilities of the local seafaring community. From this study the paradox which existed between the Knights' economic and spiritual needs becomes strikingly obvious. As shall be discussed in due course, on the one hand the Knights had to live up to their reputation as Christendom's bulwark against the infidel, and on the other, they had an interest in keeping open commercial links with Islamic trading posts spread throughout the Mediterranean. Thus, there existed other realities apart from that of total hostility between the cross and the crescent, and these come to the fore when tackling and investigating daily operations of the different stakeholders in trade.

In this chapter special attention shall be given to trade links between Malta, North Africa and the Levant, and how such activities managed to function, albeit at times at a very low level, within the different and independent policies adopted by the governors of the Ottoman States. Main questions which this analysis will seek to answer are: was there a trading link between North Africa and Malta prior to the arrival of the Knights? How did the Knights exploit their dual presence in these two fortresses? How did traders, both Christian and Muslim, manage to operate successfully, often making trips to hostile ports in pirate-infested seas? Why were these players suddenly attracted to trade in Maltese ports? What was the reaction of the local population to the involvement of foreign players in the island's trading activities? How much did the shift of the main administrative centre of the island from Mdina, which was an inland city, to Birgu, a harbour city, affect the island as a trading centre? Can it be said that the island re-orientated its place in the Mediterranean through these changes?

By offering fresh insights into such realities it is ultimately hoped that the following investigation will serve as a springboard to trigger further in-depth studies in an area and period which has hitherto been neglected in Maltese historiography. Furthermore, it is hoped that this

study will complement various other studies which have concentrated on commercial networks in the Mediterranean in the early modern period, thus providing a fuller picture of the maritime activities of the Mediterranean seafaring community.

The chapter will first set out to explain why despite having a great potential for trading prospects, Tripoli was considered a burden not only for the coffers of the Order, but even for those of the Spanish Crown. It shall then proceed to look at how administrative measures adopted by the Knights in Tripoli may be compared to those implemented in Malta, and the way in which trading activities connected to the Tripoli Castle were regulated. It shall then look at the mechanisms used by various merchants to fully exploit the Christian presence in Tripoli, and how different ethnic groups managed to cooperate for the sake of their own business interests. Through a diverse range of documentation it also aims to shed light on how the Order functioned with respect to the provision of victuals and other commodities from across the Mediterranean.

5.2 The Castle of Tripoli under Christian rule

The Spanish conquest of ports along the Maghribi coast earlier in the century was a direct response to the fear of a possible Ottoman advance in the Mediterranean.¹⁸ This fear increased from the 1520s with the accession of Süleyman the Magnificent to the Ottoman throne in 1522.¹⁹ His first act as Sultan was to expel the Hospitallers from Rhodes thus freeing a vital communication point between Istanbul and Cairo from a constant menace.²⁰ The establishment of Barbarossa brothers in Djerba (1510), Djidjelli (1514) and finally in Algiers (1516), triggered a major concern for Spain, especially since the political situation in the Mediterranean was changing rapidly in the

¹⁸ A. Williams, 'Tripoli and the Knights of Malta Revisited', in P. Xuereb (ed.), *Karissime Gotifride-Historical essays presented to Godfrey Wettinger on his seventieth birthday*, (Malta, 1999), 97-102, 97.

¹⁹ North Africa and the western Mediterranean in the earlier part of the sixteenth century had become as much of an Ottoman-Habsburg frontier as the Balkans, and this continued to be the case under Süleyman's successors. Greene, 'Resurgent Islam: 1500-1700', 220-226; C. Heywood, 'A Frontier without Archaeology? The Ottoman Maritime Frontier in the Western Mediterranean, 1660-1760', in *Crusades*, Vol. II, 493-508.

²⁰ M. Kunt, 'Introduction', in M. Kunt & C. Woodhead (eds.), *Süleyman the Magnificent and His Age*, (London & New York, 1995), 3-38, 35.

decade 1520-1530.²¹ It is as a consequence of all these changes that Malta acquired its full worth as a strategic outpost.²² Once Tripoli was conquered by Ferdinand the Catholic in 1510, the monarch realized that this conquest could not finance itself, and thus transferred full financial responsibility for the upkeep of this base on Sicily.²³

According to Trasselli, this move was possible since the King knew that the viceroy would ultimately accept this heavy financial burden with little opposition.²⁴ In turn, on his accession to the throne, one of Charles V's first decisions was to free Sicily of the financial and military burden of Tripoli,²⁵ thus putting an end to continuous requests for financial aid made by Sicilian Viceroys. Similarly, just like the Sicilian Viceroys before them, the Order was presented with an option it could hardly negotiate, since it was aware that the King knew very well how urgent, precarious and unstable its position was due to the loss of Rhodes. After having reluctantly accepted this enclave which was surrounded by hostile hinterland, the Order managed to govern Tripoli for a short period of twenty-one years.

During the medieval period, Maltese corsairs operated from Tripoli against the Ottomans in the Aegean. Furthermore, Malta had served as a base for corsair vessels.²⁶ Nonetheless these activities were in no way comparable to the attacks suffered by Muslim shipping as a result of the

²¹ Braudel, *The Mediterranean*, Vol. II, 855.

²² M. Fontenay, 'Charles Quint, Malte et la défense de la Méditerranée', *Revue d'histoire moderne et contemporaine*, No. 50, (2003), 7-28.

²³ The establishment of *presidios* along the North African coast as far east as Libya provided protection to Catalan and other ships navigating to the East since it kept in check Muslim piracy. D. Abulafia, *The Great Sea: A Human History of the Mediterranean*, (London, 2011), 409.

²⁴ C. Trasselli, *Da Ferdinando il Cattolico a Carlo V, L'Esperienza Siciliana 1475-1525*, (2 volumes, Soveria Mannelli, CZ, 1982), Vol. 1, 205.

²⁵ Before the transfer of Tripoli to the Knights in 1530, the Viceroy of Sicily, Ettore Pignatelli, received 12,000 *scudi* yearly for its upkeep. Other expenses such as the supply of ammunition or extraordinary expenses were the responsibility of the Spanish Crown. E. Rossi, *Il Dominio degli Spagnoli e dei Cavalieri di Malta a Tripoli*, (Airoldi, 1937), 47. Carmelo Trasselli has also argued that the North African conquests led to grave economic repercussions in Sicily as the country had to shoulder not only the financial expenses but also the presence of mercenaries employed by the Spanish Crown for North African campaigns. These were stationed in Sicily and were not averse to pillaging Sicilian towns. Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, 206.

²⁶ A. Luttrell, 'Malta and Rhodes: Hospitallers and Islanders', in Mallia-Milanes, V., (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 255-284, 269-270.

Order's establishment on the island. As shall be shown, trade links with Tripoli were already being exploited by Maltese merchants during the medieval period. However, it was only after 1530 that Malta began to witness a substantial increase in its economic activities due to the presence of a Christian base in Tripoli. Corsairing was becoming the island's fastest growing sector and the connection with Tripoli provided an important link for conducting redemption services which were coupled with transport of merchandise. As shall be delineated, documentary evidence reveals that the Tripoli outpost offered good trading prospects, and commercial links with Malta were retained even after the loss of the fortress by the Knights Hospitallers in 1551.²⁷

5.3 Trade and taxation in Tripoli prior to the arrival of the Knights Hospitallers

Given lack of documentation relating to taxes in force during the Order's rule in Tripoli, the study of such documents relating to the Spanish period gives a good indication of how income was generated from this city for the benefit of the ruling body. It is pertinent to note that research carried out on the Archives of the Order for the period 1530-1551 did not produce any new documentation in addition to that already published which could shed light on the taxes imposed during the Order's rule despite the presence of some laws which were promulgated with respect to the administration of the said city.²⁸ It may thus well be the case that the Order chose to keep

²⁷ The main sources regarding Malta and the Tripoli fortress are G. Bosio, *Dell' Istoria della Sacra Religione*, Vol. III, (2nd impression, Naples, 1684); E. Rossi, 'Il dominio dei Cavalieri di Malta a Tripoli (1530-1551) e i rapporti dell' Ordine con Tripoli nei secoli seguenti (1551-1798)', *Archivium Melitense*, Vol. VI, No. 2, (1925), 43- 85; A. Vella, 'The Order of Malta and the defence of Tripoli 1530-1551', *Melita Historica*, Vol. VI, No. 4, (1975), 362-381; Williams, 'Tripoli and the Knights of Malta Revisited', 97- 102.

²⁸ The most extensive of these were those of 1548, which shall be dealt with later on in this chapter. These capitoli were approved during the Chapter General of 1548 and duly recorded in the *Sacra Capitulum Generalia* NLM, AOM 287. Other laws were incorporated within the various instructions given to the governors of the city recorded in the *Libri Bullarum*. When a new governor took possession of the city he was obliged to take with him a copy of the existing *bandi* and read them out to the population so that everyone knew how to respect the law. It was further stated that the city enjoyed many good customs which had been previously introduced.

existing taxation structures since orders and instructions issued to newly appointed governors at Tripoli referred to the “old customs” of the city and how these were to be respected.²⁹

Sicilian Viceroy acknowledged the fact that trade with the Moors represented the most important commercial activity in Tripoli³⁰ and accordingly, all officials and residents of the city and fort were duty-bound to accommodate all merchants in their needs so as to encourage them to enhance their trading operations.³¹ The income of the city was mainly derived from various taxes imposed on such trading activities, as was for example the customs tax imposed on all imported and exported commodities referred to in documents as “*di dohana*”.³² This tax stood at 18 *grani*

²⁹ “*Perche circa il governo del castello sono molte ordinatione antiche et moderne et bene costume quelle bene vederete et considerarete et conforme esse vi regirete, et si alcuna cosa dimportancia vi parera innovare darete prima aviso a noi et a nostro venerando consiglio accio che in quelle vi sia dato ordine.*” (sic) (Because regarding the governance of the castle there are a lot of ancient and modern ordinances and good customs, these you will observe and consider and govern according to them, and if in your opinion you think that you need to change [such laws] you will first notify us and our venerable council for the granting of permission.), NLM, AOM, Lib. Bull. 421, f. 226v, (9.xi.1549). Similar orders are found in NLM, AOM, Lib. Bull. 415, f. 246v, (10.vi.1533).

³⁰ This statement was made by the Viceroy himself when he stated in his *Capitoli* that, “*li personi che portirano in dita cita li diti robbi et mercancij non li portirano ad altro efecto si non per vindirli alj morj perche conoxeno et sano chi in dita fortaliza tanti mercancij non si potevano per li genti chi stano in dita fortaliza comperarj*” (sic) (The persons who bring to this city the said goods and merchandize do not bring them other than to sell them to the Moors, because these know that they could never sell so much merchandise to the residents of the fort.) NLM, AOM 6559, f.44, (6.iv.1523). The statement further stated that many merchants often declared that they were to re-export their goods to Christian countries, but then, once they avoided paying the export tax, they went to infidel countries and sold their wares there. Thus, any merchant who declared that he was to export to Christian countries had to present the necessary documentation which substantiated his claims, this being stated as “*di fare li debiti responsali in fra legitima tempora como serrano portati in questi lochi.*” NLM, AOM 6559, ff. 44-45, (6.iv.1523).

³¹ NLM, AOM 6559, f. 40, (5.ix.1521). “*Per atrahiri lu comercio ad augmeto et utili di dita dohana, volimo et ordinamo chi li mercanti et persuni tratanti chi viniranno ad trattare et merci moniari in dita fortalizia siano ben tratate, visti et respectati, danduli stancia et locu, tanto per loro habitacioni como per la custodia et conservacioni di loru mercancij et robbi, non li fachendo alcuno ostaculo tanto in lo venire comu in lo comprari et vendirij azoche essendo ben tratate et onorati habiano causa di concurrirj et trattari in dita fortaliza in utili et aumento di la regia Corti*” (sic) (In order to attract commerce and for the benefit of the said customs, we command that merchants and contracting persons who come to do business and trade in the said fortress are well-treated and respected, provided room and space both for their lodging as well as for the safeguarding of their merchandize and goods. They should not meet with any obstacle either in their arrival or their sales or purchases, since, if they are well-treated and honoured, they will have cause to return to this fortress and do business for the benefit of the *Regia Corte*.) See also NLM, AOM 6559, ff. 54-55, (26.iv.1525).

³² Wheat, armaments, iron, steel and other minerals were prohibited from being imported unless authorized by the governor. G. La Mantia, ‘La Secrezia Dogana di Tripoli ed i Capitoli della sua Amministrazione Approvati e Riformati dai Vicire di Sicilia negli anni 1511 -1521’, *Archivio Storico Siciliano*, Vol. V. No. 41, (1916), 466-490, 476. Other *Capitoli* included those issued on 6 April 1523; 26 May 1525; and the instructions given to *Nob.* Francesco Corsu who was the fiscal officer (*credenciero*) of the *Regia Corte* on 28

per *uncia* or 3% of the total estimated value of the merchandize.³³ Any goods imported in Tripoli which were not sold were exempt from the above-mentioned export tax if the merchant chose to re-export them for sale elsewhere.³⁴ However, any goods which were bought directly from Tripoli for export purposes were subject to this tax. Other taxes included that known as "*la caxa*", which amounted to 1 *tari* per *uncia* or 33.3% on all goods sold within the fort and the city, and the "*cantarata*".³⁵ The latter was imposed on both imported and exported items which were sold by weight, referred to in the documents as "*canna di peso*". On importation, these types of goods were subject to the usual 18 *grani* per *uncia*. However, if eventually re-exported to Christian lands, they were subject to an additional 1 *tari* per *uncia* as *caxa* tax and another *tari* per *uncia* on the weight or *cantarata*.³⁶

Both imported and exported merchandize had to be weighed and valued by the *Secreto* or his official before any further trading operations could take place.³⁷ All merchandize had to be imported or exported through two main gates, both of which had a guardian who kept a daily record of all imports and exports. One of these gates was known as *Porta della Marina*, and, as the name implies, was used for sea borne trade, while the other gate was known as *Porta della Vittoria* used for all land trade.³⁸ Furthermore, as was the practice all over Europe, no merchandize could be exported during night-time in order to ensure the transparency of all trading operations and to avoid clandestine trading.

Sale and ransoming of slaves, both white and black also carried a tax charge, and accordingly, each ransomed infidel slave had to make two kinds of payments, one of 5 gold ducats,

November 1528, a copy of which is found in NLM, AOM 6559. (It is to be noted that all enumeration of this manuscript was done in pencil at a later stage and at times it is not sequential).

³³ This was established as being 5% in the *Capitoli* of 1510-11, NLM, AOM 6559, f. 8; La Mantia, 'La Secrezia', 472. Soldiers and guards of the fort were exempted from this tax, NLM, AOM 6559, ff. 43, 45, (6.iv.1523).

³⁴ NLM, AOM 6559, f. 44, (6.iv.1523).

³⁵ NLM, AOM 6559, ff. 43-45, (6.iv.1523).

³⁶ NLM, AOM 6559, f. 45, (6.iv.1523).

³⁷ NLM, AOM 6559, ff. 28, 37, (5.ix.1521).

³⁸ La Mantia, 'La Secrezia', 472.

due to the customs official, and another amounting to 1 gold ducat which was due to the guard at the *Porta di la Victoria*.³⁹ Moreover, if a slave returned to Tripoli from his captive place in the hope of being ransomed but was not lucky in his endeavour, the owner or *patrone* could re-export him/her without having to pay any tax.⁴⁰ Non-ransomed slaves could be sold by public auction even by Moors and, if such slave was eventually sold, a tax known as "*laxuta dela porta*" (sic)⁴¹ amounting to 20 *tari* had to be paid.⁴² This tax was equivalent to that due on all black slaves who were exported. It is interesting to note that these *capitoli* make continuous and specific distinction between "Moor slaves" and "black slaves", the latter referred to in documents as "*testa di nigru*". For example, Clause 12 of the 1521 *capitoli* stipulated that all "black slaves" who entered the city had to pay a tax which amounted to 2 *doubloons* 1 *tari*, while another *doubloon* 4 *tari* were to be paid on leaving the city, due to the *Regia Corte*.⁴³ This might be because "black slaves" were sold in greater numbers since these were continuously supplied by the Moors from the hinterland.⁴⁴ Moors were also allowed to sell any "black slaves" not redeemed by public auction. As shall be shown, notarial contracts relating to the acquisition of slaves for eventual re-sale concluded in Malta by sedentary merchants and travelling partners almost always describe their "commodity" as "*testa di nigru*".⁴⁵

³⁹ La Mantia, 'La Secrezia', 480.

⁴⁰ The slave could stay in the fort for a period of six months during which time he hoped to be ransomed, "*che qual si vogla moro che vinisi in dita fortiliza por rescatarsi non potisi in quilla star pio di misi sey*" (sic). After the elapse of this period he was to embark on a ship and return back to his captive state. NLM AOM 6559, ff. 64-65, (28.xi.1528).

⁴¹ In modern Italian this would be *l'uscita della porta*, (the exit from the gate), meaning the tax paid on export.

⁴² NLM, AOM 6559, f. 37, (5.ix.1521).

⁴³ NLM, AOM 6559, f. 34, (5.ix.1521).

⁴⁴ M. Fontenay, 'Routes et modalités du commerce des esclaves dans la Méditerranée des Temps Modernes XVI^e, XVII^e et XVIII^e siècles', *Revue Historique*, No. 4, (2006), 813-830, 815-817.

⁴⁵ "The black slaves who were brought to Malta must have come by way of the Sahara, most of them having already been slaves of the Moors or Turks in North Africa before their capture by the knights or corsairs. However, great care must be taken in the interpretation of the Italian word *negro*, which could simply refer to a dark-coloured slave and have no particular racial significance." Wettinger, *Slavery in the Islands of Malta*, 42.

Referring back to the Tripoli *Capitoli*, it was stated that Venetian merchants who came to the fort to sell their commodities⁴⁶ had to pay 1 *tari* 18 *grani* for each *uncia* of the value of the merchandize sold,⁴⁷ while the remaining balance to complete the ten per cent tax was to be paid by the buyers. Additionally, any exports done by Venetian ships were subject to an extra “*tari* 1 *per unza per raxuni di cantarata*”⁴⁸ over and above the said 1 *tari* 18 *grani*. Another clause stipulated that all merchandize bought from, or sold to, Moors was due to pay a ten per cent tax.⁴⁹ However, Christian residents of the castle were exempted from this tax if their purchases related to essential items such as food and clothing.⁵⁰ Permission from the Governor was required for sale of wheat or barley sold to Moors. This sale carried a tax related to *tratte* established in Sicily which at the time amounted to 3 *tari* *per salma*.⁵¹

In terms of corsair ships selling wheat to Moors, apart from having to obtain a licence from the Governor, these had their tax charge doubled to that of 6 *tari* *per salma*, which was equivalent to the tax paid on these items if they were sold out at sea.⁵² In 1528, in a set of instructions addressed to the newly-appointed fiscal officer, *Nob.* Francesco Corsu, the Viceroy lamented that many traders were evading tax. Listing the various offices which were breaching regulations the

⁴⁶ The exact words used were “*ad fari fera*”, (to do a fair). This tax excluded food and clothing sold to residents of the fort. NLM, AOM 6559, f. 33, (5.ix.1521).

⁴⁷ NLM, AOM 6559, f. 33, (5.ix.1521). This was stated to be based on the customs of Palermo regarding Venetian shipping and was broken down as follows: 1 *tari* due as tax – “*per raxione di caxa*” and 18 *grani* due to customs – “*per raxioni do dogana*”, and was imposed on trade done with infidels as well as that with Christians, except those resident at the fort. NLM, AOM 6559, f. 32, (5.ix.1521). It was noted by the present author that in La Mantia’s transcript the following within the square brackets [] was not included, “... *chi in casu chi li galiazi veneciani andassiro ad fari fera in la dita fortaliza [di Tripoli chi di tuti li mercantii chi si vendisiro in dita fortaliza] tanto ad Mori comu a Christiani...*”, (... in the event that Venetian galleys went to do a fair in the said fortress [of Tripoli, that over all merchandize sold in the said fortress] both to Moors and to Christians...), refer to La Mantia, ‘La Secrezia’, 487. This suggests that there could have been some discrepancies between the different transcriptions.

⁴⁸ NLM, AOM 6559, f. 34, (5.ix.1521). This meant they had to pay one *tari* for every *uncia*’s worth of the commodity due to the *Regia Corte*.

⁴⁹ NLM, AOM 6559, f. 46, (6.iv.1523).

⁵⁰ NLM, AOM 6559, f. 51, (26.v.1525).

⁵¹ NLM, AOM 6559, f. 46, (6.iv.1523).

⁵² NLM, AOM 6559, ff. 32-33, (5.ix.1521). Moreover, if a corsair ship chose to sell his prize in Tripoli, he also had to pay a 10% tax. The relevant fees which were due to the Admiralty were not being stipulated. In 1525, a 10% tax on any wheat brought in by corsair ships and sold to the Moors was introduced. NLM, AOM 6559, f. 51, (26.v.1525).

Viceroy lamented that fraudulent activities and rampant abuse of the taxation system were damaging badly the coffers of the Crown. In order to remedy this situation, he was now placing full trust in Corsu, and requesting that all necessary measures be taken to ensure proper functioning of the system.⁵³

Thus, apart from all the other challenges which Tripoli offered to the Knights of the Order which have been repeatedly echoed in Maltese historiography, such as the distance separating the two posts and the huge expense and effort required in fortifying Tripoli,⁵⁴ it is here suggested that this outpost presented yet another problem. In taking over the administration of Tripoli, the Order inherited an administrative system which was corrupt and far from efficient in enforcing laws and collecting taxes. It was a situation wherein tax evasion flourished to the detriment of the governing body.⁵⁵ Yet, were the Knights successful in suppressing such malpractices, or were these engrained to such an extent that their government found it difficult to eradicate them?

5.4 The governance of Tripoli – a forced “option”

Once established in Malta and Tripoli in 1530, the Hospitaller Order immediately tried to strengthen the link between the two. In 1523, the commissioners’ report identified that two-thirds of the Tripoli fortress was surrounded by sea while the remaining one-third was surrounded by crumbling walls.⁵⁶ The fortress itself was small and could only permit the lodging of the governor

⁵³ *Nob.* Francesco Corsu was appointed fiscal officer (*credenciero*) of the *Regia Corte* on 28 November 1528. One of the instructions stated that at present the accounts of the customs were being kept in “*pitazzi*” which were carelessly kept. He was thus to keep all the books relating to imports and exports bound and in order, accompanied by an alphabetical index and covered in parchment. An account of all these activities was to be sent to the Viceroy every four months. If such books are still extant, their study would provide more detailed information on the type of trading activities taking place in this fortress. NLM, AOM 6559, ff. 59-61, (28.xi.1528).

⁵⁴ Although the fort offered a good base for the lucrative trade in slavery, on the other hand it lacked essential resources, such as water, wood and lime, which were crucial for the proper upkeep of strategic bases.

⁵⁵ For a more in-depth study of the corruptive administrative system in Tripoli under the Spanish refer to Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, Chapter IV *passim*.

⁵⁶ G. Bosio, *Dell’Istoria della Sacra Religione et Illustrissima Militia de S. Giovanni Gerosolimitano*, (3 volumes, Rome, 1594-1602), Vol. III Bosio, 29-30.

and a small number of knights.⁵⁷ At the time, the entire population of the town consisted of not more than sixty Moorish families⁵⁸ who made use of a small and unsheltered port.⁵⁹

By 1530 the population had increased to about eighty families, mostly Moorish, living in the city. The authority of the governor did not extend beyond the city walls, except for very minor exceptions, such as the western villages of Zanzùr, Lmaia and Zuàga.⁶⁰ In fact, in Tagiura, which lay twelve kilometres to the east of Tripoli, the Turkish lieutenant (*kialya*) Khair ud-Dìn had proclaimed himself King (*rais*).⁶¹ In alliance with the Porte, he fortified the village and built a defence tower in its small port which had by now become the nesting place of Muslim corsairs who constantly menaced the nearby Christian fortress of Tripoli.⁶² According to Rossi, he managed to build another tower known as *alqaide* which was situated just one mile from the Christian fortress.⁶³ The end of Khair ud-Dìn's rule in about 1539 saw the establishment of the Turkish renegade Muràd Aghà as head of the rebels.⁶⁴ Muràd Aghà proved an even tougher opponent for the Hospitallers⁶⁵ who tried hard to crush him unsuccessfully.⁶⁶

⁵⁷ A. Williams, 'Stone or Wooden Walls?': the problems of land and sea defence in the islands of Rhodes (1421-1522) and Malta (1530-1631)', in T. Cortis & T. Gambin (eds.), *De Triremibus, Festschrift in honour of Joseph Muscat*, (Malta, 2005), 415-426, 420.

⁵⁸ A report dated 1522 reveals that over 150 Moorish families went to the fort, made friends with the soldiers and asked to set up a community there which would have been headed by their own Sheik. It seems this request was accepted and the Viceroy authorized the expedition of wood and lime for these families. Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, 231.

⁵⁹ The Commissioners' report on Tripoli makes reference only to this port which they described as small, insecure, molested by north-easterly winds, and only sheltered to the west by the cliffs, "*piccolo, non sicuro, molestato dal grecale e solo riparato ad ovest da scogli.*", Rossi, *Il Domino degli Spagnoli*, 45.

⁶⁰ Rossi, *Il Domino degli Spagnoli*, 53.

⁶¹ He was also known to Christians as Cacciadiabolo.

⁶² NLM, AOM, Lib. Bull. 415, f. 215v, (16.viii.1531), transcribed and reproduced in Rossi, *Il Domino degli Spagnoli*, Doc. I, 81.

⁶³ Rossi, *Il Domino degli Spagnoli*, 55.

⁶⁴ Referred to as Morataga or Muradaga by the authors of the period, among whom Nicolò de Nicolai who actually met and conversed with Muràd Aghà. Rossi, *Il Domino degli Spagnoli*, 56 fn. 1, Nicolas de Nicholai, *Le navigationi et viaggi nella Turchia*, (Antwerp, 1576), 47.

⁶⁵ Reference to the Knights' preoccupation with Mortaga and the problems he was creating for the Hospitallers in Tripoli through his constant attacks is found in NLM, AOM, Lib. Bull. 420, ff. 217v-218v, (8.i.1547).

⁶⁶ Refer also to Vella, 'The Order of Malta and the Defence of Tripoli' 362-381. Various runaway Muslims from Tagiura are documented in the *Liber Bullarum* since these would flee to the Castle of Tripoli and after make a request for a safe conduct pass to go back to their homeland. There is no doubt that these would have been an important spying source for the Knights. See for example, NLM, AOM, Lib. Bull. 419, f. 231v,

Although the Order had already experienced a similar situation of having to defend disparate posts when in Rhodes,⁶⁷ it was now finding it difficult to cope with the financial burden of defending two posts which were so far apart, increasingly menaced by the enemy, and both lacking essential resources for their upkeep. The Hospitallers had tried more than once to persuade the Emperor to grant them permission to destroy Tripoli and its port and abandon it. However Charles V would not hear of such plan, and kept promising that he would intervene should his support be eventually required. Nonetheless, in spite of the many promises, Charles was neither prepared to pour out any significant resources to the North African *presides*, nor ready to contribute in any way to ameliorate the increasingly vulnerable position of the Knights in Tripoli.⁶⁸ The Spanish rule had shown that human resources were the most difficult and costly item to supply in this outpost.⁶⁹

As early as 1511, the Sicilian Viceroy Ugo Moncada felt it necessary to issue two *bandi*, one in January and another in August, wherein he ordered, under pain of death, that all officials and soldiers who had fled from Africa to Sicily, had to present themselves at Trapani and from where they were to be given free passage to return to Tripoli.⁷⁰ In another instance, a group of about thirty-one high ranking officials from Sicily was chosen to provide the necessary civil set-up for Tripoli based on the Sicilian model. However, it seems that only one chose to take up residence and was eventually appointed Governor.⁷¹ Experience had also shown that a good number of Christians who came into contact with Islam, either as captives or as paid workers, often preferred

(5.i.1545); 420, ff. 211-211v, (17.viii.1546), ff. 216-216v, (31.xii.1546), f. 221, (8.iii.1547); 421, f. 204, (5.xii.1547); 422, f. 207, (14.iii.1550), f. 211v, (4.viii.1550).

⁶⁷ From 1344 until 1402 the Knights were also the appointed defenders of the Smyrna Castle, a task which cost them the hefty sum of around 3,000 florins per year. Once this important port was lost, they negotiated with Mehmet I for the port of Budrum. This too was another great drain on the Order's finances. Williams, 'Stone or Wooden Walls?', 416-417.

⁶⁸ Williams, 'Stone or Wooden Walls?', 421.

⁶⁹ In fact, in 1511, a *bando* issued by the Sicilian viceroy invited people to settle in Tripoli and offered very tempting rewards to those who took up the offer, such as free land, exemption from tax and criminal impunity. However only one person is recorded to have taken up the offer. Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, 208.

⁷⁰ Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, 209.

⁷¹ Trasselli, *Da Ferdinando il Cattolico a Carlo V*, Vol. 1, 209-210.

to turn Muslim,⁷² a fact that did not exclude numerous soldiers from the Spanish garrisons.⁷³ The Knights thus knew well that keeping morals high was a necessary requisite for the successful manning of a fortress and that this practically meant that soldiers had to be well fed and adequately remunerated for their work.

In the Chapter General of 1548, the Knight and future Grand Master, de Valette offered a possible solution to provide for the good defence of Tripoli, and suggested that the Hospitaller Order transfer the seat of Government from Malta to Tripoli. Although Malta was considered the frontier which separated the two great ideologies, such move would have meant that the Order would be a step closer in confronting Christendom's enemy. After making the necessary evaluations however, the project never materialized. The majority of the members of the Order were of the opinion that it was best to wait and let things take their own course. However, the discussion of this issue and the subsequent ordinances which were promulgated for the better governance of Tripoli allow the historian to have a clearer view of how the Hospitaller government functioned in this city.⁷⁴

Just like in Malta's case, key positions would have been delegated to members of the Order who also held full control of basic food supplies. The proposed transfer was to be effected in a gradual manner and the first Knights to settle there would have been requested to pledge their loyalty to the Governor of Tripoli who was to be a Knight of the rank of Grand Cross. The Governor had ample powers which almost paralleled those of the Grand Master in Malta. However, he was bound to abide by the already existing laws and customs of the Castle and should he feel the need

⁷² B. Bennassar & L. Bennassar, *Les Chrétiens d'Allah*, (Paris, 2006), 19-20. The status of a slave did not impede a person from climbing the social scale in the Ottoman Empire. What made one powerful was his closeness and good relations with the Sultan. Earle, *Corsairs of Malta and Barbary*, 28-31; Fontenay, 'Routes et modalités', 817.

⁷³ An example was provided in the instructions of the Sicilian Viceroy to Francesco Corsu wherein the latter was instructed to find an appropriate guardian of the harbour since the previous one, namely Francesco Santande, after having defrauded the Crown, had deserted to the land of the Moors, leaving this office. NLM, AOM 6559, ff. 63-64, (28.xi.1528). See also Braudel, *The Mediterranean*, Vol. II, 800, where he states that "Spanish garrisons were decimated by epidemics of desertion".

⁷⁴ Document transcribed and published in Rossi, *Il Domino degli Spagnoli*, Doc. XI, 101-106.

to promulgate new laws he had first to consult with the council of the Order in Malta for their approval. The Common Treasury in Malta had to ensure that the fort was well supplied with enough victuals to feed a garrison made up of about fifty Knights and two hundred and sixty paid soldiers.⁷⁵ It was hoped that this exercise would give a clear indication of whether it was feasible to increase the number of Knights to one hundred after the first year, and consequently send fifty Knights per year until all the members of the Order were settled in Tripoli. Should this exercise fail after the first, second or third year, it would be thus clear that the place was not adequate to house the headquarters of the Hospitaller Order.

Another important aspect of the provisions which were drawn regarding the possible transfer to Tripoli, which tallies with the provisions taken with respect to their move to Malta is the administration of the Castle-by-the-Sea, since, even in Tripoli, it was stipulated that the harbour master was to be replaced by a Knight of the Order. Those who worked at the Custom's House were not to be paid from the revenues of the Castle, but had to suffice with what they got from Customs. Just like in previous *capitoli* issued by the Sicilian Viceroy for the administration of Tripoli between 1511 and 1528,⁷⁶ there were limitations in place regarding commercial activity and accordingly nobody was allowed to sell or buy wheat or biscuit since this was to be the sole prerogative of the Governor or the Treasurer.⁷⁷ The Treasury was to have the right of first refusal to any booty which corsairs brought to Tripoli and for which profit fees due to the Admiral were to be paid.⁷⁸ Bakeries were to be administered and regulated by the government and individuals were only permitted to bake bread for their own personal use. At the time of the writing of these

⁷⁵ In 1528 the Viceroy of Sicily, Count de Monteleone decreed that the city had to have a garrison of 200 paid soldiers. NLM, AOM 6559, ff. 59-61, (28.xi.1528). In 1533 the city also had a garrison of 200 soldiers and officials including the four Chaplains of the Order. NLM, Lib. Bull. 415, f. 415v, (10.vi.1533).

⁷⁶ NLM, AOM 6559 holds a copy of the *Capitoli* issued by the Sicilian Viceroy for the years 1511, 1512, 1521, 1523, 1525 and 1528.

⁷⁷ Rossi, *Il Domino degli Spagnoli*, Doc. XI, 101-106, 103.

⁷⁸ These excluded those corsairs who flew the flag of the Order. Rossi, *Il Domino degli Spagnoli*, Doc. XI, 105-106. The tax rate for Tripoli is not stipulated in the *Capitoli*. However in Malta the *dretti di ammiragliato*, as they were known, amounted to 10% of the value of the booty. Earle, *Corsairs of Malta and Barbary*, 126-127.

regulations it was highlighted that many Moorish families used to live in the city and go to the Castle in order to buy their everyday necessities. Such practice was already repudiated by the Knights as early as 1533,⁷⁹ and once again in the *Capitoli* of 1548, the Hospitaller government complained on the easy access to the Castle by the Moors, and ordered that such practice was to be avoided in future for the sake of the Castle's security.⁸⁰

Similar declarations had also been made when the fort was under Spanish rule. It therefore seems that even though several orders had been issued since the conquest of the city to regulate the number of Moors who had full access to the Castle, these were never seriously implemented. In their effort to establish more effective control, the Hospitallers decreed that in order to provide for the necessities of the Muslim population there was to be a store or shop situated outside the Castle which was to be adequately supplied with bread, wine, oil, cheese, vegetables, honey and other commodities,⁸¹ thus completely excluding Moors from the Castle precincts.⁸² Undoubtedly, as is stated in the above-mentioned document, the exclusion of Moors from the Castle would have served as a precaution for its safety. Nonetheless, on consulting the documentation handed over by the Spanish administration of the city,⁸³ the Knights would have immediately also noted the high level of tax evasion and fraud which existed in almost all trading operations, including those done with Moors. Therefore, another plausible explanation could be that the Knights wanted to reduce the possibility for Moors to buy their needs from Christian intermediaries who would have taken advantage of the tax-free regime afforded to them⁸⁴ and sold the commodities to Moors at a lower price.⁸⁵

⁷⁹ NLM, Lib. Bull. 415, f. 246v, (10.vi.1533).

⁸⁰ Rossi, *Il Domino degli Spagnoli*, Doc. XI, 104-105.

⁸¹ Apart from foodstuff the document states "*et moltre [sic] alter cose minute che si vendono in detto loco*". Rossi, *Il Domino degli Spagnoli*, Doc. XI, 104. All sales made to the Moors were to be noted down by the notary who had to keep them in a good state. NLM, AOM, Lib. Bull. 415, f. 246v, (10.vi.1533).

⁸² Rossi, *Il Domino Degli Spagnoli*, Doc. XI, 101-106.

⁸³ Here reference is made to the documentation contained in NLM, AOM 6559.

⁸⁴ Although it is not certain if the *Capitoli* issued under Spanish rule were still applicable under Hospitaller rule, in the last set of *Capitoli* issued for Tripoli in 1551 it was stated that the soldiers in Tripoli were given a

It seems however that this shop was never set up since, notwithstanding all these prohibitions, Moors were still entering the Castle to buy their daily necessities as late as 1551.⁸⁶ Further evidence of the lack of proper control in the organizational structure during the Knights' rule in Tripoli is brought to us from a document dated 1533. Maltese authorities showed concern over how some Moors and Jews in Tripoli were being given a monthly ration of wine and bread similar to that given to the garrison. The Governor of Tripoli was instructed to investigate the situation and remedy any mis-appropriation of such supplies.⁸⁷ The continuous breach of these regulations is testimony to the fact that, just like the Spanish predecessors, the Order was not successful in enforcing its laws in Tripoli.

5.5 Tools of the Trade

Evidence from notarial documents, although scanty and of an episodic nature for this early period clearly shows that the commercial link with North Africa by merchants resident or anchored in Malta had already been established prior to the advent of the Hospitaller Order in 1530, and even before the Spanish conquest of Tripoli in 1510.⁸⁸ On Wednesday, 10 September, Petrus Darmanin, *patronus* of a ship laden with barley and other merchandize intended for the North African region of the Mountains of Barqah, extended an already existing partnership with another two Maltese, namely notary Paulus Bonello and Peri Caruana in respect of the same voyage.⁸⁹ Another deed dated March 1495, informs us that a Catalan merchant resident in Malta was about to travel with his *caravella* which was anchored in the Maltese port and laden with

special price to buy their necessities. NLM, AOM, Lib. Bull. 422, f. 223v, (6.vii.1551). (Although this volume is dated 1549-1550 it contains documents pertaining to 1551 as well, this is common in other volumes as well).

⁸⁵ The Moors were free to negotiate with the Christians and they even had a market known as the *çoco* which was close to the Castle. NLM, AOM, Lib. Bull. 415, f. 246v, (10.iv.1533).

⁸⁶ NLM, AOM, Lib. Bull. 422, (28.iv.1551), f. 220v.

⁸⁷ NLM, AOM, Lib. Bull. 415, f. 246v, (10.iv.1533). No report relating to the matter has yet been identified.

⁸⁸ In 1436 much debate was carried out in Malta about the percentage of tax to be paid upon the importation of slaves from the 'mountains and other parts of Barbary'. Wettinger, *Slavery in the Islands of Malta*, 17.

⁸⁹S. Fiorini, *Documentary Sources of Maltese History, Part 1, Notarial Documents, No.2, Notary Giacomo Zabbara: R494/1(II-IV) 1494-1497*, (Malta, 1999), Doc. 5.

various merchandize,⁹⁰ to the region of the Mountains of Barqah.⁹¹ Once there with the said cargo, the merchant was to acquire a slave for one of his creditors. This slave was to be shipped to Malta for eventual delivery to the buyer.⁹² In May 1495 Franciscus Daudi of Syracuse chartered his vessel which at the time was moored in the Maltese port of Benwarrad to another citizen of Syracuse, namely Masius de Marino. The ship was laden with wheat and other merchandize belonging to Marino and had to travel to the North African coast and to the region of the Mountains of Barqah with the cargo.⁹³ For his part, Franciscus, as captain of the ship, was allowed to carry five loads of fish free of charge. However, he was not permitted to carry any additional wheat or barley.⁹⁴

In yet another notarial act, in view of the dangers of the pirates operating off the Barbary coast, Vincentius Bestardes insured his ship about to sail to the North African coast and again to the region of the Mountains of Barqah. The ship was laden with wheat, barley and other merchandize and the insurance cover was to last for a round trip, thus covering the journey Malta-North Africa-Malta.⁹⁵ Further evidence of trade between Malta and North Africa is found in a set of *capitoli* issued on 26 May 1525⁹⁶ by the Sicilian Viceroy, Ettore Pignatelli Count of Monteleone (r. 1517-1534). This document highlights the Viceroy's concern over the fact that some merchants were selling cotton and linen⁹⁷ illegally to the Moors in Tripoli. It was further stated that these commodities were either bought from corsairs or were exported from the *Regno* or Malta without

⁹⁰ The document does not specify the type of merchandize but refers to it as, "*mercancia super eamdem caravellum onusta*" (The merchandize loaded on the said *caravella*). Fiorini, *Documentary Sources, Part 1 No. 2*, Doc. 107.

⁹¹ "*In partibus Moncium Barcarum de Capite Bono usque ad portum Trabus*" (in the region of Mountains of Barqah from Cape Bon and the Port of Tripoli), Fiorini, *Documentary Sources, Part 1, No. 2*, Doc. 107.

⁹² Fiorini, *Documentary Sources, Part 1, No. 2*, Doc. 107.

⁹³ "*Jpsam fustam fore et esse onustam ordeo et alijs rebus ad opus Montis Barcarum*" (The said vessel being laden with barley and other goods intended for the Mountains of Barqah), Fiorini, *Documentary Sources, Part 1, No. 2*, Doc. 5.

⁹⁴ Fiorini, *Documentary Sources, Part 1, No. 2*, Doc. 115.

⁹⁵ Fiorini, *Documentary Sources, Part 1, No. 2*, Docs. 86, 87. For more references to the shipment of merchandize to North Africa see, Fiorini, *Documentary Sources, Part 1, No. 2*, Docs. 20, 74, 108.

⁹⁶ *Capitula ordinacioni tenedi et observandi in regia secrecia dohana civitatis tripolis per secretum dohanetum credencerum et alios officiales dicte Regia Dohane*, NLM, AOM 6559, f. 51-57, (26.iv.1525).

⁹⁷ The sale of linen to Moors was subject to a licence by the Pope. However it is not known why such a prohibition was imposed. La Mantia, 'La Secrezia', 472 fn. 3.

having paid the tax due to the *Regia Curia*.⁹⁸ Further complaints stated that some Moors resident in the city of Tripoli were stealing slaves and other merchandize⁹⁹ and selling them to Maltese and other individuals to the detriment of the Crown's revenues.¹⁰⁰

During the Order's rule the Hospitallers looked upon Tripoli not only as a strategic fortress, but also as an important trading post from where they could replenish a number of supplies.¹⁰¹ As previously stated, the city and fort of Tripoli did not provide any resources which would support the running of the fortress. However, as shall be shown in due course, the lucrative market in slavery and corsairing made the city an important meeting place for merchants of both religions. Tripoli offered the ideal set-up for the buying of slaves or the redemption of captives, since it was close to Muslim lands.¹⁰² The following pages shall thus show how Muslim traders found ways and means to extend commercial exchanges with Christian lands while conducting redemption services. These strategies are evidenced in a number of safe-conduct certificates and in other instructions given to the galley captains of the Order's fleet which were meticulously recorded in the *Liber Bullarum*¹⁰³ which shall be examined later. As is well-documented in various notarial acts, soon after the initial years of the Order's stay, Malta was fast becoming the ideal centre to conduct such transactions, notaries being kept busy drawing up agreements related to the slavery business.¹⁰⁴ In 1554, Yahaleph Zerbino, the slave of Honofrio Catanio was granted permission by

⁹⁸ NLM, AOM 6559, ff. 51-52, (26.iv.1525).

⁹⁹ It is not said from whom they were stealing.

¹⁰⁰ NLM, AOM 6559, f. 54, (26.iv.1525).

¹⁰¹ "*Vi partirete con nostre galere alla volta de Tripoli per che e necessaria nostra andata tanto per donar favore et animo al nostro castello de Tripoli comer per soccorrere ad altri bisogni che occorreramo*" (sic) (You shall sail with our galleys towards Tripoli because our voyage is necessary for offering support and courage to our Castle in Tripoli and also for addressing other needs which we will require). NLM, AOM, Lib. Bull. 421, f. 203, (13.ix.1547).

¹⁰² Trasselli argues that King Ferdinand's real interest in the conquest of Tripoli was due to its close proximity to Monti Barqha (Barca), which was a lucrative trading centre for slaves being supplied through the continuous arrival of the desert *caravane*. Trasselli, *Da Ferdinando il Cattolico a Carlo V*, 210-211.

¹⁰³ These refer to magisterial bulls issued from the Chancery by the Grand Master and his Council.

¹⁰⁴ The register of Notary Nicolò de Agatiis for the administrative year 1543-44, NAV R 202/8, contains the sale of a total of 64 slaves. For a detailed list of these sales refer to Wettinger, *Slavery in the Islands of Malta*, 242, 377-381. The private corsair vessels of Grand Master de Valette captured 3,020 slaves between

the Grand Master to leave for Tripoli to get the necessary redemption money to free other Moors. He was also granted permission to come back with a shipload of merchandize which was to be exchanged for slaves.¹⁰⁵ Similar licences were granted to Aoreibi de Alma¹⁰⁶ and Nasuph di Galipoli, the latter sailing to the Levant.¹⁰⁷ Such documentation, which shall be dealt with later, brings forth the reality that it was indeed a multi-religious, multifarious ethnic trading community which tried to benefit from trading links with North Africa and other countries. The work of historians like Goitein,¹⁰⁸ Abulafia¹⁰⁹ and Greene,¹¹⁰ which span different periods, have already shown that despite the high levels of religious antagonism, there exists continuity in time of such trading relations. Religious divides were carefully dealt with and merchants moved across the inland sea not only as subjects of the various sovereigns but even managed to create their own space and order.

The distance and perils separating the two posts did not seem to discourage both foreign and local merchants from establishing themselves in the Tripoli fortress, and this thanks to the protection now being afforded to them by the Order.¹¹¹ The following investigation of sixteenth-century contracts linked with North Africa sheds light on possible ways how merchants conducted their activities. On analyzing the registers of Nicolò de Agatiis for the administrative year 1540-1541¹¹² it may be discerned that during this year, out of a total of four hundred and sixteen

1557-1568, an average of 274.5 per year. G. Wettinger, *Slavery in the Islands of Malta and Gozo ca. 1000-1812*, (Malta, 2002), 28-29.

¹⁰⁵ NLM, AOM Lib. Bull. 424, ff. 231v-232, (21.x.1554).

¹⁰⁶ NLM, AOM Lib. Bull. 424, f. 211v, (5.iv.1554).

¹⁰⁷ NLM, AOM Lib. Bull. 424, ff. 235v-236, (16.vi.1554).

¹⁰⁸ S. Goitein, *A Mediterranean Society: the Jewish communities of the Arab world as portrayed in the documents of Cairo Geniza*, (5 volumes, Berkeley & Los Angeles, 1999).

¹⁰⁹ D. Abulafia, *The Great Sea: A Human History of the Mediterranean*, (London, 2011).

¹¹⁰ M. Greene, *Catholic Pirates and Greek Merchants*, (Princeton, 2010), 9.

¹¹¹ Protection measures included the policing of the sea by the Order's galleys and the granting of safe-conduct certificates.

¹¹² NAV, R 202/5. De Agatiis extant registers are a total of thirteen registers spanning from 1535 to 1549.

contracts, twenty-three are linked with North Africa either with respect to redemption services¹¹³ or else in connection to the transport of merchandize.¹¹⁴ Eleven deal with the sale of “wild black slaves”¹¹⁵ and three involve the sale of two white slaves, a Moor and a Turkish slave. Excluding contracts involving the trading in slaves due to insufficient data as to the actual place of origin of the “commodity”,¹¹⁶ would leave a percentage of 5.5%. However, it is to be noted that this percentage is on the low side since as shall be shown, the traffic in slaves from North Africa constituted an important activity for merchants.

On the other hand, the notarial register of Vincentio Bonaventura de Bonetiis¹¹⁷ for the period January to December 1543 (R 206/7) holds a total of three hundred and ninety-one contracts. Of these, eleven refer to the sale of slaves, while another eight refer to redemption contracts. Just one refers to a *Societas* agreement with a view to conduct trade in Tripoli.¹¹⁸ Although this indicates a low percentage of 2.3% of the total agreements,¹¹⁹ it compares well with the eight contracts referring specifically to trade with Sicily (2%), which was Malta’s main lifeblood

¹¹³ As shall be shown later on in this study redemption contracts translated themselves into profitable exchanges, a typical example taken from the register of Notary Vincenzo Bonaventura de Bonetiis, refers to the redemption of Mahamet , a slave from *Capitis Bona Andria* (Cape Bon-a peninsula in far north-eastern Tunisia), whose redemption price was agreed at 300 gold ducats or else six black or white slaves aged ten years or more together with an amount of wax at the rate of 9 *uncia per cantaro*, NAV, R 206/7, ff. 120v-121, (27.iv.1543); in another instance the Genoese Francescus Trinchera was redeemed from Tripoli by his co-citizen *Nob.* Honifirio Captanio Gerbini described as “*Mercator et Januensis*”, on instructions given by another Genoese namely Baptista Pinelli Adorno. The agreed sum for his redemption was that of 150 gold ducats. The contract of redemption was ratified in Malta. NAV, R 202/2, ff. 196v-197, (11.iv.1538).

¹¹⁴ These comprise 12 redemption contracts, 4 freight contracts, 2 contracts regarding the purchase of wool, a venture partnership agreement, procuration agreements and receipts of payments.

¹¹⁵ For example the exact phrase for a black female slave would be, “*unam servam nigram silvestram*”, which often included also ‘*Ethiopiam*’. Slaves acquired through corsairing activities usually included the phrase *ad usum corsarum*, while those acquired through trading included the phrase *ad usum magasenum*.

¹¹⁶ Some documents do stipulate that the slaves were to be acquired from North Africa, but others do not give the place of origin. Again some slaves were acquired through corsairing activities.

¹¹⁷ This notary has a total of 51 registers spanning from 1534 to 1576.

¹¹⁸ It was not stipulated what kind of trade was to be conducted once in Tripoli. However, one of the partners was to provide the ship for the other shareholders to transfer themselves to Tripoli and wait for fifteen days. It was also agreed that any profits were to be equally divided. NAV, R 206/7, ff. 231v-232, (24.viii.1543).

¹¹⁹ This percentage excludes those contracts which deal with the sale of slaves.

supply,¹²⁰ while there are none referring directly to other ports in the Mediterranean. This of course does not mean that trading activities with the outside world taking place in Malta were limited to these contracts since others, especially those categorized as *Debitum*, would often relate to the sale or purchase of various commodities by both local and foreign merchants. However, due to the fact that in most instances these did not stipulate the place of origin of the goods, they were not included when calculating these percentages.

Register R 224/1 pertaining to Giuseppe de Guevara,¹²¹ and covering the period 1537-1543 holds a total of one thousand two hundred and fifty-five contracts. Out of these, fourteen refer to slave trafficking; seven of which mention specifically that the slaves were to be acquired from Tripoli. Two other contracts are in respect of redemption of Christian slaves from Tripoli (0.7%).¹²² *Societas* agreements with the intent of trading with Sicily amounted to five,¹²³ while freight agreements for the importation of merchandize from Sicily amounted to two¹²⁴ (0.6%). The period covered by register R 224/17, 1560-1561¹²⁵ holds a total of nine hundred and sixty contracts. Out of these none has any reference to trade between North Africa or the Levant and only three contracts refer to the sale of slaves (0.3%). Three relate to *Societas* agreements to trade with Sicily, and three other refer to freight services between Licata, Scicli and Terra Heraclia (0.6%).¹²⁶

¹²⁰ These are the following *naulum* (freight) contracts NAV R 206/7, ff. 86-86v, (30.iii.1543); ff. 183-183v, (12.vii.1543); f. 243, (29.viii.1543), f. 42, (12.ii.1543); f. 119, (27/iv. 1543); f. 283, (5.x.1543), f. 341v, (14.xi.1543), ff. 180v-181, (7.vii.1543).

¹²¹ This notary has a total of 38 registers spanning from 1537 to 1574.

¹²² Only those contracts in respect of the purchase/sale of slaves where Tripoli is specifically mentioned were taken into consideration when calculating the percentage. In all probability therefore this percentage would increase had the notary included details of the place of acquisition of the slaves.

¹²³ NAV R 224/1, f. 45, (6.iv.1540); f. 47v, (15.iv.1540); f. 48v, (16.iv.1540); f. 65, (06.vii.1540); f. 172, (25.v.1541).

¹²⁴ NAV, R 224/1, f. 91v, (13.xii.1540); f. 255, (13.xii.1541).

¹²⁵ This register also belongs to Notary de Guevara.

¹²⁶ Also referred to in contracts as Terranova, present day Gela in Sicily. An interesting document from these is NAV, R 224/17, f. 332, (26.xi.1560), which refers to the transportation of animals from Gozo to Gela among which there are 11 donkeys at the rage of 6 *tari* per head.

Twenty-four contracts (2.5%) refer specifically to the purchase of carobs from Scicli in Sicily, twenty-three of which drawn up in the month of February.¹²⁷

Such analysis is indicative that most of the trade done with North Africa related to human trafficking, merchants loading their ships with merchandize, both on outgoing and incoming journeys, an aspect which shall be more clearly delineated later when discussing safe-conducts certificates issued by the Grand Master. It also proves that, as was already highlighted in Chapter One although the examination of individual notarial volumes offers rich insights and fascinating details into workings and everyday life of a particular society, they are not an adequate source to compile a faithful quantitative analysis since the absence of certain types of agreements from one register could be well-documented in registers of other notaries for the same year, some of which may have in time gone missing, or indeed might have not been registered in the first place.¹²⁸

Yet, who were the traders attracted to Malta? What exactly was their business and which tools did they use to cover their interests? In the absence of proper port registers for the period, scrutiny of notarial acts held in Maltese archives helps to shed significant light on actual situations. Joint venture agreements with the main objective to trade with Tripoli-based merchants are to be found taking place in various instances, Birgu clearly depicted as a town which was fast becoming an important meeting place for merchants from across the Mediterranean wishing to formulate such deeds. One of the most important maritime activities was the transportation of all type of merchandize referred to in contracts as *naulum* or freight. Fortunately, a good number of

¹²⁷ The most frequent contracts are those referring to the sale/purchase of property, which total 93 (9.7%) and those referring to amicable loans which amount to 75 (7.8%).

¹²⁸ The registers of Notary Placido Abela are a case in point. This notary, who practised in Birgu and later on in Valletta, operated for at least 34 years from 1557 to 1591. However only one original volume, NAV, MS 514/1 (1557-1560), and four incomplete register volumes, NAV, R 4/1 (1557-1558); R 4/2 (1569-1576) and NAV, R 4/3 (1576-1586, 1590-1591) survive.

contracts belonging to this category still exist for the period 1530-1565 thus enabling the historian to illustrate vividly the workings of the merchant.¹²⁹

The inclusion of specific phrases in these agreements, such as, “*a modo di mercanti*”, or, “*iuxta usum Rhodium*”,¹³⁰ indicate that these documents represent a legal order based on internationally accepted norms and customs deeply rooted in the Mediterranean.¹³¹ A contract drawn in Birgu on 8 July 1555,¹³² a few years after the fall of Tripoli to the Turks, guides the reader through the various stages of a typical venture agreement to be undertaken to the land of the “infidels”. Here, the Ragusan merchant and *patrone Nob.* Marino de Johannes agreed to charter half the space on his ship, which had a capacity of one thousand *salme*¹³³ of wheat, to *Nob.* Paolo de Antonio, also from Ragusa. Thus in this particular case we have two merchants who were not citizens of Malta, a clear indication that foreign merchants used Malta as their base to conduct business. The ship, which was to be well-equipped for the voyage,¹³⁴ had to leave the Maltese port in July, provided that the weather was good for navigating, and had to sail to the fortress of ‘*Tripoli de Barbaria*’. Once there, the space chartered on the ship had to be loaded with all kinds of merchandize within one month from arrival. If for some reason there was a delay in the supply

¹²⁹ For a detailed description of these systems refer to W. Ashburner, *The Rhodian Sea-Law*, (Oxford, 1909), clxxxix-cxcvii.

¹³⁰ The phrase ‘*iuxta usum Rhodium*’ is found in NAV, R 202/8, f. 237v, (3.iii.1543 *ab inc*), R 202/8, f. 243, (4.iii.1543 *ab inc*), MS 514/1, n.f. (26.iv.1558), MS 514/1, n.f., (13.vii.1558), to quote some examples.

¹³¹ Studies on the institutional and legal order of international trade in the Mediterranean in the early modern period are still at their early stages. Greene, *Catholic Pirates*, 110-111.

¹³² NAV, MS 778/1, n.f., (8.vii.1555).

¹³³ It was specified that the weight of the *salma* corresponded to that of Messina “*salmj milli de grano dela missina generale*”.

¹³⁴ The exact wording used in the contract was “*ben in ordine ben accordata stagna con soj hominj velj et tuttj altrij cosi necessarj sufficienti a qual si vogla navigazione*” [sic] (in good shape, with its proper tackle, well equipped with its men, sails, and all other things necessary and sufficient for any type of voyage). This clause was inserted since no passage in the Sea-Law dealt “explicitly with the obligation of the ship-owner to provide the ship in good state”. However merchants were advised to make sure that “the ship is ‘fresco e non vecchio’, and that it is ‘bene concio’ and ‘bene stagnato’.” Additionally they had to ensure that she was well-equipped with armaments depending on whether the voyage was in time of peace or war. Ashburner, *The Rhodian Sea-Law*, clxxxiii.

of merchandize, Marino had to wait another extra ten days known as days of grace or '*di stallia*'.¹³⁵ However, for these extra days, Paolo had to pay 4 gold *scudi* per day. The merchandize had to be transported to either, Malta, Brindisi, Otranto or to any other destination which the client chose.¹³⁶ An interesting aspect of this contract is the charge out rate of the charter for each commodity which was described as "*pro stipendio mercede et ragione de nolito*", and which was stipulated at the following rates:

| Commodity | Quantity | Rate |
|--|--|------------------------------|
| Oil | 30 <i>cavisi dela misura de Tripoli</i> ¹³⁷ | 7 <i>tari</i> |
| Wool | 3 <i>cantari a peso di Malta</i> | 1 <i>ducato</i> |
| <i>Li Muntunitij et bestiami Pelosi</i> (Sheepskin and hairy livestock) | per 100 | 8 <i>tari</i> |
| <i>Li coiri Bovini</i> (hides) | per 100 | 5 <i>scudi</i> 6 <i>tari</i> |

Thus in this case although the contract stipulated that half the ship was chartered, the charge out rate was according to the unit of measure which differed according to the type of commodity. An additional note stated that if the merchant chose to ship to Otranto or Brindisi, different charge out rates were to be applied as follows:

¹³⁵ Chapters 25, 28 and 29 of the Rhodian Sea Law deal with the delay in loading by the merchant. If the agreed period for loading was not maintained, the merchant was allowed an extra ten days' grace during which time he had to feed the sailors. If the merchant did not provide the cargo under the stipulated conditions he was responsible for any damage to the ship. Ashburner, *The Rhodian Sea-Law*, clxxxvii.

¹³⁶ These procedures follow the same pattern and directives as those described by Ashburner in examples he gives for the earlier medieval period. W. Ashburner, *The Rhodian Sea-Law*, (Oxford, 1909), clxxx.

¹³⁷ The weight of the *cafiso* varied from region to region. For example in Sicily there were 105 different *cafisi* measures. Vassallo, *Prices of Commodities*, 42.

| Commodity | Quantity | Rate |
|--|---------------------------|---------------|
| Oil | Same as above | Same as above |
| Wool | 2 cantari a peso di Malta | 1 ducato |
| <i>Li Muntunitij et Bestiami pelosi</i> (Sheepskin and hairy livestock) | per 100 | 12 tari |
| <i>Li coiri</i> (hides) | per 100 | 8 ½ scudi |

The higher prices quoted could have been due to the fact that the merchandize would have taken longer to reach Southern Italy than Malta thus increasing the risks and expenses for the service provider. Referring to the contract under analysis, it was stipulated that Paolo was obliged to pay the said freightage fees to Marino through the bank '*a modo di mercanti*'¹³⁸ within ten days from delivery. Marino was also bound to request the permission of Paolo should he decide to carry other merchandize. Such precautionary measures ensured that the goods were not subject to getting mixed with other merchandize which could cause its damage or loss. If there was breach of contract either of the parties was to be held personally liable to pay the related expenses according to the damage sustained.¹³⁹

Another agreement between two Maltese merchants resident in Birgu, namely Antonius Scarpello as *patrone* of his *grippo*¹⁴⁰ and Matteo Habel, stipulates that Antonius had to go to Licata with his ship and, once arrived there, had to wait for a period of not more than twelve days.

¹³⁸ It is not stipulated what this method comprised, but in all probability it was in adherence to maritime usages as stipulated in the *Consolato de Mare*. This was a collection of maritime usages that was first written in fourteenth-century Catalonia. A printed edition was out in 1494. It was inherited by the maritime states of early modern Europe and became "the basis of all specific stipulations regarding matters of prize in the commercial treaties among the modern states until the latter part of the seventeenth century". C. J. Kulsrud, *Maritime Neutrality to 1780; A History of the Main Principles Governing Neutrality and Belligerency to 1780*, (Boston, 1936), 60-64.

¹³⁹ "The parties to a contract may leave to the general law the determination of what shall happen if a provision of the contract is broken. They may, and generally do, prefer to settle the question for themselves, by imposing a penalty upon the transgressing party for the benefit of the other". Ashburner, *The Rhodian Sea-Law*, ccii.

¹⁴⁰ The *grippo* had a capacity of 70 barrels (*vegetum septuaginta*).

During this time Antonius was to be supplied with a consignment of fifty barrels of wine together with any other merchandize which Matteo might supply. After loading the cargo, Antonius was to set sail to Malta and wait for eighteen days during which time he was to receive instructions on whether he was to unload the merchandize in Malta or in Tripoli. Should the cargo be unloaded in Malta, the charge out rate was stipulated at seven *tari* per barrel or per *cantarata*,¹⁴¹ while if the *patrone* sailed with the merchandize to Tripoli the charge out rate was doubled and stipulated at fifteen *tari* per barrel or *cantarata*. An interesting aspect is the stipulated period for the payment of this service which was laid down as being ten days after consignment if the cargo was unloaded in Malta and fifteen days after consignment if unloaded in Tripoli.¹⁴²

Various types of partnership agreements made it possible for businessmen coming from different spheres to come together and pool capital.¹⁴³ By the use of such basic legal instruments, the merchant protected himself by dividing the risks and sharing both profits and losses derived from a particular business activity.¹⁴⁴ Contracts categorized as *accomandita*¹⁴⁵ were different from other partnership agreements known as *societas* agreements. This is because in an *accomandita* the financier provided money and/or merchandize for a merchant to ship abroad and to trade. For his part, the merchant bound himself to exploit the assets to the best advantage while abroad and, on his return, to divide the proceeds as agreed beforehand by the contracting parties.¹⁴⁶ Although the profits and risks are shared by the parties as in a *societas* agreement, the relation between the parties resembles more that of a lender and borrower. Besides, the former did not become jointly liable with the latter in any transactions with third parties. Such contracts lasted only for the

¹⁴¹ This meant merchandize which was valued according to the weight.

¹⁴² NAV, R 202/5, ff. 83-84v, (13.xi.1540).

¹⁴³ For the Maltese context refer to J. Abela, *Port Activities in Mid-Sixteenth Century Malta*, MA Dissertation, (University of Malta, 2007), Chapter 3 *passim*.

¹⁴⁴ R. S. Lopez, and I. W. Raymond, *Medieval Trade in the Mediterranean World, Illustrative Documents translated with Introduction and Notes*, (New York, 1990), 174.

¹⁴⁵ Also known by various other names such as *commenda*, *accomandita*, *accomendatio*, *collegantia*, *societas maris*, and many others. Lopez & Raymond, *Medieval Trade*, 174.

¹⁴⁶ Fiorini, *Documentary Sources, Part I, No. 2*, 420.

duration of one voyage and were cancelled once the borrower returned the capital plus any profits or less any losses.¹⁴⁷ These contracts differed from one another in various details since some specified the goods to be traded while others left this to the discretion of the merchant or travelling partner. From research carried out at the notarial archives, it is evident that this type of contract was still in use during the sixteenth century. The particular features of such agreements become clearer through perusal of the original documents. An *accomandita* contract found in the acts of Nicolò de Agatiis dated 15 January 1537 refers to an agreement undertaken by three men from Sicily. In this particular act the investors, namely *Donnus* Michael Debuttino and Georgio Bucalan (the lenders) supplied one hundred pieces of Calabrian cheese to the travelling partner namely Nicola Faga (the borrower). These had to be loaded on the *grippo* of Andreotta Habel (the person providing freight) and delivered to the castle of Tripoli at the risk of the investors. Nicola, for his part, promised to give a true account of all business transactions, thus giving some sort of security to the investors in controlling the management of their venture. A marginal note dated 1 February 1537 informs us that Debuttino, one of the investors, declared that he had received the proceeds from this venture which translated themselves in other commodities including three *rotolos* of pepper (*tribus rotulj piperis*).¹⁴⁸ Following this declaration the original contract was crossed out by the notary to show that the agreement had been fully honoured.¹⁴⁹

In most contracts, although not in all cases, simple *societas* agreements, which were basic legal instruments that had the main aim of establishing a short-term partnership, would usually last for a single operation made up of a round-trip trading voyage. This type of agreement was generally ended when the borrower returned the capital plus the profits after deducting the

¹⁴⁷ Lopez & Raymond, *Medieval Trade*, 174

¹⁴⁸ According to Lopez & Raymond at times payments in pepper and other spices, which were almost as durable and valuable as gold, substituted payment in coins due to the insufficiency of the latter. Lopez & Raymond, *Medieval Trade*, 145. See also NAV R 206/1, ff. 189-189v, (19.iii.1535) where one black slave aged 22 years valued at 36 gold ducats was exchanged for 18 pounds (*libris*) of saffron at the rate of 2 ducats per pound provided that the slave was shipped to Malta.

¹⁴⁹ NAV, R 202/2, f.117v, (15.i.1537 *ab inc*).

expenses.¹⁵⁰ However, due to the eclectic adoption of ideas from many different sources each contract had its own particular terms of agreement.¹⁵¹ For instance, in a venture agreement drawn up in Malta on 9 February 1531,¹⁵² the Rhodiot *Hon.* Giovanni Ros, captain of a fifteen-bench *biremis* which at the time was anchored in Malta, was specifically described as having taken up residence in the fortress of Tripoli. The latter concluded an agreement with Knight Giovanni Bonifar who invested 55 gold *scudi* in a venture agreement which represented a share in the armaments of Ros's *biremis*.¹⁵³ It is interesting to note that in this particular case this was not a one trip contract as one would generally find in such instances, but it was specifically stated that the duration of the partnership was for an indefinite period and thus had to last for as long as the partners deemed fit. In line with the usual policy regulating these agreements, Ros was to account for the expenses incurred during this first voyage and for every subsequent expedition undertaken. Any booty acquired was to be divided according to the initial share capital.¹⁵⁴ This venture agreement also reveals that, although the contract did not specifically mention corsairing activities these were so very much intertwined with trading, that the necessary provisions were inserted in the event of the "happy" capture of any booty.

In another *societas* agreement between two Genoese, namely *Hon.* Bernardinus Bonhomo¹⁵⁵ who was employed on the Order's galley, and Johannes Antonio Payanum who at the time was visiting Birgu, both men agreed to form a partnership which was to last for as long as Bernardinus deemed fit. The main trading activity of this *societas* was to traffic in several types of

¹⁵⁰ Lopez & Raymond, *Medieval Trade*, 175.

¹⁵¹ Alongside the Roman *societas* of labour and capital, Pryor also looks at various other contracts which may have contributed to the evolution of this type of contract. These include the *Nauticum fenus*-the Roman sea loan, the *Chreokoinōnia*, which was used at Byzantium for investment in maritime commerce, (*chreos* signified debt and *koinōnia* partnership), the Jewish '*isqa*' contract and its Muslim counterpart the '*qirād*'. J. H. Pryor, *Commerce, Shipping & Naval Warfare in the Medieval Mediterranean*, (London, 1987), 22-36.

¹⁵² NAV, R 439/1, ff. 45v -47v, (9.ii.1531).

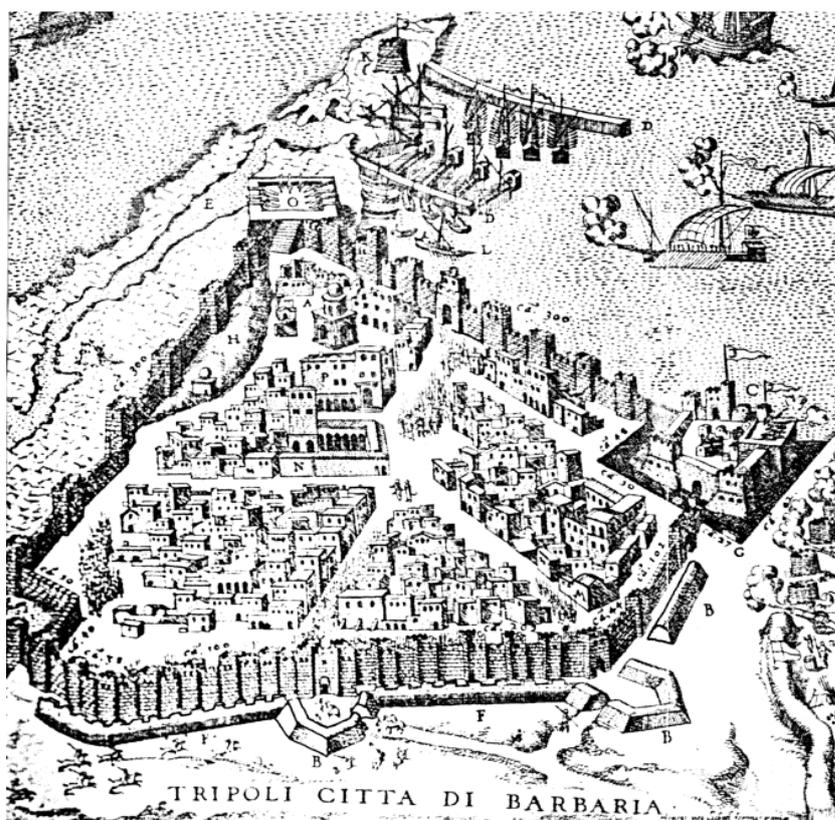
¹⁵³ During the 15th and 16th centuries the Mediterranean ship ownership was usually subdivided into 24 parts or *carati*. Ashburner, *The Rhodian Sea-Law*, clxiv; Abela, *Port Activities*, 85-88.

¹⁵⁴ "After the return voyage was over, the *patronus* gave his account in Court in the presence of the mariners or partners, and the net profits were divided according to the shares." Ashburner, *The Rhodian Sea-Law*, ccxlvii.

¹⁵⁵ NAV, R 202/4, ff. 174-174v, (15.iv.1540).

merchandise between Malta, Sicily and Tripoli in Barbary, usually including cheese, oil, wine, slaves and wool. Bernardinus thus invested 50 *scudi*, all in silver *aquile*, while Johannes Antonius pledged his work and also promised to serve the business faithfully and to the best of his abilities. Any profits or losses deriving from this agreement were to be shared equally by both parties to the transaction.

Fig. 5.1 Plan of the fortress of Tripoli di Barbaria.



Source: S. C. Spiteri, *The Great Siege – Knights vs Turks MDLXV*, (Malta, 2002), 18

Debt contracts which registered a simple loan were also very common among merchants trading between Malta and Tripoli. A contract drawn up in Malta on 27 April 1541 refers to the repayment of a loan in respect of 16 *scudi* lent by Peiron Andreas *alias* Bux to Oliviero Jannoto. In this act, it is specifically stated that the original deed regarding this debt was drawn up by notary

Pietro de Trugillo on 9 April 1541 '*in acre Tripolis*'.¹⁵⁶ In another instance, Pietro de Peralta was appointed as procurator of Antonio Chabela from Birgu on 16 December 1542.¹⁵⁷ Chabela specifically instructed him to recover the sum of 38 gold ducats¹⁵⁸ due from Giacomo Magro *alias* Causiri, described as being a Maltese resident in the castle of Tripoli. This debt was covered by a previous contract drawn up in Birgu on 3 October 1542 by Notary Nicolò de Agatiis.

The mention of the above-quoted contracts proposes to justify a very simple point, that is, that such agreements not only reveal that people resident in the Tripolitan fortress tried to enhance their income and widen their business activities by being intermediaries for the local and foreign business communities, but, agreements with a view of conducting trade with Tripoli were commonly drawn up and often honoured in Malta which thus registered a substantial increase in the development of its financial services.¹⁵⁹ A case in point was the payment effected in Malta of a bill of exchange drawn up in Licata amounting to 75 gold *scudi* which was to be originally effected in Tripoli. In order to honour this payment, Petro Verasi was commissioned by the Spanish Antonio Carisi to pay the said bill of exchange by transferring the money to an intermediary, namely, Raymondus de Palermo who was in Malta. The latter was in turn requested to effect payment to two residents of Tripoli, namely, Didacus Talavera and Petrus de Peralta on his first trip to this city.¹⁶⁰

Apart from contracts such as those analyzed above, it stands to reason that a lot of preliminary work must have gone into the organization of such voyages. This work would have included the drawing up of other types of agreements such as those concluded between the shareholders in the venture, the officers in charge and the sailors; the arming and provisioning of

¹⁵⁶ (in the castle of Tripoli), NAV, R 224/1, f. 155v, (27.iv.1541).

¹⁵⁷ NAV, R 224/1, f. 406v, (16.xii.1542).

¹⁵⁸ In almost all contracts the kind of ducat is not specified except for the mention that it was in gold.

¹⁵⁹ Abela, *Port Activities*, especially Chapter Two and Four.

¹⁶⁰ NAV, R 202/5, f. 121v-122, ([?].i.1540 *ab inc*); see also R 202/2, ff. 38v-39, (22.ix.1540), R 202/3, ff.223-223v, (18.vi.1539); R 202/5, ff. 224v-225, (1.vi.1541); R 206/7, ff.66, (3.iii.1543); ff. 154v-155; (25.vi.1543), ff.192v, (23.vii.1543), f.278, (2.x.1543), to quote some examples. Most of these related to redemption agreements.

the ship; contracts providing the necessary insurance costs to cover the risks; and requests made to both Christian and Muslim governments for granting permission to anchor in their ports.¹⁶¹ All this work had to ultimately translate itself into profit for the merchant seafarer, but things did not always turn out as planned since many obstacles awaited the merchant. These might take various forms; the most frequent were pirate attacks, shipwrecks, fire, delays and most common as shall be soon discussed, commercial litigation.

5.6 Commercial Litigation

Commercial litigation is part and parcel of the everyday running of business affairs. As already noted in Chapter Two, during the medieval period Mdina's town council citizen-judges were authorized by the Crown to dispense civil as well as criminal justice. Thus any protests or claims made by local or foreign merchants had to be presented before the members of the Mdina *Università*. After having settled in Malta, and due to the substantial increase in the number of foreign merchants visiting the island, the Order well understood the need to have an administrative and judicial set up which was credible in the eyes of major stakeholders in commerce.¹⁶² This is clearly depicted in the set up of new tribunals in the port city of Birgu.¹⁶³ Unlike the medieval tribunal of the *Università*, on these tribunals sat jurats who represented the four main trading operators on the island, that is, French, Spanish, Greek and Maltese.

Foreign merchants exercised their legal rights in Malta either by filing a protest in court or else by drawing up a *compromissum* agreement. In general, throughout Europe, arbitration was substantially cheaper and quicker than any form of resolution and was thus the preferred where available. What made foreign claimants prefer to file a protest or draw up a *compromissum*

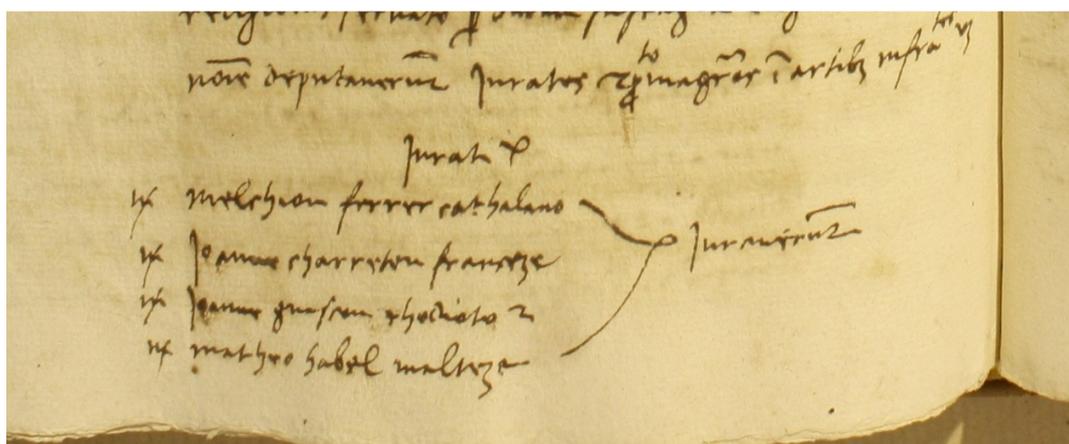
¹⁶¹ Abela, *Port Activities*, Chapter Two.

¹⁶² See for example NAM, MCC, Reg. AO, Vol. 1, ff. 102v-103, (1.ix.1537), wherein the newly-appointed *jurats* for Birgu were the Catalan Melchior Ferrer, the Greek Giovanni Callamia, the French Augustino Margallion, and the Maltese Antonio de Messina, or NAM, MCC, Reg. AO, Vol. 1, ff. 146v-147, (4.ix.1538) which included the Catalan Melchior Ferrer, the French Giovanni Charreton, the Rhodiot Giovanni Guascan and the Maltese Mattheo Habel.

¹⁶³ Refer to Chapter Two.

agreement in Malta still needs to be fully investigated. The reasons for such preference could have been multiple. Plausible explanations which at times could have all been valid at the same time include the following among others; the original contract might have been drawn up in Malta, or else one or more parties to the contract happened to be a resident or a citizen of Malta. Another possibility to consider is that the ship of the accused person could have been anchored in the Maltese port and thus the injured parties sought to file their protest at the first possible instance so as to avoid further financial damage.

Fig. 5.2 Heterogeneous composition of *Jurats* at the Birgu *Università* included Catalan, French, Rhodiote and Maltese representatives.



Source: NAM, MCC, Reg. AO, ff. 146v-147, (4.ix.1538).

On analysing some of these disputes valuable information may be discerned. In one particular instance a protest was filed by *Don. Thomaso Grasu* in his capacity as procurator¹⁶⁴ of *Don. Bastiano Falere*, who, together with *Pedro de Alonga* accused *Christopharo Cantera* of breaching port regulations or what they termed as “*rompimento de porto*”. The protest further stated that these merchants were seeking compensation since the accused owed them a total of 212 ducats due to them with respect to a consignment of wine to Tripoli. From their deposition it

¹⁶⁴ In a world which had slow communication facilities investors often empowered agents to act on their behalf.

transpires that Cantera had secretly departed from Tripoli during the night without honouring his debts and without being granted the necessary departure documents from the Governor.¹⁶⁵ Additional investigation reveals that these merchants soon succeeded in getting a declaration from the Governor of Tripoli attesting to their claims. This declaration permitted them to sue the fugitive debtor not only for breach of contract but also for violating port regulations. The mention of the need to obtain port clearance prior to departure is indicative of how the Order sought to eradicate abuses and control unregulated shipping, tactics which were similarly adopted in various other European countries, such as France where various regulations were issued to this effect in 1553 and at various other times thereafter which punished breach of port regulations by considering the culprit nothing less than a perpetrator to be hunted down and punished accordingly.¹⁶⁶

After 1530 when the government of Tripoli passed on to the Knights, protests relating to breach of port regulations by merchants, or at times even other protests which were linked to trade with Tripoli previously been dealt with by Sicilian courts, started being addressed by the Maltese government. Thus, merchants in Sicily, who prior to 1530 had operated directly between the Sicilian port and Tripoli where now sometimes constrained to stop at Malta in order to file or settle disputes. A case in point being a protest dated 13 July 1564 filed by Bartolomeo Michele from Marseilles, as *patrone* of the *sayita* named *Santo Croce* (sic). The said *patrone*, together with Martino Coet and Nicola Seger, all from Marseilles, denounced Francesco Boniet, another French merchant, for breaching an agreement they had concluded with the shipmaster and the sailors in Marseilles regarding the transportation of merchandize from Marseilles to the now Ottoman fortress of '*Tripoli di Barbarie*'.¹⁶⁷ It seems that strong winds had made the captain anchor in Malta and consequently the ship was impeded from continuing its journey to Tripoli as it required the

¹⁶⁵ NLM, AOM 6559, ff.397-405, (20.viii.1546).

¹⁶⁶ Kulsrud, *Maritime Neutrality*, 21.

¹⁶⁷ NAV, MS 778/4, ff. 183-184, (13.vii.1564).

permission of the Grand Master to sail out of port. In view that several days had passed and the merchandize was stranded in port with the risk of rotting away the merchants were keeping Boniet responsible for any damages or additional expenses which were liable to be incurred due to this delay. Reference to the accused is cautiously inserted by the notary and refers to him as being “present, hearing and understanding”.¹⁶⁸ An interesting detail which stems out of this contract supporting strongly the hypothesis that Malta was quickly becoming a cosmopolitan centre hosting merchants from all over the Mediterranean is the fact that all foreigners in this litigation were declared to be present at the time the protest was filed.¹⁶⁹

The complex life of a merchant or his agent in a frontier outpost such as Malta is well attested in various legal documents. From a *compromissum*¹⁷⁰ agreement registered on 12 May 1541, one could get a good feel of just how complicated negotiations for a single business deal could be. In this particular instance, *Fra.* Aurelio Buttigelli¹⁷¹ Prior of Pisa had consigned a net shipment of 191 *cantari* of wool coming from Tripoli in Barbary¹⁷² to *Nob.* Francesco Corso¹⁷³ who was a citizen of Syracuse. It was agreed between the two parties that Francescus had to consign the said merchandize to his procurator, *Nob.* Petrus Nalluni in Syracuse, who in turn had to export it to Venice on behalf of *Fra.* Buttigelli.

¹⁶⁸ NAV, MS 778/4, f. 183, (13.vii.1564).

¹⁶⁹ Many cases involving foreign parties are present in Maltese Notarial archives. See for example NAV, R 224/17, ff. 887-888, (28.vi.1561), wherein *Nob.* Aloisius Meante from Marseille who was *patronus* of a ship anchored in Malta declared to be in debt of 40 gold *scudi* with *Hon.* Aloisius Vanoni, also a citizen of Marseille. This loan was in respect of a voyage and was to be repaid in Marseille on request of the debtor. See also NAV, R 202/1, ff. 32v-33, (8.v.1536); R 202/11, ff. 21v-22, (27.x.1546); R 224/17, ff. 826-826v, (12.vi.1561), ff. 806-807, (3.vi.1561).

¹⁷⁰ A proceeding in which a dispute is resolved by an impartial adjudicator whose decision the parties to the dispute have agreed to be final and binding.

¹⁷¹ Buttigelli was the first governor of Malta who came to the island to settle various matters prior to the official arrival of the Knights Hospitallers. He also held the post of Governor of Tripoli (1532-1533) amongst other important positions within the Order's ranks.

¹⁷² Wool from Barbary is one of the most recorded commodities in Notarial acts arriving from Tripoli. “*Di netto ex sacca in quibus insaccata erat*” (sic) (net out of the sack in which it was packed), NAV, R 202/5, f. 189, (12.v.1541).

¹⁷³ In a document dated 15 February 1530, Francesco Corso is described as the appointed *dohaniero* and *secreto* of the Spanish Crown in the castle of Tripoli. NLM, AOM 6559, f. 110v, (15.ii.1530).

It seems that only a partial quantity of this wool reached the procurator of Buttigelli, namely *Hon. Johannotto Bonanao*,¹⁷⁴ in a good state. The latter in turn consigned it to Olivaro Locampesi and Antonio Guglielmo in the current net weight agreed by both. In the *compromissum* it was declared that the remaining consignment of wool was still in Petrus's possession, since, because most of it was wet and rotten Buttigelli's procurator refused to accept it. It was further declared that during transport this wool seems to have been mixed with an inferior type and thus Buttigelli was now requesting that Franciscus Corsus compensated the spoilt merchandize and be made to pay at the agreed rate of 2 *uncie* and 3 *tari* per *cantaro*.

The parties agreed to settle the dispute in an amicable way and thus agreed that Franciscus was to obligate himself to consign 145 *cantari* of wool to Buttigella or his procurator on his first trip to Syracuse. The wool had to be dry and in a good state as is usually sold and bought in Tripoli of Barbary. It was to be weighed in Syracuse in the measure of the *rotoli* of Sicily at the expense of Franciscus. Both parties were to appoint two experts, one from each side, who had to validate the fairness of the procedure under oath, and were also duty-bound to separate the good wool from the bad. Should there be disagreement a third expert was to be nominated by the *Curia Consolatus* of Syracuse.¹⁷⁵ Both parties agreed that they would abide by the decision of the arbitrator and were forbidden to appeal against this decision or take each other to court. An important detail in this agreement refers to a new law promulgated in Sicily which the parties promised to abide by.¹⁷⁶

¹⁷⁴ Bonanao seems to have been quite popular as a procurator who had connections with Tripoli. See for example NAV, R 202/5, f. 138v, (12.ii.1540 *ab inc*), wherein a carpenter appointed him to recover the sum due by a soldier stationed in Tripoli in respect of three *tabulas archibuxorum*. This could be referring to the wooden stock of the harquebus on which the barrel is mounted. It is also interesting to note that this contract reflects the possible lack of carpenters in Tripoli. Residents had thus to use the services of Maltese carpenters. (Thanks are due to Stephen C. Spiteri for this information which was forwarded on 22 September 2011). His connection to Buttigelli, Governor of Tripoli, is also indicative of his close connection to the city.

¹⁷⁵ "*dittus dominus prior ex una et [et] dittus no[bilis] franc[escus] partibus ex altera teneantur eligere duos expertos et tercium cau[sa] discordie eligendum per curiam consolatus ditte civi[ta]tis siracusar[um]*" (sic). NAV R 202/5, f.189v, (12.v.1541),

¹⁷⁶ "*formam novj ritus magne regie curie regnij cecilie*" [sic]. NAV, R 202/5, f.190, (12.v.1541).

Scrutiny of other deeds containing this condition supports the hypothesis that most probably this law referred to the obligation on the part of debtors to ratify agreements done abroad in either their country of origin, or in any other city of their choice within a stipulated time. In the case under study,¹⁷⁷ Francescus Corsus's procurators had to ratify the present contract and oblige themselves towards Buttigelli within three days from date of the present agreement. Furthermore, Francescus and his brother Ambrosius were to deliver an authentic copy of the ratified contract with the seal of the city of Syracuse or any other city of their choice to Buttigelli with the first ship sailing to Malta. Either Francescus or Ambrosius was to consign personally the wool and if this was not found of good quality they were to reimburse Buttigelli for the losses incurred at the rate of 2 *uncie* 3 *tari* per *cantaro* in cash, in the city of Syracuse by not later than four months. It was further stipulated that these conditions were originally agreed to in a contract drawn up in Syracuse which also included the sale of slaves, oil, wheat and rope among other commodities. Should there once again be breach of contract, Ambrosius was to remain in Malta and jailed until the agreement was honoured. Interest due for late consignment added up to 8 *tari* per day together with any other related expenses.

Even though the central point of arbitration was to settle disputes outside courts, in the contract it was stipulated that neither Francescus nor Ambrosius could protest in any court whether here in Malta or Tripoli, Syracuse, Messina, Rome, Naples or any other place, nor could they ask for a safe conduct from other cities. This latter detail is highly interesting since it sheds light on how debtors in various countries tried to seek protection from their creditors by requesting the government to issue an immunity order. In Malta's case for instance, safe conduct certificates at times make reference to the government's protection of foreign debtors. In these instances, it was specifically stated that the Grand Master was protecting a particular debtor and

¹⁷⁷ Similar references to the ratification of contracts are found in various contracts drawn up in Tripoli and ratified in Malta regarding the redemption of slaves. Refer to NAV, R 202/2, ff. 16v-18, (17.ix.1537); R 202/3, ff. 223-223v, (18.vi.1539); R 202/4, ff. 182-182v, (20.iv.1540); R 202/5, ff. 16v-17, (7.ix.1540); R 202/5, ff. 19v-20, (7.ix.1540); R 202/5, ff. 22-22v, (10.ix.1540); R 202/5, ff. 26-27v, (15.ix.1540).

as such his creditors could not harm him or hunt him down once he was under the Order's jurisdiction.¹⁷⁸

The above-mentioned contract shows how members of the Order, especially those who held important positions like Buttigelli, kept good trading relations with Tripoli even after the end of their term. Merchants were attracted to do business with these Knights since through their connections with other senior officials of the Order posted in Tripoli they facilitated trading activities. Although in the above-mentioned case the merchandise in question was not to be consigned to Malta, yet ancillary activities related to this business, such as the registering of the *compromissum* were conducted on the island. As has been shown, the need for merchants to visit the island, not only to file protests but even to ratify contracts drawn up in Tripoli was enhanced by the presence of the Order and this led to a substantial increase in Malta's connections with foreign merchants operating throughout the Mediterranean.

5.7 The *salvi conductus* – a passport to freedom of trade to “all parts of the world”

Available data derived from port registers, although very scanty for the period prior to 1565,¹⁷⁹ reveals that just like in medieval times merchants in Malta showed a particular preference in conducting business with, and undertaking ventures to, Sicilian ports. Notarial and Chancery¹⁸⁰ documents complement this information where port registers are missing as most shipping destinations intended for the procurement of staple goods such as grain, meat and wine reveal a hegemony of Sicilian products. A sample search in the acts of Notary Vincenzo Bonaventura de Bonetiis shows that all eight *naulum* contracts for the year 1534-1535 drawn up by this notary

¹⁷⁸ See for example NLM, AOM, Lib. Bull. 421, f. 214, (5.vi.1548), where Loysio Aragonese came to live in Malta and was granted a safe-conduct for a period of one year since, at the time he could not pay his creditors.

¹⁷⁹ These are NAM, MCC, *Registri Patentarum* Vols. I-IV. The only register which contains meagre data for the period under study is Vol. I which spans from 1564 to 1578.

¹⁸⁰ See as an example AOM, Lib. Bull. 418, (22.ix.1542), f.193v, wherein Antonio Marmara was entrusted to procure all sorts of meat and victuals from Sicily for the use of the Order.

represented trade with Sicily, mainly to procure wheat, wine and wood.¹⁸¹ The *naulum* acts of the same notary for the year 1543 point to a heavy dependence on Sicilian trade since all services for the transport of merchandise were targeted to Sicily to import wine,¹⁸² wheat,¹⁸³ and wood,¹⁸⁴ one even mentioning delivery of “*cottone in cochio*”.¹⁸⁵ The period covered by register R 224/17 1560-1561¹⁸⁶ holds a total of nine hundred and sixty contracts.¹⁸⁷ Out of these three relate to *Societas* agreements to trade with Sicily, and three other refer to freight services between Licata, Scicli and Terra Heraclia (0.6%),¹⁸⁸ while twenty-four contracts (2.5%) refer specifically to the purchase of carobs from Scicli, still in Sicily.¹⁸⁹

Trade relations with other countries, especially France, did however exist although at a much lower level. The above-mentioned preference must of course be evaluated within a sixteenth century context. At the time, Malta was considered part of the royal domain of the Sicilian Kingdom and was eligible to import duty-free food supplies from Sicily, although as has already been discussed at times this was not an easy task.¹⁹⁰ Such concessions led to the strengthening of links between the two islands, and, as is so clearly indicative in the tables below, after 1530, Malta still remained strongly attached to Sicily. In fact the earliest available port registers found in Maltese archives give a clearer picture of shipping destinations after 1530 and

¹⁸¹ NAV R 206/1, ff. 14v-15v, (4.xi.1534); ff. 30-31v, (12.xi.1534); ff. 35-36, (23.xi.1534); ff. 57-58, (4.xii.1534); ff. 353v-354v, (3.vii.1535); f. 375, (9.viii.1535); ff. 389v-390, (18.viii.1535).

¹⁸² NAV, R 206/7, ff. 86-86v, (30.iii.1543); ff. 183-183v, (12.vii.1543); f. 243, (29.viii.1543).

¹⁸³ NAV, R 206/7, f. 42, (12.ii.1543); f. 119, (27/iv. 1543); f. 283, (5.x.1543).

¹⁸⁴ NAV, R 206/7, f. 243, (5.x.1543).

¹⁸⁵ NAV, R 206/7, f. 341v, (14.xi.1543).

¹⁸⁶ Notary Giuseppe de Guevara

¹⁸⁷ The most frequent contracts are those referring to the sale/purchase of property, which total 93 (9.7%) and those referring to amicable loans which amount to 75 (7.8%).

¹⁸⁸ Also referred to in contracts as Terranova, present day Gela, Sicily. An interesting document from these is NAV, R 224/17, f. 332, (26.xi.1560), which refers to the transportation of animals from Gozo to Gela among which there are 11 donkeys at the rate of 6 *tarì* per head.

¹⁸⁹ Twenty-three of these contracts were drawn up in the month of February.

¹⁹⁰ Ever since 1526, the *Mastro Secreto* (Chief Fiscal Officer) of Sicily had ordered all *Secreti* of the Sicilian towns, Licata in particular, to supply Malta with duty-free merchandise. NLM, Libr. MS 1220, ff. 193, 195-196, C. Cassar, *Society, Culture and Identity in Early Modern Malta*, (Malta, 2000), 78.

indicate that four-fifths of the total amount of shipping registered between 1564 and 1600 was directed to Sicilian ports.¹⁹¹

Table 5.1 Shipping destinations from the Malta harbour 1564-1600^a

| <i>Destination</i> | <i>Number of Trips</i> | <i>Percentage</i> |
|------------------------------|------------------------|-------------------|
| Sicily | 4683 | 80.2 |
| Italy (peninsular) | 461 | 7.9 |
| France ^b | 309 | 5.3 |
| Greece | 115 | 1.9 |
| Spain | 75 | 1.3 |
| Unknown | 65 | 1.2 |
| Piracy | 28 | 0.5 |
| Others ^c | 102 | 1.7 |
| Total number of trips | 5838 | 100 |

a Data available for 32 years only, and in some cases a few months are missing

b 296 of the voyages made to France were directed to Marseilles;

c Others include: Alexandria, Tunis, Tripoli (Barbary), Tripoli (Syria), Alexandretta, Algiers, Smyrna, Constantinople, the Levant, Dalmatia, Flanders, England, and the west.

Source: Cassar, *Society, Culture & Identity*, 74.

¹⁹¹ Cassar, *Society, Culture & Identity*, 73.

Table 5.2 Shipping destinations to Italian ports 1564-1600.

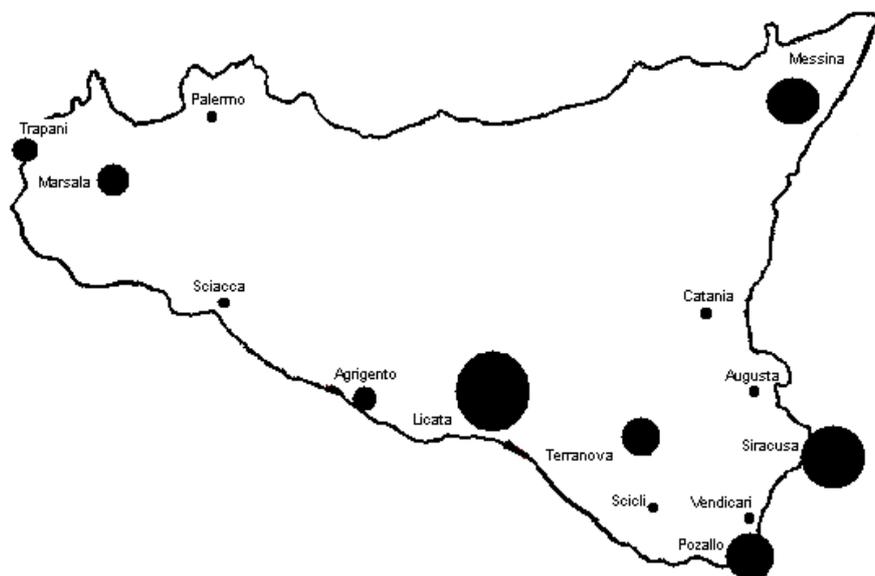


| <i>Destination</i> | <i>Number of Trips</i> | <i>Percentage</i> |
|--------------------|------------------------|-------------------|
| Naples | 248 | 4.3 |
| Venice | 52 | 0.9 |
| Reggio | 42 | 0.7 |
| Leghorn | 40 | 0.7 |
| Genoa | 27 | 0.5 |
| Sardinia | 20 | 0.3 |
| Others* | 32 | 0.5 |
| Italy | 461 | 7.9 of total |

* Others include Rome (Civitavecchia?), Apulia (Bari?), Taranto, Ancona, Gallipoli.

Source: Cassar, *Society, Culture & Identity*, 75.

Table 5.3 Shipping destinations to Sicilian ports 1564-1600.



| Destination | Number of Trips | Percentage |
|----------------------|-----------------|---------------|
| Licata | 1050 | 18.0 |
| Syracuse | 912 | 15.6 |
| Messina | 572 | 9.8 |
| Scicli | 516 | 8.8 |
| Pozzallo | 504 | 8.6 |
| Terranova (Gela) | 258 | 4.4 |
| Marsala | 219 | 3.7 |
| Vendicari | 164 | 2.8 |
| Grigenti (Agrigento) | 163 | 2.8 |
| Trapani | 149 | 2.5 |
| Others* | 176 | 3.1 |
| Sicily | 4683 trips | 80.2 of total |

* Others include Palermo, Sciacca, Augusta, Catania.

Source: Cassar, *Society, Culture & Identity*, 75.

The statistical data shown in table 5.1 indicates that trade with North Africa and the Levant was fairly minor for the second half of the sixteenth-century, a situation which does not seem to have been much different for the period 1530-1565. As shall be duly shown, there was a

“close intersection between piracy and trade”.¹⁹² Most of the goods acquired through piratical activity were ultimately traded and sold to merchants across the Mediterranean. Trade with North Africa was often combined with the redemption of slaves, and similarly, economic activities directed to the Levant were mostly tied with the redemption of slaves or related to corsairing activities.

Although *salvi conductus*¹⁹³ or safe-conduct certificates issued to merchants from time to time by the Chancery of the Order¹⁹⁴ did not always assure a safe and swift journey, they provided merchants with a considerable amount of political and legal protection.¹⁹⁵ At the same time they offered their holders more potential to extend their commercial activities in the Maghreb and Eastern Mediterranean.¹⁹⁶ Emperor Charles V used to provide the Order with such royal charters prior to their establishment in Malta.¹⁹⁷ The granting of such passes under the Order of St John did not follow a constant pattern. In fact, as may be discerned from Appendix IV, the 1530s and 1540s were rather low in the number of safe conducts issued to merchants or prospective free slaves¹⁹⁸ about to sail to or from North Africa or the Levant. After 1552 an approximate number of five safe conducts per year was registered. The reason for such increase may have been due to the fact that after the loss of Tripoli in 1551 the Order lacked a North African base which facilitated redemption

¹⁹² Abulafia, *The Great Sea*, 647.

¹⁹³ *Salvi Conductus* were issued to various other persons other than merchants. These included among others, corsairs, knights who were dispatched on a diplomatic mission and also to freed slaves who wanted to return to their country. For example see NLM, AOM, Lib. Bull. 424, f. 212, (21.x.1553), where three slaves of the late Grand Master Juan D’Homedes (1536-1553) were granted manumission by the Grand Master as per instructions left in his last testament.

¹⁹⁴ NLM, AOM 6466 contains petitions for safe conducts for the period 1658-1670, while AOM 625,626 & 627 contain an alphabetical index of the items classified under the title “*Diverse Scritture*” in the *Liber Bullarum*. The dates of these volumes range from 1346-1695. See also Wettinger, *Slavery in the Islands of Malta*, 196, 206-207, 212-215, 291-292 and Brogini, *Malte, frontiere de chrétienté*, especially Chapter VII.

¹⁹⁵ Wettinger, *Slavery in the Islands of Malta*, 214.

¹⁹⁶ On encountering a possible “enemy” the holder of this patent would raise the flag of the Order and show the document to the captain to avoid being attacked. At times however captains ignored such patents. Wettinger, *Slavery in the Islands of Malta*, 214.

¹⁹⁷ NLM, AOM 17, *Salva condotti di Carlo V alla Religione Gerosolomitana*.

¹⁹⁸ Safe-conducts granted to free slaves who had already paid their ransom and were going back to their country without conducting further trade with Malta are not included.

negotiations for both Christians and Muslims, while at the same time corsairing activities were increasing and the island was experiencing a constant steady flow of slaves.¹⁹⁹

Not all voyages to North Africa or the Levant were covered by letters patent, or at least not all of them are found in the *Liber Bullarum*.²⁰⁰ This is a fact which is clearly noticeable when comparing the names of contracting parties found in notarial acts with those found for the same period in the *Liber Bullarum*.²⁰¹ In fact, with the exception of Bartholomeo Abel,²⁰² in all of the cases encountered during the course of this study, none of the names of merchants found in notarial acts with respect to trading activities in North Africa or the Levant are listed as being the holders of safe-conduct certificates in the *Liber Bullarum*. Consequently, it may be safely ascertained that the amount of trade between Malta, North Africa and the Levant was higher than that which is officially registered in these chancery documents.

A typical safe-conduct edict would include the name of the merchant, his projected destination, often but not always the commodities he was expected to buy and also the validity period of the certificate. An important inclusion was the request made to princes, admirals, governors and various other public officials to, “let them travel freely in both their outgoing and incoming journey without inflicting any harm or giving them reason to be late in their journey”, and also expressed a wish that “on the contrary you should lend them any favour which you deem

¹⁹⁹ Wettinger’s account of the successes of Grand Master Jean de Valette’s private corsairing vessels confirms just how much this economic activity was growing when he wrote: “Thus in the twelve years of the magistracy of Jean de Valette (1557-1568), the private vessels of that Grand Master captured a total of 2,883 slaves, freed some 562 Christian slaves, and procured a total income in goods and slaves of some 400,000 ducats. They captured 13 oar-driven vessels, and captured or sank some 36 sailing ships. De Valette’s corsair ships included a *galeotta* of 22 benches which he kept for six years, then two galleys for five years and a *galeotta* of 22 benches for another year, spending 9,000 scudi on the galleys and 6,000 scudi on the *galeotta*”. Wettinger, *Slavery in the Islands of Malta*, 34.

²⁰⁰ According to Ann Williams this was also the problem with the Chancery records relating to the Rhodes period. She states that probably these relate to just those that were presented to the Vice-Chancellor for registration. Furthermore she mentions the work of Nicolas Vatin, who “in trying to assemble a statistic for foreign merchants trading in Rhodes, could only produce list in single figures for each of the nations involved”. Williams, ‘*Sacra Militia*’, 142.

²⁰¹ Some of which are mentioned *passim* in this Chapter.

²⁰² NLM, AOM, Lib. Bull. 426, ff. 251-251v, (1.xii.1556).

opportune”.²⁰³ It is important to contextualize the latter clause which demanded that ships be free from search and seizure within the parameters of the maritime law in force at the time. The latter was embodied in the rules defined in the *Consolato di Mare*²⁰⁴ and according to which “once at sea an admiral had the right to stop and inspect even ships belonging to a friend, as long as he treated the captain fairly”.²⁰⁵ This law also stipulated that merchandise on friendly shipping could be confiscated if it was identified as enemy cargo, provided that the Christian stakeholders were paid their rightful freight charges.²⁰⁶ Thus, the most important considerations underlying the instructions found in safe-conducts were as much social and political as economic, since the possible loss or damage of a cargo ship did not only translate itself into great financial loss for the investors, but ultimately could even result in causing shortages, especially during times of drought, which could in turn result in popular unrest.

Two merchants granted a safe passage in 1532 were Mabrayadi di Golena and Michaeli Cucagni, both of whom were instructed to sail to the Levant and beyond and procure much needed commodities like, salted meat, wax, candles, pulses, and cheese, “for our use and that of our Order”.²⁰⁷ Voyages covered by letters patent in which economic activity was not linked to redemption services were mostly commissioned by the Order and directed to Christian Lands.²⁰⁸ This implies that the provisioning of the island depended heavily on private entrepreneurship²⁰⁹

²⁰³ ‘gli lassiate liberamente navigare andare venire & stare senza dargli impacchio danno disturbo ne causa de ritardare. Anzi prestarlj ogni opportuno favore’.

²⁰⁴ The Maltese *Consolato del Mare* was established in 1697. C. Vassallo (ed.), *Consolati Di Mare and Chambers of Commerce*, (Malta, 2000).

²⁰⁵ Greene, *Catholic Pirates*, 57.

²⁰⁶ Greene, *Catholic Pirates*, 60.

²⁰⁷ NLM, AOM, Lib. Bull. 415, f. 232v, (28.vi.1532).

²⁰⁸ These were not numerous and hardly ever exceeded three per year. See for example NLM, AOM, Lib. Bull. 416, f. 210v, (3.iii. 1536); 418, f. 193v, (20.ix.1542); 419, ff. 229v-230v, (17.x.1544); 420, f. 197, (20.x.1545), 423, f.203, (20.xi.1551), f. 229v, (7.ii.1553); 429, f. 263, (30.iv.1563). Commissions to acquire commodities from Christian Lands are also found in the form of instructions to galley captains of the knights in the *Liber Bullarum* see for example, NLM, AOM, Lib. Bull. 417, f. 255, (28.x.1538); 422, f. 206v, (27.ii.1550); 429, f. 247, (19.i.1562), f. 253-253v, (28.vii.1562); 430, f. 266, (2.iii.1565).

²⁰⁹ Some safe-conducts refer also to the personal business needs of specific merchants. See for example, NLM, AOM Lib. Bull. 418, f. 200v, (27.i.1543); 422, f. 218, (28.ii.1551); 423, f. 229v, (7.ii.1553), f. 230v,

and was not just limited to specific naval operations conducted by the Order's navy. The Order's commitment to set up the essential framework for such negotiators to act within a well-regulated and efficient set-up under its control is well appreciated given this context. Such opportunities not only served as a pull factor to foreign economic actors but enhanced trading operations of local traders with foreign partners, and also encouraged them to respond favourably to emerging business opportunities.

Christian merchants or corsair ships that did not fly the flag of the Order, such as those of the Venetian *Magnifico* Francesco Caena, also made requests for the granting of safe-conducts in order to be able to cross over to Malta from North Africa with their load of merchandize. In Francesco Caena's case, the Grand Master decreed that since Venice was a "friend" of the Order, the said merchant, his ships, merchandize and men could travel freely to the Maltese harbours. Caena was of course aware that Venetian ships were a prime target for Maltese corsairs who attacked them with the hope of having seized a friendly ship containing "enemy" goods.²¹⁰ In this instance it was further decreed that this licence was to stay in force for at least two months.²¹¹

5.7.1 Safe conducts and corsairing

The importance of such safe passage documents is also to be seen in the light of the great impact of piracy, whether licensed or not, on sixteenth-century Mediterranean trade. The shipment of a vast number of valuable commodities circulating the Mediterranean, like gold, silk,

(3.iv.1553). A typical example is the section entitled *Responsales* in Lib. Bull. 417, ff. 283-283v which lists a number of imported commodities, mostly wheat and cloth intended for the Order's use throughout the year May 1540-May 1541. The ships used to transport these items belonged mainly to Maltese merchants such as Alfonsius Habeli, Braytus Burlo, Bartholomeo Scarpello, Bartholomeo Habel, Petro Tabone and Luca Calafato.

²¹⁰ Greene, *Catholic Pirates*, 59.

²¹¹ NLM, Lib. Bull. MS 415, f. 208v, (22.iv.1531), "[...] *di poter venire intrare sicura et saglire liberamente in nostro porto insula et terra senza che nessun de loro sia molestato ne impedito durantdo detto viaggio qual declaramo et volemo essere in vigour et valore doi mesi a presso la revocatione se pure accadesse revocarlo.*" ([...] that they may enter freely and securely our port, island and land without any one of them being molested or impeded during this voyage, which [edict] we declare and want to be effective for a period of two months before revocation, if it is revoked).

spices and crucially, grain, made piracy "the land of opportunity". Braudel describes piracy as "eating the food of others in order to remain strong",²¹² thus highlighting the strong dependence of economic wellbeing on the incessant targeting of merchant vessels. This was especially so on islands such as Malta, which did not enjoy the benefits of a fertile hinterland. As already noted, such plundering would of course result in shortages elsewhere in the Mediterranean, and as already discussed in Chapter Three, the capture of grain ships caused the most disastrous effects especially in times of famine.

Before the arrival of the Hospitaller Order, the Vice Admiral of Sicily used to exercise a measure of control over corsairing activities, by issuing licences, retaining the right for a percentage of the booty, defining their sectors of activities and providing for the full legal satisfaction in case of infraction of laws.²¹³ Such rules were aimed at preventing predatory warfare "by forcing the privateer to give an account of his actions" and also prevented him "from concealing his capture, destroying the ship's papers, or making a reciprocal agreement with the merchantman to release ship and cargo"²¹⁴ while out at sea.²¹⁵ Thus, prior to the arrival of the Order corsairing ventures were already regulated and kept under the scrutiny of the Sicilian admirals.

Once established in Malta, the Hospitaller Order took over these responsibilities from the Sicilian government. This transfer marks the granting of a highly important privilege to the Hospitaller government, something which has been highly underestimated by local historians even though much has been written on the Maltese *corso* and its repercussions. According to Kulsrud, "one of the chief aims of every powerful ruler at the opening of the Modern Era was to vest the

²¹² Braudel, *The Mediterranean*, Vol. II, 869.

²¹³ P. Cassar, 'The Maltese Corsairs and the Order of St John of Jerusalem', *The Catholic Historical Review*, Vol. XLVI, No. 2, (1960), 137-141.

²¹⁴ Kulsrud, *Maritime Neutrality*, 22-23.

²¹⁵ For an insight on the problems encountered by merchants while out at sea refer to I. Katele, 'Piracy and the Venetian State: The Dilemma of Maritime Defense in the Fourteenth Century', *Speculum*, Vol. 63. No. 4 (1988), 865-889.

Crown with the exclusive right to make war by land and sea. Once secured, this right was jealously guarded”.²¹⁶ To appreciate the importance of this right one must also keep in mind that the Order owed allegiance to the Pope, who very often put pressure on them to carry out their role as holy warriors. However, in being granted the Maltese islands, they were now in possession of a part of the Spanish empire, and any form of war conducted from the island had to have the approval of the Spanish monarch. As Ann Williams states, “the gift of a falcon each year, in itself a small gesture, nevertheless symbolised homage to the Spanish ruler” and the Order’s position in the Western Mediterranean was now much more delicate than it had been in Rhodes.²¹⁷

The difficulties in asserting its position as a neutral ruling body are clearly evidenced in the first few years of the Order’s stay since it was prohibited by the Spanish monarch from minting its own coins. One therefore does not have to assume that the right to license and regulate corsairing was something which was automatically granted. Thus, taken in its proper context, the full extent of this privilege marks an important initial step towards the Order’s future claim to sovereignty. The need to have an efficient naval organization required the state to mitigate or abolish irregularities in matters relating to *corso*. Later on these led to further specialization in the adjudication process and it was thus that the year 1605 saw the setting up of the state’s prize court or *Tribunale degli Armamenti* (Magistracy of Armaments), which was conferred with the power to judge cases related to the proper implementation and adherence of a system of legal codes related to piratical belligerency.²¹⁸

²¹⁶ Kulsrud, *Maritime Neutrality*, 23.

²¹⁷ A. Williams, ‘*Sacra Militia*, the Order of St. John: Crusade, Corsairing and Trade in Rhodes and Malta 1460-1631’, in M. Fusaro, C. Heywood, M. S. Omri, (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel’s Maritime Legacy*, (London & New York, 2010), 139-156, 150.

²¹⁸ The *Tribunale degli Armamenti* had the specific intention of running the corsair business. One of the main concerns of this tribunal was ‘the explosion in the *corso*, and the problems it was creating’, M. Green, ‘“Victims of Piracy?” Ottoman Lawsuits in Malta (1602-1687) and the Changing Course of Mediterranean Maritime History’, in M. Fusaro, C. Heywood, M. S. Omri, M. (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel’s Maritime Legacy*, (London & New York, 2010), 177-201, 180. Similar developments took place in other countries in continental Europe like for example France and the Netherlands who jealously watched over their power and interests. Kulsrud, *Maritime Neutrality*, 11.

In asserting the right to make war, the state became the owner of all property acquired through corsairing thus holding the right to dispose of prizes as was deemed fit. In fact, the practice in Malta dictated that prizes were to be divided in specific percentages among which there was 10% commission in favour of the Grand Master. Accordingly, just like the policy adopted in Rhodes,²¹⁹ any ships flying the Hospitaller flag had to be covered by a licence²²⁰ which would specifically state that the captain and the crew of the licensed corsair ship were prohibited from molesting Christian shipping²²¹ or other ships considered friendly, even if Muslim. The mention of Muslim ships as friendly points to the great ambiguity which was so very characteristic of the early modern Mediterranean.²²² While the Knights tried to circumvent their way around the rules established by the *Consolato del Mare* as to what constituted a friendly ship, at the same time, when the need arose and in order to replenish their resources they protected that which for them would have otherwise been defined as “eternal enemy”.²²³ Corsairs were bound to ensure their adherence to these rules, as may be noted from the licence issued to Johannes Ros, a Rhodiot merchant and corsair,²²⁴ or to the Maltese merchant Johannes Belia,²²⁵ who on obtaining their piratical licence promised not to attack any Christian subjects or vassals. Such blanket prohibitions

²¹⁹ A. Luttrell, ‘The Earliest Documents on the Hospitaller *Corso* at Rhodes: 1413 and 1416’, in B. Arbel (ed.), *Intercultural contacts in the medieval Mediterranean*, (London & Portland Oregon, 1996), 177-188, 177.

²²⁰ Such licences, also known as letters patent, were granted for one or more years. S. Bono, ‘Naval Exploits and Privateering’, in V. Mallia-Milanes (ed.), *Hospitaller Malta 1530-1798: Studies on Early Modern Malta and the Order of St. John of Jerusalem*, (Malta, 1993), 351–397, 391.

²²¹ Particular emphasis was given to the ships of His Catholic Majesty and of the Venetian Republic. However, various disputes arose between the Hospitaller Order and Venice since such instructions were often breached to the detriment of the Christian merchants. V. Mallia-Milanes, *Venice and Hospitaller Malta 1530-1798 – Aspects of a Relationship*, (Malta, 1992), *passim*. English shipping was considered to be fair game since it was known that these supplied the Barbary with arms and other goods. In accordance to Papal instructions, Jews and Greek Christians were also to be respected, although official documentation from the seventeenth century attests to the continuous molesting of these Greek Christian subjects. Cassar, ‘The Maltese Corsairs’, 145-146; Greene, *Catholic Pirates*, *passim*.

²²² Greene, *Catholic Pirates*, 60.

²²³ The issue of the *salvi conductus* to various Muslim merchants already discussed is a case in point.

²²⁴ NLM, AOM, Lib. Bull. 414, f. 275v, (10.viii.1530).

²²⁵ NLM, AOM, Lib. Bull. 414, f. 286v, (22.i.1530 *ab inc*).

are easily understandable since unrestricted attacks on friendly shipping could easily entangle the Order in an unwanted and costly confrontation.²²⁶

Corsairs had to present persons who acted as surety, or *fidejussors* in legal terminology, who would guarantee their proper conduct. Hefty profits from this system encouraged emergence of professional groups who took high risks with a view to making considerable gains.²²⁷ It is not known how effective these injunctions were in scrupulously protecting merchant shipping, or the measure to which they were actually enforced during the period under study.²²⁸ It is however certain that “illicit” attacks did take place especially against Greek subjects of the Ottoman Empire.²²⁹ The detailed deposition of an enslaved Ottoman Greek sailor before the Maltese Inquisitor helps us to perceive how galleys flying the flag of the Order used to hunt down these subjects targeting commerce between Egypt and the Dodecanese.²³⁰ During his deposition this Ottoman Greek subject stated that most of the crew on board his ship, which he described as being composed of half Christian half Muslim, managed to flee in small boats or risked swimming

²²⁶ A good example are the attacks carried out on Venetian shipping in 1554 and the consequential two *sequestri* of Hospitaller estates ordered by the Senate in a period of less than twenty-two months. Mallia-Milanes, *Venice and Hospitaller Malta*, 21.

²²⁷ Luttrell, ‘The Earliest Documents on the Hospitaller Corso’, 177.

²²⁸ In 1534, the knight *Fra*. Filippo Mazza was arrested by the Venetians for attacking Christian ships in the Adriatic and in the Gulf of Venice. After succeeding to escape he was eventually recaptured and beheaded and his ships were burned. In 1555, Pope Paul IV ordered the Grand Master to prevent the Knights from molesting Venetian shipping. Indeed, Venice took reprisals against the Order in 1582-1583 on account of continuous attacks. This plundering forced the Venetian senate to order its navy to raid all Maltese ships which it encountered since these were disrupting commercial traffic and hindered the victualling of the Island of Candia, apart from irritating the Turks who vented their anger on Venetian possessions. Documentation pertaining to the seventeenth and eighteenth century reveals that during this period these injunctions were not always observed. In fact, there are repeated official warnings and decrees prohibiting Maltese corsairs from molesting the inhabitants of the Greek islands, and punishments ranging from simple fines to the infliction of the death penalty. During the war between France and Spain in 1637-1638, French knights breached the Order’s neutrality when they equipped their ships against the Spanish. Discipline was only restored after they were threatened with expulsion from the Hospitaller Order. Cassar, ‘The Maltese Corsairs’, 146, 152-153. See also P. Falcone, ‘Una relazione di Malta sulla fine del Cinquecento’, *Archivio Storico di Malta*, Vol. IV, No. 1, (1933), 2-51, 7.

²²⁹ Greene, *Catholic Pirates, passim*.

²³⁰ In this particular case the Ottoman-Greek merchant ship was caught off Damietta “*tra mare et salso*”, which refers to the point where the river Nile opens up to the sea, while it was making its way to Modon. J. Abela, ‘Who was Georgio Scala?’, in D. Agius (ed.), *The Case of Georgio Scala and the Galley Captives, 1598*, (forthcoming publication).

to the shore, while the Maltese attackers got on board and took hold of the merchandize irrespective of what belonged to the Christian sailors.²³¹

In addition to the above pledge made when obtaining the licence to act as corsairs, notarial deeds relating to *societas* agreements which included specific cases related to corsairing activities would also include specific clauses to safeguard the interest of the shareholders. In fact, all such deeds consulted during this study always included a personal pledge by the shareholders which was intended to offset for any damages or losses which resulted through neglect or breach of contract.²³² Some of the investors were often sedentary partners and thus made sure to include clauses wherein *patrone* and captain would pledge to carry out their duties responsibly. Such clauses are indicative that if corsairs did contravene and were put to trial they were personally liable before the law to compensate for any damages sustained by the sedentary partners.

The imposition of these prohibitions as well as the official protection afforded through safe passages created the necessary incentives for both Christian and Muslim merchants to undertake what would otherwise have been impossible trading voyages to hostile lands in pirate-infested seas, while ensuring the total control of the Hospitaller government over what would soon become the fastest growing sector in Maltese economy, that is corsairing and its ancillary activities.

5.7.2 Safe Conducts and Muslim Traders

Christian or Muslim owners of a cargo vessel were both concerned to reach the same goal, which was to dispose of their merchandize in a profitable manner. Such bargaining processes defeated religious and cultural divides and both parties tried as best as they could to exploit all commercial possibilities afforded to them. Theoretically, Knights were the sworn enemy of

²³¹ Abela, 'Who was Georgio Scala?'. As regards the seventeenth century refer to, Green, 'Victims of Piracy', 177-201.

²³² A good example which goes into the specifics of such obligations is found in NAV R 224/1, ff. 438-439, (31.i.1543).

Muslims and as such Maltese merchants were not supposed to engage in trading operations with any Ottoman subjects or in any Ottoman territory. In practice however, the story was quite different. In view of Malta's lack of resources and as an obvious move to entice new settlement on the island which would help improve economic activity and stability, the Order supplicated Pope Clement VII to grant newly established traders on the island the necessary permission to trade with Muslims. It was thus that on 1 October 1530, the Pope, having evaluated the precarious state of the island's provisioning decreed that the new inhabitants who settled in Malta, Gozo and Tripoli were allowed to trade in any kind of merchandize, including wheat, wine, oil and pulses, with the region of Barbary, Moors and the "infidels". As already noted in Chapter Two, this Bull also granted those who followed the Order from Rhodes to be exempt from the jurisdiction of the Bishop of Malta and instead fell under the ecclesiastical authority of the Prior of the Conventual Church.²³³

While still in Rhodes, the Order had already started the policy of granting safe-conduct certificates to Muslim merchants. As discussed, Muslim shipping considered 'friendly' due to the reciprocal benefits could not be attacked by Christian corsairs. These merchants were allowed to travel westwards and at times they even made use of Hospitaller ships in order to ensure safe arrival of various commodities at competitive prices from different regions.²³⁴ As already discussed earlier on in this chapter, such practice was continued and further developed in Malta after the arrival of the Knights through the granting of letters patent or safe conducts issued by the Order's chancery.²³⁵ Such historical records give life to the economic activities of some Muslim merchants

²³³ S. Paoli, *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano, oggi di Malta*, (2 volumes, Lucca, 1737), 201-202.

²³⁴ D. Panzac, *La caravane maritime, marins européens et marchands ottomans en Méditerranée 1680-1830*, (Paris, 2004), 10. See also Williams, 'Sacra Militia', 144.

²³⁵ A Bull issued in 1640 stated that those infidel traders who were caught trading without a safe conduct were captured and their wares confiscated. NLM, AOM, Lib. Bull. 439, 70v.

who managed to find ways and means of penetrating the Christian market.²³⁶ Yet, how did the Order justify its amicable relations with Muslim merchants? Why did it seek to protect them and how did it go about ensuring the smooth flow of commodities from hostile lands?

A good indication is given to us through the perusal of documents such as those relating to the case of *Nob.* Bayz Mahmet Algnari who is described as a merchant Moor resident of Djerba. In order to protect his interests, in 1534 this merchant applied to the Grand Master for the granting of a safe conduct.²³⁷ The latter consented, but was careful to base his concession on the fact that many Christians were falling captives to Muslims and thus Muslim merchants such as Bayz Mahmet, would serve as excellent intermediaries for the redemption of the said captives since they were familiar with the region. The Grand Master's concerns thus portrayed an Order which was resolute in extending help to Christian captives in North Africa, a concern which in official documents was always given precedence over that of the benefit of trade. The main motivation behind this was heavily based on the fact that the Order had to constantly justify its claims to revenues being extracted from all over Europe and could not risk appearing too lenient or co-operative with Christendom's enemy.

It was thus that Bayz Mahmet was permitted to travel freely with his men and his merchandize between Malta and the fortress of Tripoli, and there conduct the necessary business for the redemption of Christian slaves in Tunis and Djerba.²³⁸ At the same time, on his return voyage, together with the cargo of redeemed Christian slaves he was permitted to bring back to the island various other commodities in which he traded. It is interesting to note that in safe-conduct certificates all those responsible for the safe passage of the merchants were not only

²³⁶ Bosio informs us that in 1529 some Turks who had been slaves of the Knights while still in Rhodes, and who were freed on the conquest of Rhodes by the Ottomans, still kept good relations with the Order, and, after being granted safe conducts from the 'Turks' and from the Sicilian Viceroy they were constantly trafficking in merchandize between Modon and Messina. G. Bosio, *Dell'Istoria della Sacra Religione et Illustrissima Militia de S. Giovanni Gerosolimitano*, (3 volumes, Rome, 1594-1602), Vol. III, 76.

²³⁷ NLM, AOM, Lib. Bull. 415, f. 255v, (8.i.1534).

²³⁸ This particular safe conduct did not stipulate whether it was granted for just one trip or more.

requested to let the ship travel safely on her way without undue delay, but were also specifically requested not to permit that she be molested.²³⁹ Such wording suggests that those to whom these instructions were addressed were also expected to extend their responsibility beyond their own actions and act accordingly if the protected ship was harassed by others.²⁴⁰

For the benefit of the reader, following is a typical example of a safe conduct certificate issued to a Muslim merchant (reproduced in Fig. 5.3):

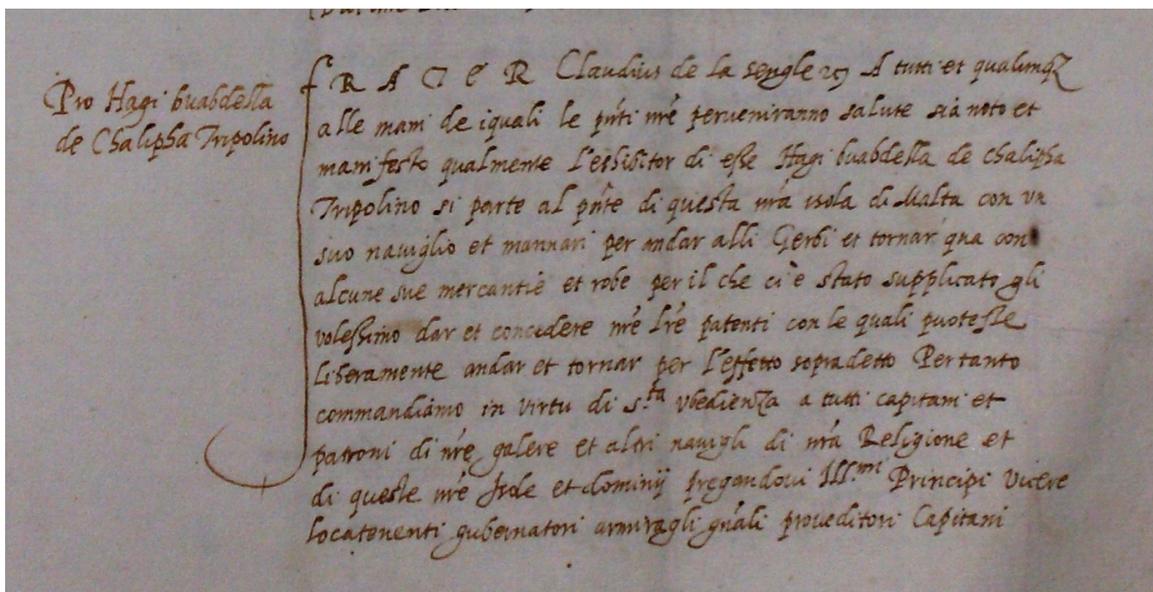
| | |
|---|--|
| <p><i>Frater Claudius de la Sengle A tutti et qualimquam alle mani de iguali le presenti nostre perveniranno salute sia noto et manifestao qualmente l'eshibitor di esse Hagi buabdella de Chalipha Tripolino si parte al presente di questa nostra isola di Malta con suo naviglio et marinari per andar alli Gerbi et tornar qua con alcune sue mercantie et robe per il che ci é stato supplicato gli volessimo dar et concedere nostre lettere patenti con le quali puotesse liberamente andar et tornar per l'effetto sopradetto. Per tanto commandiamo in virtu de Sancta ubedienza a tutti capitani et patroni de nostre galere et altri navigli di nostra Religione et di queste nostre Isole et dominij pregandovi Illustrissimi Principi Vicere locatenenti gubernatori armiragli generali proveditori Capitani giurati patroni et altri ufficiali de qual si voglia conditione nelle cui terre et giurisdictioni capitara detto Hagi Buabdella de Chalipha che lo lasciate liberamente andar passar et tornar con detto suo naviglio marinari et altre robbe et mercantie non permettendo che sia molestato impedito ne ritardato in modo alcuno anzi donarli et commandar esseli donato ogni aiuto et favore accio possa complir suo viaggio per il che restaremo obligati ad similia et multo maiora volendo che il presente salvoconducto habbia vigore per un anno a contarsi dalla data delle presenti et oltre a nostra volunta et beneplacito. In cuius rei bulla nostra magistralis in cera Datum melitae die tertia mensis Octobris 1555.</i></p> | <p><i>Frater Claude de la Sengle. To all and whoever in the hands of whom the present our [letter patent] will reach good greetings. Be it known and manifested that the exhibitor of this [letter patent] Hagi buabdella de Chalipha Tripolino is at present departing from this our island of Malta, with his ship to go to Djerba and come back here with some of his merchandize and goods, for which [purpose] we were requested that we would give and concede our letters patent, with which he could go and come freely to the effect of the above. Therefore we command in virtue of Holy Obedience to all captains and shipmasters of our galleys and other ships of our Religion and our islands and domains, praying to your Illustrious Princes, Viceroy, lieutenants, governors, admirals, generals, providers, captains, jurats, shipmasters and other officials of any kind and station in which lands and jurisdiction the said Hagi Buabdella de Chalipha will happen to be in, that you let him travel, go and come freely with his ship, sailors and other goods and merchandize, not permitting that he be molested, impeded or retarded in any way, but give him and command that he is given every kind of help and favour so that he could carry out his voyage for which (favour) we shall be greatly obliged. We order that the present safe conduct remains valid for one year from the present date together with our consent. Whereof our seal of government [is impressed] in wax. Given in Malta the third day of October</i></p> |
|---|--|

²³⁹ For examples relating to the last decades of the sixteenth century and mid-seventeenth century refer to Brogini, *Malte, frontiere de chrétienté*, especially Chapter VII.

²⁴⁰ NLM, AOM, Lib. Bull. MS 423, (f.236v), (17.vi.1553).

| | |
|--|-------|
| | 1555. |
|--|-------|

Fig. 5.3 Extract from a typical letter patent issued by the Magisterial Palace and given to Muslim traders so that they may travel freely between Malta and North Africa.



Source: NLM , AOM , Lib. Bull. 425 f. 207, (3.x.1555).

Following the same procedure, Muslim merchants used to come over to Malta to redeem their fellow Muslim captives and at the same time take advantage of the privilege granted to them and trade in their goods. Mahometo Rayz described as “*libero et franco turcho*”²⁴¹ was one such merchant who was granted a safe-conduct permit for one whole year. This merchant was requested to go to Djerba to redeem some Christian slaves. Consequently, he was allowed to come back to the island with his merchandize so that this may be exchanged for the release of some Turks and Moors.²⁴² Similarly, Mechamet de Africa, who was once a slave but now enjoyed the status of “*libero et manumesso*” (free and manumitted), was to go to Tripoli and Tazora and

²⁴¹ A free Turk. NLM, AOM, Lib. Bull. MS 423, ff. 213-213v, (24.ii.1552).

²⁴² “*Et anchora ritornar qua con alcune mercantie et robbe per il riscato de alcuni turchi et mori*” (and once again return here with his merchandize and goods for the redemption of some Turks and Moors). NLM, AOM, Lib. Bull. 423, f. 213. (24.ii.1552).

from there collect the necessary money, or its equivalent in merchandize, to redeem some Moorish slaves found in Malta.²⁴³ In cases like this, a slave who had spent considerable time on the island would have established various connections with the local population and these might at some point in time translate themselves into profitable operations. Murgian de Abdala from Aden²⁴⁴ and Mahometo Hamidan Benalli de Zanzor²⁴⁵ were two such merchants. They were lucky enough to have been declared free as part of the joyous events celebrating the election of the Grand Master.²⁴⁶ Once free to return back home they both supplicated the Grand Master to give them a perpetual licence to travel with their merchandize between their country and Malta, a request which the Grand Master conceded on condition that their ships were not armed for corsairing. On the other hand Rays Ahmet del Monesterio²⁴⁷ was still the slave of Philippo Cilia when he was given a safe conduct to go to Golette and Tunis and return with his ship loaded with merchandize, in order to ransom his freedom and that of a number of slaves.

It was thus that the Order tried to establish a healthy equilibrium between the projection of its image as the eternal enemy of the Muslim “infidel” and the necessity to procure commodities needed for its daily needs from hostile territories. As has been shown,²⁴⁸ the Order encouraged an indirect type of trade with North Africa that was mostly executed by intermediaries, both Christian and Muslim. This policy brought to the island an ever increasing amount of heterogeneous, multi-religious and multi-ethnic mix of merchants and adventurers. This vibrant community found the adequate facilities to conduct its business, especially that relating to the lucrative trade of the redemption of slaves. Merchants conducted round trips

²⁴³ NLM, AOM, Lib. Bull. 423, (7.vi.1553), f.236v.

²⁴⁴ NLM, AOM, Lib. Bull. 425, (24.v.1555), ff. 198-198v.

²⁴⁵ NLM, AOM, Lib. Bull. 425, (14.v.1555), f. 199.

²⁴⁶ Though the name of the Grand Master is not mentioned in the document this must have been granted to them by Grand Master Claude de la Sengle (1553-1557), and referred to in the document as supporting evidence of their current free status.

²⁴⁷ NLM, AOM, Lib. Bull. 425, (15.ix.1556), ff. 198-198v. Unfortunately the safe conduct certificates do not go into a lot of detail other than that which has been quoted above.

²⁴⁸ Refer also to Appendix IV.

wherein they managed to combine the shipment of humans with that of other commodities, thus fully exploiting both outward and inward voyages. Such commerce was protected through the granting of safe conduct certificates and, as Molly Greene has noted when analyzing court cases relating to the Maltese *corso*, “by forbidding attacks on infidels who possessed safe conducts from the grand master or other Christian princes, the court sought precisely to strike that balance between respect for state sovereignty and the recognition of religious difference”.²⁴⁹

5.8 The human commodity

Together with Livorno, Malta has frequently been referred to as the Christian version of Muslim Algiers, the North African capital renowned for its lucrative slave trafficking transactions.²⁵⁰ Although before 1530 corsairing ventures were often resorted to as a means of economic sustenance for the Maltese seafarer and adventurer,²⁵¹ the arrival of the Hospitaller Order revolutionized the local framework for conducting such ventures and immediately attracted the participation of a myriad of *armatori* who invested in various expeditions.²⁵² The upsurge in naval activities encouraged the local adventurer to couple his resources with those of the new settlers, as well as with those of various other foreign participants. Such combination led to the meteoric expansion of the mercantile sector, the Birgu harbour area being constantly developed to suit the needs of these entrepreneurs, while the Order’s fleet evoked some sense of protection

²⁴⁹ Greene, *Catholic Pirates*, 114.

²⁵⁰ Michel Fontenay argues that the number of slaves found in Malta is not comparable to the greater number of slaves found in Algiers. However, one should consider the smallness of the island and the ratio of the slave population to that of the local inhabitants. M. Fontenay, ‘Il mercato maltese degli schiavi al tempo dei Cavalieri di San Giovanni (1530-1798)’, *Quaderni Storici*, Vol. 107, No. 2, (2001), 397-398, 397.

²⁵¹ Fontenay & Tenenti, ‘Course et Piraterie Méditerranéennes de la fin du Moyen-Age au début du XIXème Siècle’, in Mollat (ed.), *Course et Piraterie*, Vol. I, 87. During the Medieval period Malta served as a base for corsair vessels and these often recruited Maltese personnel for their expeditions. Cassar, ‘The Maltese Corsairs’, 137-141.

²⁵² The *armatori* were the holders of the equity in a corsairing voyage, see Earle, *Corsairs of Malta and Barbary*, 127. For a detailed glossary regarding the various maritime activities and associated works and responsibilities see J. Muscat, *Il-Flotta ta’ l-Ordni ta’ San Gwann*, (Malta, 2000), 197-211; J. Muscat & A. Cuschieri, *Naval Activities of the Knights of St John 1530-1798*, (Malta, 2002), 209-219.

through its constant patrolling of the surrounding seas.²⁵³ As has already been highlighted, Malta was soon perceived as a profitable centre for the common pooling of investments and the redistribution of goods, a pull factor which created an interrelated network of communities and encouraged the establishment of what Cassar terms a strong “trade diaspora”.²⁵⁴

Traffic of slaves occupied a prime place in the economic activity of maritime trade in the southern Mediterranean since it allowed for the profitable exchange of monies or commodities, the latter often being the preferred method of exchange by merchants. These would receive cash deposits from families of the captives prior to their journey, which they could in turn invest in their business with good prospect of registering a net profit from their venture. Once arrived with their merchandize in infidel territory they would usually trade in their commodities in exchange for Christian slaves, thus eliminating risks of a fluctuating rate of exchange and making ulterior profits on the original deal. Brogini argues that it was only very late in the sixteenth century, with the proper establishment of corsairing activities, that commercial ties between Malta and the Muslim littoral were established.²⁵⁵ However, Maltese notarial acts²⁵⁶ prove the existence of such activities at a much earlier date for the flourishing of these activities than that highlighted by Brogini.

Several medieval notarial references record agreements for the sale of Black or Ethiopian slaves, the result of trans-Saharan slave trade of the Moors of North Africa. Godfrey Wettinger has shown that such pattern is similar to that found contemporarily in the Sicilian context where slaves of African origin far outnumbered any others. Furthermore, Wettinger argues that there are several late fifteenth-century notarial references in Syracuse which refer to the acquisition of slaves from the mountains of Barca, and these also include Maltese merchants resident in Syracuse. At times, they traded their wares in exchange for slaves and it is thus plausible that

²⁵³ Abela, *Port Activities, passim*.

²⁵⁴ Cassar, *Society, Culture and Identity*, 76.

²⁵⁵ A. Brogini, *Malte, frontière de chrétienté (1530-1670)*, (Rome, 2006), 358.

²⁵⁶ Prize registers for the sixteenth century do not exist in Maltese archives and therefore notarial acts help fill in this lacuna of information.

newly procured African slaves were easily brought to Malta. Such hypothesis is further strengthened by the fact that in 1436 there was a long debate regarding the type of tax to be levied on the importation of slaves from North Africa.²⁵⁷ As shall be the subject of the following examples, as early as the first decades of the Order's rule, traffic in slaves was a pull factor which quickly gained momentum and saw merchants from all across the Mediterranean dealing in human trafficking and other prizes. Countless businessmen and several Knights commissioned their own corsair vessels or else participated financially in corsairing expeditions under the flag of the Order. The constant stream of slaves brought in by these corsairs created a network of commercial traffic which saw the flourishing of trade between Christian and Muslim merchants who collaborated and interacted in the midst of a Holy War.²⁵⁸

As Fatiha Loualich so well explains, a slave was more than just a commodity or source of labour for its owner since its value was assessed by taking into consideration various other factors, such as, the slave's socio-economic status and whether this allowed some sort of speculation which would permit a good profit for his redemption.²⁵⁹ Various such examples are brought to us from the Maltese context and perhaps worthy of mention are the deeds concerning the redemption of Knights since these must have impinged heavily on the restricted financial resources of the Order. A good example is brought to us in an act drawn up on 18 February 1531²⁶⁰ just four months after the arrival of the Hospitaller Order. In this deed, the receiver of the Order in

²⁵⁷ Wettinger, *Slavery in the Islands of Malta*, 17.

²⁵⁸ Genoese ships repeatedly challenged Papal proclamations, hence continuing their trading ventures with infidel ports, the most precious merchandize being Tartar slaves obtained from their colonies of Caffa and Pera. This type of traffic continued even after the fall of Constantinople and well into the 16th century. C. Carosi, 'Redimere Captivos: Appunti sugli atti notarili di riscatto (Sec. XVI)', in V. Piergiovanni (ed.), *Corsari e riscatto dei captivi, garanzia notarile tra le due sponde del Mediterraneo, Atti del Convegno di Studi Storici Marsala, 4 ottobre 2008*, (Milano, 2010), 47-74, 61 fn. 46.

²⁵⁹ F. Loualich, 'In the Regency of Algiers: The Human Side of the Algerine Corso', in M. Fusaro, C. Heywood, M. S. Omri, M. (eds.), *Trade and Cultural Exchange in the Early Modern Mediterranean: Braudel's Maritime Legacy*, (London & New York, 2010), 69-96, 72-73; See also S. Bono, *I Corsari Barbareschi*, (Turin, 1964).

²⁶⁰ NAV, R 439/1, ff. 57-60, (18.ii.1531).

Sicily, *Fra.* Simon de Bonanno²⁶¹ forwarded 50 gold ducats to *Fra.* Johannes Bresor to cover freight expenses to be incurred with respect to the transport of sixteen infidel slaves to Tunisia. Further instructions informed the Knight that once arrived at their destination the slaves were to be exchanged for another Knight, namely *Fra.* Johannes Laura, Bailiff of Laureto. Although prices of slaves varied considerably, from various studies made it may be discerned that the average selling price for a slave during this period was in the region of 46 *scudi*.²⁶² Thus, these sixteen slaves would have brought in approximately 736 *scudi*, a hefty sum for the bartering of just one slave.

Similar redemption contracts concerning Knights of the Order reflect more or less the same prices as was the case of the Knight *Fra.* Michael de Marsiglia, who was held captive in the castle of Tripoli in 1560, and redeemed for the price of 668 *scudi* 11 *tari* 9 *grani* which were paid through a bill of exchange issued by the Order's treasury.²⁶³ Such prices are better evaluated when compared to redemption contracts involving captives ranking lower in the social scale, like for example that of Josephus de Bonfiglio who was redeemed at Tripoli through the services of *Nob.* Thoma de Leonti from Milan and Johannes de Alcida. Josephus had to pay a total of 114 *scudi* 10 *tari* which included the original asking price requested by the mediator, Chayd Chiabatio, plus all related expenses.²⁶⁴ The debt was to be repaid "*in pace et de plano ut bancus*" (through the bank) in the city of Messina within eight days from when both the creditors and the debtor were to first visit the city. Should the debtor fail to honour this contract, the creditors held the right to hold him as a prisoner both on land and at sea or on any ship.

²⁶¹ In notarial acts *Fra.* Simone de Bonanno is identified as "*Reverendus dominus frater Simon de Bonanno, miles hierosolomitanus, preceptor preceptoriarum Castellacii et Caltagironis prioratum Lombardie et Messane et receptor in hoc regno comunis Thesauri Sacre Religionis Hierosolimitane*". Giuffrida, *La Sicilia e l'Ordine di Malta*, 23-24.

²⁶² J. Abela, 'A window on the acts of a Maltese sixteenth century notary: Placido Abela', in J. Grima (ed.), *60th Anniversary of the Malta Historical Society: A Commemoration*, (Malta, 2010), 207-236. Wettinger, *Slavery in the Islands of Malta*, 242. A study of the *Registro delle Prese* (Register of Prizes) for the years 1659-1663 conducted by Michel Fontenay established the average price of a slave for that period to be 144 *scudi*, while the average price in the latter half of the eighteenth century was that of 208 *scudi*. Fontenay, 'Il mercato maltese degli schiavi' 397-398.

²⁶³ NAV, R 224/17, ff. 730-730v, (18.iv.1560).

²⁶⁴ NAV, Notary Giacomo Baldacchino, R 44/7, ff.379-379v.,(19.iv.1564).

From the above contracts it becomes very clear that the intervention of the notary, then as now, served to regulate a whole series of particular situations, while guaranteeing the interests of the contracting parties, especially those of his clients. Both before and during the Order's rule, Notary Pietro de Trugillo was the appointed notary at the Tripoli fortress²⁶⁵ and as such he was involved in various contracts regarding redemption of Christian slaves, both Maltese and foreign. These contracts unravel just how complicated the whole process of redemption was and how involved parties went about in assuring a positive outcome from their deal. Although Tripoli had been in Spanish hands since 1510, it was only with the establishment of the Knights Hospitallers that Malta witnessed an upsurge in transactions regarding redemption of slaves from this fortress. At times, the Grand Master even issued safe conduct certificates to enemy ships so that they may transfer the captives to the Tripoli port, as was the case for the Knights and sailors of the *Catharinet*, a ship captured by Turgut Reis and taken with all her load to Djerba in 1548. Following this unfortunate capture for the Christian side, the Knight Augustino Spagnol was sent as an envoy to negotiate redemption of the captives and, once prices were fixed, a Muslim ship carrying these captives was to sail to the Order's port in Tripoli.²⁶⁶

Many foreigners also found the Malta-Tripoli connection a good link for co-ordinating human releases as is evidenced by the case of Mundus Lapernich who hailed from the city of Palermo. From the notarial registers of Nicolò de Agatiis it transpires that while still in captivity Mundus drew up a contract through the services of Notary de Trugillo wherein he promised to pay, according to the merchants' custom, a total of 84 gold ducats to his creditor, Guglielmo Lufalato or else to his agent.²⁶⁷ The sum in question must have been higher than the original sum

²⁶⁵ NLM, AOM, Lib. Bull. 423, f. 202, (7.x.1551) confirms that he was the Order's appointed notary up to the loss of Tripoli in 1551.

²⁶⁶ AOM, Lib. Bull. 421, ff. 221v-222, (26.xi.1548).

²⁶⁷ "*Ad omnia simplicem requisitione ipsius creditoris seu persone legitime pro eo*" (sic). NAV, R 202/2, (21.vi.1538), ff. 245v-247. The inclusion of such a clause means that the debtor could thus validly pay a third person. However, it is to be noted that the creditor still held the right of recourse against the original debtor if his agent failed to forward him the payment, R. de Roover, *Money, Banking and Credit in Medieval Bruges*

requested by the slave's master since one must take into consideration the usury prohibition which at the time was enforced by the Catholic Church in the West, and, as de Roover explains, "one should not assume that the canonist doctrine on usury was merely a topic for academic discussion among theologians. The opposite is true: the usury prohibition had a tremendous effect on business practices all through the Renaissance, the Reformation, and even down to the French Revolution."²⁶⁸ As already noted, this prohibited any compensation on loans and, "did not distinguish between a charitable loan made to a brother in need and a commercial loan to a businessman, all taking of interest tended to be regarded as illegitimate interest or 'usury'".²⁶⁹ We have already mentioned how there were numerous ways of circumventing the usury prohibition, and from a legal point of view, the merchants had ample chances to make most of the technicalities.²⁷⁰

Compensation for loans was not licit if it translated itself as gain for the lender. However, if it was charged as reimbursement for loss or expense, it became licit.²⁷¹ Interest was considered as compensation due to a creditor in view of loss he had incurred through lending, and therefore it was licit to claim *damnum et interesse* for other reasons not inherent in a loan, such as the failure to repay the principal on maturity.²⁷² According to Hunt and Murray, in certain cases repayment dates were deliberately set earlier than actually planned in order to assess a charge for 'damages'.²⁷³ Thus, as explained in Chapter Four, manoeuvring of legal terminology provided ways and means by which to procure much needed advances for commercial activities.²⁷⁴

– *Italian Merchant Bankers, Lombards and Money Changers – A Study in the Origins of Banking*, (Cambridge, Mass, 1948), 51.

²⁶⁸ R. de Roover, 'What is Dry Exchange?', in J. Kirshner (ed.), *Business, Banking and Economic Thought in Late Medieval and Early Modern Europe*, (Chicago & London, 1974), 183-199, 185.

²⁶⁹ Lopez & Raymond, *Medieval Trade*, 157.

²⁷⁰ R. de Roover, *The Rise and Decline of the Medici Bank*, (Harvard & Oxford, 1963), 11.

²⁷¹ S. Hunt & J.M. Murray, *A History of Business in Medieval Europe 1200-1500*, (Cambridge, 1999), 72 –73.

²⁷² de Roover, *The Rise and Decline*, 10 -11.

²⁷³ Hunt & Murray, *A History of Business*, 72 – 73.

²⁷⁴ Braudel, *Capitalism and Material Life*, 368; de Roover, *The Rise and Decline*, 108.

Various other ancillary expenses were involved in the redemption process. These included administrative expenses, excise tax, food and also transport costs. According to a study compiled by Paola Massa all these added up to about 26% of the original price.²⁷⁵ Referring to the above-mentioned case it transpires that Lufalato, the creditor, had forwarded the requested sum of money to *Fra.* Francesco Ajaza, the Treasurer of the Order in Tripoli. Once free, most of these persons would have been shipped to Malta, a service which as has already been discussed, was at times even carried out through the use of Muslim-owned ships.²⁷⁶

Notarial documentation reflects a situation where, once free, the debtor would have to ratify the contract done in Tripoli on his arrival in Malta, a condition which, as shall be duly shown, could have led to a renewed agreement stipulating a higher price than that originally agreed upon. The acts of Notary de Trugillo are not extant in the Maltese notarial archives, and it is assumed that they must have been destroyed after the loss of Tripoli,²⁷⁷ thus, unfortunately it is not possible to compare the two contracts. In the case under analysis, once in Malta, the freed slave Mundus promised to pay back the debt in cash through the bank in either Syracuse or Palermo, depending on the choice of the creditor. Should payment be received late, the creditor had the right for any interest accrued through such late settlement.²⁷⁸ He also reserved the right to be paid through a bill of exchange "*ad cambium et recambium*",²⁷⁹ according to the prevailing rates of exchange at the time of the transfer of money in either Syracuse or Palermo.²⁸⁰ If the debtor

²⁷⁵ P. Massa, 'Il Riscatto dei "Captivi". Temi sociali e problematiche finanziarie', in Piergiovanni (ed.), *Corsari e Riscatto*, 135-150, 138.

²⁷⁶ Refer to Appendix IV.

²⁷⁷ Electronic enquires made at the Spanish National Archives on 22 November 2011 did not give any positive results as to the existence of these Notarial acts.

²⁷⁸ NAV, R 202/2, ff.245v-247, (21.vi.1538).

²⁷⁹ This clause was mainly used to hide interest, a good example is provided in Appendix III where Francesco Rhochion was accused of lending money at an interest of 30% by hiding the profit in a *cambium et recambium* contract. Lopez & Raymond explain it as follows: "This clause was often pure fiction, because it was understood from the very first that the borrower would avail himself of the option to repay the debt in local currency, so that the contract became a straight loan with interest disguised under another name." Lopez & Raymond, *Medieval Trade*, 163. See also de Roover, *Money, Banking and Credit*, 81-82;

²⁸⁰ According to de Roover the rates of interest were not the only factor which influenced the exchange rate since this fluctuated in response to more powerful factors such as "(1) changes in the monetary standard

defaulted he was to be imprisoned “*cum ferris quam sine*” (with or without chains) until he settled his debt,²⁸¹ a shocking possibility for someone who had just been released from the shackles of slavery. As a means of security the borrower pledged his personal tangible and intangible assets which however were not specified in the contract. On the other hand, in an authenticated copy of a contract drawn up in Tripoli regarding the redemption of Cola Petro Valestrero from Gozo, the captive obligated himself to be personally liable “*cum sua persona et benes*” to pay Alonso Peso 13 ducats in gold. Repayment was to be effected in Birgu in two separate payments, one half was due within four months from the date of the contract, and the other half was due within a year from the same date. As a security, Cola hypothecated eight houses which he had in Rabat, Gozo and was also liable to being imprisoned should there be breach of contract.²⁸²

either at home or abroad, (2) disturbances in the balance of payments between any two places, and (3) speculation based on the expectations of the exchange-dealers or on the criminal attempts of manipulators who sometimes tried to corner the money market.” However the lender was bound to gain in a stable market; de Roover, *Money, Banking and Credit*, 63.

²⁸¹ NAV, R 202/2, ff. 245v-247, (21.vi.1538).

²⁸² NLM, AOM 6559, f. 575-577, (25.ii.1550).

This type of contract seems to have been quite common²⁸³ and in some cases once the captive drew up the deed in Tripoli things moved a considerably fast pace. This was the case from a similar contract done on 15 September 1540 by the Genoese Stephano Degaribaldo and a redeemed captive from Gozo by the name of Matheus Sansun.²⁸⁴ Degaribaldo seems to have been a very active merchant and redemption agent in Tripoli since he is listed in various other acts providing these services.²⁸⁵ Sums due to Degaribaldo for redemption services varied from 38 ducats²⁸⁶ to 103 ducats,²⁸⁷ repayment terms also varying in their due dates but never exceeding four months from date of contract.

In the aforementioned contract it was stipulated that the initial agreement relating to this redemption had been done by notary de Trugillo just twenty-one days before. Once again there is a fixed date set for repayment of debt which adds up to approximately four months after release. It is also specifically noted that non-payment of the sum due on the specified date could translate itself into payment through *cambium* and *recambium* in any part of the world (*pro qualibus mundi partibus*) in prevailing or non-prevailing exchange rates (*quibus cambiis currentibus vel non currentibus*). Once again in this instance, the inclusion of a possible future payment in *recambium*, or through a bill of exchange necessarily involved an extension of credit and the parties to the exchange contract could make the profit certain and even eliminate all speculative risks due to unexpected fluctuations in exchange rates.²⁸⁸

²⁸³ See for example, NAV, R 206/7, f. 66v, (3.iii.1543), f. 85v, (30.iii.1543), ff. 154v-155, (25.vi.1543), f. 192v, (23.vii.1543), f. 269v, (29.ix.1543); R 202/3, ff. 223-223v, (18.vi.1539); R 202/4, f. 11v, (7.ix.1539); R 202/5, ff. 53-53v, (28.ix.1540).

²⁸⁴ NAV, R 202/5, ff. 26v-27v, (15.ix.1540).

²⁸⁵ For example in the acts of Nicolò de Agatiis five such contracts by Degaribaldo with captives held in Tripoli were done within a period of four days. Refer to NAV, R 202/5, ff. 16v-17, (7.ix.1540), f. 17v, (7.ix.1540), ff. 17v-18, (7.ix.1540), ff. 19v-20, (10.ix.1540), ff. 22-22v, (11.ix.1540).

²⁸⁶ NAV, R 202/5, ff. 16v-17, (7.ix.1540)

²⁸⁷ NAV, R 202/5, ff. 19v-20, (10.ix.1540).

²⁸⁸ Lopez & Raymond, *Medieval Trade*, 163.

Redemption appeals were great in number and as previously observed this demand created a ready market in providing these services.²⁸⁹ Merchants, who were often the only point of contact between the captives, their masters and their families, exploited fully this situation, combining the transportation of merchandize with that of human commodity.²⁹⁰ Stretched beyond his human limits the desperate captive would promise the world and more in return for his freedom. Fraught, anxious and uncertain of their future these persons were often exploited by shrewd dealers who made exorbitant demands in exchange for the hope of freedom.²⁹¹ The likes of such manoeuvres may be hinted at in a protest put forward by the Syracusan *Fra. Marco Cannizaro* in 1562. This Franciscan cleric protested at the Bishop's Court against the workings of merchant Francesco Antonori and his partners. *Fra. Marco* claimed that his Muslim master had agreed to set him free for the price of 40 *scudi*, and, in order to free himself, he had asked the above mentioned merchant and his partner, who were both in Tripoli at the time, to lend him the requested money for his redemption. The merchant claimed that he did not carry any money with him but if the slave's master consented, he would be prepared to give him the equivalent amount of money in cloth.

Such declarations highlight the fact that ready cash was not a favoured method of payment by travelling merchants who preferred to barter their own commodities with those with which they could replenish their home markets or else draw up bills of exchange which they hoped to redeem at the desired profit.²⁹² Referring back to *Fra Marco*, the plaintiff stated that in actual fact, the final sum due to these merchants ended up an exorbitant 97 *scudi*. *Fra. Marco* also stated that the original sum should have never exceeded 50 *scudi* since the rate of exchange used, that is, of 9 *reali per scudo*, was on the high side, and insisted that such illicit profit was considered

²⁸⁹ See for example NLM, AOM, Lib. Bull. 424, f.212, (15.xii.1553), where a group of 60 Jews who were caught through corsairing activities had paid their redemption and were being jointly granted a safe conduct to go back to their countries.

²⁹⁰ Some merchants even specialized in the redemption of slaves see Carosi, 'Redimere Captivos', 58-59.

²⁹¹ Carosi, 'Redimere Captivos', 58.

²⁹² Abela, *Port Activities*, 39-42.

nothing less than usury.²⁹³ He further stated that every freed Christian did not pay more than 7 *scudi* “*per ragione della porta*”.²⁹⁴ Fra. Marco claimed that after having been ransomed he was beaten and forced to sign a debt agreement amounting to 160 gold *scudi* which was over and above the sum the merchants had paid for his release and which included the clause whereby he would have been incarcerated should he have failed to honour his debt.²⁹⁵ Once arrived in Malta, with the help of a certain Barresi *alias* Mancaruso,²⁹⁶ he managed to borrow 100 *scudi*, sixty of which he gave to his creditors and the rest he deposited at the Bishop’s court in order to file this protest. These merchants were now hunting him and Barresi down for an additional 100 *scudi* of illicit profit.

When analyzing similar cases it is important to note that ecclesiastical privileges exempted a cleric from lay jurisdiction and from any liability to give evidence in the lay courts, at least not without the permission of their legitimate ecclesiastical superiors.²⁹⁷ These merchants must have been aware of such laws and instead of accusing Cannizaro they presented a case at the *Magna Curia Castellania* against Barresi, who they claimed acted in breach of contract. Cannizaro and Barresi were now supplicating the Bishop to pronounce the said deal as usurious and consequently proclaim that all claims presented by Antonori be declared illegal. Cannizaro was also insisting that Barresi should not be molested by these creditors.²⁹⁸ It is interesting to note that the records of the *Magna Curia Castellania* still hold the Episcopal Court’s request to hold over all proceedings against Barresi which were presented by Antonori until the case was decided by the Bishop’s

²⁹³ He was thus insisting that he should have paid 450 *reali*, while the merchants were initially requesting 873 *reali* and after forcing him to sign a second agreement they were requesting 1440 *reali*.

²⁹⁴ CAM, CEM, AO, MS 42 1562, ff. 91-94v, 09.x.1652. This must have related to a tax imposed by the Ottomans on the export of redeemed slaves.

²⁹⁵ NAM, MCC, Reg. AO, Vol. 1, f. 181.

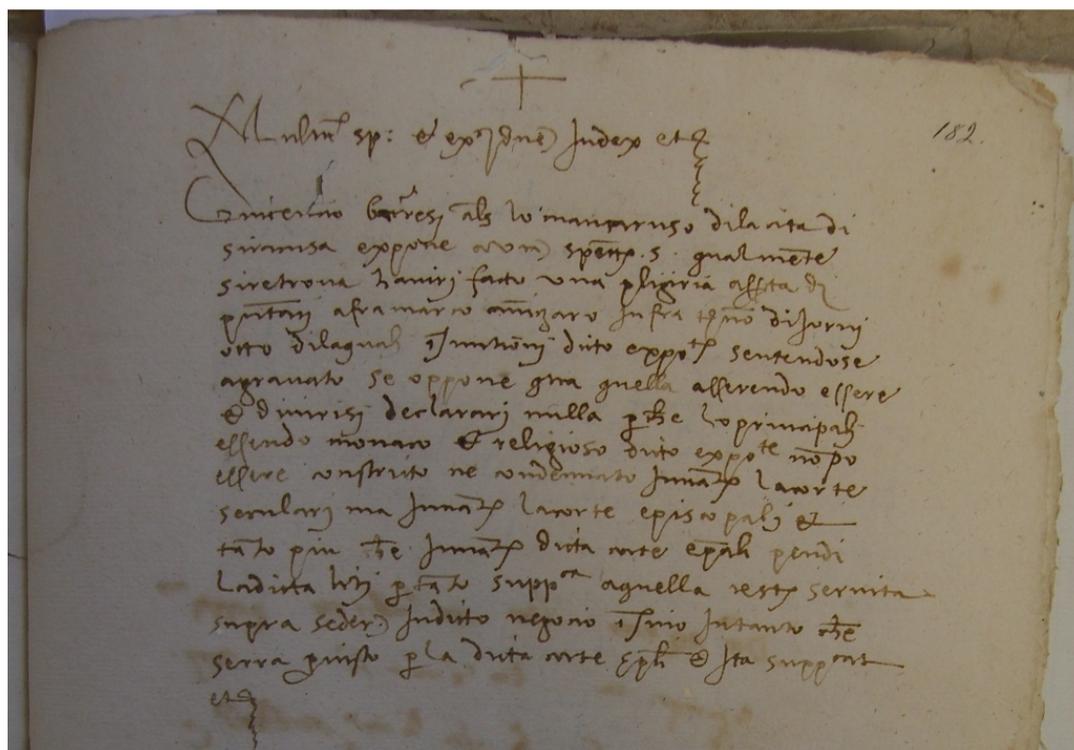
²⁹⁶ NAM, MCC, Reg. AO, Vol. 1, ff. 181-182.

²⁹⁷ Such privilege was called the “*Privilegium Fori*”. A. Depasquale, *Ecclesiastical Immunity and the Powers of the Inquisitor in Malta (1777-1785)*, (Malta, 1968), 19. A full report of the operation of ecclesiastical privileges is given in the Report of Sir John Richardson dated 19 August 1826 as quoted in H.I. Lee, ‘British Policy towards the Religion, Ancient Laws and Customs in Malta’, *Melita Historica*, Vol. 3 No. 4, (1963), 1-13, 2 fn 12.

²⁹⁸ CAM, CEM, AO, MS 42, ff. 91-94v, (1562),

Court.²⁹⁹ Although the above case sheds light on the extensive power of ecclesiastical authorities over lay ones, one should be very careful in interpreting such exemptions since, as explained in Chapter Two, these concessions did not exempt the clergy and religious from the legislative powers of the state.³⁰⁰

Plate 5.6 Barresi's appeal to the judge at the MCC wherein he is requesting that the case opened against him be declared null since it involved a monk who was thus immune from being taken to the secular tribunals.



Source: MCC, AO, Reg. Act. Civ. Vol. 1. f.182.

In a world with heavy shortage of coins coupled with the prohibition to lend money at a profit, repayment in cash was a hard condition to honour. The Jewish community had been expelled from the island in 1492,³⁰¹ and just like in any other country which experienced this, the Maltese economy was deprived of important actors who provided for much needed advances to undertake financial activities. The repercussions of such shortages are also reflected in how certain

²⁹⁹ NAM, MCC, Reg. AO, Vol. 1. f. 182.

³⁰⁰ Depasquale, *Ecclesiastical Immunity*, 19.

³⁰¹ Wettinger, *The Jews of Malta*.

captives thus tried to negotiate their freedom through a mixed payment of cash and commodities which compensated for such shortages. As has already been shown, redemption services were intimately tied to economic activities which translated themselves in lucrative business deals. A clear example of how a payment was honoured using different methods is a contract dated 10 February 1543³⁰² drawn up by Giuseppe de Guevara, wherein Vincenzo Sirera declared that he had received the sum of 36 *scudi* 3 *tari* from the captive Domenico Zahra from Hal Lew.³⁰³ This sum was however only part of a larger amount of 61 ducats which Vincenzo had to pay in Tripoli for the redemption of the said Domenico as per contract drawn up by de Trugillo in Tripoli. The terms of agreement of this contract stipulated that this amount had to be reimbursed as follows: 26 *scudi* in cash and the rest in an equivalent amount of cotton, the latter being presumably supplied from Domenico's own produce. It was further agreed that the rest of the sum, that is 30 *scudi*, was to be repaid in cash, through the bank at Birgu within a year's time.³⁰⁴

The above examples all refer to redemption of Christian slaves. However Muslim captives in Malta are also recorded negotiating their redemption. This was the case of Bali Hagi de Stambol who, together with his wife and three children, was caught by the galleys of the Knight Strozzi.³⁰⁵ The captive was given permission to leave the island, go back to his home and then return once again with the requested redemption money which would have freed all his family.³⁰⁶ In another instance, the Turkish slave Cussein, who was said to be from Coron, concluded a deal with his new master, Giorgio Serviantis del Zante, wherein he promised to remit the sum of 9,500 silver Turkish

³⁰² NAV, R 224/1, ff. 442-442v, (10.ii.1543).

³⁰³ Wettinger, *Place-Names*, 282.

³⁰⁴ Other examples of redemption contracts involving the same notary drawn up in Tripoli are found in NAV, R 224/1, f. 132v, (17.ii.1541); R 207/7, ff. 154v-155, (25.vi.1543).

³⁰⁵ The document does not state the exact date when this family was taken to captivity. In 1530, Strozzi became Knight of the Order of Malta, for which he was Prior in Capua. In 1536, he was named commander of the galleys of the Order, a position he held again in 1552. Strozzi's biggest catch was that of 1537 when he seized two Turkish galleys and a *fusta* near the coast of Calabria taking around eighty slaves. Bono, 'Naval Exploits', 354.

³⁰⁶ NLM, AOM, Lib. Bull. 423, ff. 227v-228, (12.xi.1552).

aspers of good weight in exchange for his freedom.³⁰⁷ This deal was to be concluded in the city of Zakynthos, in a month's time, and the sum was to be forwarded to *Fra.* Baptista de Bellomo, who was also *patrone* of a *triremis* of the Order, on which the slave was presently detained.

In April 1558 another slave, namely, Busert Bin Hahmet de Casar concluded the following agreement with his master Giuseppe Baldagno.³⁰⁸ Busert was transferred to Antonio de Banda from Messina who was *patrone* of a ship belonging to Marco Antonio Delixandro, also from Messina. The ship was equipped to undertake a voyage to the Tripolitan fortress of Barbaria. Antonio was to conduct the slave to Tripoli, and from there retrieve 80 gold ducats which was the stipulated price of redemption. This amount was to be remitted either in their value in dinars or in oil, wool or leather goods which the Arabs sold inside the Tripolitan fortress. An interesting detail is that these goods were to be exempt from duty. Busert promised to pay Giuseppe within twenty days of his arrival at the fortress, on condition that the *patrone* was not to let the slave disembark unless he received the said payment or its value in goods. The indispensable role of intermediaries, who very often were *patroni*, merchants or procurators,³⁰⁹ is here set out quite clear since such conditions could only be met through the services of third parties such as Antonio who would have been paid a percentage of the sum to be reimbursed by the slave.³¹⁰ Once arrived at their destination, the captive had to make the necessary connection with intermediaries in his own country who would be in a position to acquire the redemption money or its value in goods for him.³¹¹ In the case under study, once the goods were supplied they had to be transported back to

³⁰⁷ NAV, R 439/42, ff. 8v-9, (20.vi.1551).

³⁰⁸ NAV, MS 514/1, n.f., (27.iv.1558). See also Abela, *Port Activities*, 172

³⁰⁹ Refer to NAV, MS 514/1, n.f., (6.x.1559) wherein Bishop Domenico Cubelles (1540-1566) appointed Gerolamo Cachialepori as his procurator and gave him the authority to free a Moorish slave for the price of 105 ducats at the rate of 14 *tari* per ducat.

³¹⁰ According to Brogini this oscillated between 10%-30%. Brogini, *Malte, frontière de chrétienté*, 391.

³¹¹ For other such examples of intermediaries refer to Brogini, *Malte, frontière de chrétienté*, 388-392.

either Malta or Messina, depending on the destination of the vessel. In case the sum was not paid, the slave was to return with the same ship and consigned back to his master Giuseppe.³¹²

The acquisition of infidel slaves from Tripoli as a commodity for re-sale was also one of the most profitable economic activities through which Malta registered a boom in her commerce. Clear examples from various archival sources reflecting the constant trading in slaves taking place in Malta in the first decades of the Order's rule are multiple. The register of Notary de Agatiis for the administrative year 1543-1544, NAV R 202/8, contains the largest number of sales concerning slaves for a particular year registered by any notary during the period under study.³¹³ These amount to thirty nine out of a total of four hundred ninety six deeds (7.9%). The analysis of such documents mirror the terms of agreement concluded between trading partners and help us understand their workings. The foreign merchants' stop in Malta before proceeding to Tripoli is a constant mention in notarial acts. A highly successful Rhodiote merchant in this respect was Johannes Callamia, who has already been referred to in the preceding chapter with respect to usurious practices. On 13 October 1544, Johannes made a deal with Petrus Antonius de Bona, a merchant from Syracuse, who was to sail to Tripoli in the following days. Petrus was to buy three male or female slaves not younger than fifteen years or older than twenty years. The age bracket in slave contracts was an important detail as the Grand Master prohibited the sale of Muslims younger than fourteen years since he instructed that any such teenagers be educated in the Christian faith in the hope that they became Christian.³¹⁴

³¹² Similar contracts may be found in NAV, R 206/7, ff. 120-121, (27.iv.1543);

³¹³ For example the notarial volumes of the same notary for the year 1537-1538 hold a percentage of 4.5% acts done with respect to the sale of slaves while those for 1538-1539 hold 4.3%; those for 1539-1540 hold 4.7% and those for 1540-1541 hold 4.1%. Some of these contracts involve the sale of more than one slave, but not more than three, e.g. R 202/5, ff. 174-174v, (21.iv.1541), f. 225v, (30.vi.1541); f. 180-180v, (29.iv.1541).

³¹⁴ This law applied also to redemptions made in Tripoli as is attested in the instructions given to the governor in 1559 wherein it was prohibited to "*alcuno moro o mora dela etta de anni catordecj inbasso si riscate per qual si voglia precio di riscate*", NLM, AOM, Lib. Bull 421, f. 227v, (9.xi.1549), (that no Moorish boy or girl of the age of fourteen or below is redeemed for any price of redemption.) About this subject see also Wettinger, *Slavery in the Islands of Malta*, 465.

Another common detail found not only in this particular contract, but in almost all contracts relating to sale of slaves is the insertion of the phrase “*ad usum magaseni ut vulgo dicitur testa de rasato*”. Such phrases, of which there existed various forms,³¹⁵ were based on much older schemes and clichés which had the main intention of protecting the buyer from eventual defects of the “goods”.³¹⁶ *Testa de rasato* suggests a reference to the shaved head of the captives, a feature which made them stand out from the native Christian population. Referring back to the contract under analysis, it was concluded that the slaves were to be delivered in Malta, in good health, by the following December, that is, two months from the date of the agreement. The buying price of the slaves was not to exceed 30 *scudi* per head even if they were to be transported on any ship other than that belonging to Petrus. Thus, taking the average selling price of a slave at the time to be 45 *scudi*, the gross profit derived by human traffickers was that of approximately 15 *scudi* per head. In our case, Johannes was to pay back Petrus in different methods since on the signing of the agreement he delivered the equivalent amount of 60 *scudi* in oil and promised to reimburse the remaining 30 *scudi* in silver *aquile* on delivery.

A similar contract was concluded between six Knights of the Order on the one part as shareholders in a corsairing expedition and notary Vincenzo Bonaventura de Bonetiis on the other. The said Knights promised to deliver, either in Tripoli or else in Malta within six months, seven male or female ‘negro’ slaves over fifteen years of age.³¹⁷ Once again the price for each slave, inclusive of all expenses, was that of 30 *scudi* which the corsairs received prior to their voyage. It was furthermore stated that they would be personally liable to cover this sum against any risk or

³¹⁵ Other phrases with the same meaning were: “*pro tali quibus est*”, see R 4/1, f.136v, (30.xii.1557), “*cum omnibus eius defectibus latentibus vel appentibus ac per tali qualis est*”, see MS 514/1, n.f., (4.v.1558), and “*como uno sacco de ossa*”, see R 4/1, ff. 113v – 115, (16.xii.1557). “*cum omnibus eius defectibus ad usum corsarium ut vulgo dicitur a sacco de ossa*”, see, NAV, R 224/1, f. 43v, (23.iii.1540), “*ut vulgo dicitur testa de rescaptito*”, see, NAV, R 202/11, f. 16, (25.x.1546).

³¹⁶ “*con quella fiducia di chi va a comprare nel magazzino o nella casa altrui*”, L. Tria, ‘La schiavitù in Liguria: ricerche e documenti’, *Atti della Società ligure di storia patria*, Vol. LXX, (Genova, 1947).

³¹⁷ Here the notary uses the term “*dictis annis quindecim bene accaratos*” (the said age of fifteen being well apparent). NAV, R 202/11, ff. 16, (25.x.1546).

peril. Payment in respect of this agreement was not all made through a cash consideration since out of the agreed sum, 75 *scudi* were delivered in the form of a well-equipped *sagitta*, while 30 *scudi* and 11 *scudi* respectively were paid by two of the notary's debtors, the remaining amount being paid in cash. However, when dealing with prices, one has to be cautious since, as has been highlighted by Michel Fontenay, prices depended on various factors including the ethnic origin of the slave.³¹⁸

Another interesting contract relates to an agreement concluded between the Maltese *patronus* of a corsairing ship, Salvus Burlo, and the French merchant Johannes Carreton, who was also a citizen of Malta.³¹⁹ Carreton forwarded a total of 267 *scudi* 3 *tari* 4 *grani* to Burlo in return for twelve slaves to be acquired by Burlo on his next corsairing expedition. The slaves could be white or black, male or female, however; their individual price was not to exceed 21 *scudi* 3 *tari* 12 *grani*. Such contracts point to a situation wherein the sedentary partner, who in our case was the French merchant Carreton, established a cost price for the "commodity" prior to its actual acquisition. In so doing, he eliminated any possible future claims for additional payment which the travelling partner might ask for due to a slave being worth more than the original price agreed upon.

Such agreements illustrate that the capture of slaves did not only translate itself in financial rewards, but through redemption intermediaries commercial ties were established between the various ethnic subjects of the cross and the crescent. Both Christian and Muslim merchants proved most successful in exploiting this cruel reality which saw the capture of hundreds of their co-religionists. At times this exploitation was so excessive that appeals were made to the local authorities to annul what plaintiffs described as usurious agreements which desperate souls had been forced to endorse in return for their freedom. While various Christian, Muslim and Jewish captives adopted ways and means of negotiating their freedom with their

³¹⁸ Fontenay, *Il Mercato Maltese*, 397-398.

³¹⁹ NAV R 206/1, ff. 293v-295, (20.v.1535).

masters, black slaves seem to have been the worst off, with hardly ever a reference of their redemption in documents, if not through the benevolent manumission of their masters. The almost non-existent ransom requests for this group made them the lowest-priced slaves on the market, while on the other hand members of the Order were amongst the most highly-priced human commodity on the Muslim market.

5.9 The Greek Community of merchants

As already noted Pope Clement VII granted the new inhabitants of Malta, Gozo and Tripoli permission to trade with Muslims.³²⁰ Various Rhodiote merchants,³²¹ who followed the Knights out of Rhodes, soon took advantage of the Order's presence in Malta and Tripoli and tried to penetrate deeply in various economic activities which this new location afforded them.³²² Such manoeuvres led to the creation of important trading networks with various other merchant communities, especially those with similar Greek or Latin Rhodiotes³²³ scattered throughout the Mediterranean. The benefit of having such traders in Maltese shores may be appreciated from the efforts made by the Ottoman court in 1522 when it tried to convince these merchants to stay in Rhodes and refrain from departing with the Order.³²⁴ Their decision to follow the Hospitallers towards a rather bleak future points to their unwillingness to become Ottoman subjects and provides proof of their loyalty to their long-time Latin masters.

³²⁰ Paoli, *Codice Diplomatico del Sacro Militare Ordine Gerosolimitano*, 201-202.

³²¹ Fiorini states that at times members of the Rhodiote community who settled in Malta were described simply as 'Grecus' or 'Greca', and not specifically as "*Rhodus/Rhodia*". Clear instances of Greek surnames prior to the arrival of the Knights are also found in Maltese archives. S. Fiorini, "Demographical Aspects of Birgu up to 1800", in L. Bugeja, M. Buhagiar, & S. Fiorini (eds.), *Birgu: A Maltese Maritime City*, (2 volumes, Malta, 1993), Vol. I, 219-254, 233. Amongst other examples, confirmation of this statement is found in NAV, R 225/17, f. 14, (3.ix.1560), which describes the Rhodiote Angelo Metaxi, an orthodox priest who came over to Malta with the Knights of St John, as "*Grecus habitatoris de questa nova civitatis Melite*".

³²² For more detailed information regarding the Rhodiote Community of Birgu refer to S. Fiorini, 'The Rhodiote Community of Birgu, A Maltese Maritime City: 1530-c.1550', in V. Mallia-Milanes (ed.), *Library of Mediterranean History*, Vol. I, (Malta, 1994), 183-241.

³²³ Fiorini, 'Demographical Aspects', 230. Many of those who left Rhodes after the Turkish victory were not Greeks but Latins who had good motives for avoiding Turkish rule and settled elsewhere in the West. Luttrell, 'The Rhodian Background of the Order of Saint John in Malta', 5.

³²⁴ Greene, *A Shared World*, 15 fn. 7.

However, if one were to consider this decision from a purely economic point of view, it would be necessary to go beyond the loyalty factor. This is because Rhodiote merchants knew well that huge benefits went into supplying the Hospitaller Order with its daily worldly requirements. At the same time, the Order's fleet provided Rhodiote Greek merchants with a sense of protection and belonging, something which their fellow Greeks who were subjects of the Ottoman sultan lacked due to religious divides which at times made them victims of both Christian and Muslim attacks.³²⁵ Life for these Greek merchants was a continuous struggle since, not only did they have to prove that they were Christian in faith but they also had to prove that the trade they were undertaking had a Christian identity.³²⁶

After 1530, the Greek Rhodiotes who settled in Malta would have to share with their Maltese counterparts those rewards afforded to them through their link with the Order. The Maltese were already renowned for their corsairing activities. In fact, reports dating back to the first decade of the sixteenth century show what great consternation the violent corsairing attacks of the Maltese caused to Christian and Muslim ships plying the Adriatic and the Levant, notwithstanding the fact that these were enjoined from plundering Christian shipping.³²⁷ Once settled in Malta, the Rhodiote Greek seafarers would combine their expertise in seamanship with that of the Maltese and this, together with the protection that was afforded to them by the Order's fleet,³²⁸ would make them formidable traders of the Mediterranean coasts.

Notwithstanding the divergences in judicial matters which were discussed in Chapter Two, Maltese traders soon capitalized on the plethora of opportunities which were injected into the

³²⁵ The fear of being taken for Muslims is best appreciated in various requests made by Rhodiotes to the Grand Master to take up residence in Malta. In their requests these, refer to them being circumcised against their will, therefore fearing that if captured during their voyage they would be automatically and erroneously listed as being of Muslim faith. NLM, AOM, Lib. Bull. 427, (14.4.1558), f. 251.

³²⁶ Greene, *Catholic Pirates*, 115.

³²⁷ Mallia-Milanes, *Venice and Hospitaller Malta*, 11-12. Cassar, 'The Maltese Corsairs', 146.

³²⁸ The ambiguity of Greek merchants is described by Greene who states that they were "Christians but of a rather dubious kind from the Catholic point of view, and many were also Ottoman subjects. Not surprisingly, then, issues of identity and representation followed Greek merchants around the ports of the Mediterranean, including Malta". Greene, *Catholic Pirates*, 11.

local economy. As already noted, reference to the presence of Greek merchants in Malta is already evident in the late medieval period; thus, to a certain extent one must not assume that business partnerships with the Greeks were totally alien to the local community. However, the sudden heavy increase of a skilled and experienced merchant community with strong commercial ties throughout the Mediterranean littoral enhanced the prospects for the local seafarers who were still limited in their ventures due to lack of a strong naval presence in their port.

Various notarial deeds offer striking examples of partnership agreements which reveal how both the Greek and Maltese communities exploited each other's maritime and trading abilities and capitalized on the interaction which existed between the Greeks who were established abroad and Maltese inhabitants.³²⁹ For instance, in a contract dated 18 September 1536³³⁰ the Greek Alessandro Arborei, who was a resident of Messina, participates in an expedition to be conducted on the newly-constructed *grippo* of the Maltese *Hon.* Leonardo Falzuni from Mdina. Yet another contract reveals that *Hon.* Stammato Papadopulo from the island of Zakynthos, was indebted to *Hon.* Stammato Galanti a Rhodiot resident of Malta for the sum of 110 *scudi* due in respect of freight charges for the importation of twenty seven barrels of wine from Zakynthos. This consignment had to be shipped by Angelo de Pasquali and payment had to be effected at Birgu, in cash through the services of the money changer,³³¹ within the next four months from the date of the sale of the said wine. Such happy co-existence not only provided for the adequate provisioning of the island, but ensured the Hospitaller's successful establishment. Even though prior to the arrival of the Order the island enjoyed a semi-autonomous rule, the Order knew that by providing sufficient work opportunities and adequate food supplies for the

³²⁹ In this context inhabitants does not only refer to Maltese natives, but even to foreigners who had settled in Malta and obtained a Maltese citizenship and those who in documents are referred to as '*incola melitensis*', meaning that they were residents in Malta.

³³⁰ NAV, R 202/1, ff. 15- 16, (18.ix.1536).

³³¹ The term used is "*ut bancus*", it however not stated whose banking or money changing services the parties were going to use.

benefit of population this would ensure that the medieval ruling élite would have their influence greatly diminished thus limiting the risk of popular uprisings.

A typical example of the *modus operandi* of the Order providing a good insight into how they exploited the trading potential of the Greek community which followed them to the Maltese ports may be gleaned from chancery records. On 8 December 1534, the Greek Sydero Metaxi, who was employed on one of the Order's galleys was granted a safe passage conduct certificate to go to the Levant, Zante and Cephalonia in order to buy and import wine for the use of the Hospitaller Order.³³² The said Sydero seems to have been an important middleman for the supply of the Order's needs from that area, since, in another edict issued by the Order's chancellery in November 1530, *Fra. Luys Broglia*, Captain of one of the Order's galleys (*galione*), was instructed to sail to Zante and Cephalonia, where, once arrived, he had to discover the going prices for wine and meat. Once this work was undertaken, any commodities bought were to be acquired through the services of the above-mentioned Sydero Metaxi who was described as 'familiar to the region'.³³³ Such partnerships allowed investors to take full advantage of the practical experience of a particular merchant and his knowledge of the market, which would augur well for an advantageous business deal. It is also clear that although merchants would be assigned to negotiate on behalf of the Order, precautionary measures were taken to ensure that actual prices were not inflated.

The accumulation of trustworthy information had a pivotal role in the well being of the Order, not only for spying purposes as is well attested in various instructions given to officials and individuals who were ordered to spy on the movements of the Turks,³³⁴ but also as regards to the supply of various commodities to the island at competitive prices. Thus, although there seems to

³³² NLM, Lib. Bull. MS 415, (8.xii.1534), f. 194v.

³³³ NLM, Lib. Bull. MS 414, (21.xi.1530), ff. 282-282v, '*pratico in quelle parte*'.

³³⁴ A case in point is that of Giorgio Marino de Candia, who on 11 May 1532 was given a safe conduct to travel with his ship (*fregata*) in order to spy on the movements of the Turks. NLM, AOM, Lib. Bull. 415, f. 231v.

have been a good relationship between the Order and various merchants operating in different parts of the Mediterranean, this relationship did not compromise the independent scrutiny by the Order when evaluating trading activities. The importance of this adopted system of “market intelligence”, as Benjamin Braude defines it, needs to be evaluated in its contemporary context where trading operations and prices were constantly conditioned by factors such as regional conflicts, epidemics and scarcity of food supply.³³⁵

The Order’s efforts to increase the safety of the waters surrounding Birgu made it an ideal maritime centre hosting an interrelated network of commercial communities. Malta was not only becoming a vibrant centre for trade, but was also fast becoming a centre for financial dealings used by foreigners, including Greeks.³³⁶ As a result of this cooperation and diversity, all of those involved in trade thrived and many foreign merchants who established a connection with the inhabitants served as cross-cultural contacts facilitating trading activities.³³⁷

5.10 Conclusion

The arrival of the Knights Hospitallers in 1530 marked a turning point for both local and foreign commercial operators in the Mediterranean. Their establishment on the island, coupled with their cruising activities, provoked and protected Muslim commercial shipping crossing the Mediterranean. Commercial activities in Malta were greatly motivated and enhanced since the Order served as a pull factor to a myriad of merchants from all across the Mediterranean littoral. Its very presence on the island created a heavy and immediate demand for the provisioning of various commodities ranging from those relating to the basic daily needs of the population, such as wheat and oil, to those most costly, such as slaves. In order to meet these demands both Knights and merchants found it necessary to undertake voyages towards North Africa and the

³³⁵ B. Braude, ‘Venture and Faith in the Commercial Life of the Ottoman Balkans’, *International History Review*, 7, (1985), 519-542, 528.

³³⁶ Refer to Abela, *Port Activities*, especially Chapter 2.

³³⁷ Cassar, *Society, Culture and Identity*, 75-76.

Levant, a necessity which saw the flourishing of a link between Christian and Muslim merchants. The Order sought to protect this trade through the granting of special permissions known as safe-conducts and through the policing of nearby waters. Although these safe-conducts did not guarantee successful undertaking of the venture, they provided both Muslim and Christian merchants with a considerable amount of political and legal protection.

The Order's short presence in Tripoli coupled with Malta's strategic position in the central axis of the Mediterranean, were among the main ingredients helping to build the necessary bridges linking Muslims and Christians. Prizes brought back to the island from corsairing activities, especially slaves, also served to attract various merchants of diverse ethnic origins and served to place Malta at the forefront in the traffic of human beings. As David Abulafia argues, "this darker side of Mediterranean history also encompasses the history of those already mentioned whom the pirates carried back and forth: male and female slaves and captives, though they too, like the historian Polybius, could play a notable role in cultural contact between the opposing shores of the Mediterranean".³³⁸ The reciprocal benefits which were generated through the transfer and redemption of slaves saw Muslim ships being allowed to import and export merchandize from the island, thus ensuring a good return for round trips and lucrative benefits for all those involved.

Such dynamic activity in the harbour area created a vibrant economy based on trade and the island witnessed an ever-increasing number of merchants and adventurers who although having different religious and ethnic backgrounds, had the same common goal of making profit. Local businessmen responded favourably to all these emerging opportunities, often investing their money, their property and even their work in a myriad of different opportunities which were presented to them. Corsairing was soon to become the fastest growing sector in Maltese economy, and within a couple of years from the Order's establishment, the island was perceived

³³⁸ Abulafia, *The Great Sea*, 647.

an important centre for human trafficking and for the re-distribution of goods acquired through such activities.

Religious ideologies however impeded the healthy growth of economic activities especially due to the Catholic Church's embargo on lending at profit. Merchants had to be prudent in concealing carefully a good return on trade credit and tried to work their way around possible loopholes which provided for the desired return. Various forms of legal agreements made it possible for merchants across the Mediterranean to pool capital, share the risks and enjoy rewards. The Greek community which had established itself on the island proved an important link between Maltese traders and other Greek or Latin Rhodiots scattered throughout the Mediterranean. All these external influences contributed to the gradual transformation of the harbour area which, after 1530, took on a more cosmopolitan character and shed its medieval characteristics.

General Conclusion

The recent opening up of the Maltese Notarial Archives marks an important step for Maltese and Mediterranean historical studies. Researchers had always found this archive difficult, if not at times impossible to consult and this mostly due to its inaccessible state. Thousands of notarial volumes dating back to medieval times were literally locked up and dumped in a pitiful state, making the eighteenth century palazzo, which still houses them today, a monument of national shame. Being of a legal nature, these documents offer a unique and veritable mine of information to the socio-economic historian since, not only do they provide proof of an uninterrupted series of daily trading activities from the late fifteenth century to date, but even shed light on various laws, customs and traditions which moulded Maltese society throughout the centuries. It therefore comes as no surprise that Maltese historiography, still today, suffers from lack of a detailed study of the economic activities taking place in Malta during the early decades of the establishment of the Knights of St John.

In order to address this lacuna, the present study has chosen to trace, through the investigation of three main topics, the impact of the arrival of the Knights Hospitallers on the economic activities of the island for the period 1530-1565.¹ Since activities of an economic nature fall under quite a large umbrella, it was thus decided to focus on particular topics which do not only enlighten local historiography, but may also be used to make comparative analysis with similar issues at play in other countries. Particular emphasis has been placed on the harbour area, and therefore the acts of notaries working in and around the harbour area have been a significant point of reference for establishing patterns in the prevailing economic scenario. In so doing, it followed not only in the footsteps of the local population, which included a number of new

¹ This work has built upon an earlier study which was presented for a Master's Degree by the same author, and which was more concerned with the earliest forms of financial instruments in use in the harbour area in mid-sixteenth century Malta. Abela, *Port Activities*.

settlers such as the Rhodiot community following the Order from the Dodecanese island of Rhodes, but, wherever possible, even that of the foreign trader, be this Christian or Muslim. The case studies chosen support the central argument of this study, that is, the presence of a naval power such the Knights Hospitallers, generated a number of economic activities which, as early as the first decades of the Knights' stay, led to the creation of a vibrant monetised economy based on trade. Thus, the flourishing of trade in the late sixteenth century, often referred to by Maltese historians, is here argued to have already have had a precedent which was only interrupted by the Ottoman siege of 1565.

This study also delineates that even though the fundamental reason for the existence of the Knights of St John had wilted away by the beginning of the sixteenth century, their naval presence and power in the Mediterranean were not an anachronism. With Malta serving as a base for their constant naval activities, especially those targeted against the Barbary corsairs, they managed to adapt themselves to the exigencies of the times. The acts of Notary Bartholomeo Selvagi de Via² drawn up in Malta in 1530 are testimony to the Knights' immediate participation in an "undeclared", low-level, holy war,³ which justified their *raison d'être* in the eyes of their European benefactors. As Molly Green argues, "the Knights of Malta were simply the most vicious and vocal practitioners of a set of practices and assumptions that structured a wide range of maritime encounters in the early modern Mediterranean".⁴

As shown in the second chapter of this study, the history of Malta under the Knights of St John offers a somewhat different case study than that of other territories under feudal domain. Comprising some of the smallest inhabited islands in the Mediterranean, this archipelago lacked the essential resources which could adequately feed a population which in 1530 amounted to

² NAV, R 439, (1530-1551).

³ J. Abela, 'Before Valletta: Port activities prior to the Great Siege' in N. Marconi (ed.), *Valletta, Città, architettura e costruzione sotto il segno della fede e della guerra*, (Rome, 2011), 1-16, 6-9.

⁴ Greene, *Catholic Pirates*, 224.

approximately twenty thousand inhabitants.⁵ Before the arrival of the Knights of St John, the administration of the islands functioned through the work of two independent municipal town councils called *Università*, both of which enjoyed a semi-autonomous status from their Sicilian overlords.⁶ Malta also boasted of its own set of ancient privileges and customs which it jealously guarded against any eventual usurpation. Consequently, when the islands were handed over to the Order of St John under oath to honour and respect these rights and privileges, the new masters were not regarded by the Maltese notables of Mdina as their “conquerors”, but rather as new governors who had agreed upon specific terms for the cession of Malta, a situation which repeated itself with the British later in the nineteenth-century, when the British agreed to honour the Declaration of Rights of the Maltese and act as protectors of the island, rather than colonial rulers.

Despite such declarations and promises, once the Knights of St John established themselves on the island there was never any doubt as to who the true masters were. Deep down, the nobles of Mdina knew that they would never be given the chance to have a say in the government of the island. If there was ever the slightest illusion prior to the arrival of the Knights, this was explicitly spelt out on their establishment when the Knights refused any Maltese from joining in the ranks of the ruling élite within the Hospitaller Order, something which was possible when Malta was under direct Spanish rule. Even so, the Knights endeavoured to tread carefully in asserting their power, and the game they played was rather shrewd since, while on the one hand they seemed to honour and respect existing institutions, at the same time, in direct confrontation

⁵ Fiorini , ‘*Demographic Growth*’, 298; Cassar, *Society, Culture and Identity*, 122; G. Wettinger, ‘Agriculture in Malta in the Late Middle Ages’, in M. Buhagiar (ed.), *Proceedings of History Week, 1981*, (Malta, 1982), 1-48, 13.

⁶C. Dalli, ‘Medieval Communal Organization in an Insular Context: Approaching the Maltese *Universitàs*’, in *The Making and Unmaking of the Maltese Universitas*, (Heritage Supplement) (Malta, 1993), 1-10; R. Valentini, ‘La sopravvivenza della “Università Melivetana”, fino alla cessazione delle infeudazioni dell’isola’, *Archivio Storico di Malta*, Vol. VII, No. 1, (Rome, 1935), 33-70; A. Mifsud, A. ‘L’Approvvigionamento e l’Università di Malta nelle passate dominazioni’, *Archivum Melitense*, Vol.III, No. 5, (1918), 163-212.

with the old system of administration, they set up new institutions having similar functions as the old town council. In contrast to medieval institutions which were mainly the domain of a tightly-knit group representing the nobles of the island who controlled annual elections, these new institutions were now partly administered by Maltese officials, most of whom came from the Birgu merchant bourgeoisie. With the coming of the Order, in line with other developments taking place in Europe where, “a bourgeoisie emerging from the background of trade was climbing by its own efforts to the highest place in contemporary society”,⁷ ambitious Maltese merchants were now being given a golden opportunity to establish themselves and move up the social scale. It was thus here argued that this merchant bourgeoisie contributed substantially to the successful establishment of the Knights, who through their naval activities revolutionized the mechanics of the port city and placed it centre-stage in the island’s commercial activities.

As explained in Chapter Two, the sudden influx of Greek and other foreign subjects, together with a sizeable number of slaves turned the harbour area into a cosmopolitan city where people from various nations rubbed shoulder to shoulder in their daily activities. Just how real this picture was may be derived from contracts regarding the sale of property in the area where at times a house, a shop or a warehouse was described as situated adjacent to the property of people coming from two or three different countries.⁸ Research conducted on the chancery documents of the Order has also made it possible to put forward the hypothesis that the Knights were unsuccessful in establishing a common law for all their subjects, since, on at least two separate occasions they appointed a commission which was requested to amalgamate Maltese laws based on those of the Regno with the Rhodian laws, but it seems without success.⁹

The “uniqueness” of Malta as a case study lies within the relationship which existed between governors and subjects. Although the Knights imposed their rule in an autocratic way,

⁷ F. Braudel, *Civilization & Capitalism 15th- 18th Century: The Wheels of Commerce*, Vol. II, (trans. S. Reynolds), (Berkeley & Los Angeles, 1992), 478.

⁸ Abela, ‘Before Valletta’, 8.

⁹ NLM, AOM 89, f. 50 (new enumeration), (24.ix.1555).

they were not the “normal” prototype of conquerors. For them, the island did not represent a mere fief which they received from the Spanish crown, it was also a place with which they could relate since, after several years of wandering, they could now rule in their own right. In spite of the fact that in the initial years they considered other options rather than Malta, the island immediately instigated a sense of belonging, and, most importantly, it represented their only tangible hope for continued existence. If they lost Malta, they knew they would once again end up peregrinating from one port to another, and, considering the European political situation and their status of neutrality, this was not a comfortable position to be in.¹⁰ Furthermore, Malta was considered a frontier land against the Ottomans and therefore its defence meant that they still could be actors in the fight against the Muslims.¹¹ The siege of 1565 proves this since it was this victory which put the Knights Hospitaller back on the military-political map of Europe. On the local scene however, such situation meant that it now became even harder for the local nobles to make any claims on their rights or privileges which were gradually, but steadily, being nibbled away.

This study moved to another vital aspect which contributed towards the stability of the Hospitaller government and that was the adequate provisioning of victuals, above all wheat, which was a perennial preoccupation even before the arrival of the Knights. The heavy increase in population created a greater demand for wheat and its final products, thus making the role of the private investor in the grain trade essential to the island’s well being. As has been shown, people from all strata of society invested in the grain trade, merchants engaging in a short distance form of grain traffic which created greater demand for ancillary services, such as freight handling and travel insurance. The Order, for its part, despite repeated protests, immediately started to encroach upon the responsibilities of the Mdina and Gozo *Università*, whose main task had always been the provisioning of wheat for the islands’ needs. The Knights established a harbour

¹⁰ H. G. Koenigsberger, G. L. Mosse, & G. Q. Bowler, *Europe in the Sixteenth Century, A General History of Europe*, (London & New York, 1989), 233-239; M. Kunt & C. Woodhead (eds.), *Süleyman the Magnificent and His Age*, (London & New York, 1995).

¹¹ See also Williams, ‘*Sacra Milita*’, 148-149.

Università which gradually started to enjoy greater power than the other two *Università*. In time, this engulfed much of the functions of the old town councils, thus eliminating the risk of having a crucial sector for the islands' stability out of the direct control of the old ruling body. The concession of duty-free grain quotas was not automatically renewed each year, and most of the time both the Order and members of the *Mdina Università* took great pains to convince the Sicilian viceroy to give his consent for the export of these supplies. When things were really rough, and in times of great scarcity, the Order set sail from the Maltese port and ventured out on a mission to hunt down any grain ships, be they Christian or Muslim. On the local scene, producers are found to be continuously engaged in advance buying and selling of cereals and niche products, which served to procure the necessary cash to invest in crops. Such tendencies however also gave rise to much abuse, especially if the harvest was poor and the debtors found themselves in such great financial constraints, they borrowed beyond their means.

Moving on to Chapter Four, this second case study presents us with a relatively novel topic in Maltese historiography which informs us that men were not the only actors partaking in the opportunities generated by the presence of the Knights. In fact, this analysis investigated how this spill-over effect reached enterprising women, and how these, despite legal limitations, tried to capitalize on various new opportunities which presented themselves with the arrival of the new rulers. In analyzing various legal documents which marked the different stages in a woman's life, such as daughters, emancipation, marriage, motherhood and widowhood, this chapter has looked into the legal persona of women in mid-sixteenth century Malta, and the extent to which legal limitations impinged on the economic activities of the "weaker" sex.¹²

¹² Exploiting the newly-invented printing presses, at the beginning of the 16th century both the Protestant Reformation and the Catholic Counter-Reformation published works which instructed women how they should live the different stages of their lives. A highly popular book published in 1523 was the work of the Spanish humanist Jan Luis de Vives, entitled *De Institutione Feminae Christianae*, which is divided into three sections dealing with maidens, wives and widows. Throughout the work women are presented as being incapable of taking decisions or of saving their souls without the help of their husbands. Due to the lack of a man in their lives, widows on the other hand, are advised not to remarry but to remain chaste so that their

As has been shown marriage and dowry contracts provide a rich source for the study of women's legal privileges and how these affected their involvement in economic transactions. In fact, different forms of marriage contracts did not carry a religious or cultural distinction, the main difference was an economic one. While the Greek and Roman custom provided for a separation of assets, according to the Latin custom it was decreed that all the assets pertaining to the married couple were to be divided equally between them and their children. The tendency in Malta to draw up marriage contracts according to the Greek and Roman custom reflects a situation wherein most women remained in full possession of their assets on becoming wives and even mothers. These rights were not abstract but real rights which they could exercise and included property rights, thus women are found present in most economic activities concerning the transfer and sale of property.

During the course of this study it was also argued that while on the one hand, married women, with a few exceptions, could not enter into contracts of obligation without the consent of their husbands, on the other, they could be partially responsible to honour agreements of debt contracted by their husbands. Thus, it was argued that in the eyes of the law, these were assuming the role of business partners. Widows were more autonomous and had more opportunity to sell, purchase, invest, inherit, or even marry into financial assets. Even if the vast majority of women did not own large territories of land, they could still negotiate their small possessions and become financial actors within the island's economy.

It has also been argued that a woman's role at times took different forms to that traditionally assigned to her. Women like Clara La Spataro, who manufactured swords, conducted an economic activity which was largely attributed to men, while Donna Catharina a married

thoughts and prayers are constantly focused on their salvation. O. Hufton, *The Prospect Before Her: A History of Women in Western Europe 1500-1800*, (New York, 1998), 35-37.

woman, invested in the hospitality sector by opening an *Albergo*¹³ in Birgu and commissioning a man to take care of its operations. Other women, like Paula Dalli, Angelina Latappera and Catherina Allegritta, were repeatedly accused of having made usurious profits from money loans forwarded by them to people from various echelons of society, including Knights. This collage of documents thus frees the sixteenth-century woman found in the harbour area from the traditional confines often assigned to her which tend to project her both as wholly dependent on male authority and passive in grasping any new opportunities generated by the new events taking place in the harbour area other than that of prostituting herself.¹⁴ This of course does not mean that all women were enterprising and most women were indeed tied to traditional roles. However, it is also important to project the lives of those who were enterprising because they did make a difference. This study has shown that woman's participation in economic activities, be it through her consent in contracts of obligation or through physical work, was essential for the proper functioning of the machinery of credit.

The final case study has tackled an area which is by far one of the most neglected in Maltese historiography, this is, trade activity between Christian and Muslim ports during the first decades of the Order's stay in Malta. Similar to the situation in Rhodes,¹⁵ one of the greatest impacts the Order's presence had on Malta's economic activities was the increase in the island's economic importance, and this ultimately turned Malta into an important trading post in the Mediterranean. Due to the harbour area's ever growing potential in generating new working opportunities, it served as a pull factor to a good number of enterprising individuals, culminating

¹³ This was the exact word used to describe rooms for rent in the contract. NAV, MS 514/1, n.f., (10.iv.1560).

¹⁴ See for example, A. Brogini, 'Marginalités et contrôle social dans le port de Malte' <http://cdlm.revues.org/index786.html> (accessed on 18 January 2012), which partly deals with the problem of prostitution in the harbour area. Even Cassar's work, despite introducing a breath of fresh air to Maltese historical studies through his novel choice of subject, however, a cursory look at his primary sources makes it obvious that he builds his thesis almost completely on inquisition records, which tends to make his work heavily dependent on information derived from persons whose testimonies were given while being interrogated and thus not performing under "normal" circumstances. C. Cassar, *Daughters of Eve, Women, Gender Roles, and the Impact of the Council of Trent in Catholic Malta*, (Malta, 2002).

¹⁵ Williams, 'Sacra Militia' 143.

in an unprecedented influx of new arrivals. Sicily still held its prime place as the island's main trading link, however, trade and politics were carefully combined and the Knights soon sought to take advantage of the opportunities afforded to them through redemption services with Muslim lands.

From scrutiny of various chancery documents it becomes clear that the Knights of St John projected themselves as main actors in the redemption process of Christian slaves. Christian and Muslim merchants who were involved in ransoming services were granted safe conduct certificates by the Grand Master. This allowed them safer journeys both to North Africa and the Levant. They often took advantage of such concessions and while making round trips to and from hostile lands, managed to traffic in various other wares. Interestingly enough, extant documentation has also revealed that once free, Muslim or Jewish slaves, such as Murgian de Abdalla and Mahometo Hamidan Benalli who were Muslim, and Salomon Montesino and Michel Sacar de Patraz who were Jews, also showed interest in conducting trade between Christian and Ottoman lands and consequently requested to be granted such safe passage conducts to traffic in merchandize without any link to redemption services.

Another profitable economic activity conducted between Malta and North Africa was the acquisition of slaves for re-sale, which, as early as the late fifteenth century, was already documented. The establishment of the Knights of St John in Malta strengthened the trade in human trafficking and provided the necessary impetus for its steady growth and prosperity, merchants from all across the Mediterranean using Malta as a centre to conduct such trade. The meteoritic increase in trading activities also led to a development in Malta's financial services and the island offered the visiting merchant not only the necessary commodities to replenish his ship's supply but even the necessary legal and financial tools to conduct his business.

By way of conclusion one may say that historians focusing on the early period of Hospitaller rule in Malta and their economic activities have provided local historiography with

relatively sparse material heavily based on primary sources deriving from the Archives of the Order. Such works reflect a continued tradition of a history which does not speak of more elusive topics such as trading partners, business clients, agents, financial instruments, commodities, prices and the circumvention of legal structures which allowed the swift circulation of money. The present study has strived to bring forth a different kind of historical interpretation by using largely untapped sources, such as notarial acts and complementing the information derived from these sources with that found in other archives such as those of the Civil Law Courts, Bishop's Court, the Inquisitor's Court and chancery documents.

Every folio provided a fresh reading and projected the daily trading activities of a Mediterranean world which would have otherwise been lost to present day generations. It is thus hoped that this contribution serves as a springboard which will trigger further studies in a topic which is so vital to the understanding of a people, its rulers and the economic patterns prevailing in that society.

List of Notaries practising during the sixteenth century whose acts are still extant

| Notary | Year | Original No. | No of Vols | Register No. | No of Vols |
|---------------------------|-------------|--------------|------------------|--------------|------------|
| Abela Placido | 1557 - 1585 | 514 | 1 | 4 | 3 |
| Agius Lorenzo | 1524 - 1528 | 517 | - | 7 | 1 |
| Albano Andrea | 1582 - 1638 | 523 | - | 12 | 24 |
| Alegritto Andrea | 1597 - 1637 | 527 | 2 | 16 | 45 |
| Apapis Don Lorenzo de | 1540 - 1583 | 775 | - | 203 | 1 |
| Azzupard Giovanni | 1599 - 1648 | 552 | 4 | 40 | 45 |
| Axisa Bartolomeo | 1553 - 1572 | 543 | 1 | 32 | 14 |
| Baldacchino Giacomo | 1551 - 1587 | 558 | 1 | 44 | 15 |
| Bartolo Angelo | 1552 - 1580 | 562 | 2 | 48 | 8 |
| Bonaventura Debonetiis G. | 1534 - 1575 | 758 | 1 | 206 | 52 |
| Bondino Giacomo | 1516 - 1531 | 585 | 1 | 69 | 1 |
| Bonello Demitrio | 1585 - 1615 | 587 | 1 | 71 | 1 |
| Bonello Paulo | 1467 - 1521 | 588 | 1 | - | - |
| Briffa Giuliano | 1570 - 1596 | 610 | 5 | 89 | 25 |
| Briffa Matteo | 1565 - 1585 | 612 | 1 + index | 91 | 16 |
| Briffa Salvatore | 1575 - 1592 | 613 | 1 (index) | 92 | 11 |
| Buttigieg Don Giorgio | 1531 - 1554 | 629 | - | 105 | 23 |
| Buttigieg Mario | 1591 - 1592 | 631 | 1 | 107 | 1 |
| Cacege Vincenzo | 1562 - 1590 | 636 | - | 111 | 21 |
| Calleja Pietro | 1595 - 1634 | 649 | - | 123 | 13 |
| Cancur Don Consalvo | 1499 - 1531 | 670 | - | 140 | 12 |
| Cassar Antonio | 1553 - 1579 | 698 | - | 160 | 18 |
| Caxaro Antonio | 1577 - 1584 | 718 | 1 | 174 | 3 |
| Caxaro Don Brandano | 1533 - 1563 | 719 | 1 | 175 | 68 |
| Caxaro Don Giuseppe | 1586 - 1602 | 720 | 1 | 176 | 21 |

List of Notaries practising during the sixteenth century whose acts are still extant

| Notary | Year | Original No. | No of Vols | Register No. | No of Vols |
|-----------------------|-------------|--------------|------------------|--------------|------------|
| Ciantar Salvatore | 1594 - 1657 | 734 | 1 (index) | 184 | 29 |
| Ciappara M. Antonio | 1599 - 1611 | 737 | 1 (index) | 187 | 9 |
| Ciappara Ferdinando | 1573 - 1610 | 735 | 1 | 185 | 57 |
| Cumbo Girolamo | 1528 - 1548 | 747 | 1 | 196 | 5 |
| Cumbo Giulio | 1501 - 1526 | 748 | - | 196A | 1 |
| De Agatiis Nicolò | 1535 - 1549 | 754 | - | 202 | 13 |
| De Brincat Matteo | 1559 - 1573 | 767 | 1 | 214 | 16 |
| De Laimo Pietro | 1519 - 1521 | 779 | 1 | 238A | 1 |
| De Lucia Giovanni S. | 1590 - 1623 | 784 | 16 | 229 | 40 |
| Debono Don Giovanni | 1590 - 1608 | 760A | - | 207 | 3 |
| Deguevara Giuseppe | 1537 - 1574 | 778 | 7 | 224 | 39 |
| Falzon Antonio Angelo | 1577 - 1594 | 805 | 1 | 244 | 14 |
| Falzon Don Giovanello | 1557 - 1593 | 89A | - | 248 | 37 |
| Falzon Francesco | 1594 - 1602 | 808 | - | 246 | 8 |
| Formosa Gio Domenico | 1584 - 1610 | 836 | 1 | 271 | 2 |
| Fulcher Gio Guglielmo | 1587 - 1617 | 848 | 6 | 277 | 4 |
| Galea Simone | 1589 - 1626 | 852 | 1 | 278 | 24 |
| Gauci Gio Luca | 1590 - 1631 | 866 | - | 286 | 15 |
| Gauci Tommaso | 1557 - 1616 | 867 | 9 | 287 | 38 |
| Grima Lorenzo | 1595 - 1649 | 898 | 15 | 309 | 42 |
| Imbroll Francesco | 1582 - 1620 | 906 | 7 | 316 | 27 |
| Mallia Mario | 1582 - 1596 | 926 | 1 | 331 | 10 |
| Mallia Sebastiano | 1597 | 927 | 1 | 332 | 1 |

List of Notaries practising during the sixteenth century whose acts are still extant

| Notary | Year | Original No. | No of Vols | Register No. | No of Vols |
|----------------------------|-------------|--------------|------------|--------------|-------------|
| Mamo Giuseppe | 1567 - 1585 | 930A | - | 336 | 17 |
| Muscat Giuliano | 1538 - 1583 | 979 | 1 | 376 | 73 |
| Rapa Antonio | 1512 - 1537 | 1033A | 1 | 414 | 2 |
| Rapa Giovanni | 1535 - 1547 | 1033 | 1 | - | - |
| Scaglia Ascanio | 1585 - 1641 | 1055 | - | 431 | 25 |
| Selvagii de Via Bartolomeo | 1530 - 1551 | 1067 | - | 439 | 49 |
| Sillato Antonio | 1578 - 1616 | 1068 | 1 | 440 | 16 |
| Sillato Bartolomeo | 1485 - 1531 | 1069 | 1 | - | - |
| Sillato Giacomo | 1581 - 1598 | 1070 | 1 | 441 | 15 |
| Spiteri Gio Domenico | 1597 - 1601 | 1075 | - | 447 | 4 |
| Steva Giuseppe | 1569 - 1579 | 1078A | - | 449 | 7 |
| Tholossenti Giovanni | 1587 - 1598 | 1084 | 1 | 454 | 39 |
| Vassallo Graziano Sr | 1488 - 1545 | | | 464 | 11 |
| Vassallo Graziano Jr | 1541 - 1542 | | | 465 | 1 |
| Vincella de Santoro Nicola | 1579 - 1586 | 1116 | - | 481 | 6 |
| Xerri Dionisio | 1579 - 1589 | 1123 | 2 | - | - |
| Xiberras Ambrogio | 1595 - 1641 | 1125 | 2 | 488 | 74 |
| Xiberras Nicola | 1585 - 1605 | 1127 | 4 | 490 | 39 |
| Zabbara Giacomo | 1485 - 1500 | 1132 | 1 | 494 | 2 |
| Zammit Martino | 1599 - 1620 | 1140 | - | 501 | 19 |
| Zammit Pietro | 1598 - 1638 | 1142 | 1 | 502 | 30 |
| Zarb Enrico | 1573 - 1593 | 1144 | 10 | 504 | 18 |
| Zelivo Giorgio | 1584 - 1641 | 1149 | 57 | 508 | 35 |
| TOTAL | | | 181 | | 1359 |

Foreigners mentioned in NAV, R 4/1 and MS 514/1, (1557-1558)

| Title | Name | Provenance | Occupation | Resident | Reference |
|----------------------|------------------------------------|--------------------------|---------------------|----------|--|
| <i>Hon.</i> | Abbate Leonardus | Trapani | Patronus | | MS 514/1, n.f., (17.vi.1558) MS 514/1, n.f., (12.vii.1558) MS 514/1, n.f., (31.viii.1558) |
| <i>Hon.</i> | Alno Baptista | Rhodes | | | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Alno Hierosimus | Rhodes | | X | MS 514/1, n.f., (14.vi.1558) |
| <i>Hon. Puella</i> | Alno Johanna | Rhodes | | | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Amate Virgilius de | Naples | | X | R 4/1, ff.69-69v, (29.xi.1557) |
| <i>Hon.</i> | Arnus Bonafacius & his wife Joanna | Marseille | | X | R 4/1, ff.142-143v, (31.xii.1557) R 4/1, f. 144, (31.xii.1557) |
| <i>Magnificus</i> | Axatopulo Johannes | Rhodes | | X | R 4/1, ff. 44-44v, (17.xi.1557) |
| <i>Nobilis</i> | Baccanisi Fortugnus | Syracuse | | | R 4/1, ff. 50-50v, (22.xi.1557) R 4/1, ff. 57-57v, (24.xi.1557) R 4/1, ff. 59-58v, (24.xi.1557) MS 514/1, n.f., (14.vi.1558) |
| <i>Hon.</i> | Banda Antonius de | Messina | Patronus | | MS 514/1, n.f., (27.iv.1558) |
| <i>Hon. Magister</i> | Baptista Johannes | Seville | | X | R 4/1, ff. 66v-67v, (27.xi.1557) |
| <i>Nobilis</i> | Bendicto Johannis Antonius de | Messina | | | R 4/1, ff. 90v-91, (3.xii.1557) R 4/1, ff. 92-92v, (3.xii.1557) MS 514/1, n.f., (8.xii.1557) R 4/1, ff. 106-107v (9.xii.1557) |
| <i>Hon. Magister</i> | Bologna Francescus de | Syracuse | | | MS 514/1, n.f., (19.ii.1558) |
| <i>Hon. Magister</i> | Bonet Hieronimus de | Cremona | Gunner & Blacksmith | | R 4/1, ff. 22-26, (29.x.1557) MS 514/1, n.f., (24..ii.1558) |
| <i>Nobilis</i> | Bottino Rocco | Sciacca | | | MS 514/1, n.f., (8.xii.1557) R 4/1, f. 108-109, (9.xii.1557) R 4/1, ff. 106-107v, (9.xii.1557) |
| <i>Nobilis</i> | Bruere Eutropius | France | Merchant | X | MS 514/1, n.f., (10.ii.1558) MS 514/1, n.f., (16.v.1558) MS 514/1, n.f., (16.v.1558) |
| <i>Hon.</i> | Camarata Theodorus | Coro resident in Messina | Merchant | | R 4/1, ff. 113v-115, (16.xii.1557) |
| | Campisis Antonius | Syracuse | Witness | | R 4/1, ff.111-111v, (14.xii.1557) MS 514/1, n.f., (18.ii.1558) |
| <i>Nobilis</i> | Cara Antonius de ¹ | Syracuse | Surgeon | | MS 514/1, n.f., (4.vi.1558) MS 514/1, n.f., (14.vi.1558) |
| | Carofalo Antonio | Modica | Witness | | R 4/1, ff. 32-32v, (9.xi.1557) |
| <i>Hon. Magister</i> | Consolina | Terra de Mililli | Patronus | | MS 514/1, n.f., (3.12.1557) |

¹ Mentioned in R. Ellul-Micallef, 'Sketches of Medical Practice in Sixteenth Century Malta', in P. Xuereb (ed.), *Karissime Gotifride*, (Malta 1988), 103-120, 116, Table 3.

Foreigners mentioned in NAV, R 4/1 and MS 514/1, (1557-1558)

| Title | Name | Provenance | Occupation | Resident | Reference |
|--------------------------------------|--|-----------------------------|--------------------------|----------|---|
| | Francescus | | | | |
| | Consulo Josephus | Sicily | Witness | | R 4/1, f. 126, (28.xii.1557) |
| | Dape Francescus | Trapani | Patronus | | MS 514/1, n.f., (31.viii.1558) |
| <i>Hon.</i> | Dipuero Mattheus | Ragusa | | | MS 514/1, n.f., (14.ii.1558) |
| <i>Nobilis</i> | Fayensa Donatus ² | Modena | Chemist | X | R 4/1, f. 62v, (24.xi.1557) |
| | Fonso Francescus de | Syracuse | Witness | | MS 514/1, n.f., (24.iii.1558) |
| <i>Hon. Magister</i> | Frontina Paulus | France | Carpenter | | |
| <i>Nobilis</i> | Galanti Stammatus | Rhodes | | X | R 4/1, ff. 56-56v, (24.xi.1557) |
| | Galicia Antonio de | Syracuse | | | R 4/1, f. 135v (30xii.1557) |
| <i>Nobilis</i> | Galicia Michaelis de | Syracuse | | | R 4/1, f. 135v, (30xii.1557) |
| <i>Magnificus</i> <i>Hon.</i> | Gerbino Cataneo | Genoa | Merchant | | R 4/1, f. 9, (6.x.1557) |
| <i>Hon.</i> | Gicia Matteus de | Licata | | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Gigliuto Marcus | Syracuse | shopkeeper | | R 4/1, ff. 147v-148, (6ix.1558) |
| <i>Hon. Magister</i> | Gisberto Petrus de & his wife Lucia | Dutch | Gunner with the Order | X | R 4/1, ff. 47v-49v, (22.xi.1557) |
| <i>Nobilis</i> | Guarino Johanni | Noto | Witness | | R 4/1, f. 120., (24.xii.1557) |
| <i>Magnificus</i> | Inferrera Johanni Antonio | Syracuse | Witness | | MS 514/1, n.f., (23.iv.1558) |
| | Jachet Jacobus & his wife Donna Cristine | France | Merchant | X | MS 514/1, n.f., (28.vii.1558) |
| <i>Magnificus</i> | Johanne Martinus de | Ragusa | | X | R 4/1, ff.5-5v, (6.x.1557) |
| <i>Hon. Magister</i> | Johanne Roccus de | Ragusa | Carpenter | | MS 514/1, n.f., (14.ii.1558) MS 514/1, n.f., (14.ii.1558) |
| <i>Ven. Clerico</i> <i>Donnus</i> | Johanne Thomasio de | Sicilian from Clarimonte | | | R 4/1, ff. 2-3v, (2.x.1557) |
| <i>Nobilis</i> | Jordan Johannes | Marseilles | Merchant | X | MS 514/1, n.f., (16.v.1558) MS 514/1, n.f., (10.11.1558) MS 514/1, n.f., (16.v.1558) |
| <i>Hon.</i> | Judica Sebastianus de | Palermo | | X | R 4/1, f. 60v, (24.xi.1557) R 4/1, ff. 64v-65, (27.xi.1557) R 4/1, ff. 92-92v, (3.xii.1557) |

² Ellul-Micallef, 'Sketches of Medical Practice', Table 5, 117.

Foreigners mentioned in NAV, R 4/1 and MS 514/1, (1557-1558)

| Title | Name | Provenance | Occupation | Resident | Reference |
|----------------------|-----------------------------|------------|---------------------------|----------|--|
| <i>Hon.</i> | Lanternano Mattheus | Naples | Patronus | | MS 514/1, n.f., (12.vii.1558) MS 514/1, n.f., (21.vii.1558) |
| <i>Hon.</i> | Laudi Antonio de | Rhodes | Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Lombardo Antonellus | Messina | | | R 4/1, f. 62, (24.xi.1557) R 4/1, ff. 64v-65, (27.xi.1557) |
| | Lombardo Joahnnis Dominicus | Messina | | X | R 4/1, f. 93-93v., (3.xii.1557) R 4/1, f. 108-109, (9.xii.1557) |
| <i>Hon. Magister</i> | Mangiapane Antonius | Syracuse | | X | R 4/1, ff. 50-50v, (22.xi.1557) MS 514/1, n.f., (15.vi.1558) |
| <i>Hon.</i> | Mantha Johanni | Trapani | Shopkeeper | | R 4/1, f.139v, (30.xii.1557) |
| <i>Hon.</i> | Mantisello Masio | Syracuse | Witness | | MS 514/1, n.f., (27.iv.1558) |
| <i>Hon.</i> | Manuella Vincentius | Syracuse | Witness | | R 4/1, ff. 32-32v, (9.xi.1557) |
| <i>Hon. Magister</i> | Marullo Paulus | Syracuse | | | MS 514/1, n.f., (15.viii.1558) |
| | Mattheo Angelo de | Naples | | | R 4/1, ff. 94-94v, (3.xii.1557) |
| | Mattheo Angelo de | Naples | Witness | | R 4/1, f. 94v, (3.xii.1557) |
| <i>Nobilis</i> | Mattheo Paulus de | Ragusa | Patronus | | MS 514/1, n.f., (14.ii.1558) MS 514/1, n.f., (14.ii.1558) |
| <i>Hon.</i> | Metaxi Stammatus | Rhodes | Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon. Clericus</i> | Metaxi Angelus ³ | Rhodes | Orthodox Priest | X | R 4/1, f. 113, (15.xii.1557) |
| <i>Hon.</i> | Metaxi Emanuele | Rhodes | Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Metaxi Lambariano | Rhodes | Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Metaxi Nicolo | Rhodes | Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Ven. Papa</i> | Metaxi Stammatus | Rhodes | Orthodox Priest & Witness | X | MS 514/1, n.f., (13.vi.1558) |
| <i>Nobilis</i> | Mistrecta Johannis de | Syracuse | | | R 4/1, ff. 32-32v, (9.xi.1557) |
| <i>Nobilis</i> | Nigrone Iacobo | Genoa | | | MS 514/1, n.f., (12.vii.1558) |

³ Mentioned in A.P. Vella, *The Tribunal of the Inquisition in Malta*, (Malta, 1964), Appendix V, 63. It seems that the Tribunal of the Inquisition punished this Orthodox cleric by a temporary '*suspensio a divinis*'. His crime was that he did not adopt the Gregorian Calendar and held views in opposition to the teaching of the Western Church.

Foreigners mentioned in NAV, R 4/1 and MS 514/1, (1557-1558)

| Title | Name | Provenance | Occupation | Resident | Reference |
|------------------------------|--|--------------------------------|-----------------------------|----------|---|
| | Nizado Jaymo | Leon | Witness | | R 4/1, f. 142, (31.xii.1558) |
| <i>Magnificus Donnus</i> | Octurregiano Sebastianus | Florence | | | MS 514/1, n.f., (22.v.1558) |
| <i>Hon.</i> | Pachi Josephus de | Venice | | | MS 514/1, n.f., (13.vi.1558) |
| <i>Hon.</i> | Papadopulo Stammatus | Island of Jacyntos | | | R 4/1, ff. 56-56v, (24.xi.1557) |
| <i>Hon.</i> | Passino Bartholomeus | Venice | | | R 4/1, ff. 161v-162, (19.ix.1558) MS 514/1, n.f., (12.vii.1558) |
| <i>Hon.</i> | Paulillo Cesarius de | Sicilian | Witness | | MS 514/1, n.f., (13.vi.1558) |
| <i>Magnificus</i> | Paulillo Francescus | Messina | Shareholder/ Patronus | | MS 514/1, n.f., (12.v.1558) MS 514/1, n.f., (7.vii.1558) MS 514/1, n.f., (11.vii.1558) MS 514/1, n.f., (11.vii.1558) |
| <i>Hon.</i> | Petro Dominicus de | Ragusa | | | MS 514/1, n.f., (22.v.1558) |
| <i>Hon.</i> | Randazo Francescus de | Augusta | Shareholder | | MS 514/1, n.f., (3.12.1557) |
| <i>Hon.</i> | Romeo Martinus | Syracuse | Pilot | | MS 514/1, n.f., (23.iv.1558) MS 514/1, n.f. (23.iv.1558) |
| <i>Nobilis</i> | Ros Petrus | Rhodes | | X | MS 514/1, n.f., (19.i.1558) |
| <i>Hon.</i> | Rosa Laurentius de <i>alias</i> Surchi | Sicily | | | R 4/1, ff. 64v-65, (27.xi.1557) R 4/1, ff. 65v-66, (27.xi.1557) R 4/1, f.1 08-109, (9.xii.1557) |
| <i>Hon.</i> | Rosa Antonius de | Sicily | | X | R 4/1, f. 60, (24.xi.1557) R 4/1, f. 62v, (24.xi.1557) R 4/1, ff. 64v-65, (27.xi.1557) R 4/1, ff. 90v-f.91, (3.xii.1557) R 4/1, ff. 93.93v,(3.xii.1557) |
| | Salvaro Michaelis | Candia | | X | MS 514/1, n.f., (18.xii.1557) R 4/1, ff. 115v-116, (16.xii.1557) |
| <i>Nobilis</i> | Sancto Josephus | Mazara | | | R 4/1, ff. 44-44v, (17.xi.1557) |
| <i>Hon.</i> | Santo Angelo de Caludio | Neophite (Converted Jew) | Carpenter with the Order | | R 4/1, ff. 142-143v, (31.xii.1557) R 4/1, f. 144, (31.xii.1557) |
| | Scalena Baptistino | Rhodes | | | MS 514/1, n.f., (15.viii.1558) |
| <i>Hon. Puella</i> | Scalena Joahna | Rhodes | | | MS 514/1, n.f., (15.viii.1558) |
| <i>Hon.</i> | Scalense Laurencius | Trapani | Patronus | | MS 514/1, n.f., (31.xii.1557) MS 514/1, n.f., (31.xii.1557) R 4/1, ff. 144v-145v, (31.xii.1557) |
| <i>Hon.</i> | Scrignio Franciscus | Trapani | | | R 4/1, ff. 124v-125v, (27.ix.1558) |

Foreigners mentioned in NAV, R 4/1 and MS 514/1, (1557-1558)

| Title | Name | Provenance | Occupation | Resident | Reference |
|--------------------------------|------------------------------|------------|----------------|----------|--|
| <i>Hon.</i> | Sphoti Johannes ⁴ | Messina | Barber surgeon | | MS 514/1, n.f., (26.iv.1558) |
| | Stalluni Hierosimus | Syracuse | Witness | | MS 514/1, n.f., (15.viii.1558) |
| <i>Hon.</i> | Taranto Michaelis de | Noto | Procurator | | R 4/1, ff.125v-126, (28.xii.1557) |
| <i>Hon.</i> | Tobia Bartheus | Trapani | | | R 4/1, f. 101, (6.xii.1557) |
| <i>Hon. Magister</i> | Troiella Mattheus | Messina | Rower | X | R 4/1, ff. 46v-47v, (22.xi.1557) |
| <i>Magnificus . Donnus</i> | Turregian Sebastianus de | Florence | | | MS 514/1, n.f.,(22.v.1558) |
| <i>Hon. Magister</i> | Vasco Dionysius ⁵ | Neophite | Surgeon | X | R 4/1, ff .51-52, (23.xi.1557) |
| <i>Magnificus</i> | Vincenzio Jacobus de | Trapani | Shareholder | | MS 514/1, n.f., (19.iv.1558) |
| <i>Nobilis</i> | Xanto Josephus | Mazara | Patronus | | MS 514/1, n.f., (13.vii.1558) MS 514/1, n.f., (12.vii.1558) |
| <i>Hon. Mulier</i> | Zuchetto Malgarita | Nice | Widow | | R 4/1, ff. 8v-9v, (9.x.1557) Procurations register |

⁴ Mentioned in Ellul-Micallef, Table 4,117

⁵ Mentioned in Ellul-Micallef, Table 3, 116.

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|--|----------------------------|------------------------|--|--|--------------|-------------------------------|---|--|
| Hon. Franciscus Incardines | Knight of the Order | Knight | | Domecia Zoccula | Widow | 100 scudi | 12 scudi | gold items | |
| Hon. Franciscus Incardines | Francesco de Medina | Magister | | Salvatore Testaferrata & Di Peron Migran | | | | | Forced to pay more for a quantity of leather which they had sold him and he could not pay immediately. |
| Hon. Mattheus Monegla | Mattheus Monegla & Vincentio Curmi | Hon. & Magister | | Aluis Davit | | 100 scudi | 12 scudi per year | | They needed money for their business |
| Hon. Mattheus Monegla | Mattheus Monegla | Honorabilis | | Aluis Davit | | 100 scudi | 12 scudi per year | | |
| Hon. Mattheus Monegla | Mattheus Monegla | Honorabilis | | Aluis Davit | | 60 scudi | 12% | | Forced to pay more for a quantity of cloth which Davit had sold him and he could not pay immediately. |
| Hon. Mattheus Monegla | Wife of Magistro Michaeli Demarco | Married | | Paula | Maltese woman | | 1 carlino per month | | |
| Hon. Mattheus Monegla | | | | Vincenzo Franzese | Magistro | | 8 tari per scudo | | Vincenzo bought polize from the Treasury from various persons at a profit of 8 tari per scudo and resold them at their original price. |
| Hon. Mattheus Monegla | Surchi brothers | Putigarij | | Vincenzo Franzese | Magistro | 25 scudi | 5 scudi every 3 months | | |
| Hon. Petrus Guymes | Johanne Allegro | | | Francesco Rochion | Magnifico Doctor (Rochion was a lawyer see MS 514/1, 26.x.1559), n.f. (appt of procurator) | 15 scudi | 30 tari per month | | |
| Hon. Petrus Guymes | | Commander of the Artillery | | Peron Migran | | | 10% | | |
| Hon. Petrus Guymes | Carlo Barberi | Magister | | Francesco Rochion | Magnifico Doctor | 60 scudi | 1 tari per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | Slave of Carlo Barberi | Slave | | Angela Mainete | Maltese woman | | 5 grani per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | Veronica de Bartolo | | | Angela Mainete | Maltese woman | | 5 grani per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | | | | Paula Dalli | | | 1 tari per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | | | | Paula mother-in-law of Magistro Paolo Haxixa | | | 1 tari per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | | | | The mother-in-law of Guliano | | | 1 tari per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | | | | Angelina La Trappera | | | 1 tari per scudo per month | | |
| Hon. Mulier Caterina Allegrecta | Veronica de Bartolo | | Vennera Mainete | An unknown woman from Isla | | | 1 carlino per month per scudo | | |
| Hon. Mulier Caterina Allegrecta | | | | | Maltese woman | | 10% | | |
| Hon. Mulier Caterina Allegrecta | Antonella Castilietto | | | Jacoba Laman | | | | | |
| Hon. Mulier Caterina Allegrecta | | | | Baptista Calabrese | | | 1 scudo per scudo | | |
| Mariecta de Carli | Mariecta de Carli | Married | Antonella Chilia | Unknown woman | | 10 scudi | 6 grani per month per scudo | goods worth 30 scudi | |
| Mariecta de Carli | Mariecta de Carli | Married | | Agatha wife of Antonio Condo | | 3 scudi | 10 grani per scudo | | |
| Hon. Areicta wife of Magister Micahelis Manero | Hon. Areicta wife of Magister Micahelis Manero | Married | Johanni Carolo Marullo | Paula | Maltese woman | 8 scudi | 5 grani per month | gold and silver goods worth double and triple | |
| Hon. Areicta wife of Magister Micahelis Manero | | | | Thomasina Marrazza | | | | | |
| Hon. Areicta wife of Magister Micahelis Manero | Dannica de Peralta | | | Gianna de Manoli di Gratiana | | | | | |
| Hon. Areicta wife of Magister Micahelis Manero | | | | Wife of Stefano assignono | Married | 100 scudi | 10% | | |
| Hon. Areicta wife of Magister Micahelis Manero | Greek woman | | | Mario Longa | | 30 scudi | 10% | gold and silver goods | |
| Joanna Coppena | | | | Wife of Jo. Domenico de Franchis | | | 10% | | |
| Joanna Coppena | Knight of the Order | Knight | Joanna Coppena | Orlando Xerri | Magnifico | 50 scudi | 10% | gold and silver goods | |
| Joanna Coppena | Agata Caxaro | | Joanna Coppena | Orlando Xerri | Magnifico | 25 scudi | 10% | gold and silver goods | |
| Joanna Coppena | Wife of Stefano de Assifugno | Married | Joanna Coppena | Marietta Falson daughter of La trappera | | 100 scudi | 10% | gold items | |
| Joanna Coppena | Commendator La Roche | Knight | | Wife of Stefano de Assifugno | | 100 scudi | | | |
| Joanna Coppena | Rev. Comm Luis Detavera | Knight | Joanna Coppena | Marietta Morcabrina | | 20 scudi | 15% | a silver cup | |
| Joanna Coppena | Joanna Coppena | | | Daughter of Juliano Falson manumisso | | 5 scudi | 5 grani per scudo per month | gold items | |
| Joanna Coppena | Knight Caprici | Knight | Joanna Coppena | Annica de Peralta | | 20 scudi | 5 grani per scudo per month | gold items | |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|--|--|-----------------------------------|---|------------------|--------------|-------------------------------|------------------------------------|--|
| Joanna Coppena | Clara wife of Magister Bernardino Milanese | | Joanna Coppena | Annica de Peralta | | 10 scudi | 5 grani per scudo per month | silver items | |
| Magnificus Augustinus de Sancta Maura | Johanne Allegro | | | Francesco Rochion | Magnifico Doctor | | 1 tari per scudo per month | | |
| Magnificus Augustinus de Sancta Maura | | | | Luis de Casata | | | 1 tari per scudo per month | | |
| Magnificus Augustinus de Sancta Maura | | | through the services of some Jews | Wife of Jo. Domenico de Franchis | | | | | |
| Magnificus Bartholomeus Faragonius | Magnificus Bartholomeus Faragonius | Vice-Comite of the Magna Curia Castellania | | Piron Mingran | Nobilis | 100 scudi | 11 scudi | gold items worth double the amount | |
| Magnificus Bartholomeus Faragonius | Various merchants | merchants from Syracuse | | Vincenzo Franzese | | | 20 or 25 % profit | | |
| Magnificus Bartholomeus Faragonius | | | | Luis de Casata | | | | | |
| Magnificus Nicolus Precatumeno | | | | Piron Mingran | | | | | |
| Magnificus Nicolus Precatumeno | Franculli de Niclo | | | Johanni Callamia | | 600 scudi | | | |
| Magnificus Nicolus Precatumeno | | | | Wife of Magnifico Jo. Domenico de Franchis | | | 1 tari per scudo | | |
| Magnificus Nicolus Precatumeno | | | | Luis de Casata | | | | | |
| Magnificus Jacobus de Sancta Maura | | | | Marietta Falson daughter of La trappera | | | 10% | Gold and silver items | |
| Magnificus Jacobus de Sancta Maura | Christians | | | Soles Spagnola | Jewish woman | | 1 carlino per scudo per month | | |
| Magnificus Jacobus de Sancta Maura | | | | Wife of Jo. Domenico de Franchis | | | 1 tari per scudo | | |
| Magnificus Jacobus de Sancta Maura | | | | Hysabella widow of Magister Luis Honet | Widow | | 1 tari per scudo | | |
| Magnificus Jacobus de Sancta Maura | Vincenzo Bonaventura | Notary | | Piron Mingran | | | 10% | | |
| Magnificus Jacobus de Sancta Maura | | | | Francesco Rochion | Magnifico | | Excessive | | |
| Magnificus Jacobus de Sancta Maura | Franculli de Niclo | | | Johanni Callamia | | | Excessive | | Draws up contracts showing fictitious sums due to hide profit. |
| Magnidicus Michael de Melioratis | | | | Vincenzo Franzese | | | | | Draws up contracts showing fictitious sums due to hide profit. |
| Magnidicus Michael de Melioratis | De Chase | Knight | | Domenico Pachi | | 200 scudi | 230 scudi | | Draws up contracts showing fictitious sums due to hide profit. |
| Hon. Magister Franciscus de Medina | Franciscus de Medina | Hon. Magister | | Peron Mingran | | 1200 scudi | 90 scudi | | On a consignment of leather |
| Hon. Magister Franciscus de Medina | Franciscus de Medina | Hon. Magister | | Salvatore Testaferrata | | 200 scudi | 10% | | On a consignment of leather |
| Hon. Magister Franciscus de Medina | Franciscus de Medina | Hon. Magister | | Baptista de Arena il Calabrese | | 25 scudi | 22 tari per month | gold, silver and leather | |
| Hon. Magister Franciscus de Medina | Franciscus de Medina | Hon. Magister | | Luis de Casata, Johanni Callamia, Piron Mingran, Luis Casata, Francesco Rochion and Vincenzo Franzeze | | | | | Are renowned for publicly lending money at usurious profit |
| Hon. Magister Franciscus de Medina | Franciscus de Medina | Hon. Magister | | Baptista de Arena il Calabrese | | 2 scudi | | | Draws up contracts showing fictitious sums due to hide profit. |
| Hon. Mulier Hysabella wife of Michaelis de Christofaro | | | Madonna Jo. La Giorgentiana | Hon. Mulier Hysabella wife of Michaelis de Christofaro | | 10 scudi | 3 tari | | |
| Magnificus Hieronimo Scarpello | Federico di Sancto Georgio | Rev. Sig. Fra | | Vincenzo Franzese | Nobilis | 150 scudi | 15 scudi or 10% | gold items | |
| Magnificus Hieronimo Scarpello | Jacobo Novello | Sicilian Merchant | | Lazzaro Bonnichì | | | | | |
| Magnificus Hieronimo Scarpello | | | | Francesco Rochion & Peron Migran | | | | | Are renowned for publically lending money at usurious profit |
| Magnificus Hieronimo Scarpello | | Knight Receiver of the Langue of France | Magnificus Hieronimo Scarpello | Francesco Rochion | | 100 scudi | 30% | | By means of a contract known as cambia et recambi |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|--|------------------------------------|---|--|----------------------|---|---|-----------------------|---|
| Hon. Magister Antonius Carlecto | De Surchj | | | Vincenzo Franzese | Magistro | 25 scudi | 5 scudi every 3 months | | Carlecto was the accountant of Vicenzo Franzese |
| Hon. Magister Antonius Carlecto | Various | Sailors of the Order | | Vincenzo Franzese | Magistro | | He took 4 tari per scudo from each poliza | | Bought polize from the sailors and after keeping a percentage for himself he repaid partly in good and partly in cash |
| Hon. Magister Antonius Carlecto | | | | Vincenzo Franzese and Francesco Rochion | Magistro & Magnifico | | | | Renowned for their usurious practice |
| Hon. Magister Antonius Carlecto | Johanni Damachino | a Greek Butcher | | Francesco Rochion | Magnifico Doctor | 20 scudi | To give back 9 rotolos of meat every week as interest | | |
| Hon. Magister Antonius Carlecto | Johanni Cola Dichirco | | | Petro Cassia | Magistro | 20 scudi | 15 scudi to be repaid in two months | | On being threatened that he will be reported to the Episcopal Court Cassia promised to retribute any profit he made. |
| Hon. Magister Antonius Carlecto | | | | Donato Faienza, Luis Casata, Marietta Falsona figla della Trippera | | | | | Are renowned for publically lending money at usurious profit |
| Angela wife of the late Nicolo Xifinoti | Vincenzo Felice | Magister | Angela wife of the late Nicolo Xifinoti | Philippa Wife of Magistro Claudio Franzese | Married Greek woman | 5 scudi | 1 carlino per scudo per month | | |
| Angela wife of the late Nicolo Xifinoti | Alfonso Vella alias Jachetta | | | Philippa Wife of Magistro Claudio Franzese | | 6 scudi | 1 carlino per scudo per month | gold and pearls | |
| Angela wife of the late Nicolo Xifinoti | Perio Grima | | | Philippa Wife of Magistro Claudio Franzese | | 9 scudi | 1 carlino per scudo per month | | |
| Magnificus Diddacus Galan | Magnificus Diddacus Galan | | Wife of Paolo Haxixe the silversmith | Paula | | | 1 tari per scudo per month | | |
| Magnificus Diddacus Galan | | | | Jacobo Calorij, Luis Casata, Perio Migran, Johanni Callamia, dottor Francesco Rochion and La Tuppera | | | | | Are renowned for publically lending money at usurious profit |
| Magnificus Vincenzo Bonaventura de Bonetijis | Magnificus Vincenzo Bonaventura de Bonetijis | Notary | | Piron Mingran | | 200 scudi | 10% er annum rising to 11% on default | | Disguised as an amicable loan in a contract |
| Magnificus Vincenzo Bonaventura de Bonetijis | | | | Johanni Callamia | Greek merchant | | | | Draws contracts which hide usurious practices in Malta, Messina and Saragosa. |
| Nobilis Donatus Fayensa | Ambrosio Manero | | | Vincenzo Franzese | Magistro | a total of 190 scudi in cash and goods sold on credit | Ended up paying more than 400 scudi | | |
| Nobilis Donatus Fayensa | Boncoerit | Knight Sig. Commendator di Francia | | Vincenzo Franzese | Magistro | | 25 to 30% | | |
| Nobilis Donatus Fayensa | Flac | Knight Sig. Commendator | | Vincenzo Franzese | Magistro | | 25 to 30% | | |
| Nobilis Donatus Fayensa | Forest | Knights Sig. Commendator | | Piron Mingran | | | 17 to 18% | gold and silver items | |
| Nobilis Donatus Fayensa | De Charrictona | Magnifica | | La Tuppera | | 100 scudi | 10% | gold and silver items | |
| Nobilis Donatus Fayensa | Ambrosio Manero | | | Francesco Rochion | Magnifico Doctor | | | | |
| Nobilis Donatus Fayensa | Philippo Pili | Knight Prior of Capua | | Johanni Callamia | | | 100% | | |
| Magnificus Augustinus Garibo | | | | Wife of Piron Mingran | | | 1 tari per scudo | | |
| Jo. Nicolo de Chirco | Jo. Nicolo de Chirco | | | Petro Cassia (Casha) | Nobilis | 25 scudi | 10 scudi, whole sum to be repaid in 4 months | | Drew up a contract reflecting an amicable loan of 35 scudi |
| Antonius Palumbo from Messina | Jo. Nicolo de Chirco | | | Petro Cassia (Casha) | Nobilis | 25 scudi | 10 scudi, whole sum to be repaid in 4 months | | Drew up a contract reflecting an amicable loan of 35 scudi |
| Magnificus Leonardis Garibo | De Charrictona | Magnifica | | Mariecta Falson daughter of La Tuppera | | 100 scudi | 10% | gold and silver items | Contract in the acts of Notary Mattheo Briffa show an amicable loan of 110 scudi. |
| Nobilis Antonius Testaferrata | Del Carpaton | | Mons. Di Valletta | Piron Mingran | | | | | Loan advanced against security of his houses |
| Nobilis Antonius Testaferrata | | Vice-Comite | | Piron Mingran | | | | | Silver items |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|---|---|------------------------|--------------------------------|--|--------------------------------|--------------|---|--------------------------------------|--|
| Nobilis Antonius Testaferrata | Stephano Condulj | | | Piron Mingran | | 50 scudi | 10% | | Even though they were paid before the elapse of the stipulated one year period he was made to pay interest for the whole year. |
| Nobilis Antonius Testaferrata | Forest | Commander of the Order | | Piron Mingran | | | | | |
| Nobilis Antonius Testaferrata | Bastiano Laferla | Magister | | Franchesco Rochion | Magnifico Doctor | 40 scudi | 10% | | |
| Hon. Magister Stephano condulj | Michael Algare | Magnifico Doctor | Hon. Magister Stephano condulj | Piron Mingran | | 50 scudi | 10% to be repaid within six months | a gold chain | Even though the debt was settled within six days he had to pay all of the six month interest. |
| Hon. Magister Stephano condulj | Bastiano Laferla | | | Franchesco Rochion | Magnifico Doctor | 40 scudi | 10 scudi, whole sum to be repaid in 4 months | | Drew up a contract reflecting an amicable loan of 50 scudi scudi |
| Josephus Deliver from Syracuse | Josephus Deliver from Syracuse | | Chira La Marina Greca | Hieronimo de Costanzo | From Messina resident in Birgu | 15 scudi | 1 tari 10 grani per scudo per month | | In all he paid 3 scudi 9 tari in two months as interest and had to draw a contract in this regard. |
| Chira Calichia wife of Antonij de Via | Antonio de Via | Nobile | | Lazzaro Bonnich | | 35 scudi | Slave had to give him 1 tari of work per day for 3 or 4 months | a slave named Catherina alias Tunisi | He kept her for about eight months |
| Chira Calichia wife of Antonij de Via | Chira Calichia wife of Antonij de Via | | | Unknown woman | Jewish woman | 10 scudi | 1 tari per scudo per month | gold items | On pawning of goods |
| Chira Calichia wife of Antonij de Via | Chira Calichia wife of Antonij de Via | | | Unknown | Jew | 8 scudi | 1 tari per scudo per month | | Pawned goods were only given back after having paid an additional 12 tari which the Jew said belonged to a Christian woman |
| Chira Calichia wife of Antonij de Via | Chira Calichia wife of Antonij de Via | | | Unknown | Jew | 8 scudi | 1 tari per scudo per month | | Pawned goods were only given back after having paid an additional 12 tari |
| Chira Calichia wife of Antonij de Via | Chira Calichia wife of Antonij de Via | | | | Cali Xiota | 10 scudi | 1 tari per scudo per month | gold items | Pawned goods were only given back after having paid an additional 11 tari which the Jew said belonged to a Christian widow. |
| Hon Joannes Pangano a Greek prison keeper | Antonio de Via | Nobile | | Lazzaro Bonnich | | 35 scudi | Slave had to give him 1 tari of work per day for 3 or 4 months | A slave named Catherina alias Tunisi | He kept her for about eight months |
| Aganuzza daughter of the late Xilal from Birgu | Antonio de Via | Nobile | | Lazzaro Bonnich | | | | a slave named Catherina alias Tunisi | |
| Thodora Scalena | Antonio de Via | Nobile | | Lazzaro Bonnich | | | | a slave named Catherina alias Tunisi | |
| Hon. Nicolaus de Laimo from Birgu | Antonio de Via | Nobile | | Lazzaro Bonnich | | | | | |
| Antonio de Martino de Riggio a Baker | Ambrosio Manero | Magister | | Hieronimo Romano | Patronus | 100 scudi | 75 scudi | | |
| Antonio de Martino de Riggio a Baker | Ambrosio Manero | Magister | | Hieronimo Romano | Patronus | 25 scudi | | | |
| Antonio de Martino de Riggio a Baker | Ambrosio Manero | Magister | | Hieronimo Romano | Patronus | 50 scudi | | | |
| Antonio de Martino de Riggio a Baker | Wife of Antonio de Martino de Riggio a Baker | | | Julia | Manumitted Neophite | 10 scudi | 1 carlino per scudo per month | gold itmes | Repaid 13 scudi in all in eight months |
| Antonio de Martino de Riggio a Baker | Wife of Antonio de Martino de Riggio a Baker | | | Julia | Manumitted Neophite | 10 scudi | 1 carlino per scudo per month | A gold cross | |
| Agata daughter of the late Johanni Pasqual | Bernardo Caloiero | | | Agata daughter of the late Johanni Pasqual | | 3 scudi | 1 carlino per scudo per month | | Repaid in goods including wheat |
| Agata daughter of the late Johanni Pasqual | Bernardo Caloiero | | | Agata daughter of the late Johanni Pasqual | | 5 scudi | 1 carlino per scudo per month | gold items | One tumulo of wheat |
| Agata wife of Leonardi Siriano Stapulia captain | Agata wife of Leonardi Siriano Stapulia captain | | | Ginaina Laurer | | 3 scudi | 2 tari plus one mondello of wheat, one mondello salt, one mondello of olives and a quantity of wood | | |
| Hon. Simon Spiteri | Foreigner | | | Paolo delli Bussi | | 15 tari | 3 tari in 15 days | A sword | |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|---|------------------------------------|--|---|--------------------------------|--|-------------------------------|---|--|
| Hon. Magister Laurentius Ros a goldsmith | | | Sol Jewish woman | Unknown woman | | 12 scudi | 1 tari per scudo per month | a gold chain worth 12 scudi and a silver cup worth another 12 scudi | |
| Hon. Magister Laurentius Ros a goldsmith | Wife of the late Stefani Turcomanno | | | A woman from Licata | Lover of the knight Caravaxal | | 1 carlino per scudo per month | pawning of goods | |
| Hon. Magister Laurentius Ros a goldsmith | Daughter of Soleno | | | | | | | | |
| Hon. Magister Laurentius Ros a goldsmith | De Navi | | | Widow of Magister Claudio de Perosa | | | | | |
| Hon. Magister Laurentius Ros a goldsmith | | | | Unknown | Maltese woman | | 6 grani per scudo per month | | |
| Magnificus Merchiol Cagliares a lawyer | Stephano Conduj | | | Piron Mingran | | 66 scudi | 4 scudi in six months | a gold chain worth 150 scudi | Made a loan contract for the amount of 70 scudi and even though he repaid the whole amount within 6 days he had to pay all of the interest due in six months |
| Magnificus Merchiol Cagliares a lawyer | Vincenzo Bonaventura | Notary | | Piron Mingran | | 200 scudi | 10% per annum | | |
| Rev. Papas Joannes Deassorino | Annuta | Madonna | | Alexandro son in law of Piron Migran | Magister | 100 scudi | 10% per annum | a gold chain and a silver cup worth double the amount | Drew up a contract which included the capital plus the interest |
| Bernardina Milanese | Bernardina Milanese | | | Alessandro Abel | | 30 scudi worth of cloth at the rate of 6 tari per cane | | | Hypothecated a house in Birgu situated next to the Order's infirmary |
| Bernardina Milanese | Bernardina Milanese | | | Alessandro Abel | | 13 scudi partly in cloth and partly in cash | | | Hypothecated a house in Birgu situated next to the Order's infirmary and was obliged to sell it. |
| Hon. Magister Cesar Mutero from Otranto | Cesar Mutero from Otranto | Honorabilis Magister | | Francesco Rochion | Magnifico Doctor | 40 scudi plus 60 scudi worth of goods on credit | | | He was never given the goods and was sent to prison because he could not pay the debt |
| Hon. Hieronimo de Oliverio from Palermo | Hieronimo de Oliverio | Honorabilis, Merchant from Palermo | | Johanni de Brancato | Maltese merchant from Hal-Kbir | 40 scudi | 5 scudi in 40 days | | Drew up a contract which included the capital plus the interest |
| Hon. Hieronimo de Oliverio from Palermo | Hieronimo de Oliverio | Honorabilis, Merchant from Palermo | | Johanni de Brancato | Maltese merchant from Hal-Kbir | 73 scudi | 15 scudi in 2 months | | Drew up a contract which included the capital plus the interest |
| Hon. Bernardus Bonanni from Genoa | Hieronimo de Oliverio | Honorabilis, Merchant from Palermo | | Johanni de Brancato | Maltese merchant from Hal-Kbir | 73 scudi | 15 scudi in 2 months | | Drew up a contract which included the capital plus the interest |
| Nobilis Dionysius Xerri | Margarita Xuerib and her daughter Leonora wife of Bernardo Schembri | | Johannella a Vendor | Unknown | | | 1 carlino per scudo per month | gold items | Needed money to free Orlando Xuereb 1565 |
| Nobilis Dionysius Xerri | | | | Franchesco Rochion, Piron Mingran and Luis Casata | | | | | Are known for their usurious practices |
| Nobilis Dionysius Xerri | Leonora Schembri | | | Paula Dalli | | | | | |
| Hon. Magister Marcus Pulicastrolo from Cassani | Hieronimo de Oliverio | Honorabilis, Merchant from Palermo | | Johanni de Brancato | Maltese merchant from Hal-Kbir | 40 scudi | 5 scudi in 40 days | | Drew up a contract which included the capital plus the interest |
| Hon. Magister Marcus Pulicastrolo from Cassani | Alfonso | Doctor | Jewish woman from Spain | Unknown | Greek woman | 8 scudi | 4 tarj per month | gold items and cloth | |
| Hon. Magister Marcus Pulicastrolo from Cassani | | | Zahari the Jew | Unknown | Greek woman | 2 scudi | 1 carlino per scudo per month | a gold cross | |
| Hon. Magister Marcus Pulicastrolo from Cassani | Jo. Domenicus | Butcher | | Lazzaro Bonnich | | | | | |
| Hon. Magister Marcus Pulicastrolo from Cassani | Sig. Fra Achille Sanguine | Knight | Johanna Black slave of Francesco Summaripa | Johanna | | 8 scudi | 6 tari per month | A cape | The slave had a share of the profits |
| Nobilis Caterina Zahria | Caterina Zahria | Nobilis | Antonia wife of gorru | Wife of Magister Damiano Mallia & her children | | 25 scudi | 1 carlino per scudo per month | gold items | |
| Nobilis Caterina Zahria | Caterina Zahria | Nobilis | Nella sister of Masi Chilia who was a patronus | Unknown | Maltese woman | 8 scudi | 7 grani per scudo per month | gold items | |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|--|--|--------------------------|---|---|---|-------------------------------|---|---|
| Nobilis Caterina Zahria | Caterina Zahria | Nobilis | Diamante a Jewish woman | Wife of Nicolo Pellegrino and her children | | | 1 tari per scudo per month | gold items | Could not remember amount borrowed but remembers that she was charged more than 10 scudi of interest |
| Nobilis Caterina Zahria | Caterina Zahria | Nobilis | | Wife of Antonio Condo | | | 5 grani per scudo per month | gold items | |
| Nobilis Caterina Zahria | | | | Domenica wife of Magister Silvestro Zoccula | Married | | 10% | | |
| Nobilis Antonio De Via | Antonio De Via | Nobilis | | Lazzaro Bonnici | | 35 scudi | 1 tari per day | a slave with the original owner being responsible for her escape or death | |
| Nobilis Antonio De Via | Antonio De Via | Nobilis | Jewish woman | Unknown | Woman | 10 scudi | 1 tari per month per scudo | | Paid a total of 14 tari as interest |
| Nobilis Antonio De Via | Antonio De Via | Nobilis | Isac the Jew | Unknown | Jewish woman | 10 scudi | 1 tari per month per scudo | | Paid a total of 20 tari as interest |
| Nobilis Antonio De Via | Wife of Antonio De Via | Nobilis | Jew | Unkown | Christian woman | 8 scudi | 1 tari per month per scudo | | The Jew and Christian woman divided the profit |
| Nobilis Antonio De Via | Wife of Antonio De Via | Nobilis | | (?)cali | Rhodiote | 10 scudi | 1 tari per month per scudo | | Paid a total of 11 tari as interest |
| Hon. Mulier Clara wife of Magister Bernardinj from Milan | Clara wife of Magister Bernardinj from Milan | Hon. Mulier | | Annica de Peralta | | 10 scudi | 5 grani per scudo per month | | Paid after aproximately one year |
| Hon. Mulier Clara wife of Magister Bernardinj from Milan | Clara wife of Magister Bernardinj from Milan | Hon. Mulier | | Senasti Lindiaco | | 15 scudi | 2 scudi per annum | | |
| Hon. Mulier Clara wife of Magister Bernardinj from Milan | Clara wife of Magister Bernardinj from Milan | Hon. Mulier | | Francesca widow of Vincenzo Cirera | Widow | 16 scudi | 1 scudo in three months | | |
| Hon. Mulier Caterina wife of Magister Francescj Pisanj | Caterina wife of Magister Francescj Pisanj | Hon. Mulier | | Josephus Gayeo | | 100 scudi | 10 scudi on total sum | | Drew contract wherein it was stipulated that she had to pay at a shorter period than that agreed verbally. |
| Lucia | Lucia | Manumitted Black Slave of the late Graciatnj Burlo | | Angela wife of Magister Geronimo Gaglier | | 50 scudi | 20 scudi in one year | | Needed money to free her daughter from captivity. Drew up fictitious contract of a loan of 70 scudi instead of the actual 50. |
| Marietta Falsona | Joannella | Vendor | | Marietta Falson | | 100 scudi | 10% per annum | gold items | |
| Marietta Falsona | Charrectona | Lady (Signora) | | Marietta Falson | | 110 scudi | | gold items | States that she did not reap any profits and as witness there was the notarial contract |
| Marietta Falsona | Lui de Taura | Knight | Madonna Joanella | Marietta | Greek woman who live near the Auberge d'Italie in Birgu | 20 scudi | 4 scudi per annum | | |
| Hon. Bonnici | Bonnichi | Honorabilis | | Lazzaro Bonnici | | 80 scudi | | | |
| Hon. Bonnici | Cesaro | Magister | | Francesco Rochion | Magnificus doctor | 100 scudi | 19 scudi | | Drew up contact and debtor ended up in prison due to late payment |
| Magnificus Jacobus Baldaquinus notary | | | | Francesco Rochion | Magnificus doctor | | | | Testified that Rochion usurps people and makes them draw up contracts containing illicit profits by disguising them as exchange contracts |
| Magnificus Jacobus Baldaquinus notary | Josepho Gaveo | Merchant | | Francesco Rochion, Piron Mingran Aloiso Casata, Vincenzo Franzese and Johanni Calamia | | | | | Were renowned for their usurious practices |
| Magnificus Jacobus Baldaquinus notary | Francesco de Niclo | | | Johanni Calamia | | 600 scudi | 200 scudi | | Drew up fictitious contract of dry exchange making a profit of 200 scudi |
| Magnificus Jacobus Baldaquinus notary | Augustino Carrata | Patrone | | Wife of Jacobo di Antonio | From Isla | 5 scudi | 50% per annum | | |
| Magnificus Jacobus Baldaquinus notary | Francesco de Medina | Shoemaker | | Salvator Testaferrata | Magister | 390 scudi worth of cordovani (Spanish goat leather) | 6 tari per dozen | | He would not release goods unless interest on them is paid |
| Magistro Senato Mamomati | Agata Caxaro | | Magistro Senato Mamomati | Wife of the Magnifico Zerafa | | 4 scudi | 1 carlino per scudo per month | | He paid 8 tari as interest in all |
| Jacobus Siculus de Noreda from Ragusa | Jacobus Siculus de Noreda from Ragusa | | | Lazzaro Bonnici | | 60 scudi | 7 scudi interest in 5 months | | |

Analysis of CEM, *Liber Usurarorum Melitae, Liber Primus (1570-1571)*

| Accuser/Witness | Name of Borrower | Title/status | Name of Intermediary | Name of Lender | Title/Status | Sum Borrowed | Interest | Items pawned | Remarks |
|--|--------------------|--------------|----------------------|---|--------------|---|-------------------------------|--------------|---|
| Margerita Allegrecta | | | | Angela Maletta wife of Magistro Genoesi | | 3 scudi | 1 carlino per scudo per month | | |
| Magnificus Johannes Ros son of Petri | | | | Wife of Domenica de Franchis | Magister | | | | Is known for lending money against a profit |
| Multum Rev. Fra. Rodolphus Riczi | Franceco de Medina | Shoemaker | | Salvatore Testaferrata | | 390 scudi worth of cordovani (Spanish goat leather) | | | Was obliged to draw up a contract as per acts of Jacobo Baldachino stating that he had received the goods but in reality they were not delivered. |
| Multum Magnificus Rev. Fra. Vincentius Genorj Commendator di Prato of the Italian Langue | Franceco de Medina | Shoemaker | | Salvatore Testaferrata | | 390 scudi worth of cordovani (Spanish goat leather) | | | |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|-----------------------------------|---|--------------------------------------|--|-----------------|------------------|
| 22.01.1531 | Mag. Francesco Chaena | Venice | Malta | Coming from Barbary with various merchandize | 2 months | 415, f.208v |
| 11.03.1532 | Mag. Visconte Cegala | Venice | Malta | Coming from Barbary with various merchandize | 15 days | 415, f.230 |
| 28.06.1532 | Mabraydi Golena & Michael Cucayni | | Levant | To bring salted meat, cheese, wax, candles, pulses and other goods for the Order | | 415, ff.232v-233 |
| 13.01.1534 | Nobile Bayz Mahmet Algnari | Moor resident of Djerba | Tunis, Djerba and Tripoli | To redeem Christian slaves and conduct mercantile trade | | 415, f.255v |
| 22.06.1542 | Vincentio de Nadal | Venice | Malta, Tunis and other Infidel Lands | To be able to sell his goods in Malta and to carry other business with Tunis and other infidel lands | 6 months | 418, ff.188-189 |
| 17.10.1544 | Rabi Moyse | Jew of Azamor (a Moroccan city, on the left bank of the Oum Er-Rbia River, 75 km southwest of Casablanca) | Tripoli | To redeem himself and than go to Turkey to redeem his wife and children who are held captives there | | 419, f.228v |
| 20.10.1548 | Johanni Monghin | Marseille | | To redeem some knights from Djerba | | 421, f.221 |
| 24.02.1552 | Mahometo Rayz | Free Turk | Africa, Djerba | To redeem some Christian slaves and return back with merchandize and other goods for the redemption of Muslim slaves | 1 year | 423, ff.213-213v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|------------------------|--------------------|--|-----------------|------------------|
| 12.11.1552 | Samwel Ahadeph | Jew | Levant | To get the necessary ransom money for himself and other Jews | | 423, ff.227v-228 |
| 31.01.1553 | Nasuff de Galipoli and two other accompanying Turks | Turk | Constantinople | To get money and merchandize to redeem himself and other Turks | | 423, f.229 |
| 01.03.1553 | Emirech Zacaria de Caramisse, Synat Ayuut de Ayoli & Vassal Torres Casari | Armenians | To go back home | They came to Malta to conduct business and want to return back home. | | 423, f.230 |
| 05.04.1553 | Emirech de Angori | Armenian | To go back home | He came to Malta to conduct business and wants to return back home. | | 423, f.230v |
| 07.06.1553 | Mechamet de Africa | Free African Slave | Tripoli and Tazora | To redeem slaves and come back with merchandize | | 423, f.236v |
| 21.10.1553 | Andreoto Habel, Innocentio Tursimano and Matheo de Miguel | | Tripoli | To make a round trip to Tripoli with merchandize which is not prohibited | | 424, f.211 |
| 21.10.1553 | Aoreibi de Alma a freed slave | | Tripoli | To go to Tripoli to get money and merchandize to redeem Muslim slaves | | 424, f.211v |
| 09.02.1554 | Monsur Moro del Monasterio | Moor | Tripoli | Paid for his redemption and now he was going to Tripoli to get money to redeem Muslim slaves | | 424, f.221v-222 |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|------------------------|---------------------------|--|-----------------|------------------|
| 07.02.1554 | Andreota Habela | Maltese | Tripoli | To make a round trip to Tripoli with merchandize | | 424, ff.228v-229 |
| 20.03.1554 | Cheder de Agras | Turk | Constantinople and Levant | Leaves with the permission of his master to go and redeem Maltese slaves | | 424, ff.230v-231 |
| 05.04.1554 | Yahaleph Zerbino | | Tripoli | Departs with the permission of his master to get money and merchandize to redeem some Moorish slaves | | 424, ff.231v-232 |
| 16.06.1554 | Nasuph de Galipoli and two other accompanying Turks | | Levant | Departs with a ship carrying both Turkish and Christian sailors to go to the Levant to redeem slaves | | 424, ff.235v-236 |
| 16.06.1554 | Cassam Moro Gerbino | Djerba | Tripoli | To redeem his son | | 424, f.236 |
| 15.09.1554 | Manduchai Hebreo | Lepanto | Lepanto | To negotiate the redemption of other slaves in Malta | two years | 424, f.95-95v |
| 14.11.1554 | Nassuph di Galipoli | Turco di Galipoli | Levant and other places | Is leaving Malta with an armed <i>fregata</i> on which there are Turks, Moors and some Christian sailors to get redemption money and other goods to redeem Turkish slaves and at th same time redeem Christian slaves. | | 424, f.107v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|--|----------------------------|-------------------------------|--|----------------------|----------------|
| 26.01.1554 | Andreoto Habel | Malta | Tripoli and Geluel | His ship has both Moor and Christian sailors. To carry out redemption services and bring back merchandize. | | 424, f. 63-63v |
| 24.05.1555 | Murgian de Abdalla a freed slave of the Grand Master | Aden from near the Red Sea | | To traffic in various merchandize as was his trade | | 425, f.198 |
| 14.05.1555 | Mahometo Hamidan Benalli a freed slave of the Grand Master | Zanzor | | To traffic in various merchandize | For all his lifetime | 425, f.199 |
| 18.08.1555 | Turkish slave named Chisa de Galata | Malta | Constantinople and the Levant | To redeem his son & other Christian slaves | | 425, f.201 |
| 03.10.1555 | Mahamet Zulat and six other Muslim slaves | Tunisia, Sfax | To go back home | To get the necessary ransom money | | 425, f.207 |
| 03.10.1555 | Hagi Buabdella de Chalifo Tripolino | Tripoli | Djerba | To bring back merchandize | one year | 425, f.207 |
| 16.11.1555 | Zamaiaz Zaphartin | Jew of Algiers | | To get the necessary money and goods to redeem himself accompanied with one of his servants | two years | 425, f.209 |
| 10.02.1556 | Hianza Dorla | Turk | Djerba | To redeem slaves and come back with merchandize | 8 months | 425, f.209v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|------------------------|-----------------------------|--|-----------------|-------------------|
| 05.02.1556 | Zalem Abez Esfachechino | Moor from Sfax | Djerba and Sfax | To bring back merchandize and redeem Muslim slaves | 8 months | 425, f.210v |
| 15.09.1556 | Ahmed del Monesterio slave of Philippo Bilia | | Golette and Tunisia | To bring back merchandize on his own ships and redeem Muslim slaves | 1 year | 425, f.219v |
| 06.11.1556 | Amor Belbay Rays a slave of the knight Fra. Francesco de Lorraine, Prior of France | | Djerba | To come back with his ship full of merchandize accompanied by seven sailors - "compagni marinari" -and redeem himself and other slaves belonging to the Order and to private individuals | 4 months | 426, f.250v |
| 01.12.1556 | Bartholomeo Abela | Malta | Tripoli and Geluel | To sell his merchandize and come back with other merchandize from North Africa | | 426, ff. 251-251v |
| 12.01.1557 | Jacob Zamero de Tremesen, a slave of the knight Fra. Frencesto de Lorraine, Prior of France | Jew | Alexandria and other places | To bring back merchandize and redeem himself and other Jewish slaves | | 426, f.254 |
| 21.01.1557 | Isuph Ali Ogli de Satalia slave of the knight Fra. Frencesco de Lorraine, Prior of France | Turk | Alexandria and other places | To bring back merchandize and redeem himself and other Turkish slaves | 9 months | 426, f.254v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|----------------------------|--|--|-----------------|------------------|
| 21.01.1557 | Agi Ibraim Ogli de Satalia, Memi Trevis Ogli & Thamuza Thsan Ogli, slaves of the | Turks from Alexandria | Alexandria and other places | To bring back merchandize and redeem himself and other Turkish slaves | 9 months | 426, f.254v |
| 09.02.1557 | Salmon Montesino, Sameul Alfarim, David Lerma, Joseph de Leve, Samuel Trangola, | Jews & Turks | To go back home | They were caught by the galleys of Fra. Jean de Vallette and had redeemed themselves. | | 426, f.255v |
| 10.02.1557 | Salomon Montesino and Michel Sacar de Patraz, freed slaves of Fra. Jean de Vallette | Jews from Tripoli in Syria | Venice and Zakynthos (Giante) | To traffic in merchandize between Zakynthos and Malta | 14 months | 426, f.256. |
| 13.03.1557 | Alli Binabi du Dalem | Moor from Tripoli in Syria | Alexandria and other places | To bring back merchandize and redeem himself and other Moorish slaves | 9 months | 426, f.257v |
| 22.03.1557 | Mag. Nicolo Guspare | Merchant from Zakynthos | Zakynthos | To come to Malta from Zakynthos to traffic in merchandize. | | 426, ff.261-261v |
| 11.05.1557 | Ismael Alfarin a freed slave of de Vallette | Free Jew | Tripoli in Syria, Cairo and other places | Wants to traffic in merchandize between Malta , Tripoli in Syria, Cairo and other places | 2 years | 426, f.264. |
| 22.05.1557 | Agi Sinan a freed slave of Fra. Francesco de Lorraine | Free Turk | Constantinople and other places | To redeem his son and other Turks and come back to Malta with merchandize | 1 year | 426, f.264v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|--------------------------------|-----------------------------|---|-----------------|----------------|
| 25.05.1557 | Ali son of Mahometo Alessandrino a freed slave | A Free Moor from Alexandria | Levant and other places | To come to Malta with merchandize | 1 year | 426, f.264v |
| 31.05.1557 | David Lerma a freed slave | | To go back home | This was an extension of the safe-conduct found in AOM 426, f. 255. | | 426, f.264v |
| 10.06.1557 | Joseph de Leave a freed slave | Free Jew from the Levant | Tripoli in Syria | To traffic in merchandize between Tripoli in Syria and other places and Malta | 1 year | 426, f.267v |
| 26.06.1557 | Hagim Cossoem de Alepo, Hagi Cassan de Alepo, Abraim bin Hagi Cossein, Babasurif de | | To go back home | Were freed slaves | | 426, f.271v |
| 09.12.1557 | Rocho Butino Chioto | | Zakynthos and Cephalonia | To go to Zakynthos and Cephalonia with a shipload of merchandize and come back with wheat and other victuals which were necessary for the provisioning of the island | | 426, f.195v |
| 09.12.1557 | Isaac Stella a freed slave | Free Jew | Levant | To go to the Levant accompanied by another Jew named Samuel and come back to Malta with merchandize to redeem other Jews. | 1 year | 426, f.196 |
| 19.02.1559 | Franculi Bisbeli a chemist | | Soria, (Syria) | To buy drugs, medicine and other goods which the Order requires for its infirmary. | 9 months | 427, f.262v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|---|---------------------------------|---|-----------------|-------------------|
| 02.12.1559 | Rays Cashen a slave | Sfax | Djerba | To bring back merchandize and redeem himself | 10 months | 428, ff.256v-257 |
| 09.02.1560 | Rays Cashen a slave | Sfax | Djerba | To bring back merchandize and redeem himself | | 428, f.259 |
| 23.04.1560 | Mahamet de Razit Ben Halij | Djerba | Malta | Wants to come to Malta and bring his goods accompanied by the galleys of the Order | | 428, ff.266-266v. |
| 23.04.1560 | Gioseph Guideo and other Jews | Djerba | Malta | Want to come to Malta from Djerba with the galleys of the Order with their goods and money and return when they please. | | 428, f.266v. |
| 31.05.1560 | Joan Lorenzo de Lango, five Turks, Two Moors and a | | Constantinople and other places | To redeem some Christian slaves and return back with merchandize | | 428, f.269v |
| 21.09.1560 | Rays Cashen a slave | Sfax | Djerba | To extend his safe conduct for another four months | | 428, f.277v. |
| 11.04.1561 | Rays Cashen a slave | Sfax | Djerba | To transfer this safe conduct to Rays Taylo Oil Cassar should Rayz Cashen die. He was to go to Djerba and come back with his ship laden | | 428, f.230 |
| 06.10.1561 | Giosepho de Seccha, Francesco Antamri & Giovanni Compiano | Lucca and Florence residents in Marseille | Tripoli of Barbary | To redeem slaves and carry out other business and come back to Malta | | 429, f.240v |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|--|------------------------|---------------------|---|-----------------|----------------|
| 13.11.1561 | Stamate Papadopolo & Josuph Abdulla Ogli Cerches | Modon & Constantinople | Malta | To get the necessary redemption money for slaves and return with merchandize to Malta | | 429, f.245v. |
| 09.03.1562 | Hallij Tunisino ferrero | Moor from Tunisia | Golette and Tunisia | To bring back goods and merchandize | | 429, f.248v. |
| 20.07.1562 | Salomon Guideo | Jew from Rhodes | To go back home | To redeem himself and other Jews | | 429, f.252v |
| 27.07.1562 | Nicolo Crusso Clonari detto Chayon | | Levant | To negotiate the redemption of Christian slaves who were in Constantinople and other parts of Turkey | | 429, f. 253 |
| 04.08.1562 | Benor de Sfacz, a slave | Sfax | Tripoli in Barbary | To negotiate hid redemption and that of other Muslim slaves | | 429, f. 253v. |
| 07.08.1562 | Haggia Fatima de Xontena | Moor | Tripoli in Barbary | To get the necessary money to redeem one of her sons, Haggia Cashem and come back with merchandize. | | 429, f.253v. |
| 02.12.1562 | Davi Lindo | Free Jew | Levant | He redeemed himself and was going back to his country and other parts of the Levant with the intention of coming back with merchandize. | | 429, f.258v |
| 30.04.1563 | Hon. Benedetto Boenjo | | Golette | Brought merchandize to Malta | | 429, f. 263 |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|------------------------|--------------------|---|-----------------|------------------|
| 11.06.1563 | Joanettino Melissino | Lindos | Rhodes | He had brought about 200 redeemed Christians and was now requesting to go back to Rhodes. | | 429, f.264 |
| 15.06.1563 | Christofino Forestieri, Yousif Ogli Turco and Satalia slaves of the Order | | Levant | To redeem slaves and bring back money and merchandize. | | 429, f.264 |
| 13.06.1563 | Cusseyn Abdulla Ogli di Bosna & Ciaschia di Achmet Mustafa Ogli Turco slaves of the Order | | Levant | To redeem a slave | | 429, f.264 |
| 16.06.1563 | Jochuda Albo | Jew of Constantinople | Levant | To get redemption money for other Jews | | 429, f.267 |
| 06.05.1564 | Abraam Simaria | Jew | Tripoli in Barbary | To load from Tripoli in Barbary goods and merchandize to be exchanged for the redemption of other Jews | | 430, f.253 |
| 10.06.1564 | Cacan Rays Turco | Turk | Tripoli in Barbary | To load from Tripoli in Barbary goods and merchandize to be exchanged for the redemption of other slaves. | | 430, f.255 |
| 28.06.1564 | Stamato Papdopoli & 6 Turks | Modon | Modon | To go to Modon and redeem the said slaves and come back with goods, money and merchandize | 1 year | 430, f.255v |
| 27.06.1564 | Christofino Forestieri & Hieronymo Foretieri & 3 free Turks | | Satalia | To negotiate the redemption of Muslim slaves who were in Malta and come back with goods, money, letters and merchandize | 1 year | 430, ff.255v-256 |

| Date | Beneficiary | Place of Origin | Destination | Reason for Pass | Validity | AOM Ref |
|-------------|---|------------------------|--|--|-----------------|------------------|
| 13.07.1564 | Mensur el Nichaili a slave | Sfax | Alexandria | Leaving with the ship of Christofino Forestieri to go to Alessandria to negotiate his and other slaves' redemption (travelling on the same ship), and return to Malta with merchandize, goods and money. | 1 year | 430, ff.256-256v |
| 07.12.1564 | Nicolo Crusso Clonari detto Chayon & some Turks | | Constantinople and other parts of the Levant | To negotiate the ransom of some Turkish slaves found in Malta | | 430, f.263 |

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