

PORTUGAL IN ROME: GLIMPSES OF THE PORTUGUESE NEW CHRISTIAN REPRESENTATION IN ROME THROUGH THE ARCHIVIO DI STATO DI ROMA

di James Nelson Novoa

On August 23, 1545 Ludovicus Reydettus, a notary of the Apostolic Chamber, made out a contract between «Petrus Furtado et dominus Iacobus de Fonseca, layci Lamacensis» describing them as «domini et patroni unius aromatarie existentis in quadam apotheca sita in Urbe prope ecclesiam Sancti Augustini et puteum Corvium». ¹ The purchaser of the spices was «Didaco Diaz Portugalsensi». The folios of the notary's document which follow indicate that Diaz had intended to use the acquisition of the spices in order to be able to marry the daughter of one «Ioannes Vallenus de Aragonia, sartor in Urbe prope Sanctam Salvatorem de Lauro». ² Such a contract was, of course a normal occurrence and should not have attracted special interest if the individuals in question were not, at the same time, key players in a still obscure episode of social and communal organization at the beginning of the Sixteenth Century.

The two proprietors of the apothecary which was situated, as the document states, between the church of Saint Augustine and a fountain were, at the time of the sale, well established representatives of the Portuguese New Christians in the Eternal City. ³ Pedro Furtado and Jacome Fonseca were both descendents of Portuguese Jews who were forcibly converted in 1497 under the orders of King Manuel I (1469-1521) who hailed from the same town in the north of Portugal, Lamego. ⁴ Both were ostensibly in Rome, apart from pursuing personal gain as part of a Portuguese New Christian network which was created as a result of the introduction of a tribunal of the Inquisition in the realm by King John III (1502-1557) first fledgling and unsuccessfully in 1531, then with some further setbacks in 1536 until its definitive establishment in 1547.

The story of the individuals who presented themselves, whether legitimately or not, in Rome as the representatives of the New Christians in Portugal against the royal efforts to root

The research for this article was greatly assisted by the Veritas Award from the Office of Research and Sponsored Projects of Villanova University. This research is part of work which I have been able to pursue thanks to a Postdoctoral fellowship from the Fundação para a Ciência e a Tecnologia of Portugal.

¹ ASR (Archivio di Stato di Roma), Notai A.C., busta 6142, f. 642r. The document is published in the appendix as document n. 1.

² ASR, Notai A.C., busta 6142, f. 626r. The document is published in the appendix as document n. 2.

³ The fountain could have been the source of the name of the current via del Pozzo delle cornacchie, a small street which connects with Via della Scrofa and via delle Coppelle. According to Umberto Gnoli it derived its name from a fountain which bore the coat of arms of Cardinal Wolsey (1471-1530) which included the image of several crows. See U. Gnoli, *Topografia e toponomastica di Roma medioevale e moderna*, Roma, Grotta del Libro, s.d. pp. 246-246.

⁴ On the expulsion of Jews from Portugal and the forced conversion see F. Soyer, *The Persecution of Jews and Muslims of Portugal. King Manuel and the end of religious tolerance in Portugal 1496-7*, Leiden, Brill, 2007.

out what was, allegedly, heretical adherence to Jewish belief and practice among the descendents of Portugal's Jews in the Sixteenth Century has not been told in a systematic manner. The Nineteenth Century Portuguese historian, Alexander Herculano (1810-1877) dealt with the matter at length in his still fundamental work on the early years of the tribunal in Portugal, the *History and Origin and Establishment of the Inquisition in Portugal*, basing himself on a myriad of archival documents which he had at his disposal in Portuguese archives.⁵

Researches in the archives of Portugal, Italy, the Low Countries, Spain and the Vatican have increasingly shed light on the social organization of the network constituted by Portuguese New Christians in the wake of the menace of the creation of the Inquisition and in the Early Modern period, a network which very quickly extended itself to the Ottoman Empire and the New World.⁶ The State Archive of Rome constitutes a veritable unfathomable source for information about the individuals who passed through the city as part of the negotiations for the creation of the Inquisition in Portugal both on the part of the Portuguese crown and the New Christians in the crucial decades of the tribunal's inception in the Iberian kingdom. In particular the rich holdings of the notaries of the Apostolic Chamber contain important elements to be able to get to know the activities of those individuals during their stay in Rome.

Both Furtado and Fonseca were already noteworthy representatives of the New Christians in their Iberian homeland before leaving Portugal very likely around the same time. When the short lived tribunal of the Inquisition was established in Lamego in 1541 (it ceased to exist in 1548) Furtado, a prominent doctor, entrusted at one point with the children of the bishop of Lisbon was likely one of the first to be apprehended.⁷ Accused of observing Jewish religious practices and of holding heretical beliefs by members of the townspeople it would seem that he was imprisoned by orders of the tribunal.⁸ The next events are unknown although quite

⁵ A. Herculano, *História da origem e estabelecimento da Inquisição em Portugal*, 3 voll. revisão de V. Nemésio, verificação do texto de A. C. Lucas, Lisboa, Livraria Bertrand, 1975. See the English translation: *History of the Origin and Establishment of the Inquisition in Portugal*, English translation by J. C. Branner, New York, AMS Press, 1968. On the years of the establishment of the Inquisition in Portugal and for the tensions between the Portuguese court and Rome in the Sixteenth Century see the book by G. Marocci, *I custodi dell'ortodossia: Inquisizione e Chiesa nel Portogallo del Cinquecento*, Roma, Edizioni di Storia e Letteratura, 2004.

⁶ See, for example, B.D. Cooperman *Portuguese Conversos in Ancona: Jewish Political Activity in Early Modern Italy, In Iberia and Beyond. Hispanic Jews between Cultures*, University of Delaware Press, 1998, pp. 297-352. A. Leone di Leoni, *The Hebrew Portuguese Nations in Antwerp and London at the time of Charles V and Henry VIII: New Documents and Interpretations*, Jersey City, KTAV publishers, 2005, F. Ruspio, *La nazione portoghese. Ebrei ponentini e nuovi cristiani a Venezia*, Torino, Silvio Zamorani editore, 2007, L. Frattarelli Fischer, *Vivere fuori dal ghetto. Ebrei a Pisa e Livorno (secoli XVI-XVII)*, Torino, Silvio Zamorani editore, 2008, D. Studnicki-Gizbert, *Interdependence and the Collective Pursuit of Profits: Portuguese Commercial Networks and Cross-Cultural Trade in the Early Modern Period, Commercial Networks in the Early Modern World*, (eds. Diogo Ramada Curto/Anthony Molho), Firenze, European University Institute, 2002, pp. 90-120.

⁷ On Furtado see the articles published by S. Bastos Mateus and myself: *The case of New Christians in Lamego as an example of resistance against the Portuguese Inquisition in Sixteenth century Portugal*, «Hispania Judaica Bulletin», 6, 2008, pp. 83-103 and *De Lamego para a Toscana: o périplo do médico Pedro Furtado, cristão-novo português*, in «Cadernos de Estudos Sefarditas», n.º 5, 2006, pp. 313-338. On the tribunal of Lamego see S. Bastos Mateus, *A acção do Santo Ofício sobre a comunidade cristão-nova de Lamego (1541-1548): o caso de Isabel Mendes*, «Cadernos de Estudos Sefarditas» 7, 2007, pp. 301-320.

⁸ The Portuguese National Archive conserves the Inquisitorial trial, however it is damaged and does not contain the final sentence. It is currently catalogued as ANTT (Arquivo Nacional da Torre do Tombo) Inquisição de Lisboa, processo 8726. The trials of the Inquisition of Lisbon along with countless other archival holdings have been digitalized and can be consulted on the web page of the Portuguese National Archive: <http://digitarq.dgarq.gov.pt>.

possibly a papal Brief dated June 20, 1542 made out by Paul III (1468-1549) which demanded his release from prison and a revision of the proceeding of his trial may have weighed heavily in his favor.⁹ In any case a deposition which was taken in Lamego on October 3, 1543 clearly states that on that date he was no longer in the city.¹⁰

An important document presented in Rome by representatives of the New Christians, likely in 1544, in the midst of the debate in the Curia on the legitimacy of the tribunal of the Inquisition in Portugal mentions Furtado at length in the sections dealing with Lamego and the abuses perpetrated against the Portuguese of Jewish origin there clearly indicating him as one of the key figures among the *marranos* of the city.¹¹

Jacome de Fonseca was likewise known as a prominent member of the New Christian community in the city at the time of the arrival of the tribunal there. No Inquisitorial trial against him has survived though the same deposition taken in Lamego by members of the tribunal in 1543 claims that, as with the case of Furtado he was no longer in the city in October of that year.¹²

That same year he is mentioned in a trial of the tribunal of the Governor of Rome against Diogo Fernandes Netto, a Portuguese merchant from Lisbon who had been accused of writing some letters which seemed to present some members of the curia and Pope Paul III as accomplices in the New Christian efforts to thwart the Inquisition in Portugal in exchange for payment. The trial reveals many of the fissures and divisions in the New Christian “organization” which was attempting to suppress the Inquisition in Portugal and defend the interests of individual New Christians in their homeland.¹³ Throughout the trial, which began on October 20, 1543, there are repeated mentions of «Giacomo de Fonseca mercante ricco et homo da bene» by witnesses at the trial and of his being present in Rome to handle the affairs of the New Christians there.¹⁴ Netto himself proved to be a bitter enemy of Fonseca and other “official” New Christians representatives in Rome claiming that he was sceptical of Fonseca’s claim to be an agent of the Portuguese New Christians, stating that in the best of cases he was in Rome to look after the interests of his household back in Portugal but that in no way did he have a mandate on the part of the New Christian leadership which, he claimed, was in Lisbon.¹⁵

⁹ The text of the Brief appears in S. Bastos Mateus and J. Nelson Novoa, *The case of New Christians in Lamego*, pp. 98-103.

¹⁰ ANTT, Inquisição de Lamego, Livro de Denúncias 1, f. 25r.

¹¹ The document, which exists in at least three copies, was used extensively by Herculano to write his *History*. Entitled only *Memoriale porrectum a noviter conversis Regni Portugalliae continens narrativam rerum gestarum circa eos a regibus Inquisitoribus illius Regni spatio 48 anni*, it is a veritable legal document against the legitimacy of the Inquisition in Portugal, a collection of Briefs, Bulls, theological works and first hand testimony of the abuses of the various tribunals in the realms. The latest date of the documents is from 1544, a year of fundamental importance as well for the establishment of the tribunal in Portugal on account of its brief suspension on September 22 of that year by Paul III in a Brief which was subsequently revoked three years later. On the *Memoriale* and its place in the important collection of copies diplomatic documents assembled in Portugal, in the Eighteenth Century see the upcoming entry by G. Marcocci in A. Prosperi (ed.), *Dizionario storico dell’Inquisizione*, Pisa, Edizioni della Scuola Normale, (in press).

¹² ANTT, Inquisição de Lamego, Livro de Denúncias 1, f. 25r.

¹³ The trial is contained in ASR, Tribunale del Governatore, Processi, vol. 9, and is reproduced in my article: *The Trial of Diogo Fernandes Neto by the Tribunale del governatore di Roma*, «Hispania Judaica», 7, 2010, pp. 279-318.

¹⁴ *Ivi*, p. 297. A Portuguese cleric, Gaspar Diaz, testified that Fonseca, along with another Portuguese, Giacomo Correa «...son qui perche han commissione dal popolo de fare el medesimo che haveva lui...»: *Ivi*, p. 298.

¹⁵ «Interrogatus an sciat vel audiverit quod dictus Iacobus Fonseca fuit missus hic a natione christianorum novorum cum instructione agendorum respondit negative, subdendo: Lui me ha detto che lui veneva a negociare una venia o esentione per certi suoi parenti che sono prigioni et alcune persone me han detto che lui per pigliare

That by 1544 Fonseca was confirmed as at least an ostensible leader of the New Christians in Rome is borne out by Portuguese diplomatic correspondence. On February 4, 1544 King John III wrote to the Portuguese ambassador in Rome, Balthazar de Faria, claiming to have received a letter by Fonseca which was intercepted in Flanders, in which it was clear that he was one of the recognized leaders of the New Christians in Rome.¹⁶

The Spanish tailor who appears in the contract as Diogo Diaz's prospective father-in-law is mentioned as well in Diogo Fernandes Netto's trial. In the proceedings of the trial «Johannes Valerius Saragusanus Hispanus» we learn, testified on October 21, 1543 that some jewels held by Netto were presented by Valerius as bail in order to free an elderly Portuguese woman held in prison.¹⁷ In addition, on October 19, 1543 Valerius had undersigned an inventory of Netto's belongings in Castel Sant'Angelo.¹⁸ It would seem that the contract made out to Diogo Diaz proved to be favourable to Valerius's son-in-law. Several years later, in 1548, he appears cited in another document made out by a notary of the Apostolic Chamber as «aromatarium in platea illustris domine Margaritae de Austria» a purveyor of spices or perfume to Margarita of Austria (1522-1586).¹⁹

One of the individuals who undersigned the declaration by Johannes Vallenus offering Diaz the funds to be able to purchase the spices or perfumes was one «doctore Didaco Antonio», a known agent of the New Christians, a cleric from Coimbra, «commendator ordinis Beate Maria de Roncisvallis», who, along with his family, receives several papal privileges the first of which was a Brief of safe-conduct in 1534.²⁰ He is often cited as an agent for the New Christians in Rome and it was on account of his alleged mismanagement of New Christian funds that Diogo Fernandes Netto claimed he was summoned to Rome. According to Fernandes Netto he was sent to Rome in 1540 to represent three New Christians of Lisbon who, Antonio claimed owed him funds for his efforts on their behalf. As is to be expected in his testimony during the trial Fernandes Netto speaks disparagingly of him.²¹

reputazione diceva che era procurator del popolo. Se lui sarà procurator del popolo harà la insruzzione segnata da quelli principali che governano che sono in Lisbona, perché se ha alcuna cosa non è altro che d'una terra piccola de donne lui è molto lontana dalla metropoli, che molto ben credo lui non conosca quelli che governano, perché credo ben che per procurar contra, quando mandassimo, mandarino persone della terra propria et che al mancho sapeste parlar latino che costui nol sa»: *Ivi*, pp. 303-304.

¹⁶ «Doutor Baltasar de Faria, eu el Rey vos envio muito saudar. Os dias passados me vejo ter a mão per via de Frandes, huma carta de huum Jacome de Fonseca, natural de Lamego, que anda nessa cidade; e, ainda que nela se não declare pera quem vem, parece, segundo o que dela se pode colegir, que he pera os christãos novos destes reinos, e que tem ele carreguo ahy de seu procurador»: José da Silva Mendes Leal (ed.), *Corpo Diplomático português*, vol. 5, Lisboa, Typographia da Academia Real das Sciencias, 1874, p. 270.

¹⁷ J. Nelson Novoa, *The Trial of Diogo Fernandes Neto*, p. 294.

¹⁸ *Ivi*, pp. 316-318.

¹⁹ ASR, Notai del A.C. busta 1093. f. 30v. We have not found any further information about this individual. In the aforementioned *Memoriale* a certain *Didacus Diaz* appears as one of the clerks who, on July 27, 1532 undersigns a declaration on the part of various citizens of Lamego about the upright character of several New Christian citizens of the city, among them, Pedro Furtado. «Instrumentum Lamacensis publicum mandato iudicis Lamacensis extractum ubi sunt dicta et depositiones decem et novum testium quorum tredecim sunt nobiles, generosi et fidedignas testes et per ipsum et iudicem examinati quod non fit alias nisi in causis impositantissimis et continentur in illo multa maximope attendenda ad que se referent rationes horum miserorum in multis»: ASV (Archivio Segreto Vaticano), Fondo Borghese, Serie I, ms. 893, f. 114r. It is of course entirely a matter of conjecture if the Didacus Diaz was the same individual who Furtado and Fonseca sold the contents of their apothecary to.

²⁰ ASR, Notai. A.C., busta 6142, f. 625v. The document is published as document n. 2 in the documentary appendix. On Diogo Antonio see my article *The Vatican Secret Archive as a source for the history of the activities of the agents of the Portuguese New Christians (1532-1549)*, «Miscelanea di Studi dell'Archivio Segreto del Vaticano», 3, 2009, pp. 171-196.

²¹ J. Nelson Novoa, *The Trial of Diogo Fernandes*, p. 303.

On November 21, 1545 Pope Paul III made out a Brief directed to the Portuguese nuncio in Portugal, Giovanni Ricci di Montepulciano (nuntio in Portugal from September 1545 to March 1550) recognizing «Petri Furtadi et Iacobi Fonseca laicorum Lamacensium» as «novarum christianorum istorum regnorum in Romana curia et apud nos agentium», demanding that the cases of their family members still held by the Inquisition in Portugal be studied by Ricci.²²

That both Furtado and Fonseca should be the owners of an apothecary in Rome should, of course, come as no surprise. In the early Sixteenth Century, especially through the *feitoria* in Antwerp the Portuguese were especially active in the spice trade, in particular New Christians who could often boast a part in trading networks which literally extended throughout the then-know world.²³ Diogo Fernandes Netto himself was active in the sale of sugar, amber and musk in Flanders as were members of his family.²⁴ From the Inquistorial of Catarina Gomes, Furtado's niece, we learn that a servant of his was sent to Antwerp on official business, ostensibly to sell wine.²⁵ It is, of course entirely a matter conjecture whether the business could have involved the spice trade or as part of the intricate negotiations of the New Christian network of which Antwerp was a place of cardinal importance.²⁶

By the time of the sale of the spices or perfumes in 1545 both Furtado and Fonseca were obviously well established in Rome, conducting their affairs in Campo Marzio very close to the seat of the Portuguese community in the city, at the time based around a hospice and the national church.²⁷ Their actual dealings with the Portuguese community remain unknown and it is hoped that further archival research can provide a clearer picture of what those interactions could have been like.

Both Furtado and Fonseca went on to become recognized leading figures in the New Christian effort against the Portuguese Inquisition in Rome. In 1551 Julius III (1487-1555) confirmed their privileges as past and present procurators of the New Christians in Rome and reaffirmed an exemption from the jurisdiction of the Inquisition to them, other such representatives such as Diogo Antonio and their family members.²⁸

²² The Brief is published by S. Simonsohn as document 2568 in *The Apostolic See and the Jews. Documents 1539-1545*, vol. 5, Toronto, Pontifical Institute of Mediaeval Studies, 1990, p. 2505.

²³ On Portuguese trade networks see A.J.R. Russel-Wood, *The Portuguese Empire 1415-1808. A World on the Move*, Baltimore/London, The Johns Hopkins University Press, 1998. On New Christian involvement in them see the recent book of essays R. Kagan, P.D. Morgan (eds.), *Atlantic Diasporas. Jews, Conversos and Crypto-Jews in the Age of Mercantilism 1500-1800*, Baltimore, The Johns Hopkins University Press, 2009.

²⁴ J. Nelson Novoa, *The Trial of Diogo Fernandes Netto*, p. 293.

²⁵ ANTT, Inquisição de 8542, f.39r.

²⁶ On the *feitoria* see A.A. Marques de Almeida, *Capitais e Capitalistas no Comércio da Especiaria. O Eixo Lisboa-Antuérpia (1501-1549). Aproximação a um Estudo de Geofinança*, Lisboa, Edições Cosmos, 1993. On the position of Antwerp in the New Christian network see Aron Leone di Leoni, *The Hebrew Portuguese Nations* and A. M. Lopes Andrade, *Ciência, negócio e religião: Amato Lusitano em Antuérpia*, 2010, «Revistar os saberes», Lisboa, Centro de Estudos Clássicos, Faculdade de Letras da Universidade de Lisboa, pp. 9-49.

²⁷ On the Portuguese presence in Rome in the Early Modern period see J. de Castro, *Portugal em Roma*, 2 voll., Lisboa, União Gráfica, 1939, M. D'almeida Paile, *Santo António dos Portugueses em Roma*, 2 voll., Lisboa, União Gráfica, 1951, A. Pinto Cardoso, *A presença portuguesa em Roma*, Quetzal editores, Lisboa, 2000, G. Sabatini, *La comunità portoghese a Roma nell'età dell'unione delle corone (1580-1640)*, in C. J. Hernando Sánchez (ed.), *Roma y España. Un crisol de la cultura europea en la edad moderna, (Actas del Congreso Internacional celebrado en la Real Accademia de España en Roma del 8 al 12 de mayo de 2007)*, vol. 2, Madrid, Sociedad estatal para la acción cultural exterior, 2007, pp. 847-874.

²⁸ The Brief is dated March 25, 1551. It is published by Simonsohn as document 2680. S. Simonsohn, *The Apostolic See and the Jews. Documents 1546-1555*, vol. 6, Pontifical Institute of Mediaeval Studies, Toronto, 1990, p. 2575.

Furtado himself went on to be a key figure in organizing the diffusion of an invitation of January 1549 by Cosimo de' Medici (1519-1574) to the Portuguese New Christians to settle in Tuscany.²⁹ He was himself personally invited with a letter of safeconduct by Cosimo to take up residence there on March 6, 1549 being accorded the privileges given the other physicians of the Duke of Tuscany and later arranged for the arrival of his family from Portugal.³⁰

Fonseca himself appears in several other contracts, which all seem to indicate his activities as a successful merchant active in Rome living under the relatively favorable pontificates of Paul III and Julius III. He appears in a letter from the Portuguese ambassador, Diogo Mendes de Vasconcelos written on March 23, 1555 to John III in which we learn that Fonseca had a brother in Lisbon also active in procuring Briefs of pardon and safe-conducts for New Christians in Portugal and that Jacome, perhaps sensing that the change of the tide for the fortune of New Christians in Rome and the Papal States fled to the Ottoman Empire.³¹

The documents we have chosen to publish here give us only a glimpse as to some of the activities of the individuals who, in the middle of the Sixteenth Century were present in Rome when it was the centre of the negotiations and disputes for the establishment of a tribunal of the Inquisition between the Portuguese crown and the Holy See. We are still much in the dark about the real functioning of the network which claimed to be dedicated to alleviating the plight of the New Christians in Portugal. While the archival holdings of the other of the centers of operation of the network have been studied extensively it is curious that Rome, where their efforts were most pronounced has been relatively neglected. Notaries' documents like these could go some way to reconstructing the real day to day activities of the people involved. Their economic and social activities cannot, of course, be entirely divorced from their involvement in influencing Papal policy and their diplomatic activism. The documents of the notaries of the Apostolic Chamber could well prove to be invaluable to clarifying the real goings on of those individuals who proclaimed themselves to be the representatives of the Portuguese New Christians in Rome in Sixteenth Century.

²⁹ For the invitation and its place in the context of Tuscan history and the extension of residence rights to New Christians in other states in the Sixteenth Century see the studies by L. Frattarelli Fischer, *Vivere fuori del ghetto. Ebrei a Pisa e Livorno (secoli XVI)*, Torino, Silvio Zamorani Editore, 2008, pp. 17-68, Eadem, *Gli ebrei, il principe e l'Inquisizione*, in M. Luzzati (ed.), *Gli ebrei e l'Inquisizione* Roma-Bari, Laterza, 1997, pp. 217-231.

³⁰ On Furtado and his role in the negotiations see S. Bastos Mateus and J. Nelson Novoa, *De Lamego para a Toscana*, cit.

³¹ Fonseca is mentioned as one of the New Christians responsible for obtaining Briefs favourable to Portuguese New Christians in Ancona: «E o sollicitador desde breve o doutros tais he segundo me diserão Antonio Lopez o qual com hum seu genro por nome Simão Lopez e com hum Jacome de Fonseca que daqui fogio os dias passados pera Salonique ordenarão nesta corte huma certa alquimia de fazer expedições de pessoas dese reino tendo la por respondente a hum Antonio de Fonseca morador em Lixboa irmão do dito Jacome de Fonseca...»: José da Silva Mendes Leal (ed.), *Corpo Diplomático Portuguez*, vol. 7, Lisboa, Typographia da Academia Real das Sciencias, 1884, pp. 378-379.

Documentary Appendix³²

1.

1545 agosto 23

ASR, Notai A.C., 6142, ff. 624r-625v.

Die XXIII augusti 1545.

Dominus doctor Petrus Furtado et dominus Iacobus de Fonseca, layci Lamacenses, domini et patroni unius aromatarie existentis in quadam apotheca sita in Urbe prope ecclesiam Sancti Augustini et puteum Corvium, quam quidem aromatariam in presentiarum infrascriptus Didacus Diaz regit, gubernat, administrat et exercet, sponte etc. omnibus melioribus modis etc. per se suosque etc. iure proprio et in perpetuum vendiderunt et titulo venditionis dederunt, cesserunt et concesserunt magistro Didaco Diaz Portugalensi presenti etc. dictam aromatariam, videlicet omnia et singula vasa stagnea, arca lignea, vitrea et terrea et alia quecumque repositoria una cum quibuscumque rebus aromaticis in illis existentibus tam simplicibus quam compositis, mortariis, pistillis, stateris, caldariis aliisque omnibus et singulis rebus et suppellectilibus in eadem apotheca existentibus ac cum omnibus et singulis creditis et debitis ratione venditionis et emptionis earumdem rerum contractis; ac denique dictam aromatariam talem qualem ipsi venditores habent et tenent ad habendum, tenendum, utendum, vendendum, et denique de eadem aromataria ad arbitrium ipsius emptoris disponendum, prout quilibet dominus de re propria facere potest, ponentes eundem emptorem in locum, ius et privilegium eorum universum et ex causa venditionis huiusmodi cesserunt etc. dicto emptori presenti etc. omnia et singula iura omnesque et singulas actiones reales, personales, utiles, pretorias, directas, in ius scriptas et alias quascumque ipsis venditoribus in et super dicta aromataria et contra quoscumque ipsorum venditorum debitores occasione quarumcumque rerum dicte aromatarie illis venditarum quomodolibet competentia et competentes competituraque et competituras, beneficium iuris et officium iudicis, nullo iure nullaque actione sibi ipsis in posterum reservatis, constituentes procuratorem irrevocabilem cum iuramento dictum emptorem presentem etc. ad in dictam apothecam intrandum dictamque aromatariam vendicandum illiusque verum et proprium dominium apprehendendum creditaque quecumque occasione venditionis rerum dicte aromatarie contracta petendum et exigendum, levandum et recuperandum ac habuisse et recepisse confitendum, de exactis, levatis et recuperatis ac confessis quoscumque quietandum etc. cum clausula ad lites et potestate substituendi, constituentes etc. se dictam apothecam et aromatariam detinere vice et nomine dicti emptoris donec in illas intraverit et dominium adeptus fuerit respective. In quam quidem apothecam intrandi dicte aromatarie dominium apprehendendi eidem emptori licentiam dederunt omnimodam nullius curie, pretoris nec

³² The documents were all copied from original documents of the notaries of the Apostolic Chamber held in the ASR. The transcriptions are faithful renderings of what is contained in the original text. The first document is the contract between Pedro Furtado, Jacome de Fonseca and Diogo Diaz for the sale of the content of the apothecary. Documents n. 2 and n. 3 assure the sum of money presented by Diaz for the purchase of the spices or perfume thanks to the assistance of his future father-in-law, Johannes Vallenus. Documents n. 4 and n. 5 are dated March 15, 1548. They claim that both Furtado and Fonseca received the payment for the contents of their apothecary in full by Diogo Diaz.

alterius cuiuscunque persone tam publice quam private petita vel obtenta licentia. Hanc autem venditionem, cessionem premissaque omnia et singula fecerunt dicti venditores pro precio et nomine pretii scutorum trecentum [f. 624v] et octoginta unius de iuliis decem pro scuto. Quod quidem precium dictus Didacus emptor eisdem domino Petro et Iacobo venditoribus presentibus etc. realiter et cum effectu hic in Urbe solvere promissit hinc ad unum annum ab hodie proximum libere et absque aliqua exceptione etc. ac preterea suscipiens in se omnia et singula debita et onera, ad que dicti domini Petrus et Iacobus occasione rerum dicte aromatarie sunt et essent obligati; et presertim debitarum 142 scutorum de iuliis X pro scuto domino Stelle mercatori occasione dictarum rerum promissit dictis venditoribus presentibus etc. mihi que notario, uti publice et autentice persone, vice ac nomine dicti Stelle ac singulorum etc. stipulantibus et recipientibus debita huiusmodi quibuscunque personis, quibus fuerint solvenda, solvere et satisfacere et eosdem venditores a dicto debito 142 scutorum et omnibus aliis debitis et oneribus predictis indemnes penitus et sine damno relevare et conservare itaque nullum unquam damnum patientur nec sustinebunt; promisseruntque dicti venditores dictam aromatariam, sic ut premittitur, venditam esse, suam nemini alteri venditam, cessam, donatam, hypothecatam nec alias quomodolibet alienatam, alienationis vocabulo largissimo modo sumpto, quodque de ea non factus est nec factus unquam apparebit aliquis contractus sive distractus in preiudicium presentis contractus venditionis, et super ea dicto emptori litem aliquam non inferre nec inferrenti consentire, quinimo quamcunque litem eidem emptori super illa per quamcunque personam inferendam in se suscipere, prosequi, agitare et defendere in quacunque instantia cum suis procuratoribus et advocatis omnibusque suis sumptibus et expensis; preterea in huiusmodi venditione facere consentire quamcunque personam in et super dicta aromataria ius habentem et habere pretendentem ad omnem simplicem dicti emptoris requisitionem; et in eventum, in quem dicti venditores in quacunque lite dicto emptori super eadem aromataria mota succumberent, et ea occasione huiusmodi venditio non substaret, teneri voluerunt efficaciter obligatos esse de evictione iuris et facti defensione universali et particulari dicte aromatarie in forma iuris valida et in Urbe consueta, videlicet ad duplum rei evicte, asserentes talem vigere in Urbe consuetudinem approbatam, quod duplum pretii rei evicte restituatur emptori; et insuper [f. 625r] quod, si plus dicto precio dicta aromataria cum dictis suis debitis et creditis ut supra vendita valeret aut valere posset quandolibet in futurum, totum id plus, sive [parva] sive magna fuerit quantitas, etiam si dimidium iusti precii excederet, donarunt donatumque esse voluerunt dicto Didaco emptori presenti ut titulo donationis irrevocabilis, quae dicitur inter vivos, quia sic ipsis facere placet. Qui dominus Didacus, ultra generalem infra dicendum omnium et singulorum bonorum suorum obligationem et hypothecam, pro maiore cautella et securitate dictorum venditorum pro solutione dicti precii et creditorum supradictorum per eum ut supra facienda, in specie obligavit et hypothecavit eisdem venditoribus presentibus dictam aromatariam cum omnibus et singulis suis rebus et creditis iuribusque et actionibus tam presentibus quam futuris, constituens eosdem in solidum procuratores inrevocabiles cum iuramento. In eventum vero solutionis dicti precii et creditorum ut supra ad dictam aromatariam cum dictis suis rebus et creditis, iuribus et actionibus, precio et personis reparabilibus vendendum et alienandum, precium exigendum ac sibi ipsis necnon creditoribus ipsorum ratione rerum ipsius aromatariae satisfaciendum eorum propria auctoritate absque alicuius curiae vel iudicis decreto aut desuper petita vel obtenta licentia cum clausula ad lites et potestate substituendi constituens ex nunc prout ex tunc se eorum nomine possidere dictam aromatariam ac dans eis licentiam in eventum solutionis non factae infra praedictum tempus dictam aromatariam ingredi propria auctoritate possessionem producendum, nullius iudicis auctoritate quaesita. Promittens praeterea interim et quousque dictum precium dictis venditoribus integre solutum

non fuerit ipsique venditores a debitis praedictis per eos occasione emptionis dictae aromatariae contractis indemnes penitus et sine damno relevati, liberati et absoluti non sint, aromatariam praedictam nemini vendere, obligare, hypothecare, pignorarare nec alias quomodolibet alienare nec de ea contractum aliquem seu distractum facere in preiudicium presentis hypothecae. Insuper partes praedictae mediantibus praemissis in presenti instrumento contentis illisque salvis et firmis [f. 625v] remanentibus, confitentes inter sese omnia et singula eorum debita et credita inter eas hactenus ex quavis causa contracta diligenter calculasse et utrique ipsorum ab[soluto] de omni et toto, eo quod altera ab altera a toto tempore praeterito usque in presentem diem quavis occasione et causa petere potuisset et posset, integre satisfacta fuisse et esse et propterea errori calculi et cuicumque alii exceptioni omnino renunciantes, sese ad invicem mutua stipulatione intervenientes de praemissis generaliter et specialiter quietarunt etc. cum pacto etc. volentes quod presens quietantia sit finis finalis generalis ac generalissima ac specialis et specialissima, quae etiam non expressa et incogitata comprehendat et pro dicto Didaco ibi presente.

2.

1545 agosto 23

Notai A.C., 6142, ff. 625v-626r.

Magister Ioannes Vallenus de Aragonia sartor in Urbe prope S. Salvatorem de Lauro et dominus Turibius Abbatis laycus Palentinae diocesis, prosoneta ripalis, scientes etc. volentes etc. sponte etc. sese principales constituendo ipse videlicet magister Ioannes supradicte promissioni solutionis dicti pretii et debitorum supradictorum per dictum Didacum ut supra faciende, ac etiam speciali hipoteche dictae aromatariae in omnibus et per omnia ut supra, dictus vero Turibius pro solutione dicti pretii sed pro scutis trecentis tantum et non ultra erga dictos venditores et creditores dicte aromatarie respective dicta simili qua supra stipulatione interveniente ut principales principaliter et in solidum etc. respective accesserunt, quem quidem Turibium sic accedentem presentem etc. idem magister Ioannes, sciens etiam se non teneri, volens tamen ad presens et instantia dicti emptoris teneri et obligari ab huiusmodi accessione indemnem penitus et sine damno relevare et conservare promissit. Quos quidem magistrum Ioannem et Turibium presentes etc. idem magister Didacus ab huiusmodi accessionibus et promissione relevationis dicti Turibii respective indemnes etc. relevare et conservare promissit, ita quod etc. et ultra generalem infrascriptam omnium et singulorum bonorum suorum obligationem et hipotecham idem magister Ioannes in specie obligavit et hipotechavit ac obligatam et hipotechatam esse [f. 626r] voluit venditoribus, creditoribus et Turibio presentibus solemniter stipulatione interveniente quamdam suam domum sitam in Urbe prope Sanctum Salvatorem, quam ipse de presenti inhabitat, cum amplissima clausula constituti. Que omnia etc. presentes venditores, emptor, magister Ioannes et Turibius, prout eos tangunt et concernunt, tenere, observare etc. promisserunt sub etc. De quibus etc. Pro quibus etc. sese etc. et bona etc. in ampliori forma Camere apostolice cum constitutione procuratorum, renunciis et aliis clausulis solitis et consuetis obligarunt etc. iurarunt etc. Super quibus etc.

Actum Romae in domo habitationis magnifici domini doctoris Didaci, doctore Didaco Antonio etc. Gulielmo Mori clerico Lemovicensi testibus.

3.

1545 agosto 23

ASR, Notai A.C., 6142, ff. 626r-627r.

Dicta die.

Coram eximio iuris utriusque doctore domino Petro Rapondo, reverendi patris domini Urbis vicarii locumtenente in loco infrascripto super quadam sede lignea, quam etc. infrascriptum actum pro suo legitimo tribunali ellegit et deputavit pro tribunali sedente in mei etc. presentia personaliter constituta honesta mulier Lucretia uxor retrodicti magistri Ioannis Vallerii de Aragonia de suprascripta venditione omnibus et singulis in suprascripto instrumento contentis certificata et ad plenum informata illisque dicto domino iudici pro tribunali sedenti similiter intimatis et ad plenam notitiam penitus deductis exposuit eidem domino iudici quemadmodum ipsa et dictus eius maritus habent unam filiam iam adultam etate et nubilem et iam diu quesivisse illam alicui probo et prudenti viro in uxorem dare neminemque magis idoneum et frugi virum invenisse quam suprascriptum Didacum Diaz; et propterea decrevisse dictam filiam eorum cum eodem Didaco forsan in matrimonium collocare et ipsi Didacus et eorum filia commode et decenter se sustentare valeant plurimum instetisse apud supradictos dominum Petrum et Iacobum pro venditione supradictae aromatarie in favorem ipsius Didaci faciendae prout facta fuit ipsamque venditionem opera ipsorum magistri Ioannis et Lucretiae factam fuisse, sub pacto tamen et conditione inter eos verbo solum et bona fide vallato, quod et ipsa Lucretia cum solemnitatibus in Urbe [*f. 626v*] solitis huiusmodi obligationi in favorem dictorum venditorum et revelationi indamnitatis [*sic*] in favorem dicti Turibii modo accidendo accideret prout premissa omnia et singula per dictam dominam Lucretiam exposita ibi presentes predicti Iacobus, magister Didacus emptor, magister Ioannes eius maritus, et Turibius vera fuisse et esse cum iuramentis tactis etc. prestitis affirmavit, notificans etiam eadem domina Lucretia dicto domino iudici se pro commoditate et utilitate dicti magistri Didaci sui futuri generis et successive eius filiae pro eodem Didaco bona sua obligare et recusare non posse presertim cum nullum sibi damnum exinde evenire possit, attento quod emptio dictae aromatariae in evidentem utilitatem dicti Didaci eiusque venditionis meliorationem cedit, et propterea obligationem huiusmodi facere velle et pro maiori illius robore formam Statutorum Urbis servare et certificata dictum dominum iudicem opus esse presentia duorum suorum consanguineorum proximorum alias curatoris legitimi, si consanguinei non extant, iuravit tactis etc. se nullos habere in Urbe nec extra eam ad XX miliaria propinquos nec affines, quorum presentia haberi possit, et in eorum defectu sibi curatorem aliquem idoneum deputari per dictum dominum iudicem debita cum instantia postulavit et interrogavit. Quem potissimum curatorem sibi deputari vellet, respondit prudentem virum Petrum Abbati laycum Palentinensem tamquam de rebus et negotiis hiis plenam notitiam habentem et idoneum, quam tamquam talem dominus iudex prefatus curatorem dictae mulieris quoad hunc actum tantum deputavit, exortans ipsum pluries, ut utilia pro dicta muliere facere et inutilia pretermittere. Qui sic deputatus promisit dictae mulieri dictoque domino iudici et mihi notario, tanquam publicis et autenticis personis pro ipsa muliere stipulantibus et recipientibus, utilia pro dicta muliere facere et inutilia pretermittere. Et ita tactis etc. iuravit. Tunc prefata domina Lucretia, renuncians in primis medio eius iuramento tactis etc. prestito legi Iuliae de fundo doctali, auctoritate si qua mulier, senatuscunsulto Velleyani, aliis quibuscunque legibus et privilegiis in favorem mulierum

editis et introductis, de illis quid sint et quid statuunt per dictum dominum iudicem certificata et ad plenum informata [f. 627r] cum consensu, verbo et auctoritate dicti magistri Ioannis eius mariti dictique Petri curatoris sibi ut supra deputati, qui quidem curator in infrascriptam accessionem et obligationem per dictam dominam Lucretiam faciendam consentiens suumque liberum consensum pariter et assensum et auctoritatem prestans iuravit tactis etc. se nullum in presenti negotio interesse habere obligationemque ipsam non esse in preiudicium dictae mulieris, sponte etc. pro suprascripto magistro Didaco tum pro solutione pretii dictae aromatariae per eum emptae quam solutione quorumcumque debitorum, de quibus in dicto venditionis instrumento per eum in se assumptorum dictos venditores dicto Iacobo presenti etc. quibuscumque personis, quibus predicta debita solvenda fuerint absentibus me notario etc. nec non dicto domino Turibio presenti etc. pro eius relevatione dictam domum, in qua ipsa cum dicto magistro eius marito habitat, et omnia iura, etiam dotalia, sibi super eadem domo quomodolibet competentia et competitura obligavit et hypothecavit et in specialem hypothecam dicte domus per dictum suum maritum in dicto venditionis instrumento factam consensit et suumque liberum consensum pariter et assensum prestitit cum amplissima clausula constituti tam in favore dictorum venditorum quam dicti Turibii, et iuravit etc. Quam dominam Lucretiam presentem etc. dictus Didacus ab huiusmodi obligatione indemnem relevare et conservare promisit, ita quod in alias, de quibus etc. Petrus et dicta domina Lucretia a dicto domino iudice pro tribunali ut supra sedente ut in premissis suam ordinariam auctoritatem pariter et decretum interponere dignaret. Qui dominus iudex causa cognita suam in premissis auctoritatem pariter et decretum interposuit. Super quibus etc.

Actum Rome, in dicta domo, presentibus domino Nicolao Gregorii de Marlis Lucano et Iacobo quondam Francisci de Bisceio de Petra Sancta testibus.

4.

1548 marzo 15

ASR, Notai A.C., 6142, f. 627r.

Die xv martii 1548 dominus Iacobus de Fonseca sponte etc. confessus fuit habuisse a magistro Didaco Diaz Portugallensi presenti medietatem precii supradicte venditionis, prout pro residuo confessus fuit habuisse scuta quadraginta quinque, de qua etc. exceptioni etc. quietavit etc. cum pacto etc. et pro dicto suo interesse consensit cassationi supradicte obligationis. Iuravit etc. Super quibus etc.

Actum Rome, in officio mei notarii, presentibus domino Thoma Roccha Placentis et Tullio Lupo Romano testibus.

5.

1548 marzo 15

Fonte: ASR, Notai A.C., 6142, f. 627v.

Die xv martii 1548 dominus doctor Petrus Urtado sponte etc. confessus fuit habuisse a magistro Didaco Diaz Portugallensi presenti etc. medietatem pretii supradicte venditionis, prout pro residuo confessus fuit habuisse scuta quadraginta quinque, de qua exceptioni etc. quietavit etc. Super quibus etc.

Actum Rome, in domo habitationis sue solite residentie, presentibus Francisco de Exonis clerico Ulixbonensi et Alvaro Roderichez clerico Lamacensi testibus, et consensit dicte cassationi.

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