

**SOCIAL AND CHARITABLE ASPECTS
OF THE TRIBUNAL OF THE REVERENDA
FABRICA DI SAN PIETRO DELL'URBE IN
MALTA (1626 - 1798)**

Aloysius Deguara

Man cherishes the last will of his father and understands one's responsibility to fulfil it; one keeps it as sacred and obliging. The good believer perceives in the last will of his father or of his relatives the good intentions of the testator and the sacredness of the benefits coming therefrom; one scrupulously accomplishes them. For a christian believer these have particular weight and bear greater obligations in conscience if the souls in purgatory are involved, if pious legacies are determined and-if the poor and the needy would benefit.

However, abuses crop up and difficulties may arise in fulfilling last wills and foundations, when one becomes immediately possessor of rural or urban property and capitals and one is asked to give out what others might enjoy without their least effort. Burdens, even if holy and pious, create reluctance to carry them to the full.

Acts of Pastoral Visitations in the sixteenth century and later show us the intent of the Bishops trying to detect them and see to their fulfilment; this follows the dispositions given by the Council of Trent. All pious legacies and their relative instruments drew the particular attention of the Sacred Congregation of the *Reverenda Fabrica di San Pietro dell'Urbe* since its very date of institution.

Pope Julius II took the terribly drastic decision to demolish completely the Constantinian Basilica which stood on the tomb of the Apostle Peter to replace it by a new one fit for the splendour of the solemn cult and which would express the humanistic spirit of his family and of the Holy See - *che di bellezza arte invenzione et ordine, cosi di grandezza come di ricchezza ed ornamento, avesse a passare tutte le fabbriche che erano state fatte in quella citta dalla potenza di quella repubblica e dall'arte et ingegno di tanti valorosi*

*maestri*¹ - The Pope himself could not but foresee financial difficulties and tried vaguely to promote a solution by creating a body of administration. Clement VII in 1523 provided a definite system of organizing and financing the huge *Fabrica*. He instituted the Collegium LX Virorum and endowed it with the highest authority in judicial administration.

Clement VIII, in the beginning of the seventeenth century substituted the *Collegium* by the newly erected Holy Roman Congregation of the *Reverenda Fabrica* giving it the same prerogatives and the same privileges adding however the pastoral characteristic to be reflected in all its proceedings.² All rights and obligations were passed on to it and though the huge "mole" was completed, the Congregation had to see to all the artistic works and the embellishment in marble and to the maintenance, thus requiring great sums of money to be collected.

One of the main assets of the Congregation, besides the collections which were to be held all over, was the penalty given to all those who failed to fulfil pious legacies and burdens as required by the last wills of their ancestors, at times, the self same property or a part of it, if the legacy was not fulfilled within one year from the death of the testator. The penalty went up to one half of the property - instead of one fifth - if within three years the pious legacy was not fulfilled. Amongst other "amplissime" faculties, the Congregation could also reduce or abolish pious legacies and Mass obligations; it could devolve to itself unfulfilled legacies if they were "uncertain" or not accepted by word of mouth or otherwise if they were bequeathed to worldly foundations (theatricals, banquets, etc); it could also draw to its funds all legacies bequeathed to persons unable by canon law to inherit and similarly all rents coming from benefices during the vacancy.

The Holy Congregation had its *Commissarii* in all Papal States; the Tribunals which these *commissarii* presided over had all the characteristics of a strong seat of Justice in the country and its men had all the privileges and exemptions granted by law. Malta was governed by a Religious Order - subject and obedient to the Pope - and so it followed the rule for the Papal States. Though the building of the Basilica in Rome was completed in

1 G. Vasari, *Le Vite*, vol. iv (Milanesi, Sansoni, Firenze, 1878) 345.

2 Benedict XIV, *Const. Quanta Curarum*, 1751. A. Deguara, "The Reverenda Fabrica di San Pietro dell'Urbe in Malta", in: M. Buhagiar (ed.), *Proceedings of History Week 1982* (Malta, 1983) 69-88.

1605, funds were still badly needed and so the jurisdiction of the Tribunal was maintained.

The Tribunal and its Office of the *Reverenda Fabrica* was established in Malta on 15 November 1627 - the letter of appointment of the *Commissario* is dated 15 September 1626 - and was meant to eradicate all abuses in the fulfilment of Pious Legacies in the Islands of Malta and Gozo and to apply all sanctions according to its Constitutions. It meant to encourage the faithful heirs to fulfil immediately their obligations and to urge very painfully the reluctant and greedy possessors of mobile and immobile property to conform themselves to the last wills and other obligations.

The *Commissario* and First Judge of this high Tribunal, Don Nicola Mangione J.U.D. from Naxxar, immediately began to be looked upon as an intruder, usurper, oppressor and scandalous in his doings, though he laboured to fulfil all his duties with fairness, charity and justice.

On his part, soon after accepting his Letters Patent he installed his *Officio* in the *Banca Notarile* of Notary Ralli in Valletta; he called on all notaries, *attuarii*, archivists and chancellors and asked them to give him full information on all the pious legacies of the last thirty years contained in testaments and last wills, *codicilli*, donations 'causa mortis' and in all other dispositions 'inter vivos' of which they were aware.

The *Commissario* was even authorized to open secret testaments soon after the death of the testator. To all those who revealed to him authentic information, he had to pay two and one half per cent of the amount encashed by the *Reverenda Fabrica* in that particular case. Later on the 'pena excommunicationis' was added to enforce the previous decrees which hit all those who did not obey his authority. Similar obligations were imposed on Parish Priests and on every other person who might have been concerned, whether testaments were in writing or by word of mouth. A typical case was met with during the plague, on 20 March 1628.³

Still, the ORDINI ET STRUCTIONI in par. 12, stated that: "Poor people and those who earned their living 'proprio sudore' and all wretched persons cannot be fined any tax."

3 Cathedral Museum, Mdina, Archivum Inquisitionis Melite [AIM], Reverenda Fabrica [RF], Act. Civ. Liber I, f.4.

The Commissioner's Editti were fixed to the doors of the Cathedral Church and of the principal churches in Malta, similarly they were fixed to the doors of the Matrice in Gozo. These brought the rage of the Bishop who did not at all welcome this institution, as his powers in the diocese became restricted and his relatives and friends did not remain sheltered under his patronage. The Notary of the Bishop's Curia himself tried to organize a protest of disobedience by all the notaries of the islands, which he did not succeed to do because only three notaries complied. The frequent correspondence with Rome by Bishop Cagliares and the Commissioner shows the strong attitude against the institution of the Tribunal and his fierce opposition to the nomination of the Naxxar Priest.⁴

The Parish Priests presented themselves to the Grand Master who in two different letters protested on their behalf to the Holy Congregation on the publication of the Tribunal's decrees.⁵

The Commissioner showed himself to be respectful to all his superiors: the Grandmaster, who later on accepted the Tribunal's institution as a blessing seeing that it put the bishop in his place; the Bishop, the Inquisitor, who was asked to be the 'Superintendent of the *Reverenda Fabrica*', the Illustrissimi Signori Cardinali of Rome and all the others who looked to the Tribunal as an asset to the *Reverenda Fabrica*. The Cardinals frequently insisted on Don Mangione to behave as a good interpreter of the Holy See, benevolent, charitable and extremely just.

Looking through the documents kept at the Cathedral Museum Archives, one may notice the huge amount of work carried on by the Tribunal soon after its establishment. On one hand the 'cursori' were very busy delivering summons to a long list of persons from all walks of life, among whom Matteolo Delia - he had to pay to the *Reverenda Fabrica* 2212 *scudi* within four days, he was charged to build a chapel in the Matrice of San Lorenzo in Vittoriosa according to Acts dated 1611 - Leonora Garibo de Guevara, Isabella Biscagna, Dun Angelo Manduca - he had to pay within 15 days, 100 *scudi* annually for 7 years, 320 *scudi* for 28 years, 14 *scudi* for 28 years and the sum of 100 *scudi*- Don Michele Cumbo and his brother

4 AIM RF, Corr. Vol. 40, f.3; *Ibid.*, Archivum Archiepiscopi Melitae [AAM], Brev. et Const. Ap. Tom.I, f.455; Archivio della Fabbrica di San Pietro [AFSP], Primo Piano, Ser.2, p.19. f. 315.

5 AFSP, 2 Piano, Ser. Arm. Vol. 263, f. 495.

Agostino and Nicola Saura who was asked to fulfil all pious legacies founded by Joannes Vassallo as per Act of Andrea Allegritto, dated 3 January 1604.⁶

On the other hand, according to dispositions given by the Holy Congregation, the poor people were not troubled, small sums of money bequeathed to small chapels were not sought after. Time for reflection was being given, charity and serenity, justice and equity were the norms of the procedures in a manner that even the Grand Master himself showed satisfaction.⁷

Meanwhile large sums of money began to be distributed by Mangione himself and later by the Inquisitor, who in the year 1655 became fully responsible for the administration of Justice becoming the Congregation's Deputy and Head of the Tribunal. From the very beginning the Tribunal became a witness to the Church's charitable and social helping attitude and care. At times, orders from Rome were given to help particular cases, the needy and the poor: bodies and institution soon became aware and asked for help.

Bishop Cagliares could not remain hostile to the establishment of the Tribunal - orders from Rome were very clear - in fact he wrote to the Congregation's Secretary accepting Rome's decisions, but affirms: "... there are only 60,000 people in Malta, out of whom there are not even 100 who live on regular income, all the others live out of rendering services to one another and the greater part live on alms; consequently, I cannot see that there can be anything profitable in this barren country; ... I performed eight Pastoral Visitations and I saw that all pious legacies were fulfilled with care; I have never met anything of importance to deal with, because the Maltese people try to live to a high reputation; they make interesting last wills but actually without any capitals or property; I could never succeed to put such legacies to execution".⁸

The Grand Master also expressed his mind favourably and promised that he will be using all kinds of respect to the Commissioner's decisions, to his self person and to the ministers of the Tribunal. This was expressed in his

6 AIM RF, Act. Civ. Lib.I, f.8-22.

7 *Ibid.*, Corr. Vol.40, f.14.

8 AFSP, sec. Piano, ser. arm. Vol.264, f.527.

correspondence to the Holy Congregation, since this was its clear mind to proceed with the dealings.

As the income of the Tribunal was registered to rise higher, the Commissioner soon asked the Congregation permission to grant *elemosina* to the poor people of the Island and to the needy institutions run by the Church. The problem of unmarried mothers was pressing on the maltese society. A legacy was bequeathed by Manduca, but neither bishop nor any other person could put up a proper house as required by the legacy, to hold these women and care for their future. Nor was there any other to put up a new house for newly born babies or orphans instead of the former house. The *Reverenda Fabrica's* Office took the matter in hand: at first the bequeathed houses were going to be sold to build new prisons which were needed very urgently, but on re-examining the case, the *Reverenda Fabrica* decided to give first substantial help for the running of the new house and then to care for the running itself of the whole legacy.⁹

The first sum of money registered was the sum of 100 *scudi* to be given to the Monastero di Santa Maria Maddalena - at times called by different names - as early as 1631; hundreds of *scudi* continued to be granted to this Monastery during the administration of both Mangione and the Inquisitors.

Another social problem was pointed out: orphans and young children. Before 1631, the *Monastero delle Verginelle* of Valletta received the first grant of 130 *scudi*. These grants are continually on the list of the Mandati of the Inquisitors as administrators of the *Reverenda Fabrica*. More grants were needed to ease another social problem: marriage legacies were urged to be fulfilled; proper dowries were to be granted according to the foundations which for the last years were left to accumulate in the hands of few heirs. Moreover, the *Reverenda Fabrica* granted alms to many young girls who had not enough money for their dowries: 20 *scudi* were given to each poor girl, which grants amounted to 300 *scudi* during the same year.¹⁰ Religious Houses soon began to make requests for grants and help: the Discalced Carmelites of Cospicua got their first alms of 50 *scudi*. Serristori audited these accounts in his balance sheet of 1631.

9 AIM RF, Corr. Vol. 40, f. 97, 107, 165, 174.

10 AIM RF, Cor. Vol. 40, f.44.

To avoid continuous referral to the Sacred Congregation for permission to grant different amounts of alms, in 1633, Pope Urban VIII renewed the already five-year-old permission to grant to the poor as alms fifty per cent of the income of the *Officio* for another five years. Later on, this grant was renewed again.¹¹ In 1636, another way of help was introduced: bread and clothes began to be given to the poor at the door of the *Officio* in Valletta.¹²

Fabio Chigi audited the books of the *Reverenda Fabrica* in 1636, and stated that the whole income amounted to 4472 *scudi*; twenty per cent had to go to the Commissioner and the rest of the money divided in equal parts; 1794 *scudi* go to the poor and needy and an equal sum to the Sacred Congregation in Rome.

Individual persons of different standing and names of institutions are enlisted in the Books of the *Mandati*, according to which grants of alms were given. A prominent personality was judged to be greatly in need during his stay in Malta for three years; he was Mgr Pachomino, Bishop of Corone; he was granted a monthly contribution of 2 *scudi*. Later on, another Bishop appears on the list of the *Mandati*, Mgr Crabit Bishop of Kaghija in Armenia, his fellow citizens and a priest were also granted alms. The Monastery of the *Malmaritate* received regularly a considerable amount of money; another institution which appears regularly on the list is the Monastery of Santa Scolastica of Vittoriosa. The whole community lived in this monastery in a terribly poor situation: the roofs of the bedrooms were falling, they had no kitchen and lacked even sanitary needs. In 1643, the Sacred Congregation decreed that half of the income of the *Officio* was to be given to this Monastery.¹³ Two years later this grant was renewed again for the next two years. The other half of the income was divided as: two thirds to the Congregation in Rome, and one third had to be given to places of worship which needed repairs.¹⁴

Among other houses which were suffering hardship were the Capuchin Fathers; these made frequent requests owing to the great poverty of the Convent in Floriana. The *Elemosiniere di San Pietro* of Notabile and the

11 *Ibid.*, f.65.

12 *Ibid.*, f.108.

13 *Ibid.*, f.196.

14 *Ibid.*, 9ID, f.217.

Dominican Fathers of the Annunziata of Vittoriosa were given frequent grants.

Probably on the initiative of Chigi, *elemosina* was given to the Parish Priests and to the *Capo del Popolo* or *Contestabile* so that these might give alms to the most needy of the parish or of the region. A long list of parishes is accounted for which includes distant parishes as those of Chircop, Gargur and Casal Xiluk. These had to account for the persons who received the alms and to forward the complete list to the *Officio*, some of which are still kept. This custom continued long after Chigi and reached all villages in the Island.

Other long lists come from the time of Abbate Federico Borromeo, during this period, a good amount of *salmi of frumento, orzo* and *mischiato* began to be distributed among the poor people of Pasqualino, Bisbut, Tarxien and Naxxar. Grand Master Lascaris congratulated the Sacred Congregation for the zeal and behaviour of the ministers of the *Reverenda Fabrica* and for their awareness of the social needs of the indigent and the poor people of the islands of Malta and Gozo.¹⁵ He asked the Sacred Congregation and the Pope himself to continue on these lines of charity the administration of the funds of the *Fabrica*.¹⁶

Particular circumstances allowed the *Reverenda Fabrica* to come nearer to the poor and needy: the plague. A singular reference is made to the earthquake of 1693, after which the people of Notabile, Rabat and Vittoriosa received particular attention.

Another problem cropped up and created social discomfort: the bad state of some religious places of worship. A letter by Cardinal Lante to the Bishop of Malta suggested that the Inquisitor should be asked to see that grants of money were to be given to the Parish Church of St Paul in Valletta which was in decay. Some of the money which was meant to be given to the poor had to be granted to this parish which badly needed its church.

The fabric of the Parish Church of San Lorenzo in Vittoriosa was also given particular attention and help. The Apostolic Palace of the Inquisitor,

15 AFSP, Primo Piano, Ser.2, Vol.31,f.137.

16 AIM RF. Cor. Vol.40, f.65, 163.

which was damaged during the earthquake, needed repairs and a new chapel for the prisons was built.¹⁷

It was only for the short period (1650 - 1670) when money was urgently needed in Rome that alms giving and grants had to be stopped.¹⁸ Still, even during this period, as soon as Degli Oddi took over from Don Mangione and assumed all the responsibility of the Administration of the Tribunal - the decree was issued by Alexander VII, Fabio Chigi, who, immediately after his election to the Throne of Peter changed his mind on the matter; ways and means were adopted to help the city of Vittoriosa during the suspected cases of the plague. Both Casanate and Marescotti granted *elemosina* to the Monasteries of Valletta and Vittoriosa. Similarly Ranucci (1667) gave the sum of 541 *scudi* to the poor, and Bichi distributed 275 *scudi* to different religious houses.¹⁹

As from the year 1670, *elemosina* began to be granted again: Cardinal Barberini ordered the grant of 500 *scudi* to the Monasteries of Santa Scolastica and Santa Caterina.²⁰ The *Monastero delle Convertite* began to receive again regularly its due until 1680, when a letter from Rome urged again, the *Tribunale* to send immediately to Rome all the money for the *Portico* of the Basilica, for the big Piazza and the maintenance of the whole building. This lasted for only four years. On 7 July 1684, permission was granted again to distribute *elemosina*: a new measure was now adopted, only one fourth of all the income of the Malta Office as from that day onwards was to be given in *elemosina*.

Hundreds of *scudi* were given regularly in order to re-instate and re-establish men in their normal way of living; help was given to prisoners on leaving the prison; the sick people in the hospitals had their families looked after; children and young adolescents of the *Oratorio* of San Filippo of Senglea received care and attention. The *Reverenda Fabrica* paid attention to the houses of the old and aged - without forgetting the Monasteries of the *Malmaritate* and the *Verginelle* in Valletta; the *Conservatorio Sagnani* of Senglea, the *Conservatorio Vescovile* of Cospicua and the *Conservatorio delle Zitelle* of Floriana began to receive regularly generous contributions.

17 *Ibid.*, f.194.

18 *Ibid.*, f.228.

19 *Ibid.*, f.13.

20 *Ibid.*, Vol 41. f.41.

The *Conservatory of Floriana* is the last one to be mentioned as receiving *elemosina* given by the *Fabrica* before the decree of Napoleon of 13 July 1798, when the *Officio* of the *Reverenda Fabrica* closed down.

The houses and convents of the *Mendicanti* continued to be enlisted for grants for many years, so were the Capuchins, who received the *elemosina* through the *Sinacò*, the *Zoccolani* of Valetta, the Augustinians of Rabat and the Dominicans of Vittoriosa.

Marriages of poor girls remained to be considered as a social problem which the *Reverenda Fabrica* always dealt with; consequently marriage dowries remained on the list. Better organization of social assistance seems to have been introduced during the later years; a monthly grant of 42 *scudi* was allotted regularly for alms; other persons "solo a noi note" received donations from the Inquisitor directly.

The *Mandati* of the last thirty years include foreigners among the needy persons who received grants: Armenians together with Papas Gusmano and Antonio Simondi, a number of Jews, especially those who had been converted to Christianity, received help, including a young girl who needed a special dowry to become a nun, a number of Maronites led by Prince Andrea Rabichi of Lebanon, the Archpriest of the *Chiesa Antiochena* and his priests, are all mentioned in the donations list in different years. In the last balance sheets appears the name of John, an Englishman, and his fellow companions who received grants from the Inquisitor or had their bed and lunch provided for at the Convent of Santa Teresa.

When the seat of the *Officio* of the *Reverenda Fabrica* was transferred to the Apostolic Palace of the Inquisitor in Vittoriosa and the Inquisitor and Delegate Apostolic became fully responsible for the Administration of Justice in the *Reverenda Fabrica*, Vittoriosa always held the First place in the list of grants which continually flowed from the *Officio* and from the funds of the *Fabrica*; the liturgical service of the *Matrice* was a frequent subject of the care of the generous Inquisitors: a bimonthly grant of money (107 *scudi* and later on 112 *scudi*) was given to the *Procuratori* to be distributed for the "presenza corale" of eight priests and an assistant which held the *Officiatura* in the Parish Church of San Lorenzo; this goes back to 1728, when Pope Benedict XIII instituted the daily singing of the Divine Office; Clement XII confirmed this regular grant by the *Reverenda Fabrica*. Probably the priests were wrongly called "I Beneficiali dell'Inquisitore",

more properly they should have been called "I Beneficiati di San Pietro dell'Urbe" as it was the *Reverenda Fabrica di San Pietro* that contributed to their *officiatura*.

The clergy of Vittoriosa was keen to keep up this privilege because in 1797 they asked the *Reverenda Fabrica* to pay for them the expenses of the "Avvocato di Roma" who pleaded for the renewal of the grants for the *Officiatura*.

Liturgical vestments were also paid for by the *Reverenda Fabrica*: 240 *scudi* were paid for the vestments of *Rosa Paomazzo*, 384 *scudi* for the *Rosa Crenesi*; 76 *scudi* for the golden ornaments of the *Violaceo* and 174 *scudi* for a number of damasc chasubles. The *Reverenda Fabrica* paid also for the wooden balustrade of the chancel for the "leggio grande del coro" and for the painting of the wooden choir stalls. A similar grant of 66 *scudi* was once given to the Parish Church of Lia for its "opere pie".

A regular annual grant of 15 *scudi* was given by the *Reverenda Fabrica* to the *Matrice* of Vittoriosa to be distributed by the priest to the children who frequented regularly the *Società della Dottrina Cristiana* of the town. All these generous contributions to the city which hosted the *Palazzo Apostolico* were also added to the donation of many *scudi* for the *fabrica* of the Church of San Lorenzo as accounted for on 30 December 1697.

Going through these long lists of grants and donations and the names of the persons or institutions to whom these were given, one may rightly judge that the Tribunal, which at first, in 1627, attracted all the rage and wrath of Church leaders and many landlords in Malta and Gozo, proved to be a strong helper of the poor and a pioneer of social assistance and charitable promotion in the history of our Islands.