

MEDIAEVALIA

"BANDI" OF THE XV CENTURY

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The perusal of medieval texts and documents is today considered indispensable for a thorough understanding of the history of the Middle Ages; in fact such documents are the principal sources from which the history of that period is written.

Various medieval documents relating to Malta have been published (1). The Charters and what are known as "Capitoli" form a corpus of the privileges, grants, immunities, exemptions or other rights regulating the administrative powers of the *Universitas*, the name by which the local government was known in the late Middle Ages. This corpus is found scattered in various works published by Miege (2), Giambruno and Genuardi (3), Mifsud (4), and Valentini (5).

Besides the Charters and the "Capitoli" there are other less well known but important documents which, to the best of our knowledge, have not yet been published. These are the "Bandi", the proclamations which the Jurats of the City issued from time to time to enforce certain obligations on the citizens and likewise to prohibit certain abuses. Many interesting aspects of the social life and conditions of the inhabitants of the Island can be obtained from a careful study of these "Bandi", and the transcription and publication of the original texts have, we feel, sufficient importance to warrant this work being undertaken. They are also valuable to students of philology and of the history of legislation in Malta.

The population of these Islands in the second half of the 15th Century was

- (1) LA MANTIA, G. — *Capitoli e Statuti Amministrativi dell'Isola di Malta, approvati dai Re o Vicere' di Sicilia, 1130-1530*, in *Archivio Storico di Malta*, Roma, Nov. 1936 - Jan. 1937.
- (2) MIEGE, M. — *Histoire de Malte*, Paris, 1840.
- (3) GIAMBRUNO e GENUARDI — *Capitoli inediti delle citta' demaniali di Sicilia approvati sino al 1458* (in *Doc. Soc. Sic. Stor. Patr.*) Vol. I, Palermo, 1918 (pp. 373 for Malta, and pp. 323-338 for Gozo).
- (4) MIFSUD, A. — *Le franchigie costituzionali Aljioniane* (in *Archivum Melitense*, Malta, 1918, pp. 324-369).
- (5) VALENTINI, R. — *Documenti per servire alla storia di Malta, (1452-1458) and (1458-1466)* in *Archivio Storico di Malta*, Roma, Oct. 1937 - Jan. 1938 and Oct. 1938 - Jan. 1939 resp. Besides these Professor Valentini has published various articles and other documents on the period preceding the arrival in Malta of the Order of St. John in the above mentioned *Archivio Storico di Malta*.

about twenty thousand (6). The capital, called by the people *Mdina*, officially referred to as *Notabile*, was the seat of the government. The governing body was formed of the Captain of the City and four Jurats. Besides these principal officials there were others who attended the meetings and together formed the "*Consiglio Popolare*", or the general assembly.

The Jurats were elected annually on St. John's Day — 24th June — and took office on 1st September, after receiving the ratification of their election from the Viceroy of Sicily.

The "*Bandi*" are the proclamations which were issued by the Jurats for the good order of the people and were proclaimed by the Town Crier (*Banditore*) from certain specified places of the City. After the Town Crier had proclaimed the "*Bando*", the Notary of the Council (*Magister Notarius*) made an entry of the document in the register of the *Universitas*, adding the name and surname of the Town Crier responsible for its diffusion. The subjoined transcriptions of 14 "*Bandi*" have been taken from a register of the *Universitas* of the 15th Century, preserved in the Royal Library in Valletta where the Archives of the *Universitas* are kept. The earliest of these registers covers the second half of the 15th Century, is marked 1450 - 1498, and bears No. 11 in the Inventory. Its chief contents are minutes of the Council, records of the lease of immovable government property, the proclamations known as "*Bandi*" and other documents. Although earlier registers must have existed of the council meetings, this is presumably the oldest of its kind that has survived the ravages of time.

Some details on the binding and foliation of register No. 11 are worth recording. The volume, bound in parchment, presumably in the 17th century, contains leaves numbered on the recto, or front, from 1 to 600. These are interspersed by a few leaves left blank and unnumbered. There are also some leaves which have a duplicate number. It is interesting to observe the careless manner in which the sewing together of the quires was done when the volume was bound. One of the quires is transposed thus making a confusion in the sequence of foliation. Another gross error of the book-binder was to leave out a quire containing documents of the year 1467 when collating volume No. 11 covering the years 1450 - 1498. This missing quire was included in volume No. 13 which contains documents covering the years 1531 - 1570.

The transcription of these "*Bandi*" presented considerable difficulty on account of the hand in which they were written, varying from a uniform cursive gothic to an almost illegible scribble.

The 14 "*Bandi*" transcribed below have been selected as throwing light on various aspects of everyday happenings of the period. These are a first contribution and further transcriptions will follow. Capital letters have been used in the transcription of proper names as is the practice today. Punctuation which is absent in the original texts of the "*Bandi*" has been introduced where necessary to make the sense clear. All abbreviations have been extended in accordance with the rules of palaeography.

For reference purposes the "*Bandi*" produced hereunder have been num

(6) In 1530 the estimated population of Malta was just over 20,000. See *Insulae Melitae Descriptio* by Fr. Joan. Quintinus, Lyons, 1536.

bered 1 to 14, and the correct and full date of the documents, whenever possible, has been inserted with the number of the folio whether front or back (recto or verso), in which they are found in Manuscript No. 11. A short precis in English of the proclamations is given below the transcription of the texts, which are written in Medieval Latin and old Sicilian.

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1. (1470) Fol. No. 195 verso.

XXVII eiusdem

Emissum est bannum sive proclama in locis publicis debitis et consuetis per Georgium Galdes ki nixuna persuna sia ausantj di vindiri pluj di chincu carlini lu rotlu di chira lavarata tantu di Sichilia quantu di Malta et si lu virria vindiri a candila ki rispunda a chentu chinquanta candili sub pena falsi et sub pena carlenorum XV applicandi acatapanis dicte civitatis.

This "Bando" fixes the price of tallow, both of Sicilian and local origin, at 5 carlini per rotolo. It states that from one rotolo of tallow 150 candles should be produced. Infringement of this order was a fine of 15 carlini payable to the Cattapani of the City. "Cattapani" are the officials appointed to supervise in the market that correct weights and measures be used.

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2. (18th March, 1471) Fol. No. 208 verso.

XVIII eiusdem

Georgius Galdes serviens retulit preconizasse de mandato dominorum juratorum in locis publicis debitis et consuetis in hac forma videlicet: ki tucti quilli persuni li quali havissiru acatatu vinu per locu unu oy acatirannu et dapoi lu vindissiru sencza revelarlu a lu cabellottu, ki sia in pena per omni unu novj more solitu.

Wine cannot be sold except through a licence obtained from the Tax-collector (Cabellottu). Should any person after buying wine for his own use decide to sell it without the necessary licence he will be fined nine times the cost of the wine.

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3. (11th September, 1472) Fol. No. 225 recto.

Eodem die

Emissum est bannum seu proclama in locis publicis debitis et consuetis ipsius civitatis in hac forma videlicet: banda et comandamentu per parti di lu Signuri Re che nixuna persuna, cuiusque gradus seu condicionis existat, sia ausanti di extrahiri bestiamj per via di lu Gozu sub pena unciarum decem ponderis regio fisco applicandi, et ehi nixuna pozza vindiri bestiame a li Gaudisani sub eadem pena.

The above "Bando" is unusual for it is issued by command of the King (lu Signuri Re). It prohibits the importation of cattle from Gozo and exportation of same to that Island, the fine for infringement of this order being 10 unci.

4. (11th September, 1472) Fol. No. 225 verso.

Eodem die

Emissum est bannum per eundem servientem eodem modo: quod nemo audeat neque presumat vendere carnem in eius domo et quod vendat in loco consueto di la buchiria sub pena carlenorum XV acatapanis predictis applicandi.

This order prohibits the sale of meat in private dwelling places and regulates its sale at the market places, against a fine of 15 carlini.

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5. (12th September, 1472) Fol. No. 225 verso.

XII eiusdem

Bandecta sive [meta] carniū lactium et aliarum rerum facta et ordinata per nobiles Juratos anni presentis VIe Indictione MCCCCLXXII.

Imprimis

La carni di lu crastatu	a dinari XX
Item la carni di lu muntuni	a dinari XVI
Item la carni di la pecura	a dinari XIII
Item la carni di lu boy	a dinari XII
Item la carni di la vacca	a dinari XIII
Item la carni di la ginicza	a dinari XIII
Item la carni di la vitella	a dinari XVIII
Item la carni di lu beccu crastatu	a dinari XII
Item la carni di la crapa	a dinari VIII
Item la carni di lu porcu oryatu	a dinari XX
Item le carni di lu porcu di la xara	a dinari XIII
Item la troya oryata	a dinari XIII
Item la carni di la troya di la xara	a dinari VIII
Item la carni di lu agnellu	a dinari VIII
Item chi nixunu pocza vindiri carni a quartu sub pena carlenorum XV	

Li lactumj

Imprimis la pisa di lu furmayu friscu	a dinari XXVI
Item lu furmayu muxu la pisa	a tari II
Item la pisa di lu furmayu di gractari	a grani X
Item la hubara di lu burru	a tari V
Item la hubara di burru di la ricocta	a tari III
Item la hubara di lu lacti	ad un soldu
Item la hubara di meli	a tari V
Item la chira di Malta lavurata	a tari XII
Item lu Rotulu di lu finu	a dinari XXI
Item lu Rotulu di li candili di lu finu di Malta	a grani X
Item la pisa di li chipulli	a dinari XII
Item la pisa di lana	a tari V
Item lu tuminu di favi di Malta	a tari V
Item chi nixunu pocza vindiri pixi fora di la piscaria	
Item ki nullu taurnaru pocza accactari di la piscaria exceptu una resca di pixi et non ultra.	

This is the price list of meat, dairy produce and other articles issued by the Jurats once a year. The following is an explanation of terms used in the price list which are now archaic.

Ginicza, veal, heifer.

Crapa, capra, goat flesh.

Porcu oryatu, pork from swine fed on oats (good quality meat).

Porcu di la xara, pork from swine that roamed semi wild in search of food. (*Xara* a waste tract of land).

Furmayu friscu, fresh cheese; *furmayu muru*, dry cheese; *furmayu di gractari*, cheese for grating.

Hubara, was the measure by which the following articles were sold: butter, ricotta, milk and honey. Professor J. Aquilina has been good enough to contribute the following note on the etymology of this word: "The word *hubara* is not found in either De Soldanis or Vassalli or in later dictionaries. I suspect the word should be spelt *ghubara* or *ghabbara* and in this sense it should mean just a weight obtained by a lead measure from the verb *ghabbar*. "mettere dei pesi nella bilancia per equiparare le due parti". Caruana explains *ghabara*: "sorta di misura antica che equivaleva a dieci *kejliet* moderne". The word *ghabara* occurs also in the saying *Nhar Santa Barbara i-žara' jikber ghabara*. *Hubara* in the document must have meant a weight or measure the amount or quantity of which has to be determined by outside comparative criteria, since words of weights and measures in Semitic languages, and also Romance, may indicate different weights or quantities in different places and sometimes also in different times. Cf. in this connection the weight value of It. *modio*. M. *modd.* in different Italian dialects and also with its weight value in Ar. *mudd*."

Chira, tallow for the making of candles. *Lu jinu* probably wax for better quality candles.

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6. (April, 1472) Fol. No. 244 recto.

Pinus de Luna serviens emisit bannum publicum sive proclama de mandato dominorum juratorum in locis publicis et consuetis quod nemo cuius gradus existat audeat nec presumat lavare pannos sive foglamj oy non aliquod fordiciej intus biviraturas di la Saccaya et di Garhesim, sub pena carlenorum XV marammati civitatis; et si fiunt servus vel serva sint in pena di chinqanta czoeti sive chinglij, et qui denunciaverit tales lavantes intus dictas biviraturas habeat carlenos sexdecim (?) pena predicta pro premio suo.

It is prohibited to wash clothes, vegetables or other articles in the fountains of the Saqqajja and Ghariexem against a fine of 15 cariini payable for the upkeep of the walls surrounding the City. Should menials transgress the order they will receive 50 lashes. A reward will be given to the informers. "Marammero" is the official in charge of the building and repairs of the city walls.

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7. (23rd June, 1472) Fol. No. 250 recto.

vicesimo tercio mensis eiusdem

Gulielmus Buchaiar serviens retulit emisisse bannum publicum regia ex parte de mandato dominorum juratorum in locis publicis et consuetis, quod omnes qui solent intervenire in consilio debeant, sub pena unciarum quinquaginta, venire hodie post horam vesperam ad consilium per ipsos juratos tenendum pro beneficio publico.

This notifies Members of the Council to attend a meeting to be held that evening. Failure to attend was punished by a fine of 50 uncias (a heavy fine for those days).

8. (21st June, 1472) Fol. No. 250 recto.

XXI Junij

Gulielmus Buchaiar serviens retulit qualiter ipse ut serviens de mandato dominorum Juratorum emisit bannum publicum sive proclama in locis publicis debitis et consuetis ipsius civitatis regia ex parte, che nixunu curviseri pœza vindiri li cauczari fimminj ultra grana X lu paru, et li masculini a dui carlini, sub pena carlenorum XV marammatis.

This lays down the prices of footwear. Shoes or sandals for women (*li cauczari fimmini*) being 10 grani per pair, whilst footwear for men was 2 carlini a pair. For overcharging the fine was 15 carlini, which sum went towards the funds for the upkeep of the city walls.

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9. (8th July, 1472) Fol. No. 254 recto.

VIII Julij

Emissum fuit et est bannum publicum sive proclama per Gulielmum Buchaiar servientem in locis publicis et consuetis ipsius civitatis de mandato nobilium Juratorum, quod nemo audeat nec presumat vendere fructus seu foglami extra portam civitatis, videlicet in planicie santi Augustini, sub pena carlenorum XV acathapanis.

It was forbidden to sell fruit and vegetables outside the gates of the City, i.e., the area known as St. Augustine. The fine for infringement was fixed at 15 carlini payable to the Catapans.

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10. (14th October, 1474) Fol. No. 308 recto.

XIII Octobris VIII Indictione

Emissum fuit bannum in locis consuetis dicti civitatis per Lanciam de Lia servientem regia ex parte de mandato dominorum Juratorum, ki tucti persuni di consigli a lu matinu, scilicet die sabati, digianu vinirj a lu consigliu sub pena unciarum quinquaginta regio fisco.

Members of the Council are hereby notified of a meeting on the following Saturday morning. Members failing to attend will be fined 50 uncias.

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11. (9th September, 1478) Fol. No. 389 verso.

Eodem die

Pinus de Luna serviens emisit bannum de mandato dominorum juratorum in locis publicis et consuetis regia ex parte, ki nixunu di qualsivogla statu e condicionj sia presuma vindiri carni a quartu e ki tucthomu vinda secundu la meta seu bandecta data a li acatapanj, videlicet: la carni di lu crastatu a la chitati et so Rabbatu a vinti dui, la vitella a vinti, et lu porcu orgiatu a vinti dinari, et in li casalj a dui dinarj minu. videlicet: lu crastatu a vinti, lu porcu orgiatu a XVIII, et la vitella a XVIII, sub pena carlenorum XV Capitano et carlenorum XV Acatapano, et ki omne unu vinda la dicta carni in publicu et non amuchunj sub dicta pena.

This proclamation is for the regulation of prices of meat in Mdina and Rabat, fixing the cost of mutton, veal and first quality pork at 2 dinari more than the cost of same sold in outlying villages.

The meaning of the prohibition of selling meat "a quartu" is obscure.

The fine for breaking the order was fixed at 15 carlini payable to the Captain of

the City — another 15 to the Catapans. It is further stated that all butchers should sell meat only in the market place. (Ammucchuni = di nascosto, underhand).

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12. (9th September, 1478) Fol. 389 recto.

VIII Septembris XII Indictione

Emissum fuit et est bannum seu proclama publicum in locis debitis et consuetis regia ex parte de mandato dominorum juratorum, ki nixuna persuna di qualsivogla statu et condicionj sia ausat: extrahiri mundiciza seu fumeri per la porta di li Grechi, ne cum zimbili ne cum saccu oy altru vasu; sub pena carlenorum XV Capitano et duorum Tumeo Laureri custodi, et si fiunt servus vel serva sit in pena di chinquanta chinglij. quod bannum fuit emissum per Pinum de Luna' servientem.

All persons regardless of position or state are forbidden to carry garbage or ashes out of the Greeks' Gate of the City, in a "zembil", sack or any other container. The fine imposed for breaking this order is 15 carlini to be paid to the Captain of the City and a further 2 carlini to be paid to the Custodian Tumeo Laureri. Should menials transgress this order they will receive 50 lashes. *Zembil* is a Maltese word of Arabic origin, meaning a basket made of interwoven twigs or rushes.

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13. (14th September, 1478) Fol. No. 389 verso.

XIII eiusdem

Ex provisione et mandato dominorum juratorum fuit emissum bannum publicum per Pinum de Luna servientem in locis publicis debitis et consuetis regia ex parte: quod nemo audeat extrahere mundiciam seu fumerium per portam civitatis predictae, videlicet qui exiant per portam Grecorum et qui perhiciat fumerium seu mundiciam in loco deputato per Tumeum Laureri, et non in alio loco, sub pena carlenorum XV Capitano et alia carlenorum duorum ipsius Tumeo ut custodi, et si fiunt servus vel serva sia in pena di chinquanta *czocti*.

This Bando followed the previous one in 5 days time. It states that garbage and ashes must not be taken through the Main Gate of the City, but out of Greeks' Gate and deposited in the place denoted by the Custodian Tumeo Laureri. The fine for breaking this order was 15 carlini paid to the Captain of the City and another 2 carlini to the Custodian mentioned above. Should menials be the transgressors they would receive 50 lashes.

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14. (16th August, 1478) Fol. No. 402 verso.

XVI Augusti

Emissum fuit et est bannum publicum bis et tres in una et eadem die ex provisione dominorum juratorum per Paulum Busayle servientem: ki cuj si vilissi lamentarj di lu Capitanum et so Judichi ki comparisi in loru presencja ki ipsi li farianu justicia.

This proclamation was read three consecutive times in the usual places. It called upon all those having a grievance to appear before the Captain of the City and his Judges when their complaint would be heard. An interesting propensity of the Notaries of that period was to attempt to latinize surnames. An example of this is the surname of the Town Crier in the proclamation above — *Psaila* is written *Busayle*.