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# Inquisitorial Bureaucracy by Pere Miquel Carbonell

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Contents:

◆ Acknowledgements.....	6-7
◆ Resumen .....	8

1. Introduction:

1.1. Historical Background.....	9-18
1.2. Pere Miquel Carbonell's Biography.....	19-28
1.3. Description of the Manuscript <i>Liber descriptionis</i> .....	29-34
1.4. A Question of Language in the <i>Liber descriptionis</i> .....	35-41

2. Legal Procedures in Practice:

2.1. <i>Tempus Gratiae</i> .....	42-46
2.2. The Auto de Fe.....	47-55
2.3. <i>Forma Abjurationis</i> .....	56-58

3. The Trial:

3. 1. Prosecution of the Dead.....	59-62
3. 2. Prosecution of the Absent.....	63-75

4. Outcomes:

4. 1. The Sentence:

4. 1. 1. Acquittal .....	76-78
4. 1. 2. The Compurgation (The Case of Angelina Vilella, etc.).....	79-84

4. 2. Penalties:	
4. 2. 1. Reconciliation.....	85-88
4. 2. 2. The <i>Sanbenito</i> .....	89-96
4. 2. 3. The Imprisonment.....	97-111
4. 2. 4. The Scourge.....	112-113
4. 2. 5. The Galleys.....	114-115
4. 3. The Stake.....	116-130
5. The Personnel of the Tribunal:	
5. 1. Inquisitors:	
5. 1. 1. Alfonso de Spina and Sanxo Marín.....	131-137
5. 1. 2. Antonio Contreras and Pere Pariente.....	138-142
5. 1. 3. Francisco Pays de Sotomayor and Joan Enguera.....	143-145
5. 2. The Promotor Fiscal.....	146-153
5. 3. The Advocate.....	154-157
5. 4. The Notary.....	158-160
5. 5. <i>Carnifex</i> .....	161-163
5. 6. <i>Consulta de fe</i> .....	164-165
5. 7. <i>Brachium seu Curia saecularis</i> .....	166-167
6. Conclusion .....	168
7. Appendices:	
7. 1. The 14 <sup>th</sup> Century Inquisitional Administrative Documents.....	169-174

7. 2. <i>Capitulo de una letra del fiscal de la inquisition de Valentia</i> .....	175-178
8. Chronology.....	179-189
9. Bibliography.....	190-198
10. Glossary.....	199

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## Resumen

### La burocracia inquisitorial según Pere Miquel Carbonell

La Inquisición en la península Ibérica siempre ha sido un tema muy atractivo para los historiadores sobre el que han ido surgiendo diversas teorías que han convertido la temática en un *topos*, con aproximaciones que van desde las más antiguas y extremas a las más modernas y liberales. Aun así, los inicios de la Inquisición catalana ha sido un tema abandonado durante mucho tiempo, por lo tanto con el objetivo de revelar esta descuidada área científica, esta tesis se basa en el manuscrito de Pere Miquel Carbonell *Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum*, que se encuentra en el Archivo de la Corona de Aragón y que contiene documentos acerca de la Inquisición catalana desde 1487 hasta 1507, un periodo de tiempo definido y recordado por sus conflictos contra el cripto judaísmo.

La presente disertación aplica técnicas modernas y análisis históricos, además de comentarios del manuscrito de Pere Miquel Carbonell *Liber descriptionis* que fue el primer punto en la investigación. Se tomó en consideración información relevante como la estructura burocrática o el personal del tribunal, su reputación y privilegios y también el registro de sus funciones. Asimismo, se ponen de relieve los procedimientos legales en los procesos inquisitoriales y se analizan las penas y castigos en dicho periodo. Por otra parte, se ha adoptado un método de búsqueda y metodología moderna que pone énfasis en aspectos del periodo en cuestión, sin descuidar las regulaciones legales y financieras.

La contribución tal vez más destacada de esta investigación es la lectura del texto de Pere Miquel Carbonell y el análisis de la creación de la estructura burocrática inquisitorial y su articulación dentro de la iglesia, sin descuidar los roles específicos en los procesos legislativos de la Inquisición en el tiempo de la primera fase de la actividad del tribunal: el periodo tal vez más intenso de la persecución anti-conversa en Cataluña.

## 1. Introduction

### 1. 1. Historical Background

The Inquisition, as it is well known, encompasses the long period of history of the Iberian Peninsula. Although organized by the bull of pope, and thus could be considered ecclesial organization which would address the issue of the 'Jewish threat', it was in fact a tool of the monarchy to consolidate its power and it has been remembered in history by its ostensibly brutal methods. Additionally, it has to be remembered that the inquisition was considered as a specific criminal procedure which did not exist in the Roman law and was distinguished by accusation constructed by the authority without necessity of deposition or any other type of testimonies of a witness.<sup>1</sup>

When Isabella and Ferdinand acceded to the throne, the active inquisition was papal or episcopal and only implanted in the Crown of Aragon. Differently from the inquisition established in the 15<sup>th</sup> century, the medieval was not considered as an organized institution; in fact, Church used merely the proceedings against heresy suspicion. Afterwards during the reign of the Catholic kings it will develop to the significant institution with its complex machine bureaucracy.<sup>2</sup> Contrary to the medieval tribunal controlled by pope, the catholic monarchs established the Inquisition to be under that of them; therefore, the new established Inquisition became *an instrument of royal policy, and*

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<sup>1</sup> Moreno, Doris, *La invención de la Inquisición*, Fundación Carolina. Centro de Estudios Hispánicos e Iberoamericanos, Madrid: Marcial Pons Historia, 2004., p. 29

<sup>2</sup> Komelja, Betris, *Španska inkvizicija*, Beograd: Clio, 2009. p. 17

remained politically subject to the crown.<sup>3</sup> Consequently, it was created the modern Inquisition, firstly in Castile and then transplanted to Aragon, in order to displace the old.<sup>4</sup>

After the marriage union of the Catholic kings in 1469 the initial idea was unification of the territories ruled by Ferdinand and Isabella. However, past years with abundance of rivalry and numerous conflicts among kingdoms had not been easy to forget. Hence, Ferdinand ruled separately by his kingdom while showing remarkable interest in interfering in Castilian politics, presenting himself as one of the closest descendants of the house of Trastámara and also calling on a legal right of 'jure uxoris'. Finally, it was confirmed his influence in Castile, by alleged motto 'tanto monta, monta tanto Isabel como Fernando' depicting his status of Catholic monarchs equality and joint reign in the Kingdom of Castile. On the contrary, Ferdinand stayed the sovereign monarch of the Crown of Aragon.<sup>5</sup>

Ferdinand found difficult to achieve what has already been accomplished in Castile regarding to inquisitorial institution and moreover due to existence of one of the oldest papal inquisition in Europe set up there in the middle of the thirteenth century. This medieval Inquisition had produced significant personalities such as Catalan inquisitorial advisor Ramón de Penyafort, canonized in 1601 and Dominican Nicolas Eymerich, author of the fourteen century inquisitor's manual *Directorium Inquisitorum*, which presented the axis of the procedural mechanics of the medieval and later of the modern inquisition.<sup>6</sup>

Nevertheless, Ferdinand took advantage of still existent inquisitorial institution, however afraid to infuriate his own people who did not see the necessity of establishing royal over papal inquisition which controlled heresy for the last two hundred years. Moreover, they stated that the new established tribunal brought perilous legal

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<sup>3</sup> Kamen, Henry (hereafter: Kamen, 1997), *The Spanish Inquisition: An historical revision*, London: Phoenix Press 1997. p. 137

<sup>4</sup> Escudero López, José Antonio (hereafter: Escudero López, 2015), "Fernando El Católico y la Introducción de la Inquisición" *Revista de la Inquisición: Intolerancia y derechos humanos*, N<sup>o</sup> 19, 2015, p. 13.

<sup>5</sup> Samardžić, Nikola, *Istorija Španije*, Plato, Beograd 2005, pp. 201-202.

<sup>6</sup> García Cárcel, Ricardo (hereafter: García Cárcel, 1998), "La inquisición en la Corona de Aragón", *Revista de la Inquisición: Intolerancia y derechos humanos*, N<sup>o</sup> 7, 1998, p. 152.

innovations.<sup>7</sup> However inventive ruler counting on a tradition decided to revive already existent institution founded in the late 1232 by pope Gregory's IX bull *Declinante iam mundi vespere ad occasam* and replacing it by creating the modern inquisition.<sup>8</sup>

On November 1<sup>st</sup>, 1478 Sixtus IV published bull *Exigit sinceræ devotionis* giving the exclusive authority to Isabella and Ferdinand over confiscation in their kingdoms and right to appoint inquisitors, three bishops and priests regular or secular.<sup>9</sup> Catholic Kings on September 27, 1480 discussed establishing tribunals to judge cases of 'heretical depravity' and appointed inquisitors Miguel de Morillo and Juan de San Martín for Castile. On the contrary, in the same time in the Crown of Aragon in charge was medieval inquisition established in XIII century which at the time was under the control of the Dominican order.

Ferdinand was determined to found institution which will be completely controlled by royal authorities, the same as it was in Castile at that time. Therefore, on May 23, 1481 from Calatayud he wrote a letter to his ambassador in Rome, Gonzalo de Beteta, requesting his assistance in achieving that idea. Ferdinand addressed to Beteta in the first person without even mentioning the queen; hence it can be assumed his absolute role as an architect in introducing the modern inquisition in the Aragon. In that period, as previously stated, the inquisition in the Crown of Aragon was under jurisdiction of the Dominican order; hence, Ferdinand in the attempt of subjecting it to the crown, wrote the second letter to Dominican master general Salvo Cassetta, asking the removal of Vidal, provincial of Aragon, and proposing Juan Orts and Juan Cristobal de Gualbes. At the end,

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<sup>7</sup> Monter, William, *Frontiers of Heresy: The Spanish Inquisition from Basque Lands to Sicily*, Cambridge University Press, 1990, p. 5

<sup>8</sup> Páramo, Luis de, *De origine et progressu officii sanctæ inquisitionis*, Madrid, 1598, pp. 175-179; Carreras Candi, Francesch, "Evolució històrica dels juheus y juheissants barcelonins", *Estudis Universitaris Catalans*, 3 (1909 y 1910), pp. 504-505 (Taken from: Mayoral Lopez, Rubén (hereafter: Mayoral Lopez, 2002), "Los orígenes del tribunal de Barcelona: los inquisidores del santo oficio catalán en el siglo XVI", *Espacios de poder: cortes, ciudades y villas (S.XVI-XVIII)*, Vol. 2, 2002, p. 385)

<sup>9</sup> Lea, Henry Charles (hereafter: Lea, 1906), *A history of the Inquisition of Spain*, volume II, New York: The MacMillan Company, 1906, p. 234

Ferdinand wrote one more letter, in which requested from Cardinal of Valencia to affect in dismissal of Vidal and appointing Ortis and Gualbes.<sup>10</sup>

On September 18, 1481 Cassetta brought decision of naming friar Gaspar Jutglar as a first inquisitor of Aragon with a power to appoint and revoke inquisitors at the royal will and pleasure, hence allowing Ferdinand complete control over the personnel of the Inquisition. On October 29, catholic king made Jutglar a general inquisitor of Aragon while proposing Ortis and Gualbes as inquisitors in Aragon and friar Guillelmo Casselles in Mallorca. Finally, on December 28, Ferdinand appointed Ortis and Gualbes as inquisitors in Aragon.<sup>11</sup> Additionally, he insisted that employers of reawake institution should be financed from the royal treasury, conscious of the lacking financial support in the time of Eymerich's regime.<sup>12</sup>

On November 1481 Ferdinand repeatedly insisted on the Pope Sixtus IV to obtain the bull allowing creation of the modern Inquisition in the Crown of Aragon.<sup>13</sup> Ambitious monarch still not satisfied with recently achieved power wanted more control over new institution and demanded from pope for more liberty. However pope Sixtus in a letter written on January 29, 1482 refused Ferdinand's requests realizing rapid increase of royal over papal powers while stating that doing it so he would offend the Dominicans under whose jurisdiction since formation of the inquisition it had been confined.<sup>14</sup>

On April 18, 1482 Sixtus published a specific bull due to its definition of heresy as no distinctive as any other crime which deserved a fair trial. Additionally, pope complained on immoral attitude of the Aragon's inquisitors and their inclination to greed and cupidity and not to devotion to faith. In this manner, pope indirectly attacked Ferdinand suggesting that he has to be soothed if the inquisition of Aragon was to be permitted to execute its

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<sup>10</sup> Escudero López (2015), p. 20.

<sup>11</sup> Torre, Antonio de la, "Documentos sobre relaciones internacionales de los Reyes Católicos", n<sup>o</sup> 112, pp. 204-206. (Taken from: Escudero López (2015), p. 21.)

<sup>12</sup> Lea (1906), I, pp. 232-233

<sup>13</sup> García Cárcel (1998), p. 153.

<sup>14</sup> Lea (1906), I, p. 233

expected functions. Consequently the bull limited Aragon and on the contrary in no way affected the tribunals in Castile.<sup>15</sup>

However, Ferdinand was determined to his policy regardless of the opposition in Rome and Aragon. Finally by the papal bull published on October 17, 1483 in which was appointed Torquemada as chief inquisitor of Aragon, Valencia and Catalonia, with a power to nominate subordinates confirmed Ferdinand's triumph.<sup>16</sup> The pope requested only that the inquisitors had to be masters in theology, while neglecting to specify that they had to be Dominicans, demonstrating in that manner his previously manifested false care for the members of that order.<sup>17</sup>

In January 1484 Catalans refused to send their delegations to the C ortes of Tarazona and denied to give right to Torquemada for appointing inquisitors in Catalonia, asserting to have a right, from the Holy See, for they own inquisitors who could not be set up by a grand inquisitor. The Barcelona's tribunal until that time in charge with inquisitor Joan Comte accomplished its duties peacefully, however not away from its primary objective, and not promoting public conflicts or jurisdictional powers. However, from the fifteenth century, was introduced a significant factor in Barcelona's society, which had apparently modified the peaceful sphere of inquisition's action characterized by the judaizers and their deeds.<sup>18</sup> After the mass conversions in 1391, obviously the plethora of New Christians practice Judaism in secret. According to Kamen, in the Crown of Aragon, royal decree stated that the forced conversion were unacceptable, thus they could return to their old customs. Contrary, the converts from Barcelona and Mallorca wished to stay in their new religion due to safety.<sup>19</sup> But never the less, they were always considered as the outcasts from society called degradingly *marranos*.

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<sup>15</sup> *Ibidem*, II, pp. 232-236

<sup>16</sup> Kamen (1997), p. 137

<sup>17</sup> Lea (1906), I, pp. 236-237

<sup>18</sup> Carreras Candi, Francesch, „L'Inquisici  Barcelona, substitu da per l'inquisici  Castellana (1446-1487)“, *Anuari de l'Institut d'estudis Catalans*, 3 (1909-1910), p. 130.

<sup>19</sup> Kamen (1997), p. 10

According to Edwards, Torquemada and Ferdinand held the biggest responsibility in creating of the new inquisitorial system.<sup>20</sup> Ferdinand called the meeting of three parliaments of The Kingdom of Aragon in April 1484 in Tarragona in order to introduce the inquisition like it was in Castile. Moreover, he appointed new inquisitors for Saragossa, Huesca, Teruel, Lleida and Barcelona.

Ferdinand wrote on October 12, 1484 to his ambassador in Rome that inquisitors in Catalonia are not performing their obligations responsible as they should have and asked for subjection new inquisitors. On July 9, 1485 he wrote once again to his *auditor apostólico* asking for removal for Fray Juan Comte of Barcelona and Archdeacon Mercader of Valencia. In January 1484, catholic monarch made a bold move by sending two Torquemada's appointees, the Dominicans Juan Franco and Guillen Casells with an *Executoria pro Inquisitoribus apud Cataloniam* to all officials to help them in their work and to capture anyone they seemed suspicious.<sup>21</sup>

The resistance of Holy Office foundation in the Crown of Aragon took serious forms; for instance, the assassination of Saragossa's chief Inquisitor, Pedro Arbúes, by Aragonese converts on the night of September 5, 1485 at the Cathedral Church in Saragossa during his prayer<sup>22</sup> as well as possible poisoning of inquisitor of Aragon, Gaspar Juglar, in Lleida.<sup>23</sup>

Finally, pope Innocent VIII on February 6, 1486, removed all inquisitors with papal decision (in Aragon: Juan Colivera, Juan de Epila, Juan Franco and Guillen Casells; in Valencia: Juan Orts and Mateo Mercader; and in Barcelona: Joan Comte) and assigned Torquemada as a special inquisitor for Barcelona with a power of sub delegation.

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<sup>20</sup> Edwards, Džon, *Torkvemada i inkvizitori*, Novi Sad: Izdavačka knjižarnica Zorana Stojanovića, 2009, p. 14.

<sup>21</sup> Lea (1906), I, p. 262

<sup>22</sup> The murder of Arbues by the conversos was a theory accepted by many scholars, however, Netanyahu questioned it. (Vidi: Netanyahu, Benzion, *The origins of the Inquisition in Fifteenth Century Spain*, New York: New York review books, 2001. pp. 1164-1173)

<sup>23</sup> García Cárcel (1998), p. 153

Furthermore, pope appointed the Bishop of Córdoba and Leon and Abbot of Saint Emelian of Burgos in order to prevent any attempt of rebellion of the opposition, above all of Juan Comte.<sup>24</sup>

Finally, Torquemada's representative and new elected Barcelona's inquisitor, Alfonso de Spina, entered the Barcelona on Sunday July 5<sup>th</sup> and was welcomed by Lieutenant-general of the Principality, the Bishop of Urgel, Tortosa and Gerona and plethora of influential personalities of that time. However, not until 30<sup>th</sup> of July municipal offices took the oath of obedience to Spina.

Period of 1487 until 1505 depicted in *Liber descriptionis* in The Crown of Aragon can be declared as a time remembered by serious fight against Crypto-Judaism. In that interval, the permanent tribunals under the jurisdiction of the crown of Aragón were Saragossa, Valencia, Barcelona and Majorca. On May 12, 1484 Torquemada revoked inquisitor Joan Comte and appointed friars Joan Franco and Guillem Caselles for inquisitors of revived modern inquisition.<sup>25</sup> The Barcelona tribunal was founded in 1486 while claiming jurisdiction over the free Republic of Andorra, which was included in 1595 by Arevalo de Zuazo. It included Principality of Catalonia, except diocese of Lleida and possibly bishopric of Tortosa which in 1490 belonged to Valencia. In 1490 the bishopric of Urgel belonged to Lleida while the Tribunal in Barcelona gathered bishopric of Barcelona, archbishopric of Tarragona, bishopric of Vic, Gerona and Elne (*...ab originalibus processibus Sanctae Inquisitionis factis per reverendos inquisitores haereticae pravitatis tam in Civitatibus Barcenonae, Taraconae, Vici, Gerunde et Helnensi...*<sup>26</sup>).

One of the crucial features of this tribunal was its itinerating. The inquisitors traveled from one city to another while holding auto de fe's, like it was reported in Tarragona, Gerona, Perpignan, Balaguer and Lleida. Contrary to the opinion of Contreras, Pere Buada was not canon and general vicar of Holy Office in charge for episcopacy of

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<sup>24</sup> Lea (1906), I, p. 263.

<sup>25</sup> Fort Cogull, Eufemia, *Catalunya i la Inquisició*, Editorial aedos, Barcelona, 1973, p. 135 (hereafter: Fort Cogull)

<sup>26</sup> Archivo de la Corona de Aragón, Reg.um sobre negocios de la Inquisición de Fernandi II, Real Cancellaria registros numero 3684, *Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum*, fol. CVII (hereafter: ACA, RNIFII, RN 3684)



Urgell, but of Barcelona, although Carbonell made the same mistake in describing the proceeding held against defendant Angelina Vilella, a wife of merchant Joan Vilella from Barcelona; hence, that fact annulled Contreras' claim of Urgell's incorporation to the Tribunal of Barcelona. Finally, the Tribunal of Barcelona remained unchanged until its definitive suppression, except for the lost of Roussillon in the Treaty of the Pyrenees in 1660.<sup>27</sup> However, the Barcelona inquisitors in 1695 still considered themselves, years ago after Roussillon and Cerdagne had been receded to France, *Inquisidores Apostólicos... en el Principado de Cataluña y su partido, con los Condados de Rosellon y Cer-daña y los Valls de Aran y Andorra*.<sup>28</sup> Additionally, when the inquisitors of Barcelona in 1643 were expelled, as a sequel they establish the tribunal of Tarragona where they stayed until the suppression of the Catalan rebellion in 1652.<sup>29</sup>

The first tribunal of Barcelona gathered inquisitor Alfonso de Spina, second inquisitor Sanxo Marín, advisory August del Castillo, notaries Pere Aimat and Joan Raimat, nuncios Alfonso Portuguès and Alfonso de Zamora, fiscal prosecutor García Baylo, scribe Arnau Teixidor, constable Esteve Gafo and notary Marc Mulner.<sup>30</sup> The Tribunal was founded on July 29, 1488 in Barcelona's Palau Reial Major, having secret jail for prisoners as well as chambers for inquisitors and other inquisitorial members (*apud palatium maius Regium in hac Urbe Barcinonae situm ubi ipse dominus Inquisitor suum fovet domicilium cum suis ministris ac reconsiliatis carceribus*<sup>31</sup>).

In one of papers, Bada brought significant hypothesis regarding the issue of peculiarity of Barcelona's Tribunal while describing it as not unique or exclusive, but different, with its own features and chronology which allows us to understand the Court

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<sup>27</sup> Contreras, Jaime - Dedieu, Jean Pierre (hereafter: Contreras - Dedieu), „Geografía de la inquisición Española: La Formacion de los distritos, 1470-1820“, *Revista española de historia*, Vol. 40, Nº 144, 1980, p. 51.

<sup>28</sup> Archivo de Simancas (hereafter: AGS), Inquisicion, Visitas de Barcelona, Leg. 15, fol. 4.-- Proceso contra Estevan Ramoneda, fol. 72 MSS. of Am. Philos. Society (Taken from: Lea (1906), I, p. 544)

<sup>29</sup> AGS, Inquisicion, Lib. 65, fol. 31, 50; Lib. 36, fol. 74.-- Archivo hist. nacional, Inquisicion de Valencia, Leg. 9, n. 2, fol. 323. (Taken from Lea (1906), I, p. 554)

<sup>30</sup> ACA, Reg. R.P. 3159, f. 35 (Taken from: Fort Cogul, *op. cit.*, p. 165)

<sup>31</sup> Bofarull Sartorio, Manuel (hereafter: Bofarull, 1865), *Coleccion de documentos inéditos del archive general de la Corona de Aragon, tomo XXVII, Opúsculos inéditos del cronista Catalan Pedro Miguel Carbonell, tomo II*, Publicada de real órden por su archivero, D. Manuel de Bofarull y de Sartorio: Barcelona, 1865, p. 50

of the inquisition and its action with Catalonia, given the eminently political nature it had.<sup>32</sup>

In 1486 was established the Monzón tribunal presided by inquisitor Juan de Colmenares; however at the end of the year the tribunal moved to Lleida with new elected inquisitor Juan Crespo. The tribunal included bishopric of Lleida and Huesca; however, because the bishopric firstly belonged to the Principality of Catalonia it created a certain disagreement between inquisitor Crespo and “inquisitor of the Principality of Catalonia” friar Juan Franco. However, they were obligated to meet in Lleida in order to manage inquisitorial issues.<sup>33</sup> Therefore, Lleida was partly Aragonese and partly Catalan while Huesca until 1532 was not divided between Saragossa and Barcelona.<sup>34</sup>

Bishopric of Urgel became a part of the Lleida Tribunal on May 14, 1490. Additionally, during that period the Lleida tribunal was itinerary and celebrated autos in Monzón, Barbastro, Huesca, Balguer, etc. Finally, on November 28, 1492 the tribunal became depended of the Zaragoza Tribunal.<sup>35</sup> Additionally, in Catalonia were also tribunals at Perpignan and Balaguer.

In the early period when suspected New-Christians could be found everywhere, the country were divided into districts each commanded by its own tribunal. In 1485, in the instructions to the inquisitors of Saragossa, Ferdinand stated that wherever they thought the inquisition is needed, they had to inform Torquemada so could send delegations there. The exact boundaries of jurisdiction were not precisely determined. On the contrary, it was deferent in terms of confiscations, because the king himself appointed responsible receivers, thus creating the first accurate definitions of districts. For instance, in 1498, the receiver of Saragossa was supervised for Saragossa and Tarazona; receiver of Valencia for

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<sup>32</sup> Bada Elias, Joan, “El Tribunal de la Inquisición en Barcelona, ¿un Tribunal peculiar?” *Revista de la Inquisición: Intolerancia y derechos humanos*, Nº 2, 1992, p. III.

<sup>33</sup> Sanahuja, Pedro, *Lérida en sus luchas por la Fe (judíos, moros, conversos, Inquisición y moriscos)*, Lérida, 1946, pp. 146-152 (Taken from: Contreras - Dedieu, *op. cit.*, p. 71.)

<sup>34</sup> Lea (1906), *op. cit.*, II, p. 206.

<sup>35</sup> Archivo de la Audiencia Territorial Zaragoza. Sección Inquisición, Leg. 7. exp. 4: Leg. 17, exp. 3: Leg. 8, exp. 4; Leg. 17, exp. 3: Leg. 8, exp. 4; Leg. 18, exp. s/n. (Taken from: Contreras - Dedieu, *op. cit.*, p. 72)

Valencia, Tortosa, Segorbe and Teruel, while receiver for Barcelona for Huesca, Gerona and Urgel.<sup>36</sup>

First inquisitorial procedure in Barcelona happened on December 14<sup>th</sup>, 1487 when after the Period of Grace fifty people conscious of their heresy admitted voluntary their sins.<sup>37</sup> Second happened one month later on January, 25 during the Solemnity of the Conversion of the Saint Paul the Apostle in which four heretics were sentenced to death penalty while twelve neophytes were prosecuted in absence.<sup>38</sup> During the 1488 number of burnings was seven and during the next year it had reduced to three.

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<sup>36</sup> AGS, Inquisicion, Lib. 1. (Taken from: Lea (1906), II, p. 206)

<sup>37</sup>ACA, RNIFII, RN 3684, fol. CXI.

<sup>38</sup> Bofarull (1865), p. 20

## 1. 2. Pere Miquel Carbonell's Biography

Pere Miquel Carbonell (8 February 1434 — 2 April 1517) was Catalan poet, historian, humanist, notary and royal archivist in The General Archive of the Crown of Aragon from 1476 until 1517.

Manuel de Bofarull i de Sartorio, 19th century royal archivist in The General Archive of the Crown of Aragon, saved Carbonell's biography and collected his works in two volumes *Opusculos ineditos del cronista Catalan Pedro Miguel Carbonell* (Barcelona, 1864-1865, vol. XXVII, XXVIII). This publication is essential for understanding Carbonell's biography and his literary works, best-known by the work *Cròniques de Espanya*, which is considered as the reference point for future historians to follow.<sup>39</sup> Archivist Bofarull assembled scattered documents consisting biographical data from Carbonell's private and professional life and collected it at the beginning of the first volume of *Opusculos ineditos* making it the author's first biography.

Carbonell was born in the Town House in Nova Square (Casa gran de la Plaça Nova) in Barcelona as a son of pharmacist Francesc Carbonell and Joana de Soler. His mother died on 17<sup>th</sup> November 1496 from paralysis at her son's house in carrer de la Cera in Barcelona (Calle den Serra).<sup>40</sup> Carbonell had two wives. His first wife was Engràcia (or Gràcia) and the second was Eulàlia, widow of the merchant Pere Morer from Barcelona. Additionally, he had six children: three sons and three daughters, probably all from his first wife Engràcia.

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<sup>39</sup> Mariàngela Vilallonga (hereafter: Vilallonga, 1993), *La literatura llatina a Catalunya al segle XV*, Barcelona, Curial/PAM, 1993, p. 62

<sup>40</sup> Bofarull Sartorio, Manuel (hereafter: Bofarull, 1864), *Coleccion de documentos inéditos del archive general de la Corona de Aragon, tomo XXVII, Opúsculos inéditos del cronista Catalan Pedro Miguel Carbonell, tomo I*, Publicada de real órden por su archivero, D. Manuel de Bofarull y de Sartorio: Barcelona, 1864, p. 1

Archivist Bofarull claimed that Carbonell had a wonderful relationship with his parents and also that he was happier in the marriage with his first wife Engràcia.<sup>41</sup> He also pointed that our archivist had a problem to marry his daughters. Additionally, Carbonell's son Francesc d'Assis was clearly the eldest cause he held the grandfather's name. The second son Pere Miquel, blind since was a baby, was dedicated to music. He died at the age of 26 from the plague on Friday, 2<sup>nd</sup> July 1490. Deeply affected father wrote about his unfortunate child in the poem *Dansa de la mort*. His third son Baltasar also died young.<sup>42</sup> Contrary to his children, Pere Miquel Carbonell died at the age of eighty three, between 5 and 6 a clock in the afternoon on April 2<sup>nd</sup>, 1517 from an asthma attack in his son Francesc's house in Garrofers street in Barcelona.<sup>43</sup>

Carbonell remained with only one son, Francesc, which followed him in his career. The same as his father, he was an archivist in The General Archive of the Crown of Aragon, (originally Royal Archives of Barcelona) and public notary. As an eighteen year old Francesc started working for king's counselor and secretary Gaspar de Arinyó as a scribe and secretary. After several years in this service, he had been promoted by King Ferdinand and become co-archivist working next to his father in The General Archive of the Crown of Aragon. Same as father, Carbonell's son got married two times. The first time he was married to Joana, the only child of Barcelona's public notary, Rafael de Riudor. Unfortunately, she died after few years living him with no offspring. After her death, Francesc inherited everything including houses in Carrer dels Garrofers in Barcelona. Secondly, he got married to Isabel, daughter of pharmacist Juan Ulzina and they had eight children: five boys and three girls.<sup>44</sup>

The first years of Carbonell's life are vaguely known; therefore he probably spent youth, until the age of twenty four, studying history and classics, *que mas adelante le vemos*

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<sup>41</sup> *Ibidem*, p. 11

<sup>42</sup> *Ibidem*, pp. 1, 11-12.

<sup>43</sup> *Ibidem*, p. 19

<sup>44</sup> *Ibidem*, pp. 13-16.

*desenvolver con tanta maestria y buen tacto, que admiran al lector y se lo representan como uno de los espíritus mas observadores de su epoca.*<sup>45</sup>

At age of twenty four, on March 3, 1458, Carbonell became a public notary. This title was given by King Alfonso V, recommended by his uncle and doctor of a law Jaume Pau, father of humanist Jeroni Pau and prothonotary of Barcelona Juan Peyró, both counselors of King Alfonso. On October 13, 1478 the title was confirmed to Carbonell by King Joan II.

On December 9, 1476 in Saragossa, after the death of Jaume Garcia, Carbonell inherited him in the place of royal archivist in The General Archive of the Crown of Aragon and stayed in this function until his death. This honor was given him by King Joan II. At 10 am on 7 January, 1477 Carbonell received his recognition in the presence of Bartomeu Verí (*regent de la Cancelleria del rei*), Andreu de Peguera (*maestre racional de la corte*), Pere Bancells (*lugarteniente del Maestre racional*), Montserrat Torres (*presbytero*), Bernat Audor, royal scribe who authorized this act and witnesses Juan Viastrosa, Jaime Garcia, etc.<sup>46</sup> On October 23, 1477 King Ferdinand II in the town of Jerez de la Frontera confirmed this honor. On March 3, 1484 King Ferdinand in Tarazona upgraded Carbonell's duties in The General Archive.

During the plague years in Barcelona, Ferdinand allowed Carbonell to leave city but only if he leave Archive's keys to someone who he thought was reliable to take his position in absence. At the same time he became the royal scribe.

Due to his professional achievements new royal archivist was attacked by his opponents. He was criticized for holding two important public positions as royal scribe and royal archivist which was inconvenient at the time. After elaborate investigation and with a help of his influential friends Bartomeu Verí, Joan Peiró, Pere Bancells and Joan Vilar, Carbonell demonstrated that his case was not a precedent and proved his innocence.<sup>47</sup>

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<sup>45</sup> *Ibidem*, p. 2

<sup>46</sup> *Ibidem*, p. 5

<sup>47</sup> *Ibidem*, pp. 7-8.

Exist two different opinions about Carbonell's elections: Firstly, archivist Bofarull claimed that everything went completely legal. On the other hand, Jesus Ernest Martinez Ferrnando who was in head of Royal Archive from 1940 until 1961 had an opposite thoughts regarding to this question. He wrote disapprovingly: *comenzó a esgrimir todos sus medios, dinero, amistades, méritos parsonales, sagacidad, etc. para sucederle (a Jaume Garcia)*.<sup>48</sup>

At that time the Royal Archives was different from today's. The crucial dissimilarity was that the duties of the archivists were to secure current and valid document, hence their obligations were more practical and effective. The Royal Archives had a specific role: to preserve all documents referring to heritages and customs.<sup>49</sup> Therefore the archivist had to collect records such as documents regarding royal rights, properties, taxes; and solemnities: acts of births, weddings and deaths of royal family members and additionally the value of gifts and other payments. This function was created in 1346 by King Peter IV of Aragon when all scripts from Royal Archives of Barcelona were secret.<sup>50</sup> On the contrary, during the late 15<sup>th</sup> century, while Carbonell was on the head of The Royal Archives, it became public and all legal matters were opened to the demands of individuals who came expressly to Barcelona in search of documents proving their possessions, rights, et cetera.<sup>51</sup>

According to Manuel de Bofarull, Carbonell was very hardworking and committed to his professional obligations; hence he despised everyone who did not accomplish their duties with the same devotion as he did, what we can see in his poetry (i.e. *Dansa de la mort*). Additionally, he was generous and he did not have great regard for material possessions, therefore his passions were books and literary work. What's more, Bofarull described him as a deeply religious man on the verge of fanaticism.<sup>52</sup>

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<sup>48</sup> Martínez Ferrando, Jesús Ernest, "Un archivero del palacio real de Barcelona a fines del siglo XV", *Studi in onore di Ricardo Filangeri*, II, Vol. II., Nàpols: L'Arte Tipografica, 1959, pp. 197-212.

<sup>49</sup> Alcoberro Pericay, Agustí (hereafter: Alcoberro Pericay, 1993), "L'Arxiu Reial de Barcelona i la historiografia humanista: les Cròniques d'Espanya de Pere Miquel Carbonell", *Revista d'Història moderna*, 13, Pedralbes, 1993, p. 516.

<sup>50</sup> This idea was taken from: Rubió Balaguer, Jordi, "L'arxiver Diego Garcia", *Humanisme i Renaixement* (Obres de Jordi Rubió i Balaguer, VIII), Publicacions de 'Abadia de Montserrat, 1990, pp. 330, 335

<sup>51</sup> Alcoberro Pericay (1993), p. 516

<sup>52</sup> Bofarull (1864), pp. 17-19.

On the contrary, Carbonell was a part of the cultural group of Barcelona's Catalan philologists and humanists who he greatly admired. He shared a close bond with intellectual and cultural elite of 15<sup>th</sup> century Catalans. Even though, he never lived in Italy, with a help of humanist Jeroni Pau and other erudite persons from Iberian Peninsula, Carbonell participated in introducing the humanist movement with its classical heritage in Catalonia consisting of small but influential group of his dear friends and colleagues.<sup>53</sup> For instance, his good friends were lawyers Francesc de Casa-Saja, Joan Vilar, Teseu Benet, Ferran Valentí and Joan Ramon Ferrer, and bibliophiles Guillem Fuster and also erudite Teseu Valentí. Additionally, his close friend and godfather of his grandchildren was one of the most important figures of that period, Lluís Desplà, the president of the Generalitat of Catalonia. Joan Peiró, royal prothonotary, who influenced on developing the printing press in Barcelona, also was Carbonell's companion sharing the same bibliophile interests.<sup>54</sup> While depicting Carbonell's knowledgeable personality Alcoberro wrote: *Sembla que no es va moure mai del cap i casal, però va disposar d'un coneixement significatiu de las novitats literàries i culturals d'Itàlia mitjançant una activa correspondència i una notable bibliofilia*<sup>55</sup> and *Carbonell, si bé no el més brillant, va ser probablement el membre més actiu i, d'alguna manera, l'autèntic aglutinador del primer nucli d'humanistes catalans, format durant el darrer terç del segle xv.*<sup>56</sup> Additionally, while describing his personality, Villalonga said *Carbonell és un home que té la capacitat de seleccionar qui és i qui no és humanista, un home que difon a casa nostra les idees renovadores de l'humanisme, un home que va aconseguir que la vida cultural de la Barcelona del tombant del segle xv es vertebrés entorn de la seva figura...*<sup>57</sup>

Carbonell was very aware of a birth of the new cultural movement in Italy which was not foreign to Catalans as the bond established between two peninsulas – Iberian and

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<sup>53</sup> Vilallonga (1993), p. 64

<sup>54</sup> Alcoberro Pericay, Agustí (hereafter: Alcoberro Pericay, 2000), "Les Croniques d'Espanya de Pere Miquel Carbonell: algunes claus per a la seva lectura", *Història, economia i cultura*, N<sup>o</sup>40, 2000, p. 80.

<sup>55</sup> Alcoberro Pericay, Agustí (hereafter: Alcoberro Pericay, 2004), "L'humanisme català en temps dels Reis Catòlics", in: *Isabel La Católica y su época*, Actas del congreso internacional, Valladolid-Barcelona-Granada, 15 a 20 de noviembre de 2004, Volumen I, p. 762.

<sup>56</sup> *Ibidem*

<sup>57</sup> *Ibidem*



Apennine.<sup>58</sup> The presence of Catalan humanists in Italy is undoubting (e.g. Jeroni Pau etc). Italian scholars today recognize these strong ties, without putting into question the existence of Catalan humanism and accepting the Catalan humanists naturally as they accepted their significant opus.<sup>59</sup>

Passionate bibliophile Carbonell was a big admirer of classical literature by owning a great library. He spent a lot of spare time and money on assembling books, which was very prestigious for that period. Additionally, one of the main reasons of his ardent collecting was to abstain from his first passion or to be more precise *ne mulierosos persisterem*.<sup>60</sup> The inventory of his library is found in several private documents. Besides volumes listed in his testament, about twenty incunabula can now be found in library of the Barcelona's University.<sup>61</sup> Secondly, in the manuscript kept in the Archive of the Girona's Cathedral (Girona, Arxiu Capitular, MS 69.) on folium 245 v. Carbonell wrote the list of the books kept in his library. This inventor was written during the August of 1484 and was almost destroyed and illegible due to the ink scattered through the paper. Fortunately, Rubió Balaguer read the listing and published it in 1955.<sup>62</sup> Moreover, on our disposal is document of Carbonell's instructions to his booksellers attending the Venice and Lyon Book fairs in 1488 and 1501.<sup>63</sup>

While examining these documents which are very helpful in terms of revealing Carbonell's scholarly fixations is evident that his literary taste had changed from classics to theological texts. For instance, in the inventory written during the summer of 1484 are

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<sup>58</sup> Vilallonga, Mariàngela (hereafter: Vilallonga, 2001), "Humanisme Català", *Estudi General 21, Revista de la Facultat de Lletres de la Universitat de Girona*, 2001, pp. 482-483.

<sup>59</sup> *Ibidem*

<sup>60</sup> Vilallonga (1993), p. 63

<sup>61</sup> Toldrà, Marià, "El testament de Pere Miquel Carbonell", *El (re)descobriment de l'edat moderna: Estudis en homenatge a Eulàlia Duran*, ed Eulàlia Miralles and Josep Soler Vicens, Barcelona: Publicacions de l'Abadia de Montserrat, 2007, pp. 9-31. (Taken from: Alejandro Coroleu (hereafter: Coroleu, 2010), "Christian Classics and Humanism in Renaissance Barcelona: the case of Pere Miquel Carbonell (1434-1517)" *Humanism and Christian Letters in Early Modern Iberia*, Newcastle upon Tyne: Cambridge Scholars Publishing, 2010, p. 38)

<sup>62</sup> Vidi: Madurell Marimón, José M<sup>a</sup> –Rubió Balaguer, Jorge, *Documentos para la historia de la imprenta y librería en Barcelona (1474-1553)*, Barcelona: Gremios de Editores de liberos y de maestros impresores, 1955.

<sup>63</sup> Whereas Girona, AC, MS 69, includes instructions for the booksellers in 1488, Barcelona, Arxiu de la Corona d'Aragó, *Memoriale 55*, includes instructions the booksellers in 1501 (Taken from: Coroleu (2010), p. 38)

works of Greek philosophical text translated in Latin, Roman poets and historians.<sup>64</sup> For instance, his library gathered works of Seneca and Ciceron, representatives of Roman moral philosophy; however, it could be also found Martial's satirical epigrams, Plautus' playwrights or even Plutarch's "Parallel Lives" highly appreciated in Renaissance Italy.<sup>65</sup> On the contrary, his intellectual preoccupations during the 1490s and later shifted to the theological writings, Christian Latin poetry and spiritual texts. This transition can be explained in two ways. Firstly, it is expected and not rare that people as getting older are turning more to the theological and spiritual. Contrary, this shift can also demonstrate his ambiguity in terms of humanist caught in current political circumstances.

Finally, one part of Carbonell's library found its home in the Public library of Barcelona, given, firstly by their owner to the convents placed in Barcelona and its surroundings, but because a fire was a common hazard for that period, these books have been returned back to the Public library of Barcelona.<sup>66</sup>

As rest of the humanists, Carbonell held correspondence in Latin with his colleagues and friends. He communicated in this fashion with Joan Vilar (*Correspondència amb Joan Vilar*, 1475), Jeroni Pau (*Correspondència amb Jeroni Pau*, 1475 i ss), Guillem Fuster (*Correspondència amb Guillem Fuster*, 1475) and Italians Lorenzo Lippio (*Correspondència amb Lorenzo Lippio*, 1476) and Alessandro Geraldini (*Correspondència amb Alessandro Geraldini*). About Carbonell's epistolography, Vilallonga said *Carbonell és un dels màxims representants d'aquest gènere en el nostre país pel que fa a volum d'epistolari*.<sup>67</sup> These letters are considered as erudite pieces with plethora of borrowed phrases from classical authors wonderfully reflecting the cultural environment during the second half of 15<sup>th</sup> century Barcelona.<sup>68</sup>

The erudite as Carbonell gave himself a right to criticize historical pieces of Catalan knight and historian Pere Tomic and moreover questioning the myths of medieval

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<sup>64</sup> Adroher Ben, M<sup>a</sup> Antonia, "Estudios sobre el manuscrito Petri Michaelis Carbonelli adversaria. 1492 Del archive capitular de Gerona", *Annals de l'Institut d'Estudis Gironins*, Vol. 11, 1957, pp. 116-119.

<sup>65</sup> Guzmán Almagro, Alejandra -Espulga, Xavier, "Actualitat de Pere Miquel Carbonell", in: *Pere Miquel Carbonell i el seu temps (1434-1517)*, Reial Acadèmia de Bones Lletres, p. 15.

<sup>66</sup> Bofarull (1864), p. 10

<sup>67</sup> Vilallonga (1993), p. 67

<sup>68</sup> *Ibidem*, pp. 67-68.

reproductions in his production while the criticism of its lack of foundation legends was constantly present in his attack. Additionally in similar manner he questioned the works of Isidor de Sevilla and Rodrigo Jiménez de Rada.<sup>69</sup>

One of the most important Carbonell's works is collection of the biographies *De viris illustribus Catalanis* from 1476. According to Vilallonga it presents *la primera aproximació a l'humanisme català*.<sup>70</sup> It contains fifteen biographies of 15<sup>th</sup> century Catalan humanists in Catalan and Latin: Lluçà Colomines (grammar from Perpignan), Joan Llobet (philosopher from Barcelona), Joan Margarit (Cardinal of Gerona), Joan Ferrando (theologian from Valencia), Jaume Pau (jurisconsult from Barcelona), Joan Ramon Ferrer (jurisconsult from Barcelona), Gabriel Desclapers (philosopher from Balearic Islands), Ferrer Berard (jurisconsult from Balearic Islands), Jaume Garcia (royal archivist), Jeroni Pau (jurisconsult from Barcelona), Bartomeu Gerp (astrologist from Valencia), Joan de Bòia (astrologist from Valencia), Felip de Malla (priest from Barcelona), Jaume Ripoll (notary from Barcelona) and Gabriel Canyelles (notary from Barcelona). This genre has background in classical antiquity, hence Carbonell, like his colleague Jeroni Pau who wrote *De Hispaniarum viris illustribus*, tried to revive this form and to introduce it to the Catalan humanist literature.<sup>71</sup>

Carbonell was very influential and respectable in 15<sup>th</sup> century Barcelona which is confirmed by letters kept in The General Archive. The constable of King Ferdinand called him in letter written in Torà on July 29, 1483 while requesting certain document from The General Archive, *magnifich e de mi singular amich*.

Juan Loberta, the priest from Tortosa's monastery of Sant Joan de les Abadesses in the letter written on 16<sup>th</sup> September 1484 named him *mossenyer molt magnifich e de gran saviesa*.

Martin Martinez Ternel, royal chancellor of Aragon, in the letter written from Zaragoza on 8<sup>th</sup> September 1488, titled him *magnificho y special amigo*.

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<sup>69</sup> Alcoberro Pericay (2004), p. 764

<sup>70</sup> Vilallonga (2001), p. 482.

<sup>71</sup> *Ibidem*

Alfonso de Aragon, archbishop of Zaragoza, begun letter written in Zaragoza on 1<sup>st</sup> October 1490 with: *special amigo*.

The constable and count of Cardona started letter addressed to Carbonell, written in Arbeca on 27<sup>th</sup> February 1491, with *molt magnifich e singular amich*.

Juan de Aragon, count of Ribagorza, in the letter written on 10 November 1491 called Carbonell *virtuoso mi special amigo*.<sup>72</sup> Abundance of similar examples of his honorable and creditable personality exists.

Carbonell left behind significant opus, but the most important of his legacy are previously mentioned *De viris illustribus catalanis* and *Chròniques de Espanya*. The historical piece *Chròniques de Espanya* starts with refutation of the medieval Hispanic myths and legends and continues on reign of Goths while describing the period until the death of King John II of Aragon.<sup>73</sup> Additionally, it is opposing to historical work *Histories e conquestes dels Reys de Arago e Comtes de Barcelona* by Catalan knight and writer Pere Tomich.<sup>74</sup> According to Alcoberro, regarding to this issue, he states that *Les Croniques d'Espanya de Pere Miquel Carbonell han de ser enteses també com una reacció davant l'edició de l'obra de Tomich*<sup>75</sup> due to its unreliable and legendary sections.

His other works are *Obra brocada de la gloriosa Magdalena parlant de penitentia*, *Diuae Mariae Magdalena oratio*, *Epistula de consolatione pestilentiae*, *Genealogies dels comtes de Barcelona; continuades per l'arxiver Jaume Garcia i per Pere Miquel Carbonell*, *De origine vitae et obitus magistri Bartholomei Oller presbyteri, necnon de facto Joachim et Annae coniugum instauratio*, *Ad Gabrielem Ville de huita et mira culis diluí Sequero Barcinonenses antostas epistolar*, *De exequis sepultura et infirmitate*

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<sup>72</sup> Bofarull (1864), pp. 6-7.

<sup>73</sup> Alcoberro Pericay, Agustí (hereafter: Alcoberro Pericay, 1994), "Pere Miquel Carbonell, historiador, humanista, i la historiografia Catalana del segle XV", *Revista d'història moderna*, núm 14, Pedralbes, 1994, p. 211.

<sup>74</sup> Antonio, Nicolás, *Bibliotheca hispana nova, sive hispanorum scriptorum qui ab anno MD ad MDCLXXXIV floruerunt notitia*, tomus primus, Matriti, apud Joachimum de Ibarra typographum regium, MDCCLXXXIII, p. 218, in: [http://www.cervantesvirtual.com/obra-visor/bibliotheca-hispana-nova-sive-hispanorum-scriptorum-qui-ab-anno-md-ad-mdclxxxiv-floruere-notitia--0/html/00ed10fa-82b2-11df-acc7-002185ce6064\\_1107.htm](http://www.cervantesvirtual.com/obra-visor/bibliotheca-hispana-nova-sive-hispanorum-scriptorum-qui-ab-anno-md-ad-mdclxxxiv-floruere-notitia--0/html/00ed10fa-82b2-11df-acc7-002185ce6064_1107.htm), accessed on 25/05/2016

<sup>75</sup> Alcoberro Pericay (1994), p. 213

*Regis Ioannis Secundi, Episcoporum Barcinonensium... ordo et numerus, De la conservation e duration de la cauta de Barcelona, Notes sobre Pere d'Aragó,* and correspondences as mentioned earlier: *Correspondència amb Joan Vilar, Correspondència amb Jeroni Pau, Correspondència amb Guillem Fuster, Correspondència amb Lorenzo Lippio, Correspondència amb D. Beatriu de Pinós.* Additionally, Carbonell wrote lengthy poem *Dansa de la mort*, typical example of allegoric medieval poetry and *Poemes Catalans*.

Furthermore Carbonell wrote books inspired in the Inquisition, such as *Super facto expulsionis hereticorum iuderumque ... nec non recuperatione Comitatum Ruscionis et Cerritaniae*, and *Liber descriptionis reconsiliationisque, purgationis et condemmnationis hereticorum ALIAS de Gestis Hereticorum*.

Among these works Requesens draw attention to twenty eight sheets of eight thread papers edited by professor Vilallonga and followed with introduction and Catalan translation. This edition gathered historical works and letter (correspondence with Carbonell's son, Francesc) found in the Arxiu Capítular de Girona under the signature Ms 930.<sup>76</sup>

In this list are still missing certain writings, especially epistles and according to Vilallonga: *algunes de les que falten no han estat mal extretes dels Memorials de Pere Miquel Carbonell, que cal revisar a fons per l'extraordinària quantitat de material inèdit que encara contenen*<sup>77</sup> hoping that the future will bring precise assembly of Carbonell's literary effort and creativity as he rightfully deserved.

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<sup>76</sup> Vilallonga Vives, Maria Àngela, *Dos opuscles de Pere Miquel Carbonell*, Barcelona: Associació de Bibliòfils, 1988, pp 47-113. (Taken from: Requesens Piquer, Joan, "Textos del Renaixement al llarg de 30 anys (un assaig)", *Arxiu de Textos Catalans Antics*, Volum 29, 2010, p. 972)

<sup>77</sup> Vilallonga (1993), p. 66.

### 1. 3. Description of the Manuscript

*Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum*

*ALIAS de Gestis Hereticorum*

Pere Miquel Carbonell's manuscript *Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum* kept in The General Archive of the Crown of Aragon under the signature *Real Cancilleria registros numero 3684* contains documents about the inquisition in the Crown of Aragon and especially in Catalonia from 1487 until 1507, therefore it's estimate that the date of origin is end of 15<sup>th</sup> and beginning of the 16<sup>th</sup> century, written in many cases soon after the events. Although, Carbonell recorded these events in chronological order, there are still certain exceptions. For instance, inserted documents such as *Pensio assignata Inquisitori hereticae pravitatis* from 1357 and 1358 are outside of described historical period in manuscript. Additionally, while listing the inquisitorial processes, author is not always following chronological continuity; for example, in depicting historical occurrences in 1488 Barcelona, Carbonell is describing episodes happened in August and later the one happened at May. Additionally, the place of origin is Catalonia, i.e. towns Barcelona, Tarragona, Girona, Vic and Elne (*ab originalibus processibus Sanctae Inquisitionis factis per reverendos inquisitores haereticae pravitatis tam in civitatibus Barcinonae, Tarraconae, Vici, Gerundae et helnensi, quam earum diocesibus*)<sup>78</sup> when author held position as notary while one of his obligations was to be present at the trials and interrogations<sup>79</sup> (*cum tota eorum curiae et presentibus etiam reverendo in Christo patre Petro Garcia*

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<sup>78</sup> ACA, RNIFII, RN 3684, fol.CVII.

<sup>79</sup> Kamen (1997), p. 187

*Dei et apostolicae Sedis gratia Barcinonensi Episcopo ac me Petro Michaeli Carbonello Regio Archivario notarioque publico Barcinonae et aliis in multitudine satis grandi fuerunt*<sup>80</sup>).

The script belongs to the collection: «Reg.<sup>um</sup> sobre negocios de la Ynquisición Ferdinandi II» and it is attached on a previous manuscript *Registrum negotiorum inquisitionis heretica pravitatis* sharing the same topic. The record is published in two books; firstly in *Coleccion de documentos inéditos del archive general de la Corona de Aragon, tomo XXVII, Opúsculos inéditos del cronista Catalan Pedro Miguel Carbonell, tomo I* printed in Barcelona in 1864 and in *Coleccion de documentos inéditos del archive general de la Corona de Aragon, tomo XXVII, Opúsculos inéditos del cronista Catalan Pedro Miguel Carbonell, tomo II*, also published in Barcelona on the following year by current royal archivist Manuel de Bofarull i de Sartorio from The General Archive of the Crown of Aragon.

The page size of the script is 295 x 215 mm, except three folia with sizes 220 x 140 mm. These three smaller size folia are belonging to the manuscript and are not added later; firstly because they are mentioned in the contents on the folium CVI and additionally go chronologically with rest of the records.

Additionally, exist two types of pagination, both written in Roman numerals from which one is added later. First starts with I, and second with CV and the sheets are forming a folio with recto and verso pagination. The first pagination is written by Carbonell (*...ad folium XLVII exclusive id enim feci ad hunc finem...*<sup>81</sup>), and the second one is added later, because it continued and was attached on the previous manuscript. In *Repertori de manuscrits Catalans*<sup>82</sup> while describing *Liber descriptionis* it was claimed differently, but obviously the pagination which begins with I is written by Carbonell which confirms the contents on folium CVI and also the utilization of the same color of the ink.

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<sup>80</sup> Bofarull (1865), p. 87.

<sup>81</sup> ACA, RNIFII, RN 3684, fol. CVII.

<sup>82</sup> Duran, Eulàlia, *Repertori de Manuscrits Catalans (1474-1620)*, Volum III, Institut Joan Lluís Vives, Institut d'estudis Catalans, Barcelona, 2003, pp. 100-102.

The manuscript is written on a paper while the binding are done afterwards with parchment. The record is written in lines and double columns; also, number of lines varies from twenty five to fifty. On folio CVI (on margin: T<sup>0</sup>II) is written a content of the manuscript in double columns, where is afterwards added the note by 17<sup>th</sup> century royal archivist Didaco Monfar: *Restitu[tu]m Regio Archivo die 15 junii 1645 et traditum mihi, Didaco Monfar, regio archivario.*<sup>83</sup> Carbonell gave on this folio the contents of the script written in two columns in Latin, all though in some places the records in text are written in Catalan.

The *Liber descriptionis* is very good preserved. On the folio CV which held a title (added in XIX century) exist presence of the holes as a part of decoration. The pilcrows, rubrics and manicules are written in red as some titles which are also underlined in order to emphasize a certain part of the text for the readers. Margins are also written in red and are always on the left side of the lines.

The actual text of the manuscript begins with Carbonell`s statement that he accept the mission to write this piece due to his strong religious beliefs (*exaravi absque aliquo domini Regis stypendio sed gratis duntaxat et ex voto in Dei laudem ac fidei Catholicae defensionem ac infidelium opprobrium et confusionem et ut memoriae comendentur*<sup>84</sup>). His wish was to preserve these historical events from oblivion, thinking that heresy was spreading throughout whole Spain, especially in Catalonia.

There is an evident dilemma in the author`s choice of writing style utilized in the work as he shifts between classical, and vernacular language which he preferred (*...processus ipsi hereticorum sunt partim latino sermone et partim vernicula lingua scripti sed etiam mihi placuit alio stylo sine substantiae mutatione illa edere atque excerpere...*)<sup>85</sup> in creating this piece so historically significant with an abundance of authentic facts, and yet so simple in revealing historic details.

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<sup>83</sup> ACA, RNIFII, RN 3684, fol. CVI

<sup>84</sup> ACA, RNIFII, RN 3684, fol. CVII

<sup>85</sup> *Ibidem*



*Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum* was created at the demand of Barcelona's inquisitor Alfonso de Spina who entrusted this task to archivist Carbonell (*Reverendus Alfonsus Spina hereticae pravitatis inquisitor jussu Regio preeunte voluit et mandavit mihi Petro Michaeli Carbonello Regio Archivario ut in hoc registro sive libro continuarem que faciunt pro officio inquisitionis hereticae pravitatis*).<sup>86</sup>

This precious historical document, evidently from the title, describes three main outcomes of the trials: acquittal, reconciliation and condemnation of the accused. Additionally, it described historical period from the end of the 15<sup>th</sup> and the beginning of the 16<sup>th</sup> century. Therefore, according to Kamen, it belonged to the first phase of the tribunal's activity: the period of intense anti-converso persecution.<sup>87</sup>

On the other hand, occasionally Carbonell was imprecise in calculating persons involved or accused in these processes, what proves his uncertainty as a historian.<sup>88</sup>

The last part described in the script was sentence read against heretics held in Barcelona on Friday March 5, 1507 (*Lata fuit preinserta sententia per supradictos reverendos dominos inquisitores et Vicarium Generalem et seu de mandato suarum reverendarum paternitatum lecta et publicata alta et intelligibili voce in platea vulgo dicta del Rey civitatis Barcinonae per me Jannem Meya notarium et in secretis officii Sanctae inquisitionis scribam die veneris quinta mensis martii anno a nativitate Domini millesimo quingentesimo septimo presente et audiente prefato Urbano heretice condemnato degradato praesentibusque ad praedicta pro testibus vocatis atque assumptis nobili domino Diomedes de Floribus natione Valentino reverendo Joanne Guardiola decretorum doctore canonico Sedis Barcinonae officialique reverendissimi Episcopi Barcinonensis magnificis Hieronymo Malet Joanne Ferrero Paulo Mas et Gaspare Serra doctoribus Guillelmo Cabanyelles Petro Michaeli civibus Bernardo Casavdevol in artibus et medicinae magistro Michaeli Falco locumtenente algutzirii Sanctae Inquisitionis*

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<sup>86</sup> ACA, RNIFII, RN 3684, fol. CVII.

<sup>87</sup> Kamen (1997), p.198

<sup>88</sup> Bofarull (1865), pp. 17-19

*Simone Falco mercatore Jacobo de Riudolms Regio uxerio Michaelae Ferrer cive et Michaelae Joanne Artigo notario habitatoribus et civibus Barcinonae et allis quampluribus in multitudine copiosa).*<sup>89</sup>

One of the most eye-catching examples of Carbonell's humanism in the manuscript *Liber descriptionis* is the part *Epigramma Petronii* written on folium CLVII. It stands next to writer's note pointing on the power of wealth and money *hoc epigramma excripsi pro divitibus: quorum Gloria in hoc saeculo manet sepulta.*<sup>90</sup> (I wrote this epigram for the rich people: Who's Gloria in this times remain buried). These verses are following the case against defendant Angelina Vilella from Barcelona, prosecuted for suspicion in which was utilized the defense of compurgation.<sup>91</sup> Additionally, it was recorded by Joan de Vilava, first scribe of the Inquisition, and later copied by Carbonell who apparently was not satisfied with the decision of releasing the defendant, although her Christian character was defendend unanimously by compurgators. Consequently, these precisely chosen verses taken from Petronius' fiction work *Satyricon* 137.9 depicted Carbonell's inner rebellion regarding the Vilella's trial:

*quisquis habet nummos, secura navigat aura*

*fortunamque suo temperat arbitrio.*

... 6 versus

*Multa loquor quod vis nummis praesentibus opta,*

*et veniet. Clausum possidet arca Iovem*

Finally, on the last folio of the manuscript CXCIXv, 19<sup>th</sup> century royal archivist Próspero de Bofarull wrote a note regarding to Carbonell's work: *Don Próspero de Bofarull, archivero. etc. Certifico que este registro, que en el día de la fecha consta de 199 folios útiles, se hallaba*

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<sup>89</sup> ACA, RNIFII, RN 3684, CXCIX.

<sup>90</sup> *Ibidem*, CLVII.

<sup>91</sup> Vidi: The Compurgation

*dividido anteriormente en dos tomos, de los cuales el primero, titulado Regestrum negotiorum inquisitionis hereticae pravitatis de 1482 a 1486, constaba sólo de 103 folios numerados y de 88 el segundo, titulado Liber descriptionis reconsiliacionisque et condemnationis hereticorum, alias de gestis hereticorum, los cuales, por ser tan análogos en materias y fechas, los he mandado unir, remendar y encuadernar aplicándolos a la colección de registros del señor don Fernando II<sup>o</sup>, a la que pertenecen, dando al presente tomo el título de Registro sobre negocios de Inquisición de Fernando II. Todo lo que así lo certifico para los efectos combenientes. Barcelona y agosto 20 de 1817. Próspero de Bofarull.*

#### 1. 4. A Question of language in the *Liber descriptionis*

In the manuscript *Liber descriptionis* exist an evident dilemma in the author's choice of writing style as he shifts between Renaissance Latin and vernacular language (i.e. 15<sup>th</sup> century Catalan) which he preferred (...*processus ipsi hereticorum sunt partim latino sermone et partim vernacula lingua scripti sed etiam mihi placuit alio stylo sine substantiae mutatione illa edere atque excerpere...*<sup>92</sup>).

The originality of the described inquisitorial processes was demonstrated by the various languages used in the manuscript. For instance, the largest section of the text, including the titles, case descriptions with the names of the penitents and members of complex inquisitional bureaucracy structure are written in Latin. On the other hand, exact evidences, such as the confessions and oral or written statement of the accused are left in their primary shape, i.e. are written in 15<sup>th</sup> century Catalan. Thirdly, the section written in Spanish is the smallest and includes other sources written in Spanish, such as letters describing the inquisitional processes.

In Catalan-speaking zones the importance of language was always significant. Even thought, Catalan was official idiom used in trials, after 1560s it was altered, cause *since Catalans normally understand our language, depositions should be made in Castilian language and all trials held in private should be written in it.*<sup>93</sup> According to Kamen, it explains additionally the foreign character of the Inquisition.<sup>94</sup>

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<sup>92</sup> ACA, RNIFII, RN 3684, fol. CVII

<sup>93</sup> Archivo Histórico Nacional (hereafter: AHN), Madrid, Inq. leg 1592, no.2 (Taken from: Kamen (1997), p. 165)

<sup>94</sup> *Ibidem*

In the manuscript are three 14<sup>th</sup> century Latin documents which are illustrating the royal orders; therefore outside of the historical frame described in the text. Firstly, the record *Regia licentia inquirendi adversus hereticos concessa fratri Bernardo de Podio ordinis fratrum minorum in sacra pagina Magistro*<sup>95</sup> presents a copy of letter written by Peter IV of Aragon for Franciscan friar Bernardo de Podio made by Carbonell for Alphonso de Spina and followed by his own comments on canonical causes of heresy. This letter was made due to request of pope Innocent IV urging the king to support the actions of Franciscan friar.<sup>96</sup>

This testimony, evidently from the title, illustrated the royal order for friar Bernardus de Podio against heretics who had escaped Provence and settled in the Kingdom of Aragon (*de comiatatu Venaysini et allis locis et terris eidem domino Papae ac de provintia Provintiae*)<sup>97</sup> by authorized him as a inquisitor general with a power to punish suspects. Carbonell copied this document entirely as the proof of existence of the Early Inquisition period in Catalonia. The king continued the order by writing about converts *quod non nulli judei de caecitate judaica ad lumen Christi verum pervenire cupientes qui sanctum chrisma et baptismum in lavacro regenerationis susceperant*<sup>98</sup> and using personification form as a harsh insult for converts who had lapsed and returned to their old customs by taking the phrase from The Book of Proverbs 26:11 *ut canes ad vomitum redeunt.*<sup>99</sup>

Secondly, two more 14<sup>th</sup> century documents holding the same title *Pensio assignata Inquisitori hereticae pravitatis* from 1357 and 1358 were written entirely in Latin. These records originated in Zaragoza and Barcelona was made by King Peter IV of Aragon and afterwards copied by Carbonell. The first document was written in Zaragoza on February 6<sup>th</sup>, 1357 and it represents *The Order for an annual salary of the Inquisitors* which begins with formula by King Peter IV of Aragon in the way of *pluralis modestiae: Nos Petrus Dei gratia Rex Aragonum Valentiae*

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<sup>95</sup> ACA, RNIFII, RN 3684, fol. CVIII

<sup>96</sup> Krigel, Maurice, "Prémarranisme et inquisition dans la Provence des XIII<sup>e</sup> et XIV<sup>e</sup> siècles", *Provence historique*, t. 109, 1977, p.319.

<sup>97</sup> ACA, RNIFII, RN 3684, fol. CVIII

<sup>98</sup> *Ibidem*

<sup>99</sup> *Ibidem*

*Majoricarum Sardiniae et Corsicae Comesque Barcinonae Roseilionis et Ceritaniae...*<sup>100</sup> In the following order, King had requested for the future inquisitors to receive the same salary as the previous one`s were accustomed to have (*Ideo volentes vos eandem seu similem pensionem a nobis habere quam dictus frater Nicolaus ac alii praeteriti inquisitores habere consueverunt pro inquisitionis honeribus*).<sup>101</sup> The monarch defined precise amount of money of one hundred *libras Barcinionenses*<sup>102</sup> paid from the Royal Treasury which inquisitors would receive on the annual basis as long as this institution exists. The both documents are finished by giving the place and the date of its origin (*Datum Barcinonae secunda die octobris nno a nativitate Domini millesimo trecentesimo quinquagesimo octavo*<sup>103</sup>).

Thirdly, the biggest part of the Latin text presents the records with inquisitorial case description, including: date, place, name of the inquisitors and others members of complicated bureaucracy structure, ceremony and trial description, names of the accused with their occupations and marriage status, and finally their sentence.

In order to illustrate more precisely the use of Latin in inquisitorial cases it will be described the situation occurred in Barcelona on August 5<sup>th</sup>, 1488 named *Deliberatione Joannes Mayol*. Clearly from the title, this case explains the liberation of jeweler (*argentarius sive faber auri*)<sup>104</sup> Joannes Mayol (Joan Mallol). This man was wrongly convicted and was released from jail (*ab ipsis carceribus liberatus fuit*)<sup>105</sup> after eleven months and seven days. During the trial it was proved that *huius homini christiani natura et non ex stirpe judeorum*<sup>106</sup> while *in eius favorem attenta maxima deffensione*.<sup>107</sup> Additionally, the cause of jeweler`s imprisonment was false testimony of the witnesses (*namilli falsi testes praetendebant ipsum argentarium perperam dixisse se non credere esse paradissum infernum et purgatorium*<sup>108</sup>). Nevertheless, new witnesses

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<sup>100</sup> *Ibidem*, fol. CX`

<sup>101</sup> *Ibidem*

<sup>102</sup> *Ibidem*

<sup>103</sup> *Ibidem*

<sup>104</sup> *Ibidem*, fol. CXV`

<sup>105</sup> *Ibidem*

<sup>106</sup> *Ibidem*

<sup>107</sup> *Ibidem*

<sup>108</sup> *Ibidem*

came to his defense *qui dixerunt se credere praedicta verba hereticalia per praedictum argentarium quem catholicum in fide esse videbant nunquam prolata fuisse quia talia verba nunquam catholici pronuntiant sed heretici et condemnati*<sup>109</sup> and Mallol was set free. Regardless, on the next Sunday, the goldsmith had to be present in the church all the time during The Divine Office and *missam majorem*<sup>110</sup>; he had only a tunic on his back and was without shoes, while holding in one hand lighted tapers (*cereo accenso*<sup>111</sup>). Together with Mallol was presented painter Manuel Guasc from Barcelona (*Et nihilominus die anno mense et loco praefatis Manuel Guasch tinctorarius civis Barcinonae se purgavit cononica purgatione quemadmodum fuerat et injunctum adhibita ipsi penitentia loco modo et forma praedictis*<sup>112</sup>). The proceeding was finished by inquisitor`s convocation of the *magnum concilium in jure peritorum*<sup>113</sup> which consisted of twelve masters of theology and twelve doctors of canon law (*XII in sacra pagina professorem*<sup>114</sup> ...*XII in jure canonico doctorum*<sup>115</sup>) i.e. *consulta de fe*<sup>116</sup> who voted unanimously in favor of the accused while the names of the law experts were not recorded.

Next, the part written in 15<sup>th</sup> century Catalan which consist exact evidences, the confession and depositions of the accused are left in their primary shape. Additionally, detailed crime descriptions are written also in Catalan and in plethora of the occasions have intro like *mihi Petro Michaeli Carbonello tradidit eius verba haec sunt vernacula lingua*.<sup>117</sup> On the one hand, the writer`s decision can be interpreted as a result of writer`s informality or, on the other, as his obligations of a royal archivist. The Royal Archive was at that time different from the nowadays archives; the main distinction was to preserve current and valid documents, therefore the duties of archivist was not historic but practical and

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<sup>109</sup> *Ibidem*

<sup>110</sup> *Ibidem*

<sup>111</sup> *Ibidem*

<sup>112</sup> *Ibidem*

<sup>113</sup> *Ibidem*

<sup>114</sup> *Ibidem*

<sup>115</sup> *Ibidem*

<sup>116</sup> *Vidi: Consulta de fe*

<sup>117</sup> ACA, RNIFII, RN 3684, fol. CXVI

effective.<sup>118</sup> Therefore, in order to keep the initial form of the statements, Carbonell probably recorded it at sight without changing it. According to Kamen, testimonies in Catalonia were taken in Catalan and afterwards translated to Spanish in order for inquisitors to understand it. Consequently, in plethora of cases, the translated text was altered to the point leading to enormous injustices. That is why from 1560s the testimonies had to be written in Spanish although are dictated in other idiom.<sup>119</sup>

To begin with, in order to illustrate more precisely the use of Catalan in the manuscript, it will be described the depiction of accusation`s crimes. As many others, this story also began with Carbonell`s introduction in Latin: *in qua quidem sententia vernacula lingua haec verba comperi in effectu inter alia quae brevitatis gratia omittere mihi placuit.*<sup>120</sup> The crime description continued on the case occurred in Barcelona on May 23<sup>rd</sup>, 1488 on Saint Julia`s feast day which had finished with an sentence of death penalty of three women, while forty people were prosecuted *in absentia*. The royal archivist was disgusted by acts and sins of the accused; so he wrote about people convicted in absence, portraying their sins, especially the one regarding to Franciscus Vitalis, son of the merchant Franciscus Vitalis and Violans, wife of Guillelmus Fabra. In the following lines in vernacular language, he described their blasphemous acts such as throwing a wooden cross on a ground and wiping and stepping on it with dirty boots (*un dia en una casa d'aquesta ciutat e en gran vituperi e sacra de nostra Redemptor Jusu-Christ prengueren un crucifix de fust e aquell lansaren per terra e calcigaren ab los peus fangosos uns apres altres e hu dells ab una correja despasa asoltava dit Crucifix...*<sup>121</sup>). Carbonell finished the description by expressing his astonishment for fearlessness of their godless actions (*Yo so la Verge Maria no haveu vergonya e temor de Deu de fer aquestes coses tant damnatissimes*<sup>122</sup>).

Secondly, one more example of the utilization of Catalan in the manuscript is described in the *Processio intra tempus Gratiae in civitate Tarraconae* which happened during the

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<sup>118</sup> Rubió Balaguer, Jordi, "L'arxiver Diego Garcia", *Humanisme i Renaixement* (Obres de Jordi Rubió i Balaguer, VIII), Publicacions L' Abadía de Montserrat, 1990, pp. 330, 335 (Taken from: Alcoberro Pericay (1993), p. 516)

<sup>119</sup> Kamen (1997), p. 188

<sup>120</sup> ACA, RNIFII, RN 3684, fol. CXVI

<sup>121</sup> *Ibidem*

<sup>122</sup> *Ibidem*



Term of Grace on Saturday, 28<sup>th</sup> of July, 1489 in Santa Tecla Church in Tarragona when twenty seven people abjured heresy.

The abjuration of heresy held in Santa Tecla was magnificent ceremony when people with a hand on the gospels sworn to abjure heresy and turn back to their religion (*ad proprios lares rediere*<sup>123</sup>). Carbonell continued by writing *Forma abjurationis* in 15<sup>th</sup> century Catalan. Two men Andreu Colom and Francesc Vilagut talked in behalf of other penitents and all covertly from the Archbishop of Tarragona *de nostra libera franquea agradable e spontanea voluntat*<sup>124</sup> denied any heresy and especially the one described to confessing and observing the Jewish ceremonies of the Moses law and practicing the rites of Jewish solemnities (*e en special aquesta de que son infamats e testificats la qual nosaltres havem confessada ço es de judeïçar e de guardar e observer les ceremonies de la Ley de Moyses e fer los ritus e ceremonies e les solemnitats dels judeus...*<sup>125</sup>). They sworn to always keep faith of Holy Church and to defend Catholic faith and pursue all of them who are against it (*E per tots temps perservarem e starem en la unitat e congregatio de Sancta mare Esglesia e serem tots temps en defensio de la Sancta fe catholica Cristiana e perseguirem tots aquells qui contra aquella seran...*<sup>126</sup>).

Finally, the section written in Spanish language is the smallest and includes other sources written in this idiom. For instance, unique example of testimonies written entirely in this idiom is letter describing the inquisitorial process by fiscal from Valencia to Barcelona's fiscal and afterwards copied by Carbonell in its primary form (*una letra que lo fiscal de lo Sancta Inquisitio de Valentia ha feta al fiscal de la Sancta Inquisitio de Barcelona per aquell a mi dit Archiver comunicat e donat transumpt vertader e provat ab son original lo qual capitol es del tenor seguent en lengua castellana*<sup>127</sup>). The document is named: *Capitulo de una letra del fiscal de la*

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<sup>123</sup> *Ibidem*, fol. CXIII

<sup>124</sup> *Ibidem*

<sup>125</sup> *Ibidem*

<sup>126</sup> *Ibidem*, fol. CXX.

<sup>127</sup> Bofarull (1865), p. 160

*inquisition de Valentia fecha al fiscal de la inquisition de Barcelona sobrel caso que se fallo en casa de Miquel Vives converso de Valencia viernes en la noche a XX de marzo anno de 1500.*<sup>128</sup>

Obviously from the title, this case refers to convert Miquel Vives from Valencia who's crime was that *todos los sabados se encendian gran multitude de candelas y lumbres y havia mas de medio anyo sabiamos lo continuavan.*<sup>129</sup> Therefore, in future text Jesus, the inquisitorial fiscal in Valencia, described that he and his companions Martin Ximenes and Joan Perez on Friday 20<sup>th</sup> of March, 1500 went to Vives' house in order to reveal him and rest of his accomplices (*que un viernes a la noche fuessemos por los fallar con el furto en el mano... el hermano Martin Ximenes y Joan Perez e yo que con los Sennores Inquisidores solos specialmente el caso sabiamos y otros dos que nos acompanyavan despues de anohecide que vimos de una parte la luminaria*).<sup>130</sup> The previously mentioned personnel of the Tribunal did not hesitate to use force in order to expose followers of Jewish rites (*que aunque la puerta era en grande manera fuerte las fuerzas nostras con el favor de Dios tanto crecieron que dimos con las puertas en el suelo y se quebraron por lo mas fuerte y assi entramos la casa*).<sup>131</sup> They succeed in their intentions and found members of Vives' family in secret adherence to Judaism.

To sum up, the significance of *Liber descriptionis* is demonstrated by utilization of three idioms. Carbonell used Latin as an administrative language appropriate for royal archivist and colloquial Catalan which he preferred. Additionally, 15<sup>th</sup> century Spanish was needed due to written evidences which had left in the original shape. Furthermore, the existence of these languages is revealing authenticity of the manuscript as one of the important records of the 15<sup>th</sup> century inquisition in Catalonia for future researchers to follow.

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<sup>128</sup> *Ibidem*

<sup>129</sup> *Ibidem*

<sup>130</sup> *Ibidem*

<sup>131</sup> *Ibidem*

## 2. Legal Procedures in Practice

### 2. 1. *Tempus Gratiae*

Edict of Grace was a practice originated from the medieval inquisition which features had been documented in The Instructions of 1484. At the time when the tribunal was established, the inquisitors had an obligation to announce a Term of Grace, period lasting for thirty or forty days during which apostatized people were encouraged to clear their conscience by committing their sins or accusing others. During that interval, authorities invited those who wished to discharge their moral sense by allowed them to confess their errors hence they could not be condemned to serious penalties, such as capital punishment, perpetual prison or confiscation. However, in many cases, after the reconciliation provided by the inquisitors, they additionally requested a certain part of compensation, such as a portion of property, etc.<sup>132</sup> On the other hand, if culprits felt back into previous manner and relapse or someone alleged them, they had been prosecuted without regard. While all the proofs were held in top secret, consequently they would found out for denouncing at the time of their arrests.<sup>133</sup>

The case *Dies processionis* presents the beginning of the series of the inquisitorial processes in Carbonell's manuscript. It illustrated the historical episode occurred in

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<sup>132</sup> Instrucciones inquisitoriales de 1484, 3, 7, 8 (Argüello, Gaspar Isidro de, fol. 3,4) (Taken from: Lea (1906), II, p. 457.)

<sup>133</sup> Llorente, Juan Antonio, *The History of the Inquisition of Spain, from the Time of Its Establishment to the Reign of Ferdinand VII*, London: Printed for Geo. B. Whittaker, MDCCCXXVI. p. 35

Barcelona on Friday, December 14, 1487 when after the Period of Grace fifty people conscious of their heresy voluntarily confessed their sins and heretical errors.

Carbonell revealed little about their sins and confessions under the Edict of Grace. We can only assume that penitents admitted as little as they possibly could and throw the guilt on those who misled them in order to dodge pecuniary penance. In this and similar proceedings, inquisitors did not interfere in the confessions while collecting significant information, therefore sinners could say as little or as much as they prefer.<sup>134</sup>

Inquisitor Alfonso de Spina was presented and appeared as an inquisitor and vicar of Barcelona's episcopacy with his colleague and second inquisitor Sanxo Marín. In the head of the procession which began at the Convent of Saint Catherine and led until La Seu reconciled people held large crucifix (*uno magno crucifixo in primis erectis homines tam mares quam mulieres*<sup>135</sup>). Afterwards Barcelona's new inquisitor read the repentance *de fide catholica et eorum erroribus in medio praedictae Ecclesiae cepit*<sup>136</sup> and continued his sermon.

Carbonell listed the names of the people in alphabetical order, firstly men with their professional occupations and after women's names, mostly their wives; hence author continued: *hi qui sequuntur fuerunt reconciliati gremio Sanctae Matris Ecclesiae quia confessi fuerunt tempus gratiae*. The volunteers were: cobbler Antonius Far, furrier Andreas Amoros, barber Balthasar Rabacer, retailer Bernandus Rabacer, tailor Franciscus Guardiola, pharmacist Franciscus Requesens, furrier Gabriel Lunes, merchant Gaspar Badia, tailor Gaspar Vilanova, furrier Galcerandus Colomer, Galcerandus Tagamanent, furrier Joannes Valls, tailor Joannes Malarts, tailor Laurentius Costa, tailor Ludovicus de Sivilla, coalman Ludovicus Baldufer, Manuel Olivarius, Arnaldus Huguet, furrier Paulus Falco, tailor Paulus Aymericus, furrier Petrus Mestres, Thomas Sanctus-Georgius and Ramundus Scales. The accused women were: Angelina, wife of barber Gabriel Montbru, Narcisa widow of Laurentius Costa, Euphrosyna Malarts, wife of a tailor Joannes Malarts, Alduncia, wife of a furrier Jacobus Castello, Brianda, wife of merchant Manuel Olivarius, Brigida, wife of

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<sup>134</sup> Lea (1906), II, p. 460; Kamen (1997), p. 175

<sup>135</sup> ACA, RNIFII, RN 3684, fol. CXI.

<sup>136</sup> *Ibidem*

pharmacist Bartholomeus Requesens, Blanquina, wife of furrier Petrus Serria, Blanquina, wife of royal scribe Jaume de Casafranca; Clara, wife of blacksmith Bernardus Bernich; Clara, wife of pharmacist Francescus Requesens; Chatherina, wife of furrier Paulus Falco; Elionor, wife of merchant Paulus Olivarius; Elionor, wife of furrier Gabriel Lunes; Eulalia, wife of royal scribe Bernardus Beget; Elionor, wife of retailer Bernardus Cardona; Elionor, wife of royal officer Arnald Huguet; Elionor, wife of furrier Joannes Valls; Elionor, wife of tailor Franciscus Guardiola; Eulalia, wife of a Galcerandus de Tagamanent; Fancina Rossell, wife of furrier Francescus Rossell; Francina, wife of tailor Petrus Sart; Isabel, wife of merchant Joannes Rodrigues; Isabel, wife of furrier Galcerandus Colomer; Isabel, wife of tailor Ludovicus de Sivilla; Isabel, widow of furrier Stephanus Valls; Joanna Costa, wife of tailor Laurentius Costa; Joanna, wife of furrier Joannes Castello; Violans Amorosa, wife of tailor Joannes Cabrit; Violans, wife of furrier Petrus Maestres; and Violans widow of Raphaelis Avinyo.<sup>137</sup>

In the future cases, Carbonell was a slightly nonspecific in listing names which he did randomly with no interests in finding professions of the penitents. Additionally, in this specific case he made several mistakes in listing people by alphabetical order: *Angelina*, *Narcisa*, *Euphrosyna* and then continues regularly *Alduncia*, *Brianda*, *Brigida*, *Blanquina*, etc.

Carbonell marked three repented with black cross on the left side and wrote on a margin that they *processionem non secuti fuere*<sup>138</sup>, because they were already deceased. They were Joanna Costa, wife of tailor Laurentius Costa, merchant Thomas Sanctus-Georgius and tailor Gaspar Vilanova.

In this list we can find very influential personalities' wives from this historic period which was evident from their professions. For instance, on the list were Blanquina, wife of Jaume de Casafranca who was deputy of Ferdinand's treasurer-general of Catalonia and Elionor, wife of Arnald Huguet who was royal officer (*regius portarius*).

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<sup>137</sup> *Ibidem*

<sup>138</sup> *Ibidem*, fol. CXII

The first in the series of spectacles in the city of Tarragona occurred on Saturday July 18, 1489 when twenty seven people during the Term of Grace publically abjured heresy. It started at monastery of preachers, continued outside of the city walls and ended in front of the Santa Tecla Church (*Apud Ecclesiam Sanctae Teclae civitatis Tarraconae reconciliati subscripti qui illuc venerat u test de more processionaliter peracto divino ad monestarium fratrum praedicatorum situm extra et prope moenia ipsius civitatis Tarraconae unde iter arripuerant...*<sup>139</sup>). Alfonso de Spina, the new elected Barcelona's inquisitor, was presented at the ceremony with Curia.<sup>140</sup>

All reconciled volunteers were neophytes or converts settled in the Archiepiscopate of Tarragona (*omnes praedicti sunt neophyti seu conversi lares habentes in Archiepiscopatu Tarraconae*<sup>141</sup>) more precisely, from Tarragona, Riudoms, Alcover, Valls, Montblanc and Falset. In this list, Carbonell numbered, in some cases, spouses: Andreas Colom and his wife Blanca, Franciscus Vilagut from Tarragona and his wife Beatrix, Lodovicus Morato and his wife Clara, Joannes Gomis and his wife Elionor, Gabriel Alenya and his wife Violans, Paulus Sanctius or Sanç Rividolms and his wife Isabel. Additionally, there are listed names of the widows: Tecla Alamanya and Francina Colom; and Violans (widow of Gabrielis Colell), Blanquina Roig (widow of Bernandus Roig from the Vallibus), Francina Ferrera (widow of Raimundus Ferrera de Busquetes) and Violans (widow of Jacobus Morato); men: Joannes Nicolaus Montisalbi, Franciscus Garriga and Gabriel Falco; and women: Angelina (wife of Francescus Simo), Alduntia (wife of Raimund Ribelles from Monterubeo), Beatrix (wife of Gabrielis Torrents from the Alcover), Blanquiuna (wife of Manuelis Ribelles from Tarragona), Elionor (wife of Franciscus Bennacer from the Falcet) and Isabel (wife of Franciscus Rams Rividolms). Evidently there are twice more women (18) than men (9).

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<sup>139</sup> Bofarull, (1865), p. 35.

<sup>140</sup> *Ibidem*

<sup>141</sup> ACA, RNIFII, RN 3684, fol. CXIX.

The ceremony ended with *Forma abjurationis*. This custom of abjuration of heresy was magnificent ceremony of public *auto da fe*, which will be in detail described in one of the further chapters.

In Perpignan, at the time belonging to the bishopric of Elne, on August 9, 1495, the auto was celebrated in the Church Santa Maria de la Real. In the head of the ceremony had been carried a crucifix, while twenty two reconciled after the Term of Grace was dressed in penitential guise (*...personas infrascriptas quae cum garnaxiis indutae...*<sup>142</sup>). All volunteers were originally from Perpignan: Colomba, widow of merchant Guillelmus Petrus from Castelló d'Empúries and wife of Marcus Croes de Cadaques; Euphrosyna, wife of tailor Jonnes Cavallaria and widow of Jacobus Bonafe; craftsman Joannes Fanyas; a certain widow named Beatrix; Joannis Guillelmi; Florentina, widow of craftsman Leonardus Leonard; merchant Laurentius Bruch and his wife Ricsen; Agnes Ventessa, widow of Bartholomeus Ventessa; slave trader Pontius Callar; craftsman Golcerandus Sanctangel and his wife Florentia; Joana Vilarasa, widow of Benedictus Vilarasa; tailor Jacobus Planella and his wife Constancia; craftsman Jacobus Cassanyes; Placentia, widow of Bernardus Bianya; Margarita, wife of merchant Jacobus Sanct-Climent; Violans, wife of craftsman Joannes Albert; Beatrix, wife of merchant Raimundus Planella; Isabel, wife of merchant Jacobus Casafranca and widow Alduncia Cassanyas.<sup>143</sup>

Poor number of voluntaries confessing their heretical errors implied that the Edict of Grace which had lasted even longer than usually did not give expected response.

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<sup>142</sup> Bofarull (1865), p. 83

<sup>143</sup> *Ibidem*, pp. 83-84

## 2.2. The *Auto de Fe*

The *Auto de Fe*, literally translated as The Act of Faith, was public performance created in medieval inquisition, and later developed in a territory of Iberian Peninsula at which those earlier convicted by the inquisition had their sentence delivered in front of the crowd gathering among others their neighbors and family members. It was demanding public spectacle established in order to accentuate the victory of the Catholic faith over heresy as well as to impress a frightened population with horror of the same while its exemplary character had a function to warn the local residents of the consequences in a case of similar behavior. The performance of *auto* represented a symbolism of a pilgrimage to an eschatological judgment that increased the remorse in the hearts of accused. Additionally, it presented a symbol of the inquisition and an achievement of inquisitors contemplated as colossal representation of the Judgment day. On the contrary, this effective spectacle became anti-image of the Christian church in which sufferers of the inquisition became its genuine victors.<sup>144</sup>

The period from 1487 until 1505 in The Crown of Aragon was a time remembered by ferocious fight against Crypto-Judaism.<sup>145</sup> The ritual of *auto de fe* was established during persecutions of New Christians, i.e. false converts, Jewish by origin but violently baptized as Catholics and suspected to secretly still keep faith to the their old, mosaic religion. However, politics toward Jewish people were ambiguous: the authorities wished their expulsion but in the same time integration by forced conversion. However, the inquisition

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<sup>144</sup> Lea (1906), III, pp. 209-210; Kamen (1997), pp. VII; Bethencourt, Francisco (hereafter: Bethencourt, 1992), "The Auto Da Fé: Ritual and Imagery", *Journal of the Warburg and Courtauld Institutes*, vol. 55, 1992, pp. 155-168; Flynn, Maureen, "Mimesis of the Last Judgment: The Spanish Auto De Fe", *The Sixteenth Century Journal*, vol. 22, N° 2, 1991, pp. 281-297; Torres Aguilar, Manuel, "La pública difusión del Auto General de fe", *Revista de la Inquisición (Intolerancia y derechos humanos)*, N° 19, 2015, pp. 25-31.

<sup>145</sup> Bada Elías, *op. cit.*, p. 112



was against their banishing due to religious motives; however, they also knew that converts could easily relapse and return to their old customs. According to Bethencourt, this contexts allow better understanding of the complicated spectacle of the public auto de Fe; its complex symbolism of scarification and redemption of Christ had been putted oppose New Christians' skepticism presenting in that manner the continuation of Jewish polemics and apologetics devolving in XIV and XV century.<sup>146</sup>

As it was mentioned earlier, the Auto de Fe was practice inherited from medieval inquisition as a simple ceremony of heretics' excommunication as well as reception in the bosom of the Church by Bishop's reconciliation. From the thirteen century this solemnity of public excommunication and reconciliation had been controlled by an inquisitor, an agent of the Tribunal empowered directly by the pope demonstrating, in this manner, its shifting from episcopal to papal institution. For instance, in *Liber descriptionis* was demonstrated the still existing legacy of episcopal inquisition, inherited from old inquisition when Bishop had an authority to examine offenders for heretical crimes. This form was used by first inquisitors in order to reinforce their authority while collaboration of the bishops was a must, like it was cases with Pedro Garcia and, later with Archbishop of Monreale, Enrique de Cardona.<sup>147</sup>

Additionally, one of the main characteristics of later autos organized by modern inquisition and at the same time deferring from the medieval ceremonies was its collective performance with enormous number of participants.<sup>148</sup> For instance, in the historical frame depicted in *Liber descriptionis* performances that specifically grab attention due to its number of participants was the one organized by the Barcelona Tribunal on August 16, 1488 when one hundred and fifteen accused were sentenced to wear in public penitential garment of sanbenito.<sup>149</sup> Secondly, on June 10, 1491 in Barcelona was celebrated auto de fe with the numerous refuges prosecuted in absence rising until one hundred thirty nine.

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<sup>146</sup> Betankur, Francisko (heraeafter: Betankur, 2009), *Inkvizicija u modernom dobu*, Novi Sad: Knjižnica Zorana Stojanovića, 2009, pp. 414-416.

<sup>147</sup> Mayoral, *op. cit.*, pp. 393-394.

<sup>148</sup> Bethencourt (1992), pp. 155-156.

<sup>149</sup> Bofarull (1865), p. 20

Hence, the burning of the effigies had to be postponed for the next day, June 11 while three relaxed heretics were convicted to capital punishment.<sup>150</sup>

In earlier period of inquisition, autos were more modest and confined in practical work i.e. in execution of punishment. Later as it became less frequent, inquisition did not spare labor or wealth in order to organize spectacle demonstrating its authority and power.<sup>151</sup> According to Llorente, it was practiced four types of autos: firstly, “auto general de fe” (celebrated with plethora of culprits); “auto particular de fe” (celebrated with several accused without solemnity of auto general due to absence of inquisitorial authorities); “auto singular de fe” (held with one accused either in the church or in the street); and finally “autillo” (held in audience room of the Tribunal).<sup>152</sup>

One of the main elements of the “show” of the Auto de Fe was choosing appropriate date and place for the solemnity. For instance, the first organized autos had been held on Sunday, a day of worship and rest in order to attend as many people as they can. Additionally, it had been followed by numerous restrictions (no one was allowed to carry a gun, guard were positioned on the route of the procession and every types of transporting was forbidden, whether by carts or horse). However, later on, auto started to have proportions of complex ceremony synchronized with liturgical calendar.<sup>153</sup> For instance, in *Liber descriptionis* certain number of autos organized in Barcelona had been held on the Feast days. In the period from 1487 until 1505 described in the manuscript nine autos had been run in accordance with liturgical calendar. For example, first year after the tribunal was established in Barcelona, in 1488, three autos had been held according to liturgical calendar: firstly, on January 25, on Feasts of the Conversion of Saint Paul the Apostle<sup>154</sup>; secondly, on February 22, on Feast of the Chair of Saint Peter<sup>155</sup> and thirdly on May 23, on Saint Julia Feast day.<sup>156</sup> In the following year two autos were organized during celebrations

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<sup>150</sup> *Ibidem*, pp. 53-61

<sup>151</sup> Lea (1906), I, p. 209

<sup>152</sup> Llorente, Juan Antonio, *Historia critica de la Inquisición en España*. Madrid: Hiperión, 1981, pp. 476-481.

<sup>153</sup> Betankur (2009), pp. 344-345

<sup>154</sup> Bofarull (1865), pp. 12-13.

<sup>155</sup> *Ibidem*, pp. 14-15.

<sup>156</sup> *Ibidem*, pp. 15-17.

of the saints: first was on February, 9, on Feast of Saint Apollonia<sup>157</sup> and second on October, 21 on Saint Ursula Feast Day.<sup>158</sup> In the coming years had been recorded only four cases of autos celebrated during the feasts: on October 28, 1491 on Fests of Saints Simon and Jude, Apostles<sup>159</sup>; on 1<sup>st</sup> of May 1492, on Feasts of Saint Philip and James, Apostles<sup>160</sup>; on March 23, 1496 on Ash Wednesday the first day of Lent<sup>161</sup>; and finally, on January 17, 1505 on the Feast of Saint Antony the Abbot.<sup>162</sup>

Place of the solemnity was mainly taken in outdoor at the principal square of a city and infrequently in churches or consecrated buildings in order to attend as many people as they can. However, these plazas were usually surrounded by royal residences or town halls hence symbolically demonstrating Tribunal's dependency of the crown.<sup>163</sup> For instance, autos described in *Liber descriptionis* in the city of Barcelona had been mostly held in Plaça del Rei in front of royal residence The Palau Reial Major. Additionally, ceremonies with projected platform had been organized at the Pla de la Seu in front of Barcelona's Cathedral while certain number of solemnities with small number of accused had been held inside of the same. In the city of Tarragona solemnities of public autos had been celebrated in Santa Tecla Church. Thirdly, in Perpignan is recorded one auto held on August, 9, 1495 in Church Santa Maria de la Real.<sup>164</sup> To sum up, in Catalonia from the end of fifteen and during the first decade of sixteen century place chosen for solemnities depended from the number of participants; for instance, the Auto General de fe had been celebrated in main plazas, while others had been held indoors and inside of the religious buildings either churches or cathedrals. Moreover, in Tribunal's chambers had been held a certain number of proceedings, i.e. 'autillos'.

The stage presented significant part of complex structure of public solemnity where penalty was delivered and culprits had been reconciled; in the beginning it was in

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<sup>157</sup> *Ibidem*, pp. 29-32.

<sup>158</sup> *Ibidem*, p. 34

<sup>159</sup> *Ibidem*, pp. 61-63.

<sup>160</sup> *Ibidem*, p. 65

<sup>161</sup> *Ibidem*, pp. 86-87.

<sup>162</sup> *Ibidem*, pp 187-201.

<sup>163</sup> Betankur (2009), pp. 346-347.

<sup>164</sup> Bofarull (1865), pp. 83-84.

small proportions and made out of wood. For instance, in the auto held in Barcelona during Solemnity of the Conversion of the Saint Paul the Apostle in 1488, on January 25<sup>th</sup>, 1488 the stages were projected in square Plaça del Rei in front of the Palau Reial Major in Barcelona. Its position was not unintentional, it was constructed parallel with royal residence in order to provide better view for government's representatives and royal members. According to Kamen, catholic monarch, as well as rulers before them had never attended the ceremony of public auto de fe.<sup>165</sup>

In this particular ceremony had been build two stages: the first was tiers on a staging i.e. "benches of honor" in which the most elevated had been constructed for the inquisitors demonstrating the highest social position of the person attend the spectacle. The inquisitor's dominance could not be considered fictional, his tier was preserved for the most preminent person in the town, while the king or others royal members who watched the public solemnity from the royal residences facing the square were simple observers. Moreover, in the public autos had to be presented both inquisitors due to significance of spectacle in which the absence of second inquisitor was forbidden.<sup>166</sup> Secondly, on lower seats had been seating other members of Tribunal together with secular authorities; therefore, transmitting an optical idea of a united collaboration and alliance.<sup>167</sup>

The second tiered seating known as "benches of infamy" was opposite and made for penitents and statues representing escaped people sentenced in absence (*...facienda bina cadafalia in platea Regis eiusdem urbis coram Ecclesia palatii maioris Regii scilicet unum predictis inquisitoribus et eorum ministries et servitoribus alterum vero pro predictis hereticis et decem statuis....*<sup>168</sup>). Between was a platform where the show was performed.

The most impressive ceremony of auto de fe was a introductory procession of the green cross of the inquisition. The night before the actual auto inquisitors organized

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<sup>165</sup> Kamen (1997), pp. 203.

<sup>166</sup> Lea (1906), III, p. 213.

<sup>167</sup> Azevedo, Joao Lúcio D', *História dos Cristãos-Novos Portugueses*, Clássica Editora, Lisboa, 1922, p. 283. (Taken form: Monteiro de Barros Carollo, Denise Helena, "Auto-Da-Fé: A ceremony more than just words", *Revista de la Inquisición*, 1999, 8, p. 115)

<sup>168</sup> Bofarull (1865), p. 12

procession with an aim to once again inform citizens of upcoming event. In the head of the ceremony tribunal members and nobilities carried a crucifix which green color symbolized the hope of eternal salvation for the heretics reconciled by the inquisition.<sup>169</sup> However, this ceremony was not practiced in the Kingdom of Castile and Crown of Aragon until seventeenth century, hence in the *Liber descriptionis* is not recorded this type of procession.

At the day of procession ceremony begun with an arrival of offenders. For example, during already mentioned auto in 1488 Barcelona four pertinacious heretics were sentenced to death penalty while twelve were prosecuted in absence. When auto began accused people came out from the prison and set between statues which presented twelve refugees prosecuted as heretics *...et adveniente die festo converionis Sancti Pauli apostoli domini nostri Jesu-Christi quo computabatur XXV dies januarii anno a nativitate Domini millesimo quadragesimo octogesimo octavo et extractis a carceribus predictis quatuor hereticis et in altero ex predictis cadafalibus inter praedictas statuas positis et collocatis...*<sup>170</sup>

The penitential guise was significant part of the solemnity. Due to secrecy of crimes and testimonies, the offenders as well as their bellowing will found out their punishments at the auto by their place in the ceremony and by garment they worn ranked by the gravity of committed crimes. Legal proceedings held before the actual auto and the procedure itself were in deference from today's penal system. Hearings, testimonies, names of eyewitnesses were kept in high secrecy while community and family members of the accused people would not even imagine the horror that is happening inside of the secret prisons.<sup>171</sup> For instance, on August 8, 1488 Barcelona, culprits sentenced for practicing Jewish rites were dressed for the occasion in yellow linen penitential garment (*supervestibus seu ut vulgo dicta guarnaxiis cruce crocei coloris in unaquaque tam a parte ante quam a parte post depicta*<sup>172</sup>). The symbolism of *sanbenito* was more complex in modern than in medieval inquisition; it was long linen penitential cloth blessed by Bishop and painted with plethora of messages. For

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<sup>169</sup> Limborch, Philip, *The History of the Inquisition*, London: Printed for W. Simpkin and R. Marshall, 1861, p. 481.

<sup>170</sup> Bofarull (1865), p. 13

<sup>171</sup> Monteiro de Barros Carollo, *op. cit.*, p. 113

<sup>172</sup> *Ibidem*, p. 20

instance, yellow color, like it was frequently depicted in the *Liber descriptionis* represented the New-Christian's betrayal of the Church and secret adherence to Judaism. Additionally, the miters on their heads (...*et mitris quibus de more heretici...*<sup>173</sup>) worn in order to humiliate them presenting in that manner a custom of the "infidels' rites" illustrated their mind commitment.<sup>174</sup>

On the contrary, if culprits were absolved, they would be barefooted and holding a light taper in their hands. In *Liber descriptionis*, Carbonell gave a description of the liberation of Joan Mallol *quem aliqui falso accusarunt*<sup>175</sup>. He was released after eleven months and seven days on August, 5 1488 in Barcelona, because it was proved that *huius homini christiani natura et non ex stirpe judeorum*<sup>176</sup>. On the next Sunday, Mallol was shoeless (*sine calciamento*<sup>177</sup>) wearing only tunic and holding lighted taper (*uno in minibus cereo accenso tenens*<sup>178</sup>) while The Divine Office and mass was held. The light taper in his hand presented divine light that shines in the darkness and was especially used for procession of liberation.<sup>179</sup>

Carbonell gave a description of simplified procession of carrying a cross and a crucifix on August 16, 1488 by current Barcelona's inquisitor Alfonso de Spina (*Alfonso Spina hereticae pravitatis inquistori fuit facta processio cum cruce et crucifixo erectis*<sup>180</sup>) who was on a head of the procession which return at Barcelona Cathedral from where begun its march (*ipsa processio regressa est ad monasterium praedicatorum Barcinonae unde egressa fuerat*<sup>181</sup>) while friar Ramon Joan from the Order of Saint Augustine preached the sermon in the Barcelona Cathedral (*praedicationem verbi divini quam fecit venerabilis Raimundus Joannes*<sup>182</sup>).

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<sup>173</sup> *Ibidem*, p. 14

<sup>174</sup> Betankur (2009), p. 364

<sup>175</sup> Bofarull (1865), p. 26

<sup>176</sup> *Ibidem*

<sup>177</sup> *Ibidem*

<sup>178</sup> *Ibidem*

<sup>179</sup> Betankur (2009), pp. 361-364.

<sup>180</sup> Bofarull (1865), p. 20

<sup>181</sup> *Ibidem*

<sup>182</sup> *Ibidem*

Finally, the most significant part of the ceremony presented inquisitor's reading of the culprits' verdict (*Nam praedictus inquisitor penitentiam eis injunxerat...*<sup>183</sup>). The penalty was read while the prisoners were individually called by gravity of their errors from minor to harsher. The offenders had to stand up and came next to altar while taking a bow in front of a cross and inquisitors while their punishment was declared. First part of a verdict was descriptions of culprit's crimes and the second was a delivering the penalty allowing them a chance of repentance.<sup>184</sup>

According to Kamen, there are three main outcomes of trials, hence prisoners could be: acquitted ("absolved" or "suspended"); secondly, punished by being sentenced or reconciled and finally burnt in person or in effigies. However, verdicts were mainly spiritual as well as physical.<sup>185</sup> Latter these sentenced could be divided in minor, harsher and the most brutal of them all, the stake.<sup>186</sup>

The autos concluded with ceremonies of abjuration and reconciliation while the statues of refugees and bones of deceased were placed on one side of the stage, while offenders were on the other. After reading of convictions accused sentenced to jail are taken back into a secret prison of the Inquisition while pertinacious heretics had been hand over to the secular authorities. The reason of doing this is that inquisitors did not have authority to condemn them to death, due to canon law; thus they hand them over to the secular arm in order to be executed.

The burning of the heretics had not been part of the principal ceremony, thus they were continued outside of the city. For instance, in the proceedings described in *Liber descriptionis* the 'relaxed' were taken outside of Barcelona's gate Saint Daniel to the district El Canyet next to the sea in order to be strangled to death and burned afterwards. The

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<sup>183</sup> *Ibidem*

<sup>184</sup> Betankur (2009), p. 372

<sup>185</sup> Kamen (1997), p. 198

<sup>186</sup> Lea (1906), III, pp. 93-208.

main reason why these spectacles were held outside of the town walls is that the city previously consecrated by special procession would not 'get dirty'.<sup>187</sup>

By the beginning of the seventeenth century autos in Barcelona had been infrequently practiced; in ceremonies of the auto de fe neither the viceroys or consellers had been presented, which was obviously expressed its decreasing of importance.<sup>188</sup>

Auto de fe was ritual, religious and spectacular ceremony while its double origin has been manifested through liturgical and legal components (canonic and civil) with consistent diffusion of sacral and profane.<sup>189</sup> However, in examining the autos depicted in *Liber descriptionis* it can be concluded that these spectacles in terms of organization and execution are standing in the middle of a transition; it preserved characteristics of medieval inquisition and are on the way to adopt features of the upcoming and more complex 'shows' with its pedagogical, but yet mystical and theatrical elements.

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<sup>187</sup> Betankur (2009), p. 380.

<sup>188</sup> Vincent, Bernard, "Los moriscos del reino de Granada después de 1570", *Nueva Revista de Filología Hispánica*, 30, 1981, pp 594-608. (Taken from: Kamen (1997), p. 212.)

<sup>189</sup> Peña Díaz, Manuel, "Ceremonias y fiestas inquisitoriales" in *La Inquisición: Viejos temas, nuevas lecturas*, Editorial Brujas, Córdoba, 2015, p. 87



## 2. 3. Abjuration

After the Term of Grace the ceremony ended with the abjuration (*Forma abjurationis*) of the volunteers. The custom of heresy abjuration was defined like *remedio mas para poner temor à los reos adelante, que para castigarlos de lo passado*.<sup>190</sup> For instance, in the city of Tarragona on Saturday, July 18, 1489 apostatized people after the Term of Grace with a hand on the gospels sworn to abjure the heresy and turn back to their religion (*ad proprios lares rediere*<sup>191</sup>). Carbonell continued in vernacular language by writing *Forma abjurationis* in 15<sup>th</sup> century Catalan. Two volunteers in behalf of other penitents and all coverters from the Archbishop of Tarragona spoke *de nostra libera franquea agradable e spontanea voluntat*<sup>192</sup> while denying heresy and especially the one of confessing and observing the Jewish ceremonies of the Moses law and practicing the rites of Jewish solemnities (*e en special aquesta de que son infamats e testificats la qual nosaltres havem confessada ço es de judeïçar e de guardar e observer les ceremonies de la Ley de Moyses e fer los ritus e ceremonies e les solemnitats dels jueus...*<sup>193</sup>). They sworn that they will always keep faith of Holy Church and will defense Catholic faith and pursue all of them who are against it (*E per tots temps perservarem e starem en la unitat e congregatio de Sancta mare Esglesia e serem tots temps en defensio de la Sancta fe catholica Cristiana e perseguirem tots aquells qui contra aquella seran...*<sup>194</sup>). Finally, fiscal recorded the case and all presented was called to testify (*Peracta praemissa processione et jam antea ad instantiam fisci procuratoris exaratu*

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<sup>190</sup> Argüello, Gaspar Isidro de, *Insruciones del Santo Oficio de la Inquisicion, sumariamente, antiguas, y nuevas*, Madrid: En la Imprenta Real, MDCXXVII, fol 2.

<sup>191</sup> ACA, RNIFII, RN 3684, fol. CXIX.

<sup>192</sup> *Ibidem*

<sup>193</sup> *Ibidem*

<sup>194</sup> *Ibidem*, fol.CXX.

*processu et promulgata sententia...*<sup>195</sup>). Day after the auto de fe, the culprits were accompanied to audience-chamber and warned that if they relapse again they will be sentenced without any sympathy as they never had accomplished the penance appointed.<sup>196</sup>

Royal archivist documented similar to this occurrence, when once again the deposition was left in its primary shape. For instance, one more example of abjuration happened at Pla de la Seu in front of the Barcelona Cathedral on March 23, 1496 during the Ash Wednesday when widow Joana Libiana, Marquesa, wife of Pau Badia, Chatherina, wife of Galceran Bertran, Isabel, wife of Francisco Pallares and Aldonça, wife of Gabriel Compte and Gabriel Rabaçer, abjured heresy. In the spectacular auto de fe were presented inquisitors Antonio de Contreras, doctor in canon law, and Pedro Pariente, bachelor in canon law with Curia. Contreras and Pariente were inquisitors of heretical depravity by eparchial authority in archbishopric of Tarragona, bishopric of Barcelona, Vic, Gerona and Elna. Among them were presented Bishop of Barcelona, Pedro Garcia and notary and royal archivist Pere Miquel Carbonell.<sup>197</sup>

Culprits declared that *de nostra libera franca spontanea e agreedable voluntat*<sup>198</sup> are denying any type of heresy crimes *e special aquesta de que som infamats e testificat la qual nosaltres havem confessades ço es de judeizar e de guardar e de observer les serimonies de la ley de Moyses e de fer les ritus cerimonies e solemnitats dels judeus*.<sup>199</sup> Like in the previous case, they sworn to always keep faith of Holy Church (*E confessam de la nostra propria boca ab pur e vertader cor la Sancta fe catolica Christiana...*<sup>200</sup>). Moreover, they promised to be obedient to Saint Peter and current pope Alexander VI as well as his successors (*e esser subjectes a la obidentia del beneventurat mossenyer Sanct Pere princep dels Sancts Apostols e vicari de nostre Senyor Deu Jesu-Christ e del nostre molt Sanct Pare Alexandre Papa sise lo qual huy en en dia governa e regeix la Sancta Esglesia catholica e apres de ell*

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<sup>195</sup> *Ibidem*

<sup>196</sup> Lea (1906), II, p. 124.

<sup>197</sup> Bofarull (1865), p. 87.

<sup>198</sup> ACA, RNIFII, RN 3684, fol. CLXVIII.

<sup>199</sup> *Ibidem*

<sup>200</sup> *Ibidem*

*als seus succedorss...*<sup>201</sup>). Finally, they completed abjuration with words: *E si contra aquestes coses en algun temps farem o veurem volem incidam e encorregam en pena de relapsos.*<sup>202</sup>

The penalty *abjurationis* had two forms *de levi* for the light and *de vehementi* for the grave crimes. According to Lea, the difference between these two forms were not accurately defined and in plethora of proceedings depended on a 'temper of the judges'.<sup>203</sup> For instance, if the penitents sworn *de vehementi*, like in the abovementioned case, and afterwards relapse, they could be severely punished by wearing penitential garment or paying fines, to banishment, galleys, etc.<sup>204</sup>

In comparing the formulas of abjuration pronounced in seven years time period it can be concluded their similarity i.e. that it had been approximately the same; therefore it can be deduced that penitents used already accepted and established form of abjuration with slight changes considering committed sins and crimes.

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<sup>201</sup> *Ibidem*

<sup>202</sup> *Ibidem*

<sup>203</sup> *Ibidem*, p. 123

<sup>204</sup> Kamen (1997), p. 200.

### 3. Trial

#### 3. 1. Prosecution of the Dead

After the establishment of new inquisition in the Crown of Aragon and especially in Catalonia, the prosecution of the dead as well as the absent was commonly practiced. During that time, neither Church nor State allowed and accepted the moral offence of the refugees or that of the deceased. That is why, if justice could not be defended by incinerating their bodies, it could be, at least, disinterred the same or set on fire the effigies of those whose not even the bodies or the bones had, while the fiscal confiscated their assets together with arrears and the forfeiting of alienations, laving, in that manner, heirs and whole families humiliated and penniless.<sup>205</sup>

In *Liber descriptionis* it come to our attention that in seldom of processes with a prosecution of the dead or of the absent had been celebrated together. For instance, during the 1499-1504 Barcelona forty one bodies were disinterred and burnt. On May 2, 1499 during the auto de fe celebrated *fuertunt condemnati defuncti*.<sup>206</sup> Antonius Mayans (father-in-law of Jaume de Casafranca, deputy of Ferdinand's treasurer-general of Catalonia, who will be sentenced at the stake in 1505<sup>207</sup>) together with his wife Violant and brother Joannes Mayans, Isabel, wife of Dalmatius Ferrer from Barcelona who was already sentenced twice,

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<sup>205</sup> Lea (1906), III, pp. 81-86.

<sup>206</sup> Bofarull (1865), p. 146.

<sup>207</sup> Vidi: The Stake

presbyter Bernardus de Ferreres, Blanquina known as Blanca, wife of Franciscus Benet from Barcelona, Alduncia Monfort, wife of deputy of Catalonia's treasurer Jacobus Monfort and Francina, who was already once reconciled, wife of Joannes Ballester and sister of a lawyer Jacob Taranan.<sup>208</sup>

On September 18, 1500 six deceased people were condemned and their effigies were burned (*...foren condemnats com a defunct en ses statues...*) while their property had been confiscated. They were: Constança Marqueta, Melchior Çavall and his wife Isabel, Blanquina, wife of Bernat Dala, Joan Salvat and Jaume Taravan who was once royal secretary to the governor of Catalonia.<sup>209</sup>

On September 21, 1502 in Barcelona three culprits (Petrus Ximeno together with his wife Elionor from Vilarrodona and Gaspar de Mur from Barcelona who died in secret jail and was previously reconciled<sup>210</sup>) were sentenced posthumously.

Next year in Barcelona, on August 10, three deceased person were sentenced for heresy. They were physician Laurentius Badoz, furrier Stephanus Valls and merchant from Barcelona, Bernardus Dala.<sup>211</sup>

On July 12, 1504 at the Plaça del Rei, second trial was held against deceased merchant Asbet Benet and his wife Francina from Gerona. On the head of the ceremony were friar Joan Enguera as an inquisitor and Jaume Fiella, doctor of civil and canon law and general vicar of Holy Office in charge for episcopacy of Gerona. The deceased marriage couple's remains had been disinterred and burned afterwards (*condemnarunt in status defunctos infrascriptos mandates eorum ossa exhumari et comburi*<sup>212</sup>).

In the same year, on October 2, in Plaça del Rei thirteen offenders were posthumously convicted. They were: Narcis Mo[...] alias Miquel, Raphaela, wife of Petrus Truyllols, furrier Joannes Gil, Margarita, wife of Joannes Crexells, Eulalia, wife of Raphael

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<sup>208</sup> Bofarull (1865), p. 146.

<sup>209</sup> *Ibidem*, pp. 147-148.

<sup>210</sup> *Ibidem*, p. 153

<sup>211</sup> *Ibidem*, p. 155

<sup>212</sup> *Ibidem*, p. 157

Bages, Bernat Cabut, Bernat Miquel, Beatriu, wife of Franciscus Sartre, Barthomeu Sartre, Aldonça, wife of Pere Rosas, Violant, wife of Galceran Çaportella, Clara, wife of Raphael Dauder and merchant Pere Dauder.<sup>213</sup> At the same time six deceased from Barcelona had been convicted by friar Joan Enguera, inquisitor Francisco Pays de Sotomayor and Bartomeu de Salavert, doctor in canon law and general vicar of bishop in works of inquisition in Barcelona. The *defuncti et mortui* were Agusti Bonant Amoros, Franci Far, Marquesa (wife of Jacob de Vilacans), Pere Serria, Violant (wife of Guillem Costa) and Agusti Amoros.<sup>214</sup>

In the city of Tarragona, differently from Barcelona trials of deceased were not often practiced. For example, in *Liber descriptionis* only two autos had been recorded resulting with burning remains of defunct and both had been celebrated in 1501. First auto occurred on March 19 in which two death heretics (merchant Gabriel March from Falset and Gracia Lunella from Tarragona, mother of Na Blanquina and wife of cobbler Manuel Ribelles from Tarragona<sup>215</sup>) had been sentenced. Secondly, four people had been convicted posthumously on December, 20; they were: furrier Paulus Falco from Barcelona, Gondisalvus de Sanctos, merchant Luis d'Ala from Gerona (who's wife Joanna had been prosecuted in absence on 14<sup>th</sup> of February, 1491 in Gerona<sup>216</sup>) and Miquel Vidal, royal scribe from Barcelona.<sup>217</sup> Even though trials of the deceased in Tarragona occurred in the same year of 1501, not the same inquisitors were in charge of processes: firstly, it was during the inquisitors Antonio de Contreras and Pere Pariente and second with Francisco Pays de Sotomayor.

In the city of Balaguer one auto had been celebrated on Monday, June 10, 1493 in which seven deceased had been prosecuted while their assets had been confiscated. They

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<sup>213</sup> *Ibidem*, pp. 158-159.

<sup>214</sup> *Ibidem*, p. 159

<sup>215</sup> *Ibidem*, p.148

<sup>216</sup> *Ibidem*, p. 53

<sup>217</sup> *Ibidem*, pp. 150-151.

were: Angelina, wife of physician Sauri, Blanquina, mother of Joan Falconer, Guerau Cervello, Gaspar de Naves, Clara, wife of Gabriel Çatorra, Pau Coll and Na Paulina.<sup>218</sup>

In the following chapter we will see how the Church was more employed in the prosecution of the absentees due to the simplicity of the task, and consequently sequestration of assets which similar as the one of the deceased was defined by Lea as *a mockery in which virtually defense was impossible and confiscation inevitable*.<sup>219</sup>

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<sup>218</sup> *Ibidem*, p. 140

<sup>219</sup> Lea, Henry Charles (hereafter: Lea, 1888), *A history of the Inquisition of the Middle Ages*, Vol. I, New York: Harper & brothers, 1888, p. 523

### 3. 2. Prosecution of the Absent

Prosecutions and trials of absentees in the early period after the establishment of new inquisition in the Crown of Aragon and especially in Catalonia were frequent as well as the burnings of their effigies during the public solemnities of the auto de fe. Everyone associated with arrested converts had been in jeopardy to suffer the same fate; therefore their exodus was expected. The inquisition hunted those against whom proofs were collected, and if it failed in the arrest, they had been prosecuted in absence.<sup>220</sup>

During the period from 1488 until 1504 Barcelona, five hundred thirty one culprits had been prosecuted in absentia. For instance, in 1488 Barcelona two autos had been held in which authorities had brought charges against refugees accused in absence: firstly, on January 25, during The Solemnity of the Conversion of the Saint Paul the Apostle twelve refugees (Joannes Sant Jordi, Joannes Ram, Gabriel Sauri, Gabriel Arguens, Petrus Benet together with their wives, as well as Bartholomeus Rodrigues and Franciscus Scales) had been sentenced in absence.<sup>221</sup>

Effigies of the dead and absentees presented significant attractions in autos. Carbonell gave the precise description of figures typical for the early period of the new inquisition in Catalonia: *Et quarum statuarum erant aliquae cum duabus faciebus una a parte ante altera a parte post significantes duos scilicet virum et uxorem in una factisque predisctis cadafalibus...*<sup>222</sup> Apparently these effigies were *stauae duplicatae* owning form similar to the Janus face (one in the front and the other in the back) and possibly representing, in that manner, the escaped marriage couples. According to Francisco Bethencourt utilization of these

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<sup>220</sup> Lea (1906), III, p. 86

<sup>221</sup> Bofarull (1865), pp. 12-13

<sup>222</sup> *Ibidem*, p. 13



particular representations is not accidental. For instance, Janus is god of the beginnings, time, duality, with two faces, since he looks to the future and to the past and therefore symbolized the change and transition of the prosecuted.<sup>223</sup> Additionally, the second reason for making this type of figures was probably for economical reasons.

On the same year on May 23, 1488 during Saint Julia Feast day three women were sentenced to death penalty while forty were prosecuted in absence. The names of the men accused in absentia were: Franciscus Vitalis (son of the Franciscus Vitalis), Franciscus Benet, Joannes Sauri (brother of Gabriel Sauri), merchants Joannes Sisa and Joannes Fortia. Additionally, accused were eleven marriage couples: Gaspar Leo and his wife Joanna; royal scribe Joannes Puigmija and his wife Florentina; tavern owner Petrus Quot and his wife Michaela; furrier Nicolaus Calces and his wife Constantia; Matthia and his wife Francina Salmons; merchant Ludovicus Darguens and his wife Raphaela; Raphael Andreas and his wife Alduntia; Franciscus Prats and his wife Alduntia; Franciscus Setmenat and his wife Benvenguda; Paulus Tholosa Older and his wife Francina; Joannes Vallmoll and his wife Elionor. Furthermore, fifteen women were sentenced among them: Violans (wife of Guillelmus Fabra), Clara, Isabel, Alduntia, Valentina (wife of Leonardus Alvaro), Constantia (wife of Nicolaus Calces), Joanna (wife of Gabriel Bellcayre), Clara (wife of Ludovicus Bellcayre), Isabel (wife of physician Requesens), Francina (wife of Gabriel Argens), Alduntia (wife of Bernardus Jacob), Euphrosyna (wife of Bernardus Ala and widow of a certain Çacoma), Catherina (mother of Ludovicus Darguens and wife of Gaspar Darguens), Alduntia (wife of de Capstany and sister of royal scribe Joannes de Sancto Georgio), Alduncia Boscha, (mother-in-law of royal scribe Joannes de Sancto Georgio); and two widows Francina Salmons (widow of Matthia Salmons) and Elionor Crexells.<sup>224</sup>

In the following text, Carbonell described the crimes of Franciscus Vidal and Violant, wife of Guillelmus Fabra prosecuted in absence. Carbonell disgusted by acts and sins of the offenders wrote about current occurrences in Barcelona: *Rem nephandissimam ac in*

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<sup>223</sup> Betankur (2009), p. 387

<sup>224</sup> Bofarull (1865), pp. 16-17.

*hac urbe Barcinonae inauditam sceleratissimi neophiti perpetrare non dubitarunt in Jesum-Christum et eius sacratissimam matrem semper virginem Mariam et propterea Reverendus frater Alphonsus Spina (ut est de more) adversus hos sceleratos fieri mandavit.*<sup>225</sup>

The heretical crimes and blasphemous acts of the defendant prosecuted in absence, Franciscus Vitalis, son of the merchant Franciscus Vitalis and Violant, wife of Guillelmus Fabra, author of *Liber descriptionis* depicted in the following lines: *un dia en una casa daquesta ciutat e en gran vituperi e sacra de nostra Redemptor Jusu-Christ prengueren un crucifix de fust e aquell lansaren per terra e calcigaren ab los peus fangosos uns apres altres e hu dells ab una correja despasa asoltava dit Crucifix...*<sup>226</sup>

In this list we can evidently found significant people of that period as well as their relatives, such as Joanna Bedos, widow of physician of the royal household, Laurentius Bedos; marriage couple Puigmija: Joannes who was royal scribe and his wife Florentina; Alduntia, sister of royal scribe, Joannes de Sancto Georgio, and his mother-in-law, Alduncia Boscha.

The shape of the effigies was the same as in the previous auto in which accused were represented with twenty bifrontal figures. The pertinacious heretics had been taken from chambers of the inquisition together with twenty sculptures outside of the city at El Canyet were these processes had been performed in order to be executed and burned with it (*...predicte mulieres una cum predictis statuis a platea memorata recesserunt et ad locum supra descriptum et modo prescripto cum magna populi multitudine accesserunt...*<sup>227</sup>). Evidently, when once the process was commenced, condemnation to the stake was inevitable, whether there were ample proofs against the culprits or not.<sup>228</sup>

In 1489 Barcelona, one auto had been held with an outcome of burning effigies. It was on February 9, during the Feast of Saint Apollonia. In the ceremony among other

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<sup>225</sup> *Ibidem*, p. 27

<sup>226</sup> *Ibidem*, pp. 28-29.

<sup>227</sup> Bofarull (1865), pp. 15-16.

<sup>228</sup> Lea (1906), III, p. 90

punishments, eighteen men and twenty one women portrayed by ten effigies were sentenced in absentia.<sup>229</sup>

Carbonell listed the names of the people prosecuted in absentia: *illorum et illarum pro quibus statuæ prædictæ factæ et combustæ fuere sunt hæc quæ sequuntur*<sup>230</sup> along with their professional occupation and streets where they had lived before the exodus which even now had kept the same name, like Plaça de la Trinitat, carrer Tapineria, carrer dels Banys Nous, Regomir, etc, all situated in the Gothic quarter of Barcelona. The absentees were: Guillelmus Jorda and his wife; Violans, widow of merchant Galcerandi Sunyer; Blanquina, wife of cobbler Gondisalvi; royal scribe Joannes Girgos and his wife Constancia; clothier Dalmatius Cartella; Guillelmus Costa; Clara, wife of merchant Joannes Bonanati and her granddaughter Isabel; merchant Nicolas Lydia, together with his wife and daughter; barber Johannes de Becols; Franciscus Andreas; Joannes Andreas; Violans, wife of Bernardus Januarius from Perpignan; Joannes Alfonsus, who was royal secretary to the governor of Catalonia (*secretaries domini Regentis officium Gubernatoris in Principatu Cathalonie*<sup>231</sup>); humorous writer Joannes Naves together with his brother Manuel; Berengarius Gual; Cabestany; dyer Gabriel Arguens with his wife Clara, sister Isabel and mother Joanna; Galcerandus dez Valls; Joannes Balle; Simon Balle; servant girl with last name Vidua and her daughters Isabel and Elionor; wife and daughters of dyer Jacob Arguens; Joannes Lybia and last merchant Dalmatius de Queralto together with his mother and wife.<sup>232</sup>

On March 24, 1490 one hundred fifty six refugees had been sentenced in absentia. The stage was projected at Plaça del Rei from where effigies had been taken to El Canyet in order to be burned.<sup>233</sup> They people prosecuted in absence were: physician Gabriel Miro and his wife Blanquina; merchant Bernardus Morvedere; merchant Bernardus Bennet; Alduntia, wife of mechant Joannes Valls; Francina, wife of Leonard Benet; tailor Franciscus Badia; Blanquina, wife of Raphael Monço; Euphrosyna, wife of Marques and granddaughter

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<sup>229</sup> *Ibidem*, pp. 29-32.

<sup>230</sup> *Ibidem*, p. 30

<sup>231</sup> Bofarull (1865), p. 31

<sup>232</sup> *Ibidem*, pp. 30-32.

<sup>233</sup> *Ibidem*, pp. 41-49.

of Sentmanat; merchant Franciscus Falco and his wife; Alduntia, wife of a certain Gerret; merchant Bernardus Jacobus and his wife; merchant Ludovicus Vitalis and his wife; merchant Galcerandus Castell and his wife; merchant Gaspar Vinyes; merchant Gabriel Petrus; Violans, wife of merchant Colomer; public officer Gabriel Mercader who was once *Locum tenens Thesaurarii*; convert Angelus; Beatrix, wife of a certain Joannes Scales; children of Gaspar Domenech: Gratiola, Columba and Gaspar; Gabriel Bellcayre; Lodovicus Bellcayre; Antonius Serra; merchant Marcus de Perets, son of Bartholomeu de Perets; a certain Bonantus; Isabel, wife of barber Baltasar Foguet; Elionor, daughter of Franciscus Scales, sister of reconciled Raimundus Scales; Joanna Besaluna, wife of Besalu Senior and their children Raphael and Franciscus; Bombarda Valentinus, father-in-law of Isabel Valentina; Elionor, wife of merchant Joanes Caderona; merchant Jacobus Bonanatus; Laurentius Benet; wife of a certain Laurentius Salt Senior; wife of pharmacist Mascaro; Maria, wife of Marcus Macip; Constancia, wife of merchant Manuel Juliani; Clara, together with her daughters and father-in-law; Violans, wife of a merchant Colomer; Elionor; Na Gampere, wife of Gampere Gomiç; merchant convert Paulus Vinyes; merchant Paladar and his wife Florentina together with her mother Na Paladara and daughter Clara; wife of Raimundus Vitalis; physician Franciscus Requesens; tailor Ludovicus Ripoll; mother and wife Joanna of Dalmatius Cartella; botcher Lodovicus Çalom and his wife Michaela; Antonia, wife of merchant Barthomeus Limona and their daughter Angelina; Bernardus de Pla son of merchant Benedictus de Pla; Elionor, wife of Ferrandus Caxado; daughters of Paulus Tolosa's wife and her daughters; Francina, wife of Montço and Blanquina wife of Gasparus Sartre; Alduncia and Violans, step-daughters of Paulus Tolosa; Franciscus Fortia, an illegitimate son of Joannes Fortia who was convicted for heresy; Francina, sister of tailor Michael Domenech and wife of del Salvat; Francina, widow of a certain Sos who remarried after to notary Stopenya who previously sentenced for heresy; cobbler Franciscus Pau and his wife Beneta; Francina, wife of a certain Tençes; Francina, wife of Manuel Puigmija and daughter of Petrus Badorch who were reconciled; Garriga, son of merchant Garriga; Guimera; merchant Gabriel Jacobus and his wife Isabel; Gabriel Sarte, son of Gabriel Sartre Senior; Constancia, wife of Jacobus Costa and her two daughters: Joanna, wife of Cervello and Isabel, wife of Viladecans; wife of merchant Guillelmus Jacobus; Gaspar Bronto, son-

in-law of Michael Font; Francina, wife of Joannes Fortia who was convicted for heresy and their daughters Joanna and Francina; Isabel, wife of Franciscus Vitalis; widow Sos; Blanquina, wife of Gonçalbo de Sanctes and sister of Joannes Leo; Gaspar de la Cavallaria and is wife who lived in the house of honorable Philippus de la Cavallaria; widow Gual; Columba, wife of merchant Melchior Badia; a certain Carcasona; Elionor Paladara; Eulalia Paladara; Eulalia Colomera, mother of Gacerandus Colomer; Euphrosina, wife of Franciscus Benet; Eulalia, widow of Burgos, and after of Valls and daughter of Antonius Raimundus Corroni who was burned at the stake for heretical crimes; a certain merchant with a last name of Navarro and his wife Isabel; a certain man with a last name of Xorquano; Franciscus Puigmija; Francina, wife of Daniel Jorda Sedarius; wife of Raimundus Falco; wife of Serra; Violans Fabra; Eulalia, wife of merchant Montbru; Alduntia, wife of Manuel Riera; Agnes, widow of Laurentius Benet; Jacobus and his wife Alduntia Benet; Joannes Bosch and his wife Alduntia, daughter of Christofor Domenench; Berengarius Valls and his wife Clara; Jacobus Cartalla; Francina, wife of Laurentius Çatrilla and their daughter Constancia, wife of banker Jonques; convert Angelus; Franciscus Vitalis, grandson of Franciscus Vitalis Senior; Jaufridis Queralt and his wife Elionor; Joanna, widow of lawyer Molle; merchant Joannes Badia; Joannes Cervello from Besaluns; Mercadell and his wife Isabel; merchant Jacobus Uguet; lawyer Rhothlandus de Sancto-Martino; merchant Michael Domenench and his wife Blanquina; Marquesia, wife of Petrus Benet; Margarita, wife of Bernardus Benet and sister of Bernardus de Marco Andrea; merchant Michael Font; wife of a certain Cartallana and mother of Gaspar Cartallana; Petrus de Leonart Benet and his wife Clara; a tailor Palou; Raphael Julia, his wife and mother Clara Boscha and daughters; Raphael Fortia, son of Joannes Fortia and his wife Francina; Margarita, wife of merchant Raimundus Baro and their daughter Alduntia; Hugo Bertran, brother of Joannes Bertran; a certain tailor Viladecans; Isabel, wife of banker Joannes dez Pla; widow Bonsenyor; Isabel, wife of Raphael Cadarona and her mother and Violans, wife of Marcus Fortia and daughter of Bernardus Benet.<sup>234</sup>

In 1491 Barcelona on June 10 was celebrated auto de fe with the numerous of refuges prosecuted in absence rising until one hundred thirty nine. Hence, the burning of the

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<sup>234</sup> *Ibidem*, pp. 41-49.

effigies had to be postponed for following day, June 11. The accused were: mother of Juan de Sant Jordi, secretary of Juan II of Aragon; Galcerandus Sunyer; Gaspar Cartala; Gabriel Dalmau; Jacobus Pau and his wife; Jacobus Costa; merchant Joannes Bonantus; Petrus Amat and his wife; merchant Nadal, his wife and their daughter Alduntia; Alduntia, wife of Franciscus Andreu; Francina Junyent; wife of cobbler Far; Elionor Arguens; Galcerandus Cartella and his wife Isabel who was sister-in-law of Petrus Benet's wife; wife of Joannes Sauri; wife of merchant Badia and sister of priest Gabriel Soccarats from monastery of Saint Augustine in Barcelona; Joannes Oliver from Valencia, his wife Ursola and her sister Alduntia; Franciscus Bertran brother of Dalmatius de Queralt's wife; Franciscus Rodo; Maria, wife of Marcus Macip; Marcus Fortia, son of Joannes Fortia; merchant Joannes Bertrandus; Manuel de Res, son-in-law of Joannes Vilella; Chatherina, widow of Bonantius Hugueti; Joannes Bosch; wife of a merchant Campells; tailor Joanes de Heredia; Joannes Leo, son of Joannes Leo; merchant Joannes Caderona; a certain Joanna; Nurus den Leo; Laurentius Andraes and his father, merchant Joannes Andreas; daughters (number is not specified) of pharmacist Mascaro; Patrus Palou; wife of merchant Font and daughter of Paladar; Alduntia, daughter of Cabrera and wife of Bonantius Sever; merchant Avinio; cobbler Balerna; Benedictus Guardiola and his wife; merchant Bernardus Fabregues and his wife Francina; Blanquina, daughter of Franciscus Paladar and wife of cobbler Far; Guillelmus Costa; Roger and his father Franciscus Requesens, son of physician Franciscus Requesens; daughter of Francina Çatrilla; diplomat Joan Rodrigo, his wife Isabel and her son Franciscus Joannes; a certain merchant Font; barber surgeon Franciscus Beçols; merchant Franciscus Scales and his wife Francina; Francina, wife of hatter Stephanus Oliver; a certain woman Gralla; Benedictus Guardiola; brothers and merchants Gabriel and Joannes Bonanat; Gabriel Oliver, son of Manuel Oliver; Gabriel Guimera, brother of Joannes Guimera; Melchior Badia; Constancia, wife of merchant Joannes Falco; merchant Guillelmus Jacobus; merchant Jacobus Benet; Joanna, sister of Bernardus de Ferreres; Chatherina Angel; wife of a certain Teiadell; Wife of Petrus Antonius; wife of merchant Antonius Gual; Alduntia, daughter of banker Joannes dez Pla; mother of merchant Franciscus Prats; Franciscus Bosch; daughter of a certain Moles; mother of priest Galcerandus Benet from the order of Saint August; wife of Gabriel Comte; Guillelmus Rodo

and his wife; merchant Joannes Guimera; Catherina wife of Bartholomeu Gaya; widow of a merchant Fabra; Euphrosyna, wife of Alfonsus Vanover; Elionor, wife of merchant Franciscus Mascaró and sister of Danielus Jordanus; Elionor Vidala, sister of neophyte Salt; Eulalia, wife of merchant Amat and her mother; Elionor, wife of merchant Gabriel Bonant; Euphrosyna, wife of merchant Petrus Moles; a certain with last name Font who's brother was a merchant Font and his daughter Angelina, a wife of Navarro from Lleida; Francina, wife of neophyte Berenguarius Gual; Raimunodus Falco and his mother; Blanquina Çacoma; Jacobus Cartella; mother of Benedictus de Ferreres and his sister Joanna; Na Gratiosa, wife of Cerdon; Joannes Costa, son of Costa; neophyte Joannes Rubert; Ludovicus Ripoll and his wife; Benedictus Mos and his wife; merchant Maçana; physician Funes Cerdo and his wife; merchant Melchior Badia and his wife Columba; Melchior Vergueta and his mother Francina, wife of Antonius Vergueta; Manuel Puigmija, son of scribe Joannes Puigmija; Petrus Buçot, husband of Gabriela Buçota, who was burned at the stake; Petrus Garret, son of Na Garreta, his mother and sisters: Beatrix, Alduntia and Florentia; wife of neophyte Raimundus Vitalis; a certain scribe Roger; father-in-law of neophyte Petrus Miro; a certain with last name Temps, son-in-law of presbyter Bernardus de Ferreres; wife of Gonçalvus de Sanctes; wife of tailor Oller; Isabel, wife of Mercader; Isabel, daughter of Angelina Domenega, who's father-in-law was Melchior Badia; Isabel, wife of Bosch; Isabel, daughter of Jacobus Darguens and Violans, sister of Isabel.<sup>235</sup>

On April 10, 1495 seventy one people were prosecuted in absence (*omnes et singulos infrascriptos pro hereticis et apostatis condemnarunt illorumque statuas brachio seculari tradiderunt*<sup>236</sup>). The absentees were: Aduarus Badia, Antonius Serra, Agnes, wife of Michael Alesino, Angelina, wife of Michael Badia, Antonia, widow of Huguetus, merchant Bernardus Vilamari, tailor Bernardus Porta, Brigida, widow of Marcus Rosanes, Beatrix, daughter of reconciled Matheus Berenys, Blanquina, wife of Bernardus Morvedre, Bernardus Steve, son-in-law of Gabriel Montço, Beatrix, wife of Gabriel Tolosa and sister of Franciscus Requesens, tailor Bernardus Geraldus, Blanquina, widow of Jacobus Bosch, Blanquina, wife of Franciscus Puigmija, Bonantus Rosenes, son of Marcus Rosenes, Coloma, wife of

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<sup>235</sup> *Ibidem*, pp. 53-61.

<sup>236</sup> *Ibidem*, p. 78

Gabriel Servent, Chatherina, daughter of merchant Gabriel Bonant, Chatherina, widow of Joannes de Conques, Clara, widow of merchant Bartholomeus Limona, Elionor, wife of merchant Joannes Canti, Elionor, wife of merchant Ludovicus Queralt, Elionor, wife of Bernardus Alamany, Eulalia, wife of Pou and daughter of Euphrosina, wife of Navarro, Elionor, wife of merchant Franciscus Orts, Euphrosina, wife of Gabriel Sartre Senior, Florença, wife of Petrus Libia, Francina, wife of barber surgeon Joannes Viacamps and daughter of Daniel Mallorqui, Francina, wife of Berengarius Gual, Francina, wife of Francoy de Viladecans, merchant Franciscus Piera, Francina, wife of Petrus Valls, widow Francina Scales, Guillelmus Fabra, bookseller Joannes Çacoma, Joannes Far, son of Franciscus Far, Joanna, wife of Petrus Queralt, merchant Joannes Canti, Joannes Valls, cobbler Joannes Crexells, merchant Joannes Leo, merchant Joannes Balle, Joannes Uguet, son of Bonantus Uguet, Joanna, widow of Gabriel Blanqua, Joanna, wife of Jacobus de Sogovia, Margarita, wife of Petrus Antonius, Margarita, wife of Guillelmus Maestres, Michael Vitalis, son of Raimundus Vitalis, Mandina, wife of Jacobus Balle, merchant Marcus Sobirats, widow Margarita Gomis, Na Gracia, Petrus Piera, Paula, wife of Paulus Vinyes, Raphaela, widow of presbyter Bernardus de Fererris, Sperança, wife of Michael Fonch, Thomasa, wife of Jacobus de Pau, Violans, wife of Jacobus Uguet, Violans, wife of pharmacist Ludovicus Benet, Violans, daughter of Marcus Rosens and wife of Grau, Violans, wife of Guillelmus Guardiola, Hypolita, wife of Petrus Palou, Isabel, wife of Vilamari, Isabel, wife of Franciscus Malarts, Euphrosyna, wife of Gaspar Cartella, Francina, wife of Gabriel Benet and Isabel, wife of Joannes Valls. They all were settled in Barcelona.<sup>237</sup>

In the ceremony were presented Bishop of Barcelona, Pedro Garcia and inquisitor Antonio de Contreras and second inquisitor Pedro Pariente. The belongings of the accused located in Barcelona were confiscated and hand over to royal treasury. Apparently, the whole proceeding of prosecuted in absence was created in order to provide the confiscations and increase the solemnities of the autos.<sup>238</sup>

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<sup>237</sup> *Ibidem*, pp. 78-82.

<sup>238</sup> Lea (1906), III, p. 90.



In the following year in the city of Barcelona had been recorded four trials with an outcome of burning effigies. Firstly, on October 4, 1497 fifty four people were sentenced in absentia while their statues had been hand over to secular authorities in order to burn.<sup>239</sup> They were: Euphrosyna and Steve Canto, son of Lorenç Canto; Euphrosyna, wife of Gaspar Vilanova, daughter of Joan Çarriera; Pere Portugues; Pere Bosch; Brigida and Berenguer Bosch, son of Jaume Bosch; Elionor (Francina), daughter of Benet Falco from Gerona and wife of Gabriel Benet from Barcelona; Isabel, daughter of priest Bernat de Ferreres; Joana, wife of dyer Jaume Arguens and daughter of Vilella, sister of a merchant Vilella from Barcelona; Baltasar Bosch; Clara, wife of Antonius Gual and sister of Vilella and her daughter Florença, wife of Jaume Falco from Gerona; wife of Pallas and sister of merhcnat Vilella; merchant Joan Francesch Crexells; Pere Pujol; Francoya and her mother Francina Viladecans, sister of Joan Trinxer's wife; Agnes, widow of Benet Mo; Joan Balla; Gabriel Funes Çabater and his wife Antonia; Gaspar Davinyo, son of Gaspar Davinyo; Violant, wife of Guillem Fabra and their daughters Elionor and Clara; Isabell Abella daughter of Francesch Abella del Canys and wife of merchant Gaspar Vinyer; Violant Garridella widow of heretic Joan Bertran; widow Guimerena; Blanquina and her mother Euphrosyna, wife of Jaume Bonant; Elionor, wife of Gaspar Costa; Elionor, wife of Nicolau Labia and daughter of Ramon Vidal; Aldonça wife of Raphael Libia; Blanca, daughter of Falcona Roca from Gerona; Florença, wife of Pere Libia; tailor Linas, his wife Blanquina, their son Pere and Blanquina's sister Isabel; Clara Pi, wife of Joan Pi and her daughter, wife of Pau Rosell; Pere Ferrer and his mother Aldonça; Paula, wife of Nicolau Sanxo; widow Florença Cartellana; Francesch Benet and his wife Francina; Ursula, daughter of musician Alfonso Dies' wife; Clara Boscha, wife of Libia; Violant, wife of Pere Benet and Isabel Aldonça Pi, granddaughter of Joan Pi.<sup>240</sup>

Secondly, on September 21, 1502 six people had been prosecuted in absence. They were: Ludovicus Benet from Gerona, Raiumundus Vilagut and his wife Celestina from Tarragona, Bernardus Roig Senior and his wife Beatrix, together with Bernardus Roig

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<sup>239</sup> Bofarull (1865), pp. 141-144.

<sup>240</sup> *Ibidem*, pp. 141-143.

Younger, from Tarragona.<sup>241</sup> In 1503 on August 10, certain Petrus Prats from Montblanc was sentenced in absentia because he converted to Islam (*Fuit condemnatus in absentia Petrus Prats Montisalbi qui se fecit agarenum sive maphometricum*<sup>242</sup>).

Differently from Barcelona in the city of Tarragona trials of absentees was not often practiced. For example, in *Liber descriptionis* only two autos had been recorded with outcome of burning effigies of absentees and both had been celebrated in 1501. First auto occurred on March 19 when twenty culprits had been prosecuted as *absentes fugitive*: Francesch Ribelles, his wife Blanca and mother-in-law Salvada from Falset; Isabel and Violans, daughters of Gabriel March from Falset; Galceran Çaportella from Montblanc; Antoni Calatajut, his wife Isabel and mother; Tecla, wife of Miquel Muntfort and daughter of Gabriel Funes from Riudoms; Joan Alexandre, son of widow Alexandra who was convicted for heresy; Linas Sartre and his wife; Francina, wife of Gabriel Garriga; Lois Tolosa and his wife Blanquina; Beatriu, wife of Guillem Alenya from Montblanc; Violant, wife of Lois Ribells, brother of priest Lois Garriga from Tarragona; and mother-in-law of Antonius de Calatayut.<sup>243</sup>

Secondly, the nineteen accused all originally from Barcelona had been sentenced in absence on December, 20 1501. They were: Joannes Sever, together with his father Bonanatus Sever; Dalmatius Benet and his wife Francina; Petrus Bosch and his wife Constancia; a certain merchant Çacam together with his wife; Franciscus Huget and his wife; Petrus Soler and his wife; Maria, daughter of Franciscus dez Pla; Maria, maid of merchant Benedictus de Ferreres; Elionor, wife of Franciscus de Calataiut; Joanna Torrosella; Brigida, wife of Berengarius Bosch; Dionysia Benedicta, wife of Dionysius Benedict; Philippa, wife of Falco from Gerona and sister of Francina, widow of Gabriel Benedict.<sup>244</sup>

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<sup>241</sup> *Ibidem*, p. 152

<sup>242</sup> *Ibidem*, p. 155

<sup>243</sup> *Ibidem*, pp. 148-149.

<sup>244</sup> *Ibidem*, pp. 150-151.

Even though trials for the absentees in Tarragona occurred in the same year of 1501, the inquisitors in charge of processes were different: firstly, it was during the inquisitors Antonio de Contreras, Pere Pariente and second with Pays de Sotomayor.

In *Liber descriptionis*, inquisitorial trials in Gerund are not that frequent compared with one in other Catalan towns. On Monday 14<sup>th</sup> of February, 1491 in Gerona was held a ceremony presided by inquisitor Alfonso de Spina for heretics who were prosecuted in absentia and afterwards delivered to the secular authorities.

Carbonell gave a list of the condemned heretics. In some cases were prosecuted married couples and whole families. For instance, in the list are: married couple Falco, Francés and his wife Elionor; family Vidal Sampsó, Joan and his wife, Bernart and his wife Violant; family Mercader, Bernat older, Dalmau younger, Daniel and his wife Angelina and daughter of Dalmau Angelina (she was firstly a wife of doctor Jaume Falcó and after she was wife of Karolus Fiena from Perpignan); married couple Falcó, Pere and his wife Clara; Sampsó family, Mateu and his wife Violant; Violant, wife of Bernart Sampsó, and their three daughters: wives of Francés Marcos Andreu, Bernart Macip and Bernat Costa; Andreu family, Guillem Andreu together with his wife and daughter both named Violant; and married couple Guillem, Bernat and his wife Blanquina. On this list, were also women: Blancina Falcona, Joan Montpelle.; Eleonor (wife of Jaume Benet), Elionor (daughter of Joan Vidal Sampsó and wife of Guillem Rodón), Eufrosina (wife of Pere Cabrit Younger), Joana (wife of Andreu Vidal) and Isabel (daughter of Bernat Vidal Sampsó and wife of Joan Vidal); and also widows: Joanna (widow of Luis d'Ala), and Falcona Roca.

As we can see from this list, the most frequent family surnames are Sampsó, Falco and Mercader as well as Anderu, Vidal, Servent, Climent and d'Ala; these families had been closely related by intermixed blood in according to the prototype of Jewish inbreeding practice.<sup>245</sup> Additionally, in examining documents of the accuser's assets it had been discovered that their confiscated property (houses, orchards, pensions funds, silver, rentals, wardrobe, etc) had been sold at auction to a plethora of individuals. For instance,

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<sup>245</sup> García Cárcel, Ricardo (hereafter: García Cárcel, 1974), "Notas sobre la inquisición en Girona (1487-1505)", *Annals de l'Institut d'Estudis Gironins*, N°22, 1974, p. 198.

estate of Joan Vidal Sampso worth 102 sueldos and 8 dineros; of Francés Falcó – 34 libras and 1472 sueldos; of Pere Falcó – 626 sueldos; of Mateu Sampso – 31 libras and 688 sueldos; of Guillem Andreu and Na Violant – 432 sueldos; of Bernat Guillem – 60 sueldos; of Dalmau Mercader - 15 libras and 5 sueldos.<sup>246</sup>

Carbonell finished describing this case stating that all the sentenced people are neophytes from the town of Gerona (*omnes proxime dicti sunt neophyti seu conversi civitatis Gerunde*<sup>247</sup>).

One more trial had been held in the city of Gerona on December 21, 1495 in which nineteen refugees from Castello d'Empuries has been sentenced *in statuis*. They were: Antònia Servent (wife of Leonardo Soror and sister of Gaspar Servent), Aldonça (wife of Francés Bosch), Bertomeu Compte with his wife Beatriu, Coloma (wife of Jaume Pere), Francina (wife of Mateu Pere), merchant Francés Pere, Florença (wife of Pere Andreu), Gaspar Servent, notary Joan Santcliment, Margarida (wife of Bertomeu Bosch and daughter of Joan Ferrer), Miquel Andreu, Margarida (wife of Miquel Roca), Gaspar Servent's mother, shopkeeper Miquel Roca, Miquel Pere, Pere Jou, Pere Servent and Isabel (wife of Casesnoves).<sup>248</sup>

In the city of Balaguer one auto had been celebrated on Monday, June 10, 1493 in which eleven fugitives had been prosecuted in absence and their effigies had been hand over to secular authorities while their property was confiscated. They were: Gaspar Bedit older, Gaspar Bedit younger, Gracia Çatora, Joana Via-Camp, Joan Bedit, Francesquina de Foix, Isabel Bedit widow (mother of Gaspar Bedit younger), Misser Galceran Balthasar, Brianda Benet, Guerau de Cervello and Miata de Monros.<sup>249</sup>

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<sup>246</sup> ACA, Maestre Racional, 802 f. 224-230 y 2.810, piezas 5-7. (Taken from: García Cárcel (1974), pp. 200-201)

<sup>247</sup> ACA, RNIFIL, RN 3684, fol. CXXV

<sup>248</sup> Bofarull (1865), pp. 85-86.

<sup>249</sup> *Ibidem*, p. 139

## 4. The Sentence

### 4. 1. Acquittal

A verdict of acquittal in the medieval tribunal was practically prohibited. A person against whom there was no proffs to legitimize sentence or who did not declared himself guilty, was maintained in jail for an indefinite period of time. However, if the suspicion was *de levi* the potential culprit could be dismissed under bail until evidences appear against him and demonstrate his guilt. The suspended cases could be reopened at any moment and under any circumstances; hence it kept the questionable suspect in never-ending fear.

The rule was, in public solemnities of the auto de fe, that penalty of acquittal of the living will not to be read, except at their exceptional demand; on the contrary, acquittal of the deceased had been read.<sup>250</sup>

In a record of the Barcelona tribunal the first trial resulted in the acquittal occurred twelve years after establishment of the modern inquisition; these verdicts were various, conditional as well as unconditional. Therefore, it was documented trials resulting in the acquittal followed with abjuration, like it was in 1499 Barcelona when on May, 2 Jaume Castanyer and Eufrosina Pometa had been required to publicly abjure heresy and were set free (*fuit absoultus sed publice abjuravit*).<sup>251</sup>

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<sup>250</sup> Lea (1888), I, p. 453; Kamen (1997), p. 199; Lea (1906), III, p. 108.

<sup>251</sup> Bofarull (1865), pp. 144-145.

In the same year, on October 5, Luis Palau was acquitted and his innocence was proven (*fuit absolutus tanquam innocens*<sup>252</sup>). Furthermore, on September 18, 1500 the trial resulted in the absolute acquittal in favor of four women (*fuerunt absolutae simpliciter*<sup>253</sup>): Luissa Çatrilles, Brianda Ribes Altes, Violant Cardona and Elionor Cabrebrera; afterwards however fiscal appealed against Violant and Elionor.

In the same auto, Raphel Cavaller and Guillelmus Nicolau were acquitted with penance (*fuerunt absoluti cum penitentia*<sup>254</sup>) and fiscal also appealed against them. Consequently, Raphel Cavaller was reconciled and sent to perpetual prison. In this complicated auto de fe Beatrix, alias Maria de Alarcon, Bernardus Alcover and Serena Alcovera had to abjure their offences *de levi* and were afterward liberated.<sup>255</sup> In that same year, on October 5, the memory and dignity of Juan de Ribes Altes were acquitted.<sup>256</sup>

In the city of Tarragona a unique case of the absolute acquittal occurred and was depicted in *Liber descriptionis*; it was on Sunday, August 1, 1501 during the celebration of public auto de fe in which Blanquina from Barcelona, wife of Martin Dorla *fuit absoluta eodem die simpliciter*.<sup>257</sup>

In *Liber descriptionis* additionally had been documented four cases of slave liberation due to heresy crimes of their owners (*De servis et captivis manumissis et franchis propter crimina hereticalia suorum dominorum*). For example, in 1492 on December 5<sup>th</sup>, a black servant Martin gained his freedom due to heretical tendencies of his master Bernard Campells. Moreover, in 1500 two similar cases had been documented: firstly, on January 11, in Gerona a black girl Beatrix was acquitted and on October 17, two women and a man was reconciled and liberated. Additionally, in 1501 Barcelona, on February 5<sup>th</sup>, a black woman Magdalena,

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<sup>252</sup> *Ibidem*, pp. 146-147.

<sup>253</sup> *Ibidem*, p. 147

<sup>254</sup> *Ibidem*, p. 147

<sup>255</sup> *Ibidem*

<sup>256</sup> *Ibidem*, p. 144

<sup>257</sup> *Ibidem*, p. 149

servant of heretic Joannes Fortia was acquitted together with her daughter who was born after crime committed by Fortia.<sup>258</sup>

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<sup>258</sup> *Ibidem*, pp. 136-137.

## 4.2. The Compurgation (The case of Angelina Vilella, etc)

The compurgation, in other words a wager of law or an oath-helping, was a defense utilized generally in medieval law, utilized in ecclesiastical courts and obtained from the canon law. In this type of defense an offender could establish the innocence or no liability by taking an oath and by getting a certain number, usually twelve, of witnesses i.e. compurgators (compurgator, onis, m., *-testis qui una cum reo jurabat, ut absolveretur*<sup>259</sup>) who would testify in order to reveal offender's character and virtue. Additionally, at a time when someone's testimony had more integrity than a written document, it was a method of establishing the credibility to the oath of an accused.

In *Liber descriptionis* one trial in which was employed the defense of compurgation specifically grabbed attention due to its deliberately described process. This case had been recorded by first scribe of the inquisition, Joan de Vilava, and later copied by Carbonell: *Altra folio XXXXIII... est que sententia caononicae purgationis contra Angelinam uxorem Joannis Vilella mercatoris scita de ma de I scriptor del offici de aquesta Sancta Inquisitio appellat Joan de Vilava.*<sup>260</sup> The proceeding was written mostly in medieval Latin and fragmentary in vernacular Catalan consisting exact testimonies: statements of the witnesses and the oral deposition of the accused which were left in their primary shape in order to keep the initial form of the statements and probably recorded at sight without changing it form. Barcelona's inquisitor, Pere Pariente, presided in the trial against defendant Angelina Vilella, wife of merchant Joan Vilella from Barcelona, prosecuted for suspicion: *captam et coram nobis de*

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<sup>259</sup> Du Cange, Charles du Fresne, *Glossarium mediae et infimae Latinitatis*, Paris, 1678, in : <http://ducange.enc.sorbonne.fr/compurgator>, accessed on 06/08/2015

<sup>260</sup> Bofarull (1865), p. 169



*criminibus heresis delatam fore fuisse et esse de fide catholica suspectam ac de dictis criminibus heresis de quibus fuit impetita et delata remansisse et remanera infamatam... sententiamus et declaramus eandem Angelinam uxorem dicti Joannis Vilella fore fuisse et esse de fide catholica suspectam.*<sup>261</sup>

In the lack of proofs if torture did not give expected results when suspicion was too severe to seek for acquittal, the offender could be subjected to compurgation. However, the favorable outcome did not result an acquittal, it demanded abjuration and penitence at the discretion of the tribunal; because, even though it was proved that offender did not commit any heretical error, he could be convicted for suspicion.<sup>262</sup>

Firstly, in the period of fifteen day, it was required from accused Angelina to appoint seven compurgators who will testify in her defense and reveal her personality in period of last decade from since the modern inquisition had been established in Barcelona (*...indicimus assignates eidem ad se canonice purgandum terminum quindecim dierum infra quem terminumdicta Angelina teneatur se canonice purgare manu septem virorum catholicorum qui vitam mores et conversacionem dicte Angelinae agnoverint per spacium decem annorum antequam inquisitio intravenit in civitate Barcinone...*<sup>263</sup>). The number of witnesses chosen for compurgation was usually twelve; however in this case for unspecified reasons it was reduced to seven. Additionally, judges sated that if in the fifteen days period Angelina does not do what they demanded from her, she will be convicted to canonical penalty (*si infra dictum terminum non se purgaverit modo et forma supradictis aut si defecerit in se purgando quod procedemus contra eam prout juris fuerit et rationis videlicet quod habebitur pro convicta et pro confesa de dictis criminibus de quibus superius fuit impetita et alias canonice punientur*<sup>264</sup>).

On May 23, 1497 in the Palau Reial Major in Barcelona it was brought the *lata sententia*<sup>265</sup> by inquisitor Pere Pariente and prosecutor while on Angelina's behalf was

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<sup>261</sup> *Ibidem*, p. 123

<sup>262</sup> Lea (1906), III, p. 115

<sup>263</sup> Bofarull (1865), pp. 123-124.

<sup>264</sup> *Ibidem*, p. 124

<sup>265</sup> The *lata sententia* in the canon law of the Catholic Church was a punishment that follows automatically in the case of violating laws.

defense attorney Francesc Vilella, after which a defendant was detained in the secret jail of the inquisition.

On 6<sup>th</sup> of May, 1497<sup>266</sup> defense lawyer, Francesc Vilella, gave the list of witnesses composed by the offender. In the register were names of Elisabet de Cabrera, countess of Prades, Margarida de Cabrera, Elisabet de Cabrera, wife of monsignor Dionis Miquel, Berenguer Lentes, expert of sacred theology, Miquel Montelló, physician, monsignor Antoni Peyró, vicar of Sant Cugat, and his brother Pere Peyró; they were all originally from Barcelona.<sup>267</sup>

On Friday, May 26, procurator fiscal Martin Ximenez publicly stated that previously mentioned Berenguer Lentes had to be rejected as an eyewitness in the trial due to following: *clarissime affectatus delate et quia multi ex parentella illius sunt reconciliati et condempnati.*<sup>268</sup> However, two days later, on May 28, inquisitor Pariente of fiscal's displeasure declared that Lentes will be kept as a compurgator in the case against Angelina Vilella: *...quod testis ille est christianus et in theologia magister vir apud bonos et vulgares bone fame et testimony et alias propter justas causas animum suum moventes admisit illum in testem una cum aliis desuper scriptis...*<sup>269</sup>

Finally, on June 2<sup>nd</sup>, 1497 Barcelona's inquisitor, reverend Pere Pariente and Pere Buada, canon and general vicar of Holy Office in charge for episcopacy of Urgell,<sup>270</sup> presided the trial held in audience-chamber of the Tribunal in which offender Angelina Vilella was brought in and *ad se canonicè purgandum humiliter supplicavit se admitti ad purgandum et se purgando nominavit presentavit et produxit in testes*<sup>271</sup> all seven previously mentioned, whom they accepted. Afterwards inquisitors recited the charges creating suspicion *de vehementi* and questioned Angelina, who was, at that moment, under oath, whether she is pleading guilty or not. The accused stated her as not guilty and responded: *se nunquam talia dixisse*

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<sup>266</sup> Sic! It should be written 26<sup>th</sup> of May 1497.

<sup>267</sup> Bofarull (1865), p. 125

<sup>268</sup> *Ibidem*, pp. 125-126.

<sup>269</sup> *Ibidem*, p. 126

<sup>270</sup> Sic! He was actually general vicar of Barcelona's episcopacy

<sup>271</sup> Bofarull (1865), p. 127

*fecisse nec commisisse nec aliquid quod sit contra nostrum Sanctam fidem catholicam offerens se presta et parata abjurare omnem hereticam pravitatem et signanter illam speciem heresies de qua fuit acusata et que continetur in dictis testimonibus et alia facere que fuerint juris et rationis.*<sup>272</sup>

Afterwards the inquisitors examined the witnesses who were sworn to answer truly. Firstly was inquired Elisabet de Cabrera, countess of Prades, asking does she and for how long does she know the accused Angelina. The countess stated: *que la coneix ella testis des que dita Angelina naxque per conversacio en la villa de Falset per que la terra es sua.*<sup>273</sup> Secondly the same questions had been asked Berenguer Lentes, who answered: *que ha XXI o XXII anys que coneix la dita Angelina per que dita Angelina slave en Falset en la casa de sos avis.*<sup>274</sup> Afterward was examined Margarida de Cabrera who stated: *que coneix la dita Angelina e que ha que la coneix vint anys e que la conegue en Falset.* Next was inquired Elisabet de Cabrera, wife of monsignor Dionis Miquel, answering that: *que coneix la dita Angelina y la ha conegut en Falset despuix que naixque.* Physician Miquel Montelló stated that: *que coneix la dita Angelina de mes de vint anys en ça et la ha conegut en Falset.* Furthermore, vicar of Sant Cugat, monsignor Antoni Peyró in questions answered: *que ha conegut y coneix la dita Angelina del temps que son pare mori e del temps que naixque.* Finally was examined Pere Peyró who answered: *Que coneix la dita Angelina de temps de XX anys... y que la te per bona christiana ni may li ha vist fer cosa de mala christiana.* All compurgators unanimously stated that they believe that accused Angelina Vilella is not guilty for heretical crimes: *Et virtute dicti juramenti dixit se credere illam Angelinam verum jurasse.*<sup>275</sup> These testimonies were carefully taken down and were signed by the witnesses.

On June 5<sup>th</sup> the autillo was continued in Palau Reial presided by inquisitor Pere Pariente and Pere Buada, canon and general vicar for episcopacy of Barcelona. In this proceeding the accused Angeline abjured heresy by stating: *Yo Angelina muller den Juan Vilella constituyda personalment devant vosaltres sennors pare inquisidor de la heretica y apostatica pravedat et vicari general jur per aquest sancts quatre evangelis denant mi posats e per les mies propies mans tocat que*

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<sup>272</sup> *Ibidem*, p. 128

<sup>273</sup> *Ibidem*

<sup>274</sup> *Ibidem*

<sup>275</sup> *Ibidem*, p. 129

crech atorch e confes de de bon cor et de paraula la Sancta fe catholica... e per aço abjuro revoco e abnech tota e qualsevol specie de heregia y apostasia que contra la Sancta fe catholica sia en special y expressament aquella specie de heregia de la qual yo pecadora so stada sospitosa e infamada et acusada que feya y servava las ceremonias y rittus judaychs e de la ley de los jueus e de Moyses... e affirmo tots los articles de la Sancta fe catholica e senaladament aquells los quals los jueus e les sues ceremonies neguen contra los quals yo so inculpada confessant nostre Sennor Deu Jhesu-Christ esser concebut per obra del Sancto Spiritu e esser nat de la glorisissima Verge Maria e esser verdader Deu... encara promet que no instruyre ne mostrare a persona alguna cosa que sea contra la Sancta fe catholica e si sentire e sabre que algu sea caygut en la dita specie de heretgia y apostasia o en altra qual se vulle lo mes pres que puga a vos pare inquisidor o al jutge ordinari o als successors vostres en dit offici de Sancta inquisicio de la heretica y apostatica pravedad...E si cas sera que contre les coses desus dites per mi jurades e abjurades o alguna de aquelles lo qual Deu no no man yo dire fare servare o venre en qualsevol manera vull consent em plau que sia aguda per relapsa als quals penes de relapsa segens que per dret stan ordenades y statuydes hara per llavos e llavos per ara me oblich e sostmet tota ora e quant del contrari en forma que lo dret requer constas.<sup>276</sup>

Finally, the verdict was brought by inquisitors Pere Pariente, Pere Buada and presbyter of Urgell, Bernat Teixedor, while it was publically read on June 5, 1497 by procurator fiscal Martin Ximenez in presence of Angelina stating that defendant should be released from the secret jail of the inquisition and free from all charges: *dictam Angelinam Vilella a dictis carceribus Sancte inquisitionis liberari et solvi et ipsam a dictis carceribus habuerunt pro solute et liberata restituendo illam sue pristine libertati juxta seriem sentencie.*<sup>277</sup>

Additionally, two more trials described in *Liber descriptionis* utilized defense of compurgation; although are not depicted in detail like the previously mentioned proceeding. Firstly, on August 5<sup>th</sup>, 1488 in Barcelona, dyer Manuel Guasch from Barcelona

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<sup>276</sup> *Ibidem*, pp. 130-133.

<sup>277</sup> *Ibidem*, p. 135

cleared his name from canonical accusations by compurgation (...*Manuel Guasch tinctorarius civis Barcinonae se purgavit canonica purgatione...*<sup>278</sup>).

Moreover, on February 3, 1503 the auto was celebrated in Barcelona in which heretic Jaume Benet, merchant from Gerona, was convicted to the capital punishment, because he failed in the compurgation (*eo quia deficit in canonica purgatione sibi injuncta*<sup>279</sup>). Additionally, his property (consisted of dowry and census) was confiscated and sold at the auction for two hundred libras and one hundred and eighty five sueldos.<sup>280</sup>

Employing the defense of compurgation can be considered as a hazardous and uncontrolled move, due to its involving of compurgators whose depositions could not be influenced on and, in that manner, putting the fate of the accused in the hands of witnesses. For instance, this tactic was helpful in the case against Angelina Vilella; while, on the contrary, it was quite risky in practice like it was demonstrated in the case against Jaume Benet. Finally, it remained a defense form frequently used in the inquisitorial proceedings although it broke one of the significant characteristics of the legal inquisitorial system - the secrecy, while including freely elected eyewitnesses.

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<sup>278</sup> *Ibidem*, p. 27

<sup>279</sup> *Ibidem* p. 154

<sup>280</sup> ACA, Maestre Racional, 802 f. 224-230 y 2.810, piezas 5-7. (Taken from: García Cárcel (1974), pp. 200-201)

## 4. 3. Penalties

### 4. 3. 1. Reconciliation

The 'reconciliation', ambiguous and contradiction in terms, was in fact a receiving back a sinner to the bosom of the Church usually followed with a severe punishment. The most frequent penalties imposed by reconciliation were imprisonment and sanbenito, and sporadically scourging and the galleys followed by a rule with confiscation of property. Additionally, in a case of the relapsing of a repentant heretic previously reconciled no mercy was shown on earth for his acts; although the Church in its 'generosity' would open the heavenly portals on and receive sinner to the sacraments, nevertheless the relapsed heretic was immediately convicted to the stake.<sup>281</sup>

In order to suspected heretic be accused for heresy two conditions had to be fulfilled: an individual had to intentionally believe differently from what the church taught and rejected to accept the teaching although it was called attention to his misinterpretation of religious content, hence he became 'pertinax' and consequently 'prey' for the inquisition.<sup>282</sup>

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<sup>281</sup> Kamen (1997), p. 200, Lea (1906), III, pp. 146-148.

<sup>282</sup> Eymerich, Nicolas - Peña, Francisco, *Le manuel des inquisiteurs*, p. 51; Simancas, Diego de, *De Catholicis Institutionibus*, fol. 139 ; Páramo, Luis de, *De Origine et Progressu Officii Sanctae Inquisitionis*, pp. 546 and 779. (Taken from: Nalle, Sara T., *Insanity and the Insanity Defense in the Spanish Inquisition*, Annual meeting Society for Spanish and Portuguese historical studies, San Juan, Porto Rico, April 24-26,1992, p. 2)

The penalty of reconciliation was additionally followed with plethora of restrictions. For instance, the *reconciliados* could not anymore possessed public offices or benefices, in other words, performed as lawyers, landlords, pharmacists, spice dealers, physicians or bellmen. It was forbidden for them to carry precious stones or any type of jewelry made of gold, silver, coral and pearls or has their clothes made from silk and camlet. Additionally, it was prohibited to ride a horse or carry an arm for the rest of their lives. In a case of disobeying these restraining, their acts will be considered as backsliding and they will be consequently convicted.<sup>283</sup>

During the period 1488-1505 in cities Barcelona, Tarragona and Gerona in *Liber descriptionis* had been recorded cases in which one hundred and sixty four reconciled had been pardoned and convicted to perpetual prison while their assets had been confiscated; in this historical period, it was the most practiced penalty imposed by ‘reconciliation’.

On August 16, 1488 in Barcelona one hundred and fifteen repentant heretics had been reconciled (*Secuntur homines reconciliati gremio Sanctae Matris Ecclesiae...*<sup>284</sup>) by wearing the sanbenito in public as a mark of the infamy for following the rites and ceremonies of the Jews.<sup>285</sup>

Moreover, on January 10, 1489 in Barcelona’s Palau Reial, sisters Elionor and Isabel Bedorc were reconciled secretly (*fuertur gremio Sanctae matris Ecclesiae reconciliatae secretae*<sup>286</sup>). The family Bedorc’s members from Barcelona during the period from 1488 until 1490 were brutally tried by the inquisition as judiaizers. This household consisted of parents Pere and Violant and daughters Isabel and Elionor. Violant was condemned to the stake in auto de fe held in 1488 Barcelona,<sup>287</sup> while Pere same as his children served sentence of imprisonment and afterwards was pardoned for heretical crimes.

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<sup>283</sup> Homza, Lu Ann, *The Spanish Inquisition, 1478-1614: An Anthology of Sources*, Hackett Publishing Company, Indianapolis, Cambridge, 2006. p. 65

<sup>284</sup> Bofarull (1865), p. 21

<sup>285</sup> Vidi: Sanbenito

<sup>286</sup> Bofarull (1865), p. 29

<sup>287</sup> *Ibidem*, p. 20

The unique case of the reconciliation of the deceased described in *Liber descriptionis* occurred on May 2, 1499 in Barcelona, when a certain Beatrix, wife of Miquel Sener, had been pardoned in effigy (*reconciliata in figure sive in statua*) while her confiscated belongings had been returned.<sup>288</sup>

On December 3, 1503 ten reconciled from Barcelona had been pardoned; however, Carbonell did not write the type of penalty they had been convicted for. They were boutique owner Michael Valls, four sisters: Bartholomeva Rabacera, Euphrosyna, wife of Bartholomeu Pinos, Catharina Siurana and Raphaela Çabuda together with Joanna, wife of Michael Cervera Çabater, Angelina Alamany, Violant Aymerica; while Narcissa Sunyent and Clara Castanyera were originally from Barcelona, painter Hieronym Benet Sarria was from Perpignan and Elionor, wife of musician Joannes was from city of Gerona.<sup>289</sup>

In the next year of 1504, on July 12<sup>th</sup> was celebrated auto de fe in Plaça del Rei presided by Barcelona's inquisitor, Joan Enguera, and Barcelona's Bishop, Pedro Garcia, in which nine apostates had been reconciled. They were pharmacist Bartholomeus Dauder, furrier Franciscus Ribelles and his wife Coloma, furrier Andreas Amoros, soldier Joannes Roger, tailor Bartholomeus Ribesaltes, Griselda, widow of Franciscus Far, Joanna, widow of Joannes Sartre and Isabel Sala.<sup>290</sup> Additionally, Carbonell once again did not write the penalty imposed for their errors; hence it can be assumed that punishment was lightened, as well in the previous case. That same year, on October 28, inquisitor Francisco Pays de Sotomayor and general vicar Bartomeu de Salavert in Barcelona's Plaça del Rei reconciled Elionor, wife of furrier Gabriel Lunes from Barcelona.<sup>291</sup>

In the following year, 1505, on January 17 in Plaça del Rei had been celebrated significant auto de fe due to conviction of important personalities of that time: Jaume de Casafranca, deputy of king Ferdinand's treasurer-general of Catalonia and Dalmatius de Tolosa, priest, canon and archdeacon of Lleida. The auto was presided by Pedro Garcia, Joan Enguera and Francisco Pays de Sotomayor while among above mentioned had been

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<sup>288</sup> *Ibidem*, p. 146

<sup>289</sup> *Ibidem*, p. 155

<sup>290</sup> *Ibidem*, pp. 156-157.

<sup>291</sup> *Ibidem*, pp. 164-165.



also reconciled and convicted heretics Joannes Valls and his wife Elionor, Yolans Alanya, widow of Ludovius Alanya and Euphrosina, wife of Joannes Malarts; once again without any mentioning of punishment imposed. However, it can be assumed that the *reconciliados* had been sentenced to capital punishment because they had been relapsed heretics already pardoned once.<sup>292</sup>

In the city of Balaguer on August 15, 1490 forty five *reconciliados* were pardoned and punished for committed sins. They were: Baltasar de Casaldguila from Ponts, cobbler Joan Seguerra and his wife Clara, Pere Salabert, Joan Stanyol, Joan de Res and his wife Aldonça, Clara dels Valls, Sperança de Pallas, Catherina (widow of Pedro Coll), Margarita (wife of Joan Spanyol), Joan Claverol and his wife Gracia, Margarita (wife of Gabriel Sant-Just), Aldonça Avarca, Leonor de Res, Margarita Riers, Gabriel de Sancta-Romana and his wife Violant, Joan Davella, Marta (widow of a certain Pancol), Francina (daughter of Joan de Empories), Angelina (wife of Joan Çatorra), Sperança (wife of Francesch Foix), Pau de Naves, Marti Baro, Beatriu (wife of Pere de Empories), Miquel de Foix, Blanquina (wife of Jaume de Casafranca), Eulalia (wife of Pau Ciscar), Isabel Beneta, merchant Joan dez Valls, merchant Pau de Res, Pau Siscar, Pedro Dampories, Jaume de Casafranca, Gabriel Sauri, Franci Foix, Aldonça (wife of Manuel de Res), Gabriel Çatorre, Bonant Maya, Sperança (wife of Andreu Lonch), Joana (wife of Joan Salavert), Joan Çatorre and Francina (widow of a certain Antonio Tarrega).<sup>293</sup>

In the following chapters will be described in detail punishments delivered for reconciled offenders while, as it was previously mentioned, the imprisonment in historical period depicted in the *Liber descriptions* was the most practiced sentence imposed by 'reconciliation'. However, the inquisitorial authorities did not hesitate to sentence defendants to galleys, scourge or even the most feared of them all – the stake.

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<sup>292</sup> *Ibidem*, p. 165

<sup>293</sup> *Ibidem*, pp. 137-139.

### 4.3.2. Penitential Garment

In the defining of disgraceful garment *sanbenito*, a penalty frequently delivered by the inquisitorial court, in the Diccionario de la Real Academia Española is written: *Capotillo o escapulario que se ponía a los penitentes reconciliados por el tribunal eclesiástico de la Inquisición.*<sup>294</sup> Hence, it is representing a symbol of infamy and a tradition inherited from the early tribunal's activity in the thirteen century, when culprits of inquisition worn a rough sackcloth painted with two yellow crosses, one on the breast and other in the back, in order to differ from other offenders. This rite was often practiced during the first decades after the establishment of the modern inquisition in The Crown of Aragon.<sup>295</sup>

The *sanbenito*, corrupted mode of the words *saco bendito* by time changes its form to *sac bendito*, *sac benito* and finally to its accepted terms *sambenito* or *sanbenito*.<sup>296</sup> However, in the *Liber descriptionis*, Carbonell named it *guarnachia* and infrequently utilized a Catalan form *gramaylleta* referring to a rough garment similar to the one worn by religious Orders.<sup>297</sup>

In *Liber descriptionis* was depicted a proceeding occurred in 1488 Barcelona, on Saturday, August 16, when thirty three men and eighty two women had been reconciled by wearing penitential clothing in public as a mark of the infamy for following Jewish ceremonies (*subscriptae personae eorum facinerosus actus ac serimonias judaycas confessae fuerant*<sup>298</sup>). After procession held at Barcelona Cathedral the culprits returned to their homes dressed

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<sup>294</sup> Diccionario de la Real Academia Española, 2015, in: <http://dle.rae.es/?id=X9hXzJp>, accessed on 08/03/2015

<sup>295</sup> Lea (1888), I, p. 471

<sup>296</sup> Llorente (1870), p. 189

<sup>297</sup> Du Cange, *op. cit.*, in: <http://ducange.enc.sorbonne.fr/guarnachia>, accessed on 09/06/2015

<sup>298</sup> Bofarull (1865), p. 20

in *suprevestibus seu ut vulgo dicta guarnaxiis*<sup>299</sup> drown with yellow crosses in back as well as in the front (*cruce crocei coloris in unaquaque tam a parte ante quam a parte post depicta*<sup>300</sup>). The current Barcelona's inquisitor, Alfonso de Spina, sentenced them to wear it for one year in public, during the days and the nights and every Friday while on the Holy Week they were obligated to keep a fast (*Nam praedictus inquisitor penitentiam eis injunxerat quod singulae earum per unum annum continuum ipsas supervestes palam et continue noctaque portrent et singulis diebus veneris cujuslibet hebdomadae jejunaent*<sup>301</sup>).

The names of the offenders sentenced to sanbenito were recorded by Carbonell in alphabetical order by documenting firstly names of men and after of women, mostly their wives. The defendants were: cobbler Antonius Marcus, cobbler Augustinus Bonanatus Amoros, cobbler Baltasar Amoros, bookseller Bartholomeus Sartre, tailor Dominicus Clemens, cobbler Dalmatius Cirera, merchant Philippus Rodes, tailor Philippus Queralt, tailor Franciscus Ballester, craftsman Guillelmus Claver, cobbler Gaspar Mir, cobbler Galcerandus Palou, tailor Gabriel Foguet, Gabriel Sartre, cobbler Gabriel Castell, tailor Guillelmus Nicolaus, tailor Joannes de Conques, baker Jacobus Menescal, tradesman Joannes Taranau, cobbler Joannes Patau, cobbler Hieronymus Rosas, cobbler Joannes Roger, cobbler Joannes Cirera, tailor Manuel Fagoll, tailor Nicolaus Gomis, Narcisus Michael, tailor Petrus Casasages, tailor Petrus Molins, tailor Petrus Sanç, tailor Petrus Morell, cobbler Ramon Sancta-fe, pharmacist Raphael Deuder, and women: Angelina (wife of cobbler Gabriel Castell), Angelina (wife of Raimundus Sancta-fe), Angelina (wife of cobbler Antonius Far), Angelina (wife of Joannes Descocia), Angelina (wife of Joannes Taranau), Angelina (widow of Manuel Maler), Angelina (wife of Philippus Rodos), Amata (widow of Paulus Claver), Alduncia (widow of Joannes dez Far), Agnes (widow of Paulus Salvat), Angelina Far (wife of cobbler Galcerandus dez Far), Alduncia (wife of Daniel Olers), Agnes (wife of Joannes Tranxet), Angelina (wife of barber Petrus Çabria), Angelina (wife of tavernist Petrus Çaragoça), Benedicta (wife of Gaspar Mir), Benedicta (wife of Joannes Conquers Younger), Bartholomeva (wife of tailor Gabriel Rabaçet), Blanquina

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<sup>299</sup> *Ibidem*

<sup>300</sup> *Ibidem*

<sup>301</sup> *Ibidem*

(wife of pharmacist Petrus Çalom), Beatrix Olers (wife of Joannes Olers), Beatrix (wife of Raphael Deuder), Brigida (widow of Petrus Domenech), Blanquina (wife of Joannes Cirera), Constanca Castanyera (widow of bookseller Benedictus Castanyer), Clara (wife of Stephanus Xorcono), Columba (wife of Joannes Roger), Columba (wife of Franciscus Ribelles), Chattherina Siurana (widow of Franciscus Siurana), Constanca (widow den Santos), Constanca (wife of Gaspar de Mur), Clara (wife of tailor Joannes Morell), Coloma (wife of Gabriel Siurana), Clara (wife of Franciscus Ballester), Damiata (wife of tailor den Sanç), Elionor (wife of Joannes Palau), Euphrosina (wife of leatherworker Bartholomeus Pinos), Elionor (wife of Petrus Ribelles), Euphrosina (widow of Paulus Mompeller), Elionor (widow of Raphael Tranxat), Elionor Gomis (wife of Nicolaus Gomis), Elionor (wife of cobbler Raimundus Sancta-fe), Eulalia Burguera (widow of Petrus Burguera), Elionor (wife of cobbler Hieronymus Rosas), Elionor (wife of Jacobus Monescal), Eulalia (wife of Raphael Bages), Eulalia (wife of Michael Soquerrats), Eulalia (wife of Petrus Morell Younger), Eulalia (wife of Franciscus Soquerrats), Francina (wife of Gabriel Foguet), Francina (widow of Antonius Ollers), Francina (wife of tavern owner Joannes Fabre), Francina (wife of Joannes Cabrera), Francina (wife of Philippus Queralt), Francina (wife of Narcisus Muchaelis), Francina (wife of Joannes Balester), Francina (widow of Sent-Climent), widow Francina Çabatera, Griselda (widow of Franciscus deç Far), Joanna (wife of tailor Joannes Sartre), Joanna (widow of Joannes Gord), Joanna (wife of Baltasar Amoros), Joanna (widow of Manuel Coll), Joanna (widow of Antonius Buçot), Joanna (wife of tailor Franciscus Dosa), Mandina (wife of Petrus Casasage), Michaela (wife of botcher Franciscus Pou), Marquesia (wife of Dalmatius Cabrit), Raphaela (widow of Petrus Trullols), Raphaela (wife of Bernandus Cabrit), Serena (who was widow of Gabriel Parada, and afterwards remarried to Gabriel Sartre), Salestina (wife of Guillelmus Ballester), Isabel (wife of Baltasar de Font-Clara), Violans Besaluna (wife of Petrus Besalau alias Bugarell), Viloans (wife of tailor Guillelmus Nicolai), Violans (wife of tailor Petrus Molins), Isabel (widow of Benedictus Maller), Isabel Sala (widow of Andreus Sala), Violans (wife of tailor Bernardus Baro), Violans Coll (widow of Antonius Coll), Isabel (wife of Manuel Fagoll), Isabel (widow of Joannes Squella), Viloans Fabra (widow of

Franciscus Fabra), Isabel Vilafranca (widow of Joannes Vilafranca), Isabel (wife of tailor Gabriel Portapa).<sup>302</sup>

On Saturday, March 27, 1490 in Barcelona, Alfonso de Spina, inquisitor and vicar of Barcelona's episcopacy called and assembled reconciled people at Palau Reial Major in Barcelona and preached a sermon (*...brevem orationem super eorum penitentia et defectibus...*<sup>303</sup>). That day, the reconciled condemned to sanbenito for one year and eight months had been pardoned for their sins and required to remove it (*Depositio seu expoliatio garnachiarum crucibus crocei coloris depictarum*). Two weeks later on Holy Saturday they gathered in the parish church of Santa Maria del Pi to hear mass (*die festo secundo Pasche resurrectionis Domini missam audirent in Ecclesia parochiali beatae Mariae de Pinu huius urbe Barcinonae*<sup>304</sup>). In the head of the ceremony had been carried a crucifix while barefooted culprits came to the chapel of Our Lady of Montserrat to once again attend mass (*Qua audita sic omnes congregata nudis pedibus cruceque erecta processionaliter iter arriperent ad sacellum illud devotissimum Sacratissimae semper virginis Mariae Dei matris Sanctissimae quod vulgo Montemserratum appellant...*<sup>305</sup>). Afterwards they each gave twelve dineros to the Virgin, and spent the night in the chapel (*Deinde audita in primis missa in ipso loco et oblatis unusquisque prefatae Virgini Dei matri denariis duodecim mixtis cum lucerna ardenti et peracta ibidem vigilia...*<sup>306</sup>). Finally, they removed the penitential guise in order to be hang at notable place next to the church's door as a durable mementos of their wearers disgrace (*omnes garnaxias seu vestis extra et juxta portale maius prefati sacelli loco tamen patulo et eminenti pendentes apponi et dimitti ad futuram rei memoriam*<sup>307</sup>) presenting in that manner the inquisition's trophies

Without explanation of procrastinating the punishment, accused removed the infamous clothes on Tuesday 13<sup>th</sup> of April, 1490 after one year and eight months of serving a sentence.

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<sup>302</sup> *Ibidem*, pp. 21-26.

<sup>303</sup> *Ibidem*, p. 50

<sup>304</sup> *Ibidem*

<sup>305</sup> *Ibidem*

<sup>306</sup> *Ibidem*

<sup>307</sup> *Ibidem*

The practice of hanging up the penitential garment after it had been worn by culprits begun from early establishment of the tribunal in the Crown of Aragon and it was recorded in the official Instructions of 1561 like a symbol of the long lasting shameful memory on heretics' crimes regardless of a level of the offence.<sup>308</sup> This act brought upon public disgrace not only to offenders, but also to their families and descendants by suffering the penalty of their ancestors. For that reason, due to perpetual feature of the punishment, it had been hated and frighten by potential culprits even more than death penalty. Additionally, in order to keep the memory of the infamy, it had been practiced replacement of deteriorate and illegible garment with new while keeping the name, origin, violation and penalty of the convicted. Scandal brought by sanbenito was definitely the worst punishment of that period, even more difficult than flogging, due to permanent destruction of whole families' reputation in district's society.<sup>309</sup> The accused sentenced to sanbenito had been repeatedly harassed, supervised by the tribunal and distrusted in a community. Additionally, if they were lawyers or doctors it was prohibited from practicing professions.<sup>310</sup> Hence, it is comprehensible one of the definitions of the sanbenito in the Diccionario de la Real Academia Española: *Descrédito que queda de una acción*<sup>311</sup> alluding on severe and enduring consequences of the heresy crime engraved in minds of local community.

On September 21, 1502 in auto de fe celebrated in Barcelona it had been recorded a penalty resulting a sanbenito for Joan Castello from Barcelona (*fuit penitentiatus cum gramaylleta sive Sant-Benito*).<sup>312</sup> However, Carbonell did not write crime of the offender or duration of the punishment.

On March 5, 1507 in Barcelona had been excommunicated a priest Urbano from Florence by inquisitor Francesco Pays de Sotomayor and friar Guillem Caselles. Condemned apostate, a follower of heretic Barba Jacobo, stated that he is a God itself as

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<sup>308</sup> Archivo Histórico Nacional (hereafter: AHN), sección: Inquisición, lib. 497, f. 50 (Taken from: Kamen (1997), p. 243)

<sup>309</sup> Kamen (1997), pp. 243-244; Lea (1906), III, p. 167

<sup>310</sup> Betankur (2009), p. 406

<sup>311</sup> Diccionario de la Real Academia Española, in: <http://dle.rae.es/?id=X9hXzJp>, accessed on 15/06/2015

<sup>312</sup> Bofarull (1865), p. 152

well as the Trinity while abandoning all pope's Decretals (*...die e afferme esser aquell Deu verdader omnipotent en trinitat profeta Pare Fill e Sperit-Sanct. E trobam provat en dit proces que lo dit Urbano diu e afferme que lo dit Barba Jacobo es equal ab Jesu-Christ e que axi com Jesu-Christ vengue a dar testimoni del pare...*<sup>313</sup>). He also claimed that he had died in Rome and resurrected after three days. During a trial, Urbano worn miter on his head and sanbenito with painted flames (*...desuper veste linea crocei coloris flammis igneis depicta et mitra in capite ipsius apostata...*<sup>314</sup>), typical for the offenders condemned to excommunication. The flames of hell portrayed at garment symbolized the horrible destiny of condemned in the afterlife while its yellow color signified their betrayal.<sup>315</sup>

In the case of unrepentant heretic condemned to the stake the wearing of a miter on a head was a must, presenting, in that way, the mind 'commitment'. For instance, in a case of repentance before reading the penalty in the auto, it would not save the offender of a capital punishment; however, he would be 'mercifully' strangled before the pile was set on fire. In a case of regret after the reading of the punishment, the penitential guise would be painted with flames upside down demonstrating the fire which would only burn his body, but not his soul, due to penitence.<sup>316</sup>

On Friday, October 28, 1491, on Fests of Saints Simon and Jude, Apostles in Barcelona, public solemnity of auto de fe was celebrated when thirteen people had been reconciled and sentenced to perpetual prison with a chance to be pardoned. Among them was Blanquina (widow of physician Pere Colom and daughter of Antonio Ferrer) who during the procession wore penitential clothing painted with cross (*guarnaxia cruce signata*<sup>317</sup>). Additionally, in the same ceremony, thirty nine offenders from Barcelona had been reconciled while during the same they worn sanbenito colored with yellow crosses, one on the breast and second in the back (*...vestimentis scilicet garnaxiis inductis in quarum*

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<sup>313</sup> *Ibidem*, p. 222

<sup>314</sup> *Ibidem*, p. 233

<sup>315</sup> Betankur (2009), pp. 362-363.

<sup>316</sup> Atiezta, Juan, *Guia de la Inquisición en España*. Barcelona. 1988, pp. 64-66. (Taken from: Monteiro de Barros Carollo, *op. cit.*, pp. 116-117)

<sup>317</sup> Bofarull (1865), p. 62

*qualibet a parte ante et a parte post crux domini nostri Jhesu Christi magnae formae croceo colore depicta erat...*<sup>318</sup>) and meters on their heads (*...coronas sive mitras in capite portabat...*<sup>319</sup>). They were: tailor Benedictus Bellarbre and his wife Margarita, cobbler Bernardus Janer, tailor Guillelmus Vincentius and his wife Angelina, tailor Joannes Salvator, son of Gabriel Salvator, tailor Mattheus Bellarbre and his wife Francina, attorney Paulus Canto; women: Agnes, wife of Gabriel Salvator, Alduntia, wife of scribe Joannes Bardax, Alduntia, wife of tailor Franciscus Bosch, Blanquina, wife of craftsman Petrus Sant Jordi, Bonanata, wife of merchant Raimundus Torrelles, Blanquina, wife of scribe Petrus Joannes Sanant, Eulalia, wife of tailor Petrus Ballester, Elionor, wife of craftsman Bernardus Janer, Euphrosyna, wife of tailor Franciscus Badia, Eulalia and Margarita daughters of Benedictus Sanct-Jacobus, Eulalia, wife of merchant Guillelmus Duran, Francina, widow of Gabriel Xameno, Florentina, wife of craftsman Petrus Ludovicus Fones, Joanna, wife of tailor Joannes Cabrit, Michaela, wife of merchant Ludovicus Avinyo, Matiana, wife of Gaspar Berrell and daughter of Gabriel Salvatoris, widow Mandina, mother of Joannes Fabra Pertusa, Paula, widow of Gaspar Oluja, Sperentia, wife of tailor Franciscus Salvator, Serena, daughter of slave trader Michael Aguilo, Violans, wife of Paulus Aymerich and Isabel, widow of Baltasar Tamaris.<sup>320</sup>

In Perpignan, which at the time belonging to the bishopric of Elne, on August 9, 1495, twenty two people were reconciled after the Term of Grace. The auto was celebrated in the Church Santa Maria de la Real. In the head of the ceremony had been carried a crucifix, while the reconciled worn sanbenitos (*...personas infrascriptas quae cum garnaxiis indutae...*<sup>321</sup>).

To sum up, in described processions had been demonstrated the ambiguity of sanbenito and its double usage. Firstly, when it was worn during the solemnity of auto de fe particularly painted for each culprit regarding of a type of an offence, so they could be differed from other accused. On the contrary, it also presented a type of punishment

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<sup>318</sup> *Ibidem*, p. 63

<sup>319</sup> *Ibidem*

<sup>320</sup> *Ibidem*, pp. 63-65.

<sup>321</sup> *Ibidem*, p. 83



worn for a certain time interval for which, as it was already mentioned, could be procrastinated for undefined reasons. Nevertheless, it presented a symbol which leaved its indelible mark of shame not only to an offender, but also to his family members and descendants.

### 4.3.3. The Imprisonment

Imprisonment, the restraint of a person's liberty, presented the harsher penalty the inquisitors could directly impose and decreed as a punishment for a several months, years or even as a lifelong sentence. According to the inquisitional theory, it was a method for an offender to receive forgiveness for committed crimes and not really a penalty in which close monitoring did not allow him from corrupting a rest of the community. Life sentence was the penalty set by the canons on the sinner who wanted reconciliation to the Church, under the effective means of persecution.

The secret jails of the inquisition (named that hence it could defer from publics) were designed without any consideration to the prisoners' health or comfort, while providing the most minimal meal possible containing only bread and water. The captives were subjected to the severe and the milder type of disciplines and forbidden from any type of social contacts with the rest of the world and also shackled into a small dark prison cell sometimes even chained to the walls regarding of penalty imposed.<sup>322</sup>

During the period 1488-1505 Barcelona in *Liber descriptionis* had been recorded cases in which one hundred and thirty eight culprits had been pardoned and convicted to perpetual prison while their assets had been confiscated.

The first auto in Barcelona resulted an outcome of perpetual imprisonment occurred in 1488 during the Feast of the Chair of Saint Peter, i.e. on February 22, when four heretics had been incarcerated. The accused were: Joan Bardaxi, Raimund Sanctafe and Miquel Roig sentenced to perpetual prison *cummisericordia* and Joan Conques punished

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<sup>322</sup> Lea (1906), III, p. 151; Kamen (1997), pp 200-201; The Catholic Encyclopedia in: <http://www.newadvent.org/cathen/12430a.htm>, accessed on 16/08/2015

*absque misericordia* - in other words, differently from the previous penalty, unpardonable and with no chance for reducing the sentence. This data provides information that from the beginning of the establishment of the Barcelona's Tribunal it was created a distinction among types of the imprisonment, although the penalty 'without mercy' was not frequently practiced; to be more precise, in the period of 1488-1505 it was recorded ten cases of heretics sentenced *absque misericordia*.<sup>323</sup> The prison punishment then as now could be easily commuted or reduced. For instance, a lifelong incarceration was frequently completed during the ten years period. However, the inquisition continued to convict the 'perpetual' penalties, possibly due to the regulations of the canon law, in which it was the practice to penalize heretics to life incarceration.<sup>324</sup>

Prisoners dressed in penitential clothing with miters on their heads were set down at the stage installed in the Barcelona Cathedral. The accused were examined by inquisitorial body 'consulta de fe' which gathered experts in theology and professors of canon law while their sentence were declared publicly by a certain Çabata. After a mass had been held, the culprits were taken to the secret jail of the inquisition (*ipsi condemnati carceribus mancipati fuere*<sup>325</sup>).

Carbonell wrote that at that same day a certain Joanna Costa accused for heresy was not able to attend the ceremony due to illness and was allowed to serve the sentence of the imprisonment at her own house (*in eius domo remanserat penitentiam*<sup>326</sup>). This practice was generally utilized, although the reconciled were frequently sent to hospitals and monasteries, or, like in the case of Joanna Costa, to serve a sentence in privacy of their own homes. The Instructions of 1488, allowed in lacking of jail spaces and in plethora of condemned to lifelong imprisonment to allow prisoners to serve sentence in their houses where they had to restrain themselves and act in the same manner as if they were in penitentiary. Additionally, they had to perform their punishment most severe and stiffly

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<sup>323</sup> Bofarull (1865), pp. 14, 17-19, 63

<sup>324</sup> Lea (1906), III, p. 151

<sup>325</sup> Bofarull (1865), p. 14

<sup>326</sup> *Ibidem*, p. 15

while not speaking with anyone beside at the mass sermons and presenting themselves as a sincere penitents.<sup>327</sup>

On August 8, 1488 in Barcelona, nine accused prosecuted as heretics were reconciled and penalized to life imprisonment. All convicts on Friday 8<sup>th</sup> of August, 1488 stepped on the stage in Barcelona Cathedral (*...cadafale quod in Ecclesia Barcinonense constructum erat ascederunt...*<sup>328</sup>) while the auto was presided by inquisitor Alfonso de Spina. The offenders were Pere Bedorc, Joan Trinxer, Francesc Garret and Pere lo Sart, two widows Beatrix Bages and Oliva Barona, Elionor, wife of Galcerandus Palou, Constantia, wife of Francescus Vilanova and Margarita de Munt, a Pere Bedorc's maid. In explaining the crime, Carbonell documented that judaizer Pere lo Sart convicted for secretly following the Mosaic rites and ceremonies, was originally from Sardinia and was not Jewish by the origin; on the contrary, he was Christian (*...et eius originem non ab stripe Judeorum sed Chrisitanorum natura originem traxerat...*<sup>329</sup>). Additionally, author described the character of one of the culprits, Francescus Guerret, as adulterous and immoral (*Guerret e lexaula star que mals bordells...*<sup>330</sup>). During the auto offenders wore miters on their heads (*mytras... super capit*<sup>331</sup>) and painted penitential garment (*in quibus heretica pravitas qua defecerant depicta erat*<sup>332</sup>). The punishment was read by a friar Ramon Joan from the Order of Saint Augustine describing their vices and sentencing them to perpetual prison (*contra eosdem hereticos publicari fecit sententiam suam ubi errant scelera eorum descripta cum qua condemnavit eos ad carceres perpetuos...*<sup>333</sup>). All culprits had been convicted without chance for a mercy except Pere lo Sart who was penalize *cum misericordia*.

Therefore, they were returned to prison in Palau Reial Major where they previously had been detained. On the folium CXIII, on the left margin is written the fact regarding to

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<sup>327</sup> Lea (1906), III, p. 152; Kamen (1997), p. 201

<sup>328</sup> ACA, RNIFII, RN 3684, fol. CXIII

<sup>329</sup> *Ibidem*

<sup>330</sup> *Ibidem*

<sup>331</sup> *Ibidem*

<sup>332</sup> *Ibidem*

<sup>333</sup> *Ibidem*

duration of this sentence, where Carbonell pointed that Pere Bedorc was set free from jail on Saturday, 26<sup>th</sup> of March, 1490 in order to continue serving the sentence in his home (*Hic Petrus Badorch ab carceribus fuit liberates die sabbati XXVI marcii anno a nativitate Domini MCCCCLXXXX sic quod ex inde carceres eneat in domo sua per certum ei prefixum terminum*<sup>334</sup>). This fact proved that Carbonell as elaborate notary kept track on cases assigned to him while writing about it one year and a half after the conviction was made.

On the following year, 1489, on March 13<sup>th</sup>, in front of the Barcelona Cathedral nine defendants had been penalized to life sentence while six of them were relapsed heretics previously reconciled at the Term of Grace. The apostates sentenced to lifelong incarceration were Elionor Jonqueres widow of banker Joannes Jonquers, Isabel, wife of Gaspar Darnius, Violans, wife of Ludovicus Alenya, tailor Joannes Sastre, Agnes, widow of tailor Paulus Salvet, Mandina, wife of cobbler Petrus de Casasaia, Francina, widow of servant Joannes Balestar; among them were two culprits, one of them Eulalia, was daughter of Elionor and wife of Freancesc Garret, previously sentenced to jail, as well as Elionor, who was wife of Joan Raimundi also previously incarcerated.<sup>335</sup>

During the same year on October 21, on the Saint Ursula Feast day auto de fe was celebrated in Barcelona Cathedral while eight apostates had been sentenced to perpetual prison *cum misericordia*. The offenders penalized to life imprisonment were Petrus Marimon dez Pla together with his son Petrus Marimon dez Pla Younger, daughter Alduntia and concubine Elionor Matamala, Ludovicus Alenya, Elionor, wife of Ludovicus Clementis, Isabel, widow of Franciscus de Sos and Mandina, wife of Christofof Bosch.<sup>336</sup>

On October 28, 1491 on the Fests of Saints Simon and Jude, Apostles, was celebrated auto de fe in Barcelona. In this ceremony thirteen culprits had been sentenced to perpetual prison *cum misericordia*. They were: Gabriel Monço, cobbler Franciscus Salvator and his brother Gabriel also cobbler by profession who were prosecuted for following Jewish rites since childhood; tailor Franciscus Badia, tailor Baltasar Raimat, merchant

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<sup>334</sup> *Ibidem*

<sup>335</sup> Bofarull (1865), p. 34

<sup>336</sup> *Ibidem*, pp. 34-35.

Joannes Fabra Pertusa, Petrus Joannes Sanant, a grandson of scribe Bernardus Beget, craftsman Petrus Ludovicus Funes, Isabel Aguilona widow of Michael Aguiló, Clara, wife of merchant Gabriel Mir, Beatrix, wife of Martinus Magallo and Blanquina, widow of Pere Colom, master of arts and medical science and daughter of Antonio Ferrer. Additionally, among them, were penalized an apostate Mateu Barenys who was guilty for secretly following Mohammedan law. However, he had been baptized and accepted Christianity, but became Muslim when visited Libya (*apostavit et sub Mahumeti regula atque secta apud Lubiam regionem*<sup>337</sup>) where he was caught *cum aliquibus sarracenis*. Consequently, he confessed his sins and heretical errors and was punished, however *abnegavisset misericordia*.<sup>338</sup>

In the year 1492 on May 1<sup>st</sup>, during the Feasts of Saint Philip and James, public solemnity was held in Barcelona Cathedral where was declared a penalty for thirty nine spiritual outcasts originally from Barcelona and sentenced to perpetual imprisonment and other unspecified penalties (*eodem die alia cum sententia*<sup>339</sup>). The twenty six defendants sentenced to life incarceration were tailor Benedictus Sanctus-Jacobus, merchant Bernardus Campells, craftsman Jacobus Marc, tailor Laurentius Canto, tailor Raphael Tranxer, a son of Joannes Tranxer, craftsman Petrus Rodo alias Çabata, Alduntia, wife of Gabriel Puig, Blanquina Vilanova, widow of physician Franciscus Ferriz, Elionor, wife of tailor Baltasar Raymat, Francina, wife of tailor Franciscus Badia, Gabriela Cabrada, widow of tailor Bernardus Cabrit, Gratia, wife of attorney Paulus Canto, Joanna Ferrera, firstly widow of painter Gabriel Ballester and later of a certain Petrus Ferrer, Violans, widow of Galcerand Raymat, Angelina, daughter of Joannes Trinxer Senior, tailor Gabriel Vilanova, Marquisa, daughter of tailor Bonantus Bernich, Alduncia, wife of merchant Bernardus Campells, Angelina, wife of tailor Laurentius Canto, Euphrosyna, wife of Michael Aguiló, Violans, wife of craftsman Petrus Rodo, Alduntia, wife of tailor Benedictus Sanct-Jacobus, Clara widow of Raphael Bellarbre and Elionor, daughter of royal scribe Antonius Bonet.<sup>340</sup>

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<sup>337</sup> *Ibidem*, p. 63

<sup>338</sup> *Ibidem*

<sup>339</sup> *Ibidem*, p. 67

<sup>340</sup> *Ibidem*, pp. 65-68.

On March 23, 1496 during the Lent was celebrated auto de fe in Barcelona Cathedral presided by inquisitors Antonio de Contreras, doctor in canon law and Pere Pariente, chaplain of the king and bachelor in canon law together with Curia and assisted by Bishop of Barcelona, Pedro Garcia. At the ceremony was presented Pere Miquel Carbonell, public notary of Barcelona and royal archivist, who described in detail this significant trial against six heretics sentenced to lifelong incarceration. The author depicted errors and penalty of Mosaic law followers (*Quia horum hereticorum pravitates ritusque judaicos atque sceleratissima facinora...*<sup>341</sup>) mainly in vernacular Catalan and fragmentary in 15<sup>th</sup> century Latin due to his official obligations of a public notary; in other words, in order to keep the authentic statements, Carbonell wrote it at sight without changing its form (*...hoc in codice brevitatis gratia scribere hucusque non curavi nisi eorum aliqua nequandissima sumpta ex originalibus sententiis contra eos latis et fulminatis. Cognati tamen impresentiarum ut mihi videor memoratu dignum fore si praedictarum sententiarum aliquam hoc in loco interseruerim ut illorum errores actusque nequandissimos stylumque et ordinem ipsarum sententiarum quisque videre perpendereque valeat... proxime dictarum sex personarum reconsiliatarum sententiam ab eius originali nota ac processu illorum habitam sumpsi et propria manu vernacula lingua scriptam ut est de more scriber placuit in haec verba*<sup>342</sup>).

The accused were three sisters: the eldest Marquesa (wife of Pau Badia), the middle Caterina (wife of Galceran Bertran) and youngest Joana Libiana, a widow; among them were sentenced royal scribe Galceran Bertran, tailor Gabriel Rabacer, Isabel (wife of Francisco Pallarès who was already reconciled) and Aldonsa (wife of Gabriel Comte). They were all originally from Barcelona (*...tots conversos de la ciutat Barcelona denunciats e delats de crims de heretgia e apostasia reos e crimosos...*<sup>343</sup>). The penalty for the marriage couple Bertran, Galceran and Caterina, was later altered; hence, they were sentenced to death penalty and hand over to secular authorities in order to be executed.

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<sup>341</sup> *Ibidem*, p. 87

<sup>342</sup> *Ibidem*, p. 88

<sup>343</sup> *Ibidem*, p. 89

Firstly was taken a confession of a widow Joana Libiana: *que confessas edigues tota la veritat sobre los dits crims de heretgia e apostasia.*<sup>344</sup> Allegedly, it was revealed that accused was detained three times in secret prison of the inquisition for committed heresy crimes: *per nos dits inquisidors per tres vagades charitativament admonestada stant presa dins los carcens de la Sancta Inquisicio.*<sup>345</sup> Hence, finally she admitted that under her mother's influence secretly followed the Jewish rites and ceremonies: *ha dit e confessat com ella dita Joana stigue en poder dena Marquesa quondam mare sua fins ques casa ab En Franci Libia quondam que era de edad ella dita Joanna de setze fins en desset anys e stant ab dita sa mare la dita sa mare quondam li dix essent en lo mes de setembre que ella dita Joana fes un dejuni de jueus lo nom del qual no sab la dita Joana ço es que no manjas de tot la dia fins a la nit les steles vistes e que si faea dit dejuni que Deu li donaria molt be. E ella promette a aquella que faera dit dejuni empero de amagat ella manjaria e no feu dit dejuni. E recorda a la dita Joanna que la dita sa mare per tres anys arreu hu apres de altre li dit que fes lo dit dejuni e axi ella loy promettia empero de amagat ella dita menjava e no faea dit dejuni encara que ella li donas entenent que dejunava ella no dejunava...*<sup>346</sup>

*E mes ha confessat la dita Joana Libiana com ha vist que la dita sa mare los dies del dissaptes se mudava la camisa e que lo dia del digmenge ella per dissimular se mudava altra camisa e faea passar per aygua la que se havia mudada lo dia del dissapte. E mes dix que la dita sa mare los dies dels dissaptes no filava ni volia que la dita Joanna filas e aço per honor de la verge Maria... E mes dix que lo divendres al sol post la dita sa mare manava plegar la faena a ella dita Joanna e lo dia del dissapte a la hora del sol post manava lexar la faena a la dita Joana. E mes dix e confessat que per manament e ordinatio de sa mare moltes vagades e tantes vagades com loy manava la dita Joana abans que no posaba la carn a coure de aquella levava lo greix e apres la posava en sal en una posteta e la cobria e apres de una stona la levava de la sal e la rentava e la mettia a coure.*<sup>347</sup>

Secondly, the eldest sister, Marquesa, wife of Pau Badia gave her deposition in which declared herself as follower of the Jewish ceremonies; however, Marquesa stated

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<sup>344</sup> *Ibidem*, p. 90

<sup>345</sup> *Ibidem*

<sup>346</sup> *Ibidem*, pp. 90-91.

<sup>347</sup> *Ibidem*, p. 91



that she kept faith to the mosaic religion during the period before the inquisition was established in Barcelona: *...com en lo mes de janer prop passat ella hague XXXVIII anys e que ha ques casa ab En Pau Badia marit seu vint e dos anys. E que es veritat que despuyes que ella comença haver discretio ço es de onze en dotze anys poch mes o menys ella confessant sempre cregue en la ley de Moyses creent aquella ley esser millor que la ley dels christians...*<sup>348</sup>

Maquesa also rejected the Catholic doctrine and the significant rite of Sacrament while celebrating Jewish ceremonies: *E mes dix e confessa que en lo dit temps ella confessant no crea en los Sacramentos de Sancta mare Ecclesia... E mes dix e confessa que en lo mes de setembre feyan ella a la dita sa mare les Cabanyelles ço es que faen festa per sis o set dies empero no enramaven la casa per que no fossen vistes ni fos conegut que faessen dites Cabanyelles...*<sup>349</sup>

Marquessa once again rejected the Christian Faith while declared that she did not believed in purity of Virgin Mary considering her icon as an insignificant piece of stone: *E mes ha confessant que en lo dit temps ella confessant no crea que la Verge Maria fos verge axi com la dia sa mare ley havia induida abans crea de la imatge de la Verge Maria que los christians crean en un tros de pedra.*<sup>350</sup>

She also confessed that not only her mother but also her siblings were accomplices aware of her religious tendencies: *E mes que ha confessant e confessa que quant portaven lo cors precios de Jesu-Christ per ciutat per combregar alguna persona malalta ella confessant e dita sa mare e germanes se faen a la finestra no per que hi haguessen devotio ni hi ereguessen e que mes pler havia ella confessant de veure o juheus o conversos no en veure Christians de natura. E mes dix e confessa que en la quaresima ella confessant e la dita sa mare e dites ses germanes dessus dites faen la Pascha dels juheus del pa alis la qual durava vuyt dies sempre manjava pa alis e arros e peix e faves tenres o gallines degolades empero no menjava carn de la carneria. Empero ella e dites ses germanes lo primer dia de dita Pascha menjaven pa alis e guardavan aquell empero los altres dies no menjaven pa alis e guardavan aquell empero los altres dies no menjaven del dit pa alis per que tenim en casa moços e mestre que eran Christians de natura porque no*

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<sup>348</sup> *Ibidem*, p. 97

<sup>349</sup> *Ibidem*, p. 98

<sup>350</sup> *Ibidem*, p. 99

*fossen descubertes empero be tenian devotio de fer e servir dita Pascha si poguessen... E mes dix e confessa que deya una oratio que comença – O Senyor – la qual per esser larga no scrivim açi salvo que a la fi deya – Lo Deu de Abraham de Isach e de Jacob haja merce de mi e de tots Amen. E mes dix e confessa que no havia devotio en la Verge Maria ni en Jesu-Christ.*<sup>351</sup>

Finally, Marquesa said that during the Term of Grace, when the inquisition arrived in the city of Barcelona she expressed a wish to voluntarily confess all of her sins: *E mes ha confessat que algunes vegades en lo temps que vingue la Inquisitio en Barcelona ella confessant e les dites Chatherina e Joana ses germanes axi en casa de Galceran Bertran com en casa della confessant se ajustaren e ella confessant dix a dites ses germanes que en temps de la gratia fora bo que confessassen de la mala vida havian tenguda ab sa mare e la dia Chatherina respos que nos confessassen que no hi hauria algu que les acusas pus que despuys que eran casades vivian be e los missatges de lurs cases nols havian vist fer res de mal. De les quals coses ha demanant venia e misericordia devotament.*<sup>352</sup>

Caterina, wife of royal scribe Galceran Bertran prosecuted for heresy in the same manner as her sisters finally stated that under their mother's influence, they are coming from crypto-Jewish family secretly adhering to Judaism while publicly were professing as Christians: *que es veritat que del temps que ella confessant era de edad de tretze anys poch mes o menys fins que ella se casa ab son marit En Galceran Bertran que era de edat de desset anys ella confessant sempre stigüe fora de la creença de la Sancta fe catholica creent le ley de Moyses esser bona axi com la dita sa mare ley havia induida car la dita sa mare li deya que la dita ley era bona e que Deu la manana e axi ella confessant ho creya. E mes ha confessat que en tot lo dit temps ella confessant anava algunes vegades a la Esglesia ab la dita sa mare no per devotio que hi tingues sino per demostrar que eran bones christianes...*<sup>353</sup>

Forth accused, tailor Gabriel Rabacer, in his deposition confessed that for several years before the inquisition came in Barcelona he had lived in house of a certain female convert with whom he observed Sabbath and Yom Kippur, the Jewish day of atonement: *ha dit e confessat que ell stant en una casa de una conversa en lo temps de la fruyta e creu que era en lo mes*

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<sup>351</sup> *Ibidem*, pp. 99-100.

<sup>352</sup> *Ibidem*, p. 101

<sup>353</sup> *Ibidem*, pp. 102-103.

septembre dix a ell confessant que fes hun dejuni e que Deu li faria molt de be lo qual dejuni ell confessant per inductio de aquella feu en aquesta manera que no manja de tot lo dia fins a la nit fins que veheren les steles e abans de sopar ell confessant damana perdo a la dita conversa. E mes dix e ha confessat que ell ha observat e colt lo dia del dissapte moltes e diverses vegades abans que vingues la inquisitio en la present ciutat de Barcelona...<sup>354</sup> At the end of his testimony, Rabacer begged inquisitors for forgiveness cause he acknowledged his heretical sins: *ha hagut conexença de la sua error e que per çoses tornat a la Sancta fe catholica e creu vertaderament tot ço e quant Sancte mare Ecclesia creu e en aquesta fe vol viure e mori pregant als pares inquisidors li vullen atorgar e donar venia e misericordia.*<sup>355</sup>

Fifth culprit Isabel, wife of Francisco Pallarès also prosecuted for heresy in her deposition confessed her Jewish religious beliefs and admitted that she celebrated the holiest day of the year in Judaism, i.e. Yom Kippur during which she refrained from drinking and eating and made whole day fast as a true Mosaic law follower: *en lo temps de les figues e dels raims en lo mes de setembre ha fet un dejuni que no menja ni begue de tot la dia fins a la nit les steles vistes e al vespre... Lo qual dejuni dix la dita Isabel ques nomenava Equipur.*<sup>356</sup>

The last accused Aldonça, wife of Gabriel Comte, in similar manner as the rest of offenders confessed in her testimony that she socialized with other Jews and conversos and observed all sorts of Jewish customs, as Sabbath and Yom Kippur.<sup>357</sup>

Finally, all culprits admitted their sins and heretical errors, after which they publicly abjured heresy.

When the final sentence was brought it was decided that their property had to be confiscated, every Friday they had to eat only water and bread and to pray thirty times per day: Paternoster, Ave Maria, I believe in God (*Credo in Deum*) and The Hail Holy Queen (*Salve Regina*) and moreover to teach it their children. The definitive sentence was made: *Per tant per aquesta nostra diffinitiva sententia sententiam e declaram penitentiam e per penitentia*

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<sup>354</sup> *Ibidem* p. 105

<sup>355</sup> *Ibidem*, pp. 105-106.

<sup>356</sup> *Ibidem*, p. 106

<sup>357</sup> *Ibidem*, pp. 108-110.

*condamnam tots los damunt dits Joana Libiana, Marquesa, muller den Pau Badia, Chatherina, muller den Francisco Pallares et Aldonça, muller den Gabriel Comte e cascun de ells a carcer perpetual ab confiscatio de tots sos bens segons ja desobre se dit.*

*E mes los manam e per penitentia los injugim que du huy a un any prop seguent tots los damuut dits e cascun de ells dejunen e sien tenguts de dejunar tots los divenres de dit any e en pa e aygua e que per tot lo dit any ab bona devotio en cascun divenres quiscu de ells diga per trenta vegades les orations del Pater noster, Ave Maria e lo credo in Deum e Salve Regina si aquells saben e aquells que no saben dites oracions que dins spay de tres mesos prop seguentes aquells sapian e aprenguen perfetament sots les penes a nostre arbitre reservades. E mes que les dites orations del Pater noster Ave Maria Credo in Deum e la Salve Regina hajan e sien tenguts de mostrar als seus fills e filles sots les dites penes a nostre arbitre reservades.<sup>358</sup>*

The spiritual offences of devotion repetition of Paternoster, Ave Maria, I believe in God and The Hail Holy Queen described before were infrequent utilized, because the inquisition in delivering the punishment always inclined more pecuniary and corporal penalties than spiritual, despite their service in the salvation of the souls. This type of penances was usually brought together with material like it was described in above mentioned case, while its isolated form of penalty was not mentioned neither once in *Liber descriptionis*.<sup>359</sup>

On June 16<sup>th</sup>, 1497 in Barcelona seven apostates had been reconciled and sentence to perpetual prison. They were Ramon Mercader from Gerona, craftsman Pau Ponç, painter Joannes Ballester, Gaspar de Mur with his wife Constancia, Blanquina from Tolosa and Isabel from Montblanc.<sup>360</sup>

In that same year, on December 13, eight defendants were penalized to perpetual imprisonment. One of the culprits, Francina, wife of notary Martí Bedit, was sentenced almost two years later on May 2, 1499 in Barcelona to capital punishment and hand over to the secular authorities. With Francina were also penalized slave trader Bernat de Ferreres

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<sup>358</sup> *Ibidem*, pp. 119-120.

<sup>359</sup> Lea (1906), III, pp. 131-132.

<sup>360</sup> Bofarull(1865), pp. 140-141.

with his wife Eulalia and servant girl Clara, Clara, wife of tailor Miquel Amich, Elionor Olivera, wife of a certain Pau Oliver, Joanna, wife of Pere Ferrera and Calesina, wife of Viçent Malendri from Sant Boi.<sup>361</sup>

On May 2, 1499 in Barcelona eleven spiritual outcasts had been reconciled and convicted to perpetual prison. They were: Constanca Trullos, wife of Jacobus Trullos, Isabel, daughter of Michael Sener, Jamnina, widow of Petrus Comprodo, Elionor, wife of Michael Valls, Clara, wife of notary Petrus Oliver, Joannes Salvador, son of Franciscus Salvador, Elionor, daughter of Benedictus de Ferreres, Sperança wife of Petrus Joannes de Lobreta; among them was sentenced family Puigmitja: father Manuel, who was a notary, together with his wife Francina and daughter Florentina. The assets of all eleven culprits had been confiscated, except of Florentina Puigmitja due to her age (*Florentia eorum filia sed istius bona non fuerunt confiscata quia erat tenere aetatis*<sup>362</sup>). Thus, apparently the life sentence did not have a minimum age for imprisonment and could receive it even minors although their assets was secured.

Confiscation of property was the most significant source of financing the Holy Office. In 1485 Ferdinand declared that the confiscation was dictated by the pope; hence, it apparently seemed that the Church had its power in supervising it. However, at the beginning of the inquisition's establishment, the secular authorities executed the sequestration, while later on the inquisitors regulated it. Suprema ordered that no one could be reconciled without sentencing to the property confiscation and life imprisonment.<sup>363</sup>

Ordinary existed two parts of the confiscation process: firstly, after the arrested were taken into custody their assets and income were sequestrated in order to pay their jail expenses. The procrastination of the offender's imprisonment could lead to complete poverty of their heirs. Subsequently legitimate confiscation was a result of a verdict. According to Kamen, the wealthy converts were the primary victims of confiscation. Rich

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<sup>361</sup> *Ibidem*, pp. 143-144.

<sup>362</sup> *Ibidem*, p. 145

<sup>363</sup> AGS, Inquisición, Lib. 933 (Taken from: Lea (1906), III, p. 152)

families of the heretics were destroyed material so deeply that after the confiscation led by the Inquisition nothing was left for their successors to inherit.<sup>364</sup>

In the following year of 1500 on September 18, in Barcelona six heretics had been penalized to life imprisonment. The five of them were originally from Barcelona: Alonso Baron, pharmacist Franci Requesens, notary Marti Benedit, Jaume Tuxones, and Caterina, wife of Pau Fabró against whom procurator fiscal applied; additionally, among them were Eufrosina Morachs from Solsona.<sup>365</sup>

During the year 1502 two autos had been celebrated in Barcelona while fourteen apostates were punished to the life incarceration. Firstly, on September 21, eleven culprits were convicted while two of them Joan Nicolaus and Lodovic Morato, both from Montblanc were relapsed heretics. Other offenders were Franciscus Bertran, Francina (wife of Joannes Martini de Vall from Tarragona's diocese), Clara (wife of previously mentioned Lodovic Morato), Blanquina (wife of Manuel Ribelles), Andres Colom and his wife Blanquina, Franciscus Vilagut and his wife Beatrix, together with two Barcelonians: Raimundus Scales and Joannes Castello who worn penitential guise during the proceeding.<sup>366</sup>

Secondly, on December 30, three women were reconciled and punished on lifelong incarceration; they were Alduncia (widow of Guillem Cerquos, banker form Barcelona), Violans (widow of Rafael de Avinyo) and Francina (wife of Joan Fabra-Pertusa).<sup>367</sup>

In the following year of 1503 in Barcelona three heretics had been sentenced to life imprisonment. Firstly, on February 3, Joan Navarro from Gerona together with Violant Bages, wife of Joan Duran had been publicly prosecuted and penalized.<sup>368</sup> Additionally, on

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<sup>364</sup> Kamen (1997), p. 149.

<sup>365</sup> Bofarull (1865), p. 147

<sup>366</sup> *Ibidem*, p. 152

<sup>367</sup> *Ibidem*, p. 153

<sup>368</sup> *Ibidem* pp. 153-154.

August 10<sup>th</sup>, furrier Galcerandus Colomer from Barcelona was as well sentenced to life incarceration.<sup>369</sup>

In the next year of 1504, on October 2, in Plaça del Rei was held auto de fe presided by a friar Joan Enguera, inquisitor Francisco Pays de Sotomayor and Bartomeu de Salavert, doctor in canon law and general vicar of bishop in works of inquisition in Barcelona sentencing Violans Coll, wife of merchant Anton Coll, Caterina, wife of Pere Dauder and Elionor, wife of Pere Ribes from Barcelona to lifelong incarceration.<sup>370</sup>

The last case resulting an outcome of perpetual imprisonment in the city of Barcelona occurred on June 23, 1505 in square Plaça del Rei. The celebration was presided by inquisitors Francisco Pays de Sotomayor and Jaume Fiella, doctor of civil and canon law together with Enric de Cardona,<sup>371</sup> Archbishop of Monreale, while sentencing seven heretics: Violans, wife of physician Guillem Pedralbes from Tarragona, while other six apostates were originally from Barcelona (physician Guillem Mecip, Medina, wife of Pere Casasaja, Brigida, wife of Pere Domenech, Eulalia, wife of Guillem Duran, Marquesa, wife of scribe Baltasar Vilagut and Beneta, wife of Gaspar Mir).<sup>372</sup>

In the city of Tarragona during the last decade of the 15<sup>th</sup> century and early beginning of the 16<sup>th</sup> century in four trials twenty one spiritual outcasts had been sentenced to perpetual imprisonment. Firstly, on March 5<sup>th</sup>, 1490 in ceremony presided by inquisitor Alfonso de Spina eight culprits were sent to jail to serve their punishment. They were: Ferrarius Colell and his wife Alduncia, Joanna, wife of Manuelis Torres from Tarragona, Isabel, widow of Macip, Violans, wife of Franciscus Piera from Falset, Beatrix, wife of Gabrielis Ribelles from Falset, Eleonor, daughter of Angelina Garriga who was previously condemned as a heretic and Constancia Martines, wife of Petrus de Susana from Barcelona.<sup>373</sup>

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<sup>369</sup> *Ibidem*, p. 154

<sup>370</sup> *Ibidem*, p. 158

<sup>371</sup> Aymerich, Mateo, *Nomina, et acta episcoporum barcinonensium: binis libris comprehensa*, Barcinone Apud Joannem Nadal Typ. MDCCLX.p. 398

<sup>372</sup> Bofarull (1865), pp. 167-168.

<sup>373</sup> ACA, RNIFII, RN 3684, fol. CXXIV'

On 14<sup>th</sup> of that same month four apostates had been penalized to lifelong incarceration. They were surgeon Ludovic Ribellis from Falset together with his three children: barber surgeon Gabriel Ribellis, lawyer Ludovic Ribells and Joana, wife of Miquel Benidict.<sup>374</sup>

On August 1<sup>st</sup>, 1501 three Barcelonians already reconciled once were convicted to life incarceration. They were: Guillem Nicolai, Caterina Falcona, widow of Pere Falco and Angelina Tuxones, wife of Jaume Tuxones.<sup>375</sup> During that same year, on December 20, six heretics were penalized to life imprisonment. One of the culprits, a merchant Gabriel Ballester was previously acquitted; also widow Blanca de Roia from Valls was relapsed heretic, while friar Tomàs Ramírez, monk from the monastery of Poblet was also prosecuted. Other penitents were: widow Francina Fanera from Falset, Elionor, wife of Joan Gomis from Montblanc and widow Gabriela Joanna Goltara from Barcelona's neighborhood Sarrià, inhabited in Tarragona.<sup>376</sup>

In the city of Gerona was recorded only one life sentence occurred on May 21, 1495 when Aldonça, wife of merchant Joan Ferrer Dala from Perpignan had been penalized by Barcelona's inquisitors Antonio de Contreras and Pere Pariente.<sup>377</sup>

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<sup>374</sup> *Ibidem*

<sup>375</sup> Bofarull (1865), p. 149

<sup>376</sup> *Ibidem*, pp. 149-150.

<sup>377</sup> *Ibidem*, pp. 82-83.



#### 4.3.4. The Scourge

The corporal punishment of scourge or flogging has its heritage in antiquity and was frequently used as a part of the old Christian tradition. Among the monastic orders it was specifically practicing self-flagellation as a part of a private prayer in order to achieve the absolution. Additionally, in the Medieval Inquisition was utilized commonly; however, it lost its penitential feature and converted into simply disciplinary and revengeful as the stigma of humiliation and depravity. It was used exceptionally in the public autos against those of low social rank. For instance, the offender had to be stripped to the waist and flogged through the streets by public executioner while riding an ass with miter on his head and chains around his neck which depicted the number of predicted lashes. The usual number of lashes was one hundred while no more than two hundred was practiced. During the ceremony, the observers and children would frequently tossed stones on the accused showing, in that manner, their disregard and disrespect. There was no age limitation; it could easily be penalized children as well as older of seventy or eighty.<sup>378</sup>

In *Liber descriptionis* the auto celebrated on August 16<sup>th</sup>, 1488 in Barcelona presided by Barcelona's inquisitor Alfonso de Spina is unique due to flogging punishment. The offenders of thirty three men and eighty two women had been penalized, among others, by wearing sambenito in public and plethora others spiritual penances also to the scourge

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<sup>378</sup> Kamen (1997), p. 202; Lea (1906), III, pp. 135-136.

(...*in vilipendium christianae religionis perpetrarunt...*<sup>379</sup>) for secretly following Jewish rites and ceremonies (*Et nihilominus sermonias et festivitates judaycas ac multa nephandissima...*<sup>380</sup>).

In the eighteen century the flogging as a sentence was reduced on account of age and gender. At the end, the inquisitors remitted sentences, firstly for women and afterwards for men, it was obstructed, although it continued to be declared.<sup>381</sup>

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<sup>379</sup> Bofarull (1865), p. 19

<sup>380</sup> *Ibidem*

<sup>381</sup> Lea (1906), III, p. 137

#### 4.3.5. The Galleys

The enslavement in the galleys was unfamiliar to the medieval inquisition and was a penalty delivered for prisoners of public jails, not the secret ones of the inquisition. For instance, neither medieval tribunals nor Torquemada sentenced the spiritual offenders from Castile to the galleys. The new investigations shown that this type of penalty was the most frightened by culprits and more bizarre than scourging as punishment for spiritual errors; thus plethora of prisoners from public jails attempted to be transfer to secret prisons of the inquisition in order to escape the galley penalty while in order to do so changed their depositions and testimonies. The reason why spiritual outcasts were not sentenced to the galleys was because it was considered as the most disadvantageous spot for receiving religious virtues.<sup>382</sup>

On the contrary, due to close collaboration of the ecclesiastical and royal authorities the galley penalty found its path into the court of the inquisition. The penalties like a bigamy, sodomy and infrequently heretical offences resulted with an outcome of the galley conviction. It was a punishment created by Ferdinand II as economical form of penalty and a free source of labor. For instance, the prison funds of the inquisition were free from plethora of prisoners convinced to perpetual imprisonment, while the state did not have to employ or to pay oarsmen, hence the king and the inquisition both benefited from it.<sup>383</sup>

Additionally, it was usually practiced from the middle of the sixteen century in order to satisfy a high request of cheap workers from the royal navy. That is why the

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<sup>382</sup> Monter, William, *Frontiers of Heresy: The Spanish Inquisition from Basque Lands to Sicily*, Cambridge University Press, 1990 pp. 32-35.

<sup>383</sup> Kamen (1997), p. 201; Lea (1906), III, pp. 140-141.

unique case depicted in *Liber descriptionis* happened on January 24, 1505 in Barcelona with an outcome of the galleys specifically grabs the attention in which nineteen heretical offenders were convicted to perpetual prison. However, afterwards penalty of imprisonment transferred to galleys service commanded by significant Catalan nobleman, politician and general, Ramón Folch de Cardona-Anglasola, from the one of the most influential families of the Crown of Aragon (*...fuerunt traditae triremibus nobilis Raimundi de Cardona personae infrascriptae fuerunt positae in carceribus perpetuis et dicti carceris perpetui fuerunt illis commutati in dictis triremibus...*<sup>384</sup>).

The spiritual outcasts convicted on January 24, 1505 were Joannes Navarro from Gerona, Alfonso Barron from Figueres, artist Hieronym Benet Sarria from Perpignan, Franci Vilagut from Tarragona and Lois Morato from Montblanc. Other fourteen heretics were Barcelonians: Bartholomeus Ribes, Bartholomeus Deuder, Francissus Requasens, Galceran Colomer, Guillem Nicolau, Gabriel Ballester, Jaume Tuxones, Joan Roger, Michael Valls, Pere Dala, Ramon Scales, Joan Valls, Franci Ribelles and Joan Nicolau from Montblanc who at the moment was settled in Barcelona.<sup>385</sup>

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<sup>384</sup> Bofarull (1865),p.166

<sup>385</sup> *Ibidem*, pp. 166-167.

#### 4.4. The Stake

Burning at the stake was a practice inherited from the Roman Empire; this cruel form of punishment was as a part of its jurisprudence remained during the time of the medieval inquisition while it was commonly practiced in the fifteen century Iberian Peninsula.<sup>386</sup> As progressively developed the laws of the modern Europe's nations, it tended to eliminate all culprits who misinterpreted the belief of the Church, hence, the law system allowed the execution of the heresiarchs, apostates, judaizers, New Christians, witches and all other spiritual outcasts by fire.

The inquisition by assigning relaxed to the stake, did not itself convict culprits to it, yet named them as the pertinacious heretics without chance of salvation. Consequently, the convicted apostates had been dissociated from the Church and hand over to the secular arm so they could execute this severe penalty. They were obligated to complete the sentence of blood because clerics by canon and ecclesiastical law did not have the authority to carry on the capital punishment and to shed human blood; hence, it was considered as obligation of the State, not of the Church. However, while the Tribunal pretended of condemning the crime, the civil judge convicted the criminal and, by relaxing him, it commanded the judge to not sentence him to death penalty.<sup>387</sup> It was a creation of pope Innocent III, before the establishment of the inquisition, designed in order to save the spiritual courts from violations.<sup>388</sup>

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<sup>386</sup> Lea (1888), I, pp. 534-559.

<sup>387</sup> Lea (1906), III, p. 184

<sup>388</sup> Gloss. Hostiensis in Cap.ad abolendam n. 14 (Eymerici Director. P. II).-- Cap. 27, Tit. 40, Extra, Lib. v. (Taken from: Lea (1906), III, pp. 184-185)

The pertinacious heretics, i.e. *relejados* or ‘relaxed’ were culprits condemned to the death penalty: the unrepentant heretics who’s choice was to die at the stake, that is to be roasted alive and also the relapsed heretics, who were pardoned for a first time and afterwards had repeated the offence, in other words, falling back into error, i.e. heresy. However, the relaxed did not always die at the stake; they could be ‘mercifully’ chocked before the pile was set on fire, but only if they repented before the actual auto.<sup>389</sup>

During the tribunal’s activity in 1488-1505 Barcelona forty one heretics had been convicted to the death penalty. The first case with outcome of the capital punishment occurred on January 25, 1488 on the Feast of the Conversion of Saint Paul the Apostle. On the left margin of the folium CXI where sentence is described, Carbonell summarized the same by writing that the culprits were *condemnati et curiae seculari traditi*.<sup>390</sup>

The offenders were Joan Trullols, Joan Santafè, Francesca (widow of Ripoll, and at the time wife of a certain Joan Gil) and Gabriela Buçota (wife of Pere Buçot). They were examined by inquisitorial body *consulta de fe* gathering inquisitors, five assignees of the bishop and five functionaries, experts in theology (*prius ad ipsos processus recognoscendos et examinandos decem doctoribus scilicet quinque in Sacra pagina magistris et quinque in jure canonico professoribus*).<sup>391</sup> The stages were projected in square Plaça del Rei in front of the Palau Reial Major in Barcelona where solemnity was held. When the ceremony began neophytes were taken out from the secret prison and set between statues representing twelve refugees prosecuted in absence.

Finally, after the reading of the sentence the accused were taken by the secular arm and followed by a raging crowd. The mass of religionists participated at the end of the ceremony had the aim to force heretics to repent for their errors. The extreme manifestation of religious mass was only plausible at the end of the official procession and begun during the execution of the sentence. The last phase of the spectacle was

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<sup>389</sup> Kamen (1997), pp. 202-203.

<sup>390</sup> ACA, RNIFII, RN 3684, fol. CXI

<sup>391</sup> *Ibidem*

demonstrated in begging the accused to regret and praying to the Saints for salvation of their souls by the religious fanatics.<sup>392</sup>

The sinners had chains around their necks while each one was holding a picture of the resurrection of Jesus (*cathenis in collo predictorum quatuor hereticorum et IIII Christi crucifixi imaginibus coram eis positis adduxerunt*<sup>393</sup>). They were taken outside of the city walls and Barcelona's gate Saint Daniel and next to the sea to the district El Canyet in order to be strangled to death and burned afterwards. The main reason why these types of spectacles were held outside of the city walls is that the town itself would not 'get dirty' previously consecrated by a special procession.<sup>394</sup>

Neophytes 'mercifully' *suffocati fuere*<sup>395</sup> before the pile was burned. This act shows that the accused *confessione facta de eorum delictis*<sup>396</sup> and repented for their sins by choosing to die as Christians.<sup>397</sup> The repentance of sinners presented a victory of the inquisition; it demonstrated the dismissing to the will of God which was in accordance with the Christianity's ideals and its guidelines while bringing heretics back to the bosom of the Church. On the contrary, the unrepentant heretics condemned to be roasted alive presented the devil's triumph and failure of the Church's duty of salving soul. In preventing it from happening three days before the auto monks had been encouraging sinners to repent for their errors so they could secure them the ideal of 'bien mourir'.

The solemnity was finished at the *quemadero* where the four heretics and twelve statues were burned. Carbonell finished the description of this process with words *tandem animabus ab eorum corpora una cum predictis decem statuis igni et flammis supossuerunt quorum animae in pace semper requiescant*.<sup>398</sup> Although the burning at the stake was impressive part of the auto, it is wrong to assume that it was its highlight. It did not even belong to the principal

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<sup>392</sup> Betankur (2009), pp. 382-383.

<sup>393</sup> Bofarull (1865), p. 13

<sup>394</sup> Betankur (2009), p. 380

<sup>395</sup> ACA, RNIFII, RN 3684, fol. CXI

<sup>396</sup> *Ibidem*

<sup>397</sup> Betankur (2009), p. 384

<sup>398</sup> ACA, RNIFII, RN 3684, fol. CXI

ceremony which reached its climax with the procession, the mass sermon and the reconciliations of the offenders.<sup>399</sup>

In 1488 Barcelona one more inquisitorial trial resulted with an outcome of capital punishment; it was on May 23<sup>rd</sup>, during the Saint Julia`s feast day when three women were sentenced to death penalty. This case is very similar to the previous in terms of organizing trial and executing sentence.

The women who were *condemnatae et curiae seculari traditae*<sup>400</sup> were Joana Bedós, widow of physician of the royal house-hold Llorenç Bedós and Joana Carcasona, widow of merchant Bonantius Carcassona. The third woman was Violant Bedorc, wife of tailor Pere Bedorc who was after a few months convicted as a heretic and sentenced to jail on Friday, August 8, 1488.<sup>401</sup>

The previous days the pertinacious heretics had been examined by *consulta de fe* gathered inquisitors and professors of canon law and experts in the Scripture while the punishment was delivered against them, as well as against people judged in absence. The relaxed women together with effigies symbolizing escaped heretics had been brought to the stage in square Plaça del Rei in front of the Palau Reial Major. After reading of the sentence, three women were hand over to the secular authorities so they could complete the punishment. The *relejadas* were taken in the district El Canyet followed by a crowd. At the performance of the punishment miserable women had confessed their sins *cum chorda in earum collis astringente*<sup>402</sup> choosing, in this manner, to die as Christians. They were burned afterwards together with forty effigies. Carbonell finished the case with a poetic description of a future path of the deceased women`s souls: *quarum animae si in Christi fide e corporibus exiere in pace dormiant per saecula cuncta.*<sup>403</sup>

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<sup>399</sup> Kamen (1997), pp. 210-211.

<sup>400</sup> ACA, RNIFII, RN 3684, fol. CXII`

<sup>401</sup> *Ibidem*, fol. CXIII

<sup>402</sup> *Ibidem*

<sup>403</sup> *Ibidem*



In the following year the number of burnings reduced to three while only one auto was celebrated in Plaça del Rei resulting with capital execution. It was on February 9, 1489 on Feast of Saint Apollonia when three heretics from Barcelona, bookseller Antoni Ramon Corró together with his wife Joana and furrier Miquel Socarrats had been sentenced to death.

The ceremony was very much alike, in terms of the trial structure and performing the punishment, to the auto de fe held one year before on the Saint Julia feast day on 23<sup>rd</sup> of May (*et aliis serimoniis quae die festo divae Julianae ibidem factae extiterant quemadmodum supra scribuntur*<sup>404</sup>). After the death penalty was made, inquisitor did not have any doubt to allow secular authorities to proceed with an execution of the same (*condemnatos Curiae seculari e vestigio tradere non dubitavit inquisitor*<sup>405</sup>). The pertinacious heretics went *cum magna populi caterva associati una cum praedictis X status ad locum supra scriptum*<sup>406</sup> at El Canyet. They repented by choosing to die as Christians and afterwards *per carnificem strangulati prius et confestim eorum corpora in cinerem reversa*.<sup>407</sup>

Carbonell once again gave poetic depiction of the future path of the deceased souls (*quorum animae si in fide Christi ut fertur e corporibus exiere in pace semper requiescant*<sup>408</sup>).

In the following years in Barcelona during 1490-1491 five relaxed culprits had been executed by the secular arm. Firstly, on March 24, 1490 after celebration of public solemnity at Placa del Rei a tailor Pere Ballester and Isabel, wife of Antoni Ferrer and daughter of merchant Jacob de Sos had been taken outside of the town and murdered at El Canyet.<sup>409</sup> Furthermore, on June 10, 1491 three heretics had been sentenced to the death

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<sup>404</sup>Bofarull (1865), p.29

<sup>405</sup>*Ibidem*

<sup>406</sup>*Ibidem*, p. 30

<sup>407</sup>*Ibidem*

<sup>408</sup>*Ibidem*

<sup>409</sup>*Ibidem*, p. 41

penalty in the same manner as in the previous trial. They were: Joan Morell, Bernard Pla and Eufrosina, wife of merchant Gabriel Montzo.<sup>410</sup>

On March 23, 1496 on the Ash Wednesday, a first day of Lent, in front of the Barcelona Cathedral was celebrated solemnity of public auto de fe in which six sinners were sentenced to perpetual prison while all of their property was confiscated; two of them, a marriage couple Bertran, royal scribe Galcern and Caterina, were afterwards sentenced to death penalty (*Hic Galceranus alia cum sententia una cum eius uxore Chatherina fuerunt condemnati et brachio seculari traditi et combusti*<sup>411</sup>). Inquisitors Antonio de Contreras and Pedro Pariente presided in the trial together with Bishop of Barcelona, Pedro Garcia. Additionally, Pere Miquel Carbonell, notary of the inquisition, was presented at the procession.

On May 2, 1499 in Barcelona, Francina, a relapsed heretic and wife of Martin Bedit, had been sentenced to capital punishment and hand over to secular arm.<sup>412</sup> She was pardoned and reconciled to perpetual prison on December 13, 1497,<sup>413</sup> but after repeating the offence Francina was convicted mercilessly. The inquisition stated that in a case of relapsing and repeating heretical error, the culprits previously reconciled *de vehementi* will be release to the secular authorities without remorse. This was inevitable principle of the canon law. The reconciled people lived in constant fear, frightened that anytime could appear testimonies or evidences against them; hence, they could only secure themselves from awful destiny by disconnecting from their race and family members.<sup>414</sup>

In 1502 Barcelona, auto was held on September 21, in which a certain Joan Ferrer was sentenced to death penalty and released to the secular arm. In examination of the witness it was discovered that heretic Ferrer was circumcised (*iste fuit repertus retayllatus sive*

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<sup>410</sup> *Ibidem*, p. 54

<sup>411</sup> *Ibidem*, p. 87

<sup>412</sup> *Ibidem*, pp. 145-146.

<sup>413</sup> *Ibidem*, p. 143

<sup>414</sup> Lea (1906), III, pp. 202-203.

*circuncisus*<sup>415</sup>); hence, the culprit was clearly a relapsed heretic condemned for practicing Judaism.

In the following year on February 3<sup>rd</sup>, the auto was celebrated in Barcelona in which heretic Jaume Benet, a merchant from Gerona, failed in the compurgation defense (*eo quia deficit in canonica purgatione sibi injuncta*<sup>416</sup>) and consequently was convicted to the capital punishment. Additionally, his property (consisted of dowry and census) was confiscated and sold at the auction for two hundred libras and one hundred and eighty five sueldos.<sup>417</sup>

In the same year, on December 6<sup>th</sup> auto de fe was held in Barcelona`s Placa del Rei with the biggest number of sinners sentenced to the capital punishment. On that day ten culprits from Barcelona had been delivered to the secular arm so they could execute the death sentence. They were Blanquina Sarrià, Mandina Bosch, Oliva Baró, Isabel Valls, Miquela Pou, Clara Xerquano, and marriage couples Palau, Joan and Elionor, as well as Rosas, Jeroni and Elionor.<sup>418</sup> All pertinacious heretics, except Miquela and Elionor had been marked as heresiarchs describing, in that manner, the creator of heretical belief, and an architect of a sect that maintains that learning.<sup>419</sup>

In the following year, with an arrival of the new Barcelona`s inquisitor Francisco Pays de Sotomayor two autos were celebrated in Plaça del Rei. Firstly, on July 12, 1504 in which five pertinacious heretics Isabell (wife of bookseller Bartholomeus Sartre), Dalmacius Cirera Pellerius, Francina (wife of tailor Joannes Tuxones), pharmacist Raphael Dauder and his wife Beatrix had been sentenced to death penalty;<sup>420</sup> while on October 28,

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<sup>415</sup> Bofarull (1865), p. 152

<sup>416</sup> *Ibidem* p. 154

<sup>417</sup> ACA, Maestre Racional, 802 f. 224-230 y 2.810, piezas 5-7 (Taken from: García Cárcel (1974), pp. 200-201)

<sup>418</sup> Bofarull (1865), pp. 155-156.

<sup>419</sup> The Oxford Dictionary of the Christian Church, edited by: F. L. Cross, E. A. Livingstone, Oxford University Press, 2009, in:

<http://www.oxfordreference.com/view/10.1093/acref/9780192802903.001.0001/acref-9780192802903-e-3210?rskey=oPTzkA&result=3199>, accessed on 22/04/2017

<sup>420</sup> Bofarull (1865), p. 157

Elionor, (wife of Bartomeu Ribesaltes from Barcelona) was hand over to the secular authorities.<sup>421</sup>

On January 17<sup>th</sup>, 1505 in Barcelona`s square Plaça del Rei significant auto de fe was celebrated and presided by inquisitors Joan Enguera and Francisco Pays de Sotomayor together with Barcelona`s Bishop, Pedro Garcia in which among others delivered penalties were sentenced two important personalities of that period to death punishment. They were Jaume de Casafranca, deputy of Ferdinand`s treasurer-general of Catalonia and Dalmatius de Tolosa, priest, canon and archdeacon of Lleida.<sup>422</sup>

One of the most crucial figures of Ferdinand`s personnel and treasurer-general of Catalonia, Jaume de Casafranca, was arrested by Barcelona`s tribunal in 1498 and consequently, all of his property has been confiscated. Until that moment, he had been king`s loyal deputy owning his true confidence. Just before he got taken into custody Casafranca managed the royal treasury with the amount intended for the reparation of Roussillon`s castles. The fact that all money of the crown was controlled by a heretical criminal made authorities anxious; hence Ferdinand in order to avoid severe consequences provided a precedent by commanding all the confiscated property to be placed into hands of the advocate-fiscal so it could be divided into private and public. Although Ferdinand pleaded the tribunal to be merciful toward once loyal treasurer-general, Casafranca could not avoid his infamous fate and was finally convicted to capital punishment and executed by the secular arm.<sup>423</sup>

Casafranca was a friend of famous judaizer Juan de Sant Jordi, secretary of Juan II of Aragon, who was previously condemned to the stake with his mother in 1491.<sup>424</sup> Casafranca as well as previously sentenced Sant Jordi were tried by the inquisition for secretly keep their faith to mosaic religion, especially celebrating Shabbat: *...e havia solemnizades moltes festes e ritus e seremonies dels jueus en special los dissaptes en companya de dit Sanct-*

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<sup>421</sup> *Ibidem*, p. 165

<sup>422</sup> *Ibidem*, pp. 165-166.

<sup>423</sup> Lea (1906), III, pp. 45-46.

<sup>424</sup> Roth, Norman, *Conversos, Inquisition and the Expulsion of the Jews from Spain*, The University of Wisconsin Press, 1995, p. 133.

Jordi e ells sols e ab altres persones an aquesta manera... E que moltes vegades es anat per oir legir la biblia e ley del Moyses e la oida legir a la forma judaica axi de de jueus qui studiaven faentse la barba lo divendras per honor del dissapte vestintse camises netes attevantse de altres robes los dies dels dissaptes dient orations judayques ensemps ab dit Sanct-Jordi diens certes orations judaiques avegades sens ell no senyantse del senyal de la creu ni benehian la taula ab lo dit senyal de la creu ni dehian algunes orations catholicas... E que dits Sanct-Jordi e Casafranca sempre que anaven als lochs hon havia jueus posaven en casa de aquells menjant e bevent de les viands aparellades a la judaica en una taula ensemps ab dits jueus...<sup>425</sup>

Additionally, during the proceeding, it was brought out the Casafranca's confession that he and already mentioned Sant Jordi, in their service during the reign of Juan II had socialized with Jewish people and converts while commentating the Bible among them: *Vist com lo dit Casafranca interrogat sobre la dita petitio e demanda e en altra manera ha dit e confessat que en temps del rey don Joan de gloriosa memoria ell dit Casafranca e Joan de Sanct-Jordi legia e estudiava de continuo en la biblia e moltes voltes vehia que lo dit Sanct-Jordi comunicava e practicava ab jueus quant hi havia jueus en la ciutat o vila o lugar hon aturava dita cort e disputava ab dits jueus de materies e coses de la biblia e vey a coneixa ell dit Casafranca que lo dit Sanct-Jordi prenia gran pler de comunicar e practicar ab los dits jueus de dites coses de la biblia.*<sup>426</sup>

During the trial in the deposition against Casafranca was implied his close friendship with Sant Jordi while in accused house Jewish people stayed from twelve until fifteen days, despite the fact that by law was not permitted for them to stay there no more than three days (*Sanct-Jordi lo dit Casafranca ha tengut summa e intima Amistad familiaritat e conversatio essen los dos cum a carn e ungl... E mes que en casa del dit Casafranca en Barcelona en plaza de la Trinitat posaven jueus hon staven per XXII e XV dies contra las ordinations de Barcelona hon no podian star mes de tres dies menjant bevent e dormint*<sup>427</sup>).

Carbonell recorded in its full length the conviction of Casafranca (*Sententia contra Jacobum de Casafranca Locumtenentem Regii Thesaurarii*) written in Catalan. The tribunal stated

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<sup>425</sup> Bofarull (1865), pp. 172-174.

<sup>426</sup> *Ibidem*, p. 174

<sup>427</sup> *Ibidem*, pp. 179, 180

that accused Casafranca is New Christian, who secretly follow the Jewish tradition as well as the rest of his family: *...dit Casafranca es convers e de linatge de jueus e que son pare fonch heretic reconciliat e se mare presa per heretica e morta en los carcens de la Sancta fe inquisitio e que es casa tab muller que es stada heretica reconciliada e que altres molts parents de dit Casafranca e de sa muller son stats reconciliats e condemnats per heretges e apostatas...*<sup>428</sup>

The family of Casafranca was prosecuted by the inquisition for years. For instance, in one of the previous trials, held on May 2, 1499 in Barcelona had been sentenced marriage couple Mayans, Antoni and Violant, who were fathers-in-law of Casafranca. They were firstly reconciled, but afterwards died in the secret jail of the inquisition.<sup>429</sup> Moreover, Casafranca's wife, Blanca Casafranca, was sentenced to the capital punishment on June 23, 1505<sup>430</sup> while on July 6<sup>th</sup> that same year, his daughter Violant, wife of Segimon de Barberà was prosecuted for perjury and putting an impediment for the Tribunal.<sup>431</sup> Additionally, Casafranca's mother also was tried by the inquisition and had died in secret inquisitorial jail.<sup>432</sup>

The judges emphasize in the sentence delivered against Casafranca that he was guilty for practicing Judaism: *...faessen anant a cassar los dias dels digmenges demati sens oir missa trenchant molts dejunis e quoresmes de Sancta mare Esglesia no dejunant en aquells e menjant carn e ous formatge e altres coses prohibides per Sancta mare Esglesia e que havia solemnizades moltes festes e ritus e serimonies dels jueus en special los dissaptes...*<sup>433</sup>

Finally, the Tribunal delivered the definitive sentence by convicting not only Casafranca but also his heirs to the property confiscation and taking away their titles, ecclesiastic as well as secular: *ab tenor de la present nostra sententia declaram tots los bens del dit Jacme de Casafranca heretge del temps que dit crims de heretgia e apostasia commette e perpetra ança haver stat e esser de present confiscats a la cambra e fisch del Rey nostre Senyor. E per quant la pena dels heretges*

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<sup>428</sup> *Ibidem*, p. 171

<sup>429</sup> *Ibidem*, p. 146

<sup>430</sup> *Ibidem*, pp. 168-169.

<sup>431</sup> *Ibidem*, p. 169

<sup>432</sup> *Ibidem*, p. 177

<sup>433</sup> *Ibidem*, pp. 171-172.

no solament se exten en aquells mas encara en detestacio dels dit crims a sua progenia e generatio. Per tan ab lo sobredit Jacme de Casafranca heretge judaizat e apostata per linea masculine fins al segon grau e per linea feminina fins al primer grau inclusive esser privats de tots officis beneficis e honors axi ecclesiastics com seculars e esser inabils perpetualment per obtenir alres de nou.<sup>434</sup> However, afterwards king Ferdinand consoled Casafranca's heirs by returning them certain part of sequestration assets.

As described before, on January 17<sup>th</sup>, 1505, a sentence was also delivered against Dalmatius de Tolosa, archdeacon of Lleida. In its full length in *Liber descriptions* was recorded the conviction of cleric Tolosa (*Sententia contra mossen Dalmau de Tolosa prevere canonge e preborda de la Seu de Leyda naural del Archabisbat de Tarragona*) written in 15<sup>th</sup> century Catalan and partly in vernacular Latin. Tolosa was descended from a family of converts and relapsed heretics frequently prosecuted for practicing Judaism (*mossen Dalmau de Tolosa prevere canonge e preborda de la Seu de Leyda natural del archabisbat de Tarragona convers e del linatge de jueus...*<sup>435</sup> ...*mossen Dalmau de Tolosa es fill de pare e mare conversos e per semblant de linatge de jueus devallant e la dita sa mare nomenada Isabel de Tolosa per heretica fugitiva per los reverends olim inquisidors comdemnada...*<sup>436</sup>).

The judges declared that Tolosa was guilty for practice of the family's former religion as an active crypto-Jew (*e que moltes e diverses vegades per la devotio e creença que tenia a la ley de Moyses ha servat e tengut los dissaptes solemnizant aquells a la forma e moda judaica comensant lo divenres en la nit lexant se de negociar e tractar mudantse les camises e robes per honrar e festivar los dits dies dels dissaptes.*<sup>437</sup> Also, he was in the secret adherence to Judaism while publicly professing to be of another faith: *Item que moltes e diverses vegades per guardar e observar los preceptes e manaments de la ley de Moyses dit Dalmau Tolosa manjava gallines e altres volateries e altra carn degollades per mans de jueus a la forma e modo judaica e que no menjava carn salada de porch ni*

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<sup>434</sup> *Ibidem*, p. 185

<sup>435</sup> *Ibidem*, p. 188

<sup>436</sup> *Ibidem*

<sup>437</sup> *Ibidem*

conills ni altres animals el pel agut ni peix sens scata prohibides menjar per la ley dels jueus e que si alguna volateria manjava volia que fos degollada al modo judaich e que sempre fossen sublimades ab aygua e ab sal e ab oli e no ab sagi ni carn salada.<sup>438</sup>

Additionally, during the proceeding, it was numbered Tolosa's family members, descendants of Jews who had preserved the rites of their ancestors while publicly adhering to other faiths and in plethora of occasions had been convicted for its crimes: *Vist que en dit proces trobam per dits e depositions de testimonis que lo dit Dalmau de Tolosa ensemps ab Na Isabel de Tolosa mare sua e Gabriel de Tolosa e Lois de Tolosa 2 sos germans Blanquina muller del dit Lois de Tolosa e Aldonça muller del dit Gabriel de Tolosa cunyades sues filles den Gabriel March de la vila de Falset e una dona vella avia dels dits Gabriel e Dalmau de Tolosa tots per heretges condemnats...*<sup>439</sup>

During the trial priest Tolosa worn penitential garment painted with a yellow flames and miter on his head (...*induta linea veste crocei coloris flammis igneis depicta et mitra in capite ipsius apposite fuit...*<sup>440</sup>).

Finally, the penalty was made while the heretical priest was excommunicated by the Church and was hand over to the secular arm so they could proceed with the death penalty (*E per quant la Sancta mare Esglesia no te altra cosa que contra lo dit Dalmau Tolosa heretge apostate de nostra Sancta fe catholica christiana excomunicat privat e degradat e despullat de tots officis e beneficis ordens privilegis e honors dessus dites puixa ne dega fer sino desemparar e remetre aquell a la justitia e bras secular*<sup>441</sup>).

Last case depicted in *Liber descriptionis* which resulted among others with an outcome of death penalty occurred on June 23, 1505. It was presided by Francisco Pays de Sotomayor, inquisitor, Jaume Filella, doctor of civil and canon law and general vicar of Holy Office in charge for episcopacy of Gerona, and Enric de Cardona, vicar of Tarragona's archdiocese sentencing seven spiritual outcasts to perpetual prison. However, Sotomayor

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<sup>438</sup> *Ibidem*, pp. 189-190.

<sup>439</sup> *Ibidem*, pp. 190-191.

<sup>440</sup> *Ibidem*, p. 199

<sup>441</sup> *Ibidem*, pp. 199-200.



and Gaspar de Pou, master of the sacred theology, archdeacon of Vallès and canon of Barcelona's episcopacy presided on a trial in which convicted culprits had been sentenced to death penalty and delivered to the secular authorities in order to execute the sentence. The five relaxed sinners were Clara, wife of Bonant Bernic, Blanca, widow of a merchant Martí Baró, and wife of a physician Pere Çalom, Gaspar Mir, Francina, wife of Francesc Rosell and finally, Blanca, wife of a Jaume de Casafranca, deputy of Ferdinand's treasurer-general of Catalonia, who's execution at the stake had been described in the previous trial.<sup>442</sup>

Carbonell recorded comprehensively in 15<sup>th</sup> century Catalan the penalty of Blanca Casafranca while naming it: *Sententia contra Na Blanquina muller de Jaume de Casafranca heretge condemnat e quondam Lochtinent de thesoror per lo Rey nostre Senyor*. During the trial, it was stated that Blanca, who had been already once reconciled, confessed that she had repeated the offence, that is, relapsed into heresy *Blancina Casafranca esser heretica apostata impenident ficte e simuladament cofessant e relapse*.<sup>443</sup> Moreover, judges stated that they had discovered that Blanca had confessed her sins to former Barcelona's inquisitor, Alfonso de Spina, by admitting that she was secretly devoted to Judaism (*En special trobam e consta en lo proces contra la dita Blanquina Casafranca fet com ella en temps del reverend mestre Spina lavors inquisidor confessa tant solament que tenia opinio e creença que la ley dels jueus no era contra nostra Sancta fe catholica ans crea que no era gran error fer algunes ceremonies judaiques...*<sup>444</sup>). In *Liber descriptionis* it was written that Blanca Casafranca repented during the Term of Grace performed in Barcelona on Friday, 14<sup>th</sup> of December, 1487.<sup>445</sup>

The prosecution stated plethora of testimonies against Blanca for the secret adherence to Judaism and helping Jewish people (*E que donava a jueus e encara alguns diners poca quantitat per oli a les lanties de la Synagoga. E mes que manjava del pa que los jueus de Cervera li remettian. E mes trobam que dix en dita confessio que alguna vagada per quels havian fets plers en llurs cases stant*

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<sup>442</sup> *Ibidem*, pp. 168-169.

<sup>443</sup> *Ibidem*, p. 202

<sup>444</sup> *Ibidem*, p. 203

<sup>445</sup> *Ibidem*, p. 11.

*fugits per les morts de Barcelona los accullien en sa casa e posaven alli per temps de tres o quatre jorns e lus faea degollar algunes gallines o pollastres e tots ne manjaven e tambe los apparellavan los deivenres per als dissaptes com hi staven los dissaptes<sup>446</sup>).*

Finally, she was sentenced to not only to property confiscation and capital punishment but also her heirs and family members until first cousin had been convicted to be deprived from public offices (*...devem declarar segons que ab tenor de la present nostra diffinitiva sentencia decalrem tots los bens de la dita Blanquina Casafranca del temps que los dits crims de heretgia e apostasia comette e perpetra haver stats e esser de present confiscats a la cambra e fisch del Rey nostre Senyor. E per quant la pena dels heretges no solament se exten a aquells mes encara en detestacio del dit crim a la sua posteritat e generatio per tant ab lo dit consell declaram tots los descendents de la dita Blanquina Casafranca fins al primer grau inclusive esser privats de tots officis e beneficis axi ecclesiastichs com seculars per esser inabils perpetuament per obtenir altres de nou<sup>447</sup>)* At the end, Blanca was mercilessly hand over to the secular arm.

In the city of Tarragona in the period 1489-1501 eight people had been sentenced to the death penalty. During that time two autos had been held with outcome of capital punishment; firstly, on March 12, 1490 six heretics had delivered to the secular authorities. The relaxed offenders were from Tarragona: Manuel Torres, Angelina Gariga and Isabel Macip (wife of Pere Macip, previously convicted as a heretic); from Falset: Eulàlia Garriga and Constància Ribelles (wife of a surgeon Ludovic Ribelles who will be sentenced to perpetual prison together with three daughters couple of months later on May, 14); and Elionor Funes originally from Riudoms.<sup>448</sup>

Furthermore, on December 20, 1501 in Tarragona two culprits, a monk friar Manuel Galceran from monastery Poblet, very famous heretic, and Caterina, wife of Joan Ferrer from Barcelona were convicted and hand over to the secular arm.<sup>449</sup>

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<sup>446</sup> *Ibidem*, p. 204

<sup>447</sup> *Ibidem*, p. 212

<sup>448</sup> *Ibidem*, pp. 40-41.

<sup>449</sup> *Ibidem*, pp. 151-152.

In the period 1491-1495 Gerona, one auto was celebrated resulting with death penalty in which eight pertinacious heretics had been sentenced to capital punishment. It was on December 21, 1495 during which eight heretics had been hand over to the secular authorities to execute the penalty. Six culprits were from Gerona: Bernat Sampsó, Blanquina, wife of Ramón Mercader, Mandina, wife of Mompayller, Elionor, wife of Dalmau Mercader and Constancia, wife of Gabriel Mercader. Additionally, three relaxed culprits were originally from Castelló d'Empúries; they were Joan Miró, Leonarda, widow of Leonardo Giponer and Blanquina, widow of Manuel Climent.<sup>450</sup>

In 1492 Lleida one trial finished with outcome of death penalty, it was on December 7<sup>th</sup>, when two women from Belaguer were sentenced to capital punishment. They were Violant, wife of Joan Dabella and Marquesa, wife of Bonant Maya.<sup>451</sup>

The burning at the stake repeated during the tenure of the inquisition's brutal regime is engraved in the infamous memory of Iberian Peninsula's history. For centuries this theme drowns attention among historians; while one brutally disapproved and criticized the acts of the inquisition, other tried to defend its procedure. The poor attempt of relieving the Tribunal from an intervention of executing the capital punishment in releasing the sinners to the secular arm was often used argument by apologists and defender of the Church. However, after a centuries long silence, in 2000 pope John Paul II asked for forgiveness for the sins of Roman Catholic Church by making the apology for two thousand years of torture, persecution and errors committed, among others, to the people burned at the stake during the inquisition. In this manner, the leader of the Catholic Church trough this unprecedented act did not tried to justified its actions, but only to express regret which does not decrease the need to feel remorse for dreadful acts so opposite to the teachings of Christ and performed by the members of one of the oldest religious institution in the world.

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<sup>450</sup>*Ibidem*, p. 85

<sup>451</sup>*Ibidem*, p. 140

## 5. The Personnel of the Tribunal

### 5.1. Inquisitor

(1487-1505)

*Such a concentration of secular and spiritual authority, guarded by so little limitation and responsibility, has never, under any other system, been entrusted to fallible human nature.*<sup>452</sup>

#### 5.1.1. Alfonso de Spina and Sanxo Marín

The inquisitors were tribunal's superior officials with specifically complete power to arbitrate over lives, fates and dignities of whom they been putted before them, until they had been sequentially limited by the Suprema. They had a power to arrest and detain at will or to disable the decisions of all secular officials. They put a fear into people's hearts while all powers of Monarchy and Church had been put at their disposal.<sup>453</sup>

For the first time Carbonell had mentioned Alfonso de Spina in the introduction of *Liber descriptionis* where he wrote that this historical piece was created at the demand of

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<sup>452</sup> Lea (1906), II, p. 234.

<sup>453</sup> *Ibidem*

Barcelona's inquisitor who entrusted this significant task to him: *Reverendus Alfonsus Spina hereticae pravitatis inquisitor jussu Regio preeunte voluit et mandavit mihi Petro Michaeli Carbonello Regio Archivario ut in hoc registro sive libro continuarem que faciunt pro officio inquisitionis hereticae pravitatis...*<sup>454</sup> According to Carbonell, on November 1487 Alfonso de Spina became inquisitor and vicar of Barcelona's episcopacy (*Vicarius in spiritalibus reverendi domini Barcinonensis Episcopi*<sup>455</sup>).

The identity of inquisitor Spina was open to doubt. At first, it was believed that Torquemada sent to Barcelona Alfonso de Spina, a Spanish Franciscan Catholic Bishop, most know as the author of one of the central writings of the controversy regarding to social and religious position of converts in 15<sup>th</sup> century Castile, i.e. *Fortalitium Fidei*. This claim also supports Mayoral Lopez in paper *Los origines del tribunal de Barcelona: los inquisidores del santo oficio catalán en el siglo XVI*.<sup>456</sup> On the contrary, according to Netanyahu, the person who became the inquisitor of Barcelona in 1487 was "prior de San Domingo de Huete", therefore he could not be a member of Franciscan order.<sup>457</sup> Additionally, Roth agreed with Netanyahu while acknowledging the difference between these two historical personalities.<sup>458</sup> Finally, Carbonell confirmed this theory while describing Spina as *al reverend mestre Alfonso Spina del orde de Sant Domingo mestre en Sacra theologia*.<sup>459</sup>

Torquemada's representative Alfonso de Spina entered in Barcelona on Sunday, July 5<sup>th</sup>, 1487 (*Memoria tene quod praefatus dominus Alfonsus Spina ingresus est civitatem Barcinonae die dominica quina julii anno praedicto MCCCCLXXXVII*).<sup>460</sup> Fort gave the description of inquisitor's arrival while causing displeasure among Catalan people: *Els consellers no hi estaven conformes, procuraren d'empatxar la cerimònia, però l'inquisidor castellan entrà solemnement*

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<sup>454</sup> ACA, RNIFII, RN 3684, fol. CVII.

<sup>455</sup> *Ibidem*, CIX.

<sup>456</sup> Mayoral López, *op. cit.*, p. 404

<sup>457</sup> Netanyahu, *op. cit.*, p. 816.

<sup>458</sup> Roth (1995), p. 252

<sup>459</sup> ACA, RNIFII, RN 3684, fol. CIX.

<sup>460</sup> Bofarull (1864), p. 384.

*amb absoluta ostentació del seu càrrec, a so de trompetes i de tabals, i l'algutzir amb vara alta.*<sup>461</sup> The members of Government were not presented, as well as counselors of the city. However, Spina was welcomed by Enrique de Aragón y Pimentel, lieutenant-general of the Principality, the Bishop of Urgel, Tortosa and Gerona and plethora of influential personalities of that time (*in civitate Barcinona personaliter existentes reverendo in Christo patri fratri Alfonso Spina praedictae hereticae pravitatis inquisitori. Et primo IIIs. Dominus Infans Henricus Aragonum et Sicilae Comes Emporiarum et caetera Locumtenens generalis Serenissimi domini Regis. Magnifici Franciscus Malet Regens Cancellariam Petrus de Perapertusa Vicarius Barcinonae Joannes Çarrera Baiulos generalis Principatus Cataloniae et caeteri officials jurisdictionem exercentes*).<sup>462</sup> According to Bada, that same day the second inquisitor, Sanxo Marín, also entered Barcelona together with Spina.<sup>463</sup> On 9<sup>th</sup> of that same month, Spina ordered to royal lieutenant to publish a ban prohibiting all converts to left the city, threatening with sentences not only to the escaped ones, but also to all who tried to help them.<sup>464</sup>

Spina took an oath (*Juramentum*) on 20<sup>th</sup> of July, 1487 in 15<sup>th</sup> century Catalan and partly in Latin in front of *reverend e magnifich deputats del General del Principat de Catalunya e per los magnifich consellers de la present ciutat de Barcelona* stating that:

*Com a feels e bons christians a nostre Senyor Deu volents servir a favorir la Sancta fe catholica promettam e juram a nostre Senyor Deu e als Sancts quatre evangelis per nos corporalment tocats e a vos reverend pare inquisidor que feelment e ab tota efficacia per servir aquella la Esglesia e a vos pare inquisidor office e ministres vostres e exercici daquell maiorment si per vos o part vostra serem requests contra los heretges credens receptors defensors e fautors daquells defendrem e aiudarem en bona fe segons nostre officii e poder. E que de les terres a nostra jurisdiccio sotsmeses tots qualsevol heretges per la Esglesia o per vos denotats en bona fe e per totes nostres subdits observer tot lo temps de nostre regiment en les terres de nostra jurisdiccio subjectes les constitutions e decretals ad ablendam et excommunicamus e la constitutio o*

<sup>461</sup> Fort Cogul, *op. cit.*, p. 157.

<sup>462</sup> Bofarull (1864), p. 384

<sup>463</sup> Bada Elías. *Situació religiosa de Barcelona en el segle XVI*, Barcelona, 1970, p. 54: (Taken from: Mayoral Lopez, *op. cit.*, p. 404)

<sup>464</sup> Bruniquer, Rúbriques de, *Ceremonial dels Magnifichs Consellers y Regiment de la ciutat de Barcelona*, Vols II, Barcelona, 1913, pp. 119-120. (Taken from: Fort Cogul, *op. cit.*, p. 157)

*capitol qui comense ut officium Inquisitionis e lo altre començant ut inquisitionis negotium e les coses contengudes en aquelles e cascuna delles en quant toca nostre offici e totes altres constitucions contra los heretges credents receptros defensors e fautors fills e nets daquells per la Sancta Seu apostolica promulgades e aprovades. E axins aiut nostre Senyor Deu e los Sancts quatre Evangelis.*<sup>465</sup>

However, not until 30<sup>th</sup> of July that same year, municipal offices swear to obedience to Spina.<sup>466</sup>

Carbonell documented in *Liber descriptionis* that Spina was inquisitor of Barcelona from 1487 until 1492. Additionally, according to Fort, Bruniquer claimed that the inquisition in Castile during the 1486 had a list of Jewish heretics inhabited in Barcelona proving that the Castilian inquisition put effort into its implantation in Barcelona.<sup>467</sup> In that manner, first inquisitorial procedure and spectacle of auto de fe in Barcelona with Spina at the head of ceremony happened on Friday, December 14, 1487. At that time, after the Term of Grace fifty people conscious of their heresy admitted their sins voluntary. Inquisitor Alfonso de Spina was presented and appeared as an inquisitor and vicar of Barcelona's episcopacy with colleague and second inquisitor Sanxo Marín.<sup>468</sup> For the first time the name of Marín was mentioned on August 3, 1482 while he was working with Alfonso de Spina; also, while his name appeared with Spina's on 8<sup>th</sup> of October that same year.<sup>469</sup>

During the 1488 in the city of Barcelona were held six autos. During that period seven people were sentenced to death penalty, thirteen were sentenced to perpetual prison (three of them were sentenced *cum misericordia*), forty were prosecuted in absence while one hundred and fifteen were sentenced to wear penitential garment in public. Additionally,

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<sup>465</sup> ACA, RNIFII, RN 3684, fol. CIX

<sup>466</sup> Lea (1906), I, p. 263

<sup>467</sup> Bruniquer, *Ceremonials dels Magnífichs Consellers y Regiment de la siutat de Barcelona*, II, p. 119 (Taken from: Fort Cogul, *op. cit.*, p. 163)

<sup>468</sup> Bofarull (1865), p. 9

<sup>469</sup> AHN, Sección: Inquisición, lib. 1226, fol. 665v (Taken from: Mayoral Lopez, *op. cit.*, p. 404)

Carbonell noted that Spina did two more processes with an outcome of scourging culprits.<sup>470</sup> On the contrary, it was documented two cases of liberation.<sup>471</sup>

In the following year in Barcelona were held four autos. At that time, number of capital punishments reduced to three; additionally, thirty nine people were prosecuted in absence and their effigies were also burned. Moreover, fourteen people were sent to perpetual prison with a chance to be pardoned, while two women were reconciled secretly.<sup>472</sup>

In the public autos was forbidden presence only one of the inquisitors; it cannot be celebrated this type of public solemnity in absence of second colleague; hence Martín's presence was obligatory.<sup>473</sup>

In first, Spina's powers only referred to the bishopric of Barcelona, since he had been named by the authority of Torquemada as inquisitor of Barcelona with power to sub-delegate.<sup>474</sup> On the other hand, on July 18, 1489 in Tarragona first act of faith had been directed by Spina. In Santa Tecla Church during the Term of Grace twenty seven people abjured heresy.<sup>475</sup> The same episode occurred in Balaguer on August 25, 1490 when forty five local people were reconciled, while two men abjured heresy. Additionally, on June 10, 1493 also in Balaguer was celebrated auto de fe and were sentenced for heresy eleven fugitives while seven deceased people and their effigies had been hand over to secular authorities to be burnt. Additionally, their property was confiscated.<sup>476</sup>

Autos celebrated in Balaguer had been held by inquisitors of Barcelona, same as in Tarragona, Gerona, Perpignan, and other towns in the district. However, in 1517 there was possibly a tribunal there due to a letter of the Suprema revealing a killing of the assessor of

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<sup>470</sup> Bofarull (1865), pp. 20-21.

<sup>471</sup> *Ibidem*, pp. 26-27

<sup>472</sup> *Ibidem*, pp. 29-35.

<sup>473</sup> Lea (1906), III, p. 213.

<sup>474</sup> Mayoral Lopez, *op. cit.*, p. 393.

<sup>475</sup> Bofarull (1865), pp. 35-37.

<sup>476</sup> *Ibidem*, pp. 139-140.



the inquisition of Balaguer. Consequently, in 1518 the inquisitors of Barcelona requested to publish edicts against those who abuse the clergy of Balaguer.<sup>477</sup>

Additionally, in 1491 Girona on Monday, 14<sup>th</sup> of February, inquisitor Alfonso de Spina was presented with his Curia to sentence thirty two people *in status*.<sup>478</sup> Finally, one of the last trials presided by Spina occurred in Lleida on December 7, 1492 when two women from Balaguer were convicted to death penalty and hand over to secular authorities to be executed.<sup>479</sup> At this time, the provinces of Huesca in Aragón and Lleida and Urgel in Catalonia were assembled as an inquisitorial district. However in one letter, on October 8<sup>th</sup> 1498, Ferdinand II declared the transfer of Urgel to Barcelona.<sup>480</sup>

The practice of tribunal itinerant is not unique; it is a tradition adopted by the Medieval Inquisition. Thus, the inquisitors moved and traveled to attend ceremonies even though they had a fixed base.<sup>481</sup> They stayed temporarily in towns outside of their primary jurisdiction together with certain number of their personnel. The main aim of inquisition's mobility was controlling of the districts where they left their functionaries in order to establish the networks of commissioners or familiars. It was practiced especially in the Crown of Aragon where was established perfectly functioned organization with fiscal, notary and notary of sequestrations only missing a judge to create proper Tribunal, like it was the case in the city of Lleida.<sup>482</sup>

On the contrary, inquisitors could not leave their headquarters without strong reasons; for instance, to meet other court members or bishops if they do not return visit, or to appear on public ceremonies whether secular or ecclesiastical if they do not have provided appropriate conditions corresponding to their status. Finally, all their travels had been plan in detail; therefore inquisitors became master of ceremonies at their own

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<sup>477</sup> AGS, Carbonell de Gestis Haereticorum, (Coll. de Doc. de la C. de Aragón, XXVIII, 137, 139). Inquisicion, Lib. 72, P. I, fol. 61; P. II, fol. 72, 110. (Taken from: Lea (1906), I, pp. 543-544)

<sup>478</sup> Bofarull (1865), pp. 52-53.

<sup>479</sup> *Ibidem*, p. 140

<sup>480</sup> Bibliothèque nationale de France, fonds espagnol, 80, fol. 24, 26.--AGS, Inquisicion, Lib. I; Lib. 72, P. i, fol. 2, 177, 198; Lib. 9, fol. 24, 68; Lib. 77, fol. 53. (Taken from: Lea (1906), I, p. 550)

<sup>481</sup> Kamen (1997), p. 142

<sup>482</sup> Contreras -Dedieu, *op. cit.*, pp. 42-43.

ceremonies.<sup>483</sup> Additionally, this practice also indicates the extension of powers of Barcelona's inquisitor.<sup>484</sup>

During the 1490 Barcelona was documented one auto-de-fe, occurred on March 24. In this ceremony one man and one woman were sentenced to death penalty and hand over to secular authorities to be executed. Additionally, one hundred and fifty people were prosecuted in absence and their effigies were burned.<sup>485</sup> Three days later, culprits sentenced two years earlier on 16<sup>th</sup> of August in Barcelona were reconciled by taking off penitential garment.<sup>486</sup>

On May, 1, 1492 in Barcelona during the Feasts of Saint Philip and James, Apostles, auto de fe was celebrated. In this ceremony thirty nine people were reconciled and sentenced to perpetual prison.

On October 1492 the Catholic Monarchs visited Barcelona.<sup>487</sup> During that period neither one auto was celebrated. It is only recorded one case of liberation: on 5<sup>th</sup> of December a black slave, who's owner were convicted to practicing heresy, was set free.<sup>488</sup>

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<sup>483</sup> Betankur (2009), p. 198

<sup>484</sup> Mayoral Lopez, *op. cit.*, p. 393

<sup>485</sup> Bofarull (1865), p. 41

<sup>486</sup> *Ibidem*, pp. 49-50.

<sup>487</sup> Fort Cogul, *op. cit.*, p. 174

<sup>488</sup> Bofarull (1865), p. 136

### 5.1.2. Antonio de Contreras and Pere Pariente

The tribunal of 1496 Barcelona gathered inquisitor Antonio de Contreras and his colleague, second inquisitor Pere Pariente, procurator fiscal Martí Ximènez, Pere Buada holding doctorate in canon law, Jaume Ferrer, notary and major scribe of Provincial Government of Catalonia together with author of *Liber descriptionis*, Pere Miquel Carbonell, who at the time served as notary of the inquisition.<sup>489</sup>

In the period 1493-1501 while the autochthonous inquisitors Antonio de Contreras and Pere Pariente presided, the tribunal was characterized by repressive violent radicalization especially accentuated in 1495.<sup>490</sup> During this interval, in 1495 Gerona eight people were sentenced to capital punishment;<sup>491</sup> next year in Barcelona the number of burnings reduced to two while in years 1497, 1499, 1502 and 1503 Barcelona has been recorded one case of death sentence per year.<sup>492</sup> Additionally, in 1501 Tarragona, Carbonell recorded two trials with outcomes of death penalty.<sup>493</sup>

In 1495 first auto de fe was celebrated on Friday, April 10<sup>th</sup>, in square Plaça del Rei. Bishop of Barcelona, Pedro Garcia presided at ceremony and firming a sentence. Garcia was Franciscan priest and Bishop of Arles; he was appointed as a Bishop of Barcelona on October 12,

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<sup>489</sup> *Ibidem*, pp. 114-115.

<sup>490</sup> García Cárcel (1974), pp. 199,200

<sup>491</sup> Bofarull (1865), p. 85

<sup>492</sup> *Ibidem*, pp. 122-123, 144, 146, 152, 154

<sup>493</sup> *Ibidem*, pp. 149-150

1490 by the power of pope Innocent VIII.<sup>494</sup> Moreover, inquisitors Antonio de Contreras holding doctorate in canon law (*decretorum doctor*<sup>495</sup>) and Pere Pariente, a chaplain of the king and holding a bachelor degree in canon law (*in jure canonico bacallarius*<sup>496</sup>) assisted at the ceremony together with Curia.

According to Torquemada's *Los Instrucciones*, tribunal had two inquisitors, a constable and a prosecutor. The grand inquisitor named inquisitor with the authorities given by the pope, selected from lower nobility classes, educated at the Universities of Salamanca, Alcalá de Henares or Valladolid holding one of the six degrees in *colegios mayores*.<sup>497</sup> In 16<sup>th</sup> and 17<sup>th</sup> century inquisitors were high educated men of science, especially experts in laws and knowledgeable lawyers. According to Kamen, it explained that *the inquisitors were in principle a bureaucracy not of the Church but of the state*.<sup>498</sup> Additionally, contrary to their Italian colleagues, experts in theology, inquisitors from Iberian domain were educated in canon law,<sup>499</sup> like it was case with Contreras and Pariente.

Catalans Contreras and Pariente were inquisitors of heretical depravity of eparchial authority in archbishopric of Tarragona, bishopric of Barcelona, Vic, Gerona and Elne (*...inquistores hereticae et apostolicae pravitatis in civitatibus et diocesis Tarraconensi Barcinonensi Vicensi Gerundensi et Helenensi...*<sup>500</sup>). New elected inquisitors same as their predecessors traveled *extra urbem Barcinonam*<sup>501</sup> in order to direct the processions in towns Gerona, Perpignan and Tarragona. On May 21, 1495 in the city of Gerona, one woman from Perpignan was reconciled and sentenced to perpetual prison.<sup>502</sup> Moreover, on August 9<sup>th</sup> 1495 in Church Santa Maria de la Real in Perpignan (at that time belonged to bishopric of Elne) twenty two people were reconciled after being sentenced to wear penitential

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<sup>494</sup> Aymerich, Mateo, *Nomina, et acta episcoporum barcinonensium: binis libris comprehensa*, Barcinone Apud Joannem Nadal Typ. MDCCLX, pp. 397-398.

<sup>495</sup> Bofarull (1865), p. 85

<sup>496</sup> Bofarull (1865), p. 78

<sup>497</sup> Betankur (2009), p. 191

<sup>498</sup> Kamen (1997), p. 144

<sup>499</sup> Betankur (2009), p. 187

<sup>500</sup> Bofarull (1865), p. 78

<sup>501</sup> *Ibidem*, p. 82

<sup>502</sup> *Ibidem*, pp. 82-83.

garment.<sup>503</sup> During this period, inquisitors from Barcelona held autos in Perpignan; however, in 1524 is reported that there was established temporary tribunal.<sup>504</sup>

One more auto de fe has been documented in charge with Contreras and Pariene which occurred in Gerona on December 21, 1495. In this ceremony eight people were sentenced to capital punishment, five of them were from Gerona and three from Castello d'Empuries. Additionally, nineteen culprits from Castello d'Empuries were sentenced in absence while their property was confiscated.<sup>505</sup> In the year 1500 in Tarragona had been recorded four cases of slave liberation.<sup>506</sup> Next year, 1501 the procession had been held only in Tarragona. During that time, three shows of auto de fe were performed which resulted with conviction of six deceased heretics, thirty nine culprits had been condemned in absence, nine people were reconciled and sentenced to perpetual prison while two people were condemned and hand over to secular authorities to be executed.<sup>507</sup>

In the year 1496 one auto de fe was held on Ash Wednesday, March 23, in Barcelona at Pla de La Seu in front of The Cathedral. Bishop of Barcelona, Pedro Garcia presided at the auto while inquisitors Antonio de Contreras and Pere Pariente assisted at the ceremony together with Curia. Additionally, during the procession it was presented notary, Pere Miquel Carbonell. In the proceeding six people were sentenced to perpetual prison; while for two of them, a marriage couple Bertran, a penalty will alter afterwards to a capital punishment. Moreover, the property of culprits had been confiscated. Additionally, every Friday they had only bread and water and also had to pray thirty times per day and to teach it to their children.<sup>508</sup>

According to Mayoral, autos described earlier are proofs of still existing Episcopal inquisition, inherited from the medieval inquisition when Bishop had an authority to examine alleged heretical culprits. This form was used by these first inquisitors in order to

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<sup>503</sup> *Ibidem*, pp. 83-84.

<sup>504</sup> AGS, Carbonell de Gestis Haereticorum, (Coll. de Doc. de la C. de Aragón, XXVIII, 83). Inquisicion, Lib. 72, P. n, fol. 57, 59; Lib. 930, fol. 40; Lib. 13, fol. 372 (Taken from: Lea (1906), I, p. 553)

<sup>505</sup> Bofarull (1865), pp. 84-87.

<sup>506</sup> *Ibidem*, pp. 136-137.

<sup>507</sup> *Ibidem*, pp. 148-151.

<sup>508</sup> *Ibidem*, pp. 86-87.

reinforce their authority while collaboration of the bishops was a must, like it was cases with Pedro Garcia and later with Archbishop of Monreale, Enrique de Cardona.<sup>509</sup> In future text and with new elected inquisitors it will be demonstrated more similar examples of Episcopal inquisition's legacy.

During 1497 five ceremonies had been celebrated in Barcelona. In that period fifteen people had been reconciled and sent to perpetual prison. One of them, a certain Francina, was afterwards sentenced to capital punishment and hand over to secular authorities to be executed.<sup>510</sup> Moreover, fifty four culprits were prosecuted in absence and afterwards *in status traditi brachio seculari*.<sup>511</sup>

During this time one eye-catching example captivate attention: on May 23<sup>rd</sup>, 1497 in square Plaça del Rei in Barcelona accused Angelina Vilella, in front of Barcelona's inquisitor Pere Pariente and Pau Badia, vicar of Urgell declared herself by compurgation: *...prefato reverendo domino Petro Pariente inquisitore et reverendo domino Petro Badia decretoum doctore vicario generali Urgellensi iudicium et consistorium tenentibus in audiencia Sancte inquisitionis ac pro tribunali sedentibus comparuit dicta Angelina rea et delata que satisfaciendo assignationi sibi facte ad se canonicè purgandum humiliter supplicavit...*<sup>512</sup> She was set free from jail on June 5, 1497.<sup>513</sup> This case was significant because of its unique and comprehensive description of compurgation process in the *Liber descriptionis*.

In 1499, on May 2 in Barcelona was celebrated one of the most complex auto de fe's depicted in the manuscript. In that ceremony one man and one woman were set free and publicly abjured heresy; eleven people were reconciled and convicted to perpetual while their property was confiscated; one woman Francina, wife of Martini Benet was reconciled and hand over to secular authorities to be executed (she was reconciled earlier in one of the previous auto de fe); one deceased woman was reconciled *in statua* and her property was

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<sup>509</sup> Mayoral Lopez, *op. cit.*, pp. 393-394.

<sup>510</sup> Bofarull (1865), p. 144

<sup>511</sup> *Ibidem*, p. 141

<sup>512</sup> *Ibidem*, pp. 126-127.

<sup>513</sup> *Ibidem*, pp. 123-135.

returned; nine deceased people were condemned, among them was presbyter Benet de Ferreres and Isabel, who was condemned twice.<sup>514</sup> Additionally, that same year, on October 5<sup>th</sup> is recorded one case of liberation.<sup>515</sup>

Last three years of Pariente's and Conreras's activities had been held a plethora of inquisitorial ceremonies in the city of Barcelona. During the 1503 has been recorded seven processions of auto de fe, next year the number of trials reduced to five and in last 1505 in four.

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<sup>514</sup> *Ibidem*, pp. 144-146.

<sup>515</sup> *Ibidem*, p. 147

### 5.1.2. Francisco Pays de Sotomayor and Joan Enguera

In the period 1501-1505, the Tribunal of the Catalan Inquisition has been in charge of Francisco de Sotomayor and Joan de Enguera while reflected the calming guidelines of the Grand Inquisitor Diego de Deza.<sup>516</sup> Sotomayor, a reverend holding bachelor degree in civil and canon law, was appointed for the position of Barcelona's inquisitor in Medina del Campo on June 14, 1504 and on 22<sup>nd</sup> that same month, he started performing his duties.<sup>517</sup> He entered the city of Barcelona on July 1504 (*Record com lo Inquisidor novament arribat açi en Barcelona en lo mes de juliol del any MD e quatre ha nom Franciscus Pays de Sotomaioir*<sup>518</sup>).

On July 12, 1504 was celebrated auto de fe at square Plaça del Rei. At the head of the ceremony were Barcelona's Bishop Pedro Garcia and Dominican Joan Enguera. Enguera was a Dominican who rose to the position of Ferdinand's confessor, and afterwards of his second wife Germaine of Foix. He was appointed Bishop of Vic on 19 December 1505, and later Bishop of Lleida on 9 December 1510, and finally Bishop of Tortosa on 1 October, 1512. In addition to his obligation as a bishop, after Dieza's downfall and forced resign in 1507, he inherited him as the Grand Inquisitor of the Crown of Aragon and stayed in this function until his death in 1513.<sup>519</sup> Pays de Sotomayor was not present at this ceremony for unknown reasons. According to Cogul, perhaps he was absent from Barcelona or still was not started performing his obligations as a new inquisitor.<sup>520</sup> The culprits were sentenced to capital punishment and hand over to secular authorities to execute the punishment.

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<sup>516</sup> Fort Cogul, *op. cit.*, pp. 195-212.

<sup>517</sup> AHN, sección: Inq, lib. 1226, fol. 666v (Taken from: Mayoral Lopez, *op. cit.*, p. 405)

<sup>518</sup> Bofarull (1865), p. 156

<sup>519</sup> Villanueva, Jaime, *Viage literario á las iglesias de España*, tomo XVII, Madrid: Imprenta de la Real Academia de la historia, 1851, pp. 48-49.

<sup>520</sup> Fort Cogul, *op. cit.*, p. 199



That same day, at the Plaça del Rei, second trial was held against marriage couple Benet from Gerona judged *in absentia*. On the head of the ceremony were Friar Joan Enguera as an inquisitor and Jaume Fiella, doctor of civil and canon law and general vicar of Holy Office in charge for episcopacy of Gerona. The merchant Asbet Benet and his wife Francina were deceased at the time; hence their bones were dig up and burned afterwards (*exhumari et comburi*<sup>521</sup>).

In 1504 two autos were held in Plaça del Rei in Barcelona. To Sotomayor assisted Bartomeu de Salavert, canon of Barcelona Cathedral, doctor in canon law and general vicar of bishop in works of inquisition in Barcelona. During this period nineteen people was condemned in absence<sup>522</sup>, one woman was reconciled<sup>523</sup> and one was hand over to secular authorities to be taken to *brasero*<sup>524</sup>. Additionally, one man was punished on gallows.<sup>525</sup>

The activity of Sotomayor and Enguera in 1505 Barcelona will be remembered by two autos. Firstly, in January 17 in Plaça del Rei two spiritual outcasts were hand over to secular authorities in order to be executed. They were alrerady mentioned royal officer Jaume de Casafranca and priest Dalmatius de Tolosa. The members of Casafranca's family were repeatedly victims of the Inquisition's persecution.

Secondly, on March 1, 1505 Francisco Franch, the royal advocate fiscal was publicly persecuted. At that time, he rose to position of Regent of the Royal Chancellery (*utriusquejuris doctor regens Regiam Cancellariam Principatus Cataloniae*<sup>526</sup>). Inquisitor Francisco Pays de Sotomayor was authorized to hear this case while he prosecuted Franch for his attempt to avoid his client Casafranca's fate. Finally, he was convicted for perjury, attempting to encourage a witness to take back his testimony, disrupting the inquisition with unnecessary procrastinations consequently earning excommunication.<sup>527</sup>

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<sup>521</sup> Bofarull (1865), p. 157

<sup>522</sup> *Ibidem*, pp. 158-159.

<sup>523</sup> *Ibidem*, p. 165

<sup>524</sup> *Ibidem*

<sup>525</sup> *Ibidem*, p. 159

<sup>526</sup> *Ibidem*, p. 167

<sup>527</sup> *Ibidem*

Two abovementioned cases demonstrated that everyone, regardless of their social position or political status, could be suspected in the eyes of inquisition and hence prosecuted to the harsher penalties and even at the stake.

The inquisitors presided from 1487 until 1505 in The Crown of Aragon by their level and type of education as well as religious order can be separated into two groups. Firstly, Alfonso de Spina, with his colleague and second inquisitor Sanxo Marín, as well as future Grand Inquisitor, Joan Enguera, were Dominicans and experts in theology. On the contrary, Antonio de Contreras has been highly educated holding PhD degree in canon law, while his colleague Pere Pariente had bachelor degree in the same; furthermore, Sotomayor had both: bachelor degree in canon and civil law. These records proved that inquisitors during the first decades after the establishment of the modern inquisition in the Crown of Aragon and especially in Catalonia had been well educated men of science sharing the same passion: deep religiosity inclining to the verge of fanaticism.

## 5.2. Procurator fiscal

According to Torquemada's Instructions of 1498 each tribunal was obligated to have two inquisitors, an assessor, a constable and a prosecutor.<sup>528</sup> After the inquisitor, in the terms of importance there was the prosecutor fiscal, i.e. prosecuting officer. Although this position of the inquisitorial personnel member did not exist in the thirteenth century, its role was significant and in 1484 was defined and declared its participation in all public affairs.<sup>529</sup> The fiscal was under authority of the inquisitors who, by the Instructions of 1484, commanded him to convict fugitives in absentia and to prosecute the deceased against whom they owned proofs. However, in the terms of incomes for performed duties his salary was considered underestimated and low.

The obligation of the prosecutor during the trial was to provide a list of charges by accusing offender for heresy who was obligated to respond to all the charges orally and instantly while the witnesses' identity was kept in high secrecy. The fiscal's article of accusation was transcribed and given to the accused in order to answer it in writing. An attorney of a defense was ordinary assigned to the case while private dialog between he and his client was not allowed. Additionally, defense lawyer was obligated to inform the inquisition in case of attempt avoiding the justice.<sup>530</sup>

The first tribunal in Barcelona gathered inquisitor Alfonso de Spina, second inquisitor Sanxo Marín, advisory August del Castillo, notaries Pere Aimat and Joan Raimat, nuncios Alfonso Portuguès and Alfonso de Zamora, fiscal prosecutor García Baylo, scribe

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<sup>528</sup> Kamen, *op. cit.*, p. 234.

<sup>529</sup> AHN, sección: Inquisición de Valencia, Leg. 5, n. 1, fol. 81, 110. (Taken from: Lea (1906), II, p. 241)

<sup>530</sup> Lea (1906), II, pp. 241-243; Kamen (1997), p. 144

Arnau Teixidor, constable Esteve Gafo and notary Marc Mulner. The Tribunal was founded on July 29, 1488 in Barcelona's Palau Reial Major.<sup>531</sup>

The tribunal in 1496 Barcelona gathered inquisitor Antonio de Contreras and his colleague, second inquisitor Pere Pariente, procurator fiscal Martí Ximènez, Pere Buada holding doctorate in canon law, Jaume Ferrer, notary and major scribe of Provincial Government of Catalonia and Pere Miquel Carbonell, Barcelona's notary and royal archivist.<sup>532</sup>

In the period 1497-1500 Barcelona it was recorded two trials in which the prosecutor appealed against the verdicts. Consequently offenders, Gabriel Ballester and Raphel Cavaller, were reconciled and sent to perpetual prison.<sup>533</sup>

In *Liber descriptionis* during the period 1496-1500, a certain Martin Ximenez appeared as the procurator fiscal in presenting the inquisitorial cases. According to Mayoral, Martin Ximenez was revoked by inquisitor of Barcelona on February 4<sup>th</sup>, 1502 to be fiscal of Segovia. Additionally, he got to be chosen for a fiscal of the Council of Inquisition on October 12, 1521.<sup>534</sup>

On March 23<sup>rd</sup>, 1496 during the Lent was celebrated auto de fe in Barcelona Cathedral presided by inquisitors, Antonio de Contreras and Pere Pariente together with Curia and assisted by Bishop of Barcelona, Pedro Garcia. At the ceremony was presented Pere Miquel Carbonell who described in detail this significant trial against six heretics sentenced to perpetual prison as well as the heretical crimes and penalty of Mosaic law's followers. In this hearing the fiscal Martin Ximenez presented the case and stated against the accused while reading the article of accusations: *E vista la denunciatio davant nos dits inquisidors per lo procurador fiscal de la Sancta Inquisitio feta. E vista la sumaria information per lo dit procurador fiscal sobre la dita denuntiatio e accusatio administrada... E vist com contra alguns de ells es stada dada la demanda e petitio en scrits per lo dit procurador fiscal. E vistes les confessions que davant nos*

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<sup>531</sup> ACA, Reg. R.P. 3159, f. 35 (Taken from: Fort Cogul, *op. cit.*, p. 165)

<sup>532</sup> Fort Cogul, *op. cit.*, pp. 114-115.

<sup>533</sup> Bofarull (1865), pp. 144, 147-148.

<sup>534</sup> AHN.Inq, lib.572, fols. 72r, 100r, 249r y 352v (Taken from: Mayoral Lopez, *op. cit.*, p.404)

*dits inquisidors stants ells presos en los carceres de la Sancta Inquisitio han fetes les quals alguns de ells han fetes apres quells foren dades dites demandes e petitions per dit procurador fiscal altres les han fetes apres que per nos foren charitativament amonestas que deguessen dir e confessor tota la veritat sobre los crims de heretgia e apostasio...*<sup>535</sup> The prosecutor discovered the evidences regarding to heretical offences of one of the accused, Marquesa, a wife of Pau Badia: *...donada la demanda e petitio en scrits per lo procurador fiscal ha dit e confessat com per manament de Marquesa quondam muller den Pere Benet quondam mare sua ella algunes vagades rentava e lavava la carn e aquella posava en sal en una posteta o librella e alli la lexava star per una stona e deya dita sa mare que per hagues millor sabor la faea posar en sal.*<sup>536</sup> Additionally, in the same manner, fiscal prosecuted Isabel, a wife of already reconciled Francisco Pallarès for following the Jewish ceremonies, above all celebrating Yom Kippur, the holiest day of the year in Judaism: *...la dita Isabel apres de esserli donada la demanda e petitio per lo procurador fiscal en scrits e esserli donades ses deffenses ha confessat com ella confessant ha fet lo dit dejuni de Equipur en lo mes de setembre tantes vegades com la sabut axi abans de esser casada ab En Francisco Pallares com apres de esser casada lo qual dejuni faea en aquesta manera ço es que dejunava tot lo dia fins a la nit que les steles eran en lo cel.*<sup>537</sup>

Finally, the definitive sentence was brought opposing two confronted sides, the prosecutor and the offenders ,while sentencing all offenders to perpetual imprisonment: *...et scribam modo et forma supra scriptis presentibus dicto venerabili Martino Ximeniz procuratore fiscali Sanctae inquisitionis ex una et dictis Joanna Libiana vidua Marquesia uxore Pauli Badia Chatherina uxore Galcerandi Bertran Gabriele Rabaçer Isabele uxore Francisci Pallares reconciliati et Aldunica uxore Gabrielis Comte ex alia parte die mercurii intitulata XXIII die mensis martii anno a nativitate Domini millesimo CCCC nonagesimo sexton.*<sup>538</sup>

During the trial in which was utilized the defense of compurgation against defendant Angelina Vilella from Barcelona, prosecuted for suspicion fiscal Martin Ximenez presented the case. During the proceeding held on Friday, May 26, 1497 when the defense

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<sup>535</sup> Bofarull (1865), p. 89

<sup>536</sup> *Ibidem*, p. 101

<sup>537</sup> *Ibidem*, pp. 106-107.

<sup>538</sup> *Ibidem*, p. 122

lawyer gave a list of witnesses, once again a procurator fiscal Ximenez, publicly stated that one of them had to be rejected as an eyewitness in the trial while casting a doubt on his Christian character due to relations with plethora of converts: *clarissime affectatus delate et quia multi ex parentella illius sunt reconciliati et condempnati.*<sup>539</sup> However, two days later, on May 28<sup>th</sup>, Barcelona's inquisitor Pere Pariente of fiscal's displeasure declared that already mentioned witness will be kept as a compurgator in case against accused Vilella: *...quod testis ille est christianus et in theologia magister vir apud bonos et vulgares bone fame et testimony et alias propter justas causas animum suum moventes admisit illum in testem una cum aliis desuper scriptis...*<sup>540</sup> Additionally, on June 5<sup>th</sup> in Palau Reial in Barcelona, fiscal urged the abjuration of prosecuted: *dictus venerabilis Matrinus Ximenez promotor fiscalis Sanctae inquisitionis qui instanter peccit et requisivit dictam Angelinam Vilella remediis quibus decet compelli ad abjurandum omnem hereticam pravitatem et signanter speciem heresis de qua fuit inculpata et alias providere super provis ut juris fuerit et rationis.*<sup>541</sup>

Finally, the verdict brought by inquisitors was read on June 5, 1497 by the procurator fiscal Ximenez in presence of the accused by stating that she should be released from the secret prison of the inquisition and set free: *dictam Angelinam Vilella a dictis carceribus Sancte inquisitionis liberari et solvi et ipsam a dictis carceribus habuerunt pro solute et liberata restituendo illam sue pristinae libertati juxta seriem sentencie.*<sup>542</sup>

On January 17, 1505 during the Feast of Saint Antony the Abbot, in Barcelona's square Plaça del Rei important auto de fe was celebrated and presided by inquisitors Joan Enguera and Francisco Pays de Sotomayor together with Barcelona's Bishop Pedro Garcia in which among others delivered penalties were sentenced to death punishment two important personalities of that period (Jaume de Casafranca and Dalmatius de Tolosa).<sup>543</sup>

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<sup>539</sup> *Ibidem*, pp. 125-126.

<sup>540</sup> *Ibidem*, p.126

<sup>541</sup> *Ibidem*, p. 130

<sup>542</sup> *Ibidem*, p. 135

<sup>543</sup> *Ibidem*, pp. 165-166.

Although Ferdinand pleaded the tribunal to be merciful toward once loyal treasurer-general, Casafranca could not escape the harsh penalty brought by inquisitors.<sup>544</sup>

The fiscal declared that Casafranca, Jewish by origin whose family had been tried by the Inquisition for years, was guilty for practicing Judaism: *...lo process criminal davant nos actitat e ventilat entre lo venerable promotor e procurador fiscal de la Sancta inquisitio de la una part agent e denunciante e Jaume de Casafranca loctinent de thesorier per lo Rey nostre Senyor en lo Principat de Catalunya habitador de la ciutat de Barcelona convers e de linatge de jueus...*<sup>545</sup> *E vist com lo dit fiscal accepta les dites confessions en quant per ell e per part sua faen e en les coses negades demana esser admes a la prova. E vistes les proves que lo dit procurador fiscal dona e administre contra lo dit Casafranca produides e presentades trobam per merits del dit process com lo dit Casafranca devalie de linatge de jueus es convertiren en temps del beneventurat Sanct Vincent...*<sup>546</sup>

As previously mentioned in the same proceeding penalty was brought against priest Dalmatius de Tolosa (*Sententia contra mossen Dalmau de Tolosa prevere canonge e preborda de la Seu de Leyda naural del Archabisbat de Tarragona*). The prosecutor fiscal, Joan Jacon, (*presentibus Joanne Jacon procuratore fiscali ex una et Dalmatio de Tolosa pertibus ex altera*<sup>547</sup>) depicted Tolosa as a descended from a family of converts and relapsed heretics frequently prosecuted for practicing Judaism: *...lo venerable promotor e procurador fiscal del Sanct Offici de la inquisicio de una part agent e denuntiant e mossen Dalamu de Tolosa prevere canonge e preborda de la Seu de Leyda natural del archabisbat de Tarragona convers e del linatge de jueus devallant de la part altra defenent en e sobre la petitio e demanda e accusatio devant nos per lo dit procurador fiscal contra lo dit mossen Dalmau de Tolosa es fill de pare e mare conversos e per semblant de linatge de jueus...*<sup>548</sup> During the legal proceeding the fiscal was demanding a penalty of excommunication for heretical priest: *... segons que mes largament de dites coses consta e se mostra en la dita demanda e accusatio contra dit Dalmau de Tolosa per lo dit promotor fiscal donada e intentada a la qual nos referim per les quals coses lo dit procurador*

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<sup>544</sup> Lea (1906), II, p. 45

<sup>545</sup> Bofarull (1865), p. 171

<sup>546</sup> *Ibidem*, p. 177

<sup>547</sup> *Ibidem* p. 201

<sup>548</sup> *Ibidem*, p. 188

*fiscal demana e requiri per los reverends olim inquisidors esser pronunciat e declarat dit Dalmau Tolosa haver insidit e encorregut sententia de excommunicatio e esser heretge e apostata de nostra Sancta fe catholica e per tal haverse de condemnar e liurar al bras e justicia secular...*<sup>549</sup>

That same year, on March 1<sup>st</sup>, 1505 in Plaça del Rei the royal advocate fiscal, and at the time Regent of the Royal Chancellery, Francisco Franch was publicly prosecuted for the attempt to avoid infamous fate of his client, royal officer i.e. Casafranca and consequently convicted for perjury, attempting to encourage a witness to take back his testimony, disrupting the inquisition with unnecessary procrastinations (*Franciscus Franch fuit declaratus ipsum fuisse perjurum fautorem et defensorem illicitum Jacobi de Casafranca heretici excedendo metas et fines officii advocati prestando consilium et auxilium ut quidam testis deponens contra dictum Casafranca retrocederat et eius depositionem revocaret*<sup>550</sup>) consequently earning excommunication. Barcelona's inquisitor Francisco Pays de Sotomayor was authorized to hear this case while procurator fiscal Joan de Dracón presented the same: *Nos Franciscus Pays de Sotomayor inquisitor hereticae pravitatis in regno Cathalonie in diocesis Tarraconae Barcinonae Commisarius et delegatus ad praesentem causam a reverendissimo domno domino Didaco de Dega hispalensi archiepiscopo inquisitore generali. Visa petitione oblata per venerabilem Joannem Dracon bachallauem Sancatae inquisitionis officii promotorem et procuratorem fiscalem contra magnificum Franciscum Franc utriusque juris doctorem.*<sup>551</sup>

When Franch and the fiscal accepted the penalty, it was certain postponement in its execution due to refusal of the culprit in utilizing the specific words written in the punishment for which he claimed that it was inserted after it was read to him. Hence, the fiscal warned the accused on consequences for his acts as appealing to the inquisitor-general; therefore, he ordered that Franch be detained in the secret jail of the inquisition until the appeal was brought. In the following day, on March 1<sup>st</sup>, Franch accepted his sentence which was performed and executed on the same day: *...venerabilis Joannes Xachon promotor fiscalis officii Sanctae inquisitionis dixit: "Que por quanto a su noticia del dicho fiscal ha venido*

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<sup>549</sup> *Ibidem*, p. 190

<sup>550</sup> *Ibidem*, p. 167

<sup>551</sup> *Ibidem*, pp. 214-215.



*que el magnifico doctor misser Franc refusa cimpir e obedecer certas palabras interlineades contenidas en la dicha sentential diziendo aquellas ser puestas despues de leyda y promulgada la dicha sententia por el dicho Senyor inquisidor que pida y requeria al dicho Senyor inquisidor su mercet mande complir lo en las dichas palabras interhileades contenido por quanto aquellas se puseiron antes que el dicho misser Franc approbasse y loasse la dicha sententia y assi se obligado lo complir... E mes dixo el dicho fiscal que no lo aziendo assi el dicho Senyor inquisidor y commissario que desde agora lo tornava por agravio e appellava para ante el reverendissimo Senyor Arçobispo de Sevilla inquisidor general de la Sancta inquisition y que entretano que el dicho fiscal proseguir su apellacion sea mandado detener el dicho misser Franc en los carceres deste Sancto Officio potent apostolos etc...*<sup>552</sup>

In 1500 Valencia a certain Martin Ximenez participated together with fiscal of Valencia in an arrest of heretical offender and his family. The case referred to convert Miquel Vives from Valencia and event happened in his home on Friday, March 20, 1500. However, it is not clear did abovementioned Ximenez was the same prosecutor fiscal performing in abovementioned Barcelona's proceedings. The current inquisitorial fiscal of Valencia together with Martin Ximenez and Joan Perez went on evening of March 20, to the Vives' house in order to discover him and rest of his accomplices in committing heretical offences which they succeeded by revealing the Vives family in the secret adherence to Judaism while maintaining traditions of their ancestors.<sup>553</sup>

On June 23, 1505 Blanca Casafranca was sentenced to capital punishment as well as her husband Jaume de Casafranca, whose execution at the stake had been described in one of the previous trials. The auto was presided by Barcelona's inquisitor Francisco Pays de Sotomayor and Gaspar de Pou, master of the sacred theology, archdeacon of Vallès and canon of Barcelona's episcopacy.<sup>554</sup> During the trial, the fiscal stated that Blanca, who had been already once reconciled, confessed that she had repeated the offence, that is, relapsed into heresy: *lo venerable promotor e procurador fiscal en lo sagrat offici de la inquisitio de una part agent e denunciant e Na Blanquina muller que fonch den Jaume Casafranca quondam per heretge condemnat*

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<sup>552</sup> *Ibidem*, pp. 218-219.

<sup>553</sup> *Vidi: Capitulo de una letra del fiscal de la inquisition de Valencia*

<sup>554</sup> *Ibidem*, pp. 168-169.

*conversa e de linatge de jueus devallant al gremi de Sancta mare Esglesia recnciliada...*<sup>555</sup> Additionally, it was discovered that Blanca had repented her sins and heretical errors in 1487 at the Term of Grace during the first year when the new inquisition was established in Barcelona.<sup>556</sup> Finally, the penalty was brought by inquisitors in the presence of prosecutor fiscal and other inquisitorial members as well as the witnesses:...*in dicta regia platea civitatis Barcinonae die lunae intitulata vicesima tertia mensis junii anno predicto millesimo quingentisimo quinto praesentibus ibidem et audientibus dictis venerabili promotore fiscali dictae Sanctae inquisitionis...*<sup>557</sup>

From abovementioned proceedings it can be concluded that the fiscal's obligations were gathering and collecting evidences against alleged converts and consequently their prosecution and as a result delivering the sentence together with the inquisitor. However, although it was obvious close collaboration with the judges it would be wrong to assume that they supported all decisions of fiscal and even sometimes rejected his requests as we saw in Vilella's case, demonstrating, in that manner, the semblance of a fair trial.

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<sup>555</sup> *Ibidem*, p. 202

<sup>556</sup> *Ibidem*, p. 203

<sup>557</sup> *Ibidem*, p. 213

### 5.3. The Advocate (An attorney of a defense)

Differently from the medieval inquisition, the Catalan inquisition by the Instructions of 1484 provided the accused to use the service of advocate. At the beginning offender could choose their defender freely; however, later one due to carefulness of the Holy Office an attorney of a defense was assigned by the Tribunal as their officials while collaborating closely with the inquisitors. For that reason, these new officers had been considered doubtless suspicious by convicts. However, the task of defense lawyers was not simple; they had to defend their client while convicting their heretical crimes and errors. Additionally, holding a distance and not interfering a lot was a must hence they could not jeopardized their positions. Moreover, the inquisition slowed down a defense by putting a plethora of restraining.<sup>558</sup>

The offender had several options which could utilize during the trial in order to prove innocence and justify his character. In the first strategy, i.e. *abonos*, the accused could try to express his Christian beliefs with character witnesses. The second, *indirectas*, he could ask for eyewitnesses who might call into question a certain charge and thirdly, legally known as *tachas*, he could discredit the prosecution witnesses while trying to guess their identity by naming his nemesis and reason for their ill wishes and revenge. In all three options, the offender provided question for his witnesses to: firstly, proved his Christian beliefs; secondly, lightened the prosecution's evidences and thirdly, verify other witnesses' hostilities against him. At the end, he could attempt to discredit prosecutor or inquisitor as unqualified in performing the legal duties due to a possible personal enmity or the

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<sup>558</sup> Lea (1906), II, pp. 42-50.

defendant could just complain to the Suprema. Moreover, he always had a possibility to demand from the inquisitors at any moment during the trial for a hearing or confessing. Additionally, the defense could be presented by utilizing justifying circumstances like inebriety, mental illness, extreme youth, etc.

The biggest handicap of the lawyers was its incompatibility in creating an adequate defense due to restrictions of the tribunal such as a prohibition of cross-examination and argument. The main issue in preparing a defense was the anonymous witness situation cause in a copy of evidences all names as well as proofs helpful in identifying the eyewitnesses were erased in order to protect them from recrimination. It disabled the defense of completing the case with necessary information and also allowed the inquisitors to use all evidence material against accused at any moment during the proceedings. Consequently, the inquisitors presented judges as well as the jury, prosecution and defense while the fate of the prisoner depended entirely of their own will.<sup>559</sup>

In the case against Angelina Vilella from Barcelona, tried by the inquisition for suspicion on her behalf was presented an attorney Francesc Vilella. It is uncertain did the defense lawyer come from the family of the defendant due to same last name. The defenses choose an avenue of calling the favorable witnesses, i.e. compurgators who testified on Angelina's behalf; moreover, the offender could establish his innocence or no liability by taking an oath.

On Tuesday, May 23, 1497 in a trial held in Palau Reial Major on a behalf of the accused was a lawyer Francesc Vilella and on a side of prosecution was presented procurator fiscal Martin Ximenez. The fiscal accepted his duty in this public matter while Vilella asked for a copy of his client criminal charges: *Lata fuit supradicta sententia per eundem reverendum dominum inquisitorem in dicto Regio palacio maiori pro tribunal sedente presentibus dictis procuratore fiscali Sanctae inquisitionis ex una et Francisco Vilella procuratore dicte Angeline ree delate partibus ex alia dicta die martis XXIII mensis madii anno prescripto MCCCCXCVII quam dictus procurator fiscalis acceptavit requirendo de publico instrumento dictus vero Franciscus Vilella procurator*

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<sup>559</sup> Homza, *op. cit.*, pp. xxiv-xxv; Kamen (1997), pp. 194-197.

*petiit copiam de eadem que illico fuit sibi tradita.*<sup>560</sup> Afterwards, Barcelona's inquisitor Pere Pariente, fiscal Martin Ximenez, and defense attorney Francesc Vilella went to the secret prison of the inquisition where Angelina was held. In their presence the inquisitor informed her about charges against her, which she accepted (*Denuo vero quasi actu continuo prefatus reverendus dominus inquisitor una mecum notario et testibus infrascriptis ac dicto Francisco Vilella procuratore dicte Angeline descendit ad carceres sanctae inquisitionis ubi dicta Angelina rea et delata capta detinebatur et ibidem in presencia omnium predictorum idem reverendus dominus inquisitor notificavit dicte Angeline ree predictam sententiam et omnia in ea contenta. Et dicta Angelina delata eandem sententiam in presencia dicti sui procuratoris acceptavit*<sup>561</sup>).

On 26<sup>th</sup> of that same month, defense lawyer gave a list of compurgators who will testify about Angelina's character and Christian morality (*...Franciscus Vilella procurator dicte Angeline ree et obtulit quondam cedulam cuius tenor talis est*<sup>562</sup>). On the contrary, fiscal Ximenez stated that one of the eyewitnesses had to be rejected due to moral issues. However, inquisitor Pariente to the satisfaction of offender and of defense lawyer declared that witness will be kept as a compurgator in the case against Vilella.

However, the jeopardy of being too dedicated lawyer had been demonstrated in the case versus Jaume de Casafranca, who was burnt at the stake on January 17, 1505 in Barcelona. Additionally, his family has been suffered vengeance and his wife and fathers-in-law had been also tried by the inquisition. The zealous defense lawyer Francisco Franch presented Casafranca in a trial; therefore, the inquisition tried the royal advocate-fiscal due to attempt to save his client and once prestigious reputation. Inquisitor Francisco Pays de Sotomayor delivered penalty of aspiring to induce an eyewitness to annul his testimony and of perjury due to declaring a fake and incorrect conclusion: *Franciscus Franch utriusque juris doctor regens Regiam Cancellariam Principatus Cataloniae fuit publice penitenciatu eo quia cum sententia per dictum reverendum Franciscum Pays de Sotomajor fuit declaratus ipsum fuisse perjurum fautorem et defensorem illicitum Jacobi de Casafranca heretici excedendo metas et fines officii advocate*

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<sup>560</sup> Bofarull (1865), p. 124

<sup>561</sup> *Ibidem*, pp. 124-125.

<sup>562</sup> *Ibidem*, p. 125

*prestando consilium et auxilium ut quidam testis deponens contra dictum Casafranca retrocederat et eius depositionem revocaret.*<sup>563</sup>

The abovementioned legal proceedings illustrated the beginnings of the early establishment of the inquisition in Barcelona in which the defendant had a right to choose defense lawyer. However, in the early years of the inquisition the position of a defense lawyer and his obligation as well as legal rights and the Tribunal's restrictions were not precisely determined; hence their biggest challenge contrary to expectation was to defend zealously his clients which led to Tribunal's vengeance in demonstrating its dominance.

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<sup>563</sup> *Ibidem*, p. 167

## 5.4. The Notaries

The notaries presented important members of the Tribunal. The trials were held in their presence because they wrote down all interrogatories and answers, proofs of the eyewitnesses and its approvals attempting to reduce it to its acceptable form. Moreover, one of their duties was keeping records about culprits and their genealogies while forming specific indexing documents and data system in order to keep records of the committed crimes and to simplify its researching. At the beginning of the new inquisition's establishment, notaries had to write all testimonies oneself and it was not allowed to employ assistants to help them. However, their status was considered significantly high due to their incomes for performed duties. For instance, in the Instructions of 1498 their salary was one-half of the one which the inquisitors received.<sup>564</sup>

In the first tribunal established in Barcelona notaries were Pere Aimat and Joan Raimat,<sup>565</sup> while in 1496 Barcelona Jaume Ferrer was a notary and a major scribe of Provincial Government of Catalonia together with Pere Miquel Carbonell, Barcelona's notary.<sup>566</sup> Additionally, the tribunal of 1505 Barcelona gathered notary and scribe of the Barcelona's tribunal, Joan Meya and notary Joan Palomeres.<sup>567</sup>

Secondly, one of the crucial members of the inquisitorial bureaucracy structure was a notary of sequestrations whose significance increased by number of confiscation processes. His presence was required upon arrests in order to conduct a list of property and confiscated assets and belongings. However, later on, with decreasing of the

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<sup>564</sup> Argüello, fol. 22.--Archivo de Simancas, Inquisicion, Lib. 939, fol. 140. (Taken from: Lea (1906), II, p. 245)

<sup>565</sup> ACA, Reg. R.P. 3159, f. 35 (Taken from: Fort Cogul, *op. cit.*, p. 165)

<sup>566</sup> *Ibidem*, pp. 114-115.

<sup>567</sup> Bofarull (1865), pp. 186-187.

sequestration this duty began to lessen its importance.<sup>568</sup> In Barcelona's tribunal from 1487 until 1490 the function of notary of sequestrations belonged to Arnau Teixedor.<sup>569</sup> Additionally, he was part of the delegation send to Gerona for executing the sequestration tasks.<sup>570</sup>

A question of language presented essential part in the Crown of Aragon, and especially Catalonia's inquisitorial legal proceedings. For example, the notary had to take down depositions which were mostly taken in the native language and left in their primary form. Nevertheless, these evidences were transcribed in the language familiar to inquisitors, that is, Spanish. Consequently, the translation or transcription of written proofs utilized in the trials led to serious misinterpretations of context. And finally, the consequence was a heavy injustice brought upon accused. For instance, the records of the trials depicted in *Liber descriptionis* like confessions and oral statement of the accused or witnesses had been written down instantly during the proceedings and had been preserved its primary form, that is, vernacular Catalan. Additionally, in described cases and in paraphrasing the important sequels of the cases notary utilized Latin familiar to the educated upper class of society. However, inquisitors Antonio de Contreras and Pere Pariente were Catalans by origin, hence it can be concluded that transcription of the testimonies was no necessary for them. Additionally, although inquisitor Alfonso de Spina was Dominican from Castile while taking over his function of inquisition in Barcelona on July 20<sup>th</sup>, 1487 he took an oath in Catalan and partly in Latin;<sup>571</sup> hence, it can be also assumed his understanding of Catalan idiom.

Finally, in *Liber descriptionis* the sentences at the end of the depicted inquisitorial cases were always written in Latin, like it was in the case against six apostates in 1496 Barcelona<sup>572</sup> or Angelina Vilella in 1497 Barcelona<sup>573</sup> or even in case against Jaume

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<sup>568</sup> Lea (1906), II, pp. 243-245.

<sup>569</sup> ACA, Reg. R.P. 3159, f. 35 (Taken from: Fort Cogul, *op. cit.*, p. 165)

<sup>570</sup> García Cárcel (1974), p. 193

<sup>571</sup> ACA, RNIFII, RN 3684, fol. CIX

<sup>572</sup> Bofarull (1865), pp. 121-123.

<sup>573</sup> *Ibidem*, pp. 134-135.



Casafranca in 1505.<sup>574</sup> Hence, it can be concluded that it had been translated in Spanish or Latin in order to be understood by inquisitors of Castellan origin.

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<sup>574</sup> *Ibidem*, p. 185

## 5.5. Carnifex

Carnifex (from Latin caro and facio literally “fleshmaker”<sup>575</sup>) was an office inherited from the Roman Republic’s period of the public executioner who performed the capital punishment and administered the torture. This function was considered disgraceful to that extent hence the fleshmaker could not live within the town walls.<sup>576</sup>

A judicial executioner, recorded in *Liber descriptionis* as carnifex, was assigned by the secular authorities and presented the individual who carry on the death penalty for those consigned to the stake by the inquisition, with no chance for salvation. The carnifex did not had specific code of conduct set during the whole process of guillotining; he could burn clothes or body parts of heretics in order to force him to repent and in that manner die as Christian which in this stage was presented as the victory of the inquisition representing themselves as a savior of a once lost soul.

The preparing of *quemadero* as well as the execution of heretics was performed entirely by secular authorities due to its opposing to the canon law. However, it had been consecrated in placing the cross during the procession of the Green Cross of the inquisition by members of a religious order which had been given the privilege to stay in the last minutes with accused.

However, in *Liber descriptionis* the majority of the culprits burned to the stake repented by choosing to die as Christians before actual execution take of; therefore, they

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<sup>575</sup> Lewis, Charlton T., Short, Charles, *A Latin Dictionary*, New York – Oxford, 1891, in: <http://logeion.uchicago.edu/index.html#carnifex>

<sup>576</sup> The Catholic Encyclopedia in: <http://www.newadvent.org/cathen/12565a.htm>

were ‘mercifully’ strangled before the pile was set on fire. Additionally, one of the obligations of the executioner was igniting the effigies of deceased or culprits sentenced in absence together with pertinacious heretics.

The sadistic job of the executioner was considered impure due to the spiritual revenge of deceased’s vengeful ghosts. For that reason, the carnifex ask for forgiveness from the repentant heretics just before he strangled them. The practice of burning the body was specifically utilized in order to erase the memory of the prosecuted heretic as well as to prevent the returning of the deceased’s soul in the tortured and slaughtered body. Hence, the scattering of the ashes in sea or by air was frequently practiced in order to preventing it from happening.<sup>577</sup>

The term *carnifex* in the manuscript *Liber descriptionis* was utilized twice, although his presence had been noted in all proceedings resulting with outcome of death penalty or burning the effigies of the dead or prosecuted in absence. Firstly, in Barcelona during May 23<sup>rd</sup>, 1488 on Saint Julia’s feast day three women were sentenced to death sentence. In depicting the execution they had a rope around their necks used to be strangled before the pile was set on fire by executioner: *operante carnifice cum chorda in earum collis astringente (sic quod earum animae e corporibus separatae fuere) idem carnifex in igne ibidem incensum iacere curavit.*<sup>578</sup>

Secondly, on February 9, 1489 during the Feast of Saint Apollonia, three pertinacious heretics from Barcelona had been sentenced to capital punishment. After the death penalty was delivered, inquisitor did not hesitate to order the secular authorities to proceed with the execution of the same (*condemnatos Curiae seculari e vestigio tradere non dubitavit inquisitor*<sup>579</sup>). This act explains the dominance of the inquisition over the secular authorities in deciding the heretic’s fate and its true responsibility in their killing while ostensibly kept their hands clean. The punishment was performed outside of the city of Barcelona at El Canyet where culprits repented by choosing to die as Christians and

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<sup>577</sup> Betankur (2009), pp. 386-387.

<sup>578</sup> Bofarull (1865), p. 16

<sup>579</sup> *Ibidem*

afterwards were stifled by executioner and burned (...*per carnificem strangulati prius et confestim eorum corpora in cinerem reversa*<sup>580</sup>).

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<sup>580</sup> *Ibidem*

## 5.6. Consulta de fe

After the trial was concluded and prosecution and defense had delivered all necessary testimonies in order to case conclusion it came to a moment of delivering the sentence. Therefore, it was formed a body *consulta de fe* composed of *consultors* (*consultadores*) who will determined the fate of the accused. This committee assembled the inquisitors, representative of the bishop of the culprit's diocese (*ordinario*) whose role was a must due to inherited tradition from the Episcopal medieval inquisition and also, local theological advisers, i.e. holders of a bachelor degree in law and theology who by the rules of the Old Inquisition were gathered to discuss and vote. They discussed with the inquisitors at the end of the proceedings and delivered the penalty; additionally, it had to be noted that the consultors were not in the Tribunal's employ. Hence, the inquisitors were not allowed to delivered the penalty on their own, because it was required the supervising of legal experts from the outside.<sup>581</sup>

Assembled experts of the consultors were temporary connected to the inquisition. The inquisitors at the beginning of the establishment were mostly educated in theology; therefore, in deficit of legal knowledge they called lawyers to assist them in the trials and forming sentences. As we will see in the future text, the consultors were commonly doctors, masters, or even bachelors of canon law working as unsalaried officials and possibly never again called for this purpose. For instance, in 1502 Barcelona, the Tribunal complained for lacking the services of attorneys of the Audiencia; consequently, Ferdinand demanded from his lieutenant-general to provide all necessary officials required by the

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<sup>581</sup> Kamen (1997), pp. 196-197, Lea (1906), III, pp. 72-73; Homza, *op. cit.*, p. xxiii

inquisitors.<sup>582</sup> It appears that there was no zeal in performing this disadvantageous employment.

The number of the *consultors* was not precisely determined; as an illustration, during the 1488 Barcelona the number of the members of *consulta de fe* varied. For example, on January 25<sup>th</sup>, 1488 during Solemnity of the Conversion of the Saint Paul the Apostle four neophytes were sentenced to death penalty and were previously examined by a *consulta de fe* consisting of five masters of theology and five doctors of canon law (*decem doctoribus scilicet quinque in Sacra pagina magistris et quinque in jure canonico professoribus*).<sup>583</sup> However, in the case Liberation of a banker Joan Mallol held on August 5<sup>th</sup>, 1488 in Barcelona the number of the *consultors* increased and it had been assembled twelve masters of theology and twelve masters of canon law (*magnum consilium in jure peritorum XII numero in sacra pagina professorum et XII numero in jure canonico doctorum*<sup>584</sup>) who all voted anonymously for the releasing of the accused. Moreover, in the case occurred on May 23<sup>rd</sup>, 1488 on Saint Julia feast day, three women were sentenced to capital punishment by *inquisitionum hereticae pravitatis ac in sacra jura et canonico professores*,<sup>585</sup> however, it was not stated the number of the committee members.

In proceedings described in *Liber descriptionis* the body *consulta de fe* was considered as important group gathered to control the inquisitor's self-will; however, later on, especially in eighteen century with the centralization in the Suprema, the *consulta de fe* decreased in its significance while tribunals started to disregard the formality of assembling and designating the *consultors*.<sup>586</sup>

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<sup>582</sup> AGS, Inquisicion, Lib. 3, fol. 3. (Taken from: Lea (1906), II, p. 267)

<sup>583</sup> ACA, RNIFII, RN 3684, fol. CXI

<sup>584</sup> Bofarull (1865), p. 27

<sup>585</sup> *Ibidem*, p. 15

<sup>586</sup> Lea (1906), III, p. 75; Lea (1906), II, p. 268

### 5.7. *Brachium seu Curia saecularis*

In canon law, the intervening of the State has generally been unwanted while its intrusion oppose to the Church's right to handle its own matters. On the contrary, in the middle ages, the assistance of the secular arm was frequently required, specifically in legal proceedings for heresy when Church officials sentenced harsher penalties than they could administer by ecclesiastical law. For instance, the execution in the inquisitorial proceedings was obligation of the secular authorities and controlled by the Holy Office's members.

The capital punishment begun after the culprits sentenced to the stake were taken by secular arm which assistance was required due to the canon law by which the inquisitors as priests and Church members did not have right to proceed the capital punishment. For that reason, the execution was assigned to the secular arm which was in accordance with the inquisitorial procedure. The capital punishment of the pertinacious heretics was held outside of the city in order to not 'contaminate' the town previously consecrated by a special procession of the Green Cross. For instance, in Barcelona this type of spectacles were held outside of the city walls and Barcelona's gate Saint Daniel, next to the sea in the district El Canyet (*ad locum destinatum situm in litore maris extra portale Sancti Danielis huius urbe Barcinonae vulgo nuncupatum lo Canyet*<sup>587</sup>).

After reading the penalty for the sentenced to the stake, the inquisitors waited briefly giving a last opportunity for the heretics to repent for their sins. Afterwards, the executioner would touch a back of the accused demonstrating symbolically taking over the power from ecclesiastical to the secular authorities. Subsequently, the spiritual outcasts

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<sup>587</sup> Bofarull (1865), p. 13

had been taken to the secular court which would confirm the death penalty previously imposed by the inquisition. Then they will ask them would they like to die as Christians or not while surrounded with plethora of church members whose duties were to help them to repent. Finally, they will be taken in procession outside of the town in the *quemadero* where burning at the stake was held.<sup>588</sup>

In the *Liber descriptionis* term the secular arm i.e. *brachium seu Curiae saecularis* had been recorded twelve times in the proceedings occurred in Barcelona, Tarragona and Lleida; although the number of the executions was higher. For instance, in the auto celebrated on January 25<sup>th</sup>, 1488 during the Solemnity of the Conversion of the Saint Paul the Apostle when four neophytes were sentenced to death penalty it was precisely stated that *tradiderunt eos curiae saeculari pro hereticis habitos*<sup>589</sup>. These heretics had been sentenced *in personis* and delivered to the secular arm. However, certain number had been penalized in absence while their effigies were also burned by the secular authorities (*...fuerunt condemnati tanquam heretici et eorum statuae sive figurae curis saeculari relictas absentes...*<sup>590</sup>). The accused to the stake carried the effigies which presented culprits sentenced in absentia in order to be consumed by fire together with them in the same burning (*...condemnati cum magna populi caterva associati una cum praedictis X statujs ad locum supra scriptum ubi heretici concremantur iter arripuere...*<sup>591</sup>).

Seeking for assisting from the secular authorities and its interfering in ecclesiastical affairs was a solution for executing the blood penalties forbidden by the church jurisdiction. However, the ecclesiastical authorities crossed that line, the line that should never be crossed which opposed to all Christian beliefs; hence, their role in these crimes should not be decreased due to attempt of transferring the authority to the secular arm.

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<sup>588</sup> Betankur (2009), pp. 380-381.

<sup>589</sup> Bofarull (1865), p. 13

<sup>590</sup> *Ibidem*, p. 150

<sup>591</sup> *Ibidem*, p. 30



## 6. Conclusion

The manuscript *Liber descriptionis* represents significant historical source depicting the time frame from the early establishment of the modern inquisition in The Crown of Aragon until 1507 in towns Barcelona, Tarragona, Gerona, Perpignan, Balaguer and Lleida.

In Spain, the Middle Age lasted longer than in the rest of the Europe, prolonged by severe religious politics of Catholic Kings as one religion state. In this historical frame had lived and worked Pere Miquel Carbonell, on one side well educated man of renaissance, but at the same time notary of the inquisition who dutifully served his monarchs. Carbonell like many others humanists were forced to adjust to this climate. In his work and intellectual preoccupations had been noted a certain transition as he shifted from interests in classical antiquity to the theological writings demonstrating his ambiguity in terms of humanist caught in current political circumstances.

Through his personality, as a role model, was examined the influence of the humanism as prevailing movement in Europe of the time and dark side of the inquisition, which causes and goals are still matter of discussion among the historians.

Therefore, it has to be noted, while examining his work this ambiguity which is repeatedly present as one of the main futures of his significant opus for the future historians to fallow.

## 7. Appendices

### 7.1. The 14<sup>th</sup> century inquisitional administrative documents

in Pere Miquel Carbonell's manuscript<sup>592</sup>

Pere Miquel Carbonell's manuscript *Liber descriptionis reconciliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum* kept in The General Archive of the Crown of Aragon under the signature *Real Cancilleria registros numero 3684*, and contains documents about the Spanish Inquisition from 1487 until 1507, therefore it's estimate that the date of origin is end of 15<sup>th</sup> and beginning of the 16<sup>th</sup> century, written in many cases soon after the events. Additionally, the places of origin are uncertain, because it's not sure did Carbonell was present at these cases, but exists possibility that he attended to these procedures in the audience as one of the important personalities of that period. Secondly, format or page size is mostly 29.5 x 21.5 cm, except three folia with sizes 22 x 14 cm; thirdly, there are two types of pagination (both in Roman numerals), one is probably added later: first starts with I, and second with CV. Every second folium has pagination. The first pagination is written by Carbonell (*...ad folium XLVII exclusive id enim feci ad hunc finem...*<sup>593</sup>) and the second one by Bofaroll, because it continues and is attached on the previous manuscript. The binding are done afterwards with parchment. It belonged to the collection: *Registro sobre negocios de Inquisición de Fernando II*.

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<sup>592</sup> Published in: *Medievalia* 2016 (vol. 2), pp. 255-261.

<sup>593</sup> ACA, RNIFII, RN 3684, fol. CVII

*Liber descriptionis reconsiliationisque, purgationis et condemnationis hereticorum ALIAS de Gestis Hereticorum* was created at the demand of Barcelona's inquisitor Alphonso de Spinawho entrusted this task to archivist Carbonell (*Reverendus Alfonsus Spina hereticae pravitatis inquisitor jussu Regio preeunte voluit et mandavit mihi Petro Michaeli Carbonello Regio Archivario ut in hoc registro sive libro continuarem que faciunt pro officio inquisitionis hereticae pravitatis...*<sup>594</sup>).

This precious historical document, evidently from the title, describes three main outcomes of the trials: acquittal, reconciliation and condemnation of the accused. Additionally, it describes historical period from the end of the 15<sup>th</sup> and the beginning of the 16<sup>th</sup> century. Therefore, according to Kamen, it belongs to the first phase of the tribunal's activity: the period of intense anti-converso persecution.<sup>595</sup> The originality of the described processes was demonstrated by the various languages used in the manuscript. For instance, the largest section of the text, including the introduction, titles and the names of the prosecutors are written in Latin. On the other hand, the statements of the accused persons, crime descriptions and penalties are written in Catalan. Thirdly, the section written in Spanish is the smallest and includes other sources written in Spanish, such as letters describing the inquisitional processes. The inquisitorial cases described in this manuscript are those which occurred in Barcelona, Tarragona, Gerona, Vic and Elne (*...ab originalibus processibus Sanctae Inquisitionis factis per reverendos inquisitores haereticae pravitatis tam in Civitatibus Barcenonae, Taraconae, Vici, Gerunde et Helnensi...*<sup>596</sup>). Carbonell listed these cases in chronological order. On the other hand, occasionally Carbonell was imprecise in calculating persons involved or accused in these processes, what proves his uncertainty as a historian.

In this manuscript exists two documents holding the same title *Pensio assignata Inquisitori hereticae pravitatis* from the 14<sup>th</sup> century; therefore belonging outside of this

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<sup>594</sup> *Ibidem*

<sup>595</sup> Kamen (1997), p. 198

<sup>596</sup> ACA, RNIFII, RN 3684, fol. CVII

historical period, both written by King Peter IV of Aragon and afterwards copied by Carbonell.

In April, 1238 Pope Gregory IX appointed two inquisitors for the Kingdom of Aragon.<sup>597</sup> This institution was active during the reign of Peter IV of Aragon and afterwards was utilized in 1474 by Ferdinand II of Aragon for its reborn; therefore, differently from Castile, Catholic Monarch did not provoke opposition by its rough introduction.<sup>598</sup>

The first document was written in Zaragoza on February 6<sup>th</sup>, 1357 and it represents *The Order for an annual salary of the Inquisitors* which begins with formula by King Peter IV of Aragon in the way of *pluralis modestiae*: *Nos Petrus Dei gratia Rex Aragonum Valentiae Majoricarum Sardiniae et Corsicae Comesque Barcinonae Roseilionis et Ceritaniae...*(*Liber descriptionis*, fol CX). As the documents continues Peter IV are complimenting Dominican Nicolas Rosell who became Cardinal of Aragon in 1356 during the pontificate of Innocent VI as *reverendus in Christo pater frater Nicolaus divina providentia sanctae Romanae Ecclesiae Cardinalis regere consuevit...*<sup>599</sup> Mallorcan Rosell was important figure in 14<sup>th</sup> century Catalonia holding close bond with The Crown of Aragon`s royal family. He served as a royal chaplain of King Peter IV and was also his confessor. Additionally, he was the confessor of King Jaime`s II daughters, María and Blanca. In 1350 Rosell gained the position of *Inquisiteur General de la Foi, dans tous les Etats du Roy d`Aragon*.<sup>600</sup> As Inquisitor general of Aragon and Provincial Prior of the Dominicans, he received his confirmation for the defense of the Church in the cases against heresy preacher Francisco Batlle, monk Berengar de Montfalcó and processes against beguards from Valencia.<sup>601</sup>

In the following text King had requested for the future inquisitors to receive the same salary as the previous one`s (i.e. as Rosell) were accustomed to have (*Ideo volentes vos*

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<sup>597</sup> Lea (1888), I, p. 302

<sup>598</sup> Lea, (1906), II, p. 230)

<sup>599</sup> ACA, RNIFII, RN 3684, fol CX`

<sup>600</sup> Touron, Antoine, *Histoire des hommes illustres de l'ordre de Saint Dominique*, tome second, Paris, 1795, p. 422

<sup>601</sup> Vargas, Michael, *Taming a Brood of Vipers, Conflict and Change in Fourteenth-Century Dominican Converts*, Brill, 2011, p. 92

*eandem seu similem pensionem a nobis habere quam dictus frater Nicolaus ac alii praeteriti inquisitores habere consueverunt pro inquisitionis honoribus.*<sup>602</sup> Peter IV defined precise amount of money of one hundred *libras Barcinionenses*<sup>603</sup> paid from the Royal Treasury which will inquisitors receive on the annual basis as long as this institution exists (*...pecunia Thesaurariae nostrae Centum libras Barcinonenses per vos habendas et recipiendas annis singulis quamdiu officium Inquisitionis exercetibus supradictum*<sup>604</sup>). Additionally, he promised that inquisitors will be appointed in secure and safe places and also that they will be receive their salaries without slow payments (*Et ulterius promittimus vobis quod quamcitius commode poterimus assignabimus vobis in loco tuto dictas centum libras ad finem quod eas annuatim absque morosis solutionibus habere...*<sup>605</sup>).

Peter IV finished *The Order* by giving the place and the date of document`s origin (*Datum Cesaraugustae VI die februarii anno a nativitate Domini millesimo trecentesimo quinquagesimo septimo*<sup>606</sup>).

El Ceremoniós wrote next year in Barcelona on October 2<sup>nd</sup> the second document holding the same title *Pensio assignata Inquisitori hereticae pravitatis*. In this testimony King had addressed to his treasurer and doctor of law Bernat d`Olzinelles (*Petrus dei Gratia Rex Aragonum etc (ut supra) Dilecto Consiliario et Thesaurario nostro Bernardo de Ulzinellis Militi legumque doctori salute ut dilectionem*<sup>607</sup>). Olzinelles was very influential personality in 14<sup>th</sup> century Torredembarra, Catalonia. His family bought the title so they become *els senyors d'El Catllar i Vila-seca de Solcina*.<sup>608</sup> Additionally, for some period, king`s treasurer owned the famous Castell del Catllar.

In the early period of the Inquisition, the function of the treasurer was significant, which sometimes gave him a right for a salary even larger that the inquisitor`s.

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<sup>602</sup> ACA, RNIFII, RN 3684, fol CX`

<sup>603</sup> *Ibidem*

<sup>604</sup> *Ibidem*

<sup>605</sup> *Ibidem*

<sup>606</sup> *Ibidem*

<sup>607</sup> *Ibidem*

<sup>608</sup> Bargalló, Josep, "Els senyors de Torredembarra", *Recull de treballs*, 1984, p. 7

Furthermore, for the enormous sums such as the fines and penances which were kept as a separate fund, was responsible a special receiver; however at the end they passed through the hands of the treasurer.<sup>609</sup>

In the following text, Peter IV required for the inquisitor Bernardo Ermengaudi who was appointed *in cismarinis partibus nostri domini ac in Regno Sardiniae et Corsicae*<sup>610</sup> with *religioso fratre Ferrario de Curtibus*<sup>611</sup> to receive annual salary of *in solidum deputato Centum libras Barcinonenses*<sup>612</sup> until he hold his position (*dum officium dictae inquisitionis tenuerit*<sup>613</sup>). Dominican Ermengaudi had been remembered in history for the conflict with Nicolas Eymerich for the position of the provincial of Aragon which they both had lost.<sup>614</sup>

At the end, King repeated the amount of money *dictas centum libras*<sup>615</sup> and also requested that salary should be received *de pecunia Curiae nostrae*<sup>616</sup>. He finished the document, same as the former, by giving the place and the date of its origin (*Datum Barcinonae secunda die octobris nno a nativitate Domini millesimo trecentesimo quinquagesimo octavo*<sup>617</sup>).

In calculating worth it is measured that quantity of one *librabarcelonesa* was twenty *sueldos de menudos* of which twelve composed *el sueldo*<sup>618</sup>. To be more precise 60 *Libras barcelonesas* composed 50 ducats of 375 maravedis.<sup>619</sup> Therefore regarding to this document, inquisitors of Aragon in 1357 received payment of 83.3 ducats of 375 maravedís annually. In

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<sup>609</sup> Lea (1906), II , p. 250

<sup>610</sup> ACA, RNIFII, RN 3684, fol CX`

<sup>611</sup> *Ibidem*

<sup>612</sup> *Ibidem*

<sup>613</sup> *Ibidem*

<sup>614</sup> Custurer, Jaime, *Disertaciones historicas del culto inmemorial del B. Raymundo Lullio Dr. iluminado y martir y de la inmunidad de censuras que goza su Doctrina*, En Mallorca ... en la emprenta de Miguel Capò, 1700, p. 679.

<sup>615</sup> ACA, RNIFII, RN 3684, fol CX`

<sup>616</sup> *Ibidem*

<sup>617</sup> *Ibidem*

<sup>618</sup> Capmany y de Montpalau, Antonio, *Memorias historicas sobre la marina, comercio y artes de la Antigua ciudad de Barcelona*, En la imprenta de D. Antonio de Sancha, Madrid, 1792, p. 133.

<sup>619</sup> Francisco Olmos, Jose Maria, "La evolución de los cambios monetarios en el reinado de Isabel la Católica según las cuentas del tesorero Gonzalo de Baeza (1477-1504)", *En la España Medieval*, nº 21, Servicio de Publicaciones, Univ. Complutense, Madrid, 1998. p. 134

comparing salaries of the inquisitors, we found document almost two centuries older which kept this data. In this script exist the information that in 1541 salary of an inquisitor was 100,000 maravedís, including *ayuda de costa*<sup>620</sup> and after by 1606 had become 300,000 or 800 ducats which was not lavish, but it presented relatively high income.<sup>621</sup> This information which described the financial status of the highest member of the Sanctum Officium revealed significance of the institution in rise and its importance in the eyes of the monarchy reflected even more in the future centuries.

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<sup>620</sup> The *ayuda de costa* was a more or less definite increase of salary, or a special gift for cause, or just a simple act of good will. On the one hand, the salary was constant, but on the other the *ayuda* was always partially arbitrary, utilized as an incentive to compel the obligations regarded as difficult (Taken from: Lea (1906), II, p. 253).

<sup>621</sup> Lea (1906), II, p. 252

## 7.2. Capitulo de una letra del fiscal de la inquisition de Valentia

In *Liber descriptionis* unique example of testimony written entirely in Spanish idiom is the letter describing inquisitional process by procurator fiscal from Valencia addressed to Barcelona's fiscal and afterwards copied by Carbonell in its primary form (*una letra que lo fiscal de lo Sancta Inquisitio de Valentia ha feta al fiscal de la Sancta Inquisitio de Barcelona per aquell a mi dit Archiver comunicat e donat transumpt vertader e provat ab son original lo qual capitol es del tenor seguent en lengua castellana*<sup>622</sup>). Carbonell named the document *Capitulo de una letra del fiscal de la inquisition de Valentia fecha al fiscal de la inquisition de Barcelona sobrel caso que se fallo en casa de Miquel Vives converso de Valencia viernes en la noche a XX de marzo anno de 1500*.<sup>623</sup>

Obviously from the title, the case referred to Miquel Vives from Valencia who was suspected to secretly keep faith to the mosaic religion and mainly because *todos los sabados se encendian gran multitude de candelas y lumbres y havia mas de medio anyo*.<sup>624</sup> Therefore, in future text Jesus, the procurator fiscal of Valencia, depicted that he together with his helpers, Martin Ximenes and Joan Perez, on Friday night, March 20, 1500 went to Vives' house in order to reveal him and rest of his accomplices (*que un viernes a la noche fuessemos por los fallar con el furto en el mano... el hermano Martin Ximenes y Joan Perez e yo que con los Sennores Inquisidores solos specialmente el caso sabiamos y otros dos que nos acompanyavan despues de anocheide que vimos de una parte la luminaria*).<sup>625</sup>

The identity of one of the tribunal members, Martin Ximenes, is open to doubt; for instance, is not specified was it the same person who performed duties as procurator fiscal

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<sup>622</sup> Bofarull (1865), p. 160

<sup>623</sup> *Ibidem*

<sup>624</sup> *Ibidem*

<sup>625</sup> *Ibidem*



in Barcelona's tribunal at the end of 15<sup>th</sup> century. Although exist certain possibility for this claim because the name of Martin Ximenez are appearing in Barcelona's inquisitorial proceedings until middle of 1497.

Nevertheless, trio brought a decision to get into the house although the door was locked and no one answered, hence they easily assumed that *que los de la casa si lo dexavamos podian haver sentimiento de nosotros e que nunca mas los tomariamos de aquella manera encomendandonos a nostro Sennor y al beneventurado padre.*<sup>626</sup> Therefore, they made a plan to enter by breaking down the entrance door (*que aunque la puerta era en grande manera fuerte las fuerzas nostras con el favor de Dios tanto crecieron que dimos con las puertas en el suelo y se quebraron por lo mas fuerte y assi entramos la casa*).<sup>627</sup> This violent act demonstrated how far the inquisitorial members were able to go and did not hesitate in using force in order to expose New Christians at the same time convinced that they are guided by the fate of God.

When Joan Perez and Martin Ximenes were inside the Vives' home they had took the candles in order to lighten up path; hence, they climbed on the last floor where had thought that the secret Jewish ceremonies were held. After forcefully broken door at upper level they found the following scene: *Primeramente tres lamparas grandes encendidas. Item en medio de la camera colgado un candelero o candil da laton en que ardian ocho mechas con aceyte. Item a la una parte de la dicha camera estava una mesa cubierta con una alcatifa muy rica y a los quarto cantones de la mesa y en medio de una parte y otra seys candelas de cera a forma de velas. Las primeras dos eran de cera blanca los otras dos de cera verde e las otras dos de cera colorada. Item a la parte principal da la mesa estavan tres grahones y en el primero estava una biblia uberta en el Segundo estava el talmut e en el tercero estava una caxeta mediana de huesso muy rica onde estava la tora cubierta de brocade y de otras muchas joyas. Item estavan en la mesma table unos nueve o dies libros pequenyos en que en cada uno dellos estavan scriptas diversas orations judaycas y la forma de las cerimonias y los tiempos en que se han de dezir y hazer. Item junto con la tora estava una scelera de seys grahones colorada y muy bien labrada que denotava y monstrava que alli se predicava una capsa de largaria de Quattro palmos llena de velas de cera dellas*

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<sup>626</sup> *Ibidem*

<sup>627</sup> *Ibidem*

*blancas dellas verdes dellas coloradas. Itam havia mas en un Rincon de la dita camara una tenaja o jarra pequenya que podia tener fasta dos aroves de azeyte en fin que por no ser mas prolix hos fago saber que se fallaron todos los aparejos que una Synagoga en tiempo de la prosperidad da la ley vieja podia tener.*<sup>628</sup>

The described scene depicted a typical Shabbat with its festive and leisurely dinner in which family members socialize within them. As we saw, the table was garnished with luxurious table cloth and menorah on the top of it. Additionally, on the table were set Bible, Talmud and Torah, as well as plethora of smaller writings containing Jewish teachings so it could be read, study, discuss and commentary within family members. However, the observance was interrupted and disallowed to continue it on a following day.

The fiscal continued letter in first person and stated that he and his companions had secured the door and did not allow heretical criminals to leave it or to someone else get inside taking all measures to secure and protect the scene from contamination. The members of the Vives' family found in maintaining Jewish traditions of their ancestors and rudely pushed by inquisitorial members in the tiny room were head of a household Miquel Vives together with his wife, mother, son, daughter-in-law and a servant girl. Finally, the inquisitors were called at a crime scene in order to collect and examine evidences.

The next day, on Saturday, March 21, Vives' house as well as whole neighborhood were surrounded by a crowd curious to find out more about this scandalous event. The document was finished by giving the place and the date of its origin (*Valencia a XXIII de março 1500*)<sup>629</sup>.

The relations of Miquel Vives with the significant Vives family from Valencia, converts from Judaism whose members were frequently tried by the Inquisition and especially with erudite Juan Luis Vives, one of the most crucial figures of the Spanish Renaissance, are open to doubt. According to Escudero, a certain Miquel Vives, cousin of Juan Vives, was involved in the case against Blanquina March, his cousin's wife and Luis' mother. In the proceeding held against her, occurred on June 30, 1501, Miquel Vives was

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<sup>628</sup> *Ibidem*, pp. 162-163.

<sup>629</sup> *Ibidem*

one of the witnesses who accused Blanquina for following the rites and ceremonies of the Jews.<sup>630</sup> However, there are no exact evidences that it is a same person caught in his house on March 20, 1500 in secret adherence to Judaism.

This case belong to a section entitled *De la Synagoga en Valencia feta per mals christians alias heretges de stripe judeorum* with introduction made by Carbonell mainly in 15<sup>th</sup> century Catalan written in 1504, seventeen years after the Inquisition was established in the city of Barcelona as a one more evidence of heretical crimes in the history of the Crown of Aragon (*E per quant a mi dit Archiver del senyor Rey semble cosa saludabe e pertinent als christians bons e devats a la Sancta Inquistio ques comença de fer en aquesta ciutat de Barcelona en lany Mil CCCCLXXXVII e encara ara en aquest any de Mil cincents e quattre se continua es continuara tench sperança en Deu e en la Sacratissima Verge Maria mare sua tant e tant longament fins a tant que tota la cugula canyota e mala herbaque que son los heretges sia de la bona terra que son los feels christians del tot contrite arrabassada e cremada que en aquest libre que sera per mi recondit en lo Real Archiu de Barcelona hon son scrites les gestes antigues e per avant hi seran scrites les gestes noves dels Reys de Arago e Comtes de Barcelona e de molts altres dignes de memoria...<sup>631</sup>).*

This fascinating episode demonstrated one of the many similar cases occurred in the Crown of Aragon's domain when families of converts were in constant jeopardy to be caught and consequently tried by the inquisition while its members did not hesitate in use of violence and force in proving its importance.

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<sup>630</sup> Escudero López, José Antonio "Luis Vives y la Inquisición", *Revista de la Inquisición: Intolerancia y derechos humanos*, N<sup>o</sup> 13, 2009, pp. 21-22.

<sup>631</sup> *Ibidem*, 159-160

## 8. Chronology

### The Inquisitorial Processes in Barcelona, Tarragona, Girona, Perpignan, Balaguer and Lleida (by *Liber descriptionis*)

Barcelona:

1487:

14 December: After the Period of Grace fifty people conscious of their heresy admitted voluntary their sins.

1488:

25 January: The solemnity of public auto de fe was celebrated in Barcelona at square Plaça del Rei when four relaxed heretics were convicted to the capital punishment.

22 February: Three heretics were sentenced to perpetual prison *cum misericordia* while one was sentenced *absque misericordia*.

23 May: The auto de fe was celebrated in Plaça del Rei resulting with capital execution of three women (one of them was Joana Bedós, widow of important physician of the royal house-hold Llorenç Bedós) while forty were prosecuted in absence.

5 August: In the legal proceeding was recorded liberations of banker Joannes Mayol and Manuel Guasch.

8 August: Nine accused prosecuted as heretics were reconciled and penalized to life imprisonment in Barcelona Cathedral.

16 August: Thirty three men and eighty two women were sentenced to wear penitential garment of sanbenito in public and removed it on Tuesday 13<sup>th</sup> of April, 1490.

1489:

10 January: Two women were reconciled secretly.

9 February: In Plaça del Rei in front of the Palau Reial Major was celebrated auto de fe when three spiritual outcast from Barcelona were sentenced to capital punishment while eighteen men (one of them was significant Joannes Alfonsus, royal secretary to the governor of Catalonia) and twenty one women were penalized in absence.

13 March: In front of the Barcelona Cathedral four women and two men were sentenced to lifelong incarceration with a chance to be pardoned.

21 October: In Barcelona Cathedral eight apostates had been sentenced to perpetual prison *cum misericordia*.

1490:

24 March: After celebration of public solemnity at Plaça del Rei a man and a woman were penalized to death sentence and hand over to secular authorities in order to be executed and burned at El Canyet together with one hundred effigies representing escaped people.

27 March: Alfonso de Spina, an inquisitor and vicar of Barcelona's episcopacy called and assembled reconciled people at Palau Reial Major in city of Barcelona and preached a sermon while reconciled people condemned to sanbenito for one year and eight months had been pardoned for their sins and required to remove it.

1491:

10 June: In Barcelona was celebrated auto de fe with the numerous of refugees prosecuted in absence rising until one hundred thirty nine. Hence, the burning of the effigies has to be postponed for following day, June 11 while three heretics were sentenced to death penalty.

28 October: In auto de fe celebrated in Barcelona thirteen culprits had been sentenced to perpetual prison *cum misericordia*.

1492:

1 May: The public solemnity was held in Barcelona Cathedral where was publically declared a penalty for thirty nine spiritual outcasts originally from Barcelona and sentenced to perpetual imprisonment and other unspecified penalties

5 December: One slave was set free.

1495:

10 April: Auto de fe celebrated in Barcelona's square Plaça del Rei when seventy one culprits (20 men and 51 women) were sentenced in effigies and hand over to secular authorities.

1496:

23 March: In Barcelona's Pla de La Seu six heretics were sentenced to perpetual prison. Additionally, their entire property was confiscated.

1497:

23 May: Angelina Vilella, wife of merchant Joannis Vilella from Barcelona in square Plaça del Rei declared herself by compurgation. She was set free from jail that same year, on 5<sup>th</sup> of June.

16 June: Seven apostates had been reconciled and sentence to perpetual prison.

4 October: Fifty four culprits were condemned in absentia and hand over to secular authorities.

11 December: A certain Gabriel Ballester was released from jail; however, procurator fiscal applied against that sentence and he was reconciled and returned to perpetual prison.

13 December: A man and seven women were reconciled and condemned on life imprisonment.

1499:

2 May: In complicated auto da fe a man and a woman publicly abjured heresy and consequently were set free while eleven heretics were reconciled and convicted to lifelong incarceration. A certain Francina, relapsed heretic and a wife of Martin Bedit, had been sentenced to capital punishment and hand over to secular arm to proceed with the sentence. She was previously pardoned and reconciled to perpetual prison on December 13, 1497, however after repeating the offence Francina was convicted mercilessly. Additionally, a woman Beatrix Sener who was deceased at the time, was reconciled in effigy while her

confiscated property had been returned. Moreover, nine dead people were condemned among them was presbyter Benet de Ferreres.

5 October: A certain Ludovicus Palou was set free.

1500:

18 September: In complex auto de fe celebrated in Barcelona four women were liberated; however, against conviction of two of them fiscal appealed. Moreover, two men were also set free with penitence, against whose sentence fiscal also appealed and consequently one of them, Raphel Cavaller, were reconciled and convicted to life imprisonment. Additionally, three people solemnly abjured heresy while seven heretics were reconciled and punished to lifelong incarceration (fiscal appealed against conviction of certain Caterina, widow of Pau Fabró.). At the same trial two women were reconciled on repentance. In this proceeding six heretics were condemned posthumously and their effigies were burned; at the same time their property were confiscated (one of them was Jaume Taravan, governor of Royal Chancellery).

5 October: A certain Joan de Ribesaltes was acquitted.

1502:

21 September: In auto de fe celebrated in Barcelona eleven reconciled heretics were penalized to life incarceration while one apostate was sentenced to wear penitential guise. The harsher penalty was brought against a man who was hand over to secular authorities and executed because he was circumcised. Additionally, six absente culprits and three deceased at the time were condemned in effigies.

30 December: In the trial three women were reconciled and sent to perpetual prison while certain Bernat Cunill from Elna retracted heretical statement stated before and was pardoned.



1503:

3 February: Two heretics were reconciled and sentenced to lifelong incarceration while a man was hand over to secular authorities and executed.

February (no date): A man accused of bigamy sworn that he will not repeat it, however his penalty was not recorded.

29 June: A man sworn in front of the inquisition that he will not state more heretical words.

2 July: A man accused of bigamy sworn that he will not repeat it.

10 August: In the trial held in Barcelona a man was reconciled and convicted to perpetual imprisonment while a man was sentenced in absence because he became a Muslim. In the sme proceeding three people were posthumously sentenced for heresy crimes.

3 December: In case held in Barcelona ten people were reconciled.

6 December: Ten heresiarchs from Barcelona were penalized and hand over to secular authorities to execute the sentence.

1504:

12 July: The auto de fe celebrated in Barcelona's Plaça del Rei was presided by Bishop of Barcelona, Pedro Garcia and inquisitor Joan Enguer. In the proceeding were reconciled nine heretics while five absentees were condemned in effigies and hand over to secular authorities. On the same day in the same place inquisitor Joannes Enguera and Jaume Filella, general vicar of Holy Office in charge for episcopacy of Gerona convicted posthumously marriage couple Benet from Gerona, hence their bones were dig up from the graves and burned.

2 October: The solemnity of public auto de fe was celebrated in Plaça del Rei when three women from Barcelona were reconciled and sent to perpetual prison by inquisitors Joan Enguera and Francisco Pays de Sotomayor together with Bartomeu de Salavert, general vicar of bishop in works of inquisition in Barcelona. Additionally, nineteen escaped heretics were convicted in effigies.

28 October: In square Plaça del Rei auto de fe was held presided by inquisitor Francisco Pays de Sotomayor and Bartomeu de Salavert when was reconciled a women while one women was hand over to secular authorities and executed.

1505:

17 January: In crucial auto de fe celebrated in Barcelona's square Plaça del Rei presided by Bishop of Barcelona Pedro Garcia and inquisitors Joan Enguera and Francisco Pays de Sotomayor four culprits suspected for heresy had been reconciled without any mentioning of punishment imposed. Additionally, two significant personalities of that time royal officer, Jaume de Casafranca and archdeacon of Lleida, Dalmatius de Tolosa were hand over to secular authorities and executed.

24 January: Nineteen prisoners had been convicted to perpetual prison but afterwards their penalty transferred to galleys service.

1 March: In significant auto de fe in which inquisitor Francisco Pays de Sotomayor was authorized to hear it, an important figure, Francisco Franch, the royal advocate-fiscal and regent of the Royal Chancellery was publicly persecuted finally earning capital sentence.

23 June: In auto de fe held in Barcelona's square Plaça del Rei, seven culprits were reconciled and convicted to perpetual prison by Barcelona's inquisitors Francisco Pays de Sotomayor and Jaume Filella together with archbishop of Monreale, Enrique de Cardona. On the same day in the same place were sentenced to capital punishment and hand over to

secular authorities five pertinacious heretics from Barcelona by Francisco Pays de Sotomayor and Gaspar de Puteo.

6 July: In Barcelona Cathedral was convicted publicly Violant, wife of Segimon de Barbarà and daughter of deputy of Ferdinand's treasurer-general of Catalonia, Jaume de Casafranca for perjury and putting an obstacle for the inquisition.

Tarragona:

1489:

18 July: After the Period of Grace twenty seven people conscious of their heresy admitted voluntary their sins and during the Term of Grace publically abjured heresy.

1490:

5 March: Nine heretics were sentenced to life sentence.

12 March: Six pertinacious heretics were sentenced to capital punishment and hand over to secular authorities to execute the punishment.

14 May: Seven heretics were convicted to lifelong sentence.

1500:

11 January: A slave girl was liberated.

17 October: Three slaves were liberated.

1501:

19 March: In solemnity of public auto de fe two deceased people were posthumously convicted for heresy while twenty escaped heretics were penalized in absence.

1 August: Three apostates from Barcelona were reconciled and sent to perpetual prison while a certain Blanquina Dorla also from Barcelona was posthumously free of all heretical charges.

20 December: In complex auto de fe held in Tarragona six heretics were reconciled and sentenced to life imprisonment, among them were friar Tomàs Ramírez, a monk from monastery in Poblet. Additionally, four people were sentenced posthumously for heresy while their effigies were hand over to secular authorities and burned (among them was penalized Miquel Vidal, royal scribe from Barcelona) together with nineteen statues representing absent fugitives and two culprits (a monk friar Manuel Galceran from monastery Poblet, very famous heretic and a woman from Barcelona).

Gerona:

1491:

14 February: In the auto de fe celebrated in Gerona thirty four escaped heretics were convicted in effigies.

1495:

21 May: In a trial presided by inquisitors Antonio de Contreras and Pere Pariente a woman was reconciled and sentenced to life penalty.

21 December: In the solemnity of public auto de fe eight relaxed heretics were sentenced to capital punishment and delivered to secular arm in order to proceed with sentence while nineteen absent fugitives all from Castello d'Empuries were convicted in absence and their property were confiscated.

Perpignan:

1495:

9 August: In a proceeding held in Church Santa Maria de la Real presided by inquisitors Antonio de Contreras and Pere Pariente twenty two culprits were reconciled after being sentenced to wear penitential garment.

Balaguer:

1490:

15 August: Forty five reconciled had been pardoned and punished for committed sins without mentioning of penalty imposed while a man from Balaguer heavily suspected abjured heresy.

16 August: A certain Joannes Valls, writer from Balaguer, lightly suspected abjured heresy.

1493:

10 June: In the solemnity of public auto de fe eleven escaped heretics and seven deceased at the time were sentenced in effigies and hand over to secular authorities while their properties were confiscated.

Lleida:

1492:

7 December: Two women from Belaguer were sentenced to capital punishment and delivered to secular arm in order to execute the penalty imposed.

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## 10. Glossary

*auto de fé*, i.e., the act of faith was the public solemnity in which condemned heretics and apostates had their penalties pronounced

*converso*, i.e., a convert, was an individual converted from the Jewish or Muslim faiths or one of his descendants

*Cortes*, parliament of each realm

*abjuración de levi*, abjuration of a light penances

*abjuración de vehementi*, abjuration of a grave penances

*ayuda de costa* was increase of salary, or a special gift for cause, or just a simple act of good will. On the one hand, the salary was constant, but on the other the *ayuda* was always partially arbitrary, utilized as an incentive to compel the obligations regarded as difficult

effigy, statues used especially in public 'shows' of *auto de fé* representing deceased or people prosecuted in absence

Judaizers, a party of Jewish Christians in the Early Church, who either held that circumcision and the observance of the Mosaic laws were necessary for salvation hence wished to impose them on the Gentile converts, or who at least considered them as still obligatory on the Jewish Christians

*Marrano*, offensive term utilized for converts

*quemadero*, place outside of the city where burnings at the stake were held

*pertinax*, individual who although is familiar with the teachings of the Church consciously misinterpret it



reconciliation, return of a sinner i.e. “repentant” heretic to the bosom of the Church after punishment imposed

relaxed, *relejados*, pertinacious heretics condemned by the inquisition to capital punishment and hand over to secular authorities in order to execute the same

sanbenito, *guarnachia*, *gramaylleta*, penitential clothing used especially during the Inquisition

Suprema, central council of the Inquisition