

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

Sunday, February 26<sup>th</sup>

10:00 WELCOME ADDRESS

10:30 Keynote: Tom Cohen, York University, Toronto

1:00-3:00 Joanna Weinberg, Oxford University, **Real or Virtual Contact? Johannes Buxtorf's Reading of Jewish Literature**

3:30-4:30 Jay Berkovitz, University of Massachusetts, **Finding Common Ground: The Metz Beit Din and the French Judicial System**

4:30-5:30 Andrew Berns, UCLA, **Medicine as a Cultural Connection Between Jews and Christians in Early Modern Italy**

5:45-6:45 Yaacov Deutsch, The Hebrew University of Jerusalem, **A Jewish-Christian Commentary on Luke**

Monday, February 27<sup>th</sup>

9:00-10:00 Daniel Schroeter, University of Minnesota, **A Jewish Merchant Family and a Moroccan Ruler**

10:00-11:00 Daniel Jutte, Harvard University, **Jailhouse Encounter: A Sixteenth-Century Jewish-Christian Tale and its Historiographical Ramifications**

11:30-12:30 Magda Teter, Wesleyan University, **The Early Modern Inn as a Space for Religious and Cultural Exchange**

1:30-2:30 David Graizbord, The University of Arizona, **Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792**

2:45-4:15 Round Table: David Ruderman, University of Pennsylvania  
Tara Nummedal, Brown University  
Tom Cohen, University of Toronto

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### **Real or Virtual Contact? Johannes Buxtorf's Reading of Jewish Literature**

Joanna Weinberg, Oxford University

#### **Introduction**

Johann Buxtorf the elder (1564-1629), long-time professor of Hebrew at Basel, ethnographer, lexicographer, and textual critic, belongs to the category of the 'accepted' Hebraists and is usually regarded as one of the most distinguished Hebraists of the early modern period. Buxtorf's description -- or polemical ethnography (in Yaacov Deutsch's formulation) -- of Jewish life from cradle to grave, the *Synagoga Iudaica: das ist, Juden-Schul...* (1603) should be seen in the context of an emerging systematic empiricism which was led by curiosity, fuelled by the impact of humanism and also, not least, driven by a desire to control another faith. What is particularly striking about Buxtorf's effort at describing Jewish beliefs and ceremonies is the extent to which his reading of the whole gamut of Jewish literary production is reflected in this work. Buxtorf cast his critical eyes into every nook and cranny of Hebrew literature. Even his retrospective description of his sources for the book (which also gives of an account of how Jews aided him in his investigation by providing him with some of the books) in a letter of 1606 does not adequately convey the scope of his consumption of Jewish books.

This presentation will attempt to analyse how Buxtorf read Jewish books by examining one passage from the *Sefer ha-Hayyim* written by Hayyim ben Bezalel (Cracow, 1593), which Buxtorf chose to integrate into his polemical critique of Jewish allegiance to the Talmud in this opening chapter of the *Juden—Schul*. Hayyim ben Bezalel, fated to remain second fiddle to his brother, the Maharal of Prague, had his own battles to fight against both Jews and Christians. In the selected passage, Hayyim ben Bezalel defends the Talmud as a unique possession of the Jews and suggests a reason for the apparently 'bewildering Aggadot'.

By close scrutiny of both texts we consider how and why Hayyim ben Bezalel's plea for the Talmud engaged Buxtorf's attention and influenced the development of his argument?

## Bibliography

Anthony Grafton, Joanna Weinberg, “*I have always loved the Holy Tongue*”. *Isaac Casaubon, the Jews, and a forgotten chapter in Renaissance Scholarship*, Cambridge Mass., 2011, ch. 3, 129-52.

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Yaacov Deutsch, ‘Polemical ethnographies : descriptions of Yom Kippur in the writings of Christian Hebraists and Jewish converts to Christianity in Early Modern Europe’ in A. Coudert and J. Shoulson, *Hebraica veritas? Christian Hebraists and the study of Judaism in early modern Europe*, Philadelphia (2004) 202-233.

Hayyim Hillel Sasson, *Hagut ve-Hanhagah*, Jerusalem 1959, pp. 38-9.

Eric Zimmer, *Rabbi Hayyim bar Bezael of Friedberg, the brother of the Maharal of Prague*, Jerusalem, 1987.

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### Chapter 1 of Johan Buxtorf's *Judenschul*

Translated by Joanna Weinberg, Oxford University

These rules which Christ himself reported, and others to which he referred are still in use and observed among the Jews and described in the Canon Law and Ordinances concerning spiritual matters and the religious life, and I shall devote a good part of this book to them. I will make clear how the Jews came to observe such commands of men rather than the commands of God right up to the present day, and have thereby abolished God's commands through their rules and thus fallen into this terrible state of disbelief and misunderstanding of God's word. The learned Mossche mikkotzi wrote a book explaining the six hundred and thirteen commandments which among the Jews is called *Sepher Mitzvos gadol*, the Great book of Commandments. He taught in the Jewish academy of Toledo, Spain, in 1236 A.D. where about twelve thousand Jews were living, as he himself writes in connection with the hundred and twelfth negative commandment. In his preface he writes as follows....

“And who can tell all the blemishes that render food forbidden, the difference between cooking milk and meat, the defilement caused by the dead, lepers, the rules about animals that died a natural death and [unclean] insects? What about the nature and characteristics of the Masorah, the vowel points and accents, the letters, some of which are suspended, some elevated above the word, some upside down etc. Who will tell us the correct interpretation of all these matters: it therefore follows indubitably that one has to have another explanation of the Written Law from where all this can be learned.”

So far we have followed the Rabbi.

This is exactly the way that the devil first seduced the Jews away from the true word of God and brought them- - in his usual masterly fashion-- to man's commandment. So securely did he attach them that neither Isaiah nor Christ nor anyone else has been able to drag them away until this very day. Then

where shall we find the true interpretation of the written law? The answer is surely not Wecker's *De secretis* or Smokehole's/Reuchlin's *De arte cabalistica*, much less in Marcolfus. We shall find it in the **holy Talmud** [my emphasis].

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### Real or Virtual Contact? Johannes Buxtorf's Reading of Jewish Literature, Joanna Weinberg, Oxford University

From chapter 1 of *Johan Buxtorf's Judenschul*

Dieweil dann solche Auffsetze / die Christus daselbst vermeldet / und andere / darauff er gedeutet / noch heutiges tages bey den Juden breuchlich sind und gehalten werden / und in ihrem Jure Canonico und Ordnanßen / von Geistlichen sachen / und Frommen Leben / beschrieben seind / deren ich ein guten theil in disem Büch zu entdecken fürhabens bin / will ich weiter allhie anzeigen / auß was grund und ursachen sie darauff gerahten / daß sie auff solche Menschen-gebott mehr / dann auff Gottes Gebott gehalten haben / und noch heutiges tages halten / und also Gottes Gebott durch ihre Auffseße auffgehebt haben / und dadurch in gegenwärtigen greulichen Unglauben und mißverstand Göttliches worts gerahten sind?

Man lieset in der Hakdámah oder Vorrede des hochgelehrten Rabbi Mosche mikkórzi, ( der ein Büch und Außlegung über die sechshundert und dreyzehn Gebott gemacht / welches bey den Juden Sepher mitzvos gádol Das groß Büch der Gebotten / genennet wird / und in Hispanien um Jahr Christi 1236, zu Toledo in der hohen Jüdischen Schül gelehrt hat da es in die zwölfftausend Juden zur selben zeit gehabt wie er selbst schreibt in dem hundert und zwölfften Verbott):

.....  
Und wer kann erzehlen alle die mängel an verbotenen Speisen den underscheid in fleisch und milch kochen / verunreinigung an den Todten / außsetzigen / abgefallenen und verstorbenen Vieh / Ungeziffer / etc. Item: die art und eygenschafft der Masórah, der Puncten und Accenten / der Büchstaben / deren etliche auffgehenckt / oder über das wort hoch erhebt / etliche umbgekehrt / etc. Wer will uns aller dieser sachen rechte Außlegung sagen: folget derhalben unwidersprechlich / daß man ein andere Außlegung des geschriebenen Gesaßes haben müsse / darauß man solches lehrne. Biß hieher auß ermeltem Rabbi.

Diß ist das rechte mittel / dadurch der Teufel die Juden erstlich von dem rechten Wort Gottes verführet / und ganß meisterlich / nach seinem brauch / auff die Menschen-gebott getrieben / und so starck darauff gehefftet und bevestiget hat / daß weder Jesaias oder Christus / noch jemand anders / biß auff den heutigen Tag / sie darvon hat abtreiben

können. Wo findet man dann die rechte Außlegung des geschriebenen Gesaßes? Antwort / gewißlich im Wecker de Secretis nicht / noch auch im Rauchloch / Reuchlin solt ich sagen / de arte Cabalistica, viel minder im Marcolso: Sondern im heiligen Talmud findet man sie.

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### **Real or Virtual Contact? Johannes Buxtorf's Reading of Jewish Literature**

Joanna Weinberg, Oxford University

From part 1, ch 2 of *Sefer ha-Hayyim* (Cracow, 1593, 5a-b)

...The Talmud is shown respect only by Israel and likewise, Israel is shown respect by the Blessed God only on account of the Oral Torah which is the most conspicuous and prominent sign that distinguishes Israel from the peoples ...That is why we are accustomed to conclude each tractate with the words 'our honour is upon you and your honour is upon us' [play on *hadran alakh vehadrakh alan*] Indeed, there is nobody who turns his mind to the Oral Torah – may it not be forgotten, God forbid -- apart from us, and that is why 'we are mindful of You' (*da'atan alakh*). Similarly, the Oral Torah is that which protects Israel and that is why it is called 'Gemara' which is shorthand for Gabriel, Michael, Raphael and Uriel. In other words, a divine angel is stationed in protective stance around the one who studies Gemara: Mishael on the right, Gabriel, on the left, Uriel in front and Raphael behind him and over his head the Shekhinah of God which is crowned with the words of the sages- and this is what is meant by 'You are mindful of us' (*da'atakh alan*), i.e. your providential care is extended over us. And since Israel and the Oral Torah are two twin gazelles it is right that they should not be taken away from each other in this world nor in the world to come. And since the Talmud is only sufficiently loved and esteemed by keepers of Torah but not by those who lurk in street corners we acknowledge that our portion is among the keepers of Torah and not among those who lurk in street corners. We see that the first set of tablets which the blessed Lord wrote were broken and that only the other set of tablets which Moses wrote remained- this being an indication that the words of Torah will only come to fruition as a result of being written down by humans- I refer to the writing down of the Oral Torah - and it is only with regard to the second set of tablets that it was said, 'in order that it should be good for you' (Deut. 6, 3).



And those who scorn find an opportunity to place their scorn on ‘**this holy book**’ on account of the esoteric aggadot that it contains - apparently it would appear that they are not only not beneficial, but that are actually harmful. However, our rabbis of blessed memory already made an analogy in connection with this issue in chapter ‘*bameh madlikin*’ (Shabb. 31a). They compared it to a person who ordered his servant to bring a *kor* of wheat to the upper chamber which he duly did. He then told him to put a *kav* of *humtin* inside it which he refused to do. He said to him: ‘Then it would have been better had you not brought the wheat.’ For *humtin* is fine sand which does not cause plants to grow and yet, the fine sand is the only means by which the wheat is preserved. So, too, the produce of Torah is only preserved by means of the bewildering aggadot which tenses that their wisdom is concealed; for otherwise, the enemy would have already set his hand and tongue against the sages of blessed memory and turn their words into heresy – this was what was done with the written Torah-- with the consequence that nothing would be left which could distinguish us from all the nations; but now by means of the bewildering aggadot **this holy book** is despised in their eyes and they will therefore not transpose its words into their words. Consequently, these words are left in our hands in their integrity for the dogs cannot touch them, and through them it is shown that we alone are the people of the Lord and his flock.

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From part 1, ch 2 of *Sefer ha-Hayyim* (Cracow, 1593, 5a-b)

...ולפי שהתלמוד אינו מהודר רק אצל ישראל וכן ישראל אינו מהודר לפני השם יתברך רק בשביל התורה שבעל פה שהוא הסימן המובהק המבדיל בין ישראל לעמים... על כן אנו נוהגים לומר בכל סיום מסכת הדרן עלך והדרך עלן וגם אין מי שנותן דעתו על התורה שבבעל פה שלא תשכח חס ושלום רק אנו וזהו דעתן עלך. וכן התורה שבעל פה היא המגינה על ישראל ולכך נקראת גמרא שהוא ר"ת של גבריאל מיכאל רפאל אוריאל לומר כי העוסק בגמרא חונה מלאך ה' סביב לו להצילו מימינו מיכאל ומשמאלו גבריאל ומלפניו אוריאל ומאחריו רפאל ועל ראשו שכנת אל הכותר בדברי חכמים וזהו דעתך עלן כלומר השגחתך עלן והואיל וישראל והתורה שבעל פה הן שני תאמי צבייה ראוי שלא יתנשאו זה מזה לא בעלמא דין ולא בעלמא דאתי. ולהיות התלמוד אינו חביב ומהודר כל כך רק אצל בעלי התורה אבל לא אצל יושבי קרנות על כן אנו מודים ששם חלקנו מיושבי ב"ה ולא שם חלקנו מיושבי הקרנות. ואנו רואים שהלוחות הראשונים שכתבם השם יתברך נשתברו ולא נתקיימו רק הלוחות האחרונות שכתבם משה רמז שדברי תורה עתידים שאינם מתקיימים רק על ידי כתיבת בשר ודם הוא כתיבת תורה שבעל פה... והמלעיגים מצאו להם מקום להלעיג על **הספר הקדוש הזה** בשביל האגדות התמוהות הנמצאים בו שכלאורה נראה שלא די שלא יועילו רק יזיקו אבל כבר המשילו רבותינו זכרונם לברכה הדבר הזה בפרק במה מדליקון לאדם שצוה לעבדו להעלות לו כור של חיטין על העלייה וכן עשה. אחר כך אמר העלים בתוכו קב של חומטין אמר ליה לאו. אמר ליה מוטב שלא העלית וחומטין הוא עפר מקולל שאינה מגדלת צמחים ואפילו הכי אין החיטין נשמרים רק על ידי אותו עפר.

הכי נמי תבואתה של תורה אינה נשמרת רק על ידי איתם האגדות התמוהות שעל ידי כן הסתירו בהם את חכמתם שאלמלא כן כבר שלח האויב ידו ולשונו כדברי חכמים זכרונם לברכה להפוך את דבריהם למינות כדרך שעשה בתורה שבכתב ולא היה אם כן נשאר לפנינו שום דבר אשר בו נפלינו אנחנו מכל העמים אבל עכשיו על ידי האגדות התמוהות **הספר הקדוש** הוא בזוי בעיניהם מלהפוך דבריו לדבריהם. ובין כך ובין כך נשארו הדברים האלו בידנו על פי שלימותם שלא יפגעו בהם הכלבים ובהם יוודע כי אנחנו לבד עם ה' וצאן מרעיתו...

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### **Finding Common Ground: The Metz Beit Din and the French Judicial System**

Jay Berkovitz, University of Massachusetts

#### **Introduction**

In the two decades preceding the French Revolution, the rabbinic court of Metz functioned within a complex world of overlapping legal jurisdictions. The extant records of the *beit din* in the years 1771-1790 contain evidence of familiarity with French law and even an interest in taking that law into consideration in its own deliberations. From time to time, the *beit din* instructed litigants to consult French *avocats* in order to clarify a legal question, and in some cases the *beit din* itself initiated the consultation. There were also, certainly, instances when individuals sought the opinion of French lawyers on their own. Whatever the circumstances, it is clear that the Metz *beit din* wanted to avoid running afoul of French law and legal norms. But the occasional collaborative relationship with French legal officials and institutions also offers important evidence of the rabbinic court's integration within the legal structure of the state and of the permeability of legal boundaries.

My approach to law as a source of social and cultural history is informed by recent work in French legal history. Historians have begun to focus on lower level courts as places “where judges, lawyers, litigants, and communities came together to negotiate, contest, and use the law’s symbolic and, at times, coercive authority. More and more, historians view courts as arenas for negotiation where justice came to be understood as “a mode of social interaction between individuals, communities, and the state.”<sup>1</sup>

Broad social, economic, and political forces in the second half of the eighteenth century fostered an awareness of French law among members of the Jewish community, while the demands of daily life called for a familiarity with the particulars of the French legal system. At the judicial level, this was achieved, in part, through consultation with French *avocats*. Precisely what motivated these consultations is deceptively simple. In

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<sup>1</sup> Hervé Piant, *Une justice ordinaire : justice civile et criminelle dans la prévôté royale de Vaucouleurs sous l'ancien régime* (Rennes, 2006).

seventeenth- and eighteenth-century France, consultation had become a well-established facet of legal culture. It was a service provided by lawyers, known as *avocats consultants*, who did not plead cases but offered professional counsel outside the courtroom. Hervé Leuwers's recent study of lawyers traces the growth in the honor and independence of *avocats* in the seventeenth and eighteenth centuries, first under Louis XIV, when a series of royal ordinances and judicial *arrêts de règlement* enhanced the public standing and legal competence of *avocats*.<sup>2</sup> Their professed impartiality and their reputation for dedication to the public welfare helped create a bond of trust with clients and judges alike. Their interest and ability to disseminate their ideas formally in print as *consultations*, *mémoires judiciaires*, or *factums* enabled them to become an influential voice of public opinion.<sup>3</sup>

Legal consultation also served as a bridge between the Jewish and French judicial systems. The talmudic aphorism *dina d'malkhuta dina*, a fundamental principle of accommodation to the law of the state, implied that there were two distinct legal frameworks to which Jews needed to conform. In the Metz *beit din* records there is clear evidence of the conviction that this could not be achieved without knowledge of the larger legal setting. And within the French legal establishment there was, as well, a parallel interest in facilitating the legal integration of the Jews. This is evident from the regular interaction with a cadre of bureaucratic officials, at varying levels, that included notaries, translators, scribes, sheriffs, and *avocats*.

Because the boundaries between the two legal systems were permeable, it was important for the *beit din* to define with great care when recourse to the civil courts was justified and when it was not. In spite of its growing prevalence in the eighteenth century, or perhaps precisely because of it, recourse to the *arkha'ot* (non-Jewish courts) remained a highly contentious act that was viewed, in theory, as a betrayal of the sovereignty of the Jewish community and Jewish law. Nevertheless, medieval and early modern codes also spell out clear guidelines when remaining within the system is not possible. In Metz, the *beit din* frequently provided details on how to approach the civil courts. Equally important are the numerous instances when the rabbinic court recommended that the litigants seek the

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<sup>2</sup> See Hervé Leuwers *L'invention du barreau français, 1660-1830: la construction nationale d'un groupe professionnel* (Paris, 2006).

<sup>3</sup> See David A. Bell, *Lawyers and Citizens: The Making of a Political Elite in Old Regime France* (Oxford: Oxford University Press, 1994); idem, "Barristers, Politics and the Failure of Civil Society in Old Regime France," in Terence Charles Halliday and Lucient Karpik, *Lawyers and the rise of western political liberalism: Europe and North America from the eighteenth to twentieth centuries* (Oxford, 1997), pp. 25-36, and 65 ff.

legal expertise of *avocats*. Examples range from questions concerning endorsement of letters of exchange to the payment of civil court expenses in Lorraine.<sup>4</sup>

In source 1, which concerns a dispute between physician Feibelman and the family of the late Jacob Steinbiedersdorf over a claim of unpaid medical bills, the *beit din* based its ruling on the standard of “trustworthiness” as understood in French law. It therefore urged the parties to consult French *avocats* for clarification. Source 2 also concerns a dispute over a medical bill. In this instance, the *beit din* differentiated between the part of the case it would handle itself and the part that required the advice of *avocats*. At issue, according to the *beit din*’s understanding, was whether a physician enjoyed privileged status over other creditors. Consequently, the *beit din* instructed the two sides to seek the legal opinion of *avocats* and concluded that their opinion would be binding on the two parties, in accordance with the law of the land.

Source 3, which will be the main focus of discussion, is the text of a consultation provided by two *avocats*, one of whom was Pierre-Louis Roederer, who would later emerge as a champion of Jewish emancipation. This is a Hebrew translation of the French text, dated 30 August 1773, which I found in the Archives départementales de la Moselle; I do not know if the French original is still extant. The document is an opinion crafted in response to questions concerning an inheritance dispute between natural heirs and beneficiaries of the will of Reizele Elzus. The relevant part of the case is found in lines 1-29. The fact that this consultation was translated into Hebrew raises several intriguing issues. Closely related to this is source 4, drawn from the Metz Pinkas Beit Din, which involves the same dispute, approximately two years later (though undated). (It should be noted that Neta Emrich and Neta Gompertz are the same person.) The two sources complement each other, together providing a more complete story of what was at issue and the divergent approaches of Jewish and French law.

Even prior to their civil emancipation, Metz Jews found in the law a rather predictable ordering of reality that was governed by rules and regulations. Law was a realm that offered some respite from the randomness of social, economic, and political disabilities that are more familiar from commonly known historical sources. At the risk of overstatement, I am suggesting that the civil courts were, in the broad sense, an arena where Jews were viewed, to a certain degree, as members of a shared public. In

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<sup>4</sup> Pinkas Metz Beit Din, Record Group 128, Box 2, Collection of Rabbinical and Historical Manuscripts, YIVO Archives, vol. 1, pt. 1, 21b; vol. 1, pt 2, 38b.

France, law offered a universal language and though there was no presumption of equality, Jews enjoyed within the legal sphere the illusion of citizenship before they were actually admitted as citizens.

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### **Finding Common Ground: The Metz Beit Din and the French Judicial System**

Jay Berkovitz, University of Massachusetts

#### **Pinkas Metz Beit Din, Vol. 1, pt. 1, 35a**

Translated by Jay R. Berkovitz

24. Concerning the claim of Feivelman the physician against the estate of Jacob Steinbiedersdorf z"l [in the amount of] 343 *livres* for
25. treating and visiting him and members of his household during his life. ...
31. And after they offered lengthy arguments, we the *beit din* issued a ruling that for
32. the period when the physician is trusted regarding his claim in the civil court so that the defendant cannot
33. counter with "I paid," then for the period that he has trustworthiness, if he swears that he only received
34. the aforementioned 84 *livres* for payment of the bill he claimed today, he must also include in his oath
35. that he is including in his bill only 10 sou for each time he visited R. Jacob or members of his household, and that he is entitled to 36 *livres*
36. for twelve visits he made during the night, and six *livres* for consultation. Thus
37. the estate must pay immediately the amount for which he will swear. And if the *apotropsim* refuse to pay him, then
38. he is entitled to take them to the civil courts. But during the time when he does not have trustworthiness in the civil courts
39. he may not claim anything. And concerning the aforementioned trustworthiness, it is incumbent on the parties to ask
40. two *avocats*, and on the basis of their opinion the matter of trustworthiness will be determined. That is, each of the parties
41. will choose one *avocat* and then the *beit din* will go with them to hear what they say.
42. The ruling was issued by the *beit din* today, Wednesday, 28 Tammuz 5532 [1772]

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#### **Pinkas Metz Beit Din, Vol. 1, pt. 1, 35a**

24. ע"ד שתבע הק' כ"ה פייבלמן רופא מעזבון ר' יעקב שטב"ד ז"ל שמ"ג ליוור ממה  
 25. ששימש וביקר אותו ואת בני ביתו בחייו. ...
31. ואחר שהאריכו בטענותיהם יצא מאתנו ב"ד שעל  
 32. משך הזמן שיש נאמנות להרופא על תביעתו בערכאו' באופן שאין הנתבע יוכל  
 33. לטעון נגדו פרעתי. אזי על אותו זמן שיש לו נאמנות כנ"ל אם ישבע שלא קבל  
 34. פ"ד ליוור הנ"ל לפרעון רק על חשבון כפי שתבע כהיו' גם יכלול בשבועתו שאינו  
 35. מביא בחשבון רק י"ס לכל פעם שהלך אצל ר"י הנ"ל או ב"ב ושמגיע לו ל"ו ליוור  
 36. עבור י"ב פעמים שהלך אצלו תוך הלילה. וששה ליוור קונסולטאסיאן אזי  
 37. על מה שישבע מחויב העזבון לשלם לו תיכף. ואם יסרבו האפטרופסי' לשלם לו אזי  
 38. רשאי ר"פ הנ"ל לכוף ולנגש אותם בערכאו'. אבל על הזמן שאין לו נאמנו' בערכאו'  
 39. כנ"ל אינו יכול לתבוע שום דבר. ועל נאמנות הנ"ל מוטל על הצדדי' הנ"ל לשאול את  
 40. שני אדוואקאטין ועל פיהם יצא הדבר לענין הנאמנו' הנ"ל. דהיינו כאו"א מהצדדי'  
 41. הנ"ל יברר אדוואקאט אחד ואז ילך א' מהב"ד עמם לשמוע מה שיצא מפיהם  
 42. הפסק הלז יצא מפי ב"ד היו' יו' ד' כ"ח תמוז תקל"ב. הב"ד ה"ה אדמ"ו הגאון אב"ד נר"ו.  
 43. וה"ה מו"ה יוזל מערכינגין. וה"ה מו"ה מרדכי לוי



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### **Finding Common Ground: The Metz Beit Din and the French Judicial System**

Jay Berkovitz, University of Massachusetts

#### **Pinkas Metz Beit Din, Vol. 2, p. 85b**

1. And after we heard their arguments, we decided that the aforesaid parties
2. will ask the opinion of *avocats* as to what is *dina d'malkhuta* [the law of the land], viz. whether a physician has priority over all other creditors, and if he is considered trustworthy concerning all that he says/testifies,
3. and if he is considered trustworthy in this [specific] case, where the rental contract had already been sold. And even if he has trustworthiness, whether the trustworthiness stands even when no oath is taken,
4. that is, that he is not required to swear that he was not paid nor [swear] concerning the number of times he visited the patient. And the parties are obligated to uphold all that is stated by the *avocats*
5. from the standpoint of *dina d'malkhuta*. This ruling was issued by the *beit din* today, Wednesday, 11 Sivan 5543 [1783] [...]

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#### **Pinkas Metz Beit Din, Vol. 2, p. 85b**

1. ולאחר ששמענו דבריהם. פסקנו שהצדדים
2. הנ"ל ישאלו פי אדוואקאטין כיצד הוא דינא דמלכותא אם הרופא מוקדם לכל בעלי חובות. ואם יש לו נאמנות לכל מה שיאמר
3. ואם יש לו נאמנות בנדון זה שכבר נמכר השטר שכירות. ואפי' אם יש לו נאמנות. אם הנאמנות הוא אפי' בלא שבועה
4. דהיינו שא"צ לשבע שלא נפרע וכמה פעמים שהי' הולך אצל החולה. וכל מה שיצא ע"פ אדוואקאטין מחויבים הצדדים
5. לקים מצד דינא דמלכותא. הפסק הלז יצא מפי ב"ד היו' יו' ד' י"א סיון תקמ"ג לפ"ק. תיבות ואפי' אם יש לו נאמנות
6. אם הנאמנות דה"ק ד"ק הב"ד ה"ה אדמ"ו הגאון אב"ד נר"ו וה"ה הרב מו"ה דוד דיטבעק. וה"ה מו"ה מרדכי לוי

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#### **Copy of a Consultation of M. Roederer and Pakain**

**Advocates here who were approached by the heirs of M. Reizele, 30 August 1773**

Archives départementales de la Moselle, Consistoire israélite 17J24  
translated by Jay R. Berkovitz

1. The undersigned legal advisors who saw the will of Reizele Elzus, the widow of R. B[erman] Speyer, dated 12 May 1766 and its codicil
2. dated 20 December 1769 and the formal announcement of them both dated 14 March 1773, the inventory [of the estate] from the 19<sup>th</sup>
3. of the following April, and the account of the completion of the inventory from the 20<sup>th</sup> of the aforementioned month, the claim that was made in the bailliage court in this city
4. on the 7<sup>th</sup> of the month of June 1773 by Neta Gompertz on his own behalf and with the power of attorney of his wife, and acting as a guardian for his sons, with a written
5. record [ *mémoire* ] / were consulted on the matters on which there were questions / and their opinion on the first is that Neta Gompertz
6. cannot claim the moveable items from the room that was given to him by Reizele according to a note [of indebtedness] in Hebrew [lit. “in the holy language”], insofar as he himself did not claim it
7. until a large number of arguments opposed to him had accumulated. – And how can one validate the Hebrew note at the same time that he would like to certify
8. Reizele Elzus’s will, which weakens it [the Hebrew note] insofar as it bequeaths to others the moveable items
9. in her bedroom, and in particular the clock that is one of the moveable items, to Neta Gompertz.

10. In truth, Neta Gompertz could have chosen either that he would not accept the gifts from the will in order to claim [what is owed to him in] the Hebrew note of indebtedness or to renounce
11. the Hebrew note of indebtedness in order to receive the gifts that were bequeathed to him according to the will.
12. However Neta Gompertz, knowing that the two notes/contracts could not be simultaneously upheld, has nullified his Hebrew note
13. in order to accept the will upon himself —First he wanted to validate the will at the time of its announcement. Second, he was present at the reading of the inventory[.]
14. [H]e saw that the moveable items from the room of the deceased were included and he did not object or present his Hebrew note of indebtedness, even though it was the appropriate time
15. to present it so as not to confuse the estate with the moveable items that belonged to him from the room that was encumbered to him according to the note of indebtedness. In the third case he
16. claimed the clock pendulum that was given to him as a gift in the will, and not as part of the moveable items that belong to him on the strength of the contract.
17. Fourth, his claim in baillage court was to secure an order to certify and validate the will and to distribute the gifts to him and to his sons, and he did not make an announcement
18. concerning any residue of rights from another vantage. All of these reasons together are sufficient to verify the explicit nullification that
19. Neta Gompertz enacted concerning his rights from the Hebrew note. Nevertheless, with all of these objections to Neta Gompertz on account of
20. his explicit acceptance of Reizele's will and the implicit nullification of the Hebrew contract; without a doubt if the will cannot
21. be validated in all of its details / and if there is a judgment of the *beit din* that nullifies or weakens some details within it, then Neta Gompertz
22. is discharged from his acceptance of the will and he is free to strengthen himself with the power of the Hebrew note of indebtedness – and if he wants to combine
23. his rights from the will with those from the note of indebtedness, this is prohibited, as there is an important general principle, [namely,] that it is impossible to divide the acceptance of a will,

24. just as it is impossible to divide the acceptance of natural inheritance, and just as the natural heir cannot inherit only part of an estate, and renounce
25. the rest, because just as he is obligated to renounce the entire estate or the accept it,
26. the beneficiary of a will cannot divide a will so as to accept one part and to renounce the rest. Neta Gompertz is required to rely on the power of
27. his acceptance of the will, or to renounce it entirely, in the first way if the gifts that are given him are diminished, he may not
28. make up the difference with the rights in the Hebrew note of indebtedness, and if he chooses the second way to affirm the note of indebtedness, he is required to entirely renounce
29. the rights from the will without any residue.
30. And regarding the second question, that Elia Gompertz was charged with the care of money and precious stones and other items from the estate of Reizele Elzus
31. he cannot keep the deposit which is in his care under the pretext that not all of the beneficiaries together want either divide it according to
32. the will or to give it to the natural heirs, to each the amount he is entitled. There are ways to force him to give it up. The first
33. is to summon him to judgment to transfer the deposit, or to hand it over, and they should send for the beneficiaries with the same summons,
34. those who are not here, whether in the homes in which they lived before their travels, or in the lord prosecutor general's [*procureur général*] office, in order
35. to command him according to the law of transmission from the deposit, or the division/distribution, and the sentence will be the same for all of them/ and the second way is
36. to claim the transmission or the distribution on the condition that first he will repay all of the expenses and obligations of the estate, and for the rest of the property
37. deposited in his care, the portions which are due, either as gifts or as inheritance, to those who are not currently present. There is no doubting [this] as it has undergone review and is enduring law.

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### **Copy of a Consultation of M. Roederer. Archives départementales de la Moselle. Consistoire israélite 17J24**

העתק מן קונסילטאסיאן מן מ' רעדערער ופאקייין  
אדוואקאטין כאן שנשאלו ע"פ יורשי מ' ריזלה ז"ל מן  
למ"ד אוגוסט אלף תשע"ג למספרם

Traduction de la Consultation de M. Roederer 1773  
Archives de la Moselle Consistoire israélite 17J24

1. היועצי' ח"מ [חתומים מטה] שראו הצוואה מן ריזלה עלזו"ס א"ל ר"ב שפיאר מן י"ב מאי' אלף תשס"ו למספר [ם] וקאדיסיל שלה
2. מן כף דעסאמבר אלף תשס"ט, והשטר הכרזה מזה ומזה מן ד"י מארץ אלף תשע"ג האנוואנטער מן י"ט
3. אווריל שלאחריו, וסיפור מעשה מהגמר אינוואנטער מן כ"ף מחודש הלז, התביעה שנעשה בבאליאש מהעיר הזאת
4. זי"ן בחודש שוויין אלף תשע"ג ע"י נטע גומפערץ עברו ובכח אשתו וכמו אפוטרופוס מבניו, עם כתב
5. זכרון מהשאלות / ניתעצו על האופנים שנשאלו / ודעתם על הראשון שנטע גומפערץ
6. לא יכול לתבוע המטלטלין מהחדר שניתן לו מן ריזלה ע"פ שטר בלה"ק [לשון הקודש], באשר שהוא עצמו לא תבע
7. אותו כ"א מאז שנתקבצו רבוי טענות המתנגדי [ם] לו. -- ואיך תמצא לקיי' השטר בלה"ק שרוצה לאשר כעת
8. הצוואה מן ריזלה עלזוס היא מגרע אותו באשר שהי' נותנת לאחר' מהמטלטלין שהם בחדר אשר שכבה
9. בו, ובפרטות המראה שעות לנטע גומפערץ שהוא חלק מן המטלטלין [ן].
10. באמת נטע גומפערץ הי' יכול לברור הן שלא לקבל המתנות מהצוואה כדי לתבוע השט"ח [השטר חוב] בלה"ק או להסתיר
11. השט"ח בלה"ק כדי לקבל המתנות הנעשו לו ע"פ הצוואה

12. אבל נטע גומפערץ ידע שהשני שטרות בלתי אפשרי להרכיבם יחד הי' מבטל שטרו בלה"ק כדי
13. לקבל עליו הצואה -- בראשון התרצה לקיי' הצוואה בעת הכרזתה. בשנית הוא הי' במעמד האיננונטע[ר]
14. הוא ראה נכלל המטלטלין מהחדר המונחת ולא ערער עליו ולא הראה שט"ח בלה"ק אעפ"י [אף על פי] שהי' הזמן גרמא
15. להראות כדי שלא לערב בהעזבון המטלטלין השייכין לו מהחדר המשועבד לו ע"פ שט"ח אי בשלישית הוא
16. תבע בפירוש הפאנדיל<sup>1</sup> שניתנה לו במתנה ע"פ [על פי] צוואה ולא בתורת חלק מהמטלטלין השייכין לו מכח השטר,
17. רביעית, תביעתו בבאליאש היתה לצות לאשר ולקיי' הצוואה וליתן המתנות לו ולבניו ולא עשה שום מודעה
18. על שום שיוור זכות מצד אחר / כל אופנים האלו בהתקבצם, דיו לאמת הביטול מפורש שעשה
19. נטע גומפערץ על זכותו מהשט[ר] בלה"ק. אעפ"כ עם כל כח מאופני[ם] המתנגדי[ם] לנטע גומפערץ בעבור
20. קבלה מפורש שעשה על הצוא' מן ריזלה וביטול בחשאי שעשה משט"ח בלה"ק. בלי ספק שאם הצואה לא יכול
21. להתקיי' בכל פרטי[ה] / ואם יש פסק דין ב"ד [בית דין] שמבטל או מגרע איזה עניני[ם] מתוכה, אזי נטע גומפערץ הוא
22. מסולק מקבלת הצואה שעשה ורשות בידו להחזיק עצמו בכח שט"ח בלה"ק -- ואם ירצה להרכיב
23. יחד זכויותיו מהצואה ומהשט"ח זה מהנמנע, באשר שהוא כלל גדול שאי אפשר לחלק תורת קבלת הצואה
24. כשם שאי אפשר לחלק תורת קבלת ירושה, וכמו שהיורש לא יכול להיות יורש על חלק אחד מן עזבון ולסלק
25. עצמו מהנשאר, כי אם מחויב לסלק עצמו מכל הנוגע לעזבון או לקבלת הכל, ככה המקבל מתנה לא
26. יכול להפריש הצוואה לקבל חלק אחד ולסלק עצמו מהנשאר. נטע גומפערץ מחויב לסמוך עצמו על כח
27. קבלתו מהצואה, או לסלק עצמו בכלל, באופן הראשון באם יוגרע מהמתנות הניתנו לו, אינו יכול לתבוע
28. למלאות חסרונו בזכות השט"ח בלה"ק, ובאם יברור האופן השני לקיי' השט"ח מחויב לסלק את עצמו מכל
29. זכויות הצואה בלי שום שיוור.
30. ועל השאלה השנית שה"ה כ' אלי' גומפערץ הוא נפקד ממעו' כסף וא"ט ושאר דברי[ם] מהעזבון מן ריזלה עלזו"ס

<sup>1</sup> בגרמנית: pendel, ופירושו: מטולטלת של שעון.

31. לא יכול לעכב הפיקדון שהוא תחת ידו ע"פ אמתלא שכל המקבלי מתנה יחד אינ' מרוצי[ם] הן לחלקו בתורת
32. הצואה או למסור ליד היורשי[ם] לחלקם לכל אחד מה שמגיע לו, יש אופני[ם] להכריח אותו לסלקו, בראשון
33. להזמין אותו במשפט לעשות המסירה או החלוקה ממה שיש תחת ידו, ובאותו הזמנה יזמין אותן המקבלי מתנות
34. שאינם כאן הן בביתם שהיו דרים בהם קודם נסיעתם, או בארמון האדון פראקרער שענעראל, כדי
35. לצות ע"פ משפט המסירה מהפקדונ[ת] או החלוקה, והסאנטאנס יהי' שוה לכולם יחד / ואופן השני הוא
36. לתבוע המסירה או החלוקה על תנאי שקודם כל יפרע כל ההוצאות וחובו' מהעזבון ולהשאר תחת יד
37. בנפקד החלקי' המגיעי' הן בתורת מתנה או בתורת ירושה לאותן שאיננו פה כעת
38. אין לפקפק דה"ק [דהעברת קולמוס] בלי ספק ב"ח ד"ק [דין קיומים]



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### **Pinkas Metz Beit Din, Vol. 1, pt. 2, 16a. Record Group 128, Box 2, YIVO Archives**

1. Concerning what was claimed by the heirs *par bénéfice d'inventaire* of Reizele a"h, widow of *Parnas u-Manhig* Berman Speyer z"l, and those who are also beneficiaries
2. as stated in the will, claimed against other beneficiaries named in the aforementioned will that they want to invalidate the will prepared in French in the year 1766, according their reckoning, in May, and also the codicil
3. that was prepared on 20 December 1769, according their reckoning. And their attorney, *dayyan* R. Yozel Morhange, advanced in their presence several arguments to invalidate the will and the codicil in their entirety,
4. so that everything in the will belongs only to the heirs. They also argued against Neta Emrich, one of the aforementioned beneficiaries, that since it is known according to several witnesses that Neta
5. owed a large sum to Reizele, and no [evidence of a] debt from him was found in the estate, therefore he [must] reveal to them what he owes the estate [...]
10. [...] And Neta responded that he has nothing at all that belongs to the estate and owes not even a cent to it,
11. but to the contrary, the estate owes him as per an *arrêt* of the *parlement* and also other written documents [relating to] six thousand *livres* to which he is entitled from the estate of *Pu"m*
12. Berman Speyer, which is prior to all the aforementioned beneficiaries and natural heirs. Neta also claimed that since he has a note that was executed on the day of his wedding, signed by *Pu"m*

13. Berman Speyer and his wife, [stating] that following the passing of both of them, Neta would take the moveable items, except for silver and gold and precious stones, which are in their designated room. And if the heirs do not give
14. these [to him], they are obligated to give him two thousand *livres* in exchange for the moveables. And now that the time has come to collect, he should be given, as a priority, one of the two aforementioned items.
15. Neta also claimed that insofar as is mentioned in the will that the estate shall pay him all that the aforesaid woman owes him according to his notebook, and he showed the *beit din* that
16. she owes him [as recorded] in his notebook the amount of four hundred eighty two *livres*, therefore the estate shall pay him this amount as a priority. The heirs responded that he already received
17. during the woman's lifetime the moveables in exchange for the note. And even if you say that he received nothing, he is entitled only to the amount of two hundred *livres* that is mentioned in the Neta's *contrat de mariage*
18. that the moveables are appraised at the aforesaid amount. Also, they are not obligated to pay him a cent of all his claims, since [at the time] of the woman's *inventaire*
19. Neta only advanced the claim concerning the notebook and nothing else, therefore they are not obligated to pay him anything of the foregoing claims except what
20. he is entitled to receive as per his notebook, and this also an oral claim. The heirs also demanded of Neta that insofar as it is stated in his *contrat de mariage* that
21. the income of the house in which Neta now lives belonged to Pu"m Berman and his wife Reizele all the days of their lives and the use belongs to him, therefore Neta must show quittances
22. for the entire rent of the house from the time he lived there until the death of Reizele, or he must pay the [back] rent. And Neta replied that he owes nothing
23. because she forgave him the rent. And after their protracted arguments and having seen the will in French and the codicil, written documents of Neta, and also
24. the compromise signed by all the aforesaid natural heirs and beneficiaries, we have ruled that with respect to the will and codicil in French, insofar as some of the aforementioned heirs

25. and beneficiaries signed it, [indicating] that they agree to carry out everything that is written in the aforementioned will and codicil. Therefore, those who signed it are obligated to fulfill the will and codicil
26. in its entire contents. Indeed, those who did not sign it can refuse to uphold [lit. “invalidate”] the will and codicil concerning all that is written therein. That is, they are initially obligated to pay from the estate
27. all the expenses and debts that are elucidated below. And following this, all those who did not sign shall take from whatever remains in the estate, each one, whatever he is entitled to according to the portion of his inheritance and not according to the value of the
28. will, and [as for] what remains after the distribution of the inheritance, those heirs who signed and the other beneficiaries, those who signed [are entitled] to what remains, each one according to the portion of his bequest.
29. And those remaining beneficiaries who did not sign cannot collect anything from the estate. Indeed, if it is confirmed by two competent witnesses that at the time of the preparation of
30. the will the moveables and silver mentioned explicitly in the will were actually there -- that which she gave to the beneficiaries, namely, the silver lamp that she bequeathed to Gumpel b. Neta or
31. the [clock] pendulum for Neta. Likewise, the clothing that she left to those mentioned in the will and codicil, these things will be given to the beneficiaries. But if the
32. aforesaid is not confirmed, they will get nothing from the portion of the heirs who did not sign it. And concerning Neta’s arguments, we the *beit din* have ruled that he must take a stern oath
33. with the holy ark open, a half hour after the morning prayer in the old synagogue on a day of gathering [Monday or Thursday], with no leniency, that he has in hand nothing that belongs
34. to the estate, either what he had owed her in writing or orally, or anything at all that is in his possession from the estate and that she gave him orally an unconditional gift
35. that he acquired lawfully, and he should also include [in the oath] that the debt in his notebook is trustworthy, that he gave her the article mentioned in the notebook and did not receive anything in exchange for it. He should also include that

- 36.the woman forgave him all the rent for the house claimed by the heirs and that he did not receive the furniture in exchange for the two thousand *livres*. And following the oath, Neta shall
- 37.collect, after the payment of the all the expenses of the estate the entire amount that he claimed as per his notebook. And all the moveables that are listed in the inventory
- 38.of the notary or according to two competent witnesses what was there, at the time of the death of the woman, in her designated room, those moveables Neta can take
- 39.against the note of indebtedness, except for the silver and gold and precious stones, prior to the other beneficiaries. Indeed, of whatever was not confirmed he cannot collect a cent on the strength of the note.
- 40.And as to the claim of six thousand *livres* advanced by Neta, there is nothing to his words. [...]
- 41.[...] Rendered orally, has undergone review and is enduring law.

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Finding Common Ground: The Metz Beit Din and the French Judicial System**

Jay Berkovitz, University of Massachusetts

### **Pinkas Metz Beit Din, Vol. 1, pt. 2, 16a. Record Group 128, Box 2, YIVO Archives**

1. ע"ד שטענו כל היורשי דאורייתא פאר בענפֿיס באינוואנטר<sup>1</sup> של האשה מרת ריזלה ע"ה אלמנת פו"מ המנוח כהר"ר בערמן שפייער ז"ל וגם המה מקבלי מתנו' עפ"י צוואה טענו נגד שאר מקבלי מתנו' עפ"י צוואה הנ"ל שהמה רוצים לבטל הצוואה שעשה בלשון צרפת בשנת תשס"ו למספרם במאי' וגם הקודסל<sup>2</sup>
2. שנעשה כף דעסעמבר תשס"ט למספרם. וטען מורשא שלהם הדיין מו"ה יוזל מערכינגין במעמדם כמה טענות לבטל הצוואה וקודסעל הנ"ל מכל וכל רק כל מה שנמצא בעזבון הנ"ל שייכם ליורשים הנ"ל. גם טענו נגד נטע עמריך אחד ממקבלי מתנו' הנ"ל באשר שנודע עפ"י כמה עדים שכ' נטע הנ"ל היה
3. חייב סך רב להאשה ריזלה הנ"ל ולא נמצא בעזבון שום חוב ממנו ע"כ יגלה להם מה שהוא חייב בעזבון הנ"ל הן מעו' או שאר דברים שבידו מן האשה
4. הנ"ל. גם תבעו להקצין פו"מ כ' אלי' עמריך שיתן חשבון מהמעו' שלקח בשעת מיתתה של האשה הנ"ל ממגדל שלה. וכל מה שהוציא אפי' צדקו' אינו לשלם. והמורשא של שאר מקבלי מתנו' הדיין מו"ה מרדכי לוי השיב על כל פרט ופרט. מה שנוגע להצוואה וקודסעל הנ"ל אינו ביכולתם לבטל שום
5. דבר מכח כמה טענות בפרט שכמה יורשים חתמו תחת צוואה לקבל כל מה שכתוב בו. ופו"מ כ' אלי' עמריך השיב כל מה שנטל ממגדל האשה הנ"ל
6. היה לקיים הצדקו' המוזכרים בהצוואה שעשאה האשה הנ"ל לפני שני עדים כשרים וכפי חשבוננו נשאר בידו ממעו' ששייך לעזבון רק הסך של שני
7. מאות וחמשים ושמנה ליוור ט"ד. וכ' נטע הנ"ל השיב שאין בידו שום דבר יהי' מה שיהי' שייך להעזבון הנ"ל וגם אינו חייב פרוטה אחת בעזבון
8. הנ"ל רק להיפוך הוא שהעזבון הנ"ל חייב לו עפ"י ארע<sup>3</sup> מפארלמענט יר"ה וגם שאר כתבים ששה אלפים ליוור נותרו' ממה שמגיע לו מעזבון פו"מ כ"ה
9. בערמן שפייער הנ"ל שהוא מוקדם לכל מקבלי מתנו' ויורשים הנ"ל. גם תבע כ' נטע הנ"ל באשר שיש לו שטר אחד הנעשה ביו' חתנותו חתום מפו"מ

<sup>1</sup> בצרפתית: par bénéfice d'inventaire .

<sup>2</sup> בצרפתית: codicille

<sup>3</sup> בצרפתית: arrêt.

13. כהר"ר בערמן ואשתו הנ"ל שלאחר העדרת שניהם יקח כ' נטע הנ"ל המטלטלים חוץ מכסף וזהב וא"ט שהמה בחדר מובחר שלהם. ואם לא יתנו
14. היורשים כנ"ל מחויבם ליתנו לו שני אלפים ליוור תמורת המטלטלי' הנ"ל. וכעת שהגיע זמן גבייתו יותן לו עפ"י קדימה אחד משני דברים הנ"ל.
15. גם תבע כ' נטע הנ"ל באשר שמוזכר בהצוואה הנ"ל שהעזבון ישלם לו כל מה שהאשה הנ"ל חייבת לו עפ"י פנקסו והראה לפני הב"ד שהיא
16. חייבת לו בפנקסו סך ארבעה מאו' שמנים ושנים ליוור ע"כ ישלם לו העזבון סך הנ"ל עפ"י קדימה. והיורשים הנ"ל השיבו שכבר קיבל
17. בחי' אשה הנ"ל המטלטלים תמורת שטר הנ"ל. ואת"ל שלא קיבל כלום אינו מגיע לו רק סך של שני מאו' ליוור שמוזכר בקונטרא
18. דעמאריאש<sup>4</sup> של כ' נטע הנ"ל שמטלטלים הנ"ל נישום בעד סך הנ"ל. גם אין מחויבם לשלם לו פרוטה אחת מכל התביעו' שלו לפי שבאינוואנטר<sup>5</sup>
19. של האשה הנ"ל תבע כ' נטע הנ"ל רק התביעה מן הפנקס הנ"ל ולא שום דבר אחר ע"כ אינו מחויבם לשלם לו שום דבר מכל תביעו' הנ"ל רק מה
20. שבא לו עפ"י פנקסו וזה הוא ג"כ תביעה בעפ"י. עוד תבעו היורשים לכ' נטע הנ"ל באשר שמוזכר בקונטרא דעמאריאש של כ' נטע הנ"ל שכל
21. ימי חי' פו"מ כהר"ר בערמן ואשתו ריזלה הנ"ל שייך הפירי מהבית להם שדר בו כ' נטע הנ"ל כעת והגוף שייך לו ע"כ יראה כ' נטע הנ"ל פטורים
22. מכל שכירות הבית מזמן שדר בו עד יו' מיתתה ריזלה הנ"ל או ישלם השכירו'. וכ' נטע הנ"ל השיב שאינו חייב פרוטה אחת מהשכירו' הנ"ל
23. לפי שהיא מוחלת לו השכירו'. PB ולאחר שהאריכו בטענותיהם וראינו הצוואה בלשון צרפת וקודסעל וגם הכתבים מן כ' נטע הנ"ל וגם
24. הקומפרומס<sup>6</sup> חתום מכל היורשים ומקבלי מתנו' הנ"ל פסקנו מה שנוגע להצוואה וקודסעל הנ"ל בלשון צרפת באשר שכמה מיורשי דאורייתא
25. ומקבלי מתנות הנ"ל חתמוהו שהמה מסכימים לקיים כל מה שכתוב בצוואה וקודסעל הנ"ל. בכך אותן שחתמוהו מחויבם לקיים הצוואה וקודסעל
26. הנ"ל בכל מה שכתוב בו. אכן אותן שלא חתמוהו יכולין לבטלו הצוואה וקודסעל הנ"ל מכל מה שכתוב בו. דהיינו קודם כל מחויבם לשלם מהעזבון
27. כל הוצאו' וחובו' המבוארים להבא. ואח"כ יקחו אותן שלא חתמוהו מכל הנותרו' שבעזבון כל אחד מה שמגיע לו עפ"י חלק ירושתו ולא עפ"י ערך
28. הצוואה והנותרו' לאחר חילק ירושת הנ"ל אותן היורשים שחתמו ושאר מקבלי מתנו' אותן שחתמו הנותרו' הנ"ל כל אחד לפי החלק מתנתו.
29. ואותן שאר מקבלי מתנו' שלא חתמו אינו יכולי' לגבו' שום דבר מעזבון הנ"ל. אכן אם יבורר עפ"י שני עדים כשרים שהי' בעין בשעת עשיית
30. צוואה המטלטלים וכסף שמוזכר בצוואה הנ"ל בפירוש שנתנה למקבלי מתנות. דהיינו הכסף לאמפף שעשאה לכ' גומפיל בן נטע הנ"ל או

<sup>4</sup> בצרפתית: contrat de mariage

<sup>5</sup> בצרפתית: inventaire

<sup>6</sup> בצרפתית: compromis

31. ופאנדעל לכ' נטע הנ"ל. וכמו כן המלבושים שנתנה לאותן המזכרים בצוואה וקודסעל הנ"ל אזי יותן אותן הדברים למקבלי מתנות. אכן אם
32. לא יבורר הנ"ל אין להם כלום מאותן חלק יורשים שלא חתמוהו. ומה שנוגע לטענות כ' נטע הנ"ל יצא מאתנו ב"ד שמחויב לשבע שבועה
33. חמורה בפתיחת אה"ק חצי שעה לאחר תפילת שחרית בבה"כ הישינה ביו' הכניסה בלי שום הוראת היתר שאין בידו שום דבר השייך
34. להעזבון הנ"ל הן מה שהיה חייב לה עפ"י כתב או בעפ"י או שום דבר יהי' מה שיהי' שהוא תחת ידו מעזבון הנ"ל והיא נתנה לו עפ"י במתנה
35. גמורה שקונה עפ"י הדין ויכלול שהחוב בפנקסו שהוא ביושר שהוא נתן לה הארטיקל שמוזכר בפנקסו ושלא קיבל עליו כלום. גם יכלול
36. שהאשה הנ"ל מחלה לו כל השכירו' הבית שתבעו היורשים הנ"ל ושלא קיבל המעביל תמורת שני אלפים ליוור. ולאחר השבועה הנ"ל יגבה
37. כ' נטע הנ"ל לאחר תשלום כל הוצאו' שבעזבון הנ"ל הסך כולה שתבע עפ"י פנקסו הנ"ל וכנ"ל. וגם כל המטלטלים שיבורר עפ"י אינוואנטר
38. של נאטריע או עפ"י שני עדים כשרים מה שהי' עומד בשעת מיתתה האשה הנ"ל בתוך חדרה המובחר אותן המטלטלי' יקח כ' נטע הנ"ל
39. עבור חוב שטר הנ"ל חוץ מכסף וזהב וא"ט מוקדם לשאר מקבלי מתנות. אכן מה שלא יבורר אינו יכול לגבו' פרוטה אחת מכח שטר
40. הנ"ל. ומחמת התביעה של ששה אלפים ליוור מן כ' נטע הנ"ל אין בדבריו כלום. ומחמת שטענו היורשים נגד פו"מ כ' אלי' הנ"ל יצא
41. מאתנו ב"ד שכ' אלי' הנ"ל ישבע שבועת היסט שכדבריו כן הוא. בעפ"י דהעברת קולמוס דין קיומים.

## **EARLY MODERN WORKSHOP: Jewish History Resources**

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

**Medicine as a Cultural Connection Between Jews and Christians in Early Modern Italy**  
Andrew Berns, UCLA

### **Abstract**

This presentation explores cultural connections between Jews and Christians in sixteenth-century Italy through the lens of medicine. I present and analyze two texts. The first (from 1587) is a letter from Girolamo Mercuriale, a Catholic, to Moses Alatino, a Jew. The second (from 1592) is an excerpt from a *consilium* sent by the Jewish physician David de' Pomi to Francesco Maria della Rovere, Duke of Urbino.

### **Introduction**

The two texts presented below contain evidence of Jewish-Christian interaction in sixteenth-century Italy. The first is a medical consultation written by the Catholic physician Girolamo Mercuriale to the Jewish physician Moses Alatino regarding a young woman suffering from an assortment of gynecological and urinary ailments. Mercuriale's letter is a response to a query, unfortunately lost, from Alatino. Girolamo Mercuriale (1530-1606) was a distinguished doctor and prolific writer. His first *Book of Medical Responses and Consultations*, from which this text is taken, was published in Venice in 1587; one other volume followed in 1598, and two others in 1604. Mercuriale's reputation rests not only on his medical monographs but also on his antiquarian works. Perhaps his best-known book is *De arte gymnastica libri sex* [Six Books on the Gymnastic Art] (Venice 1579), an exploration of physical activity in the ancient world. Moses Alatino was Mercuriale's exact contemporary: he died in 1605. In addition to practicing medicine, Alatino achieved renown as a translator of classical Greek scientific texts into Latin, often executed via Hebrew manuscripts from the Middle Ages. The second text presented here is an excerpt from a medical prescription that the Jewish physician David de' Pomi wrote to Francesco Maria II, the Este Duke. It belongs to the *regimen*



*vitae* genre of medical advice literature, which originates in the Hippocratic Corpus. De' Pomi's work was one of several addressed to Francesco Maria, and was included with the others in a bound manuscript preserved in the Vatican Library. David de' Pomi (1525-93) was born in Spoleto, educated at Perugia, and spent most of his professional life in Venice. None of his strictly medical writings has survived, but we do have several apologetic, historical, and exegetical works, some of which remain in manuscript. De' Pomi is best known for his tri-lingual 1587 dictionary *Tsemah David*, which explains thousands of Hebrew and Aramaic terms in Hebrew, Latin and Italian. It elaborates upon several medieval lexicographical works, and features a variety of colorful essays on antiquarian and historical topics.

The medical profession constituted one of the only professional and cultural spheres in early modern Europe that encouraged fruitful relationships between Jews and Christians. Italy was very important in this regard. From the sixteenth century on, Jews matriculated at, and took degrees from Italian universities. We have hard evidence that, while there, they attended class with and disputed among their Christian fellow students. Data are lacking, but circumstantial evidence suggests that they also socialized more informally. A number of Jewish and Christian physicians conducted correspondence throughout their careers, and those epistolary relationships may have commenced at university. Medical letters were an important genre of epistolary literature in the sixteenth and seventeenth century. As Ian Maclean has pointed out, they sold well. And as Nancy Siraisi has shown, one feature of medical letters was they were often exchanged between members of different religious confessions. There is evidence in Mercuriale's correspondence that he wrote to, and received letters from, Jews. There is at least one other letter to Alatino, and Mercuriale also wrote to the Jewish physician Abraham Portaleone of Mantua, whom he addressed as his "faithful friend." Furthermore, Portaleone, who is best known as the author of an encyclopedia of biblical antiquities, *Shilte HaGibborim*, also wrote medical letters in Latin and Italian, which remain in manuscript. Those letters consist of correspondence with over forty gentile physicians, besides several Jewish ones. Among Portaleone's correspondents was Girolamo Mercuriale.

One conspicuous feature of both of the texts I present below is the absence of any discussion of religion, faith, Scripture, or cultural differences between Jews and Christians. I submit that de' Pomi, Mercuriale and Alatino shared a common culture: that of learned medicine. They were adherents of different faiths, but one would not know that from perusing their medical writings. Those writings discuss medical and scientific topics

exclusively. Neither of the sources I have translated contains any content that sheds direct light on cross-cultural interactions *per se*; rather, they present evidence of interaction between members of different religions but the same culture. The content of these letters is, in turns, routinely formal and rigorously technical. With regard to the former, Mercuriale's salutation to Alatino is worthy of note: "It remains to say that you love me, and you should know that I hold your learning, as well as your skill in practicing medicine, in high regard." Even if the love Mercuriale professed for Alatino was formalized rather than emotional it is still worthy of discussion and consideration. I also wish to underscore David de' Pomi's subsequious posturing before Duke Francesco Maria, whom he calls "the very wisest and most learned of all princes," and to whom he professes himself "your humble servant." We might consider whether de' Pomi's sycophantic stance was typical of writings sent to princes and kings, and or whether his status as a Jew colored his self-presentation. Finally, it remains to ponder how specifically early modern, and how Italian, this set of interactions was. The political, social, institutional, literary and scientific contexts are those of sixteenth-century Italy. So far as we know, the sorts of interactions that these Jewish and Christian physicians enjoyed did not occur in other contexts. In German-speaking Europe Jewish-Christian relations in medical circles were nearly unheard of; in the Ottoman Empire they were quite rare; and in Eastern Europe in this period we have no evidence of Jewish and Christian physicians conducting correspondence. The opportunity to attend university with Christians, to enter into a professional career with clear social advantages, to enjoy membership in organizations such as Colleges of Physicians, and to practice their craft upon, and alongside Christians were all advantages unique to the Jews of early modern Italy.

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## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Medicine as a Cultural Connection Between Jews and Christians in Early Modern Italy** Andrew Berns, UCLA

Girolamo Mercuriale to Moses Alatino.

From: *Hieronymi Mercurialis Foroliviensis Responsorum, et Consultationum Medicinalium Tomus Primus* (Venice, 1587), fol. 43-44.

On a Uterine Tumor, Painful Urination, and Constipation, for a noble young Jewess, [sent] to the Jewish Physician Moses Alatino. Consultation #16

Although I have thus far given no response to your letter, in which you elegantly and fully discussed the health challenges of a most distinguished woman, the delayed return of it [my *responsum*] came about chiefly because I was thinking that you wished for nothing other than my diligence in responding to your *consilium*, and I believed I might satisfy your desires if these obligations were discharged either by the cure itself, or by my response. Regarding what is to be done about this matter— expressed by this woman and her own husband— what the situation is and what course of action the affected parties will request, you may easily guess my judgment. It is only relevant for me to add, in my view, that these troubles were not caused by a visit to the baths. It is not possible for me to say anything else about her condition other than what was related by her husband. But I might just briefly venture the following opinion: The uterus is affected by some tumor on the extreme left side, and when I first examined that place, I was indeed suspicious. Both those things that happened to her previously, and the notable diminution of her menses, greatly augmented that suspicion. And yet I doubt either that the prolapse of the uterus to the inferior parts is brought about on account of this one condition [diminution of the menses] or on account of an enlarged mola of the uterus so that the intestines compressed to the posterior part admit feces with difficulty. It may be the case that from the inner parts the mouth of the bladder will become compressed so that the urine (which, I have noticed, happens very often in cases like these) may be perceived as much more painful upon discharge. The following things occur to almost everyone: wakefulness, annoyance,

and perpetual discomfort. On account of these things the aggravated internal organs do not adequately supply nourishment to the whole body. It is no wonder, then, that more and more every day the patient is exhausted by the loss of nourishment. And so there is no one who would not deem it necessary for a most capable doctor to direct ceaseless study to this case, whence other serious defects are seen to arise, certainly to the uterus itself, by unnatural conditions that are to be addressed.

Apropos of this it is extremely difficult to judge if those things written most copiously by Hippocrates on diseases in the first book of his *On Women's Sicknesses* are correct. However, you should not desert her [the patient], or give up hope, but rather adhere to assiduous prescription for her and a suitable regimen of life—no great protection in this summer heat! If there is pain and swelling in that place it may please [the patient] to assiduously apply [to her] an emollient ointment. At the same time you may make use, though only at intervals, of a maturative made from pigeon's broth with a proper measure of smilax, wormwood, mint, endive, and borage flower. After the heat of summer has passed away, and a proper purgation of the whole body has been performed, I would recommend for that reason that carefully prepared iron with a mixture of uterine powders be administered to her, which will be more pleasantly and easily endured by her. In this manner the remedy will expel the internal hardness, and I do not doubt that you have often experimented with this, and had great success with it. After this [remedy] she should drink every month [with her menstrual cycle] two drachmas of old Theriac, and it is to be hoped that this will work. Since you write nothing about cautery (and nor would any woman propose it), I fear none was done, and therefore if in order to press the [blood] flow of the whole body towards the uterus two cauteries will be performed on the arms, I do not doubt that these things will be useful. And these are the matters most relevant to the case at hand which I thought worthy of writing to you. It remains to say that you love me,<sup>1</sup> and you should know that I hold your learning, as well as your skill in practicing medicine, in high regard.

Be well. [Written] from Padua.

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<sup>1</sup> Cf Cicero, *Epistolae ad familiares*, 274, tu fac quod facis, ut me ames teque amari a me scias: "It is for you to see to it, and you do, that you love me, and are assured that I love you."

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### **Medicine as a Cultural Connection Between Jews and Christians in Early Modern Italy** Andrew Berns, UCLA

Girolamo Mercuriale to Moses Alatino.

From: *Hieronymi Mercurialis Foroliviensis Responsorum, et Consultationum Medicinalium Tomus Primus* (Venice, 1587), fol. 43-44.

De Uteri tumore, urinae acrimonia, aluique suppressione, pro Nobili iuvene Hebraea, ad Moysem Alatinum Medicum Hebraeum. Consultatio XVI [On a Uterine Tumor, Painful Urination, and Constipation, for a noble young Jewess, [sent] to the Jewish Physician Moses Alatino]

Quod litteris tuis, in quibus de honestissimae foeminae adversa valetudine, eleganter, & copiosè disputas, hactenus respo[n]sum nullu[m] dederim, redditus ipsius isthuc dilatus, hucusque in primis effecit; Putabam enim cum nihil aliud, quam diligentiam in expediendis consilijs vestris meam requireres, sat fore si his absolutis, aut re ipsa, aut sermone meo desiderijs vestris satisfacerem, & quod ad ipsum opus ex ore mulieris atque ipsius coniugis, quae acta sint, quae ipse iudicaverim, quid occasio, & patientis natura postulaverint, facilè intelliges: Ita ut ad me solummodo pertineat illud addere, mihi ipsam post thermarum usum videre non contigisse, ac propterea quidquam aliud de ipsius statu me dicere non posse, quam quod ab ipsius coniuge relatum, atque etiam breviter, audiui: Uterum namque illius in extima sinistri lateris parte tumore aliquo affectum esse, cum primum locum contrectavi, valdè sum suspicatus; Quam suspicionem maxime etiam augent, tum quae sibi antea evenerunt, tum mensium illa insignis imminutio, nec non uteri ad inferiora prolapsus, ob quem unum affectum, nec non ob auctam uteri molem, dubito fieri, ut à parte posteriore compressa intestina difficulter faeces admittant; Ab interiore vero os vessicae angustius redditu[m] in causa sit, ut urina (quod plerumque fieri in his casibus animadverti) inter exeundum multo acrior percipiatur. Quasi verò ab omnibus his deinceps, & vigiliae, & molestiae, & inquietudines perpetuae oria[n]tur, ob quas violata viscera, cum alimentum toti corpori idoneum non suppedite[n]t, mirum minimè est, si illud debito nutrimento privatum, in dies magis consumitur. Quapropter nemo est, qui non videat oportere Medicu[m] eo potissimu[m]

studia cuncta dirigere, unde caetera vitia potissimu[m] oriri videntur, nempe ad uterum ipsum, ab affectibus praeternaturalibus vindicandum,

Quod tamen consequi perarduum iudicandum est, si quae ab Hippocrate his de affectibus copiosè scripta sunt in Primo de morbis mulieb. Libro, vera sunt. Attamen minimè eam deferere, ac penitus spem abijcere debetis, sed praescripta ipsi assidua, & accommodata vivendi ratione sub hisce aestibus nullum generosum praesidium adhibere, praeterquam si loco illi dolenti, & tume[n]ti ceratum aliquod emollitorium assiduò applicare libeat, simulque ius aliquod domestici Columbi cum modico Chyne, artemisiae, menthae, cichorei, borraginis, saltem per intervalla praebere. Postquam autem calore perfuncta erit aestas, facta iterum accommodata totius corporis purgatione, chalybem diligenter praeparatum, necnon uterinis aliquibus pulveribus commixtum, ea ratione sibi exhibendum laudarem, quae ab ipsa iucundius & facilius sustineri poterit. Huiusmodi enim remedium ad expugnandas durities quaslibet internas, magnam vim possidere te quoque saepius expertum esse non dubito. Post quem usum si deinceps singulo mense bis Theriacae veteris drachmam devorabit, collaturam esse sperandum est. De cauterijs cùm nihil scribas, neque etiam mulier quidquam retulerit, nulla esse facta vereor, & idcirco si ad comprimendum totius corporis ad uterum confluxum, duo in brachijs excitarentur, utilia fore non dubitarem. Et haec sunt, quae in proposito casu ad te scribenda putavi. Reliquum est, ut me ames, ac tuam doctrinam, & in medendo peritiam à me plurimum aestimari putes. Bene vale. Patavij.

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David de' Pomi to Francesco Maria II, Duke of Urbino

From: *Medicorum consilia in infirmitate francisci mariae II urbini ducis, an. 1592.*

[Physicians' Consilia regarding the Illness of Francesco Maria II, Duke of Urbino]

Vatican, cor. Urb. 1468, 119r-134r.

David de' Pomi to Francesco Maria II, Duke of Urbino

(Included in) Physicians' Consilia regarding the Illness of Francesco Maria II, Duke of Urbino

Although I have judged you, most serene Duke, to be the very wisest and most learned of all princes, and have perceived you to be very skilled in all of philosophy and the mathematical disciplines, it is nevertheless very easy to err in one's own regimen of health, and I have thought it a good idea, and one without any risk of being inappropriate, to prescribe to you, in brief, my ideas regarding how best to care for your health. Not that I think that very few doctors more learned than I am are to be found in your city; on the contrary, they are much more learned than I. I have decided to write this *consilium*, however unpolished it may be, since I am your most faithful servant, not doubting that you will receive it with a cheerful spirit, since in your beneficence you are accustomed to receive other gifts, however small. And since the [true] method of healing consists in knowledge of those things that exist in accordance with, and in contradiction to nature, the ultimate worth of this work is [your] peace of mind.

. . . It is customary for us to say a few words about these things [sleep and wakefulness]. We shall therefore say that the best sleep is nocturnal sleep, since the night, by means of natural humidity and quiet, leads the soul to sleep. A pure mixture is initiated, and after nocturnal sleep we are led to expel many parts of [our] excrement.



. . . These bits of advice, which I have written in haste, and without books to consult, will suffice for your course of treatment. [May this treatment] bring me the esteem of the wise and famous physicians who assist your grace.

To Your serene [grace]

[Your] most humble servant,

David de Pomis

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Serenis[sim]o Urbini Duci Franc[esc]o M.[aria]

Tametsi ser.[enissime] Dux, te omnium principum quos buccusque novi, sapientissimu[m], atque literatissimum iudicaverim, et multum omnis pilosophiae [sic: philosophiae] Disciplinarumque Mathematicarum peritia excellere perceperim; cum tum in propriis corporis regimine quisque aberrare perfacile valeat, haud rationi absonum aliqua proserere tuae valetudine tuenda ante meum discessum breviter perscribere putavi: non, quod me longe Doctiores Medici hac in tua civitate (119r-119v) minime reperiantur existimem; sed, ut meam q[u]a sere tuam fidelissimam servitutem, hoc sibi consilium etsi admodum rude, instituere decrevi: non dubitans, quin illud eo hylari sis animo excepturus, quo pro benignitate tua, caetera munera quantumcu[m]que parva, suspicere soles. Et quoniam medendi methodus in illis cognoscendis consistit, quae secundum, et quae praeter naturam existunt, opere precium est, serenita[s].

. . . Fas est ut de iis [somnus et vigilia] etiam sermonem faciamus. Dicimus igitur, quod optimus somnus est nocturnus; quoniam nox naturali humiditate, silentioque, animum in somnu[m] deducens, absolutam molitus concoctionem, item post somnum nocturnu[m] (130r-130v) plurima parte ad excretionem excrementor[um] instigamur.

. . . Haec currenti calamo, et sine libris, dieta sufficiant, in singulis me remittens iudicio sugacis[im]o celeberrimor[um] medicorum qui tuae subli[mi] assistu[n]t.

Sereni. V.[estra]e

Infimus ser.[vu]s

David de Pomis

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### **A Jewish-Christian Commentary on Luke**

Yaacov Deutsch, The Hebrew University of Jerusalem, David Yellin College

### **Introduction**

In 1735, Immanuel Frommann, a converted Jew who was working at the Institutum Judaicum in Halle translated the book of Luke and wrote a commentary on the text. This text is probably the first printed Hebrew commentary on the New Testament. In his commentary, Frommann uses a wide range of Hebrew sources. He quotes regularly from the Babylonian and Palestinian Talmud, biblical commentaries, midrashim, legal treatises, philosophical texts and historical works. He also makes use of mystical and kabbalistic works. The commentary has several layers of interpretation: relatively short lexical or grammatical explanations of words or phrases; literary explanations of the text that are meant to make it more comprehensive to the readers; as well as “Christological interpretations”.

This text is unique because it was written in Hebrew thus mainly for a Jewish (male) audience and not in Latin or vernacular languages as was the case in earlier compositions that made use of Jewish texts like Johannes Lightfoot, *Horae Hebraicae et Talmudicae* or to Surenhusius *Sefer ha-Mashveh*. In many ways, Frommann’s commentary is better described as a Jewish-Christian or perhaps a Christian-Jewish text. Instead of a total rejection of Jewish learning and writing, Frommann’s heavy use of the Jewish tradition in a Christian context is an attempt to reconnect Christianity and Judaism.

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*Evangelium Lucae pars prior ab erudito proselyto Henr. Christ. Imman. Frommanno Doct. Med. in linguam ebraeam transferri ac explicari curavit ediditque Io. Henr. Callenberg, Halle, 1735*

A Gospel according to Luke the Evangelist that is taken from books known as the New Testament, copied from the Greek, to the holy tongue, and explained with a commentary, Part I, in the year 495 (1735)

**1. Since many have taken to their hearts to set down an orderly account of the events which have been validated to us 2. Just as they were handed on to us by those who from the beginning were eyewitnesses and servants of the word of God.<sup>1</sup>:**

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**1. Since** - It was already explained in the introduction to this book why the books that tell about the birth of Jesus, the miracles he performed before all the people and his resurrection are called the **good gospel** and why the people who wrote them are called **evangelists**. And there you will also see that each and every book was written by the person to whom it is attributed although he did not disclose his name. And the intention of the narrator who tells us these things in the first four verses in this book, which are like an introduction to his book, is to announce the reason for writing this book. And **Since many have taken to their hearts to set down an orderly account of the events etc.** until **they were servants of the word of God** - Namely they want to write everything according to its order, but because this did not (always) succeed and they wrote succinctly and sometimes omitted one or two stories, and the readers of these books could not understand the connection between all the stories and the right order in which they took place. Therefore "'I too decided" (lit. it seemed good to me)" etc. And he did not intend to invalidate what had been said before by earlier evangelists, to the contrary, for he includes himself among them when he writes: **"I too decided"** etc. And he only came to augment their words by learning and

studying everything thoroughly from its origin, as it will be explained in the following verses, that this author wrote about many things that the former evangelists omitted, like the birth of John and similar things like that. **Many:** Besides Mathew and Marcus who are called evangelists and lived before Luke and wrote their books. And in that time there were important people who fully heartedly believed in Jesus took upon themselves to write some events that they saw and heard. And because they were not necessary or useful, they were not counted among the books that are called in the New Testament Holy Writings, rather they were concealed. As the men of the Great Assembly (Anshey Kneset ha-Gdola) did to the books: Baruch, Tobias and Judith and to many others. And although some of these concealed books do not exist today it is impossible to argue from this that there was no divine providence over the New Testament books and this is proven from the 'Book of God's Wars' mentioned in Numbers 21,14; the 'Book of the Righteous', Joshua 10,13 and many other books as it is mentioned in the introduction. **Have taken to their hearts:** like "And all this I have taken to my heart" (Ecc 9:1). **To set down:** this is taken from the Talmud as we learned in the fourth chapter of tractate Brakhot, page 28b: **Simeon ha-Pakuli arranged the eighteen benedictions in order in Yavneh:** he means to set down everything in its place. **those things which have been validated to us:** in that time, all the things that he told were true and accurate, and no one doubted them, because there was a tradition about them from man to man as he explains.

**2. Who from the beginning were eyewitnesses:** this relates to the previous verse because it gives a reason why the truth of these things were proven to us because they were given to us from those people who saw everything with their own eyes and they are Jesus's disciples and his apostles whom he chose to be witnesses to all his sayings, signs and miracles as it written in this book, chapter 24:48: and they always stood with him when he was tested. And these deeds were inscribed in the hearts of those who heard and saw them to such a degree that they were willing to risk their lives as we will interpret with God's help.

**And servants:** a designation for disciples because they are used to serve and to assist their master like: the servant of Moses, [one] of his young men (Numbers 11,28); And young Samuel was in the service (1 Samuel 3,1); and as it is written: who poured water on the hands of Elijah (2 Kings 3,11). And from this they learned in the Talmud that **the service of the Torah scholars is greater than the study thereof.**<sup>2</sup> **Word of God:** according to the (Aramaic) translation the saying of God: And I have already explained the

issue of this phrase in the introduction and commented on the intentions of the translator when he translated the noun Hashem or the term God (Elohim) or "according to Hashem" (pi hashem) etc. as the saying (or word) of God, because he always means that **the Ancient Wisdom which flows from the Highest Crown which is the Crown of Creation, the Splendor of the Unity equaling the Highest Crown or the Infinite in every aspect,** according to the Kabbalah as it appears in the second path of Sefer Yetzirah.

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<sup>1</sup> I have followed the New revised Standard Version translation of the New Testament, amending it when it was necessary to explain the words Frommann used.

<sup>2</sup> BT, Brakhot 7b.

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ספר בשורה טובה על פי המבשר לוקאס לקוח מספרים הנקראים ברית החדשה, הועתק מלשון יון ללשון הקודש ומבואר בפירוש, חלק ראשון, בשנת תצ"ה לפ"ק.

1 אחרי אשר רבים נתנו אל לבם לסדר ספור המעשים אשר נכונה לנו אמתם: 2 כאשר מסרו לנו אשר ראו הכל בעיניהם מראשית ומשרתי דבר ה' היו:

**1. אחרי:** כבר נתבאר בהקדמה לספר הזה הטעם למה נקראו הספרים המדברים מלידת ישוע ומאותותיו ומופתיו אשר עשה לעיני כל העם וממיתתו בשם **בשורה טובה**, והאנשים אשר כתבו למה נקראים מבשרים: ושם תראה ג"כ מבואר, כי כל ספר וספר הוא כתיבת יד האיש הזה המיוחס לו, אע"פ שלא גילה בעצמו את שמו: וכוונת המספר בדברים האלה בפסוק א' ב' ג' ד' שהם כפתיחה לספרו, להודיע סיבת כתיבתו, ר"ל למה מלאו לבו לכתוב הספר הזה: כי **אחר אשר אנשים רבים נתנו אל לבם לסדר ספור המעשים וגו'** עד ומשרתי דבר ה' היו, כלומר היה בדעתם לכתוב דבר דבור על אפניו: אבל לפי שמחשבתם לא עלתה בידם, וכתבו רק בקצרה, ולפעמים השמיטו מעשה אחד ושתיים, ולא היתה להקוראים בספרים האלה ידיעה נכונה, לדעת קשר הדברים וקשר הזמן איש איש על דגלו, ולכן וייטב גם בעיני וגו': ואין דעתו בזה לבטל דברי הראשונים אדרבה כי הוא כולל את עצמו עמהם באמרו **וייטב גם בעיני וגו'** ולא בא כי אם למלאות דבריהם בחקרו ודרשו הכל היטיב מתחלתו כאשר יבואר בפסוקים הבאים, שכותב הזה הרבה כתב שהשמיטו הראשונים כגון לידת יוחנן וזולתם: **רבים:** חוץ ממתתיהו ומארכוס הנקראים מבשרים, והיו קודם לוקאס, וכתבו גם ספריהם, נמצאו בעת ההיא אנשים חשובים, אשר היה שם ישוע חרות על לבם, והם כתבו מעצמן ג"כ סיפורי איזה מעשים אשר ראו ואשר שמעו: ומפני שלא היה בהם צורך ותועלת, לא נחשבו בתוך הספרים הנקראים בברית החדשה כתבי הקודש אלא נגנזו: כאשר גם עשו אנשי כנסת הגדולה לספר ברוך, לספר טוביהו, יהודית ולאחרים רבים: ואע"פ שקצת מהספרים הגנוזים האלה לא נמצאו כלל בימינו, אין מזה להביא ראיה שלא היתה השגחת אלהים על ספרי ברית החדשה, וספר מלחמות ה' יוכיח הנזכר במדבר כ"א פסוק י"ג: ספר הישר יהושע י' פסוק י"ג, ורבים



אחרים כנזכר בהקדמה: **נתנו אל לבם:** הן ואת כל זה נתתי אל לבי: לסדר: הוא מלשון גמרא כמו ששנינו בפרק רביעי דברכות דף כ"ח ע"ב: **שמעון הפקולי הסדיר י"ח ברכות על הסדר ביבנה:** ר"ל לשום כל דבר ודבר על מקומו: **אשר נכונה לנו אמתם:** אמת ונכון היו בעת ההיא כל הדברים אשר ספר, ולא ספק בהם אדם, כי היתה מסרת בידם איש מפי איש כמו שמפרש והולך:

**2. אשר ראו הכל בעיניהם:** מוסב לפסוק שלפניו, כי הוא נתינת טעם, למה אמתת הדברים האלה נכונה לנו, מפני שנמסרו לנו מהאנשים האלה, אשר ראו הכל בעיניהם, והם תלמידי ישוע ושלוחיו אשר בחר בהם להיות עדי כל דבריו אותותיו ומופתיו, כמו שנא' בספר הזה סימן כ"ד פסוק מ"ח: והמה גם עמדו אתו תמיד בנסינו: וכל כך היו הדברים האלה חקוקים על לב הרואים אותם, עד ששמו את נפשם בכפם על זאת כמו שנפרש בע"ה: **ומשרתי,** כינוי לתלמידים, כי דרכם לשרת ולשמש את רבם, כמו משרת משה מבחוריו (במדבר י"א פ' כ"ח): והנער שמואל משרת (שמואל א' ג' פסוק א'): וכמו שאמר אשר יצק מים על ידי אליהו (מלכים ב' ג' פסוק י"א): ומכאן **דרשו בגמרא שגדול שימוש תלמידי חכמים יותר מלימודן: דבר ה':** על דרך לשון תרגום מימרא דה': והארכתי כבר בההקדמה מענין הלשון הזה, ושם העירותיך על כוונת המתרגם בתרגומו שם העצם ה' או שם התואר אלהים או פי ה' וגו' **במימרא דה',** כי לעולם דעתו **על החכמה הקדומה הנאצלת מכתר עליון והוא כתר הבריאה וזוהר האחדות השוה לכתר עליון או לאין סוף בכל מיני מעלה כפי הקבלה בספר יצירה נתיב ב':**

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **A Jewish Merchant Family and a Moroccan Ruler**

Daniel J. Schroeter, University of Minnesota

#### **Introduction**

These three documents are from the Lévy-Corcos archives, a private collection of family documents in Paris, which I photographed in 1985. A few comments on what Jewish family archives reveal about Muslim-Jewish relations in Morocco: It was not uncommon for elite Jewish families to pass down from generation to generation various kinds of Muslim and Jewish legal documents, including Arabic decrees of rulers (*dahirs*) and letters from Muslim governmental officials. Such documents were kept as records of property, debts, or special privileges. Significantly, literate Jews did not read or write in the Arabic script, and thus could not read the documents in their possession. None of these three letters are addressed personally to the individual Jews in question, though they are intended as commands to be followed by both the Jews and Muslim officials. The first document is a letter sent from Sultan Sulayman's brother to his son, 'Abd al-Malik (the latter was governor of Agadir), pertaining to the Jewish merchant, Meir Macnin. The description in Judeo Arabic erroneously states that the document was from the sultan. Why, then, was the document in possession of descendants of the family? One can assume that it was customary (or required) for government officials to give such documents to the individuals concerned for safekeeping. The other two documents are royal decrees that would have been sent to the governing officials in the port of Essaouira (Mogador), one pertaining to Shlomo Macnin (the brother of Meir), and the second to the "children of Ibn Macnin." Likewise, it must have been expected that once communicated to the governing authorities, the Macnins would keep these documents in their possession.

From the 1780s to the 1820s, Meir Macnin and his brother Shlomo were at the center of Morocco's very modest trade with Europe, as merchants and diplomatic agents of several sultans of the Moroccan 'Alawid dynasty (the rulers were *sharifs*, meaning that they claimed descent from the Prophet Muhammad). They were crucial in the development of what became Morocco's principal seaport, Essaouira (Mogador), in the latter half

of the 18<sup>th</sup> century. With the growth of Essaouira, Agadir was closed to foreign trade. There was a short-lived attempt by the new sultan, Sulayman (1792-1822) to revive foreign commerce in Agadir (see doc. 1), amid a dynastic struggle that divided Morocco. From 1797-1798, Sulayman managed to gain control and recognition of his rule, and again he closed Agadir to foreign commerce, dismissing his nephew, ‘Abd al-Malik, who was acting independent of central authority. Henceforth, Moroccan foreign trade was (again) concentrated in Essaouira, royal port of the southern capital of Marrakesh, and conducted by a small group of royal merchants, almost entirely Jewish.

These documents raise a number of questions about Muslim-Jewish relations in Morocco and, more generally, the Islamic world in pre-modern times. While the letters pertain to the relationship of elite individuals (court Jews may not be the best concept here), they reflect the larger tensions embedded in the concept of *dhimmi*, which is both a contract between the individual Jew (in the Maghrib there were no *dhimmi* Christians), and the Muslim ruler, and between Jews as a collectivity and the Muslim community writ large. The patrimonial relationship between ruler and ruled revealed in these letters might in one context have little to do with religious difference, but in another context be shaped by the differences between Muslim and Jews as separate religious communities. These documents show commonalities between Muslims and Jews as well as the recognition of cultural and linguistic boundaries. They also reveal the interdependency of Muslims and Jews, and how each participant understood the benefits and liabilities of that relationship.

Finally, I would like to discuss the implication of these texts to the period, and their relevance to questions of periodization. In a study of similar types of documents for the 19<sup>th</sup> century, Michel Abitbol, sees in these royal merchants (using the neologism, *tujjar al-sultan*) a significant departure from the past, one in which their activities are no longer represented as individuals, but rather, as a social class belonging to members of different religious communities. In my critique of how much these texts reflect changes in the “modern” period, I would like to question the relevancy of the mainly European construct “early-modern” in relationship to Jewish history for at least parts of the Mediterranean basin.

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*Professor Khalid Ben Shrir of the Université Hassan II (Morocco) generously helped in deciphering and translating these documents.*

### **A letter from Mawlay ‘Abd al-Salam to Mawlay ‘Abd al-Malik**

Praise God the One. God bless our Lord Muhammad and his family.

Our blessed son ‘Abd al-Malik, may God guide you to the right way; peace be upon you, and mercy and blessings of God be upon the welfare of our sovereign [the sultan] and brother, made victorious by God, may God strengthen his power. As follows: When the *dhimmi* in our sharifian [royal] service, Meir b. Macnin, will reach you, we order you to provide him with a house that he can live in and fill with commerce because he [Meir b. Macnin] wishes to conduct commerce in Agadir as an agent of the merchant Zuzaf [Joseph], his associate. Take care of him and make it a point that he be given favor and privileges over the other Jews there since he is our *dhimmi* and our chattel. You will carry out this order. May God guide you to the right way and be pleased with you. Peace. 13 Rabi‘a II, 1209 [=7 January 1794].

Seal: ‘Abd al-Salam b. Muhammad...God...God with His grace.  
[Judeo-Arabic description]: letter of Sulayman, [when] the merchant Meir b. Macnin went to Agadir in 1209.

### ***Dahir* of Mawlay Sulayman**

[Seal of Sultan Sulayman]: Sulayman b. Muhammad, may God forgive him with His grace.

Praise God the One. We authorized the *dhimmi* Shlomo ibn Macnin to open the mill that was owned by al-Tahir b. Sulayman; he [Shlomo] purchased it from the man who was designated by us [the sultan] to sell or to liquidate his [al-Tahir b. Sulayman’s] properties that are in the new *mellah* of the port of

Essaouira (God protect it); and to gain as profit from the various assets: from rent, etc. From this time on, no one should prevent him [Shlomo Macnin] from exercising the right to dispose of these assets whenever that may be. Because he purchased it from his personal money, whoever from our governing authorities is in charge should strictly implement this order without any alteration to it. Our full sharifian order was authenticated and must be executed. At the end of Jumada I in year 1224 [=14 July 1809]

### ***Dahir* of Mawlay Sulayman**

In the name of God, Everything is realized by what God wills. I cannot achieve success [in doing good] but in God.

[Seal of Sultan Sulayman. In middle of star]: Sulayman b. Muhammad b. ‘Abdallah, may God forgive him and guide him; [inside corners of star]: Muhammad, Abu Bakr, ‘Umar, ‘Uthman, ‘Ali; [outside star]: I cannot achieve success [in doing good] but in God, in Him I trust and to whom I turn.

We order our servants, the merchants, the children of Ibn Macnin in the port of Essaouira (may God protect it), to take care of the bearer [of this order], the rabbi Rafael, and to undertake [helping] him in different ways, such as advancing to him money [with the view of sharing profits with him\*], and to be charitable with him, so that he can recover from his financial crisis, God willing. Thus, our sharifian command was issued, on the first of the sacred month of Muharram, the first of the year 1231 [3 December 1815].

\*The term, *qirāḍ*.

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#### A letter from Mawlay ‘Abd al-Salam to Mawlay ‘Abd al-Malik

الحمد لله وحده      وصلى الله على سيدنا محمد وآله  
 ولدنا الأرضى مولاي عبد المالك اصلحك الله، وسلام عليك  
 ورحمة الله وبركاته عن خير مولانا واخيना المنصور بالله اعلا  
 الله امره، وبعد فحيث يرد عليك ذمي خدمتنا الشريفة مير  
 بن مقنين نامرك ينتقد له داره ينزل بها ويعمرها بالتجارة.  
 لانه اراد التجارة باجديرناأبا عن التاجر زُزاف صاحبه.  
 وتهلا فيه واستوصي به خيرا وميزه عن تجار اليهود هناك  
 لانه ذميना ومتاعنا فعلى هذا يكون عملك والله يصلح،  
 ويرضى عنك. والسلام في 13 من ربيع الثاني عام 1209.

seal [whole text unclear]:

عبد السلام بن محمد...الله...الله بمنه

ברא דלצלמאן באס מסא תאזר מאייר ן מקנין לאגאדיר

תאריך 1209

*Dahir of Mawlay Sulayman*

سليمان بن محمد غفر الله له بمنه seal:

الحمد لله وحده

اذنا للذمي شلوم ابن مقنين ان يفتح الطاحونة التي كانت في ملك الطاهر بن سليمان واشتراها ممن اسندنا له امر بيع اصوله الكاينة بملاح ثغر السويرة صانها الله الجديد ينتفع بانواع الانتفاعات من كراء وغيره وحينئذ فلا يمنعه احد من التصرف فيها، كان من كان، حيث اشتراها من ماله الخاص به. فمن وقف عليه من ولاية اعمالنا، يعمل بمقتضاه، ولا يحيد عنه اذنا تاما به صدر الامر الشريف، وهو ثابت الامرنا فذ الحكم. في متم جمادى الاولى عام

1224



**Dahir of Mawlay Sulayman**

بسم الله ما شاء الله كان، وما توفيقني إلا بالله

seal:

سليمان ابن محمد بن عبد الله، غفر الله له وتولاه

محمد، ابو بكر، عمر، عثمان، علي

وما توفيقني الا بالله، عليه توكلت واليه انيب

نامر خدامنا التجار اولاد بن مقنين بثغر الصويرة حرسه  
الله، ان يستوصوا خيرا بحامله الحزان رفاي ويتهلوا فيه  
ويعاملوه بقراض وبشبهه ويبروا به كي ينجبركسره إن شاء  
الله تعالى. وبه صدر امرنا الشريف في فاتح محرم الحرام  
فاتح عام 1231

S. M. Moulay Sliman

année 1231

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### **Jailhouse Encounter: A Sixteenth-Century Jewish-Christian Tale and Its Historiographical Ramifications**

Daniel Jütte, Society of Fellows, Harvard University

#### **Introduction**

Below are two excerpts from the little known early seventeenth-century German memoirs of the non-Jewish Swabian merchant Hans Ulrich Krafft (1550–1621).<sup>1</sup> Krafft was born into one of the most respected families in the city of Ulm, in southern Germany. In the 1570s, he served as a factor for the Augsburg-based Manlich trade company in the Levant.<sup>2</sup> In the summer of 1574, however, the Manlich Trade Company went bankrupt, and Krafft, who did not have the means to pay off the debts he had guaranteed on behalf of his employers, was arrested and imprisoned in Tripoli (now in Lebanon). This dismal situation was to last for three years, and Krafft faced moments of real crisis. For example, he was kept for forty days in a cell without a ray of sunlight, and the hygienic situation in the tiny cells was abominable.

I would like to present two excerpts from Krafft's nearly 500-page long memoirs. The first excerpt describes an episode from his imprisonment when he was visited by a German Jew named Mayer Winterbach, who came from the same region of Swabia. Despite Krafft's initial reluctance, the two men eventually formed a friendship. More than a decade after Krafft's release, they met again in Germany and continued their amicable relationship (excerpt 2). Krafft's detailed and personal account provides us with insight into the nature of this uncommon, or perhaps not so uncommon, cross-cultural connection. In my presentation, I hope to raise the question of how to classify Christian-Jewish encounters like the one between Hans Ulrich Krafft and Mayer Winterberg.

#### **On the Translation and the Edition(s) of the Source**

There is no extant translation of Krafft's memoirs in any language other than modern German, which is unfortunate since the original text is fairly challenging, even to native speakers of modern German.<sup>3</sup> Krafft was not a

man of letters and he clearly did not set out to write high literature, but it is clear that he used detailed notes and records from the past when he started putting quill to paper. Written mostly around 1615—about five years before his death—Krafft’s memoirs were primarily written for his three sons. In fact, the autograph manuscript was published only in the second half of the nineteenth century. In the absence of an original title, the editor Konrad Dietrich Haßler decided to publish the memoirs under the title *Reisen und Gefangenschaft Hans Ulrich Kraffts* (The Travels and Captivity of Hans Ulrich Krafft).<sup>4</sup> This was a fitting title, for the account mainly deals with events in Krafft’s life between the ages of twelve and thirty-seven. It gives us little information about his childhood or his life after his marriage in 1587. What we know about these parts of his life must be drawn for other sources.<sup>5</sup>

My excerpts from Krafft’s memoirs are taken from Haßler’s edition (all translations into English are mine).

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<sup>1</sup> The autograph manuscript is preserved today in the Stadtarchiv Ulm, Bestand H (Handschriften/Nachlässe: Krafft, Hans Ulrich). On extant editions, see below n. 4. I will offer a more detailed treatment of this source and of the excerpts in question in an article that is currently under review.

<sup>2</sup> On the rise and fall of the Manlich Trade Company see esp. Hermann Kellenbenz, “From Melchior Manlich to Ferdinand Cron: German Levantine and Oriental Trade Relations (Second Half of XVIth and Beginning of XVIIth centuries),” *Journal of European Economic History* 19 (1990): 612–617. See also Jakob Strieder, *Das reiche Augsburg: Ausgewählte Aufsätze Jakob Strieders zur Augsburger und süddeutschen Wirtschaftsgeschichte des 15. und 16. Jahrhunderts*, ed. Heinz Friedrich Deininger (München: Duncker & Humblot, 1938) 101–109; 167–189.

<sup>3</sup> To the best of my knowledge, the only historical study that is aware of the riches in Krafft’s memoirs as a source of cultural history (although it uses it only marginally) is Axel Gotthard, *In der Ferne: Die Wahrnehmung des Raums in der Vormoderne* (Frankfurt: Campus, 2007), esp. p. 66. In contrast, see Piirainen’s linguistic study of early modern German, based on a computerized analysis of Krafft’s vocabulary: Ilpo Tapani Piirainen, *Graphematische Untersuchungen zum Frühneuhochdeutschen* (Berlin: De Gruyter, 1968). For Piirainen, Krafft’s book serves only as a random sample from the vast pool of available early modern texts. He is entirely indifferent to its historical content and context. While I cannot judge the value of Piirainen’s linguistic analysis and conclusions, I find his classification of the text as an “uninteresting travelogue” (p. 3) inappropriate and rather condescending.

<sup>4</sup> *Reisen und Gefangenschaft Hans Ulrich Kraffts*, ed. Konrad Dietrich Haßler (Stuttgart: Litterarischer [sic!] Verein, 1861). One year after the Haßler edition, a more accessible but slightly rearranged translation into modern German was published under the title *Ein deutscher Kaufmann des sechszehnten Jahrhunderts: Hans Ulrich Krafft’s Denkwürdigkeiten*, ed. and trans. Adolf Cohn (Göttingen: Vandenhoeck und Ruprecht,

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1862). More recently, a heavily condensed selection of newly translated chapters was assembled by Klaus Schubring under the title *H. U. Krafft: Ein schwäbischer Kaufmann in türkischer Gefangenschaft* (Heidenheim: Heidenheimer Verlagsanstalt, 1970).

<sup>5</sup> A valuable compilation of available biographical information on Krafft can also be found in the relevant entry in an online databank of German ego-documents (*Selbstzeugnisse im deutschsprachigen Raum*), maintained by the Free University of Berlin: [http://www.geschkult.fu-berlin.de/e/jancke-quellenkunde/verzeichnis/k/hu\\_krafft/index.html](http://www.geschkult.fu-berlin.de/e/jancke-quellenkunde/verzeichnis/k/hu_krafft/index.html) (accessed October 1, 2011). There is also an entry on Krafft in Ralf C. Müller's prosopographical encyclopedia of early modern German travelers to the Levant: Ralf C. Müller, *Prosopographie der Reisenden und Migranten ins Osmanische Reich (1396-1611): Berichterstatter aus dem Heiligen Römischen Reich, außer burgundische Gebiete und Reichsromania* (Leipzig: Eudora-Verlag, 2006), 5:41–70.

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The Journeys and Imprisonment of Hans Ulrich Krafft, translated by Daniel Jütte

Litterarischer [sic] Verein, Stuttgart, Germany 1861, pp. 189-191, 416-417

Excerpt 1 [pp. 189–191]

[p. 189] At the time of the feast of Saint George<sup>1</sup> in the year 1575, a German came to see me in the municipal jail. He greeted me in German, expressing how surprised he was to find a fellow German in this place and, more specifically, in jail. He asked me to receive him benevolently, for he had come to me out of wonderment. He soon noticed that I am a Swabian and thereupon remarked that we were fellow countrymen [*Landtsleüth*]. When he found out that I am from Ulm he promptly said: “I come from a nearby place that is under the rule of the Vöhle lords of Neuburg near Düssen [Dießen]<sup>2</sup>.” We were both surprised that out of all places, we had happened to meet here [in the prison of Tripoli]. But when he said that he was a Jew, I became sad. He rushed to console me. He said that he could understand that I might be afraid of him given the fact that I had been kept in prison partly at the instigation of several Jews. He could see the point. In fact, he had come to see me because my adversaries had urged to him to do so, for they were eager to find out more about me and my family. However, invoking God and all that he owes to Him, he herewith solemnly swore that he would not be involved in any schemes against me. Nor would he speak or act against me. For he and many other German Jews disliked the haughty local [Oriental] Jews even more than we Christians did. [p. 190] He told me that was bound to deliver a message to Safed, but that he did not plan to spend much time there. In fact, he was intent on returning to Germany soon afterwards. If he—as a loyal fellow countryman—could do anything detrimental to them [my Oriental-Jewish creditors], I should let him know and trust him like a

brother. As I recapitulated his offer to him, he affirmed it even more emphatically than before. Thus we reached an accord. Despite the fact that he had known my father in Ulm well (in fact, he told me that they had done business before my father became city mayor) he would declare [in the presence of my creditors] that I indeed originated from Ulm, but that he had never heard of my family. Furthermore, he would state that I was unlikely to be the son of respected people.

He indeed kept this promise. And as Safed is only two day's journey from Tripoli, he came to visit me again after eight days. He told me marvelous tales about the nearly infinite number of Jews he had seen in the synagogues of Safed. They were of different nations, such as German, Italian, French, Portuguese, Spanish, Polish, and some of them spoke Turkish, Arabic, and Greek—something that went beyond what he had ever imagined. In the remaining eight days of his stay in Tripoli, he often came to see me, and he complained a great deal about the haughtiness of the Oriental Jews. For instance, [he told me how] he had two shirts and several handkerchiefs laundered, which cost him four *medin*<sup>3</sup> (in Germany he would pay less than [the equivalent of] one *medin*). [He went on to report that] soon afterwards a Jew came in who used vile language and accused him of paying his wife with four counterfeit *medin*. Handing back the money, he [the upset Jew] asked whether he [the German Jew] had come to this country in order to cheat its people. The German Jew (by the name of Mayer Winterbach) offered to take the issue to the head of the Jewish community. Thus they both appeared in court: The judge asked the Oriental Jew to present the counterfeit money, and the Oriental Jew complied. The judge then declared that the four *medin* were indeed false. The German [Jew], in contrast, declared that he had paid with good coins and not with these four false ones. The Oriental Jew was confronted with this statement and was asked whether he would swear under oath to his own version, to which he soon agreed. However, lest the Oriental Jew commit perjury over such a small amount of money (roughly three *batzen*<sup>4</sup>), the German Jew took the counterfeit money and cut it into pieces under the eye of the judge. He then paid the fraudulent Jew the same amount in good coins.

[p. 191] I teased Winterbach with this story and recommended that he better return home soon, for he was too naive for this country. [...] Winterbach [...] remarked that while he had traveled thousands of miles in his life (and he later told me in detail about his many journeys), he had never before been cheated in such a devious way. In fact, he admitted, the old saying was still true: “The closer to Safed, the worse the Jews; the closer to Rome, the worse the Christians.”<sup>5</sup> When Winterbach left for Germany on a

Venetian ship on 10 May 1575, I gave him a letters to my dear father and to my friends along with other things to be delivered to Ulm. After the delivery of these items and the thorough report he gave about my state, he received fair reward [in Ulm].

Excerpt 2 [pp. 416–417 (last chapter of the memoirs)]

[p. 416] My readers should know: Now that I, the undersigned, have truthfully and with God's help described everything that occurred to me during my younger days from the age of 12 to the age of 37—when I was bachelor both in foreign lands and at home—I shall leave it at that. [p. 417] However, regarding the period after my marriage, there is one thing that I cannot omit from my present account. The German Jew by the name of Mayer Winterbach of Neuburg [...], who visited me during my imprisonment in Tripoli in Syria in 1575, had tried ever since to find out what had happened to me. He indeed managed to learn that I had eventually returned to my fatherland, and that the city of Ulm had appointed me a bailiff in Geislingen. In August 1590, he all of a sudden came to see me in Geislingen. I did not immediately recognize him, for fifteen years had passed and I did not believe that he would ever come to see me again. He asked me whether I no longer remembered him. While I did not recognize him by his greyish beard, I soon enough did so by his manner of speaking. He brought me as a present a beautiful big nautilus, as well as a beautiful, black-brownish hollow nutmeg (which I later on made part of a beautiful drinking cup in the form of a turtle, which I commissioned). He stayed for two days at my home, and the good-hearted reader can imagine how much more cheerful and merry our conversations were compared to the ones that we had fifteen years earlier and hundreds of miles away from home. I treated him with great gratitude.

While making a side trip during one of his journeys, he came to see me again three years later, in May of 1593. During that visit he told me about the long journey to Italy and Portugal from which he had returned in the meantime. At that time he was intent on settling in Prussia because he had married off one of his daughters there. He was also already quite old at that time, and because he has not visited me ever since, I suspect that his life had been put into God's hands. Despite the fact that he was a Jew, I do not know of a Christian who traveled more than he did.

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<sup>1</sup> April 23.

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<sup>2</sup> Reference here is to the Vöhlin family, an affluent local dynasty that was primarily based in the town of Neuburg an der Kammel.

<sup>3</sup> *Muayyadi* (an Ottoman coin)

<sup>4</sup> A widespread coin in Germanic lands.

<sup>5</sup> This is the Jew's extension of a popular medieval and early modern saying, occasionally also quoted by Luther in his assaults on Papal power. The traditional version is: "The closer to Rome, the worse the Christians." Cf. *Thesaurus proverbiorum medii aevi*, 9:56, 356–357.



## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Jailhouse Encounter: A Sixteenth-Century Jewish-Christian Tale and Its Historiographical Ramifications**

Daniel Jütte, Society of Fellows, Harvard University

Reisen und Gefangenschaft Hans Ulrich Kraffts

Litterarischer [sic] Verein, Stuttgart, Germany 1861, pp. 189-191, 416-417

#### Excerpt 1

[p. 189] Vmb Georgj Ao 1575 kompt ein Teuscher Zu mir Ins gefencknus der Statt, grieß mich Auff Teusch, mitt verwunderung, daß er einen Teuschen In diser Landts Artt, sunderlichen In verhafftung finden soll, bitt, Ich sols Ime Zu gutt haltten, das wunder habe Ine Zu mir triben. Der Mörcktt auch bald, daß Ich ein schwab werd sein, mit vermelden, er haltte dafür, wir seyen Landtsleüth. Da er mörckt, Ich were von Ulm, sagt er strackhs darauff: Ich bin nitt weytt darvon, vnder den freyherrn Vöhle Zuo Newburg bey Düssen. Darlber verwunderten wir vns Noch mer, daß wir vnuerhofft alda sollen Zusammen khomen. In dem Als er sich Erklert, er wer ein Jud, ward Ich darlber trawrig; der sprichtt mir bald wider trostlich Zuo, Er Mörcke wol, weil Ich Zum tail auch ettlicher Juden gefangner sey, so thüe Ich mich ab Ime Enttsötzen; es seye nit on, eben meine widersächer haben Ine darumben Zu mir Zu gehn genöthiget, Zu erkundigen, wer Ich vnd was mein vnd der Meinigen thun vnd lassen sei; Er wölle mir Aber hiemitt angeloben, An eines Aidts statt, so hoch er vor Gott schuldig, daß er Im geringsten nichtts wider mich wöll practicieren, Röden noch fürnemen, dan er vnd vil Ander Teusche Juden seyen den hochtrapendten hielendischen Juden mer feindt dan wir Cristen. Er habe [p. 190] was Zu Safföt, das Ist Faphet, AußZurichtten, wölle sich nit lang saumen Zuuerrichtten vnd bald wider Ins Teuschland machen; derowegen, kinde er mir Als ein Trewer Landtsman wider sy was gutt Außrichtten, soll Ichs Ime Als meinem leiblichen bruder vertrauen. Da Ich Ine seines anerbietens Noch einmal erInnertt, betheurt er mirs höher Als Zuuor. Hierauff wurden wir mit einAnder Dacordo, vnangesehen daß Ime mein herr Vatter Zu Vlm wol bekandt vnd, wie ermeldt, vor der Zeitt Im Burgermeister Ambtt vor Ime Zuschaffen gehapt, so soll er AnZaigen, Ich sey wol von Vlm, Aber Ime seye meins geschlechtts Niemandt bekandt, er haltt auch nitt dafür, daß Ich Ansehenlicher Leith kind sey, wölches er Trewlich gehalten. Vnd weil ermeltt Saffet nit Zwo tag rayß von Trippolj ligt, Ist er in Achtt tagen wider Zu mir khomen vnd mir wunder gesagt, wie es ein vnZahlbar Juden alda vff der Schul hab, von Mancherlay Nattion, Als Teusch, welsch,

frantzösisch, Portugaleser, Spanier, Polaccen, von Türckischer, Arabischer vnd kriechischer sprach, döß er sein lebtage nitt geglaubtt. In den Achtt tagen, so er hernach Noch zu Trippolj muß bleiben, Ist er offft Zu mir Auß vnd Eingangen, da hatt er mir vil von disen Orientischen Juden hochmuth geklagtt, vnder Andern, man hab Ime Zway hemendter sampt ettlich schnuptiechlin geseubertt, dauon hab er miessen vier Medin geben, er hette nit ein Im teuschland dafür derfen Zallen. Bald khom ein Jud, Red Ine trutzig An, er habe seinem weib vier falsche Medin geben, ob er darumb Ins Land sey khomen, dj leüth Zubetriegem, vnd gibbts im gleich wider. Er der Teusche Jud, mit Namen Mayer winterbach, erbeut sich mit Ime für der Juden Obersten Zugehen; sy bede khomen für: der sprichtt, der Land Jud soll Ime dj falsche Mintz geben, der thutts hernach dem Judexs Zustöllen; der Richtter sprichtt, die vier medin seyen Falsch; der teusch sagtt, er habe seim göggentayl gutte vnd nitt dise 4 falsche Medin geben; darlber wirdt der Land Jud befragt, ob ers mit dem Aid wölle bestettigen, wölches er bald Zu thun sich anerbotten. Ehe Aber der Teusche Jud den Andern einem falschen Ayd vmb ein so geringes geltt, souil Als 3 batzen, hatt wöllen thun lassen, thut er das falsch geltt vor dem Richtter Zerschneiden vnd dem falschen Juden ander [p. 191] gutt geltt wider dafür geben. Darlber Ich Ine winterbach wol gefexsiert vnd gesagt, er solle nur bald wider haim Raysen, er seye Zu Ainfalttig In dise Land [...] Darlber sagtt er winterbach [...] er seye sein tag (wie er mir dan hatt erZöltt, wohin er aller göggen Auff vnd Nidergang gerayßt) vil taussentt meyl gewandert, er seye Niemals also lüstig betrogen worden, mit fernerm vermelden, das Altte sprichwortt seye noch war: Ie Nehner gehn Saffet, Ie Erger Jud; Ie Neher gehn Rohm, Ie Erger Crist. Als er winterbach hernach den 10 Mayo Ao 1575 vf einem venedischen schüff wider Ins Teuschland verrayßt, hab Ich Ime schreyben An meinen L. Vatter vnd befreindten vnd Andere sachen, In Vlm Zu Iberliuern, mitgeben, Ist Ime Auch vf fleyssige IberAnttwortung vnd gründtliches berichtts, wie es mit mir beschaffen, ein gutt Drinckgeltt verehrtt worden.

## Excerpt 2

[p. 416] Zu wissen: Dieweil ich vnderschribner nunmer Gott lob Alles wahrhaftig beschriben, was mir In meiner Jugendtt vom 12 bis vff das 37 Jar Lödigs standts In der frembde, Zum tayl Anhaimisch, begöggnett vnd widerfaren, will [p. 417] Ichs darbey beruhen vnd bleiben lassen. Allein kan Ich eins In meinem Ehstand Zu melden nitt vmbgehen. Nach dem der Teusche Jud, Namens Mayer Winterbach von Newburg [...], wölcher mich In Ao. 1575 vnuersehens zu Trippolj in Siria In meiner gefengnus hatt haimgesuchtt, vnd er mich seyder hero hatt Aus kundttschafft, wie daß Ich wider In mein Vatterland Ankhomen vnd Vlmischer pfleger Zu Geußlingen worden sey; Als hatt er mich Im August Ao 1590 Zu Geußlingen Auch vnuersehens Nach meiner Erlödigung wider haimgesuchtt, wölchen Ich In 15 Jarn nitt gleich erkanntt, weil Ich vermaint, er werde dj tag seins Lebens nitt mer Zu mir khomen. Indem aber er

mich fragt, ob Ich Ine nitt mer kenne, hab Ich Ine bölder An seiner Röd Als grawlechtten bartt erkanntt. Der brachtte mir Auch Zum gruß ein schönen grossen Mörschneckhen sampt einer schönen schwartz Braunen holen Muscatnuß schalen, darauß Ich mir ein schönes drinckh geschirr In form einer Schülttkrotten hab machen lassen. Was es für ein fröliches lustiges gesprech göggen dem vor 15 Jarn Iber Vil hundert meil Zwischen vns beeden In Zwayen tagen, so er bey mir gewesen, hatt Abgeben, kan der gutthertzige Leser selbstn ermessen, hab Ine hernach von mir danckbarlichen Also abgeförttiget, daß er Iber drey Jar, Ao 1593 Im Mayo mich am fürIber Raysen hatt widerumben haimgesuchtt, mit erZöllung, wie er Zwischen der Zeitt wider ein Weytte Rayß In Ittalia vnd portugal volbrachtt, In Willens, sich In preysen Zu begeben, alda er ein Tochtter hab verheurath, vnd weil er Zimlich bedagtt gewesen, auch seyder nitt Zu mir khomen, haltt Ich Ine für Gott beuohlen. Ob er wol ein Jud ward, so glaub Ich nit, daß ein Crist weytter Als er gerayßt sey.

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **“The Early Modern Inn as a Space for Religious and Cultural Exchange”**

Magda Teter, Wesleyan University

#### **Introduction**

While it is relatively easy to map out mutual cultural influences between Jews and non-Jews, it is much more difficult to map out the mechanisms of this cultural exchange. Such instances of cultural exchange may have happened indirectly, for example, through books, as Joanna Weinberg termed it, through “virtual contact”; or, directly, through “real” human interaction. The texts presented here deal with the latter. One set of texts is a selection of several seventeenth-century *takkanot*, rulings, by the Council of Four Lands, the supra-communal organization responsible primarily for collection of taxes levied by the Polish state but also engaging in administration of affairs within Jewish communities. The second text comes from Polish court records and shows a criminal trial of a Jewish tavern keeper, Szmul Dubiński, accused of blasphemy in Rzeszow in 1726.

Public spaces where Jews and non-Jews met seem to offer fertile grounds for exploration of direct encounters. While some public spaces, such as a market place where encounters were short and focused on the exchange of goods, may have been more prone to a shallow interaction, taverns and inns allowed for closer and longer contact. It is these closer encounters that provoked such anxiety among both Jewish and Christian religious authorities who repeatedly warned against Jewish-Christian socializing.

In the early modern period, inns and taverns became the most prominent social centers across Europe, and there are many studies that address a wide range of topics. In this workshop, in 2005, Stefanie Siegmund led a discussion on taverns and public drinking in Florence.<sup>1</sup> In Poland, to add further complexity, taverns were often run by Jews, by the second half of the eighteenth century the majority of them, out of their own

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<sup>1</sup> Stefanie Siegmund, “Taverns and Public Drinking in Florence,” EMW 2005, <http://www.earlymodern.org/citation.php?citKey=60&docKey=i>

homes. This fact violated a number of halakhic rules, as well as Christian secular and ecclesiastical laws.

The 1726 trial of Szmul Dubiński illustrates not only the reasons behind some anxieties religious leaders expressed but also give a vivid picture of the type of exchanges that often must have taken place, and the context. Szmul's case is clearly rather extreme, especially in underscoring the dangers of Jewish-Christian interactions, the majority of such interactions did not result in prosecution.<sup>2</sup> The text also highlights intimacy and comfort of the relationship between Szmul and his customers. The text raises questions of cultural integration, language, mutual knowledge, and awareness of difference and boundaries between Jews and Christians.

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<sup>2</sup> Dov Ber Brezer (Birkenthal) of Bolechów admitted of his desire to learn Latin so that he could discuss religious matters in the inn run by his father, Gershon David Hundert, "Mining an Unusual Ego Text (or two)," EMW 2011, <http://www.earlymodern.org/citation.php?citKey=180&docKey=i>

## EARLY MODERN WORKSHOP: Jewish History Resources

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### **The Early Modern Inn as a Space for Religious and Cultural Exchange** Magda Teter, Wesleyan University

Archiwum Państwowe w Rzeszowie, AmR, 27, pp. 348-351, published in Adam Kaźmierczyk, ed., *Żydzi polscy 1648-1772* (Cracow: Uniwersytet Jagielloński, 2001), 147-150

September 24, 1726

Court inquest regarding blasphemy brought by the instigator on behalf of the residents [*ex civibus*] of Rozwadów against the now incarcerated Szmul Dubiński, a citizen of Rozwadów, thus:

First witness, *honestus* Franciscus Kowalski, sworn town councilman of Rozwadów, having taken an oath, related: I came to the house of the infidel Jew, Szmul Dubiński, resident of our [town], with Jakub Lisowski on the Feast of the Visitation of the Most Holy Virgin [July 2, 1726] in the afternoon at around two or three o'clock. We asked to be given a galon of beer. The said Szmul, having come over to us, embarked upon a discussion with us about elections for municipal offices. When we began the discussion, who should be elected to what office, Szmul began to scoff, saying: 'Who do you have here who would be appropriate for a mayor? One is a brawler, another a young lad, another an idiot, and yet another should first organize a christening!' And mockingly he said more, but I responded to his words: 'But they don't mind in other towns; in Sandomierz, even though it is a royal city [*miasto grodowe*], Nowiński, a neophyte, is the chief magistrate.' And Szmul responded: 'It is true that he is the chief magistrate, but he blew several hundred zlotys on it. He stopped here when traveling, and told me 'I am looking for my stepson, who disappeared, and priests incite me to accuse Jews, that they caught him and murdered him.' And I told him that it is a lie, since it is improper here for our clergy to instigate [action] even regarding clear-cut matters, let alone to incite about things which they they not witnessed. And Szmul responded that in one town there was a woman, whose child had died, and cursing [he said that the body] was dropped near the Jewish area, and Jews were attacked and murdered on account of this child. And I responded that this was not true, it

was a lie. Szmul again said, 'It is you, Poles, who spread tales that we need your blood, with which we wash ourselves.' And I said, 'I cannot say anything about it, because I have not heard it, but it is Jews who are cunning, when they do something bad, they deny it.'

And so these squabbles led to the point that Szmul began to discuss faith, and he came out with these words, 'Our God is older than your Catholic one.' And he asked me: 'Which God do you believe in?' And I answered him that I believed in the one who let himself be crucified for us. Szmul then pointed through the window frame toward the sculpture, with a cupola and a clay crucifix made by a potter, saying: 'So you believe in this God, which Skrzypek [the potter] made out of clay and put there?' And I said to him, that indeed in this [God] because it was an image of his divine suffering on earth, but God Himself was in heaven. And Szmul responded: 'For what did he let himself be crucified, if he is so powerful, and why does your God fall over?' And I responded: 'Szmul, don't debate like this, God is God, and although wood falls over when it rots, don't debate like this. He let himself be crucified because he is merciful, he suffered so that he could redeem us.' And I said, 'Szmul, don't debate such things with someone smarter [than I], so you don't fall into some trap, for I am a simple man.'

But Lisowski, who was with me, wanted to punch him with his fist when he heard this blasphemy, but I did not let him, so that he would not provoke a fight, and said: 'Let him go, for he barks at Lord God like a dog.' Jakub Lisowski and Matyjasz Trafidło, witnessed the blasphemy, and Grzegorz Jasiński, the miller, but he was sitting far away, so I don't know if he paid attention or not, and I don't remember if he was present for the whole time, or if he left. But Moskal and the organ player arrived afterwards.

And thus he testified having first taken an oath: I, Franciszek Kowalski, swear to Almighty Lord God, one in Holy Trinity, that what I testified and testify against the infidel Szmul Dubiński, resident [*obywatel*] of our town, is not out of envy or hate; nor have I been persuaded or bribed by anyone [to do so], but without adding or subtracting anything, I testified only the truth about how Szmul blasphemed against Lord God and divine honor, and I did not hide anything. So help me God and the innocent suffering of Lord Christ.

The second witness, *honestus* Jacob Lisowski, having taken an oath, related and concurred with the prior [witness] in everything except, "I did not hear [the discussion about] which God is older, which took place in the mid-evening of the Assumption of the Most Holy Virgin, because during this debate I stepped outside twice"; and he added, "I wanted to hit him but

I was afraid that I would be condemned [reprimanded?] by the lord of the manor.’”

The third witness, *honestus* Mathias Trafidło, a resident [*incola*] of Rozwadów, having first taken an oath, related, “On a feast day, I don’t remember which one, perhaps on the feast of the Most Holy Virgin [*Najświętszej Panny Jagodnej*] mid-evening I came over to the window in the hall, and Kowalski called me and offered me a drink, so I joined them, but I was not present during their whole discussion, I only heard Szmul Dubiński, who was very drunk, say these words: ‘Why does your God fall over, if he is so powerful?’ But I don’t remember what Kowalski answered. And Szmul then said to Kowalski, ‘Which God do you believe in, this, made of clay, which Skrzypek put up?’” And Kowalski said, ‘This, because it is the image of God.’ And Szmul beat his chest, but I don’t know if seriously or as a joke. They then started quarrelling about Gods, but I did not pay attention, and Szmul said, ‘Let’s agree that both Gods are good, this one is good and that one is good.’ After they offered me the drink, I left. I did not see if Moskal and the miller were there or not. And so he testified, and he confirmed his testimony with a personal oath.

And witnesses introduced by the accused infidel Szmul Dubiński, a resident of Rozwadów, thus:

First *laboriosus* Gregorius Jasiński, a miller from the village of Horzewice, having taken an oath, related, “On the feast of the Most Holy Virgin, I came over to Szmul Dubiński’s while it was still before noon, Kowalski had not yet come to Szmul’s; after Kowalski came, I heard that they were talking with Szmul about the Lord God, but I did not pay attention, and I don’t know anything and I did not hear much because I was sitting at the other end of the table, but Szmul was inebriated; Moskal was not present during this discussion, when they were chattering on, because he came later with his wife.

Second *laboriosus* Valentinus Moskal, a magistrate of the village of Pilchów, having first taken an oath, related, “On the feast of the Most Holy Virgin, mid-evening after vespers, I came to Szmul Dubiński’s, and found there Kowalski, sitting alone. I did not hear any discussion about Lord God, or faith; it must have happened before I came, because I came when the organist brought fresh bread that Jews baked on the holiday, which led to a spat between Kowalski and Szmul that it was not appropriate to bake bread on a holy day, ‘Our holidays you break but you observe your own Sabbath.’



I don't know anything else and I did not hear anything, I support it with my conscience,<sup>1</sup> and so he testified.

Third, *honestus* Martinus Prędkiewicz, an organist of the church in Charzewice, having taken an oath, related: "I don't know anything, because I came late, I only heard from Lisowski, when I arrived at Szmul Dubiński's after sunset, but when it was still light, on the feast of the Most Holy Virgin; he told me that Szmul said to Kowalski 'You believe in this God that Skrzypek made of clay,' and so he testified.

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<sup>1</sup> *Jakom na to sumieniem poprawił.*

## EARLY MODERN WORKSHOP: Jewish History Resources

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### **The Early Modern Inn as a Space for Religious and Cultural Exchange** Magda Teter, Wesleyan University

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Rzeszów, September 24, 1726

Inkwizycje de blasphemia iudicialiter ex civibus Rozvadoviensibus przeciwko Szmulowi Dubińskiemu obywatelowi rozwadowskiemu, terażniejszym inkarceratowi ad instantiam instigatoris wyprowadzone et quidem:

Primus testis honestus Franciscus Kowalski scabinus iuratus Rozvadoviensis praevio iuramento corporali haec formalia recognovit, iż przyszedłem ja z Jakubem Lisowskim w dom niewiernego Szmula Dubińskiego obywatela naszego w dzień Najświętszej Panny Nawiedzenia po południu około drugiej albo trzeciej godziny, kazaliśmy sobie dać garniec piwa. Tenże Szmul, przyszedłszy do nas, wdał się z nami w dyskurs około urzędów miejskich obierania.

Tam gdyśmy zaczęli dyskurs, kogo na jaki urząd ma obrać, począł Szmul naśmiewać się mówiąc: “Kogoż tu macie podobnego burmistrzostwa, kiedy ten warchoł, ten młodzian, ten dureń, ten niech pierwaj krzyczy sprawi” i więcej prawił przedrzwiwając, a ja mu na te słowa odpowiedział: “Czemu to w inszych miastach nie uważają, a to w Sandomierzu, choć to grodowe miasto, a Nowiński przekrzta jest wójtem.” A Szmul odpowiedział: “Prawda, że jest wójtem, ale kilkaset złotych na to stracił i był tu u mnie, popasał jadąc, i powiadał mi, że teraz jadę pasierba szukać, co mi zginął, i księża mnie podmawiają, żebym na Żydów instygował, że mi go Żydzi złapali i zamordowali.” Ja mu odpowiedział, iż to fałsz, bo u nas duchowieństwu nie godzi się instygować i na oczywiste rzeczy, a nie tylko na takie rzeczy mieliby podmawiać, czego nie widzą. Szmul odpowiedział, że w jednym mieście trafiła się jedna białogłowa, której dziecię umarło, pokławszy, że podrzuciono je pod Żydów, i mordowano Żydów o to dziecię przez napaść.

Jam odpowiedział, że to nieprawda, ale fałsz. Szmul znowu mówił, że to wasi Polacy powiadają, że my waszej krwi potrzebujemy, którą się obmywamy. Ja mu powiedziałem: “O to mówić nie mogę, bom tego nie doświadczył, ale to są Żydzi francja, choć źle robią, to się zapierają.”

Z tych sprzeczek przyszło do tego, że Szmul zaczął dyskurs o wierze i wypadł z temi słowy, że starszy nasz Bóg niżeli wasz katolicki. Szmul rzekł do mnie: “W którego ty Boga wierzysz?” Ja mu odpowiedział, że w tego wierzę, który dał się za nas ukrzyżować. Szmul przez kwaterę okienną pokazał mi na figure, na której jest kopuła i krucyfiks garncarską robotą gliniany, mówiąc: “To ty w tego Boga wierzysz, co go Skrzypek z gliny zrobił i postawił?” Ja mu odpowiedział, iż w tego, bo jest wizerunek męki Boskiej na ziemi, a sam Pan Bóg jest w niebie. Szmul odpowiedział: “Na cóż się on dał ukrzyżować, kiedy tak był mocny, i dlaczego się wywraca wasz Bóg?” Ja mu odpowiedział: “Szmulu, nie dyskutuj, bo Bóg Bogiem, a choć drzewo ugniwszy obali się, to ty tego nie dyskuruj, dlatego dał się ukrzyżować, że był miłosierny, żeby nas odkupił i dał się dobrowolnie na męki,” i ja mówiłem: “Szmulu, nie dyskuruj przy kim mądrzejszym takich rzeczy, żebyś w jakie labirynta nie wpadł, bo ja prostak jestem.”

Lisowski zaś, który ze mną był, słysząc to bluźnierstwo chciał go pięścią uderzyć, a jam nie dopuszczał, żeby tumult nie zrobił, mówiąc mu: “Daj mu pokój, wszak pies na Boga szczeka.” Przy tym bluźnierstwie był Jakub Lisowski i Matyjasz Trafidło, i Grzegorz Jasiński młynarz, ale z daleka siedział, nie wiem, czyli to uważał albo nie, i tego nie pamiętam, czyli był przez cały czas, czyli też wyszedł kędy. Moskał zaś i organista przyśli po wszystkim.

Et tantum deposuit praestito corporali iuramento in hac rotham: Ja, Franciszek Kowalski, przysięgam Panu Bogu wszechmogącemu, w Trójcy Św. Jedyndemu, iż cokolwiek przeciwko niewiernemu Szmulowi Dubińskiemu obywatelowi naszemu zeznałem i zeznaję nie z żadnej zawziętości ani nienawiści, ani tu od nikogo nie jestem namówiony albo przekupiony, ale nic nie przydając ani ujmując, tylko tak, jak mówił Szmul przeciwko Panu Bogu i honorowi boskiemu bluźnił, samą prawdę zeznałem i nic nie zataiłem. Tak mi Panie Boże dopomóż i męka Chrystusa Pana niewinna.

Secundus testis honestus Jacobus Lisowski praevio iuramento corporali haec formalia recognovit et concordat cum priori in omnibus excepto nie

słyszałem, bom wychodził przez ten dyskurs dwa razy na dwór, że który Bóg starszy, co się stało po dopółwieczora w dzień Najświętszej Panny Nawiedzenia et hoc addit, iż myślałem go uderzyć, alem się obawiał, żebym jakiej ode dworu nagany nie miał.

Tertius testis honestus Mathias Trafidło incola Rozvadoviensis praevio iuramento ut supra corporali haec formalia recognovit, iż we święto, nie pamiętam jakie, czyli w dzień Najświętszej Panny Jagodnej o śródwieczór szedłem około okna po podsieniu, Kowalski mnie poczęstował zawoławszy i przyszedłem do nich, i nie byłem przy całym dyskursie ich, tylko słyszałem z ust Szmula Dubińskiego, który był bardzo pijany, te słowa mówił: “Na co się wasz Bóg wywraca, kiedy jest tak mocny?”, ale tego nie pamiętam, co mu na to Kowalski opowiedział. I znowu Szmul mówił do Kowalskiego: “W któregoż ty wierzysz Boga, czy w tego, co go Skrzypek postawił z gliny?” A Kowalski rzekł: “W tego, bo jest wizerunek boski.” Szmul się w piersi uderzył, tylko nie wiem, czy prawdziwie, czyli z żartu. Potym się poczęli sprzeczać około Bogów, alem nie uważał, i Szmul rzekł: “Niech będą obadwa Bogowie dobrzy, i ten dobry, i ten dobry.” Po tym jak mnie poczęstowali, odszedłem, Moskała zaś i młynarza nie uważałem, czyli tam byli albo nie. Et tantum deposuit quam suam relationem itidem praestito corporali iuramento comprobavit.

Ex parte infidelis Szmul Dubiński incolae Rozvadoviensis inculpati testes inducti, et quidem:

Primus laboriosus Gregorius Jasiński molitor de villa Horzewice haec formalia praevio iuramento recognovit, iż w dzień Najświętszy Panny Jagodnej przyszedłem do Szmula Dubińskiego jeszcze przed południem i Kowalski jeszcze był nie przyszedł do Szmula, przyszedłszy Kowalski, słyszałem, że ze Szmulem gadali o Panu Bogu, ale nie uważałem tego, i więcej nic nie wiem i nie słyszałem siedzący na drugim końcu stoła, ale Szmul był podpity, Moskał przy tym dyskursie nie był, kiedy oni gadali, ale potym przyszedł z swoją żoną.

Secundus laboriosus Valentius Moskał advocatus de villa Pilchów haec formalia praevio ut supra iuramento recognovit, iż w dzień Najświętszej Panny Jagodnej w półodwieczorz po nieszporze przyszedłem do Szmula Dubińskiego, zastałem tam Kowalskiego siedzącego samego. Nie słyszałem żadnego dyskursu o Panu Bogu, ani o wierze, chyba by tam przed tym, niżelim przyszedł, bom natenczas przyszedł, kiedy organista chleb przyniósł

świeży, który Żydzi we święto piekli, o który się Kowalski ze Szmulem przegadywali, że się we święto piec chleba nie godzi, nasze święta łomiecie, a swój sabas obserwujecie. Więcej nie wiem i nie słyszałem, jakom na to sumieniem poprawił et tantum deposuit.

Tertius honestus Martinus Prętkiewicz ecclesiae Charzeviensis organarius praevisio iuramento haec formalia recognovit: nie wiem nic, bom nierychło przyszedł, tylko słyszałem od Lisowskiego, jakom przyszedł do Szmula Dubińskiego w dzień Najświętszej Panny Nawiedzenia po zachodzie słońca, jeszcze widno było, który mi czynił relacją, że Szmul mówił do Kowalskiego, iż w tego Boga wierzycie, co go Skrzypek z gliny postawił, et tantum deposuit.

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February 26-27, 2012**

**The Early Modern Inn as a Space for Religious and Cultural Exchange**  
Magda Teter, Wesleyan University

*Pinkas Va`ad Arba Aratsot* [Minute Book of the Council of Four Lands]

Year (5)367 – 1607

No. 48. No one shall make it his custom to be in the taverns of the gentiles and anyone who goes there to drink is considered to be worthless and irresponsible and may not be called *rav* and *haver*, nor may he hold any office in the kahal.

No. 52. Regarding holders of *arenda* who live in villages, where sometimes the man travels to another village and [the wife] remains alone among the gentiles, who then come to drink and get drunk in their houses, the heads of the lands agreed that one may not hold *arenda* unless there are two [Jewish] householders living there together with their wives.

*Pinkas medinat lita* [Minute Book of Lithuania]

Year (5)388 – 1628

No. 134. No man calling himself self-respected Jew shall make it his custom to drink in the houses of the gentiles by in any circumstances under the punishment of a fine and a threat that his shame will be announced publicly.

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פנקס וועד ארצות

שנת שס"ז

**מח.** שום אדם לא יקבע עצמו בבתי משתאות של גויים והקובע עצמו לשתות שם הוא בכלל הריקים והפוחזים ולא יקרא בשם רב וחבר ולא יהיה לו שום מינוי בקהל.

**נב.** גם מחזיקי האורנד"א שדרים בכפרים ביחידות, ופעמים האיש נוסע לכפר אחר והיא נשאת לבדה בין הגויים, וגם הגויים שותים ומשתכרים בבתיהם, ולכן הסכימו ראשי המדינות שלא יחזיקו האורנד"א כי אם שני בע"ב עם נשיהם שידורו שם יחד.

פנקס מדינת ליטא

שנת שפ"ח

**קלד.** שום נושא בר ישראל אל יקבעו עצמם לשתות בבתי גויים בשום אפן בעונש קנס ולהעביר עליו כרוז לגלות קלוננו ברבים.

## **EARLY MODERN WORKSHOP: Jewish History Resources**

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792**

David Graizbord, The University of Arizona

#### **Introduction**

The Early Modern Period, an era of “confessionalization,” provides numerous examples of individuals of immediate, distant, feigned, or merely imputed Jewish origin whose religious and social allegiances shifted radically. The phenomenon of Iberian New Christians or *conversos* comes to mind. Early modern Jews who became Christians but who, unlike *conversos*, possessed no personal and familial background in Christianity constitute an allied field of research (See examples in the Bibliography, below). Scholarly assessments of the ways in which these Jewish non-*conversos* learned and influenced their adopted Christian culture(s) often concentrate on intellectual production. The focus is not surprising, as the converts under discussion were usually educated individuals to whom Christian patrons often assigned prominent roles as anti-Jewish polemicists and missionaries. By contrast to the apologetic works and other religious writings of and about such converts, the texts presented here offer glimpses of the experience of uneducated, relatively inarticulate people of very modest material means who found themselves at a crossroads between Jewish (or Jewish-identified) and Hispano-Catholic identities, and whose formal cultural realignment caused no historical ripple.

The folios selected for this workshop comprise large excerpts of two inquisitorial cases dating from the early 1790s. Both dossiers are relatively brief and fragmentary. I offer them together in order to provide more analytical possibilities than each of the documents would offer by itself.

In each of the cases, a lone deponent appeared “spontaneously” before the Toledo Tribunal of the Spanish Holy Office to express a desire to renounce Judaism, undergo baptism, and be received into “the bosom” of the Roman Catholic Church. Each of the two declarants—a petty merchant and widow from Hesse-Cassel, and a carpenter from Mantua—dimly related or merely hinted of various informal social interactions. May we approach the latter as informal processes and avenues of Jewish and, to a greater extent,



Hispano-Catholic acculturation? If so, the kind of acculturation that these deponents conveyed is largely quotidian, and we must often read between the lines to hypothesize it. By the same token, the cultural learning that the informants described was largely devoid of textual mediation, introspection, and intellectual sophistication.

As records of judicial interrogations the selected dossiers primarily reveal a clash between these ordinary and rather vague (or vaguely-rendered) instances of acculturation on one hand, and, on the other hand, normative institutional concepts of true and false religious paths, true and false religious and ethnic identities, and pure and impure human motivations. We discover, then, far less about interactive learning and mutual formation across openly practiced, autonomous cultures, than about the heavily-biased ethnographic curiosity and the religious and political imperatives of Hispano-Catholic functionaries. At most, the selected texts shed a flickering light on the social transformation of Jewish-identified individuals within the framework of a stark imbalance of power between themselves and a religious institution that possessed the cultural capital to investigate and (re-)define them as “Jews,” and then convert them into “Catholics.” Given this imbalance, and the opacity of the declarants’ words, the documents may ultimately help us to understand how certain cultural *obstacles* characteristic to the early modern centuries conditioned—or precluded—Jewish-Christian exchange across a barbed ethno-religious, political, and socio-economic divide. My oral presentation of the dossiers may well focus on distortion, dissimulation, domination and conformity as over-determined outcomes of this highly conditioned phenomenon of mis- or non-communication.

A final note on the selected sources: Though the dates of both texts may be late for an early modern workshop, a review of the documents makes it reasonably clear that no matter what sea-changes were occurring beyond Spain in the 1790s, the dossiers were products of the traditional religious outlook of a medieval institution—an institution still engaged in a broader competition for souls that the Catholic and Protestant churches had been waging since the sixteenth century.

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Archivo Histórico Nacional, Inquisición de Toledo, legajo 159, expediente 11 (1790-1791): Carlota Liot.

#### **[Cover, front matter]**

Toledo (Inquisition of)

Judaizers

Liot (Carlota)

Of Hebrew Nation, and resident of the village of Consuegra

Her spontaneous testimony and abjuration

1790-1791

Dossier 159, n. 11

#### **[Fol. 6r]** Hearing on October 7, 1790

No results issue from the registry of this Holy Office against the woman named Carlota, native of Hesse-Cassel in Germany, of medium height, round face, sort of swollen cheeks, black eyes, brown hair, eyebrows with little hair, Roman nose, 29 years of age more or less, who spontaneously appeared to disclose her Hebraism, requesting entry to the bosom of Our Holy Mother, [the] Church, by receiving the Holy Baptism, according to Your Lordship's notice of September 23, to which we respond gladly, and will so execute it to whatever extent will please you.

[Inquisition of Murcia, October 2,

1790] Atty. Pedro del Moral [?]

Dr. Don Ramon de Albornos

Holy Office of the Inquisition of Toledo

**[Fol. 16r]** Don Fernando Díaz de Linares y Toledo, *Licenciado* [= university graduate], [and]

titled Senior Apostolic Familiar of this village, with the necessary submission to your Most Illustrious [*sic.*] acknowledges that on this day, and via *Licenciado* and Friar, Don Silvestre Díaz Huerta of the [illegible] of St. John, Priest and Prior of Santa Maria la Mayor, in said village [of Consuegra], a woman has presented herself to this informant, who says that she is of Judaic nation, that she is called Carlota, and that she is daughter of Leon, native of Hesse-Cassel, dominion of the Emperor; that she left her place of origin at the age of thirteen, and today is of the age of of twenty-nine. She declares voluntarily (among other things) that in the city of Málaga she has resided for six years, and that in that city she knows many of her nation who are hidden; but that she desires [to receive] the Holy Baptism, and convert to our Holy Catholic Faith, of which intention she has implored (tearfully and with repeated invocations of Mary Most Holy) said parish priest, who, in accord with this informant has offered her the customary sustenance and protection until Your Most Illustrious, informed by this missive, orders what he deems just and advisable.

Consuegra, today, April 24 of 1790  
Don Fernando Díaz de Linarez y Toledo

**[Fol. 18r]** In the village of Consuegra on the sixteenth of the month of May of this present year of one thousand, seven hundred and ninety, the *Licenciado*, Friar Don Silvestre Díaz Huerta Rojas of the Order [?] of St. John, Priest and Prior of the Parish of Santa Maria la Mayor of said village, has delivered the preceding dispatch....

On said day at ten in the morning by virtue of the preceding act there appeared before the said Mr. Commissioner and me, the notary, the mentioned Carlota, under legal oath, which she took upon God and a sign of the Cross, not to reveal whatever occurred and she said in the deposition

[Fol. 18v] and [to tell] the whole truth under that oath, which obliges fulfillment and observance, as was explained to her. And by virtue of this the [narrative] representation that I, the notary, made to the Holy Office, dated the twenty-fourth of April, was given to her, and I read it to her *verbo ad verbum* and in its entirety. About it she said that it was the same that she [had] expressed on the cited day to the Commissioner and before me, the notary, [and that] she ratified it in case it was necessary; and thereafter the following questionnaire was posed to her-----

Asked what she calls herself, where she was born, her age, civil status, and occupation, who her parents were or are, and where they reside or died, and what religion they professed, she responds: That she calls herself Carlota; that she is a native of Hesse-Cassel, city of the Emperor of Germany; that she is twenty-nine years of age, more or less; that she has been a merchant, and today [is] a poor *hostiatin* [Lat. *Hostiatim*, ~victim?], because she has been robbed, and at present in a widow's state, because of her man, who was of judaic nation, having died in the city of Málaga, and been buried in the Holy Field of the Hospital del Rey of said city; that her parents were called Leon and Cecilia, both natives and citizens of the previously noted city of Hesse-Cassel, and that she does not know if they are alive or dead; but she knows and makes known that they were of Judaic nation.

Asked if she is Christian, baptized---  
She responds that she is not-----

Asked in what religion she was reared and what

[Fol. 19r] she has believed and followed since she had use of reason, and if the religion in which she has been reared is the same one that her parents followed and professed, and if in that country [that faith] is taught, or if she follows the same or different ones, and [if so] which ones—she responds:

That the religion in which she was reared is Judaic,  
 and awaited the Messiah; and they worship  
 a golden image, like a calf; keep  
 the Sabbath day as a holiday, fasting on said  
 day from ten at night on Friday, its  
 eve, until sunrise; observing [its] solemnity  
 with such rigor that they did not move a [single] utensil:  
 She was reared in this religion, the same one that her parents  
 followed, which is tolerated in that country,  
 where in the same way there are Lutherans, Calvinists, and Christians,  
 all of them tolerated, and [enjoying the] free exercise [of their faiths]---

Asked if she observes it. She is asked what she holds and believes  
 at present, and what religion is the one she  
 wishes to follow and profess in life and in death.

She responds: that at present she holds and believes  
 the articles of Our Holy Catholic Faith, which were  
 made known to her by the Commissioner and in front  
 of me, the notary, to whom she responded; and that the religion that  
 she wishes to follow and profess in life and in death is the  
 Catholic religion; and she yearns for the same with intense  
 and powerful desires to be baptized=====

Asked again how it is that she has notice of  
 the articles of our Holy Catholic Faith, and who

**[Fol. 19v]** has taught it to her, she said that because she  
 found herself with a store [~commercial stall] in the city of Málaga she went  
 out

every week to sell in Vélez-Málaga;  
 and in its suburbs lived a Christian countrywoman of hers,  
 called Christina, who knew the aforementioned  
 parents of the deponent, which is why,  
 in her German tongue, she taught her the Christian  
 doctrine; and although said Christina knew that the  
 parents of the deponent were Jews, she was under the impression  
 that she [the deponent] was a Christian; and because  
 of her stay in Spain, she has learned  
 some mysteries and prayers, such as the Credo, the  
 Sacraments, the five Commandments of our  
 Mother, the Church, the mystery of the Most Holy

Trinity, how God is a remunerator [?], and the rest, in the native language [of Spain]:-----

In the fifth [question] she was asked what cause, motive, or reason she has had and has for separating herself from the Judaic sect, and wishing to follow and profess the Holy Catholic Faith of Our Mother the Roman Church. She responds:

That being certain that if she dies a Jew it condemns her, and if she dies a Catholic she hopes to be saved and go to glory ==

To the sixth [question] she referred to the fourth, given what is understood by it, and to the third==

To the seventh: She was asked if she knows if there are some persons of her sect who are residing in Spain, hidden, and are not from those realms and nations to whom it is permitted, for reasons of

**[Fol. 20r]** commerce, and with some conditions, to reside in Spain; or if she knows if some, or any one of these who are allowed [to reside] in these realms, has/have violated the pacts and conditions by which his/their residence is permitted, and caused through his/their words, or deeds, some scandal among the loyal Roman Catholics; she responds:

That she knew up to six people of the same sect, hidden, who employed her in the trade in silk stockings, kerchiefs, and other types of merchandise, who accompanied each other and sold in Cádiz, Puerto de La María, and other towns; but that they did not have a house of residence in said city, where they lodged in the inn nearest to the Puerta de la Mar, but she does not remember their names either collectively or in particular, and I only know [*sic.*] the [physical] traits of one of them, who was about two Ys[?] and two fingers tall, rather portly, with a scar on his face, as from a knifing, but that she does not recall in which of his cheeks [the scar] is found, and who may be, or looks like he is about thirty to thirty-five years of age, and that without a doubt the reason

that she does not remember the names is that they disclosed little about themselves to each other, addressing one another with brotherly expressions. This is as much as she knows, as she must declare in this spontaneous declaration, under the oath that she has made.

**[Fol. 20v]** And all of it is the truth, which is ratified and affirmed if necessary.

She did not sign her declaration because she said she did not know how to do it. The Commissioner did it, to which I was a witness.

[Signatures: Silvestre Díaz Huerta y Rojas and Fernando Díaz de Linares y Toledo]

**[Fol. 24v]** In the village of Consuegra, on the tenth day of the month of June of the present year of one thousand, seven-hundred and ninety, Mr. Commissioner, *Licenciado* and Friar Don Silvestre Díaz Huerta delivered to me the preceding dispatch, which he said he had just received by ordinary mail and in his correspondence. Having accepted it, he made before me a formal oath of *Non Rebelando in Todo Pectore*, with his hand placed over the cross upon his habit, and immediately ordered Carlota summoned.... It occurred before me.

[Signatures]

In the said village, day, month and year by virtue of the foregoing the aforementioned Carlota was summoned, from whom said Commissioner took a formal oath of fidelity by God our Lord and by making a sign of the cross, to tell the truth in what she has been asked, and not to reveal as much, or even part of what the gentleman of the dispatch [*sic.*]. [She declared] that the one she had as a husband was known in his country by the

**[Fol. 25r]** name of “Leon” and in Spain by that of “Antonio,” [and] that she does not know the day Antonio died



and was buried, because the declarant had left the city of Málaga, in order to sell all the kinds of her [his?] merchandise in the cities of Seville, Cordova, Ecija, and other towns, where she stayed [?] for nine months; and upon her return to the city [?] of Málaga she was notified that he had died, being told that he had died about eight months earlier, and according to her calculation, the death had occurred there about twenty-six months ago, more or less; that he did not have a fixed home as his domicile in said city, as they lived in the streets where the fairs that are frequent in that city were celebrated; such that when the [fairs] were [held] in the Calle de la Victoria, they picked themselves up [or: took shelter] and stayed by night in the house that a widow named Catalina has as her store, but that she does not recall her traits other than that she had her stalls and a large portal; and that for the lodging they paid five *reales* each night, and that when the fair took place in the street that they call “Of The Merchants” they spent the night at the Puerta de la Mar in a house that was a tavern, [and the woman who hosted them] was called María, a widow, to whom they paid four *reales* daily, but that the house of the aforementioned María was leased,

**[Fol. 25v]** and the delcarant is not aware of the property’s owner—and that when she went out to sell at the time she has already indicated, Antonio was left in broken health in the Calle de la Victoria. She did not have any dealings or communication with people besides with the two cited—the hostesses Catalina or María—that was not through her sales, since after the fairs they [=the declarant and her husband] went out to the towns of the county to sell without having a fixed domicile in any of them—and that she only stayed in the mentioned city of Málaga for three years at the time of the fairs. Though she left her country eighteen years ago, more or less, six [of those] years she has been in Portugal, three in France, and the rest in

Spain. She spent thee of these [latter] years as she has declared, and the six remaining [years] she was in Zaragoza, Pamplona, Valencia, and other cities, as well as in Barcelona, where a student for the price of half of a Piece of Eight prepared a certificate of marriage for her and Antonio. When she became acquainted with and dealt with her countrywoman, Christina, in Vélez-Málaga, she was the widow of an invalid whose name she does not know, and lived in a leased house located in the suburbs and that she does not know the name of the street. Christina lived from the work of her hands, threading and making buttons. Regarding

**[Fol 26r]** her house she cannot provide more details than that it stands apart, but that there are many other little houses similar to it because they stand alone. As for Cristina's personal traits, she can only say that she was a very old woman, of medium stature, with entirely white hair, and that she does not remember any more traits. And having had each and every one of the details contained in the dispatch reviewed for her, and to convey that she made her deposition with the greatest clarity and specificity, she said and repeated that she could not describe, neither explain, more than what she has declared under the oath that she has made, which she has ratified and affirmed. She did not sign because she did not know how to do so. Mr. Commissioner did, and I, the notary, did it, who was present for everything.

[Signatures: Díaz Huerta Y Rojas and Díaz Linares de Toledo]

**[Fol. 27r]** Presented in Toledo  
June 25 of 1790

Most Illustrious Sir:

The Inquisitor-Prosecutor of this Holy Office, in the file that has been compiled in the case of the woman

called Carlota who wishes to abjure the errors of the Judaic sect and be admitted to the bosom of our Roman Catholic, Apostolic faith, says: He has seen the new declaration that this spontaneous woman has made; and confronted with the earlier one that she proffered on May 16, he finds some contradictions and other inverosimilitudes. So that he may find out what this woman affirms, and so as not to fall for some fraud that she may be trying to perpetrate, it seems to him advisable that the same Commissioner and Notary of Consuegra take from her another statement, by formally interrogating her regarding the following questions:

1<sup>st</sup>. As she says, she is a native of Hesse-Cassel, a city of the Holy [Roman] Emperor, when it is in fact a private domain of Germany. Let her state the towns that are near her city of origin.

2<sup>nd</sup>. How can she say that her parents were called Leon and Cecilia and that they were Jews, when these names are of the Law of Grace, and her

**[Fol. 27v]** parents had full civil and moral liberty in their country and could use proper names of the Law of Moses?

3<sup>rd</sup>. How can she say in her first statement that she resided in the city of Málaga for six years when afterward she speaks of a mere three years? And that she had a store there, yet later says that she only sold in the fairs by day, and by night she lodged in the Calle de la Victoria, and in a tavern next to the Puerta del Mar in the homes of Catalina and María, including neither their family names, nor their physical traits? It is strange that she should not state or remember her [social] ties, or relatives they may have, so that their [her?] identity and existence may be known.

4<sup>th</sup>. That she declare the time of the year that she has

seen the fair held at the Calle de los Mercaderes of that city, or that she say what she believes to be the [proper] name of that street; because if she thinks it is the new street that is in front of the Puerta del Mar, it is our understanding that no fair is held there during any part of the year.

5<sup>th</sup>. That she state if she has been registered in any parish church, or listed as a citizen by the authorities, and if so, where, and in what year; or if she has heard mass, and received the Sacraments of Penitence and Comunion, believing in them internally, or not.

6<sup>th</sup>. Let her state in what merchandise she trafficked, and if she bought it in order to resell it

**[Fol. 28r]** in kind [?] or on credit, especially during the nine months that she was in various places without her man; and that she name the subjects with whom she dealt for that purpose, and their addresses, those whom she has known and have known her from the various fairs and townspeople of Andalucía that she has mentioned. It is not verisimilar that she has walked alone, without letting herself be known as to her homeland and religion among the various travelers and walkers of her class, whom she must perforce have had to join along roads and at inns.

7<sup>th</sup> and final: That said Commissioner pose whatever questions he finds advisable so that he can obtain better knowledge of whether she is indeed a Jew and truly wishes to be a Catholic, and so that persons of our Holy Religion be found who have known her, and can inform [us] as to the conduct, opinions, and religion that this woman has held.

[Signature, June 23, 1790]

**[Fol. 30v, starting in line 27]**

[Marginal note:] Inspection and declaration  
In the village of consuegra, on said, month, and year [Aug. 2, 1790], as a  
consequence of the [illegible]

**[Fol. 31r]** earlier notifications the aforementioned Carlota  
was summoned before His Mercy and me, the notary,  
and he received from her an Oath of fidelity  
by God Our Lord, and with the sign  
of the cross, to tell the truth of  
whatever she knows and may be asked. Having  
done so in accordance with the dispatch and  
commission, she responds to the first question:  
That it is true that Hesse-Cassel is the city of a Duke,  
but that he is subject to the Emperor of  
Germany, and that that is why she  
said that the city was the Emperor's, and that although  
she knows and acknowledges that there are many towns  
in its immediate surroundings, she does not know the names  
of any of them.

To the second question she said that although they have  
full liberty for the use [*sic.*] of their sect,  
they are accustomed in their [undeciphered word: *advetuo?* *Advitico?*] to  
assuming  
names of the Law of Grace, except the names Manuel, María, and Juan, and  
for that reason her parents were known  
by the names of Leon and Cecilia-----

Asked about her husband [?], she says that by her  
six-year term of residence in the city of Málaga,  
which she mentioned in her first deposition,  
she means that she participated in the fairs held in that city; and the three  
[following years], which she mentioned in her second deposition refer, and  
she understands them to be, those in which he who is named  
was sick for three years until he died without [?]

**[Fol. 31v]** the holy baptism; this is what she responded.  
Her declaration was read to her, and she said she had nothing  
to add to it. She ratified it. She did not sign because she did not know  
how to do so. His Mercy did it, as did I, the notary.

[Signatures]

**[Fol. 35r]** Most Illustrious Sir,

Sir of mine and of all my veneration: With the greatest care I have completed the task with which Your Illustrious Lordship [.....] has

charged me by the preceding commission, and I have not been able to locate any of the information that are [*sic.*] indicated in it.

In the Calle de la Victoria I have not found more than one widow named Catalina, and she assures me that neither in the time of the fair nor in the off-season has she ever hosted in her home or portal any person besides a woman, a Garbanzo seller [?], who was her acquaintance and a citizen of this city [who lives in] the Calle de la

Trinidad. Believing there to be some mistake in the testimony regarding a fair in the “Calle de los Mercaderes,” by which [the deponent] intended to say, or should have said, “in the Calle del Carmen,” I have looked in the Puerta

del Mar for the tavern-house in which there lived a widowed woman named María, though there are many taverns and store-houses.

I have found no reason to corroborate such a [undeciphered word], neither present nor past. In the Hospital del Rey one cannot know when Antonio died, because [the deponent] does not indicate his surname. For that reason

I return the commission so that if possible it will be returned with some clearer details that may be of guidance in order to investigate what Your Illustrious Lordship wishes to know, as with such vague information

**[Fol. 35v]**

I have not been able to advance anything.

[Valediction and signature of Joseph Fernandez Maqueda]

**[Fol. 36r]** Most Illustrious Sir:

The Inquisitor-Prosecutor of this Holy Office, in [light of] the procedures undertaken in the case of the woman called Carlota, who is in the village of Consuegra

Requesting that she be admitted to the bosom  
of Our Holy Mother, the Apostolic Roman Catholic Church via Holy  
Baptism  
and prior abjuration of the Hebrew sect into which se says she was born and  
has professed, affirms:

That the review of records made in this and the other trubunals of the realm  
have not resulted in anything against this request. Yet, since the procedures  
that have been undertaken in the city of Málaga through  
the Holy Office of Granada have not resulted in anything that  
would corroborate the presence that the spontaneous  
declarant alleges at the fairs and houses of said city,  
her declarations still obscure the information that would  
be necessary to know whether  
she has been and is in reality a Jew, and that she sincerely  
wishes to abjure that reprobate sect and receive the Holy Baptism. The fact  
that  
this woman of vague quality, and does not cite a single  
person who can answer as to her civil status

**[Fol. 36v]** or moral character, and what is more, not even  
to her physical existence after so many  
years of traveling through so many towns  
and provinces of the realm, is a  
circumstance that recommends her very little  
with respect to the credibility of her statements, and  
in certain terms it seems appropriate to the Prosecutor  
that for now a commission be given to the Priest and Prior of  
Consuegra, Silvestre Díaz Huerta, that [along with] the Familiar, Senior  
Bailiff Don Fernando Díaz de Linares, in association with the four  
most authorized and literate secular or regular priests of the village of  
Consuegra, examine the spontaneous declarant anew,  
asking her all the questions they  
deem appropriate, to ascertain whether in reality  
she has not received the Holy Baptism and has  
been of the Hebrew sect, and if her conversion is  
sincere, and she has been instructed in our  
holy Catholic dogmas and seems to them would persevere  
in Our Holy Catholic Apostolic Roman religion,  
and that they inform [us] of the results by means of a  
report of said Priest and Prior and four Priests,

and that it be transmitted to the Prosecutor to say whatever may be necessary. Secret [order] of the Inquisition of Toledo, November 13 of 1790.

**[Fol 38v]** In the village of Consuegra, twenty-eight days of said month [of November] and year [1790], by virtue of the judicial instructions the Presbyters and Carlota, who are cited in them, were summoned before His Mercy and me, the notary. Each and every one interrogated and reinterrogated Carlota with questions that were deemed advisable, according to the [undeciphered word], her Oath of Fidelity having previously been taken. Each and every one of them found, and are of the common opinion that her desire to receive the Holy Baptism is true; so too that she has not received it to this day; yet, as to her knowledge of the Catholic doctrine, she is found to be very immature; thus, in case the Tribunal deems it advisable to expedite its order to any of the Parish Priests of the village of Madridejos, where her [present] domicile is located, if it should be necessary to examine her well in the Holy Doctrine. In this regard, when prompted, she has offered to remain there so that the Holy Sacrament is administered to her. As to this they are in common accord and can and are obliged to inform the Holy Tribunal. And in acknowledgment they signed along with His Mercy, said Judge, which I faithfully verify.

[Signatures: *Licenciado* Don Sivestre Díaz Huerta y Roxas (Judge)  
Don Antonio Jesus Díaz Gallego  
Dn Elías Gabriel Aguilar Albarez  
Francisco García de Juan Pérez  
Joachin de Cassas y Vida  
Don Fernando Díaz de Linares y Toledo (Notary)]



## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792**

David Graizbord, The University of Arizona

Archivo Histórico Nacional, Inquisición de Toledo, legajo 159, expediente 11 (1790-1791): Carlota Liot.

#### **[Cover, front matter]**

Toledo (Inquisition of)

Judaizers

Liot (Carlota)

Of Hebrew Nation, and resident of the village of Consuegra

Her spontaneous testimony and abjuration

1790-1791

Dossier 159, n. 11

#### **[Fol. 6r]** Hearing on October 7, 1790

No results issue from the registry of this Holy Office against the woman named Carlota, native of Hesse-Cassel in Germany, of medium height, round face, sort of swollen cheeks, black eyes, brown hair, eyebrows with little hair, Roman nose, 29 years of age more or less, who spontaneously appeared to disclose her Hebraism, requesting entry to the bosom of Our Holy Mother, [the] Church, by receiving the Holy Baptism, according to Your Lordship's notice of September 23, to which we respond gladly, and will so execute it to whatever extent will please you.

[Inquisition of Murcia, October 2,

1790] Atty. Pedro del Moral [?]

Dr. Don Ramon de Albornos

Holy Office of the Inquisition of Toledo

**[Fol. 16r]** Don Fernando Díaz de Linares y Toledo, *Licenciado* [= university graduate], [and]

titled Senior Apostolic Familiar of this village, with the necessary submission to your Most Illustrious [*sic.*] acknowledges that on this day, and via *Licenciado* and Friar, Don Silvestre Díaz Huerta of the [illegible] of St. John, Priest and Prior of Santa Maria la Mayor, in said village [of Consuegra], a woman has presented herself to this informant, who says that she is of Judaic nation, that she is called Carlota, and that she is daughter of Leon, native of Hesse-Cassel, dominion of the Emperor; that she left her place of origin at the age of thirteen, and today is of the age of of twenty-nine. She declares voluntarily (among other things) that in the city of Málaga she has resided for six years, and that in that city she knows many of her nation who are hidden; but that she desires [to receive] the Holy Baptism, and convert to our Holy Catholic Faith, of which intention she has implored (tearfully and with repeated invocations of Mary Most Holy) said parish priest, who, in accord with this informant has offered her the customary sustenance and protection until Your Most Illustrious, informed by this missive, orders what he deems just and advisable.

Consuegra, today, April 24 of 1790  
Don Fernando Díaz de Linarez y Toledo

**[Fol. 18r]** In the village of Consuegra on the sixteenth of the month of May of this present year of one thousand, seven hundred and ninety, the *Licenciado*, Friar Don Silvestre Díaz Huerta Rojas of the Order [?] of St. John, Priest and Prior of the Parish of Santa Maria la Mayor of said village, has delivered the preceding dispatch....

On said day at ten in the morning by virtue of the preceding act there appeared before the said Mr. Commissioner and me, the notary, the mentioned Carlota, under legal oath, which she took upon God and a sign of the Cross, not to reveal whatever occurred and she said in the deposition

[Fol. 18v] and [to tell] the whole truth under that oath, which obliges fulfillment and observance, as was explained to her. And by virtue of this the [narrative] representation that I, the notary, made to the Holy Office, dated the twenty-fourth of April, was given to her, and I read it to her *verbo ad verbum* and in its entirety. About it she said that it was the same that she [had] expressed on the cited day to the Commissioner and before me, the notary, [and that] she ratified it in case it was necessary; and thereafter the following questionnaire was posed to her-----

Asked what she calls herself, where she was born, her age, civil status, and occupation, who her parents were or are, and where they reside or died, and what religion they professed, she responds: That she calls herself Carlota; that she is a native of Hesse-Cassel, city of the Emperor of Germany; that she is twenty-nine years of age, more or less; that she has been a merchant, and today [is] a poor *hostiatin* [Lat. *Hostiatim*, ~victim?], because she has been robbed, and at present in a widow's state, because of her man, who was of judaic nation, having died in the city of Málaga, and been buried in the Holy Field of the Hospital del Rey of said city; that her parents were called Leon and Cecilia, both natives and citizens of the previously noted city of Hesse-Cassel, and that she does not know if they are alive or dead; but she knows and makes known that they were of Judaic nation.

Asked if she is Christian, baptized---  
She responds that she is not-----

Asked in what religion she was reared and what

[Fol. 19r] she has believed and followed since she had use of reason, and if the religion in which she has been reared is the same one that her parents followed and professed, and if in that country [that faith] is taught, or if she follows the same or different ones, and [if so] which ones—she responds:

That the religion in which she was reared is Judaic,  
 and awaited the Messiah; and they worship  
 a golden image, like a calf; keep  
 the Sabbath day as a holiday, fasting on said  
 day from ten at night on Friday, its  
 eve, until sunrise; observing [its] solemnity  
 with such rigor that they did not move a [single] utensil:  
 She was reared in this religion, the same one that her parents  
 followed, which is tolerated in that country,  
 where in the same way there are Lutherans, Calvinists, and Christians,  
 all of them tolerated, and [enjoying the] free exercise [of their faiths]---

Asked if she observes it. She is asked what she holds and believes  
 at present, and what religion is the one she  
 wishes to follow and profess in life and in death.

She responds: that at present she holds and believes  
 the articles of Our Holy Catholic Faith, which were  
 made known to her by the Commissioner and in front  
 of me, the notary, to whom she responded; and that the religion that  
 she wishes to follow and profess in life and in death is the  
 Catholic religion; and she yearns for the same with intense  
 and powerful desires to be baptized=====

Asked again how it is that she has notice of  
 the articles of our Holy Catholic Faith, and who

**[Fol. 19v]** has taught it to her, she said that because she  
 found herself with a store [~commercial stall] in the city of Málaga she went  
 out

every week to sell in Vélez-Málaga;  
 and in its suburbs lived a Christian countrywoman of hers,  
 called Christina, who knew the aforementioned  
 parents of the deponent, which is why,  
 in her German tongue, she taught her the Christian  
 doctrine; and although said Christina knew that the  
 parents of the deponent were Jews, she was under the impression  
 that she [the deponent] was a Christian; and because  
 of her stay in Spain, she has learned  
 some mysteries and prayers, such as the Credo, the  
 Sacraments, the five Commandments of our  
 Mother, the Church, the mystery of the Most Holy

Trinity, how God is a remunerator [?], and the rest, in the native language [of Spain]:-----

In the fifth [question] she was asked what cause, motive, or reason she has had and has for separating herself from the Judaic sect, and wishing to follow and profess the Holy Catholic Faith of Our Mother the Roman Church. She responds:

That being certain that if she dies a Jew it condemns her, and if she dies a Catholic she hopes to be saved and go to glory ==

To the sixth [question] she referred to the fourth, given what is understood by it, and to the third==

To the seventh: She was asked if she knows if there are some persons of her sect who are residing in Spain, hidden, and are not from those realms and nations to whom it is permitted, for reasons of

**[Fol. 20r]** commerce, and with some conditions, to reside in Spain; or if she knows if some, or any one of these who are allowed [to reside] in these realms, has/have violated the pacts and conditions by which his/their residence is permitted, and caused through his/their words, or deeds, some scandal among the loyal Roman Catholics; she responds:

That she knew up to six people of the same sect, hidden, who employed her in the trade in silk stockings, kerchiefs, and other types of merchandise, who accompanied each other and sold in Cádiz, Puerto de La María, and other towns; but that they did not have a house of residence in said city, where they lodged in the inn nearest to the Puerta de la Mar, but she does not remember their names either collectively or in particular, and I only know [*sic.*] the [physical] traits of one of them, who was about two Ys[?] and two fingers tall, rather portly, with a scar on his face, as from a knifing, but that she does not recall in which of his cheeks [the scar] is found, and who may be, or looks like he is about thirty to thirty-five years of age, and that without a doubt the reason

that she does not remember the names is that they disclosed little about themselves to each other, addressing one another with brotherly expressions. This is as much as she knows, as she must declare in this spontaneous declaration, under the oath that she has made.

**[Fol. 20v]** And all of it is the truth, which is ratified and affirmed if necessary.

She did not sign her declaration because she said she did not know how to do it. The Commissioner did it, to which I was a witness.

[Signatures: Silvestre Díaz Huerta y Rojas and Fernando Díaz de Linares y Toledo]

**[Fol. 24v]** In the village of Consuegra, on the tenth day of the month of June of the present year of one thousand, seven-hundred and ninety, Mr. Commissioner, *Licenciado* and Friar Don Silvestre Díaz Huerta delivered to me the preceding dispatch, which he said he had just received by ordinary mail and in his correspondence. Having accepted it, he made before me a formal oath of *Non Rebelando in Todo Pectore*, with his hand placed over the cross upon his habit, and immediately ordered Carlota summoned.... It occurred before me.

[Signatures]

In the said village, day, month and year by virtue of the foregoing the aforementioned Carlota was summoned, from whom said Commissioner took a formal oath of fidelity by God our Lord and by making a sign of the cross, to tell the truth in what she has been asked, and not to reveal as much, or even part of what the gentleman of the dispatch [*sic.*]. [She declared] that the one she had as a husband was known in his country by the

**[Fol. 25r]** name of “Leon” and in Spain by that of “Antonio,” [and] that she does not know the day Antonio died

and was buried, because the declarant had left the city of Málaga, in order to sell all the kinds of her [his?] merchandise in the cities of Seville, Cordova, Ecija, and other towns, where she stayed [?] for nine months; and upon her return to the city [?] of Málaga she was notified that he had died, being told that he had died about eight months earlier, and according to her calculation, the death had occurred there about twenty-six months ago, more or less; that he did not have a fixed home as his domicile in said city, as they lived in the streets where the fairs that are frequent in that city were celebrated; such that when the [fairs] were [held] in the Calle de la Victoria, they picked themselves up [or: took shelter] and stayed by night in the house that a widow named Catalina has as her store, but that she does not recall her traits other than that she had her stalls and a large portal; and that for the lodging they paid five *reales* each night, and that when the fair took place in the street that they call “Of The Merchants” they spent the night at the Puerta de la Mar in a house that was a tavern, [and the woman who hosted them] was called María, a widow, to whom they paid four *reales* daily, but that the house of the aforementioned María was leased,

**[Fol. 25v]** and the delcarant is not aware of the property’s owner—and that when she went out to sell at the time she has already indicated, Antonio was left in broken health in the Calle de la Victoria. She did not have any dealings or communication with people besides with the two cited—the hostesses Catalina or María—that was not through her sales, since after the fairs they [=the declarant and her husband] went out to the towns of the county to sell without having a fixed domicile in any of them—and that she only stayed in the mentioned city of Málaga for three years at the time of the fairs. Though she left her country eighteen years ago, more or less, six [of those] years she has been in Portugal, three in France, and the rest in

Spain. She spent thee of these [latter] years as she has declared, and the six remaining [years] she was in Zaragoza, Pamplona, Valencia, and other cities, as well as in Barcelona, where a student for the price of half of a Piece of Eight prepared a certificate of marriage for her and Antonio. When she became acquainted with and dealt with her countrywoman, Christina, in Vélez-Málaga, she was the widow of an invalid whose name she does not know, and lived in a leased house located in the suburbs and that she does not know the name of the street. Christina lived from the work of her hands, threading and making buttons. Regarding

**[Fol 26r]** her house she cannot provide more details than that it stands apart, but that there are many other little houses similar to it because they stand alone. As for Cristina's personal traits, she can only say that she was a very old woman, of medium stature, with entirely white hair, and that she does not remember any more traits. And having had each and every one of the details contained in the dispatch reviewed for her, and to convey that she made her deposition with the greatest clarity and specificity, she said and repeated that she could not describe, neither explain, more than what she has declared under the oath that she has made, which she has ratified and affirmed. She did not sign because she did not know how to do so. Mr. Commissioner did, and I, the notary, did it, who was present for everything.

[Signatures: Díaz Huerta Y Rojas and Díaz Linares de Toledo]

**[Fol. 27r]** Presented in Toledo  
June 25 of 1790

Most Illustrious Sir:

The Inquisitor-Prosecutor of this Holy Office, in the file that has been compiled in the case of the woman



called Carlota who wishes to abjure the errors of the Judaic sect and be admitted to the bosom of our Roman Catholic, Apostolic faith, says: He has seen the new declaration that this spontaneous woman has made; and confronted with the earlier one that she proffered on May 16, he finds some contradictions and other inverosimilitudes. So that he may find out what this woman affirms, and so as not to fall for some fraud that she may be trying to perpetrate, it seems to him advisable that the same Commissioner and Notary of Consuegra take from her another statement, by formally interrogating her regarding the following questions:

1<sup>st</sup>. As she says, she is a native of Hesse-Cassel, a city of the Holy [Roman] Emperor, when it is in fact a private domain of Germany. Let her state the towns that are near her city of origin.

2<sup>nd</sup>. How can she say that her parents were called Leon and Cecilia and that they were Jews, when these names are of the Law of Grace, and her

**[Fol. 27v]** parents had full civil and moral liberty in their country and could use proper names of the Law of Moses?

3<sup>rd</sup>. How can she say in her first statement that she resided in the city of Málaga for six years when afterward she speaks of a mere three years? And that she had a store there, yet later says that she only sold in the fairs by day, and by night she lodged in the Calle de la Victoria, and in a tavern next to the Puerta del Mar in the homes of Catalina and María, including neither their family names, nor their physical traits? It is strange that she should not state or remember her [social] ties, or relatives they may have, so that their [her?] identity and existence may be known.

4<sup>th</sup>. That she declare the time of the year that she has

seen the fair held at the Calle de los Mercaderes of that city, or that she say what she believes to be the [proper] name of that street; because if she thinks it is the new street that is in front of the Puerta del Mar, it is our understanding that no fair is held there during any part of the year.

5<sup>th</sup>. That she state if she has been registered in any parish church, or listed as a citizen by the authorities, and if so, where, and in what year; or if she has heard mass, and received the Sacraments of Penitence and Comunion, believing in them internally, or not.

6<sup>th</sup>. Let her state in what merchandise she trafficked, and if she bought it in order to resell it

**[Fol. 28r]** in kind [?] or on credit, especially during the nine months that she was in various places without her man; and that she name the subjects with whom she dealt for that purpose, and their addresses, those whom she has known and have known her from the various fairs and townspeople of Andalucía that she has mentioned. It is not verisimilar that she has walked alone, without letting herself be known as to her homeland and religion among the various travelers and walkers of her class, whom she must perforce have had to join along roads and at inns.

7<sup>th</sup> and final: That said Commissioner pose whatever questions he finds advisable so that he can obtain better knowledge of whether she is indeed a Jew and truly wishes to be a Catholic, and so that persons of our Holy Religion be found who have known her, and can inform [us] as to the conduct, opinions, and religion that this woman has held.

[Signature, June 23, 1790]

**[Fol. 30v, starting in line 27]**

[Marginal note:] Inspection and declaration  
In the village of consuegra, on said, month, and year [Aug. 2, 1790], as a  
consequence of the [illegible]

**[Fol. 31r]** earlier notifications the aforementioned Carlota  
was summoned before His Mercy and me, the notary,  
and he received from her an Oath of fidelity  
by God Our Lord, and with the sign  
of the cross, to tell the truth of  
whatever she knows and may be asked. Having  
done so in accordance with the dispatch and  
commission, she responds to the first question:  
That it is true that Hesse-Cassel is the city of a Duke,  
but that he is subject to the Emperor of  
Germany, and that that is why she  
said that the city was the Emperor's, and that although  
she knows and acknowledges that there are many towns  
in its immediate surroundings, she does not know the names  
of any of them.

To the second question she said that although they have  
full liberty for the use [*sic.*] of their sect,  
they are accustomed in their [undeciphered word: *advetuo?* *Advitico?*] to  
assuming  
names of the Law of Grace, except the names Manuel, María, and Juan, and  
for that reason her parents were known  
by the names of Leon and Cecilia-----

Asked about her husband [?], she says that by her  
six-year term of residence in the city of Málaga,  
which she mentioned in her first deposition,  
she means that she participated in the fairs held in that city; and the three  
[following years], which she mentioned in her second deposition refer, and  
she understands them to be, those in which he who is named  
was sick for three years until he died without [?]

**[Fol. 31v]** the holy baptism; this is what she responded.  
Her declaration was read to her, and she said she had nothing  
to add to it. She ratified it. She did not sign because she did not know  
how to do so. His Mercy did it, as did I, the notary.

[Signatures]

**[Fol. 35r]** Most Illustrious Sir,

Sir of mine and of all my veneration: With the greatest care I have completed the task with which Your Illustrious Lordship [.....] has

charged me by the preceding commission, and I have not been able to locate any of the information that are [*sic.*] indicated in it.

In the Calle de la Victoria I have not found more than one widow named Catalina, and she assures me that neither in the time of the fair nor in the off-season has she ever hosted in her home or portal any person besides a woman, a Garbanzo seller [?], who was her acquaintance and a citizen of this city [who lives in] the Calle de la

Trinidad. Believing there to be some mistake in the testimony regarding a fair in the “Calle de los Mercaderes,” by which [the deponent] intended to say, or should have said, “in the Calle del Carmen,” I have looked in the Puerta

del Mar for the tavern-house in which there lived a widowed woman named María, though there are many taverns and store-houses.

I have found no reason to corroborate such a [undeciphered word], neither present nor past. In the Hospital del Rey one cannot know when Antonio died, because [the deponent] does not indicate his surname. For that reason

I return the commission so that if possible it will be returned with some clearer details that may be of guidance in order to investigate what Your Illustrious Lordship wishes to know, as with such vague information

**[Fol. 35v]**

I have not been able to advance anything.

[Valediction and signature of Joseph Fernandez Maqueda]

**[Fol. 36r]** Most Illustrious Sir:

The Inquisitor-Prosecutor of this Holy Office, in [light of] the procedures undertaken in the case of the woman called Carlota, who is in the village of Consuegra

Requesting that she be admitted to the bosom  
of Our Holy Mother, the Apostolic Roman Catholic Church via Holy  
Baptism  
and prior abjuration of the Hebrew sect into which se says she was born and  
has professed, affirms:

That the review of records made in this and the other trubunals of the realm  
have not resulted in anything against this request. Yet, since the procedures  
that have been undertaken in the city of Málaga through  
the Holy Office of Granada have not resulted in anything that  
would corroborate the presence that the spontaneous  
declarant alleges at the fairs and houses of said city,  
her declarations still obscure the information that would  
be necessary to know whether  
she has been and is in reality a Jew, and that she sincerely  
wishes to abjure that reprobate sect and receive the Holy Baptism. The fact  
that  
this woman of vague quality, and does not cite a single  
person who can answer as to her civil status

**[Fol. 36v]** or moral character, and what is more, not even  
to her physical existence after so many  
years of traveling through so many towns  
and provinces of the realm, is a  
circumstance that recommends her very little  
with respect to the credibility of her statements, and  
in certain terms it seems appropriate to the Prosecutor  
that for now a commission be given to the Priest and Prior of  
Consuegra, Silvestre Díaz Huerta, that [along with] the Familiar, Senior  
Bailiff Don Fernando Díaz de Linares, in association with the four  
most authorized and literate secular or regular priests of the village of  
Consuegra, examine the spontaneous declarant anew,  
asking her all the questions they  
deem appropriate, to ascertain whether in reality  
she has not received the Holy Baptism and has  
been of the Hebrew sect, and if her conversion is  
sincere, and she has been instructed in our  
holy Catholic dogmas and seems to them would persevere  
in Our Holy Catholic Apostolic Roman religion,  
and that they inform [us] of the results by means of a  
report of said Priest and Prior and four Priests,

and that it be transmitted to the Prosecutor to say whatever may be necessary. Secret [order] of the Inquisition of Toledo, November 13 of 1790.

**[Fol 38v]** In the village of Consuegra, twenty-eight days of said month [of November] and year [1790], by virtue of the judicial instructions the Presbyters and Carlota, who are cited in them, were summoned before His Mercy and me, the notary. Each and every one interrogated and reinterrogated Carlota with questions that were deemed advisable, according to the [undeciphered word], her Oath of Fidelity having previously been taken. Each and every one of them found, and are of the common opinion that her desire to receive the Holy Baptism is true; so too that she has not received it to this day; yet, as to her knowledge of the Catholic doctrine, she is found to be very immature; thus, in case the Tribunal deems it advisable to expedite its order to any of the Parish Priests of the village of Madridejos, where her [present] domicile is located, if it should be necessary to examine her well in the Holy Doctrine. In this regard, when prompted, she has offered to remain there so that the Holy Sacrament is administered to her. As to this they are in common accord and can and are obliged to inform the Holy Tribunal. And in acknowledgment they signed along with His Mercy, said Judge, which I faithfully verify.

[Signatures: *Licenciado* Don Sivestre Díaz Huerta y Roxas (Judge)  
Don Antonio Jesus Díaz Gallego  
Dn Elías Gabriel Aguilar Albarez  
Francisco García de Juan Pérez  
Joachin de Cassas y Vida  
Don Fernando Díaz de Linares y Toledo (Notary)]

## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792**

David Graizbord, The University of Arizona

Archivo Histórico Nacional, Inquisición de Toledo, legajo 159, expediente 11 (1790-1791): Carlota Liot.

#### **[Cover, front matter]**

Toledo (Inquisición de)

Judaizantes

Liot (Carlota)

de nacion hebrea, y residente en la villa de Consuegra

Su delacion espontanea y abjuracion

1790-1791

Leg.o 159 N. 11

#### **[Fol. 6R]**

A<sup>da</sup> en 7 de Oct<sup>re</sup> de 1790

Nada resulta en los Rexistros de este S. Oficio, contra la mugger, llamada Carlota, natural de Hesse-Cassel en Alemania, de mediana estatura, cara redonda, carrillos como hinchados, ojos pardos, niñas negras, pelo castaño, Zejas con poco pelo, nariz Roma, de 29 a<sup>s</sup> de edad poco mas o menos, espontaneada en ese tribunal de Hebraismo, solicitando entrar en el gremio de N.S. M. Yglesia, recibiendo el S. Baptismo; conforme al aviso de V.S. de 23 de Sepbre, â que contestamos gustosos, y lo haremos igualmente â quanto sea de su agrado.

N.S. gûe â U.S. & Ynqq<sup>n</sup> de Murcia 2 de octubre de 1790.

L<sup>do</sup> Pedro del Moral [?]

D.<sup>r</sup> D.<sup>n</sup> Ramon de Albornos

S.<sup>to</sup> oficio de Ynqq.<sup>on</sup> de Toledo

#### **[Fol. 16r]**

D<sup>n</sup> Fern<sup>do</sup> Diaz de Linares y Toledo It<sup>ro</sup> familiar Apos.<sup>o</sup> mo<sup>r</sup> a titulo de esta Villa, con la devida sumision a VY<sup>ma</sup> hace presente que, en este dia y por L<sup>do</sup> Frey D<sup>n</sup> Silvestre Diaz Huerta del au[illegible] de S<sup>n</sup> Ju. Cura Prior de S<sup>ta</sup> Maria la Ma<sup>r</sup> a dha Villa se ha presentado a el que espone una muger que dize ser de nacion Judaica llamarse Carlota y ser hija de Leon, natural de escasel Dominio de el Enperador; que salio de dha su Naturaleza de edad de treze a<sup>s</sup> y oy tiene la de veintinueve: declara voluntariamente (entre otras cosas) que en la ciudad de Malaga ha residido seis a<sup>s</sup> y que en dha ciudad conoze a muchos de su nacion ocultos: pero que ella desea el S<sup>to</sup> Baptismo, y convertirse a nt~ra Santa Fe Catholica sobre cuiã pretension ha importunado (con lagrimas y repetidas invocaciones de Maria Santissima) a dho Paro co; quien con acuerdo de el q<sup>e</sup> espone la ha ofrecido el cotidiano sustento y proteccion asta q<sup>e</sup> V.Y<sup>ma</sup> informado p<sup>r</sup> esta ordene lo que estime justo y conveniente.

Consuegra oy Abril 24 de 1790

[Signature: Don Fernando Diaz de Linares y Toledo]

**[Fol. 18R]**

En la villa de consuegra a diez y seis dias de el mes de Maio de este presente ano- de mil setezientos y noventa, el L<sup>do</sup> frey D<sup>n</sup> Silvestre Diaz Huerta Rojas del au<sup>zo</sup> de S<sup>n</sup> Ju<sup>a</sup> y cura Prior de la Parochia de S<sup>ta</sup>. Maria la maior de dha villa me entrego el prezedente despacho....

En dho dia y alas diez de la mañana en virtud de el auto prezedente comparezio [?] ante El dho S<sup>or</sup> comizionado y de mi el notario la espresada Carlota en forma de D~ro; que hizo



P<sup>r</sup> dios N.S. y una señal de cruz de no re  
 belar quanto ocuriere y dijere en la deposicio<sup>n</sup>

**[Fol 18v]**

y todo [sic] la verdad bajo cual aviendose espli  
 cado a quanto obliga su cumplimiento, y obser  
 vancia; y en la virtud se le hizo presente la  
 representacion que Yo el notario hize a el S.  
 Tribunal con fecha veintiquatro de Abril  
 la que le lei de Vervo ad Verbun y entera  
 da de toda ella dijo ser lo mismo q<sup>e</sup> en el Zita  
 do dia espreso a el S<sup>or</sup> comizionado y ante mi  
 el notario la que ratificava en caso nezesa  
 rio; y a la seguida se le hizo el Ynterrogatorio  
 siguiente----

Preg.<sup>ta</sup> Como se llama, de donde es Natural que  
 edad estado ofizio tiene quien es, o fueron  
 sus Padres y donde residen o murieron, y q  
 relijion profesaron, a que responde-----  
 que se llama Carlota que es natural de  
 Ese casel Ciudad del Enperador de Alemania,  
 de edad de Veintinueve años, poco mas o  
 menos, que ha sido comercianta, y oi en el dia  
 Pobre hostiatin [?], por averla robado, q.<sup>e</sup> esta en la  
 actualidad, como en estado de viuda, por ha  
 versele muerto el hombre que era de nazon  
 judaica en la Ziudad de Malaga el que  
 esta enterado en el canpo S.<sup>to</sup> del hospital de  
 el Rey de dha ciudad que sus Padres se llam  
 aron Leon y Zezilia, naturales y Vezinos  
 de la espresada ciudad de Esecasel que Ygno  
 ra si viven, o han muerto; pero save y le con  
 sta que fueron de nazon Judaica; y responde  
 Preguntada si es Christiana, Baptizda----  
 Responde que no-----  
 Preguntada en que Relijion se crio y que

**[Fol. 19r]**

Es lo que ha creido y seguido desde que

tubo uso de razon, y si la relijion en que  
ha sido criada es la misma que seguian  
y profesava sus padres, y si en aquel pais  
se enseña o sigue la misma o diferentes y  
quales; responde=====

Que la Religion en que se crio es Judai  
ca, y que esperaba el Mesias; y adoravan  
una imagen dorada como de Bezera, guardan  
do el dia Sabado por de fiesta, aiunando dho  
dia desde las diez de la noche de el viernes su  
vispera asta puesta del sol y oservando [?] la solem  
nidad contanto rigor que ni mobian un trasto [?]:  
en cuia relijion fue criada y la misma que  
seguian y profesavan sus padres, la que esta  
va tolerada en aquel Pais, donde Ygualmen  
te ay Luteranos Calvinistas y Christianos  
y todos tolerados, y con libre exercizio---  
Preg.<sup>da</sup> Si la guarda. se le preg.<sup>ta</sup> que es lo que a el  
presente tiene y cre, y que relijion es la que  
quiere seguir y profesar en vida y muerte

Responde: que tiene y cre a el presente los  
articulos de nuestra S<sup>ta</sup> Fe Catholica, que le fue  
ron hechos presentes p<sup>r</sup> el S<sup>or</sup> Comisionado, y por ante  
mi el Notario a que contesto; y que la relijion q<sup>e</sup>  
quiere seguir y profesar en vida y muerte es la  
relijion catholica; y por lo mismo desea con vivos  
y eficazes deseos ser bautizada=====

Repreguntada: que como tiene noticia de  
los articulos de nuestra S<sup>ta</sup> Fe Catholica, y quien

### [Fol. 19v]

Se la ha enseñado; dijo que con motivo de ha-  
llarse con tienda en la ciudad de Malaga salia  
todas las semanas a vender a Velez Malaga  
y en sus Arabales vivia una Paisana suia Chris  
tiana llamada Cristina que conozia a los refe  
ridos Padres de la deponente con cuio motivo en  
su lengua Alemana le enseñó la Doctrina Chris  
tiana y aunque dha Christina savia que los pa

dres de la deponente eran Judios tenia entendi  
do que esta era Christiana; y con el motivo  
de su estada en España en Castellano ha apren  
dido algunos misterios y oraciones como el credo  
sacramentos los cinco mandamientos de nuestra  
Madre la Yglesia, el misterio de la Santisima  
Trinidad, como es dios Remunedaror [sic] y los de-  
Mas en la lengua nativa:-----

5 Preg.<sup>ta</sup> A la quinta fue preguntada que causa, motivo  
o razon ha tenido y tiene para apartarse de  
la secta Judaica, y querer seguir y Profesar La  
Santa Fe Catolica de nuestra Madre La Yglesia  
Romana, responde=

Que por tener por Zierto, que si muere Judia  
Le condena, y si falleza Catolica espera salvarse  
y irse a la gloria ==

6 preg.<sup>ta</sup> A la sesta se remitio a la quarta: por lo que se con-  
prende, y a la tercera==

7preg.<sup>ta</sup> A la septima: fue preguntada si save ay al  
gunas Personas residentes en España de su sec-  
ta, ocultos, no siendo de aquellos reinos y na-  
ciones a quienes esta permitido p.<sup>or</sup> causa de

### [Fol. 20r]

el comercio y con ciertas condiciones el  
residir en España; o si save que algunos, o  
alguno de estos que estan permitidos en  
estos reynos, havia faltado a los pactos y con-  
diciones con que se les permite su residen-  
zia y causado con los dichos, o hecho al-  
gun escandalo a los fieles Chatolicos Roma-  
nos, Responde:=====

Que conzio asta seis personas de la misma secta  
ocultos que le enpleaban en el comercio de me-  
dias de seda, Panuelos, y otros jeneros que se acon-  
pañavan y vendian como en Cadis puerto de la  
Maria, y otros Pueblos; pero que no tenian casa  
de residencia en dha Ziudad en la que le ospe-  
davan en el meson mas cercano a la puerta

de la mar, pero que no se acuerda de los  
 nonbres de ellos en comun ni en particular,  
 y se solo que las señas del uno, es como de dos Y.<sup>s</sup>  
 y uno o dos dedos de altura, bastante grueso, con una  
 zicatriz en la cara como de cuchillada, que no  
 tiene presente en qual de las carillos es, y que ten  
 dra, o representa como de treinta a treinta y  
 cinco años de edad, y que sin duda la causa  
 de no acordarse e los nonbres, es por que viaban [?]  
 entre si poco de ellos, entendiendose con espresio-  
 nes de ermanos: que es quanto save, pues le debe  
 declarar en esta que ha ejecutado espontanea  
 mente, y bajo de el juramento q.<sup>e</sup> lleva hecho-

**[Fol. 20v]**

Y todo la verdad en el que en caso necesario  
 Se ratifica y afirma no firmo esta su decla-  
 Racion por decir no saver. Hizolo el señor comis  
 Ionado a que presente fui

[Signatures: Silvestre Diaz Huerta y Rojas, Dn. Fern<sup>do</sup> Diaz de Linares y  
 Toledo]

**[Fol. 24v]**

En la V<sup>a</sup> de Consuegra diez dias de  
 el mes de Junio de este presente año de  
 mil setecientos y noventa, el S.<sup>or</sup> Comisio  
 nado L.<sup>do</sup> Frey D,<sup>on</sup> Silvestre Dias Huerta  
 me entrego el prezedente despacho q.<sup>e</sup>  
 dijo acavava de Rezivir p.<sup>or</sup> el coreo or  
 dinario y en su corespondencia havien  
 dole azeptado hizo ante mi el juramen  
 to en forma la de Pectore puesta la ma  
 no sobre la cruz de su avito de non  
 rebelando y a la seguida mando con-  
 parezer a Carlota....  
 Paso ante mi

[signatures]

En la dha Villa dia mes y año a virtud  
 a el anterior proveido [?] conparezio la  
 espresada Carlota de quien dho señor Co-  
 misionado le rezevio juramento de fidelidad  
 en forma de dro. que hizo por Dios nuestro Se-  
 ñor y una senal de cruz de dezir la  
 verdad en lo que tiene preguntada como  
 de no rebelar quarto, ni parte de lo que  
 el senor de el despacho dijo; que el que  
 tubo p.<sup>or</sup> marido era entendido en su pais con el

### [Fol. 25r]

Nonbre de Leon y en España con el de An-  
 tonio= que no save el dia en que murio, y fue  
 enterado el referido Antonio por Motivo de ha-  
 ver salido de la ziudad de Malaga donde p.<sup>or</sup> [?]  
 que el dho a vender la declarante los generos  
 de su comerzio a las Ziudades de Sevilla Cordo-  
 va, ezija y otros pueblos en los que gasto [?] nue-  
 ve meses , y a el regreso a la lita\_a de Ma-  
 laga tubo la notizia de que avia fallezido  
 diziendola q.<sup>e</sup> avria como unos ocho meses q.<sup>e</sup>  
 murio, y segun la quenta, halla ocurio dho  
 fallecim.<sup>to</sup> como unos veintiseis meses poco mas o  
 menos= que no tenia casa segura p.<sup>a</sup> su domicili-  
 lio en dha ziudad, pues avitavan en las  
 calles donde zelebravan las ferias que son fre-  
 quentes en dha ziudad; de modo que quan-  
 do eran en la calle de la Victoria se Reco-  
 jian de noche en la casa q tenia p.<sup>or</sup> tiend<sup>a</sup>  
 una viuda que se llamava Catalina, pero q.<sup>e</sup>  
 la que no conserva mas señas que el tener sus  
 puestos y portal grandes y que por el menzio-  
 nado hospedaje pagavan cada noche cin-  
 co r.<sup>s</sup> yn y que quando la feria era en la –  
 calle q.<sup>e</sup> nonbran de los mercaderes vizavan  
 de noche junto a la puerta de la mar en  
 una casa que era taverna y se llamava  
 Maria de estado viuda la que los hospedava  
 Y a quien agavan quatro R.<sup>s</sup> diarios, pero q.<sup>e</sup>

Su casa la tenia en arrendamiento la zitada

**[Fol. 25v—Not foliated]**

Maria ignorando la declarante de quien  
fuese su [?] propiedad= y que quando salio  
a vender por el tienpo que deja declarado  
que el repetido Antonio quedo con quebranta  
de salud en la espresada casa de la calle  
de la Victoria que no tubo trato ni comu-  
nicazion que no fuese transcurzo [?] en sus ven-  
tas, con otras personas, que las dos zitadas—  
huespedas, Chatalina u Maria a [?] causa  
de que pasados las ferias salian a vender  
por los pueblos de la comarca sin tener  
domizilio fijo en alguno== y que a la-  
zitada zuidad de Malaga solo acudio p<sup>r</sup>.  
tres años en tienpo de ferias, pues aunque ha-  
ze dies y ocho años , poco mas o menos, que  
salio de su Pais seis años ha estado en Portu-  
gal, tres en Francia, y los demas en Espa-  
ña que los tres gasto [?] como deja declarado  
y en los seis restantes estuvo en Zaragoza  
Panplona, Valencia y otras ziudades como  
tanbien en Barcelona donde un estudian-  
te p<sup>r</sup> el precio de medio doblon de a ocho  
las hizo a la declarante y Zitado Antonio  
la carta de casamiento==que quando  
conozio y trato en Veles Malaga a la paisa-  
na la Christina era viuda de un invalido  
cuio nonbre Ygnora que vivia en casa  
de arrendamiento situada en los arabales  
y que no save el nonbre de la calle=que  
dha Christina vivia de el trabajo de sus  
manos hilando y haciendo votones=que de

**[Fol. 26r]**

su casa no puede dar mas señas que el  
hallarse sola pero que ay otras muchas ca-  
sillas semejantes p.<sup>or</sup> lo solas = y en quanto a las  
señas Personales de dhas Cristina solo puede de

zir que era mujer mui anziana de mediana estatura con todo el cavello blanco y que no tiene presentes otras mas señas== y aviendola reconvenido sobre todos y cada uno de los particulares contenidos en el despacho, para q<sup>e</sup> con la maior claridad, y espezificzcion hazia su deposizion, dijo y repitio que no podia esponer, ni esplicar mas que lo que deja declarado vajo de el juramento, que deja hecho en que e ratifco y afirmo no firmo p.<sup>r</sup> no saver, lo hizo el S.<sup>or</sup> Comisionado y Yo el notario que a todo fui presente.

[Signatures: Liz.do Dn Silvestre Diaz Huerta, etc.]

**[27r]**

Present.<sup>da</sup> en Toledo  
y Junio 25 de 1790

M.I.S.

El Inq<sup>or</sup> fiscal de este S.<sup>to</sup> Oficio en el expediente Que se ha formado a instancia de la muger Nombrada Carlota que solicita abjurar los Errores de la secta Judaica y ser admitida al gremio de nuestra Religion Catholica Apostolica Romana, dice: Ha visto la nueva declaracion que en diez del corr.<sup>te</sup> ha echo dha espontanea, y confrontada con la anterior q.<sup>e</sup> otorgo en 16 de mayo halla algunas contradicciones y otras especies inverisimiles, y con el fin de q.<sup>e</sup> le venga en conocimiento de lo q.<sup>e</sup> afirma esta muger, y que no se incida en algun embuste que intente practicar es de parecerle le reciba otra declaracion p.<sup>r</sup> ante el mismo comisionado y Notr.<sup>o</sup> de [?] consuegra, in terrogandola en forma sobre las preguntas siguientes

1<sup>a</sup> Como dice es Nat.<sup>l</sup> de Hese Casel, Cuidad del

S.<sup>to</sup> [?] Emperador, quando es soberania particular de Alemania. Que exprese los Pueblos que hay inmediatos al de su naturaleza.

2.<sup>a</sup> Como dice que los padres se nombraban Leon y Cecilia y q.<sup>e</sup> ern Judios, quando estos nombres son de la ley de gracia, y sus

**[Fol. 27v]**

padres tenian plena libertad civil y moral en su pais y podian usar de los nombres propios de la ley de Moises.

3.<sup>a</sup> Como dice en su primera declaracion que residio en la ciudad de Malaga seis años si desp.<sup>s</sup> dice que solos tres, y que tenia en dha ciudad tienda, y desp.<sup>s</sup> dice que solo vendia en las ferias de dia, y de noche se recogia en la calle de la Victoria, y en una taberna junto a la puerta del Mar en las casas de Cathalina y Maria sin los apellidos, ni señas personales es estraño no esprese ni se acuerde de las conexiones, o Parientes que tengan p.<sup>a</sup> q.<sup>e</sup> le venga en conociom<sup>to</sup> de la identidad o existencia.

4.<sup>a</sup> Que declare el tiempo annual en q.<sup>e</sup> ha visto celebrarse feria en al calle de los mercaderes de aquella ciudad, o diga la C.<sup>e</sup> que entienda ser esta, porq.<sup>e</sup> si entiende ser la C.<sup>e</sup> nueva que esta en frente de la Puerta del Mar, en esta se tiene entendido q.<sup>e</sup> no hay feria en todo el año.

5.<sup>a</sup> Que exprese si en alguna ciudad o pueblo de España ha sido enpadronada en alguna Iglesia Parroq.l, o alistada como Vecina p.<sup>r</sup> la Justicia, y donde sea, y en qual año; o si ha ohido misa, y recibido los sacramentos de la Penitencia y comunion creyendolos interiorm.<sup>te</sup> o no.



6.<sup>a</sup> Expresara las mercancías en q.<sup>e</sup> tenía su tráfico, y si las compraba, p.<sup>a</sup> revenderlas, al

**[Fol. 28r]**

contraste [?], o al fiado especialm.<sup>te</sup> en los nueve meses que andubo p.<sup>or</sup> varias partes sin su hombre, y diga los sugetos y sus domicilios con qn.<sup>es</sup> trato con este motivo, los que haya tratado y la conozcan con el de andar a las varias ferias y poblaciones de Andalucia que declara, que no es verisimil caminar solo, y dejase de darse a conocer en q.<sup>to</sup> a s Patria y aun su Religion con los varios viajeros o andantes de su clase con q.<sup>nes</sup> es forsose se haya juntado en caminos, o en posadas.

7.<sup>a</sup> y final. Que el dho comisionado le haga las demas preguntas oportunas para que se venga en maior conocimiento de que en verdad es Judia, y desea de veras ser Catholica y q.<sup>e</sup> se le hallen personas de nuestra S.<sup>ta</sup> Religion q. la hayan conocido, y puedan informar de la conducta, opinion, y Religion que haya crehido esta Muger.

[signature; Jun. 23, 1790]

**[Fol. 30v, starting in line 27]**

[Marginal note:] Inscpzion Y declarazion

En la villa de Consuegra dicho dia

mes y año [2<sup>nd</sup> of August 1790] a consequenzia de el [illegible]

**[Fol. 31r]**

notificazion anteriores Conparecio en su merzed y de mi el notario la susadha Carlota de quien recivio juramento de fidelidad p<sup>r</sup> dios N.S. y una Señal de cruz de dezir la verdad en lo que su-

piere y fuere preguntada y siendolo p.<sup>r</sup>  
 el despacho, comision a la primera  
 pregunta Responde= que es Zierto que  
 Esecasel es Ziudad de un Duque pero q.<sup>e</sup>  
 este esta sujeto a el enperador de Ale  
 mania, y que por esta razon dijo ser  
 de el enperador dha Ziudad y que aun  
 que save y le consta ay muchos pueblos  
 inmediatos no save el nonbre de algu-  
 no de ellos

A la Seg<sup>da</sup>. Preg.<sup>ta</sup> dijo que aunque tienen  
 plena libertad para el uso de su secta  
 acostunbran a su [undeciphered word] tomar los non  
 bres de la ley de grazia eszeptuando los  
 nonbres de Manuel, Maria y Juan y  
 p.<sup>r</sup>. lo dho a sus padres los entendian con-  
 los nonbres de Leon y Cezilia-----

Preguntada por su Zenor [sic.] dize que la Residen-  
 zia de los seis años en la ziudad de Mala  
 ga que dijo en su primera declaracion se  
 entiende aver acudido seis años a las fe  
 rias de dha Ziudad y los tres que dize en  
 su segunda declaracion es y la entiende  
 haver estado el que llama su nonbre tres  
 años enfermo en ella asta que murio sin

**[Fol. 31v]**

el Sagrado Bautismo; esto respondio=  
 Leiosele su declaracion y dijo no tenia  
 que adicionar cosa alguna. Ratificose  
 en ella, no la firmo por no saver, lo  
 hizo su merzed y Yo el notario

[Signatures]

**[Fol. 35r]**

Yllmo. Señor

Mui s<sup>or</sup> mi y de toda mi veneracion: con el maior cuidado le he hecho diligencia q<sup>e</sup> V.S.Y. se sirve encargarme p<sup>r</sup>. la comision antecedente y no he podido dar con ninguna de las citas q<sup>e</sup> en ella se expresan; en la calle de la victoria no he hallado mas q<sup>e</sup>. una viuda llamada Cathalina, y esta asegura q<sup>e</sup> nunca recogio en tienpo de feria, ni fuera de el en su casa, o portal persona alguna mas q<sup>e</sup> una Garvansera conocida suia y vecina de esta Ciu.<sup>d</sup> en la Calle de la Trinidad; creyendo quivocacion en la expresion de la feria en la cale de mercaderes p<sup>r</sup> decir, o dever decir en la calle del Carmen, he buscado en la Puerta del mar la casa taberna, q<sup>e</sup> la vivia una muger llamada Maria, viuda, y aunq<sup>e</sup> en aq.<sup>l</sup> sitio hai varias Tabernas y Bodegas ni en el dia, ni de algunos años a esta parte me danrazon de la tal escanias. [?] En el Hospital R.<sup>l</sup> no se puede saber q<sup>do</sup> murio el Antonio p<sup>r</sup>no describe qual era su apellido. Por lo q<sup>e</sup> devuelvo la comision, p.<sup>a</sup>q<sup>e</sup> si pudiese ser venga con algunas circunstancias mas claras que puedan servir de gobierno, p.<sup>a</sup> averiguar lo q<sup>e</sup> V.S.Y. desea saber, pues con unas noticias tan vagas

**[Fol. 35v]**

nada he podido adelantar.

Nro. G<sup>r</sup>ue a V.S.Y. [illegible] Ma  
Laga 30 de oct.<sup>re</sup> de 1790.

Yllm.<sup>o</sup> S.<sup>or</sup>

B. L. P. de V.S.Y. su mas

Rend.<sup>do</sup> Subdito y Capp.<sup>n</sup>

Joseph Fernandez

Maqueda

**[Fol. 36r]**

M.I.S.

El inq.<sup>or</sup> Fiscal de este S<sup>to</sup>. Oficio en las dilig.<sup>s</sup> practicadas a instancia de la Muger que se nom-

bra Carlota, y q.<sup>e</sup> se hally en la villa de consuegra solicitando se le admita al Gremio de N.S.M. la Ygl.<sup>a</sup> C.A. R. mediante el St<sup>o</sup> Bautismo, y prebia abjurcion de la secta Hebrea en que dice ha nacido la ha profesado, dice: que la correccion de de registros echa en este y en los demas tribunales del reyno no ha resultado cosa alguna contra esta pretencion; y como por las diligencias que se han practicado en la ciudad de Malaga mediante el S<sup>to</sup> Oficio de Granada tampoco haya resultado comprobada la existencia que Dha espontanea declara haber echo en las ferias y casas de dha Ciudad, quedan en la misma anterior obscuridad de sus declaraciones los conocimientos que convendrian tenerse, a saber es que en realidad esta espontanea ha sido y es Judia, y que sinceramente desea abjurar esta reprobada secta y recibir el S.<sup>to</sup> Bautismo. La calidad de ser esta Muger baga, y no citar una sola Persona que conteste en su estado civil

**[Fol. 36v]**

o concepto moral y lo que es mas, ni aun en su existencia fisica despues de tantos años que ha discurrido por tantos Pueblos y Provincias del Reyno, son circunstancias que la recomiendan mui poco p.<sup>a</sup> q.<sup>e</sup> sea crehida en sus declaraciones y en ciertos terminos parece al fiscal por ahora que se de comision al Cura Prior de dho Consuegra [...] Silvestre Diaz Huerta p<sup>or</sup> que ante el Familiar Alg. Maior D<sup>n</sup> Fern.<sup>do</sup> Diaz de Linares y asociado de quatro sacerdotes seculares o Regulares los mas autorizados y literatos de dha villa de Consuegra examinen de nuevo a dha espontanea haciendole todas las preguntas que les parezcan oportunas p.<sup>a</sup> apurar si en reali

dan no ha recibido el S<sup>to</sup> Bautismo y ha  
 sido de secta Hebrea y si su conversion es  
 sincera, y se halla instruida en nuestros  
 s<sup>tos</sup>. dogmas Catholicos, y les parece perseve-  
 rara en ntra S.<sup>ta</sup> Religion Catholica A R.<sup>na</sup>  
 y que informen las resultas con el dicta  
 men de dhos Cura Prior y quatro sacerdotes,  
 y venido q. sea se pase al Fiscal p.<sup>a</sup> decir  
 lo q. haya lugar. Secreto de Ynq.<sup>n</sup> de Toledo  
 Nov.<sup>e</sup> 13 de 1790

**[Fol. 38v]**

En la villa de Consuegra Veinitiocho dias  
 de dho mes [noviembre] y año [1790], a virtud de la prezedente  
 diligencia comparecieron ante su merced y de mi  
 el notario, los presviteors y Carlota contenidos  
 en ella; y aviendosele por todos y cada uno he-  
 cho las preguntas y repreguntas que se tubieron  
 por convenientes, a la predha Carlota, confor-  
 me a lo m[---]cedo prezedido el juramento de  
 fidelidad que se [--]e tomo, hallaron todos y  
 cada uno ver a comun parezer zierto el  
 deseo que tiene de rezivir el Santo Baptismo  
 y no haverle recibido asta de presente; pero  
 que en quanto a la Ynstrucion de la doc-  
 trina Christiana se halla mui tierna, por lo  
 que si el tribunal estimase por convenien-  
 te espedir su orden, a qualquiera de los Paro-  
 chos de la Villa de Madredejos donde tiene  
 su domizilio y en este acto preg.<sup>da</sup> ha ofrezido  
 permanecer en el para q.<sup>e</sup> se le administre el  
 S.<sup>to</sup> Sacramento de el Baptismo, tienen por de ne-  
 zesidad q.<sup>e</sup> antes de administrarsele se le ecxa-  
 mine bien en la Santa Doctrina; que es quan-  
 to de comun acuerdo pueden y deven informar  
 a el S.<sup>to</sup> tribunal y p.<sup>a</sup> que conste lo firmaron con  
 su merced dho señor Juez de que doy fe

[Signatures:

Lic.do D.n Sivestre Diaz Huerta y Roxas

Dn Antonio Jesus Diaz Gallego  
Dn Elias Gabriel Aguilar Albarez  
Fran.co Garcia de Juan [Ivan?] Perez  
Joaquin de Cassas y Vida  
D.n Fern.do Diaz de Linares y Toledo

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## EARLY MODERN WORKSHOP: Jewish History Resources

**Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012**

### **Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792**

David Graizbord, The University of Arizona

Archivo Historico Nacional, Inquisición de Toledo, legajo 137, expediente 15 (1791-1792): Salomon Bergom (a.k.a. Carlos Bergamo). *The text below preserves the lineation of the original*

#### **[Cover, front matter]**

Toledo (Inquisition of)

Bergom (Salomon)

Later Carlos Bergamo, native of Mantua, Carpenter

Resident of Toledo

Spontaneous Delation

1792-1793

Dossier 137, n.15

**[Fol.13r]** Presented at the Inquisition of Toledo

December 11 of 1792

Salomon Bergom is my first

name and now I call myself

Carlos Bergamo, at your service [?]: He declares

that, being since birth [of], and reared in the Law of the Old

Testament, and that for some years

has had the true desire to

embrace the law of Jesus Christ,

But experienced for months [?] some

doubts which prevented me from following it.

And now he has them convinced [*sic.*]

he begs of you in surrender that you be

so kind as to give an order of summons

so that I am baptized [?] and received [?]

in the bosom of the Holy Church,  
 a grace which he hopes to receive from  
 Your Lordship's mercy

Toledo, 1792, 9<sup>th</sup> of December  
 At your service [?]

Salamon Bergom  
 Native of Mantua  
 In Italy

**[Fol. 15r]** Presented on December 19, 1792

At the Holy Office of the Inquisition of the city of  
 Toledo, eighteen days of the month of December  
 of one thousand seven hundred and ninety two,  
 During the morning hearing of the Inquisitor, *Licenciado*  
 Don Francisco Xavier Ersua (who attends alone), the  
 gatekeeper of the Chamber and dais [?] of the Holy Office  
 entered and made it known that in the superintendence of the  
 Tribunal there was a man who was asking for  
 a hearing; and the latter having been ordered inside,  
 the Inquisitor received his formal oath  
 to tell the truth as to everything  
 he knew, may be asked about, and  
 may be discussed with him.

Asked what he calls himself, of what place he is  
 a native, what his age and occupation are, who  
 his parents are or were, and where  
 they reside or died, and what religion they  
 professed,

He said: That he calls himself Salomon

**[Fol. 15v]** Bergom, a native of the city of Mantua in  
 Lombardy of Italy; forty-five years of age more or less;  
 a carpenter and maker of pumps by trade; that his father  
 was called Abraham Bergom, and his mother Nicol  
 —he does not know her last name; that they resided  
 in the city of Mantua; that he has heard that his father  
 has died; he does not know about his mother;  
 and that he thinks they professed the Mosaic religion,



in which they reared him until the age of  
 nine years, at which he fled from his home  
 in the company of a Genevan Knight called Don Pedro  
 —he does not know his last name—  
 with whom he proceeded to Vienna and other parts of this [*sic.*]  
 Empire, and he was in his company for a span of  
 five years, from where he proceeded to Milan, where  
 he was about three or four years  
 learning a trade; from there to Rome,  
 where he was for three years, more or less;  
 from Rome he proceeded to *Florentin de Campaña* [Saint-Florentin,  
 Champagne?]  
 in which city he was for about two years.  
 From Florentin, he returned to Milan, where  
 He stayed about a year and one half; from Milan  
 he proceeded to Turin, where he remained  
 about a year and one half; from Turin he returned to

**[Fol. 16r]** Vienna, and was there one year; from Vienna he proceeded  
 to Parma, where he remained about a year and a half;  
 from Parma he came to Marseille  
 in France, and from Marseille he proceeded to Languedoc,  
 first the city and second the  
 seaport, also in France, in whose towns  
 he was for about a year and a half; that from  
 Languedoc he came to the Court of Madrid, where [*sic.*]  
 and Royal places of La Granja and the  
 Escorial, [where he was] about four years; that from  
 the Court he proceeded to the Realm  
 of Galicia, where he was about ten  
 years in the cities of Santiago,  
 Coruña and Lugo; that afterward he went to the Realm  
 of Portugal, where he spent about a year  
 in the cities of Oporto and Lisboa; that  
 from there he returned to Madrid, where he was  
 for about four years, and he came to this city  
 of Toledo the Day of Santiago the Elder  
 of the present year.

Asked if he is a baptized Christian, who  
 baptized him, where, with what substance [?],

and how, if godparents attended,  
and who they were, and if the manner used

**[Fol. 16v]** in his baptism by the Minister is the same  
in which baptism is customarily performed in that country.

He said that he is not a baptized Christian  
because his parents reared him, as he has  
said, in the Law of Moses, in which he has  
remained until now.

Asked what he has believed in the  
religion he has followed; and whether in the country in which  
he was reared the same is taught and followed,  
or different ones, and which ones.

He said: That he believed in the Ten Commandments  
as is taught in the Law of Moses, which is the one he had  
followed and held until the present day.  
And that in that country the Christian religion is followed,  
Except in the neighborhood of Elpuet [?] in  
the above-cited city of Mantua, in which  
that of Moses is followed, and they are circumcized according  
to it, as the declarant is as well.

Asked (since he has declared that he has been  
reared, and until now has followed the law of  
Moses) to state which is the one he wishes to  
follow henceforth, and in which he wishes to live  
and die.

He said: That he wishes to embrace, follow,  
and die in the Catholic, Apostolic, Roman religion  
Asked what cause or

**[Fol. 17r]** motive he has and has had for wishing to separate  
himself from the law of Moses and its errors, which  
he has held and followed until now, and for wishing to follow  
and profess the Holy Catholic Faith of Our Holy  
Mother, the Roman Church.

He said: That the motive he has had is  
that having heard in some conversations  
of learned men that although Jesus Christ  
could redeem the entire world  
with a single drop of blood, He wished, because of His infinite kindness

to suffer many travails in His life,  
 passion and death for all humankind,  
 in order to provide the greater example and benefit to all of it;  
 and because he has considered many times that the  
 religion of Moses is abhorred everywhere;  
 and that for those reasons he has believed what  
 the Catholic religion teaches, which is that God  
 made himself a man in the most pure entrails of  
 Mary Most Holy, was born and suffered  
 death and passion in order to redeem humankind, which  
 He was able to do owing to his omnipotence; and that  
 therefore he wishes to detest, and he detests,  
 the error of the Jews, who do not even [illeg.]  
 the true Messiah to have come, who  
 is Jesus Christ, true God and man.

**[Fol. 17v]** And that he detests any of [illegible] errors of said  
 sect, as a consequence of Jews' not believing that the true  
 Messiah has come to redeem humankind.

Asked if at some time he followed and  
 professed our Holy Roman Catholic Faith and religion, and  
 later apostatized from it, [and if so]  
 what reason he had for apostatizing, and how  
 long he held said errors, and if at any  
 time he has been instructed in our Holy  
 Catholic Faith and Roman religion by any  
 person, and who was it who explained and  
 taught the misteries and other articles of our  
 holy faith.

He said: That at no time has he followed,  
 neither professed our Holy Roman Catholic Faith;  
 and that therefore he has not apostatized from it,  
 and his entire life he has held and followed the  
 Law of the Jews; and that he has not been  
 instructed by any person in particular in  
 Our Holy Faith and Catholic religion, and that  
 only a few private conversations,  
 and sermons he has heard have given him  
 some light and instruction for knowing

**[Fol. 18r]** the truth of Our Holy Roman Catholic Faith and the falsity of that of the Jews; and that in order to avoid making it known that he professed the law of the Jews, he has endeavored to hide his profession of it, especially at the time of the fulfillment of Easter [or: the fulfillment of holidays], during which he bought a certificate of fulfillment, or changed his residence and parish.

Asked if he knows some persons resident in Spain who know and profess the said errors, or similar ones, contrary to our Catholic Faith, who are not of the Realms and nations to which it is permitted, for reasons of commerce, and with certain commissions, to reside in Spain; or if he knows that some, or some of those who are permitted in these realms have not kept the agreements and conditions under which their residence is permitted, and caused with their words or deeds some scandal to the loyal Roman Catholics.

He said: that he does not know that any person who resides in these Spanish realms follows or professes the law of the Jews and its errors, neither other [errors] similar to them and

**[Fol. 18v]** opposed to our Holy Faith and that neither does he have any information that they have quarreled [?] and scandalized loyal Roman Catholics with their words and deeds.

Asked what cause he has for saying and asserting that he has been circumcised and not baptized.

He said: that since he was born to Hebrew parents in whose company he lived until the age of nine years, and they do not baptize themselves, neither do they baptize their children, hence he can assure that he is not baptized, and because after coming out [from under] the authority of his parents he has not had himself baptized either; and to confirm this he says that he has heard his parents say many times that he was

circumcised only. And having had this declaration read to him, which he has made in the presence of said Holy Inquisitor,

he said: that it was well written according to what he had declared; and that he must only add that since he had come to Spain and resided in the Court of Madrid he worked there with Don Joseph Lopez, ebony-carpenter [or: fine wood carpenter] of the King Our Lord, who lives in the Calle del Horno de la Mata; and that in the ten years that

**[Fol. 19r]** he resided in Galicia, as he has said, he worked for most of that time on account [= as a freelancer, journeyman] and that he does not remember the people on whose account he worked for a brief time; and that since he came to this city he has worked in the houses of Bernardo Alvarez, who lives in the Plazuela de la Ropería Vieja, and in that of Yetro Cat, a Frenchman by nation, who lives in the Calle de la Obra Prima.

Both [men] are ebony-carpenters and carpenters; and that that is the truth, under the oath he has taken, and which he affirms and ratifies. And he signed it in his hand, which I, the Inquisitorial [?] secretary certify.

[Signatures]

## EARLY MODERN WORKSHOP: Jewish History Resources

Volume 9: Cross-Cultural Connections in the Early Modern Jewish World, Brown University, Providence, RI, February, 26-27, 2012

### Cultural Transmission and Assimilation in a Quotidian Key: The Conversion of Two Jews in Spain, 1790-1792

David Graizbord, The University of Arizona

Archivo Historico Nacional, Inquisición de Toledo, legajo 137, expediente 15 (1791-1792):  
Salomon Bergom (a.k.a. Carlos Bergamo). *The text below preserves the lineation of the original*

#### [COVER, FRONT MATTER]

Toledo (Inquisicion de)	Judaizantes
Bergom (Salomon)	
luego Carlos Bergamo, natural de Mantua, carpintero, residente de Toledo	
Delacion espontanea	
1792-1793	

Leg<sup>o</sup> 137 n. 15

#### [Fol 13r]

Pres.<sup>da</sup> en la Ynq.<sup>n</sup> de Tol.<sup>do</sup>  
11 de Dic.<sup>re</sup> del 1792

Sino P.<sup>te</sup>s D S.<sup>to</sup> Tribunal  
De inquisicion Al S.<sup>on</sup> Ynq.<sup>or</sup> Fisc<sup>l</sup>

-Grisa.  
(Solo)

Salomon Bergom de mi primier  
Nombre e a ora me liamo  
Carlos Bergamo A p dus: espone  
che essendo de su nacimiento  
E creado in Lei del testamento  
Antigo e che cu algunos agnos  
che a tenido veredero deseo de



fesaron.

Dixo: Que se llama Salomon Ber-

**[Fol. 15v]**

Bergom, nat.<sup>l</sup> de la ciud.<sup>d</sup> de Mantua en la Lombardia de Ytalia de quarenta y cinco años de edad poco mas o menos, oficio carpintero hacer bombas; que su Padre se llamo Abraam Bergom; y su Madre Nicol ignora su apellido, q.<sup>e</sup> residieron en la dha ciu.<sup>d</sup> de Mantua, que el dho su Padre ha oido decir ha muerto, su madre lo ignora: Y q.<sup>e</sup> le parece profesaron la religion Mosayca, en laq.<sup>e</sup> le criaron hasta la ed.<sup>d</sup> de nueve años en la q.<sup>e</sup> se huyo de su casa en la compañía de un cavallero Ginebrino llamado D.<sup>n</sup> Pedro ignora su Apellido, con q.<sup>n</sup> paso a Viena y otras partes de este Ynperio, y estubo en su comp.<sup>a</sup> p.<sup>r</sup> espacio de cinco años desde donde paso a Milan en donde estubo como tres o quatro años aprendiendo oficio, de alli a Roma en donde estubo tres años poco mas o menos, desde Roma paso a Florentin de campaña, en cuya ciu.<sup>d</sup> estubo como unos dos añ<sup>s</sup>. desde Florentin bolbio a Milan endonde estubo como año y medio, de Milan paso a turin en donde permanecio como año y medio, de Turin bolbio a

**[Fol. 16r]**

Biena y estubo un año; desde Biena paso a Parma donde permanecio como año y medio; desde Parma bino a Marsella en Francia, y de Marsella paso a Languedoc; el primero Ciu.<sup>d</sup> y segundo Puerto de Mar tanb.<sup>n</sup> en Francia en cuyos Pueblos estubo como año y medio; que de Languedoc bino a la Corte de Madrid, en donde y sitios R.<sup>s</sup> de la Granja, y Es-



corial estuvo como quatro años ; que de  
 dha corte y sitios, paso al R.<sup>no</sup> de  
 Galicia en donde estuvo como unos diez  
 años en las ciudades de Santiago,  
 Coruña y Lugo; que despues paso al R.<sup>no</sup>  
 de Portugal en donde paso como un año  
 en las ciudades de Oporto, y Lisboa, q<sup>e</sup>  
 de aqui bolbio a Madrid e donde estu-  
 bo como quatro años, y bino a esta ciud.<sup>d</sup>  
 de Toledo el dia Santiago el Mayor  
 de este presente año.

Preg.<sup>do</sup> si es christiano bautizado, q.<sup>n</sup>  
 Le bautizo, en q.<sup>e</sup> lugar, con q.<sup>e</sup> Materia,  
 Y en q.<sup>e</sup> forma; si asistieron Padrinos,  
 Y q.<sup>nes</sup> fueron; y si la forma de q.<sup>e</sup> en su

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bautismo usò el Ministro es la misma con q.<sup>e</sup> a  
 costumbran Bautizar en aq.<sup>l</sup> pais.

Dixo que no es Chrsitiano bauti-  
 Zado porq.<sup>e</sup> sus padres le criaron como lleba  
 dicho en la ley de Moyses en la q.<sup>l</sup> se ha man-  
 tenido hasta de presente.

Preg.<sup>do</sup> que es loq.<sup>e</sup> ha creido en la Re-  
 lig.<sup>n</sup> q.<sup>e</sup> ha seguido; y si en aquel Pais enq.<sup>e</sup>  
 se crio se enseña o sigue la misma, o diferen-  
 tes y quales.

Dixo: Que creyo los diez Mandam.<sup>tos</sup> como  
 se enseña en la de Moyses q.<sup>e</sup> es la q.<sup>e</sup> via  
 seguido y tenido hasta de presente;  
 Yq.<sup>e</sup> en aquel pais se sigue la Religion Chris-  
 tiana excepto en el barrio de Elpuet [?] en  
 la sobredha ciu.<sup>d</sup> de Mantua, q.<sup>e</sup> se sigue  
 la de Moyses q.<sup>e</sup> es la q.<sup>e</sup> ha  
 seguido y tenido hasta de presente;  
 y q.<sup>e</sup> en aquel Pais se sigue la Religion Chris-  
 tiana, excepto en el Barrio de Elpuet [?] en  
 la sobredha ciu.<sup>d</sup> de Mantua, q.<sup>e</sup> se sigue  
 la de Moyses, y se circuncidan segun  
 ella como lo esta tamb.<sup>n</sup> el declarante.

Preg.<sup>do</sup> (que supuesto lleba dho q.<sup>e</sup> ha sido Criado, y hasta de presente ha seguido la ley De Moyses) exprese qual es la q.<sup>e</sup> quiere seguir en lo subsesivo y en la q.<sup>e</sup> quiere vivir Y morir.

Dixo: Que quiere abrazar, seguir,  
Y morir en la Religion catholica, Apostolica Romana  
Preg.<sup>do</sup> que causa o

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motibo tiene y ha tenido p.<sup>a</sup> querer apartarse de la Ley de Moyses y sus errores q.<sup>e</sup> hasta aqui ha tenido y seguido, y querer seguir y profesar la S.<sup>ta</sup> Fe catholica de Nra. S.<sup>ta</sup> Madre la Yglesia Romana.

Dixo: que el motibo q.<sup>e</sup> ha tenido es Porq.<sup>e</sup> haviendo oido en algunas conversaciones de hombres instruidos q.<sup>e</sup> aunq.<sup>e</sup> Jesuchristo pudo con una sola gota de sangre redimir a todo el Mundo, quiso p.<sup>r</sup> su ynfinita bondad padecer muchos trabajos en su vida, pasion y muerte p.<sup>a</sup> todo el genero humano p.<sup>a</sup> el mayor exemplo y provecho de todo el, y por<sup>q</sup> ha considerado barias beces, q.<sup>e</sup> en Religion de Moyses esta aborrecida en todas partes, Y q.<sup>e</sup> con estas razones ha creido lo q.<sup>e</sup> enseña la Religion Catholica q.<sup>e</sup> es q.<sup>e</sup> Dios se hizo hombre en las purisimas entrañas de Maria Santissima, nacio y padecio muerte y Pasion p.<sup>r</sup> redimir al genero humano; lo q.<sup>e</sup> pudo hacer e hizo p.<sup>r</sup> su omnipotencia; y q.<sup>e</sup> asi quiere detestar y detesta el horror de los Judios, q.<sup>e</sup> niep[illegible] ven venido el verdadero Mesias. q.<sup>e</sup> es Jesuchristo; Dios y hombre verdadero.

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Y q.<sup>e</sup> destesta qualquiera [illegible]os errores de dha Secta, como consiguiente al de no creer los Judios q.<sup>e</sup> haya venido el Mesias

verdadero a redimir el genero humano.

Preg.<sup>do</sup> si en algun tiempo y qual siguio, y profeso Nra S.<sup>ta</sup> Fe y Religion Catholica Romana; y despues apostato de ella, que motibo tuvo p.<sup>a</sup> apostatar; y quanto tiempo tuvo los dhos errores; y si en algun tiempo ha sido instruido en nra S.<sup>ta</sup> fe Catholica y Religion Romana p.<sup>r</sup> alguna persona, y quien fue el q.<sup>e</sup> le explico y enseñò los Misterios, y articulos de nra S.<sup>ta</sup> Fè.

Dixo: Que en ningun tiempo ha seguido, ni profesado nra S.<sup>ta</sup> Fe Catholic Romana; y q.<sup>e</sup> p.<sup>r</sup> tanto no ha apostatado de ella, y toda su vida ha tenido y seguido la Ley de los Judios: Y q.<sup>e</sup> no ha sido instruido p.<sup>r</sup> persona alguna particularm.<sup>te</sup> en nra S.<sup>ta</sup> Fe y Religion Catholica, y q.<sup>e</sup> solam.<sup>te</sup> alguns conversaciones particulares, y sermones q.<sup>e</sup> ha oido le han dado alguna luz e instrucc.<sup>on</sup> p.<sup>r</sup> conocer

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la verdad de nra S.<sup>ta</sup> fe catholica Romana y la falsedad de la de los Judios; y q.<sup>e</sup> p.<sup>a</sup> no ser conocido de q.<sup>e</sup> profesaba la dha ley de los Judios, ha procurado ocultar su profesion especialm.<sup>te</sup> en el tiempo del cumplim.<sup>to</sup> Pasqual, en el q.<sup>e</sup> o compraba la cedula de haver cumplido, o se mudaba de Posada, y Parroq.<sup>a</sup>

Preg.<sup>do</sup> si save q. algunas Personas residentes en España sepan, y profesen los dichos errores, u otros semejantes a ellos, y opuestos a nra. Fe Catholica, no siendo de aquellos Reynos, y Naciones, a quienes esta permitido p.<sup>r</sup> causa del comercio, y con ciertas comiciones el residir en España; o si save q.<sup>e</sup> algunos,

o algunos de estos q.<sup>e</sup> estan permitidos en estos Reynos haya faltado a los pactos y condiciones conq.<sup>e</sup> se les permite su residencia, y causado con sus dhos o hechos algun escandalo a los fieles Catholicos Romanos.

Dixo: que no save q.<sup>e</sup> alguna persona resid.<sup>te</sup> en estos Reynos de España siga, ni profese la ley de los Judios y sus errores, ni otros semejantes a ellos y opues-

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opuestos a nra S.<sup>ta</sup> Fe y q.<sup>e</sup> tampoco tiene noticia de q.<sup>e</sup> hayan reñido y dado escandalo los fieles catholicos Romanos con sus dichos y hechos.

Preg.<sup>do</sup> que motibo tiene p.<sup>a</sup> decir y ase-Verar q.<sup>e</sup> ha sido circuncidado =, y no bautizado.

Dixo: que como nacio de padres Hebreos en cuya compañía vibio hasta la edad de nueve años, y estos no se bautizan ni bautizan a sus hijos asi puede asegurar q.<sup>e</sup> no esta bautizado; y porq.<sup>e</sup> despues q.<sup>e</sup> salio de la potestad de sus Padres tampoco se ha bautizado; y en confirmacion de lo referido dice q.<sup>e</sup> oyo decir a sus padres varias veces q.<sup>e</sup> estaba circuncidado solam.<sup>te</sup> Y haviendosele leydo esta su declaracion q.<sup>e</sup> tiene hecha en presencia del dho S.<sup>to</sup> Ynquisidor.

Dixo: q.<sup>e</sup> estaba bien escrito segun El lo havia declarado ; y q.<sup>e</sup> solo tiene q. añadir q.<sup>e</sup> desde q.<sup>e</sup> bino a España y residio En la Corte de Madrid travaxo en ella con D.<sup>n</sup> Joseph Lopez evanista del Reyno. Señor, q.<sup>e</sup> vive en la calle del Horno de la Mata; y q.<sup>e</sup> en los diez años q.<sup>e</sup>

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residio en Galicia como lleba dicho lo mas  
del tiempo travaxo p.<sup>a</sup> la cuenta, y q.<sup>e</sup> no  
se acuerda de los sujetos p.<sup>a</sup> cuya cuenta  
travaxo algun poco de tiempo; y q.<sup>e</sup> desde  
q.<sup>e</sup> vino a esta ciu.<sup>d</sup> ha trabajado en  
las casas de Bern.<sup>do</sup> Alvarez, q.<sup>e</sup> vive  
a la Plazuela de la Roperia vieja; y en  
la de Yetro Cat de Nacion Frances, q.<sup>e</sup>  
vive en la calle de la obra prima, y  
ambos evanistas y Carpinteros; y que  
asi es la verdad bajo juram.<sup>to</sup> q.<sup>e</sup> tie-  
ne fho. En q.<sup>e</sup> se afirma y ratifica, y  
lo firmo de su puño de q.<sup>e</sup> yo el yn[illegible]i-  
to secretario certifico

[Signatures: Salamon Bergom

D.<sup>r</sup> D.<sup>n Mn.</sup>l de Quevedo (Guevara?) Bustam<sup>te</sup>]