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# Before the Welfare State: the City and Welfare in the Veneto, 13th to 15th Centuries

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## ABSTRACT

From the 12th century on parts of northern and central Italy developed welfare systems that would characterize social life during the age of the Communes and throughout the following centuries. The lack of any full-scale centralized political power able to meet the requirements of the population meant that society spontaneously came up with religiously motivated welfare mechanisms to support those in need or, as occurred in the guilds, to look after fellow members of an association. The case of the Veneto shows such mechanisms to have complemented the running of city society. Seemingly disjointed, the system was coordinated and controlled by the local municipal authorities.

Amid the virtual silence of legislation and guild statutes as to female participation, here as elsewhere, one turns to private documentation to find rare traces of the woman's unacknowledged yet fundamental supporting role.

*Nel XIII secolo le città dell'Italia centro settentrionale sono all'apice del loro splendore economico, politico e culturale. È in questo periodo che si svilupparono quei sistemi assistenzialistici che caratterizzeranno non solo la vita sociale dell'età comunale, ma anche dell'epoca successiva. L'assenza di un potere politico accentrato e compiuto, in grado di rispondere alle esigenze di una società comunque attiva e in crescita, fece in modo che la società stessa si attivasse per creare spontaneamente quei meccanismi di assistenza necessari per fornire sostegno sia a coloro che non potevano provvedere a sé, come i malati, i minorenni e gli orfani, sia per fornire mutua assistenza agli appartenenti a una medesima associazione come, ad esempio, avveniva all'interno delle corporazioni artigiane. Il caso Veneto mostra con chiarezza la complementarietà esistente tra i meccanismi di assistenza messi in atto all'interno della società cittadina. In un sistema che potrebbe apparire frammentario, se non si ponesse l'attenzione sul fondamentale ruolo di coordinazione svolto dall'apparato politico sia nella fase in cui la città era retta a comune, sia nella successiva fase di dominazione signorile, deve essere inserito anche il fenomeno della carità privata che si manifestava principalmente attraverso quei lasciti testamentari che garantivano un sussidio continuo sia a favore degli enti assistenzialistici, in primo luogo religiosi, sia a favore di singoli poveri che potevano così beneficiare direttamente del sussidio.*

*In questo quadro si può cercare di mettere in luce il ruolo della donna nelle strutture di assistenza. Poco però emerge dalla legislazione cittadina. Dalle norme corporative, inoltre, non emerge chiaramente la funzione che la donna doveva svolgere all'interno delle corporazioni di mestiere, in primo luogo perché la stessa partecipazione femminile non è chiaramente definibile. La documentazione privata appare, più di ogni altra, in grado di fornire il quadro più verosimile della realtà dell'epoca. Un mondo familiare in cui la donna svolge un ruolo fondamentale sebbene raramente documentato.*

## INTRODUCTION

Talking about Welfare in a historical period prior to that in which the modern state was formed, might appear unusual at the very least. Indeed, it would seem more appropriate to talk about reciprocity and redistribution of collective resources on which, in the long term, the social systems which precede the modern era<sup>1</sup> pivot. Charity, donation and hospitality are concrete manifestations of these principles. In this long-term perspective, a period starting long before the formation of the modern State, a change takes place. *L'oblazione benefica*<sup>2</sup>, [charitable oblation] which is not only based on rules of a collective nature, but on Christian principles according to which the poor represent Christ on earth, is adopted along with the idea of reciprocity and the habit of redistributing the resources to survive. The poor become 'Christ's poor', indispensable for redemption from sin and for the benefactor's eternal salvation. However, despite the fact that it was quite generalized and structured, this system lacked the characteristics of an organization based on the assisted person's interests<sup>3</sup>. In short, the impossibility of talking of Welfare in the Medieval period, lies, among other things, in the fact that the needy were perceived as an ethical and not as a social category. This affected the very ways in which help was given, which were tied to the worthiness or unworthiness of the needy person or beggar. Such was the attitude medieval man had towards the problem of poverty<sup>4</sup>.

This medieval conception of poverty was closely connected with the phenomenon of associationism. Lay associations, religious in nature for the most part, involved more or less efficient and active mechanisms of mutual help among the members of a confraternity. Under various guises and at various levels, the association was an attempt on the part of medieval society to come to terms with a situation in which the individual could not count on any form of institutionalized assistance, given the lack, or embryonic state, of territorial-political organizations capable of meeting such needs<sup>5</sup>. As Walter Ullmann claims, in no other historical period more than the medieval one was such a strong need for partnership felt, at least among equals<sup>6</sup>. It was a context of "failure on the part of the authorities", a failure that for obvious needs had to be overcome with various welfare structures, religious, private or "semi-public" (like the trade guilds).

The ambit of research for this chapter is the Italian City. Inserting the theme of Welfare into a wider context, beyond the Italian borders, would have meant facing the difficulties of an extremely broad subject area, set in a Medieval European context. The ex-

tended fragmentation of the political and socio-economic conditions of the centuries under discussion would make such an effort extremely difficult and perhaps not overly 'productive'. The renaissance of the city in Italy and the rise of popular forces organized in corporate bodies can be seen as a *unicum* for the era. The city in Italy, and beyond the Alps in Germany and Flanders, develops similar, if not identical, forms at a later period, when the communal phenomenon in Italy is giving way to other forms of government. Furthermore, the situation of the cities in northern central Italy at the time cannot be compared to that of southern central Italy. The presence of strong monarchies and the different social and climatic conditions create a clear contrast between an urbanized, mercantile, manufacturing North, and a scantily urbanized South in which the cities lack political autonomy and the prevalently agricultural economy specialize in the production of raw materials to be exported to Northern Italy<sup>7</sup>. When detecting the similarities which existed between structures and organizations with welfare importance in various different European regions, it is necessary to contextualize those structures within the specific social and political background. Again, which similar phenomena in different geographical areas were generated by social and political needs, and which cannot be associated? It is known, for example, that in Paris there were numerous advanced guilds and corporations, just as in Italy, but they acted in a different political context. The city of Paris did not benefit from any autonomy, but was heavily subject to the king<sup>8</sup>. To quote another example, there exist strong similarities between welfare structures operating in northern Italian guilds and those in the Valenciennes guilds<sup>9</sup>, where artisans had mutual assistance duties, and these can be compared. In this chapter I have focused on phenomena of solidarity provided by associations and welfare assistance dispensed by municipalities and by lay and religious associations, taking the area of Veneto from the 13th to the 15th centuries as my case study.

It is important to specify that the timespan taken into consideration in this paper also comprises a transition in political structures. At the beginning of the 14th century the political institution of the Commune lost its independence and autonomy, when the *Signorie* [Lordships] rose to power. In Veneto, the Commune became subject to Venetian domination when the Republic of Venice began to expand in the hinterland. I found that it is fundamental to emphasise how, despite deep institutional change, which happened over that period, the welfare structures in the cities did not undergo substantial changes. Despite the transformation of the structures of political power, the *Signorie* allowed the guilds and their forms of organization to exist independently.

We shall be considering both the mutual aid practised amongst craftsmen, and the mechanisms of welfare and of control that municipalities extended in favour and in defence of their citizens. For this reason the sources favoured are municipal and corporate legislative documents. These present the organization of the city as a whole, the forms of reciprocal interdependence – in short, the reciprocity of the systems of aid, or rather “of survival”, which were adopted in times of need in the cities of the Veneto hinterland.

This parallel between the legal/political systems and the welfare structures of the Italian city in the Middle Ages allows us to detect and lay bare the welfare structures and the

way collective resources were re-distributed among the various 'sub-communities' which made up a city society. This is the straight consequence of the nature of mediaeval law. Custom, the norms that give rise to a reiterated behaviour in time, dominated the legal life of those centuries. It came about because in the Middle Ages the State lost its force and because the coincidence between State and society broke down. Society was organised in a spontaneous way that conditioned every attempt to exert any organic form of influence over it. In this context of absence of the State (in the modern sense of the term) – or rather, in this circumstance in which power was incomplete –, the nature of Welfare in the Middle Ages can be explained. The custom of mutual support inside the guilds, the religious sense that urged the members to aid their neighbours and care for the sick, were not caused by top-down directives from the public authorities, but came from society itself, from its customs. A situation such as this was implemented by the Commune, and later by the City, which saw to controlling and sometimes integrating the various private or religious structures operating in the field of welfare assistance.

Through the description of the mechanisms which the commune and welfare institutions, lay and religious, organised for the poor, it is possible to observe the interdependence between public and private structures, both equally involved in welfare services and alms distribution. In order to complete the picture, I will describe those welfare mechanisms set up by the guilds, in order to detect how a semi-public institution organized the distribution of collective resources and according to what principles those resources were assigned.

While attempting to distinguish how the city's organizational structures dealt with the basic theme of welfare assistance, I have also tried to clarify the attitude of those organizations towards women in the world of work and in city legislation. The sources will not provide information, or at most provide information of little significance, about women's duties, either as recipients or benefactresses.

The legislative sources do not provide enough data to outline, even approximately, what women's working conditions were like inside the guilds, and how far they received, if at all, benefits from guilds and from private donations. Here it was necessary to extend the search for data beyond what was provided by legal bodies. A last will and testament, as well as a *podesta's* award, show female participation and are therefore likely to be more important than legislative sources, one presumes.

## THE CITY AND WELFARE ASSISTANCE

From the statutes it becomes clear that, generally speaking, the City does not provide extensive mechanisms of assistance or aid for the weaker members of society. It tends to delegate other structures, social entities, to care for and defend the needy and weak. The weaker segments of society which are defended by city legislation are the same segments which have the greatest difficulty in defending themselves from a legal, and therefore economic, point of view. To state the obvious, the weakest members are orphans, especially young girls, minors and, obviously, the sick (especially certain kinds of

invalid, as I will try to point out afterwards). With regard to these categories, legislation creates mechanisms which give society or the community responsibility for the proper guardianship and protection of its weaker subjects, from the underage to the elderly. Providing *impuberes* with legal guardians who must provide for them and their patrimony is part of the legal responsibility of the City. Municipal judges are responsible for the foster-care of these children. However, municipal responsibility does not end here. In the city of Treviso<sup>10</sup>, for example, in the 14th century, guardians and trustees of a young child, one on the part of the mother and one on the part of the father, had to present themselves once a year to a City official and to a *podestà*, to report on the state of the child's affairs<sup>11</sup>. The measure adopted by Cittadella<sup>12</sup>, a town neighbouring on and under the rule of the city of Padua, is even more direct. According to rubric LV of the second book, every year on 1 January a *sindicus ecclesiarum et orphanorum* (an official of the church and of the orphans) was to be elected from the council. His task was to inquire into all legacies left to the monastery of *Santa Maria di Cittadella* and of *San Prosdocimo* and the other religious houses of Cittadella. He had to arrange for and ensure that the wishes of the deceased regarding all legacies were being respected. The city held notaries responsible for public notification of legacies in favour of these churches, within a month of the death of the testator, in order to enable the mayor to carry out his responsibilities. According to the purview, as children often became orphans at a very early age without their parents having named a guardian, or as the guardian might fail to take care of the child, the mayor had to inquire into the management of the minor's patrimony. He was also to encourage guardians to go to Padua, the town Cittadella was subject to, to legally assume guardianship. If the child had been left a modest amount, the mayor had to make sure it was not wasted and to single out a relative who would take on the responsibility of preserving and even increasing the child's patrimony. The *podestà* also had the power to force a person to take on this responsibility. Furthermore, the guardian had to give a sum of money, which he forfeited if he damaged or diminished the child's property and patrimony. The mayor's work *sit utile omnibus* [was to be useful to all], he had also to try *si aliquae persone legaverint aliquid in auxillium maritandi vel monacandi aliquas pauperes domicellas, et procurare quod illud mandetur execucioni* [if someone had left a sum of money in their last will and testament to help a poor young girl to marry or to become a nun, and to make sure this took place]. Similarly, the city of Verona did not just appoint a mayor, but a number of *cercatores*<sup>13</sup> [investigators], to distribute the legacy of money assigned to the poor and to religious houses, according to the will of the deceased.

Based on the same need to defend those who were unable to provide for themselves, including from a legal point of view, the city of Verona named a judge of the poor, a five-year post. This judge of the poor (*iudex pauperorum*) had to swear on the Gospel to use his power to legally and faithfully defend all the poor who sought his help. If he failed in this task, he would be fined the salary he would have earned from the city of Verona<sup>14</sup>.

A municipal law which can be found in numerous city statutes is one that deals with young girl orphans whose relatives have not provided for their dowries. In similar cases,

municipal law obliged their brothers to provide a dowry from their own inheritance. In fact, women in the Middle Ages did not participate in the division of their deceased parents' wealth since their part of the inheritance was set aside as their dowry<sup>15</sup>. A simple example is provided by the city of Belluno<sup>16</sup>, which named two arbitrators, one on the part of the mother and one on the part of the father, to check that the dowry was indeed assigned to the young woman orphan. The same procedure was to take place if the young girl decided to enter a convent or nunnery. Furthermore, girl orphans, even if in possession of a dowry, had to be fed by relatives who had benefited from the inheritance or by those who were able to do so, until they married or entered convent life<sup>17</sup>. In the same way, the city of Treviso protected the young girl who lost the relative who was responsible for her dowry, by establishing that the closest relatives had the obligation to marry her off *post etatem viginti annorum* [after the age of twenty year]<sup>18</sup>. This, as the purview states, was so that relatives, who might be brothers, the mother or others with the obligation to marry the girl off, did not postpone giving or fail to give the girl a dowry. Indeed, the dowry had to be commensurate with the property and wealth of the person who was to provide it by law.

Treviso provides yet another example of how the City entrusted the nuclear family with the assistance and maintenance of weak subjects. Just as the closest relatives had an obligation to maintain the unmarried young orphan girl, so the offspring of both sexes were made responsible for needy parents and had the obligation to provide them with essentials, including board and lodging<sup>19</sup>.

Along with the elderly and orphans, another category of the weak in every society is undoubtedly that of the sick and diseased. From municipal sources it is clear that in the medieval Italian city certain diseases were seen in a different light than they are today and, consequently, perceived differently from a social point of view as well. Among these, there is a sad focus on a certain type of sick person, the leper<sup>20</sup>. Such people were excluded from the city, they were not allowed to enter the city gates; what is more, if some gatekeeper failed to block their path, out of negligence or for some other reason, he faced punishment<sup>21</sup>. In the city of Bassano the *podestà* had to elect two *sapientes* [wise men] whose responsibility it was to seek out and establish whether any of the inhabitants of the village or of the neighbourhood had contracted and were being *vastatur* [wasted] by the disease. When they found a case, the sick person was forced to leave his or her home to go and live in a colony with other lepers, outside the city. However, there were waivers. An earlier rubric to the one quoted above, though soon repealed, allowed lepers to enter the city to ask for alms. In 1295 another rubric established, in mitigation of a law from 1259, that lepers could enter Bassano on Sunday mornings until midday. During this time they were not allowed to sit down or stop, for obvious hygiene reasons, but had to roam the streets for their alms<sup>22</sup>. These laws – of which only a few have been quoted out of the numerous examples found in the legislation of the period – demonstrate the apparent state of abandonment of lepers, who undoubtedly formed a problem of social dimensions in city life. It was only apparent abandonment, however; legislation does not provide information regarding the means of assistance

and survival. The cities do not provide information because, yet again, the political and administrative body delegated other organizations. From the interesting case of Verona it is obvious that the information available is not always exhaustive. Looking at the legislative sources it becomes clear that, as in every other municipality in the Veneto, the laws were one-sided in character, defending the community of inhabitants. However, further information confirms the principle by which the municipality delegated other structures to manage emergencies and general problem areas such as that of welfare. The rubric entitled *De privilegio hospitalis sancti Iacobi ad Tumbam* [On the privilege of the hospital of San Giacomo alla Tomba]<sup>23</sup> reminds us that the *podestà* and the vicar of Verona had the statutory obligation to maintain and defend the church of San Giacomo, its lands and its possessions, goods and rights conceded by bishop *Iacobus* in 1225<sup>24</sup>. Furthermore, the church of Santa Croce could not reclaim goods once possessed or privileges or perquisites for looking after the diseased. At the same time, the prior, the rector, the brothers of the confraternity and the lay brothers of the church and hospital of San Giacomo were obliged to defend and receive all the diseased and lepers of the city, and of the district of Verona. The sick had to be kept within the colony, where they would be looked after and supported out of the subsidies that San Giacomo received and had power to administer. In conclusion, the collaboration between the municipality and the church is apparent when one remembers the obligation on the part of the prior, the brothers and the lay brothers to receive all the diseased of the city and of the surrounding country of Verona within three days of the notification given by the *podestà* or by one of his nuncios. Any new guests of the hospital of San Giacomo were, from the moment they entered, obliged to stay *ibidem et non alibi* [there and nowhere else]<sup>25</sup>. This meant remaining outside the city walls, since the *ad Tumbam* was located outside, up against the walls.

Going back briefly to a passage mentioned earlier in rubric CCLX which makes reference to the aid necessary for the support of the sick, the statute makes no reference to aid from the city. It is therefore clear that any support in the form of money or property came from the generosity of private citizens. Reference has already been made to the mayors and the officials in charge of the proper distribution of legacies to organizations and to the poor. On behalf of the lepers of Verona there are references to numerous private legacies, up until the 12th century. In 1145 Bazalerio, son of Tenzzone, left three lire to the hospital for the sick; his name however is not mentioned<sup>26</sup>. In 1167 a widow, Imilla, left the *malsani* [the diseased] arable land suitable for vineyards: *reliqui pro anima sua malesanis totam illam terram cum vineis et aratoria quam ipsa habet a Colegnola a Zusano* [for the salvation of her soul, let all the arable land and that with a vineyard owned by the deceased be left to the sick]<sup>27</sup>. In 1169 Uberto, a Jew who lived at the city gate of Organa, left the sick twenty coins; besides, to the hospital of Santa Maria di Gerusalemme he left his *pancera* [weapon], towards the work of the hospital of San Giovanni in Valle he left three lire, to the monks of the church he left twenty coins, to the care dispensed by the church of San Zenone, to that provided by San Pietro and to the lepers he left twenty coins<sup>28</sup>. There are numerous last wills and testaments

from the 12th and 13th centuries, whose testators, both men and women, left sums of money or pieces of land to one or more hospitals. Some provided for all the organizations which took care of lepers, like Lanfranchino<sup>29</sup>, called *Vavator*, who in 1204 left ten lire, to each of the seven houses for the diseased in Verona while to the sick of Santa Croce he left a house with land in the area of the gate of San Zeno. A doctor, Rodolfo, also left five lire to the lepers of Santa Croce<sup>30</sup> and twenty coins to the *hospitali Tumble*. There are many other hospitals and churches which benefited from the money left in this particular will.

To conclude, it is clear that, to varying degrees, the whole municipality contributed to running the welfare organizations designed for the most seriously ill. If the municipality delegated the care of the *malesani* to religious organizations or to others, like the small houses for the diseased which benefited from Lanfranchino's will, it was the private citizens, with their donations for the salvation of their souls, according to the Christian religious conception (but not only for this reason, if you consider the case of the Jew Uberto), who enabled the organizations to continue their work and see to the lepers' primary needs.

#### THE GUILD AND WELFARE

To define a "guild" I will use the definition, which Meersseman used to describe a medieval guild as well as any other religious or lay association: a "mutual aid association structured in an organic way"<sup>31</sup>. Belonging to a guild in a city gave you rights and at the same time duties, which over time, towards the 15th century, became more and more taxing in the attempt on the part of the guilds to guarantee the monopoly on the craft or mercantile activity that they managed. Members had to pay a fee to join the confraternity. At the beginning this went towards embellishing the chapel of the guild and celebrating the holy patron's feast. With time it became a question of true piety and of mutual aid, as well as helping towards the protection of members from non-members of the guild and at times even the city. In the statutes of the guilds of Padua, for example, there are numerous examples of what can be defined as true piety<sup>32</sup>. A strong, deep-seated religious sense, which is expressed in the community of rites, the support of poor brethren, aid to the sick, welfare assistance and shared mourning. This last aspect can also be included in the perspective of mutual and reciprocal aid, and not simply in a religious perspective, if you consider the importance medieval man gave to the salvation of the soul. According to the proem of their statutes, the Paduan guilds themselves did not come into being *pro desiderio corporis, set pro anime rimedio* [not to satisfy the desires of the body, but rather the needs of the soul]. Thus, the fee each member was expected to give towards the suffrage mass to be celebrated a month after the death of a brother does not belong to the religious sphere alone but, given the culture of the era, it also belongs to the sphere of aid and support that the brethren guaranteed each other. The guild thus assumes the role of internal regulation, not only of the production and commerce of finished products, but also of the behaviour of its members and, as mentioned above, of the aid factor, especially towards poor or diseased brothers.

One of the means of assistance most commonly found in the guild statutes was the *waita* [guard, with the meaning of assistance], generally provided at night, usually carried out by two people who were paid, since the statute of the guild made no mention of any obligation for members to personally provide this type of service. This is the case with the statutes of Verona's *Misterium scavezatorum draporum lane*<sup>33</sup>. According to the rubric, a brother who fell ill outside the city of Verona, and had nowhere to go was to be assisted even economically by a fellow guildsman who might only later ask the guild for reimbursement. Again, transportation of the invalid from the site of the accident or from where he fell sick was to be seen to by the brethren at the expense of the guild<sup>34</sup>. The way in which the sick person was 'picked up' might vary; this could be carried out by members or by the chamberlain of the guild<sup>35</sup>. If a brother fell seriously ill then his fellows might be obliged to pay a further fee beyond the amount foreseen, as was the case in the *Misterium tintorum pignolatorum*<sup>36</sup>, where guildsmen were personally obliged to pay two coins for the *waita*. There is no doubt that these fees were paid, since those who refused to pay the two coins were fined far more. This practice was not generally observed and obviously no mention is found in statutes of the wealthier guilds, such as the drapers, where it was unlikely to find a poor craftsman. The guild also provided for the funeral of the dead brother. In certain crafts the obligation also included the relatives who lived under the same roof as the craftsman. The fellow craftsmen were responsible for transporting the corpse to the church. Often the guild went into mourning and work was suspended during the ceremony and burial. The brethren were also obliged to give a sum for the *trigesimo*, that is the funeral service to be held a month after the death of a member. All members also had to pay the *luminaria*, a fee for lamps to be kept alight for deceased brothers in front of the altar of the guild's patron saint. These practices cannot be seen as simply the giving of alms or charity to 'colleagues' in misfortune, but are rather a true demonstration of moral and economic solidarity. This becomes particularly clear in the statutes of the *Bubulci*, the wagon builders of Verona. Members had to help each other in road accidents and lend each other the tools of their craft. Particularly significant is the obligation, when a member loses one or more oxen, for at least four brothers to help him look for them. As payment, the brother had to pay a token coin for each day's search, the rest being supplied by the guild<sup>37</sup>. Furthermore, if a brother had his animals confiscated or stolen, he would receive compensation from the other members. The sum was three coins from those who owned a sole beast of burden, six coins from those with two or more animals<sup>38</sup>. These rubrics give examples of the spirit of solidarity among members, which finds expression in acts of aid and compensation aimed at enabling the damaged member to continue working. Moreover, if we slightly enlarge the geographic area of research, it becomes clear that such mechanisms were carried out even more assiduously in Tuscany. In Florence the guilds of arts and crafts protected and compensated members who had suffered damage at the hands of stronger and more violent members of the city<sup>39</sup>. According to this rubric any man belonging to the guild of rag-and-bone men and linen drapers, if damaged or offended in possessions or person by a prominent citizen, had a statutory right to be helped and compensated by the members and officials of the guild.

At this point it is possible to affirm that only guilds whose members' patrimonial situations were unequal provided in their statutes for assistance in cases of infirmity, for a daughter's dowry or for transport of the sick. In guilds where brothers were well off this did not take place. Evidence of this can be found, for example, in the statute of the college of judges of Treviso<sup>40</sup>. In northern central Italy during the 13th and 14th centuries, the judges were organized in a college and not in a guild, and were generally among the more well-to-do citizens. The rubrics of the statutes regarding assistance can, on the other hand, be found in the case of the notaries from Treviso of the end of the 14th century<sup>41</sup>. Notaries, in fact, held a post of less prestige and consequently of inferior income to judges. The high number of notaries who practised in the same city meant that at times there was not enough business for a notary to survive and he often had to do other work to eke out his income. This type of business therefore led to stronger mechanisms of mutual assistance, proportional to the members' greater needs. If a member was ill and incapable of supplying his own needs, the chamberlain could spend up to a sum of five lire from fraternity funds without first having to convene the guild. Furthermore, if the chamberlain thought fit, he could decide to further help the member in need, this time with the consensus of his advisors and the guild auditor, to the tune of twenty lire in small change without needing to call a meeting of the guild. Moreover, there was a system to search out all the poor or infirm members who did not live within the city walls, and who therefore had greater difficulty in contacting the chamberlain and auditor of the guild to ask for help. The chamberlain had to seek out all members who did not live in the city and, above all, the poor and infirm members in the countryside. Once found, the chamberlain had to provide them with guild support, up to the maximum sum provided by the statute. If a chamberlain appropriated the sum set aside for a needy member, he would be punished. There was a further form of guarantee provided by the guild, this time not of an economic but of a spiritual nature<sup>42</sup>. The confraternity established that two lights were to be kept alight in praise of God and the martyr, San Vito. These were placed in front of the altar of the saint and were to be paid for by the confraternity. Moreover, every Saturday the chamberlain should have a mass sung, for each of which he paid eight coins to the priest who said the mass. The reasons for this are found at the end of the rubric: that the merits of the martyr Vito, and his assiduous intercession with Christ, may free and defend the brotherhood from imminent dangers (*semper a periculis imminetibus liberet et deffendat*). These words come as no surprise when seen in the context of this paper, which is an attempt to illustrate the forms of welfare assistance existing in cities in the 13th-14th century. They are a demonstration of how intricately secular culture was interwoven with the religion that marked the time and existence of man; the commingling of the worldly dimension of work with that of the other world explains the setting aside of money for rites. As with assistance to the infirm, so this money and these tasks of the chamberlain's served to safeguard the well-being of the confraternity and the needs of its members.

## WOMEN, GUILD AND WELFARE

It seems clear, however, that women are absent, if not excluded, from the mechanisms of welfare generated by the guilds. This depends directly on how they participated in the work and the ways in which they were employed which, we shall see, can be said to be 'ambiguous'. As Herlihy<sup>43</sup> has already noted, the statutes of Italian guilds show that female workmanship was widely used in the production of textiles. Herlihy notes that women were not formally listed, but that, as in Florence with the linen drapers, anyone who married the sister or daughter of a master craftsman had his entrance fee reduced. Basing himself on estimates which have come down to us from 1423 to 1502, Herlihy notes that in 15th century Verona female craftsmen were extremely rare. However, this is only a hypothesis, since female workers were not often included in the official register of the workforce. From the statutes one can actually deduce that at the craftsman's side there must have been his wife, who is often mentioned in the statutes not as an 'official' worker, but as a helper. We can therefore hypothesize that the female presence in the arts and crafts and in commerce was far greater than official estimates would lead us to suppose<sup>44</sup>. Women probably contributed within the system of home production, subject to the authority of father or husband, as was the norm in pre-industrial Europe. It is worth noting that in Italy there were no guilds that exclusively enrolled women, as there were in Northern Europe. In Cologne, in Paris, Toulouse and Languedoc, women participated actively in at least five guilds<sup>45</sup>. Nothing like this is to be found in Italy, including the Veneto. We can therefore talk about all-male guilds, if not in terms of actual presence, certainly in terms of the language used in guild sources, which always speak about *fratres* and only rarely about *sorores*. With this in mind, there is an interesting example regarding the city of Padua, and in particular the *fraglia* of the fruiterers. In the guild statute there is a strict rule by which no woman could manage or own a *stacio* [booth] to sell fruit, if her husband did not enter the guild<sup>46</sup>. The woman was present in the guild as her husband's "helper", unable to manage the business independently. This hypothesis is confirmed by a few later rubrics, which show that women were not independent guild members.

Their presence is always closely related and subordinate to a male relative. The rubrics of the guild statute stress this state of subjection: women and man are not mentioned alike. It is usual to find women mentioned in relation to a man. For instance we read: *statuimus vel ordinamus, quod nullus fratrum dicte fratulee, nec aliqua mulier dictorum fratrum* [we decree and ordain that any fruiterer, and any fruiterer's wife...], and even: *statuimus et ordinamus, quod si aliquis ex fratribus dicte fratulee, vel aliqua mulier predictorum*<sup>47</sup> [we decree and ordain that, if a fruiterer or an aforesaid fruiterer's wife...].

One deduces a passive role, one of clear inferiority to the position of the man who practised the same craft. However, a document which follows<sup>48</sup> throws a different light on the same statutory rules. This document, dated 1424, deals with a dispute between fruit vendors who legally occupied stall sites obtained from the City on payment of ninety-six lire and those who practised the craft outside the stands which they had been

assigned. Among the first contenders we find the names of *donna Giovanna*, wife of *Giovanni da Porciglia*, *Andrea da Portello*, *Bellino*, *Enselmino*, *Sibella* and *Benedetta da Adverso*. Among the opposition there are twenty names of which five are women: *donna Agnese*, *Ursola*, *Tintoressa*, *Antonia Struanella e Catarina*. These are women, therefore, who practised their profession in complete autonomy, so much so that they appeared in person in front of the *podestà* of Padua. This is a 'hybrid' situation of effective participation without recognition, which legalizes an autonomous business activity<sup>49</sup>. One would like to surmise that due to this lack of officiality, women were unable to benefit from the mechanisms of guilds welfare by which their male counterparts benefited. Of course, it is also possible to assume that the guild does not specify the gender of the person who receives assistance from the other members of the guild. The current state of studies on women's work in mediaeval Italy does not enable us to choose between hypotheses, though one notes that by the 15th century the daily work practice would be modified from the time when the statute of the guild was compiled. So it is possible that this case marks an adjustment which is not adopted by the statute.

#### PRIVATE CITIZENS AND WELFARE

As can be deduced, aid for the most infirm came from private citizens in the form of charity and donations *pro remedio anime*. There were many such legacies, so much so that, as stated earlier, special officials were named to ensure the inheritance actually went to the poor and to ecclesiastical organizations.

To gauge the weight of the phenomenon, one should remember the strong religious sense of mediaeval men, but not only this. It was the conception of death, fear for the destiny of one's own soul in the after-life, which worried women and men, at all times from the Middle Ages down to the early modern age. The assured means of salvation was to redeem one's own sins through charity at the point of death.

The last will and testament of Nicola de Silva from Siena, who lived in Padua, is a good example of this social practice. This will is cited in a document<sup>50</sup> dated 1376, and provided for distribution to the poor of a certain length of *grixo* cloth worth four hundred *denariorum parvorum*, for the safety of Nicola's soul and the remission of his sins. The heirs and commissary of the deceased describe the beneficiaries of the legacy in full, undertaking to distribute the cloth to the poor *secundum aspectum personarum suarum* [according to their appearance]. This is followed by a lengthy list of poor beneficiaries, one hundred and five in all, seventy of whom are listed by name, district and often along with information regarding their state of health. The remaining thirty-five *pauperes et miserabiles persone* [poor and wretched people] were to be chosen by the brothers of Montello. It is reported that, according to the custom of the times, the beneficiaries had to promise in exchange to pray to God for the soul of the deceased Nicola. This document is interesting, not only as an example of the forms of private assistance in practice at the time, an aspect of charity *pro remedio anime* [for the salvation of the soul], but for the clear preponderance of women among the beneficiaries of the legacy.

Of the seventy people listed in the document, thirty-one were women, while one man, *Franciscus Curta de Mandria* is given the cloth *pro uxore sua* [for his wife]. Among the beneficiaries there is a sick doctor, four invalids (three blind people and a hunchback), three belonging to a religious order, sixteen small children of the people listed, while only fourteen men were included in the list, exclusively because of their poverty.

It is important to note that this document provided for the beneficiaries to be chosen by Nicola's heirs *secundum aspectum personarum*, hence upon objective establishment of the state of poverty of those who would benefit from the inheritance. It may be presumed, with due caution, that when designating the beneficiaries, Nicola's heirs found more poor women in serious difficulty than men. One explanation could be that women more often than men took care of children and sick relatives. *Pedrina*, in fact, was responsible for an sick old husband and three young children. *Margherita* too had three dependent daughter *domicelete* (which may be translated as girl-servants), like *Mandreda* from Florence, who had three small children to care for. In support of this hypothesis, it is possible to present a significant document from Padua in the following century: the proceedings of the executor<sup>51</sup> of the deceased *Nicolò di Fabriano*, master papermaker, who died in 1459<sup>52</sup>. His heirs started proceedings to carry out the last will and testament of the deceased which included the distribution of one hundred lire to beggars. This sum was distributed by the executor over a period of about a year. As Silvana Collodo states, alms left as a bequest form an uninterrupted stream of charity for the poor of urban centres<sup>53</sup>. In this distribution, the precision with which the poor beneficiaries are described is interesting. The notary *Bartolomeo dagli Statuti* reports on the inquiries carried out to trace the needy, no longer as in the proceedings of the commissary of *Nicola da Siena*, *secundum aspectum personarum*, but based on detailed knowledge of the individual and family needs of the beneficiaries. It is clear that alms were given on the basis of each individual's family responsibilities. All 14 beneficiaries had up to ten dependent children, like *Nofrio*, who received twenty lire as dowry for his daughter *Caterina*. The same was true for *Guglielmo* who had nine dependent children and received nine lire to provide a dowry for his daughter, *Vendramina*. Others received money to pay for food or buy clothing. By way of conclusion, one case seems particularly interesting, that of *Orsolina*, who received five lire. Among the reasons listed it appears that she and her husband had four dependent children and *Orsolina's* mother to look after. According to the document, *Orsolina* herself had been wounded by a stray arrow and, therefore, *non potest pro se laborare et maritum adiuuare pro sustentatione filiorum* [could not work to support herself and to help her husband support the children]. Yet further proof that a woman's work, in the Middle Ages as at other times, in the cities as well as in the countryside<sup>54</sup>, was indispensable for the support of the family<sup>55</sup>.

Women's history and the history of welfare have often been tightly interwoven. Here it is necessary to emphasize that writing about women's history in the medieval period can create, and I believe has created, problems for historians who have attempted similar research. The Middle Ages are usually seen as a block of centuries "from the male point of view", in which the presence of the woman is somehow hazy, when not

completely hidden. We know, however, that this is only on a surface level. Often it was made even more evident by historians who in the past tended to analyze components and aspects of society from a “male point of view”. The present case is perhaps one more proof of Verdon’s<sup>56</sup> claim that the sources for a history of women are the same as used for every other type of research. The difficulty lies in the fact that information must be gathered here and there, amid great dispersion of data. The sources for women’s history are wide-ranging and disparate. The historian, therefore, needs to gather them in an attempt to settle various aspects of the woman’s condition. For example, as regards the married woman, legislative sources give us a theoretical picture, narrative and literary sources deal with specific cases, but only documentary sources enable the historian to approach an understanding of the general condition. It is essential to remember that the woman plays a fundamental role in the society of her time. Every source may clear up a fragment of the history and condition of women in the middle Ages; every source should therefore be weighed according to the basic theme being dealt with.

## CONCLUSION

In the light of the cases analysed and the picture that emerges of how collective resources were re-distributed in the cities of northern Italy, my view is that clear differences are to be found between the types or “models” of welfare implemented in the ages prior to the formation of the modern state and the welfare system peculiar to the modern state. The State, as the central administrative and political organization which directs and intervenes in every ambit of the community, will come to direct and centralize all types of welfare service like other aspects of civil society. In a situation in which the State was absent, with a different shape of political power, the Commune did not set out to centralize the powers but to manage and coordinate such organizational structures as the community spontaneously created. Thus every member of society was roped into the management of welfare –lay, religious, public or private. Just as all limbs are necessary for the life of the body; so every rank and organisation of society is necessary for the health and survival of the community. John of Salisbury’s metaphor<sup>57</sup> of society (which recalls another renowned metaphor: Menenio Agrippa’s), though transported from the English context of the 12th century, is no less valid if placed in the context of Italian city society.

As the sources in the case studied demonstrate, the city administration left it to pre-existent, or recently formed, structures to manage the problem of welfare and redistribution of resources. This is evident, for example, when we consider the relationship between the commune of Verona, seen as a political-administrative agency, and the religious structures ‘specialised’ in tending the sick. Again, the city administrative structure stands as a guarantor of the bequests by private citizens to invalids and beggars. Likewise the political power saw to it that the private citizens entrusted with orphan minors did their duty.

I do not know how significant or valid it actually is to compare modern and contemporary welfare with the welfare structures of the cities of *Veneto* (which offer a valid

sample for the entire Italian centre-north). To note the main divergencies between systems in various historical ages nonetheless warrants some, perhaps not insignificant, consideration.

The public welfare system of the Italian cities which I have analysed was not a 'tax-based' system. There was no straight redistribution of resources. The public apparatus guaranteed at most a salary for the few officers assigned to controlling private welfare operations. The true redistribution of resources was carried out through transactions between private subjects, by means of charity, through private or religious institutions, through testamentary bequests and, lastly, by support for indigent members of a guild or corporation.

One final remark before concluding. The absence of directives, originating from some higher public authority, and dictating the parameters of welfare and who should benefit from it, will once again lead to city society spontaneously deciding, according to own cultural parameters, which segments of the population or individuals should be supported by the assistance and charity of the city community.

## NOTES

- <sup>1</sup> K. Polany, *The Great Transformation*, New York 1944.
- <sup>2</sup> G.B. Sgritta, *Assistenza sociale*, in "Enciclopedia delle Scienze Sociali", I, Rome 1999, p. 371.
- <sup>3</sup> M. Mollat, *Les Pauvres au Moyen Âge. Étude sociale*, Paris 1978; L. Burkart, *Poverty, the Poor and Welfare in Medieval Urban Culture*, in H. Jensen (ed.), *The Welfare State. Past, Present and Future*, Pisa 2002, pp. 155-167.
- <sup>4</sup> O. Capitani (ed.), *La concezione della povertà nel medioevo*, Bologna 1974; M. Mollat, *La Notion de la pauvreté au Moyen âge: Position des problèmes*, in "Revue d'Histoire de l'Eglise de France", 1966, 149, pp. 5-23.
- <sup>5</sup> R. Greci, *Corporazioni e mondo del lavoro nell'Italia padana medievale*, Bologna 1988; A.I. Pini, *Città, comuni e corporazioni nel medioevo italiano*, Bologna 1986.
- <sup>6</sup> W. Ullmann, *Principles of Government and Politics in the Middle Ages*, London 1961; P. Grossi, *L'ordine giuridico medievale*, Bari 1995.
- <sup>7</sup> D. Abulafia, *The Two Italies. Economic Relations between the Norman Kingdom of Sicily and the Northern Communes*, Cambridge 1977.
- <sup>8</sup> F. Olivier-Martin, *L'Organisation corporative de la France d'ancien régime*, Paris 1938, pp. 90-122.
- <sup>9</sup> G.G. Meerseman, *Ordo Fraternalitatis. Confraternite e pietà dei laici nel medioevo*, Rome 1977, p. 191.
- <sup>10</sup> G. Farronato, G. Netto (eds.), *Gli statuti del Comune di Treviso (1316-1390), secondo il codice asolano*, Asolo 1988.
- <sup>11</sup> *Ibid.*, book II, third section, rubric VIII, p. 339. This rubric corresponds to that found in the 13th-14th-century statutes, in B. Betto (ed.), *Gli Statuti del Comune di Treviso (sec. XIII-XIV)*, Rome 1984, rubric LVVIII, book III.
- <sup>12</sup> G. Ortalli, G. Paroli, M. Pozza (eds.), *Statuti di Cittadella del secolo XIV*, Rome 1984.
- <sup>13</sup> G. Sandri (ed.), *Gli Statuti veronesi del 1276. Colle correzioni e le aggiunte fino al 1323*, Verona 1940, rubric III, book IV, pp. 522-524: *Quod cercatores comunis Verone teneantur exigere quantitates relictas pauperibus a testatoribus*.
- <sup>14</sup> *Ibid.*, rubric LXXXVIII, book I, p. 79: *De iudice pauperum elligendo*.

- <sup>15</sup> I. Chabot, *Risorse e diritti patrimoniali*, in A. Groppi (ed.), *Il lavoro delle donne*, Rome 1996, pp. 47-70.
- <sup>16</sup> E. Bacchetti (ed.), *Statuti di Belluno del 1392, nella trascrizione di età veneziana*, Rome 2002.
- <sup>17</sup> *Ibid.*, rubric XXXVIII, book II, pp. 231-238.
- <sup>18</sup> B. Betto (ed.), *Gli Statuti del Comune di Treviso* cit., rubric LVIII, book III, p. 376.
- <sup>19</sup> *Ibid.*, rubric VIII, book III, p. 401.
- <sup>20</sup> As this work focuses on problems involving the welfare organizations in the cities of the Veneto, the extensive discussion and historiographical aspects of leprosy in the Middle Ages are only mentioned briefly. J. Agrimi, C. Crisciani, *Malato, medico e medicina nel Medioevo*, Turin 1980; F. Bériac, *Histoire des lépreux au Moyen Âge. Une société d'exclus*, Paris 1988; P. Borradori, *Mourir au Monde. Les lépreux dans le Pays de Vaud (XIII<sup>e</sup>-XVIII<sup>e</sup> siècle)*, Lausanne 1992; F.O. Touati, *Malaria et société au Moyen Âge: la lèpre, les lépreux et les léprosières dans la province ecclésiastique de Sens jusqu'au milieu du XIV<sup>e</sup> siècle*, Paris 1998.
- <sup>21</sup> Betto (ed.), *Gli Statuti del Comune di Treviso* cit., rubric CCLVII, book I, p. 201.
- <sup>22</sup> G. Fasoli (ed.), *Statuti del Comune di Bassano dell'anno 1259 e dell'anno 1295*, Venice 1940, rubric XV, third book of 1295.
- <sup>23</sup> S.A. Bianchi, R. Granuzzo (eds.), *Statuti di Verona del 1327*, Rome 1992, rubric CCLX, book I, pp. 252-253.
- <sup>24</sup> News of this concession is given in a document from Verona of 1225. ASV, S. Silvestro, b. 3. perg. 203, in R. Saccomani (ed.), *Le carte dei lebbrosi di Verona tra XII e XIII secolo*, Padua 1989. The concession consists in the transfer of privileges that were once due the church of S. Croce of Verona to the church of S. Giacomo. The task of taking care of the sick and the lay brothers went along with the privileges. This transfer took place at the same time that all the lepers were moved to S. Giacomo, between the years 1223-1225. Initially, the groups of lepers who lived in small unorganised communities were moved; these were followed by all the sick from the great hospital of S. Croce. The advantage of S. Giacomo consisted in the greater distance from the city centre; S. Croce was located along the external bank of the moat (G. De Sandre Gasparini, *Organizzazione, uomini e società: due casi a confronto*, in *Città e servizi sociali nell'Italia dei secoli XII-XV*, Dodicesimo convegno di studi, Pistoia, 9-12 ottobre 1987, Centro italiano di studi di storia e d'arte-Pistoia 1990, pp. 166-196; G.M. Varanini, G. De Sandre Gasparini, *Gli ospedali dei «malsani» nella società veneta del XII-XIII secolo*, in *Città e servizi sociali nell'Italia dei secoli* cit., pp. 141-166).
- <sup>25</sup> As regards the lepers enclosed in the leper colonies, Giuseppina de Sandre Gasparini's observations regarding the social position of the sick are worth noting. The sick were both constrained and favoured. They were favoured because as sick people in the society of the time they would never have found better conditions than those guaranteed a leper. However, at the same time, by common agreement of both the ecclesiastic and civil authorities they were denied even the basic right of a free sexual life. The church's reasons concerned internal organization as well as religious and medical issues. The civil authorities, on the other hand, had sanitary and economic reasons; the restrictions were considered a way of containing contagious disease and a form of birth control within the leper colonies. There are indeed documents regarding cases of the birth of children *fornicationes* on the part of diseased patients of the hospital of the church of S. Croce.
- <sup>26</sup> ASVat, Nunziatura veneta, perg. 6955, in Saccomani (ed.), *Le carte dei lebbrosi di Verona* cit., pp. 15-16.
- <sup>27</sup> ASV, Esposti, b. I, perg. II, in Saccomani (ed.), *Le carte dei lebbrosi di Verona* cit., pp. 30-31.
- <sup>28</sup> ASVat, Nunziatura veneta, perg. 7141, in Saccomani (ed.), *Le carte dei lebbrosi di Verona* cit., pp. 36-38.
- <sup>29</sup> ASV, Esposti, b. I, perg. 46, in Saccomani (ed.), *Le carte dei lebbrosi di Verona* cit., pp. 76-78.
- <sup>30</sup> ASVat, Nunziatura veneta, perg. 8165, in Saccomani (ed.), *Le carte dei lebbrosi di Verona* cit., pp. 96-98.

- <sup>31</sup> Meersseman, *Ordo Fraternitatis* cit., Rome 1977, p. 8.
- <sup>32</sup> M. Roberti, *Le corporazioni padovane d'arte e mestieri. Studio Storico-Giuridico con documenti e statuti inediti*, Venice 1902, p. 150.
- <sup>33</sup> L. Simeoni (ed.), *Gli antichi statuti delle arti veronesi secondo la revisione scaligera del 1319. Con una notizia sull'origine delle corporazioni a Verona*, Venice 1914, rubric XXXVII, p. 33.
- <sup>34</sup> *Misterium Textorum draperiorum lane Verone et distirctus*, XV, 64, in Bianchi, Granuzzo (eds.), *Statuti di Verona del 1327* cit.
- <sup>35</sup> As provided by the *Misterium Tinctorum draporum de colore de civitate et burgis Verone*, rubric XX, p. 96.
- <sup>36</sup> *Misterium Tinctorum draporum de colore de civitate et burgis Verone*, rubric XX, p. 161.
- <sup>37</sup> *Misterium Bobulcorum omnium de civitate et burgis Verone*, rubric XXIII, p. 462, in Bianchi, Granuzzo (eds.), *Statuti di Verona del 1327* cit.
- <sup>38</sup> *Misterium Bobulcorum omnium de civitate et burgis Verone*, rubric XXXI, p. 464.
- <sup>39</sup> F. Santini (ed.), *Statuti dell'Arte dei rigattieri e linaioli di Firenze (1296-1340)*, pp. 31-32, entitled *Quod consules teneatur iuvare ravatos a magnatibus*.
- <sup>40</sup> B. Betto, *Il collegio dei giudici e dottori di Treviso. Dalle origini (secolo XIII) alla soppressione (anno 1806)*, Milan 1975.
- <sup>41</sup> Id., *I collegi dei notai, dei giudici, dei medici e dei nobili in Treviso (secc. XIII-XVI). Storia e documenti*, Venice 1981, pp. 122-123.
- <sup>42</sup> *Ibid.*, rubric XLVI, pp. 125-126.
- <sup>43</sup> D. Herlihy, *Opera Muliebra. Women and Work in Medieval Europe*, Philadelphia 1990.
- <sup>44</sup> *Ibid.*, pp. 158-161.
- <sup>45</sup> R. Greci, *Donne e corporazioni: la fluidità di un rapporto*, in A. Groppi (ed.), *Il lavoro delle donne*, Rome 1996; E. Lacey Key, *Women and Work in Fourteenth and Fifteenth Century London*, in L. Charles, L. Duffin (eds.), *Women and Work in Pre-industrial England*, London 1985, pp. 24-82; M.C. Howell, *Women, Production and Patriarchy in Late Medieval Cities*, Chicago - London 1986; J.M. Bennet, E.A. Clark, J.F. O'Barr, B.A. Vilen, S. Westphal-Wihl (eds.), *Sister and Workers in the Middle Ages*, Chicago - London 1989.
- <sup>46</sup> ASP, *Statuti fraglie, Fruttaroli 1*, Manuscript IIII, rubric 23-24: *Statuimus et ordinamus, quod quelibet mulier, que habet virum, non debeat habere aliquam stacionem et partem, si dictus vir non intraverit in dicta fratalea. Et si voluerit entrare in dicta fratalea, dare debeat massario soldos decem et novem cum dimidio denarorum parvorum. Et quod nullus de dicta fra talea debeat affictare aliquam stacionem alici persone, que non sit de dicta fratalea, in pena soldorum quinque parvorum.*
- <sup>47</sup> ASP, *Statuti fraglie, Fruttaroli 1*, Manuscript III. Also edited in M. Roberti, *Le corporazioni padovane d'arti e di mestieri* cit., p. 192.
- <sup>48</sup> ASP, *Statuti fraglie, Fruttaroli 1*, Manuscript XIII.
- <sup>49</sup> Greci, *Donne e corporazioni* cit., pp. 70-72.
- <sup>50</sup> ASP, *Notarile*, 407, f. 203.
- <sup>51</sup> ASP, *Notarile*, 438, f. 89.
- <sup>52</sup> S. Collodo, *Una società in trasformazione Padova tra XI e XV secolo*, Padua 1990, pp. 445-472.
- <sup>53</sup> *Ibid.*, p. 462.
- <sup>54</sup> B.S. Anderson, J.P. Zinsser, *Le donne in Europa. Nei campi e nelle chiese*, I, Bari 1992, pp. 142-280.
- <sup>55</sup> Collodo, *Una società in trasformazione* cit., p. 466.
- <sup>56</sup> J. Verdon, *Les Sources de l'histoire de la femme en Occident aux X<sup>e</sup>-XIII<sup>e</sup> siècles*, in "Cahiers de civilisation médiéval", 1977, 2-3, pp. 219-251.

<sup>57</sup> Joannis Saresberiensis Polycraticus, in J.P. Migne, *Patrologiae cursus completus, series latina*, CXCIX, Paris 1855, coll. 540-541.

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ASP, *Statuto fraglie, Fruttaroli*, 18 August 1424.

In Christi nomine amen. Anno eiusdem nativitatis millesimo quadringentesimo vigesimo quarto, indicione secunda, die veneris decimo octavo mensis augusti, ante tercias, ante sonum tercie campanele et post sonum secunde. Padue in comuni Palatio ubi ius redditur ad banchum ubi stat dominus potestas ad missas presentibus domino Daniele de Purci-

glis quondam ser Iohannis de contrata Sancte Iuliane, magistro Dionisio notario quondam Marci de contrata Androne Fabrorum et Iacobo Spaza notario quondam Ubertini de contracta Burgi Omnium Sanctorum, testibus ad hec vocatis adhibitis et rogatis. Magnificus et generosus vir dominus Paulus Corario pro Serenissimo Ducali dominio Veneciarum civitatis Paduę honorabilis potestas, cognoscens de causa, lite et questione vertente et que versa fuit et est inter partes infrascriptas, suam in hiis scriptis protulit sententiam diffinitivam, sic dicens: «Nos Paulus Corario civitatis Paduę potestas, cognoscentes de causa, lite et questione vertente et que versa fuit et est inter personas infrascriptas de arte fructarolorum et fratalea vendencium in plateis comunis Paduę ex una parte, agentes et petentes et personas infrascriptas de dicta arte et fratalea vendentes extra plateas predictas per civitatem Paduanam parte ex altera et maxime super infrascripta petitione, cuius tenor talis est: coram magnifico et generoso viro domino Paulo Corario civitatis paduanę digno et honorabili potestate comparuerunt infrascriptę personę de arte et fratalea fructarolorum vendentes ad platheas comunis Paduę, dicentes quod in civitate Paduę sunt multę personę in eorum fratalea descriptę que vendunt fructus in diversis locis et partibus civitatis eiusdem nec volunt in dicta plathea, ut licitum est, morari nec volunt onera dictę fratalee viriliter substinere et in plathea civitatis Paduę sunt undecim stacii sive loca pro quibus dicta fratalea tenetur solvere iure livelli camerę Dominationis nostrę libras tres pro quolibet loco. Sunt eciam ibidem alia loca et stacia usque ad numerum viginti unius, ultra dicta undecim loca sive stacia, que similiter solvunt libras tres pro quolibet loco sive stacio. Quod omnia stacia sunt in summa triginta duo et solvitur pro eis camerę predictę libras nonaginta sex in totum, ex quibus locis sive staciis per predictas personas vendentes in platheis teneantur stacia viginti unum et reliqua stacia undecim sunt vacua.

Cum enim predictę personę vendentes extra platheas recusent venire ad standum in dictis locis et staciis vacantibus in platheis et solvere livellum pro eis, pro tanto petunt per ipsum dominum potestatem et eius sententiam pronunciari et declarari debere dictos homines et personas dictam artem exercentes extra platheas cogendas esse ad standum in platheis predictis in supradictis staciis et in casu quo ad dictam platheam accedere nollent ad dictam artem exercendam obligatos esse ad solvendum pro dictis locis vacantibus in plathea predicta ad rationem librarum trium pro quolibet loco. Nichilominus quod solvere debent prelibatę ipse personę artem fructuum exercentes in platheis indebite, cogantur ad solvendum pro predictis extra platheam artem predictam fructum exercentibus petentes sibi in premissis ius et iusticiam ministrari omni modo, via, iure, et forma quibus melius poterint. Nomina quorum undecim vendencium in plathea sunt ista: domina Iohanna uxor quondam Iohannis de Porcilia, Andreas a Portelo, Bellinus Henselminus, Sibella et Benedicta; ex adverso, coram predicto domino potestate infrascriptę personę de arte et fratalea per civitatem et extra platheas vendentes comparuerunt presentibus ultrascriptis actoribus et respondendo predictę petitioni dixerunt se non teneri nec obligatos esse ad aliquid solvendum racione in dicta petitione descripta maxime cum ipse et quilibet ipsorum in preteritum solverint viginti sodos fratalee predictę pro expensis que fieri contingerit in fratalea predicta et ad hoc ut eis licitum sit vendere suos fructus extra platheam prout eis placuerit et ita non solum servatum fuit per ipsos a longo tempore citra, sed fuit et est comunis consuetudo omnium extra platheam morancium dictam artem exercencium et vendencium servatum fuit nec unquam coacti fuerunt ad aliquid solvendum pro locis predictis in dicta plathea vacantibus nec cogi debent. Quare pecierunt per ipsum dominum potestatem ipsos solvandos et ab-

solvi debere a predicta petitione omni modo, iure, via et forma quibus melius fieri potest. Nomina autem dictorum fructuolorum vendencium extra plateas comunis Padue sunt ista, videlicet: dona Agnes Petri Naveselle a Sancto Maximo, Ursola Iacobi Scavolini de dicta contrata, Antonius Zanini de burgo Omnium Sanctorum, Antonius Bretanus de contracta Burgi Omnium Sanctorum, Tintoressa de extra portam Sanctę Sophie, Bellinus de Ponte Molendinorum, Iohannes de Sancto Antonio de Viena, Antonia Struanella stat ad Pontem Sancti Iohannis, Catarina de contrata Sancti Iohannis, Iacobus de Verona stat ad Pontem Sancti Iohannis, Constantinus casalinus, Bartolomeus Bona Luce de Turisellis, Andreas coffanarius de contrata Sancti, Natalis fructuolus, Thomas Sclavus de contracta Casalino-  
rum, Iohannes de Thienis casalinus, Becchinus a Caseo, Prosdocimus Urchatinus de Puteo illorum de Sancto Vitto, Anthonius Virgicinus, Iohannes Iohannis de Oxellis, Bigna socius Bellini, Stefanus Sclavus.

Unde, per nos visa dicta petitione dictorum actorum et respensione dictorum vendencium fructus extra platheas civitatis Padue, viso termino locato ad probandum de iure suo auditisque parciū alegationibus et quicquid dicte partes dicere et alegare voluerint, Christi nomine invocato in hiis scriptis, dicimus, sentenciamus, pronunciamus et declaramus in hunc modum, videlicet quod predicti extra platheam, artem predictam exercentes et alii de fratalea supradicte artis qui loca non habent in predicta plathea comunis Padue, teneantur et debeant ire ad standum in predicta plathea in dictis locis vacantibus secundum formam petitionis predictorum et statutorum comunis Padue, et in caso quo ad ipsam plateam accedere non vellent ad artem predictam exercendam onus predictorum locorum vacantium debeat dividi inter ipsos extra platheam fructuum artem supra dictam exercentes. Nehonus (sic) quo debent ad predictos viriliter pertinere ipsis in plathea predicta, artem predictam fructuum exercentibus iniungatur omni modo, via, iure et forma quibus melius possimus et debeamus, presentibus et admonitis dictis de arte et fratalea predictę vendentibus in platheis et presentibus multis aliorum dicte artis vendencium extra platheas ac citatis omnibus ad dictam nostram sentenciam audiendam et aliquibus absentibus et citatis, mandamus hanc nostram sentenciam per partes predictas attendi et observari debere sub pena in statutis comunis Padue contenta ».

Ego Manfredus quondam ser Iacobi Spaze, civis et habitator civitatis Padue in quarterio Turisellarum, centenario Ruine et contracta Sanctę Catarine, publicus imperiali auctoritate notarius et iudex ordinarius existens pro notario et officiali comunis Padue ad officium vicualium, his omnibus p̄sens fui et mandato predicti domini potestatis Padue scripsi.

In the name of Christ, amen. In the year of his birth 1424, second indiction, Friday 18th August[...] in Padua, in the city hall where justice is exercised, where the *podestà* works. [...]

The persons of the guild of fruiterers, that sell in the squares of the commune of Padua, appear in front of the magnificent and generous *Paolo Corario*, worthy honourable *podestà* of the city of Padua, asserting that in the city there are many persons enrolled in their guild that sell fruit in various places and parts of the city, that want neither, as is lawful, to be confined to the square of Padua, nor to support the burden of the guild. In the square of the city of Padua there are eleven stands for which the guild of fruiterers has to pay three liras to the commune chamber as a perpetual lease. Moreover in the same place there are other

stands, to the number of twenty one, as well as the said eleven, for which likewise must be paid three liras. Now the stands number thirty two, so the guild has to pay ninety six liras in all. Twenty one of these stands are managed by persons who work in the square, while the others are free. Inasmuch as the aforesaid persons who sell outside the Commune's square refuse to occupy the said empty stands or pay the lease thereof, they ask the *podestà* to pronounce and declare sentence, to the effect that men and persons who exercise the trade outside the Commune square are obliged to be and dwell in the said square and aforesaid stands, and in the event of their refusing, to be obliged to pay to said guild three liras for the stands that they do not occupy in the square. Inasmuch as the same persons who exercise the trade of fruiterers are unjustly forced to pay for the aforesaid who exercise the trade outside the square, they ask permission for themselves to administer justice as best they can. The names of the eleven that sell in the square are: *Iohanna*, wife of the late *Johannis de Porcilia*, *Andreas a Portelo*, *Bellinus Henselminus*, *Sibella* and *Benedicta*. The persons who sell fruit out of the square of the commune of Padua appear before the *podestà*. They answer that they should not be held or obliged to pay anything as per the petition mentioned, above all since each of the same has previously paid twenty *soldi* to the guild to defray the expenses of the said guild. For this reason, they ask that it be made lawful for them to sell their fruit outside the Commune square, and to preserve this tradition and not be forced to some payment for the said stands not occupied in square, and beg the *podestà* to be absolved from the petition in the fullest way. The names of the aforesaid fruiterers that sell fruit outside the square are these: *Agnes Petri Naveselle* from St *Maximo* quarter, *Ursola Jacobi Sclavolini* from the same quarter, *Antonius Zanini* from *burgum Omnium Sanctorum*, *Antonius Bretanus* from the neighbourhood *Burgum Omnium Sanctorum*, *Tintoressa* who lives outofside the St *Sophia* gate, *Bellinus* from the *Molendinorum* bridge, *Johannes de Sancto Antonio de Viena*, *Antonia Struanella* stationed near the St *Iohannes* bridge, *Catarina* from the St *Johannes* neighbourhood, *Jacobus* from Verona stationed near the St *Iohannes* bridge, *Constantinus casalinus*, *Bartolomeus Bona Luce de Turisellis*, *Andreas Coffanrarius* from the *Sanctus* neighbourhood, *Natalis* fruiterer, *Thomas Sclavus* from *Casalinorum* neighbourhood, *Iohannes de Thienis*, *Becchinus a caseo* [??], *Prodocimus Urchatinus de Puteo de Sancto Vitto*, *Anthonius Virgicinus*, *Johannes Iohannis de Oxellis*, *Bigna socius Bellini*, *Stefanus Sclavus*. [...]. We rule [...] that the aforesaid who ply their trade outside the square and away from the others of the same guild and do not have stands in the said square of the commune of Padua are bound over to go and stay and work in the said square, in the aforesaid places not occupied, in accordance with the petition and in accordance with the statutes of the commune of Padua. In the event of their not wanting to use the stands in the Commune square, the cost of the stands that are not used are to be divided between the same ones that practise the fruit seller's trade outside the Square. [...]

ASP, Notarile 407, f. 203.

*MCCCLXXVI. Erogatio facta centum pauperibus de C vestibus. In nomine domini nostri Ihesu Christi, amen. Anno a nativitate eiusdem millesimo trecentesimo septuagesimo sexto, indicione quartadecima, die sabati, sexto mensis decembris, Padue in contracta Sancte Lucie in domo quondam Nicolai de Silva de Senis, presentibus dominis presbitero Marcho rectore ecclesie Sancti Michaelis, presbitero Iohanne beneficiato et rectore ecclesie Sancte Lucie et presbitero*

*Dominicho beneficiato et rectore ecclesie predicte Sancte Lucie testibus vocatis et rogatis. Ibi vero ser Dominichus a Lignamine de contracta Sancti Firmi de mandato, iussu et voluntate ac nomine et vice et egregii militis domini Bonifacii de Lupis de Parma et Paçini de Donatis de Florentia tamquam heredum et fideicomissariorum quondam Nicolai de Silva de Senis olim habitatoris in contracta Sancte Lucie, ut per testamentum dicti quondam Nicolai scriptum per me notarium hoc presenti millesimo et indicione, die sabati vigesimo tercio mensis february evi-  
denter apparet, dedit, distribuit et erogavit tantam quantitatem panni de grixo que constitit libris quadrigentis denariorum parvorum infrascriptis pauperibus et miserabilibus personis pro salute anime et in remissione peccatorum quondam dicti Nicolai de Silva iuxta tenorem legati dictorum pauperum, de quo in dicto testamento dicti quondam Nicolai plena fit mentio, dando et distribuendo dictum pannum de grixo eisdem pauperibus secundum aspectum personarum suarum. Quorum pauperum et miserabilium personarum nomina inferius describuntur.*

*Primo Iohannes gobus de contracta Saraxinesche*  
*Item Anthonius çottus de contracta Sancti Michaelis*  
*Item donna Bertha de eadem contracta*  
*Item donna Anthoniola quondam Iacobi de dicta contracta*  
*Item Richiolda quondam Zilii de contracta Sancti Michaelis*  
*Item Petrus Becharatus de eadem contracta*  
*Item donna Albertina quondam Oliveti de dicta contracta*  
*Item donna Caterina quondam Marchi de dicta contracta*  
*Item Beatrix Avancii de dicta contracta*  
*Item Mutia quondam Incontri de dicta contracta*  
*Item donna Lucia quondam Andrioli de dicta contracta*  
*Item Iacoba Ugoçonis de dicta contracta*  
*Item Caterina Iacobi de dicta contracta*  
*Item Zaninus ser Anthonii de dicta contracta*  
*Item donna Francischa de Aggere*  
*Item Nasembenus quondam Iohannis de Sancto Leonardo*  
*Item Bona quondam Bertholini de contracta Sancti*  
*Item Beatrix de contracta Burgi Malefactorum*  
*Item donna Lucia Alexii de contracta Sancti Michaelis*  
*Item Iohannes de Feraria de contracta Heremitarum*  
*Item frater Bartholomeus <de> ordine minorum*  
*Item Zaninus Meioris de contracta Trinitatis*  
*Item Vincentius de Feltro scolaris pauper*  
*Item Margarita de Sancto Firmo*  
*Item tres sue filie domicetele*  
*Item donna Liardina de contracta Sancti Mathei*  
*Item Soldanus cerdo pauper senex*  
*Item dona Manfreda de Florentia de contrata Sancti Firmi*  
*Item duo sui filii parvuleti*  
*Item nutrix Mafri de Petronibus*  
*Item Ghislla uxor quondam Bernuchi de Parma de contracta Sancti Firmi*  
*Item Francischus Curta de Mandria pro uxore sua*  
*Item duo sui filii parvuleti*

*Item Fachinus dictus Cremona de Ponte Mollendinorum*  
*Item Iohannes filius dicti Fachini*  
*Item donna Elisa de contracta Heremitarum*  
*Item unus orbus dictus Fidança*  
*Item Bertinus de Burgo Sancti Donini*  
*Item tres filii dicti Bertini parvulleti*  
*Item dona Bonda de contracta Omnium Sanctorum*  
*Item Pedrina cuius maritus infirmus et senex*  
*Item tres sui filii parvuleti*  
*Item Berthus de Florentia cechus*  
*Item tres sui filii parvuleti*  
*Item filia Zabecelli de Florentia*  
*Item dona Iacoba de Montesylce*  
*Item una sua filia orba*  
*Item duo fratres minores pauperes*  
*Item Zenara famula olim Nicolai de Silva*  
*Item Facinus quondam Facini de Heste*  
*Item Lucia quondam Anichini de contracta Sancte Lucie*  
*Item Ricaldina de contracta Sancte Lucie*  
*Item Benvenuta de Titulo*  
*Item Iacomina quondam ser Iohannis de contracta Sancte Lucie*  
*Item magister Petrus medicus de Sancto Firmo pauper*  
*Item Lucia filia Vincentii de Sancta Caterina*  
*Item Anthonia filia dicti Vincentii*  
*Item Iohannes de Trivixio in burgo Novo*  
*Item Francischinus eius filius*  
*Item unus infirmus medicus in hospitali Sancti Anthonii*  
*Item fratribus de Cartuxio de Montello tantum de dicto grixo ex quo vestiri potuissent triginta*  
*quinque pauperes et miserabiles persone. Cuius quidem panni de grixo distributione et ero-*  
*gatione diligenter facta per suprascriptum ser Dominichum a Lignamine nomine quo supra,*  
*suprascripti pauperes et miserabiles persona<e> de quantitate eis et cuilibet eorum impensa*  
*dixerunt et asseruerunt se fore tacitos et contentos, promittentes singuli et singule Deum orare*  
*pro anima dicti quondam Nicolai in remissione peccatorum eiusdem, rogans idem ser Domi-*  
*nichus a Lignamine ut de presenti distributione et erogatione sic pie facta publicum conficere*  
*debeam instrumentum.*

MCCCLXXVI. Distribution made to one hundred poor of hundred garments. In the name of our lord Jesus Christ, amen. Year of his birth 1376, fourteenth indiction, Saturday 6th December, in Padua in St *Lucia* neighbourhood, at the home of the late *Nicolai de Silva* from *Siena* [...].

Therefore ser *Dominichus* from *Legnamine*, from St *Firmus* neighbourhood, on the mandate, order and will and in the name of *sir Bonifacius de Lupis de Parma* and of *Pacini de Donatis* from Florence, as heirs to the late *Nicolai de Silva* from Siena, that was an inhabitant of the St *Lucia* neighbourhood, [...] gave and distributed a quantity of cloth *de grixo* to the value of four hundred *soldi*, to the poor mentioned below for the health of the spirit and in

remission of the sins of the late *Nicholai de Silva*, [...] giving and distributing said cloth *de grixo* to the same poor, according to their aspect. [...]:

As first, hunchback *Iohanes*, from *Saraxinesche* neighbourhood

*Anthoni* lame from St *Michael* neighbourhood

*Bertha* from the same neighbourhood

*Anthoniola* daughter of the late *Jacobus* from the same neighbourhood

*Richiolda* daughter of the late *Zilii* from St *Michael* neighbourhood

*Petrus Becharatus* from the same neighbourhood

*Albertina* daughter of the late *Olivet* from the same neighbourhood

*Caterina* daughter of the late *Marchus* from the same neighbourhood

*Beatrix Avancii* from the same neighbourhood

*Mutia* daughter of the late *Incontri* from the same neighbourhood

*Lucia* of the late *Andrioli* from the same neighbourhood

*Iacoba Ugoconis* from the same neighbourhood

*Caterina Iacobi* from the same neighbourhood

*Zaninus ser Anthonii* from the same neighbourhood

Francisca de Aggere

*Nasembenus* son of the late *Johannes de St Leonardo*

*Bona* daughter of the late *Bertholinus* from *Sanctus* neighbourhood

*Beatrix* from *Burgum Malefactorum*

*Lucia Alexii* from St *Michael* neighbourhood

*Johannes de Feraria* from neighbourhood *Herernitanorum*

friar minor *Bartholomeus*

*Zaninus Meioris* from *Trinitas* neighbourhood

*Vincentius* from *Feltre*, poor scholar

*Margarita de Sancto Firmo*; her three servant daughters

*Liardina* from St *Matheus* neighbourhood

*Soldanus*, poor old cobbler

*Manfreda* from Florence that lives in St *Firmus* neighbourhood; therefore her two little children

Mafri's *de Petronibus* wet nurse

*Ghisilla*, wife of the late *Bernuchus de Parma* from *Sanctus* neighbourhood

*Franciscus Curta de Mandria* who receives in name of his wife, therefore their two little children

*Fachinus* called *Cremona* from *Moliendinorum* Bridge

*Iohannes Fachinu's* son

*Elisa* from neighbourhood *Heremitanorum*

A blind person called *Fidança*

*Bertinus* from *burgus St Donini*; his three little children

*Bonda* from *Omnium Sanctorum* neighbourhood

*Pedrina* whose husband is ill and old; their three little children

*Berthus* from Florence, blind person; his three little children

*Zabeceilus'* from Florence daughter

*Iacoba* from *Montesilice*; her blind daughter

two poor friars minor

*Zenara*, servant of the late *Nicolai de Silva*  
*Facinus* son of the late *Facini de Heste*  
*Lucia* daughter of the late *Anichini* from St *Lucia* neighbourhood  
*Ricaldina* from St *Lucia* neighbourhood  
*Benvenuta de Titolo*  
*Iacomina* daughter of the late ser *Iohannes* from St *Lucia* neighbourhood  
*Pietrus*, poor doctor from St *Firmus* neighbourhood  
*Lucia*, from St *Caterina*  
*Anthonia, Vincentius'* daughter  
*Johannes* from Treviso that lives in *burgo Novo*  
*Francischinus* his son  
 a doctor ill that stays in St *Antonio* hospital  
 Therefore the friars de *charterhouse de Montelio* receive such an amount of cloth with which  
 can be dressed thirty five poor and wretched persons. [...] These poor said and declared that  
 they received the cloth, promising to pray God for the soul of the late *Nichola*, in remission  
 of his sins. [...].