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# Aristocratic Bandits and Outlaws: Stories of Violence and Blood Vendetta on the Border of the Venetian Republic (16th-17th Century)\*

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## ABSTRACT

From the second half of the 16th century the Venetian Mainland became destabilized by the emergence of aristocratic banditry along the frontiers of the state. The Venetian conquest of the Mainland had not impacted greatly upon the internal affairs of newly conquered cities, and in Bergamo and Brescia the Republic decided merely to act as protectorate over the existing administrative framework. Because of this degree of local political, judicial and administrative autonomy, the aristocrats of the Mainland preserved their authority over their communities; and, in the sphere of justice, commonly resorted to the feud in order to settle disputes. This system survived unchallenged until the 1570s, when the Venetian Republic finally became more interventionist, introducing new judicial procedures and some important changes in penal legislation. As part of the programme of reform Venice also concentrated on the problem of noble-sponsored armed bands, and came to rely to a considerable extent on banishment as a remedy. The great number of measures the Republic adopted between c.1570-1630 is evidence of a tenacious effort to tame aristocratic behaviour and the pursuit of private justice. However, as this chapter demonstrates, it was not easy for the state to curb either aristocratic predations or ancient methods of obtaining justice such as the blood *vendetta*.

*Alla fine del XVI secolo, la Terraferma veneta fu caratterizzata da una sempre più diffusa violenza di matrice aristocratica. La conquista veneziana del dominio di Terraferma inizialmente non intaccò le istituzioni delle città neo-suddite, riconoscendo soprattutto ai territori periferici ampie autonomie fiscali, giudiziarie ed amministrative. Nelle città di Bergamo e di Brescia, anziché favorire l'accentramento, la Repubblica in un primo momento svolse un semplice ruolo di protettorato sulle antiche istituzioni locali. Grazie all'ampia autonomia di cui godevano, le aristocrazie riuscirono quindi a preservare il loro potere, fondato in parte sul controllo della conflittualità e della giustizia penale, in un sistema dominato dalla faida.*

*Questo sistema sopravvisse nella Terraferma veneta fino al 1570-1580, quando si registrò un sensibile aumento dell'ingerenza veneziana. Ciò rispecchiava le nuove linee di tenden-*

*za del Consiglio dei Dieci che in quegli anni, con le sue procedure d'eccezione, assurse a temuta magistratura, di contro al declino dei tribunali ordinari. Di fronte all'emergenza dell'ordine pubblico, si affermò un indirizzo politico più autoritativo, che introdusse molte novità nelle procedure giudiziarie e nella legislazione penale. Venezia dovette però ben presto fare i conti con la recalcitrante aristocrazia di Terraferma, che in quegli stessi anni stava affrontando importanti cambiamenti e attraversava una profonda crisi.*

*Accanto alle nuove procedure sommarie, l'intervento del Consiglio dei Dieci si concentrò intorno al sempre più ampio ricorso al bando, accompagnato dal divieto di entrare in città con i seguiti armati. La massa di provvedimenti approvati tra il 1570 ed il 1630 testimonia il tenace sforzo di imbrigliare e domare entro le regole del sistema penale della Dominante i comportamenti dell'aristocrazia di Terraferma, basati sull'autodifesa armata e sulla vendetta personale. Atti fino ad allora considerati legittimi vennero resi illegali dalla legislazione veneziana, insieme a tutte le pratiche extra giudiziarie a cui si erano sempre accompagnati.*

In the latter half of the 16th century Europe was troubled by unrest. Aristocratic violence and crime were important causes of an upsurge in disorder, both in cities and in the countryside<sup>1</sup>. Aristocratic violence was especially evident in the Italian Peninsula, causing much anxiety in the mountains of the Este Duchy, in the Papal State, in the Republic of Genoa and in the Venetian *Terraferma* [Mainland]<sup>2</sup>. The 1580s and nineties were characterized by the emergence of a border banditry of aristocratic extraction, whose number was increased by the presence of exiles. The problem was exacerbated by continuous subsistence crises, epidemics, famines, wars and rising taxation<sup>3</sup>.

The fortunes of the Po plain aristocracies altered profoundly between 1450 and 1560, when the war of the Duchy of Milan and the subsequent Wars of Italy took hold of the entire North Peninsula. The noble lineages took advantage of the endemic state of war, and used their important military potential to expand their patrimonies and extend their feudal power. At the end of this period of expansion, the Cateau Cambresis peace of 1559 marked the start of a deep crisis of the northern Italian aristocracy, above all in the Venetian Mainland. The end of the war also ended the aristocracy's hopes of further expansion; the nobility began to retrench, intent on preserving its gains and its local independence – primarily through military muscle. This resort to force of arms gave rise to frequent outbreak of violence between aristocratic lineages, each desperate to preserve their privileges and properties and to widen them to the detriment of their rivals. Those noblemen were not able to simply live in the comfort of their palaces in typical Renaissance style; instead the end of the wars in northern Italy merely signaled an alternative form of violence – the feuds and private wars of the aristocracy.

The Republic of Venice completed the conquest of the *Terraferma* with Bergamo and Brescia's submission at the beginning of the 15th century. The conquest did not alter greatly the existing local administrative arrangements in the new territories. Generally, the Venetian government was very generous with the most important Mainland cities,

giving them wide fiscal, judicial and administrative autonomy. Cementing agreements with local powers and ruling classes was more practical than Venetian domination<sup>4</sup>. In the areas of Bergamo and Brescia, instead of beginning a centralization process, the Republic decided merely to adopt the role of protectorate over the deep-rooted local traditions and institutions associated with the cities and aristocrats<sup>5</sup>. This tactic was used in order to consolidate the recent conquests, aware that sooner or later the neighbouring Duchy of Milan would attempt to recover its lost territories.

Because of wide-ranging local political, judicial and administrative autonomy, the ancient military-feudal aristocracies of the Mainland could preserve their high status and that of their clients. A foundation of their strength derived from their control of conflicts and penal justice through the mechanism of the feud or 'blood *vendetta*', which for centuries had regulated the relations between noble lineages. The feud described the relationship between the murderer's family and the victim's family, whereby the duty-right to gain revenge fell directly on the whole victim's family<sup>6</sup>: when an injury was committed against a member, the whole family were involved in the pursuit of vengeance, because the offences fell not only on the individual victim but on his whole faction. In this system of private and compensative justice, the feud represented the only proper way to obtain reparation. It was a complex mechanism, disciplined by ritual norms and rules, codified by traditions and composed of two different phases: the duty-right to take revenge, and the ritual agreement (composition)<sup>7</sup>. The blood *vendetta* renovated the honour of the lineage as it restored the memory of the victim.

The feud functioned, in the words of Edward Muir as:

a system of primitive law and a form of social organization governed by implicit rules that provided models for individuals behaviour, defined the membership in social groups and, most importantly, regulated conflicts by promising retaliatory punishments for insults and aggressions<sup>8</sup>.

In the Holy Roman Empire, but also in Scotland and elsewhere, feud was a lawful juridical institution<sup>9</sup>, while in Italy it was accepted in communal legislation and statutes as a means of resolving private disputes between warring factions. It was disciplined by juridical institutions as were truces and acts of peace, and its main purpose was the maintenance of the honour and political and economic supremacy of the conflicting aristocratic lineages. The blood *vendetta* provided large recourse to *infrajudiciaire* practices, private forms of penal compensation by which tribunals and society itself contributed to solving conflicts through the mediation of powerful jurists and a system of unwritten laws<sup>10</sup>. Rival families usually arranged a peace through a religious ritual, whereby in the presence of jurists the 'blood price' was commuted to a pecuniary settlement.

This system based on the blood *vendetta* survived up to the 1570s in the Venetian Mainland; from the 1570s Venice intensified and reorganized its connections with its representatives on the Mainland, the so-called Rectors, in response to public disorder. It entered a more authoritative political phase, introducing new judicial procedures and important changes in penal legislation. It interfered not only with the activities and

jurisdiction of Mainland tribunals, but also with the complex mechanisms that regulated life and social order in Mainland cities. Deprived of their control over the justice system, aristocratic lineages also lost the ability to solve conflicts inherited through the two ancient mechanisms of feud and reconciliation. Thus the rampant criminality and banditry of aristocratic extraction can be seen as a reaction to the interference of the core on the periphery<sup>11</sup>.

At the beginning of this process of judicial reform the Republic of Venice had to confront the local nobility – characterized by conservatism, an intense sense of honour, and accustomed to regulating conflicts by themselves. At the same time the disarmament process and the emergence of new competitive social groups both in the city and in the country fomented a profound crisis within the ranks of the aristocracy<sup>12</sup>. The Republic of Venice did not accept as valid the use of private justice and acts of peace as substitutes for tribunal judgment. Nor did it have confidence in the local tribunals and jurists' colleges, and both were gradually deprived of their functions. A further reform introduced by the Republic was the delegation of the *rito* to the Rectors of the Mainland. The *rito* [rite] was a penal procedure, principally characterized by accusers' and witnesses' anonymity and the permission to interrogate criminals without their lawyers. The procedure was based on delegation and aimed to protect witnesses from retaliations and threats, especially in those judgments involving important members of the aristocracy. As well as the introduction of new summary procedures, Venetian intervention also relied heavily on banishment and the repression of armed bands. While in Venetian legislation the penalty of banishment was not normally of great significance, it came to prominence when it was applied as means of curbing aristocratic violence and feuding<sup>13</sup>. Its aims were the exclusion of malefactors from society and the establishment of premises to restore peace and to resolve the feud.

The numerous measures adopted by the Republic between c.1570-1630 are evidence of the Venetian state's tenacious effort to tame unruly aristocratic behaviour. Violent conduct, starting with the duty-right of blood *vendetta* and acts of peace – considered until that time legitimate – was made a crime and subject to penal justice. Due to Venetian intervention, private violence and the feud became simply criminal violence and murder.

The demilitarization of the traditional military aristocracies after the Po Plain Wars, the loss of control over violence and the reform of the private justice system, were the main causes of the emergence of aristocratic violence. Many lineages simply moved from the battlefields to the city streets and the country palaces, where fighting broke out. Criminality spread unchecked through the Venetian Mainland, protected and encouraged by feudal families or urban patriciates, and exacerbated by the presence of bandits, vagabonds, ex-servicemen, deserters and landless farm workers. The increasing violence was concentrated heavily on the periphery of the Mainland, an area dominated by feudal lineages, such as Friuli, Bergamo and Brescia.

Bergamo and Brescia represented the westernmost territories of the Republic of Venice. After the Cateau Cambrésis' peace (1559) sanctioned the beginning of Spanish

hegemony in the Duchy of Milan, they were the last defensive bulwark of the Mainland. They served as outposts from which attacks and sorties into hostile territory could be launched. These frontier areas also contained roads connecting the Republic with Valtellina and the Swiss Cantons (especially with the Grison canton), and from there with France, Flanders and, ultimately, England. These roads were vital for commercial and military activity; and provided a conduit for outside military support to reach the Republic, without having to pass through Spanish territory<sup>14</sup>.

In the report presented to the Venetian Senate in 1579 at the end of his commission as *Podestà* of Bergamo<sup>15</sup>, Giacomo Contarini gave a bleak account of civil life in the province<sup>16</sup>. Several crimes could not be punished due to the lack of public officials – a situation made worse by the behaviour of certain noblemen. From the safety of their fortresses lords gave shelter to criminals, and frustrated attempts at executing justice. All proclamations and bans issued were useless, and aristocratic criminals remained in their homes undisturbed, in spite of the sentences against them. Besides ignoring the authority of ministers, aristocrats felt confident because of the proximity of the Duchy of Milan, the borders of which could easily be crossed in both directions by murderers and criminals, who found shelter and support in the castles of the country aristocracy<sup>17</sup>.

Episodes of violence and criminality had troubled Bergamo and Brescia since the beginning of the 16th century, both within and without the city walls. Along the borders with the Duchy of Milan felonies frequently occurred, with rural communities bearing the brunt of the violence. The villages near the frontiers were prone to aggression by Milanese soldiers resident in the fortresses along the borders. These retaliations by the soldiers also threatened crops, pasture and livestock. Foreign armies (allied as well as hostile) destroyed villages and deprived rural populations of their poor properties. Bandits, outlaws and smugglers abounded, their presence often winked at by local authorities and landlords. The western and southern borders, defined by the flow of the rivers Adda and Oglio and a narrow artificial canal named the *Fosso Bergamasco*, were easy routes for outlaws and bandits to pass from one state to another, and their banks became important points for smuggling. For a long time the *Fosso Bergamasco* was the subject of litigation between the two hostile states. At the end of the 16th century the Venetian Rector, Giovanni da Lezze, alleged that Milanese had occupied the Venetian bank, where they had planted so many trees that it had become a shelter for bandits and burglars<sup>18</sup>. Smuggling proliferated due to the competitive price of corn in local markets, but also due to the insufficient local corn production, inadequate to meet the food requirements of Bergamo and Brescia. This situation generated a flourishing criminal traffic in food-stuffs, above all with the rich Milanese plains around the cities of Lodi, Pavia and Cremona. This traffic developed undisturbed under aristocratic protection. Venetian magistrates complained that in Iseo, Urago and in other places along the Oglio river the Martinengo family protected corn smugglers. The fiefs of Urago and Barco, strategically important due to their proximity to the Duchy of Milan, were notorious for harbouring criminals. Other important families like Porcellaga and Avogadro did

not have scruples against smuggling themselves, nor did they abstain from murdering the Venetian guards sent to garrison the frontiers and repress illegal corn traffic<sup>19</sup>.

Reports presented to the Senate by Venetian rectors, in the second half of the 16th century and in the first half of the 17th century, indicate the deep unrest in Bergamo and Brescia caused by litigation and violence. In many cases the protagonists were from the most important local families. One of the most notorious cases was the violent feud between the Albani and Brembati counts in Bergamo, which started in 1563 when Achille Brembati was killed in the church of Santa Maria Maggiore<sup>20</sup>. In 1565 the *Capitano* Lorenzo Donato claimed that many aristocratic citizens retired to their homes fearing for their lives and that there was no way to bring peace between Albani and Brembati even though they had already been banished or interned<sup>21</sup>. Architecture contributed to the problem of containing a violent aristocracy. Many new palaces arose in the Bergamo and Brescia districts. They were closer to fortresses than country houses: complete with drawbridges, thick solid walls and usually also a well-furnished armoury. Bandits and *bravo*s gathered gravitated towards the fortresses, and were often retained by the lord, who used them to commit felonies and to intimidate. Among the retainers were common criminals, stragglers or, more often, former soldiers seeking employment or escaping punishment. Magnates were not really interested in the repression of crime. In the agreement for the division of their fief of Urago, Venceslao, Giulio and Malatesta Martinengo declared that any bandit that lived in their territory did so under penalty of death. But in the same document they also mentioned explicitly that their fief was not forbidden to bandits and indeed bandits could safely live within the fief, on condition that they obtain a license undersigned by all the feudatories<sup>22</sup>. None of the initiatives from the 1570s could satisfactorily address this problem – even the threats of death issued to *bravo*s unless they went into exile were ineffective.

Attempts were made to counter pernicious disorder. Rectors ordered the extradition of *bravo*s and ordered that castles that had become shelter for criminals be razed – even if under noble protection. At the same time they forbade noblemen to shelter bandits in their palaces<sup>23</sup>. Among the most dangerous dens of bandits was the castle of Cavernago, owned by the Counts Martinengo Colleoni. The castle was built by Francesco Martinengo Colleoni in 1596, and was situated at the heart of his Bergamo estates. It was a formidable fortress, of square plan, surrounded by a moat and with four angular towers where it was claimed that it was home to a large armoury and one hundred *bravo*s' dens<sup>24</sup>. At the turn of the 17th century an anonymous letter was sent to Venetian authorities, containing a long list of the crimes ascribed to *bravo*s and bandits protected by the count. It also accused Francesco of acting like he was the lord of Brescia and of the whole territory; he was hostile and criminal towards the Avogadro family and anyone who enjoyed good relations with them<sup>25</sup>. Indeed Count Francesco was involved in a bloody deed of the summer 1619, when two young men of the Avogadro faction were killed in Brescia. Immediately the Rectors began an inquiry to establish Francesco's involvement. They finally ordered his arrest but it could not be carried out because he had already fled to the Duchy of Milan before the sentence. Rectors were very worried

because they were sure they could not occupy the castle of Cavernago without the help of at least a hundred men<sup>26</sup>.

Just across the frontiers of Bergamo, in the Duchy of Milan, there was another notorious palace, well known to Venetian and Milan authorities as the shelter of many bandits: the castle of Brignano, owned by the Visconti. In 1597 contemporary chronicles claimed that more than 400 men at the service of Visconti assembled at Brignano, in expectation of a fray with Estore Martinengo Colleoni and Galeazzo Secco Suardo, who had gathered all their *braves* in the village of Lurano where Secco Suardo's palace was<sup>27</sup>. But what could the Venetian state do to limit the behaviour of such an independent and violent border aristocracy?

Banishment became the principal counter-measure. However, the recourse to banishment merely highlights the difficulties faced by Venice in coping with the problem – for banishment was a substitute for arrest and trial. Criminals were banished by default (*in contumacia*) because they could not be arrested; it was not a proper penalty but a legal definition applied to those who escaped justice. A turning-point in the history of banishment legislation was the law of 1580. Agreed upon by the Venetian Council of Ten, it was a combination of military repression and the encouragement of bounty-killers. The law delegated military and summary judicial powers to the Mainland Rectors. They could prosecute bandits with the help of country militias, which were increased between 1580 and 1582. If a criminal was found within the frontiers he had been banished from, he could be killed with impunity. The killers, in addition to a rich bounty, could obtain the *voce di liberar bandito*<sup>28</sup>, meaning that they could potentially free other people condemned to banishment<sup>29</sup>. In 1578 Venice had also introduced a severe law about confiscation: all murderers and bandits' properties would be confiscated, including the ones bound to *fidei-commisum*<sup>30</sup>. These properties were then assigned to the victims' families. Finally, the Republic of Venice tried to involve country communities in the fight against criminality: it was a villages' duty to take part in the capture and execution of criminals. If a bandit or a criminal gang penetrated a village, local people were required to sound the alarm (*suonare campana a martello*). Community collaboration was rewarded by bounties and temporary fiscal exemptions<sup>31</sup>.

Unfortunately such community collaboration was always very weak. For rural people it was more important to preserve themselves from bandit retaliation than give their support to the distant Venetian authorities. Such rural communities often were under the bandits' control and usually they preferred silence to the inevitable retaliation in the event of accusation. Bergamo *Podestà* Zaccaria Grimani complained that witnesses and victims did not have the courage to testify for fear of their lives<sup>32</sup>.

Bounties and *voci di liberar bandito* were desperate and counterproductive measures to check an uncontrollable criminality. The *voce di liberar bandito* was used by inveterate criminals to free themselves by the murder of a hostile faction's member. The confiscation laws were capable of being circumvented. The case of Count Trussardo, lord of Calepio Valley, in the province of Bergamo, provides an example. In 1612 he was banished



and deprived of all his properties. The Rectors of Bergamo tried to sell the properties by auction<sup>33</sup>, but in the first two public auctions there were no bids, even for valuable property. Finally one Alessandro Corsinelli from Nembro offered 200 *scudoes*. Corsinelli was a representative of a priest called Pietro Calepio – Trussardo's uncle. Calepio duly won the auction and so all the properties came back to the family.

The Venetian government connected the diffusion of criminality to the Duchy of Milan's proximity. In 1610 *Podestà* Pietro Barozzi reported that bandits from Milan easily found shelter in Bergamo territories, helped by the lack of officials sent to the borders there<sup>34</sup>. The Venetian Republic and Duchy of Milan, in spite of their hostile relations, attempted to cooperate in order to solve the problem of border criminality. In 1539 both the states agreed that convicted murderers in one state could not legally find shelter in the other state; and criminals from across the frontier were to be extradited immediately. In 1580 the agreement was consolidated and they ordered that all bandits found less than 15 miles from the frontiers should be killed with impunity. In addition, extradition law was fixed. In 1595 the same agreement was reached with the Duchy of Mantua, a small state to the south of the Brescia territory. But these agreements were mostly inadequate and, in the 17th century, Rectors complained that the main problem – the ease with which the border could be crossed – was still not remedied. Year after year diplomacy, cross-border friendships and patronage systems enabled noble criminals to find shelter in Milan's territories. Archival evidence shows that between the 16th and 17th centuries the bulk of aristocratic bandits never left the Bergamo and Brescia frontiers, even if their banishment sentence clearly stated that they should be more than 15 miles away from the borders. Some of them even kept on living undisturbed in their palaces.

There are few cases of bandits who decided to emigrate far away. One of them was Pietro Calepio, banished in 1636 with his *bravoes* because he killed three members of a collateral branch of the Calepios in cold blood<sup>35</sup>. Sentence was passed in April, but the following month Pietro already was far away from Bergamo. After spending some time in Piacenza, he went to Genoa, where he found a passage to reach Tolone and from there the papal court of Avignon. Here he lived for some years. During his exile Pietro abandoned his criminal career, obtaining civil and military services under some eminent Italian nobles who lived in France. Other exiles in France were Pietro and Lelio Secco Suardo, banished in 1652 with death sentences on their heads after murdering the man who had killed their father twenty years previously. They fled to France and became captains in Louis XIV's army.

Most bandits of aristocratic extraction, however, decided to stay somewhere near the forbidden border. For many reasons the majority chose to stay in the Duchy of Milan. The proximity to their own land not only allowed them to keep a close rein on their political and, above all, economic interests, but also prevented them from being removed from their contacts and support, who guaranteed impunity. Moreover we must consider that, as the Venetian Paolo Paruta noted in 1614, those criminals were bound to Milan by alliances, property ownership and commercial interests. Interaction

with the other side of the frontier was a fact of life<sup>36</sup>. The famous bandit count Ottavio Avogadro from Brescia could rely on a vast system of friendships in Marches of Romagna, in Ancona and in the Papal State<sup>37</sup>. He was a guest at the court of Guglielmo Gonzaga, duke of Mantua, and lived for a long time in the palace of the noble Socino Secco at Romanengo, in the Duchy of Milan. He often left those places to organise sorties in his family palace at Rezzato or in his castle of Sanguinetto, near Verona. When he felt pressure, he moved quickly from one place to another, not staying in the same place for more than one night at a time. The Venetian authorities tried to force Ferrara and Mantua, Avogadro's usual protectors, to turn him away; but this measure was not enough, because in 1585 he moved to the court of Ferdinand of Tyrol<sup>38</sup>.

The aforementioned Count Francesco Martinengo Colleoni enjoyed important contacts at the Turin court, where he had central diplomatic and military charges on behalf of the Duke of Savoy. When he was banished by the Venetian authorities, instead of going to Piemonte, he chose to stay for a while in Covo, a small village in the Duchy of Milan just a few miles away from the frontier with Bergamo. According to the Venetian Rectors he often came back from Covo to Bergamo with an escort of about forty armed men. During his stay in the Duchy, he even enjoyed the hospitality of the governor of Milan, who granted him the license to be escorted by as many *braves* as he liked and to keep any weapons that he needed for his defence. The case of Antonio and Gerolamo Passi is even more puzzling. In around 1660 they were banished from Bergamo and found shelter in Fontanella, another small Milanese village just four miles away from the frontier<sup>39</sup>. Antonio obtained a safe-conduct to stay in the Duchy of Milan and to move at his discretion through Bariano, Covo and Fontanella, on condition that he would live quietly with just two men in his service. Needless to say Antonio failed to conform to the terms, and together with his *braves* was noted as a serial felon. Alessandro Martinengo Colleoni inherited the bloody temperament of his uncle Francesco. Because of his many crimes, he spent more than twenty years in exile. The first sentence was issued in 1627, for terrorizing the small mountain village of Gandino. The second banishment occurred in 1634 after the murder of the young nobleman Troiano Calzaveglia. According to the trial papers, Alessandro gave hospitality in the castle of Scarpizzolo to Troiano when the latter was just eighteen-years-old but already notorious in Brescia for some minor crimes<sup>40</sup>. Hoping to take possession of Troiano's patrimony, Alessandro persuaded his young 'friend' to make his will and designate him as the only heir; then he committed Troiano's murder to his *braves*.

Alessandro was condemned to banishment from the Venetian territories, with a death sentence by beheading if he failed to comply. The Venetian authorities promised a high price to his killer; second, they ordered that Scarpizzolo Castle be razed to the ground. Alessandro could free himself from the banishment only after twenty years, and only then with the approval of the Council of Ten. Like his uncle, Alessandro Martinengo Colleoni decided to reside in Milan lands, just on the border with Bergamo. He settled in the town of Caravaggio, but moved frequently during his exile. He lived for a while in Ferrara, enjoying the hospitality and the friendship of the powerful Bentivoglio fam-

ily, to whom he was related. In 1646 he obtained Milanese citizenship, with a license to bear arms. Clearly Alessandro had many influential friends in the Duchy: in those years the bandit reached an agreement with the Milanese ambassador and a French duke in Venice, persuading them to plead with the Venetian government and obtain the withdrawal of the banishment, or at least its mitigation. Despite being prohibited from obtaining a *voce di liberar bandito*, Alessandro investigated whether the murder of the bandit Antonio Torre from Milan in 1638 could win him his freedom. In fact he did not kill Torre, but his two murderers were willing to sell their *voce* to Alessandro.

It was to no avail, however, and even the military help Alessandro offered to Venice in 1643 made no difference. After he obtained a temporary safe-conduct to serve in Friuli, he had to go back to his exile in Caravaggio. The nephew had less luck than his uncle Francesco, because Venice could not renounce Francesco's command of a company of a hundred men in defence of the Cremonese border. Despite this, Alessandro did not give up his criminal activities during exile. In fact, in 1655 the count was denounced by the Caravaggio community because he lodged bandits and criminals from Bergamo and was seen with his armed escort and weapons, contrary to the law<sup>41</sup>.

In spite of the great number of measures and repressive instruments put into effect by Venice to stay the tide of criminality, results were few. The case of the bandit Giovan Giacomo Oberti is exemplary. He operated through the provinces of Bergamo and Brescia and, from 1649 to 1651, he was banished seven times for different crimes including murders, offence to public officers, carrying of illegal arms and escape. However, banishment did not control Oberti's criminal energy; he simply continued his criminal career, supported by the powerful Martinengo family of Brescia.

Banishment was an ineffective means to deal with endemic violence in the frontiers of the Venetian territories: it tended to ferment violence and criminality, generating a vicious cycle. Venice and its armies could not repress aristocratic violence and common criminality because the defence of the Mainland territories was not delegated to Venetian representatives but to the same aristocratic families who produced the most notorious bandits of the period 1560-1650. The Republic was forced to resort to local aristocrats as a means of frontier defence because the regular army was insufficient to staff and maintain the garrisons necessary for comprehensive defence. These lineages of aristocratic criminals, such as Martinengo, Gambarà and Avogadro, supplied Venice with soldiers and captains, and the armed bands used in their criminal activities were the same as those enlisted in the regular army. The aristocratic bandits perceived no contradiction in their dual personae as both aristocratic servants of the state, and bandits and murderers expelled by the Republic. Being a bandit did not entail abandoning aristocratic identity: banditry was simply another aspect of a noble's behaviour. This dual nature evolved from the nobles' legitimate violence on the battlefields of the Po plains, which was simply transferred to the feuding and criminality that was so rife in the Venetian state from the mid-16th to the mid-17th centuries.

## NOTES

Abbreviations:

BCBg: *Biblioteca Civica di Bergamo* [Civic Library of Bergamo]

ASBs: *Archivio di Stato di Brescia* [State Archive of Brescia]

ASV: *Archivio di Stato di Venezia* [State Archive of Venice]

- <sup>1</sup> For the endemic violence in Europe see H. Kamen, *The Iron Century. Social Change in Europe 1550-1660*, London 1976; F. Braudel, *La Méditerranée et le Monde méditerranéen à l'époque de Philippe II*, Paris 1990; M.R. Weisser, *Crime and Punishment in Early Modern Europe*, Atlantic Highlands - New Jersey 1979; V.A.C. Gatrell, B. Lenman, G. Parker (eds.), *Crime and the Law. The Social History of Crime in Western Europe since 1500*, London 1980; G. Ortalli (ed.), *Bande armate, banditi, banditismo e repressione di giustizia negli stati europei di antico regime*, Rome 1986; on specific cases of European regions see L. Stone, *The Crisis of the Aristocracy, 1558-1641*, Oxford 1966; A. Zysberg, *Bandits et banditisme en France du XVIIème au XVIIIème siècle: essai de typologie*, in *Bande armate* cit., pp. 205-223; J.A. Martinez Comenche (ed.) *Le bandit et son image au Siècle d'Or*, Madrid - Paris 1991. In the context of social movements and forms of protest, the first to display an interest in the research of banditry was E.J. Hobsbawm, *Primitive Rebels. Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*, Manchester 1959; Id., *Bandits*, London 1969.
- <sup>2</sup> About aristocratic violence in the Republic of Venice and in its *Terraferma*, see C. Povolo, *La conflittualità nobiliare in Italia nella seconda metà del Cinquecento. Il caso della Repubblica di Venezia. Alcune ipotesi e possibili interpretazioni*, Atti dell'Istituto veneto di Scienze, Lettere ed Arti, 1992-1993, CLI, pp. 89-139; Id., *L'intrigo dell'onore. Poteri e istituzioni nella Repubblica di Venezia tra Cinque e Seicento*, Verona 1997; P. Laven, *Banditry and Lawlessness on the Venetian Terraferma in the Later Cinquecento*, in T. Dean, K.J.P. Lowe (eds.), *Crime, society and the Law in Renaissance Italy*, Cambridge 1994, pp. 221-248. The city of Venice was also affected by violence, as we can see in the volume of G. Ruggiero, *Violence in Early Renaissance Venice*, New Brunswick - NJ 1996.
- <sup>3</sup> In those years there were many famines, and even the terrible plague broke out again in 1575-1576. In the land of the Venetian Republic the tax pressure ran up due to the expensive Lepanto war against the Turks (1571).
- <sup>4</sup> S. Zamperetti, *I piccoli principi. Signorie locali, feudi e comunità soggette nello Stato regionale veneto dall'espansione territoriale ai primi decenni del '600*, Venice 1991.
- <sup>5</sup> *Ibid.*; C. Povolo, *Aspetti e problemi dell'amministrazione della giustizia penale nella Repubblica di Venezia, secoli XVI-XVII*, in G. Cozzi (ed.), *Stato, Società e giustizia nella Repubblica veneta (sec. XV-XVIII)*, Rome 1980, vol. I, pp. 153-258.
- <sup>6</sup> E.E. Evans-Pritchard, *The Nuer: a Description of the Modes of Livelihood and Political Institutions of a Nilotic People*, Oxford 1947. About feuds see also J. Black-Michaud, *Cohesive Force. Feud in the Mediterranean and the Middle East*, Oxford 1975; A. Zorzi, "Ius erat in armis." *Faide e conflitti tra pratiche sociali e pratiche di governo*, in G. Chittolini, A. Mohlo, P. Schiera (eds.), *Origini dello stato. Processi di formazione statale in Italia fra medioevo ed età moderna*, Bologna 1994, pp. 609-629.
- <sup>7</sup> Quoting F. Bianco: "The blood vendetta ... represents the central element in the last phase of the feud and can be placed next to honour, the concept of nobility and the duel as inspiring principles for the behaviour of the ruling classes of the 16th century" (F. Bianco, *Mihi vindictam: Aristocratic Clans and Rural Communities in a Feud in Friuli in the Late Fifteenth and Early Sixteenth Centuries*, in *Crime, Society and the Law* cit., pp. 249-273).
- <sup>8</sup> E. Muir, *Mad Blood Stirring. Vendetta in Renaissance Italy*, Baltimore - London 1998, p. 63.
- <sup>9</sup> O. Brunner, *Land und Herrschaft. Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter*, Wien 1965; J. Wormald, *The Blood Feud in Early Modern Scotland*, in J. Bossy (ed.), *Disputes and Settlements. Law and Human Relations in the West*, Cambridge 1983, pp. 101-144.

- <sup>10</sup> About peaces and truces see R.W. Scribner, *Police and the Territorial State in Sixteenth-century Wurttemberg*, in E.I. Kouri, T. Scott (eds.), *Politics and Society in Reformation Europe*, London 1987, pp. 103-120; T. Dean, *Criminal Justice in Mid Fifteenth-Century Bologna*, in *Crime, Society and the Law* cit., pp. 16-39. About the *infrajudiciaire* see B. Garnot (ed.), *L'infrajudiciaire du moyen âge à l'époque contemporaine*, Actes du colloque de Dijon, 5-6 octobre 1995, Dijon 1996; *Duelli, faide e rappacificazioni. Elaborazioni concettuali, esperienze storiche*, Atti del seminario di studi storici e giuridici, Modena, 14 gennaio, 2000, Milan 2001; B. Lenman, G. Parker, *The State, the Community and the Criminal Law* cit. About the powerful Italian jurists' colleges see E. Brambilla, *Genealogie del sapere. Università, professioni giuridiche e nobiltà togata in Italia (XIII-XVII secolo)*, Milan 2005.
- <sup>11</sup> C. Povoio, *La conflittualità nobiliare* cit., p. 93. On the important role of the control of penal justice in the constitution of a modern state, see the interesting survey by R. Levy, X. Rousseau, *État et justice pénale: un bilan historiographique et une relécture. Douze ans de recherche sur l'histoire du crime et de la justice criminelle (1978-1990). Hommage à Yves Castan*, "International Association for the History of Crime and Criminal Justice Bulletin", 1991, XIV, pp. 106-149.
- <sup>12</sup> About the disarmament at the end of the Po plain wars, see M.E. Mallett, J.R. Hale, *The Military Organization of a Renaissance State. Venice c. 1400 to 1617*, Cambridge 1984.
- <sup>13</sup> About banishment in Italy, see D. Cavalca, *Il bando nella prassi e nella dottrina giuridica medievale*, Milan 1978; M. Ascheri, *Diritto medievale e moderno. Problemi del processo, della cultura e delle fonti giuridiche*, Rimini 1991.
- <sup>14</sup> G. Parker, *The Army of Flanders and the Spanish road, 1567-1659. The logistics of Spanish Victory and Defeat in the Low Countries' Wars*, Cambridge 1972.
- <sup>15</sup> The *Podestà* and the *Capitano* were the so-called Rectors, two members of Venetian patriciate sent to the governments of small and big cities of the Venetian Mainland. About the difficulties and the functions of the Venetian Rectors, see G. Del Torre, *Venezia e la Terraferma dopo la guerra di Cambrai. Fiscalità e amministrazione (1515-1530)*, Milan 1986.
- <sup>16</sup> Report of Giacomo Contarini, 25 maggio 1579 in A. Tagliaferri (ed.), *Relazioni dei rettori veneti in Terraferma. Podestaria e capitanato di Bergamo*, Milan 1978, p. 129.
- <sup>17</sup> "The old feudal families of the Bresciano and Friuli, of the Vicentino, the Bergamasco and elsewhere on the Venetian mainland, using their privileged estates as both a base of operations and a retreat and resentful of the ultimate power of the Venetian patriciate, were scarcely controllable: Laven, *Banditry on the Venetian Terraferma* cit., p. 248.
- <sup>18</sup> G. da Lezze, *Descrizione di Bergamo e suo territorio 1596*, Bergamo 1988, p. 486. About the smuggling in Brescia territory see E. Rossini, G. Zalin, *Uomini, grani e contrabbandi sul Garda tra Quattrocento e Seicento*, Verona 1985.
- <sup>19</sup> J.M. Ferraro, *Family and Public Life in Brescia, 1580-1650. The Foundations of Power in the Venetian State*, Cambridge 1993.
- <sup>20</sup> The whole event has been described in detail in the essay by B. Belotti, *Una sacrilega faida bergamasca del Cinquecento*, "Archivio Storico Lombardo", 1932, LIX, pp. 1-109.
- <sup>21</sup> Report of Lorenzo Donato in *Relazioni dei rettori veneti* cit., pp. 69-92.
- <sup>22</sup> ASBs, *Archivio Martinengo dalle Palle*, b. 458 - III.
- <sup>23</sup> For instance in 1654 Bartolomeo Martinengo was condemned because he gave shelter in his house to several bandits, used as armed retinue in his movements in and outside the city. Due to this grave charge and due to the murder of one of his *bravoes*, Bartolomeo was convicted to five years exile in Dalmatia under *Provveditore Generale's* authority. Since the noble did not commit himself to the justice, in 1656 another sentence condemned him to banishment for life with a price of 2000 *scudos* on his head if captured inside the state (ASBs, *Martinengo dalle Palle*, b. 387).
- <sup>24</sup> In the castle were probably kept about a hundred armours, many harquebuses and even some artillery pieces: B. Belotti, *Storia di Bergamo e dei bergamaschi*, Bergamo 1989, vol. V, pp. 68-69.

- <sup>25</sup> Ferraro, *Family and Public Life in Brescia* cit., p. 176.
- <sup>26</sup> Francesco's nephew, Alessandro, was another famous bandit of the 17th century. In 1637 his castle of Scarpizzolo not only was a lair of *bravoes* but also of other young Brescia gentlemen, well known for their crimes. After the banishment of Alessandro Martinengo Colleoni (1639), all his lands were confiscated and his castle was razed to the ground.
- <sup>27</sup> ASV, Capi del Consiglio dei X, Lettere dei rettori, b. 2, c. 68.
- <sup>28</sup> For the difficulties obtaining money for payment see E. Basaglia, *Giustizia criminale e organizzazione dell'autorità centrale. La Repubblica di Venezia e la questione delle taglie in denaro (secoli XVI-XVII)*, in *Stato, società e giustizia nella Repubblica Veneta (sec. XV-XVIII)* cit., vol. II, pp. 191-220.
- <sup>29</sup> For the *voce di liberar bandito* see C. Povoio, *Nella spirale della violenza. Cronologia, intensità e diffusione del banditismo nella Terraferma veneta (1550-1610)*, in *Bande armate* cit., pp. 21-51.
- <sup>30</sup> *Fidei commissum* was a legal institution often used in wills, according to which the heirs to the property could not sell any of the property, but could only transfer it to their heirs in the given state.
- <sup>31</sup> Laven, *Banditry on the Venetian Terraferma* cit. In 1652 Venetian rector of Bergamo had to reprove Calepio Valley communities (at the border of Brescia and Bergamo provinces) for not helping feudal lords of the valley in the capture of the pervasive criminals and their armed gangs. On that occasion they confirmed the village representatives' duty to inform the feudal lords about bandits seen on their territories (BCBg, Archivio Calepio, L.5.q).
- <sup>32</sup> Report of Zaccaria Grimani, *Relazioni dei rettori veneti* cit., p. 366.
- <sup>33</sup> BCBg, *Archivio Calepio*, M.8.g and BCBg, *Archivio Calepio*, C.18.c.
- <sup>34</sup> Report of Vincenzo Barozzi in 1610, in *Relazioni dei rettori veneti* cit., p. 303. Officials not only were badly paid but, even if they could bring armies, they had no authority: see E. Basaglia, *Il controllo della criminalità nella Repubblica di Venezia. Il secolo XVI: un momento di passaggio*, in *Atti del convegno Venezia e la Terraferma attraverso le relazioni dei rettori*, Milan 1981, pp. 65-78.
- <sup>35</sup> BCBg, *Archivio Calepio*, L.4.f.
- <sup>36</sup> Andrea Paruta 1614, *Relazioni dei rettori veneti* cit., p. 245.
- <sup>37</sup> Laven, *Banditry on the Venetian Terraferma* cit.
- <sup>38</sup> Braudel, *La Méditerranée et le Monde* cit.
- <sup>39</sup> ASBs, *Martinengo dalle Palle*, b. 387.
- <sup>40</sup> BCBg, *Archivio Martinengo*, Atti Civili, VII (9). The young Troiano was banished from Venice and he had to leave the Republic's lands.
- <sup>41</sup> BCBg, *Archivio Martinengo*, Serie Atti Civili, IV (8).

## BIBLIOGRAPHY

Ascheri M., *Diritto medievale e moderno. Problemi del processo, della cultura e delle fonti giuridiche*, Rimini 1991.

*Atti del convegno Venezia e la Terraferma attraverso le relazioni dei rettori*, Milan 1981.

Basaglia E., *Giustizia criminale e organizzazione dell'autorità centrale. La Repubblica di Venezia e la questione delle taglie in denaro (secoli XVI-XVII)*, in G. Cozzi (ed.), *Stato, Società e giustizia nella Repubblica veneta (sec. XV-XVIII)*, Rome 1980, vol. II, pp. 191-220.

Id., *Il controllo della criminalità nella Repubblica di Venezia. Il secolo XVI: un momento di passaggio*, in *Atti del convegno Venezia e la Terraferma attraverso le relazioni dei rettori*, Milan 1981, pp. 65-78.

Belotti B., *Storia di Bergamo e dei bergamaschi*, Bergamo 1989.

Id., *Una sacrilega faida bergamasca del Cinquecento*, in "Archivio Storico Lombardo", 1932, LIX, pp. 1-109.

- Bianco F., *Mibi vindictam: Aristocratic Clans and Rural Communities in a Feud in Friuli in the Late Fifteenth and Early Sixteenth Centuries*, in T. Dean, K.J.P. Lowe (eds.), *Crime, Society and the Law in Renaissance Italy*, Cambridge 1994, pp. 249-273.
- Bossy J. (ed.), *Disputes and Settlements. Law and Human Relations in the West*, Cambridge 1983.
- Braudel F., *La Méditerranée et le Monde méditerranéen à l'époque de Philippe II*, Paris 1990.
- Black-Michaud J., *Cohesive Force. Feud in the Mediterranean and the Middle East*, Oxford 1975.
- Brambilla E., *Genealogie del sapere. Università, professioni giuridiche e nobiltà togata in Italia (XIII-XVII secolo)*, Milan 2005.
- Brunner O., *Land und Herrschaft. Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter*, Wien 1965.
- Cavalca D., *Il bando nella prassi e nella dottrina giuridica medievale*, Milan 1978.
- Chittolini G., Mohlo A., Schiera P. (eds.), *Origini dello stato. Processi di formazione statale in Italia fra medioevo ed età moderna*, Bologna 1994.
- Cozzi G. (ed.), *Stato, Società e giustizia nella Repubblica veneta (sec. XV-XVIII)*, Rome 1980.
- Da Lezze G., *Descrizione di Bergamo e suo territorio 1596*, Bergamo 1988.
- Dean T., *Criminal Justice in Mid Fifteenth-Century Bologna*, in Dean, Lowe (eds.), *Crime cit.*, pp. 16-39.
- Id., Lowe K.J.P. (eds.), *Crime, Society and the Law in Renaissance Italy*, Cambridge 1994.
- Del Torre G., *Venezia e la Terraferma dopo la guerra di Cambrai. Fiscalità e amministrazione (1515-1530)*, Milan 1986.
- Duelli, faide e rappacificazioni. Elaborazioni concettuali, esperienze storiche*, Atti del seminario di studi storici e giuridici, Modena, 14 gennaio, 2000, Milan 2001.
- Evans-Pritchard E.E., *The Nuer: a Description of the Modes of Livelihood and Political Institutions of a Nilotic People*, Oxford 1947.
- Ferraro J.M., *Family and Public Life in Brescia, 1580-1650. The Foundations of Power in the Venetian State*, Cambridge 1993.
- Garnot B. (ed.), *L'infrajudiciaire du moyen âge à l'époque contemporaine*, Actes du colloque de Dijon, 5-6 octobre 1995, Dijon 1996.
- Gatrell V.A.C., Lenman B., Parker G. (eds.), *Crime and the Law. The Social History of Crime in Western Europe since 1500*, London 1980.
- Hobsbawm E.J., *Bandits*, London 1969.
- Id., *Primitive Rebels. Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*, Manchester 1959.
- Kamen H., *The Iron Century. Social Change in Europe 1550-1660*, London 1976.
- Kouri E.I., Scott T. (eds.), *Politics and Society in Reformation Europe*, London 1987.
- Laven P., *Banditry and Lawlessness on the Venetian Terraferma in the Later Cinquecento*, in Dean, Lowe (eds.), *Crime cit.*, pp. 221-248.
- Levy R., Rousseau X., *État et justice pénale: un bilan historiographique et une rélecture. Douze ans de recherche sur l'histoire du crime et de la justice criminelle (1978-1990). Hommage à Yves Castan*, in "International Association for the History of Crime and Criminal Justice Bulletin", 1991, XIV, pp. 106-149.
- Mallett M.E., Hale J.R., *The Military Organization of a Renaissance State. Venice c. 1400 to 1617*, Cambridge 1984.
- Martinez Comenche J.A. (ed.), *Le bandit et son image au Siècle d'Or*, Madrid - Paris 1991.
- Muir E., *Mad Blood Stirring. Vendetta in Renaissance Italy*, Baltimore - London 1998.
- Ortalli G. (ed.), *Bande armate, banditi, banditismo e repressione di giustizia negli stati europei di antico regime*, Rome 1986.

- Parker G., *The Army of Flanders and the Spanish Road, 1567-1659. The Logistics of Spanish Victory and Defeat in the Low Countries' Wars*, Cambridge 1972.
- Povolo C., *Aspetti e problemi dell'amministrazione della giustizia penale nella Repubblica di Venezia, secoli XVI-XVII*, in G. Cozzi (ed.) *Stato, Società e giustizia nella Repubblica veneta (sec. XV-XVIII)*, Rome 1980, vol. I, pp. 153-258.
- Id., *La conflittualità nobiliare in Italia nella seconda metà del Cinquecento. Il caso della Repubblica di Venezia. Alcune ipotesi e possibili interpretazioni*, "Atti dell'Istituto veneto di Scienze, Lettere ed Arti", 1992-1993, CLI, pp. 89-139.
- Id., *L'intrigo dell'onore. Poteri e istituzioni nella Repubblica di Venezia tra Cinque e Seicento*, Verona 1997.
- Id., *Nella spirale della violenza. Cronologia, intensità e diffusione del banditismo nella Terraferma veneta (1550-1610)*, in Ortalli (ed.), *Bande armate cit.*, pp. 21-51.
- Rossini E., Zalin G., *Uomini, grani e contrabbandi sul Garda tra Quattrocento e Seicento*, Verona 1985.
- Ruggiero G., *Violence in Early Renaissance Venice*, New Brunswick - New Jersey 1996.
- Scribner R.W., *Police and the Territorial State in Sixteenth-century Württemberg*, in E.I. Kouri, T. Scott (eds.), *Politics and Society in Reformation Europe*, London 1987, pp. 103-120.
- Stone L., *The Crisis of the Aristocracy, 1558-1641*, Oxford 1966.
- Tagliaferri A. (ed.), *Relazioni dei rettori veneti in Terraferma. Podestaria e capitano di Bergamo*, Milan 1978.
- Weisser M.R., *Crime and Punishment in Early Modern Europe*, Atlantic Highlands - New Jersey 1979.
- Wormald J., *The Blood Feud in Early Modern Scotland*, in J. Bossy (ed.), *Disputes and Settlements. Law and Human Relations in the West*, Cambridge 1983, pp. 101-144.
- Zamperetti S., *I piccoli principi. Signorie locali, feudi e comunità soggette nello Stato regionale veneto dall'espansione territoriale ai primi decenni del '600*, Venice 1991.
- Zorzi A., «*Ius erat in armis*». *Faide e conflitti tra pratiche sociali e pratiche di governo*, in G. Chittolini, A. Mohlo, P. Schiera (eds.), *Origini dello stato. Processi di formazione statale in Italia fra medioevo ed età moderna*, Bologna 1994, pp. 609-629.
- Zysberg A., *Bandits et banditisme en France du XVIIème au XVIIIème siècle: essay de typologie*, in Ortalli (ed.), *Bande armate cit.*, pp. 205-223.



