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THE LIFE AND WORKS
OF
CHRISTÓBAL SUÁREZ DE FIGUEROA

BY
J. P. WICKERSHAM CRAWFORD

A DISSERTATION PRESENTED TO THE
FACULTY OF THE DEPARTMENT OF PHILOSOPHY
OF THE
UNIVERSITY OF PENNSYLVANIA
IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE
DEGREE OF DOCTOR OF PHILOSOPHY

PHILADELPHIA, PA.
1907

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to

DR. HUGO ALBERT RENNERT,

PROFESSOR OF ROMANCE LANGUAGES IN THE UNIVERSITY OF PENNSYLVANIA,

THIS VOLUME IS DEDICATED

AS A SLIGHT TOKEN OF MY ESTEEM

PREFACE

THE aim of this monograph is to describe in some detail the life and literary labours of Christóbal Suárez de Figueroa. He is mentioned briefly in all the histories of Spanish literature, but hitherto no one has made a special study of his life and works. Believing that the history of his career furnishes many interesting details concerning Spanish society in the early part of the seventeenth century, and that his literary productions deserve to be better known, I have attempted to collect the chief facts of his life and to examine his books in this volume. Incomplete as it is, it may serve to shed more light on one of the most interesting authors of the *siglo de oro*.

I wish to express my appreciation to the officials of the Biblioteca Nacional of Madrid, to the Director of the Vatican Archives, and to Sig. Cav. Barone, Director of the Archives at Naples, for their kindness in placing at my disposal the manuscripts which I used in the preparation of this work. Lastly, I wish to express my gratitude to Dr. Hugo Albert Rennert, of the University of Pennsylvania, at whose suggestion this study was begun, for his constant interest and assistance.

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CHAPTER I.

THE YOUTH OF SUÁREZ DE FIGUEROA.

Christóval Suárez de Figueroa¹ was born at Valladolid, about the year 1571. This date is deduced from a statement in one of his works, *Varias noticias importantes á la humana comunicacion*,² completed in 1620, in which he tells us that he had left his native country thirty-two years before, to travel abroad, that is in 1588. In another work, *El Passagero*,³ he says that he had left home at the age of seventeen, which would place the date of his birth about 1571.

He often speaks in affectionate terms of his native city. In his pastoral romance, *La Constante Amarilis*, under the

¹ Figueroa relates the tradition concerning the origin of his name in the eleventh book of his epic poem, *España Defendida*, as follows: In the days when the Moors were masters of the Spanish peninsula, and the Christians were confined to the mountains of Galicia, Bativa, a Galician youth, courted the fair maiden Rosarda. Their dream of happiness was rudely interrupted by the arrival of a band of Moors, who demanded a hundred maidens as tribute. The Christians were too weak to offer resistance, and when lots were drawn, Rosarda was found to be one of the unhappy victims. Bativa, however, with the aid of a few friends, put the Moors to flight, and on returning from the victory, he took five fig leaves, (*hojas de higuera*) as a blason, and thus received the name Figueroa. This story appeared first in Spanish literature in Berceo's *Vida de San Millan*, stanzas 369-374, and forms the basis of Lope de Vega's comedia, *Las doncellas de Simancas*.

² Madrid, 1621, fol. 213.

³ *El Passagero. Advertencias utilísimas á la vida humana*. Barcelona, 1618, fol. 214.

name of the shepherd Damon, he says: "Yo que me llamo Damon, . . . nací en el antiguo lugar que baña Pisuerga."¹ In his epic poem, *España Defendida*, he refers to his early life as follows:

Yo que Damon (le respondió) me nombro,
Nací en lugar que es por asiento, y traça
del mundo gloria, de belleza assombro,
de Ceres heredad, de Flora plaça:
Gozoso arrima el respectado ombro
Pisuerga á su pared, antes la abraça,
y por dexalla, tal dolor adquiere,
que apenas della parte, quando muere.²

Moreover, at his trial before the Inquisition, he testified that he was born of noble parents of Valladolid.

It is likely that his family was distantly related to the Dukes of Feria, one of the noblest families of Spain, and whose surname was Suárez de Figueroa. In *España Defendida*, he speaks in flattering terms of D. Lorenzo Suárez de Figueroa, Duke of Feria, who had served his country in many important missions. In the Biblioteca Nacional of Madrid, a copy of Figueroa's biography of the Marqués de Cañete contains a note which may throw some light on the question.³ In the introduction, where Figueroa is spoken of as *natural de Valladolid*, the word *natural* is crossed out, and *vecino* is inserted. On the margin is a note in a contemporary hand: "*natural de Badajoz, de la*

¹ *La Constante Amarilis*, Madrid, 1781, p. 5. Señor D. Luis Fernández-Guerra y Orbe in his biography of Juan Ruiz de Alarcón, p. 247-248, says that Figueroa was born at Madrid, and was *Doctor de Salamanca*. Both these statements are evident mistakes.

Valladolid is situated on the river Pisuerga.

² *España Defendida*, Madrid, 1612, fol. 36b.

³ *Hechos de Don García de Mendoza*, Madrid, 1613. This copy bears the press-mark $\frac{R}{15892}$.

casa de los Dúques de Feria, tío de Don Diego Suárez de Figueroa, también famoso escritor." This note may be of little value, since we know that Figueroa was born at Valladolid, and not at Badajoz, but it tends to confirm the theory that he was at least distantly related to the family of Feria.

Alarcon, in his comedia, *Mudarse por mejorarse*, seems to ridicule Figueroa's pretensions to belong to this noble family.¹ We shall see later that this comedia was a reply to Figueroa's attack upon the great dramatist in *El Passagero*, in which Alarcon was censured for having assumed the title Don without the right to do so, and the latter retaliated in this play by casting doubts on Figueroa's right to claim relationship with the family of Feria. We do not know whether his claim was well founded, but his pretensions in this direction must have been well known,

¹ In the second jornada, Scene XIII, the Marqués, wishing to learn how his courtship of Doña Clara is progressing, calls her servant, Figueroa:

Marqués. Digame agora su nombre.

Figueroa. Figueroa.

Ricardo. ¡ Una miseria!

Es de la casa de Feria.

Marqués. Ese es solo un sobrenombre.

Figueroa. No han de ser desvanecidos.

Los pobres; que es muy cansado

Un hombre en humilde estado

Hecho un mapa de apellidos.

Aun con solo un nombre, veo

Que no me dejan vivir,

Y hay quien ha dado en decir

Que *sin razon lo poseo*;

Mas procuren de mil modos

Los malsines murmurar;

Que por Dios que al acostar

Estamos desquitos todos.

Marqués. Vos, en fin, ¿sois Figueroa?

Figueroa. Por lo menos me lo llamo.

otherwise Alarcon's ridicule would have been pointless. As already mentioned, he testified before the Inquisition that he was born of *noble* parents, but perhaps this merely means that they were *montañeses*.¹

Figuerola tells the story of his early life in *El Pasajero*.² His father was a Galician who had left Coruña with scanty resources, and had gone to Valladolid where he took up the practice of law. He did not exercise his profession with enough vigor to suit his son Christóval, as it afterwards appears, for he thought more of his own pleasure than of increasing the moderate income of his family. However, he did not neglect the education of his two sons, who at an early age were put to work at their books, and under the guidance of his father, the young Christóval began the study of law.

The boy's life at home was not congenial to him, and in a fit of childish anger, this latent discontent was turned to bitter enmity toward his family. When he was seventeen years old, he noticed signs of partiality on the part of his parents toward his brother, who was an invalid. This aroused his envy, and as the favoritism seemed to increase, he determined to leave home and go to Italy. Carefully concealing the real cause of his decision, he obtained the consent of his father, who approved of his ambitious project, but his mother, despite the fact that her

¹ Perhaps Lope de Vega's claim to nobility was based upon the same grounds. See Rennert, *Life of Lope de Vega*, pp. 1-2, note.

It is possible that Figuerola was distantly related to the family of Alba. In an autograph letter, published by H. A. Rennert in *Modern Language Notes*, Vol. VII, No. 7, pp. 399-400, Figuerola says that he had wished to enter the service of the Duke of Alba in Naples, because of the *vecindad de casas*.

² Barcelona, 1618, fol. 213 ff. A brief outline of Figuerola's life, taken from this source is found in Dr. Rennert's monograph, *The Spanish Pastoral Romances*, Baltimore, 1892, pp. 87 ff.

heart had divined the wayward character of her son, wished him to remain at home, and interposed all manner of objections, while the youth persistently longed to free himself from parental restraint. He was not affected by the grief which his departure caused his parents, and said in their presence that he would not return to Spain as long as they were living, "a promise which I afterwards fulfilled," he adds rather proudly. We see already in the youth of seventeen some of the characteristics which were to be further developed and accentuated in the course of his life: his unsociable and quarrelsome disposition, which later in his career won for him so many enemies; his stubbornness and perseverance when once he had made a decision; and his passion for a roaming life, which gives to the story of his adventures some of the savour of the picaresque novel.

The youth setting out from Valladolid to seek his fortune abroad surely did not realize the importance of the step which he had taken. In the future, his life was to be associated more intimately with Italy than with his own country, and it was to that land that he looked for reward when Spain refused him the recognition which he believed his due.

On this first journey, Figueroa directed his steps toward Barcelona, where he embarked on a galley bound for Civita Vecchia. After crossing the Gulf of Lyons, he reached Genoa, and was delighted with the magnificent situation of the city. He then turned northward, and finally reached Milan by way of Serravalle, Tortona, Voghera and Pavia.¹

¹ The description given by the Doctor (Figueroa) in *El Passagero*, fol. 5b, ff, of the parts of Italy which he had visited is so accurate, that we may consider it an account of his first journey to that country in

On his arrival, the choice of a profession confronted him. Military life, with its poor pay and its many hardships did not attract him, and besides, his lack of experience was a serious drawback. He had spent the money which he had brought from home, and this hastened his decision to take up at once his studies at Bologna or Pavia. He does not say which of these universities he selected, but what little evidence we have points to Pavia. In *El Passagero*,¹ he highly praises the latter university, but nowhere in his works does he mention having visited Bologna. He spent a year, probably from 1588 to 1589, in the study of civil and canon law, and after passing four difficult courses, received his doctorate *en ambos derechos*.² He moreover gives ample testimony in his later works, especially in the *Varias Noticias*, that he did not neglect his classical studies.

Figueroa was a little over eighteen years old when he completed his career at the University, and was well equipped for some honourable post. He probably spent a year at Milan, and in 1591, when D. Juan Hernández de Velasco, Duke of Frias, was appointed Governor of that city, he petitioned him for a position in the King's service. His application was not at first favourably received, but the young man persisted, and finally he was despatched as Auditor of some Spanish troops which were serving in Piedmont against France.³ His duties as Auditor were to advise the officers on legal questions, and to decide civil and criminal cases in the army, although the sentence was pronounced by the military authorities.

1588. All the references to *El Passagero* are to the edition of Barcelona, 1618.

¹ *El Passagero*, fol. 10b.

² *Ibid.*, fol. 215.

³ *Ibid.*, fol. 215.

We do not know his exact term of service, nor in what campaigns he took part, but it is certain that he was present at the final capture of the castle of Cavour in 1595,¹ and that he retired from the army shortly after that date. War did not actually break out between France and Spain until 1595, but for several years previously, Philip II had aided Carlo Emanuele, Duke of Savoy, against the attacks of Lesdiguières in Savoy and Piedmont, and it is likely that Figueroa took part in many of the engagements between 1591 and 1595. Early in 1595, the Duke of Savoy determined to attack Cavour, a most important position, which was strongly fortified by the French. Owing to lack of provisions, the defenders were compelled to surrender in May of that year, and with this victory the war in Piedmont came to an end.² This treaty of peace which the Duke of Savoy signed with France threw out of employment his Spanish allies, and as Figueroa makes no mention of having served outside of Piedmont and Savoy, we may infer that his military service ended in 1595. After

¹ In the course of his travels, related in *El Passagero*, fol. 237 ff, he met an innkeeper named Juan, who had served in the army in Piedmont. Juan asked, "Have you by chance ever been in Italy, and especially in Piedmont?" "Yes, my friend," replied Figueroa, "and for several years." "Then I have solved the mystery," continued Juan, "for you were my Auditor. Don't you recognize Juan, *mosquetero* in the company of Don Manuel Manrique, and don't you remember that I used to say to my companions, 'Look! There is the man who judges us'?" As they exchange reminiscences of the war, Juan says, "No doubt you remember the year in which the war in Piedmont came to an end with the final capture of that strong fortress called Cavour." This was the *final* capture, for Lesdiguières had previously taken Cavour in December, 1592.

² For an account of the capture of Cavour, see Videt, *Histoire de la vie du Connestable de Lesdiguières*, Paris, 1638, pp. 161 ff, and Ricotti, *Storia della Monarchia Piemontese*, p. 190.

the army disbanded, he returned to Milan with a good record of service.¹

For a knowledge of the next few years of his life, we are indebted to a letter written in his behalf by Philip III to the Archduke Albert, dated April 8, 1606, and published in the introduction to his *Hechos de Don García de Mendoza*.² Here we learn that up to that time, Figueroa had held the following offices: *Auditor* of the Spanish infantry which served in Piedmont and Savoy; *Abogado Fiscal* in the Province of Martesana; *Contrascritor* of Blados, (these last near Milan); Judge of Teramo, (a city in the Kingdom of Naples), and *Comisario* of the Colateral of Naples.

We do not know how long he held each one of these posts, but he was in Naples in the year 1600, for in his *Varias Noticias*,³ he describes a journey which he took in that year from Naples to the Barbary coast. He refers in *España Defendida* to this period of his life, when he exercised jurisdiction at Naples:

Y si bien soy pastor, como lo advierte
la montera, el pellico, y el ganado,
gozando en otro tiempo de otra suerte,
con mas pompa viví, con mas cuidado:
Mantuve en obediencia al flaco, al fuerte;
baston (no como aora este cayado
torcido) tuve tan derecho, y noble,
que vara en no doblar fué siempre roble.⁴

He was making a success of his profession at Naples, when he learned of the death of his brother and of his parents.⁵ He had refused to listen to their entreaties to

¹ *El Passagero*, fol. 215b.

² Appendix, p. 99.

³ Fol. 38.

⁴ Ed. Madrid, 1612, fol. 36b.

⁵ *El Passagero*, fol. 215b.

return home, for he felt that his chances of success were much brighter in Italy than at Valladolid. Finally, however, the love of country overcame his better judgment, and he returned to Valladolid, *á tres años de calificada constituto de corte,*"¹ that is, in 1604, for the Court was established at Valladolid in January, 1601.²

His delight at seeing his native town from afar quickly turned to disappointment on his arrival, for everything had changed during his absence. Instead of the inheritance which he expected, he found nothing but debts and poverty, for his father, in his heedless fashion, had neglected to provide for his son's future. His attempts to secure employment by legitimate means met with no success, and he refused to court favour by presenting petitions setting forth his merits. The little money which he had earned in Italy was soon spent, and his condition became desperate. In these straits, he remembered that, when threatened by ship-wreck on the Gulf of Lyons, he had vowed to make a pilgrimage to the church of Santiago at Compostella, and accordingly, in the absence of any immediate prospect of employment, he decided to fulfil his vow.

He started on his pilgrimage in August, probably in the year 1604, soon after his return to Spain.³ Dressed as a pilgrim, and with five hundred *reals* in his pocket, he set out for Tudela.⁴ He hoped to cover six leagues and

¹ *El Passagero*, fol. 215b.

² Señor Cortés in his *Noticias de una corte literaria*, Madrid, 1906, pp. 132-133, says that Figueroa had obtained some position in Italy, probably through the influence of the Marqués de Cañete, and was absent from Valladolid while the Court was there. We have seen that he left Spain under quite different circumstances. Cortés merely mentions that Figueroa had returned to Madrid in 1612.

³ *El Passagero*, fol. 216b, ff.

⁴ Tudela de Duera is a small town in the province of Valladolid.

spend the night at Cuellar, but, weary from his journey, he stopped at an inn to pass the night. There he was exposed to great discomfort, and no sooner had he fallen asleep than he was awakened by a mule driver, who deafened the inn with his cries. The sleepy pilgrim courteously asked him to make less noise, which only angered the insolent fellow, and the result was a quarrel. The mule driver left the inn early the next morning, and on arriving at Cuellar, whispered to the *corregidor* that a traveler of a certain description would soon appear, who had just killed a man at Valladolid. This piece of news delighted the magistrate, and preparations were made to capture the Doctor on his arrival. When Figueroa reached Cuellar in the evening, he was immediately seized on the charge of murder and taken to prison in spite of his protests of innocence. Fortunately for him, a friend who had seen him in prison interested D. Diego de la Cueva, son of the Duke of Albuquerque, in the case and the latter procured his release, and entertained him at his home. The Duke persuaded him to give up his pilgrimage, and Figueroa returned to Valladolid, after spending a month at Vitoria.¹

When Figueroa again returned to his native town in the latter part of the year 1604, that city was not only the capital, but had become the centre of nearly all the literary activity of Spain, for the chief poets and men of letters of the *siglo de oro*, with the exception of Lope de Vega, had followed the Court to Valladolid.² It would be difficult to find in the history of any literature a more imposing

¹ A small town, also in the province of Valladolid.

² Señor Cortés gives an interesting account of the literary men living at Valladolid during this period in his *Noticias de una corte literaria*, Madrid, 1906.

group of literary men than those living at Valladolid during the short space of five years before the Court returned to Madrid. There Agustin de Rójas finished his *Viaje entretenido*, Luis Vélez de Guevara and Antonio de Mendoza were living there in the service of the Conde de Saldaña. Quevedo and Alonso Jerónimo de Salas Barbadillo were attending the University; and Bartolomé Leonardo de Argensola, Miguel Sánchez, Vicente Espinel and Góngora added lustre to this remarkable Court. In 1605, Pedro de Espinosa published his *Flores de poetas ilustres*, containing for the most part, the verses of poets living at Valladolid. Cervantes arrived there early in the year 1603, and probably wrote two of his novelas in that city, *El Coloquio de los perros*, and *El casamiento engañoso*. Figueroa must have known all these men personally, but judging from the disparaging tone with which he speaks of his life there, we may readily believe that he failed to win their friendship.

Soon after his return to the capital, Figueroa's quarrelsome disposition brought him into trouble. In *El Passagero*,¹ he gives the following account of the affair, which probably took place about March, 1605, "the last year of the Court at Valladolid," as he tells us.² One morning after a session of the Council, a few office-seekers and lawyers were discussing the merits of their respective professions. The debate became heated, and when an insolent fellow declared that the office-seekers lacked ability to become lawyers, the impetuous Figueroa undertook the defense of his colleagues. His adversary continued his insulting remarks, and Figueroa, unable to restrain his anger, stabbed the fellow in the side. His opponent fell to the ground as though dead, the by-standers quickly dis-

¹ Fol. 224b, ff.

² The Court returned to Madrid in March, 1606.

persed, and Figueroa took refuge in the church of San Quirce which stood near by. However, he left there immediately, in order to throw his pursuers off the track, and hid in the church of San Francisco, where a relative of his was a friar. From the latter he learned that his adversary's life was in danger, and he thereupon decided to flee to Andalusia. Disguised as a priest, he travelled to Baeza,¹ and spent the months of April and May at Ubeda and Jaen. From this we may infer that his unfortunate quarrel took place in the month of March.

He spent the summer at Granada, where he fell in love, but the sudden death of the lady filled his heart with sorrow, and he determined to leave the city, now so full of painful memories. He visited Cordova and Seville, and at Puerta de Santa Maria, he made the acquaintance of the poet Luis Carrillo, to whom he pays a tender tribute in *El Passagero*.² After a month's stay at San Lucar, he returned to Madrid with Carrillo, for he had learned that his opponent in the quarrel at Valladolid had recovered, and he could therefore enter the capital without fear of prosecution.

¹ A town in the province of Jaen.

² Fol. 279. Carrillo died in 1610. To him is usually attributed the introduction of the so-called Gongorism into Spain, through the influence of Giovanni Battista Marino. See Fitzmaurice-Kelly, *Historia de la literatura española*, p. 384.

CHAPTER II.

FIRST LITERARY ACTIVITY; TRANSLATES THE "PASTOR FIDO."

We have seen that Figueroa left the King's service in 1604, when he returned to Spain, and had attempted without success to secure favour at Court. In his despair, he petitioned the King for assistance, as a reward for his service of sixteen years in various posts in Italy. The King was favourably impressed by the young man's petition, and on April 8, 1606, wrote a letter to the Archduke Albert, in which he recommended Figueroa for some honourable employment.¹ As far as we know, this appointment was never made, and Figueroa, losing all hope of ever securing office, turned his attention to literary work.

In *España Defendida*, he tells how he had lost the Royal favour, and describes his arrival at Madrid:

"Gran mayoral sirviendo, su ganado
apacenté cuydoso y vigilante;
mas dexóme afligido, y lastimado
quedar atras, en vez de yr adelante:
Bien sabes tu, ques laberinto el hado;
y que á qualquier mortal es importante,
quando discurre más, y más entiende,
dexalle, si perderse no pretende.

¹ This letter was published in the introduction to Figueroa's biography of Don García de Mendoza, Marqués de Cañete. See p. 16, and Appendix, p. 99. In the Prologue to this work, Figueroa's friend, Don Gabriel Caravajal de Ulloa, says that the author had taken up literary work after he had left the King's service.

Yo pues, no quise rastrear el mio,
 sino sufrir callando su aspereza;
 aunque tal vez me ví falto de brío,
 que quien no siente el mal, tiene bajeza.
 Guiado de mi ciego desvarío
 vine á la insigne villa, cuya alteza
 tanto sobre las otras se encarama,
 quanto el alto ciprés sobre la grama."¹

He had gone to Madrid with high hopes of success, but was disappointed with the life at Court, for he discovered that the pomp and display of wealth which had dazzled him on his arrival was merely a brilliant exterior beneath which lurked a multitude of evils. The ministers paid no heed to the best interests of the State, and the voice of duty was stilled by their efforts to secure personal advancement, while the city was filled with petty office-seekers, who tried to secure favour by unworthy means. His literary work was harshly criticised, and he was not slow to retaliate by heaping abuse upon his critics.

In the Prologue to *Hechos de Don García de Mendoza*, Don Gabriel Caravajal de Ulloa gives an important list of eight books which his friend Figueroa had composed between 1602 and 1612, a very considerable literary achievement. The first work mentioned is the *Espejo de juventud*, written at Naples, probably as early as 1602. Of this first book of our author, we only know that it treated of the good qualities which young gentlemen should possess. It is mentioned in the Prologue to the edition of *España Defendida* (printed at Naples in 1644) among the works composed and published by Figueroa, but no copy of it is known to exist.

The second work of Figueroa mentioned by Caravajal, was his translation of Guarini's *Pastor Fido*. The original

¹ Fol. 37.

Italian work was first published in 1590, and the innumerable editions which soon followed, both in Italy and abroad, are proof of the favour with which it was received.¹ It was translated into French in 1593, into English by Dymocke, in 1602, and greatly influenced the development of the pastoral drama in those countries. The first Spanish translation was published at Naples in 1602, the work of Christóval Suárez.² The text is preceded by laudatory sonnets in Spanish by Luis Vélez de Santander³ and Alonso de Salazar, and in Italian by Alessandro Ademari and Doctor Vincenzo Bruni. This translation was reprinted at Naples in 1622, which Salvá says is a copy of the edition of 1602.⁴ However, the dedication was changed, for the first edition was inscribed to Balthasar Suárez de la Concha, and the second to Don Juan Battista

¹ Ben Jonson, in *Volpone*, Act III, Scene II, tells how the English poets plundered Guarini:

"All our English writers,
I mean such as are happy in the Italian,
Will deign to steal out of this author, mainly:
Almost as much as from Montagnié:
He has so modern and facile a vein,
Fitting the time, and catching the court-ear!"

² *El Pastor Fido. Tragicomedia pastoral de Battista Guarino. Traducida de Italiano en verso castellano por Christóval Suárez.* Napoles, Tarquinio Longo, 1602. 8°. There is a copy of this rare book in the Biblioteca Comunale of Ferrara. (See Rossi, *Battista Guarini ed il Pastor Fido*, p. 318.)

³ Luis Vélez de Guevara used his mother's apellido, *de Santander*, until about 1603. See *El Diablo Cojuelo*, by Felipe Pérez y González, p. 173.

⁴ *Catálogo*, Vol. I, p. 448. The full title of this second edition reads as follows: *El Pastor Fido, Tragicomedia Pastoral, de Battista Guarino, traducida de Italiano en verso Castellano, por Christóval Suárez, Dottor en ambos derechos, Dirigida al señor Iuan Battista Valenzuela Velásquez, consejero collateral de su M. C. Regente de la Regia Cancellaría del Reyno de Napoles.* En Napoles. Por Domingo d'Ernando Maccarano, 1622. 12°.

Valenzuela Velázquez. In this later edition, the author's name is given as Christóval Suárez, *Doctor en ambos derechos*.

In 1609, a new Spanish translation of the *Pastor Fido* appeared at Valencia, the work of Christóval Suárez de Figueroa.¹ The *aprobación* was signed at that city on August 1, 1609, the same day that permission to print *La Constante Amarilis* was granted. Figueroa dedicated his translation to the Duke of Mantua, the friend and patron of Guarini. On September 9, 1609, Celliero Bonatti wrote from Madrid to the Duke of Mantua concerning Figueroa's translation: "Di gia si è stampato il Pastor fido, il quale è riuscito in tutta perfettione. Con il ritorno del Sr. Marchese (Vincenzo Guerrieri), glielo manderò a V. A."² Allacci mentions a Spanish translation of the *Pastor Fido* by Cristóval Suárez Piaciano de Figueroa, printed at Valencia in 1604 by Pedro Patricio Mey.³ He probably made a mistake in the date as well as in the author's name, for as far as I am aware, no such edition is known.

This version differs as much from the one published at Naples in 1602 as is possible in two works with a common original. The earlier translation with its use of rime, contrasts strongly with Figueroa's version which follows the free and rapidly changing metre of Guarini's poem. The phrasing is totally different, and in no passage could I discover traces of a *rifacimento* of an earlier work. Even the

¹ *El Pastor Fido, Tragicomedia Pastoral de Baptista Guarini. Traduzida de Toscano en Castellano por Christóval Suárez de Figueroa, á Don Vincencio Gonzaga, Duque de Mantua, y de Monferrato. Impreso en Valencia, en casa de Pedro Patricio Mey, junto á S. Martín. 1609. 8º.*

² Vittorio Rossi, *Battista Guarini ed il Pastor Fido*. Torino, 1886, p. 318.

³ *Drammaturgia*, Venezia, 1755, col. 604.

translation of the prose introduction differs entirely in the two versions. A few parallel passages will show to how great a degree these two translations vary. That of Christóval Suárez begins as follows:

Pastores los que encerrado
 Haueis la terrible fiera,
 Partid á dar con cuidado
 De la caza que se espera
 El aviso acostumbrado.
 Pues Cintia á su estudio inclina
 De todas las intenciones,
 Despertad por los cantones
 Los ojos con la bocina,
 Con voces los corazones.
 Sígame todo pastor
 Del campo y selvas amigo,
 Que si es zeloso de honor,
 Hoi en la ocasion conmigo
 Podrá mostrar su valor.
 Vamos donde recogido
 En espacio limitado,
 Mas para pecho atrevido
 Ancho y largo demasiado,
 Está el javalí temido.

Compare this with the beginning of Suárez de Figueroa's translation:

Id vos los qu'encerrastes
 La horrible fiera, á dar la seña usada
 De la futura caza; id despertando
 Con el cuerno los ojos,
 Y con la voz los corazones. Si hubo
 En Arcadia jamás pastor de Cintia
 Y su ejercicio amigo,
 A quien el generoso pecho, gloria
 O cuidado de selvas incitase,
 Hoi lo muestre y me siga
 Hasta donde encerrado
 Está en pequeño cerco,
 Más campo al valor nuestro dilatado,
 Aquel terrible javalí, aquel monstruo
 De la naturaleza y de las selvas.

The chorus at the close of the first book is translated as follows by Christóval Suárez:

O ley alta y nacida
 En el seno glorioso,
 Y en la mente de Jupiter divino
 Cuya fuerça escondida
 Está en el ser precioso,
 Que el orbe siente, ni jamás declina,
 Los ánimos inclina
 Naturaleza ayuda, etc.

and by Suárez de Figueroa:

O en el pecho de Iove,
 Ley alta e poderosa,
 Escrita, antes nacida,
 Cuya suave, y amorosa fuerça
 Está en el bien que no entendido siente
 Toda cosa criada,
 Los ánimos inclina,
 Lo natural esfuerçe, etc.

Figueroa's authorship of the earlier version was first questioned by the Spanish translators of Ticknor. Gayangos noted the difference between the two translations, and believed that since it was not customary for authors or book-sellers to change the dedications of the books they published, the version printed at Naples in 1602 and 1622 was not the work of Figueroa, unless he had made two separate translations, which was not probable.¹ Salvá did not entirely reject this theory, but felt that there was not enough evidence to settle the question definitely.²

¹ *Historia de la literatura española*, Vol. III, p. 543.

Ticknor, *ibid.*, p. 285, says that Figueroa's translation was first published at Naples in 1602, but adds that the edition of Valencia is more correct.

² *Catálogo*, Vol. I, p. 448.

We know that Figueroa had begun to write as early as 1602, that he was in Naples in that year, and that he was *doctor en ambos derechos*, as was the author of the version of 1602. However, there is other evidence which seems to prove that our author took no part in the earlier translation. In *España Defendida*, Figueroa describes his arrival at Madrid, probably in the spring of 1606, after his travels in Andalusia, and he tells how he sought to relieve the disappointment which he felt with life at Court, by translating the *Pastor Fido*:

Tal vez porque mi pena se aflojasse,
quise atraer la musa al dulce canto;
con que orilla del Tajo se quejasse
hize, pastor nacido en Erimanto.
Y aunque su ser la embidia molestasse,
con vituperio suyo, pudo tanto,
que siempre resonante, siempre entera,
mi lyra compitió con la estrangera.¹

We may infer from this passage that Figueroa did not begin his translation until after his arrival at Madrid in 1606.

The translation of 1602 is preceded by laudatory sonnets, a practice which Figueroa bitterly condemned in *El Pasagero*. Nowhere does he speak of having made more than one translation of the *Pastor Fido*, and besides, it is hardly possible that a man could make two translations of the same work in the space of seven years without the second showing plainly that it was an attempt to improve on the first. Moreover, it is not likely that the version of 1602 would have been reprinted if the same author had published a better one in 1609. In his letter to the Duke of Mantua, Celliero Bonatti says that Figueroa's translation had just appeared in 1609, and it is probable that the

¹ Madrid, 1612, fol. 39.

wording of the letter would have been different, if the same author had published an earlier version. From this evidence we may believe that Suárez de Figueroa took no part in the translation of the *Pastor Fido*, published at Naples in 1602.

The question may be asked, if Christóval Suárez was not Christóval Suárez de Figueroa, who was he? Gayangos offered the explanation that perhaps this first translation may be attributed to a poet named Christóval Suárez Triviño, who wrote some verses for the poetical contest celebrated in honour of San Isidro in 1620.¹ However, we have no other facts in regard to this poet, and nowhere else in the history of Spanish literature do we meet the name of Christóval Suárez.

The superiority of Figueroa's version over the earlier one has never been questioned. By following the original metre he was better able to reproduce the spirit of Guarini's text. His translation is accurate, and still preserves the rapid movement, the wealth of colour and poetic imagery, and the keen sense for the beautiful, which characterize his original. Especially in the lyric passages, we feel that the *Pastor Fido* loses little of its charm in its Castilian dress, and that it is worthy of an honoured place among the best translations in the Spanish language. Cervantes mentions it with praise in *Don Quixote*.² After speaking rather

¹ *Historia de la literatura española*, Vol. III, p. 544.

² Part II, Chap. LXII.

The *Pastor Fido* was again translated into Spanish by Doña Isabel Rebeca de Correa. This version was published at Amsterdam and Antwerp in 1694. She says in the Prologue, that after reading the *Pastor Fido*, she eagerly desired to translate it into Castilian, "y aunque Christóbal Suárez de Figueroa se adelantó en el intento, y lo consiguió, no por esso desmaié en la trabajosa empresa; antes me puso espuelas á la execucion." She even boasted of having improved upon the original in some parts, but her own high opinion of her work has not been shared by posterity.

slightingly of translations and translators, he adds, "Fuera desta cuenta van los dos famosos traductores, el uno el Doctor Christóbal de Figueroa en su *Pastor Fido*, y el otro Don Juan de Xáuregui en su *Aminta*, donde felizmente ponen en duda qual es la traducción ó qual el original."

CHAPTER III.

LA CONSTANTE AMARILIS.

We have seen that Figueroa was very much dissatisfied with life at Madrid. His keen criticism of the evils at Court brought upon him the ill-will of the ministers, and his own lack of success made him bitter against those who were more fortunate. He gladly accepted an opportunity to leave the capital, and entered the service of Don Juan Hurtado de Mendoza, who was living at Barajas, a small town in the province of Cuenca. It was to this friendship that Figueroa's pastoral romance, *La Constante Amarilis*, owes its origin. In *España Defendida* he speaks of his departure from Madrid, and his life in the country:

Mas como viesse (ocioso de contino)
quel cano Rey irreparable buela,
de mi mal á mi bien abrí camino,
y al punto puse á mi tardança espuela:
Iuzgué la Corte el pecho de Cratino,
y antes que me dexasse, al fin dexéla;
sacando en vez del padecido daño,
(que no fué poco) un cuerdo dessengaño.

Boluíme pues á la quietud sagrada
destos montes, y seluas, destos prados,
donde está mi fatiga bien pagada,
donde triunfo feliz de mis cuydados.¹

La Constante Amarilis was published at Valencia in

¹ Madrid, 1612, fol. 39b.

1609,¹ and was dedicated to Don Vincencio Guerrero, Marqués de Montebelo. Figueroa tells the story of its composition in *El Passagero*.² Some years before, a friend asked him to celebrate the beauty and constancy of his fiancée in a pastoral romance like the *Galatea* or *Arcadia*. He hesitated to accept, but was finally obliged to undertake the task, which proved to be very distasteful. He was forced to write rapidly, for his friend constantly urged him to finish the book without delay.

In the Prologue Figueroa says that his purpose was to celebrate the constancy and suffering of two persecuted lovers, from the beginning of their lives until their happy marriage. In his dedication to Don Vincencio Guerrero, he says, "These discourses contain a recent story of such worthy love, that from it, the most ardent lovers can learn how to attain their desires by long suffering." In the Prologue he offers as an excuse for the faults of the book that it was composed and written in two months, "as many know, and especially the persons celebrated in it." It is evident that we have to do here with a *roman à clef*, and that the story upon which it was founded was well known.

In making an actual occurrence the subject of his pastoral, Figueroa merely followed a convention which dates back to Theocritus, and which had been employed in Spain by Montemayor, Cervantes, Luis Gálvez de Montalvo, and Lope de Vega.³ Sometimes the poet introduced his friends or his

¹ *La Constante Amarilis. Prosas y versos de Christóval Suárez de Figueroa. Divididos en quatro Discursos.* Valencia, junto al molino de Rouella. año mil 600. y nueve (1609). 8°.

² Fol. 69.

³ For a full treatment of the pastoral romances in Spain, see Dr. H. A. Rennert's monograph, *Spanish Pastoral Romances*, Baltimore, 1892.

patron into the story as shepherds, and in some cases, he told of his own love affairs in this way. Lope refers to this practice in his lively comedia, *La Moza de Cántaro*. Doña Ana accuses Don Juan of having sung the praises of a *moza de cántaro*, but adds:

Si es disfrazar vuestra dama,
 Como suelen los poetas,
 Por tratar cosas secretas
 Sin ofensa de su fama,
 Está bien; pero si no,
 Bajo pensamiento ha sido.¹

The plot of *La Constante Amarilis* is quite simple. Damon, a shepherd from the banks of the Pisuerga, comes to a fair plain, not far from Madrid, where the shepherds and shepherdesses, under the leadership of Menandro, were enjoying the delights of pastoral life, the most important feature of which was love-making. Menandro welcomes the new-comer and relates to him the sad story of his love-affair.² He had fallen passionately in love with his cousin Amarilis, who was confined in a convent. They had succeeded in seeing each other many times, and finally became engaged.

The match was bitterly opposed, however, by the lady's family. The affair reached the King's ears, and Amarilis was confined in another prison, while Menandro was detained on his estates near Madrid. Finally it was announced to the shepherds that Menandro's marriage would soon be celebrated, for the Pope had granted a dispensation allowing the cousins to marry. Here we have all the elements of a genuine romantic story, the abduction of a girl from a convent, the consequent disgrace, the King's dis-

¹ Act II, Scene III.

² *La Constante Amarilis*, 1781, pp. 33-37.

pleasure; blood relationship makes the union still more difficult, when the *deus ex machina* appears to untie the knot in the form of a dispensation from the Pope. This looks like pure fiction, but as we shall see, it is an absolutely true story.

The marriage celebrated by Figueroa in *La Constante Amarilis* was that of Don Juan Andrés Hurtado de Mendoza, with Doña María de Cárdenas, daughter of D. Bernardino de Cárdenas, Duke of Maqueda, and of Doña Luisa Manrique de Lara, Duchess of Nájera.¹ Both contracting parties belonged to families of the highest nobility. D. Juan Andrés de Mendoza was a son of D. García de Mendoza, fourth Marquis of Cañete, and famous for his victories over the Araucanians in Chile. He was born about 1563, and early in life married Doña María Pacheco y Bobadilla, daughter of the Count of Chinchón. At the age of twenty-five, he accompanied his father to Peru, of which country the latter had just been appointed Viceroy. His wife, Doña María, died soon after the return to Spain in 1596, and Don Juan married as second wife, Doña María de la Cerda, daughter of the Duke of Medinaceli. She died soon after the marriage, and in 1609 Don Juan took as third wife, Doña María de Cárdenas y Manrique. Lopez de Haro,² writing in 1622, says that five children had been born to them.

¹ This identification of the principal characters of *La Constante Amarilis* was published by me in *Modern Language Notes*, Vol. XXI, 1906, pp. 8-11.

Clemencin, note to *Don Quixote*, Vol. VI, p. 441, conjectured that the Amarilis of Figueroa was perhaps the actress María de Córdoba, from the fact that she was generally known under the name of Amarillis.

² *Nobiliario*, Vol. II, p. 353.

Juan Pablo Martyr Rizo, in his *Historia de la muy noble y leal ciudad de Cuenca*, Madrid, 1629, p. 215, speaks as follows of D. Juan Andrés: "Sus virtudes son generales, sus defetos (si algunos tiene como hombre) particulares, que parecen no de otra manera, que átomos invisibles en la grandeza de su reputacion."

Our sources of information in regard to the marriage of Don Juan Andrés and Amarilis, are Cabrera de Córdoba's *Relaciones*, and Figueroa's biography of Don García de Mendoza, Don Juan's father. These accounts agree so closely with the version of the affair in *La Constante Amarilis*, that there can be no doubt as to the identity of the principal characters.

Damon, the shepherd from the banks of the Pisuerga, is Figueroa himself, born at Valladolid, which is situated on that river. He adopted the same name in his epic, *España Defendida*. We have seen that Menandro related to Damon how he had fallen in love with his cousin Amarilis who was confined in a convent, that they had made mutual promises of marriage before a notary, and that the opposition of the family of Amarilis to the match had led to the imprisonment of both of them.¹ Let us see how closely Cabrera de Córdoba's account, dated September 29, 1607, of this third matrimonial venture of D. Juan Andrés de Mendoza, corresponds to the above version:²

“Ha sucedido que la duquesa de Nájera tenía su hija mayor Doña María en un monasterio de Torrijos, y por algunos medios que hubo Don Hurtado, hijo del Marqués de Cañete, fué allá, y delante de un escribano se dieron palabra de casarse, y poder para traer dispensacion para efectuarlo.³ Esto llegó á la noticia de la Duquesa, que lo tomó con mucho sentimiento, y prendieron á don Hurtado y le tienen con dos guardas en casa de un alcalde de Corte, y enviaron otro alcalde al monasterio para que guardase á la dicha doña María, que nadie la hable, ni le pueda dar

¹ *La Constante Amarilis*, Madrid, 1781, pp. 33-36.

² Cabrera de Córdoba, *Relaciones de las cosas sucedidas en España, 1599-1614*, p. 316.

³ This was necessary because they were cousins.

ni recibir de ella recaudos ni dádivas, y se puso pena á la Duquesa y al Duque su hijo para que no puedan ir allá. Dícese que la Duquesa mostraba poca voluntad á la hija y quería que fuese religiosa, y por no quererlo ser, la trataba con aspereza y no le daba lo que había menester, y fué necesario acudir al consejo para que le mandase dar alimentos; y este rigor ha sido causa de la que ha sucedido, y querer la Duquesa casar otra hija menor con grande dote; y ha mandado S.M. que no se escriba sobre este negocio, lo que hace creer tendrá efecto el casamiento."

Figuroa in his *Hechos de Don García de Mendoza* also refers to this marriage: "Mientras atendía á esto, se le recreció una ocasion de gravissimo cuidado. Esto fué el tratado casamiento de su mayorazgo con Doña María de Cárdenas, hija de los Duques de Maqueda y Nájera. Hiziéronse de la otra parte para impedirle las diligencias posibles, (por tener ya de otro matrimonio hijo varon sucesor de su casa y estado), no solo en España con su Magestad, sino en Roma con el Pontífice, de quien pendía la dispensacion del parentesco que avía entre los dos."¹

If we examine the story which Menandro related to Damon (Figuroa) of his love-affair, we find that it corresponds closely to the above. He says that formerly he took pleasure in entertaining with music and celebrating in verse the shepherdesses of the Manzanares, but never had his heart been touched by love, a rather remarkable statement when we remember that he had already been twice married. He continues: "Passing from one village to another, I happened to hear of the beauty and perfection of my cousin Amarilis. In strict confinement, owing to the wishes of her family, she was honouring a small place, etc." He determined to go and see her, and his joy knew no

¹ Madrid, 1613, p. 322.

bounds when he could "*pelar la pava*" at her window. "I went to see her frequently," he says, but the presence of the stranger caused some disturbance in the neighbouring farm-houses, "and the last time, hastening our plans, we solemnly promised to become man and wife, and thereupon, the sun which nourished my life, was hidden."¹ Cabrera de Córdoba says that Don Juan Hurtado went to the convent at Torrijos, where Doña María de Cárdenas was confined, and before a notary they mutually made a promise of marriage.

Menandro continues: "Finally, when the affair was known, her relatives, for certain reasons, tried to destroy the marriage bond, asking our Supreme Shepherd, (the King), to proceed against me with all severity, for what I had attempted." They were both put in confinement, and he tells Damon "that the moon had shown a full face sixteen times since his troubles began." Cabrera de Córdoba's account of the discovery of their relations is dated September 29, 1607, and the action of the *Constante Amarilis* is supposed to take place after a lapse of sixteen months, or the early part of the year 1609. This corresponds to the date March 29, 1609, given by Figueroa in *Hechos de Don García de Mendoza* as the date of the marriage of Don Juan Hurtado with his cousin.² We have already seen that Cabrera de Córdoba speaks of the hostility of Doña María's family to the match, and that when their relations were discovered both parties were kept closely guarded, while the lady's family appealed to the King for aid.

Near the close of the *Constante Amarilis*, we read that Menandro's troubles are about at an end. "In the meantime, the father of Menandro, a famous shepherd, whose

¹ *La Constante Amarilis*, 1781, p. 35.

² Madrid, 1613, p. 321.

valiant sword penetrated with rare glory the two extremes of the world,¹ petitioned the Supreme Priest, (the Pope), to remove the bar of relationship which hindered the happy marriage of Menandro and Amarilis, and after some difficulty, so just a petition was granted."² The Temporal Power (the King) had to yield to the Spiritual Power (the Pope) and so the confinement of the lovers ceased, and their marriage was expected without delay. Great was the joy of Menandro and Amarilis when they saw the end of their misfortunes, and then followed the congratulations of Menandro's family and friends.

Cabrera de Córdoba in a letter dated April 11, 1609, gives the following account of the wedding:³ "El casamiento de don Hurtado, hijo del Marqués de Cañete, se hizo en Barajas,⁴ asistiendo los de la casa de Lemos como deudos,⁵ con la hija de la Duquesa de Nájera; aunque la madre lo ha procurado impedir y contradecir la dispensacion, y cuando no ha podido más, en lugar de librea, ha dado á sus criados luto, y se ha mandado á los casados se vayan á residir en Argete, lugar del Marqués, hasta ver si se pueden reducir en la gracia de la Duquesa."

Figueroa gives additional details of the wedding in *Hechos de Don García de Mendoza*:⁶ "Estos importunos debates brotando no corto sentimiento, apuraron demasiado la salud del Marqués: porque necessitado de tratar solo deste punto, le era forçoso recorrer por instantes á su Magestad, acudiendo con informaciones á casas de Ministros, y con

¹ This praise was due to Don García's victories over the Araucanians in Chile.

² P. 277.

³ *Relaciones*, p. 367.

⁴ Barajas is a small town in the province of Cuenca.

⁵ Don García de Mendoza's first wife was Doña Teresa de Castro, daughter of Don Pedro Fernández de Castro, Count of Lemos.

⁶ Madrid, 1613, p. 322.

súplicas á Roma. Al cabo, vencidos tan fuertes contrastes, se concluyó el deseado matrimonio, en veytinueve de Março de seiscientos y nueve. Apadrinóle el conde de Lemos, don Pedro Fernández de Castro (entonces Presidente del Real Consejo de las Indias, y oy Virrey del Reyno de Nápoles), junto con la Condesa su mujer. Señalóse Barajas para el desposorio; donde los padrinos hizieron admirar á los circunstantes con la espléndida comida, y aparato de lo demás necessario que al improviso mandaron prevenir. Buelta á Madrid parte del acompañamiento, pasaron los esposos aquel día tres leguas más adelante, á una villa suya, llamada Argete. Apenas corrieron seys meses despues de la conclusion destas bodas, quando el Marques se sintió agravadissimo de la gota." The Marquis became rapidly worse and died October 15, 1609 at the age of seventy-four years.

In 1609, D. Juan Andrés succeeded to his father's estates and to the title of Marqués de Cañete, and both he and Doña María were still living in 1628, when Juan Pablo Martír Rizo wrote his *Historia de Cuenca*. Doña María was celebrated by the poet Alonso de Salas Barbadillo in his *Rimas Castellanas*, a work dedicated to the Marqués de Cañete. The dedication concludes with this high tribute to Doña María:

La eleccion de tan alta compañía
 Como la que gozays merece historia,
 Escrita en consonancia, y armonía.
 Pues mi señora, la Marquesa, gloria
 De vuestros braços, y blason de España,
 Con que no haze admirable su memoria?
 Si demás de la sangre que acompaña
 De Manrique, y de Cárdenas sus venas
 Con quien la misma Real no se halla estraña.¹

¹ *Rimas Castellanas*, Madrid, 1618.

Christóval de Mesa also celebrated Doña María de Cárdenas in a poem written in her honour :

Unico honor de toda Estremadura,
 Lo que me aueys mandado agora canto,
 Que desde la monástica clausura,
 Vuestro valor al mundo causa espanto:

Que ilustrando de Cárdenas el nombre,
 El resplandor de vuestra clara llama,
 Podrá de Reyno en Reyno y de hombre en hombre,
 Dar mayor buelo á vuestra eterna fama.¹

La Constante Amarilis contains much veiled flattery of Figueroa's patron and of the family of Cañete. By means of a dream, a device often employed in the pastoral romances, we learn of the honourable part taken by Menandro's ancestors in the victories of the Spaniards over the Araucanians in Chile:² "Fuéron, viéron y venciéron, alcanzando en diferentes batallas gloriosos trofeos, fixando el estandarte de Austria en los encumbrados cerros jamás domados, y poniendo con heroica virtud las invencibles plantas sobre las essentas cervices."³ Then Clio prophesies that Heaven has reserved for Menandro the final victories over that proud nation, and tells of his triumphant return to Spain after his conquest of Arauco.⁴

¹ *Rimas*, Madrid, 1611, fol. 220.

² He referred to Menandro's grandfather, D. Juan Hurtado de Mendoza, Viceroy of Peru, and to his father, D. García, Governor of Chile in 1557 and Viceroy of Peru in 1588.

³ *La Constante Amarilis*, p. 126.

⁴ It appears that Figueroa anticipated matters in relating the deeds of D. Juan Andrés de Mendoza in Chile, since as far as I know, he took no part in the war there after his father's return to Spain in 1596. Figueroa himself apologizes for this in his prologue to the Reader: "I know well that the prophecy of the victory over Arauco by Menan-

Figueroa's intimacy with D. Juan de Mendoza continued for several years, at least until 1616, when he dedicated to him the second edition of his *Hechos de Don García de Mendoza*. Although he intimated in *El Passagero*¹ that he had not been sufficiently rewarded for his labour in writing his pastoral romance, he repeated his praise of the fair Amarelis in *España Defendida*:²

Celebré con el nombre de constante
del sacro Mançanares en la orilla,
aquella dulce amada, y tierna amante,
de belleza, y auiso marauilla:
Mas otra vez que mi çampoña cante,
tendrá su nombre entre los orbes silla,
porque buelto deidad de su alta gloria,
á la posteridad quede memoria.

La Constante Amarelis follows the same general plan of all the pastoral romances, for the conventional form was so firmly established that there was little opportunity for originality of treatment. According to a tradition of long standing, the flocks roamed at will over the hills, while the shepherds and shepherdesses met in a shady grove to discuss the merits of poetry or some subtle question of love. We complain of the artificiality of this form of literature, but we must remember that the poets no more attempted to

dro may seem strange to you, but be sure that what is written here is based on what a certain eminent astrologer judges from his birth." It is likely that Don Juan intended to take part in the war in Chile, but later changed his mind.

¹ Speaking of his pastoral romance in *El Passagero*, fol. 69b, he says, "It must be remembered that without ever having seen the lady, I gave her the name of most fair, discreet and constant." The Master replies, "It was no slight service, no doubt the lady knew how to appreciate it," and the Doctor (Figueroa) answers rather bitterly, "*Con muda lengua y apretado puño.*"

² Fol. 39.

describe real pastoral life than did Watteau to paint real shepherds, and no one laughed more heartily at the incongruities of the *genre* than Cervantes in his *Coloquio de los perros*, although to the end of his life he promised to complete his pastoral, the *Galatea*.

Of all the forms of literature which were popular in the sixteenth and seventeenth centuries, the pastorals have most completely passed out of fashion. The constant use of classical mythology and allegory is wearisome, and we yawn over the wordy and insipid love-making. The descriptions of Nature in *La Constante Amarilis* are conventional, and more often reproduce the *Arcadia* of Sannazaro than the country about Madrid. The language is pure, and shows no trace of the obscure figures and barbarous words which were later to invade Spanish prose and verse. The book seems to have been ignored by most of the poets of the period, but Cervantes speaks of it with praise in the *Viaje del Parnaso*:

Figuroa estotro el Doctorado,
Que cantó de Amarili la constancia
En dulce prosa, y verso regalado.

In 1614, a French translation of *La Constante Amarilis*, by N. Lancelot, was published at Lyons.¹ In this edition the French and Spanish texts appear side by side. The Spanish text was published again at Madrid in 1781.

Like all the other pastoral romances, *La Constante Amarilis* is interspersed with verses, many of which were

¹ *La Constante Amarilis, de Cristoual Suarez de Figuroa. Divisée en quatre Discours. Traduite d'Espagnol en François, par N. L. Parisien. a Lyon. Par Claude Morillon. M.DC.XIII. 8°.*

Lancelot also translated Lope de Vega's *Arcadia* in 1624, with the title *Délices de la vie pastorale*. See H. Koerting, *Geschichte des franzoesischen Romans im XVII Jahrhundert*, p. 65.

already written when he was asked to celebrate the marriage of D. Juan Hurtado de Mendoza and Doña María de Cárdenas. The versification is smooth and polished, but the true lyric note is rarely present. Sometimes, however, his poetry is really of the first order, and his best work is undoubtedly contained in this book. The following poems are especially worthy of mention: the sonnet at the beginning of the second discourse;

Ya la madre de amor luciente estrella
se muestra más alegre, viva y pura.¹

Meliseo's canción;

Si en tan desesperada despedida,
y en ocasión de tanto sentimiento.²

Clarisio's sonnet on the simple life;

O bien feliz el que la vida passa,
sin ver del que gobierna el aposento.³

Manilio's song to Amarilis;

Quando al nacer del día
prados se ven reír, y cantar aves.⁴

and Arisindo's sonnet to Silvia;

Silvia cruel, por quien el trance estrecho
del último suspiro me atormenta.⁵

¹ P. 75.

² P. 104.

³ P. 115.

⁴ P. 239.

⁵ P. 253.

CHAPTER IV.

ESPAÑA DEFENDIDA AND THE BIOGRAPHY OF THE MARQUÉS DE CANETE. LITERARY ACTIVITY FROM 1612 TO 1616.

We have no details of Figueroa's life between 1609, when he wrote *La Constante Amarilis*, and 1612, when his epic poem, *España Defendida*,¹ was published at Madrid by Juan de la Cuesta. He must have been busily engaged in literary work, for in the prologue to *Hechos de Don García de Mendoza*, the *Aprobación* for which was signed August, 1612, we read of the eight books which he had written in the preceding ten years. Five of these were probably composed between 1609 and 1612.

We know that Figueroa entered the service of Don Juan de Mendoza in 1609, when he left Madrid, disgusted with the life at Court; and we may infer from the following lines in *España Defendida*, that he was still in the service of that nobleman when he composed his epic poem:

Bolúme á la quietud sagrada
destos montes, y seluas, destos prados,
donde está mi fatiga bien pagada,
donde triunfo feliz de mis cuydados.²

He dedicated *España Defendida* to his patron, and eulogized him in the third stanza of the poem:

¹ *España Defendida. Poema Heroico de Christoval Suarez de Figueroa. año 1612. Con privilegio.* En Madrid. Por Juan de la Cuesta.

² Fol. 39b.

Generoso don Juan, gran decendiente
 de tanto Héroe, famoso en toda parte,
 baston á cuya diestra; á cuya frente
 la rama honró, que eternidad reparte;
 hijo de aquel magnanimo, y prudente,
 que en paz Iupiter fué, y en guerra Marte,
 oy tenga el don en vuestra sombra escudo,
 aunque pequeño, y de caudal desnudo.¹

Like nearly all the epic poets of his time, Figueroa looked to Italy for his model. In the prologue, he praises Tasso for having most faithfully observed the precepts of Horace concerning epic poetry, and he frankly confesses that he imitated the Italian poet in writing his own epic, "and so closely, in part of the general plan, and in two or three incidents of the battle between Orlando and Bernardo, that it might be called a version of that of Tancredo and Argante. I used even the same figures, (let the censor take note of this, lest he imagine that I try to conceal or pass off as false, that which he will call stolen,) and I would that I had the ability to translate it all into our language with the same elegance and force which it possesses in its own."

As Figueroa frankly admits, the general outline of *España Defendida* closely resembles Tasso's great epic, and it would be easy to point out many parallel passages in the two poems. However, Figueroa should not be too harshly criticised on the score of lack of originality, for although most of the Spanish epics of the sixteenth and seventeenth centuries treated national subjects, almost without exception they borrowed their form and style of treatment from

¹ In the edition of this poem, published at Naples in 1644, the only other edition known, this stanza is omitted. He intimated in *El Pasajero* that he had not been sufficiently rewarded for having written *La Constante Amarilis*, and perhaps for the same reason he omitted this stanza in praise of his patron when the poem was republished.

the Italian epics. Besides, Figueroa's imitation was in no way slavish, and stanzas are not lacking in which we find delightful poetic fancies, or the fire and vigour of a dramatic situation.

The poem is divided into fourteen books, or cantos, in octaves, and relates the victory of the Spaniards, led by Bernardo del Carpio, over Charlemagne and the invading army of Franks, at the battle of Roncevaux.¹ The argument of the poem, in brief, is as follows: Alfonso the Chaste, being old and without heirs, agreed to present his crown to Charlemagne, which the latter readily accepted, but the Spanish nobles, resenting this intrusion by a foreigner, annulled the King's pact. Charlemagne, however, insisted that the agreement be fulfilled, and after waiting five years, sent Roland and Archbishop Turpin to demand the crown in his behalf. The proposals of these ambassadors were promptly declined by the Spaniards, and they retired with threats of war. The Spanish army led by Bernardo del Carpio, and aided by the Moors, defeated the invading army at Roncevaux, and Bernardo killed the mighty Roland in single combat.

This bare outline gives little idea of the merits of the poem. Soon after the opening of the first canto, we have a strikingly dramatic scene, in which Figueroa appears at his

¹ The story of Bernardo del Carpio is a curious example of the way an old story is changed to meet the peculiar requirements of a nation. The story of Charlemagne's invasion of Spain, as told in the *Chanson de Roland*, hurt the national pride of the Spaniards, and to offset this they composed their own version, according to which Roland was defeated in single combat by Bernardo del Carpio, the champion of the Asturian army, when on the point of entering Spain. Señor Menéndez y Pelayo has fully treated the story of Bernardo del Carpio in the introduction to Lope de Vega's comedias, *Las Mocedades de Bernardo del Carpio* and *El Casamiento en la muerte*, in the Spanish Academy's edition of the works of Lope de Vega, Vol. VII.

best. Alfonso and his councillors listen to the threats of war from Archbishop Turpin, should they refuse to acknowledge the rights of Charlemagne. Alfonso, with becoming gravity, bids Turpin tell his master not to insist on troubling one who offers friendship, but that if the Emperor should decide to invade Spain, he would need all the forces of the Empire in the struggle. Then Roland, the great paladin, with a fiery glance, asks for the final answer:

En suma, guerra, y paz teney's delante,
 sepa qual de las dos más os agrada?
 Guerra (dixeron todos al instante)
 aquí la guerra sola es aceptada.
 Apenas esto, quando el prouocante
 terció la capa, y empuñó la espada
 diziendo con mayor corage, y brío:
 Pues á guerra mortal os desafío.

Quien desprecia la paz, aya la guerra,
 que jamás huuo falta de renzillas:
 yo solo pondré fuego á vuestra tierra;
 y assolaré yo solo vuestras villas.
 Sé, que vuestro sagrado es esta tierra,
 mas bien le violarán nuestras cuchillas;
 seruirán á los suyos de Obeliscos
 las encumbradas puntas de sus riscos.¹

Finally, after long preparations, the two armies are drawn up facing each other and, mid cries of St. Denis and Santiago, the battle begins. Many deeds of valour are performed on both sides, but the God of War favours the Spaniards, and soon the troops of Charlemagne retreat in disorder across the mountains, with the Asturians in hot pursuit. Bernardo meets Roland, by chance, on the battle field, and the description of their fight to the death is full of dramatic fire. Roland draws first blood, but this only

¹ Madrid, 1612, fol. 15.

urges the Asturian to greater efforts, and the struggle goes on:

Medroso dexa el páxaro su nido
 al resonar de la espantable guerra,
 y el bruto, con assombro repetido,
 ve la gruta temblar donde se encierra:
 Da, á los ecos el monte estremecido,
 de trastornarse amagos, y la tierra
 oprimida de fuerças tan estrañas,
 ya parece que exhala las entrañas.¹

Roland deals a mighty stroke with both hands, but Bernardo avoids the blow, and with a timely thrust, remains victor of the field.

España Defendida was reprinted at Naples in 1644, and this is spoken of as the fifth edition, revised and corrected by the author.² Inasmuch as no edition of the poem between 1612 and 1644 is known, it has been doubted whether this is really the fifth edition. In the prologue to the later edition, the author intimates that the book had received a certain amount of adverse criticism: "I know well that intelligent persons esteemed this work, for they know the value of study. From these, and not from idiots opposed to all learning, I recognize what praise it merits." In this new edition, the verses were in many cases improved, and a number of new stanzas were inserted. As has been already said, the third stanza of the edition of 1612, in praise of D. Juan Hurtado de Mendoza is omitted.

We know nothing of Figueroa's life in 1612, except that in that year he wrote a short prologue to *La Cruz*, a re-

¹ Ed. of Naples, 1644, Book XIV. This stanza is not found in the edition of 1612.

² *España defendida. Poema Heroico de D. Christoval Suarez de Figueroa. Auditor de exercito y Provincia que fue por su Magestad. En esta quinta impresion por su autor reconocido, y de las erratas enmendado.* En Napoles. Por Egidio Longo. 1644. 4^o.

ligious poem in five cantos by Albanio Remirez de la Travera. The following year appeared his biography of Don García Hurtado de Mendoza, fourth Marquis of Cañete.¹ The first *Aprobación* was signed by Fray Alonso Remon in October, 1612, and the book appeared about April, 1613. The work was dedicated to the Duke of Lerma, but as we shall see later, Figueroa was probably disappointed in the reward which he expected to receive from the Duke, for he dedicated the second edition, which appeared in 1616, to his old patron, D. Juan Hurtado de Mendoza.

In the prologue, Captain Gabriel Caravajal de Ulloa, a friend of Figueroa, gives a list of eight books which the latter had composed between 1602 and 1612, beginning with the *Espejo de Juventud*, written at Naples. In speaking of the seventh book written by Figueroa during this period, he says, "Likewise, at the request of Padre Fray Juan Bautista, of the Order of Nuestra Señora de las Mercedes, he translated the first volume of the *Obras espirituales* of Madre Bautista of Genoa,² a most holy servant of God, and a very illustrious woman, whose divine meditations are considered revelations, like those of Santa Ger-

¹ *Hechos de Don Garcia Hurtado de Mendoza, Quarto Marques de Cañete. A Don Francisco de Roxas y Sandoual, Duque de Lerma, Marques de Denia, etc. Por el Doctor Christoval Suarez de Figueroa.* En Madrid. En la Imprenta Real. ano MDCXIII.

² Battista Vernaccia, the authoress of these verses, was born at Genoa in 1497. At the age of thirteen she was called to the service of God, and became a nun in the convent of Santa Maria delle Grazie, in that city. After a long life spent in study and religious works she died in 1587, and the next year her writings were published at Venice in three volumes, with the following title: *Opere Spirituali della devota Vergine di Christo, D. Battista Vernaccia, Genovese.* In 1602, a fourth volume appeared at Venice, containing a life of the nun by Padre Dionisio da Piacenza. For an account of her life and works, see *Gli Scrittori Liguri descritti dall' Abbate Michele Giustiniani.* Rome, 1667, pp. 129-130, and Soprani, *Li Scrittori della Liguria*, Genoa, 1667, p. 55.

trude. This will be printed shortly." It is not likely that this translation was ever published, for we do not find it mentioned in the lists of his works which Figueroa published in *El Passagero*, in *Pusilipo*, nor in the edition of *España Defendida*, published at Naples in 1644. Figueroa shows a strong religious tendency in his works, and no doubt the task of translating the devout lyrics and mystic dissertations of the Genoese nun proved congenial to him. However, since his version was not published, we can not judge of its merits. Our loss is probably not a serious one.

But to return to the *Hechos de Don García de Mendoza*. This biography was the outcome of an effort on the part of D. Juan Hurtado de Mendoza to restore his father's prestige, and to show his deeds in Chile and Peru in their true light. In order to understand the part which Figueroa took in this effort, we shall have to consider briefly the events which led to it.

In the year 1557, D. Juan Hurtado de Mendoza was sent as Viceroy to Peru, and on his arrival, he learned of a revolt of the brave inhabitants of Arauco, in Chile. He immediately despatched thither his young son, Don García as Governor, who with a small force defeated the Araucanians in seven pitched battles. Alonso de Ercilla y Zúñiga was one of this brave little band of Spaniards, and we read in his epic, *La Araucana*, how the natives were gradually brought under the yoke of his Catholic Majesty. In 1588, Don Garcia was sent to Peru as Viceroy, and on his return to Spain in 1596 was held in high favour at Court until the accession of Philip III in 1598, when he was forced into the background by the favourites of the new King.

Although it is true that Ercilla related the deeds of the Spaniards in Chile in his *Araucana*, the friends of Don García felt that he had not been assigned in the poem the

important part which he deserved as leader in the war. This was probably due to a personal grudge on the author's part, for we know that Ercilla and Juan de Pineda had quarreled at a joust in 1566, and that the vigorous young Governor, Don García, had threatened to hang them both.¹ Ercilla could not forgive this affront, and in his epic he took good care not to overestimate the importance of the rôle played by the commander. However, panegyrists were not lacking to celebrate Don García in prose and verse, and to "burn on his altars all the perfumes of flattery." The first to defend his cause was Pedro de Oña, a young Chilean poet, who related the conquest of Arauco, and glorified the valour of Don García de Mendoza in his epic poem, *Arauco Domado*.²

Don García died in 1609, shortly after his son's marriage to Doña María de Cárdenas, and Don Juan Andrés succeeded to the title of Marqués de Cañete. He was not yet satisfied with the vindication of his father by Pedro de Oña, and selected Suárez de Figueroa, (who had celebrated his marriage in *La Constante Amarilis*), to write his father's biography. This work, entitled, *Hechos de Don García de Mendoza*, is mainly devoted to the recital of the exploits of Don García as Governor of Chile in 1556, and as Viceroy of Peru from 1588 to 1596. When we remember that Figueroa was entirely dependant upon his literary work for his livelihood, we need not be surprised that the book abounds in praise of the family of Cañete, though it surely does not deserve the severe criticism of Señor Antonio del Rio who called it "a collection of exaggerated flatteries."³

¹ See Señor Menéndez y Pelayo's *Antología de poetas hispano-americanos*, Vol. IV, p. xvi ff.

² First published at Lima, 1596.

³ *La Araucana, de Don Alonso de Ercilla*. Edition of the Spanish Academy, Madrid, 1866, Vol. II, p. 423.

Figueroa's work is an important document for the study of the early history of Chile and Peru.¹ In its composition, he made use of the *Historia del descubrimiento de las regiones Australes hecho por el general Pedro Fernandez de Quirós*.² A part of Figueroa's work, from page 228 to 291, was reprinted by Thevenot in the fourth volume of his *Collection de Voyages* with the title, *Dos Viajes del Adelantado Alvaro de Mendaña*, and it was this account which led La Pérouse to make his voyage to determine the exact location of the Solomon Islands.³

The first edition of this biography, published at Madrid in 1613, was dedicated to the Duke of Lerma, but the second edition, identical with the first, which appeared at Madrid in 1616, was dedicated to Figueroa's old patron, D. Juan Andrés Hurtado de Mendoza.⁴ He tells us in *El Passagero*⁵ that he had dedicated one of his books to the greatest Duke and favourite that monarchies had ever seen, but that he had hesitated to demand any recompense for his tribute. It is likely that he was disappointed at Lerma's lack of appreciation, and for this reason changed the dedication in the second edition.

Judging from the appearance of a second edition within three years, the book must have enjoyed some success, but

¹ This book has been reprinted in the *Coleccion de historiadores de Chile*, Vol. V. Santiago de Chile, 1865.

² This fact was mentioned by Señor Menéndez y Pelayo in his *Antología de poetas hispano-americanos*, Vol. III, p. CXCIII.

³ Salvá, *Catálogo*, Vol. II, p. 631.

Lope de Vega used this work of Figueroa in writing his comedia, *Arauco domado*. See Señor Menéndez y Pelayo's introduction to this play in Vol. XII of the Spanish Academy's edition of the works of Lope de Vega.

⁴ I find no notice of this second edition in Salvá nor in other bibliographies. There is a copy in the Biblioteca Nacional of Madrid.

⁵ Fol. 281.

Figueroa was at odds with most of the literary men of the period, and his works received little notice. However, the dramatist Luis Belmonte Bermúdez in his epic poem, *La Hispalica*, after mentioning Pedro de Oña and others who had written of South America, speaks in praise of Figueroa as follows:

“El Dr. Figueroa, aunque hijo de España, tiene hoy con justa razón por patria aquella nobilísima ciudad, (Lima) que le honra como á natural suyo; es también uno de los que pueden entrar á la parte en el laurel de Apolo, con igualdad de pocos.”¹

In the Prologue to the biography of the Marqués de Cañete, Caravajal de Ulloa speaks as follows of the sixth work written by Figueroa before 1612. “He translated from Portuguese at the request of the Fathers of the Jesuit Society, the account of what that Order has accomplished during the past years. This book is about to be published.” However, its publication was delayed, for it did not appear until 1614. The full title reads, *Historia y Anal Relacion de las cosas que hizieron los Padres de la Compañía de Jesus, por las partes de Oriente y otras, en la propagacion del Santo Euangelio, los años passados de 607 y 608. Sacada, limada, y compuesta de Portugues en Castellano por el Doctor Christóval Suárez de Figueroa. En Madrid, MDCXIII. En la Imprenta Real.*

This book is a close translation of a Portuguese work of Padre Fernão Guerreiro, which appeared at Lisbon in 1611, with the following title: *Relacam annal das cousas que fizeram os padres da Companhia de Iesus, nas partes da India Oriental, et em algûas outras da conquista deste Reyno nos annos de 607 et 608 et do processo da conuersão et*

¹ Gallardo, *Ensayo de una biblioteca*, Vol. II, col. 65.

*Christiandade daquellas partes, com mais huã addiçam á relaçam de Ethiopia. Tirado tudo das cartas dos mesmos Padres que de lá vierão, et ordenado pello Padre Fernão Guerreiro da Companhia de Iesu, natural de Almodouar de Portugal. Em Lisboa, Impresso por Pedro Crasbeeck, Anno MDCXI.*¹

In the Prologue to the Reader, Luis Cabrera de Córdoba, the learned biographer of Philip II, pays the author a high tribute, saying that the Jesuit Society had selected the scholarly pen of Doctor Christóval de Figueroa to describe what its famous men had accomplished in the conversion of the Indies, "a fortunate and prudent choice, for his volumes of poetry and history already published prove that to his hands alone should be entrusted the immortality of such heroic deeds."

The work is divided into five parts, and relates the missionary operations of the Jesuits in Japan, China, the provinces of Goa and Cochin, and in Ethiopia.² It is not a

¹ In speaking of this translation, Nicolas Antonio does not mention the author of the original work, but in the *Bibliotheca Nova*, Vol. I, p. 109, he speaks of two Spanish translations of Guerreiro by Antonio Collazo, with the titles: *Relacion de lo sucedido á los Padres de la Compañía de Jesus en la India Oriental, y Japon en los años de MDC y MDCI* and *Relacion de lo sucedido en los años MDCVII y MDCVIII*. This last is probably a translation of the same work which Figueroa translated, but I have not been able to compare the two versions.

² Señor Pérez Pastor, *Bibliografía Madrileña*, Vol. II, p. 300, says that Figueroa translated the first four books of the *Historia y Anal Relacion*, and was the author of the fifth book, which deals with Ethiopia. He believes this from the fact that the fifth book contains certain statements which differ from those given by Luis de Urreta in his *Historia eclesiastica, politica, natural, y moral, de los grandes y remotos Reynos de la Etiopia*, which was published in Valencia in 1610. However, the part of Figueroa's book which treats of Ethiopia is found in the original Portuguese work of Guerreiro, which was published in 1611.

book which is likely to find many readers to-day, but the account of the early Christian missions in Japan is not without interest.

Figueroa continued his hack-work by translating an Italian book which had enjoyed great success both at home and abroad, namely, *La Piazza Universale di tutte le professioni del mondo*, of Tomaso Garzoni.¹ Although this translation was completed in 1612, its publication was delayed, and it appeared in 1615 with the title: *Plaza Universal de todas ciencias y artes, parte traducida de Toscano, y parte compuesta, por el Doctor Christoval Suarez de Figueroa*.

Figueroa's work is, in general, a close translation of the Italian original, but he omitted many paragraphs which had only special interest for Italian readers, and he added what he thought might be of interest in the Spanish version. The book is a sort of encyclopaedia of nearly all branches of human knowledge as known at that time, and treats of all the arts and professions from poets and philosophers, to tailors, shoemakers and beggars. He says in the Prologue, that his purpose in translating the book was to popularize the arts and sciences, and to bring them within the reach of everyone.

The *Plaza Universal* is best known to students of Spanish literature in connection with the history of the stage. The list of actors and actresses which he gives, is an important document for the history of the *comediantes*. Already in 1612, Figueroa was bitterly opposed to the Span-

¹ Tomaso Garzoni was born in 1549, cultivated philosophy, history and theology, and died in 1589. Besides the *Piazza Universale*, he wrote many other books, such as *Il teatro de varj cervelli mondani*, *Lo spedale de' pazzi incurabili*, *La sinagoga degli ignoranti*, *Il serraglio degli stupori del mondo*, etc.

ish national theatre, and in this work he strongly censured the immorality of the stage.¹

The *Plaza Universal* was republished at Perpignan in 1630,² and again at Madrid in 1733. The latter is an immense book in folio, containing many additions to the original work.

When the *Plaza Universal* appeared in 1615, Figueroa was living at Madrid, and perhaps held some position at Court. Barrera³ mentions an account of the marriage in 1615, of the young prince Philip, afterwards Philip IV, with Isabel de Borbon, written by Doctor Christóval Suárez de Figueroa, with the title: *Relacion de la honrosissima jornada que la Magestad del Rey don Felipe, nuestro Señor, ha hecho ahora con nuestro Príncipe y la Reyna de Francia, sus hijos, para efectuar sus Reales bodas: y de la grandeza, pompa y aparato de los Príncipes y Señores de la Corte, que iban acompañando á sus Magestades. Es relacion la más cierta que ha salido de la Corte. Ordenada por el Doctor Christóbal Suárez de Figueroa, residente en ella. Este año de 1615.* Gallardo⁴ mentions the same account, but gives the author's name as Doctor Christóval de Figueroa. Figueroa does not include this in any of the lists of his works, but there is scarcely a doubt as to his authorship of it.

¹ *Discurso XCI.* Señor Cotarelo y Mori has reprinted the most important part of this discussion of the Spanish stage in his *Bibliografía de las Controversias sobre la licitud del teatro en España*, 1904, pp. 557-558.

² *Plaza Universal de todas ciencias y artes, parte traducida de Toscano, y parte compuesta por el Doctor Christóval Suarez de Figueroa. A Hieronymo Perarnau Cauallero Catalan, Señor del Castillo y Lugar de la Roca de Albera, en el condado de Rossellon, año 1630.* En la fidelissima Villa de Perpignan, por Luys Roure, Librero.

³ *Nueva biografía de Lope de Vega*, p. 231.

⁴ *Ensayo de una biblioteca*, Vol. II, col. 1070.

In the early part of the seventeenth century, literary contests, on both sacred and profane subjects, were held in great favour by the poets. Figueroa did not share this taste with the other literary men of his time, and censured the practice in *El Passagero*, citing a festival held in honour of St. Anthony of Padua, in which five thousand verses competed for the prizes. However, Figueroa took part in one of these contests held at Toledo in 1616, in honour of the completion of the chapel of Nuestra Señora del Sagrario.¹ In this *Certamen*, such well-known poets as Antonio de Mendoza, Luis de Góngora, Juan de Jáuregui and Christóval de Mesa competed.

¹ For an account of the festival, see article by M. Leo Rouanet, *Un auto inédit de Valdivielso*, published in *Homenaje á Menendez y Pelayo*, Vol. I, p. 57. Also see, Pedro de Herrera, *Descripcion de la Capilla de Nuestra Señora del Sagrario*. Madrid, 1617.

CHAPTER V.

EL PASSAGERO; OPPOSITION TO THE NATIONAL THEATRE; RELATIONS WITH ALARCON AND CERVANTES.

In November, 1617, *El Passagero*,¹ one of Figueroa's most important works was published at Madrid. In this book, the author appears to us as a man embittered by continued failure, for in spite of his arduous literary labours, his books had met with much adverse criticism. He had acquired the reputation of a severe critic at Madrid, and since he did not hesitate to give his honest judgment when persons came to consult him about their works, he made in this way many enemies.

In *El Passagero*, he gave vent to his long years of disappointment, to his contempt for the corrupt manners of his time, and to the ill-will which he had nursed for years against some of his contemporaries. In the Dedication to the Republic of Lucca, he calls this book the child of his heart (*hijo de mi inclinacion*). There are few books in Spanish literature so subjective as *El Passagero*, and perhaps no Spanish writer has left so faithful a record of his disposition and tastes. It not only affords us an opportunity to study the life and character of the author, but enables us to see with the eyes of a contemporary, the life and manners of Spain in the early seventeenth century.

¹*El Passagero. Advertencias utilissimas a la vida humana. Por el Doctor Suárez de Figueroa.* En Madrid, por Luys Sanchez, año, 1617. 8°. A second edition was published at Barcelona in 1618.

In its general plan, *El Passagero* bears some resemblance to the *Viaje Entretenido* of Rojas. Four travellers leave Madrid for Barcelona, en route to Italy. Various professions are represented in the party, one is a professor of theology, Don Luis dabbles in verse, the third is a goldsmith, and the fourth member is the Doctor, Figueroa himself, who disappointed at his lack of success in his own country, is turning his back upon Spain forever. Owing to the intense heat, the travellers agree to break the monotony of the journey by the discussion of various subjects, and thus in the use of dialogue, Figueroa is afforded a good vehicle for the expression of his own ideas.

El Passagero may be studied from many points of view, but since it is best known for its discussion of the national theatre, it seems proper to speak first of this portion of the work. At no time in Spain did a theatre based on classical models gain a strong foothold, as it did in France and even in England. The attempts of Jerónimo Bermúdez and Lupercio Leonardo de Argensola to write plays according to classical rules resulted in complete failure. The theatre-loving Spaniards demanded plays which could be acted, and cared little for the unities and other traditions of the classical theatre, provided they were furnished three hours of entertainment. They keenly enjoyed seeing the *gracioso* make fun of the frailties of his master, quite oblivious of the fact that this violated one of the laws laid down by Horace.

However, although the people were well satisfied, many scholars and men of letters, who held fast to the classical precepts, and saw the defects of the new comedia, vigorously protested against this invasion of a hybrid form, which violated all the rules of art. Cervantes, Micer Andres Rey de Artieda, Christóval de Mesa, Villegas and

Francisco Cascales took the lead in this attempt to impose the classical rules upon the new comedia.

We have seen that Figueroa condemned the immorality of the stage in the *Plaza Universal*, but in *El Passagero* his attack was rather directed against the new elements introduced into the comedia by Lope de Vega.¹ He does not mention Lope by name, but he clearly blames him for the inconsistencies and incongruities of the new type of play.² "If Plautus and Terence were living to-day," he says, "they would be the laughing-stock of the people, for a certain one has introduced a kind of farce, more profitable than elegant. An affair of twenty-four hours or at most, of three days, used to form the argument of a comedy. The townspeople were the characters, and Kings and Princes were never brought upon the stage, and thus the jests, ill befitting their dignity, were avoided, but now the comedia is a hodge-podge, in which there is a little of everything.

"Since they require so little study, there are many who write a great number of comedias, and even the most timid always have courage to write more. Then like puppies, they snarl with envy, and bite for vengeance. All is chatter, all is chaff, without science or learning." He then makes a thrust at the large number of plays written by Lope, bidding the dramatists pay more attention to the quality of their work than to the quantity, for it is upon the first of these that the judgment of a wise man is based. The writing of comedias is so easy that even a certain tailor of Toledo, who could neither read nor write, had com-

¹ Schack discusses the opposition to the national theatre in his *Historia de la literatura y del arte dramático en España*, Vol. III, Chap. XXIII. Also Señor Menéndez y Pelayo in his *Historia de las ideas estéticas en España*, 1896, Vol. III, pp. 404-424.

² Schack, Vol. III, p. 343 ff.

posed some *comedias de cuerpo* which lasted fifteen or twenty days.¹

Figueroa insisted upon the old distinction between comedy and tragedy. "Those who compose the *fabula comica* are plebeians, or at most, townspeople and soldiers, so of necessity, the language must be familiar, therefore it is a mistake to bring into the *comedia* the deeds of illustrious persons, for laughter can only be excited by men of low estate." His proof of this doctrine is ingenious, "If a prince is ridiculed, he immediately becomes offended, the offense demands vengeance, vengeance leads to disasters, but these last lie only within the domain of tragedy."²

El Passagero contains the most severe criticism of the national theatre that appeared in the early seventeenth century. The arguments are developed with logic and force, but they were not powerful enough to stem the tide of popular fancy. The people paid no attention to the critics and their classical rules. Lope de Vega, Tirso and Luis Vélez de Guevara were the popular idols, and two o'clock in the afternoon found the theatres of La Cruz and El Príncipe filled, from the mosqueteros in the pit to the Señores in their boxes, all equally eager for the "follies" of their beloved *comedia*.

The early part of the seventeenth century in Spain wit-

¹ *El Passagero*, fol. 75b.

Figueroa spoke in like terms of this tailor of Toledo in the *Plaza Universal*; see Schack, Vol. III, p. 342. Villegas mentions him in his 7th Elegia, and Quevedo inserts a few of his verses in the *Perinola*. He is the subject of some satiric verses, preserved in the Biblioteca Nacional of Madrid, MS. 3985, fol. 58-63, which begin:

Yo Juan Martinez, oficial de Olmedo,

Por la gracia de Dios poeta sastre.

He is advised to return to his old trade, and to abandon his theological dissertations, for his life was a disgrace to the needle.

² *El Passagero*, fol. 77b.

nessed some bitter disputes among the literary men at Madrid, and none was more cruelly waged than that against the splendid dramatist, Juan Ruiz de Alarcon.¹ For some reason the latter had incurred the ill-will of his fellow poets, and the greatest writers of Spain did not hesitate to ridicule in verse his physical deformity. Figueroa shared this dislike for Alarcon, and in *El Passagero*, made fun of his aristocratic airs and pretensions to nobility.

This enmity between Alarcon and Figueroa may have commenced as early as 1613, for Señor Fernández-Guerra y Orbe believed that Alarcon referred to Figueroa's slandering tongue and to his failure to secure office in *La Cueva de Salamanca*, which appeared in that year.²

Figueroa had then an old score to settle, and his attack upon the dramatist in *El Passagero* was bitter and cruel. In this book, he condemned those middle-class persons who aspire to social position and assume aristocratic airs, and sneers at Alarcon for having signed his name with the title of Don,³ and because he prided himself on his surname Mendoza. Speaking of the usual method of obtaining no-

¹ For the account of Figueroa's relations with Alarcon, I am greatly indebted to Señor D. Luis Fernández-Guerra y Orbe's admirable work, *D. Juan Ruiz de Alarcon y Mendoza*. Madrid, 1871.

² In Act II, Scene II, of this play, Zamudio, speaking of a certain *maldiciente* at Madrid, says:

Pues esto ¿ es mucho? Un letrado
 Hay en ella, tan notado
 Por tratante en decir mal,
 Que en lugar de los recelos
 Que dan las murmuraciones,
 Sirven ya de informaciones
 En abono sus libelos;
 Y su enemiga fortuna
 Tanto su mal solicita,
 Que por más honras que quita,
 Jamás le queda ninguna.

³ In the *décima* accompanying his comedia, *Desengaño de Fortuna*.

bility, he says, "González does not sound well, (alluding to the surname Ruiz), for although an old Christian name, it occurs too frequently. However, it would be easy in this case to adopt the ancient name of Toledo, Manrique or *Mendoza*, since even sons of nobodies, hump-backs and deformed persons know how to commit such frauds. . . . I knew one whose father, a respectable silversmith, (Alarcon's father was employed in the silver-mines of Tasco) was gaining a modest fortune, when the demon which they call Nobility, attacked his son. A gentle sounding, though common name (Juan) suited him perfectly, but one night he was seized by the first symptoms of this madness, and he awoke the next morning a Don. In the meantime, his father died, whose life and trade had somewhat checked his son's aristocratic aspirations, and thereupon, the eldest son (Alarcon was the eldest of his brothers) threw off his mask completely, and if he did not always act as a gentleman, at least he had the dress and fine clothes of a spruce young dandy."¹

He also cruelly alludes in *El Passagero*² to Alarcon's deformity, "It is important to exclude from public offices inferior persons, miserable under-sized men, for although the mouse is very clever, yet it dies at the first scratch of the cat. If a youth, well built and strong, must be refused what he desires, . . . it is far more just that a monkey with a man's face, an impudent *hump-back*, a ridiculous cripple, should be rejected, who abandoned by the hand of God, seeks some public office." A more cruel attack upon the great dramatist could hardly be imagined, and although

¹ *El Passagero*, fol. 36b-37. This passage was quoted by Señor Fernandez-Guerra y Orbe, *D. Juan Ruiz de Alarcon*, pp. 252-253.

² *El Passagero*, fol. 207b.
D. Juan Ruiz de Alarcon, *ibid.*

Alarcon may have had certain weaknesses, Figueroa can in no way be excused for his ridicule of his enemy's personal deformities. It is not surprising that Alarcon did not allow this attack to pass unnoticed, and set to work to prepare his vindication.

When *El Passagero* appeared in 1617, Alarcon was working on three comedias for the company of Vallejo, *La Prueba de las Promesas*, *Mudarse por Mejorarse*, and *Las Paredes Oyen*. This last, which condemns the vice of speaking ill of others, was especially well fitted as a reply, not only to Figueroa, but to the other poets who had slandered him. He put aside the first two plays for a time, and finished *Las Paredes Oyen* as quickly as possible.

We can not fail to admire his temperate answer to his critics, for not once did he descend to brutal personalities, as they had done. He merely tried to show the folly of speaking ill of others, for the slanderer not only makes many enemies, but is not even trusted by his friends, and he cites the example of one who had become very unpopular because of this vice:

En la corte hay un señor
 Que muchas veces oí.

 Que está malquisto de modo
 Por vicioso en murmurar,
 Que si lo vieran quemar
 Diera leña el pueblo todo.¹

When we remember that this play was written shortly after the publication of *El Passagero*, it is not too much to infer that this critic, who was so unpopular that the whole town would help to burn him, was Figueroa himself.

Alarcon's next play, *La Prueba de las Promesas*, in

¹ Act III, Scene V.

which the character of Don Juan is Alarcon himself, also forms part of his reply to his enemies. In the second jornada, he justifies his efforts to rise in the world, and asserts his right to the title of Don, a claim which his biographer has proved well founded, and adds that a man's noble blood is shown by his actions, and is not based on the mere accident of birth.

At the beginning of the third jornada, Alarcon speaks of a certain bald-headed critic, and here again he seems to allude to Figueroa. Tristan is reading certain formulæ for the study of necromancy, among them, one to check the hisses of the *mosqueteros*, which he recommends to the poets, and continues:

Carácter que puede hacer
 Que un calvo no lo parezca.
 Bien habrá quien me agradezca
 Que le enseñe el carácter.
 ¿ Que la magia da cabello?
 Por dios, que he de denunciar
 De cierto Momo, y vengar
 Mil ofendidos con ello,
 Puesto que la villa entera
 Vió que calvo anoheció,
 Y á la mañana sacó
 Abrigada la mollera.¹

It is clear that these lines were directed against a well known character who had offended not only Alarcon, but "a thousand others." In the *Expostulatio Spongiae*, written by Francisco López de Aguilar in 1618, we learn that at that time Figueroa was bald.² Alarcon says that the whole city knew that this man had gone to bed bald, and the next morning wore a wig. This is a direct take-off

¹ *La Prueba de las Promesas*, Act III, Scene II.

² Barrera, *Nueva biografía de Lope de Vega*, p. 397.

on Figueroa's statement in *El Passagero*, that the son of the silversmith (Alarcon) had gone to bed without a title, and awoke the next morning a Don. It seems quite probable that Alarcon wished to raise a laugh at his enemy's expense, feeling sure that the crowd would understand the allusion.

At the close of the third act of *La Prueba de las Promesas*, there is another possible allusion to Figueroa. Three office-seekers present themselves before Tristan, Don Juan's secretary, and ask for employment. The first two are successful, but the petition of the third is refused, because he can only present as a claim, that he has written a book *en romance*, (i. e. Spanish) and had translated one from Italian.¹ Figueroa was evidently well known as a translator of Italian books and in the play his application for office, based on these grounds, was refused.

The third comedia of Alarcon which was partly written when *El Passagero* appeared was the splendid *Mudarse por Mejorar*, also published with the titles, *Dejar dicha por más dicha* and *Por Mejoría mi casa dejaría*. The dramatist still nursed his resentment against Figueroa, and introduced a servant named Figueroa into the play, who com-

¹ *Pretendiente 2º*. Para que una plaza alcance
ó el uno destes oficios
me dad favor.

Tristan. } Que servicios?

Pretendiente 2º. He escrito un libro en romance.

Tristan. } Qué?

Pretendiente 2º. En romance.

Tristan. Bien está.

Pretendiente 2º. Y también fui traductor
De uno italiano, señor.

Tristan. Señor, no negociará.

Figueroa was spoken of as a translator of Italian books in the *Expostulatio Spongiae*.

plains that he is not allowed to enjoy in peace his honourable name. Here Alarcon calls into question Figueroa's pretensions to belong to the family of Feria, just as Figueroa had questioned the dramatist's right to the surname of Mendoza.¹

In the second scene of the last act Alarcon refers openly to Figueroa, saying that he wastes the paper on which he writes his books. Mencía tells her mistress, Leonor, that her best course will be to marry the Marqués, for the latter's servant, Figueroa, has set his heart on the match, and Leonor replies:

Mencía. Si Figueroa porfía
que lleva puesta la proa
en eso — —

Leonor. ¿ De Figueroa
Haces tú caso, Mencía?

Mencía. Hace libros.

Leonor. El papel
Echa á mal.

Mencía. Pues por mil modos
Dice en ellos mal de todos.

Leonor. Y todos dellos y dél.

Here at last Alarcon got full satisfaction. He had alluded to his enemy many times in an indirect way, but in this play, the slandering Figueroa is brought upon the boards as a lackey, and we are told that just as he spoke ill of all men, so everyone spoke ill of him and of his works. This play must have been at least half finished when *El Passagero* appeared, for in the early part of the play, Figueroa is simply a squire who discreetly answers questions, and retires. After reading Figueroa's attack, Alarcon gave to the squire the name of his enemy, and found in him an effective weapon for ridicule.

¹See p. 11.

Figueroa has been harshly treated by historians of Spanish literature because of his attack in *El Passagero* upon Cervantes, who had died the previous year. It will be remembered that the latter had spoken in praise of the *Pastor Fido* and of *La Constante Amarilis*, and Figueroa ill repaid this kindness by his bitter and unjust criticism of some of Cervantes' later works.

It is quite possible that Figueroa bore a grudge against Cervantes for having won the favour of the Count of Lemos, when he himself had failed. He tells in *El Passagero*¹ that he had dedicated one of his books to Lemos, and had gone to Barcelona to present the work to him, but was unable to obtain an audience, and was obliged to return to Madrid without even having seen him. He must have changed the dedication, for no book of Figueroa which we possess is dedicated to the Count of Lemos, and no doubt he was envious of the favours which Cervantes had received at the hands of this nobleman.

Figueroa's first reference to Cervantes occurs in the *Plaza Universal*. In the *Discurso de los Alcahuetes*, he tells how bawds seduce women by relating love-stories to them, and mentions some of the books which were used for this purpose: "No calla la fábula de Olimpia, la de Genebra, la de Isabela: halla las novelas de Bocacio, de Cintio ó Cervantes, recita las locuras de Roldan, los amores de Reynaldo, los desdenes de Angélica, la afición de Rugero y Bradamante, combatiendo con estos dislates lascivos la virtud de las mugeres casadas, la castidad de las donzellas, y la preciosa honestidad de las viudas, que bien amenudo vienen á quedar violadas con tales razonamientos."² It is needless to say that the novelas of Cervantes in no way deserve this charge of immorality, and his criticism is still

¹ Fol. 282.

² Ed. 1615, fol. 276b.

more to be condemned when we remember that the *Viaje del Parnaso* had appeared the previous year, in which *La Constante Amarilis* had been mentioned in complimentary terms.

In *El Passagero*,¹ Cervantes is ridiculed for having related some of his own adventures in his novelas. Don Luis says that he had thought of writing a short story, and the Doctor asks whether he had ever suffered shipwreck, as that would furnish him with a good argument, and continues, "There is a certain one who has related his own adventures, giving marvellous splendour to his scanty ability, and unheard of praise to his supposed wisdom, for as he had the cloth, he could easily apply the scissors where he liked." The Master asks, "What fruit did he gain by such mad folly?" and the Doctor replies, "The reward which falls to everything which is not produced in the crucible of prudence, that is, laughter and scorn." As Navarrete² pointed out, Figueroa here refers to the novelas, *El Amante liberal*, and *El Capitan cautivo*, in which Cervantes related some of the incidents of his captivity in Algiers.

The fact that Cervantes had died only a short time before seemed in no way to check the jealousy and enmity of Figueroa. He spoke disdainfully of some of the writers of his time who wearied everyone with their impertinences, and added that "this weakness continues in some as long as they live, as in the case of those who write prologues and dedications at the point of death."³ Here Figueroa ridicules Cervantes' dedication of *Los Trabajos de Pérsiles y Sigismunda* to the Count of Lemos, on April 19, 1616, only four days before his death.

¹ Fol. 56b.

² *Vida de Cervantes*, 1819, p. 136.

³ *El Passagero*, fol. 74.

In speaking of the comedias in *El Passagero*, Figueroa did not let the opportunity pass to speak scornfully of the eight comedias of Cervantes which were published in 1615. Alluding to the difficulties which poets have in getting their plays represented, he says, "Duran estas irresoluciones tanto, que muchos por falta de valedor, no hazen sino componer, y echar comedias al suelo del arca, con el ansia que suele el avaro recojer y acumular doblones. Por esta causa se hallan infinitos con muchas gruessas represadas, esperando se representarán quando menos en el teatro de Josafat, donde por ningun caso les faltarán oyentes."¹

In this passage, Figueroa borrowed the phraseology which Cervantes had used in the prologue to his eight comedias, where he complains that he could not get his comedias represented: "Algunos años ha que volví yo á mi antigua ociosidad, y pensando que aún duraban los siglos donde corrían mis alabanzas, volví á componer algunas comedias, pero no hallé pájaros en los nidos de antaño; quiero decir, que no hallé autor que me las pidiese, puesto que sabían que las tenía; y así las arrinconé en un cofre, y las consagré y condené á perpetuo silencio." Figueroa seems to ridicule Cervantes' lack of success in having his plays produced, and says that at least he will have an audience at the last judgment, in the Valley of Jehosaphat.

Figueroa condemns in *El Passagero*² the prevalent malady of writing verses, and says that while there is some excuse for a young man who writes poetry, "ciertos niños de á setenta, con hábito largo, supeditados de muger, vencidos de ancianidad, dados toda la vida á coplear; y lo

¹ *El Passagero*, fol. 82b.

This passage is quoted by Schack in *Historia de la literatura y del arte dramático en España*, Vol. III, p. 359.

² Fol. 85.

que es peor, á coplear perversamente, no puede aver sufrimiento que detenga su justa reprehension." It is likely that here Figueroa again refers to Cervantes, who was nearly sixty-nine years old when he died, and who had composed his *Viaje del Parnaso* in 1614, and had published his eight comedias and eight entremeses in 1615, the year before his death.

CHAPTER VI.

FIGUEROA'S ATTEMPTS AT REFORM—HIS POETRY AND POETIC THEORIES—THE NOVELA—THE EXPOSTU- LATIO SPONGIAE—THE VARIAS NOTICIAS.

It is true that Figueroa's bitter attack upon Alarcon and Cervantes can in no way be justified, but he appears in a far more creditable light, when we consider his attempts to reform the manners and vices of his time in *El Passagero*. We are told in the Prologue that his purpose in writing the book was to reform the corrupt condition of Spain, and surely the warning came none too soon. The iron grip of Philip II had kept Spain a united nation, and his tireless energy had at least delayed his country's decline from the proud position she held in Europe, but with the accession of Philip III in 1598 the kingdom underwent a radical change.

The country was on the verge of ruin, the Treasury was empty, and only with the greatest difficulty could the King collect enough money for the expenses of his marriage in 1598. The King and the Duke of Lerma set the pace for unheard-of extravagance, and officers went from door to door, collecting money to pay the piper at Court, while excessive taxation had brought the people to a state of poverty.¹ Public business was set aside for the jousts, canetourneys and bull fights. Lerma's abuse of power did not fail to arouse indignation, and many satires against him

¹ Hume, *Spain (1479-1788)*, Chap. VI.

and Rodrigo Calderon appeared. The warning in *El Passagero* was timely, for Lerma was still the favourite, although he fell from grace the following year.

Figueroa showed no mercy for Philip's ministers and attributed to them the disasters which had befallen Spain: "The ministers are the cause of all the trouble. It is a disgrace that not only like useless drones, they suck the honey from the hive, the sweat of the poor people, and enjoy so much wealth unjustly, but they even have the impudence to increase their wealth without deserving it. These are the abomination of states, and although they die amid the greatest pomp, their names are remembered as a curse."¹ Lerma's arm was long to punish those who offended him, and it required courage to thus boldly accuse him and his party of having caused the ruin of his country.

Not only did Figueroa protest against the corrupt administration, but severely censured the lax morals and idle life of the men and women at Court. The young noblemen who thought only of their own pleasure, while the rest of the country was starving, especially excited his indignation. He told how nobility consisted in always being well dressed, in taking an active part in the cane tourneys, and in occupying a conspicuous seat at the comedias, rather than in the performance of praise-worthy actions.

Figueroa was not the sort of man to be carried away by the current of popular opinion, and when he saw the defects in the administration and the vices of Court life, he did not hesitate to make a strong effort to remedy these evils. However his protests were unheeded, and only resulted in bringing upon him the enmity of those whom he had criticized. The Duke of Lerma was deposed in 1618,

¹ *El Passagero*, fol. 190b-191.

only to be replaced by the unscrupulous Count Duke of Olivares. The glory of Spain was fast waning, destined to be checked momentarily by Charles III, and then to suffer an almost total eclipse at the end of the eighteenth century.

Besides the prose discussions, *El Passagero* contains a large number of verses, with which the travellers broke the monotony of their journey to Barcelona. Figueroa did not consider poetry his special calling, and believed that the writing of verse is often harmful, for it robs the poet of many hours which might be spent more profitably, but in spite of this opinion, he wrote a very considerable quantity of verse, even toward the end of his life. In *El Passagero*,¹ he promised to write a book on Spanish poetics, but unfortunately he did not carry out his plan, which no doubt would have furnished interesting information concerning the poets of the *siglo de oro*.

His verse, while correct and carefully polished, is cold and artificial, and rarely do we find the true note of poetry. His love poems lack feeling and passion, and we feel that he merely considered them literary exercises, for lyric inspiration is rarely present. He is at his best in descriptions of Nature, which are often marked by a delicacy of touch, and a keen appreciation of beauty. Long years of disappointment and failure had embittered him, and much of his later verse is tinged with melancholy.

Of the contemporary poets he admired only Garcilaso, Camoens and Góngora.² In *El Passagero*,³ the Doctor

¹ Fol. 53b.

² In *Pusilipo*, Junta VI, he pays a high tribute to Gongora: "Aquel Fénix de las agudezas, el solo poeta español, el moderno Marcial, más que él, agudo en las burlas, y en las veras, otro Papinio Estacio." He speaks of the romances, *Piramo y Tisbe* and *Leandro y Ero*, as the most delightful he had ever read.

³ Fol. 62.

advises Don Luis not to publish his verses with the title, *Rimas Sueltas*, for some had appeared with that title which deserved to be burned, and only those of Garcilaso and Camoens were worthy of praise. Don Luis suggests the title *Flores de la edad* for his verses, but the Doctor objects because "many flowers bear no fruit,"¹ alluding to the collection of Pedro de Espinosa, entitled *Flores de poetas ilustres*, which was published at Valladolid in 1605. Here was a sweeping condemnation of the greatest poets of his time, and we need not be surprised that his works received scant praise from his contemporaries.

Besides the verses, Figueroa included in *El Passagero* a first-class picaresque novela,² which is one of his most interesting compositions. In the course of his travels in Italy, he meets an inn-keeper named Juan, who had served in the army in Piedmont, and who relates to him his adventures after leaving Italy. These adventures are of the rogue type, familiar to us in *Lazarillo* and *Guzman de Alfarache*. One of the most interesting is his attempt to rob a grave, a story which Figueroa had probably read in the *Decameron*. The novela is well written and full of interest, and we can only regret that he did not attempt more work of this kind.

It will be remembered that in *El Passagero*, Figueroa condemned the new style of comedia introduced into Spain by Lope de Vega. The same year, a book written in Latin by Torres Rámila appeared with the title of *Spongia*, which censured many works of Lope, especially the *Angélica*, the *Dragontea*, *Jerusalén Conquistada*, and the comedias. We only know its contents from the quotations from it included in the *Expostulatio Spongiae* by Francisco de Aguilar, for not a single copy of the original book is known

¹ Fol. 63.

² Alivio VII.

to exist.¹ We have no evidence that Figueroa took any part in this attack upon Lope de Vega, but he was probably in sympathy with it, for he was among those ridiculed by Francisco de Aguilar in his defence of Lope.

Francisco de Aguilar undertook to reply to the charges of Rámila in the *Expostulatio Spongiae*, which was published in June, 1618. This is followed on fol. 43 by the *Oneiropaegnon sive Jocus*, a comic dream, written in Latin prose with rare grace and wit. The author pretends that he is carried through the air to the steps of San Felipe el Real in Madrid, and from there saw a crowd of people entering a book-shop across the street.² On entering, he found himself in a crowd of silent doctors, and he inquired of one of them, a bald-headed man with a swollen face, the reason for the silence. According to a manuscript note on the margin of a copy formerly possessed by Barrera, this bald-headed man was Suárez de Figueroa. The latter, stroking his beard, replied that this meeting resembled those of the ancient philosophers, who laid the foundations of learning in silence, not in empty words.³ This is just the reply we should have expected from Figueroa, who constantly praised the virtues of the Greeks

¹ Barrera, *Nueva biografía de Lope de Vega*, p. 300.

² This spot was well known as a meeting place for the critics. Figueroa himself mentions it in the *Plaza Universal* (1615), fol. 300, in condemning those who seek to acquire the reputation of learning by criticising others: "Testigo desta verdad pudiera ser particularmente en Madrid, cierto puesto enfrente de San Felipe, donde en varios concursos, y juntas, solo se trata de supeditar el más ignorante, al mas científico, excluyendo la embidia devidas estimaciones y alabanças." The convent of San Felipe el Real was situated on Calle Mayor, directly opposite the house of the Count of Oñate. See an article on *Las Gradass de San Felipe in Madrid Viejo* of Ricardo Sepúlveda, pp. 1-17.

³ Barrera, *Nueva biografía*, p. 307. This volume is now in the Biblioteca Nacional of Madrid, and bears the press mark $\frac{1}{47241}$.

and Romans, as contrasted with the faults of his contemporaries.

He openly confesses his mania for criticizing the works of others, and says that because of this, he had received the name Satyrion: "Ita notum est (iniquit) per omnes Hispaniæ et Italiæ partes Satyrionis nomen, . . . Primum quidem Aresius (that is, Suarez) ab omnibus simpliciter vocabar, cum illud nomen mecum adolevisset, sed labentibus sensim rebus, ut ad scribendas satyras animum inclinavi, et plerisque Principibus, magnorum capitum detrimento risum satyrice conciliaui: ita promptissimis unius cuiusque suffragiis ad Satyrionis nomen euectus sum. Vix fidem adhibeas medius fidius, si dicam in hoc nomen ita fatorum ordinem conspirasse, ut integro vitæ meæ curriculo in nulum aliud studiorum genus incubuerim, quam vel in privatorum mores, vel in codices traducendos."¹

He then speaks of his translations from Italian: "Ex quo, si non mihi Satyrionis, traductoris certe, quod idem esse existimo nomen remansisset. Nam Italia, cuius tantam librorum farraginem, Hispana dictione donavi, mihi saltem in tanti laboris præmium hunc titulum indulisset si statuis, et monumentis indignum laboris mei beneficium reputasset."

Satyrion then speaks of some of his literary quarrels: "Verum ut non sunt omnes ad modestiam nati, et læsa tandem patientia surgit indignatio non omnibus affectus hic satyricus placuit, sed non pauci reperti sunt, qui in scripta mea diligentius inquirentes, non tantum me precibus denouerunt, sed alios etiam ne per somnium quidem violatos arte pessima in odium meum concitarunt."

Lope was fully vindicated in the *Expostulatio Spongiæ*, but he never forgave Rámila for his attack, and referred

¹ *Expostulatio Spongiæ*, fol. 49b.

to him as "el famoso perro" in his epistle to Rioja, entitled, *El Jardín de Lope*, and pictures him as "el Tordo" in the second part of the *Filomena*, published in 1621.

We have no details of Figueroa's life between 1617 when *El Passagero* appeared, and 1621 when his *Varias Noticias*¹ was published at Madrid. He tells us in the Prologue to this work that his books had been well received, and that by virtue of them, he had been able to live so many years at Madrid, and that he would be obliged to continue his literary work until the King should give him some employment. We might infer from this that Figueroa had not regained the King's favour in 1620, however, he must have been employed in the Government service for eleven years between 1606 and 1624, for in his petition to the King in 1606, he said that he had served in various posts for sixteen years, and in a letter, dated August, 1624, he said that he had served his King and country in various capacities for twenty-seven years.² In the Prologue, he attempts to refute the charge that his books lacked originality.³

As Figueroa advanced in years, his books became more didactic in tone, and although there is a tendency to preach

¹ *Varias noticias importantes á la humana comunicacion. Al Excelentissimo Señor Don Alvaro de Alencastro, Duque de Auero, etc. Por el Dotor Christoval Suarez de Figueroa, Fiscal, Iuez, Governador, Comissario contra vandoleros, y Auditor de gente de guerra que fué por su Magestad.* En Madrid. Por Tomas Iunti. Impressor del Rey, nuestro señor. Año de MDCXXI.

² Published in *Modern Language Notes*, Vol. VII, No. 7.

³ "Ay algunos que con la hiel de sus entrañas procuran avenenar, deshazer y desluzir quanto digno de alabança con virtuoso sudor fabrica el más estudioso. Estos por dissimular su apassionada intencion, dan título de agenos á los que son propios trabajos, aplicándoles nombre de mendigados fragmentos." He seeks to vindicate himself by saying: "No se podrá negar ser artificio ingenioso explicar con curioso estilo las cosas más entre todos comunes y de la antigüedad más comunes."

in all his works, this moralizing element is most prominent in his later compositions, and especially in the *Varias Noticias*. The division of the book into *Variedades* is quite arbitrary, for the author rambles from one topic to another without any apparent order or system. Philosophy, ancient history, ethics and politics form the principal subjects, and his conclusions are always supported by copious quotations from the Greek and Latin authors, of whom he seems to have had a profound knowledge. These discussions, although perhaps profitable, are extremely wearisome, and our interest is only aroused when he treats the society of his own time.

We have seen him come forward as a stern moralist in *El Passagero*, fearlessly attacking the corrupt administration and the vices of private life. He adopted this same role in the *Varias Noticias*, and condemned the lack of interest in letters, and the abuses among the upper clergy and office holders. He complained that literary men received no protection, and scourged the loose morals of the young men and women. There can be no doubt that he was sincere in his effort to reform the vices of his time, and the part which he played demanded self-sacrifice, for after attacking the dishonest practices of those in power, he was not likely to receive any favours at their hands.

Surely Figueroa gives us a dark picture of the reign of Philip III, a period so brilliant for its literature, and so deplorable for its evils of corrupt and careless administration. However, the moralists and reformers constituted only a small minority; the Court and people turned a deaf ear to these warnings, and the year of the publication of the *Varias Noticias*, the idle and self-indulgent Philip IV came to power, and Spain sank still deeper in extravagance, political corruption and misery.

CHAPTER VII.

FIGUEROA AT NAPLES—DISMISSAL FROM OFFICE—HIS IMPRISONMENT AND TRIAL BEFORE THE INQUI- SION—THE PUSILIPO—HIS LAST DAYS.

In the year 1622, Don Antonio Alvarez de Toledo, Duke of Alba,¹ succeeded Don Antonio Zapata as Viceroy of the Kingdom of Naples, and he assumed the duties of his new position on December 24 of that year. At that time, Figueroa was living at Madrid, and he at once made an effort to secure employment under the new Viceroy, feeling sure that the relationship between his family and that of the Duke of Alba, (*la vecindad de casas*, as he says in a letter² dated August, 1624) would count in his favour. His petition to Bernardino Diaz, the Duke's secretary, was received favourably, and on February 22, 1623, he was appointed Auditor of the town of Lecce.³

When Figueroa arrived at Naples, the city was in a deplorable condition. Excessive taxation, coupled with a financial crisis, had brought the people to the verge of starvation, and owing to the illness of Hanibal Macedonio, Governor of the city, the administration of justice was at a standstill. Crimes were committed on all sides, and the

¹ It will be remembered that this Duke of Alba was a friend and patron of Lope de Vega, and had been celebrated by him in the *Arcadia*.

² This letter was published by Dr. H. A. Rennert in *Modern Language Notes*, Vol. VII, No. 7.

³ See Appendix, p. 100. Lecce is a small town near Naples.

guilty had no fear of punishment. Figueroa set to work with his accustomed vigour to check this reign of terror, and in the six months that his jurisdiction lasted, without regard to rank or condition, he hanged five men, and sent a hundred to the galleys. He was careful to send to the Duke of Alba a full account of all the cases which he tried, and the Viceroy expressed his satisfaction with what had been done.

On August 8, 1623, Figueroa and his colleague, D. Juan Antonio Ricardo were dismissed from office, and new appointments were made.¹ He at once wrote to the Viceroy, asking for an opportunity to defend himself against any charges which had been made against him, and on receiving no reply, he determined to go to see the Duke of Alba in person at Naples. He met Alzamoro, his successor, at Bitonto, and on his arrival at Naples, the Duke's secretary refused to discuss the nature of the charges against him, and would only say that he had incurred the Viceroy's displeasure. He made every effort to be reinstated, but his petitions were unheeded.

In a letter written by Figueroa in August, 1624,² he attributed the loss of his post to the hostility of Hanibal Macedonio, Governor of Naples. When the latter had recovered from a long illness, he learned with displeasure of the reputation for strict administration which Figueroa and his colleague had acquired, and not wishing to be overshadowed by these two new officers, he planned to make them lose the Viceroy's friendship. To gain this end he spread the report that Figueroa and Ricardo had agreed to administer the Tribunal as they pleased, and that Figueroa relied upon his intimacy with Bernardino Diaz to secure any office which

¹ Appendix, p. 100.

² Published in *Modern Language Notes*, Vol. VII, No. 7.

he desired. Figueroa tells us that the story was absolutely false, but the Duke blamed his Secretary for having allowed such a report to be circulated, and Diaz, in order to avoid any appearance of intimacy with Figueroa, refused to hand over the letters which the latter addressed to the Viceroy concerning the administration at Lecce. When the Duke heard of the discord between Figueroa and Ricardo and the other officers, he believed that they were the cause of the whole trouble, and straightway dismissed them.

We do not know how long Figueroa remained out of office, but he did not recover his position within a year, for in August, 1624, he wrote a long letter to the Duke of Alba, presenting his side of the case. In December, 1627, he held the position of *Auditor della Regia Udienza* of Catanzaro in the province of Calabria,¹ and lost this post on November 16, 1628.²

In the year 1627, Figueroa seems to have been the innocent victim of a clash between the ecclesiastical and royal authorities at Naples. In the preceding year, Giacinto Petronio, Bishop of Molfetta, was appointed Minister of the Inquisition, and his aggressive acts soon aroused the hostility of the Royal authorities, who forbade him to imprison laymen without notifying the Viceroy.³ The zealous Petronio, however, made light of this prohibition, and even imprisoned royal officers for having, in the discharge of their duties, committed certain acts which he considered hostile to himself and to the Holy Office.

In December, 1627, a certain Francesco Antonio Stantione, collector of the Monte di Pietà of Naples and an

¹ Appendix, p. 136.

² Appendix, p. 100.

³ Amabile, *Il santo officio della Inquisizione in Napoli*, 1892, Vol. II, p. 35.

officer of the Viceroy, was sent to Nicotera to collect taxes.¹ He assessed the ecclesiastical as well as secular goods, and this angered certain religious orders which had always tried to escape the burden of royal taxes. These organizations had great influence with the Bishop of Nicotera, and when Stantione refused to give up his claims, he was excommunicated. Confident that he was acting according to the orders of the Viceroy, he persisted in trying to collect the amount which was due, and finally was imprisoned and roughly treated by the ecclesiastical authorities at Nicotera. When the news of this arrest reached the ears of the Duke of Alba, he immediately sent orders to the Regia Udienza of Calabria that Stantione should be released from the prison at Nicotera, and that after his release, he should appear before the Collaterale of Naples, under a penalty of a thousand ducats.

It was decided in the Regia Udienza of Calabria that Suárez de Figueroa should go to Nicotera to execute the orders of the Viceroy.² On his arrival there, he notified the Bishop that Stantione must be released, but the ecclesiastical authorities refused to recognize the jurisdiction of the Viceroy. The affair admitted of no delay, for Stantione was dying of ill-treatment and neglect, and Figueroa decided to carry out his orders at all costs.

It seems that when Figueroa arrived at Nicotera, the Bishop suspected that he would try to release Stantione, and sent him a monitory, declaring that Stantione was a prisoner of the Holy Office. When he learned that

¹ Biblioteca Nacional of Madrid, MS. 1016, fol. 105. Appendix, p. 108.

² A brief account of Figueroa's trouble with the Inquisition is found in Giannone, *Istoria civile del Regno di Napoli*, Milan, 1822, Vol. IX, pp. 78-80. A Spanish translation of this passage is found in Vol. XXIII of the *Colección de Documentos inéditos para la Historia de España*, p. 445 ff.

Figueroa boasted that he would set him free by main force, he warned him that in so doing he would violate the bull of Pius V, "*de protegendis*," and would be liable to the punishment therein specified.

Figueroa replied to the Bishop that the monitory could in no way affect his actions, for he was obliged to carry out the orders of the Viceroy, which he had received from Naples, and that if it was necessary, he would take possession of Stantione on his own authority. He then armed his troop, broke down four doors of the prison, and released Stantione, mid cries of "*Viva il Rè*" and "*Muoia il mal governo*." However, Stantione was later captured, and again thrown in prison by the officers of the Inquisition, and after some delay, was sent to Rome for trial. He admitted that Figueroa had released him from prison, but his fault seems to have been treated with indulgence, for it was decreed that he should return to Nicotera, and that the Bishop should publicly absolve him from excommunication.

Although the officers of the Inquisition had been balked in their case against Stantione, it still remained to punish Figueroa for having set at liberty a prisoner of the Holy Office, and for nearly two years repeated efforts were made to oblige him to go to Rome for trial. He was assured that the Inquisition would deal gently with his case, and that Petronio, Bishop of Molfetta, would also appear. However, the Viceroy felt that his authority had been slighted by the aggressive acts of Petronio, and in April, 1629,¹ he prohibited Figueroa from leaving Naples without his permission. He determined to make Figueroa's a test case to decide whether the royal or ecclesiastical jurisdiction was supreme in Naples, and in the meantime, the unfortunate victim of this dispute was confronted by a fine

¹ Appendix, p. 142.

of two thousand ducats for not obeying the summons to Rome, and the death penalty if he left Naples without the Viceroy's permission.

Throughout the year 1629, the authorities of the Inquisition made repeated efforts to bring Figueroa to trial, but without success. In August of that year, the Duke of Alba was succeeded in the Viceroyship by the Duke of Alcalá, who embraced the cause of Figueroa with as much zeal as his predecessor. Figueroa made every effort to win the favour of the new Viceroy, and in 1629, dedicated to him his new work, *Pusilipo*, and in a poem addressed to the Duke of Alcalá, appealed to him for aid:

O Fernando Magnánimo, mi voto
 Oyó piadoso el cielo, oyó mi quexa;
 Oyólo en fin, y al improviso dexa
 De mi calamidad el lazo roto.

 Pues nadie á tu piedad recorre en vano,
 En mí restaura el desmayado brio,
 Cobre nuevo decoro, y nueva forma;
 Mas que no hará tu generosa mano
 Si en todo imita á tu glorioso Tio,
 De toda ley, de todo acierto norma?

The royal authorities were obliged to support Figueroa, for if he lost his case, royal officers in the future would be afraid to obey the orders of the Viceroy, fearing to incur the hostility of the Inquisition. On April 4, 1629, Figueroa testified before the Collaterale, that after his courteous request to Petronio to release Stantione had been refused, he had set him at liberty himself with the aid of his troops and had found him half-dead, and showing signs of ill-treatment.¹ The Council agreed that Petronio had acted illegally in imprisoning an officer of the Viceroy with-

¹ Appendix, p. 102.

out the royal exequatur, and some of the members even suggested that Petronio give evidence that he had acted with the authority of the Holy Office, and on failing to do this, that he be expelled from the Kingdom.

The Duke of Alcalá showed that he supported Figueroa by appointing him Judge of Capua on January 2, 1630,¹ but this appointment was annulled five days later on the ground that Figueroa had been excommunicated by the ecclesiastical Court of Nicotera, and that although he had been ordered to set Stantione at liberty, he had not been told to break open the prison to accomplish this.² However, in a session of the Collaterale held on January 21, 1630, it was decided that Figueroa should not leave Naples,³ and that the Viceroy should take him under his protection until a new post be provided for him.

The Holy Office lost all hope of bringing Figueroa to trial by peaceful means, and determined to steal a march on the royal authorities by arresting him forcibly. On January 25, he was seen to enter the church of San Luis, near the Viceroy's palace, and there he was arrested and imprisoned by the officers of the Inquisition.⁴ The capture of Figueroa nearly caused a riot in the city, and seriously interfered with the festivals in honour of the birth of Prince Baltasar Carlos, eldest son of Philip IV. The news of his arrest was reported the same day to the Collaterale while in session.

The following day, January 26, the Collaterale met to discuss the new developments in Figueroa's case.⁵ The Viceroy announced that when he learned of Figueroa's imprisonment in the church of San Luis, he had immediately dispatched his troops to prevent the officers of the Inquisition

¹ Appendix, p. 106.

² *Ibid.*, p. 106.

³ *Ibid.*, p. 107.

⁴ *Ibid.*, p. 107.

⁵ *Ibid.*, p. 107.

from carrying him away. Petronio had resented this act, claiming that since Figueroa was a prisoner of the Holy Office, the royal authorities had no right to interfere in the case. The members of the Collaterale were divided as to Figueroa's responsibility in having defied the Inquisition, but all agreed that Petronio should give proof that he had acted with the authority of the Holy Office. It was voted that Figueroa should be confined in a fortress by the royal authorities, that the clerics who had taken part in his capture should be deprived of their arms, and that all laymen who had aided the ecclesiastical officers, should be imprisoned. It was further ordered that a message should be sent to Petronio, and that a deputy be sent to Rome to negotiate the affair.¹

In this message, which was signed on January 28, 1630, by the Duke of Alcalá and the members of the Collaterale, Petronio was censured for not having given notice to the Viceroy of his plans, and for failing to apply for the royal *exequatur* as was customary in such cases. He was ordered to present within three days the evidence of the authority, by virtue of which he had exercised jurisdiction in this matter, and that in the meantime, he should exercise no jurisdiction, nor have an armed force at his disposal, so that the peace of the city might not again be endangered. In accordance with the decision of the Collaterale, Figueroa was taken by royal officers to the Royal Palace, and later to the Castel Nuovo, where he remained seventeen days.²

The ecclesiastical authorities, however, resented this interference on the part of the Viceroy, and on February 2, the Pope addressed two letters to the Duke of Alcalá, reminding him of his duties toward the Church. In the first of these which is a reply to the message sent to Petronio,

¹ Appendix, p. 120.

² *Ibid.*, p. 139.

the Pope denies the right of the Viceroy to prohibit a Bishop from exercising his religious functions, and urges him to atone for so great fault, by obediently following the instructions of the Church. In the second Brief, of the same date, the Pope declared that the Viceroy had violated the authority of the Inquisition in having allowed royal officers to set at liberty a prisoner of the Holy Office, and bade him obey the orders of the Papal Nuncio.¹

These two letters of the Pope were discussed at a session of the *Collaterale*, held on February 2, and grave fears were expressed lest submission to the Church in this case might result in a surrender of a part of the royal jurisdiction. The members seemed unwilling to make a definite decision in the matter, and voted that a deputy be sent to Rome to confer with the Pope.²

On February 9, the Pope's briefs were again discussed, and a reply was drawn up by D. Francisco Antonio de Alarcon.³ It was declared that the Viceroy should have been informed of the plans of the Inquisition before the arrest of Figueroa, and that the latter had been detained in Castel Nuovo by the royal authorities, pending the settlement of the case by the Pope. In regard to the demands of the Pope that the message sent to Petronio be revoked, and that Figueroa be handed over to the officers of the Holy Office, the Viceroy replied that the Bishop of Molfetta had not been prohibited from exercising the jurisdiction of the Holy Office, but had only been asked to prove that he had acted with the authority of that body. However, since the peace of the city was at stake, he could take no action until he had received an express order from the King, to whom he had made a full report of the case.

As for the second demand, the Viceroy declared that the

¹ Appendix, pp. 122-125.

² *Ibid.*, p. 125.

³ *Ibid.*, pp. 126-131.

officers of the Inquisition had caused a serious disturbance in the city, which had only been checked by his presence, and that if he had believed that Figueroa's case came within the jurisdiction of the Holy Office, he would have handed him over to the Papal Nuncio. We see that the tone of the letter is conciliatory, but he insisted that the Bishop of Mol-fetta give evidence of his authority, and that Figueroa be detained by the royal authorities until instructions were received from the King.

Señor Alarcon reported to the Collaterale on February 12, that the Papal Nuncio had declared that Petronio was an authorized officer of the Inquisition, and that the Holy Office would be satisfied if Figueroa be sent to the prison of the Cardinal at Naples. The members of the Collaterale had found that it was no easy task to oppose the Inquisition, and agreed to this last demand, though they added in timid disapproval that they would resist any attempt on the part of the Holy Office to take Figueroa out of the Kingdom.¹

On February 14, Señor Alarcon reported to the Collaterale that the Papal Nuncio preferred that Figueroa be sent to his prison rather than to that of the Cardinal, for he believed that if the prisoner was entrusted to him, he would be better able to use his influence with the Pope in his behalf. The Nuncio demanded that the Cardinal's soldiers be given back their arms, and that no restrictions be laid upon Petronio in the exercise of his functions.²

The members of the Collaterale evidently repented the bold stand which they had taken at the beginning of the case, and welcomed the opportunity of withdrawing gracefully from their contest with the Inquisition. They decreed that Figueroa be sent to the prison of the Nuncio, and that the Cardinal's soldiers should receive again their arms, but

¹ Appendix, pp. 131-133.

² *Ibid.*, p. 133.

they refused to take definite action in the case of Petronio. Figueroa was taken from Castel Nuovo, and placed in the hands of the ecclesiastical authorities.¹ On August 7, 1630, D. Francisco Castaldo was appointed to defend him in his coming trial before the Inquisition.² During these intervening six months, Figueroa had been detained in the prison of the Papal Nuncio, but he still relied on the friendship and support of the Duke of Alcalá, and applied to him for financial aid on September 4.³

In September, 1630, Figueroa was put on trial for having released, by force of arms, Francisco Antonio Stantione from the ecclesiastical prison of Nicotera.⁴ Evidence was produced that Figueroa had been warned on his arrival at Nicotera that Stantione was a prisoner of the Holy Office, and that in attempting to release him, he would be liable to the penalties specified in the Bull of Pius V, "*de protegendis*," and that Figueroa had ignored this warning and had set Stantione at liberty, after breaking open the doors of the prison. He was also charged with having refused to go to Rome, although repeatedly summoned by the officers of the Inquisition.

Figueroa testified that he was fifty years of age, that he was born of noble parents of Valladolid, and that he had served his Majesty satisfactorily in various posts. He could not say definitely whether the Bishop had warned him that Stantione was a prisoner of the Inquisition, but stoutly maintained that in setting him at liberty, he had only obeyed the orders of his superiors at Naples. As for his failure to appear at Rome, he testified that in April, 1629, he had been forbidden by the Viceroy to leave Naples, under penalty of his life. The verdict was handed down on September 5, 1630, and Figueroa was declared guilty of

¹ Appendix, p. 134. ² *Ibid.*, p. 136. ³ *Ibid.*, p. 136. ⁴ *Ibid.*, p. 136.

having violated the Bull of Pius V, "*de protegendis.*"¹ He produced in his favour a letter of recommendation from Philip III to the Archduke Albert, dated 1606, which told of his many services to the King.²

We do not know what penalty was imposed upon Figueroa, but the case was not yet definitely settled. In spite of the unfavourable verdict, the Duke of Alcalá still hoped to defeat the plans of the Inquisition, and on November 5, 1630, he asked the Duke of Monteleon if there was someone in his service who might speak a good word for the prisoner.³ On November 18, the Viceroy ordered his agent at Rome to lend all possible aid to the cause of Figueroa,⁴ and on December 17, he made a similar request to the Count of Monterey, because he felt that the royal jurisdiction was involved in the affair.⁵

The case was taken to Rome for final settlement, and on January 13, 1631, the Duke asked D. Alvaro de Toledo to give all possible assistance to Figueroa, who was to be placed on trial at Rome.⁶ Five days later, he sent Dr. Tomas Imperato to Rome to support Figueroa's cause, and allowed him two hundred ducats for secret expenses.⁷ However, in spite of these efforts of the Viceroy, Figueroa's condition was not much improved. On March 30, he reminded the Duke that he had not yet received fifty ducats which had been promised to him months before, and that he was suffering extreme want. The Viceroy ordered that this sum be paid to him at once.⁸

We learn from a letter of the Duke of Monterey, the new Viceroy, to his cousin, Cardinal Borja, soliciting aid in behalf of Figueroa, that the latter was still detained in the

¹ Appendix, p. 149.

² *Ibid.*, pp. 149 and 99.

³ *Ibid.*, p. 150.

⁴ *Ibid.*, p. 150.

⁵ *Ibid.*, p. 151.

⁶ *Ibid.*, p. 151.

⁷ *Ibid.*, pp. 151-152.

⁸ *Ibid.*, p. 152.

prison of the Papal Nuncio.¹ He said that the first thing to which he had turned his attention on assuming his new post was the case of Figueroa, which had been pending so many months, and which was not yet settled. He reminded him that although Figueroa had been freed from the censure, he had been condemned to the penalty prescribed in the Bull "*de protegendis*," and was still in the prison of the Nuncio, in as bad straits as the first day of his imprisonment. He begged him to aid in procuring the documents authorizing his release, for it had been agreed on the day of his conviction that the Pope should pardon him. We do not know whether this appeal of the Count of Monterey had any effect upon the Pope, but the Viceroy's interest in Figueroa continued, and on July 4, 1631, he sent him forty ducats to help pay the expenses of his imprisonment.²

At a session of the Collaterale on September 13, a letter from the King, dated March 18, 1631, was read.³ He condemned the imprisonment of Figueroa, and approved the message which had been sent to Petronio, bidding him show evidence that he had acted with the authority of the Inquisition, and he ordered that in the future, no ecclesiastical officers should exercise jurisdiction without the royal exequatur, and that ministers of the Inquisition should not be allowed to carry arms. This attitude of the King may have contributed to Figueroa's release, but his delay in sending his opinion had cost the unfortunate victim of the quarrel over a year of imprisonment.

On February 13, 1632, by order of the Viceroy, Figueroa was paid two hundred ducats for secret expenses.⁴ We do not know when he was released from the Nuncio's

¹ Appendix, pp. 152-153.

² *Ibid.*, p. 153.

³ *Ibid.*, pp. 154-155.

⁴ *Ibid.*, p. 155.

prison. The next certain date in his life is January 3, 1633 when he was appointed Abogado Fiscal of the Audiencia of Trani.¹

In the year 1629, the last literary work of Figueroa which we possess, was published at Naples with the title, *Pusilipo, Ratos de conversacion, en los que dura el paseo*. The book appears to have been written to win the friendship of the Duke of Alcalá, the newly appointed Viceroy, for the author felt that his sole hope for safety lay in gaining the support of the royal officers. He bestowed lavish praise upon the Duke of Alcalá, and begged him to imitate the glorious deeds of his ancestor, Per Afan de Ribera, who also had been Viceroy at Naples.

The scene of the book is a garden on the hill of Posilipo, overlooking the Bay of Naples, where four friends sought the cool breezes during the long summer days. *Pusilipo*, which is a record of their conversation, is composed of six *juntas* or meetings, and includes a large number of verses which were introduced from time to time into the dialogue.

The book shows evident signs of haste in composition, and the author rambles from politics and the principles of government to religion and natural philosophy without any apparent order or system. He evidently wished to make sure that no charge of heresy could be brought by the Inquisition, for a deep religious tone pervades the entire work, and he rivals the most impassioned mystic in his description of the joys of Heaven. His discussion of the government of Naples is valuable as an historical document, but aside from that the book offers little of interest.

This is the last work of Figueroa of which anything more than the title is known. In the Prologue, he promised to publish shortly the *Residencia de Talentos*, which would be

¹ Appendix, p. 155.

followed by the *Olvidos de Príncipes*, treating the ills brought upon the world by unworthy princes. Both of these books were mentioned in the list of works, composed and published by him, which was inserted in the edition of *España Defendida*, published at Naples in 1644. As far as I know, these books have never been mentioned by any bibliographer, and it is fair to infer that they were written, but never published.

We have seen that on January 3, 1633, Figueroa was given the post of Abogado Fiscal of the Audiencia of Trani. On October 10, of the same year, he signed at that place the Aprobacion for *Los Pastores del Betis* of D. Gonzalo de Saavedra. This is the last certain date in his life, and I was unable to find any later reference to him in the Archives at Naples.

In 1644, his epic poem was republished at Naples, and is described as the fifth edition, and "*por su autor reconocido, y de las erratas enmendado.*" Since no other edition is known except the one published at Madrid in 1612, we may doubt whether this was really the fifth edition, but it is probable that Figueroa was still living in 1644, and personally revised the new edition of the poem. In the Dedication of *Pusilipo*, which appeared in 1629, he says that he had served the King for thirty-two years in various posts, and in the Prologue to the edition of *España Defendida*, published in 1644, he says that he had held office for forty-two years, that is, he had been employed for ten years between 1629 and 1644. He did not receive his appointment at Trani until 1633, and must have held that or some other office at least until 1643 when he undertook a new edition of his poem.

We learn something of Figueroa's literary activity after 1629 in the Prologue to the 1644 edition of *España Defendida*, in which he included a list of the books which

he had composed and published up to that time. Besides the two works which he had promised in *Pusilipo*, *Residencia de Talentos*, and *Olvidos de Príncipes*, he mentioned two others as written and published. These were entitled, *Desvarios de las Edades*, *escarmientos para todos* and *L'Aurora, con los primeros ejercicios de vivientes*. None of these books are known to exist, and it is hardly likely that they were ever published, but we can judge from the titles that the didactic element which first showed itself in the *Plaza Universal* and *El Passagero*, was emphasized in these last works.

We do not know the date of Figueroa's death, but it probably occurred after 1644. After his release from prison, he ceased to be a public figure at Naples, and in Spain he was well-nigh forgotten. In an age when funeral panegyrics were almost a mania, his death passed unheeded by the poets. That he was a writer of no mean ability can not be doubted, but his long literary labours failed to win for him recognition. His convictions were too strong to allow him to court popular favour, and his life was embittered by disputes with his contemporaries. Of his very considerable literary production, there is little of permanent value. Most of his books were written to gain him a livelihood, and only with their aid was he enabled to eke out a miserable existence. Almost without exception, they lie covered with dust in the libraries of Spain, and his readers are confined to students of Spanish letters. However, his translation of the *Pastor Fido* is a work of great merit, his pastoral romance is one of the best of its kind, and *El Passagero* is perhaps the best document we have for the study of Spanish society at the beginning of the seventeenth century.

But aside from his literary work, the story of his career is of great interest. Fortune rarely smiled upon his ef-

forts, but he persevered, refusing to resort to unworthy methods to achieve success. Although he can not be ranked as a great writer, we can honour him as a man of high moral principles, and as a steadfast champion of the highest literary and political ideals.

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Included in the above mentioned list.
25. *Desvarios de las edades, escarmientos para todos.*
Included in the above mentioned list.
26. *L'Aurora, con los primeros exercicios de vivientes.*
Included in the above mentioned list.

APPENDIX.

I.

LETTER OF PHILIP III TO THE ARCHDUKE ALBERT.¹

Serenissimo Señor, el Doctor Christóval Suárez de Figueroa me ha representado que ha diez y seys años que me sirue en cargos de administracion de justicia y gouierno, particularmente en el oficio de Auditor de la Infantería Española, que siruió en Piemonte y Saboya, y en él de Abogado Fiscal de la Prouincia de Martesana y Contrascritor de Blados: que así mesmo fué Juez de la ciudad de Teramo en el Reyno de Nápoles, y Comissario del Colateral, donde hizo muy particulares seruicios contra delinquentes y foragidos: Suplicándome, atento á esto, y al desseo que tiene de continuarlos en esos Estados, le hiziese merced de un entretenimiento en ellos, en el interim que V. A. le ocupe en cosas de su profesion, y por la buena relacion que se me ha hecho de sus partes y méritos, y de lo bien que ha procedido en los puestos que refiere, he querido encomendarsele á V. A. como lo hago, para que en las ocasiones que se ofrecieren de su profesion y acrecentamiento, tenga cuenta con honorarle, fauorecerle y emplearle; que holgaré mucho de toda la comodidad y buena obra que recibiere de mano de V. A. á quien guarde Nuestro Señor como yo desseo. De Madrid, á 8 de Abril, de 1606.

Yo El Rey.

Buen hermano de V. A.

Andres de Prado.

¹ Published in the introduction to *Hechos de Don Garcia Hurtado de Mendoza*, Madrid, 1613.

II.

El Duque mi señor ha hecho merced á Don Cristoual Suarez de Figueroa de la plaça de Auditor de leche que uaca por muerte de D. Rodrigo de Quiroga y manda que por ese candidato le haga V. S. el despacho acostumbrado. Palacio á 22 de Hebrero. 1623.

Archivio di Stato, Naples. Archivio de' Vicerè, Governi ed Uffici, No. 2, p. 1.

III.

Por justos respectos ha mandado el Duque mi señor proueer la plaça del Dr. D. Xpoual de figueroa, Auditor de leche en persona del Dr. D. Geronimo de Alcamora Urssino sin embargo que no aya cumplido el tiempo y assi manda que V. S. dé orden se le den los despachos necessarios. Palacio al 8 de Agosto 1623.

Archivio di Stato, Naples. Archivio de' Vicerè, Governi ed Uffici, No. 2, p. 13b.

IV.

Por justos respectos ha mandado el Duque mi señor proueer la plaça de Dr. Inacio Antonio de Richardo, Auditor de leche en persona de Don Inacio francisco Cauo Bianco sin embargo que no aya cumplido y manda que V. S. dé orden se le den los despachos necessarios. Palacio al 8 de Agosto 1623.

Archivio di Stato, Naples. Archivio de' Vicerè, Governi ed Uffici, No. 2, p. 13b. This document refers to Figueroa's colleague, who was dismissed from office at the same time.

V.

En 16 de Nouiembre (1628) hizo S. E. merced de la plaça de Auditor de la Provincia de Calabria Ultra en persona del Sr. Seuastian Pineli en lugar del Dr. D. Xpoual Suares de Figueroa á quien S. E. ha ymbiado á llamar por dignos respectos.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1847, p. 16b.

VI.

DI NAPOLI DA MONSIGNOR NUNZIO, LI 29 GENNAIO 1629.

Ho trattato hoggi a lungo col Sig. Vicerè, et esaggerandoli con spirito, e con modo la mala qualità dell'attione d'essersi leuato di poter del Santo officio il Figueroa, et mandata hortatoria a Monsignor Petronio, e l'importanza delli impegni, ne'quali questi Ministri lo uanno tuttavia mettendo; le pessime conseguenze che portano; lo scandalo che qui se ne prende; quello che se ne riceuerà douunque simili attentati saranno intesi, non eccettuandone l'istessa Corte di Spagna, doue tanto è riuerita, e temuta l'inquisitione; concludendo che ben considerata la cosa, non troueria memoria in Regno di eccesso più esecrando, e detestabile di questo; che però uolesse pensare a riparare, per preuenire inconuenienti maggiori, et insieme il castigo di Dio, il quale non è per lasciare ingiudicate in causa sua così notabili offese. Le sue risposte sono state cortesie, con ringratiare delle considerazioni addotte, e promessa di farne sopra riflessione. Veggio però, che alle parole non corrisponde il cuore, doue se io non m'inganno, si nutrice poco amoreuole talento; et il dolce parlare non è stato per altro, che per sfuggire di entrare ne'meriti del negotio, nel quale non mai è stato possibile tirarlo restringendosi solo a dire, e ripetere; quà non è altro Inquisitore che l'ordinario, a cui douriano mandarsi gli ordini dell'Inquisitione, nel qual caso non si replicherebbe; che Monsignor Petronio non si conosce per Ministro del Santo Officio, mentre non ha mostrate sue patenti, e molto meno riceuotone l'exequatur; onde segue che nella congiuntura presente non si sia fatto nemmeno aggrauio a quel Tribunale. Che ha già scritto costà, e ui hauerebbe mandato Ministro espresso a sincerarsi. A quanto mi ha risposto, ho apportato con li migliori termini possibili, repliche adequate conforme alle notitie datemi da Monsignor Petronio: Ma S. E. per sua natura forse non bene intentionata, si rimette facilmente alle prauae consultationi dei Ministri, e poco cura le ragioni contrarie, quali in questa occasione ho procurato, che se gli dicano efficacissime e da parte le più

auttoreuoli, e piu potenti. Io nè giorno nè notte riuolgo mai il pensiero da tal affare; nè mancherò d'ufficio, o d'opra conveniente.

Vatican Archives, Rome. Nunziatura di Napoli, filza 27, il 29 gennaio, 1629.

VII.

SESSION OF THE COLLATERALE.

DIE VENERIS 30, MARTIS 1629.

Si trattò che l'auditor figueroa era stato citato dal Santo officio a comparire a Roma fra otto dì, sotto pena di ducati 2000. Si ordinò che intrasse detto Auditore figueroa, et disse che lui non hauea fatto altro che obbedire l'ordine di S. E. che escarcerasse il commissario del consiglio che staua malissimamente carcerato et che lui procurò con ogni termine buono di auere il carcerato, et non hauendolo potuto alterare, et stando il Vescovo con cento clerici armati, li fu forza di ronpere le carceri, et pigliarselo, il che fu senza nessun disordine, si concluse che si parli a Petronio, et che si faccia mandato al detto Auditore che sotto pena della vita non parta da Napoli senza ordine di sua Eccellenza.

Su Excelencia mandó de nuevo tratarse este punto con interuencion del Sr. D. Francisco Antonio de Alarcon y ansi oy Miercoles 4 de Abril uino el dicho Sr. D. francisco Antonio y los señores Regentes Tapia, Enriquez Lopez, et Brancia y los consejeros Salinas, Rouito, Corcion, Galeoto, Mastrilo fiscal, y D. Pedro Urries. Il fiscale Galeoto disse che questi signori ecclesiastici si auuagliano di questa chiaue della santa inquisitione per carcerare che li piace, et che quando non precede altra causa, allora si deue dar conto a S. E. per l'ecclesiastici. Però quando precede causa, si uede chiaramente che è color quesitus, come è in questo caso dell'Auditore figueroa, che quanto ha fatto, l'ha fatto per ordine di S. E. et che l'ha fatto con bonissimo modo, et disse se s'introduce questo di poter chiamare li ministri che eseguono li ordini di S. Maestà, non trouaua chi l'ubidisca. Il simile disse l'auocato fiscale di Vi-

caria, Mastrillo, et che sempre che il santo officio ha hauuto bisogno di chiamare alcuno per causa di inquisitione, sempre ha cercato licenza a li Signori Vicerè.

D. LOPEZ. Que se conforma con lo apuntado otra uez y que se escriua á Roma, y se dé parte de todo á Su Magestad.

URRIES. Que es bien tomar resolucion primero en el Articulo general con el Nuncio y Su Santidad, y que se le haga el mandato so pena de la vida.

CORCIONE. Che si conforma con quello che si appuntò nell'altra Giunta, et che se le faccia il mandato sotto pena della vita, che sempre s'è così osseruato, tanto con Giovanni francesco d'Aponte, quanto con il Barone di Montesti Angelo, et altri, et che mai nel Regno s'è carcerato nissuno, senza dar prima parte a S. E., et che si mandino le Scritture in Roma che l'Auditore non sta inquisito di cose toccanti al Santo officio. Si toccò la porta, et il portero disse ch'era uenuto l'Auditor figueroa, et S. E. comandò che intrasse, come intrò, et disse, Que en execucion de la órden de Su Excelencia, hauía saccado medio muerto al Comissario de la cárcel donde le tenía muy maltrattado el obispo, assy de comer como que ni aun le hauía permitido que le entrassen un colchon, y que huiendosele antes pedido con gran cortesía, no huiéndosele querido dar, le fué fuerza romper las puertas, y estando el obispo con cien clérigos, y no hallándose él syno con doce soldados, y otros ocho del Battallon, los hiço juntar con tocar la caixa y no para ir contra el Obispo. Y que lo hauía todo gouernado de manera que no hauía sucedido ningun escándalo, ny inconbeniente.

ROUIRO. Che in quanto al non potersi carcerare nissuno senza l'exequatur, oltre che così s'è osseruato, si camina anco per termine di ragione, et l'Inquisitore sta obligato di mandare l'exequatur como lo dice Legna, et che Monsignor Petronio non può ponere mano a nissuna Commissione o ordine che le uiene da Roma, senza di mandare l'esequatur et che si faccia intendere a Monsignor Petronio che in materia di Santo Officio, o qualsiuoglia che le viene commessa da Roma, non usi di dette commissioni, nè l'esegua, senza dar prima parte a S. E. con hauere li debiti dispacci, et che perciò se le faccia il man-

dato a pena della vita all'Auditore che non parta, et che si scriua a Roma et a Sua Maestà dandole conto di ogni cosa.

SALINAS. Que parece que este negocio del Auditor no es caso de inquisicion, y que trattar oy en Roma del remedio general, fuera perderlo; que se podrá dar auiso á los de Su Magestad que asisten en Roma, y se le embie el escrito del Sr. fabio Galioto, que es muy curioso.

D. BRANCIA. Che questi signori ecclesiastici uanno sempre grancendo, et che esso si ricorda di hauer uisto li Articoli fatti dalla Città di Napoli per Placido di Sungro, quando si uolea ponere la inquisitione, dallo che ne nacquero tanti trauagli, com'è noto, et che questo nome di inquisitione è tanto odioso che se si sapesse che ui è tribunale di Inquisitione, ne succederia certamente scandalo; tanto maggiormente se si sapesse che n'è stato carcerato quel libraro, quale l'haueuano posto dentro una cisterna, et carcerato et mandato anco a Roma il Calandrino, che con citarse l'auditore che comparisse a Roma sotto pena di 2000 ducati, saria molto peggio. Tanto più, che per causa di hauere ubidito l'ordine di S. Maestà che per euitare l'inconuenienti, le pare che si ponga in un castello, con molta comodità, et si mandi fede in Roma, che sta carcerato. Et per lo che tocca alli remedij generali, a lui le pare che in Roma si guadagnerà poco, ma che le pare che saria bene che alcuna persona parlasse risolutamente a Sua Santità, che Sua Maestà non vole passare per questo, et così se le potrà fare il mandato sotto pena della vita, o tenerlo come meglio comandarà S. E. in un castello come ha detto per euitare l'inconuenienti che potriano succedere.

D. ENRIQUEZ. Que quando se trattó la otra uez el de D. Tomas Calandrino, se tomó por assentado que en esta materia de Santo officio, sienpre se ha dado noticia á Su Excelencia, y por esto nos deuemos mantener en esta possession nuestra. Pero se ha de aduertir en esto del Tribunal, que se ha introducido de la Inquisicion, de que se ha hecho consulta á Su Magestad, y entanto hemos de tener cuenta de usar de nuestro derecho; y en lo de dar cuenta á Roma, no le parece que approuechará nada, pero se podrán enbiar los papeles á los

Ministros de Su Magestad para que estén informados, y hazer la consulta á Su Magestad, y entanto se le haga el Mandato so pena de la vida que no parta, porque de otra manera no se hallará ministro que obedezca las órdenes de Su Magestad y de Su Excelencia: y en quanto al ponerle en un castillo, no le parece, porque no se diga que se ha hecho por castigarle.

D. TAPIA. Que en esta materia ya se ha dado cuenta á Su Magestad con la consulta, y conbiene tambien que se dé cuenta á Roma al Sr. Conde de Monterrey, porque la dé á Su Santidad, y le parece que este hombre se ponga en seguro, ó prendendole en una cárcel, ó que esté en el quartel adonde no le prenderán, y que es diferente de Aponte, que era Regente, y que como Ministro de Su Magestad, no podía partir, lo que no milita en éste que ya ha acabado su oficio.

EL SENOR VISITADOR. Dixo, que no se podía offercer materia de mayor consideracion desta en el Reyno y que recojendo algo de lo que han dicho estos señores, y de lo que él sabe, en siete años que ha estado en la cancillería de Valladolid y de Granada, en que demás de la comission que da Su Santidad el priuilegio, se le da Su Magestad, y quitta á quien le parece como hizo á Fray Luys de Aliaga, y puso á D. Andrés Pacheco, y despues al Cardenal Zapata, y en el Consejo superior de Inquisicion, Su Magestad prouee todas las plazas de los Inquisidores, y de más, Su Magestad nomina dos señores seglares de Castilla, que interuienen y votan, y en la Cancillería de Valladolid, el Inquisidor no puede votar cosa ninguna sin los oydores, y que assi se acostumbra en España. Pero en quanto á esto de Nápoles de Petronio, cierto es que mientras el Nuncio no se admite sin el exequatúr, tanto más en materia de Inquisicion es menester que Petronio primero exiua la comission que tiene, que ó es particular, ó universal, y que no la exiuiendo, no se le permita de exercer, ó que se heche del Reyno, y en quanto al particular, no le parece causa de Inquisicion, mientras no hizo más de excarcerar al otro, y en lo de los casados dos veces, etc.....

Se concluyó:

Que se haga el mandato al Auditor figueroa so pena de la

vida que no salga de Nápoles sin orden de Su Excelencia, aduirtiendo que no salga del quartel y que de todo, se dé cuenta al Conde de Monterey y á Su Magestad, y en lo de Petronio, se le diga como exerce juridicion, y que uaya el fiscal Mastrilo á decirselo.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 5b-10.

VIII.

El Duque mi sr. ha hecho merced al Dr. Christóbal Suárez de Figueroa del Judicato de Capua que está vaco por muerte del Consejero Don Christóbal de Morales, de que aviso á V. S. para que por cancelería le dé los despachos necesarios. Palacio á 2 de Enero, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Governi ed Uffici, No. 1849, p. 11.

IX.

Haviendo proveido el Duque mi Sr. el Judicato de Capua en el Dor. D. Christóbal Suárez de Figueroa, ha reparado en que la corte episcopal de Nicotera le descomulgó por haver sacado de sus cárceles á francisco Stantione, Comisario del Consejo, rompiendo las cárceles, y que en el orden que se le dió por Colateral para escarcelar al preso, no se le da esta autoridad de romper las cárceles para escarcelarle como se ve de la Provision del Colateral, y así dize S. E. que V. S. entienda esto y le instruye con su parecer. Palacio, 7 de Enero, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 555, p. 97b.

X.

SESSION OF THE COLLATERALE.

DIE LUNE XXI JANUARIJ, 1630.

D. Lopez riferi lo dell'Auditor figueroa, che l'hanno chiamato a Roma, si trattò se stante il mandato fattoli sotto pena della

vita che non parta da Napoli, douea andare, et se stante l'istanza che fa Monsr. Nuntio, se le douea dare il Giudicato di Capua nel quale S. E. l'ha peruisto.

Il fiscal Galeoto supplicò S. E. dicendo che si seruisse di fauorirlo, perchè lo meritaua, hauendo obedito S. E. et il Collaterale, che l'ordinarono che scarcerasse il Commissario del Consiglio che tenea carcerato il Vescovo di Nicotera. Si concludè che in conformità del mandato che se l'è fatto, non vada in Roma; et che mentre si tratta di darle nuouo officio, S. E. si serua tenerlo in mano.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 24.

XI.

BELMONTE. En este punto han prendido de parte del Inquisidor al Auditor figueroa, i le detienen en la iglesia de San Luis, i dize S. E. que V. S. le diga lo que se deve hazer en este caso, i como se podrá prevenir que no le lleben á Roma, como á Mariscote, de que aviso á V. S. que Dios guarde muchos años. Palacio, 25 de Henero, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 556, fol. 31. Cancelleria, No. 18.

XII.

SESSION OF THE COLLATERALE.

DIE SABATI, 26 JANUARIJ, 1630.

Su Excelencia mandó tenerse Junta de juridiccion por la qual unieron los señores Regentes Tapia, Enriquez et Lopez, y los consejeros Rouito, Salinas, Salgado, Zufia, Corchon, Casanate, y Galioto fiscal. Vinieron después Mastrilo, y D. Francisco de Ocampo. Entró S. Excelencia con el Señor Visitador General, y dixo Su Excelencia: Que ayer le unieron á decir, que en San Luys hauían preso al Dr. D. Xpobal de figueroa, y que hauéndolo consultado, le pareció embiar soldados, que no dexassen sacar á Figueroa, y que esta mañana

hauía estado con el Monsr. Petronio, y Su Excelencia le hauía dicho, que estrañaua mucho el modo, con que hauía mandado prender este hombre, y que se podía assegurar que él hauía de usar todos los medios que conbenían para que Su Magestad no perdiese un punto de su real juridicion, y que Petronio le hauía respondido, que esto era caso de Inquisicion, y le estaua ordenado de Roma por la Congregacion del santo officio en que entran muchos Señores Cardenales españoles, y que lo pondría en las cárceles del Nuncio, y no se amouería del Reyno. Il sr. Regente Lopez fè la relatione, et disse, che hauendo il Vescovo di Nicotera mandato con molti clerici armati a carcerare francesco Antonio Stantione, commissario del S. C. sotto pretesto che auesse fatto fare esecuzione a certi parenti di clerici, lo tenea con pericolo di morte dentro le sue carceri. Per il che, parue al Collaterale, et al Sr. Duca de Alua, allora Vicerè, ordinare che ci andasse il Preside che allora era D. Camillo delli Monti, et per sua indispositione non potendo, ci andò detto D. Christoforo figueroa, Auditore in quella Prouincia, il quale scarcerò detto Commissario dalle carceri di detto Vescovo, et lo ritrouò molto maltrattato, et quasi morto. Per il che, essendo poi uenuto in Napoli detto Auditore, se l'erano intimati due Monitorij, che si conferisse in Roma, et essendo stato trattato, et riferito questo in Collaterale, se l'era fatto mandato sotto pena della vita che non partisse; et che sempre s'era giudicato, che detto Auditore non era stato chiamato a Roma per cosa di Santo Officio, se non per causa della detta escarceratione fatta da detto Commissario del Consiglio per ordine del Sr. Duca de Alua, et del Collaterale. Il Fiscal Galeoto supplicò S. E. pigliasse qualche gagliardo espediente per rimediare a questo inconveniente poichè si uede, che il Commissario del Consiglio che era stato carcerato dal Vescouo di Nicotera, non era stato per causa del Santo Officio, poichè si uede che essendo andato in Roma, ne l'aucano subito mandato, et che l'auditore non fu se non mero esecutore dell'ordine del Sr. Duca de Alua, et del Collaterale, et scarcerò detto Commissario che staua ingiustamente carcerato, et quello che s'è fatto oggi con l'auditore figueroa, non è per altro se non

per hauere ubidito l'ordine di S. E., et per difendere la sua real Giuriditione, et che li ecclesiastici per opprobrio della Giuriditione di Sua Maestà, et deludere la Maestà Regia, hanno fatto questa attione, et che all'Auditore, non se li può inputare niente di cosa toccante a Santo Officio, non hauendo fatto altro che ubidire l'ordine del suo superiore, et che quando ben fosse caso di Santo officio, tanpoco si può carcerare nessuno senza ordine di S. E., et che così lo dice Dominico di Santo Geminiano, canonista tanto potente quod debet implorare brachium seculare, et che così s'è osseruato in questo Regno, et perciò supplica S. E. per li remedij che sono necessarij per seruizio della Giuriditione regia, et che non solo si dia libertà all'Auditore, ma si detenghino quelli che sono uenuti a carcerarlo, et che Monsr. Petronio ha fondato un Tribunale formato del Santo officio, con deputatione di dodici Giudici, non potendolo fare per stare quà l'ordinario, che deue procedere: che perciò supplica S. E. che mentre non ui era exequatur, essendo negotio di tanta conseguenza, si degni ordinare che sfratti dal Regno.

MASTRILLO. Che tutto quello che oggi si tratta, sta deciso, et concluso quando si trattò l'altra volta di D. Tomaso Calandrino, et che così supplicaua S. E. si seruisse ordinare anco in questo caso, et trattandosi di un Tribunale introdotto clandestinamente, supplica S. E. ordinasse si sfrattasse Monsr. Petronio, et si ordinasse alli Soldati che liberassero l'Auditore D. Christoual de figueroa. S. E. ordenó si votasse y enpeçasse el Sr. Regente Lopez.

D. LOPEZ. Que el Auditor es inocente, y no ha culpado en nada, huiendo obedecido á sus Superiores, y no le culpan de otro, sino que rumpió las cárceles, no se le huiendo ordenado, lo que no es así. Porque huiéndosele mandado que lo escarcerasse, consiguientemente se lo ordenaua, que quando no se lo entregarían, rompíesse las cárceles, y que huiendo Su Excelencia tenido respecto á no querer que usasse de la merced del Judicato de Capua que le hauía hecho, le parece que hayan hecho un desacato y atreuimiento muy grande, viniendo á prenderle delante de los ojos de Su Excelencia con

familia armada, y en lugar adonde estaua el sitial de Su Excelencia, y por esto mande Su Excelencia se ponga en seguro al Auditor figueroa, y en quanto á Petronio, se le diga que muestre el exequatur que tiene para administrar lo que administra, y no teniéndolo, se le haga orden que vaya luego á su obispado, y supplica Su Excelencia que embie una persona á Roma.

CASANATE. Que si el Comissario del Consejo estaua preso por el Santo officio, cierto es que el Auditor está legitimamente descomulgado segun la opinion de los Canonistas, aunque se le haya mandado que no parta, y hauiendo passado el año como ensordeciente, se puede llamar á Roma. Pero este conocimiento toca al Ordenario, y que queriendolo quitar al Ordenario, Su Magestad puede prohiuir que no se haga Tribunal nuevo, y supuesto que Su Magestad lo puede prohiuir, es menester ueamos como se puede remediar, y assy con lo que haze Su Excelencia en este caso, ó quita la Inquisicion del Reyno, ó se la planta perpetuamente. Porque en los demás casos, siempre se ha procedido clandestinamente, pero aora que ha llegado á los ojos de Su Excelencia, es menester dar los remedios que conbienen, y supuesto que Petronio ha inouado, y no tiene exequatur, le parece que se le diga que muestre la comision, que si fuere conforme al derecho, se le dé el exequatur; pero no teniendo el exequatur, no permita Su Excelencia que Petronio lo haga, y hauiendo hecho tres ó quatro cosas escandalosas sin tener comission ninguna, turbandole y inquietandole el Reyno, Su Excelencia puede mandar que salga déllo, no in Vim jurisdictionis, sed in Vim economicæ possessionis. Y en quanto á figueroa, le parece que se libre de manos de los ecclesiasticos, y con ocasion que parten las galeras (por quitarse Su Excelencia esta piedra de escándalo), lo embie á España, dándole alguna ayuda de costa. Y á los que le han uenido á prender, los desarmen dentro de la yglesia, sujettándose al parecer de los demás d'estos señores.

CORCIONES. Che Sua Santità ben può delegare, o che si pigli informatione quà in Regno, o che si trasmetta a Roma; et che si giudichi anco in Regno. Però, dell'una et dell'altra

manera, tengono obligo li ecclesiastici di presentare la bulla, o potestà che tengono, perchè essendoci difficoltà, non se le da l'exequatur, et se Monsr. Petronio che esercita giuriditione del Santo officio, la deue presentare così come fece istanza lui quando era fiscale. Et perciò, concorre col Sr. Casanate che se le faccia inbasciata, che esibisca la Bulla, o ordine che tiene, il che è conforme all'antica possessione di Sua Maestà di dare l'exequatur a tutte le bulle, et di non potersi carcerare persone laice senza ordine di S. E. Però in quanto a questo particolare dell'Auditor figueroa, mentre lui non sa di che sta inquisito, non può dire che si liberi, tanto più che Monsr. Petronio et il Nuntio dicono, che è delitto di Santo officio, et conclude: che a rispetto di quelli che lo sono uenuti a carcerare, se le leuino l'armi, et la persona dell'Auditor si tenga custodita finchè si informi meglio, et a Monsr. Petronio, se le mandi inbasciata, come ne fece lui instantia la prima volta.

DE OCAMPO. Que en las Juntas passadas, está asentado que este Tribunal no tiene exequatur, y que Su Excelencia no lo deue permitir, y si esto es assy, quanto este Tribunal haze, todo es nulo, á respecto de las personas seglares, y que tambien está asentado que no puede prender á ningun lego sin orden de Su Excelencia, y que quando se quiso extraer á Roma al obispo de Poçol, que es conocido que es súbdito del Papa, el Señor Duque de Alua le dió el exequatur, y tambien quando él estuvo Comissario de la Peste, uino un frayle domingo con el exequatur de Su Excelencia, y que agora es muy claro que es violencia y usurpacion de la Juridicion de su Magestad, porque el Auditor sacó un vassallo de Su Magestad de la cárcel del Opisbo por orden de Su Excelencia, y por esto, no es cosa de Santo officio, y que no deúan quatro pícaros vellacos uenir á los ojos de Su Excelencia á prender un Ministro, y maltratarle, y que esto no ha sucedido ab Initio Mundi, y que deue de hauer en esto alguna mina, y que para sí, aunque Petronio tuviesse cartas de Su Magestad, mientras no ha uenido por el exequatur, le parece que se vaya, porque tomando Su Excelencia medios términos, pone en duda la Juridicion de Su Magestad. Pero si hay escrúpulo,

concorre con la mayor parte, y que Su Excelencia le mande soltar al figueroa, y dexé á los mismos españoles que le suelten, y si los que le prendieron no son clérigos, Su Excelencia los mande poner en una galera, y que este es su voto y lo firmará de su mano, y lo embiará á Su Magestad.

ZUFIA. Que el caso es el más graue, y más digno de consideracion que se haya jamás ofrecido, y que todo lo que se puede hazer con acto prudencial, le parece que se haga. Pero conbiene que Su Excelencia haga todas las demostraciones, siendo de tanto exenplo, y que en caso de erexía, él tiene que la santa inquisicion tenga cláusula privativa, pero sabemos que no es caso de erexía, mientras á él que sacó de la cárcel, hauiéndose presentado en Roma, le licenciaron, y que mientras hay el ordenario, no se pueden extraer los vasallos de Su Magestad del Reyno, y que él por modestia se acomoda con el Señor Casanate, y que se embie uno destes señores fiscales á Petronio, que le muestre la comission que tiene, y el exequatur, y que salga dentro de dos días del Reyno no hauiéndolo hecho. Y en quanto á los esbirros que procedieron con esta insolencia, no hiziera mucho escrúpulo extraerlos y echarlos en una galera. Todavía concorre que se desarmen, y se tome informacion de un hecho tan desuergonçoso, y hallando alguno dellos seglar, se trate en junta de Juridicion, y hallandose clérigos se dexen, y entretanto se guarden. Y en quanto al Auditor figueroa, no concorre que uaya á España, y en tenerle preso es un pedaço de desautoridad de Su Magestad, y que salga luego libre el Auditor, y mande Su Excelencia que le defiendan, y se diga á Petronio que no haga cosa ninguna contra él.

SALGADO. Que él promete ser breue, y dessea cumplirlo, y que él entiende que no hay ninguno que diga lo contrario, que todos los mandatos del Pontífice se exeqtarían por Su Excelencia, y que no conociéndose Petronio por Inquisidor, no hauiendo otro Inquisidor que el Cardenal, esto solo basta en conciencia, y que aunque tuviesse toda la autoridad Petronio, no teniendo el exequatur, no puede usar della, y que este caso no tiene comparacion ninguna con los demás, y es

gran caso, y deue tener algun pensamiento devajo, y le parece que Su Excelencia mande tomar al Auditor figueroa, y llevarlo al Castillo, y se prendan los esbirros, y luego Su Excelencia los embie á Galera, y que á Petronio se le haga una hortatoria, refiriendole el caso, y que muestre el Priuilegio executoriado, y no mostrándolo, se salga dentro quatro días del Reyno.

ROUITO. Che questo è il maggior caso che sia successo, et potesse mai succedere in questo Regno, essendosi fatto un atto così publico, et dentro l'occhi di S. E., et perciò conuiene che si rimedij ancora publicamente, et che a Petronio, se le faccia una inbasciata in secreto per il Cancelliere Giordano, che fra quattro giorni se ne uada al suo Vescouato; che mentre ci consta che non tiene il exequatur, si faccia subito come ha detto, che lo merita, et che mentre Petronio tiene tanti Consultori et Giudici, li pare che S. E. chiami li Superiori di questi monaci et preti, et le dica che auertano a non interuenire, perchè di altro modo, S. E. farà la dimostratione che conuiene, et in quanto all'Auditore, mentre sta scomunicato, che si mandi in Castello sino ad altro ordine, et in quanto alli sbirri, che se le leuino l'armi, et si informi chi sono, et usciti che sono, carcerarli subito, et darli quattro tratti di corda, et mandarli in galera, et si ordini ancora a tutti li Capitani di giustizia che leuino le armi a tutti li clerici.

SALINAS. Que él no entra en la materia si este Petronio tiene la Autoridad, ó no, que cierto es que todas las materias de Inquisicion están sujetas al Sumo Pontífice, y que se pueden prender, no solo los seglares, pero aun los hijos de los Reyes, y que la Clementina final de Hereticis nos deue poner gran miedo, y que á él en ocho años que estubo en Roma, siempre le decían, que no hauía de traer por exemplo á Francia, ó Alemania, y que todo esto de derecho le pertenece al Sumo Pontífice, y que muchos de los exenplos que trae el señor Abogado fiscal Galeoto son por el Pontífice, y que ellos no son muy curiosos, que si lo fuessen, estos exemplos les aproucharían mucho. Porque en tiempo de aquellos Reyes anti-

guos, siempre fué la Inquisicion, y que en tiempo del Sr. Duque de Alua, que se trató otra uez esta materia, él dixo que forçosamente hemos de alegar costumbre, y prescripcion, y él quiso uer el principio de donde uino el exequatur, y le parece que huuo de ser en tiempo de la gloriosa memoria de Carlos V. de sessenta años á esta parte, y desto haurá nacido el pedir la licencia á los Señores Virreyes, porque el ecclesiastico no pueda inquietar y turbar la juridicion de Su Magestad, y le parece que se defienda la juridicion de Su Magestad, y no puede dudarse, que Su Excelencia ha de defender este hombre, y que él ha de conseruar á Su Magestad la pössession en que está, y que siempre que se ha confessado, los confessores le han dicho, que está obligado conseruarle la pössession, y que el Auditor figueroa hizo un auto Santissimo sacando á el que estaua preso inocentemente, que por esto concurre que Su Excelencia le libre, ya que tambien lo ha preuenido quitandolo de manos de Faraon, y lo puede embiar á un Castillo, sabiendo esto de Su Santidad, que aunque en la Santa inquisicion hay un Cardenal español, hay muchos Franceses, y Venecianos, y enemigos nuestros, y que á respecto de los hombres que an ido á hazer esta demostracion, se dexen á la Iglesia, y al caso de Monsr. Petronio, lo pensaría mejor, porque si esto es caso que spetta al Pontífice, no se ha de hazer assy de arrebato, y se le haga una hortatoria que no proceda contra el Auditor, y procediendo contra dél, se salga del Reyno, y que tambien no tenga Tribunal.

D. ENRIQUEZ. Que en el tiempo que él tuuo la real juridicion, nunca ha uisto los ecclesiasticos tan desuergonçados como aora, y que en este caso que ha sucedido, no se trata sino de la defension deste Reyno de Su Magestad, que los demás son casos particulares, pero aora se tratta de la conseruacion del Reyno, que conbiene pensarlo con gran fundamento de como hemos de guardar este Reyno de los ecclesiasticos: pues ellos no hazen ni bonatenencias ny fiscales, y hay tantos sujetos al Papa, y en una tierra huuo tanta muchedumbre de clérigos que gritaron, Viua el Papa, Viua el Papa, y que á él le parece, que una uez se haga una grandissima

demostracion, y despues se vaya descalzo á assoluernos, y que él abla con miedo, porque dos días há que se habló de hazer una demostracion por esto de la Inquisicion, y aora embian dos esbirros descalzos á tentarnos. Que no quisiera tener nombre de impío, pero atrauessándose l'autoridad de Su Magestad, y de Su Excelencia, y de la conseruacion deste Reyno, huiendose en quatro casos concluydo, que se hechasse de aquí á Petronio, le parece que se le diga que entre dos días, se uaya á su obispado por esta causa, haziéndole la hortatoria. Porque ó tiene, ó no tiene Petronio l'autoridad, sy no la tiene, no ha hecho bien, si la tiene, no tiene exequatur, ni ha dado noticia á Su Excelencia, y assy no tiene defensa ny excusa ninguna. Y que Su Excelencia defienda al Auditor que le parece mengua que se ponga en un Castillo, y que le puede hazer pasear delante de Palacio, y si quiere, se puede ir á dormir en Castillo, y que á los esbirros, se quiten las armas, y quando salieren las Guardas, estén aduertidas, y los coxan, dándoles quattros tratos de cuerda, y se embien á Galeras, dándose de todo cuenta á Su Magestad.

D. TAPIA. Que estos señores lo han dicho todo, y tambien que no hay más que decir, pero él dirá dos palabras en la materia del Tribunal de la Santa Inquisicion, y que la raçon que tienen menester de pedir el exequatur es más antigua de lo que ha dicho el Sr. Salinas, y que este Tribunal no puede subsistir, porque el Judice ecclesiastico no tiene territorio, y que Su Magestad tiene fundada su intencion y jurisdiccion porque est Dominus Territorij, et territorium dicitur a tenendo, y todos los que uienen á exercer juridiccion, ó como obispos, ó como Nuncio, ó como Inquisidor, ó como Visitador, no se le permite aunque se trate cosa entre ecclesiasticos, sin que pidan antes, y se le dé el Regio exequatur (que antiguamente se llamaua brazo) por escusar los encuentros y escándalos que podían suceder quando no le tuuiesse, mas en materia de Inquisicion que es tan esosa¹ en esta ciudad, y los ecclesiasticos pueden ordenar y mandar, pero no executar,

¹ Italian, esosa.

y por esto, este Tribunal no puede estar aquí, tanto más haviendo aquí el Ordenario, á quien toca, y que Monsr. Petronio, aunque tuuiera el exequatur, tenía obligacion de dar cuenta á Su Excelencia, y por esto, ha excedido grandemente por todas las circunstancias que se han dicho, y le parece que se le pregunte, en uirtud de que ha hecho esto, y de que exerce esta jurisdiccion. Porque el desterrar y hechar al obispo de Nápoles, como se hauía dicho, era sentenciarle, executar la sentencia, lo que no se podía hazer sin oyrle, y que añadiría que asta tanto que no muestre la facultad que tiene, que no se entremeta en cosa toccante al Santo officio, ny en nada. Y que este hecho es de su natura condenado, y si hay caso en que pueda hechar un obispo, es éste, y á respecto de los cursos, como que este caso está junto con lo antecedente, le parece que estos hombres han excedido, pero no ellos que no tenían obligacion de replicar, pero todauía conbiene darles algun castigo, que será quitarles las armas, y en quanto á figueroa, que se ponga en un Castillo, pues se trata en materia de Inquisicion, que en todas partes suena. Porque de un mal pequeño, no hagamos uno de los mayores. Pues el Papa tiene un assiento que es el mayor del mundo, siendo Vicario de Christo, que por esto se deue de usar del acto prudencial y tambien no dexar que nos quiten la capa, que á él siempre le ha parecido que se deue acudir á Roma, y que de la misma manera tambien hazen en España, y que quando Su Magestad quiere hechar no solo á un Obispo, mas á un frayle, lo hace por medio del Nuncio, ó de su Superior, y que mientras aquí tratamos de condenar y hechar á un Obispo, y que alega ser Inquisidor, le parece que se acuda á Roma, y como decía el señor Regente Ribera, que fué su maestro, siempre se hauía de hazer requerimiento al Papa, y despues hazer lo que conbiene. Que con esto de representar al Papa que lo remedie, no remediandolo, él hechará al Nuncio, al Obispo, y á todos, y que con tratar desta manera, allá en España parecerá muy bien, y Su Excelencia se asegura de no tener ninguna reprehension. Tanto más en los tiempos en que estamos, uiéndose Francia armada y Sauoya de la costancia que se sabe que

qualquier rumpimiento pudiera causar alguna gran rottura y daño al seruicio de Su Magestad, y á la par de Italia. Y assy le parece que se embie á un ministro á Roma de los de la Junta, paraque pueda informar á Su Santidad, assy del derecho que Su Magestad tiene, de que no se prendan legos sin que lo sepan sus Virreyes, como del peligro en que ha puesto esta ciudad Monsr. Petronio, y de lo que puede suceder todas las ueces que esto se hiziere; dándose de todo cuenta á Su Magestad, y al embaxador de Roma, para que él, de su parte, ayude este negocio, siendo la más fuerte ocasion que ha hauido de muchos años á esta parte, para que Su Magestad muestre el valor necessario para la defensa de su Real juridicion.

EL SR. VISITADOR GENERAL. Que este negocio es de la grauedad que Su Excelencia sabe, y tiene muchas cosas que considerar, una general que toca al exercicio de la juridicion de Monsr. Petronio, y otra particular, en quanto toca á este caso que ha sucedido, que siendo assy como ha dicho el Sr. Marqués de Belmonte, que los obispos no tienen territorio, y que los Reyes catolicos con los muchos priuilegios que tienen de los Pontífices, y por hauer defendido y propagado la fé catolica, y possession imemorial en que están en muchos casos tocantes á materias ecclesiasticas, justamente defienden que en sus Reynos se reconoscan las Bulas y despachos de Roma, para que no se les haga perjuicio en lo que les pertenece, y que en las Indias y en este Reyno, se acostumbra que en todas las Bulas se pide el exequatur, pero no en Castilla, que quando uienen bulas contra la real juridicion ó Pragmaticas, en hauiendo noticia dellas, se lleuan al consejo, pero si no se hace esta diligencia, no necessitan de exequatur para que se observen, y que el Tribunal de la Santa Inquisicion adonde siete años ha sido Consultor en Granada y Valladolid, cierto es que tiene juridicion contra todos en los casos de la fé, no solo respecto de la Ordinaria que toca á los obispos, syno de la delegada la qual por estar incorporada en el cuerpo del derecho, y ser ya delegacion ordinaria, se admite sin contradiccion por ser en casos y cosas tan importantes, pero no sin noticia y

sabiduría de los príncipes seculares los quales en todos los demás casos y cosas, por medio de sus consejos, examinan las letras Apostolicas en que se concede juridicion delegada, como se usa en este Consejo Collateral, y se hace en los Nuncios. Y en quanto á lo que se ha dicho que por hauer Monsr. Petronio usado desta juridicion, teniendo ministros y familia, se pueda expeler, él lo duda porque por lo que ha hecho asta aquí, no haviéndosele nunca dicho nada, ny prohibido, y ansi tiene por muy difficultoso que se le puede decir que salga del Reyno, ó que se uaya á su Obispado, pues pena por lo que ha hecho, no se puede imponer á un Obispo, no se puede llamar inobediente, mientras asta aora, no se le ha intimado nada. Antes le parece que si estuviera en su Obispado, se pudiera llamar aquí que uiniera á la presencia del príncipe, á dar razon de lo que ha hecho. Pero estando aquí, se le ha de dar la orden, y le parece que con uno destes señores fiscales, se le haga una hortatoria, en que se le diga que muestre letras, y la facultad que tiene para exercitar juridicion, y entretanto, no haga cosa ninguna, ni la exercite, ny tenga Tribunal, ny familia armada, no mostrandolo, y continuando á exercitarla, se procederá contra él conforme al estilo antiguo deste Reyno asta saccarlo dél. Que esto seruirá para preuencion de lo venidero, y ajustamiento de lo presente, y assy tambien se le diga que muestre las órdenes y papeles que tiene por este auto particular del Auditor figueroa. Pero en quanto al Auditor, quanto quiera que en los delitos meramente ecclesiasticos, es controuertido, si el Juez ecclesiastico puede prender y castigar á un lego sin implorar el auxilio del braço secular. Y que el hacerse, segun opinion de muchos, se funda en la costumbre, como consta de Couarr. In Practic. c. 10, numero 2^o, Bellug. in speculo, rub. y in SS. tratandum, numero 2^o, Aufrer, in Clem. 1 de officio ordin. S. conc^{ne} a numero 102. En las causas de la fé, es cosa assentada, que puede por priuilexio especial á ellos concedido por los Sumos Pontífices, á quien en estas toca disponer y ordenar, mas que en otras qualesquiera, como consta del C. Inquisitionis S. prohibemus, y de la Clementina primera de heret. por todos los autores referidos, y generalmente

quantos escriuen en la materia lo aprueuan, y aunque en este Reyno se pretende assentar que hay costumbre en contrario, los exemplos que refiere en su papel el señor Abogado fiscal pueden entenderse que se huuiesse pedido el auxilio de hecho, por ser ansi necessario respecto de las circunstancias del caso y las personas, y no de derecho, y entonces tambien dispone el SS. Prohibemus que se pida y manda á los Príncipes y Jueces seculares que le den. Y llegando á lo indiuidual de figueroa, segun le han affirmado, el obispo le hizo intimar el SS. Prohibemus y la Bula de Protegendis de que él no auisó á ninguno destos señores, que por esto, él está escrupuloso si incurrió el Auditor. Pues el dicho SS. Prohibemus abla claramente en sus finales palabras que le descomulga, y si está insordeciente por un año, le declara por herege. No dexando de decir que aquí se ha assentado una cosa que á él se le ha dicho en contrario, pues no solo no absoluieron al principal en la Inquisicion de Roma, como estos señores han dicho, antes le penitenciaron, y le condenaron en 300 ducados, remitiendo lo demás al obispo que le descomulgó. Que por esto, tomarsela aora con el Tribunal de la Santa Inquisicion de Roma, que es el mayor y supremo de todo el mundo, le parece que se considere muy bien, que Su Excelencia podrá mandar informarse, y que siendo el echo assy, cierto es que huiendo uenido por el exequatur, aunque fuera su hijo, le huiera embiado á Roma. Pero no huiendo venido Petronio por el exequatur, lo que ha hecho, lo haze tamquam priuatus, y haciendolo como tal, Vim facit y procediendo tamquam priuatus, Vim repelere licet, como lo dice muy bien Sesse, en la epistola ad Regem nostrum, in 24 decisione, y aunque por las circunstancias que se han dicho, parece que este Auditor pudiera andar suelto, todauía le parece que se ponga en un Castillo, que con esto, se tratará despues de su causa, y conforme á lo que en ella occurriere, se tomará resolucion. Porque la que tomaron en Roma, no depende de la de acá, que sin poderselo impedir, podrán proceder á declararle por erege presumpto, y condenarle. Y assy conbiene poner la mira en dar á entender en Roma la justificacion deste negocio, y que como ha dicho el

Sr. Marqués de Belmonte, le parece que se embie una persona á Roma que trate la materia y dé cuenta de lo que se hace con Petronio, no hallando inconbeniente en que se acuda á Roma, porque quando se ua á Su Santidad, se ua al Superior, y se le diga que Su Magestad y el consejo no quieren otra cosa sino conseruar y augmentar la religion, y que en esto del Auditor, se puede saluar tambien que no haya impedido ny protexido, pues no lo hizo con esse ánimo, como es notorio, sino que ha errado, pareciéndole ser caso lícito, y comprendido en el mandato de su Superior que con esto se puede ablandar la materia, y le despacharán con alguna aduertencia ligera, conque se acabará este negocio, en el qual conbiene caminar con el tiento, y attencion que por tantas causas es necessario.

Despues de oydo al Señor Visitador, la mayor parte uino que se embie á Jordano con una hortatoria á Monsr. Petronio del tenor que sigue: Que se ponga al Auditor en un Castillo, y que á los esbirros se les quiten las armas, y en saliendo, se auerta de carcerarlos, siendo legos. Que se embie una persona de qualidad á Roma, y que el Señor Regente Lopez tome informacion del caso, acudiéndole el fiscal Mastrilo.

HORTATORIA. Reuerende uirregie, deuote dilecte: a nostra notitia è peruenuto che d'ordine uostro con famiglia armata d'arme di fuoco, prohibite per le regie pramaticæ di questo presente regno con habito di clerici, sia stato carcerato D. Christophoro Figueroa dentro la chiesa di S. Luiggi sita al incontro del Real Palazzo doue noi habitamo nel corpo di guardia, doue di continuo accudono li trattenuti soldati, et altri ministri militari in tempo che si celebrauano le sante messe et diuini officij con molto scandalo del popolo, et anco pericolo di quelli ch'andorno a far la detta cattura, del che ne auerebbe potuto risultare un gran tumulto in disseruitio della diuina Maestà del Rè nostro signore et di tutta questa città, il che intendiamo, habbiate fatto sotto colore d'essere uoi ministro del santo officio, di che siamo rimasti molto marauigliati, e molto più di non hauerci dato conto, nè di questo che uoleuate fare, nè di essere ministro del santo officio, poichè se uoi lo foste stato, doueuate ricorrere a noi, e dimandare il regio

exequatur, come si deue di ragione, e per antichissima consuetudine di questo regno, e lo fanno tutti li Prelati del Regno, alli quali come giudici ordinarij compete la giurisdittione nelle materie di Santo officio, e come fa ancora il Nuntio di Sua Santità, e si è fatto in questo regno da quelli che hanno hauuta commissione d'esercitare alcuni negotij della Santa Inquisitione, in esso acciò che le cose che tocano alla religione cattolica sianno esercitate con quel decoro e sicurtà che si deue nelli regni di Sua Maestà, da chi e dalli suoi ministri uengono con particolare attentione fauorite et agiutate come si è uisto sempre in tutte le occasioni che sono occorse per difesa della santa fede Cattolica e della fede Apostolica Romana, e perchè potrebbe succedere alcuno scandalo notabile, se per voi si passasse inanzi a dare simili ordini, e conuien'al seruitio di sua Maestà sapere con que titolo et in che forma uoi vi intrometete in queste materie, ci è parso farui la presente con la quale ne dicemo, et exhortamo che fra il termino di tre giorni, debbiat exhibir auante di noi l'ordini, commissioni, o altra potestà in uirtù della quale exercete giurisdittione in queste materie, acciò uiste, si possa prouedere da noi come conuiene in beneficio della Santa fede Cattolica e della real iurisdittione che tiene Sua Maestà in questo Regno, e che fra tanto, non debbiat essercitare iurisdittione nessuna, nè tenere congregatione, o tribunale, nè familia armata, nè far altro essercitio, acciò non si turbi la quiete di questa città, e non si faccia pergiuditio alla giurisdittione di Sua Maestà, perchè non facendosi da voi, si pigliaranno quelli rimedij soliti e consueti pigliarsi in casi simili senza expeditione d'altra hortatoria, e non farete lo contrario per quanto desiderate far cosa grata a Sua Maestà, et a noi la presente resti al presentante. Dat. Neap. die 28 mens Januarij 1630. El Duque de Alcala, Vr.; Carolus de Tapia, Regens; Enriquez, Regens; Lopez, Regens; Barrilius, Secretarius. Al Reuerendo Vescouo di Molfetta.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 24-36.

A copy of the hortatoria to Petronio is found in the Biblioteca Nacional of Madrid, Ms. 988, fol. 294-296, and as this

text is more correct than that inserted in the records of the Collaterale, I have copied it here. This hortatoria was published by Dr. H. A. Rennert in *Modern Language Notes*, Vol. VII, p. 406.

XIII.

CAIBANO. El Duque mi señor dize que V. S. le embie luego una copia de la consulta que se embió á Su Magestad sobre el negocio del Caballero Mariscoti que prendió el Nuncio los días pasados, i se llebó á Roma; y otra copia del monitorio que se ha hecho á Monsr. Petronio, Inquisidor con una relacion de lo que ha passado en el negocio del Auditor figueroa. S. E. lo queda esperando, y assi lo aviso á V. S. Pal. 30 de Henero 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 556, fol. 33.

XIV.

Copia del Breue de Su Santidad al Sr. Duque de Alcalá, virrey de Nápoles sobre la hortatoria fecha á Monsr. Petronio, obispo de Molfetta que presentase la Comision que decía tener en cosas del Santo officio.

Urbanus PP. VIII.

Dilecte fili: Nobilis uir, salutem et apostolicam benedictionem. Arcem non minus fore regni, quam cœli esse in terris sacrum sancti officij tribunal, arbitrantur catholici Reges qui Austriacæ potentiaë principatum acceptum referre solent, sacerdotum cultui, et cœlitum patrociniò, quare qui turrim illam Daud ædificatam cum angelicarum legionum propugnaculis audent inuadere ij, et contra cœlum creduntur insurgere, et quaterè fundamenta regnorum. Ægre ferimus supra quam dici potest, tam atra labe aspergi hoc tempore, nomen nobilitatis tuæ, quod tum proprijs uirtutibus, tum auitis laudibus clarum fulgere cupimus benedictionibus ecclesie. Aboleri plane debet tenebris obliuionis hortatoria illa comminatio, quæ nuper ex aula ista prodijt luctuosa sacerdotibus et laudibus

tuis exitiosa. Venerabilis frater Molfetæ episcopus, quem nos ipsi, et supremus hic sanctæ Inquisitionis Magistratus canonica auctoritate muniuimus, prohibetur nunc Proregis et Collateralis imperio exercere mandatam iurisdictionem in ijs causis in quibus religionis potestas, id est cœli dignitas continetur. Quid hoc monstri est? in expectatis nobilitatis tuæ minis, et nouis prauisque consilijs uiolari in ecclesiastico antistite sacram Pontificiis et sancti officij authoritatem, a mendacio plane quaereret patrociniū temeritati, si quis negare auderet, cœlestem tam authoritatem nulli terrenæ potestati subiectam, libere et palam iam diu uiguisse in isto regno, ubi catholici Reges cupiunt sub Austriaci Dominatus tutela regnare religionem Imperijs salutarem pestilenti populorum exemplo, luctuoso ecclesiæ scandalo noua ista molimina, in oculis totius Italiæ tentari, nemo est qui non videat, Thesauricaris plane tibi iram in die iudicij, commoueri uidereris, odium regis, inuidiam conflares isti magistratui, nisi minacem illam hortatoriam rescindi iubeas, legitimam libertatem sanctæ Inquisitionis ministris relinquens, quæ dum in arbitria animorum dominatur, uidetur etiam præfocare semina seditionum. Quare pro paterna charitate et pro pastoralis officio, monemus te ut salutari, et propera emendatione uelis tanti criminis maculam deleri, cogitans canonicas et Pontificias sanctiones uindices, a quibus graue tibi periculum impendet. Quum certa spe debitum hoc solatium a tua prudentia expectemus, testabitur Nuncius Apostolicus, ei ergo fidem habere poterit nobilitas tua cui benedictionem Pontificiam peramanter impartimur. Datum Romæ apud Sanctam Mariam Maiorem sub annulo Piscatoris, die II Februarij, MDCXXX anno, Pontificatus nostri septimo.

Joannes Ciampolus.

Biblioteca Nacional, Madrid, Ms. 988, fol. 294. Another copy of this brief is also found in the same library, Ms. 1016, fol. 130, and also in the *Archivio di Stato, Naples, Notamentorum Collateralis Consilii*, Vol. 18, fol. 42-43b.

XV.

Copia de breue del Papa Urbano VIII para el Sr. Duque de

Alcalá, Virrey de Nápoles, sobre el negocio del Auditor Doctor D. Xpoual Suárez de figueroa.

Dilecte fili: nobilis uir, salutem et apostolicam benedictionem. Ea pietatis fama Regium Magistratum in Neapolitano regno suscepit nobilitas tua ut speraret Italia coeteros Austriacæ potentiaë ministros petere isthinc posse propugnando religionis exempla. Proinde nunquam timuimus fore, ut in urbe nobilissimi Regni Principe Regis uiribus per te læderetur ditio huius tribunalis in quo cum fidei orthodoxæ unitas custodiatur, muniuntur cœlestes aggeres publicæ tranquillitatis. Hinc conicere potes quo doloris vulnere transfixerit viscera Pontificæ charitatis, inopinatus ille nuntius qui nuper significauit Christophorum Figheroam, mandatu tuo ereptum uiolenter esse, a sacræ inquisitionis vinculis. Quod nam dilecte fili, religiosæ ciuitatis oculis spectaculum præbuisse putas, regios satellites gladiis minitabundos, dum sancti huius officii ministros, non solum palam perterrefacere, sed armis etiam spoliare ausi sunt, ut reus e legitimo carcere eductus in eius custodia detineretur, cui nullum ius in causis ad religionem spectantibus. Porro autem qui sapientiaë studiis ingenium excoluisti, scis quid tam graui in negotio ecclesiasticæ ac Pontificæ sanctiones decernant. Quæ enim ad religionis iura pertinent, ita nos tangunt, qui pro sacerdotij Maiestate vitam deuouere debemus, ut prætermittere non liceat quod ratio suadet, lex iubet et cœlum exigit. Ne patiare, nobilis uir, tam fœdam nomini tuo notam inuri, atque aduersus te excitari, non modo numinis ultionem, sed etiam Regis iram constituentis gloriam potentiaë in defensione fidei et sacerdotij. Quare pro paternæ charitatis, et apostolicæ solitudinis officio monere uoluimus nobilitatem tuam, ut reum læsis sacræ inquisitionis ministris restitui atque eas nouationes reuocari iubeas, quibus est suprema huius sacri tribunalis dictio tam insigniter violata. Hoc a te solatium exigimus, atque etiam speramus, ut regiaë pietatis imitatione eruditus, et nostris dictis excitatus gloriari possis plus Pontificia monita, quam perniosa consilia ualuisse apud nobilitatem tuam, cui Nuntius Apostolicus mentem nostram declarabit, et nos paternam

benedictionem impartimur. Dat. Romæ apud Sanctam Mariam Maiorem sub Anulo Piscatoris, die februarij MDCXXX. anno Pontificatus nostri septimo.

Joannes Ciampolus.

Biblioteca Nacional, Madrid. Ms. 988, fol. 293. Another copy of this brief is found in the same library, Ms. 1016, fol. 130b, and also in the *Archivio di Stato, Naples, Notamentorum Collateralis Consilii*, Vol. 18, fol. 43b-44b. It was published by Dr. H. A. Rennert in *Modern Language Notes*, Vol. VII, p. 408.

XVI.

SESSION OF THE COLLATERALE.

DIE MARTIS 2^o FEBRUARIJ, 1630.

Se leyeron dos breues que Monsr. Nuncio dió á Su Excelencia hayer tarde del tenor siguiente; then follow the two briefs.

Mastrillo disse che lui hauea preso l'informazione, e constaua benissimo li maltrattamenti fatti all'Auditor figueroa, et faceva istanza che si pigliasse quel espediente che un tanto caso ricercaua.

GALEOTO. Che lui uede due Breui, uno toccante alla materia di Inquisitione, et l'altro per Figueroa, et che in quanto a se, le pare che si proceda dimodo che si chiariscano una uolta per sempre, perche d'altro modo, non si fa niente bastandoli adesso allegare il titolo et prouare la possessione, tanto maggiormente che questo Regno si tiene dalla chiesa, che perciò si presume che di molte cose che S. Maestà ne sta in possessione l'habbia per concessione della chiesa, et se si introduce questo, che per pretesto di Santo officio, si possano carcerare laici, è persa in tutto la Giuridittione di S. Maestà, et che in materia di Santo officio, si deue dimandare l'exequatur conforme se ne sta in antichissima possessione, il che dipende anchora dalla lege canonica come nel C. si quando de rescriptis, ne ex rescripto sequatur iniuria et uioletur pax publica: che perciò supplica S. E. che si mandasse subito a Roma persona

ad informare Sua Santità, et che mentre in questo negotio s'era cominciato, supplicaua S. E. a continuare; and they discuss at length the power of Petronio and the reply which they should make to the Pope's two briefs.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 42-45b.

XVII.

CAIBANO. El Duque mi Sr. dize que V. S. le embie la nota de los testigos que sabe se hallaron en la prision de don Christóual Figueroa que V. S. ha dicho á S. E. y que sea luego.

Palacio 5 de hebrero 1630. Y embiame V. S. una relacion de todo este suceso para ordenar las cartas.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 555, fol. 125b. Cancelleria, No. 17.

XVIII.

SESSION OF THE COLLATERALE.

DIE SABATI IX FEBRUARIJ, 1630.

Dni. Regentes Tapia, Enriquez, Dns. Lopez absente. Su Excelencia mandó tener Junta de Juridicion por la mañana con su interuencion, y vinieron el señor D. francisco Antonio de Alarcon, Visitador General, y los consejeros Rouito, Salinas, Salgado, Zufia, de Ocampo, Casanate, y Corchon.

Se leyeron de nuevo los dos breues en presencia de Su Excelencia, y se dixo que hauiendo Su Santidad hecho tan grande sentimiento de cosa tan justa de nuestra parte, deue de hauer algo debaxo, y que esto no fuera sino introducir suauemente que se tomasse el Papa este Reyno, y que se le responda de la manera que está apuntado, y se embie persona á Roma. La respuesta de los Breues es la siguiente, y la hizo el señor D. Francisco Antonio de Alarcon.

Beatissimo Padre.¹

Hauiendo sucedido el Viernes 25 del mes de Enero pasado,

¹This reply to the Pope is also found in the *Biblioteca Nacional* of Madrid, Mss. 988, fol. 296, and 1016, fol. 132.

un gran alboroto y escándalo mouido por cantidad de ministros que de echo en la iglesia de St. Luis, conuento de religiosos de la órden de St. Francisco de Paula, prendieron al Auditor Don Christóual de Figueroa en frente del Palacio Real donde ordinariamente resido, y casi en mi presencia, en medio de compañía de soldados, i de cuerpo de guardia, sin noticia ni sabiduría mía, que quando no por otra raçon deuiera preceder en aquella ocasion para evitar las muertes y tumultos que ella misma trahía consigo, i pidiendo por estas raçones la demostracion necessaria para que otra uez con maior atencion se cuidasse de no perturbar una ciudad tan populosa como ésta, y con ella todo el Reyno, porque oido acaso, i de gente de tan poca suerte como los executores de este exceso, entendí anteponían el mandato de V. B. i órden de la Inquisicion, tuue por bien templarme y dissimular, contentándome solo con no consentir que aquella violencia pasasse adelante, sino que el Auditor Figueroa se detuuiesse preso en Castelnuouo hasta que informado de todo, S. B. se siruiesse de disponer el negocio como fuesse más conueniente, i que los ministros se desarmasen de las armas prohibidas que lleuauan sin poderlo hacer, no hauiendo cosa por donde les fuesse licito, por no ser familia de juridicion conocida, y quando para dar á V. B. quenta de todo esto, con el respecto deuido, se estaua preuiniendo persona que informada de lo que en semejantes casos se a hecho otras ueces, i lo que en éste ha sucedido, lo representara á V. B. y mi obseruancia y promptitud á su seruicio, el Nuncio de V. B. lunes 4 deste, me dió en su nombre dos breues receuidos de mí con toda reuerencia, en uno de los quales V. B. me amonesta que se reuoque cierta hortatoria que se a hecho por órden del Consejo Colateral á Monsr. Petronio, Obispo de Molfetta, y en el otro que el Auditor Figueroa se le entregue, poniendo las cosas en el estado que tenían antes que se procediesse en hacer la hortatoria, ni á quitarle á los ministros que le prendieron. Y porque la justicia está depositada en el pecho de V. B., i á éste pertenece admitir la súplica que se le hiciere, en órden á que informado mexor del hecho, prouea V. B. como de sus

entrañas piadosas, i benignidad espero, con la licencia que me dan los sacros canones y la humildad que deuo, supplico á V. B. mande considerar que en quanto á el primer breue, tocante á la hortatoria hecha al Reuerendo Obispo de Molfeta, por las raçones que en él se refieren, parece que no se a hecho á V. B. relacion entera del caso porque no se le ha prohibido que use de la juridicion que tuuiere de V. B. i de la Santa Inquisicion, sino solamente que muestre si la tiene, i entretanto que no exercite ninguna. Siendo assí claro y euidente que no cae prohibicion donde se presuppone que no ay potestad, i toda la hortatoria se encamina á sauer si la tiene, como della misma consta, y para que mexor le conste á V. B. se le remite, i las raçones de hecho i de derecho que en ella se proponen, justifican que no es nueua en el modo ni excede de lo que á Su Magestad Cattolica como á supremo Príncipe le pertenece, ni contradice á las disposiciones de derecho, antes se conforma con ellas, y ultimamente guarda la modestia que en los Ministros de su Magestad es ordinaria y propria quando se atrauiessa el respecto de la Santa Iglesia, porque quanto quiera que á V. B. pertenece disponer de las materias i juridicion ecclesiastica como á Vicario de Christo i cabeça de su iglesia, i con maior raçon en las tocantes á la fée en este Reyno por priuilegios antiguos de la santa sede confirmados con transcurso de tiempo immemorial i possession inconcussa, quando se ha embiado persona, ó cometido á alguno que la execute, nõ se ha hecho sin sabiduría i consentimiento de sus Príncipes quando en él residian, i despues de los que en su lugar le han gouernado i con justissimas causas ya por el respecto que se deue á la Santa Sede, conseruándose en que sin comision suya bastante, no se use de juridicion, lo qual puede acontecer en muchos casos si no se preuiniesse i tuuiesse dello noticia. Ya por el decoro i preeminencia de la Jurisdicion ecclesiastica ordinaria, á quien el Santo Concilio de Trento concede tantas prorogatiuas cuios conseruadores por beneficio del mismo concilio son los Reyes y príncipes, ya porque no se derogue sin sabiduría de la Santa Sede á los priuilegios que della goça Su Magestad

Cattolica, pues se sabe que su intencion es de no perjudicarle, antes de concederselos cada día maiores, como lo son sus méritos, i de todos sus vasallos en su seruicio. Assí que no se ha excedido en pedir al Reuerendo Obispo de Molfeta muestre la comision que pretende tener para executar jurisdiccion en materia de Inquisicion, pues sin ella usándola, el agrauio sería de la Santa Sede, de quien depende y del Arçobispo desta Ciudad á quien toca y con ella no se puede dudar que en mí y en todos los ministros de su Magestad, hallaría no solo buena acogida y execucion sino particular proteccion, auxilio i amparo para todo lo necessario en órden á que se cumpliessen mejor los mandatos de V. B. y su mexor seruicio del ministerio del Santo officio de la Inquisicion, el qual en todos los Reynos de su Magestad se uenera y respeta como en todo el mundo es notorio, siendo el Príncipe que con maior cuidado, zelo i uigilancia, conserua en ellos la pureça de nuestra santa féé, haviendo para ello concedido á sus tribunales muchos priuilegios, i aumentando cada día maiores gracias, y lo mismo se ha experimentado en este Reyno quando en casos particulares que en discurso de las edades i tiempos an sucedido, los summos Pontífices antecessores de V. B. an cometido la execucion de alguna cosa del Santo officio que siempre an tenido para ello prompto el abrigo i socorro de la Juridiccion secular, con el qual an surtido el deuido effecto con satisfacion y gracia de los mismos summos Pontífices, i supuesto que mi intencion es continuar la misma obseruancia i obediencia, facilmente me persuado á que V. B. por su benignidad y clemencia, continuará tambien en lo que a acostumbrado essa Santa Sede en no permitir que se introduzgan cosas nuevas sin utilidad ninguna, i con tantos inconuenientes como de lo contrario se representan maiormente si como a començado á diuulgarse, se entiende en esta ciudad y Reyno que en él se planta tribunal de Inquisicion, y ay persona que se llama Inquisidor, y tiene consultores y otros ministros, lo qual si bien en tiempos pasados lo desseó i procuró introducir Su Magestad Cattolica como lo está en toda España, Sicilia y las Indias, no pudo conseguirse i solo por algunas sospechas de que se trataua dello,

siendo Virrey de este Reyno Don Pedro de Toledo, sucedieron los tumultos que son bien notorios, y así en este caso, i en caso de que depende la paz publica y la conseruacion de este Reyno de su Magestad, quando las raçones que á V. B. represento no fueran tan efficaces, yo no pudiera tomar resolucion ninguna sin órden expressa de su Magestad, á quien he dado quenta de todo i de quien esperaré la respuesta, pues no contradice al respeto y obediencia que todos á V. B. deuemos, y yo particularmente le professo.

En quanto á lo contenido en el segundo breue, con la misma reuerencia y respeto, suplico á V. B. se digne de considerar que como he referido, la occasion del tumulto y escándalo, i de muchas muertes i alboroto quizá nunca uisto en tiempo de paz en esta ciudad, se dió por los ministros que sin saberse cuios fuessen, cargados de armas de fuego prohibidas en una iglesia, en día solemne en ella, en medio de compañías y cuerpo de guardia, enfrente de Palacio, sin sabiduría mía ni de ningun official Regio, prendieron y maltrataron al Auditor figueroa de manera que si yo no me hallara tan cerca, y con summo cuidado i uigilancia sossegara el tumulto, i apagara las centellas que començauan á prenderse, sucediera un grauissimo incendio sin que despues pudiera atajarse. Y así se uee que no los ministros de su Magestad, sino los que hicieron la prision fueron los que ocasionauan tantos daños si no se preuiniera, y merecían más seuera demostracion, si no la omitiera por lo mucho que deseo en todas ocasiones mostrar con quanto affecto, con quanta sumission uenero solo la imaginacion de que se pueda atrauesar el nombre de V. B., de cuiu mandato para este caso, nunca me ha constado de que la causa de este Auditor se tuuiesse por de Inquisicion, quanto quiera que oya que se hablaua en ello, porque si ubiera llegado á mi noticia legitimamente, ubiera obedecido como agora lo he hecho, y entregadole al Reuerendo Nuncio de V. B. para que pudiesse estar siempre prompto á la obediencia y execucion de lo que V. B. dispudiesse, no se libró ni soltó, sino detuuu preso esperando la resolucion que V. B. tomara, á quien suplico tenga por bien de cometerla al Reuerendo Nuncio, pues de los

principios que tuuo notorios en este Reyno, se conoce que justamente se espera esta gracia de V. B. de cuiu summa piedad confio i del affecto con que mira las cosas de Su Magestad como de hijo tan obediente él y todos sus vasallos de la santa sede, y que consumen sus patrimonios i hacienda en defensa de nuestra sagrada religion que conocida la uerdad de lo que ha passado, i promptitud á su obediencia, se inclinará V. B. á conceder lo que le suplico.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 51b-59.

XIX.

SESSION OF THE COLLATERALE.

DIE MARTIS XII FEBRUARIJ, 1630.

Dni. Regentes Tapia, Enriquez. S. E. presente. Vino el señor visitador general, y abló en lo del Auditor figueroa, y dixo, Que el caso es de tan grande consideracion, que todo el cuydado que Su Excelencia ponga en ello lo ha de menester, y que aunque él ha uisto muchos destes señores de la Junta muy animosos, todauía le parece que no nos enpeñemos tanto que no podamos salir quando queramos, que al fin hemos de andar á parar á sus pies, y lo que dicen estos señores de lo de España es muy diferente de lo de acá. Y que él se ha uisto con el Nuncio en los descalzos, y se ha trattado de algun medio y parte de los dos puntos, primero de la hortatoria de Petronio, 2º de la prision de figueroa, y lo más principal que se ha de ajustar es lo que dicen, que desde el año 1585 los Pontífices han siempre tenido unos Inquisidores, y ha sido á istancia de los ministros de Su Magestad con ocasion que los Obispos molestauan los vasallos de Su Magestad por causa de Inquisicion, y porque era mucho trabajo y tenían mucha molestia de ir á Roma á pedir justicia, Su Santidad concedió facultad á los dichos Inquisidores de pedir los processos á los obispos, de alargar la cárcel á los presos, y que de todo diessen cuenta á Roma, y que en quanto á Petronio, el señor Duque de Alua siempre le hauía conocido por Inquisidor, como lo hauían con-

ocido tambien estos señores Regentes, haviéndole embiado muchas enbaxadas de sus partes, y que Petronio no queria alargar un dedo de lo que ha tenido, ni tener familia armada, ny cárceles. Y haviéndole pedido qué facultad tenía Petronio, le respondió que tenía una carta de Melino que proceda á instancia de los Ministros de Su Magestad quando se agrauiauan de los obispos, conforme á las istruciones que decía que no tenía. Y tambien procediesse á instancia de partes quando se quexauan de los obispos, y quando hauía alguna denuncia, se auisare á Roma. Y esto en quanto á Petronio.

Llegóse al caso particular de figueroa, y luego á los auxilios de sacar los vassallos de Su Magestad del Reyno y que se le hauía dado comision de Su Santidad, y que el breue de Su Santidad presuppone que se ha impedido lo que ha ordenado, y que se deue todo reintegrar in pristinum, y que el Nuncio se contenta que el Auditor figueroa se presente en las cárceles del Sr. Cardenal y que él y el Cardenal supplicarán á Su Santidad que se quede aquí, y que de dar palabra en fuera, que no la pueden dar, todo lo demás harán. Y dixo tambien que le parecía que no se saquen los vassallos de Su Magestad del Reyno, y que enbiarán al Padre flaminio á Roma á supplicarlo á Su Santidad, quedándose esta órden ó istrucion, ó publica, ó secreta, se adelantará mucho el seruicio de Su Magestad. Y haviéndole representado que se absoluiessen los soldados que fueron á soltar á figueroa, él respondió que con esto se destruya todo, y que se hauía contentado que no se ablasse en ello, syno dexarlo en sus conciencias. Los señores regentes dixeron que lo que se hauía de assentar era Primero, de saber las personas que han de exercer juridicion, y lo 2º que no se pueden extraher los vassallos de su Magestad del Reyno, que no era bien que debaxo desta capa de la Inquisicion, los Prelados hagan lo que quieren, ya que con esta tinta han tinto á muchos. Y que se ha de considerar tambien que con esto, se pone miedo á los ministros de Su Magestad, que no se hallará quien obedesca las órdenes de Su Excelencia, ny de Su Magestad, temiendo que les llamen á Roma. Y que se ha de aduertir tambien que debaxo desta capa de Inquisicion,

pueden comprehender los casos mistos, que por esto, conbiene tener noticia quando quieren alguno por esta causa de Inquisicion. Y en quanto toca á Figueroa, se entregue en las cárceles del Arçobispado que Su Excelencia ganará mucho en Roma, y no se perjudica á la juridicion de Su Magestad, entregándole á Petronio, y con esto se justifica lo antecedente y lo sussequente, se concluyó, Que se entregue en las cárceles del Cardenal el Auditor figuroa de orden de Su Excelencia por cosas tocantes al Santo officio, y en las otras diligencias, tratte el Sr. D. francisco con Monsr. Nuncio quanto más puede, procurando de asegurarse que no sacarán al Auditor figuroa del Reyno. Que se traygan las cosas y las instrucciones que Monsr. Petronio dice tener del Cardenal Melini, que por parte de los Ministros de Su Magestad, se ha pedido una persona, á quien se pueda tener recurso de los agraviados que hazen los obispos, y que los demás legos que fueren notados en el Santo officio, no se saque del Reyno, y quando será alguna causa graue, se dé noticia á Su Excelencia.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 59-61b.

XX.

SESSION OF THE COLLATERALE.

DIE JOUIS XIV FEBRUARIJ, 1630.

Dni. Regentes Tapia, Enriquez, et Lopez. Su Excelencia presente.

Vino el señor Visitador general, y dixo que se hauía uisto otra uez con Monsr. Nuncio, y que en quanto al consiñar á figuroa en las cárceles del Sr. Cardenal, á él le parecía se consiñasse en las suyas, para que uiniendo algun órden de Roma, lo pueda auisar, que si estubiera en las cárceles del Cardenal, y fuesse ordenado algo de Roma, él no pudiera hazer nada. Pero estando en sus manos, siempre podrá hazer buenos officios.

2º. que la hortatoria se embie á Su Santidad.

3º. Que el Inquisidor ha escritto en Roma, que se embie

aquí la copia de la carta escrita de la sagrada Congregacion del Santo officio á Monsr. de Nochera á istancia de los Regios por beneficio de los vassallos de Su Magestad porque aquí se haze grande istancia para uerla por los ministros de Su Magestad y se espera lo que mandará la sagrada Congregacion.

4°. Que se restituyan las armas á la familia del señor Cardenal.

5°. Que el sargente mayor, con todo secreto posible, se uea con Monsr. Petronio en el lugar que le pareciere más conbeniente, y le diga que si acaso huuiesse incurrido en alguna censura por hauer sacado al Dr. figuroa de manos de los ministros que le tenían á S. Luys, le haga uenir la asolucion, por sy y sus compañeros.

6°. Que no impida el exercicio de la Juridicion á Monsr. Petronio. Se resoluió.

En el primer punto, que se entregue figuroa en las cárceles de Monsr. Nuncio, por hauerle pedido Su Santidad por la Inquisicion.

2°. La hortatoria restituyéndola se embiará con la carta que se responde, ó la embien ellos.

3°. En el tercero, está bien que quando uiniere, se tomara la resolucion que conbenga.

4°. Que por ser familia del Sr. Cardenal, Su Excelencia mandara boluerseles las armas.

5°. A lo del sargente mayor, se tomará la resolucion que conbenga.

6°. Acerca de no impedir la juridicion de Petronio, que no inoue nada y particularmente no se intrometta con legos, que no se le permitirá. Y que vaya Jordano, y diga que le consiñe al Dr. figuroa por hauerle pedido Su Santidad por el Santo officio de la Inquisicion, y lo entregue en nombre de Su Santidad, y assy se executó.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 62-63.

XXI.

SECRETARIO DEL REYNO EN 20 DE FEBRERO 1630.

El Duque mi Sr. me ha mandado remitir á V. S. los papeles que van con éste, que son, el Proceso que se ha hecho sobre la prision del Auditor Figueroa, la nota de la carta que se ha de escribir á Su Santidad, una relacion de todo este caso desde la prision de francisco Stantione, unos apuntamientos del Presidente Corchon sobre lo mismo, la Bula del Papa Julio tercero con un capítulo de la historia de la Religion de los Padres clerigos regulares, y un sumario que embió el Presidente Salinas de lo resuelto en la Junta en los más de los casos pasados para que V. S. los junte con los demás que han de ir á Roma, i á la Corte, i biéndose con el Consejero Carleval, le entere en todo el caso, i le diga V. S. se uea con el Sr. Visitador, i los señores Regentes del Colateral que brebemente se hará capaz de todo, i podrá partirse á Roma sin dilatarlo más como conviene. Palacio.

Archivio di Stato, Naples. Archivio de' Vicerè, Biglietti de Vicerè, No. 39, fol. 11b.

XXII.

SECRETARIO DEL REYNO 27 DE FEBRERO 1630.

El Duque mi Sr. me ha mandado aquerde á V. S. que sin más dilacion, mande embiar á S. E. todos los papeles deste particular de figueroa que han de ir á Roma, i á España que la dilacion va descubriendo ya muchos inconvenientes. Tambien dize S. E. que V. S. haga que se execute luego lo acordado acerca de las delegaciones, y que avise V. S. á S. E. la razon porque esto se detiene. Palacio.

Archivio di Stato, Naples. Archivio de' Vicerè, Biglietti de Vicerè, Vol. 39, fol. 12b.

XXIII.

Al Dor. francisco Castaldo.

El Dor D. Christóbal Xuárez de Figueroa está preso en las cárceles del Nuncio por cosas tocantes al santo oficio, y porque

no tiene quien defienda su causa, ha hecho instancia al Duque mi Sr. fuese servido de encargar á algun abogado que acuda á ella, y por la buena relacion que S. E. tiene de la persona de V. S. le ha nombrado para el dicho efecto, y assí dize que V. S. tome á su cargo la defensa de la dicha causa, y le asista con el cuidado y afecto que se requiere, de manera que se le luzga el patrocinio de V. S. y su Justicia tenga el lugar que se le deue. Palacio 7 de Agosto 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 125. Biglietti spediti a diverse autorità, No. 94.

XXIV.

SECRETARIO HERRERA, 4 DE SETEMBRE 1630.

El Duque mi Sr. dize que Vm. le hable de esse memorial de Don Xpoual Xuárez de figueroa en que pide se le dé ayuda de costa para socorro de la necesidad que padeze. Palacio.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 134. Biglietti spediti a diverse autorità, No. 94.

XXV.

CAUSAS DE INQUISICION.

Contro.

Cristoforo figheroa Uditore allora della Regia Udienza in Catanzaro, inquisito di auer estratto a uiua forza dalle carceri di Nicotera francesco Antonio Stantione, Reo del Santo Ufizio.

Questo francesco Antonio Stantione fu carcerato diginbre 1627, perchè essendo esattore del Monte della Pietà di Napoli, eseguiua contro i beni de' chierici, fu quattro uolte scomunicato, et era indiziato di auer sparlato delle censure, dicendo che non le stimaua, e che allora mangiua con più appetito quando era scomunicato, che staua meglio scomunicato che prima, che non ostante le dette scomuniche, uoleua andare in chiesa e sentir messa, diceua che haueua dietro il Vescouo e la sua mitra.

Carcerato dal Vescouo, confessò essere stato scomunicato

più uolte per hauer preso in esecuzione beni de' chierici, negando però le oblocuzioni (*sic*), ma solo che diceua che non ostante dette scomuniche pur era uiuo, mentre era alle difese.

Stando il processo in questo stato, il fiscale episcopale espose giudicato che detto Stantione si uantaua che saria scarcerato dal Commissario Regio che uerrebbe, perciò ei fece istanza che si provvedesse.

Giunto il figheroa in Nicotera, e sentito ch'egli lo uoleua estrarre dalle carceri, il Vescouo li fece intimare un Monitorio, nel quale in sostanza si contiene, che tiene carcerato lo Stantione per causa di Santo Ufizio, che però auendo auuto notizia che si vanta di estrarrlo a forza dalle carceri, li significa di nuouo che è ritenuto per il Santo Ufizio, e li ordina che sotto le pene e censure dei Sagri Canonici et signanter della Bolla di Pio Quinto, si de protegendis, debba desistere, e non andare a inuadere le carceri, altrimenti facendo, lo dichiara, eo ipso, incorso in dette pene, et in specie di detta Bolla si de protegendis. L'istesso giorno, il medesimo Vescouo nelle sue stanze coram Notario et testibus, notificò il detto Monitorio e le cose contenute in esso al detto figheroa de uerbo ad uerbum uulgari sermone ipso presente et audiente, alle quali cose rispose il detto figheroa in lingua uolgare cosi, Non occorre monitorio citarmi piu, nè più scomuniche, né monitorij, perchè li ho inteso bene, ma deuo eseguire l'ordine Regio, che ho di Napoli, mi piglierò francesco Stantione, e quando non mi si darà bonamente, me lo piglierò auctoritate propria, e si partì, conuocò il Battaglione, e gente armata, al quale fu anco notificato detto Monitorio. Di questo discorso passato tra il Vescouo et il figheroa, e della notificazione fattali del Monitorio, oltre il Notario che ne fa fede, ui sono li detti di tre testimonij, che furono presenti, li quali sono contesti. Partito di li, il figheroa andò con tamburo e gente armata alle carceri con accette, archibugi, e mazze ferrate, e perchè ruppe quattro porte, e leuò di carcere detto Stantione, fu fatto il Visum et repertum, e furono trouate spezzate quattro porte, per le quali, prima d'arriuare al prigioniero, bisognaua

passare, e furono esaminati dieci testimonij contesti de uisu sopra detta uiolenza, e dui dicono che si gridaua, Viua il Rè, e muora il mal gouerno. Altri testimonij depongono di auer ueduto libero detto Stantione e passeggiare in Monteleone.

Si procurò per mezzo del Nunzio che si riducesse l'estratto alle carceri, e che si procedesse contro il figheroa. Dopo molti ufizi passati, fu detto Stantione da Regij carcerato nella Vicaria, d'onde dopo molti giorni, fu consegnato al Nuntio, doue fu riceuuto per il Santo Ufizio, e poi trasmesso di notte con una feluca a Roma.

Doue costituito sopra la sua estrazione, confessò che il figheroa con il battaglione, et armata manu, lo estrasse, ruppe le porte. Proposta però la sua causa, fu fatto decreto che douesse andare a Nicotera, e quel Vescouo lo douesse pubblicamente assoluere dalle censure, e che la carcere douesse cedere in pena, e douesse dare sicurtà de adimplendo pta. come dopo molte difficoltà fece, essendo andato colà, et ottenuto pubblicamente il beneficio della assoluzione.

Essendosi poi per un anno e più passati molti ufizj, perchè detto figheroa douesse ubbidire e uenire a Roma, furono tutti vani, non ostante che si fusse lasciata intendere questa sag. congregazione che si saria proceduto con piaceuolezza, e che si contentaua che uenisse con sicurtà, anzi che uenendo, se li saria assegnato un conuento per carcere, e di più ordinato al Vescouo di Molfetta, che comparendo auanti di lui, lo ritenesse carcerato in un conuento con sicurtà. Poi fu scritto più uolte che procurasse la cattura lontano dai quartieri de Spagnuoli, e quando quella poteua seguire senza strepito. Ma egli non ubbidì mai, anzi perchè s'intese che il Duca d'Alua douea partire da quel Gouerno, quale uoleua che detto figheroa ubbidisse, questo si nascose, nè uedendosi, fu per monitorio citato a Roma, et eseguito per affixionem et anco poi personalmente.

Con il Duca d'Alcalá passati nuoui ufizj, rispose a Monsr. Nunzio che concorreu con prontezza perchè si eseguissero gli ordini della sag. Congregazione. In luogo di questo, s'intese che era stato fatto Giudice di Capua, ma per ragioni motivate di quà, la cosa no passò più oltre, stando il negozio in questo stato, mentre s'andaua tracciando di auere il Reo nelle mani.

A 25 di Gennaro prossimamente fu ueduto il figheroa nella chiesa di S. Luigi uicino al Palazzo del Vicerè, e la mattina fu carcerato in detta chiesa, et arrestato nel conuento pro carcere. La notte seguente fu con uiolenza dalla soldatesca estratto, disarmati li custodi, e condotto in Castel Nuouo, e poco dopo eseguita l'ortatoria contro del Ministro del Santo Ufizio.

Fu data al Tribunale la douuta sodisfazione, essendo stato rimesso il carcerato a Monsr. Nuntio, perchè lo tenesse a disposizione di Nostro Signore, e fu riceuuto per il Santo Ufizio. L'ortatoria fu mandata a Roma, e ui è la lettera del Vicerè che dichiara auer mandato l'originale.

Il Reo nelle carceri della Nunziatura è stato più uolte costituito dal Vescouo di Molfetta.

Nel primiero Costituto, dice essere d'anni 50; esser stato carcerato nella chiesa di S. Luigi da alcuni cursori, che poi intesi esser del Santo Ufizio, doppo da una moltitudine di Spagnuoli, fui condotto in Castel Nuouo doue stetti 17 giorni, d'onde fui condotto da un scriuano Regio in queste carceri della Nunziatura.

Credo d'esser stato carcerato, perchè essendo stato citato a comparir auanti di V.S. et anco con monitorio a Roma, io non ubbidij; et è la ragione, perchè mi fu fatto precetto in Scriptis sotto pena della uita che non douessi partir da Napoli, et ore tenus che non comparissi auanti di V.S., qual' ordine datomi in scriptis lo presenterò. La causa poi per la quale fui citato per il Santo Ufizio, come lessi nel Monitorio, era perchè io aueuo estratto e scarcerato dalle carceri vescouali di Nicotera un certo francesco Antonio Stantione, che staua per causa di Santo Ufizio, et io dirò la uerità ancorchè ci uada la testa. Il fatto sta così. Io in quel tempo ero Uditore della Regia Udienza in Calabria, et furono in detta Regia Udienza presentati alcuni ordini del Signore Duca d'Alua, e con essi, alcuni cedolini di scomuniche publicate dal Vescouo di Nicotera contro francesco Antonio Stantione, detti ordini conteneuano che fusse scarcerato detto Stantione, comisario del Monte della Pietà douunque si fusse trouato, e particolarmente dalle carceri

vescouali di Nicotera, e che se li facesse precetto, sotto pena di mille ducati di presentarsi in Collaterale; in detta Regia Udienza fu concluso che douessi io andare a eseguire gl'ordini, come ui andai, e prima feci sapere al vescouo per mezzo di uno di Casa Soprano, che spedisse detto Stantione per le cause che lui diceua tenerlo, perchè così non hauerei fatto quello che doueuo fare per ubbidire, ma non uedendosene effetto, facendo lo Stantione istanza, perchè diceua che si moriua in dette carceri, andai a far riuerenza al Vescouo, li dissi l'ordine che aueuo, e quello che ero per fare, che però lo spedisse. Quel Vescouo senza rispondermi a quello che li diceuo, si alterò, e si alzò dalla sedia, e si partì di camera, dicendo, Non m'intrico in questo, et io mi partij. Il giorno seguente mi fu detto che il detto vescouo si era lasciato intendere, che se non fussi io andato in Nicotera, l'aurebbe spedito, perchè la causa, per la quale staua carcerato lo Stantione, non era molto graue. Io li feci sapere che quando il negozio auesse portato dilazione di 3 o 4 giorni, haurei aspettato. Ma poi mi riportò che il vescouo non uoleua far niente, se io non partiuo dalla città. Questo che trattò fu un Prete di 50 anni, che non so chi sia; onde mi risoluei di dar ordine che si scassassero le carceri, et di andare di persona a dette carceri, come in effetto ui andai, e furono scassate da miei soldati, assistendoui li soldati del battaglione con archibugi, et armi in aste, e tamburi, e scassate, dette carceri con instromenti atti a questo effetto, fu estratto, e lo menai a casa mia carcerato, al quale poi feci l'ordine di presentarsi in Napoli al Collaterale, dicendo di più che detto Stantione era in modo affamato che bisognò che lo ritenessi di mangiare acciò non si morisse.

INT. Si ei fuerit dictum ob quam causam retinebatur carceratus dictus Stantionus.

RIT. Non mi raccordo se il Vescouo mi dicesse che era per causa di Santo Ufizio, potria essere che me l'hauesse detto. Deinde dixit, è certo che il Vescouo non mi disse la causa della carcerazione dello Stantione, può ben'essere che mi hauesse detto che lo tenea per causa di Santo Ufizio, ma perchè egli si partì di Camera, a mala pena hebbi tempo d'intendere quello

che diceua. È ben uero che da quel Prete che andaua e tornaua, mi fu detto che lo Stantione era carcerato per causa di Santo Ufizio, ma per causa leggiera. Il medesimo Prete teneua un foglio di carta stampata in mano, e mi disse che quella era la Bolla si de protegendis, e che se io estraueo detto carcerato, incorreuo nelle censure fulminate in detta Bolla, quale non lessi, et io dissi, bisogna che faccia quello che mi si comanda da superiori.

Et monitus ut bene recordetur an uere ab episcopo fuerit ei dictum, Stantionum retineri nomine Sancti officij, et monitus ne auderet ob id accedere ad carceres. Respondit, Può essere che me lo dicesse che lo teneua per il Santo Ufizio, ma non me lo raccordo bene; che si alterò, e disse, non me ne intrico, e può essere che allora dicesse, questo è carcerato per il Santo Ufizio, ben è uero che detto Prete mi disse che era lo Stantione carcerato per il Santo Ufizio, mi mostrò la Bolla, e mi auuertì che non lo scarcerassi sotto le pene e censure di essa Bolla, ma per auere io gl'ordini, non potei far di meno.

Ad obiectiones che detto Vescouo gl'intimò il Monitorio, respondit, Non mi raccordo nè so, nè mi posso imaginare, che quando parlai con detto Vescouo, m'intimasse o facesse intimare detto Monitorio. Dettoli che non solum pta. sunt uera, ma ch'egli replicò che l'aueria preso auctoritate propria. Respondit, Non è uero, perchè andai per ordine del Vicerè, e doueuo ubbidire come ministro. Quando furono scassate le porte, io non uiddi fare ordine alcuno. Un soldato però mi disse che era uenuto un cursore con un campanello, ma da un' altro soldato gli fu levata la campanella, quale io hebbi, e la diedi al maestrogiurato perchè la restituisse a Monsignore. Io non so se si publicasse ordine alcuno, è uero che doppo detta estrazione, mi fu detto che detto Vescouo haueua fatto porre li cedolini alla porta della città. Quando mi fu data la Bolla si de protegendis da quel Prete, io non ebbi tempo di leggerla, nè so come detto Prete si chiami. Ad alias obiectiones, mi rimetto a quello che ho detto di sopra, nè mi raccordo altro, può essere tutto quello che mi si dice, che mi fusse stata detta qualche altra cosa, ma non l'aurò intesa.

Ad obiectionem, che nell'ordine Regio, non se li ordine che lo douesse scarcerare, ancorchè fusse carcerato di Santo Ufizio, come dunque abbia ardito di scarcerarlo, costandoli che era ritenuto per causa di Santo Ufizio, che però non si può scusare con detto ordine, e doueua replicare al Collaterale la causa, conoscendo che l'ordine era surettizio. Respondit, Io doueua ubbidire, nè era peso mio di esaminare la causa onde si era mosso il Collaterale a dare tal ordine, perchè mi si ordinaua che scarcerassi detto Stantione, nè è solito replicarsi alli Superiori.

L'ordine regio è, che essendosi inteso che detto Stantione, Comissario Regio sia stato carcerato dal Vescouo, e sia malamente trattato, si debba trasferir colà, e far scarcerare subito detto Stantione, informandosi della causa che ha mosso il Vescouo a carcerare detto Commissario.

Detto figheroa rispose al Vicerè dopo di auer eseguito, e fra le altre cose, dice di auer parlato con detto Vescouo, quale si alterò allegando lo tenia preso con titolo d'Inquisitione, recusando conceder lo que le pedia, onde fu forzoso romper sus carceres, y sacar dellas el preso.

Interrogavit, sopra quei che estrassero esso Reo dalla chiesa di S. Luigi, dice che entrorno alcuni soldati, quali non conosce, e che li dissero che douesse andar con loro, mi menorno in Castillo, non dicendomi con che autorità mi estraevano.

Interrogavit, se l'ordine di non partire di Napoli li fusse fatto auanti, o dopo eseguito il monitorio di uenir a Roma.

Respondit, che di Aprile del 1629 li fu fatto ore tenus un precetto di non partire, ma dopo eseguito il monitorio, perchè uoleua ubbidire, lo disse ai Regij, da quali gli fu fatto l'ordine in scriptis, che presenta et exhibuit, et contiene che per seruizio di Sua Maestà tenendo bisogno della di lui persona, non parta di Napoli sotto pena della vita.

. . . . dicit,¹ che se nello estrarre detto Stantione, e per non auer ubbidito al monitorio ha errato, non è stato per mala uolontà, che era pronto di uenir a Roma, e riceuere qualsiv-

¹The first word of this sentence is lacking in the MS.

glia penitenza, conoscendo di auer fatto male in estrarlo, che però haueua procurato di farsi assoluere dalle censure, che però addimanda misericordia, buttandosi alli piedi del Santo Ufizio.

Perchè stando egli carcerato, diede un memoriale al Vicerè, doue li diceua che staua molto male, e che non li era data, nè anco commodità di acqua in giorni così calorosi; pero interrogato se habbia scritto alcun uiglietto al Vicerè, e chi li abbia dato tale commodità, respondit, che non ha scritto tal cosa, et il Vescouo di Molfetta dice che per comparatione, apparisce che detto viglietto non è di mano del figheroa, che qualcheduno lo hauerà scritto sotto nome suo.

Ha rinunziato alla ripetitione dei testimonij. Sta alle difese. *Biblioteca Nacional, Madrid.* Ms. 1016, fol. 105ff.

XXVI.

Contra Christophorum figheroam carceratum Neapoli.

Dignetur D. V. Eminentissima reassumere summarium processus offensiui alias transmissum sub 5^a Septembris 1630, coram Sanctissimo.

Difese del detto Cristoforo figheroa.

Nel p^o, 2^o e 3^o articoli intende di prouare ch'egli è nato di padre e madre nobili di Vagliadolid, allenato cattolicamente, che sente messa, che ha seruito in diuersi carichi lodeuolmente Sua Maestà, anche con sodisfazione di Prelati ecclesiastici.

4^o testis. L'ho inteso da gente del suo paese.

5^o testis hispanus. fol. 34 et 36.

Il 6^o testimonio, fol. 37. Interrogato sopra gl'Interrogatorij, si leuò dallo scabello, e non uolse esaminarsi.

8^o. fol. 45.

Articolo 4^o e 5^o. Che per essere di nazione Spagnolo, ha sempre tenuto in grandissima riuerenza e timore il Tribunale del Santo Ufizio, essendosi in tutte le occasioni mostrato ubbidientissimo a seruire li Ministri, e Tribunale suddetto, e che ha sempre abominato gli eretici, e sospetti di eresia.

4^o testis. fol. 31, che lo tiene per tale.

5° testis. fol. 36, che così tiene.

6°. Che in caso che il fisco pretenda che egli non si sia mostrato tale per hauer esimito dalle carceri del Vescovato di Nicotera francesco Antonio Stantione, carcerato per cause spettanti al Santo Ufizio, quod expresse negat, ponit che detto Stantione, essendo destinato in Nicotera per Commissario ad essiggere li pagamenti fiscali dalli clerici coniugati e Diaconi seluaggi, fu scomunicato ingiustamente dal Vescouo di Nicotera, che teneua protezione di detti Diaconi seluaggi.

V° testis. Didacus Montoja, hispanus. Lo Stantione si lamentaua con me, che il Vescouo di Nicotera non gli lasciaua essiggere li pagamenti fiscali contro li clerici seluaggi e coniugati, e perchè esegui, detto Vescouo lo scomunicò, e staua molto alterato con detto Stantione.

XI. Prete francesco Agrippa. Lo Stantione mi disse che auuea molte pecore tolte ad un diacono seluaggio, e lo auuea fatto uenire a Montileone, perchè il Vescouo di Nicotera non gli auesse dato fastidio, nè impedito. Venne il Diacono seluaggio, e disse allo Stantione che se non le renduea, l'aueria fatto scomunicare. Il giorno seguente fu affisso un monitorio contro detto Stantione, che sub pœna excommunicationis si douesse presentare a Nicotera in quattro hore, per auer eseguito dette pecore del detto diacono seluaggio, et io lo lessi, lo dissi allo Stantione, il quale mi disse di uoler parlare col Prete Iamundo, Gesuita, come poi mi disse auer fatto, e che gli auuea detto che detta scomunica era nulla, e detto Prete Iamundo ne auuea parlato al Vescouo di Nicotera, egli haueua detto che scriuendogliene il Prete Piro, lo aueria rimediato. Io alloggiài in casa il detto Stantione, et anco il figheroa dopo la scarcerazione, quale racconta de auditu, però dal detto figheroa.

12°. Il Prete Iamundo dice che era fama comune che il Vescouo teneua carcerato per il Santo Ufizio lo Stantione, che uide carcerato detto Stantione, e mi disse esser molto maltrattato e che patiuua molto di fame.

Ultimus testis, Don Pietro di Simone, Sacerdote.

Che sa che detto Stantione fu carcerato perchè eseguiua

contro Diaconi seluagi e clerici coniugati, e in specie contro Andrea delli Quartieri, amico del Vescouo, quale io intesi quando disse, fate che da qui auanti ci pensino li commissarij a uenire in Nicotera.

7°. Che detto Vescouo fece carcerare detto Stantione dalli detti diaconi, e lo maltrattorno, e strascinorno con una fune al collo, dandoli schiaffi, e bastonate in publico, con pelargli la barba, e tentorno di portarlo carcerato su d'un carro.

P° testis, de auditu incerto, che fu carcerato lo Stantione sulla piazza ignominiosamente, e che fino gli pelorno la barba, ma non ho inteso che fussero clerici seluaggi, nè so altro.

2° testis, fabricius de Afflicto; Quando detto Stanzione fu carcerato, io era seco accompagnato da clerici seluaggi et altri, e lo fero carcerare, facendogli violenza, ma non uiddi che gli auessero pelato la barba.

3° testis. Antonio Salcio, de auditu incerto, et de fama publica, che detto Stantione fu maltrattato nella carcerazione, io non ui ero, perchè stauo a Adriatico.

4° testis. Joannes de Burgos, compagno nel ministerio Regio de figheroa, de auditu incerto, che nella carcerazione fu maltrattato e datoli molti colpi di scopetta.

V° testis, de uisu a longe, che nella carcerazione lo maltrattauano, e la causa si diceua, era perchè fu più uolte scomunicato dal Vescouo, e auer eseguito sopra robbe di Preti.

9° testis, de auditu publico, che lo maltrattorno.

X° testis. Dopo che fu preso, io lo uiddi maltrattare con sangue in faccia, alcuni diceuano che detto Stantione non uoleua andar carcerato in mano di nemici. Ultimus testis, de uisu, che lo maltrattorno, ligandolo con fune e strascinandolo.

8°. Che dopo di esser stato detto Stantione carcerato in carcere pessima, il Vescouo gli proibì il commercio et il uitto, et si moriua di fame, et il Vescouo dalla finestra gli diceua, Commissariaccio del Consiglio, ecco doue ti tengo.

3° testis, de auditu ab incertis, che il Vescouo auoua ordinato che a pena se li desse da mangiare. In reliquis nescire.

X° testis, de auditu da Pietro di fiandra, che il Vescouo lo auoua messo in carcere oscuro, doue non se gli poteua parlare,

e mi disse che aueua inteso dire che il Vescouo lo ingiuraua dalla finestra, dicendoli, Commissariaccio. *Ultimus de auditu incerto.*

9°. Che detto Vescouo scrisse una lettera al Prete Pino, Gesuita, dicendo che per le impertinenze e mali portamenti del detto Commissario, l'aueua fatto carcerare, che ad ogni richiesta di detto Gesuita, o del signor consiglier Angulo, l'aueria fatto scarcerare.

4° testis. Ioannes de Burgos. Ho inteso da diuersi che il Vescouo scrisse al consigliere Angulo una lettera, dicendoli che non si pigliasse fastidio del carcerato, perche l'auerebbe quanto prima scarcerato, e così ho inteso dire che dicesse al figheroa, che ritornasse addietro che l'aueria scarcerato.

Il Prete Pino, Gesuita. Quando lo Stantione andò a Nicotera, io scrissi, così pregato da lui al Vescouo in sua raccomandazione, poi ruppero tra di loro per cose che Monsignore pretendeva essere spettanti al Santo Ufizio, onde Monsr. per essere mio amicissimo, uedendo che io l'aueuo raccomandato, mi scrisse che auerebbe fatto ogni buono ufizio uerso detto Stantione, et auerebbe rimesso il tutto a me, quali cose egli disse per complimento, et io gli scrissi, che facesse l'ufizio suo, e facesse temere le censure ecclesiastiche.

Il Prete Iamundo, Gesuita. Il Vescouo scrisse una lettera al Prete Pino, doue per quanto disse, il Vescouo gli scriueua il mal portamento del Stantione, et che quando il Prete Pino gli scriuesse che lo scarcerasse, l'aueria fatto per gusto del Prete, ma io non lessi la lettera.

X°. Che detto Vescouo fe' trattare con detto Stantione, che se uoleua quietamente partire, e fare in modo che del fatto non se ne parlasse, l'aueria poi scarcerato con molto onor suo e che gli aueria fatto pagare le giornate dalla Università, ma disse detto Commissario di non potere, per auerne dato parte al Collaterale.

Ultimus de auditu dal Sindaco.

XI°. Che dal consiglio furono spedite provisioni dirette al Preside per far scarcerare detto Commissario con ordine espresso.

9°. So che uenne ordine dal Collaterale al Preside della Provincia, e fu fatto monitorio al vescouo di Nicotera, che scarcerasse lo Stantione, e non uolendo scarcerarlo, andò a scarcerarlo detto figheroa, quale mi disse che si era portato con buoni termini, ma che il Vescouo non l'auuea uoluto intendere, onde egli fece il suo Ufizio.

X°. Joannes Vitalba. Mi ritrouai quando lo Stantione faceua eseguire a Nicotera sopra li beni, tanto di secolari, quanto di ecclesiastici. Si disgustò il Vescouo, per quanto intesi, e fu carcerato, ma non lo uiddi, intesi che fu con strappazzi.

12°. Che essendo esso articolante stato eletto per eseguire gli ordini del Collaterale, trouò per publica uoce e fama, che detto Stantione era non per altra causa stato carcerato, che per auer eseguito contro chierici coniugati e Diaconi seluaggi, e per auer sparlato del Vescouo, senza che si sia intesa altra causa di detta carcerazione.

P° testis. Frate Ambrosius de Cordoua, de auditu incerto, che detto Stantione era stato carcerato per esecuzioni fatte a chierici, e che per essere, per questo, stato scomunicato dal Vescouo, non auuea desistito. De auditu ut supra, che fu spedito il figheroa, perchè lo estraesse, come si disse fu fatto.

2° testis, Fabricius de Afflicto. Francesco Antonio Stantione fu carcerato dal Vescouo, perchè non stimaua le scomuniche, come mi disse esso Vescouo, ma io non so altra causa, so bene che il Vescouo scomunicò detto Stanzione due uolte per auer eseguito sopra le robbe di persone ecclesiastiche. Io ho sempre inteso, che Monsr. Vescouo teneua carcerato lo Stantione per capo d'Inquisizione, per dispreggio delle scomuniche, che così si diceua da tutti che era carcerato, e così lo teneua carcerato per causa di Santo Ufizio.

7° testis. Christophorus de Uglaloge. Che detto figheroa è carcerato, perchè andò con ordine Regio a scarcerare lo Stantione, perchè staua carcerato per causa di Santo Ufizio, e che detto figheroa auesse risposto, io so come sono le cose del Santo Ufizio, e che non staua carcerato per questo, e questo ho inteso da diuerse persone di Palazzo.

13°. Che fece scriuere al Vescouo, e mandargli a parlare, mettendogli in considerazione, che non era bene tenere tanto tempo carcerato un laico senza giusta e legitima causa, ma non uolse pigliare temperamento alcuno.

14°. Che detto Vescouo non disse, nè fu inteso dire che detto Commissario egli lo tenesse carcerato per il Santo Ufizio, ma perchè auesse parlato della sua persona, che quando egli promettesse di partire dalla sua Diocesi, l'aueria fatto scarcerare.

Il Prete Iamundo, Gesuita. Io ho detto che il Vescouo e suo Vicario diceuano che teneuano carcerato lo detto Stantione per causa di Santo Ufizio, e per questa causa, l'auueuano mandato a pigliare. So che il Vescouo prima della carcerazione di detto Stantione si lamentaua di esso, che auesse fatto poca stima delle scomuniche.

15° et 16°. Che esso articolante andò di persona dal Vescouo, al quale da solo a solo senza che ui fusse presente alcuno, in una camera serrata gli parlò, e pregandolo, egli si leuò in furia, entrò in altra camera lasciando l'articolante solo, onde si partì dolendosi del maltermine riceuuto dal Vescouo.

Ultimus. Quando venne detto figheroa in Nicotera, andò dal Vescouo, et io per curiosità, andai sino alla sala di Monsre., e detto figheroa et il Vescouo entrorno dentro, si serrorno soli, e dopo un quarto d'hora, uiddi che detto figheroa aprì da sè la porta, e se n'uscì sdegnato, dicendo, son termini da usar questi tra cortigiani?

17°. Che detto Stantione non era inquisito di cause spettanti al Santo Ufizio, perchè essendosi egli presentato in Roma nel Santo Ufizio, fu subito spedito, licenziato senza tortura, nè abiura, e difese.

18° articolo, che quatenus si pretendesse del fisco che mentre parlò con il Vescouo, li fusse stato intimato alcun monitorio, o Bolla pontificia, quod negat, ponit, che non gli fu intimato, e non fu uisto intimargli detto monitorio, o Bolla, e che nè anco è uerisimile, che in sì poco tempo, gli fusse stato intimato.

Il Prete Iamundo, Gesuita, de auditu ab episcopis, che aueua intimato la Bolla di Pio Quinto al figheroa quando andò a parlargli.

19° e 20° Articoli. Ch'egli non si può dir contumace agli ordini di Roma, per auere un ordine penale sotto pena della uita del Vicerè di non partire di Napoli. Che procurò la riuocazione, ma non gli fu concessa.

4° testis. Io so che il figheroa non andò a comparire a Roma per la pena che da parte del Vicerè li ueniua minacciata, e so che fece molte diligenze per riuocare l'ordine del Vicerè.

Ultimus testis, de auditu incerto, che essendo stato citato a Roma, ne addimandò licenza al Vicerè, e non auendogliela concessa, gli fece ordine penale della uita che non partisse.

21°. Che dalle censure ad cautelam, si è fatto assoluere in foro conscientiae nelli Giubilei uniuersali concessi da Nostro Signore.

4°. Io ho uisto le cartelle della assoluzione ottenuta da detto figheroa in foro conscientiae.

22°. Che li clerici coniugati e non coniugati e diaconi seluaggi gli sono nemici per la causa sodetta, e che del processo come fabricato da Giudice sospetto non si deue auere in consideratione.

Ultimo articolo. Che essendosi esaminato Antonio Boccafona, Marcanius Boccafona, Francesco Corrio, e Girolamo Barone, come amici del Vescouo, non deuono meritar fede.

Die 5^a septembris 1630 proposita causa Sanctissimus declarauit si ex defensionibus nihil releuans ad eius favorem resultauit eundem figheroam incidisse in censuras, et pœnas contentas in Constitutione sanctæ memoriæ Pij Papæ quinti incipiente si de protegendis ac mandauit sententiam legi in Congregatione consultorum uelo leuato, ibique eundem figheroam absolui a censuris, eandemque sententiam legi, et publicari Neapoli, et Nicoteræ, Summarium causæ mitti nuncijs Apostolicis Hispaniæ et Neapolis, cum facultate pandendi contenta in eodem summario, præcipue Rei confessionem, exaggerarique urbanitates erga dictum Reum, illum uocando cum promissionibus et quod cum benignitate expediretur. Præterea procedi contra magis culpabiles supra dicti excessus, hocque notificari etiam pontificiis nuncijs Hispaniæ et Neapolis.

Per qualificare la sua persona ha il detto figheroa esibito una lettera scritta in sua raccomandazione dalla Maestà Catolica fin dal 1606 all'Arciduca Alberto, nella quale racconta molti seruizii fatti in più luoghi per il Rè.¹

Biblioteca Nacional, Madrid, Ms. 1016.

XXVII.

Al Duque de Monteleon.

En las cárceles del Nuncio está preso el Dor. Don Xpoual de figueroa por las causas que V. E. deve tener entendidas, tocantes á Jurisdiccion, y porque se trata agora de sus defensiones y el Duque mi Sr. se halla obligado á ellas por el servicio de su Magestad, me ha mandado diga á V. E. que si en su casa huuiere alguna persona que pueda dezir á su favor, disponga V. E. como esto se consiga con toda brebedad, Dios guarde á V. E. muchos años.

Castilnuouo á 5 de Nobembre, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 166. Biglietti spediti a diverse autorità, No. 94.

XXVIII.

Al Secretario herrera.

El Duque mi Sr. ha resuelto que se escriba apretadamente al agente deste Reyno en Roma que ayude con mucho cuidado el despacho de la causa del Dr. Don Christóbal Xuárez de figueroa, ya que de aquí se ha embiado el proceso que ha sustanciado por comision de Su Santidad Monsr. Petronio, y como este negocio ha tenido principio en su escritorio de Vm., y juzgo que por él se habrán escrito otras cartas al Agente sobre la materia, me ha parecido avisar á Vm. de la voluntad de S. E. para que con más acierto se execute.

Castilnuovo á 18 de Nobembre, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 170b. Biglietti spediti a diverse autorità, No. 94.

¹ This letter is found in the Appendix, p. 99.

XXIX.

Al Secretario Juan Pablo Bonete.

El Duque mi Sr. me ha mandado remitir á Vm. esos tres papeles, el primero sobre la cobranza de una inposicion que por razon de la Aduana grande desta Ciudad se ha de hazer en Vietri, lugar de la Ciudad de la cava, el 2º acerca de las diferencias que tiene Phelipe Grimaldo, Baron de St. Angel, con el Arçobispo de Manfredonia sobre las décimas que pretende cobrar en aquel estado, y el tercero trata de la causa del Dr. D. Xpoual Xuárez de figueroa, y dize S. E. que Vm. se sirua de suplicar de su parte al Sr. Conde de Monterey favorezca estos negocios en Roma con muchas veras porque es interesada en ellos la Jurisdicion de su Magestad, y en particular en la causa del Dr. figueroa. Guarde Dios á Vm.

De Castilnuovo á 17 de Diziembre, 1630.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 179b. Biglietti spediti a diverse autorità, No. 94.

XXX.

A Don Albaro de Toledo.

Ya V. S. está informado del negocio de Don Xpobal Xuárez de figueroa y de las causas de su prision, y como agora se ha de ber y determinar en Roma, y supuesto que V. S. se ha de conferir en aquella ciudad á otros negocios, me ha mandado el Duque mi Sr. que diga á V. S. que ayude éste donde fuere menester de manera que se consiga el breve y buen despacho que demás de ser tan del servicio de su Magestad como V. S. sabe, S. E. lo estimará mucho.

Castilnuovo 13 de Enero, 1631.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 185b. Biglietti spediti a diverse autorità, No. 94.

XXXI.

Al Secretario herrera.

El Duque mi Sr. ha resuelto que el Dr. Tomas Imperato vaya á Roma á patrocinar la causa del Dr. Don Christóbal

Xuárez de figueroa, y que para el dicho efecto, se le den doscientos ducados de ayuda de costa por cuenta de gastos secretos, y dize S. E. que V. S. dé para ello las órdenes necesarias.

Castilnuovo á 18 de Enero, 1631.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1472, fol. 190b. Biglietti spediti a diverse autorità, No. 94.

XXXII.

Secretario herrera.

Por parte de Don Christóbal Suárez de figueroa, se ha referido al Duque mi Sr. que hasta agora no se le han pagado los cinquenta ducados que S. E. le mandó dar los meses pasados para ayuda de costa, representando que padeze extrema necesidad, y S. E. me ha mandado diga á Vm. que procure con efecto que se le dé satisfacion con toda brevedad.

Palacio 30 de Março 1631.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1480, fol. 46b-47. Biglietti spediti a diverse Autorità, No. 102.

XXXIII.

A Juan Rubio de Herrera.

Al Dor. Don Christóbal Suárez de figueroa hallo en el mismo aprieto de cárcel en esta nunciatura que el primer día que se comenzó su causa aunque absuelto de las censuras de la bula de protegendis y condolido como es justo de su trabajo y obligado por el servicio de su Magestad, al remedio dél escribo al Sr. Cardenal de Borja, mi primo, la carta cuya copia ha aquí, y á Vm. le encargo encarezidamente la solicitud del despacho . . . orden á su liberacion, haziendo para . . . en mi nombre todas las diligencias que pareciere á Vm. convenir y de lo que en esto se le ofreciere, me avisará Vm. que Dios guarde.

Nápoles á 20 de Mayo, 1631.

El Conde de Monterey.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1292, fol 1b. Corrispondenza Estera, No. 5. The MS. is somewhat defective.

XXXIV.

Al Cardenal Borja. Eminentísimo Reverendísimo Señor.

Primo y Sr. mio, el primer negocio en que he puesto los ojos en este Gobierno, digno de compasion y remedio es el que estuvo pendiente tantos meses y todavía lo está, que toca al Dr. Don Christóbal Suárez de figueroa que como sabe V. Eminentísima Reverendísima y yo entendí, en essa Corte fué condenado en las penas de la Bula de protegendis, y se halla oy en las cárceles desta Nunciatura en el mismo aprieto que en los principios de su prision, aunque segun me dizen, absuelto de las censuras, y assí me hallo obligado á suplicar á V. Eminentísima Reverendísima me haga merced que vengan con toda brebedad los despachos necesarios para su soltura que si no me acuerdo mal, quedó apuntado el día de su condenacion á hazerle Su Santidad la gracia, y yo suplico á V. Eminentísima Reverendísima en mi nombre que la pida á su Beatitud, y pues V. Eminentísima Reverendísima sabe lo que en el servicio de su Magestad cimiento de lo que yo desseo su brebe y buen despacho, y para las beras conque estoy cierto que V. Eminentísima Reverendísima le ha de procurar, haziéndome la merced que suele. Guarde Dios la Eminentísima Reverendísima persona de V. Eminencia Reverendísima como desseo.

Nápoles á 20 de Mayo, 1631.

El Conde de Monterey.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1292, fol. 1. Corrispondenza Estera, No. 5. The MS. is defective.

XXXV.

Al Secretarío Rosales.

El Conde mi Sr. me ha mandado dezir á Vm. que haga pagar por cuenta de gastos secretos, quarenta ducados al Dr. Don Christóbal Suárez de figueroa para ayuda á los gastos de su prision, y que se escriba de nuevo á Roma en lo que contiene su incluso villete.

Palacio 4 de Julio 1631.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1483, fol. 50b. Biglietti spediti a diverse autorità, No. 105.

SESSION OF THE COLLATERALE.

DIE SABATI 13 7BRIS 1631, DE MANE.

Entró Su Excelencia con el señor Visitador General, y los señores Regentes Tapia, Enriquez, Lopez, Rouito, consejeros Salgado y Zufia, y el Presidente Casanate. Se leyó la carta de Su Magestad al Sr. Duque de Alcalá de los 18 de Março 1631 sobre la prision de D. Thomas Calandrino, y el Marqués Ludouico Mariscotti, y por las razones que apunta, manda Su Magestad se suspenda de trattar más de lo que toca á este particular de D. Thomas Calandrino, y que se quede en el estado en que se halla oy. En quanto al hauer saccado á Roma D. Ludouico Mariscotti, titulado feudatorio, y entretenido de Su Magestad, ha escrito al Sr. Conde de Monterey, embaxador extraordinario en Roma, que en su nombre dé á entender al Papa y á la congregacion del Santo officio el justo sentimiento de hauer sacado al dicho Mariscotti sin dar noticia al Virrey, paraque se abstengan de emprender cosas semejantes, que no se han de consentir ny dissimular. Por lo de D. Christóual de figueroa, ha parecido que la prision no fué bien hecha, y agradece su Magestad lo que ha hecho assy en la hortatoria que se hizo á Petronio, porque dentro de tres días exhibiese ante el Virrey las órdenes, comissiones, ó otra potestad en virtud de la qual exercitaua Juridicion, y que entre tanto, no la exerciesse, como tambien lo ha parecido de hauer hecho sacar al dicho Auditor de manos de los cursores y quitadoselos las armas prohibidas, lleuandolo á Castilnueuo, y no hauerlo hecho lleuar á Roma, y porque se sepa lo que se ha de hazer en semejantes casos, y se euiten las dudas, manda Su Magestad que ningun Delegado ó Comissario que uenga de Roma exercite Juridicion alguna en este Reyno si no huuiere primero presentado las letras de su comission y obtenido el Regio Exequatur como es costumbre y cosa assentada. Y quanto á las cosas de Inquisicion, es tambien voluntad de Su Magestad que si primero no se huuiere dado noticia á los Señores Virreyes de la comission que tubiere de Roma con

mostrar las letras, no permitan que se exercite Juridicion sin aprouacion ó licencia, y que no se dé lugar ni á prender, ny á saccar persona alguna del Reyno aunque sea por cosa de la Inquisicion, sinque primero el que le pretendiere hazer, dé noticia dello. Demás, manda Su Magestad que no se permita á los cursores y ministros, assy de Arçobispos, obispos ó delegados, ó comissarios de la Inquisicion traher armas prohibidas por las Pramaticas, y si las traxeren, se las quitten y se executen en todo tiempo por los sucesores, registrandose en Colateral, y más ha mandado Su Magestad al dicho Sr. Conde de Monterrey que se resienta con Su Santidad viuamente y mande reprehender á Petronio.

Se concluyó.

Que se execute en todo y por todo la carta de Su Magestad, y que se haga nueva hortatoria á Petronio, con insercion de la primera, haziendo mencion de la orden de Su Magestad y palabras della.

Archivio di Stato, Naples. Archivio de' Vicerè, Notamentorum Collateralis Consilii, Vol. 18, fol. 97.

XXXVII.

S. E. dize que V. S. pague por cuenta de gastos secretos doscientos ducados á Don Cristóbal de figueroa.

Palacio 13 de Hebrero 1632.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1483, fol. 96b. Biglietti spediti a diverse autorità, No. 105.

XXXVIII.

El Conde mi Sr. ha hecho merced al Dor. Don Christóbal Suárez de figueroa de la plaza de Abogado fiscal de la Audiencia de Trani por estar fuera con licencia el Dor. Reynaldo Brancacho que la seruía, de que S. E. me ha mandado auisar á V. S. y dize que por aora se le den los despachos que fueren necesarios por escritorio. Puzol 3 de Enero 1633.

Archivio di Stato, Naples. Archivio de' Vicerè, Vol. 1850, fol. 31b. Governi ed Officij, No. 6.

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