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**ISABELA I AND FERNANDO II OF CASTILLA-LEÓN AND ARAGÓN, Letter of Confirmation and Privilege for the Canons of the Cathedral of San Salvador of Oviedo In Castilian, illuminated manuscript on parchment Spain, Burgos, dated 30 September 1496**

*6 folios, complete, (collation: i<sup>o</sup>), no foliation or catchwords, text written in rounded gothic script with chancery features in dark brown ink, on a single column throughout, 40 lines per page, ruled in plummet, pricking before ruling, text bound by horizontal and vertical lines (justification 195 x 150 mm.), public notary initials in lower margin on ff. 1r-4r, diagonal notary marks in upper margin ff. 2v-4r, witness signatures in brown ink on f. 4r, a few interlinear scribal corrections on ff. 2v-4r in gothic script in brown ink, marginal notation in an early sixteenth-century hand in italic cursive written in brown ink on f. 4r, one three line illuminated initial "S" on f. 1r, ONE LARGE FRONTISPIECE ILLUMINATED INITIAL "E" WITH FIRST LINE ILLUMINATED TEXT PANEL AND BORDER IN GOLD LEAF (f. 1r), ONE LARGE COAT OF ARMS WITH GOLD LEAF (f. 1r). Bound in original limp vellum with original single multi-colored silk cord used in sewing, paper ex libris affixed to upper left corner of inside front cover of binding, on the front binding six library cataloguing notes in different hands (Missing original lead seal pendant, otherwise in excellent condition). Dimensions 323 x 230 mm.*

Deluxe, evidently unedited copy of a royal Spanish document, granting the transfer of the rights to the excise tax renounced by the Bishop of Oviedo, Juan de Arias, to the canons of the Cathedral of Oviedo, and illuminated by artists in the royal chancellery. Including important liturgical and historical information, the document was probably housed in the Cathedral of Oviedo and comes from an illustrious Mexican family.

**PROVENANCE**

1. Manuscript prepared for the canons of Oviedo by Diego de Henares, notary of the royal *audiencia* of Valladolid in Burgos, signed and dated 30 September 1496, and illuminated in the royal chancellery itself. Diego de Henares, likewise prepared the original letter of renunciation in August. Standard Spanish notary practices appear in the manuscript, including the use of double notary marks at the bottom of each page and the inclusion of large diagonal marks blocking out space at the top of each page to insure that no new pages or added text could be added to the document. Of special interest is the inclusion of the notary's remarks regarding the (still extant) multi-colored royal silk to sew the quire to the binding and the mention of the unfortunately now-lost royal lead seal affixed to the silk cord.

2. Extensive notes on the binding from various epochs: [Upper cover], very faded late fifteenth-early sixteenth-century humanist script in brown ink "Privilegio de los xx mil [maravedis de juro?] del reverendo in xristo don juan de arias obispo de oviedo por la missa de ...."; late fifteenth- or early sixteenth century italic cursive script in black ink "fue dado por los reyes catolicos don fernando y doña ysabel el año de IVm xcvi"; early seventeenth-century catalogue number in black ink "Cax<sup>n</sup>. 28 n.º 20" in upper edge on the outside head of the front binding; different seventeenth-century hand in italic cursive in brown ink "1496 Juro de los maravedis de la Alcabala de Gijon"; modern pencil hand "14248 Piz." [Back cover] "Privilegio de los Reyes Catolicos de .... del Obispo Arias con favor ... se cedió al ....."
  
3. Dr. Pablo Martínez del Río, Mexico City, Mexico (1892-1963), his ex libris and coat of arms on the inside cover. He was a noted archeologist and director of the Instituto Nacional de Antropología e Historia in Mexico, who was born in Mexico City on 10 May 1892 into the politically influential family of the Martínez del Río. He completed his doctorate at the University of Oxford, and then returned to Mexico. After the civil war when his family lost their estate in Durango, Dr. Martínez del Río began work in the Department of Anthropology in the Escuela de Ciencias Biológicas del Instituto Politécnico Nacional, later becoming the first director of the Escuela Nacional de Antropología e Historia in 1942. He also was the director of the Escuela de Verano de la Facultad de Filosofía y Letras de la Universidad Nacional. Besides his publications on pre-history, Dr. Martínez del Río helped found the Instituto de Historia de la Universidad Nacional in 1945 with Rafael García Granados. He died on 26 January 1963. The document passed to his heirs.

## TEXT

f. 1r, *Preamble Address*, incipit, "EN EL NOMBRE de dios et fijo et spiritu santo tres personas et vn solo dios verdadero que vive et Reyna por syempre syn fyn...;" explicit, "Vimos vna carta de Renunçiaçion del Reverendo in xristo padre Don Juan arias obispo de oviedo nuestro presidente en la nuestra chançilleria escripta en papal et firmada de su nombre et signada de escriuano publico fecha en esta guisa";

ff. 1r-2r, Bishop Juan Arias de Oviedo, *Letter of renunciation of the excise tax of Gijon to the cathedral chapter of Oviedo* [Valladolid, 6 August 1496], incipit, "Señores contadores mayores del Rey et dela Reyna nuestros señores yo don juan arias obispo de oviedo presydenete en la corte et chançilleria des sus altezas...;" explicit, "E yo diego de henares escriuano dela avdençia de sus altezas fuy presente en vno conlos dichos testigos alo suso dicho et fyrmar a su señoria esta dicha Renunçiaçion et por su Reugo et ortogamiento la fize escurir en fee de lo qual fize aqui este mi signo atal en testimonio de verdad. diego de henares;"

f. 2r-4r, Isabel I and Fernando II, *Letter of confirmation and privilege to the canons of Oviedo*, incipit, "agora por quanto por parte de vos el dicho cabildo de la dicha yglesia de sant saluador dela çibdad de oviedo nos fue suplicado et pedido por merçed que aviendo por buena çierta firme estable et valedera para agora et para syempre jamas la dicha carta de Renunçiaçion suso encorporada..."; explicit, "E desto vos mandamos dar et dimos esta dicha nuestra carta de priuilegio escripta en pergamino de cuero et sellada con nuestro sello de plomo pendiente en filos de seda a colores et librada delos dichos nuestros contadores mayores et de otros ofiçiales de nuestra casa dada en la

cibdad de burgos a treynta dias de mes de setiembre año del nascimiento de nuestro señor ihesu xristo de mill et quatro cientos et nouenta et seys años”;

This richly illuminated document records Isabel I's and Fernando II's letter of privilege (*carta de privilegio*) granting and confirming the excise tax of the town of Gijon (Asturias) to the canons of the Cathedral of San Salvador de Oviedo originally renounced in favor of the canons by Bishop Juan Arias de Villar of Oviedo on 6 August 1496. The origin of the document involved the canons' decision to seek the confirmation of their legal possession of the excise tax from the monarchs, as these taxes ultimately derive from the royal estate. The canons approached the queen in Burgos in September 1496, who authorized her chancery to prepare the document. The canon's request followed the normal legal procedure of the day, which sought written authority for the ownership of property and the history of its ownership in order to avoid any challenges to their ability to claim their income.

After the prologue, the royal confirmation and privilege begins with a transcript of the original legal letter of renunciation (*carta de renunciación*) authorized by the powerful bishop of Oviedo, Juan Arias de Villar. Bishop Arias de Villar was born in Santiago de Compostela. His first major ecclesiastical office was dean of the Cathedral of Seville, where he took office in the early 1470's. It is during this time that Arias de Villar associated himself with the faction of Isabela and Fernando during the war of succession with Alfonso V of Portugal. As Dean of Seville, Juan de Arias was a principal leader of the reform of the clergy at the Council of Seville in 1482. His close relationship with Isabel and Fernando led the two monarchs to appoint him as one of the ambassadors to Charles VIII of France in 1484 with Juan de Rivera, Lord de Montemayor, to discuss the return of the counties of Cerdagne and Rousillon to the crown of Aragon after the death of his father, Louis XI. As a reward for his loyalty and service to the crown, Arias de Villar was appointed bishop of the powerful see of Oviedo in 1487, where he served until 1496. Bishop Arias de Villar was a great patron of the cathedral, bestowing several precious ornaments, including a large silver holy water basin where his coat of arms appears, and reconstructing the many parts of the interior of the cathedral. Queen Isabel named the bishop president of the chancery of Valladolid in 1491. Six years later, Isabel appointed Arias de Villar to the powerful and symbolic bishopric of Segovia, where Isabel had been crowned queen in 1475. Because of his obligations and responsibilities as president of the chancery and to the monarchs, Arias de Villar nominated Alonso Alvarez de Valdés, Archdean de Gordon, to govern in his absence. While bishop of Segovia, he paid for the printing of the reformed *Missal of Segovia* arranged by Pedro Alfonso and Diego de Castro. He died in September 1501 in the village of Mojados, and was buried in Segovia, although his elaborate alabaster tomb exists in the main chapel of the cathedral of Oviedo.

The original letter of renunciation records Bishop Arias de Villar's decision to transfer his rights to the excise tax (*alcabala*) of twenty thousand *maravedis de juro* which he held in perpetuity from the crown in the town and jurisdiction of the town council de Gijon (Asturias) to canons of the Cathedral of San Salvador in Oviedo for the singing of a weekly mass for his soul during his life and after his death. This mass was to be sung in perpetuity each Saturday on the high altar before the high mass. It was to include an organ, priest, deacon, sub-deacon, and two choir boys all dressed as if it were a primary feast day. This likewise included a responsorial song. The money from the excise tax was to support this personal mass, with a fourth part of the *maravedis de juro* distributed to

all those present for the mass. The mass was to be celebrated with a special commemoration to San Antonio and Santa Catalina. The document also specifies that one *maravedis* was to be given to each of the choir boys for each mass that they serve at, and the organ player was to receive three *maravedis* above his normal pay. Bishop Arias de Villar stipulated that if the cathedral chapter did not perform these duties, the *maravedis de juro* would not be theirs, but the money would go directly for the upkeep of the Cathedral and its structure. The chapter was to hold this property of twenty thousand *maravedis* in perpetuity beginning on 1 January 1497. The original letter was enacted at Valladolid on 6 August 1496. Witnesses to the original document were: Rodriguez de Muros, canon of San Salvador de Oviedo and *provisor* of the church of Orense; Alvaro Vasquez, canon of Orense; Arias Correa, priest from the diocese of Orense; Martin Alonso de Oviedo, resident of Oviedo. A 1501 confirmation of the 1496 document, with a description of the mass is transcribed by Jovellanos (1947, vol. 1, p. 275).

The letter of confirmation includes the history of the property according to the records preserved in the royal chancery. Included in this history, are the notices of the original grant to Bishop Arias de Villar by Isabel as a *merced* on 8 March 1496 in the city of Valladolid. It had previously been held by Countess Juana Enriquez de Luna. The countess renounced her rights to the excise tax in favor of Bishop Arias de Villar. The excise tax or Gijon originally belonged to the massive estate of Countess Enriquez, valued at two hundred thousand *maravedis de juro*. This estate was acquired by the countess at Segovia by the Queen to the countess on 8 July 1494. The present letter of privilege goes on to detail the estate as handed to her by Diego Hernandez de Quiñones, Count of Luna during the *Cortes* held at Toledo 1480. Originally, the excise tax belonged to Isabel's brother, the Infante Alfonso de Castilla y León (1454-1468). The remaining part of the letter of confirmation concludes with the formulaic legal statements regarding the rights and privileges now bestowed on the canons of the Cathedral of Oviedo.

There is no census of royal documents in Spain for Isabel and Fernando, and not all their letters and documents have been edited (see Garcia Larragueta, 1957, for Oviedo, our document not recorded therein; nor in Varona Garcia, 2001; or Garriga, 1994). Although *cartas ejucatorias*, granting nobility to a person by the Spanish monarch, were often illuminated, it is rare to find such a richly illuminated document for what is in essence a tax privilege. The reason for this is probably the immense size of the estate. The document is also important in that it records the liturgical testament of Juan Arias de Villar. This type of information is very rare, a description of the personal liturgical rites to be performed, and is important for religious scholars.

## ILLUSTRATION

f. 1r, illuminated initial "E" (70 x 70 mm.) with illuminated first line of text in a panel: "[E]N EL NOMBRE" (23 x 86 mm.). Text in capitalized gilded lombards with blue and red painting between letters with white highlights. Full page acanthus and floral border (poppies, blue bonnets, daisies, and strawberries), in which appear drawings of a rooster, a bluebird, a quail, and three children (putti?), one playing the recorder. Minor rubbing and wear to border near the spine edge affecting the legs of the peasant and a few details of the acanthus.

f. 1r, illuminated coat of arms of Juan Arias, Bishop of Oviedo (38 x 48 mm.), depicting four dark gray conch shells framing a fleur-de-lis on a blue field within a burnished gold border. Five red

seven-pointed stars, three on top of the shield and one on each side of the lower part of the shield, are found in the gold border.

The elaborate frontispiece decorating the letter of confirmation follows the style and practice found in the chancery of Valladolid, where Bishop Juan de Arias de Villar presided as president. The richness of the decoration certainly benefited from the bishop's role in the chancery. Despite being made in Burgos, the document does not seem to stem from the small but interesting school of Hispano-Flemish painting associated with Bishop Luis Acuña y Ossorio of Burgos (1457-1495). Rather, this piece reflects the style of manuscript illumination produced by the chancery of Valladolid itself during the 1490's. No study has been completed on the important manuscript illumination found in the chancery during this period, nor the illuminators associated with the chancery. However, the border decoration, the illuminated initials, the text panel, and the style of producing the coat of arms strongly resemble the letter granting noble status (*carta ejuatoria de bidalguía*) to Gonzalo Ruiz de la Peña by the Catholic Monarchs at Valladolid on 13 November 1493. This document exhibits similar use of rinceaux borders, acanthus initials, and grisaille figures (this time small monkeys) found in this manuscript, currently preserved as MS 712 (Sign: 15414) in the Biblioteca Lázaro Galdiano in Madrid. Similar use of Northern European styles in manuscript painting at the royal chancery (but by a different illuminator) can be seen in Paris BnF, MS esp. 555 f. 13r, a *Carta de Privilegio* issued by the Catholic Monarchs for Fernando Cabaliero in 1486

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## ONLINE RESOURCES

Pablo Martínez del Río

<http://www.ensayistas.org/critica/generales/C-H/mexico/martinez.htm>

Colmenares's Historia de la insigne ciudad de Segovia

[www.cervantesvirtual.com/servlet/MuestraForo?obra=1330&comentario=3456](http://www.cervantesvirtual.com/servlet/MuestraForo?obra=1330&comentario=3456)