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Carta Executoria de Hidalguía (Patent of Nobility) for the Gómez de la Vega family of Saldaña

In Spanish, illuminated manuscript on parchment
Spain (Valladolid), December 16, 1636

i + 102 + i folios on parchment, modern foliation in pencil, 1-102, complete (collation i-viii¹² ix⁶) no catchwords or signatures, ruled in hard point, each text block with double frames in brown ink (justification 194 x 136 mm.), written in brown ink in a rounded humanist script, 28 lines per page, headings in gold on red rectangular panels throughout, ONE PORTRAIT MINIATURE of King Phillip IV of Spain at the end, TWO FULL-PAGE MINIATURES at the beginning, the first depicting the Gómez de la Vega family kneeling before a vision of the Virgin standing on a crescent moon, the second depicting a heraldic display with family coat of arms. ORIGINAL FAN BINDING of calfskin, tooled in gold, fan designs on center and corner pieces along with hatched motifs and stamps of the lion and castle of León and Castille and a tooled border, four modern orange silk ties, binding restored at edges with new endpapers, small defects and chipping on covers. Dimensions 280 x 200 mm.

In its beautiful gold-tooled fan binding, this *carta executoria* issued by the King Philip IV of Spain authenticates the noble bloodlines of a family from Saldaña, Castile, thereby granting them exemption from taxes along with other perks. Issued by royal chancellery of Valladolid to resolve a long-standing legal dispute, this manuscript provides a fascinating case study of politics in early modern Spain. Documenting practices of the chancellery, the legal bulwark of the Spanish Empire, it also includes three paintings (among them a portrait of the king) by a professional artist who also painted a manuscript in the British Library.

PROVENANCE

1. Issued by the Real Audiencia y Chancillería de Valladolid for Francisco Gómez de la Vega of Seville and Juan de la Vega of Saldaña ("Carta executorial de hidalguia de sangre a pedimiento de Francisco Gomez de la Vega vecino de la ciudad de Sevilla y Juan Gomez de la Vega vecino de la villa de Saldana hermanos") on December 16, 1636 ("a dies y seys dias delmas de diciembre de mill y seys cientos y treynta y seys Anos"). The manuscript also mentions a third brother, Martin Gómez de la Vega, throughout. While Francisco is described as "of Seville" the family was based around the town of Saldaña, Castile, with numerous properties listed in the region.
2. Belonged to Victoria Aguirre Anchorena (1858-1927) an Argentinian painter and art collector (her ink stamps throughout); she formed a private museum based on her collection of antiquities acquired during her travels, many of which are now held Argentinian museums such as the Udaondo, Fernández Blanco, and El museo etnográfico (Monctezuma Pérez-Valiente, 1927).
3. Twentieth-century notes in pencil written in Spanish with price codes and inventory number (507434-7) indicating presence in the Spanish book trade.

TEXT

ff. 1-3v, [Preamble stating titles and authority of King Phillip IV and the justices of the court], incipit, "Don Phelippe por la gracia. De dios rey de Castilla de León de Aragon de las dos Secillias de Jerusalem de Neuarra de Granada de Portugal de Toledo de Valencia ... Carta Executoria de hidalguia de sangre fuere mostrada o su traslado signado de escriuano publico sacado con autoridad de justice en publica forma y enmanera que aga fee";

ff. 3v-100, [Rulings and declarations by Justice Dr. Garcia de Navarrete on the various claims made by the Gómez de la Vega family with all evidence and testimonies appended and certified], incipit, "Salvd y gracia sepades que pleyto paso y setra to enlanuestra Corte y Chancilleria de la ciudad de Valladolid ... Carta Executoria para vos los dichos con cexos jueces y justicias en la dicha racon y nos tubimos lo por bien";

ff. 100-101, [Final authentication of the carta, including a portrait of King Phillip IV of Spain and multiple signatures from lawyers and notaries of the Chancillería], incipit, "porqve vos mandamos Que luego queron esta ... carta executorial O con el dicho futras lado signado ... va soberrayado anos por dellas podays hacer dores y oydores y present y martin y prouancas de que passado partes y defensa y lo firmo buenos dela dichia villa";

f. 101v, Confirmatory testimonies and signatures added by notary officials.

ILLUSTRATION

Two full-page miniatures of rich colors and full borders of flowers and arms, one small portrait miniature:

f. 1v, Portrait of the Gómez de la Vega family. The family kneels before an altar on which a vision appears of the Virgin, Queen of Heaven in fiery mandorla of light. On the left are gathered the male members of the family, Francisco, Juan, and a third figure, perhaps a younger brother named Martin who is first mentioned on f. 4v. On the right kneels a woman, perhaps a sister or a wife, and three daughters who remain unidentified. The painting is framed by a rich border of gold with flowers;

f. 2, Heraldic device of the Gómez de la Vega family facing the portrait of the Gómez de la Vega family, forming a double page spread. The painted borders are decorated with weapons, shields, and flags;

f. 100, Portrait miniature of King Phillip IV (age 31) dressed in armor against a green field. The portrait accompanies the final certification of the nobility of the Gómez de la Vega family.

This document, issued by Philip IV (1605-1665), King Spain, formally acknowledges the rank of *hidalgo* (gentleman) for the brothers Francisco Gómez de la Vega, Juan Gómez de la Vega, and Martin Gómez de la Vega, sons of Alonso Gomez and his wife Faviana de la Vega, grandchildren of Juan Fernandez and Elvira Gomez de la Madriz, great grandsons of Antonio Fernandez and Maria Fernandez of the town of Saldaña in Castile, Spain (f. 4v). The manuscript is an excellent example of the impressive legal documents issued by the royal chancellery with luxurious illustrations and beautiful a Spanish Fan binding (Lopez Serrano, 2002, pp. 480-481).

The paintings are by the same artist who painted a *carta executoria* for Pedro Ruiz de Cenicero, Valladolid, 1625, now in the British Library (Egerton MS 3295).

A *carta executoria* was a legal document issued in the name of the king, recognizing a citizen's noble lineage and status; it was an acknowledgement, not a grant, of nobility. The document served as tangible proof of nobility with practical implications. During the early modern period in Spain the nobility and the clergy constituted an estate far removed from the rest of the population. The property of the nobility was exempt from taxation and protected from civil suits. Nobles could not be imprisoned for indebtedness, or tortured (except for treason), and, if sentenced to execution, had the option of decapitation rather than hanging. The proportion of the population that could make a claim to nobility varied in relation to geography. In the north where Gómez de la Vega family lived, nearly half the inhabitants could claim noble blood, whereas in the more recently conquered south, less than one percent of the population was noble.

This *carta executoria* was the culmination of a bitter dispute dating back to the sixteenth century between the Gómez de la Vega family and the town of Saldaña, which had tenaciously disputed the family's noble rights. According to the carta (f. 4), the Gómez de la Vega family filed a written appeal known as a "pruebas de hidalguis," by a lawyer named Lope de Ugarte in the city of Burgos on April 1, 1635 to Doctor Don Garcia de Navarrete. The petition requested that the family maintain its ancestral lands in the town of Saldaña and that its "sons of nobility" (*hyos dalgos*) be exempt from the laws of commoners (*pecheros*). The request was reviewed and approved by the Real Chancillerría de Valladolid, which then issued the *carta executorial* on December 16, 1636. However, disputes between the town and the family persisted. Records from the archives of the Chancillería document an ongoing legal quarrel, including an injunction from the chancery enforcing the family's new noble status and a counter lawsuit by the town over the inferred costs of the case (see Online Resources).

LITERATURE

Arribas González, M. S. "Los pleitos del Archivo de la Real Chancillería de Valladolid: Fuentes para la historia," in *La Administración de Justicia en la Historia de España: Actas de las III Jornadas de Castilla-La Mancha sobre Investigación en Archivos*, Toledo, 1999, p. 311-324.

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ONLINE RESOURCES

Archivo de la Real Chancillería de Valladolid

<https://www.educacionyfp.gob.es/cultura/areas/archivos/mc/archivos/acv/fondos-documentales/introduccion.html>

Hidalguía (in Spanish)

<http://www.heraldaria.com/hidalguia.php>

Andalusian Archives, "Patents of Nobility,"

[https://artsandculture.google.com/exhibit/patents-of-nobility-archivos-de-](https://artsandculture.google.com/exhibit/patents-of-nobility-archivos-de-andalucia/KwJCBMsyJ_ZtKw?hl=en)

[andalucia/KwJCBMsyJ_ZtKw?hl=en](https://artsandculture.google.com/exhibit/patents-of-nobility-archivos-de-andalucia/KwJCBMsyJ_ZtKw?hl=en) "Ejecutoria del pleito litigado por Francisco Gómez de la Vega, vecino de Sevilla y Juan Gómez de la Vega, vecino de Saldaña (Palencia)" (1636)

<http://pares.mcu.es/ParesBusquedas20/catalogo/description/5754610?nm>

"Pleito del concejo de Saldaña (Palencia) sobre el pago de las costas del pleito de hidalguía de Martín Gómez de la Vega" (1636)

<http://pares.mcu.es/ParesBusquedas20/catalogo/description/483536?nm>

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