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Carta Executoria de Hidalguía (Patent of Nobility) of Juan de Nurueña y Alava In Spanish, illuminated manuscript on parchment Spain (Valladolid), May 8, 1622

i (modern parchment) + *i* (original parchment) + 87 + *i* (modern parchment) folios on parchment (hair side often darker and yellowed), modern foliation in pencil top outer corner recto, protective silk bound in between the miniatures on ff. 2v-3, complete (collation i^{10+3} [1-2, bifolium, 13, single] ii-viii¹⁰ ix⁴), some leaf and quire signatures in ink lower outer corner recto, ruled very lightly in lead with the top rule full across and with single full-length vertical bounding lines, written space framed with double rules in ink, single pricking in the outer margin, and prickings top and bottom margins (justification 200 x 130-125 mm.), written in a humanist bookhand in 28 long lines, headings in gold capitals on grounds of blue and dark red, TWO FULL-PAGE MINIATURES, both incorporating a few words of text in large gold ornamental letters, f. 2v, Immaculate Conception, with a red border, bounded inside and out in gold, with gold filigree ornament and pearls; f. 3, full-page coat of arms on a violet ground with silver filigree with a blue border (same style as f. 2v), some cockling to the leaves near the beginning and end, otherwise excellent condition. Modern (19-20th century?) reddish purple velvet binding over wooden boards, with a center ornament and border impressed in the velvet, spine with four raised bands, two ornamental silver clasps, slight cracking along the top and bottom of the joints, housed in a protective box, upper cover, but in very good condition. Dimensions 310 x 220 mm.

This *Carta Executoria* authenticates the nobility of Juan de Nurueña y Alava, thereby granting him exemption from taxes along with other perks. The quality of the full-page miniatures of the Immaculate Conception of the Virgin Mary and the coat of arms of the recipient set it apart from many other examples of this genre. Illuminated cartas offer a rich vein for historical and legal research and are equally interesting as physical objects, continuing the tradition of the illuminated manuscript into the modern age.

PROVENANCE

1. Issued by the Real Audiencia y Chancillería de Valladolid for Juan de Nurueña y Alava of Tordelrábano and Hita (prov. Guadalajara), Spain (f. 87v, "Executoria de hidalguia de ssangre en posesion generat a ppedimiento de Juan de nurueña y alava vecino de la villa de hita y lugar de Torderrauano") on May 28, 1622 (f. 87v, "a veinte i ocho dias del mes de mayo de mil y seiscientos y veinte y dos años"). On f. 4v, the beginning of the case is stated as May 23, 1620 "veinte y tres dias del mes de mayo del ano passado de mill y seis cientos y veinte."

The script of this example, a very legible script modelled on contemporary printed Roman type, is notable; although quite elegant in appearance, it is peppered with very odd word separation and use of capitals.

2. Original flyleaf, f. i, early notes and two signatures in ink, "Manuel ..."; "Luis Fernando."

3. Modern owner's annotation in pencil, inside front cover, "456-TEO."

TEXT

Ff. 2v-87v, [f. 1-2, blank; f. 2v-3, miniatures], incipit, "Don Philippe Por La Gracia [continuing, f. 3v], De Dios Rey de Castilla del conde de Aragon de las dos sicilias de hierusalem de portugal ...; Al nuestro justicia mayor y a los del nuestro consejo president y O y dores de las nuestras Audiencias y Chancillerias ... [f. 4v] ... en la dicha Ciudad de Valladolid A veinte y tres dias del mes de mayo del ano passado de mill y seis cientos y veinte estando los dichos nuestros ... del dicho Juan de Nurueña y Alava vezino del dicho lugar de Torderrauano y de la dicha villa de Hita hijo legitimo de Juan de Nurueña y de Dona Anjela de Alava ... [f. 87v], De esto mandamos dar y dimos al dicho Juan de Nurueña y Alava esta nuestra Carta ex[ecutori]a de la dicha su hidalguia de sangre escrita en pergamino y sellada con nuestro sello de plomo pendiente en filos de seda a colores ... Dada en la ciudad de Vall[adoli]d a veinte i ocho dias del mes de mayo de mil y seiscientos y veinte y dos años rraido nuestro. [Followed by signatures, concluding], "..., Executoria de hidalguia de sangre en posesion general a ppedimiento de Juan de Nurueña y Alava vecino de la villa de hita y lugar de Torderrauano."

Carta Executoria de Hidalguía (Executory or Letters Patent of Nobility) granted, on behalf of King Philip IV of Spain (1605-1665) to Juan de Nurueña y Alava by Juan de Morales Barnuevo (1582-1654), who served as the fiscal (prosecutor) of the Audiencia y Chancillería Real de Valladolid from 1617-1623. The legal documentation here is very lengthy; Francisco de Nurueña is mentioned frequently; witnesses for the case are mentioned by name in the headings beginning on f. 32. At the end of the document, the text is signed by a number of notaries.

Our document is the copy that was commissioned and retained by the family; the original document, on paper and in a cursive chancery script, is found in the archives of the Real Chancillería in Valladolid (now digitized; see Online Resources). The two documents, so different in script and physical features, make a fascinating pair.

ILLUSTRATION

Two full-page miniatures:

f. 3 Immaculate Conception of Mary with the Virgin, full length, her hands clasped in prayer, in blue robes with a star above her head, standing on a crescent moon with cherubs, in a beautiful garden and with symbols from the litany of the Blessed Virgin Mary, or the Litany of Loreto, officially approved by Pope Sixtus V in 1587.

Similar iconography can be found in the painting of the Immaculate Conception (1628-1630) by Francisco de Zurbarán (1598-1664), now in the Museo del Prado, to name one well-known example (Online Resources).

f. 3v, Heraldic device of the family of Juan de Nurueña y Alava, incorporating the Alava arms on the right.

The seventeenth century in Spain was marked by political and economic decline. Artistically, in contrast, it is known as Spain's Golden Age. King Philip IV was an enthusiastic collector of paintings, and patron of the arts. Our unidentified artist was a contemporary of Juan Bautista

Maíno (1581-1649) and Francisco Pacheco (1564-1644), a painter from Seville and the master and father-in-law of Diego Velázquez. Pacheco illuminated a *Carta Executoria* issued from Granada in 1596 (Matilla, 2000, no. 38, pp. 191-194).

A *Carta Executoria de Hidalguía* (var. *ejecutoira*) 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. *Hidalguía* is a Castilian word derived from *hijo de algo* (literally "son of something"). 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 nearly half the inhabitants could claim noble blood, whereas in the more recently conquered south, less than one percent of the population was noble. Families seeking to prove their nobility had to demonstrate their lineage for several generations,

The process of receiving a *Carta Executoria* was always instigated by the family, who usually submitted a request, "pruebas de hidalguía," because the local authorities were trying to charge them taxes. In the petition the family would provide evidence of their noble ancestry. In addition, various local people (commoners and nobles), as well as the town officials gave testimonies about the family's nobility. The request was submitted to the Real Chancillería de Valladolid (in Northwestern Spain), or de Granada (in the south) which were the two chancelleries that handled lawsuits of nobility. If the Chancillería considered the material satisfactory, they would issue the *Carta Executoria*, appending all the evidence and testimonies; these copies were usually on paper, and copied in cursive chancery scripts, and retained by the archives. Families of sufficient means commissioned formal copies on parchment, written in formal text scripts and often illuminated. The text of these documents, which summarize law suits (often over a long period of time), as well as recording the testimony of witnesses constitutes a rich resource for family history and legal proceedings in early modern Spain (see Lee, 2016; Rhodes, 2020; and Ruiz García, 2006).

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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Available online, <https://dialnet.unirioja.es/servlet/articulo?codigo=2688784>

ONLINE RESOURCES

Archivo de la Real Chancillería de Valladolid, Registro de Ejecutorias, CAJA 2334, 18 (digitized): "Ejecutoria del pleito litigado por Juan de Nurueña y Álava, vecino del lugar de Tordelrábano (Guadalajara) y de la villa de Hita (Guadalajara), con el concejo, regidores, oficiales y hombres buenos de dicho lugar y los concejos, alcaldes, regidores, oficiales y hombres buenos de Hita y Alarilla (Guadalajara), que al pleito fueron citados, sobre su hidalguía," May, 1622

<http://pares.mcu.es/ParesBusquedas20/catalogo/description/5720156?nm>

Archivo de la Real Chancillería de Valladolid

<https://www.culturaydeporte.gob.es/cultura/areas/archivos/mc/archivos/acv/portada.html>

<https://www.culturaydeporte.gob.es/cultura/archivos/novedades/registro-de-ejecutorias.html>

Andalusian Archives, "Patents of Nobility"

https://artsandculture.google.com/story/WQVBBMsyI_ZtKw?hl=en%E2%80%9C

Hidalguía (in Spanish)

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

Francisco de Zurbarán, (1598-1664), Museo del Prado, *The Immaculate Conception*, 1628-1630

<https://www.museodelprado.es/en/the-collection/art-work/the-immaculate-conception/f54c4809-8926-440c-8d55-33722602469d>

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