

# Property Losses and Gains for the Order of Preachers in Early Ottoman Galata through a Sultanic *vakıf* and Genoese *pia causa*\*

Because this congregational mosque is the largest of the blessed mosques of Galata, it is also called the Great Mosque (*Câmi'-i Kebîr*). It has an imperial tribune, a pulpit atop a single column, a caller to prayer's tribune, galleries for the congregation and a large fountain<sup>1</sup>.

The interior and exterior alterations mentioned by Hüseyin Ayvansaray (d. 1787) including the construction of a large fountain in the courtyard for the provision of water for ritual ablutions and for drinking, were a functional re-adaptation of the former church of Saint Paul used by friars of the Order of Preachers (Dominicans) following its conversion into a mosque just a couple of decades after the Ottoman conquest of Constantinople in 1453. The expulsion of the friars led to their relocation below the Galata Tower in 1476. This move was facilitated through a generous donation of a house with land by a Genoese nobleman<sup>2</sup>.

This study aims to demonstrate the multifaceted use of the endowment within the multi-religious context of fifteenth- and sixteenth-century Galata based on a comparative study of two endowments: Sultan Mehmed II's (r. 1444-1446; 1451-1481) Ayasofya Vakfiye and the 1562 renewal of Angelo Zacharia's 1535 donation deed. These sources reveal how the properties endowed to the Order of Preachers were lost through a sultanic *vakıf* and subsequently regained through a Genoese *pia causa*. Due to the significance of the two archival sources on which this study is based, transcription and facsimiles published for the first time will be included in the appendices.

## The Church of Saint Paul and the Ayasofya Vakfiye

According to the Ottoman peace contract '*ahdnâme* of 1453 that was granted to the Republic of Genoa following Sultan Mehmed II's conquest of Constantinople, the church and priory of Saint Paul which had been commissioned by the Order of Preachers in 1323 or 1325<sup>3</sup> retained its function as a Latin Catholic place of worship<sup>4</sup>. However, the friars were expelled from the priory in June 1476, Mehmed II issued an imperial edict (*fermân*) for its use as a Muslim place of worship, and between 1476 and 1478 it was transformed into a mosque. To cover the costs of the upkeep of the building and the salaries of its employees, Sultan Mehmed incorporated it into the larger *vakıf* of the Ayasofya in 1479-1481, instead of allocating it to a separate endowment. It became known as Galata Mosque (*Ğalağa Câmi'*) or the Great Mosque (*Câmi'-i Kebîr*) because it was the largest mosque in the district at the time of its conversion. Only the former name appears in the above-mentioned endowment charter (*vakfiye*)<sup>5</sup>.

In the *vakfiye* of the Ayasofya, the Galata Mosque is mentioned along with the names of seven other mosques, four of which had previously been churches and were converted into buildings appropriate for Muslim worship immediately after the conquest and the remaining three were mosques built and endowed by Sultan Mehmed II:

... each one of these buildings which are good deeds are places of worship of the obedient. After reaching a stage of completion, the previously mentioned shelter of the rich and poor Ayasofya Mosque, Molla Zeyrek Mosque, Galata Mosque and Silivri Mosque<sup>6</sup>, and joyful orders for the construction of the New Mosque, el-Şeyh Vafâzâde

\* This study is based in part on my thesis titled »A Legal and Historical Study of Latin Catholic Church Properties in Istanbul from the Ottoman Conquest of 1453 until 1740«, for which I received my Ph.D. in History at Aix-Marseille University, on 18 December 2018.

1 Ayvansarayî in his masterpiece *Hadikatü' l-Cevâmi'* lists the former church used by the friars of the Order of Preachers under the name »Arab Câmi'î« but also mentions its previous name. Ottoman Turkish »Bu câmi'-i şerîf Ğalağa Câmi'-i şerîfleriniñ cümlesiniñ büyüğü olduğundan câmi'-i kebîr dağı derler. Mahfil-i hümayûn ve bir sütün üzere minber ve mü'ezzin mahfil-i cemâ'at mahfilleri ve şadurvânı vardır«. Ayvansarayî, *Hadikâ*, 424-427.

2 d'Alessio, *Le Couvent* 9.

3 This date comes from several contemporary documents and from dates inscribed on tombstones: d'Alessio, *Une inscription* 407-413.

4 Mamboury, *Tourists* 319.

5 The conversion of Saint Paul, as well as Saint Francis in 1697 into mosques which were subsequently provided with an endowment demonstrates the significance of *vakıfs* in shaping and perpetuating the Islamic urban design of the capital of the Ottoman Empire. For more on the impact on urban organisation and role played in urban infrastructure see Deguilhem, *The waqf in the city* 934-937.

6 Also known as *Câmi'-i Kal'a-i Silivri* as mentioned in *Ayasofya Vakfiyesi*, VGMA, fol. 357.

Mosque and Rümili Fortress<sup>7</sup> Mosque<sup>8</sup>. The mention of the mosques was followed immediately by an explanation of their purpose with an emphasis on worship, which was given legal and religious justification through the insertion of Qur'anic verses<sup>9</sup>.

The section of the *vakfiye* specific to the Galata Mosque details the salaries allocated to the employees of the mosque, who comprised a preacher, imam, five memorisers of the Qur'an (*ḥāfızs*) to recite chapters of the Qur'an on Fridays, two callers to prayer (*müezzins*), two custodians, a wise teacher (*mu'arrif-i 'arife*) and a caretaker whose responsibility it was to light the lamps. Similarly, it mentions the amount of money to be allocated for the oil and carpets of the mosque<sup>10</sup>.

## The Church of Saints Peter and Paul and a Genoese Act of Donation

Although the friars of the Order of Preachers lost their Byzantine-era church and the priory was endowed for Muslim use, they gained a different church at the heart of Galata in the form of a building containing a small chapel. Later a priory was established and dedicated to two of the apostles, Peter and Paul, the latter appellation being an addition by the friars in memory of their expropriated church. The tradition that the priory used to house sisters of Saint Catherine<sup>11</sup> has been rejected by Janin:

Il est certain que l'église était dédiée aux saints apôtres Pierre et Paul. Or il existait à Péra, au moins depuis 1413, une chapelle sous ce vocable, fondée par Gianotto da Bisticcia, bourgeois de la ville. Le 19 janvier 1414, le pape Jean XXIII accordait une indulgence de trois ans et trois quarantaines aux fidèles qui la visiteraient à certains jours et contribueraient à son entretien. La chapelle était donc sous le régime du patronat. Elle passa à la famille des Zaccaria qu'exerçait encore ce droit en 1535<sup>12</sup>.

In fact, it was probably founded in the fourteenth century. Loenertz likewise rejects the tradition on the basis that there would have been no reason for the friars to change the name

of the saint to which the church was dedicated, particularly as it was Saint Catherine. The same author maintains that, instead, they occupied the church of the Saints Apostles Peter and Paul of the Pisans, which was founded in 1414 by Giannotto da Bisticcia<sup>13</sup>. The priory was the victim of a fire which broke out on 20 March 1497. The friars were forced to cover the costs of its reconstruction by incurring a debt of eight thousand aspers from Pietro Zacharia, the father of Angelo Zacharia, after the Master General of the Order claimed that the imprudence of one of the friars, Zaneti de Pesaro, had caused the fire<sup>14</sup>. The following year in 1498, the Chapter General of the Order of Preachers, celebrated in Ferrara, confirmed the acceptance of the new location among their properties in the city of Istanbul<sup>15</sup>. This hasty decision was probably the result of money paid for the reconstruction of the priory in 1497, which could only be covered by a debt<sup>16</sup>. On 20 April 1535, the old Zacharia ceded the house to the friars of the Order of Preachers. The act of donation is preceded by the following text, which is a summary of the deed:

Li Frati di S. Domenico abitanti in S. Pietro di Pera sono liberi possessori del detto convento et chiesa senza alcuna dipendenza per conto dell'antico ius patronato; solo restano obligati di dare nella candelora alla casa dell Magnifico Signor Lazzarotto Drapperis successore di quelli che havevano la chiesa per ius patronato una candela di mezz'ocha et l'obligo della messa che si dice nella retrofania resta in vigore tanto ho saputo io infrascritto dall'illustrissimo et Reverendissimo Visitatore Apostolico Monsignor Vescovo di Tino et in memoria di ciò ho scritto queste 8 Righe questo di 9 d'aprile 1626 nel detto S. Pietro.

Lo Fra Gregorio di Tino humile Vicario Generale et servo dell'Ordine di S. Dominico per il Levante affermo quanto di sopra manu propria<sup>17</sup>.

The act of donation dated 20 April 1535 of a house and chapel was used to establish the first endowment of the Order of Preachers in Galata following the appropriation and conversion of their former property of Saint Paul into a mosque. The deed states that the property, which included the chapel, house and outbuildings, was given in perpetuity

7 The site of Rumelihisari had been a Roman defensive structure in the past, which was used as a prison by the Byzantines and Genoese. Later, a monastery was built there. There was a small mosque, endowed by the Sultan at the time of construction.

8 Original Ottoman Turkish: »[...] bu ebniye-i ḥayrât ki her biri ma'bed-i ehl-i tâ'at-dür vâsil-ı mertebe-i temâm olduktan sonra ol zıll-i Hudâ melâz-ı bay ü gedâ zikri sebk iden Ayasofya câmi'i ve Molla Zeyrek câmi'i ve Ğalaṭa câmi'i ve Silyri câmi'i ve kendüler sa'âdet ile binâ buyurdıkları Câmi'-i cedid ve eṣ-Şeyh Vafâzâde câmi'i ve Rümili ḥiṣârî câmi'ini [...]«. Ayasofya Vakfiyesi, VGMA, fol. 57.

9 Ayasofya Vakfiyesi, VGMA, fols 57-59. Original Ottoman Turkish: »[...] bu yedi aded mesâcid cevâmi' ve ma'âbid ve savâmi'i kâffe-i [58] ehl-i İslâm ve âmme-i 'ibâd-ı 'ubbâd-ı Rabbü'l-enâma ki mefhûmi ile her biri ma'rûfu'l-ittisâmdur ikâmet-i cem'u cemâ'ât ve edâ-yı nevâfil ve ferâiz u vâcibât ve müdâvemet-i salâvât-ı mektûbe ve muvâzabet-i ibâdât-ı mergûbe itmeleri için vakf [59] buyurup âmme-i nâsa teslim buyurdılar.«

10 Ayasofya Vakfiyesi, VGMA, fols. 318-320.

11 The name could only refer to Saint Catherine of Alexandria (d. 305), rather than of Sienna (d. 1380) who was not canonised by Pope Pius II before 1461.

12 Janin, *La Géographie Ecclésiastique* 593. Among those who mention this tradition are Belin, *Histoire* 213-214 and d'Alessio, *Les origins dominicains* 468, who confirms the tradition but debates the opinion that the friars' advent saw the departure of the Saint Catherine community of nuns, rather stating that it was most probable that they departed on board the Genoese ships during the siege of 1453.

13 Loenertz, *Les établissements* 340.

14 d'Alessio, *Le Couvent* 10.

15 Loenertz, *Byzantina* 221.

16 Loenertz, *Byzantina* 221.

17 As presented in the original Italian in d'Alessio, *Les origins dominicains* 462.

to the friars of the Order of Preachers for their free use and benefit upon the fulfilment of certain conditions. Such is the essence of any *vakıf*, although a vigorous search has found no evidence that the donation was registered at the local Shariah court and would therefore not have received such an appellation. The donor did not appoint himself or his descendants as trustees for the administration of the endowment. The founder sought to gain spiritual benefits via his endowment in both this life and the next by stipulating the monthly offer of a candle and the weekly celebration of a mass for his own soul and for that of his parents which were given by the friars in honor and remembrance of their patron. He also stipulated three other conditions: first, the friars of the Order of Preachers would be the beneficiaries and not the patrons of the church; second, the friars would have to cover all of the costs of reconstruction and repair; third, the founder would retain the privilege of supervising the conduct of the friars, such as expelling scandalous or rebellious friars in agreement with the superior, of administering the goods as procurator and of reviewing their accounts<sup>18</sup>.

A provisional contract was written up by Zacharia's father, Pietro Antonio, whereas the new contract was binding for all potential heirs of the founder. Consultation and consent of the procurator was required for all temporal matters, with the exception of emergency reparation or reconstruction which was to be agreed upon by the religious community and all expenses were to be covered by them<sup>19</sup>. The deed also makes mention of eight thousand aspers which was the total amount of the debt that the friars had incurred with Pietro Antonio who had provided for the payment of the renovation and construction of the church and priory. As for the date of the official installation of the friars, d'Alessio estimates that it took place shortly before 1523 because the original contract was renewed every twelve years since its creation and, therefore, the original contract could be dated between 1500 and 1523<sup>20</sup>.

Furthermore, the founder ensured that the property was considered, according to ancient law, as the undivided ownership of the community and thus prevented contentions regarding the division of the property. As a customary recognition on the part of the religious beneficiaries of their dependence upon their generous benefactor and in keeping with the customs of Zacharia's country, he requested the presentation of a candle on Candlemas Day. Likewise, it was customary to commemorate the benefactors during liturgical ceremonies and so a mass was to be celebrated every week in memory of Zacharia's deceased family members<sup>21</sup>. The

contract was signed by the contracting parties consisting of friars of the Order of Preachers, represented by the substitute vicar for the Orient, Lucas de Pera, and three of his colleagues, and by Angelo Zacharia. At the end, the Florentine notary public Philippe Argentis, recorded the agreement initialled on behalf of the bailo of Florence in Istanbul. This is supported by an authentic notarised copy of the document dated 1561 as follows:

Si dice essere cosa certa come sotto di 20 del mese di Aprile dell'anno 1535, il Sig. Angelo Zaccaria, figliuolo del quondam Pietro Antonio di Pera, come padrone e procuratore ancora in quel tempo della Chiesa e Cappella delli Santi Pietro e Paulo di Pera...ha dato e concesso per sé et successori et posterì suoi et della sua famiglia in perpetuo con titolo et causa di relocatione, over renovatione la predetta chiesa et capela dei Santi Pietro e Paulo, poste nella città di Pera...al Rev.do Padre Fra Luca di Pera, dell'Ordine de Predicatori di S. Domenico, allora Vicario di detta chiesa, et a molti altri frati similmente conventuali, all'ora presenti et accettanti [...]<sup>22</sup>.

## Conclusion

The friars were eager to obtain an official act of donation juridically approved so as to clarify the status of the properties endowed to them and thus secure them against any future attempts of either expropriation on the part of the Ottoman state or contestations by the Latin Catholic community. The contract was legally recognised by the representatives of the Christian community of Galata, the *Magnifica Comunità di Pera*, who were also responsible for the temporal administration of the Latin Catholic churches. Yet, its legitimacy was never contested by the Ottoman authorities despite the private properties being endowed to the friars in perpetuity for their worldly and spiritual benefit and the spiritual benefit of the Catholics of Galata. This can possibly be attributed to the fact that the property itself remained registered in the name of the founder, Angelo Zacharia.

## Acknowledgments

I express my sincere thanks to Andrea Umberto Gritti for his careful corrections to my transcriptions of the Italian archival documents.

18 d'Alessio, *Les origins dominicains* 465; Palazzo/Raineri, *La Chiesa* 7.

19 d'Alessio, *Les origins dominicains* 466.

20 It was renewed in 1561 and 1609 as well as in a declaration of 1626: d'Alessio, *Les origins dominicains* 472-473.

21 d'Alessio, *Les origins dominicains* 466.

22 CADG, register no. 37.1.1.

## Bibliography

### Archival Sources

Ayasofya Vakfiyesi, T. C. Başbakanlık Vakıflar Genel Müdürlüğü Arşivleri (VGMA), fols. 57-59. 318-320. 357.

Conventual Archives of the Dominicans in Galata (CADG), register no. 37.1.1.

### References

Ayvansarayî, Hüseyin: *Hadikâtü'l-Cevâmi'*: İstanbul Câmileri ve Diğer Dîni-Sivil Mi'mârî Yapılar. Ed. A. Nezih Galitekin (Istanbul 2001).

Belin, Histoire de Latinité: F.-A. Belin, Histoire de la Latinité de Constantinople (Paris 1894).

d'Alessio, Le Couvent. E. Dalleggio d'Alessio, Le Couvent et l'Église des Saints-Pierre-et-Paul à Galata (Istanbul 1935).

Les origins dominicains: E. Dalleggio d'Alessio, Les origines dominicains du couvent de S. Pierre et Paul de Galata. EO 29/4, 1930, 459-474.

Une inscription: E. Dalleggio d'Alessio, Une inscription inédite d'Arab-Djami. EO 28/156, 1929, 407-413.

Deguilhem, The waqf in the city: R. Deguilhem, The waqf in the city. In: S. Jayyusi et al. (eds), *The City in the Islamic World* (Leiden 2008) 923-950.

Janin, La Géographie ecclésiastique: R. Janin, La Géographie Ecclésiastique de l'Empire Byzantin 1. Part: Le Siège de Constantinople et le Patriarcat Œcuménique 3: Les Églises et les Monastères (Paris 1953).

Loenertz, Byzantina: R.-J. Loenertz, Byzantina et Franco-Graeca: articles parus de 1935 à 1966 (Roma 1970).

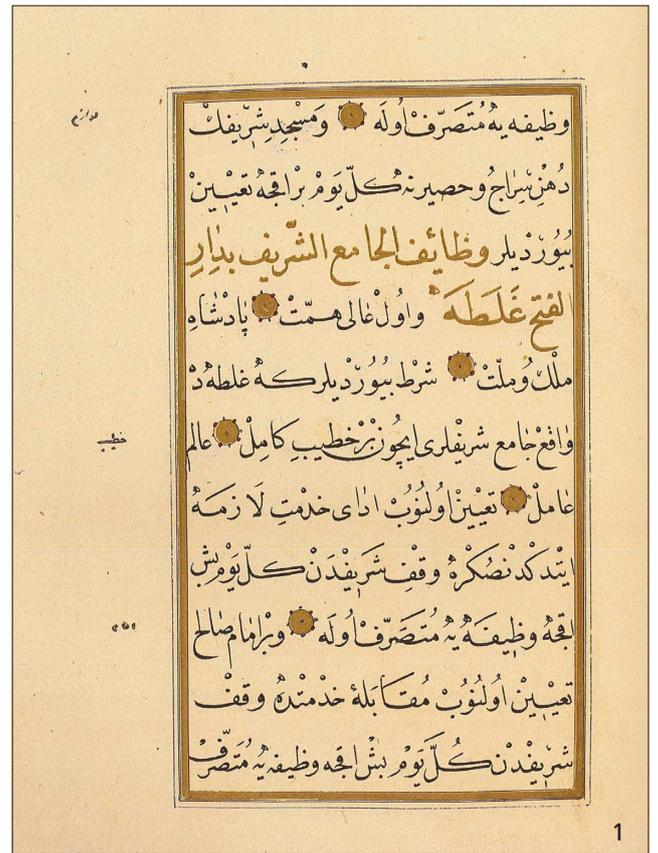
Les établissements dominicains: R.-J. Loenertz, Les établissements dominicains de Péra-Constantinople (Origines et fondations). EO 34/179, 1935, 332-349.

Mamboury, Tourists: E. Mamboury, *The Tourists' Istanbul* (Istanbul 1953).

Palazzo/Raineri, La Chiesa: B. Palazzo / A. Raineri, *La Chiesa Di S. Pietro in Galata* (Istanbul 1943).

## Appendices

Veẓāifü'l-cāmi' u'ş-şerif bi dāri'l-feth Ğalata  
 Ve ol 'ālī-ḥimmet pādīşah-ı milk ü millet şarḫ buyurdılar ki  
 Ğalata'da vāki' cāmi'-i şerifleri için bir ḫatīb-i kāmīl 'ālim-i  
 'āmil ta'yin olunup edā-yı ḫizmet-i lāzime itdükden sonra  
 vaḳf-ı şerifden külle yevm beş aḳçe vazıfeye mutaşarrıf ola  
 ve bir imām-ı sālih ta'yin olunup mukābele-i ḫizmette vaḳf-ı  
 şerifden külle yevm beş aḳçe vazıfeye mutaşarrıf [319] ola ve  
 beş nefer ḫāfız ta'yin olunup bunlar daḫı kemā merre mirāren  
 eyyām-ı cum'ada ḫable şalāti'l-cum'a Ḳur'ān-ı kerīmden bir  
 cüz'-i şerif tilāveti ile cāmi'-i şerifi teşrif ve āzān-ı sāmi'ni teşrif  
 eyleyüp vaḳf-ı mübāreklerinden re'islerine külle yevm üç aḳçe  
 bākī dört nefer ḫāfıza yevmī ikişer aḳçeden mecmū'ına külle  
 yevm on bir aḳçe vazıfe virile ve iki nefer müe'zzin-i şāliḫa her  
 birine birer aḳçeden iki nefere külle yevm iki aḳçe vazıfe virile  
 ve iki ḫayyım-ı şāliḫa külle yevm her birine iki aḳçeden iki ḫay-  
 yıma yevmī dört [320] aḳçe vazıfe virile ve bir mu'arrif-i 'āriḫe  
 külle yevm iki aḳçe vazıfe virile ve iş'āl-i kanādil ḫidmetin edā  
 iden ḫayyıma külle yevm iki aḳçe vazıfe virile ve vaḳf-ı şerifün  
 dūhn ve ḫaşırina külle yevm bir aḳçe ta'yin buyurdılar.



Figs 1-2 Ayasofya vakfiye, fols. 318-320. – (Photo Courtesy of VGMA).

Di esse daposte cio d'g. co. l' deti modi enomi concorrendo uincendo uolm digna ed ila le  
solene stipulationi cioe M<sup>o</sup>. s. pietro se stesso et suoi eredi et sucesori e posteri et tuti  
l'ioi benj pnti e futuri et l' deti frati se stessi e ciascheduno d' loro et l' frati del detto suo  
ordine sucesori suoi nella d. chiesa et tuti liberi del d. monasterio -

Renunciando. le qual parti pnti et ascoltanti -  
fu fatto. di Pera nel d. Conuento ouer monasterio di s. Pietro e Paulo nel loco  
sereno uicino la sacrestia dela d. Chiesa pnte M<sup>o</sup>. Angiolo. q. andrea de testi et  
M<sup>o</sup>. bartolam<sup>e</sup>. q. sebastiano de danesi amerdua di pera et M<sup>o</sup>. franc. q. pietro  
de Gaetani da fior<sup>e</sup>. tuti test<sup>i</sup>. chiamati uenuti et pres<sup>i</sup> tutte le cose predete  
Io pietro filipo. q. and<sup>e</sup>. de asirel<sup>e</sup>. dela roca di. s. Cassano dele parti di romagnola  
fiorent<sup>e</sup>. con auita a p<sup>u</sup>ca nodaro pub<sup>l</sup>. e giudice ordinario et similme notaro  
pub<sup>l</sup>. fiorent<sup>e</sup>. et al pnte Cancelliere esecret<sup>e</sup>. del m<sup>o</sup>. b. Bailo & lanacione  
fiore<sup>e</sup>. in Costant<sup>e</sup>. ipres<sup>e</sup>. di far M<sup>o</sup>. pre d<sup>o</sup>. Instrum<sup>o</sup>. di renouatione in fede  
mio soto scritto et glio posto M<sup>o</sup>. mio ordinario segno cioe c<sup>o</sup> -

Noi Albertais Alberti in Costant<sup>e</sup>. Bailo fiore<sup>e</sup>. facciamo fede indubitata aciascheduno  
come M<sup>o</sup>. q. scritto e pier filipo nro Cancelliere esecret<sup>e</sup>. fu et e notaro publico  
in Costant<sup>e</sup>. e autentico in laud<sup>e</sup>. de d<sup>o</sup>. nro signor<sup>e</sup>. et in fide de d<sup>o</sup>. nro signor<sup>e</sup>.  
ed an piena fede in testimonio nra diche abiamo fatto scrivere la presente  
di Pera M<sup>o</sup>. di no. di f. l' is. b. del inuarn<sup>o</sup>.  
Alberto Alberti Bailo fiore<sup>e</sup>.

Concordat cum originali

H. de Catho Vie: gentis Samar.<sup>is</sup>  
Constant. eoj.

**Figs 3-5** An authenticated copy dated 06 January 1562, reconfirming Angelo Zacharia's 1535 donation of Saint Paul and of all its dependencies to the friars. - (Photos Courtesy of the Conventual Archive of Saints Peter and Paul in Galata).

Copia

Nel Nome d'Idio Amen nel ano dela salutifera Incarnat<sup>one</sup> del nro S. Giesu  
 Christo, 1567, Indicatione quinta nel tempo del Pontificato del S. Inxpo pad.  
 et b. nro Pio Quinto providenta papa quarto ad i<sup>no</sup>, del mese di gen<sup>o</sup> del m<sup>o</sup> anno  
 si dice esser cosa certa come solo s'ha no, del mese di aprile del ano, 1535  
 proximo passato saluo altro tempo piu vero s'ha Angiolo zacaria figliolo  
 del g. pietro anto. di pera come padrone et procurator ancora in quel  
 tempo della Chiesa et Capela delz S. Pietro Paulo di Pera et ragio del Do-  
 minio et patronia douta al medemo. s. Anlollo et suoi predecessori tanto  
 de iure q<sup>to</sup> et consuetudine come si dice datanto tempo Inqua aprovata  
 et pacifilam<sup>te</sup> et quietam<sup>te</sup> oseruata del principio del qual Juspatronato  
 no. si troua memoria apresso del homin<sup>i</sup> —  
 ha dato et concesso se et successori et posterj suoi edela sua famiglia In  
 p<sup>re</sup>sentis contitolo et causa di relocatione ouer renouatione la predeta Chiesa  
 et Capela delz S. pietro spaulo poste nela Cita di pera co. q<sup>to</sup>. deue hauesse. di suo  
 orto et altra sue pertinentie Al d<sup>to</sup> pad. fra luea di pesa del ordine di  
 predicati. di S. Dom<sup>o</sup>. alora vic<sup>o</sup> In d<sup>ta</sup> Chiesa et a molti altri frati simil<sup>it</sup>.  
 conuentualz alora p<sup>re</sup>ti et acatanti. recipientz esecorduentz ete et q<sup>li</sup> altri —  
 test. del d. ordine q<sup>to</sup> di sop<sup>ra</sup>. ad officio habitare quirsu et In p<sup>re</sup>sentis di t<sup>em</sup>po In tempo  
 renouar — Con agrauio alz medemi frati didar et censo et In memor<sup>ia</sup>  
 del d<sup>to</sup> Juspatron<sup>o</sup>. al d<sup>to</sup> s. Anlollo un cereo ouer ogni ano nel g. de la  
 festa dela purificat<sup>o</sup> dela Santa verg<sup>g</sup>. et In quel modo et forma et come sino  
 In quel giorno era stato oueruto, et con q<sup>to</sup> p<sup>re</sup>to ancora che l<sup>z</sup> d<sup>ti</sup> frati  
 fossero oblig<sup>ati</sup>. di celebrar ogni setim<sup>ana</sup>. una messa de defontz et l'anima del d<sup>to</sup>  
 s. Anlollo et suoi predecess<sup>ori</sup>. et co questa agiota di piu che l<sup>z</sup> benj del  
 d<sup>ta</sup> Chiesa et orto fossero comuni fra deti frati, li quali frati no. douesse  
 ro riceuere alcun secolare habitar nele sue celle dal che ne potesse  
 naser qualche pericolo ma bene potessero riceuere altri frati forastierj  
 del d<sup>to</sup> ordine pur che In segno del d<sup>to</sup> Juspatron<sup>o</sup>. facesero et auicato di tutte  
 le cose predete s<sup>opra</sup> prefato. s. Anlollo di piu douessero et fossero oblig<sup>ati</sup>. di deti  
 frati ancora fabricar et reparar del suo proprio fle necessita dela d<sup>ta</sup> Chiesa  
 ouer luoco et fcomodo di lor stes<sup>i</sup> et In ogni caso et occorrenza che nela d<sup>ta</sup> Chiesa  
 ouer suo Conu<sup>ento</sup>. ho monasterio si ribouasse qualche frate scandaloso et Inobe-  
 diente semp<sup>re</sup>. potesse come membro marcio amelo del d<sup>to</sup> s. Anlollo padrone  
 et del presidente di d<sup>ti</sup> frati esser scauto dal d<sup>to</sup> loco —  
 et con questo p<sup>re</sup>to e spresam<sup>te</sup>. dichiarato che niun secolare giocasse ala bala neli  
 chiostrj del d<sup>to</sup> monasterio et l<sup>z</sup> d<sup>to</sup> s. Anlollo restasse p<sup>rocur</sup>ator di deti frati et  
 fosse semp<sup>re</sup>. chiamato nele ragioni del d<sup>to</sup> Monast<sup>o</sup>. —  
 et di piu le d<sup>te</sup> partj concedem<sup>te</sup>. ano anulato un certo obligo di 8000. contenuto  
 come si dice In un certo instro de unaltra renouat<sup>o</sup> fatta citta la d<sup>ta</sup> Chiesa rogato  
 come

Come sia ferma ff. & dominico delasino del ano 1583, come debute le sopra scritte cose et di ciascheduna di esse piu amplam. si dice ritrovarsi un scritto contratto tra le dette parti et firmato de prop. mano et anco solo scritto ff. mano di s. philippo argentj de novo pub. fior. no. come testo nelle dette convenzioni et capitoli al qual scritto ff. causa di breuita s' alj. relatione.

La onde hogi che e In questo pnte sopra scritto giorno ff. pietro maruffo nepote da parte di madre del d. G. Anlolo zacaria et come fig. unico maschio dela olim sig. Caterina fig. q. unica et universal. erede del predeto olim s. Anlolo nato dalla detta sig. Caterina et franc. olim suo homo et legitimo marito al qual dise convenir deo In patronato dela d. Chiesa et capella di ss. Pietro e Paulo et Corri. Come padrone et procurator dela d. Chiesa Come gia si chiamava ff. G. Anlolo suo auo materno ff. et suoj credi et posterj In ff. petuo dela sua famiglia dato concesso et reconcesso sotto titolo et ragion di renouatione In ogni miglior modo via et forma con q. piu et meglio ha potuto et puo gl. e stato et. e lecito alj. ff. padri fr. Domenico. q. Georgij de Caluj di Pera prior al pnte del d. monasterio fr. Donato. q. Vito da Baro teofilo. q. Agostino de Castiglioni da Genoa fr. Lorenzo. q. Giacomo anto de narri et fr. bened. q. simo de Tadesa tuti frati. Convenuali del d. ordine abitanti al presente nel d. monast. et Chiesa et capitulari ff. que sto Insieme chiamati congregati et adunati nel loco solito del loro capiblo cioe vicino al sacranio ouer sacran. della d. Chiesa pnti et acatanti ff. et ff. frati del d. suo ordine sucesori suoj nella d. Chiesa stipulati et reconducenti In ff. petuo et sucesiam. da essere renouato di dodeci In dodeci ani lnd. Chiesa et Capella et orto come di sop. contenti. e descritti Insieme con tutte et ciascheduna di ff. cose che sono dela dita Chiesa Capella orto Casa et benj. sop. sotto ouero dentro di se Intra: vanti et co. tutte et ciascheduna cosa adiacente ff. Inuentie coesentie e servitu et con tutte leraff. acioni vso et ouer requisitione al ff.esso locatore nella d. dela detta et sop. la detta Chiesa et benj. ff. Inuenti spetati et competati et che potessero competere hadauer tener possedere fruir et celebr. Inessa le messe ed iuini officij secondo ff. suo rito et far In ff. petuo tuto gl. alj. de frati et predeti suoj sucesori piacera. et cosi ff. d. s. pietro maruffo nely modi et nomi come disop. pose et confirmo ff. d. fr. Domi. prior antedeto et gl. alij frati capitulari come disop. congregati pnti et recipienti estipulanti come di sop. nella posesione dita medema Chiesa et capella con tutti i benj. vso deti co. piena autorita con tutti e ciaschedun pato modo condicione obli. et forme come di sopra contenute e descritte.

legual tutte cose e ciascheduna sopra scritte le dette parti Insieme et alter natam. una al altra et ff. contrario hano promesso et co. solene stipulatione sono convenute hauer In ff. petuo ff. forme ratificate e grate et no. contravenir ouer dir ff. se ouer alij In giudicio ouer fueri. alcuna ragio ouer ius ho causa. solo pena del doppio et solo resarcim. delj. danj spese et Interesse dela lite et fuora la qual pena: a pena niente dimeno le predete cose durono In ff. petuo.

ff. ouer man. la ditute legual cose et ciascheduna di esse: le dette parti et ciascheduna

## Transliteration of Angelo Zacharia's act of donation dated 20 April 1535

In nomine Domini Amen. Anno eiusdem Domini 1535 die XXma aprilis. Misser Angelo Zacharia, quondam Domini Petri Antonij, come procuratore e patrone della chiesa e capella di S. Pietro, habbiando iurepatronatus convenente et patto con li frati del Ordine di S. Domenico di rinovare gli patti e conventioni che hanno insieme di tempo in tempo, et siando passato il termino di anni dodici, come appare per lo ultimo instrumento fatto per il Signor D: Domenico della Xane notario, infrascritti saranno posti et annotati li patti et conventioni loro. In primo detto Misser Angelo Zacharia come Patrone [di] detta chiesa et di detto loco di S. Pietro et Paulo, vuole et concede alli detti Frati di S. Domenico conventuali, che possino stare et abitare in dicto loco et officiare li divini officii e celebrare le loro messe e fare tutte le loro ceremonie solite et consuete a l'ordine loro. Unde per incenso e memoria de iurepatronatus vuole detti frati annuatim al tempo della candelora debbiano dare a lui uno doppiere, o vero bendone, come hanno oservato sino al presente: Ancora debbiano celebrare una messa di morti ogni settimana per l'anima de suoi passati secondo il stile che fin hora hanno tenuto, e che li beni, et la chiesa et el giardino non debbiano esser propriati al particolare, tal che habbia a nascer qualche discordia, ma che sieno comuni, come de primo s'è facto d'accordo: ancora che non debbiano accetar per stantia persona alcuna mundana in le loro celle ne alcuno huomo de chi nasca al luogo pericolo, ma totis viribus diano a loro repulsa; et venendo alcuno frate forestiere de loro in detta chiesa debbiano, in signum patronatus, notificarlo a detto misser Angelo; ancora li frati volendo fabricare alcuna casa per loro comodo debbiano dirlo al detto misser Angelo; e far di lui mentione come patron di loro; e bisognando detta chiesa, o detto luogo qualche fabrica e riparatione sieno detti frati a fabricar obligati, e riparare con l'habitatione alli loro bisogni. Ancora siando nel ultimo istrumento del predeto quondam D. Dominico della Xane otto-

mila aspri nominati, quali furono sborsati e spesi in lo edificio del monasterio, vuole sieno al presente annullati e non sieno piu obligati detti aspri ottomila. Ancora trovandosi in detto monasterio alcuno frate dissoluto o scandaloso e inobediente, misser Angelo con lo presidente delli frati possa expellerlo, e fare mandarlo come membro putrido e scandaloso e perche la inquiete non paria alli religiosi; però non vuole che li mondani giochino alla palla nell'inchiostro per aliquo patto; e questo vuol sia per patto espresso. Ancora volesse intendar in presente come in futuro che è di conventione et di patto, che detto misser Angelo sia procuratore de' frati in detto luogo, e in le ragioni del detto convento sia sempre chiamato: Così osservando e mantenendo le dette cose detto misser Angelo promette e si obliga di non mutar gli detti Frati conventuali di San Domenico dalla detta chiesa: Ma li detti Frati habbino a stare et habitare. Né vuole che niuno postero o di suoi discendenti possino né vogliano rimuoverli dal detto luogo, servando li capituli qui sopra posti e per verita e chiarezza del sopradetto si sottoscriveranno ambedue le parti e testimoni di mano proprio.

Ego [Fra] Lucas de Pera Vicarius substitutus Societatis vice omnium Fratrum presentium affirmans supradicta manu propria me subscripsi.

Ego Fra Pantaleon de Pera confirmo supradicta manu propria.

Ego Fra Joannes de Pera affirmit supradicta manu propria.

Ego Fra Thomas de Pera affirmit supradicta manu propria.

Ego Angelo Zacharia quondam Domini [Petri Antonij] affirmit supradicta manu propria.

Ego Phillipus Argentis...Notarius publicus et civis florentinus, in presentiarum Magnifici Domini Aloisij, pro Illustrissimo Domino Florentino Constantinopoli Bailis dignissimi Cancellarii, supradicta descripsi; inter prestantes Magnificum Lucam et Dominum Angelum et actum Anno D. MDXXXV.

## Summary / Zusammenfassung / Résumé

### Property Losses and Gains for the Order of Preachers in Early Ottoman Galata through a Sultanic *vakıf* and Genoese *pia causa*

The Ottoman conquest of the Byzantine capital of Constantinople in 1453 marked the expulsion of the Order of Preachers (known as the Dominicans) from their priory and the conversion of their church of Saint Paul into the Galata Mosque. In 1476, the friars relocated to below the Genoese Tower of Galata, facilitated by a property donation by a Genoese nobleman called Angelo Zacharia. This study demonstrates the multifaceted use of the legal structure of the endowment within the religiously plural context of fifteenth- and sixteenth-century Galata based on a comparative study of two endowments: Sultan Mehmed II's (r. 1444-1446; 1451-1481) Ayasofya Vakfiye and the 1562 renewal of Angelo Zacharia's 1535 donation deed. These sources reveal how the Order of Preachers' endowment of properties resulted in their loss through a sultanic *vakıf* and subsequently to their gain through a Genoese *pia causa*.

### Eigentumsverluste und -gewinne für den Predigerorden im frühosmanischen Galata durch ein *Vakıf* des Sultans und eine genuesische *Pia Causa*

Die osmanische Eroberung der byzantinischen Hauptstadt Konstantinopel im Jahr 1453 markierte die Vertreibung des Predigerordens (auch bekannt als Dominikaner) aus ihrem Priorat und die Umwandlung ihrer Kirche St. Paul in die Galata-Moschee. 1476 zogen die Mönche in den Bereich unterhalb des Genueserturms von Galata um, was durch eine Grundstücksspende eines genuesischen Adligen namens Angelo Zacharia ermöglicht wurde. Diese Studie zeigt die vielfältige Nutzung der rechtlichen Struktur der Stiftung im religiös pluralistischen Kontext des Galata des 15. und 16. Jahrhunderts auf der Grundlage einer vergleichenden Studie zweier Stiftungen: Ayasofya Vakfiye von Sultan Mehmed II. (reg. 1444-1446; 1451-1481) und die Erneuerung von Angelo Zacharias Schenkungsurkunde aus dem Jahr 1535 im Jahr 1562. Diese Quellen zeigen, wie die Schenkung von Grundstücken durch den Predigerorden dazu führte, dass sie durch ein *Vakıf* des Sultans verloren gingen und anschließend durch eine genuesische *Pia Causa* wiedererlangt wurden.

### Pertes et gains immobiliers pour l'Ordre des Prêcheurs dans le quartier ottoman de Galata à travers un *vakıf* sultanique et une *pia causa* génoise

La conquête ottomane de la capitale byzantine de Constantinople en 1453 a marqué l'expulsion de l'Ordre des Prêcheurs (appelés les Dominicains) de leur prieuré et la conversion de leur église Saint-Paul en mosquée de Galata. En 1476, les frères se sont installés en contrebas de la tour génoise de Galata, grâce à un don immobilier d'un noble génois appelé Angelo Zacharia. Cette étude démontre l'utilisation multi-forme de la structure juridique de la dotation dans le contexte religieux pluriel de Galata aux XV<sup>e</sup> et XVI<sup>e</sup> siècles, sur la base d'une étude comparative de deux dotations: L'Ayasofya Vakfiye du sultan Mehmed II (r. 1444-1446; 1451-1481) et le renouvellement en 1562 de l'acte de donation d'Angelo Zacharia de 1535. Ces sources révèlent comment la dotation de propriétés de l'Ordre des Prêcheurs a entraîné leur perte par le biais d'un *vakıf* sultanique, puis leur gain par le biais d'une *pia causa* génoise.