191. We have no legal grounds for adopting a different conclusion, and with regard to any recognition of the present title which might be presumed to have been effected under the British Government, we beg respectfully to refer his Excellency to the observations already stated with regard to the claim to the Barony of Buleben.

VI.—*Title of "Conte" enjoyed by the Family Ciantar Wzzini Paleologo.*

Date of creation of title cannot be ascertained.

192. The gentleman who asserts a claim to the above title, Serafino Ciantar, has laid before the Commission no document showing when, on whom, and on what condition that title was conferred. He has, however, produced sufficient evidence that his family has constantly and unquestionably been in possession of that title, which was, moreover, on different occasions, recognised in several public Acts, by the Grand Masters, by whom some of the former holders of it were directly styled "Conte."

Title is at present existing.

193. The said title having, as already noticed, passed to several persons, and having been also enjoyed by the male descendents of daughters, with the knowledge and approbation of the sovereigns of these islands, we have no hesitation in declaring that the present title is to be considered as still existing.

Documents produced by claimant.

194. Among the documents exhibited by the claimant, we find three letters, bearing date respectively the 10th January, the 8th February, and the 30th March 1722, addressed by Grand Master Zondadari to Ignazio Wzzini, who was then at Rome. The first of these letters contains the following superscription: "Mag^co Fideli Nobis dilecto Comiti Wzzini": the second is addressed thus, "Mag^co Fideli Nobis dilecto Comiti Ignatio Wzzini," and the third, "Mag^co Fideli Nobis dilecto Co. Ignatio Wzzini J.U.D." The same Grand Master Zondadari, on the 22nd January 1722, in three different letters addressed respectively to Cardinal d'Althama, to Cardinal Cieŭfŭegos, and to Balì Spinola, prefixed the title of Conte to the name of the said Ignazio Wzzini. Grand Master Manoel, by a letter dated the 4th November 1722, strongly recommended to the Viceroy of Sicily the Conte Ignazio Wzzini and Antonio Ciantar his son-in-law. Grand Master Pinto appointing, on the 1st June 1750, Giorgio Serafino Ciantar, another of the claimant's ancestors, and grandson ex-filia of the said Conte Ignazio, to a lieutenancy in a company of a regiment of the Città Pinto, styles him "Comiti et Baroni S^ti Joannes Militi Don Georgio Seraphino Ciantar Pallologo, Equiti "Professo Sacri Militaris Ordinis S^ti Benedicti de Avis, in Lusitania, Fideli Vassallo "ñro Nobis in Christo Dilecto Salutem." And Grand Master de Rohan, on the 17th May 1783, conferring upon a cadet of the family the commission of captain in a company of a regiment of "chasseurs," (cacciatori)* addressed him thus: "Nobili Josepho ex Comitibus Ciantar, fideli Vassallo ñro Nobis in ŝto Dilecto Salutem."

Ignazio Wzzini styled Conte when appointed Knight of St. Benedict de Avis, by John, King of Portugal.

195. Another proof of the existence of this title is desumed by the claimant from two patents issued on the 11th September 1738, by John, King of Portugal, appointing the Conte Fr. Ignazio Wzzini, Knight of the Order of St. Benedict de Avis, and containing the necessary directions for his investiture. In those two patents the said Ignazio Wzzini is styled Conte.

Title passed by matrimonial alliance from the Wzzini to the Ciantar family.

196. It is proper to remark, in order to remove any difficulty that may arise from the adoption of the different surnames of Wzzini and Ciantar, that Count the Conte Ignazio Wzzini had no other children but one daughter named Teodora, who married Giovanni Antonio Ciantar. Of Teodora Conte Serafino was born, who left on his death the Conte Gio Battista, father of the present claimant Serafino, who became the first-born son of the family, by the decease, without issue, of his eldest brother the Conte Giovanni Antonio Ciantar.

Claimant's right established.

197. It is unnecessary for us to offer any remarks on the other papers produced by the claimant, inasmuch as we think that Serafino Ciantar has fully established his claim to the title of "Conte," although we cannot point out the date of the creation of that title, as we have been able to discover nothing with respect to that point in the documents we have inspected.

Creation of title cannot be taken to go beyond the year 1722.

198. We cannot, however, omit to state that there is nothing to show that the ancestors of Count Ignazio Wzzini were also in possession of the title. In no place of published Histories of Malta, the Wzzini family, before the Conte Ignazio, is referred to as a titled family; and in a certificate relating to the baptism of the above-named Conte Serafino Ciantar, senior, son of the said Contessa Teodora Ciantar Wzzini, daughter, as already stated, of Conte Ignazio Francesco Wzzini, the last-mentioned person, who stood as godfather, is not described as son of the Conte Paolo, but simply "Filius "quondam Dñi Pauli, ejusdem civitatis Vallettæ," although it must be presumed that

* The "Cacciatori or Talconiere" were, during the Government of the Order, a body of volunteers.

such designation was written down in the certificate in question as dictated by the father of the christened child, or by the godfather himself. In allowing the present claim, we think, however, ourselves justified in adding that the claimant has not shown that his family was in possession of the title of "Conte" prior to the year 1722.

VII.—*Title of "Marchese" in the Kingdom of Castile of Conte De Piro and of Viscount of Cartely.*

199. In the list forwarded by the Committee, the title of Marchese in the Kingdom of Castile, and of Viscount de Cartely, together with another title of Conte, are reported to have been conferred by Philip V., King of Spain, by a patent of the 6th November 1742, on the Barone Gio Pio De Piro.

200. The following are extracts from the patent of creation :—

(Translation from the Spanish.)

Terms of grant.

"Wherefore you having selected the title of Marchese De Piro, and in order that your person and family may be further honoured and ennobled, it is my will that you the aforesaid Barone Don Gio Pio De Piro, your heirs and successors, for the time being, *in perpetuum* and for ever, may name and style yourself, and be named and styled, as I do hereby create you Marchese De Piro. And whereas under the Ordinance of His Majesty Philip IV., whom God may receive into heaven, any person who is to be raised to the dignity of Marquis or Count must be previously created Viscount, which title is to be subsequently suppressed; wherefore we by letters patent bearing the same date as these presents, have granted unto you the title of Viscount of Cartely, which in accordance with the said Ordinance must be suppressed and cancelled in my Secrétairerie of Grace and Justice of the Kingdom of Castile."

Baron De Piro divested of the title of Viscount of Cartely on his promotion to a superior dignity.

201. From the said patent of which the above-quoted is the most important part, it appears that Barone Gio Pio De Piro was actually ennobled by the King of Spain with the title of Marquis in Castile; but that the title of Viscount of Carteley for the reasons most explicitly stated in the patent itself, was suppressed and cancelled. We may add that no evidence has been produced before us showing that the King has ever granted the title of Conte to Gio Pio De Piro, or to any other of the claimant's ancestors, and that the aforesaid patent is duly registered in the books of the *Cancelleria* and of the Court della *Castellania*.

Title claimed by Saverio de Piro.

202. The three titles of Marquis, Count, and Viscount are claimed by Saverio De Piro; but no notice should in our opinion be taken of that of Count, which was never conferred by the Kings of Spain, and that of Viscount of Carteley, of which Gio Pio De Piro was divested on his promotion to a superior dignity.

203. The title of Marquis was recently revived in favour of the said Saverio De Piro, by a letter of the Under Secretary of the Spanish Ministry of Grace and Justice, existing in the Financial Secretary's Department of the War Office, of which letter the following is a translation :—

Ministry of Grace and Justice.

His Excellency the Minister of Grace and Justice makes known to his Excellency the Minister of Finance, what follows :—

As it appears from the record of the proceedings entered in this office at the instance and request of D. Xavier De Piro, who begs that the title of Marquis De Piro lately possessed by his predecessors should be revived in his favour; the Regent of the Kingdom, having seen the Royal Decree of the 4th December 1864, and in conformity with the resolution of the section of Grace and Justice of the *Conseil d' État*, has thought it advisable to order that the above-named dignity of Marquis De Piro should be revived in favour of the said D. Xavier De Piro, without prejudice to the rights which third parties may have acquired by a more favourable decree: provided, however, the said De Piro should pay the special duty and the other charges imposed on the said title, and which must be liquidated in favour of the Treasury as stated in the decree of the 12th February 1826, in which it was declared that the payment of that duty had been suspended.

By His Highness's orders I forward these presents to you for your information and for all intents and purposes. May God preserve you for many years.

Madrid, September 28, 1870.

The Under Secretary.

(Signed) URAN C. Z. MONSAN.

The foregoing letter was accompanied with a communication from the War Office, dated the 20th October 1870, to the following effect:—"I am directed by Mr. Secretary "Cardwell to enclose herewith a letter which has been received for you, through the "Foreign Office, from the Spanish Minister for Foreign Affairs, informing you of the "revival of the Marquisate De Piro; I am at the same time to add that the necessary "alteration has been made in the Army List."

Claim allowed by Commission.

204. Under these circumstances it is unecessary for us to consider in what manner the present title descended from the grantee to the other ancestors of the "Marchese De Piro," especially because no one has appeared to dispute his claim.

VIII.—*Title of "Barone" conferred by Maria Theresa, Empress of Austria, upon Georgio Fournier de Pausier.*

205. By letters patent bearing date the 31st March 1768, the above title was conferred by Empress Maria Theresa on Giorgio Fournier de Pausier. The patent issued, at the grantee's request, runs thus:—"Te supradictum Georgium Fournier in numerum, "consortium, cœtum, ordinem, atque Baronum dignitatem assumimus, teque una "cum filiis tuis atque posteris virilis sexus, ex legitimo thoro natis atque nascituris "in infinitum, primogeniali ordine semper servato, Baronem ac Barones Regnorum et "Provinciarum nostrarum facimus, nominamus atque creamus."

206. The original patent of creation has been produced by Lazzaro Sant Fournier, who claims this title as the first-born descendant in the grantee's primogenial line. It is, however, to be observed that he descends through Luigia Fournier his mother, wife of Baldassare Sant, and grand-daughter of the first titled person.

207. This patent is not among the records of the Government *Cancelleria*, or of the High Court della *Castellania;* although in the diploma whereby the title of Conte was granted by the same Empress to the said Giorgio Fournier (*see* next Chapter IX.), and duly registered the present title is referred to as having been granted by that Empress to the above-mentioned Fournier.

208. No proof having been made of the recognition of this title on the part of the Grand Masters, which might have supplied the want of its registration, the claim of Lazzaro Sant to the title of Baroné must necessarily be disallowed.

IX.—*Title of "Conte" granted by Empress Maria Theresa to the above-named Giorgio Fournier de Pausier.*

209. This title, which is likewise claimed by the said Lazzaro Sant, was conferred upon the said Giorgio Fournier de Pausier by the same Empress Maria Theresa, by a patent given at Vienna on the 29th January 1770, which is registered in the *Cancelleria*, and in the High Court of the *Castellania*.

Terms of grant.

210. The grant was made to the said Giorgio Fournier de Pausier, with succession to his children and descendants of the male sex, whether born or to be born from lawful wedlock, according to the order of primogeniture. The following is the operative clause of the patent of creation:—

"Teque una cum filiis tuis atque posteris virilis sexus, ex legitimo thoro natis atque nascituris, in infinitum, primogeniali ordine servato, Comitem ac Comites Regnorum et Provinciarum nostrarum, facimus, nominamus atque creamus."

211. The foregoing expressions are substantially similar to those contained in another patent which will hereafter be considered, and by which the title of Conte was by the same Empress conferred upon Salvatore Baldassare Sant, in the said year 1770. The patent granted to the Conte S. Baldassare Sant runs thus:—"Teque una cumfilio tuo "primogenito Joanni Francisco Salvatori, et ab hoc, eodem nascendi ordine, descenden-"tibus virilis sexus ex legitimo thoro natis atque nascituris, in infinitum, Comitem ac "Comites nostrarum in Italia Provinciarum facimus, nominamus, atque creamus."

Provisions contained in the grant made to the Conte Sant and omitted in that of the Conte Fournier.

212. This patent, which is dated the 22nd December 1770, contained the following provision, which is not to be found in that of the 29th January 1770: "Addentes hanc "gratiam specialem, ut si aliquando stirpem masculinam familiæ tuæ extingui contingat, "Comitis titulus et dignitas ad Primogenitum ex ultima fœmina generis tui superstite "natum vel nasciturum, qui gentis tuæ cognomen assumit ejusque posteros modo ante-"dicto, servatoque semper ordine primogeniali transeat."

213. The foregoing clause in the patent of the 22nd December is preceded by the following recital:—"Quod cum ita sint, non difficiles aures præbuimus precibus tuis, "Nobilis dilecte Nobis Don Balthassar Salvator de Sant, Nobilis Melitensis quibus licet "Nostro imperio extraneus, una cum primogenito tuo hujusque posteris, eodem "nascendi ordine, in numerum Comitum nostrarum in Italia Provinciarum postulas "referri, illisque deficientibus, Comitis titulum ad Primogenitum ex ultima fœmina "superstite nasciturum, hujusque posteris extendi." Considerations premised to foregoing clause.

214. Giorgio Fournier, the person first ennobled, left Lazzaro Sant, who died without any son to whom the title might descend, but leaving only one danghter, Luigia Sant, the present claimant's mother.

215. Not being called upon to settle the claims of Lazzaro Sant, we have thought it our duty to submit the above two extracts from the patents of the 29th January 1770 and the 29th December 1770 for the consideration of Her Majesty's Secretary of State, to whom the decision must be left as to whether Lazzaro Sant, who descends from the grantee's grand-daughter, is entitled to the enjoyment of the dignity conferred upon the male descendants of Giorgio Fournier de Pausier, under the rule of primogeniture. Decision of the present claim reserved to Her Majesty's Secretary of State.

X.—*Title of "Conte" conferred by Empress Maria Theresa on Salvatore Baldassare Sant.*

216. Gio Francesco Sant "Barone di Ghariescem and Tabia" claims likewise the title of *Conte* in virtue of the patent granted, on the 22nd December 1770, by the said Empress Maria Theresa, to Salvatore Baldassare Sant, of which the operative clause has already been given. That patent having been duly registered, and the said claimant being the first-born son of the Conte Luigi Maria, eldest son of the Conte Gio Francesco, who was the eldest son of the first titled person, we have no hesitation in declaring that the claimant has satisfactorily shown an indisputable right to the title above mentioned. Patent of creation dully enrolled.

217. We must not, however, omit mentioning that in the preamble of the said grant the following expressions occur: "Et quoniam in Longobardia nostra lex obtinet, quæ "Comitis titulum, congrua eidem feudi possessione jubet fulciri, æqui bonique facimus, "te prompto nobis obsecundandi studio ad laborare, ut feudum clientelæ vinculo obstrictum, "inditione nostra, primo quovis tempore adquiras." We are not aware that the fief referred to in this part of the patent was acquired by the claimant's ancestors, but as this condition is not peremptorily laid down in the patent, we do not think that its non-performance invalidates the grant. Preamble of the present grant. Non-performance of condition attached to the title not fatal to the grant.

XI—*Title of "Conte" presumed to have been conferred upon Salvatore Manduca by Ferdinand I., Duke of Parma.*

218. As we have already stated, the title of "Conte di Mont' Alto, in the Duchy of Parma, granted in 1720 to Bernardo Piscopo, and extended in 1724 in favour of one of the grantees male grand-nephews, was determined by the death without male issue of "Conte Felice Manduca," which occurred on the 14th May 1775 (§ 188). Monsignor Salvatore Manduca Piscopo Macedonia, however, asserts that the said grant was, by a rescript of the 28th December 1776, renewed in favour of Salvatore Manduca his grand-father, and of the grantee's male issue. In support of such claim, Francesco Manduca on the claimant's behalf produced on the 29th September last several papers which are stated to be true copies of certain documents existing at Parma, but which bear no attestation, and consequently afford no evidence of the authenticity of their contents. Title of Mont' Alto presumed to have been renewed in favour of Salvatore Manduca. Documents produced by claimant.

219. One of these documents is stated to be a copy of a petition addressed to the Duke of Parma by the said Salvatore Manduca, who therein represented; * "That having "gratuitously obtained the grant of the fief of Monte Alto situated in Parma, for himself "and his legitimate and natural sons and male descendants, in the same manner as it was "originally granted to Bernardo Piscopo, on the 1st July 1720, and subsequently renewed "in the person of Felice Manduca, late brother of the said Salvatore, he (petitioner) "requested that H.S.H. should give the necessary directions for the execution of the deed "relative to the said grant." The foregoing request was complied with, by the rescript of the 28th December 1776. Petition of Salvatore Manduca to the Duke of Parma.

220. It may not be improper to remark, in this place that in 1776, the *Primogenitura* erected by Bernardo Piscopo in 1725 (§183) was possessed by Contessa Anna Manduca, eldest daughter of the said Count Felice. It follows that Salvatore Manduca in request- Such petition clearly shows that the title of Mont'

* This extract is translated from the Italian.

Alto was looked upon as extinct by the claimant's grandfather.

ing the renewal of the title in favour of himself and his male descendants, acknowleged that the original grant of 1720 had been extinguished by the death of Felice, and that the rules laid down in Bernardo's testament for the devolution of the *Primogenitura* were not applicable to the succession to the original title.

Oath of fidelity stated to have been taken by Salvatore Manduca.

221. We beg to submit that among the unauthenticated documents produced by the claimant, there is the form of an oath of fidelity which is stated to have been taken by the said Salvatore Manduca, when invested with the fief of Monte Alto. It is conceived in the following terms :—

Translation from the Italian.

"I, Salvatore Manduca Piscopo, feudatory of Mont' Alto situated in the Duchy of Parma, do swear unto God Almighty that from this time forward until the last day of my life I will always and at all times be a faithful and obedient subject, feudatory, and vassal of H.R.H. the Most Serene and Royal Infante of Spain, Don Ferdinando of the House of Bourbon, as Duke of Parma, Piacenza, and Guastalla . . . . . And that I will not acknowledge as my lord any other person, whatever may be his capacity, rank, condition, and pre-eminence, but H.R.H. the said Most Serene Infante Ferdinando as Duke of Parma, Piacenza, and Guastalla, his heirs and successors as aforesaid."

Present title never registered in Malta.

Salvatore Manduca appointed jurat in 1797–98 and styled "Conte."

222. The present title (if taken to have ever existed) was never registered in Malta, nor has the claimant produced any proof of its having ever been recognised by the Grand Masters of the Order of St. John. We must not, however, omit to state that on inspecting the Minute Book in which the appointment of the jurats was entered during the Government of the Order, we noticed that Salvatore Manduca was in the year 1797–1798 appointed jurat for Notabile and styled "Conte." We can, however, give no importance to this circumstance in the absence of an authentic copy of the patent of creation of this title; and we beg to add that although the above-named Francesco Manduca had declared himself ready to bring over from Parma some authentic documents, we did not think it advisable to delay further the presentation of our Report, and as matters now stand we cannot include Monsignor Manduca in our list of "Titolati." It is, however, to be understood that the claimant is by no means precluded from producing at any future time further evidence of the existence and recognition of this title, in which case his claim must, in our opinion, be reconsidered.

XII.—*Title of "Barone di San Giovanni."*

Title originally granted to Dr. Vincenzo Abela.

Re-conferred upon Serafino Ciantar, senior.

223. This title, which is the last in order of date among those conferred by foreign sovereigns, is claimed by the Conte Serafino Ciantar. It was originally granted by the Viceroy of Sicily to Dr. Vincenzo Abela and to the heirs of his body by a patent given at Messina on the 20th August 1657. This grant (to which the Viceroy attached the condition that the title should be inheritable by persons to be, according to circumstances, nominated) having been determined by the death of the said Dr. Vincenzo Abela without issue, was renewed by Ferdinand I., King of the Two Sicilies, by a patent given at Palermo on the 16th July 1777, in favour of Serafino Ciantar (who was a relation of the said Abela) and of his descendants.

224. The grant made to Serafino Ciantar was, in accordance with the law then in force, registered in the *Cancelleria*, and the gentleman who claims the present title is the first-born surviving descendant of the original grantee, consequently he has the right to bear the title of "Barone" besides that of "Conte,"* and will be referred to in the list appended to this Report as "Conte Serafino Ciantar Baron di San Giovanni."

XIII.—*Title of Barone di San Paolino.*

225. This title, not included in the committee list, but claimed in the course of our inquiry, was on the 16th July 1638 conferred upon Matteo De Ribera, with succession to one of his descendants, by letters patent issued at Palermo, by the *President* and *Captain-General* of Sicily, by virtue of the authority vested in him by Philip IV., King of Spain and Sicily. A copy of this patent was during the first week of October last exhibited before the Commission by Angiolino Attard Montalto Barone di Benuarrat, who has fully proved his descent through a female line from the person first ennobled.

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* *Vide* Chap. VI. § 198.

226. This title was never registered in this island, and no evidence of its recognition on the part of the sovereign authorities during the Government of the Knights of Saint John having been produced, we are of opinion that the claimant has failed to establish his right to it. — failed to establish his right.

Section IV.—Hereditary Distinctions conferred by Foreign Authorities.

227. Having thus far inquired into the titles of nobility granted by the local sovereigns and by foreign princes, and claimed by gentlemen whose names are included in the committee list or who directly appeared before the Commission, we now proceed to consider several charters or diplomas given by two Emperors of Germany who styled themselves also Emperors of the Romans, or by certain municipal corporations of several Italian cities called *senates*. Two patents or bulls have been produced before the Commission, one of which was on the 6th November 1637 issued by Ferdinand 3rd, Emperor Elect of the Romans and of Germany, at Vienna, in favour of the Doctor of Laws Giacomo Testaferrata De Robertis, and the other granted at Vienna on the 19th November 1698 by Leopold I., who was likewise Emperor of the Romans and of Germany, to Massimiliano Balzano, *Uditore* of the Religious Order of Saint John. — Patents issued by two Emperors of Germany and by certain Italian Municipal Corporations.

228. In the former of these patents, Emperor Ferdinand, having premised some expressions in commendation of the merits of Dr. Giacomo and of his family, created, of his mere motion, the said Dr. Giacomo and his descendants male and female for ever, *Military Noblemen* and *Tornearii* of the Holy Roman Empire. The following is an extract from the original patent :— — Grant made to Dr. Giacomo Testaferrata De Robertis.

"Te Jacobum Testaferrata, tuosque liberos, hæredes, posteros ac descendentes, masculos et fœminas, natos et nascituros in infinitum, ex legitimo matrimonii fœdere ortos, et æterna serie orituros, in numerum, cœtum et consortium, statum gradum atque dignitatem Nostrorum et Sacri Romani Imperii aliorumque Regnorum et dominiorum Nostrorum hæreditariorum Nobilium Militarium et Tornearium, assumpsimus et aggregavimus ; vosque omnes et singulos, juxta qualitatem conditiones humanæ, Nobiles, Militares, et Tornearios dicimus, nominamus, et declaramus, adeoque ab omnibus et singulis cujuscumque status, gradus, ordinis, conditionis, dignitatis et præminentiæ existunt, pro veris Nostris et Sacri Romani Imperii Regnorumque et Ditionum Nostrorum Hæreditariorum, Nobilibus Militaribus et Tornearis dici, nominari, atque reputari volumus . . . . ." — Terms of grant.

229. In the patent granted also by the sovereign's mere motion, to Massimiliano Balzano, Emperor Leopold, after having extolled the personal merits of the grantee, expresses himself as follows :

"Te Maximilianum Balsanum, omnesque liberos, hæredes, posteros, ac descendentes, legitimo ex matrimonio natos et nascituros in infinitum, masculos et fœminas, in numerum, cœtum, atque consortium, statum, gradum et dignitatem nostrorum et Sacri Romani Imperii aliorumque Regnorum et Ditionum nostrarum Hæreditariorum Nobilium Tornearium seu scutariorum et armigerorum assumimus, extollimus, et aggregamus ; vosque omnes et singulos, juxta sortis humanæ qualitatem, nobiles et tamquam de nobili genere, domo ac familia procreatos, dicimus ac nominamus, atque adeo ab omnibus et singulis cujuscumque status, gradus, ordinis, conditionis, dignitatis,, aut præheminentiæ existant, pro veris Nobilibus dici, nominari, haberi, reputarique volumus . . . . ." — Granting clause of the patent given to Massimiliano Balzano.

230. From the tenor of the two foregoing patents, it appears that it was thereby intended to raise to the dignity, and to elect into the Order, of the Noble Tornearii or "*Ecuyers*" and Armigers of the Holy Roman Empire, the said Testaferrata de Robertis and Balzano and their issue male and female *in infinitum*. — Such patents not conferring any feudal title.

231. We have no means of ascertaining the difference, as to rank and dignity in the German Empire, between titled persons or persons ennobled by the sovereign with a particular title of nobility descendible to their issue, and the Noble Tornearii or *Ecuyers*, who possessed a distinction of an hereditary character. From a careful inspection of the patents of the said Testaferrata and Balzano, we are unable to determine whether the order of the Tornearii formed properly a part of the nobility of the German Empire. Nor have the gentlemen (who, as descendants of the original grantees, claim the enjoyment of all the privileges proceeding from the said two patents) supplied us with any satisfactory information on the subject. We can only state that the descendants of Giacomo Testaferrata De Robertis and of Massimiliano Balzano contend that they have a right to bear the generic designation of *noblemen* prefixed to their baptismal, and the male descendant assert moreover a right to the prefix of *cavalieri*. — No reliable information furnished to Commissioners respecting the nature and extent of the distinction of "Nobles Tornearii."

Patents not enrolled in the Cancelleria and in the Court of the Castellania.

232. We must not, however, omit remarking that the said two patents were not registered in the *Cancelleria* and in the High Court *della Castellania;* that of Testaferrata being only enrolled in the office of the Jurats of the city of Notabile, on the 12th October 1683, and that of Balzano in the same office on the 3rd March 1704. And although the decree issued by Grand Master Despuig, on the 16th September 1739, providing that all foreign titles should be registered in the *Cancelleria* and in the Court of the *Castellania*, was published subsequently to the date of the above-mentioned patents, this circumstance could not have certainly dispensed with the said registration. This omission is, however, supplied by the recognition of the distinction we are considering, on the part of the Grand Masters, who at different times, and in their official acts, styled "Nobiles Sacri Romani Imperii" some of the descendants of the original grantees.

Recognition of the distinction of Nobilis Tornearius of the Holy Roman Empire on the part of the Grand Masters.

233. All the members of the Testaferrata family, who have presented themselves before the Commission, and who descend from Don Mario Testaferrata, upon whom the title of Marchese was, as already stated, conferred by Philip V. and Victor-Amadeus in the year 1716 and 1717, claim the distinction of "Tornearii del Sacro Romano Impero," in virtue of the patent of 1637. A similar claim might be asserted by all the other male and female descendants of the aforesaid Don Mario, who did not appear before us. From the table of descent of the Testaferrata family, already referred to in a foregoing paragraph, and appended to the present Report, it appears that the number of such descendants amounts to no less than 157.

Grant of Dr. Giacomo Testaferrata De Robertis if taken to extend to all the descendants inheritable not only by claimants but by all the gentlemen included in Enclosure No. 16.

234. The distinction granted to Massimiliano Balzano is only claimed by Luisa, widow of Captain Walter Strickland, in her own name and on behalf of her sons, who are all minors. The claimant is the daughter of Dr. Pietro Paolo Bonici Mompalao, lately deceased, and she has produced a genealogical tree, supported by sufficient evidence of her descent from the original grantee. Upon the same grounds might this dignity be claimed by other descendants of Balzano, who all bear family names different from that of the grantee, the male line of Balzano having become extinct, and the female descendants having married into different families. We have no *data* for determining the number of such descendants.

Distinction granted to Massimiliano Balzano only claimed by Luisa widow of Captain W. Strickland.

235. It appears from what has already been stated, that if the distinction referred to is to be taken to extend to all the contemporary lineal successors of the grantees, the lawful holders of it would be very numerous, as that dignity would be inheritable by all the male and female descendants without any limitation. Among such descendants there are persons of all classes, and whilst some live on income from their own property, others pursue mean occupations and have slender means of support.

Lawful holders of this distinction very numerous, if it is inheritable by all the grantee's descendants.

236. Having submitted the above-stated circumstances, we beg respectfully to quit the subject under consideration, leaving it to Her Majesty's Secretary of State for the Colonies to decide :—

Questions on the nature and extent of these grants reserved to the Secretary of State.

1st. Whether by the dissolution of the German Empire (A.D. 1806) the Order of the Nobiles Tornearii ceased to exist :

2ndly. Whether the distinction of "Tornearius" of the Holy Roman Empire must be reckoned among the orders of nobility in Malta, and in case it is to be so reckoned, whether,

3rdly. It is descendible to all the grantee's contemporary lineal successors, or to only one of them under the rule of primogeniture. Should it be decided that the distinction of "Tornearius" is to be inherited by all such descendants, an inquiry will become necessary in order to ascertain the number of Balzano's descendants.

Distinction of Messinese Patricians claimed by some members of the Testaferrata family.

237. Several gentlemen belonging to the Testaferrata family have, moreover, in the committee list, laid a claim to the dignity of Messinese patricians, and have in support of that claim produced the following documents, viz. :—

Documents produced in support of their claim.

1st. A personal *privilegium* conferred on the 20th December 1553, by the *Jurats* of the city or municipality of Messina, on the nobleman Mariano Testaferrata, registered in the Royal *Secrétairerie* of Messina, on the 17th April 1554, and recorded in the Civil Acts of the Inquisitorial Office of Malta, on the 27th August 1689. The said Mariano is the most distant ancestor to whom the claimants have been able to trace the pedigree of the Testaferrata family. By the said *privilegium*, Mariano obtained the citizenship of Messina, and he became thereby entitled to all the rights of a Messinese citizen, and to the exemption from certain taxes which were payable by strangers.

Such grant never registered in Malta.

2nd. Another privilegium of the Senate of Messina, bearing date the 28th August 1792, stating, with reference to that of 1553, that Mariano Testaferrata had been elected into the "Senatorium Messinensium Ordinem inter que Nobiles Cives Mamertinos." By the same instrument, the Marchese Don Mario Testaferrata Castelletti, Don Daniele and Don Pandolfo Testaferrata De Noto, and the Barone P. P. Testaferrata Avela, all descendants of the said Mariano, were recognised as noble citizens and patri-

cians of Messina, and their nobility was traced so far back as the year in which the Privilegium was granted to Mariano, being thus reinstated in the possession of that dignity, together with their children and descendants. This instrument was recorded in the Acts of Notary Vincenzo Farrugia, on the 20th February last.

238. Now, independently of the circumstance that the distinction of Messinese patrician is a municipal concession, and that it is not derived from the Crown as the fountain of all honours, the said instruments were never registered in the Court of the *Castellania* or in the *Cancelleria* of the Order; nor have the claimants produced any proof of its having ever been recognised by the local sovereigns.

Such grant never registered in Malta.

239. The foregoing remarks apply also to another Privilegium, obtained on the 11th day of the calends of June of the year 1590, from the Roman senate, by which the honour of Roman citizenship and the dignity of Roman Patrician were conferred upon Monsignor Don Leonardo Abela, Bishop of Sidonia, Placido and Alessandro Abela his brothers, and upon his three nephews *ex sorore* Pietro di Ferro, Ascanio Surdo, and Paolo Testaferrata, and their children and grandchildren. This diploma was entered in the Civil Acts of the Inquisition in Malta on the 26th August 1689, but was never registered in the Government offices according to the enactments of Grand Masters Despuig and De Rohan. This distinction is claimed by the following gentlemen referred to in the committee list, who contend that they are the lineal descendants of some of the original grantees; viz., Dr. P. P. Testaferrata Abela, Augusto Testaferrata Abela, Monsignor Don Salvatore Grech Delicata, Lorenzo Cassar Desain, and the Marchesi Saverio De Piro and Felicissimo Apap. For the reasons already stated we refrain from making any inquiry in order to ascertain whether the claimants descend or not from the said grantees.

Dignity of Roman citizens and patrician, and gentlemen claiming it.

240. Two similar diplomas of Roman Patricians are mentioned in the committee list, dated respectively the 6th July 1674 and the 4th July 1744, the former grant being claimed by Emmanuel Testaferrata Asciack and by Lorenzo Cassar Desain, and the latter by the Conte Serafino Ciantar. No proof or document whatever having been produced concerning these grants, such claims cannot be consequently allowed. The same conclusion will also hold good with regard to the claims of Giorgio Crispo Barbaro to the dignity of Venetian Patrician, and of the Conte Fontani to the distinction of Knight of the 1st Class of Charles III., King of Spain. We may add that the distinction last mentioned cannot according to the law now in force be borne in Malta without Her Majesty's special permission.

Distinctions of Roman and Venetian Patricians, and of Knight of the 1st class of Charles III. of Spain.

General Observations.

241. It only remains now to reply to the tenth query in your letter of the 8th March last respecting the assumption of certain surnames, which by some of the gentlemen included in the committee list are borne after their paternal family names. As stated in a foregoing part of this Report (§ 82), the titles of nobility conferred by the sovereigns of Malta previous to the annexation of these islands to the British dominions are accompanied by the denomination of lands existing here, and in some instances possessed by the grantees themselves, and in others by the Order of the Knights in its corporate capacity. But with the exception of the titles of "Barone di Cicciano" and of Conte di Mont' Alto, the titles granted by foreign sovereigns bear no feudal denomination; but to some of them a peculiar designation is attached, such as "Marchese di San Vincenzo Ferreri" and "Barone di San Giovanni."

242. The practice, however, followed by the "Titolati," including those who received their titles from the Grand Masters of Malta, is to prefix their respective titles to their patronymics, without any mention of lands, or other designations. Thus Pietro Paolo Galea, who is the present holder of the title of "Barone di San Marciano," usually styles himself "Barone Pietro Paolo Galea.

Practice of the Maltese "Titolati" to bear the title before the family name.

243. Some of the "Titolati" add sometimes to their patronymics one or more surnames taken from maternal ancestors, apparently to show their connexion with families on which a title of nobility was originally conferred, or to indicate the possession of lands "*primogeniture*" entailed by persons who bore those surnames. Such, as far as we have been able to ascertain, is the case of Alessandro Sceberras Barone di Castel Cicciano, who in the list furnished by the committee is reported as bearing the surnames Damico and Inguanez, besides his patronymic Sceberras; and of the late "Conte delle Catene," who to his patronymic (Sceberras) added the surname Bologna, on account of the possession of a *primogenitura* founded by Canon Alessandro Bologna. In some cases surnames from maternal or female ancestral lines seem to have been assumed for no other reason than that of distinguishing the different branches of the same family. This expedient is resorted to by many members of the nobility.

Some Titolati assume other surnames besides their patronymics.

No law in Malta prohibits the assumption of any surname without fraudulent intent.

244. Although there is no law in Malta prohibiting under any penalty the assumption of any surname without fraudulent intent, as in none of the grants (that of the Conte Sant alone excepted, § 212), have we found any express direction that the title is to be annexed to the grantees' surnames; we shall in our list designate the titled gentlemen only by their baptismal and paternal family name, to which we shall append the title, and the denomination of the lands or other designation annexed thereto. Thus the gentlemen referred to in the committee list as Alessandro Sceberras, Testaferrata Damico Inguanez, will in our list be styled Alessandro Sceberras, Barone di Castel Cicciano.

Conclusion.

Delay in the presentation of the Report accounted for.

245. We deeply regret that the great mass of papers laid before us by the claimants, some of which only reached us a few weeks ago, and the contents of which were to be carefully collated and verified—our occupations in the courts in which we have the honour to preside, and, to a certain extent, also a protracted indisposition of one of us (Dr. Naudi)—should have prevented us from forwarding this Report at an earlier date.

Assistance rendered to Commission by Government Archivist.

246. We beg here to acknowledge the valuable assistance rendered by the Government Archivist, who has spared no pains and time in order to further the object of our Commission.

Lists appended to this Report.

247. In compliance with the instructions contained in your letter of the 8th March last, we have the honour to append to the present Report five lists, of which the first exhibits the names of the titled gentlemen, "Titolati," whose claims have been allowed in the foregoing paragraphs; the second includes the titles which, though at present existing, are disputed by two or more gentlemen; the third contains an account of the titles which have been taken by us to be extinct; the fourth presents a statement of the titles and hereditary distinction conferred by foreign authorities, but never recognised in Malta; and the fifth includes the claims which, by the letter above quoted, have been referred to the decision of Her Majesty's Secretary of State for the Colonies.

We have, &c.

(Signed) S. NAUDI.
F. PULLICINO.

To the Hon.
Sir Victor Houlton, G.C.M.G., M.A.,
Chief Secretary to Government,
&c. &c. &c.

APPENDIX.

I.—List of Titled Gentlemen ("Titolati") whose claims are allowed in the foregoing Report, classified according to the date of their respective creations.

No.	Names of Titolati.	Date of Creation.
1.	Maria Teresa Damico, "Baronessa di Diar el Bniet e di Bucana." Vide Report, §§ 91—96.	A.D. 1350.
2.	Gio. Francesco Sant, "Barone di Ghariexem e Tabia," §§ 86–90, and "Conte," by Empress Maria Theresa. §§ 216, 217.	16th April 1638. 22nd December 1770.
3.	Alessandro Sceberras, "Barone di Castel Cicciano." §§ 106–112.	A.D. 1695.
4.	Conte Amedeo Preziosi, by Victor-Amadeus, King of Sicily. §§ 173–175.	19th October 1718.
5.	Conte Giorgio Serafino Ciantar. §§ 192–198, and "Barone di San Giovanni," by Ferdinand I., King of the Two Sicilies. §§ 223, 224.	A.D. 1722. 16th July 1777.
6.	Pietro Paolo Galea "Barone di San Marciano." by Grand Master Manoel de Vilhena. §§ 29, 30.	14th June 1726.
7.	Giuseppe Testaferratta, LL.D., "Barone della Tabria;" by Grand Master Manoel de Vilhena. §§ 31, 32.	11th December 1728.
8.	Vincenza, wife of Baron P. P. Galea, "Baronessa della Culeja" (in her own right); by Grand Master Despuig. § 33.	2nd June 1737.
9.	Angiolino Attard, "Barone di Benuarrat;" by Grand Master Despuig. § 34.	18th August 1737.

No.	Names of Titolati.	Date of Creation.
10.	Marchese Saverio De Piro; by Philip V., King of Spain. §§ 199–204.	6th November 1742.
11.	Antonio Stagno, "Conte della Bahria;" by Grand Master Pinto. §§ 35, 36.	16th May 1743.
12.	Gustavo Barbaro, "Marchese di San Giorgio;" by Grand Master de Rohan. §§ 58–61.	6th September 1778, 2nd January 1779, and 5th June 1792.
13.	Salvatore Mallia Tabone, "Marchese del Fiddien;" by Grand Master de Rohan. §§ 67–69.	15th October 1785, and 15th June 1793.
14.	Bernardo Alessi, "Marchese della Taflia;" by Grand Master de Rohan. §§ 70, 71.	13th November 1790.
15.	Pietro Paolo Teuma Castelletti, "Conte di Ghain Toffieha;" by Grand Master de Rohan. §§ 72, 73.	7th January 1792.
16.	Felicissimo Apap, "Marchese di Gnien-Is-Sultan;" by Grand Master de Rohan. §§ 74, 75.	1st December 1792.
17.	Luigi Fontani, "Conte della Senia;" by Grand Master de Rohan. §§ 78, 79.	6th June 1795.
18.	Gaetano Delicata, LL.D., "Marchese di Ghain Kajet;" by Grand Master de Rohan. §§ 80, 81.	4th June 1796.

II.—List of Titles at present existing, but disputed by two or more Gentlemen.

1. Title of "Barone di Gomerino," created by Grand Master Perellos on the 24th December 1710, and claimed by P. P. Testaferrata Abela Moroni, LL.D., and Augusto Testaferrata Abela, to the exclusion of each other. Vide Report, §§ 24–26.

2. Title of "Conte delle Catene or delli Mori," created by Grand Master Pinto on the 20th January 1745, and annexed to the Primogenitura Bologna, respecting which a suit is now pending in the Civil Courts of these islands between Marchese Felicissimo Apap and Luisa, widow of Captain Walter Strickland, in her own name and on behalf of her son Gerardo. §§ 37, 38.

3. Title of "Marchese di San Vincenzo Ferreri," created by Philip V., King of Spain and the Two Sicilies, on the 10th November 1716, and claimed by Emmanuele Testaferrata Bonici Asciak and Lorenzo Antonio Testaferrata. §§ 113–121.

4. Title of "Barone di Budak," created by G. M. Perellos on the 23rd April 1716, and claimed by Mgr. Salvatore Grech Delicata. The claims of Monsignor Delicata are called in question by Giuseppe De Piro. §§ 27, 28.

III.—List of Extinct Titles.

1. Title of "Conte de Mont'Alto," created by Francis I., Duke of Parma, in favour of Bernardo Piscopo, on the 8th July 1720, and extended on the 19th September 1724. Vide Report, §§ 176–191.

2. Title of "Barone della Marsa," created by Grand Master de Rohan, in favour of Gio. Francesco Dorell Falzon, on the 10th March 1775. §§ 39, 40.

3. Title of "Barone di Buleben," created by Grand Master de Rohan in favour of Gaetano Azzopardi, on the 23rd July 1777, and extended in favour of Calcedonio, his son, by Rescript, on the 25th April 1778. §§ 41–57.

4. Title of "Conte di Beberrua," created by Grand Master de Rohan in favour of Luigi Maria Gatt, on the 23rd October 1783. §§ 62–66.

IV.—List of Titles and Hereditary Distinctions conferred by Foreign Authorities but never recognised in Malta.

1. Title of "Marchese," conferred upon Mario Testaferrata by Victor-Amadeus, King of Sicily and Duke of Savoy, on the 13th July 1717. Vide Report, §§ 122–172.

2. Title of "Barone," granted on the 31st March 1778, to Giorgio Fournier de Pausier by Maria Theresa, Empress of Austria. §§ 205–208.

3. Title of "Conte," presumed to have been granted to Salvatore Manduca by Ferdinand I., Duke of Parma in 1776. §§ 218–222.

4. Title of "Barone di San Paolino," conferred on the 16th July 1638, by the President and Captain-General of Sicily upon Matteo De Ribera. §§ 225, 226.

5. Distinction of Messinese Patrician conferred on the 28th August 1792, by the Senate of Messina and by some claimants traced so far back as the 20th December 1553, when a Privilegium was issued by that corporate authority in favour of Mariano Testaferrata. §§ 237, 238.

6. Distinction of Roman citizen and patrician conferred by the Senate of Rome on the 11th day of the Calends of June of the year 1590, upon Monsignor Don Leonardo, Placido and Alessandro Abela, Pietro De Ferro, Ascanio Surdo, and Paolo Testaferrata. § 239.

V. — LIST. CLAIMS referred, according to the letter of the Chief Secretary to Government, dated the 8th March 1877 (Enclosure No. 1), to the decision of Her Majesty's Secretary of State for the Colonies.

1. Claim to the title of "Barone della Grua," granted by Grand Master de Rohan on the 30th December 1794. Question relative to the present claim:—Whether the claimant, Nicola Maria Delicata, who descends from the grantee through Giovanna Carbott, his mother, has any right to the title originally granted to Saverio Carbott Testaferrata, with succession to his first-born male descendants after each other, under the rule of primogeniture (de primogenito in primogenitum). Vide Report, §§ 76, 77.

2. Claim to the title of "Conte," conferred by Victor-Amadeus, King of Sicily and Duke of Savoy, on Giuseppe Preziosi, on the 19th October 1718. This title is included in No. 4 of the 1st List, as regards the claim of Amedio Preziosi, first-born male descendant in the grantee's primogenial line.

Questions relative to this title:—

1st. Whether the grant originally made to Conte Preziosi and his male issue extends to all the grantee's contemporary lineal successors, or to the first-born male descendant in the primogenial line exclusively.

2nd. Whether males issued from female descendants are included in the grant. §§ 173–175.

3. Claim to the title of "Conte," granted to Giorgio Fournier de Pausier, by Empress Maria Theresa, on the 29th January 1770. Question relative to this claim:—

Whether Lazzaro Sant, who is a descendant in a female line of the person first ennobled, may claim a title, originally conferred "on the grantee and his descendants of the male sex, under the rule of primogeniture" (primogeniali ordine servato). §§ 209–214.

4. Claim to the distinction of "Nobiles Tornearj" of the Holy Roman Empire, conferred upon Dr. Giacomo Testaferrata de Robertis, by Ferdinand III., Emperor-Elect of the Romans and of Germany, on the 6th November 1637.

Questions relative to the said claim:—

1st. Whether by the dissolution of the German Empire (A.D. 1806), the order of the Nobiles Tornearj ceased to exist?

2nd. Whether the Nobiles Tornearj of the Holy Roman Empire constituted, in the German Empire, an order of nobility or an order of knighthood?

3rd. Whether the grant originally made to Dr. Giacomo Testaferrata de Robertis, with succession unto his sons' heirs, descendants, whether male or female, for ever," is inheritable by all the grantee's contemporary descendants, or by the first-born exclusively, under the rule of primogeniture? §§ 227–237.

5. Claim to the distinction of "Nobiles Tornearj" of the Holy Roman Empire granted to Massimiliano Balzano by Leopold I., Emperor of the Romans and of Germany, on the 19th November 1698.

The patent of creation of this grant is precisely similar to the preceding one of Dr. G. Testaferrata De Robertis, and the questions stated above (No. 4) are, *mutatis mutandis*, applicable to the present claim. §§ 227–237.

Enclosure 1. in No. I.

Chief Secretary's Office, Valletta,
March 8, 1877.

GENTLEMEN,

I AM directed by his Excellency the Governor to request the favour of your assistance in the following matter:—

2. By Despatch 314, of the 23rd December last, a copy of which is herein enclosed, the Right Honourable the Secretary of State for the Colonies decided that the heads of the families who, before the annexation of Malta to the British Dominions, obtained titles of nobility, should in accordance with a precedent during the administration of the late Governor, Sir Henry K. Storks, have precedence of the Chamber of Commerce, and, in order to ascertain who are the gentlemen thus entitled to precedence, his Excellency was by the same Despatch instructed to call upon a committee of nobles, formed on the occasion of the late visit of His Royal Highness the Prince of Wales, to furnish him with a list of the "Titolati," and the dates of their respective creations.

3. A copy of that Despatch was, by his Excellency's commands, sent to the secretary of that committee, with a letter, a copy of which is also herewith transmitted, requesting a list of the "Titolati," with an indication of the respective grants, and dispensing with the production of the documents containing the grants, or of any copies of them, which, if emanated from, or recognised by, the late Government of the Knights of St. John, must, according to the laws then in force, be registered in the "Cancelleria" of that Order, and the "Gran Corte della Castellania," the records of which are in the Government Archives or in the registries of the courts.

4. On the 24th ultimo, his Excellency received from the Secretary to the aforesaid committee a letter accompanied by a list of thirty-one "Titolati," and some documents, and another letter from Count Sant Cassia, informing me that the papers relative to his

own claims were transmitted by the said committee, and on the 5th instant his Excellency received also from the first-mentioned gentleman, another letter with further documents respecting the claims of the Marchese Testaferrata Asciak Bonnici, and or the Baron Augusto Testaferrata Abela; copies of those letters, and of the list enclosed in one of them, are likewise forwarded to you, together with the documents received, which, as you will see, are expected to be returned to their respective owners.

5. The list above mentioned gives rise to some questions, which it is expedient entirely to reserve for the decision of the Secretary of State, namely, 1st, whether a grant made to the applicant and his successors or descendants, without any express limitation, or with a limitation only as to sex, are to be taken to extend the title granted to all contemporary successors or descendants, so that, on the death of the person lawfully holding the title, all his children, or all his sons, should become "Titolati," or to be restricted to only one of them by the rule of primogeniture; 2nd, whether a grant limited to male descendants, under the rule of primogeniture or otherwise, is to be taken to extend to the sons of female decendants.

6. But there are other questions which can only in this island be conveniently settled, namely:—

1st. Whether the grants mentioned in the aforesaid list, as emanated from other authorities than the Grand Masters of the Knights of St. John, were duly registered according to the then existing law; and if they were not, whether there are records showing such an official recognition of them by the Grand Masters as may be taken to be equivalent to that registration?

2nd. Whether the claimants of titles under unquestionable grants, are the descendants or successors included in those grants?

3rd. Supposing that a grant made to the applicant and his successors or descendants, without any express limitation to extend to all contemporary successors or descendants, whether the list received includes all those who, under such construction, might claim the title, and if not, who are the gentlemen who have claims equal to those of the gentlemen included in that list, or, though they may not be disposed to claim it for themselves, whose issue may do so?

4th. In cases of grants of that description, taking the words "head of the family" to mean the first-born of the grantee of the title, and his successors by the rule of primogeniture, who, among the gentlemen now claiming the title, is the head of the family?

5th. In cases of grants limited to male descendants, whether the present claimants descend from the male or from the female line of the original grantee?

6th. In any case in which the grant being made to the applicant and to one of his successors or descendants, in infinitum, according to the rule of primogeniture, but with power to the holder of the title to set aside the first-born, and to assign that title to an another member of his family, if two gentlemen claim the title, one in virtue of the rule established by the grant, and the other in virtue of nomination, which of the conflicting claims is well founded, or, in other words, is the nomination legally proved?

7th. On what grounds titles which appear to have been granted to the applicant or to him and his son exclusively are claimed by other descendants?

8th. Whether the title of Baron claimed by several gentlemen is in all instances derived from a special grant of it as a title of honour, or only the denomination of persons holding lands of a superior equivalent or nearly equivalent to the word "possessor" in the present law?

9th. Whether according to the terms of the grants any of the present claimants are under any disqualification?

10th. Where, in the list received, a gentleman bears two or more surnames, which of such surnames is that which according to law belongs to him, as coming from his father, grandfather, and other male ancestors, and if one or more surnames have been taken from the original surnames of female ancestors, for what reason, if there is any, those surnames have been assumed?

7. A careful inquiry by competent impartial men into those and other questions which may arise in the course of a proper investigation is indispensably necessary in order to form a correct list for submission to the Secretary of State, with a report showing the grounds for the inclusion in or exclusion from that list, of any gentleman claiming a title of nobility; and his Excellency would be much obliged if you would undertake to make it, by looking to the records in the Government Archives, and also when necessary by calling for explanations from the claimants themselves, or from any other persons whom you may deem fit to examine.

8. It appears that in some cases the question is very clear, and can be settled by mere reference to the original grants, and in order to facilitate the inquiry the Govern-

ment Archivist has been directed to act as Clerk to the Commision, and to lend you any service in his power.

9. I have only to add that in the formation of the list it is desirable that where a gentleman is in the habit of bearing different surnames the surname to which he has a right to prefix a title of nobility should be put the last.

I have, &c.
VICTOR HOULTON,
Chief Secretary to Government.

Salvatore Naudi, Esquire, LL.D.
Filippo Pullicino, Esquire, LL.D.,
Two of Her Majesty's Judges.

In Enclosure 1.

LIST of the TITLED HEADS of the MALTESE NOBILITY, with dates of creation, presented to his Excellency the Governor by the Permanent Committee of the Nobles in reference to the Despatch of the Right Honourable the Secretary of State for the Colonies, of the 23rd December 1876; with the express reserve to send other lists and furnish the explanations which may be necesssry.

Valetta, 24th February 1877.

(Signed) MARCHESE CASSAR DESAIN,
Hon. Sec., P.C.N.

Sant Cassia, Gio Francesco, Count Sant, created by the Empress Maria Theresa of Austria, on the 22nd December 1770; Baron of Ghariescem and Tabia, by Frederick of Aragon and Sicily, 12th November 1372; confirmed by Grand Master Lascaris on the 14th April 1638 (*v.* Docts.)

Sceberras-Testaferrata-Damico-Inguanez-Alessandro, Baron of Bucana and Diar il Bniet, by King Frederick of Aragon and Sicily, 13th November 1372; Baron of Cicciano, by Charles II. of Sicily, 11th June 1695; and Baron of Marsa, by Grand Master Manoel de Velhena, 12th June 1725.

Ciantar-Paleologo, Giorgio Serafino Duca Comninoe Lascaris, Baron of San Giovanni and Knight, by Ferdinand IV., King of the Two Sicilies, 20th August 1657, confirmed 6th July 1777; Count, Noble, Patrician and Roman Senator, as per diploma of the 4th July 1744.

Testaferrata-Abela-Moroni, Pietro Paolo, Baron of Gomerino, by G. M. Perellos, 24th December 1710; Roman Patrician, by S. P. Q. R. on the XI Kal. Junias 1590, registered in the Civil Acts of the Holy Inquisition XXVII August 1689; Messinese Patrician, 20th December 1553, confirmed by diploma of the 28th August 1792, LL.D. (*vide* documents).

Testaferrata Abela, Don Augusto, Baron of Gomerino, by Frederick II. of Sicily and Aragon, 13th November 1317, and by G. M, Perellos, 24th December 1710; in virtue of the will of Baron P. P. Testaferrata Abela, his father, in the Acts of the Notary D. Cristoforo Frendo, and that of his brother Baron Francesco, Roman Patrician, XI Kal. Junias 1590; Messinese Patrician, 20th December 1553, confirmed on the 28th August 1792; (*vide* documents).

De Piro, Monsignor Salvatore Grech-Delicata-Testaferrata Cassia, Baron of Budack, by G. M. Perellos, 23rd April 1716; Patrician of Messina, 20th December 1553; Roman Patrician, XI Kal. Jun. 1590; Domestic Prelate to H. H. the Pope, and Hon. Canon of the Gozo Cathedral.

Testaferrata-Bonici-Asciack, Marquis Emmanuele, Marquis of San Vincenzo Ferreri, 10th November 1716, by Philip of Spain and Naples; 13th July 1717, by Victor-Amadeus of Savoy, Kt. of the Holy Roman Empire; 6th November 1637, by the Emperor Ferdinand III. of Germany; Messinese Patrician, 20th December 1553; Roman Patrician, 6th July 1674.

Testaferrata, Lorenzo Antonio, Marquis, 10th November 1716, by Philip of Naples; 13th July 1717, by Victor-Amedeus of Savoy; Kt. of the Holy Roman Empire, 6th November 1637, by Ferdinand of Germany; Roman and Messinese Patrician, 20th December 1553, and 28th August 1792.

Testaferrata-Viani, Giuseppe, Marquis, 13th July 1717, by Victor-Amedeus of Savoy; Baron of Tabria, by G. M. Manoel de Vilhena, 11th December 1728; Knight of the Holy Roman Empire, 6th November 1637, by Ferdinand of Germany; LL.D.

Testaferrata-Olivier de Puget, Gio. Paolo, Marquis, by Victor-Amedeus of Savoy, 13th July 1717; Kt. of the Holy Roman Empire, by Ferdinand of Germany, 6th November 1637; Patrician of Messina, 20th December 1553, confirmed, together with the title of Marquis, by the Senate of Messina to the present Marquis's father, Marquis Giuseppe Enrico Testaferrata dei Marchesi di San Vincenzo, on the 12th July 1791; and further confirmed by the diploma of the 28th August 1792, Captain in the Malta Militia (*vide* documents).

Cassar-Desain, né Testaferrata, Lorenzo Antonio, Marquis, by Victor-Amedeus II. of Savoy, 13th July 1717; Knight of the Holy Roman Empire and the Hereditary States, by Ferdinand III., Emperor of Germany, 6th November 1637; Roman Patrician, by the S.P.Q.R., 22nd June 1590, and 6th April 1674; Messinese Patrician, by the S.P.Q.M., 20th December 1553, confirmed by a diploma of the 28th August 1792 (*vide* documents).

Testaferrata Bonici, Ignazio, Marquis, 13th July 1717, by Victor-Amadeus of Savoy; K.H.R.E., 6th November 1637, by Ferdinand of Germany; Roman and Messinese Patrician, 20th December 1553, and 28th August 1792.

Preziosi, Amedeo, Count, by Duke Victor-Amedeus of Savoy, 19th October 1718.

Preziosi, Antonio, Count, 19th October 1718, by Victor-Amedeus of Savoy; M.D.

Preziosi, Camillo, Count, 19th October 1718, by Victor-Amedeus of Savoy; LL.D.

Manduca-Piscopo-Macedonia, Monsignor Salvatore, Count of Montalto, by Duke of Parma and Guastella, 10th July 1720; 19th September 1724, and 28th December, 1776; Domestic Prelate to H.H. the Pope Apostolic Protonotary and Canon of the Cathedral. The present Count's predecessor was K.C.M.G.

Galea, Pietro Paolo, Baron of San Marciano in Gozo, by G. M. Manoel de Vilhena, 14th June 1726. The Baron's father was appointed C.M.G. 9th February 1833.

Bonici, Vincenza, Baroness of Culeja, by G. M. Despuig, 2nd June 1737; wife of Baron Galea.

De Piro, Saverio, Marquis of Castile, Count De Piro and Viscount de Cartely, 6th November 1742, by Philip of Spain. Roman Patrician XI. Kal. Junias 1590; Captain in the Royal Malta Fencible Artillery.

Stagno-Navarra-Muscati-Falsoni-Antonio, Count of Casandola, by Charles II. of Spain and Sicily, 6th January 1685; Count of Bahria, by G. M. Pinto, 16th May 1473; Messinese Patrician.

Sant-Fournier-de-Pausier, Lazzaro, Count de Pausier, by Maria Theresa of Austria, 29th January 1770; Baron Fournier, 30th March 1768.

Apap-Pace-Bologna, Felicissimo, Marquis of Gnien Issultan, by G. M. de Rohan, 1st December 1792; Count delle Catene (*sub judice*), by G. M. Pinto, 20th January 1745; Roman Patrician, XI Kal. Junias 1590. The Marquis's grandfather was a C.M.G.

Azopardi-Zamitt, Calcedonio, Baron of Buleben, by G. M. de Rohan, 23rd July 1777, and 25th April 1778. The Baron's father was appointed C.M.G. on the 28th March 1842.

Barbaro, George Crispo, Marquis of San Giorgio, by G. M. de Rohan, 2nd September 1778, 2nd January 1779, and 5th June 1791; Venetian Patrician.

Gatto, Nicolò, Count of Beberrua, by G. M. de Rohan, 23rd October 1783 and 14th December 1783; LL.D.

Mallia-Tabone, Salvatore, Marquis of Fiddieni, by G. M. de Rohan, 15th October 1785.

Alessi, Bernardo, Marquis of Taflia, by G. M. de Rohan, 13th November 1790.

Teuma-Castelletti, Pietro Paolo, Count of Ghain Toffieha, by G. M. de Rohan, 7th January 1792.

Delicata-Carbot-Asciack, Nicola Maria, Baron della Grua, by G. M. de Rohan, 30th December 1794.

Fontani, Luigi, Conte della Senia, by G. M. de Rohan, 6th June 1795; Knight, 1st class, Charles III. of Spain.

Delicata, Gaetano, Marquis of Ghain Kajet, by Grand Master de Rohan, 4th June 1796; LL.D.

I have, &c.

24th February 1877. (Signed) Marchese Cassar Desain,
Hon. Sec. P.C.

Enclosure 2. in No. 1.

Chief Secretary's Office, Valletta,
May 8, 1877.

GENTLEMEN,

I AM directed by His Excellency the Governor to inform you that he has received a copy of the letter addressed to you on the 7th instant by the Secretary to the Committee of the Nobles, covering some genealogical trees; and I am to state that His Excellency would be much obliged if you would have the goodness to communicate to him any remarks you may make and any documents you may find, in the course of the inquiry you are engaged in, bearing on the questions which, as stated in my letter of the 8th March last, have been reserved to the Right Honourable the Secretary of State, and tending to facilitate their decision.

I have, &c.
(Signed) VICTOR HOULTON,
Chief Secretary to Government.

S. Naudi, Esquire, LL.D.,
F. Pullicino, Esquire, LL.D.,
Two of Her Majesty's Judges,
&c. &c. &c.

No. 2.

The EARL OF CARNARVON to GOVERNOR SIR C. T. VAN STRAUBENZEE, G.C.B.

Downing Street, January 22, 1878.

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 20th of December 1877,* enclosing the Report (with other documents) of the Commission which you had appointed by letter of the 8th of March last, to inquire into the claims of certain gentlemen in Malta to titles of nobility.

2. I have lost no time in perusing this interesting and valuable Report, which possesses an interest beyond that of the moment. I have addressed myself to the questions reserved for my decision; and I now request you to express to Dr. Naudi and to Dr. Pullicino my high appreciation of the very careful and able manner in which they have discharged their laborious duties; you will at the same time be good enough to convey to them my thanks.

3. I perceive, however, that the effect of the fifth paragraph of your letter above referred to, of the 8th of March, has been that the Commissioners have refrained from expressing any opinion as to the legal meaning of certain grants or patents of nobility which were produced to them. The interpretation that, in the opinion of the Commission, would have been attributed to these instruments at the time of their issue should, I consider, have been included in the Report; as illustrating the propriety of the rule, which I have laid down, of recognising at the present day only the Heads of each family; and on the further ground that the Commissioners had before them cotemporary grants, books of feudal laws, and other materials which are not before me, and which, in addition to their professional experience, would lead them to a sounder conclusion on the subject than I shall be likely to arrive at.

4. I desire therefore that you will invite the Commission again to consider—

1. The claim to the title of Barone della Grua.

2. The claim to the title of "Conte" conferred by Victor-Amadeus, King of Sicily and Duke of Savoy, upon Giuseppe Preziosi on the 19th of October 1718.

3. The claim to the title of "Conte" granted to Giorgio Fournier de Pausier by the Empress Maria Theresa on the 29th of January 1770, and to favour me with a supplemental report, stating what they consider to have been the legal effect of the grants creating these titles at the time when they were issued.

I have, &c.
(Signed) CARNARVON.

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* No. 1.

No. 3.

GOVERNOR SIR C. T. VAN STRAUBENZEE, G.C.B., to the Right Hon. SIR M. E. HICKS BEACH, BART. (Received March 20, 1878.)

SIR, Palace, Valletta, March 14, 1878.

WITH reference to Lord Carnarvon's Despatch of the 22nd of January last,* requesting me to call upon the Commission which had been appointed to inquire into the claims of certain gentlemen in Malta to titles of nobility, to furnish a supplemental Report stating what they consider to have been the legal effect of the grants creating certain titles of nobility, at the time when they were issued, upon which the Commission had refrained from expressing any opinion, I have now the honour to transmit for your information a further and supplemental Report on the subject, which has been received from Dr. Naudi and Dr. Pullicino.

I have, &c.

The Right Honourable Sir Michael E. Hicks Beach, Bart., &c. &c. &c.

(Signed) C. T. VAN STRAUBENZEE, Governor.

Enclosure in No. 3.

SIR, March 11, 1878.

1. WE have the honour to acknowledge the receipt of your letter of the 29th January last, covering a Despatch from the Right Hon. the Secretary of State for the Colonies, bearing date 22nd January last, by which we are instructed to submit, in a special and supplemental Report, our opinion respecting the legal effects of the grants creating the following three titles at the time when they were issued, viz.:—

I. The title of "Barone della Grua."

II. The title of Conte conferred by Victor-Amadeus, King of Sicily and Duke of Savoy, upon Giuseppe Preziosi, on the 19th of October 1718.

III. The title of "Conte" granted to Giorgio Fournier de Pausier by Maria Theresa, Empress of Germany, on the 29th of January 1770.

2. The claims to the above three titles had, by your letter of the 8th of March 1877, been reserved for the decision of Her Majesty's Secretary of State for the Colonies, and thus excluded from the matters referred to us; but under a special instruction conveyed to us by your letter of the 8th May last, we submitted in our Report of the 12th of December 1877 information calculated, in our opinion, to facilitate a decision on those claims.

3. In pursuance of the instructions now contained in the Earl of Carnarvon's Despatch, we have resumed the consideration of those claims, on which we have the honour to express our conclusions.

I. TITLE OF "BARONE DELLA GRUA."

4. The title and dignity of "Barone della Grua" was, as already stated in our former Report,† conferred on the 30th of December 1794, by Grand Master De Rohan, upon Saverio Carbott Testaferrata, with succession to his sons and male descendants, from firstborn to firstborn. The operative clause of the patent of creation is as follows:— "Tibi tuisque filiis et descendentibus masculis de primogenito in primogenitum tribuimus "et concedimus . . . . et Te hujusmodi Baronis titulo decoramus . . ."

5. The Barone Saverio Carbott, the person first ennobled, left on his death his son Giuseppe, on whose decease the title devolved upon Saverio Carbott, who had no male issue, but only a daughter Giovanna, wife of Dr. Giuseppe Delicata, of whom Nicola Maria Delicata, the present claimant, was born.

6. The question involved in this claim is, whether the son of a female descendant is called to the succession of a title originally conferred on one of his ancestors and his male descendants, from the firstborn to the firstborn, or, on the contrary, the title is determined by the extinction of the grantee's male line.

7. With reference to that question, we beg to submit that it is a settled point of jurisprudence, that the appellation of *male descendants* includes not only the sons issuing from the male line (masculi ex masculis), but also those issuing from the female line (masculi ex fœminis), when, however, some other expression occurs in the deed of

* No. 2.

† Report of the 12th December 1877, § 76.

grant which controls the meaning of that term, as, for instance, when the grant limited his grant to such among his male descendants as should belong to the male line (descendentes masculi ex linea masculina), or when he employs other words which clearly show that he contemplated the grantee's *agnatio*, in such case, the effect of the disposition is limited to the male line, and on the failure of males issuing from that line the grant becomes extinct, the male issue of daughters not being called to the succession.

8. In the present case, the order of succession settled in the charter granting the title in question includes generally the grantee's male descendants, and therefore taking the law relative to the transmission of lands (primogeniture) to be applicable to the transmission of titles, that charter comprehends the claimant who is descended from the grantee through a female line.

9. We are consequently of opinion that the said Nicola Maria Delicata has established his claim, and that he is to be included in the list of titled gentlemen appended to our former report and styled "Nicola Maria Delicata Barone della Grua."

10. If the Maltese nobility are to rank *inter se* according to the date of their patent of creation, as provided by the decree issued by Grand Master De Rohan in 1795, the claimant is to take precedence immediately after Felicissimo Apap "Marchese di Gnien Is-Sultan."

II.—Title of "Conte" conferred by King Victor-Amadeus on Giuseppe Preziosi.

11. This title, originally granted to Giuseppe Preziosi and to his male descendants, is claimed not only by Amadeo Preziosi, the firstborn son in the grantee's primogenial line, but also by four other gentlemen who contend that it may be enjoyed by all the grantee's contemporary male descendants, whether descending from the male or female lines.

12. We beg respectfully to refer to our remarks on the claim to the title of Marchese conferred by the said King Victor-Amadeus, in 1717, on Mario Testaferrata.* It will be seen that the grant by Victor-Amadeus to Mario Testaferrata, was made under the law respecting the titles of the Sicilian nobility, and that it is consequently descendible to the firstborn son only, according to the order of succession prescribed by the *jus feudale francorum*.

13. Applying those remarks to the present case, it is obvious that the title of Conte granted to Giuseppe Preziosi cannot be enjoyed but by Amadeo Preziosi, whose name has been included in our list of Titolati in our former Report, and that the other gentlemen who have asserted a right to this title have not succeeded in making out their claims.

III.—Title of "Conte" granted by the Empress of Germany, Maria Theresa, to Giorgio Fournier de Pausier.

14. The title of Conte was, as already adverted to in our former Report,† bestowed on Giorgio Fournier de Pausier, by Empress Maria Theresa, by a charter issued on the 29th January 1770. The granting clause of the imperial charter runs thus:

"Teque una cum filiis tuis atque posteris virilis sexus, ex legitimo thoro natis atque
" nascituris in infinitum, primogeniali ordine servato, Comitem et Comites Regnorum et
" Provinciarum Nostrarum, facimus nominamus atque creamus . . . ."

15. The first titled person Giorgio Fournier had no male issue, but left one daughter, Luigia wife of Baldassare Sant, of whom Lazzaro Sant, the present claimant, is the first-born son. The question which arises out of his claim is, whether he may, under the charter issued by the Empress of Germany, enjoy a title granted to the grantee's descendants of the male sex, according to the order of primogeniture.

16. If this title had been created by a local sovereign, the question would present but little difficulty. It has already been observed that, looking to the principles of law prevalent in these islands, the sons of daughters are called to the succession to lands, and consequently to a title granted to the male descendants of a person without limitation. But, in the present case, the claim must be considered under the German Feudal Law in force at the time of the issuing of the patent of this title.

17. Diligent as our researches have been, we did not succeed in ascertaining what were the legal effects of a grant issued in Austria towards the close of the last century and limited to the male descendants of a person. With our inadequate information we do not feel justified in expressing any opinion on this point.

* §§ 166 et seq.

† § 205.

18. We must not, however, omit to remark that in the same year in which the present title was granted, the said Empress Maria Theresa issued another charter conferring on Salvatore Baldassare Sant the title of Conte. The operative clause of the latter charter, as may be seen on reference to § 211 of our former Report, appears to be (with some exceptions noticed hereafter) equipollent to that contained in the patent of Giorgio Fournier. In the patent of the Conte Sant, however, the following clause occurs :—

"Addentes hanc gratiam specialem ut si aliquando stirpem masculinam familiæ tuæ "extingui contingat, comitis titulus et dignitas ad primogenitum ex ultima fœmina "generis tui superstite natum vel nasciturum, qui gentis tuæ cognomen assumit, ejusque "posteros modo antedicto, servatoque semper ordine primogeniali, transeat."

19. That clause providing that on the failure of the grantee's male line, the son of the surviving female descendant should succeed to the title, is not to be found in the diploma issued in favour of Giorgio Fournier. It may, consequently, be that the will and intendment of the grantor was to limit the succession to the title originally conferred on Giorgio Fournier to his male descendants belonging to his male line.

20. The two said patents, however, differ in some respects. That of Giorgio Fournier grants the title of Conte in the Kingdoms and Provinces of Germany; and the other of Salvatore Baldassare Sant confers a similar title in the Italian provinces annexed to the German Empire. In the latter grant, a condition is attached by which the grantee is required to purchase a fief in Lombardy, a condition which does not appear in the patent granted to Giorgio Fournier.

21. We are unable to determine whether such differences can legally have any influence respecting the succession of the sons of female descendants to the title under consideration; we are, therefore, of opinion that the present claim may be more satisfactorily settled by a reference to more competent persons fully acquainted with the laws and statutes in force in the German Empire and its Italian dependencies, in or about the year 1770. Consequently we think ourselves justified in refraining from expressing an opinion as regards the claim of the said Lazzaro Sant to the above-mentioned title.

To the Honourable
Sir Victor Houlton, G.C.M.G., M.A.,
Chief Secretary to Government.

We have, &c.
(Signed) S. Naudi.
F. Pullicino.

No. 4.

The Right Hon. Sir M. E. HICKS BEACH, Bart., to Governor Sir C. T. VAN STRAUBENZEE, G.C.B.

Sir,

Downing Street, April 30, 1878.

I have the honour to acknowledge the receipt of your Despatch of the 14th March,* forwarding the supplemental Report of the Commission appointed to inquire into the claims of certain gentlemen in Malta to titles of nobility.

2. I have carefully considered these documents as well as the elaborate First Report of the Commission; and it will be convenient that I should first address myself to the three matters which the Commissioners have reserved for my decision.

3. With reference to the question which the Commissioners have very properly raised in their original Report (par. 57 and others), viz., whether acts of presumed recognition under the British Government, such as the issue of a passport from the Foreign Office to a gentleman, in which he is styled baron, or count, or marquis, or the mention of a similar title in a Despatch from a Secretary of State, or in a Government notice or other official document emanating from the Governor of the Colony, may be taken to have revived or perpetuated a title which had become extinct, or was otherwise without legal support, I feel able to give no other answer than that all such acts are altogether valueless for that purpose, and cannot be taken to have conferred, revived, perpetuated, or confirmed any dignity which did not already rest upon an independent legal basis. It is only necessary to point out to you that no public officer, not even a Secretary of State, has the power of conferring titles of honour, for which the personal sanction of Her Majesty in each case is necessary; and even assuming such acts to have been done by British officials with full knowledge that the titles were non-existent, their want of power would prevent these acts of supposed recognition from having the slightest effect.

* (No. 3.)

4. The Commissioners further submitted for the Secretary of State's decision (par. 236) certain questions arising out of two patents of "Tornearius." Without replying categorically to the questions submitted by the Commissioners, and without expressing any opinion as to the existence or position at the present day of the body into which such a patent admits the grantee, which is described as "numerum cœtum, "atque consortium statum gradum et dignitatem nostrorum et Sacri Romani Imperii "aliorumque Regnorum et Ditionum nostrarum Hæreditariorum Nobilium Tornearium "seu scutariorum et armigerorum," I observe that the patents in question were never registered as titles of nobility in the Cancelleria, or in the High Court of the Castellania of the Grand Masters; and that no proof is given that the alleged dignity was ever recognised in Malta. I do not, therefore, perceive that the gentlemen claiming that dignity have made out sufficient grounds for being allowed the special precedency which has been accorded to the heads of families who before the annexation of Malta to the British dominions had obtained titles of nobility.

5. The third question is as to the claim preferred by Lazzaro Sant Fournier to the title of "Conte" granted by Empress Maria Theresa to Giorgio Fournier de Pausier upon the 29th of January 1770 (par. 209–214; supplemental Report, par. 14–21). In this case, if the patent had issued in Malta or in Sicily, I gather that the claim would have been allowed under the rules of feudal law recognised in those States, and therefore, without offering any opinion as to the strict legal effect which would be given to the patent at Vienna, and without prejudice to any future legal decision upon its meaning, should it ever be called in question in a court of law, I feel that I may reasonably permit the claimant and his successors, for the purposes of precedence, to take the place to which they would be entitled under the principles of legal interpretation applicable to the grant if it had emanated in 1770 from the Sicilian or Maltese sovereign authority.

6. As regards the general question, I have decided to adopt the conclusions of the Commissioners, and I consider that the Titolati entitled to the precedence conceded by my predecessor in his Despatch of the 23d of December 1876, will be the persons who from time to time are the holders respectively of the eighteen titles specified in the first list appended to the original Report of the Commission, and of the four titles specified in the second list appended to that Report, and of the title of Barone della Grua, and of the title of Conte granted to Giorgio Fournier de Pausier by Empress Maria Theresa on the 29th of January 1770.

7. The holders of these twenty-four titles will take precedence among themselves "according to the more or less remote antiquity of the title which ennobled the family," to follow the rule established by Grand Master De Rohan in 1795; and as each of these titles is either personal to the holder of a particular fief, or descends in the order of primogeniture so as to be tenable only by the eldest male descendant, it will be apparent that the holders of these titles are the persons who alone can be recognised as the heads of their respective families, so as to come within the terms of my predecessor's Despatch above referred to, in which I entirely concur.

8. If Monsignor Salvatore Manduca Piscopo Macedonia succeeds in substantiating his claim to be Conte di Mont Alto, the title should of course be added to the list; and if any other titles are claimed and supported by evidence which was not submitted to the Commission, due measures should be taken to insure that they are properly investigated.

9. I cannot but fear that the result of this inquiry will be unwelcome to some gentlemen in the Island; but, on the other hand, I feel that it was necessary that the matter should be carried to a conclusion after it had been once taken in hand; and I anticipate that the result will be productive of general advantage, inasmuch as formal recognition will have been given to the duly established claims, which hitherto have not been sufficiently distinguished from those of a less substantial character.

I have, &c.

(Signed) M. E. HICKS BEACH.

Sir C. T. Van Straubenzee, G.C.B.

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