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CORRESPONDENCE BETWEEN THE CUSTODY OF THE HOLY LAND AND THE AUTHORITIES OF THE KINGDOM OF POLAND BETWEEN 1671 AND 1699

ABSTRACT: In the second half of the 17th century, the Custodians of the Holy Land addressed directly the authorities of the Kingdom of Poland. The correspondence included requests for numerous interventions regarding the return of holy places to the Franciscan monks, from which they were removed by various means by schismatic people, but with the approval of the High Porte. About 45 from 235 writings refer to Poland. It should be noted that this collection is incomplete. In those letters the Custodians of the Holy Land presented to the Polish secular and clerical dignitaries the situation of the Custody of the Holy Land to a greater or lesser extent. The latter, in their response, expressed concern for the holy places and/or assured that they would try to return them to their former possession for the Franciscan monks. In addition to the above-mentioned issues, the letters also dealt with marginal topics, e.g. showing concern for the royal court or expressing cordiality with regard to the election of a new Polish king or informing about the election of the Custodian of the Holy Land. The Holy See, its envoys and royal legates to the High Porte also intervened in the restitution of holy places in Palestine. The Custody of the Holy Land also played an important role in this regard, sending two of its representatives to Poland. One of them, Fr. Grzegorz Babinkiewicz, even took part in Jan Gniński's mission to the Turkish court, during which the question of the Holy Places in Palestine was discussed.

KEYWORDS: Custody of the Holy Land, Franciscans, Greek-schismatics, Jerusalem, Jan Sobieski/king of Poland Jan III, Hieronim Radziejowski, Franciszek Kazimierz Wysocki, Jan Gniński, Andrzej Trzebicki, Stefan Wierzbowski, Michał Kazimierz Pac, Florian Kazimierz Czartoryski, Hieronim Lubomirski, Michał Korybut, Franciszek Martelli, Queen Marysienka (Queen Mary), Władysław IV, Andrzej Tęczyński, Hieronim Łaski, Jan II Kazimierz.

In the Historical Archives of the Custody of the Holy Land there is a manuscript of the book entitled „Rejestr listów napisanych do naszych książąt chrześcijańskich i do ich przedstawicieli w Konstantynopolu celem odzyskania niektórych miejsc świętych i utrzymania

w posiadaniu innych...”.¹ It comprises 235 writings which cover the years 1670-1699.² About 45 letters regard contacts of Poland with the Custody of the Holy Land.³ Nonetheless, the above list is incomplete. By way of illustration, a letter of the Custody of the Holy Land to Primate Florian Kazimierz Czartoryski or the Senate of Poland to the Custody were not included. The correspondence between the custodian of the Holy Land Fr. Thomas of Caltagirone and Chełmno governor Jan Gniński was as well not included.⁴ The main topic of these writings is the status of the holy places in Palestine. Numerous references to the situation taking place in the Custody of the Holy Land can be noted in the discussed correspondence. Still some concern prayer support and assurances of possible help.⁵ As had already been mentioned, Franciscans could have the custody of the holy places without any impediments for over 300 years, until 1631.⁶ They were obtained “(...) for money by late Robert [of the House of Anjou], King of Naples and Sicily from the Sultan of Egypt; which was confirmed by the Ottomans on several occasions”.⁷ The Greeks unjustly accused the Latins of making changes to these places. As a result of these actions, the Turkish rulers issued documents restricting the custody of the Franciscans over the holy places. In fact, the problem was related

¹ L. Lemmens, *Collectanea ex Archivo Hierosolymitano deprompta*, ed. G. Golubovich, Quaracchi 1933, p. 258.

² *Litterae ad Principes (1670-1699)*, by A. Gassì, „Diarium Terrae Sanctae”, No. 2 (1910), pp. 73-86; St. Korwin-Pawłowski, *Ślady polskie w Jerozolimie*, „Kurier Poznański”, No. 332 (1939), p. 13; J. Kraj, *Polonia e Terra Santa nella seconda metà del secolo XVII*, Gerusalemme 1986, manuscript in the Archives of Franciscans-Reformers in Krakow, pp. 83-120.

³ The list has been placed in Appendix 1. The above list starts with a letter of the King of Poland Michał Korybut to the custodian of the Holy Land Fr. Teofil Testa, Warszawa 27 June 1671. Its translation has been included in Appendix 2.

⁴ Sources referring to the diplomatic mission of Jan Gniński, ed. F. Pułaski, Warszawa 1907, pp. 305-308, 404, 420-421.

⁵ *Biskup wrocławski Florian Kazimierz Czartoryski do kustosa Ziemi Świętej o. Teofila Testy*, Warszawa 6 April 1673 r., [in:] J. Kraj, *op. cit.*, p. 94. The translation of the above letter placed in Appendix 3.

⁶ *Kustosz Ziemi Świętej o. Tomasz z Caltagirone do wojewody chełmińskiego, posta do Wysokiej Porty Jana Gnińskiego*, Jerozolima [?] 1678 r., [in:] *Źródła do poselstwa...*, p. 305.

⁷ *Kustosz Ziemi Świętej o. Teofil Testa do Hetmana Koronnego Polski Hieronima Lubomirskiego*, Jerozolima 13 May 1672 r., „Krzyż”, No. 36 (1867), p. 284.

to the growing number of friars in the Holy Land.⁸ Documents regarding the state of the ownership of these places was not infrequently translated in violation of the instructions issued by the High Porte. On the initiative of the translators, who were often Greeks, it was confirmed that the Orthodox were solely entitled to have custody of these holy places.⁹ Greeks usually claimed that the decisions of the Jerusalem court connected to the possession of the Holy Sepulchre and other sanctuaries were reliant upon the alleged donations of the Latins, which questioned the privileges issued by “Sublime Porte”.¹⁰ In practice, the Turkish civil authorities appeared to be helpful in resolving the conflicts between the Greeks and the Latins, to whom “kadi”, i.e. the president of the court, belonged. This official favoured Franciscans and promised that “(...) as long as he rules, he will not stand any novelty”.¹¹

In some letters analogy was used by the authors to better understand the situation of the Custody of the Holy Land. In his correspondence concerning the return of the holy places to the Franciscans, Franciszek Kazimierz Wysocki, the cup-bearer of Sochaczew and at the same time Polish internuncio in Constantinople, compared this situation to the difficulties made by the Egyptians to the Israelites during the exodus from Egyptian slavery.¹² In turn, in one of his letters, Fr. Claudius of Lodi, the custodian of the holy Land, compared the situation of the brothers in the Custody to the one he experienced on a ship during a storm, since Greeks caused so many problems to the monks that torments suffered by the Minorites looked as if the Catholic Church was sinking.¹³

We can read in the correspondence from the Custody of the Holy Land that the Seraphic Order supported the military aspirations of the Polish king through prayers. To this end, Mass was celebrated every day

⁸ *Kustosz Ziemi Świętej o. Tomasz z Caltagirone do wojewody chełmińskiego...*, p. 305.

⁹ *Ibidem*, p. 306.

¹⁰ *Ibidem*.

¹¹ *Kustosz Ziemi Świętej o. Teofil Testa do Najjaśniejszego Senatu polskiego*, Jerozolima 12 May 1672 r., „Krzyż”, No. 27 (1867), p. 213. The above letter has been placed in Appendix 4. Its Latin version, see: L. L e m m e n s, *op. cit.*, pp. 75-76.

¹² *Internuncjusz Polski w Konstantynopolu Franciszek Kazimierz Wysocki do kustosa Ziemi Świętej o. Teofila Testy*, Konstantynopol 2 III 1672 r., [in:] J. K r a j, *op. cit.*, p. 60.

¹³ *Kustosz Ziemi Świętej o. Kladiusz z Lodi do legata króla polski w Konstantynopolu*, Jerozolima 1 July 1674 r., [in:] J. K r a j, *op. cit.*, p. 105.

over the Holy Sepulchre, the Blessed Sacrament was exposed on Fridays, and a procession to the Holy Sepulchre was held each day at the Monastery of the Holy Saviour, as well as at Bethlehem and Nazareth.¹⁴ We can, therefore, assume that in return for the orations held by the brothers from the Custody, Krakow Bishop Andrzej Trzebicki donated a radiant monstrance with a figure of Christ Crucified to the church of the Nativity of Mary and St Andrew in Gołong in 1679.¹⁵

The addressees of the discussed letters were most often magnates declaring themselves as defenders of Christianity and protectors of the Franciscans.¹⁶ In addition, some of them followed the model *miles Christianus* in their lives. And this group comprised Great Lithuanian Hetman Michał Kazimierz Pac,¹⁷ Great Crown Hetman Hieronim Lubomirski, Great Crown Hetman Jan Sobieski (later King John III), Bishop of Poznań Stefan Wierzbowski and the above-mentioned Bishop of Krakow Trzebicki.

Mikołaj Kazimierz Pac lived by the motto: “mortals have hard service on earth” (Job 7:1, translation after New International Version online, J.S.-W.).¹⁸ For many years, “all their [i.e. the Bernardine monks] needs were generously provided for”.¹⁹ In a letter of 28 March 1673, the magnate wrote that, in order to duly respect the holy places (including the Holy Sepulchre), Christian countries had sent their representatives to the High Porte. Moreover, in the same letter Pac confirmed that he had received a certain reliquary from the custodian of the Holy Land Fr. Teofil Testa.²⁰ Probably it was the reliquary of

¹⁴ *Kustosz Ziemi Świętej o. Teofil Testa do Najjaśniejszego Senatu polskiego...*, p. 213.

¹⁵ A. P r z y b o ś, *Biskup krakowski Andrzej Trzebicki: z dziejów kultury politycznej i artystycznej w XVII stuleciu*, Warszawa-Kraków 1989, p. 139.

¹⁶ *Kustosz Ziemi Świętej o. Teofil Testa do brata króla polskiego*, Jerozolima 13 May 1672 r., „Krzyż”, No. 32 (1867), p. 252.

¹⁷ A. P r z y b o ś, *Pac Michał Kazimierz*, PSB, vol. 24, Wrocław-Warszawa-Kraków-Gdańsk 1979, pp. 721-728.

¹⁸ A. S. C z y ż, *Kościół świętych Piotra i Pawła na Antokolu w Wilnie*, Wrocław-Warszawa-Kraków 2008, p. 210. It should be pointed out that this sanctuary was founded by Pac.

¹⁹ K. B o b i a t y Ń s k i, *Fundacje Michała Kazimierza Paca*, [in:] *Fundator i mecenas: magnateria Rzeczypospolitej w XVI-XVIII w.*, eds. E. D u b a s - U r w a n o w i c z, J. U r w a n o w i c z, Białystok 2011, p. 190.

²⁰ *Wielki kanclerz Polski Michał Kazimierz Pac do kustosa Ziemi Świętej o. Teofila Testy*, Warszawa 28 March 1673, [in:] J. K r a j, *op. cit.*, p. 91. In fact, Krzysztof Zygmunt Pac held the title of the Grand Lithuanian Chancellor, see: T. W a -

one of the saints who stood guard of the Christian faith: Saints Martin, George or Sebastian. The representations of these saints adorn the panel of the western wall of the main nave in the church of St Peter and St Paul in Antakalnis in Vilnius.²¹

Another addressee, Hieronim Lubomirski, was a Jerusalemite knight (1665) and pledged to sacrifice his life in the fight against the Turks.²²

A significant role in the protection of the Franciscan order was performed by Jan III Sobieski. In the letter of 8 April 1673, the Hetman emphasised that the situation which arose in the Holy Land distressed him immensely. He assured that he would make every effort to solve the problem of Jerusalem. Moreover, he promised to do his utmost to include a clause in the peace treaties with Turkey guaranteeing the return of the places with the Holy Cross to the Catholics and restoration of the Tomb of Christ.²³ As King of Poland, John III assumed that the efforts undertaken at the Ottoman Porte would ensure that Turks' hostility would cease and that peace would soon follow, and that the Holy Places would be returned to the Franciscan monks.²⁴ While, his earlier "hetman" assurance was confirmed in the letter of 23 June 1676 written to the patriarchal vicar Rudolphi.²⁵ At the end, he made a promise, with words taken from Ps 137:5-6: "If I forget you, Jerusalem, may my right hand forget its skill. May my tongue cling to the roof of my mouth, if I do not remember you, if I do not consider Jerusalem my highest joy" (after New International Version online, J.S.-W.).²⁶ "Finally, the pious king made a promise to

s i l e w s k i, *Pac Krzysztof Zygmunt*, PSB, vol. 24, Wrocław-Warszawa-Kraków-Gdańsk 1979, p. 710.

²¹ A. S. C z y ż, *op. cit.*, pp. 216-217.

²² J. W i m m e r, *Lubomirski Hieronim*, PSB, vol. 18, Wrocław-Warszawa-Kraków 1973, p. 11.

²³ *Hetman wielki Jan Sobieski do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 8 April 1673, [in:] J. K r a j, *op. cit.*, p. 95.

²⁴ *Król Polski Jan III do ojca ministra zakonu franciszkańskiego*, Twierdza Krakowska 22 April 1676, [in:] J. K r a j, *op. cit.*, p. 112.

²⁵ *Acta S. Congregationis de Propaganda Fidei pro Terra Sancta*, vol. 1: 1622-1720 (henceforth: Acta 1), ed. L. L e m m e n s, Quaracchi 1921, p. 230.

²⁶ Polish version: *Księga Psalmów*, [in:] *Pismo Święte Starego i Nowego Testamentu (Biblia Tysiąclecia)*, by a group of Polish biblists on the initiative of the Benedictines from Tyniec, ed. 5, Poznań 2012, p. 795.

himself that [...] also the Bethlehem temple, bought by the schismatics, should be given to St Bernardine friars”.²⁷

A difficult situation in the Custody of the Holy Land caused that very few Polish pilgrims visited the Tomb of Christ. In order not to disrupt these pious practices, a decision was made to establish New Jerusalems in Europe, i.e. the imitations of *via dolorosa*; owing to which pilgrims could visit chapels erected in the image of holy places with the Passion of the Lord from Cenacle or Gethsemane to Golgotha. Moreover, Calvaries were entitled to granting indulgences which were received in Jerusalem.²⁸ A few of such *via crucis* were founded in the Polish land. One of these was founded in c. 1670 by Bishop of Poznań Stefan Wierzbowski. Góra Kalwaria near Warsaw was selected as the seat of “sacrae montae”.²⁹ It was also there that the founder placed a reliquary which he received from the custodian of the Holy Land Fr. Teofil Testa.³⁰ It was probably a fragment of the Holy Cross.³¹

The last addressee, Bishop Andrzej Trzebicki, in his letter to the Custody, assured: “I will do everything to make the negotiations with the Turks reasonable, to restore the custody of the holy places to the Franciscans, which they hold according to the old customs, and to cease the pressure and persecution exerted by the schismatics on the friars”.³²

It is worth noting that one of the letters was also sent by the Custody to the wife of King John III. In this letter, Marysieńka was described as “precious patroness [of the holy places in Palestine]”.³³

²⁷ J. S z u j s k i, *Dzieje Polski od abdykacji Jana Kazimierza do trzeciego podziału*, Lwów 1876, p. 66.

²⁸ O. L e n c z e w s k i, *Wybrane opisy Ziemi Świętej w relacjach polskich pielgrzymów od XV do XVIII w.*, UKSW Warszawa 2017, manuscripts, pp. 50-51.

²⁹ M. P i s a r z a k, *Religijne dzieje Góry Kalwarii*, „Wiadomości Archidiecezjalne Warszawskie”, Nos. 6-9 (1986), p. 229.

³⁰ *Biskup poznański Stefan Wierzbowski do kustosa Ziemi Świętej o. Teofila Testy*, Warszawa 12 April 1673, [in:] J. K r a j, *op. cit.*, p. 99.

³¹ W. F. M u r a w i e c, *Fundacja biskupa Stefana Wierzbowskiego dla bernardynów w Górze Kalwarii koło Warszawy*, „Folia Historica Cracoviensia”, No. 8 (2002), p. 125; *Opis fundacji konwentu oo. Bernardynów w Nowej Jerozolimie*, [in:] W. F. M u r a w i e c, *op. cit.*, p. 137.

³² *Biskup Andrzej Trzebicki do kustosa Ziemi Świętej o. Teofila Testy*, Warszawa 3 April 1673, [in:] J. K r a j, *op. cit.*, p. 93.

³³ *Kustosz Ziemi Świętej o. Jan Bonsignori do królowej Polski Marysieńki*, Jerozolima 9 September 1674, [in:] J. K r a j, *op. cit.*, p. 111.

Also the Holy See became involved in the retrieval of the holy places unlawfully seized by the Orthodox Greeks. The papacy searched for the support of the Catholic countries which were at war with the Turks at the time. Santa Sede emphasised that in the event of possible negotiations with the Turks, the article referring to the restitution to the Catholics of the holy places in Palestine would have to be included. Popes themselves pointed to this need in short writings, the so-called *breve*, and insisted that the Catholic envoys to the High Porte touched on the issues of the return of the holy places to the Franciscan monks at the Ottoman court.³⁴ The above memorials were also addressed to the rulers of the Kingdom of Poland. Pope Clemens IV in the letter of 23 July 1668 sent to King Jan Kazimierz expected that “he undertook some actions relating to the holy places seized by the schismatics”.³⁵ It is also worth adding that before receiving the papal correspondence, the monarch sent his own envoy to Adrianople in March 1667.³⁶ The legation was headed by Hieronim Radziejowski, who also negotiated the issue of the holy places in Palestine at the Ottoman court. The above requests were successfully considered by the High Porte, since a special document was published on 23 August.³⁷ The same need was also acknowledged by the papal legates. An important mission in this regard was entrusted to the Apostolic Nuncio Francis Martelli.³⁸ This envoy “recommended that, with all their might, [the Franciscans] did everything possible for the King of Poland to take care of these sacred treasures, where Christ our Lord had completed the mystery of our Redemption”.³⁹ Martelli also raised this issue in a special letter sent to Queen Marysieńka. He expected that under the

³⁴ Acta 1, p. 224.

³⁵ N. G o l i c h o w s k i, *Palestyna, czyli pokłosie zebrane z różnych autorów i własne spostrzeżenia*, [b.m.d.w.], manuscript in the Archives of the Bernardine Province in Krakow, RGP-k-94, vol. 2, p. 121. The above text was also referred to in the letter of the custodian of the Holy Land Fr. Teofil Testa to His Excellency the Most Reverend Nuncio of Poland Angelo Ranuzzi, see: „Krzyż”, No. 44 (1867), pp. 346-347.

³⁶ J. S. Ł ą t k a, *Słownik Polaków w Imperium Osmańskim i Republice Turcji*, ed. 2, supplemented and corrected, Kraków 2015, p. 340.

³⁷ O. L e n c z e w s k i, *Sytuacja Kustodii Ziemi Świętej w II poł. XVII w.*, „Nasza Przeszłość”, vol. 133 (2020), p. 15.

³⁸ A. M i r o n o w i c z, *Działalność nuncjusza Franciszka Martellego w Rzeczypospolitej w latach (1675-1681)*, [in:] *Nuncjatura Apostolska w Polsce*, eds. T. C h n y c z e w s k a - H e n n e l, K. W i s z o w a t a - W a l c z a k, Białystok 2012, p. 322.

³⁹ Acta 1, No. 199, p. 228.

conditions of *decorae pacis* the intruders schismatics [...] would be expelled from the Jerusalem sanctuary [i.e. the Holy Sepulchre] and Franciscan monks be restored to their old rights. The Queen promised to remember about this”.⁴⁰ A convenient situation to include this legal act to the peace treaty occurred on 18 October 1676, when in the fields near Żurawno the Polish-Turkish treaty was signed.⁴¹ It was formulated in the following manner: “The monastery and the holy places in the Jerusalem church just as the Bethlehem church should be returned to the monks of the Rule of St Francis, i.e. the Franciscans, since they were staying there for years and have the right of precedence to take custody of these places”.⁴²

Interestingly, other descriptions contain different versions of this article: it promised to ensure that the Catholic priests would be free in their religious practices, in all places within the Porte’s sovereignty. In addition, the restoration of the Holy Sepulchre was guaranteed to the Franciscan monks and it was decided that “(...) the schismatics who have now freshly settled there would be rooted out”⁴³ or “that following the old custom, the emperor would guarantee the rights which Jerusalem monks possessed”.⁴⁴ It should as well be accentuated that the interpretation of the word “old custom” belonged to the Porte.⁴⁵

Pope Innocent XI in a letter sent on 3 April 1677 to King John III of Poland asked that, for the sake of Christ Our Saviour’s inheritance in the Holy Land, the King supported the activities of the Friars Minor who were troubled by the schismatic Greeks. He also expected the King to send his representative to Constantinople, whose task was to

⁴⁰ *Depesza nuncjusza Martellego do Rzymu*, Warszawa 23 September 1676, Biblioteka PAU i PAN w Krakowie, „Teki Rzymskie”, manuscript 89, No.145.

⁴¹ It did not proclaim the permanent peace and was inconsistent with the politics of the Holy See, see: K. K o n a r s k i, *Polska przed odsieczą wiedeńską r. 1683*, Warszawa 1914, p. 20.

⁴² Acta 1, p. 232.

⁴³ *Condittie pokoju z Turkami pod Żorawnem zawartego die 16 octobris 1676 r.*, [in:] *Biblioteka starożytna pisarzy polskich*, vol. 2, Warszawa 1843, p. 282.

⁴⁴ *Przetłómaczenie punktów umówionych pod Żorawnem...*, [in:] *Materiały do rokowań polsko-tureckich 1676 r.*, by J. W o l i ń s k i, „Kwartalnik Historyczny”, vol. 29 (1930-1931), No. 2, p. 413.

⁴⁵ D. K o ł o d z i e j c z y k, *Jerozolima w polityce Porty Otomańskiej*, [in:] *Jerozolima w kulturze europejskiej*, ed. P. P a s z k i e w i c z, T. Z a d r o ń n y, Warszawa 1997, p. 204.

support the demands of the Catholic Church.⁴⁶ That representative was Jan Gniński. In 1678, thanks to his intercession, it was possible to confirm the previously granted privilege concerning the holy places: “the monks, according to the old custom, remaining in the holy city of Jerusalem, shall be allowed to have their inns, as everywhere else, where they had them formerly, and no one shall trouble them”.⁴⁷ It should be noted here that the issue of the restitution of the *sepulchrum Christi* and *Montis Calvariae* was exclusively a prestigious achievement for the Kingdom of Poland.⁴⁸

The opportune moment for the implementation and clarification of the above clause occurred in 1683, when Turkey was defeated by Poland and Austria at the Battle of Vienna. A few months after the Battle of Vienna, King John III received a letter from the Franciscan monks of the Custody of the Holy Land, which included a reference to the Victory of Vienna. They requested that “the Catholic faith was restored again in the mentioned holy places, peace and respect insured, and the Catholic religion renewed again, which is now threatened by different intentions of the enemies, we ask for peace, which at the moment is possible [to be established]”.⁴⁹ Nonetheless, negotiations collapsed, since the Ottoman Empire preferred to continue the war than to make peace. It was not until in 1690 on the initiative of the Kingdom of Poland, France and the Holy See that Turkey was forced to enter into negotiations. It is assumed that they achieved positive results, since in the same year the custodian of the Holy Land Fr. Gregory of Parghelia sent a thank you note to the Christian rulers,⁵⁰ including the King of Poland John III, in which he expressed his gratitude for restoring the state of possession in the Holy Land to the Friars Minor.⁵¹

⁴⁶ *Papież Innocenty XI do króla Polski Jana III*, Rome 3 April 1677, [in:] *Źródła do poselstwa...*, p. 475.

⁴⁷ *Ratyfikacja pokoju żorawińskiego przez Mahometa IV w Stambule*, [in:] *Źródła do poselstwa...*, pp. 313-314; D. Kołodziejczyk, *op. cit.*, p. 204.

⁴⁸ Z. Wójcik, *Rzeczpospolita wobec Turcji i Rosji 1674-1679*, Wrocław-Warszawa-Kraków-Gdańsk 1976, p. 113.

⁴⁹ *Kustosz Ziemi Świętej o. Pietro Antoni z Cantu do króla Polski Jana III*, Jerusalem 12 April 1684, [in:] J. Kraj, *op. cit.*, p. 120.

⁵⁰ The Holy See, Austria and Poland received letters with different content. Whereas, Spain, Portugal, France and the Republic of Venice obtained identical letters, which were not included in the discussed list, see: *Litterae ad Principes (1670-1699)*, p. 84.

⁵¹ *Ibidem*.

The schismatics, however, did not relent. From letters sent by the Custody in 1698 to Poland and other Christian countries, we know that they did not allow workers employed by the Franciscans to repair the dome of the Holy Sepulchre. It appears that workers resisted, since five of them were killed and forty wounded.⁵² The Greeks stirred up the local people against the monks.⁵³ Eventually, the above issue was resolved by the peace treaty signed in Karłowice (1699). In the Polish-Turkish negotiations the following point was included: “all monks who serve the Roman Catholic Church in the countries subject to the Great Lord would be able to offer their service without any obstacles. And in accordance with edicts issued by former sultans, the clergymen would live safely and in peace in every place where they erected churches. The King of Poland will send an ambassador extraordinary to the High Porte, who will take custody of the issues of religion”.⁵⁴

These prerogatives were more broadly addressed in the agreement between the Habsburg Empire and the Ottoman Empire concluded this year: “The Grand Sultan promises to renew and confirm the privileges which his predecessors granted to the clergy of the Catholic Church. They will be allowed to rebuild the churches and perform their functions in them, as they did before in the Ottoman Empire. No one will be allowed to persecute them, obstruct their ministry, or collect taxes on any pretext; this also applies to the Holy Places in Jerusalem”.⁵⁵

In reality, this peace treaty included the provisions of the agreements from 1676 and 1678.

With reference to the mission of Jan Gniński at the sultan court, it should be emphasised that in the negotiations concerning the return of the holy places also the Custody of the Holy Land had its contribution. In this respect, the custodian of the Holy Land Fr. Teofil Testa sent

⁵² *Ibidem*, p. 85.

⁵³ *Ibidem*, p. 86.

⁵⁴ *Warunki pokoju pomiędzy Rzeczpospolitą a Imperium Osmańskim*, [in:] M. Jač o v, *Europa i Osmanie w okresie lig świętych: Polska między wschodem a zachodem*, Kraków 2003, p. 110. The above article can be briefly presented in the following way: “the freedom of the service to the monks and Catholic priests in the countries of the Porte”, see: J. S z u j s k i, *op. cit.*, p. 166.

⁵⁵ *Warunki pokoju pomiędzy Cesarstwem Habsburskim i Imperium Osmańskim*, [in:] M. J a č o v, *op. cit.*, p. 108.

two Polish Franciscans⁵⁶ to the Commonwealth from the monastery of the Holy Saviour in Jerusalem, who were to picture a difficult situation of the Custody to the lay and church dignitaries.⁵⁷ The above-mentioned visit constituted the foundation to the talks in Constantinople, in which Babinkiewicz also participated.

The analysed correspondence also includes letters of recommendation. The first permit was issued on 15 September 1683 by King Jan III of Poland to Bishop Jan Mikołaj Bernatowicz of Kamieniec, who intended to travel to the Holy Land.⁵⁸ This certificate emphasises that “whoever sees this letter sent by us is [obliged] to bestow kindness on the person who presents it”.⁵⁹ It can be learned from the letter of the custodian of the Holy Land Fr. Pier-Antonio Grassi of Cantù that Bishop Bernatowicz was entrusted to the following mission: supporting the holy places and Franciscan monks providing there their ministry and preaching the word to the Armenian apostates following the rule assigned by the Catholic Church.⁶⁰ Still another letter was written by the aforementioned bishop that referred to granting dispensation to Fr. Teodor Augustynowicz of the Armenian-Catholic rite arriving in Jerusalem from Lviv.⁶¹ This indult allowed the presbyter to celebrate first mass in the Roman (Latin) rite in the monastery of the Holy Saviour in Jerusalem, since the celebration of Holy Masses in the Armenian rite were not permitted.⁶²

⁵⁶ These were: Grzegorz Babinkiewicz and Marian Tartmans, see: A. J. S z t e i n k e, *Polscy bracia mniejsi w służbie Ziemi Świętej (1342-1995)*, Poznań 1999, pp. 47-48, 179.

⁵⁷ *Kustosz Ziemi Świętej o. Teofil Testa do króla Polski Michala Korybuta*, Jerusalem 12 May 1672, „Krzyż”, No. 26 (1867), pp. 206-207.

⁵⁸ The arrival of Bishop Bernatowicz in Jerusalem is confirmed by a note in *liber Navis peregrinorum: 1683, 23 aprilis, Illustrissimus et Reverendissimus Dominus Joannes Bernatowicz Epps Camenecensis Armenus catholicus, et Abbas Sanctus Jacobi*, see: O. L e n c z e w s k i, *Polonica w księdze pielgrzymów jerozolimskich – Navis peregrinorum (1561-1695)*, „Nasza Przeszłość”, vol. 132 (2019), p. 101.

⁵⁹ *Król Polski Jan III do bp kamienieckiego Jana Mikołaja Bernatowicza*, [?] 15 September 1682, [in:] J. K r a j, *op. cit.*, p. 115.

⁶⁰ *Kustosz Ziemi Świętej o. Pier-Antonio Grassi z Cantù do króla Polski Jana III*, Jerusalem 25 April 1683, [in:] J. K r a j, *op. cit.*, p. 117.

⁶¹ The arrival of this presbyter to the Holy City is confirmed by a note in *liber Navis peregrinorum: 1683, 23 aprilis, Reverendissimus Dominus Theodorus Augustinowicz Leopoltanus Sacerdos Armenus Catholicus*, see: O. L e n c z e w s k i, *Polonica w księdze...*, p. 102.

⁶² *Bp Bernatowicz do ks. Teodora Augustynowicza*, Jerusalem 25 April 1683, [in:] J. K r a j, *op. cit.*, p. 116.

Conclusion

First contacts of Poland with the Custody of the Holy Land, in which a hint can be found regarding the return of the holy places in Palestine, come from the first half of the 16th century. The Polish diplomat Hieronim Łaski was then convincing the Grand Vizier to confer *praedominium* over schismatics on the Franciscan monks, who take custody of the holy places in Palestine. It is assumed that the talks conducted at the Turkish court brought about numerous benefits to the Friars Minor. They were discussed in the letters by Łaski from Constantinople to the country, nonetheless, rather briefly.⁶³ Soon after the above diplomat, Andrzej Tęczyński, Krakow castellan, travelled to Jerusalem.⁶⁴ During the legation, the royal dignitary insisted that the Grand Vizier Ibrahim Pasha interceded with sultan Suleiman I on the restitution of the convent in Mount Zion to the Franciscan monks, which they had to leave in 1524.⁶⁵ It does not seem that the above claim was settled favourably by the High Porte, since they remained in the upper part of the monastery until 1551. Starting with 1560, sultan's firmans stated that the whole surrounding of the tomb of David was in the possession of the Muslims.⁶⁶ In the years 1634-1639, the Holy See demanded that the Christian rulers make efforts to restore the possession of the Friars Minor in the Holy Land.⁶⁷ For this reason, King Władysław IV entered into correspondence with Sultan Murad IV. The following issues were touched on in this correspondence: the Franciscan friars suffered a great deal of grief from the schismatics, for example they were unlawfully deprived of the right to care for the Holy Sepulchre, while the subjects of the Turkish ruler accused the Latin friars of inadequate care for the holy places. In view of this

⁶³ P. Nowogórski, *Kontakty Polski z Ziemią Świętą w XVI-XVIII w.*, [in:] *Rzeczpospolita wobec Orientu w epoce nowożytnej*, ed. D. Milewski, Zabrze 2011, pp. 146-147.

⁶⁴ J. S. Łątko, *op. cit.*, p. 420.

⁶⁵ *Król Polski Zygmunt I do wielkiego wezyra Ibrahima Paszy*, Vilnius 26 June 1535, [in:] *Acta Tomiciana: epistolae, legationes, responsa, actiones, res gestae Serenissimi Principis Sigismundi eius nominis Primi Regis Poloniae, Magni Ducis Lithuaniae*, vol. 17, A.D. 1535, by W. Pocięcha, Poznań 1966, doc. 361, p. 469.

⁶⁶ A. Cohen, *The Expulsion of the Franciscans from Mount Zion. Old Documents and New Interpretation*, „Turcica”, vol. 18 (1986), p. 155.

⁶⁷ Acta 1, pp. 82, 105, 127, 133.

situation, the monarch asked that the sultan support the monks and not allow further usurpation by the schismatics: “May Your Majesty allow the faithful [i.e. the Franciscans] to take care of these holy places, of which they are legal owners, and to perform this function [without hindrance]”.⁶⁸ The consequence of the aforementioned letter was the legation by the Lviv chamberlain Wojciech Miaskowski to Turkey.⁶⁹ We can read in the preserved account that the royal envoy approached the “(...) Jerusalem case on the return of the key to the Holy Sepulchre, recently taken from the local Bernardine and given to the schismatics of Greece”.⁷⁰

The endeavours just presented constituted first attempts of the patronage of the Polish rulers in their role of protectors of the holy places in Palestine. It appears that they did not bring desired effects, since the continuation of these efforts can be observed in further long-lasting correspondence of the Custody of the Holy Land with the rulers in the Commonwealth in the second half of the 17th century.

APPENDIX 1⁷¹

1. *Król Polski Michał Korybut do kustosa Ziemi Świętej o. Teofila Testy*, Warszawa 27 VI 1671 r.
2. *Internuncjusz Polski w Konstantynopolu Franciszek Kazimierz Wysocki do kustosa Ziemi Świętej o. Teofila Testy*, Konstantynopol 2 III 1672 r.

⁶⁸ *Król Polski Władysław IV do władcy tureckiego Murada IV*, Warszawa [?] January 1639, [in:] *La questione de' Luoghi Santi nel periodo degli anni 1620-1638*, ed. G. Golubovich, „Archivum Franciscanum Historicum”, vol. 14 (1921), pp. 492-493.

⁶⁹ J. S. Łątk a, *op. cit.*, p. 269.

⁷⁰ *Wielka legacja Wojciecha Miaskowskiego do Turcji w 1640 r.*, by A. Przybóś, Warszawa 1985, p. 90.

⁷¹ Letters Nos. 3-15 were published in the Polish journal „Krzyż”: No. 25 (1867), p. 197; No. 26 (1867), pp. 206-207; No. 27 (1867), pp. 213-214; No. 28 (1867), pp. 221-222; No. 31 (1867), p. 245; No. 32 (1867), pp. 252-253; No. 36 (1867), pp. 284-285; No. 44 (1867), pp. 346-347; No. 46 (1867), p. 364; No. 51 (1867), pp. 403-404; No. 7 (1868), p. 54; No. 8 (1868), p. 61; No. 13 (1868), pp. 100-101.

3. *Kustosz Ziemi Świętej o. Teofil Testa do internuncjusza Polski w Konstantynopolu Franciszka Kazimierza Wysockiego, Jerozolima 20 III 1672 r.*
4. *Kustosz Ziemi Świętej o. Teofil Testa do króla Polski Michała Korybuta, Jerozolima 12 V 1672 r.*
5. *Kustosz Ziemi Świętej o. Teofil Testa do Najjaśniejszego Senatu Polskiego, Jerozolima 12 V 1672 r.*
6. *Kustosz Ziemi Świętej o. Teofil Testa do królowej Polski Eleonory, Jerozolima 12 V 1672 r.*
7. *Kustosz Ziemi Świętej o. Teofil Testa do Wielkiego Kanclerza Polski Michała Paca, Jerozolima 13 V 1672 r.*
8. *Kustosz Ziemi Świętej o. Teofil Testa do brata Króla Polskiego, Jerozolima 13 V 1672 r.*
9. *Kustosz Ziemi Świętej o. Teofil Testa do Hetmana Koronnego Polski Hieronima Lubomirskiego, 13 V 1672 r.*
10. *Kustosz Ziemi Świętej o. Teofil Testa do Jaśnie Wielmożnego i Najprzewielebniejszego Księdza Nuncjusza Polski Angelo Ranuzzi, Jerozolima 13 V 1672 r.*
11. *Kustosz Ziemi Świętej o. Teofil Testa do Wicekanclerza Polski, Jerozolima 13 V 1672 r.*
12. *Kustosz Ziemi Świętej o. Teofil Testa do biskupa poznańskiego Stefana Wierzbowskiego, Jerozolima 13 V 1672 r.*
13. *Kustosz Ziemi Świętej o. Teofil Testa do Ojców Prowincjałów w Polsce, Jerozolima 13 V 1672 r.*
14. *Kustosz Ziemi Świętej o. Teofil Testa do cesarzowej matki Eleonory, wdowy po Ferdynandzie III zwanym „najmądrzejszym”. To intercede with the Queen of Poland, her daughter, in order to contribute to the recovery of the Holy Places, Jerozolima 13 V 1672 r.*
15. *Kustosz Ziemi Świętej o. Teofil Testa do internuncjusza Polski w Konstantynopolu Franciszka Kazimierza Wysockiego, Jerozolima 10 VI 1672 r.*
16. *Eleonora cesarzowa Austrii do kustosza Ziemi Świętej o. Teofila Testy, Wiedeń 26 XI 1672 r.*
17. *Nuncjusz apostolski w Polsce Angelo Ranuzzi do kustosza Ziemi Świętej o. Teofila Testy, Warszawa 1 II 1673 r.*
18. *Królowa Polski Eleonora do kustosza Ziemi Świętej o. Teofila Testy, Warszawa 4 III 1673 r.*
19. *Królowa Polski do cesarzowej Eleonory swojej matki, [?] 1673 r.*

20. *Wielki Kanclerz Polski Michał Pac do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 28 III 1673 r.
21. *Biskup krakowski Andrzej Trzebicki do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 3 IV 1673 r.
22. *Biskup wrocławski Florian Kazimierz Czartoryski do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 6 IV 1673 r.
23. *Hetman wielki Jan Sobieski do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 8 IV 1673 r.
24. *Król Polski Michał Korybut do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 10 IV 1673 r.
25. *Kustosz Ziemi Świętej o. Teofil Testa do internuncjusza Polski w Konstantynopolu Franciszka Kazimierza Wysockiego*, Jerozolima 10 IV 1673 r.
26. *Król Polski Michał Korybut do cesarzowej Eleonory*, [?] 1673 r.
27. *Biskup poznański Stefan Wierzbowski do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 12 IV 1673 r.
28. *Internuncjusz Polski w Konstantynopolu Franciszek Kazimierz Wysocki do kustosza Ziemi Świętej o. Teofila Testy*, Warszawa 19 IV 1673 r.
29. *Książę Jan Carcus do kustosza Ziemi Świętej o. Teofila Testy*, Kalwaria Zebrzydowska 28 IV 1673 r.
30. *Komisarz Ziemi Świętej w Polsce o. Grzegorz Babinkiewicz do kustosza Ziemi Świętej o. Teofila Testy*, Wenecja 9 VI 1673 r.
31. *Kustosz Ziemi Świętej o. Klaudiusz z Lodi do legata króla polski w Konstantynopolu Jana Franciszka Lubowieckiego*, Jerozolima 1 VI 1674 r.
32. *Komisarz Ziemi Świętej w Konstantynopolu o. Jan Andrzej do legata Polski przy najwyższej Porcie*, Konstantynopol 6 VIII 1674 r.
33. *Kustosz Ziemi Świętej o. Jan Bonsignori do króla Polski Jana III*, Jerozolima 9 IX 1674 r.
34. *Kustosz Ziemi Świętej o. Jan Bonsignori do królowej Polski Marysienki*, Jerozolima 9 IX 1674 r.
35. *Król Polski Jan III do ojca ministra zakonu franciszkańskiego*, Twierdza Krakowska 22 IV 1676 r.
36. *Kustosz Ziemi Świętej o. Mariano Sormani do nuncjusza Polski w Konstantynopolu*, Jerozolima [?] 1679 r.
37. *Król Polski Jan III do bp Jana Mikołaja Bernatowicza*, [?] 15 IX 1682 r.

38. *Bp Bernatowicz do neoprezbitera Teodora Augustynowicza, Jerozolima 25 IV 1683 r.*
39. *Kustosz Ziemi Świętej o. Pietro Antoni z Cantù do króla Polski Jana III, Jerozolima 25 IV 1683 r.* 40. *Kustosz Ziemi Świętej o. Pietro Antoni z Cantù do króla Polski Jana III, Jerozolima [?] 1683 r.*
41. *Kustosz Ziemi Świętej o. Pietro Antoni z Cantù do króla Polski Jana III, Jerozolima 12 IV 1684 r.* 42. *Kustosz Ziemi Świętej o. Grzegorz z Parghelia do króla Polski Jana III, Jerozolima [?] 1690 r.*
43. *Kustosz Ziemi Świętej o. Baldassare Caldera z Mediolanu do króla Polski Jana III, Jerozolima [?] 1695 r.*
44. *Kustosz Ziemi Świętej o. Francesco z Santo Floro do króla Polski Augusta II, Jerozolima [?] 1698 r.*
45. *Kustosz Ziemi Świętej o. Francesco z Santo Floro do ambasadora Polski u Wysokiej Porty Stanisława Małachowskiego, Jerozolima [?] 1698 r.*
46. *Kustosz Ziemi Świętej o. Francesco z Santo Floro do reprezentanta Polski u Wysokiej Porty Stanisława Mateusza Rzewuskiego, Jerozolima [?] 1699 r.*

APPENDIX 2

*Król Polski Michał Korybut do kustosza Ziemi Świętej o. Teofila Testy,
Warszawa 27 June 1671.*

Dear Father, a letter has reached us attesting to the kindness of your Friar Kacper Beltram, sent from the Holy Land with attached memoranda showing us the situation that prevails in the places hallowed by the blood of our Saviour. I have received this piece of information very warmly and wish to express my sympathy to your religious family who are in these places.

APPENDIX 3

*Biskup wloclawski, prymas Polski Florian Kazimierz Czartoryski
do kustosa Ziemi Świętej o. Teofila Testy,
Warsaw 6 April 1673.*

Your desires to obtain God's support conform to the wishes (submitted earlier by the venerable Father) of the whole of Christendom. Our Kingdom is experiencing great unrest at this time. I hope that all this will end happily and our situation will improve. With this hope, I entrust all matters to the memory of the venerable Father, and on this occasion I promise, as far as I can, to be of service. In the meantime, I offer my warmest prayers and the blessing of the Holy Sacrament.

APPENDIX 4

*Kustosz Ziemi Świętej o. Teofil Testa do Najjaśniejszego Senatu polskiego,
Jerusalem 12 May 1672*

Your Excellencies – always the Most Venerable Senate of Poland! That the most noble and venerable Polish magnates and heroes have always preserved intact and uncorrupted Roman Catholic faith, and that for its sake they have shed their own blood steadfastly and steadily, setting their breasts oftentimes against barbarous nations and bloodthirsty wars, is known to everybody, as the present war waged against the Tartars and other infidels proves most clearly the greatest glory for the Poles.

Therefore, since our holy Roman faith, whose unworthy chaplain I am, suffers much harm, derision, difficulty and reprimand from Greeks, Armenians and many other schismatics – but particularly from the Greeks – in this Holy City of Jerusalem in the present time, I am inclined to turn to Your Lordships with my deep respect and humility, as to the true preservers and defenders of faith in order that the faith itself could exist and survive intact; In order not to bother you, I will briefly portray today's problems and my request:

For many years now, the Greeks, always hateful and sworn enemies of the Holy Roman Church, have possessed, by order of the Turks, the stable of Bethlehem with the largest church, the holy mountain of Calvary and other holy places (which were legally held by us in the name of the Holy Roman Church for 330 years and more) and extorted them with money, deceit and false writings; when their pride and hatred against Catholics grow every day. On 13 June 1671, their Primate that is their Patriarch did not regret their work to seize the Holy Sepulchre, the tomb of the Virgin Mary, the holy house of Nazareth, the monastery and other holy places with great strength from our hands, which would have happened if (by the providence of the Highest) the Mahometan judge, usually called *kadi*, had not been on our side and our case had supported; hence igniting himself against the Roman-Catholic name, was heard that he would attempt to make himself with his own comrades or the Latin prelate with his own ones stay in Jerusalem, for which he requested in Constantinople.

In this way, he attempts, with all his might, not only to seize the holy places entrusted to the Roman Church, but also to sweep them away, as well as all the Christians-Catholics (praise be to God! very numerous).

This is the Greeks' hardest crime, their unbelievable insolence and unspeakable pride; which grows all the more when they see that the sons of the Seraphic Order, as the most miserable Roman sheep, live among the Eastern wolves, without a patron, without a protector, as if they were completely abandoned.

Such great evil must be prevented, Your Lordships, nor should we procrastinate its prevention, since otherwise, God forbid, the holy Roman places would be deprived of the Holy Mass, and the faithful to Christ, who have been brought to this holy church from unbelievers by work, study and love of the sons of the Seraphic Order, will fall into their old errors.

Therefore, taking advantage of the old happily waged war (owing to which we celebrate the Holy Mass at the Tomb of Christ the Lord, expose the Holy Sacrament of the Eucharist every Friday, and every day celebrate the procession on our knees in the church of the Holy Tomb, in the monastery of the Holy Saviour, in Bethlehem and Nazareth in order to ensure the victory in this fight), as an unworthy priest of the Roman Church, with all the poor of the Holy Land here, and with all our Christians, I beg you, Your Lordships, to accept this

protection, and to embrace this most important and holy cause, as you have always supported faith.

What then will happen when, having maintained the victory (as I trust the Most High) between the terms of peace, and with the permission of the most gracious Michał, King of Poland, the invincible, shall be decided that birthplace of the Lord, the holy mountain of Calvary and other holy places maliciously seized by the Greeks, will return to the Latin, while other places, monastery, etc., which are in our possession will stay at us, to make our local Roman Catholic believers stay in peace, and the pretensions of the Greeks, Armenians and other schismatics will be rejected. Through this, Poles will gain the highest glory and the greatest victory with our own and others.

Such trust I put in the noble and generous Polish Magnates, as I believe that God will inspire you with the very thought and will never cease to pray with the local faithful to God, that Your Lordships may live healthily for ever, that the Kingdom of Poland with its most powerful King Michał may enjoy everlasting peace and victory, and that the war against the Turks, Tartars and others waged may end as happily as possible.

May God find my pleas passionate and hear my prayers.

In Jerusalem, in the monastery of the Holy Saviour, 12 May 1672.
Your Lordships' most gracious and faithful servant and God-bearer
Fr. Teofil Testa of Nola, unworthy guardian
and apostolic commissioner for the East.

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