

## *The Cortes of Castile-León*

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## The Cortes and the Government of the Realm

[152] Documentation pertaining to the cortes touches on a myriad of issues reflecting contemporary concerns and attitudes. This chapter will consider actions taken in the cortes to improve the government of the realm. No attempt will be made to delineate fully any one governmental body or function, but only to point out problems and the solutions then proposed and adopted. The critique of the cortes ranged widely, touching on the royal household, chancery and tribunal, the activities of territorial administrators, difficulties encountered by municipalities, the steady diminution of the royal domain, and the breakdown of law and order. By its insistence on good government, the cortes was able to set its stamp on many contemporary institutions.

### The Casa del Rey

The cortes seldom criticized the king directly, but it did not hesitate to express its views about his entourage of private servants and [153] public officials. This body was usually described as the *casa del rey*, a phrase that replaced the Latin *curia regis*. At times *corte del rey* was used to designate the royal court functioning as a judicial tribunal, but the terms were often used interchangeably.

Both the *Espéculo* (II.12) and the *Partidas* (II.9.1-2, 27-28) described the personnel of the royal household and court. While many of those who accompanied the king were domestic servants, others performing services of a public character formed his council (*consejo del rey*). They included the chancellor, *mayordomo mayor*, *alferez*, and various nobles, clerics, and legists (sometimes referred to as *omnes bonos de mi corte*).<sup>(1)</sup> On occasion the king might include the great men of the realm, but ordinarily it was a small group that advised him on day-today business.

From time to time, the cortes stressed the need to reorganize the royal court or to correct abuses (Burgos 1308, art. 2). Two major restructuring ordinances were enacted by Fernando IV and Infante Felipe at Valladolid 1312 and 1322, respectively. The cortes was also concerned about the types and qualities of persons serving the king. All royal officials were required to serve in person and to give an account of their activities. They had to take an oath to protect the kingdom against injury and to see that justice was done so that men might live in peace (Valladolid 1312, art. 50,73). Only natives of the realm who would observe the *fueros* should be appointed (this excluded Jews and Moors, as well those who bought their offices), and no one was permitted to hold more than one office (Madrid 1329, art. 32, 34-37). During the two minorities the cortes demanded the ouster of officials who had served previous monarchs. In other instances, protests made in the cortes eventually resulted in the downfall of unpopular officials.<sup>(2)</sup>

The cortes argued during the minorities that townsmen should be included in the royal council. Fernando IV promised the cortes of Valladolid 1295 (art. 4) that he would include townsmen but not Jews. Two years later, in the cortes of Cuéllar (art. 1), he agreed that twelve good men from the

Castilian towns should advise him in matters of justice and finance. Later the cortes of Medina del Campo 1302 (art. 4) persuaded him to ask townsmen from Castile, León, Toledo, and Extremadura to serve in the council.

As regents for Alfonso XI, Infante Juan, Maria de Molina, and Infante Pedro assured the cortes of Palencia 1313 (art. 1-2, 20J, 4-5 M) [154] that they would designate a council of four prelates and sixteen townsmen, The *hermandad* at Burgos 1315 (art. 14) emphasized the role of townsmen in the council, and at Carrión two years later it severely criticized the regents for attempting to downgrade them (art. 1, 42). Infante Felipe agreed that the council should include twenty-four knights and good men of the towns (Valladolid 1322, art. 3-4, 14). Alfonso XI, on coming of age, also guaranteed them a place (Valladolid 1325, art. 4).

Extravagance in the household and court often roused the indignation of the cortes, which sought to curb expenditures and the number of those living off the kings bounty. Regulations in the cortes of Valladolid 1258 (art. 1-6) and Seville 1261 (art. 1) concerned the food and dress of the king and members of the household and curtailed the number of minstrels and serving women, who were probably seen as a source of scandal. Gambling in the household was also forbidden (Valladolid 1312, art. 32). As outsiders were both a strain on the budget and a cause of unseemly conduct, vagabonds were to be ejected and access to the household limited to those who had business there. Magnates, restricting the size of their retinues, were to come only when summoned and had to pay their own expenses.<sup>(3)</sup> The size of the royal entourage and crimes committed by its members as they traveled about the realm also gave rise to complaints.<sup>(4)</sup>

The king was customarily entitled to hospitality (*yantar*) from certain towns during his personal visits. Sancho IV stipulated that he would ask for 600 *maravedís* for himself and 200 for the queen (Palencia 1286, art. 4), but he later added that his son would receive 300 *maravedís* when he exercised authority in his fathers name. Sancho IV also claimed *yantar* even when detained by a military campaign, a meeting of the cortes, or the confinement of the queen due to pregnancy or childbirth (Valladolid 1293, art. 5 C).

These were apparently new conditions that the towns found difficult to accept. Abuses of *yantar* seem to have been common, given the frequency with which the subject was mentioned. Fernando IV was asked not to levy it until he had determined how much Fernando III had received, but he announced that he would observe his fathers ordinance.<sup>(5)</sup> In the cortes of Valladolid 1307 (art. 10), because of the difference between his fathers coinage and his own, Fernando IV increased the amount due upon his personal visitation to 1000 *maravedís* for the [155] next six years. As the term came to an end, the amount was reduced to 600.<sup>(6)</sup> During the minority of Alfonso XI, attempts were made to restrict payment to personal visits only,<sup>(7)</sup> but once he came of age, Alfonso XI reiterated his right to collect *yantar* when on campaign or engaged in a siege.<sup>(8)</sup>

Objections to the burdens of hospitality and provisions (*conducho*) are attributable in part to the growth of the royal household. Complaints were made that royal officials abused the right to draw on local communities for provisions by breaking into houses and seizing food and drink and other supplies without payment (Valladolid 1293, art. 8 C, 12 M, 13 LE). Announcing that payment would be made, Fernando IV even agreed to make restitution for whatever had been taken unlawfully in his fathers time.<sup>(9)</sup> The kings men were also accused of taking pack animals without payment and never returning them; houses were disrupted, gardens and vineyards uprooted, bread, wine, meat and straw taken by force, and livestock destroyed, The principle that these had to be paid for was stated again and again.<sup>(10)</sup> Restrictions were also imposed on royal demands for the service of guides.<sup>(11)</sup>

The business of securing suitable lodgings for the household was also a source of controversy. Sancho IV assigned this responsibility to the royal lodging master, who acted in conjunction with local officials. Magnates and knights, who often disrupted a town, would be lodged instead in surrounding villages (Valladolid 1293, art. 7 C). A separate quarter near the king would be provided for the principal officers of the court, as would appropriate lodgings for visitors.<sup>(12)</sup>

The security of those attending the court was guaranteed not only by the law codes but also by ordinances enacted in the cortes. Townsmen who wished to speak with the king were assured that royal porters would take care of them and that they would be secure both during their visit to court and on the journey to and from their homes.<sup>(13)</sup> Anyone drawing a weapon in the court would be executed; if anyone killed, wounded, or dishonored another in the court or within five leagues of it, he would suffer the penalties of death and confiscation. Fernando IV was asked to amend this ruling so that the guilty party would not be protected by the church or by any infante or magnate.<sup>(14)</sup>

The cortes clearly took an obvious interest in the organization of the royal court. Not only did it protest what it believed to be excessive or unnecessary expenses and the hardships imposed on communities [156] visited by the court, but it also sought to gain direct access to the seat of power by demanding that townsmen have a place in the council and household.

### The Chancery

One of the most important organisms of the household, the chancery was responsible for drawing up royal documents and maintaining the archives. A description of its officers and their functions is found in the *Espéculo* (II.12.2-3, 6; IV.12.1-6) and the *Partidas* (II.9.4, 7-8; III.18-20). The cortes frequently referred to the chancery with exasperation, usually to complain that it was in a state of disarray. Criticisms focused principally on personnel, the issuance of charters, and chancery fees.

Disorder in the chancery and calls for its improvement developed mainly during the two minorities. Fernando IV pledged to reorganize the chancery in accordance with the ordinances of Alfonso X and Sancho IV, but nothing much was done until he published his own ordinance in the cortes of Valladolid 1312.<sup>(15)</sup> It does not seem to have been implemented, however, probably because contention over the regency for Alfonso XI resulted in a divided chancery. Even though the regents agreed in the cortes of Burgos 1315 (art. 9) that the chancery would be reunited, continued anarchy there elicited an expression of disgust from the assembly of Carrión 1317 (art. 2). Acknowledging the need for reform, Infante Felipe ordered the chancery to remain with the king and repeated the substance of Fernando IV's ordinance of 1312 (Valladolid 1322, art. 5-8). Even so, the continuing struggle over the regency and the difficulties of Alfonso XI's first years of personal rule hampered the establishment of an efficient chancery office (Madrid 1329, art. 26).

As the post of chancellor was essentially an honorific one held by the archbishops of Toledo and Compostela, the ordinary chancery functionaries were the *notarios mayores* of Castile, León, Toledo, and Andalusia, and the scribes.<sup>(16)</sup> Extremadura requested its own notary but was rejected because it had never had one (Valladolid 1307, art. 17). The cortes often demanded that these offices be given to laymen.<sup>(17)</sup> The assembly of Carrión 1317 (art. 2, 4) was most insistent on the ouster of clerics and the appointment of laymen belonging to the *hermandad*, because if a layman committed an offense, the king could punish him in [157] body and goods, which would be impossible in the case of a cleric. Infante Felipe confirmed that only laymen would be appointed, to the exclusion of prelates, clerics, and Jews (Valladolid 1322, art. 6). When Alfonso XI came of age, he reserved freedom to appoint whomever he wished, declaring only that the chancellor and notaries should be suitable for their positions (Madrid 1329, art. 26-27).

Because the responsibility for drafting and publishing royal documents rested with the four notaries, they were expected to guard against the dispatch of charters that might diminish the king's rights. On his orders, they made notes for the document to be prepared and reviewed the text written by the scribes. The document was then recorded in registers and a seal of wax or lead was affixed to the original.<sup>(18)</sup>

If the notaries were unable personally to supervise the preparation of charters, they were required to appoint laymen not susceptible to bribery to take their places (Valladolid 1300, art. 5).

Fearing the issuance of charters of an objectionable nature, the cortes emphasized the need for proper review by the notaries before sealing; they were also entrusted with the register and the seals.<sup>(19)</sup> In the reigns of Alfonso X and Sancho IV only the notaries of Castile and León were permitted to have keys to the boxes in which the seals were kept, but this practice seems to have broken down during the minority of Alfonso XI.<sup>(20)</sup> The assembly of Carrión 1317 (art. 2-3) demanded that only the regents and the *mayordomo mayor* should have keys and that no charter should be sealed without prior review. Infante Felipe announced that the seals would remain with the king in the care of townsmen who were natives of the realm and he identified the officials who would review charters before sealing them (Valladolid 1322, art. 5-8). When he assumed personal control, Alfonso XI reestablished the custom whereby only the notaries of Castile and León had keys to the seals as well as the responsibility for review and maintenance of the registers (Madrid 1329, art. 26-29).

In his ordinance of 1312, Fernando IV assigned a certain number of scribes to himself, the queen mother, and the notaries and judges of the royal court, requiring them to take an oath to execute their duties faithfully.<sup>(21)</sup>

Aside from personnel, the most frequent complaints of the cortes concerned the dispatch of charters and the apparent chaos in the archives. Charters issued under the privy seal and use of the writ known [158] as *albalá* drew fire because ordinary chancery controls were bypassed.<sup>(22)</sup> The emission of charters contrary to the municipal *fueros* or contradicting rights or privileges already granted was often condemned.<sup>(23)</sup> Especially pernicious were blank charters, which could be filled in at whim to order the arrest or execution of individuals without due process of law. Widely used during the two minorities, they were often repudiated.<sup>(24)</sup> Fernando IV provided the death penalty for those falsifying charters or the royal seal (Valladolid 1312, art. 22).

Chancery fees were also a subject of debate. Alfonso X specified fees for a variety of royal documents in the *Espéculo* (IV. 12.54--59). Sancho IV confirmed his father's ordinance and apparently enacted one of his own, which Fernando IV, Infante Felipe, and Alfonso XI confirmed at the request of the cortes.<sup>(25)</sup>

The continuing criticism of the chancery indicates that there were chronic problems with its organization and functioning, complicated by the fact that more and more people besieged the king for favors. The issuance of contradictory charters or others in violation of the *fueros* illustrates the inadequacy of the chancery's control of its registers. The multiplication of seals and the use of blank charters compounded the problem. The peripatetic character of the court made it difficult to establish a convenient and relatively permanent repository for the royal archives. The persistent picture of the chancery, consequently, is one of confusion and disorder.

### **The Royal Tribunal**

The royal tribunal played a significant role in shaping the law and dispensing justice. The cortes, therefore, was especially attentive to its activities. The functions and composition of the tribunal were defined in the *Espéculo* (IV.2), *Partidas* (III.4), the Ordinances of Zamora 1274, Valladolid 1312, Alcalá 1348, and the *cuadernos*. One of the essential tasks of the king was to see that justice was done

and that every man received his due.<sup>(26)</sup> Thus the royal court had jurisdiction over specific types of cases involving the magnates, as well as disputes among nobles, towns, and monastic communities concerning land and boundaries; it also received petitions and heard appeals from judgments rendered elsewhere.<sup>(27)</sup> At times royal officials who had personal litigation with townsmen summoned them to the court, but the townsmen objected [159] that they should be heard first in their own communities according to the local *fuero*; only then could the case be appealed to the kings court.<sup>(28)</sup>

As this was the kings court, the cortes often asked him to take a personal role in judgment. Litigation could become a major drain on his time, and as the law became more complex not every king could claim to be master of it. Even so, Alfonso X promised to hear suits on Mondays, Wednesdays, and Fridays.<sup>(29)</sup> Fernando IV agreed to hearings every Friday, and Alfonso XI said he would hear petitions and civil disputes on Mondays and criminal cases on Fridays.<sup>(30)</sup>

The cortes and the law books spelled out the qualifications for the judges, who handled the bulk of the business brought before the kings court. They were expected to be men who feared God and the king, who knew the law and would observe it, and who would apply it so as to guard every mans right and avoid partisanship.<sup>(31)</sup> They should be knights and good men of the towns, rather than clerics, members of religious orders, or foreigners; above all they ought not to be criminals, or supporters of such--a particular concern during Fernando IVs minority.<sup>(32)</sup> Paid good salaries,<sup>(33)</sup> they would be able to carry out their duties effectively and would not be tempted easily by bribes. If found guilty of accepting gifts, loans, or bribes for themselves or their relatives, or associating with lawyers and litigants, the judges would be expelled from court, declared infamous, and penalized for perjury.<sup>(34)</sup>

The Ordinance of Zamora 1274 (art. 17) specified that there should be nine judges from Castile, six from Extremadura, and eight from León, who would alternate their service during the year. One of the Leonese judges was expected to be a knight expert in the *Fuero Juzgo* and the customs of that realm. The cortes several times asked that a sufficient number of justices and scribes be appointed.<sup>(35)</sup> Fernando IV established a group of twelve judges, all laymen--four each from Castile, León, and Extremadura (Valladolid 1312, art. 2)--who would adjudicate cases originating in their respective kingdom.<sup>(36)</sup>

Besides the ordinary judges of the royal court, there were others with exceptional responsibilities. Prompted by their concern to be judged by their peers in accordance with the traditional *fueros*, the Castilian nobility in the cortes of Burgos 1272 demanded that Alfonso X appoint two noble judges, knowledgeable in the old law, to hear their pleas. Although the king consented, he pointed out that none of his predecessors had done so.<sup>(37)</sup> The nobles participating in the *hermandad* [160] of Carrión 1317 (art. 33) repeated this request, and some years later Alfonso XI promised to include noble justices in his court (Madrid 1329, art. 2).

Alfonso X guaranteed the right of appeal to his court (Seville 1252, art. 35). The Ordinance of Zamora 1274 (art. 19-20) provided for three judges to hear appeals from the entire realm, except for Castile, where appeals would be carried from the ordinary royal judges to the *adelantado mayor* of Castile and ultimately to the king.<sup>(38)</sup> Leonese appeals would be resolved according to the *Fuero Juzgo*.<sup>(39)</sup> At times, contradictory judgments were issued when litigants in appeals mistakenly appeared separately before the king or one of the regents (Carrión 1317, art. 38).

Royal judges were encouraged to administer justice impartially, without delay, and to make it accessible to everyone.<sup>(40)</sup> Scribes (who were laymen), assigned to record the proceedings, were warned not to issue documents without judicial authorization, and the judges were forbidden to order the illegal imprisonment or execution of anyone.<sup>(41)</sup> Failure to answer a summons to the royal court

was punishable by heavy fines.<sup>(42)</sup> The cortes also defined the obligations of lawyers to their clients and their conduct in court. Although lawyers were not permitted to argue Castilian pleas, they could be used elsewhere as long as they were laymen--clerics were allowed to argue only their own cases or those of the church.<sup>(43)</sup>

The responsibilities of the *justicia mayor de la casa del rey*, or *alguacil*, the officer charged with effecting arrests on the king's command and maintaining order in the royal court, were set down in the cortes of Valladolid 1312. Forbidden to arrest anyone "without reason and law," he had to bring the accused before the king's justices at once to be charged; without their authorization he could not release anyone, or subject anyone to torture, imprisonment, or other punishment.<sup>(44)</sup>

The criticisms directed at the royal tribunal seem, on the whole, moderate. The desire of the cortes that the king preside in court was perhaps due to a suspicion of the judges as professionals. Because the king could not possibly hear all the suits brought before him, the cortes requested the appointment of more judges so that judicial business could be expedited, though constant travel probably hindered their work. By insisting that litigation be heard only by judges from the kingdom where the suit originated, the cortes impeded royal efforts to [161] achieve legal uniformity. The exclusion of the clergy as judges and lawyers reflects the antipathy of the cortes to Roman and canon law, as well as a general anticlericalism among the townsmen. Lawyers, whether clerics or laymen, seem to have been viewed with scepticism.

### ***Adelantados and Merinos Mayores***

The cortes carefully scrutinized those officials responsible for governing the kingdoms or provinces constituting the crown of Castile. They were the *adelantado mayor de la frontera* (Andalusia), the *adelantado mayor* of Murcia, and the *merinos mayores* (sometimes called *adelantados mayores*) of Castile, León, and Galicia (and, occasionally, Álava and Guipúzcoa). Their qualifications, responsibilities, limitations, and accountability were spelled out in the *cuadernos*.<sup>(45)</sup> Expected to be men who loved justice, they had to be natives of the provinces they governed and reside there when not summoned to court. According to the cortes of Valladolid 1295 (art. 13), magnates were supposed to be excluded from the post of *merino mayor* in the northern regions, though men of this rank usually served as *adelantados* in Andalusia and Murcia, where the military responsibility was paramount. On appointment they were required to name sureties in case they committed serious crimes or injuries while holding office. At the end of their service they had to remain in the province for a month to respond to possible complaints. If convicted of negligence or crime, they could be dismissed and severely punished.<sup>(46)</sup>

Admonished not to intrude on one another's authority (Burgos 1308, art. 17), the *adelantados* and *merinos* were also forbidden to enter the immunities of bishops, monasteries and military orders, except in the four cases specified by Alfonso IX: homicide, rape, pursuit of known criminals, and highway robbery.<sup>(47)</sup> They were also forbidden to enter royal cities and to appoint notaries or scribes there, though they were often blamed for injuring townsmen.<sup>(48)</sup> For their services, *merinos* were entitled to an annual *yantar* of 150 *maravedís*, where customary.<sup>(49)</sup> They were expected to appoint upright men and natives of the region as subordinate *merinos* (or *porteros*), who would help them carry out their duties. Only good men who were not evildoers would be given custody of royal castles.<sup>(50)</sup>

The maintenance of law and order was one of the principal duties of [162] the *adelantados* and *merinos*. Sancho IV castigated them for not visiting justice on highwaymen who robbed and assaulted merchants and others traveling to fairs, markets, and seaports. Demanding a list of accused criminals, the king pledged to seize anyone of power and influence whom royal officials did not dare to arrest (Valladolid 1293, art. 4 C). Without the authorization of a judge, the *adelantados* and *merinos* were

forbidden to summon, arrest, fine, or execute anyone, or to confiscate his property.<sup>(51)</sup>

During the two minorities, the cortes often demanded that the *merinos* and *adelantados* bring criminals to justice<sup>(52)</sup> and compel rebels to surrender and make restitution for injuries. If rebels refused to submit, their houses and property would be destroyed, and anyone giving them aid and comfort would suffer the same penalties.<sup>(53)</sup> Armed gatherings of nobles and other troublemakers were prohibited,<sup>(54)</sup> and fortresses used as a refuge by criminals were destroyed.<sup>(55)</sup>

Unfortunately, *adelantados* and *merinos* were charged with many of the same crimes as those branded as *malfechores*. Instead of protecting the people and seeing that justice was done, they and their subordinates killed, plundered, and destroyed houses and crops.<sup>(56)</sup> They were faulted not only for not serving personally but also for allowing their subordinates to behave like tyrants. The reputation of the *adelantados* and *merinos* was generally negative.

### **The Municipalities**

While the oppressive conduct of the *adelantados* and *merinos* drew fire from the cortes, no issue was as important to the townsmen as the integrity and autonomy of the municipality itself. Besides asking for the confirmation of their *fueros*, the representatives of the towns in the cortes often complained of assaults on the integrity of the municipal district. The king often alienated villages lying within the district to nobles, clergy, and others. Both the municipality and the crown consequently suffered a loss of revenue and jurisdiction. The townsmen, therefore, called for the restoration to the municipalities of villages, castles, lands, and tributes formerly belonging to them.<sup>(57)</sup> They also demanded the right to collect taxes in all villages within the district and to prevent nobles and others from appointing scribes or judges or establishing markets there.<sup>(58)</sup>

[163] The acquisition of property within a municipality by the nobility or clergy was also viewed with alarm. Two problems were involved--the claim by nobles to be exempt from municipal jurisdiction, and from any kind of municipal taxation. Anxious to exclude the nobles altogether, the towns demanded that they be prohibited from acquiring property in the municipalities by purchase or by gift.<sup>(59)</sup> If a noble did gain entrance into a town, he would be subject to the municipal *fuero* and answerable in the local court,<sup>(60)</sup> but he was not permitted to hold any municipal office or to serve as a tax collector or tax farmer.<sup>(61)</sup> Nobles were regarded as troublesome neighbors at best, and their demands for *yantar* and *conducho* evoked frequent protests.<sup>(62)</sup>

The question of urban autonomy was raised in connection with the appointment of the principal officers (judges and scribes) of municipal administration. Although the king promised to do justice whenever he visited a town (Valladolid 1312, art. 41), the *alcaldes* ordinarily had this responsibility. The king, however, often intervened to appoint justices, superseding those chosen on the local level. Municipal autonomy was breached, and as the king gained direct control, a trend toward uniformity in the law was encouraged. From time to time he promised to withdraw the judges whom he had appointed, entrusting the administration of justice to the good men of the town. Only if the municipal council or a majority thereof asked him would he appoint a judge, and the one chosen would be a native of the kingdom. These *jueces de salario* or *jueces de fuera*, as they were called, were required to remain in the towns they served for thirty days to answer possible accusations, though criminal charges were reserved for the king's determination.<sup>(63)</sup>

Alfonso XI greatly expanded the practice of sending royal officials into the towns. Although he promised the assembly of León 1345 (art. 8) that he would only appoint *jueces de salario* when the town council requested it, he had already sent *alcaldes veedores* (*emendadores* in Castile) to many Castilian, Extremaduran, and Leonese towns to do justice and especially to punish criminals. He

refused the plea of the assemblies of Alcalá 1345 (art. 2), Burgos (art. 4), and León (art. 13-15) to remove them, but he did agree to pay their salaries. Described as *corregidores* in the cortes of Alcalá 1348 (art. 47), they became the principal agents of royal authority in the towns. The king had also begun to appoint groups of *regidores* who assumed the functions of the older municipal council, but he refused to pay their salaries, insisting that this should be [164] done in accordance with custom (Alcalá 1348, art. 41). In any case, the autonomy of the towns, despite the protests of the cortes, was greatly compromised by the kings actions.<sup>(64)</sup>

Until these momentous changes, justice was ordinarily administered in the towns by magistrates chosen by the townsmen (*alcaldes de fuero*). If they were negligent, appeal could be made to the king.<sup>(65)</sup> The right of townsmen to be tried before their own judges according to the municipal *fueros* was often abused. Royal officials who had private suits against townsmen often cited them to the royal court, but Sancho IV permitted this only if the official was in his household or service. Fernando IV stipulated that this could be done only if the contract in dispute had been concluded in his court.<sup>(66)</sup> Occasionally *merinos* imprisoned townsmen instead of bringing them before the local judge for trial, and nobles often seized their property.<sup>(67)</sup> Towns were accused of appropriating the goods of other towns, rather than seeking justice in the local court (Valladolid 1293, art. 15 C). Sometimes pledges taken in this manner were moved from place to place, making it difficult for the defendant to have a hearing in court, but he was allowed to go before any local judge, who was obliged to render justice without malicious delay (Madrid 1329, art. 85). Lawyers could be used in litigation where customary (Madrid 1329, art. 73). Municipal courts were also authorized to hear appeals, where customary, from ecclesiastical lands (Valladolid 1325, art. 19).

The cortes expressed concern for the qualifications of municipal notaries and scribes, and fear of royal encroachments on urban autonomy in this respect. The responsibility of notaries (León) and scribes (Castile, Extremadura, Murcia, and Andalusia) who drew up public documents such as contracts was a grave one, and their fees were an important source of income. Whether chosen by the towns according to their *fueros* or appointed by the king, they were expected to be natives of the towns they served.<sup>(68)</sup> Fernando IV and Alfonso XI, however, reserved the right to appoint those whom they thought best suited, and stipulated that when the appointee was needed in the royal household he could name a substitute.<sup>(69)</sup> Alfonso X's ordinance fixing scribal fees was to be observed by all.<sup>(70)</sup> No one was to hold more than one notariate, and it could not be leased to anyone.<sup>(71)</sup> By the reign of Alfonso XI, leasing in fact had become such a common practice that the assembly of Madrid 1339 (art. 11) asked only that lessees should be Christians [165] of good repute and that scribes should be townsmen. Fernando IV planned to use municipal scribes to record extensive information about activities in the towns, but this was objected to as contrary to usage, because scribes ought to testify only to matters that transpired before them and to litigation that they had recorded in court (Valladolid 1312, art. 49, 96). The cortes wished to prevent ecclesiastics from functioning as public scribes and Jews from having their own scribes, but Fernando IV demurred; later the regents for Alfonso XI allowed clerical notaries to record pleas involving clerics, but no one else.<sup>(72)</sup>

In the reign of Alfonso XI royal interference with the municipal notariate greatly increased. Not only was the office leased and its functions entrusted to persons of bad reputation, but the king also began to retain the revenues permanently. Although he confirmed the *fueros* authorizing the towns to have notaries or scribes, he would not pledge to accept the candidates presented to him, but only to follow the custom of his predecessors; nor would he commit himself to appoint only natives and residents who would serve personally (Madrid 1329, art. 40--43). When the assemblies of Alcalá (art. 3), Burgos (art. 3), and León 1345 (art. 24) asked for the restoration of scribal fees, Alfonso XI refused, explaining that he needed the money to build a shipyard for his fleet. In the cortes of Alcalá 1348 (art. 34) he



confirmed the ordinance he had made concerning the notariate in the cortes of Madrid 1329.

Municipal militias became a major factor in royal armies during the reconquest, but as the threat of Islam receded and the towns were farther removed from the frontier, the need for military preparedness no longer seemed so pressing. The towns tried to curtail their military obligation, but Alfonso X reaffirmed the duty of every man to be prepared with horse and arms as the local *fueros* demanded (Seville 1252, art. 44). To make service more attractive, he exempted the knights of the Extremaduran towns from tribute if they maintained horse and arms (Segovia 1256).<sup>(73)</sup> This exemption was confirmed and amplified in the assembly of Seville in 1264.<sup>(74)</sup>

Later enactments indicate that the towns hoped to elude or minimize their military obligations and to limit the imposition of *fonsadera*, a tribute related to military service. Thus, Sancho IV assured the towns that he would summon them to the royal host only when necessary (Palencia 1286, art. 5), but he also emphasized the duty of rural inhabitants of municipalities to serve along with town dwellers (Valladolid [166] 1293, art. 16 C). Rejecting the pleas of the Castilian towns at Burgos in 1345 (art. 16), Alfonso XI declared that no one was exempt, and that every native of the kingdom had a duty to serve; nor would he agree that he was bound by exemptions granted by previous kings, though he did acknowledge his own.

Although some towns were obliged to pay *fonsadera* if the king himself went to war, they tried to evade it by arguing that they should not have to pay it if they sent their contingents to the royal host.<sup>(75)</sup> Some towns had the right to retain the money, sharing it among the troops going to war.<sup>(76)</sup> Others were exempt altogether but complained that their privileges were not observed, especially during the royal minorities.<sup>(77)</sup> When the seaport towns of the Bay of Biscay protested to Alfonso XI that they should not have to pay *servicios* when they had to supply ships for his fleet, he promised only to consider the matter (Madrid 1329, art. 50-51).

The determination of the municipalities to maintain control over their internal life is also reflected in another area. The cortes often asked the king to give custody of castles and *alcazares* within municipal districts to townsmen, rather than outsiders, who sometimes used them as bases for criminal activity and rebellion.<sup>(78)</sup>

The municipalities saw clearly the twin dangers facing them. There was the threat, on one hand, of the steady erosion of their territory due to alienations by the crown to reward faithful servants or buy the allegiance of recalcitrant vassals. On the other hand, the loss of autonomy also loomed as the crown intruded more frequently into the appointment of municipal officials. The hints of danger perceived by the municipalities at this time would be realized in the later fourteenth and fifteenth centuries.

### **The Royal Domain**

As the municipalities endeavored to protect their own lands and rights, they also demanded that the crown exhibit greater care in recovering royal domain lands (*realengo*) acquired by the church or the nobility. The monarchs themselves tried occasionally to curb alienations or to repossess those already made. Thus, Fernando II, noted for his liberality, decided to review his donations in the *curia* of Benavente 1181. After Alfonso IX ascended the throne he undertook, on "the [167] judgment and sentence" of the *curia* of León 1188, to revoke his fathers charters alienating royal granaries and other rights. Looking to the future, Alfonso VIII of Castile, in the *curia* of Nájera 1184, enacted an ordinance prohibiting the alienation of royal lands to the church or to the nobility. In the *curia* of Benavente 1228, Alfonso IX similarly forbade ecclesiastics to acquire royal lands without prior consent.<sup>(79)</sup> The confirmation of these acts in the later cortes is indicative of their importance. The principle of inalienability was also established in the law codes, although kings often felt at liberty to ignore it.<sup>(80)</sup>

On the insistence of the cortes, the principles of nonalienation and recovery were affirmed on numerous occasions. Sancho IV promised the cortes of Palencia 1286 (art. 1,11) that he would recover royal lands alienated from the time of his uprising to the present. He evidently enacted a similar ordinance in the cortes of Burgos 1287, but at Haro 1288, he abandoned any attempt to recover royal lands already in the hands of others (art. 1-3) in return for a guaranteed tax for ten years.<sup>(81)</sup> The regents for Fernando IV pledged not to alienate any royal town and to recover alienations made since the cortes of Haro. The difficulties involved in trying to dispossess those in occupation were emphasized when the cortes insisted on the observance of the ordinance of Haro and on the obligation of nobles, clergy, Jews, and Moors who purchased royal lands to pay taxes on them.<sup>(82)</sup> The cortes of Valladolid 1307 (art. 23) proposed a radical change of policy when it called for the recovery of all royal lands alienated since the *curia* of Nájera in 1184. Fernando IV countered by arguing that his father had granted the clergy royal lands now in their possession, but he promised to take up the issue at the following Martinmas. There is no evidence that he did, though he later asserted that he would recover all alienations and forbade future acquisitions by the nobility or clergy (Valladolid 1312, art. 87). The regents for Alfonso XI made a similar pledge<sup>(83)</sup> but also agreed to allow the clergy to retain royal lands until the king came of age (Medina del Campo 1316). Ten years later, again at Medina, Alfonso XI confirmed that agreement, but he later ordered the recovery of lands acquired by the church since 1326.<sup>(84)</sup> He also promised not to alienate any royal towns.<sup>(85)</sup>

In spite of ordinances prohibiting alienation, and in spite of royal pledges to recover what had already been alienated, one is left with the impression that the royal domain suffered from a continual [168] hemorrhage. With the consequent depletion of revenues, the crown was forced to seek compensation by increasing demands for higher taxes, which evoked the insistent protest of the taxpayers. The pace of alienation, unfortunately, quickened measurably in the later fourteenth and fifteenth centuries.

### **The Administration of Justice**

The interest of the cortes in the administration of justice is suggested not only by enactments concerning the role of the king and other public officials in this respect, but also in its insistence on due process of law, adherence to proper procedure, and the maintenance of law and order. The principle of due process, asserted by Alfonso IX in the *curia* of León 1188, was affirmed repeatedly by later cortes to the effect that no one should be imprisoned, injured, condemned, or executed, or have his goods confiscated, until he had first been heard and judged according to law.<sup>(86)</sup> In the implementation of this principle the cortes demanded that two common procedures--the inquest and the taking of pledges--be used in accordance with appropriate legal norms.

The sworn inquest (*pesquisa*) was a governmental device employed to gather information concerning taxes due, alienations of royal lands, or exports of prohibited goods, and also to identify criminals.<sup>(87)</sup> The use of a closed, general inquest was condemned in the cortes of Palencia 1286 (art. 7) and many times thereafter; if the inquest were closed, the results would not be made known at once to those named therein, who thus would have no way of preparing their defense. As an ordinary rule, therefore, there would be no closed inquests; a general inquest could be carried out only on the order of the king and at the request of the people in certain cases. When completed, the text would be given to the affected parties who would then be heard and judged according to law.<sup>(88)</sup>

Pledges usually were taken to guarantee the appearance of a defendant in court, but the cortes prohibited anyone from taking a pledge without a judges authorization. Animals used for ploughing could not be taken if the defendant had other property; nor were pledges to be carried from one town to another. Before the goods thus attached were returned, the rights of a successful plaintiff had to be satisfied.<sup>(89)</sup>

The preservation of the peace was a matter of serious concern not only to the king but also to the cortes. In the *curia* of León 1188, [169] Alfonso IX promulgated a constitution for the suppression of crime and criminals. Sancho IV warned the towns and the military orders to be on their guard against thieves and other wicked men, such as *golfinos*, who preyed upon flocks of sheep.<sup>(90)</sup> During the royal minorities, armed gatherings of nobles and outright rebellion contributed greatly to criminal activity. Bands of criminals used fortresses as bases of operations. The prevalence of crime prompted the cortes to demand that the *adelantados* and *merinos* take all necessary measures to restore order.<sup>(91)</sup> The assembly of Carrión 1317 (art. 6) also pointedly reminded the regents of their responsibility to punish criminals. Alfonso XI, when he came of age, promised especially to do justice to those charged with crime (Madrid 1329, art. 22).

The inquest was commonly employed to identify criminals. *Pesquisidores* were appointed in each *merindad* to carry out inquests in criminal matters, and the *adelantados* were authorized to do so in cases of unexplained deaths and other crimes. Fernando IV asked municipal officials to send him a report on crimes, so the criminals thus identified could be tried by local authorities or brought to justice anywhere in the kingdom.<sup>(92)</sup>

The security of persons and their property and the inviolability of the household were guaranteed in the *curia* of León 1188 (art. 4, 11).<sup>(93)</sup> Ordinances enacted in the cortes severely punished those who threatened or injured people giving evidence or royal judges and other officials. Insults, blinding, slashing, robbery, killing, and similar crimes were punishable by fines, exile, confiscation, and execution, as were seizing another's animals or goods, or destroying trees, vineyards, or houses.<sup>(94)</sup> Vagabondage was prohibited as well as gambling, but laws regulating gaming establishments were drawn up in 1276.<sup>(95)</sup> Fines were levied in accordance with the *fueros*; in case of confiscation, the criminals' outstanding obligations had to be satisfied first.<sup>(96)</sup>

The crown occasionally pardoned criminals, but the cortes asked that pardons granted to habitual offenders be revoked and that others not be issued so easily in the future. Alfonso XI, on the other hand, acceded to a request that he extend a general pardon for all crimes, except treason and heresy, that had been committed up to the time he reached his majority.<sup>(97)</sup>

It is apparent that the men of the realm were assured in principle that the king would render justice to all, that due process of law would [170] be observed, and that everyone's house and property would be safeguarded. The complaints of the cortes make clear, however, that this ideal was seldom achieved. Not only were royal officials remiss in their administration of justice, particularly in the matter of inquests and the taking of pledges, but some of them, most notably the *adelantados* and *merinos*, failed to demonstrate the necessary toughness in dealing with criminals.

This overview of the substance of the *cuadernos* relating to government and administration reveals a great gap between theory and practice. The *Espéculo* and the *Partidas* outlined governmental structures and functions, but the principles and regulations found in the law books were not easily translated into actuality. A tension developed between the crown and the cortes due to the differing perceptions of what was beneficial to the king and the kingdom. While the king and his officials made every effort to enhance and expand royal authority, the estates were equally energetic in defending their privileges and regional customs, and in pointing out abuses, oppressive actions, and injustices attributable to officers of the royal court, territorial administrators, judges, and tax collectors. Several factors contributed to the difficulties of governing the realm justly, including the increased size of the royal bureaucracy (the consequence of the increased business of the crown), the peripatetic character of the court, the malice of some officials, and the ineffectiveness of some monarchs, which surely encouraged weakness and incompetence among their subordinates.

## A European Perspective

In other European realms, kings and parliaments were contending with comparable issues. Reacting against the influence of evil councillors, the Aragonese Union in the cortes of Zaragoza 1287 insisted on the right to approve persons appointed to the royal council. In England, too, the parliament of 1341 (repeating an earlier demand of the Ordinances of 1311) urged Edward III to appoint the chancellor and other principal officials in parliament and to require them to swear to uphold the law.<sup>(98)</sup>

The caliber and honesty of those entrusted with the administration of justice was also a common theme. The Aragonese cortes in 1283, 1287, 1301, 1347, and 1348 concerned itself with the role of the [171] justiciar, the judge responsible for adjudicating litigation involving his fellow nobles. The cortes of Zaragoza 1283 also demanded that judges be natives of Aragón and not susceptible to bribery; the use of the inquest was also condemned. The cortes of Barcelona 1283 was equally opposed to outside intrusion, insisting that Catalans be tried only in Catalonia, and then by honest judges.<sup>(99)</sup>

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### Notes for Chapter 9

1. Valladolid 1295, art. 3; Palencia 1313, art. 6 J, 3 M..
2. *Espéculo*, II.12-13; *Partidas*, II.9.5, 26.
3. Valladolid 1258, art. 7,16-17; Seville 1261, art. 2-3; Valladolid 1307, art. 12; Burgos 1308, art. 16; Valladolid 1312, art. 38, 88.
4. Valladolid 1307, art. 12; Madrid 1329, art. 23.
5. Valladolid 1298, art. 4; Medina del Campo 1302, art. 15; also Valladolid 1300, art. 11; Burgos 1304, art. 4; Nilda Guglielmi, "Posada y Yantar: Contribución al estudio del léxico de las instituciones medievales," *Hispania* 26 (1966): 5-40, 165-219.
6. Valladolid 1307 (art. 10), probably due to a copyists error, specified ten years, but Valladolid 1312 (art. 91) gave six.
7. Palencia 1313, art. 24J, 29M; Burgos 1315, art. 23; Carrión 1317, art. 27; Valladolid 1322, art. 99.
8. Valladolid 1325, art. 27; Alcalá 1348, art. 49; Valladolid 1325, art. 12 P.
9. Valladolid 1295, art. 10; 1307, art. 9; Palencia 1313, art. 12 J, 37 M; Burgos 1315, art. 12; Valladolid 1322, art. 36; 1325, art. 27.
10. Valladolid 1307, art. 11-12; 1312, art. 98; Madrid 1339, art. 30; Alcalá 1345, art. 14; 1348, art. 37.
11. Valladolid 1325, art. 30; Alcalá 1345, art. 14; 1348, art. 27.
12. Valladolid 1312, art. 35, 37; *Partidas*, II.9.15.
13. *Espéculo*, II.14.2-3; *Fuero real*, II.3.8; *Partidas*, II.16.1-4; Valladolid 1300, art. 13, 22; Medina del Campo 1305, art. 5; Burgos 1308, art. 20; Valladolid 1322, art. 101; Madrid 1329, art. 10.
14. Burgos 1308, art. 19-20, 22; Valladolid 1312, art. 76, 93.
15. Valladolid 1299, art. 7 L; Burgos 1308, art. 15; Valladolid 1312, art.1-26.
16. *Espéculo*, II.12.2; *Partidas*, II.9.4; Agustín Millares Carlo, "La cancillería real en León y Castilla hasta fines del reinado de Fernando III," *AHDE* 3 (1926): 227-306; Procter, "The Castilian Chancery during the Reign of Alfonso X, 1252- 1284," *Oxford Essays in Medieval History presented to Herbert E. Salter* (Oxford 1934), 104-121; Luis Sánchez Belda, "La cancillería castellana durante el reinado de Sancho IV (1284-1295)," *AHDE* 21-22 (1951-1952):

171-223.

17. Valladolid 1295, art. 8; 1299, art. 2; Palencia 1313, art. 10J, 19M; Burgos 1315, art. 9-10.
18. Valladolid 1293, art. 5L; 1299, art. 2; *Espéculo* IV.12.14; *Partidas*, II.9.7.
19. Valladolid 1295, art. 8-9; 1299, art. 5-6 L; 1307, art. 4; Filemón Arribas Arranz, "Los registros de cancillería de Castilla," *BRAH* 162 (1968): 171-200.
20. Burgos 1301, art. 1; Medina del Campo 130S, art. 2 CL.
21. Valladolid 1312, art. 9-18, 24-26, 29-30; *Espéculo*, II.12.6; IV.12.1-2, 5-7; *Partidas*, II.9.8, III.19.5.
22. Valladolid 1293, art. 15 M, 16 CLE; Palencia 1313, art. 10J, 18 M; also Valladolid 1312, art. 39; Madrid 1329, art. 30.
23. Valladolid 1293, art. 16 L, 17 C; 1299, art. 5 G; 1300, art. 4; Burgos 1301, art. 22; Zamora 1301, art. 8; Medina del Campo 1302, art. 3-4; 1305, art. 2,8, 11 C, 7 LE; Valladolid 1307, art. 3, 22, 32; 1312, art. 33-34, 80; Palencia 1313, art. 19M; Carrión 1317, art. 54; Valladolid 1325, art. 34P; Madrid 1329, art. 77; León 1345, art. 2. Benjamín González Alonso, "La fórmula 'Obedézcase pero no se cumpla en el derecho castellano de la baja edad media,'" *AHDE* 50 (1980): 469-487; José Luis Bermejo Cabrera, "La idea medieval de contrafuero en León y Castilla," *Revista de estudios políticos* 187 (1973): 299-306.
24. Valladolid 1295, art. 9; 1312, art. 42; Palencia 1313, art. 11 J; Burgos 1315, art. 11; Valladolid 1322, art. 35; 1325, art. 3; Madrid 1329, art. 33; 1339, art. 1.
25. Palencia 1286, art. 9; Medina del Campo 1302, art. 15 LE; Valladolid 1307, art. 5; 1322, art. 8; 1325, art. 5; Madrid 1329, art. 31; also Valladolid 1298, art. 6; 1299, art. 2 G; Medina del Campo 1305, art. 7 C; Palencia 1313, art. 19 M; Madrid 1329, art. 87.
26. Medina del Campo 1302, art. 14 L; 1318, art. 12, 15; Miguel Angel Pérez de la Canal, "La justicia de la corte de Castilla durante los siglos XIII al XV," *HID* 2 (1975): 383-481.
27. *Espéculo*, IV.2.12; *Partidas*, III.3.5; Ordinance of Zamora 1274, art. 46; Aquilino Iglesia Ferreirós, "Las cortes de Zamora de 1274 y los casos de corte," *AHDE* 41 (1971): 945-972.
28. Seville 1264, art. 10; Valladolid 1293, art. 13 M, 14 LE; Burgos 1301, art. 7; Zamora 1301, art. 12. See also the Ordinance of Zamora, art. 27; Medina del Campo 1305, art. 22; 1318, art. 17-18; Madrid 1339, art. 6; Burgos 1345, art. 7.
29. Valladolid 1258, art. 8; Seville 1261, art. 13; Zamora 1274, art. 42-44.
30. Medina del Campo 1305, art. 15-16 C; Valladolid 1307, art. 1; 1312, art. 1, 46; Madrid 1329, art. 1, 76; 1339, art. 22; León 1345, art. 21; Alcalá 1348, art. 23.
31. *Espéculo*, IV.2.1-3; *Partidas*, II.9.18, III.4; Valladolid 1293, art. 4 C; 1307, art. 2; Palencia 1313, art. 8M, 19J; Burgos 1315, art. 19; Carrión 1317, art. 5; Valladolid 1322, art. 9; 1325, art. 2; Madrid 1329, art. 2.
32. Zamora 1274, art. 17; Valladolid 1293, art. 20 C; Zamora 1301, art. 1; Valladolid 1307, art. 1-2; Madrid 1329, art. 4.
33. Valladolid 1312, art. 3,5,46; Medina del Campo 1318, art. 21.
34. Valladolid 1258, art. 18; Seville 1261, art. 14; Zamora 1274, art. 24, 33-34; Valladolid 1312, art. 4; Palencia 1313, art. 19J; Burgos 1315, art. 19; Valladolid 1322, art. 2; 1325, art. 2; Madrid 1329, art. 2; Ordinance of Villarreal 1346, art. 1-2; Ordinance of Alcalá 1348, XX.1.2.

35. Valladolid 1298, art. 7; 1299, art. 2 G, 8 L; 1300, art. 6.
36. Valladolid 1293, art. 9 LE, 14 C; 1300, art. 6; Palencia 1313, art. 8 M, 19J; Burgos 1315, art. 19; Valladolid 1318, art. 21; 1325, art. 2.
37. *CAX*, 23-25, 40, pp. 19-24, 30-31.
38. *Espéculo*, IV.2.11; *Partidas*, II.9.19, III.23.17-20; Valladolid 1312, art. 29, 78; Ordinance of Alcalá 1348, XIII and XIV.
39. Seville 1252, art. 35; 1253, art. 1 L; Valladolid 1295, art. 13; 1299, art. 14 L.
40. Valladolid 1258, art. 9; Seville 1264, art. 17; Zamora 1274, art. 16-17, 22-34,47; Valladolid 1312, art. 45; Alcalá 1348, art. 40; *Espéculo*, IV.2.7; *Partidas*, III.4.7-8, 12.
41. Zamora 1274, art. 18, 36-39,41; Valladolid 1299, art. 8 L; 1307, art. 3; 1312, art. 5-6,8,11,40; Carrión 1317, art. 23-24; Valladolid 1322, art. 12-13; Ordinance of Alcalá 1348, XV.
42. Seville 1252, art. 16; Zamora 1301, art. 29.
43. Seville 1252, art. 37; 1253, art. 60 L; Valladolid 1258, art. 38; Seville 1261, art. 26; Zamora 1274, art. 1-16; Valladolid 1312, art. 23, 27-28; Madrid 1329, art. 32; *Espéculo*, IV.9; *Fuero real*, I.9.2; *Partidas*, III.6; Ordinance of Alcalá 1348, III.
44. Valladolid 1312, art. 48, 51-58; also *Epéculo*, II.13.5; *Partidas*, II.9.20; Zamora 1274, art. 30; Palencia 1313, art. 18J; Burgos 1315, art. 34; Carrión 1317, art. 25; Valladolid 1322, art. 66; Madrid 1329, art. 5-10; Alcalá 1348, art. 28; Ordinance of Alcalá 1348, XX.3.6.
45. *Espéculo*, II.13.4-5, IV.3.1-7, 11-13, 18; *Leyes para los Adelantados mayores*, in *Opúsculos legales*, II, 173-177; *CAX*, 25, p.21; Palencia 1311, art. 2; Ordinance of Alcalá 1348, XX.7.9; Rogelio Pérez Bustamante, *El gobierno y la administración territorial de Castilla (1230-1474)* (Madrid 1976), I, 48- 57, 63- 71, 200-202, 299-301.
46. Burgos 1301, art. 5; 1308, art. 14; Valladolid 1312, art. 60; Palencia 1313, art. 5,21 J; Burgos 1315, art. 20; Carrión 1317, art. 28; Valladolid 1322, art. 49; Madrid 1329, art. 11, 19, 21; 1339, art. 16; León 1345, art. 4.
47. Seville 1253, art. 19 L; González, *Alfonso IX*, II, nos. 11-12, 84-85, pp. 23-28, 125-129.
48. Valladolid 1312, art. 68, 79-80; 1322, art. 50; 1325, art. 16; Madrid 1329, art. 78-79; also Carrión 1317, art. 28.
49. Seville 1253, art. 14, 20 L; Palencia 1286, art. 8; Valladolid 1293, art. 6 C; Medina del Campo 1305, art. 8; Valladolid 1307, art. 36 (Vitoria); 1312, art. 65, 79; 1325, art. 16; 1325, art. 13 P; Madrid 1329, art. 14; Alcalá 1348, art. 15; also Valladolid 1299, art. 12; 1300, art. 15; Palencia 1311, art. 6 (nobles); Burgos 1315, art. 37.
50. Seville 1253, art. 10, 15 L; Valladolid 1298, art. 10; 1312, art. 63, 67; Madrid 1329, art. 12, 15-17; 1339, art. 7,9; León 1345, art. 4.
51. Seville 1253, art. 15-17 L; Palencia 1286, art. 8; Valladolid 1312, art. 59, 61-62, 64, 66, 69, 71-72, 75; Palencia 1313, art. 5,21,41 J; Burgos 1315, art. 20, 35; Carrión 1317, art. 48-49; Valladolid 1322, art. 17, 49; Madrid 1329, art. 11, 18-20.
52. Valladolid 1298, art. 12; Medina del Campo 1305, art. 1,17 C, 3 E; Valladolid 1307, art. 31 (Vitoria); 1312, art. 92; 1325, art. 36.
53. Cuéllar 1297, art. 3-7; Valladolid 1298, art. 1-2; 1300, art. 1-2, 24, 27; Burgos 1301, art. 15, 21; Zamora 1301, art. 2, 7, 24.

54. León 1188, González, Alfonso IX, II, no. 11, p. 25; Seville 1253, art. 2 L; Valladolid 1307, art. 27; Palencia 1313, art. 23J; Burgos 1315, art. 22; Valladolid 1322, art. 52; 1325, art. 21; Madrid 1329, art. 75
55. Valladolid 1299, art. 11; Burgos 1301, art. 9; Zamora 1301, art. 3; Medina del Campo 1302, art. 15; 1305, art. 10 L; Valladolid 1307, art. 8; Burgos 1308, art. 7-8; Palencia 1311, art. 4 (nobles); Valladolid 1312, art. 89; Palencia 1313, art. 42J, 32,46 M; Burgos 1315, art. 50; Carrión 1317, art. 34; Medina del Campo 1318, art. 22-23; Valladolid 1322, art. 39, 78-80, 89; 1325, art. 17; Madrid 1329, art. 70, 74.
56. Valladolid 1312, art. 79-80; Carrión 1317, art. 28; Madrid 1339, art. 16; León 1345, art. 4; Salustiano Moreta, *Malhechores feudales: Violencia, antagonismos y alianzas de clases en Castilla, Siglos XIII-XIV* (Madrid 1978), 58-59.
57. Seville 1250; Palencia 1286, art. 11-12; Valladolid 1293, art. 3 E; 1295, art. 6; Zamora 1301, art. 17, 26; Medina del Campo 1302, art. 21 L; 1305, art. 21 (Salinas de Añana); Valladolid 1307, art. 14; Burgos 1308, art. 4-5,47; Palencia 1313, art. 9J, 14M; Burgos 1315, art. 8; Valladolid 1322, art. 31-32, 34; 1325, art. 7; Madrid 1329, art. 46-48; 1339, art. 24, 29.
58. Medina del Campo 1305, art. 4,10 E, 13 C; Valladolid 1307, art. 15, Burgos 1308, art. 4; Madrid 1329, art. 9.
59. Palencia 1286, art. 2; Valladolid 1293, art. 2-3 LEM; Palencia 1313, art. 14J, 41M; Burgos 1315, art. 14, 49; Valladolid 1322, art. 77; 1325, art. 18; Madrid 1329, art. 69.
60. Valladolid 1307, art. 29; Palencia 1313, art. 38M; Burgos 1315, art. 45; *CAX*, 23-24, pp. 19-21.
61. Palencia 1286, art. 2; Valladolid 1307, art. 25.
62. Valladolid 1298, art. 8; Medina del Campo 1305, art. 1 E, 3 L, 4 C; Valladolid 1307, art. 7; 1312, art. 82; Palencia 1313, art. 8J, 29M; Burgos 1315, art. 7; Medina del Campo 1318, art. 20; Valladolid 1322, art. 27, 87; Madrid 1329, art. 79; Alcalá 1348, art. 11.
63. Palencia 1286, art. 4; Valladolid 1293, art. 4 LEM; Zamora 1301, art. 6; Medina del Campo 1302, art. 18; 1305, art. 5 L; Valladolid 1307, art. 13; 1312, art. 81, 97; Palencia 1313, art. 8, 22 J, 23 M; Burgos 1315, art. 21; Carrión 1317, art. 28-29; Valladolid 1322, art. 51; 1325, art. 11; Madrid 1329, art. 66.
64. Agustín Bermúdez Aznar, *El corregidor en Castilla durante la baja edad media, 1348-1474* (Madrid 1974).
65. Seville 1252, art. 35; 1253, art. 17; Medina del Campo 1305, art. 9 L; Valladolid 1312, art. 48.
66. Valladolid 1293, art. 13 M, 14 LE; Burgos 1301, art. 7; Zamora 1301, art. 12; Medina del Campo 1318, art. 18; also Palencia 1313, art. 43 J; Burgos 1315, art. 36; Carrión 1317, art. 26, 37; Valladolid 1322, art. 28.
67. Valladolid 1293, art. 6 LEM, 13, 22 C; 1299, art. 10-12 G; Palencia 1313, art. 47 M; Burgos 1315, art. 48; Medina del Campo 1318, art. 20.
68. Valladolid 1293, art. 5 LEM, 19 C; Zamora 1301, art. S; Medina del Campo 1302, art. 18 L; 1305, art. 4 L, S E, 6 C; Valladolid 1307, art. 20; 1312, art. 49; Palencia 1313, art. 15 J; Burgos 1315, art. 15; Valladolid 1322, art. 42; 1325, art. 12. Also *Fuero real*, I.8.1-7; *Espéculo*, IV.12.3, 8-10.
69. Valladolid 1293, art. 5 E; 1299, art. 6 G; Medina del Campo 1302, art. 17-18E; 1305, art. 4 L, 5 E, 6 C; Burgos 1308, art. 27; Madrid 1329, art. 43.
70. *Espéculo*, IV.12.54-60; *Fuero real*, I.8.1; Valladolid 1293, art. 5 LEM, 19 C; Zamora 1301, art. 5; Valladolid 1325, art. 12.

71. Medina del Campo 1305, art. 4 L; Valladolid 1307, art. 20.
72. Burgos 1301, art. 17; Zamora 1301, art. 2,17; Burgos 1315, art. 51; Valladolid 1322, art. 93.
73. MHE, I, nos. 43-45, pp. 89- 100; Ureña, *Fuero de Cuenca*, 861- 862; Loperráez, *Osma*, III, nos. 60-61, pp. 86-18S; Layna Serrano, *Atienza*, 503-504.
74. Ubieto Arteta, *Cuéllar*, no. 21, pp. 60-66; Iglesia Ferreirós, "Privilegio general concedido a las Extremaduras," 460-477; Palacio, *Madrid*, I, 85-92; MHE, I, nos. 91, 202, pp. 202-203, 224-226; Valladolid 1293, art. 10 E.
75. Palencia 1286, art. 5; Carrión 1317, art. 9; Ubieto Arteta, *Cuéllar*, no. 54, pp. 121-122.
76. Valladolid 1293, art. 11, 12 LE; Carrión 1317, art. 25; Medina del Campo 1318, art. 13; Valladolid 1322, art. 83; Madrid 1329, art. 49; Ubieto Arteta, *Cuéllar*, no. 54, pp. 121-122; AM Cuenca, legajo 2, no. 12.
77. Valladolid 1293, art. 3 G; 1300, art. 12; Burgos 1301, preamble; Zamora 1301, art. 30; Medina del Campo 1302, art. 16 L; Valladolid 1307, art. 34 (Vitoria); Carrión 1317, art. 9; Valladolid 1322, art. 84; Madrid 1329, art. 49; 1339, art. 33; Alcalá 1348, art. 46.
78. Valladolid 1293, art. 3 C; 1295, art. 11; Burgos 1301, art. 9; Valladolid 1307, art. 21; Palencia 1313, art. 13J, 15, 17, 22, 33 M; Burgos 1315, art. 13; Carrión 1317, art. 32; Valladolid 1322, art. 37-38; 1325, art. 6; Madrid 1329, art. 39; 1339, art. 10; *Espéculo*, II.7.
79. González, *Fernando II*, no. 41, pp. 305-307; *Alfonso IX*, II, no. 662, pp. 737-738; "Sobre la fecha de las cortes de Nájera," *CHE* 61-62 (1977): 357-361; OCallaghan, "Una nota sobre las llamadas cortes de Benavente," *Archivos Leoneses* 37 (1983): 97-100.
80. Haro 1288, art. 13; Valladolid 1299, art. 7; Zamora 1301, art. 13; Valladolid 1307, art. 23; *Espéculo*, II.5.1, V.11.33; *Partidas*, II.15.5; *Castigos e Documentos*, 11, 14, pp. 114, 119.
81. Gaibrois, *Sancho IV*, III, no. 173, pp. civ-cv; Mañueco Villalobos and Zurita Nieto, *Santa María la mayor de Valladolid*, II, no. 94, pp. 122-124; Valladolid 1293, art. 17 C; 1300, art. 21; Zamora 1301, art. 4.
82. Valladolid 1295, art. 7; Cuéllar, 1297, art. 3; Valladolid 1298, art. 9; 1299, art. 7; 1300, art. 21; Burgos 1301, art. 6; Medina del Campo 1305, art. 12 C; Valladolid 1307, art. 8.
83. Palencia 1313, art. 3 J, 9,50 M; Burgos 1315, art. 2,54; Valladolid 1322, art. 2,81.
84. Ubieto Arteta, *Cuéllar*, nos. 71-72, pp. 156-159 (1316); López Ferreiro, *Historia*, VI, nos. 14-15, pp. 61-72 (1326); Serrano, *Covarrubias*, nos. 157-158, pp. 185-186 (1339); Valladolid 1325, art. 10, 20; Madrid 1329, art. 38; Burgos 1345, art. 9.
85. Zamora 1301, art. 4; Palencia 1313, art. 43 M; Burgos 1315, art. 46; Valladolid 1322, art. 29-30, 31, 33, 96-99, 102.
86. González, *Alfonso IX*, II, no. 11, pp. 23-24; Palencia 1286, art. 7; Haro 1288, art. 22; Valladolid 1299, art. 1 G, 3 L; 1300, art. 26; Burgos 1301, art. 4, Zamora 1301, art. 8,19; Valladolid 1307, art. 30; Palencia 1313, art. 14,41,43 J, Burgos 1315, art. 35-36; Carrión 1317, art. 68; Valladolid 1325, art. 3, 8,16, 26; Burgos 1345, art. 13.
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1322, art. 67; 1325, art. 31; Madrid 1329, art. 62, 88.

89. Seville 1252, art. 34, 36; 1253, art. 6,18, 21, 58, 60; 1261, art. 18; Haro 1288, art. 23; Valladolid 1298, art. 2; 1299, art. 10; Burgos 1301, art. 3-4; Medina del Campo 1302, art. 16E, 19L; 1305, art. 5E, 13 L; Valladolid 1307, art. 26; 1312, art. 70; Burgos 1315, art. 48; Carrión 1317, art. 48-49; Valladolid 1322, art. 76; *Fuero real*, III.19.2, 5.

90. González, *Alfonso IX*, II, no. 12, pp. 25-28; Valladolid 1293, art. 10 LEM.

91. León 1188, art. 5; Seville 1253, art. 2 L; Valladolid 1298, art. 12; Zamora 1301, art. 16, 31; Medina del Campo 1305, 1, 17 C, 3 E; Valladolid 1307, art. 29; 1312, art. 93; Palencia 1313, art. 23J; Burgos 1315, art. 22; Medina del Campo 1318, art. 20, 22-23; Valladolid 1322, art. 52; 1325, art. 21,36; Madrid 1329, art. 75.

92. León 1194, González, *Alfonso IX*, II, no. 84, p. 128; Valladolid 1298, art. 3; 1312, art. 47, 72; 1322, art. 100; *Libro de los fueros de Castilla*, ed. Galo Sánchez (Barcelona 1981), 118; *Fuero real*, II.8.3.

93. González, *Alfonso IX*, II, no. 11, p. 25; Seville 1253, art. 4 L; Burgos 1308, art. 6.

94. Seville 1253, art. 4-5,7,9, 11-13, 23-24L; Seville 1264, art. 5; Jerez 1268, art. 38; Zamora 1301, art. 16; Burgos 1308, art. 21.

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96. Seville 1253, art. 19 L; Valladolid 1293, art. 14 C, 16-18 M, 17-19 LE; Valladolid 1325, art. 35.

97. Zamora 1301, art. 28; Burgos 1308, art. 24; Valladolid 1312, art. 26, 31, 77; Palencia 1313, art. 8 M; Madrid 1329, art. 71-72; Burgos 1345, art. 20; María Inmaculada Rodríguez Flórez, *El perdón real en Castilla: Siglos XIII-XVIII* (Salamanca 1971).

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