

# PERIPHERAL AGENTS OF ROYAL JUSTICE IN THE SMALL FRONTIER TOWNS OF THE ALTO ALENTEJO IN THE 15<sup>TH</sup> AND 16<sup>TH</sup> CENTURIES (*JUÍZES DE FORA* IN ACTION)

Adelaide Millán da Costa

UAb IEM, NOVA FCSH

E-mail: [adelaide.Costa@uab.pt](mailto:adelaide.Costa@uab.pt)

ORCID: [0000-0001-9335-9386](https://orcid.org/0000-0001-9335-9386)

## ABSTRACT

The aim of this article is to evaluate the action and mobility of the *juízes de fora* in and towards the small towns located in the border area of Alto Alentejo in the 15<sup>th</sup> and 16<sup>th</sup> centuries. It thus forms part of an area of research which, despite having already acquired classic status, continues to grow and is the subject of renewed perspectives of approach: the process of granting greater effectiveness to the peripheral administration of the crown throughout the Middle Ages and early modern period. The problem will be analysed at a focal point delimited in terms of the territory of the kingdom, but the mechanisms and agents will be studied. Ultimately, the peripheral magistrates of the crown interest us because they (also) contribute to the study of the links and flows between the various localities in this area.

KEYWORDS: peripheral administration of the crown, small towns, political links and flows.

AGENTES DE LA JUSTICIA REAL PERIFÉRICA EN LAS PEQUEÑAS CIUDADES FRONTERIZAS DEL ALTO ALENTEJO EN LOS SIGLOS XV Y XVI (*JUÍZES DE FORA* EN ACCIÓN)

## RESUMEN

El objetivo de este artículo es evaluar la acción y la movilidad de los *Juízes de fora* en y hacia las pequeñas ciudades situadas en la zona fronteriza del Alto Alentejo en los siglos xv y xvi. Se inscribe así en un ámbito de investigación que, pese a haber adquirido ya categoría de clásico, sigue creciendo y es objeto de renovadas perspectivas de abordaje: el proceso de otorgamiento de mayor eficacia a la administración periférica de la corona a lo largo de la Edad Media y comienzos de la Edad Moderna. El problema se analizará en un punto focal delimitado en cuanto al territorio del reino, pero se estudiarán los mecanismos y los agentes. En última instancia, las magistraturas periféricas de la corona nos interesan porque (también) contribuyen al estudio de los vínculos y flujos entre las distintas localidades de esta zona.

PALABRAS CLAVE: administración periférica de la corona, pequeñas villas, enlaces y flujos políticos.



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## INTRODUCTION<sup>1</sup>

The objective of this article is to assess the activity and the movement of the *juízes de fora* (judges appointed by the Crown from outside the municipality) in the small towns<sup>2</sup> located along the border region of the Alto Alentejo during the 15<sup>th</sup> and 16<sup>th</sup> centuries. The towns considered herein are located in the region encompassed by the Frontowns project, and include Alegrete, Alpalhão, Arronches, Assumar, Campo Maior, Castelo de Vide, Marvão, Monforte, Montalvão, Nisa, Ouguela, and Portalegre.

The distinct relationship that these peripheral agents of the Crown established with each of the towns under study can be perceived both in light of jurisdictional control over the localities, and of a pre-existing hierarchy of townships, which, throughout this period became increasingly more pronounced. The settlements which were under the jurisdiction of the Order of Christ (Alpalhão, Montalvão, and Nisa) were exempted from the action of these magistrates. The remaining towns came under the authority of the *juízes de fora* appointed by the king. These towns had varying degrees of connection between each other, including the two that were recurrently under the dominion of the House of Bragança<sup>3</sup> (Monforte and Assumar). Thus, throughout the period under analysis (roughly a century), some towns had their own external magistrate, while other towns shared a *juiz de fora*, and later on had an *ouvidor* (inspector) who also served as *juiz de fora* in another locality.

What is known about the duties of these agents of the Crown derives from two types of sources whose data are not always chronologically consistent: on one hand, the tasks of the *juízes de fora* can be gleaned from the rules stated in the legislation, and on the other hand, from documents pertaining to administrative practices. In this text, we will use both types of sources, and we will offer a brief synthesis that greatly benefits from both older and more recent studies developed by Portuguese historiography.

The exact chronology of this article results from cross-referencing two distinct variables: firstly, the availability of data and its prior analysis in other studies; secondly, the changes observed in the functioning of the judicial system in the periphery. Thus, the 15<sup>th</sup> and 16<sup>th</sup> centuries (as mentioned in the title) are narrowed down to the period between 1440 and 1533. In 1440 the first reference appears to a *juiz de*

<sup>1</sup> This article is funded by national funds through FCT – Foundation for Science and Technology, I.P., within the scope of Project: FRONTOWNS – Think big on small frontier towns: Alto Alentejo and Alta Extremadura leonesa (13th – 16th centuries) – PTDC/HAR-HIS/3024/2020, DOI 10.54499/PTDC/HAR-HIS/3024/2020 (<http://doi.org/10.54499/PTDC/HAR-HIS/3024/2020>). Handwritten and printed sources are first cited in full, and in subsequent notes, previously specified abbreviations are used.

<sup>2</sup> The coeval designation of town is used, which depends more on jurisdictional criteria and less on economic and social criteria. A town will be a municipality with a terminus, expressly designated as such by the monarch, but this does not imply criteria of urbanity in principle related to them.

<sup>3</sup> The most important Portuguese manorial family, related to the royal family.

*fora* appointed to the frontier towns of Alto Alentejo during the reign of Afonso V (1438-1481); from this period onwards, we begin to have the systematization and interpretation of information. The year of 1533 coincides with the creation of two *comarcas* (judicial districts) –Portalegre and Elvas– which would henceforth incorporate the towns under study, two of the five into which the region of *Entre Tejo e Odiana* was subdivided (Dias, 1996: 229-230 and 231). A reform of the *comarcas* divided the former six large medieval districts into 28 regions akin to *almoxarifados* (fiscal-administrative jurisdictions), and was carried out mainly between 1532 and 1533, as previous *corregedores* (royal magistrates who were in charge of the *comarcas*) reached the end of their terms or were dismissed, as Alves Dias explained (1996: 197-238). The territorial boundaries of these new districts were subject to certain changes later on, but there were no alterations to the towns of the *comarcas* of Portalegre and Elvas (Dias, 1996: 197-238). Although this reform did not directly affect the *juízes de fora*, it is clear that the larger number of districts resulted in smaller ranges of judicial supervision, which in turn provided more opportunities for advancement in the *cursus honorum* of these officials and, led to changes in the relationship between external magistrates and the new *corregedor*.

The mobility of the *juízes de fora* can be analyzed from two perspectives: in the ambit of this specific region, and in terms of the Portuguese kingdom. That is, firstly, the study explores, within a defined area, how the Crown monitored the territory and its populations through the actions of these peripheral agents. Secondly, it places the mandates carried out by the *juízes de fora* in the frontier towns of Alto Alentejo within the broader context of their professional careers. It becomes clear that we are considering the concept of mobility both as physical movement through space, and as career progression within the Crown's officialdom.

Ultimately, an analysis of the mobility of royal magistrates in the frontier region of Alto Alentejo, the effect their mandates had in this territory reveals a hierarchization of urban centers from the perspective of the Crown. While this hierarchization implied a degree of instability and violence in medieval terms, in modern terms it is a measure of the intrinsic importance of a town.

We will use the medieval and early modern archetype of the *juiz de fora* to structure this article in two parts; it is not a simplistic, black-and-white analysis of the external magistrates, but rather a suitable way to explicate the content. Undoubtedly, there are elements of continuity in institutional structures during this transitional period, but we can also observe stages of accelerated change – a phrase we prefer over “differential fractures” (Subtil, 1999: 320) or schisms – which marked the end of the Middle Ages and the beginning of the Modern Era (Magalhães, 1998: 8; Dias, 1998: 7-10).

According to current knowledge, there appears to have been a qualitative leap which began as early as the reign of King Manuel I (1495-1521) (Duarte, 2023: 27) and would become consolidated during the reign of King João III (1521-1557). We have symbolically used the year of 1495 as the chronological reference point for the presentation of the data.

## 1. THE *JUÍZES DE FORA* IN THE MIDDLE AGES (1440-1495)

We announced in the introduction that we would follow two approaches to understanding the *juízes de fora*, using both normative documents and those that were produced from actual practice. However, when addressing the period in which the first reliable references to this office emerge, it is impossible to structure the text with a prior exposition of legislative guidelines followed by confirmation –or refutation– of their implementation. In the 1330s and 1340s, the Crown began implementing a policy of territorial control over the kingdom (another moment of accelerated change), as evidenced by the proliferation of peripheral royal agents –*corregedores* and *juízes de fora*– as well as the creation of specialized officials for local governance (Coelho, 2023: 4-9; Coelho & Magalhães, 2008: 10-12; Costa, 2018: 51-55). Unlike the case of the *corregedores*, for whom several *regimentos* (administrative manuals) from the 1330s have survived (Serejo et al., 2023: 94), no similar set of rules for the *juízes de fora* have survived to our days.

It was not until the *Ordenações Afonsinas* were issued in 1446 that *juízes de fora* were mentioned in statutory law, whereas previously they had only appeared in records from the royal chancery, court rulings, and grievances brought to the *Cortes* by municipal councils. As stated in Book I of the *Ordenações*, whenever an external magistrate was appointed to a town or city, the locally elected judges would cease their duties, whereby the royal official assumed those same functions. In the aforementioned ordinances, this brief clarification precedes the transcription of a letter from King João I (1385-1433) in which he attempts to resolve a problem of widespread violence in the district of Beira using *juízes de fora*, granting them broader powers and a wider territorial jurisdiction. Consequently, the king appointed *juízes de fora* to the main towns and cities of the district, who, apart from the usual duties of a judge, now exercised control over a broader territory; this territory was defined by royal charter and included several settlements where the elected judges did remain in place. King João I's directive is very clear: the major issue in the region was that in lands donated to nobles, the judges, bailiffs, *ouvidores* (inspectors), and notaries were not enforcing justice, and the population was suffering from violence, a situation that this measure was intended to rectify. The *juízes de fora* were to arbitrate criminal and civil cases arising from the crimes of nobles, ensure that the officials involved in these cases fulfilled their duties, and monitored any infractions committed by nobles. The law specified that the administration of justice remained the responsibility of the *corregedores*; however, if the *juízes de fora* were already handling a case, they were to finish it. The *corregedores* were to supervise the *juízes de fora*. It was explicitly stated that all privileged lands were subject to the authority of the *juízes de fora*, regardless of any prerogatives granted by the monarch or his predecessors<sup>4</sup>. Since the chapters of the nobility of 1397-98 already mention these *juízes de fora* with extended territorial powers, even if not limited to the Beira district (Costa, 2018: 55-59), this measure

<sup>4</sup> *Ordenações Afonsinas* (1984), Livro I, Título xxv, p. 155.

must have been implemented earlier by king João I. And that is all that was stipulated in medieval legislation regarding the functions of the *juízes de fora*.

A systematic study of the *juízes de fora* in the reign of Afonso V has already been carried out (Duarte, 1993: 186-195; Faria, 2023: 123-158), and the magistrates who served during the reign of João II have been identified, mainly by using the records from the Royal Chancelleries, but also the *Corpo Cronológico* and the *Gavetas*<sup>5</sup>. However, we do not know how representative the number of officials known is in relation to those who actually held office. Diogo Faria established an irrefutable link between years in which no *juízes de fora* were appointed during the reign of Afonso V, and years for which there are no extant Chancellery books (Faria: 2023: 134-135). Thus, as municipal and district archives continue to be reviewed, a few more of these agents of the Crown are being discovered.

It is known that *juízes de fora* did not always live up to their title, as there were cases throughout the Middle Ages in which they actually resided in the city or town to which they were appointed (Coelho, 2023: 6). However, more often than not, these magistrates were outsiders to the communities, were not involved in the local power dynamics, and replaced elected judges (Coelho, 2023: 1-15; Costa, 2023; Duarte, 2023: 17-31; Faria, 2023: 123-158). The length of their mandates was not fixed and could last one, two, three years, or be indefinite. After some oscillations, by the mid-15<sup>th</sup> century their remuneration became more consistent, generally amounting to 12,000 *reais*. As for their academic background, it is worth noting that only 9.7% of the judges identified for the reign of Afonso V held licentiate degrees, bachelor degrees, or were students of law or canon law (Duarte, 1993: 245-247; Faria, 2023: 129-158).

The two main features of these royal agents were: they came from outside the community (with some exceptions), and they received all, or part of their salary at the expense of the municipal councils. Specifically related to the subject of this article are the conclusions of Diogo Faria that are displayed in the map drawn by Gonçalo Melo da Silva (Silva: 2023: 234), which highlights the frontier-oriented character of the majority of the urban centers (Alto Minho, Alentejo, Algarve, and Beira Alta) to which *juízes de fora* were appointed by Afonso V (Faria, 2023:136)<sup>6</sup>.

<sup>5</sup> Cf. JUSCOM project database <https://iem.fcsh.unl.pt/recursos/bases-de-dados/>. The project's final data was presented at the colloquium Justice and Communities (1481-1580). Outputs of the JUSCOM project evaluated in an Iberian context, held in Lisbon on December 9, 2015.

<sup>6</sup> It should be noted that the research carried out within the scope of the Frontowns project, focused on the Upper Alentejo region, has made it possible to increase the number of known *juízes de fora*; this is evident in the discrepancy between the data shown on the map relating to appointments during the reign of King João II (Silva, 2023: 234) and the figures presented in the table included in this article.

## 1.1. MEDIEVAL JUÍZES DE FORA IN THE BORDER AREA OF ALTO ALENTEJO (1440-1495)

Let us focus on the scant data that has survived for the border region of Alto Alentejo during the reigns of Afonso V and King João II.

Royal intervention in the towns of this region throughout the Middle Ages, in the form of the appointment of *juízes de fora*, was probably neither homogeneous nor particularly intense. We have organized the existing data in the table I.

TABLE I. TOWNS OF ALTO ALENTEJO TO WHICH *JUÍZES DE FORA* WERE APPOINTED (1440-1495)

Towns	Years in which the <i>juiz de fora</i> carried out functions
Portalegre	1440, 1456 (shared), 1463 (shared with Estremoz) 1473, 1482
Castelo de Vide	1461, 1467
Marvão	1455 <sup>5</sup> , 1456 (shared with Portalegre)
Arronches	1456 (shared with Portalegre)
Alegrete	1456 (shared with Portalegre)

Taking into account the general context of the kingdom, as Diogo Faria states, only Portalegre, (to which five *juízes de fora* are known to have been appointed between 1440-1495), recorded figures higher than most other cities and towns, which typically saw only one or two such nominations. Nevertheless, Portalegre ranked below Serpa and Évora (each with eight appointments), Tavira (ten), Estremoz (eleven), and Elvas (fourteen). Although we should exercise caution regarding how representative the documented appointments really were, it is evident that the attention given to these centers was not fortuitous.

When attempting to detect chronological correlations in the appointment of *juízes de fora* in the towns that had the most intervention of the Crown, we find considerable variability, with more appointments in certain years. Diogo Faria wrote that it is not possible to establish a direct connection between the appointment of *juízes de fora* and the kingdom's political context, as the nominations are better explained by the internal life of the urban centers (Faria, 2023:135). Let us now present two examples –one that may have been driven by exogenous factors, and another that was surely influenced by internal factors internal of the urban center.

Between 1440 and 1442, records mention 13 *juízes de fora* appointed across the kingdom, with particular relevance for the border region of the Alentejo and the area controlled by D. Afonso of Braganza. When D. Pedro became regent, the opposition of the Prior of Crato and Afonso of Bragança, as well as the position taken by Queen D. Leonor, both in Portugal and in Castile, may help to partially explain the geographical distribution of these appointments (Moreno: 1973: 3-96, 149-173). The appointment of a *juiz de fora* to Portalegre may have taken place within this context.

The reasons for the appointment of a *juiz de fora* to Castelo de Vide in 1461 appear to have been strictly internal, stemming from an uprising that took place after Afonso V granted the jurisdiction of that town to the *alcaide*, Vasco

Martins de Melo, on January 9, 1460. The town again came under royal control on February 9, 1461, but instability persisted as a result of the *alcaide*'s authority to appoint notaries, a dispute that was only resolved by a court ruling in 1462. In other words, at the height of the conflict, the magistrate was sent to Castelo de Vide (Oliveira, 2011: 115-117).

TABLE II. *JUÍZES DE FORA* APPOINTED TO THE TOWNS OF THE ALTO ALENTEJO (1440-1495)\*

DATE OF APPOINTMENT AND DURATION OF MANDATE**	<i>JUIZ DE FORA</i>	TOWN	REFERENCE
1440. 6. 28 (not indicated)	Gonçalo Botelho, squire, vassal of the king	Portalegre	***
1455?. 7. 10. (not indicated)	Fernão Álvares Portocarreiro, vassal and servant of the king	Marvão	CAV, 15: 174.
1456.9.28. (3 years)	Pero da Cruz, usher of the Royal Study	Portalegre Arronches Alegrete	CAV, 13: 35
1456.10.7 (3 years)		Marvão	
1461 (a year?)****	João Fernandes, bachelor in Laws, servant of the Infante D. Fernando	Castelo de Vide	CAV, 1:14
1463-01-27 (appointed by indefinite period)	João Delgado, royal squire, scholar of canon law	Portalegre Estremoz	CAV, 9: 30
1466.12.12 (year of 1467)	Fernão Brandão	Castelo de Vide	CAV, 35: 11
1472-12-16 (year of 1473)	João Barbosa, knight of the House of the King	Portalegre	CAV, 29: 270
1482-4-19 (appointed by indefinite period)	Afonso de Arouca, squire of the king, clerk of judicial inspections of the master of Avis	Portalegre	CJII, 2: 92v

\* Most of the data was published previously Luís Miguel Duarte and by Diogo Faria.

\*\* The information entered below the date of appointment refers to the duration of the mandate.

\*\*\* ANTT, Chancelaria de D. Afonso V, Liv. 20, fol. 114 (henceforth CAV, 20: 114).

\*\*\*\* João Fernandes was appointed, by a letter dated 3?/05/1462, *juiz de fora* of Estremoz, starting on 1 June 1462, for one year (CAV, 1: 14).

As displayed in tables I and II and Fig. 1, the magistrates that were shared were: Pero da Cruz, *bedel* (caretaker) of the *Estudo Geral*, appointed in 1456 for a term of three years, to serve in three towns –Portalegre, Arronches, and Alegrete– with the cost of his salary divided among the three townships. About 15 days later, another town, Marvão, was added<sup>7</sup>. João Delgado, a royal squire and scholar of canon law, was appointed in 1463, for as long as the king wished, to serve in Portalegre

<sup>7</sup> CAV, 13: 35.

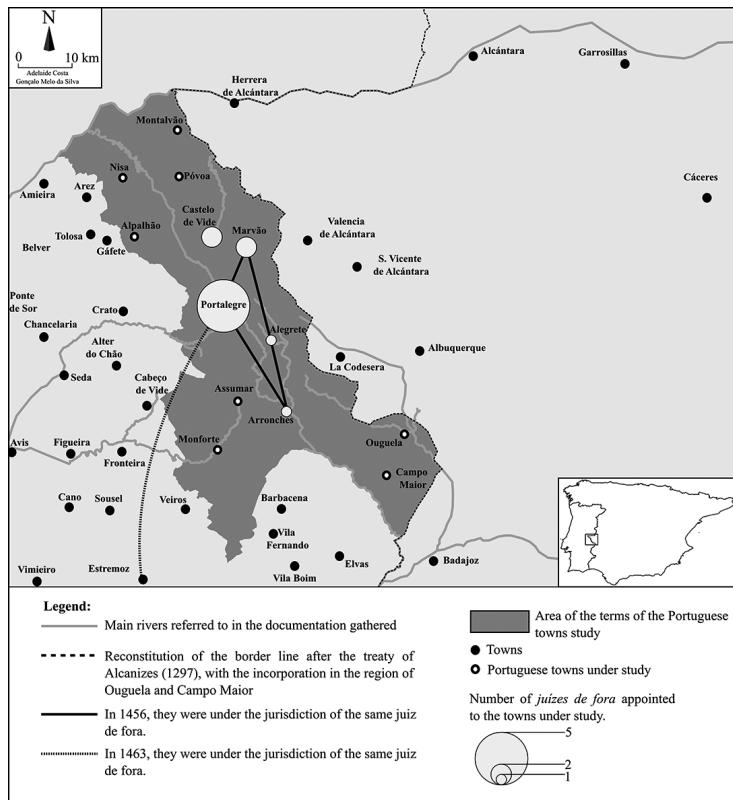


Fig. 1. Number of *juízes de fora* in the border towns of the Alto Alentejo (1440-1495).

and Estremoz –two towns farther away from each other than the previous ones<sup>8</sup>. Nothing is mentioned about the logistical aspects of this mandate that was divided between the two *almoxarifados* (royal tax offices) in the region. The logic behind the former appointment (1455/1456) appears to have been the proximity between towns (Portalegre, Alegrete, Arronches, Marvão), a rule from which the 1463 appointment deviated. Two more cases are known for other regions of the kingdom during the reign of Afonso V: one in Serpa and Moura, and another in Monção, Viana do Castelo, and Caminha (Faria, 2023:150-153).

In all the cases, the judges elected by the community ceased their functions, and the external magistrates assumed the position of *juiz de fora* in several urban centers; the half-salary that was to be paid by the towns (the other half being paid by the Crown) was divided among the respective two, three, or four municipalities.

<sup>8</sup> CAV, 9: 30.

In summary, until 1495 the appointment of *juízes de fora* to the border towns of the Upper Alentejo is a paradigmatic example of a form of territorial control used by the Crown throughout the Middle Ages: sporadic, unstructured appointments instigated (mainly) by local instability. Needless to say, Portalegre stands out, with five appointments.

## 2. THE EXPANSION OF *JUÍZES DE FORA* IN A TIME OF CHANGE (1495-1533)

There is much more available data for the period after 1495, enabling us to use the two approaches to study the *juízes de fora* –what was stipulated by law, and administrative practices. In fact, after 1495 more laws make references to the royal agents, although more in their provisions than in the statutes' titles. External magistrates are mentioned in the *Regimento dos oficiais das cidades, vilas e lugares* (1504)<sup>9</sup>, as well as two (of the four) *Ordenações Manuelinas* of 1512/13<sup>10</sup> and in the final one of 1521<sup>11</sup>.

During this period, legislation began to normalize the integration of *juízes de fora* into municipal governance, changing their former character of exceptionality. Of course, not all urban centers in the kingdom would have a foreign magistrate, but the possibility is now enshrined in the law. In the 1521 Ordinances, distinctions were established between elected judges and those appointed by the Crown, particularly in terms of the image projected to the community –for instance, the staffs of office (*varas*) were of different colors: red for the ordinary judges and white for the *juízes de fora*<sup>12</sup>, as well as in terms of financial accountability for errors in judgment committed<sup>13</sup>.

In the final edition of the *Ordenações Manuelinas*, a new title concerning *ouvidores* was included<sup>14</sup> immediately after that of the *corregedores*. This referred to *juízes de fora* appointed to a particular urban center who also performed the functions of *ouvidor* in another location (or locations). Both this additional office, and the powers assigned to it remained in place until the seventeenth century (Silva, 2007: 425; Hespanha, 1994: 97). According to the letter of the law, when a royal magistrate visited towns in the capacity of *ouvidor*, the elected judges remained in office and could only refer appeals to him; during his periods of absence, the ordinary judges were allowed to turn either to the *juiz de fora* or the *corregedor*. If the *corregedor* was present in that locality, the *ouvidor* had to suspend his functions.

<sup>9</sup> *Regimento dos oficiais das cidades, vilas e lugares destes reinos* (1955).

<sup>10</sup> *Ordenações Manuelinas* (2002).

<sup>11</sup> *Ordenações Manuelinas* (1984). (henceforth *Ordenações Manuelinas 1521*).

<sup>12</sup> *Ordenações Manuelinas 1521*, Título 44, parágrafo 55, p. 305.

<sup>13</sup> Elected officials and judges appointed from outside are distinguished with regard to the imposition of legal costs in the *Ordenações Manuelinas* of 1521, Título 44, parágrafo 71, pp. 313-314

<sup>14</sup> *Ordenações Manuelinas 1521*, Liv. I, Título xl, p. 270.

As we will see, in 1521 a practice that King Manuel had been experimenting with for quite some time became law, changing the episodic accumulation of the office of *juiz de fora* in different localities that we see during the reigns of Afonso V and João II.

In one case King Manuel I appointed a royal *ouvidor* who had not served elsewhere as a *juiz de fora*, to places that were under the Crown's jurisdiction. According to the *regimento* (regulations) accompanying this official, the elected judges were to remain in office, and this *ouvidor* was to obey the *corregedor* of the district<sup>15</sup>. However, in a subsequent record from the royal chancery (which includes documentation drafted locally), that individual is identified as a *juiz de fora* during the same period<sup>16</sup>. Could this be a sign of some confusion among the town's residents regarding the correct functions of an *ouvidor*?

## 2.1. "MODERN" JUÍZES DE FORA IN THE TOWNS OF THE ALTO ALENTEJO

As mentioned above, reconstructing the appointments of *juízes de fora* is greatly limited by the bad state of the royal chancery records. In fact, the occasional references to external magistrates found in other sources further confirm that the sample we used did not portray the actual number of appointments. The original 71 books comprised in the Chancery of King Manuel has been reduced to 46. The loss of part of the archive was exacerbated by the disorganization of the original volumes, likely caused by the rebinding of books after the earthquake of 1755 (Faria, 2013: 16-19).

Keeping in mind the limitations of the sources, let us examine the urban centers to which *juízes de fora* were appointed, independently of whether they also served as *ouvidores* in other towns, between 1495 and 1533.

A simple observation of the table III and Fig. 2 shows the towns grouped into three categories: those that received only *juízes de fora* (Monforte and Portalegre), those that had only *ouvidores* (Alegrete, Assumar, Marvão, and Ouguela), and those that had both situations (Arronches, Campo Maior, and Castelo de Vide).

TABLE III. TOWNS OF THE ALTO ALENTEJO TO WHICH JUÍZES DE FORA AND/OR OUVIDORES WERE APPOINTED (1495-1533).

TOWN	JUÍZES DE FORA (YEARS IN WHICH THEY CARRIED OUT THEIR FUNCTIONS)	OUVIDORES (JUÍZES DE FORA IN ANOTHER TOWN) (YEARS IN WHICH THEY CARRIED OUT THEIR FUNCTIONS)
Alegrete		1500/1502 ( <i>Juiz</i> Elvas); 1513, 1515, 1518, 1523/25 ( <i>Juiz</i> Portalegre)
Assumar		1513 ( <i>Juiz</i> Portalegre)

Continued on the next page

<sup>15</sup> Fernão de Parada was appointed on 25 January, 1498, as *ouvidor* in the towns of Elvas and Olivença (ANTT, Chancelaria de D. Manuel I, liv. 28, fol. 86 (henceforth CMI, 28: 86).

<sup>16</sup> CMI, 37: 84v.

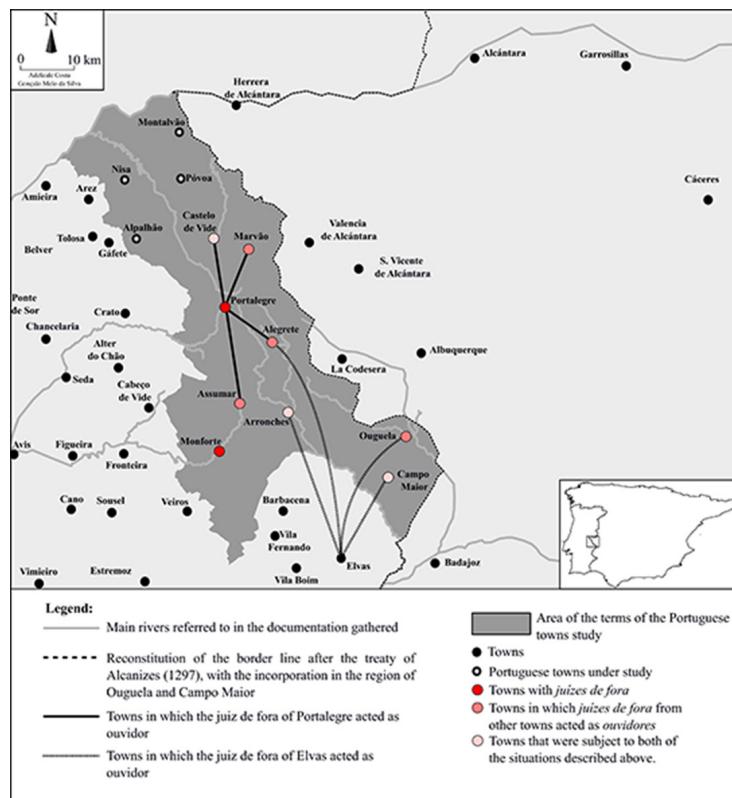


Fig. 2. Service of *juízes de fora* in the border towns of the Alto Alentejo (1440-1495).

TABLE III. TOWNS OF THE ALTO ALENTEJO TO WHICH *JUÍZES DE FORA* AND/OR *OUVIDORES* WERE APPOINTED (1495-1533).

TOWN	<i>JUÍZES DE FORA</i> (YEARS IN WHICH THEY CARRIED OUT THEIR FUNCTIONS)	<i>OUVIDORES (JUÍZES DE FORA IN ANOTHER TOWN)</i> (YEARS IN WHICH THEY CARRIED OUT THEIR FUNCTIONS)
Arronches	1521, 1527, 1532	1500/1502 ( <i>Juiz</i> Elvas)
Campo Maior	1524, 1530	1500/2 ( <i>Juiz</i> Elvas)
Castelo de Vide	1521, 1523/25, 1526, 1527, 1529, 1530, 1532	1513, [1515?], 1518, 1523 ( <i>Juiz</i> Portalegre)
Marvão		1513, [1515?], 1518, 1523 ( <i>Juiz</i> Portalegre)
Ouguela		1500/1502 ( <i>Juiz</i> Elvas)
Monforte	1499/1500	
Portalegre	1499, 1513, 1515, 1519/21, 1523/25, 1527, 1530	

Let us begin by examining the first group.

The earliest appointments of *juízes de fora*, at the end of the 15<sup>th</sup> century and early 16<sup>th</sup> century, occurred in Portalegre and Monforte. Similar reasons may underlie both appointments: an attempt (with varying degrees of success) to transform the two towns into territorial enclaves of the nobility.

The appointment of an external magistrate for Portalegre on 2 March 1499<sup>17</sup> may have been the result of the townspeople's resistance to the grants to Diogo da Silva Meneses, who had already enjoyed the title of Count of Portalegre and royal rents in the town since 1496<sup>18</sup>. Thus, in February 1498, King Manuel granted this Diogo –his Clerk of the Purity–, among other jurisdictions and rights, the position of *alcaide* in Portalegre and the place of Assumar. It seems likely that in 1499 there was some instability in Portalegre, prompting the dispatch of a royal agent to that town. As shown in the table, and although no other data has been found for the first decade of the 16<sup>th</sup> century, Portalegre was the earliest town for which we have evidence of systematic appointments of external magistrates, following a pattern of prominence already visible in the previous period.

For Monforte, the data is more revealing, though still limited. At the Cortes of Lisbon in 1498, held early in the year, the imminent reintegration of the town into the House of Bragança justified the municipal council's request that the town remain, permanently, under royal authority (Costa, 2019: 262-266). Let us recall that the gradual reestablishment of the House of Bragança's jurisdictions began in May 1496 (Mendonça, 2006: 145). At some point in 1499 (the specific day and month are unknown) a *juiz de fora* was appointed to Monforte, with a salary of 18,000 reais, to be divided between the municipal council (8,000 reais) and the treasury of the Duke of Bragança (10,000 reais)<sup>19</sup>. In other words, the specific arrangement regarding the magistrate's remuneration already reflects the unfolding of a transition in jurisdictional control. Throughout the entire Early Modern period, some territories belonging to the House of Bragança were served by a *juiz de fora*, always as a result of requests made by the dukes to the monarchs. These officials were required to acknowledge that their authority derived from the duke ("to be named by the duke"), they had to report to the *ouvidor* of the House of Bragança, and their terms, at least in theory, lasted four years (Cunha, 2000: 229-236; 2012: 42-51). According to Mafalda Cunha, this arrangement only began in the mid-16<sup>th</sup> century, and in the specific case of Monforte, it wasn't until 1579 that a *juiz de fora* to be appointed by the duke (2000: 230).

Let us turn to the towns that only had an *ouvidor* who was *juiz de fora* in another urban center: Alegrete, Assumar, Marvão and Ouguela.

According to the compiled data, Alegrete (more uninterruptedly) and Marvão (on a more occasional basis) remained under the authority of a *juiz de fora* from

<sup>17</sup> CMI, 14: 10v.

<sup>18</sup> CMI, 31: 9v

<sup>19</sup> CMI, 12: 11.

another municipality from 1513 to 1523. Alegrete had an interim *ouvidor*, who was *juiz de fora* in Elvas between 1500 and 1502. In the previous period, a *juiz de fora* appears to have been appointed exclusively for Marvão (although the exact date is unclear), and in 1456, both towns shared the same magistrate with Portalegre and Arronches.

Alegrete, in addition to its complex jurisdictional history, was part of the administrative district (*termo*) of Portalegre (as recorded in 1319), and the bond between the two municipalities represented a lasting reality. In fact, both were granted to Infante D. João, the future João II, in 1478 (see summary and bibliography in Silva, Costa, 2025, forthcoming). Marvão, by contrast, seems not to have established itself as the leading town in the Serra de São Mamede. Its once-promising importance began to decrease as early as the 13<sup>th</sup> century with the gradual reduction of its once vast territory (summary and bibliography in Silva, Costa, 2025, forthcoming). In the mid-16<sup>th</sup> century reasons were cited to explain the underpopulation of the town, such as its high location in the mountains on the Castilian border, and its very cold climate<sup>20</sup>. Nonetheless, Marvão's local authorities continued to praise the antiquity, nobility, and sturdiness of the town's walls<sup>21</sup>.

According to the available information, Ouguela and Assumar –two smaller municipalities– appear to have been assigned an *ouvidor* only on a one-off basis during the reign of King Manuel, and not thereafter<sup>22</sup>.

Ouguela, which was incorporated late into the Portuguese kingdom (1297), was repeatedly assimilated into, and separated from the municipality of Campo Maior. It was granted to various lords (without jurisdiction of *mero e misto império*) and suffered significant damage from military invasions (see summary and bibliography in Silva, Costa, 2025: forthcoming). The town never managed to grow sufficiently go beyond its subordinate position to Campo Maior, either *de jure* or *de facto*.

Assumar was incorporated both into the territory of Monforte (before and after 1314) and that of Portalegre (in 1380), although it retained the ability to elect a judge. Part of its territory was granted to Arronches in 1385 (see summary and bibliography in Silva, Costa, 2025: forthcoming). It was a municipality with fragile autonomy, caught between the influence of nearby towns. However, it is Assumar's jurisdictional situation as a territory belonging to the House of Bragança that presents an interesting challenge to the researcher. In 1372, King Fernando granted the town to (the *Condestável*) Nuno Álvares Pereira, a donation confirmed in 1390 by King João I. Then, in 1433, King Duarte ratified a grant made by the *Condestável* to his grandson in 1422, D. Fernando, of a series of assets, rights, and jurisdictions, among which was the town of Assumar; this grant would take effect upon the death of Fernão Martins de Carvalhal, who owned Assumar then (Coelho, 2023: 309-310).

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<sup>20</sup> Biblioteca Municipal Laranjo Coelho, *Tombo de Castelo de Vide*, docs. 79, 80 [henceforth TCV: 79, 80]

<sup>21</sup> TCV: 83

<sup>22</sup> 1580 is the cut-off date for the data base of the project JUSCOM.

The interesting challenge concerns the lack of a clear answer to the question: was Assumar reintegrated into the House of Bragança after 1496? It is certain that on August 16, 1496, King Manuel confirmed the charter issued by King Duarte in 1433 (Mendonça, 2006: 145). If that is the case, then why did the monarch grant Portalegre and Assumar to D. Diogo da Silva de Meneses a year and a half later?<sup>23</sup>

In 1513, the *juiz de fora* of Portalegre served as *ouvidor* in Assumar. This fact by itself was not evidence that the town belonged to the Crown; in fact, in 1514 the *juiz de fora* of Freixo de Espada à Cinta was tasked with overseeing nearby lands that belonged to a nobleman (Duarte: 1999: 723-725). According to Mafalda Cunha, this situation became more common throughout the Early Modern period, when these royal magistrates served as *ouvidores* in judicial matters, even within the jurisdictions of noblemen (2012: 45). However, if in 1513 Assumar had belonged to the House of Bragança, the appointment of the *juiz de fora* to supervise the town would likely have warranted a specific mention distinguishing it from other territories, which did not occur. Historians of the Early Modern period do not agree on whether Assumar was, in fact, part of the holdings of the House of Bragança (Cunha, 2024: 221; Farrica, 2009: 180).

Finally, let us mention the towns that had both *ouvidores* who were *juízes de fora* in other urban centers, and magistrates appointed specifically for that locality: Arronches, Campo Maior, and Castelo de Vide.

As mentioned above, in the previous period there were only two (known) magistrates appointed exclusively to Castelo de Vide, and there was one shared judge for Arronches. However, at the turn of the 16<sup>th</sup> century, during the reign of King Manuel, Arronches and Campo Maior came under the jurisdiction of an *ouvidor* who was also *juiz de fora* in Elvas. Castelo de Vide experienced a similar situation in 1513, [1515], 1518, and 1523, but with a judge from Portalegre. From the early 1520s onwards, the three towns began to regularly have *juízes de fora*, with the exception of Castelo de Vide in 1523.

Let us look again at the table, this time focusing on the chronology of arrivals. Taking only into account the appointment by the Crown of *juízes de fora*, it can be concluded that there was a main town – Portalegre, three centers which consistently received *juízes de fora*, from the reign of King João III onwards, and four towns that never had a resident external magistrate. As expected, this hierarchy is confirmed when cross-referenced with data about the population density from the 1527 census<sup>24</sup>

The table also shows the flexibility that was patent, over the course time, in the relationship between the main centers and other localities – in this case with regard to the control of local power and the administration of first-instance justice.

<sup>23</sup> 1498, 6 de fevereiro (CMI, 31: 9v).

<sup>24</sup> Population: *Comarca* (district) of Elvas: Campo Maior (664 residents in the town); Ouguela (163). *Comarca* of Portalegre: Alegrete (253); Alpalhão (115); Arronches (838); Assumar (159); Castelo de Vide (911); Marvão (495); Monforte (660); Montalvão (181); Nisa (349), Portalegre (1419). All the lands belonged to the *almoxarifado* of Portalegre.

I am referring to Portalegre and Elvas, the latter not included in the Frontowns project due because it could not be classified as “a small town”<sup>25</sup>.

Alegrete, Arronches, Campo Maior, and Ouguela (along with Olivença) were under the jurisdiction of a *juiz de fora* from Elvas from 1500 to 1502; around the same time, Portalegre also had a *juiz de fora*. The dependence on the judge from Elvas is understandable in the cases of Ouguela and Campo Maior, given their proximity and the later territorial reorganization into new *comarcas* (districts) in 1533. However, the assignment of Arronches, and especially Alegrete, to Elvas is more difficult to accept, as there is no precedent or continuity in this connection. Was this perhaps a phase of institutional experimentation in extending royal control over the territory? Was the situation in Portalegre at that time inappropriate for an itinerant *juiz de fora* who had other territorial responsibilities? Or had King Manuel ceased to consider Portalegre as a basis for royal power structures, since it had been granted to a noble?

The appointments of *juízes de fora* to Portalegre and Monforte in 1499 seem to embody the medieval concept of the magistrate –that is, an agent of the Crown sent to contain instability in urban centers. Around the same time, Elvas may have been the site of an experiment that involved combining, in a single external magistrate assigned to the main town, both the duties inherent to his office, and authority over the elected judges in smaller settlements. This experiment would later be formalized in the chapter on *ouvidores* in the 1521 edition of the *Ordenações Manuelinas*.

When Portalegre and Elvas became the seats of their judicial districts in the 1530s, their spheres of influence appear to have followed a logic of proximity and the consolidation of previous ties. Alegrete, Assumar, Castelo de Vide, and Marvão became attached to Portalegre, while Campo Maior and Ouguela were associated with Elvas.

Let's proceed with a more detailed analysis of the chronology of the appointment of *juízes de fora*.

TABLE IV. CHRONOLOGICAL TABLE OF THE MANDATES OF THE *JUÍZES DE FORA* IN THE BORDER TOWNS OF THE ALTO ALENTEJO (1495 TO 1533)\*

MANDATE DATES	NAME OF THE OFFICIALS	TOWN WHERE HE WAS <i>JUIZ DE FORA</i>	TOWN WHERE HE WAS <i>OUVIDOR</i>
1499 (p)** 1500/11/16 (r)***	Afonso de Matos	Monforte	
1499/3/2 (p) 1504/3/8 (c)****	Vasco Fernandes de Barbudo	Portalegre	
1499/12/28 (p) 1502/8/5 (r)	João Rodrigues, holder of a bachelor's degree	Elvas	Olivença, Arronches, Campo Maior, Ouguela, Alegrete

Continued on the next page

<sup>25</sup> Apart from other indicators of political, military and economic importance, we also know from the census of 1527 that Elvas had 7664 residents

TABLE IV. CHRONOLOGICAL TABLE OF THE MANDATES OF THE *JUÍZES DE FORA*  
IN THE BORDER TOWNS OF THE ALTO ALENTEJO (1495 TO 1533)\*

MANDATE DATES	NAME OF THE OFFICIALS	TOWN WHERE HE WAS <i>JUIZ DE FORA</i>	TOWN WHERE HE WAS <i>OUVIDOR</i>
1513. 1.18 (p) 1514.9.15 (c)	Rui Fernandes, licenciate	Portalegre	Castelo de Vide, Marvão, Alegrete, Assumar
1515.12.17*(p) 1516.12.20 (r) 1517/12/14 (c)	António Lopes, licenciate	Portalegre	Alegrete [Castelo de Vide e Marvão?]
[2018/2]** 1521/12/12(c)	Afonso Gomes Mascarenhas, doctor	Portalegre	Alegrete Castelo de Vide Marvão
1521.4.26 (c)	Martinho da Fonseca, licenciate	Arronches	
[1520.3***] 1521.1.29 (r) 1521.3.21 (r)	Heitor Lampreia, squire of the King's Household	Castelo de Vide	
1521.5.22 (p)	Dinis Rodrigues, bachelor's degree	Castelo de Vide	
1523.12.31 (c)	Martinho da Fonseca, licenciate	Castelo de Vide	
1523.10.13 (r) 1525.5.1 (r)	Gil Vasques Bugalho, bachelor's degree	Portalegre	Castelo de Vide, Marvão, Alegrete
1524.9.21 (r)	Martinho da Fonseca, licenciate	Campo Maior	
1526.10.1 (r) 1527.3.16 1529.5.26 (r)	António Cardoso, squire, licenciate	Castelo de Vide	
1527.10.28 (p)	João Jorge	Arronches	
1529.10.17 (p) 1530.5.24 (r) 1529.8.17 (r)	Luís Fernandes Barbudo	Castelo de Vide	
1530.2.3. (p)	Fernando Gonçalves	Campo Maior	
1530.12.17 (p)	Dinis Rodrigues	Castelo de Vide	
1532.2.2 (p) 1532.9.12 (p)	Amaro Fernandes Francisco Dias	Arronches Castelo de Vide	
1532.10.30 (p)	Atanázio Varela	Portalegre	

\* The documentary references of this data is in Appendix –Notes for drawing up a prosopographical repertory.

\*\* (p) corresponds to the appointments to the office.

\*\*\* (r) refers to references to the exercise of the office.

\*\*\*\* (c) references indicating that the mandate has already ended.

- Only identified as *juiz de foro*, with no name.

- Estimated date, since on 1519/2/7 the almoxarife was going to pay him 20000 reais of his salary.

\*\*\* Calculated date, since he received 20000 reais in March of 1521 for the exercise of his office.

From the reign of King Manuel onwards, most letters of appointment indicate that this office was held for a three-year term. Hence, the sequence of dates listed in Table IV did not reflect fragmented information but, instead, allowed for

an almost complete reconstruction of the officeholders who served in the frontier towns of the Alto Alentejo. The conditional tense was used in the previous sentence for two reasons: (i) not all appointments specify the duration of the term; (ii) cross-referencing the data from the chancery registers with other information compiled from different documentation increases the level of uncertainty.

Evidence of the political communication established between the Crown's central administration were the royal agents deployed in the field, and local governments that allowed for a more nuanced interpretation of the chronological data –which, at first glance appears definitive– provided by the royal records of appointment letters. In addition to correspondence concerning local issues<sup>26</sup> or royal decisions to be implemented<sup>27</sup>, the bulk of the documentation involves payments to *juízes de fora*, *meirinhos* (judicial officers) and their assistants. These are municipal certificates indicating that the magistrates exercised their office<sup>28</sup>, certificates issued by the *juiz de fora* confirming that the men under his authority fulfilled the duties assigned to them<sup>29</sup>, and royal orders addressed to the treasurers (*almoxarifes*) instructing that the payments be made<sup>30</sup>. The qualitative increase in information provided by the records of institutional interactions is also somewhat puzzling, as we shall see.

Let us begin by examining the approximately 10-year hiatus during which, according to the data collected, no *juiz de fora* appears to have exercised functions in any of these settlements, particularly in Portalegre. It is unlikely, though not entirely impossible, that this gap can be attributed entirely to the absence of sources. In fact, although there are no chancery books which contain many records for the years 1506, 1507, and 1509 (Faria, 2014: 16-19), the appointment of these magistrates to other cities and towns between 1502 and 1512 is documented<sup>31</sup>. A gap that, for now, remains unresolved, awaiting the discovery of further documentation or a well-founded explanation.

Discovering a linear evolution in the logic behind the appointment of these officials seems impossible. In fact, the appointment of external magistrates to a given locality –who would simultaneously act as *ouvidores* in others– did not have fixed rules, starting with the appointment documents themselves. For instance, in 1513, the letter of appointment of the *juiz de fora* for Portalegre explicitly states that he would also serve as *ouvidor* in Castelo de Vide, Marvão, and Alegrete<sup>32</sup>. By contrast, in 1515, the letter of appointment of another *juiz de fora* granted him authority

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<sup>26</sup> Example – ANTT, Gavetas, Gaveta 20, maço 4, n.º 27 [henceforth Gav. 20, 4, 28]

<sup>27</sup> Example – ANTT, Corpo Cronológico, Parte I, maço 7, n.º 80 [henceforth CC, I, m.7, 80]

<sup>28</sup> Example – CC, II, m. 86, 100.

<sup>29</sup> Example – CC, II, m. 84, 111.

<sup>30</sup> Example – CC, II, m. 80, 2.

<sup>31</sup> Beja, Caminha, Coimbra, Elvas, Estremoz, Évora, Funchal, Lagos, Lamego, Montemor-o-Novo, Olivença, Santarém e Serpa, some with several appointments.

<sup>32</sup> Rui Fernandes, licenciate – CMI, 42: 5v

solely over Portalegre<sup>33</sup>, but in 1516, the same individual received a reprimand from the monarch for having been sent to Alegrete and failing to carry out that task<sup>34</sup>. Most likely, there was another, complementary appointment that was lost, and he was very probably appointed *ouvidor* to Castelo de Vide and Marvão (since Assumar is no longer mentioned as part of this group).

In fact, the chronology of the dates of appointment, references to the exercise of the office, and allusions to the termination of mandates (not always at the time these actually occurred) undermines the expected linear succession of officials in a post, without any overlapping. Thus, although Castelo de Vide was, in principle, under the authority of the judge of Portalegre (Afonso Gomes Mascarenhas) from February 1518 to 1521<sup>35</sup>, in March of 1520 there was a magistrate that had been exercising the office exclusively in Castelo de Vide for at least a year (Heitor Lampreia)<sup>36</sup>. A further official (Dinis Rodrigues) was appointed to Castelo de Vide as an exclusive *juiz de fora* in May of 1521<sup>37</sup> – but in December of 1523 it is yet another external judge of Castelo de Vide (Martinho da Fonseca) who is involved in the bureaucratic process of collecting his salary<sup>38</sup>. These inconsistencies may perhaps be explained by the fact that *juizes de fora* were (sometimes) transferred to other towns before their three-year term of office were up.

Another justification could be the effective overlapping of out-of-town judges and *ouvidores* appointed to the same town. In fact, in 1510, the outside judge of Serpa complained about the interference of the judge of Beja who claimed to be an ombudsman in Serpa. In other words, there was a double appointment<sup>39</sup>.

The chronological path of a town (traced through the 1520s) to receiving its own a royally appointed *juiz de fora* (not an *ouvidor*) does not go in only one direction. This happened in Castelo de Vide in 1523, when, after having had its own magistrates since 1520, once again falls under the jurisdiction of the *juiz de fora* of Portalegre (Costa: 2006: 247).

I will conclude this section by recounting an episode concerning the peripheral officialdom operating in the three towns (which are also studied in the Frontowns project) but which fall outside this analysis of *juízes de fora*, as they were under the jurisdiction of the Order of Christ: Nisa, Alpalhão, and Montalvão. Although manorial *ouvidores* functioned at the level of a second judicial instance (similar to *corregedores*), a letter written on July 26, 1518, by the licentiate Sebastião da Fonseca, *ouvidor* of the lands of the Order, offers valuable insight into the volume of tasks entrusted to them. Responding to inquiries that the king's secretary, António

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<sup>33</sup> This was the licentiate António Lopes, appointed exclusively to Portalegre on 17 December of 1515. CMI, 24: 168/168v

<sup>34</sup> CC, I, m. 20, 141

<sup>35</sup> CC, II, m. 86, 100; TCV, 96.

<sup>36</sup> CMI, 39: 6; CC, II, m. 94, 221

<sup>37</sup> CMI, 39: 77v

<sup>38</sup> CC, II, m. 122, 135

<sup>39</sup> CC, I, m. 8: 109

Carneiro, had been instructed to carry out in Nisa, the ouvidor explained that he had spent a long time in Castelo Branco and still needed to carry out duties in Alpalhão, Montalvão, and other lands of the Order, making it impossible for him to reach Nisa before September 15<sup>40</sup>.

In conclusion, although there is lack of information for the first decade of the 16th century, at least from the second decade onward, royal supervision in this border region of the Alto Alentejo was effective, with Portalegre more prominent, being the headquarters from which ouvidores were dispatched to other towns. From the 1520s onwards, the municipalities to which *juízes de fora* were systematically appointed included Portalegre, Castelo de Vide, Arronches, and Campo Maior. Naturally, this close articulation between the Crown and certain towns had to do with greater demographic, economic, and fiscal vitality –aspects that are explored in more detail in other articles within this thematic dossier.

## 2.2. MOBILITY IN SPACE AND PROGRESSION IN CAREERS

Let us now update the objectives previously stated for this article: to assess the activity and mobility of the *juízes de fora* in and for these towns of the border region of the Alto Alentejo. So far, the focus has been on the Crown's program of territorial control, at both the legislative and practical levels, during the medieval period and the early phase of the Early Modern Era. Additionally, episodes experienced and narrated in the first person by the *juízes de fora* have been mentioned. The following section will focus solely on royal agents who served during the latter of these two periods, due to the scarcity of available information for the former. The topic of the mobility of these officials is examined from a dual perspective: through the analysis of their actions on the ground, and through an investigation into their career trajectories.

Even if it may seem like an overly reiterated point throughout this article, let us return once more to the constraints imposed by the sources, this time in conjunction with the geographical scope of the Frontowns project and the methodological approaches adopted. Examining mobility and career progression requires moving beyond the static systematization tables presented in this study, as well as the chronological ordering of the data. The focus of observation now shifts to the actual protagonists of the actions under analysis: the *juízes de fora*.

A total of 19 individuals were identified as having served as *juízes de fora* in these towns between 1499 and 1533. This is a group of people that is difficult to analyze, given that their responsibilities did not (or not only) unfold within the higher levels of power- spheres more frequently elucidated by surviving documentation. These were royal agents operating at a peripheral level, whose existence is known through records of a letter of appointment, the occasional presence at municipal meetings, or during

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<sup>40</sup> CC, I, m. 23, 91.

measures to demarcate the boundaries of a town; and, in the best cases, through letters written by them and addressed to the monarch or to higher-ranking royal officials.

The quantitative representativeness of the group is unknown in relation to the total number of individuals who held office, since the rule of the three-year term was not categorical. Furthermore, references to the officials did not always coincide with the beginning of their duties, and reappointments to the same post did occur. The problem in the analysis of this group of individuals, (although confined to a limited territory), is that of homonymy; researchers are confronted with the doubt of whether some individuals' names were duplicated, or whether two people with the same name and academic degree were merged into one.

The topic of the mobility of royal agents is inseparable from the examination of their careers and from analytical methodologies, such as prosopography or network analysis.

The 19 identified individuals are not a big enough sample for a sustained prosopographical analysis, making it unfeasible to present quantitative data that could support plausible interpretations. Under these circumstances, all that can be done is to outline an overview based on examples. In fact, the focus of the article is the study of the towns themselves, with the analysis of the *juízes de fora* who served in them being just one of many factors examined in order to understand and characterize these settlements.

I begin by addressing mobility in a literal sense, within the scope of the duties performed by the *juízes de fora* appointed to the towns in this area of the Alto Alentejo. Based on the available information –though it may not fully reflect the actual reality– everything suggests that external magistrates who also served as *ouvidores* in other territories carried out more active and wide-ranging mandates. This condition applies to five *juízes de fora* who simultaneously oversaw elected judges in three, four, or even five settlements. This was the case of João Rodrigues, in 1499 (Elvas, Olivença, Arronches, Campo Maior, Ouguela and Alegrete) and Rui Fernandes, in 1513, António Lopes, in 1515, Afonso Martins Mascarenhas, between 1518 and 1521, Gil Vasques Bagulho, between 1523 and 1525 (Portalegre, Castelo de Vide, Marvão, Alegrete to which only one included Assumar)<sup>41</sup>. However, once again, the information is far from unequivocal. In fact, it is unknown whether an external magistrate appointed to only one town could be sent to perform duties in another municipality. In 1514, Francisco Frazão, *juiz de fora* of Beja (his appointment letter is unknown), was tasked by King Manuel with traveling to Moura for a period of 30 days<sup>42</sup>. Was this an occasional assignment, or had Francisco Frazão originally been appointed as *ouvidor* in Moura? If the first hypothesis is viable, the uncertainty grows regarding the movements of these individuals in during their mandates, at least in the reign of King Manuel I. The temporary absence of officials who served

<sup>41</sup> All the documentary and bibliographic references of this section are in appendix 1. Only those that do not figure there are mentioned in the footnotes

<sup>42</sup> CC, I, m. 16, 89.

in several localities sometimes led to resentment, such as the incident involving the ouvidor of the Order of Christ, Sebastião da Fonseca, who in 1518 complained to the king's secretary that the inhabitants of Castelo Branco did not treat his wife properly when he had to leave the town<sup>43</sup>.

Let us move away from the functional domain of the exercise of the office and observe the careers of this group, focusing on "spatial mobility." As mentioned previously, the data obtained only allows us to sketch the range of paths of individuals who were, either throughout, or at some point in their public careers, *juízes de fora*.

Let us begin with the magistrates who, judging from the information compiled, and at least during a stage of their lives, stayed in, or close to the Alto Alentejo, moving only to other municipalities in the same region. This was the case of Martinho da Fonseca, who was consecutively *juiz de fora* in Arronches, Castelo de Vide, and Campo Maior, and Dinis Rodrigues, who served two non-consecutive terms in Castelo de Vide.

Amaro Fernandes, for his part, appears to have remained in the Alentejo for around 12 years, having served as *juiz de fora* in Arronches, Portalegre, and Évora, before moving further south, i.e. Silves (see Fig. 3). Inversely, Luís Fernando Barbudo was appointed to Faro, Tavira, and later to Castelo de Vide.

Other individuals who remained *juízes de fora*, served in more distant locations. This was the case of António Saraiva de Carvalho, who moved from Portalegre to Viseu, or of Afonso Gomes Mascarenhas, an external magistrate in Lamego, then in Viseu or Montemor-o-Novo, and finally in Portalegre.

Another set of individuals from this group had a varied career, spanning different offices, levels of authority, and even geographic regions.

Some of these individuals ventured overseas, such as António Cardoso, who, after serving as *juiz de fora* in Castelo de Vide, later became provedor (royal administrator) of the island of Madeira. Others, royal court officials (*desembargadores*) were appointed as *juízes de fora*, without apparently relinquishing their former role, later returned to active service in the central institutions of power, and sometimes were even promoted. This was the case of António Lopes, *juiz de fora* in Portalegre, and Heitor Lampreia (the most well-known among these men thanks to the meticulous biography written by Diogo Faria), who served as *juiz de fora* in Beja, Silves, Moura, Castelo de Vide, and Coimbra, in addition to holding other offices (2023: 179–186). There is no evidence that Gil Vasques Bugalho was a member of the *Desembargo* before being appointed *juiz de fora*, a role he held at least in Abrantes, Portalegre, Évora, and Santarém; he was a judge at the *Casa do Cível* (Civil Court) when he was arrested by the Inquisition and sentenced.

There are also examples of career transitions in the sphere of peripheral officialdom. Afonso de Matos, who was appointed *juiz de fora* to Monforte in 1499, had an atypical career, as he was subsequently appointed to various clerical positions in Marvão. Others moved on to serve in broader jurisdictions: such as

<sup>43</sup> CC, I, m. 23, 91.

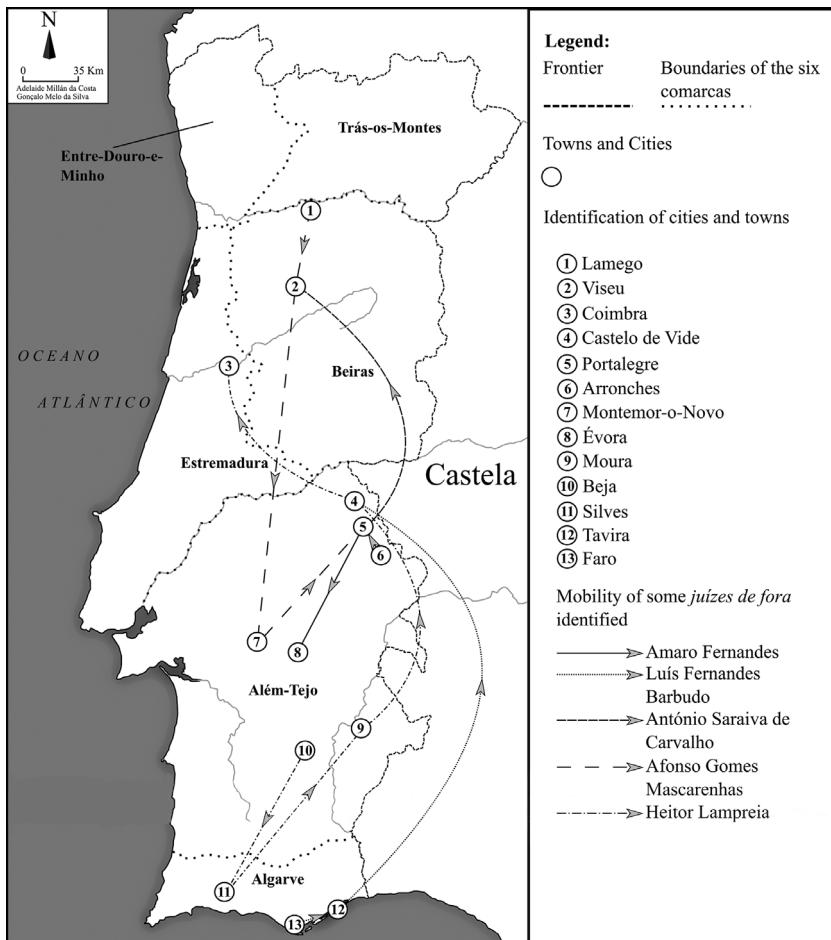


Fig. 3. Mobility of some individuals who served as *juízes de fora* in the border towns of the Alto Alentejo (15<sup>th</sup>-16<sup>th</sup> centuries).

the case of Vasco Fernandes de Barbudo, who served as judge in Portalegre, Elvas, and Estremoz, and was later promoted to chancellor of the judicial district of Entre Tejo e Odiana; and Rui Fernandes, a magistrate in Portalegre, who rose to become corregedor of the same district.

The period when *juízes de fora* could most expect to be promoted to *corregedores* was probably at its peak when the reform of the comarcas in 1533 was implemented. The subdivision of the former six large medieval territories into 28 districts resulted in a tighter territorial network in terms of royal oversight, and an increase in the number of positions in peripheral administration. At the Cortes of

1535 the municipal representatives were well aware of this situation, and presented a grievance, the summary of which was: the medieval corregedores led an administrative structure composed of 4 or 5 people, and the reform resulted in a fourfold increase in the number of corregedores, expanding their teams to a total of 20 officials and four meirinhos along with their men (Dias, 1996: 197).

Amongst the peripheral officialdom, the aforementioned reform caused a small cataclysm. Two *juizes de fora* who had served in these frontier towns were promoted to *corregedor*: e.g. Fernando Gonçalves, judge in Campo Maior and first *corregedor* of the district of Lamego, and João Jorge, judge in Arronches and later in Castelo Branco and first *corregedor* of the district of Guimarães. Others, however, saw their expectations frustrated, such as the licentiate Jordão Botelho, an official who, in his own words, had a clean and honorable record, and had requested to be “elevated to *corregedor*” in the context of “this change Your Highness new orders”; not only was he denied the request, but a younger and inexperienced official was promoted to the post he had aspired to<sup>44</sup>.

This brief description of the mobility of the *juizes de fora* in the Alentejo’s frontier towns is intended, ultimately, to assess whether the time they served in each locality contributed to the establishment of a hierarchy among those towns. The other objective is to determine the position occupied by the most important town –Portalegre. Always based on the assumption that an administrative career follows an upward trajectory.

Information pertaining to the 17th and 18th centuries reveals that there was a symbolic hierarchy among the posts to which *juizes de fora* were appointed, expressed through first-instance and second-instance jurisdictions. The former corresponded to less important municipalities, to which magistrates would be assigned at the beginning of their careers; the latter were reserved for more experienced judges, and included cities and towns of greater political weight, such as the heads of districts and towns that held a seat in the first bench of the Cortes (Camarinha, 2016: 5-6).

If we try to apply these criteria to the careers of the 15 individuals<sup>45</sup> whose career paths we have described, the results are inconclusive, and the use of the term “heads of district” is not appropriate, as it corresponds to our chronological endpoint. Using only the symbolic status of a seat that representatives of a city or town occupied during the opening ceremony of the Cortes, no linearity or trends can be detected: transfers (of officials) between urban centers could actually represent a step backward in a career, while in other cases it meant that a career could terminate in Coimbra or Santarém.

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<sup>44</sup> This refers to a *juiz de fora* from Lagos (CC, I, m. 49, 52)

<sup>45</sup> There are three which have not been included in this study because their professional paths are not known, apart from having been *juizes de fora* in one of these towns, and regarding Francisco Dias, more research is needed to clarify the homonymy.

### 3. CONCLUSIONS

The aim of this article was to analyze the actions and mobility of juizes de fora to, and within, the small towns of the Alto Alentejo. The main focus was on assessing the extent to which the hierarchy that gradually developed among these settlements during the Middle Ages was confirmed by royal intervention in local power through the appointment of external agents. The chosen chronology, (part of the 15th and 16th centuries), allowed for an analysis of the medieval practice of appointing external judges, and of the processes that emerged in a transitional phase that would lead to the model of the Early Modern period.

Based on data from the reigns of Afonso V and João II, it can be concluded that these towns were not closely monitored by the crown, with the exception of Portalegre, which saw five appointments of juizes de fora during the period under study. The highest number was recorded in Elvas, with 14 nominations. There were only two recorded cases of external judges shared by two or more towns, which implied the termination of the elected judges.

Let us now reflect on the transition period between 1495-1533. The legislative innovation that the *Ordenações Manuelinas* brought about was the suppression of the specific title referring to juizes de fora –while retaining them in the legal text and standardizing their presence– and the inclusion of the royal ouvidores: external judges who, in addition to the town to which they were appointed, also had jurisdiction over other settlements that retained their elected judges. These were a kind of local corregedores. The hierarchy of towns, based on the appointment of juizes de fora is evident. Beyond Portalegre, which had particular prominence, a second tier of municipalities emerged which, after experiencing the presence of ouvidores during part of King Manuel's reign, eventually started receiving systematically appointed juizes de fora: Castelo de Vide, Arronches, and Campo Maior.

To synthesize conclusions about the men who held the office of juiz de fora in the territory under study is more difficult. We followed their careers, (which were very heterogenous), throughout the course of their public lives; it is not possible to establish either a clear *cursus honorum*, nor a definitive scale of importance among the frontier municipalities of the Alto Alentejo. Undoubtedly, this poses a challenge, which asks for further research.

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## ANNEX

NOTES FOR DRAWING UP A PROSOPOGRAPHICAL REPERTORY OF THE *JUÍZES DE FORA*  
OF THE TOWNS OF THE UPPER ALENTEJO BORDER (1495-1533).

INDIVIDUAL WHO WAS <i>JUIZ DE FORA</i>	ACADEMIC OR PATRONAGE INFORMATION	TOWN WHERE HE WAS <i>JUIZ DE FORA</i>	YEARS	REFERENCES
		Monforte	1499 (p) 1500 (r)	CMI, 12, 11; CMI, 45,32
1. Afonso de Matos	Squire of the House of the King	Marvão –notary public, registrar of the <i>homiziados</i> and cattle accountant	1503 (p)	CMI, 35, 46v
		Marvão –tax office clerk of the town	1503 (p)	CMI, 35, 46v
2. Afonso Gomes Mascarenhas	Doctor	Lamego	1513 (r)	CC, I, m.13, n.51
		Viseu/Montemor-o- Novo*	1515 (p)	CMI, 24, 94; CMI, 24, 87v
		Portalegre ( <i>ouvidor</i> of Castelo de Vide, Marvão, Alegrete)	1518 (p)** 1521 (r)	CC, II, m.86, n.100; m. 80, n. 2; m.99, n.14; TCV: 96
3. Amaro Fernandes	Doctor	Arronches	1532 (p)	CJIII, 16:16v
		Portalegre	1538/39 (r) 1540 (r)	CC, II, m. 230, n.º 73 CC, I, m.6, n.91
		Évora	1540 (p)	CJIII, 40: 86
		[Silves]***	1544 (r) 1548 (r)****	CC, PI, m. 75, n. 98 CC, I, m.80, n.44
4. António Cardoso	Licenciate	Castelo de Vide	1526 (r) 1527 (r) 1529 (r)	TCV, 35, 98; Gav. 20, m. 4, n. 27
		Ombudsman in Madeira Island	1536 (r) 1539 (r)	CC, II, m. 211, n. 46; CC, II, m. 207, n. 76; CC, III, m.13, n.1

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NOTES FOR DRAWING UP A PROSOPOGRAPHICAL REPERTORY OF THE *JUÍZES DE FORA*  
OF THE TOWNS OF THE UPPER ALENTEJO BORDER (1495-1533).

INDIVIDUAL WHO WAS <i>JUÍZ DE FORA</i>	ACADEMIC OR PATRONAGE INFORMATION	TOWN WHERE HE WAS <i>JUÍZ DE FORA</i>	YEARS	REFERENCES
5. António Lopes	licenciate	High Court Judge	1514 (r)	1*
		Portalegre <i>Ouvidor</i> in Alegrete	1515 (p)	CMI, 24: 168/168V;
		Portalegre <i>Ouvidor</i> in Alegrete	1515 (r)	CC, I, m. 20, n. 141
		High Court Judge	1516 (r)	CMI, 25, 117
		High Court Judge	1517 (r)	CC, I, m. 22, n.º 129
		?	1519 (r)	CC, I, m. 22, n.º 129
6. António Saraiva de Carvalho		1521	Falecido	Gav. 14, m. 3, n.º 11
		Portalegre	1527 (p)	CJIII, 30: 161
		Viseu	1531.12 (c) (cessou nesta altura)	CC, II, m. 168, n.º 77
7. Atanáزio Varela		Castelo de Vide	1532 (p)	CJIII, 16: 132v
8. Brás Cota		Portalegre	1530 (p)	CJIII, 43:120v
9. Dinis Rodrigues		Castelo de Vide	1521 (p) 1530 (p)	CMI, 1: 68v CJIII, 39
10. Fernando Gonçalves	Licenciate	Campo Maior	1530 (p)	CJIII, 40: 142
		<i>Corregedor</i> of the district of Lamego	1533 (p)	Dias, 1996: 220
11. Francisco** Dias		Castelo de Vide	1532 (p)	CJIII, 16:147; TCV, 31
12. Gil Vasques Bugalho	holder of a bachelor's degree	Abrantes	1520 (r)	CMI, 36: 107v
		Portalegre ( <i>ouvidor</i> Castelo de Vide, Marvão, Alegrete)	1523 (r) 1525 (r)	Pinto, 2014: 274) TCV, 103.
	Licenciate	Évora	Antes de 1537	ANTT, Tribunal do Santo Ofício, Inquisição de Évora, proc. 8760
		Santarém		
		High Court Judge	Em 1537	ANTT, Tribunal do Santo Ofício, Inquisição de Évora, proc. 8760

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NOTES FOR DRAWING UP A PROSOPOGRAPHICAL REPERTORY OF THE *JUÍZES DE FORA*  
OF THE TOWNS OF THE UPPER ALENTEJO BORDER (1495-1533).

INDIVIDUAL WHO WAS <i>JUIZ DE FORA</i>	ACADEMIC OR PATRONAGE INFORMATION	TOWN WHERE HE WAS <i>JUIZ DE FORA</i>	YEARS	REFERENCES
13. Heitor Lampreia	Squire of the king	High Court Judge	1500 (p)	Cf. biografia em Faria, 2023.
		Beja	1501 (p)	
		Silves	1506 (r)	
		Moura	1514 (p) 1515	
		<i>Corregedor</i> of the armada destined to build the fortress of Anafé	1514 (r)	
	knight of the House of the King	Castelo de Vide	1521 (r)	
		Coimbra	1524 (r) 1528 (r)	
		solicitor of the Civil Court	1524	
	14. João Jorge	Arronches	1527	
		Castelo Branco	1534.1.9 cessou funções	CC, II, m. 194, n. 52; CC, II, m. 192, n. 115; CC, II, m. 191, n. 73
		1st <i>Corregedor</i> of the district of Guimarães	1534***	Dias, 1996: 213
15. João Rodrigues	holder of a bachelor's degree	Elvas ( <i>ouvidor</i> in Olivença, Arronches, Campo Maior, Ouguela, Alegrete)	1499/12/28 (p) 1500, 1501, 1502	
16. Luís Fernandes Barbudo	licenciate	Faro	1527 (p)	CJIII, 30: 186
		Tavira	[1528. I] (p) 1529.1.31***	CC, I, m. 42, n. 31
		Castelo de Vide	1529.10.17 (p) 1530.5. 24 (r)	CJIII, 48: 98v TCV, 97
		Arronches	1521. 4.26 (antes de)	CC, II, m. 95, n.149
17. Martinho da Fonseca	Licenciate	Castelo de Vide	1523. 12.31 (foi)	CC, II, m.122, n.135
		Campo Maior	1524.7.21 (era na altura, pelo menos há um ano)	CC, II, m.117, n.55; CC, II, m.118, n.55

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NOTES FOR DRAWING UP A PROSOPOGRAPHICAL REPERTORY OF THE *JUÍZES DE FORA*  
OF THE TOWNS OF THE UPPER ALENTEJO BORDER (1495-1533).

INDIVIDUAL WHO WAS <i>JUÍZ DE FORA</i>	ACADEMIC OR PATRONAGE INFORMATION	TOWN WHERE HE WAS <i>JUÍZ DE FORA</i>	YEARS	REFERENCES
18. Rui Fernandes	licenciate	Portalegre, <i>ouvidor</i> Castelo de Vide, Marvão, Alegrete, Assumar	1513.1.18 (p)	CMI, 42: 5v
		<i>Corregedor</i> of the district Entre Tejo Odiana	1514.9.15 (r)	CC, II, m. 51, n. 80
19. Vasco Fernandes de Barbudo	Squire of the king knight of the House of the King	Portalegre	1499 (p)	CMI, 14: 10v
		Elvas	1504 (p)	CMI, 23: 5v
		Estremoz	1513 (c)	CMI, 42: 3
		Chancellor of the Correction of Entre Tejo Odiana	1513(p)	CMI, 42: 3

\* He was appointed to both towns as a judge, but did not exercise the office in one of them.

\*\* In February 1519, he was already receiving 20000 reais from his salary, so he must have taken up office (CC, II, m.86, n.100).

\*\*\* It is a letter addressed to the king and only signed. He can be either a *juíz de fora* or a *corregedor*.

\*\*\*\* He seems to carry out tasks in the field of fiscal control, he is not an outside judge.

• ANTT, Ordem de Cister, Mosteiro de Santa Maria de Celas, maço 1, n.º 27.

• I've chosen not to present the various positions held by Francisco Dias, apart from the fact that he was a judge in Castelo de Vide, as there are at least two individuals with this name and I haven't managed to separate them yet.

••• João Alves Dias indicates that the district was created on an uncertain date between 1532 and 1534, which does not make it impossible that this individual is the same person.

•••• He had been in the town for a year.

