

# THE NOTARIES AND THEIR CLIENTS IN THE ALTO ALENTEJO REGION DURING THE LATE MIDDLE AGES (15<sup>TH</sup>-16<sup>TH</sup> CENTURIES): MOBILITY AND CIRCULATION PATTERNS

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## ABSTRACT

The study of Portuguese medieval notarial activity already boasts a solid body of bibliographical work. Nonetheless, there are still geographical areas and methodological approaches that remain to be explored in detail. This article aims to introduce a new interpretative approach to the subject by attempting to reconstruct the patterns and trends of mobility observed among notaries and their clients in the region today known as *Alto Alentejo* during the second half of the 15<sup>th</sup> century and the first quarter of the 16<sup>th</sup> century. This will be carried out with the data provided by the letters of royal pardon recorded in the royal chancelleries of D. Afonso V (1438-1481), D. João II (1481-1495), and D. Manuel I (1495-1521), in articulation with the chapters of the *Cortes* meetings, and, finally, in the legislative and normative texts in force during this chronological period.

KEYWORDS: social history, urban history, Medieval Portugal, Late Middle Ages, public notaries, Medieval Writing.

LOS NOTARIOS Y SUS CLIENTES EN EL ALTO ALENTEJO TARDOMEDIEVAL  
(SIGLOS XV-XVI): MOVIMIENTOS Y FLUJOS

## RESUMEN

El estudio del notariado medieval portugués ya cuenta con una sólida producción bibliográfica, sin embargo, aún existen espacios geográficos y enfoques metodológicos por explorar en detalle. El presente artículo tiene como objetivo presentar una nueva propuesta interpretativa sobre el tema, al intentar reconstruir los patrones y tendencias de movilidad observadas entre los notarios y sus clientes en la región hoy conocida como el Alto Alentejo, durante la segunda mitad del siglo xv y el primer cuarto del siglo xvi. A través de los datos proporcionados por las cartas de perdón real consignadas en las cancelleías reales de D. Afonso V (1438-1481), D. João II (1481-1495) y D. Manuel I (1495-1521), en articulación con los capítulos de reuniones de Cortes y, por último, en los textos legislativos y normativos vigentes durante este período cronológico.

PALABRAS CLAVE: historia social; historia urbana, Portugal en la Edad Media, Baja Edad Media, notarios públicos, escritura medieval.

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## 0. INTRODUCTION<sup>1</sup>

The objective of this article is to examine the differences and trends in the travels of notaries, and the clients who sought their services in the region known today as the *Alto Alentejo* between 1438 and 1521. This area under study comprises twelve towns: Alegrete, Alpalhão, Arronches, Assumar, Campo Maior, Castelo de Vide, Marvão, Monforte, Montalvão, Nisa, Ouguela and Portalegre. It is the first study with a methodological perspective, which we will develop further on, hitherto barely addressed in the ambit of studies of Portuguese Medieval notarial activity. It is based on an analysis of notarial documents produced in the aforementioned regions and the requests of the inhabitants of those towns, which are partially preserved in the letters of pardon in the books of the royal chancelleries of the reigns of King Afonso V (1438-1481), King João II (1481-1495) and King Manuel I (1495-1521). We have also relied on the records of meetings of the *Cortes* in which notaries participated as representatives for the towns of the *Alto Alentejo*<sup>2</sup>, as well as contemporary legislation that regulated the mobility and circulation of notaries during the second half of the 15<sup>th</sup> century and the first quarter of the 16<sup>th</sup> century.

Portuguese historiography has scarcely addressed medieval notarial activity in the region known today as the *Alto Alentejo*, which has resulted in a lack of knowledge about how notaries public functioned during the Middle Ages in the Portuguese frontier towns of this northeastern region of the Alentejo. The scant bibliography that does exist provides dispersed, but interesting data about the activity of notaries in this limitrophe area of the Portuguese kingdom. Firstly, we have the classic work by Barros (1950) that focuses on the administrative structure of the Portuguese Medieval kingdom. This comprehensive study dedicates some pages to notarial activity, which include occurrences and documentary records of the towns under study, such as Castelo de Vide and Marvão. Only at the transition to the 21<sup>st</sup> century did new contributions appear in the study of the notarial profession in the region of the *Alto Alentejo*, thanks to a unique study by Nogueira (2008) which offers a collective view of the creation and subsequent proliferation of the activity of notaries public in Portugal throughout the 13<sup>th</sup> century. In this study we find important information about the embryonic phase of the profession, and its subsequent expansion and consolidation in the aforementioned region.

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<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>).

<sup>2</sup> The Portuguese towns under study in the ambit of the project are: Alegrete; Alpalhão; Arronches; Assumar; Campo Maior; Castelo de Vide; Marvão; Monforte; Montalvão; Nisa; Ouguela; and Portalegre. On the Castilian side they include Albuquerque, Alcántara, Cáceres, Garosillas, Herrera de Alcántara, La Codesera, S. Vicente de Alcántara and Valencia de Alcántara. On this project see: <https://frontowns.fsh.unl.pt/>.



A work written by Leitão (2013) entirely dedicated to the town of Portalegre, provides a list of the men who performed notarial activity in that town during the 15<sup>th</sup> century. Finally, we point out the master's dissertation of Romão (2013), which through a thorough analysis of the royal letters of appointment of notaries, compiled in the chancellery of King Afonso V, provides one of the most complete surveys for the identification of notaries public who carried out their activity in the towns under study. More recently we had the opportunity to carry out a study (Alves, in the press) that examined notarial activity in the towns under study during the reign of King Afonso V. With this work we reached some interesting conclusions about the geographic distribution of notarial offices, the average duration of careers, and characteristics of the process of the assignment and heredity of positions. Thanks to the contribution of the master's dissertation of Andrade (2024), the study was further broadened to include an analysis of notaries and royal clerks, new thematic perspectives, and an extension of the chronology and space, providing an overview of notarial activity in the Northeastern Alentejo.

The other aspect of our analysis, i.e. the topic of travel and movement of notaries and their clients in Medieval Portugal, has been addressed in several bibliographical sources. On one hand, we can group the works that focused on the study of normative texts and legislation that regulated the circulation of notaries, which include the works of Alarcão (1959), Pereira (1989), Bono (1989), Torres (1992), Coelho (2001), and Gonçalves (2010; 2011). From another angle, there are the works dedicated to the study of notarial activity in determined regions, cities and towns; these contain information about where notarial activity was more prevalent, as well as the itineraries and travel expenses recorded by the notaries, both within urban spaces and outside the walls of Medieval towns and surrounding areas. In these studies the authors resorted to topical dates recorded in the instruments and documents produced by the notaries. The extensive list of works includes examples pertaining to the Algarve (Cunha, 1986-1987), to Arouca (Rêpas, 1998), to Braga (Cunha, 1990), to Bragança (Cunha, 2006), to Coimbra (Santos, 1990-1992; Santos, 2005), to Guimarães (Rodrigues, 2022), to Lamego (Saraiva, 1998), to Lisboa (Cunha & Seabra, 2018) (Ferreira, 2018, 2023) (Fresco, 2006), to Porto (Seabra, 2024a; Seabra, 2012; Seabra, 2014; Lopes & Seabra, 2012; Silva, 2013), and to Santarém (Mata, 1997-1998; Barata, 2011). Most recently, Seabra (2025) provided us with an interesting approach to this line of research by analysing the locations where the notaries' activity took place, as well as the costs of travelled that they charged, within the regions of *Galicia*, in northern Spain, and *Trás-os-Montes*, in the northernmost region of the Portuguese kingdom.

Moreover, in her study of Medieval Portuguese urbanism Luísa Trindade (2013: 653-654) raises considerations about the difficult and slow process of notaries' establishment in one place and their activity within urban spaces, resulting in several grievances presented in the *Cortes* (Barros, 1950: 431-434). Finally, we cite the studies that focus in greater detail on the actual subject of circulation. There is the very interesting book by Maria José Azevedo Santos (2005: 33-34; 40-41) that contains witnesses' accounts of journeys, with the respective distances and costs, of notaries from different locations in Portugal in the 14<sup>th</sup> century. A



study by Cunha (2018) addresses the notarial activity in the *Transmontana* region of Torre de Moncorvo in the 1300s; this author provides a detailed report of the places where there were notarial offices, as well as some examples of these men's itineraries and their costs, correlating them with royal legislation. An article written by Cristina Cunha and Ricardo Seabra, (Cunha & Seabra, 2021), which considers the costs associated with notarial activity in Portugal during the 1400s, dedicates an entire section to the costs of the notaries' journeys. The most recent contribution is provided by Ricardo Seabra, who published a text entitled "Os caminhos dos tabeliães: circulação de notários pelas circunscrições áreas da Comarca do Entre-Douro-e-Minho no século xv" (The routes of the notaries: travels through the areas of the District of *Entre-Douro-e-Minho* in the 15<sup>th</sup> century) (Seabra, 2024b) where he focuses on the movements of notaries in the most northern district of the Portuguese kingdom in the late Middle Ages.

## 1. DOCUMENTARY CORPUS AND METHODOLOGY

Given the scarcity of notarial documentation for the geographic area and chronology under study, we were obliged to use other documentary typologies for our research. We resorted to royal documentation as our preferred research source, i.e. records of royal pardons from the royal chancelleries of Kings Afonso V, João II, and Manuel I.

This documental typology has the advantage of containing useful data about the notaries' activity, production and clientele. The information was easy to obtain from the letters, which provided lists of the names of victims and offenders, and their respective places of residence or provenance. Data regarding the notaries can be collated from references found in two types of documents that ordinarily accompany these cases: the *instrumento público de perdão entre as partes* (public instrument of pardon between the parties), and the *instrumento público de certidão* (public certificate document). Both show the name of the holder and the territorial jurisdiction of the notarial office, as well as the date that said document was issued. To complete the information provided by the aforementioned records, we also consulted the royal letters of appointment and confirmation to notarial positions, as well as the records of the *Cortes*, where we find the names of notaries from municipal delegations attending the plenary were registered.

Before advancing further with our study, we believe that it is important to take a closer look at our sources. Firstly, a public instrument of pardon between parties was indispensable for obtaining royal pardons. Basically, this represented and officialized the reconciliation between victim/accuser and aggressor/target of the accusation. The party holding the right to accuse the petitioner withdrew from future legal action of its own accord, or at least this was what was the expected normative procedure, (although in practice it did not always work like that, since intimidation, bribery and other illegal practices were sometimes used). This agreement was then usually officialized before a notary, thus making it a certified public document proving and attesting to the truth of the reconciliation. It was imperative that both parties



involved in the dispute were present before the notary at the time the document was drawn up, or were represented by a legal proxy acting on their behalf (Duarte, 1999: 35-56; 462-489).

Another source for our research was public certificate documents, which were written by notaries serving in towns that housed *coutos de homiziados* (territories designated for the forced exile of criminals)<sup>3</sup>. Some of these *coutos* were located in towns that are included in our study, i.e. Arronches, Marvão, Monforte and Ouguela (Moreno: 1986). This notarial instrument was essential for anyone who wanted to commute their exile (replace or reduce the punishment of exile with a less severe penalty), since it was proof of how much sentence time the petitioner had served. The document was produced by one of the notaries serving in that town, who thus validated it with his *pública fé* (public faith), in the presence of two ordinary judges, providing proof of the date in which exile began by recording it in the book of *homiziados* of that same town<sup>4</sup> (Duarte, 1999: 441-447). This book was a codex that contained all the information about the individuals serving sentences in the different *coutos* in the kingdom<sup>5</sup> (Moreno, 1986: 97). Occasionally, this proof included oral accounts by other people, mostly residents of the town, who helped confirm the accuracy of the testimony given<sup>6</sup>.

From a quantitative point of view, the sampling used includes a total of 516 references of both of the aforementioned documentary typologies. Of those, 428 are records of public instruments of pardon between parties, thus comprising 82,9% of the sample, and another 88 records of public certificate document, comprising the remaining 17,1% of the sample.

An analysis of graphs 1 and 2 shows that a large amount of data corresponds to the reign of King João II; this is because only in the last decades of King Afonso V's reign did records of royal pardons become a constant presence in the chancellery, which in addition to the extensive reforms that were carried out in that chancellery, helps explain the disparity in documental volume. We attribute the lower numbers of the chancellery of King Manuel I, to the lack of detail and minutiae of the indexes and descriptive data bases available to navigate this massive chancellery (which comprised 47 books)<sup>7</sup>. We were not able to carry out an equally thorough search to those done in the two previous cases, and surely many other references were not compiled.

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<sup>3</sup> For further developing the topic of “homiziados” and “coutos de homiziados”, see in this thematic dossier Leitão, 2026.

<sup>4</sup> ANTT, *Chancelaria de D. Manuel I*, Liv. 43, fl. 79; Liv. 45, fl. 56.

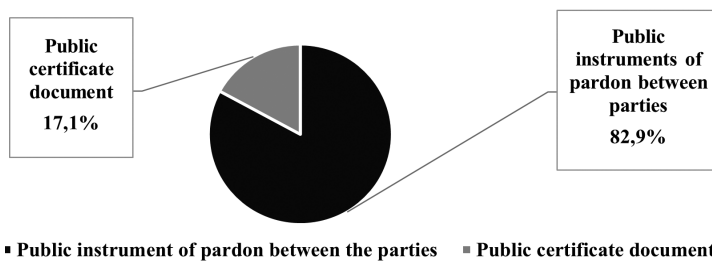
<sup>5</sup> *Ordenações Afonsinas*, Livro V, Título LXI, art. 23, pp. 251-252.

<sup>6</sup> ANTT, *Chancelaria de D. João II*, Liv. 12, fl. 159-159v; Liv. 9, fl. 154v-155; ANTT, *Chancelaria de D. Manuel I*, Liv. 45, fl. 116; Liv. 45, fl. 30-30v.

<sup>7</sup> The chancery records from the reign of King Manuel I were included in the study because they are within the chronological limits of the research project “FRONTOWNS”, in the context of which this article was produced. And even though it gives us a smaller volume of data in comparison with the other two chanceries, it still holds much value to the overall scope of the investigation. The text that immediately follows after the graphic gives a critical appreciation of it, as well as explain its capabilities and limitations evidenced by the data gathered in the chancery of Manuel I.

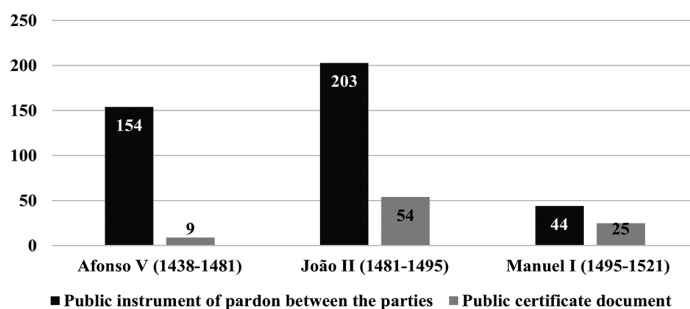


### Total distribution of the samples



Graph number 1. Source: A.N.T.T. *Chancelaria de D. Afonso V*, *Chancelaria de D. João II*, *Chancelaria de D. Manuel I*.

### Distribution of the samples by reigns



Graph number 2. Source: A.N.T.T. *Chancelaria de D. Afonso V*, *Chancelaria de D. João II*, *Chancelaria de D. Manuel I*.

Regarding the use of records of the *Cortes*, in the cases in which the documentation does not explicitly state that the municipal representative is a notary, we compare the names of the representatives mentioned with an extensive list of proposographic data on the notaries of these towns for a period of 83 years. We developed this study in the ambit of the project *Frontowns* (Alves, in press; Andrade, 2024), in order to reach the most feasible and secure hypothesis possible in the identification of these men.



## 2. THE REGULATIONS CONCERNING NOTARIAL WRITING AND TRAVELS RELATED THEREWITH

With the growing demand for written documents during the Middle Ages, the Portuguese Crown soon created legislation to standardize and expand its control over this proliferating occupation. Travelling and circulation of the notaries were one of the aspects that were regulated by these laws, i.e. establishing regulations in the locations where the notaries carried out their activity, and establishing limits on the payments collected for their trips to produce documents. The earliest legislation of this kind is found in the *Regimento* of notaries of 1305; it stipulated that towns that had two or more notaries were obliged to have a building called *Casa* or *Paço* of the notaries, as a way of simplifying clients' access to notarial services (Silva & Rodrigues, 1971: 67). This measure was replicated and reinforced by all legislative reforms until the end of the Middle Ages (Bono, 1989: 154; Trindade, 2013: 653-654).

Another document from the period of King Dinis, produced in January 1305, stipulated that the fees for journeys made by notaries within a town for the production of documents, could amount to a cost of 2 *soldos* (wages), with a proviso in the case of the town having two notaries. In that case both men had to travel together and each one could receive 2 *soldos* (Pereira, 1989:680). When travelling involved going beyond the perimeter of a town, the fees increased to 4 *soldos* for every league travelled, in addition to which the client was required to provide a mount for the clerk's return trip (Pereira, 1989:680 e Barros, 1950: 378). On the 27<sup>th</sup> of August 1326 these same legal stipulations would be confirmed by Dinis' son and successor King Afonso IV (Viegas & Gomes, 2016: 92-94; Seabra, 2025: 14). The legislation from King Dinis' period also established instances in which notaries were legally prohibited from charging their client for their travel<sup>8</sup> (Pereira, 1989:680). The monarch appears to have advocated for the enforcement of these normative guidelines, as evidenced by the forceful admonition sent in a letter dated 26 of February of 1315 to the notaries of Covilhã, a town not very far from the group of towns under study. Where, accompanied by other grievances against these clerks, it was claimed that for the journeys of two notaries “ffora da vila com alguem que vos ha mester” (outside the village with someone that has need for their service) the charged fees exceeded the amounts stipulated by the royal “tousaçom”, a practice that was punished by King Dinis with “pena de corpos” (physical punishments) (Vicente, 2012: 144).

The regulatory measures were updated in 1366 with a fee index in which it was stipulated that in cases of travel for the purpose of document production, a notary could charge up to 4 *soldos* - 2 *soldos* to cover the outward journey and another 2 *soldos* to cover the return. However, this new norm did not clarify whether these prices referred to movement within the towns where notaries provided their services, or if it applied to longer trips outside the urban perimeter (Alarcão, 1959: 303-304). In 1440 a new fee index for notaries was issued for the judicial notaries;

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<sup>8</sup> *Ordenações de D. Duarte*, pp. 202-204.







the amount they could charge for visiting reputable individuals who were excused from going to the *Paço* to make declarations, was increased to 3 *reais* and 6 *pretos* (Dias, 1999: 104-105; Pereira, 1989: 663-664).

In the *Ordenações Afonsinas* these (travel) expenses were indexed at 4 *reais brancos*, in instances when documents had a judicial nature, and required delivery to the client within the town or its surroundings<sup>9</sup>. This fee, and the geographic restrictions are reiterated in the regulations regarding notarial activity specifically established for notaries of the *Paço*<sup>10</sup>. If the range of action extended beyond the town limits the cost was higher, as seen in the *Ordenação*: “*porque se mais longe for, levará mais solairo, como se adiante dirá*”<sup>11</sup> (the further he goes, the higher the salary he’ll receive, as will be mentioned later). According to José Bono (1989:157), the field of action of the notaries of the *Paço* differed a little from that of those employed by their judicial notaries, since the former were restricted to the town and respective area where they had been assigned. Regarding the activity of court notaries, these were directly limited by the jurisdiction of the judicial organism which they served.

Those same provisions are stated in Title xxxxi – “*De que levarom os Taballiaaês, e Escriptvaaês, e Enqueredores por seu trabalho, quando forem fora do Lugar fazer algũa escriptura*” (How much should be required by Scribes and Interrogators, for their work, to go away from the Place to do some deed). According to the guidelines therein, the fee charged for travelling increased to 20 *reais brancos* for a half-day of work, and were double that amount for a full day of work, (40 *reais brancos*), if the logistics required a notary to provide himself with an assistant and an animal (for transportation) at his own expense. If the requester of the service provided a mount for the notary, the amount charged was 20 *reais brancos* for a full day of work. One curious fact had to do with the notaries’ meals: they were prohibited by law from sharing or accepting a meal provided by a client because it was considered that this could lead to instances of professional misconduct. However, if there was no other alternative, the notary could accept this type of offer, but was obliged to alter his fee according to the cost of the meal<sup>12</sup>. Parties seeking notarial services were not always able to go to the *Paço dos Tabeliães*, a situation that was provided for by the legislators; reputable individuals and infirm people who “cannot and must go to the aforesaid *Paço*” were authorized to request the presence in their homes of the notary so he could draw up and authenticate their contract and testaments<sup>13</sup>. (Bono, 1989: 168-169).

In turn, the *Ordenações Manuelinas* present a clear distinction in the regulation of circulation between the civil matter notaries and their judicial counterparts. Let us begin with the legislation concerning civil notaries. The fee limit for trips made within a town or its outskirts was set at 7 *reais*, to which the costs related to the

<sup>9</sup> *Ordenações Afonsinas*, Livro 1, Tít. xxxv, cap. 4, 13, 14, p. 216 and 219-220.

<sup>10</sup> *Ordenações Afonsinas*, Livro 1, Tít. xxxvii, cap. 1,2,3, pp. 224-225.

<sup>11</sup> *Ordenações Afonsinas*, Livro 1, Tít. xxxv, cap. 14, p. 220.

<sup>12</sup> *Ordenações Afonsinas*, Livro 1, Tít. xxxxi, cap. 1-4, pp. 234-235.

<sup>13</sup> *Ordenações Afonsinas*, Livro 1, Tít. xxxvii, cap. 16, p. 266.



actual production of the documents would be added<sup>14</sup>. As in the previous legislative code, provisions were made for situations in which clients were unable to go to the *Paço* (Notaries' Office) for a valid reason, particularly in the case of the infirm and "certain reputable individuals". In these instances, notaries were authorized to visit their client<sup>15</sup>. One of the legislative innovations made it obligatory for civil notaries to live "continuously", that is, permanently, in the jurisdiction to which they had been assigned. Any notary who did not comply with this measure, and unduly accumulated another jurisdiction under his competence would be punished with the loss of his position<sup>16</sup>.

The Manueline reforms introduced a new directive that was likely to have contributed to reducing the movement of notaries to peripheral areas of the city, town, or village where they practiced, thus limiting the expansion of their client base. Under this directive, the Crown authorized the municipal officers of any village with 20 or more inhabitants, located one league or more from any city, to appoint a person to draw up the wills of villagers who were bedridden and, therefore, unable to appear before a notary. The individual appointed to this task would be vested with the same authority and trust to draw up such documents as the notary of the city or town whose jurisdiction included the aforementioned village. They would enjoy a status equivalent to that of official scribes, specifically with regard to drawing up the last wills of their infirm clients. As such, they would also be subject to all the obligations, penalties, and sanctions applicable to an ordinary notary. However, it is important to note that the residents of the village could request that their wills be drawn up by the notaries of the city or town, without any impediments<sup>17</sup>.

We now turn to the notaries associated with judicial activity. The legislation provided that a judicial notary could be called upon to travel to a nearby location within their jurisdiction to temporarily replace their local counterpart if the latter was under suspicion in any given dispute. However, this was considered an option of last resort, to be employed only after all alternatives involving other local scribal officers, namely other public notaries without judicial functions (*Tabeliães das Notas*) and the municipal clerk, had been exhausted<sup>18</sup>. The possibility of mobility for these men was granted for a period of up to eight days, renewable annually, during which they could be absent from the place where they served as notaries without requiring permission from the judge for whom they worked. With the proper authorization granted by the local magistrate, this period could be extended to up to three months. In both cases, failure to meet deadlines or comply with the established timeframes

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<sup>14</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LIX, cap. 17 e 19, pp. 407-408; *Ordenações Manuelinas*, Liv. 1, Tit. LXIII, cap. 4, p. 449-450.

<sup>15</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LIX, cap. 8, p. 403.

<sup>16</sup> Exceptionally, in smaller places and councils that were within two leagues of each other civil matter notaries could carry out their activity without restrictions to their place of residence. *Ordenações Manuelinas*, Liv. 1, Tit. LIX, cap. 22, p. 409.

<sup>17</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LIX, cap. 36, pp. 418-419.

<sup>18</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LX, cap. 3, p. 421.





would result in a one-year suspension from office and the obligation to compensate all losses and damages suffered by the parties during their unjustified absence<sup>19</sup>.

Just like their counterparts who were responsible for civil acts, judicial notaries were prohibited from holding jurisdictions outside their place of residence under penalty of losing their office. And an additional specification applied: in municipalities composed of more than one settlement, notaries were required to reside in a location no more than two leagues from the site where court hearings took place, and they were not allowed to charge any fees for the travel involved<sup>20</sup>. However, the accumulation of jurisdictions was permitted in exceptional cases, particularly when the notary's place of residence was no more than two leagues from the locations where hearings were held in small and nearby municipalities. In such cases of overlapping jurisdictions, notaries were required to attend all hearing sessions conducted by the judges in each of the locations where they held office. And, as in the previous situation, they were prohibited from charging any fees for visits to the parties involved in the proceedings<sup>21</sup>. As for longer and more time-consuming journeys carried out outside the notary's designated area, a scenario very similar to that found in the Afonso-era legislative compilation emerges. If the notary undertook the journey with a beast and an assistant, they were entitled to claim 62 *reis* for each recorded day of work. The amount would decrease to 45 *reis* per day if no animal was required for transportation. For a half-day of work, the amount was set at half the full rate, that is, 31 *reis*. This amount could be reduced if the client provided the beast for the journey, bringing the daily rate down to 36 *reis*. Once again, notaries were prohibited from accepting or sharing a meal offered by the client –except in cases where there was no other way to secure sustenance. If the client provided meals for the notary, their assistant, and the beast, the service fee could be reduced to 36 *reis*. In the absence of the animal, the total cost would amount to 27 *reis*<sup>22</sup>.

### 3. TYPES OF CIRCULATION

In the documentary sources consulted, we were able to identify the existence of different types of circulation and mobility undertaken by both notaries and their clients in the region under study. Common to all of these was the production or acquisition of a written document; however, they could range from simple movements between neighboring communities to journeys to more distant towns, or even require crossing the kingdom's border, covering distances that could take anywhere from a few hours to several days to complete. In some cases, the journey seemed to require the movement of only one individual, whether notary or client, while in others, it

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<sup>19</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LX, cap. 12, pp. 424-425.

<sup>20</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LX, cap. 27 e 28, p. 432.

<sup>21</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LX, cap. 26, p. 431-432.

<sup>22</sup> *Ordenações Manuelinas*, Liv. 1, Tit. LXIII, cap. 27, p. 461.

involved a larger group, as we will explain later. The financial cost of these journeys was borne by the party requesting the notary's services, as illustrated in the previous section. These trips were made on foot or with the aid of horses or mules, with daily travel averages ranging from 25 kilometers for slower walkers to an impressive 70 kilometers per day for those equipped with a fast horse (Conde, 2000: 344). This was done along roads and pathways whose quality and maintenance appeared to be quite satisfactory for the times, according to the observations of Duarte de Armas during his travels along the routes connecting the towns under study (Gonçalves, 2005-2006: 98).

Exceptionally, the notary –usually accompanied by other members of the municipal elite– could travel to more distant locations, such as the royal Court, where he would stay for considerable periods to represent municipal interests, with the costs covered by the municipal authority. Therefore, in order to provide a more careful analysis and presentation of the data collected and the hypotheses proposed, which will be accompanied by maps and graphs, we have decided to organize the types of mobility exhibited by the notaries into three main categories.

### 3.1. THE NOTARIES OF THE *ALTO ALENTEJO* IN THE *CORTES*

The first type of mobility we will address is the one that appeared least frequently in the documentary sources, but which allowed us to trace the longest journeys undertaken by notaries. We refer to their missions as representatives of their respective municipalities at the meetings of the *Cortes* held throughout the late Middle Ages in the Portuguese kingdom. Their constant contact with writing and matters of judicial, administrative, and political nature enabled them to gather and construct a documentary *corpus* capable of supporting the validity of arguments presented to the monarch. Furthermore, these men had a deep knowledge of the realities and daily life of their town, which made notaries excellent candidates to serve as external representatives of the town before the Crown. (Seabra, 2021: 39).

The towns under study were not an exception to this practice. In fact, we were able to identify instances of its application as early as the 14<sup>th</sup> century, when, on the occasion of the *Cortes* of Santarém in 1383, the municipality of Arronches elected Afonso Esteves, a *tabeliam* (notary) and resident of the said town (Marques, 1993: 39; Roldão, 2006: 230 and 240), as one of the two representatives who would act on the town's behalf at that assembly. Within the chronological scope of our study, it is during the early years of the reign of King Afonso V, at the *Cortes* of Lisbon in 1439, that we find the case of Alegrete, which appointed Gil Fernandes as sole procurator (Dias, 2016: 47). The *Cortes* records explicitly identify him as a *tabaliam* (notary) (Dias, 2016: 151-152)<sup>23</sup>. Drawing on the prosopographical work

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<sup>23</sup> In this record he is identified as Gonçalo Fernandes, notary, procurator for the aforementioned town. We believe that the difference in the name was due to a mistake made by the





previously conducted on this figure, we can deduct that he served as notary for civil and criminal matters in Alegrete and its jurisdiction, by royal authority, with activity recorded between December 1443 and October 1444<sup>24</sup>. On the occasion of the 1439 *Cortes*, we also find the case of Marvão, which appointed João Belo, as its sole municipal representative (Dias, 2016: 46). This identification is not as solid as the previous one, since the records of the *Cortes* do not explicitly describe him as holding the office of notary. However, there are contemporary records of a man with the same name who served as a notary in Marvão, appointed by royal authority, between 1440 e 1475<sup>25</sup>, evidence that appears to confirm our proposed identification.

Later examples of this practice have proven difficult to trace, mainly because the assembly records rarely preserved the names of the municipal representatives. Nevertheless, we were able to gather credible evidence of this practice during the reign of King Manuel I, on the occasion of the *Cortes* of 1498. In this instance, the town of Monforte elected a João Ribeiro as one of two representatives (Dias, 2002: 136; 455). Now, this may be the same João Ribeiro who, on April 28, 1496, is identified as a servant of Afonso de Vilhaforte, a nobleman of the Royal Household, and who was appointed by the king to the office of notary in that same town<sup>26</sup>. However, further data would be required to confirm the proposed hypothesis in a secure and conclusive manner.

As the documentation suggests, it appears that the preference for notaries as political representatives in these towns remained modest, since we were only able to identify three possible instances of this practice out of a total of 28 *Cortes* assemblies convened during the period under analysis (Sousa, 1990). Another curious phenomenon concerns the composition of the delegations sent to the *Cortes* by these municipalities. As Armindo de Sousa's analysis demonstrated for the *Cortes* held between the last quarter of the 14<sup>th</sup> century and the end of the 15<sup>th</sup> century, the number of procurators sent by "the more important cities and towns" was generally two (Sousa, 1990: 226). It is important to note that this delegation was always accompanied by other indispensable figures such as clerks, servants, and messengers, among others, forming a retinue that could quickly reach five or six individuals (Sousa, 1990: 226-227). This resulted in a significant increase in expenses associated with travel, accommodation, sustenance, and other logistical costs, all of which weighed heavily on municipal treasuries (Sousa, 1990: 122-123). These expenses would certainly have proven extremely difficult to bear for small, sparsely populated municipalities, like the majority of those considered in our study. One way to ease the burden on the municipal budget was to send only a single procurator, elected from among the "residents capable of reading and writing", which in most cases meant choosing a local writing professional. This option proved to be far more

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clerk who was doing the registry, since prosopographic records corroborate the identification of Gil Fernandes in the list of procurators present in the 1439 *Cortes* in Lisbon.

<sup>24</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 24, fl. 43; Liv. 25, fl. 19.

<sup>25</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 29, fl. 140; Liv. 30, fl. 131v.

<sup>26</sup> ANTT, *Chancelaria de D. Manuel I*, Liv. 40, fl. 35v.

economical for municipalities and became a common practice among those with fewer financial resources (Sousa, 1990: 217, 220–221). Thus, it is not surprising that this approach was adopted by the towns of Alegrete and Marvão on the occasion of the 1439 *Cortes* in Lisbon.

This type of travel is different from the others we will present further on, as it proved to be much longer, more time-consuming, costly, and sporadic over time. Moreover, its expenses were not borne by individual clients requesting the services of a writing official, but rather by the municipal authority.

### 3.2. ACCUMULATING JURISDICTIONS

It was not unusual for a notary to practice in more than one town, especially in smaller ones like those studied here. In total, we recorded seven cases of overlapping jurisdictions, four during the reign of King Afonso V and three during that of his successor. Holding office in two different locations simultaneously would certainly require notaries to move regularly between the two jurisdictions where they were authorized to practice the *ars notariae*.

These types of situations are difficult to identify with complete certainty, as the documentation we rely on rarely provides explicit evidence of such jurisdictional overlaps. In fact, we were only able to identify one case in which the accumulation is directly stated in the documentation: the case of Afonso Vicente, referred to as a notary in Campo Maior and in the town and *couto* of Ouguela in a royal pardon dated June 1443<sup>27</sup>. Two other cases were discernible thanks to homonymy and the close chronological proximity of the records, namely those of Gonçalo Boto and João Fadundes/Fagundes<sup>28</sup>. The first one saw his service oscillate between the town of Nisa and that of Alpalhão<sup>29</sup>. As the place where Gonçalo Boto seems to have carry out most of his professional activity, it was likely that Nisa was also his place of residence; however, this could not be confirmed satisfactorily, as it is not clear or explicit in the documentation. This dual assignment remained a feature of Gonçalo Boto's career at least until the early years of King João II's reign during which he continued to draw up and certify documents with public faith between Nisa and Alpalhão<sup>30</sup>, on dates quite close to one another. By occasionally consulting royal appointment letters, we were able to detect the same pattern in the case of João Fadundes/Fagundes, who likewise divided his activity between Nisa and Alpalhão

<sup>27</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 27, fl. 111.

<sup>28</sup> The sources show both spelling for the name of this individual. ANTT, *Chancelaria de D. Afonso V*, Liv. 15, fl. 45v; Liv. 13, fl. 178v.

<sup>29</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 8, fl. 133; Liv. 32, fl. 135v (1463-1480); Liv. 4, fl. 23; Liv. 21, fl. 80-80v (1453-1471). These references pertain to the chronological interval of notarial activity in the towns of Nisa and Alpalhão, respectively.

<sup>30</sup> ANTT, *Chancelaria de D. João II*, Liv. 22, fl. 79; Liv. 3, fl. 77 (1481-1484); Liv. 1, fl. 107 (1486).





during the period between 1452-1456<sup>31</sup>. It is interesting to note that, in addition to the overlap in jurisdictions, both individuals coexisted, albeit for a brief period, which seems to suggest a strong dependence of Alpalhão on Nisa to meet its needs for the production of written documentation.

The involvement of notaries authorized to offer their services in Nisa in this phenomenon (of dual assignments) does not end here. We can point to the case of João Martins or João Martins Daldara<sup>32</sup>, who at least between 1469 and 1471 presented himself as a notary holding jurisdiction in both Nisa and Montalvão<sup>33</sup>. With an equal division of services, already recorded during the reign of King John II, Diogo Gonçalves appears serving the towns of Montalvão in 1482<sup>34</sup>, and Nisa, with records of activity dated between 1489 e 1492<sup>35</sup>.

During the reign of King João II, we also identified two ambiguous cases where, despite a match in both name and chronology, the distance between the shared jurisdictions raises some doubts regarding the accuracy of the identification, requiring further investigation to reach more conclusive results. One such case is that of Diogo Frágoso, who is believed to have held office in both Portalegre and Crato in the year 1482<sup>36</sup>, and João Rodrigues or João Rodrigues Manteigas<sup>37</sup> who is believed to have shared notarial duties between Castelo de Vide, his place of residence<sup>38</sup>, and Montalvão between 1486 and 1487<sup>39</sup>. A slightly different case, detected only through the occasional use of royal letters of appointment, but equally indicative of the mobility of notaries in this region, is that of Afonso Henriques. While residing in Fronteira, he was appointed, by royal decree, as civil matter notary and *inquiridor* (interrogator) in Portalegre in June 1486<sup>40</sup>, although his activity as a notary in the town of Portalegre had begun earlier, in 1482. Despite the distance separating the two towns, this man appears to have maintained a prolific practice, having produced 16 public instruments of pardon over the course of a decade<sup>41</sup>.

<sup>31</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 15, fl. 45v; Liv. 23, fl. 178v.

<sup>32</sup> The sources consulted show both spelling for the name of this individual.

<sup>33</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 8, fl. 133; Liv. 21, fl. 80-80v; Liv. 31, fl. 35; Liv. 21, fl. 7. These references pertain to the chronological interval of notarial activity in the towns of Nisa (prior to 1464-1471) and Montalvão (1469-1471), respectively.

<sup>34</sup> ANTT, *Chancelaria de D. João II*, Liv. 3, fl. 63.

<sup>35</sup> ANTT, *Chancelaria de D. João II*, Liv. 25, fl. 12v e fl. 34; Liv. 9, fl. 171; Liv. 7, fl. 85v.

<sup>36</sup> ANTT, *Chancelaria de D. João II*, Liv. 2, fl. 44; Liv. 1, fl. 99.

<sup>37</sup> Curiously, this individual begins to use the nickname of “Manteigas” only in the last two years of his recorded professional activity, i.e. in 1491 and 1492, and exclusively while he was a notary in the town of Castelo de Vide. ANTT, *Chancelaria de D. João II*, Liv. 10, fl. 122; Liv. 5, fl. 92.

<sup>38</sup> ANTT, *Chancelaria de D. João II*, Liv. 22, fl. 55.

<sup>39</sup> ANTT, *Chancelaria de D. João II*, Liv. 4, fl. 74v; Liv. 5, fl. 92 (1482-1492); Liv. 19, fl. 149v-150; Liv. 24, fl. 131v-132 (1486-1487). These references are associated with the chronological interval of his professional activity in the towns of Castelo de Vide and Montalvão, respectively.

<sup>40</sup> ANTT, *Chancelaria de D. João II*, Liv. 4, fl. 40v.

<sup>41</sup> ANTT, *Chancelaria de D. João II*, Liv. 21, fl. 89v; Liv. 5, fl. 71. These references are associated with the chronological interval of the writing work of this man in Portalegre. (1482-1492).



It is important to note that for the reign of King Manuel I we did not find any occurrences of this practice (of dual assignments). This may be due to the aforementioned difficulties in accessing and collecting data from the Manueline Chancellery, caused by the lack of indexing and research tools compared to those available for the chanceries of his two predecessors. However, we also believe that the impact of the legislation introduced through the *Ordenações Manuelinas* should not be overlooked. These ordinances stipulated that notaries were required to maintain permanent residence in the town where they held office, except in the case of small localities not more than two leagues apart. Failure to comply would result in the loss of office. For notaries handling judicial matters, the same restrictions applied, with the additional obligation of attending all court sessions held within their jurisdictions, without being permitted to charge fees for such travel. Another decisive factor may have been the demographic growth recorded in the final decades of the 15<sup>th</sup> century and the early 16<sup>th</sup> century, which was reflected in an increase in the number of officials available to the royal administration and the implementation of a broad program of administrative reforms. These reforms included a significant expansion in the number of notarial positions throughout the Portuguese kingdom. According to data collected by João José Alves Dias, between 1496 and 1521, 20 new notarial posts were created in the Alentejo region alone. This number, according to the author, likely underestimates the actual scenario, as the records of the royal chancellery are incomplete (Dias, 1996: 136-147).

Lastly, it is important to mention that our work has been based primarily on data almost exclusively extracted from records of royal pardon letters, which means that other instances of overlapping notarial jurisdictions may have gone unidentified. To conduct a thorough investigation of this phenomenon, the records of appointment and confirmation letters preserved in the royal chanceries would need to be systematically analyzed, as they often contain revealing clues in this regard. However, this task falls entirely outside the scope of this study.

### 3.3. GENERAL NOTARIES

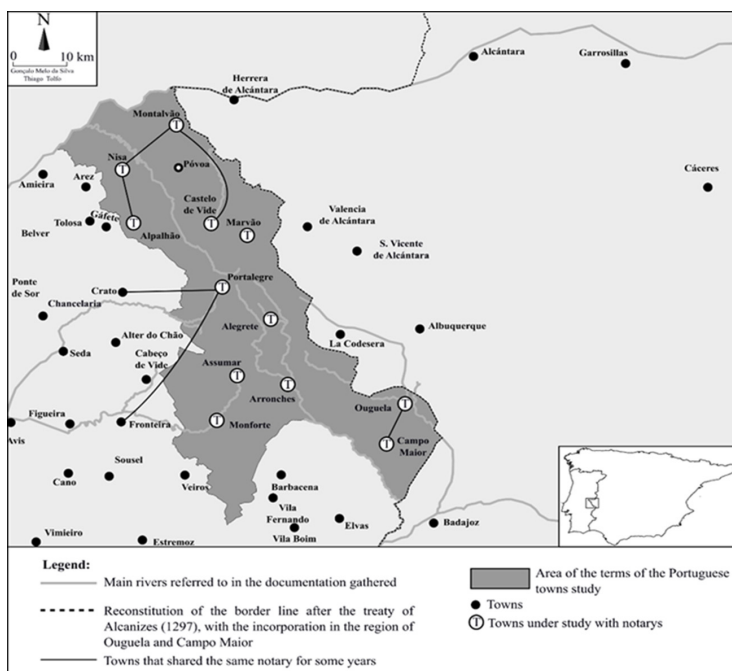
The presence of writing professionals holding special jurisdictions, known as general notaries, is also noteworthy. These men were authorized by the king to exercise their office throughout the entire kingdom, within the entirety of a given geographic administrative division, such as a *comarca* or judicial district, or even in lands that were part of a single lordship (Barros, 1950: 439-441; Seabra, 2024a: 47). The titles encountered in the region under study vary between “general notary” (4 instances)<sup>42</sup>, “notary of the *comarca* of *Entre Tejo e Guadiana*” (2 instances)<sup>43</sup>,

<sup>42</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 17, fl. 72v; Liv. 30, fl. 64v; Liv. 21, fl. 90v-91; Liv. 29, fl. 60.

<sup>43</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 30, fl. 64v. ANTT, *Chancelaria de D. João II*, Liv. 2, fl. 102.







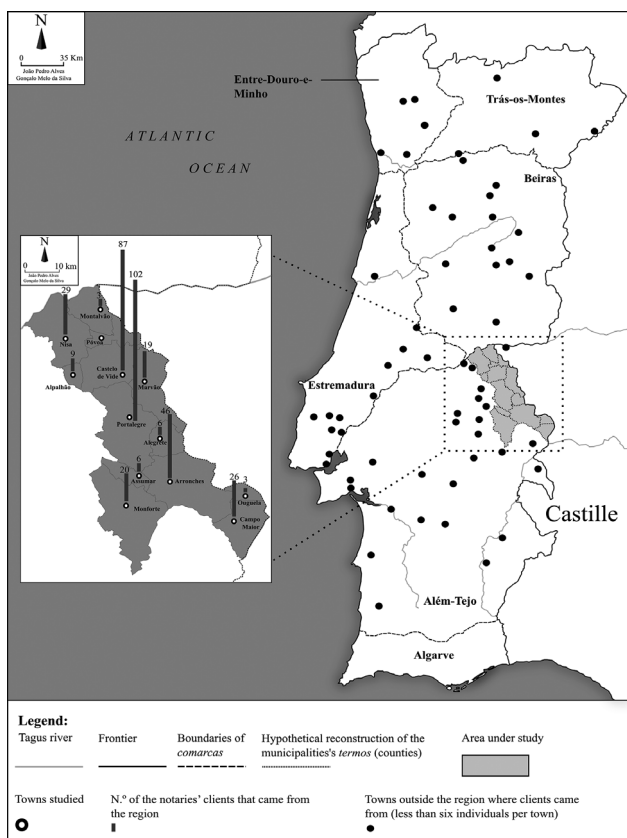
Map 1. Accumulation of jurisdictions by the notaries of the northeastern Alentejo (1438-1521).

“general notary in all the kingdoms” (1 instance)<sup>44</sup>, “notary in the royal Court” (1 instance)<sup>45</sup> and “notary in the *mestrado das partes* [*sic*]<sup>46</sup> (notary in the lands of the Order of [*sic*]) (1 instance). Among the regulations imposed on the practice of their profession, it was stipulated that they could never remain in the same place for more than two months, requiring mandatory movement by direct royal order. General notaries were thus, by nature, itinerant notaries (Dias, 1996: 135; Seabra, 2024b: 126-127). This clause arose in response to numerous complaints lodged by

<sup>44</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 32, fl. 49.

<sup>45</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 32, fl. 49. Curiously, this notary of the royal Court, with confirmed activity in 1477, must be the same Gonçalo Boto who would later provide writing services in the towns of Nisa and Alpalhão, as mentioned previously. On the career of this man (Andrade, 2024: 101-102).

<sup>46</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 8, fl. 46. The document does not specify which military order this notary worked for, but considering that its territorial and patrimonial base was in the region under study, we believe that this reference alludes to the Order of Christ. This militia exercised lordly jurisdiction in the towns of Alpalhão, Montalvão and Nisa (Gonçalves, 2002: VIII) and had the commandery of Santa Maria-a-Grande in Portalegre. (Cumbre, 1999).



Map 2. The geographic origins of the notaries' clients in the towns of the northeastern Alentejo (1438-1521). We were unable to georeference the toponyms of: "Fragos" and "Taveira".

local notaries, who saw their work opportunities diminished and felt wronged by the fact that these general notaries were exempt from paying the annual pension owed to the king. (Barros, 1950: 444-446; Seabra, 2024a: 47).

In the cases we recorded, these men appear to have been primarily involved in drafting instruments of pardon, among which the most prevalent types of criminality were homicides, prison escapes, or the forcible removal of prisoners from the custody of judicial officers. The lack of detail in the descriptions of these acts does not allow for in-depth conclusions, but we believe that the use of this type of notary was partly due to issues of availability and promptness in the production of documentation. It is also noteworthy that the involvement of general notaries in the production of this type of document tends to decline over the years, to the point that, during the reign of King Manuel I, there are no references to their activity.

### 3.4. TRAVELLING CLIENTS

We will now turn our focus to the clients of these notaries, i.e. their geographic provenance and circulation patterns revealed by the documentation, which is illustrated graphically in map nº 2.

A total of 76 different places of origin were identified for the clientele of the writing officials of the northeastern *Alto Alentejo* during the late Middle Ages, dispersed across nearly all regions of the kingdom, from the district of *Entre Douro e Minho* to *Entre Tejo e Guadiana*, and including *Estremadura* and *Beira*. Notably, there is an absence of any towns or villages from the *Algarve* region. A brief survey of the records quickly reveals that the highest concentration of clients came from the 12 towns selected as the focus of our study.

We can organize the clients' places of origin into three groups: the first was Portalegre (102 clients), Castelo de Vide (87 clients), and Arronches (46 clients), which account for the origin of the vast majority of the clientele served by notaries in the far northeastern Alentejo. The second, intermediate group is also made up exclusively of towns from this region, such as Nisa, Campo Maior, Monforte, and Marvão. In this case, the number of instances from each village ranges from a maximum of 29 clients, represented by Nisa, and a lowest value set at 19 clients, by Marvão. Lastly, the third group consists of the remaining 69 localities of origin mentioned, with the number of clients ranging from 1 to 8 individuals. It seems, therefore, that as far as judicial writing is concerned, the activity of drawing up documents was very localized, with their client networks essentially restricted to their immediate geographic area. This boundary was occasionally crossed by individuals from towns situated in the *Entre Tejo e Guadiana* district, with only a single reference recorded north of the Tagus, in Sardoa, place of residence of a certain Diogo Gonçalves, a cleric originally from Portalegre, that had his murderer, Nuno Vasques, travel to the deceased's birth village in order to secure a pardon from the victim's family<sup>47</sup>.

The origin of the remaining list of clients who requested public instruments of pardon, who came from outside the universe of the 12 northeastern Alentejo towns, varies between Alter do Chão<sup>48</sup> (2 cases), Borba<sup>49</sup> (3 cases), Cabeço de Vide<sup>50</sup>

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<sup>47</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 16, fl. 125v.

<sup>48</sup> ANTT, *Chancelaria de D. João II*, Liv. 3, fl. 98; Liv. 22, fl. 142v. In both cases recorded for clients from the town of Alter do Chão it is important to note that it is the aggrieved parties who appear to travel to the town of residence of their aggressor to reach an agreement, in Portalegre and Castelo de Vide, respectively.

<sup>49</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 6, fl. 16; Liv. 21, fl. 90v-91. ANTT, *Chancelaria de D. Manuel I*, Liv. 43, fl. 7v-8. This latter case is especially curious because it refers to an instance of resistance, with the use of arms, against the deputy *alcaide* of Borba when he was trying to imprison the father of his aggressor. The agreement between the parties was signed in a "neutral" location, before Luís Álvares, notary of Campo Maior.

<sup>50</sup> ANTT, *Chancelaria de D. João II*, Liv. 12, fl. 155v-156.





(1 case), Elvas<sup>51</sup> (3 cases), Fronteira<sup>52</sup> (2 cases), Montemor-o-Novo<sup>53</sup> (1 case) and Sousel<sup>54</sup> (1 case). The types of crimes associated with these pardons consist primarily of homicides and aiding or being responsible for the escape of prisoners, offenses which, as we will explain further on, typically required greater mobility from the individuals seeking a pardon for their crimes. It is worth noting that nearly all of these movements occurred within a radius of just over 50 kilometers around the population centers under study. We also find reference to a client from beyond the borders of the kingdom: João Rodrigues, a native of Nisa, residing in Ferreira in the kingdoms of Castile<sup>55</sup>, who returned to his native town to arrange a pardon with Nuno Rodrigues, a *cristão-novo* (New Christian), whom he had physically assaulted<sup>56</sup>.

Most of the territorial dispersion of this clientele (illustrated on map nº2), beyond the geographical limits of northeastern Alentejo, is easily explained by the exile certificate instruments (*instrumentos de certidão de degredo*), drawn up in the *coutos de homiziados* in this border region of the kingdom. We determined that the notaries of Arronches, and especially, Marvão were the main authors of this type of documentation. Individuals serving sentences in these locations would turn to the notaries' services. Obtaining this document was vital, since it, along with an exposition of the motives for wanting to end their exile, was required for the petitioners to secure a successful request for their early release. This resulted in significant contact between these local notaries and individuals from all over the kingdom, a phenomenon particularly characteristic of towns where there were *coutos de homiziados*.

As we have already mentioned, the predominance of clients of local origins is quite evident. In fact, as the analysis based on the public pardon instruments demonstrates, more than half of the documentary samples mention cases in which the entire process involved only individuals from the same town—namely the petitioner/aggressor, the victim/accuser or a relative or representative thereof, and the notary.

Nevertheless, at times it would be the aggressor/accused who traveled to the town where the victim/accuser resided, and there they would draw up the instrument together with a local notary. This behavior is to be expected, as in legal and procedural terms, it was the obligation of the accused to take the initiative in seeking reconciliation with the aggrieved party. The vast majority of these journeys are related to cases of homicide, in which the accused had to seek pardon from relatives of the deceased up to the fourth degree, and issue proclamations in order to determine the existence of any relatives of the murdered individual in a given town,

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<sup>51</sup> ANTT, *Chancelaria de D. João II*, Liv. 20, fl. 138v-139. ANTT, *Chancelaria de D. Manuel I*, Liv. 26, fl. 47v; Liv. 26, fl. 83.

<sup>52</sup> ANTT, *Chancelaria de D. João II*, Liv. 26, fl. 102v-103; Liv. 17, fl. 56-56v.

<sup>53</sup> ANTT, *Chancelaria de D. João II*, Liv. 19, fl. 166v.

<sup>54</sup> ANTT, *Chancelaria de D. João II*, Liv. 12, fl. 80.

<sup>55</sup> We believe it refers to the Castilian frontier town of Herrera de Alcántara, very close to the population centers under study.

<sup>56</sup> ANTT, *Chancelaria de D. Manuel I*, Liv. 46, fl. 37v-38.



CHART 1. TYPES OF MOBILITY RECORDED IN PUBLIC INSTRUMENTS OF PARDON AND THEIR TOTAL NUMBER OF OCCURRENCES

Towns	NUMBER OF INSTANCES IN WHICH ALL PARTIES INVOLVED BELONG TO THE SAME TOWN	NUMBER OF INSTANCES OF DISPLACEMENTS BY THE AGGRESSOR/ACCUSED	NUMBER OF INSTANCES OF DISPLACEMENTS/USE OF A "NEUTRAL" JURISDICTION NOTARAY*	NUMBER OF INSTANCES OF DISPLACEMENT BY THE VICTIM/AGGRIEVED PARTY	NUMBER OF INSTANCES IN WHICH IT WAS IMPOSSIBLE TO DETERMINE THE ORIGIN OF THE CLIENT
Alegrete	4	2	2	1	1
Alpalhão	5	1	1	-	-
Arronches	37	5	-	1	4
Assumar	2	-	-	-	-
Campo Maior	24	2	2	1	1
Castelo de Vide	70	7	3	1	3
Marvão	13	7	1	-	2
Monforte	18	5	1	-	3
Montalvão	8	-	-	-	1
Nisa	21	10	3	2	3
Ouguela	2	3	2	0	0
Portalegre	92	12	4	3	9
Total	296	54	19	9	27

\* We used the word "neutral" to encompass all the cases of journeys carried out by both the aggressor/accused and the victim/aggrieved parties; to go to a notary whose jurisdiction was in a town beyond that of both agents. In this field we list the instances of the activity of notaries who held general or special jurisdictions.

which usually led them on lengthy journeys (Duarte, 1999: 470). Prison breaks required similar efforts in travel and procurement of multiple instruments of pardon; those who assisted in such evasions, or even the jailer responsible for guarding the prisoners, were obliged to request pardon from all those harmed by the fugitive<sup>57</sup>.

Another form of mobility identified refers to the movement, either of the accused or of the victim, to meet with a notary from a "neutral" jurisdiction, that is, one in which neither party appeared to reside, or if the record was drawn up before a public notary holding a general/special jurisdiction. References to this type of behavior are not abundant; we were able to identify 19 records of such movements, with a nearly equal distribution across most of the towns under study. Then there

<sup>57</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 21, fl. 90-91v; Liv. 32, fl. 95.

are cases in which it appears to be the victim/aggrieved party who traveled to the location of the accused and the respective notary of that town. These are the rarest instances, with only 9 cases identified for the entire period under study, and in none of them was it possible to determine the reasons behind this “breach” of legal protocol. Convenience, proximity/availability of a notary, or perhaps a genuine sign of reconciliation with the accused –all remain open questions. Finally, there are instances in which it was impossible to determine with certainty the client’s place of origin. These cases refer to records where this information was entirely omitted, or where the individual is identified only by name and subsequently described as a “servant of” or a “squire to”<sup>58</sup>, without any indication of their geographic provenance.

From an analysis on a macro scale, we will shift to a more focused examination of the client networks present in the towns of Portalegre and Marvão, two towns with the most significant scenarios of documentary production in the entire sample, though in completely opposite fields: the former being almost exclusively dedicated to public instruments of pardon, and the latter predominantly dedicated to public instruments certifying exile. This analysis will allow us to understand, from a comparative perspective, the main similarities and divergences in the demand for written documentation and the patterns of mobility shown by both the writing professionals and their respective clients in these two population centers.

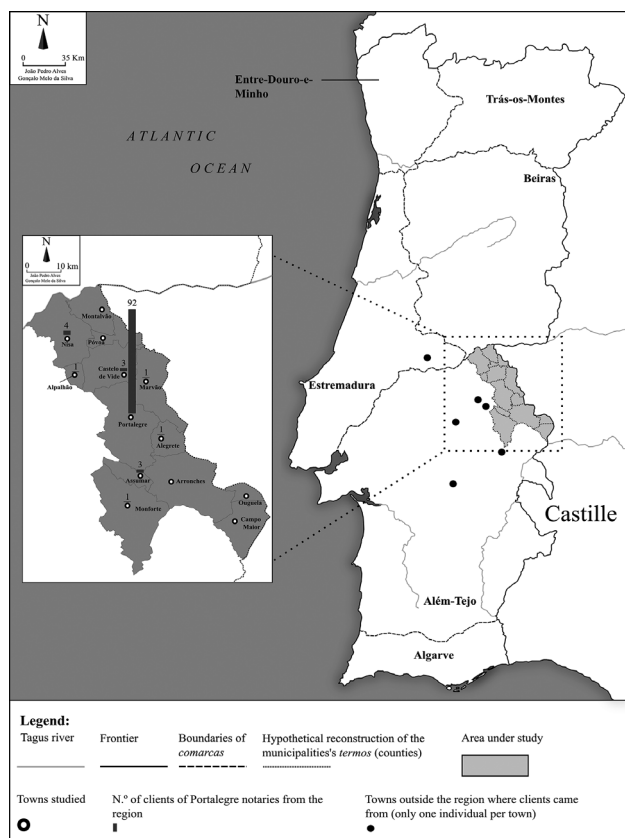
### 3.5. THE NOTARIAL OFFICE IN PORTALEGRE

The most prevalent production of judicial writing in Portalegre were public instruments of pardon, with only one instance of a public certificate of exile found, which we will address later. The predominance of a local clientele for public instruments of pardon is evident in Chart nº 1, with a total of 92 individuals originating from Portalegre, a pattern that is also reflected in almost all the other towns under study. The remaining localities present little data, with fluctuations between 4 and 1 occurrences. We note the presence of individuals from seven of the towns under study (Alegrete, Alpalhão, Assumar, Castelo de Vide, Marvão, Monforte, and Nisa), which allows us to infer that there was contact between the inhabitants of the towns under study regarding the resolution of criminal disputes.

On the other hand, the town of Portalegre shows a smaller capacity to attract clients from towns and localities outside the northeastern Alentejo region; most of these clients were from the district of *Entre Tejo e Guadiana*, with the exception of an individual from Sardoa thus extending the distance of these connections to about 68 kilometers. Meanwhile, the one case of a certificate of exile issued by a Portalegre notary pushes this distance up to 90 kilometers, as it involved a client from Évora –Isabel Nunes, an unmarried woman accused of being the concubine of Fernando

<sup>58</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 22, fl. 39v-40; Liv. 31, fl. 47v. ANTT, *Chancelaria de D. João II*, Liv. 1, fl. 31; Liv. Liv. 11, fl. 16.





Map 3. The geographic origins of the notaries' clients in the town of Portalegre (1438-1521).

Álvares, a married man, both of them residents of the city of Évora, and for which she was sentenced to one year of exile from the said city and its surrounding area<sup>59</sup>.

Portalegre also proved to be an attractive location for general notaries, with a high incidence of their activity in this town<sup>60</sup>. The strong demand for the services of writing professionals in Portalegre, made it a desirable stop on the notaries' circuits across the vast geographic areas where they were authorized to conduct their duties, giving rise to what local councils viewed as unfair external competition with resident notaries (Barros, 1950: 439-446). Another indicator of the dynamism of the writing

<sup>59</sup> ANTT, *Chancelaria D. João II*, Liv. 3, fl. 69.

<sup>60</sup> ANTT, *Chancelaria D. Afonso V*, Liv. 17, fl. 72v; Liv. 32, fl. 49. ANTT, *Chancelaria de D. João II*, Liv. 8, fl. 86.



market in Portalegre is the existence of a *distribuidor* (distributor), first referenced in 1457<sup>61</sup>. This was an official chosen by the Crown from among the notaries, tasked with distributing writing assignments fairly among his peers, although this mission was often not properly fulfilled (Seabra, 2024a: 39).

We believe that this predominance may be due, at least in part, to the favorable demographic balance recorded of 1,419 *fogos* (dwellings), a figure well above that of the other towns in our study (Dias, 1996: 231; 540), according to records from the first third of the 16<sup>th</sup> century. Furthermore, Portalegre gradually became the most prominent town among the urban centers located in the northwesternmost part of the Alentejo region (Fernandes, 2011: 566-567), a status that was consolidated both administratively and ecclesiastically throughout the 16<sup>th</sup> century (Dias, 1996: 197-280).

### 3.6. THE NOTARIAL OFFICE IN MARVÃO

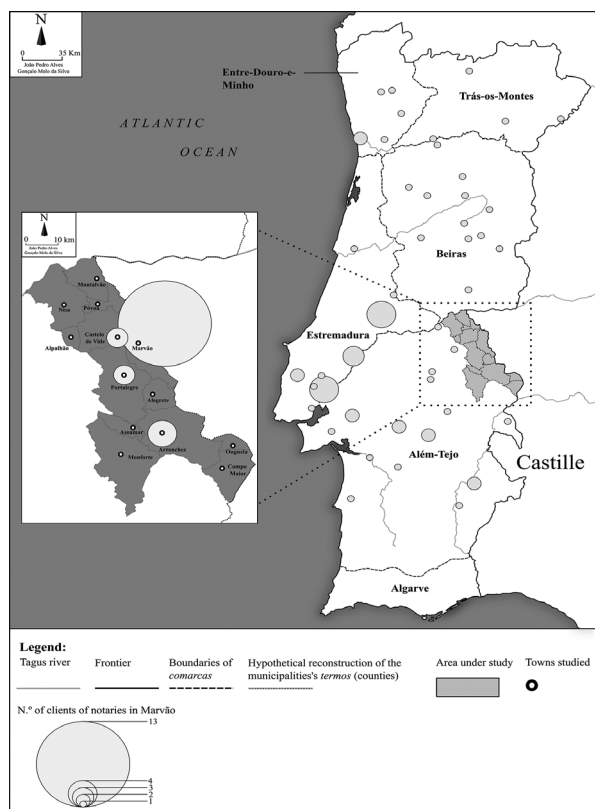
Marvão, in turn, showed a contrasting documentary landscape, where the production of public certificate documents prevailed over the other type of document under focus. This fact stems from the presence of the *coutos de homiziados* established in this town atop the Serra do Sapoio (Moreno, 1986: 105-106). Among the three towns in our study that possessed a *couto de homiziados* and have records of public certificate instruments, the town of Marvão shows a production far greater than that of Arronches and Ouguela, being responsible for about 77% of the records of this type of document.

As mentioned above, the notaries of Marvão served a clientele from 50 different localities, covering nearly all the regions of the kingdom, with the exception of the *Algarve*. It is important to note that the number of instances for each represented town is low, ranging between 1 and 4 occurrences. As such, we were unable to detect any pattern or preferred geographic area from which these individuals originated. Unlike the clients of Portalegre, the journey of these individuals was not primarily motivated by the search for a notary's services, but was, rather, related to exile dictated by royal sentence (Duarte, 1999: 441; 443-444). Public instruments of banishment certification were issued later, with the individual's release. A clear similarity with Portalegre arises when we consider the production of pardon instruments: here, the majority of requests for documentation are made by inhabitants of Marvão, resulting in a marked graphical inflection in the number of clients originating from this town compared to the other 49, where the numbers

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<sup>61</sup> ANT, *Chancelaria D. Afonso V*, Liv. 13, fl. 75. In the group of villages analysed, this official would likewise have existed in the villages of Castelo de Vide and Campo Maior; however, the first mention of both appears only in the second decade of the 16<sup>th</sup> century, in 1520 and 1521, respectively. This clearly reveals a greater dynamism in the demand for written records in Portalegre compared to the surrounding population centers. ANT, *Chancelaria D. Manuel I*, Liv. 36, fl. 96; Liv. 37, fl. 104.





Map 4. The geographic origins of the notaries' clients in the town of Marvão (1438-1521).  
We were unable to georeference the toponym of: "Taveira".

range between 1 and 4 requests. Here too, criminal disputes appear to have remained within the jurisdiction of a single town.

At first, we found curious the exclusivity enjoyed by the notaries in the writing of public certificate documents; since the reign of King Afonso V there is evidence, in Marvão, of the existence of clerks of the *homiziados*, who, in theory, would have been at least partially responsible for the production of documents required by the *homiziados* (Duarte, 1999: 443). How can we explain this apparent overlap of functions? Well, after comparing this with the prosopographic data collected by Andrade (2024), we realize that the records of public certificate instruments preserved in the royal chancelleries always identify the office of the issuer of the document as "notary", omitting their role as clerks of the *homiziados*.

In total, we were able to identify three cases of this omission of functions through homonymic, geographic, and chronological correspondence. These refer to



João Afonso, who was appointed to the office of clerk of the *homiziados* of Marvão by royal letter in 1455 (Andrade, 2024: 114), but whose activity in drawing up certificates of banishment appears to have been already recorded during the reign of King João II<sup>62</sup>. He had a prolific career, and was responsible for nearly half of all certificates of banishment issued in the *couto* of Marvão during the reign of King João II. Some doubts arise regarding the continuation of his activity into the Manueline reign; a notary with the same name who signed, on April 22, 1496, the certificate of sentence completion in the Marvão *couto* for João Dias, a resident of Palmela<sup>63</sup>, which would imply a 41-year-long career –something not unheard of, but difficult to verify, especially considering that we only have one record produced during the reign of King Manuel I. The second case is that of Pedro Vasques, who died prior to December 24, 1451, the date on which Diogo Fernandes Caldeira was appointed as his successor in the office of *escrivão* of the *homiziados* of Marvão and its district<sup>64</sup> (Andrade: 2024, 191). Would this have been the same person who before January 30 of 1440<sup>65</sup> was responsible for drafting an instrument that proved the completion of the period of exile in Marvão of João Afonso, a resident in *casal de Sandinho*, in Castelo de Vide?<sup>66</sup> Lastly, we find Rui Pires, whose date of appointment to the office of scribe of the *homiziados* is unknown; we only know that he was dismissed from this position in 1503 due to errors he committed in the performance of his duties<sup>67</sup> (Andrade, 2024: 202-204). The earliest records in the Manueline chancellery of his activity go back to 1496<sup>68</sup>, and continue until 1501<sup>69</sup>. Although his career came to a troubled end, he proved to be a very active professional, having been responsible, over this period, for issuing 88.9% of all exile certificate instruments drawn up during the reign of King Manuel I, according to the evidence. The data seems to suggest that the office of scribe for the *homiziados* in Marvão was held by a man who also occupied the position of public notary in the town, a role he had previously held, and a pattern observed in two of the individuals identified above. The limited number of traceable letters of appointment, confirmation, and dismissal for the office of scribe of the *homiziados* prevented us from determining whether a similar pattern was common among the remaining individuals.

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<sup>62</sup> ANTT, *Chancelaria de D. João II*, Liv. 17, fl. 6v (1480); Liv. 5, fl. 13 (1491). These references refer to the chronological interval in which it was possible to document his activity.

<sup>63</sup> ANTT, *Chancelaria D. Manuel I*, Liv. 34, fl. 67v.

<sup>64</sup> This man also accumulated the work of notary of civil and criminal matters in Marvão with that of scribe of the port and tax clerk of Marvão (Andrade, 2024: 191).

<sup>65</sup> We refer here to the date of registry in the chancellery, since the date of the instrument of certificate of banishment was omitted.

<sup>66</sup> ANTT, *Chancelaria de D. Afonso V*, Liv. 20, fl. 78.

<sup>67</sup> To this position he added that of the public and judicial notary of Marvão, clerk of the taxes of Marvão, clerk of the market magistracy of Marvão, and clerk of the municipal council of Marvão (Andrade, 2024: 202-203).

<sup>68</sup> ANTT, *Chancelaria D. Manuel I*, Liv. 26, fl. 46.

<sup>69</sup> ANTT, *Chancelaria D. Manuel I*, Liv. 46, fl. 33-33v.

#### 4. CONCLUSION

In this article we present a summary of new hypotheses, possibilities, and working methodologies for the study of the mobility and circulation of notaries, and their clients, in a peripheral region of the Portuguese kingdom during the Late Middle Ages. By combining heterogeneous perspectives drawn from royal legislation, records from the *Cortes*, a strong prosopographical inventory of the writing officials from the northeastern-most region of the Alentejo, and, above all, the brief but valuable references to notarial judicial activity, i.e. public instruments of pardon and public instruments certifying exile preserved in royal pardon processes compiled in the chancery books. This methodology allowed us to overcome the limitations imposed by the scarcity of notarial documentation for the twelve urban centers under study. Such records have traditionally been considered the primary source for studying notarial practice at the local level, especially concerning the movement of writing professionals, along with data on royal emoluments, which include travel expenses, preserved in legislative texts and compilations issued by the Crown.

Since we had to adapt our approach to the available documentary *corpus*, it was impossible to assess the movements of the individuals under study within a single town, so we considered their movements on a broader scale, between localities, towns, and regions. Moreover, it was not possible for us to quantify or draw conclusions regarding the costs associated with these movements and the production of documents, as no records of such expenses have been preserved. Another aspect to consider is that the core body of documentation on which our study is based upon is of judicial nature, thereby excluding other types of records, such as civil, commercial, or property-related documents which could show different, or similar realities to those presented herein.

However, despite the limitations of this approach, we believe it has validity, and could be a useful resource to overcome the dearth of Medieval notarial records that are found, to varying degrees, across almost the entire Portuguese territory. That said, let us now turn to the conclusions we were able to draw from this initial study.

For now, it seems safe to suggest that much like their professional counterparts in other regions of the kingdom, the late Medieval notary in the northeastern-most part of the *Alto Alentejo* was a *Homo Viator* (Santos, 2005: 33). Notaries acted as representatives appointed by their peers to advocate for their towns' political interests before the Crown, and other powers of the realm, when the *Cortes* assembled. A notary would embark on occasional journeys of medium to long duration, covering far greater distances than was required in his regular routine. Some of the travelling undertaken by these men also resulted from an accumulation of jurisdictions, through which they sought to expand their client base and thus increase their business volume, perhaps also compensating for an apparent scarcity of writing services recorded in the smaller towns. In this context, an interesting relationship was noted between the notarial offices of Nisa and those of Alpalhão and Montalvão; perhaps the fact that these belonged to the Order of Christ contributed to the sharing of a single writing official.





This trend of clustering jurisdictions declined over time, becoming nonexistent by the reign of Manuel I. A similar trajectory is observed in the records documenting the activity of general notaries in this geographical area, who appear to have chosen the town of Portalegre as their primary location for offering services, which then disappears entirely after the coronation of King Manuel I. Given the difficulties encountered in collecting documentation from the Manueline chancery, we cannot offer concrete explanations for these changes. However, we believe that they were influenced, at least in part, by the enforcement of restrictions on the travel habits of notaries introduced through the *Ordenações Manuelinas*, which sought to settle these men in a single town. Added to this was the growth in the number of notaries recorded at the turn of the 16<sup>th</sup> century, which we believe helped to mitigate the phenomenon of jurisdictional accumulation and, consequently, the circulation of writing agents associated with it.

Sometimes clients were also compelled to travel with the purpose of meeting up with the men of *ars scribendi*. In these cases, the clients –criminals serving sentences of exile in some of the towns under study– came from more than 70 localities scattered across the kingdom. When we consider the instruments of pardon requested, the individuals who requested them were primarily residents living within the area under examination. Although there are some exceptions, these cases typically involved individuals originating from the comarca of *Entre-Tejo-e-Odiana*. The primary example of this type of “market” is the town of Portalegre, which benefited from an abundance of local clients, and occasional patrons from outside the area, and where itinerant notaries converged to offer their services. Without a doubt, it presents the most dynamic writing landscape, establishing its central role within the region under study. The reverse is seen in the case of public instruments of banishment certificates, which grant notaries who were assigned to the *coutos de homiziados* access to a diverse clientele spread across nearly all the jurisdictions of the kingdom, culminating in the town of Marvão with its *couto de homiziados*. This contrast reflects the different patterns in demand for judicial writing observed in the towns of the northeastern Alentejo.

The possibilities for the study of this particular subject have not been depleted. To begin with, this work could be complemented by a thorough exploration of the archives of the Order of Christ, which we believe would provide some interesting insights into the notarial activity of this region. Another area of study that could be addressed is the trends in the demand for judicial writing shown by the inhabitants of these 12 towns in exogenous spaces. Lastly, an interesting research avenue would be to relate the movements identified in the documentation with a reconstruction of the network of Medieval roads, thus allowing for a fuller understanding of the phenomenon and its relationship with the surrounding space. Many other paths thus remain open for exploration to obtain a more complete understanding of the mobility of Portuguese notaries and their clients during the transitional period between the Medieval era and Modernity.

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