

PATRONAGE AND INDEBTEDNESS:
PORTUGAL, CASTILE AND THE PAPAL
COURT AROUND THE YEAR 1300*

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In the standard biographies of Boniface VIII consideration of Portuguese affairs has been largely ignored, with Boase for example, in his still valuable study, limiting himself to the observation that negotiation of the 40 articles of the Portuguese Church ('a piece of work that raised problems and formed opinions', and one in which the then Cardinal Benedetto Caetani was involved) 'must be given no small place in the genesis of *Clericis laicos* and *Unam sanctam*'.¹ Such is the context, but not the content, of the present note.

At the time of Nicholas IV's election in February 1288, for thirteen long years the king and kingdom of Portugal had been suffering the consequences of excommunication and interdict, as specified in 'De regno Portugalie', Gregory X's 'constitution, ordinance and provision' of September 1275.² The gravity of these consequences was described by the pope in various communications to King Dinis, on the one hand the cumulative effects of deprivation of the sacraments,³ on the other the abuses reportedly inflicted upon ecclesiastics by laymen who, under cover of custom ('which it were better to call corruption'), were claiming that their patronal rights entitled them and their families to force themselves upon churches and monasteries, demanding hospitality, flooding the cloisters with dubious company, and robbing the men of religion not only of the contents of their larders but also of the solace of their beds.⁴

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1. T. S. R. BOASE, *Boniface VIII* (London, 1933), 18. Likewise, A. PARAVICINI BAGLIANI, *Bonifacio VIII* (Turin, 2003), 27n.

2. *Reg. Greg. X*, 628; summarized in A. HERCULANO, *Hist. de Portugal*, III, 173-6.

3. 'Hec est forma', 16 March 1289: *Reg. Nich. IV*, 718; A. D. de Sousa COSTA, 'Concilio provincial de Compostela realizado em 1292, com a participação de bispos portugueses, e a data do efectuado no tempo do Arcebispo D. João Arias. (No ambiente das Concordatas de el-Rei D. Dinis)', *Itinerarium*, 32 (1987), 393-470, at p. 410.

4. '... pretendentes ex abusu consuetudinem que dicenda est potius corruptela, ad monasteria et ecclesias predicta causa exigendi et accipiendi violenter hospitia pro sue voluntatis libito cum comitiva

Since the death of the Portuguese pope, John XXI, in May 1277 and in February 1279 that of Afonso III, reconciled to Rome just as the grim reaper reached out for him, the sometime archbishop of Braga, Cardinal Ordoño Álvarez (albeit not himself Portuguese, as traditionally claimed) had been on hand to oversee Portuguese interests. And both before and after the cardinal's death in the last months of 1285 there had been abortive attempts at negotiation:⁵ the beginnings of approximation towards a settlement of papal-Portuguese differences, the Portuguese consequences of which were to prove more far-reaching even than Boase suggested, preceded 1288.⁶ Nevertheless, it was not until the June of that year that D. Dinis gave the process firm direction by appointing two of the most notable of his up-and-coming clerics, Martinho Pires cantor of Évora and João Martins de Soalhães, canon of Coimbra, to act as his proctors at the papal court.⁷

Although a case might be made for revisiting the ensuing diplomatic exchanges and the complexities of the Eleven and then the Forty Articles,⁸ that is not my purpose here. Instead, I wish to focus on that pair of upwardly mobile clerics,⁹ in 1288 both of them already royal clerks, and on one in particular of the influential friends they acquired at the papal curia.

If the indexes to the French School's calendars of the papal registers for the years since Nicholas III created him cardinal-deacon of S. Maria de Via Lata in 1278 are anything to go by,¹⁰ Giacomo Colonna had hitherto had no particular connexion with Portuguese affairs. But by the end of 1289 João Martins was his

militum, armigerorum et peditum accedentes, victualia frequenter a personis monasteriorum et ecclesiarum predictarum sibi postulant exhiberi et frequenter celariorum panis, vini et annone aliorumque victualium claves per violentiam rapientes victualia ipsa non solum suis usibus necessaria capiunt sed ea dissipant enormiter et consumunt ac, mulieres inhonestas plerumque introducentes, dormitoria fratrum intrare ac lectos et pannos ipsorum fratrum violenter accipere non verentur tam per se ipsos quam suos famulos servientes dictorum fratrum quietem clamoribus et loquelis inhonestis ac tumultuosis incessibus perturbantes': 'Hii sunt articuli', 3 Sept. 1289: (A[rquivo] D[istrital.] B[raga], Cx. Bulas 1, no. 21=Archivio Segreto Vaticano, Reg. Vat. 44, c. 458, fo. 208v [Reg. Nich. IV, 1353]).

5. P. LINEHAN, *The Ladies of Zamora* (Manchester, 1996), 100; idem & Margarita TORRES SEVILLA, 'A misattributed tomb and its implications: Cardinal Ordoño Álvarez and his friends and relations', *Rivista di Storia della Chiesa in Italia*, 57 (2003), 53-63.

6. Nicholas IV, 'Occurrit', epitomizing the history of relations between Portuguese crown and Portuguese episcopate since the pontificate of Clement IV and the course of negotiations leading to the 40 Articles, hereby confirmed subject to ratification by the political nation, and specifying the course of disciplinary action to be followed in the event of non-compliance by the king or his successors (7 March 1289): Reg. Nich. IV, 717; A. MERCATI, *Raccolta di Concordati su materie ecclesiastiche tra la Santa Sede e le autorità civili*, I. 1098-1914 (Vatican City 1954), 107-11.

7. *Ibid.*, 105-6.

8. COSTA, 'Concilio provincial de Compostela', 406-14; idem, 'D. Frei Tello, arcebispo-primaz, e as concordatas de D. Dinis', in *IX Centenário da dedicação da Sé de Braga. Congresso Internacional. Actas*, II/i (Braga 1990), 283-316, at 300-5; F. F. LOPES, 'A propósito do conflito entre a Igreja e Portugal no tempo de D. Dinis' [1964], in LOPES, *Colectânea de Estudos de História e Literatura*, III (Lisbon, 1997), 185-94.

9. For Martinho PIRES, see H. V. VILAR, *As dimensões de um poder. A diocese de Évora na Idade Média*, Lisbon 1999, 74-9; for João Martins, J. A. FERREIRA, *Fastos episcopais da Igreja primacial de Braga (sec. III-sec. XX)*, II (Famalicao, 1930), 113-25.

10. Which they may not be, those to the Registers of Martin IV being plainly defective.

chaplain, and it was on the cardinal's recommendation as well as out of consideration for the king that he was dispensed to enjoy a substantial portfolio of ecclesiastical benefices in plurality.¹¹ Earlier still, Cardinal Giacomo had been busying himself with Portuguese affairs, in the previous March enabling Vasco Peres, one of his Portuguese chaplains, to secure an indulgence for the bishop of Viseu,¹² and, as is indicated by certain notarial annotations on the top-left corner of the recto of the instrument, making himself responsible for the acquisition of additional engrossments of the bull absolving D. Dinis.¹³ It was through his agency that in March 1290 the pontiff instructed the new archbishop of Braga, D. Tello, to consecrate the Roman church of S. Lucia 'quatuor portarum'.¹⁴ And in the following May he was again active, this time in connexion with the issue of the papal privilege authorising the division along national lines of the Order of Santiago.¹⁵

Nicholas IV's bull of foundation of the University of Lisbon (9 August 1290) affords a further example of the historical value of such diplomatic minutiae. The letter, 'De statu regni', has been frequently published.¹⁶ But hitherto no attention has been paid to the information on the right of the fold where the scribe identified himself.¹⁷ The evidence there that Portugal's principal friend at the papal court at the time of the foundation of its first university was none other than the same Cardinal Giacomo Colonna may go some way to explain why, in the years immediately following, that institution's progress was so erratic. It was not only the hostility of the Lisbon locals specified by D. Dinis in February 1308 that caused the migration of the Portuguese *studium* to Coimbra.¹⁸ It was also the *studium*'s lack over the previous decade of an influential champion at the papal court.

For although Giacomo Colonna was one of the members of the college of cardinals to whom the election as archbishop of Braga of Martinho Pires, the cantor of Évora and the earlier of the king's proctors to gain promotion, was referred

11. The church of S. Miguel de Avoo, dioc. Coimbra (with care of souls), canonries and prebends in the churches of Lisbon, Coimbra and Lamego, 'et quedam prestimonia sine cura in diversis ecclesiis', in addition to which he was now permitted to enjoy 'unum aliud beneficium, cum cura vel sine': *Reg. Nich. IV*, 1727 (1 Dec. 1289); printed COSTA, 'Concílio provincial', 417-18.

12. IAN/TT, Sé de Viseu, mç. 11 (Pontificios), no. 4, dorse: 'Mag[iste]r Velascus Petri capellanus d[omi]ni Iac[obi] diac[oni] card[inalis] hanc impet[rat] | indulgenciam pro d[omi]no Visen. ep[iscop]o': 'Licet malorum inceptor' (23 March 1289) = *Reg. Nich. IV*, 796.

13. IAN/TT, Cx. Bulas, mç. 8, no. 5: 'fiant iiij. de mandato d[omi]ni Iac[obi]' (meaning 'make four engrossments of this on the instruction of Cardinal Giacomo'): 'Fili carissime' (23 March 1289) = *Reg. Nich. IV*, 795. (There was no other Cardinal Giacomo in the curia at this time.)

14. *Reg. Nich. IV*, 2399 (13 Mar. 1290).

15. IAN/TT, C. E. (Bulas), cx. 4, no. 17 (*Reg. Nich. IV*, 7555): 'Pastoralis officii', the scribe's signature reading 'Io. Gall. de mandato d[omi]ni Ia. card'. Io. Gall. – Iohannes de Gallicano – was a member of Cardinal Giacomo's *familia*: G. F. NÜSKE, 'Untersuchungen über das Personal der päpstlichen Kanzlei 1254-1304 [II]', *Archiv für Diplomatik*, 21 (1975), 249-431, at 277-8.

16. Most recently by A. MOREIRA DE SÁ, *Chartularium Universitatis Portucalensis*, I (1288-1377), (Lisbon, 1966), 12-14. It appears in the papal register as *Reg. Nich. IV*, 3102.

17. 'Io. Gal. de man[dat]o | .I. de Col[um]pna': IAN/TT, Cx. Bulas, mç. 12, no. 2.

18. *Reg. Clem. V*, 2666; MOREIRA DE SÁ, *Chartularium Universitatis Portucalensis*, I. 39-40.

for examination seven months into Boniface VIII's pontificate,¹⁹ the Colonna cardinals' subsequent quarrel with the pontiff and their deposition from the college of cardinals in 1297 fatally damaged any cause with which they were associated. Thus, while the Montpellier *studium*, also favoured by Nicholas IV, continued to prosper, the Lisbon *studium* languished.²⁰ Evidence of the pope's unremitting vendetta against the Colonna and their associates is found throughout Europe. In Portugal, because Laurentius de Fuscis de Berta, canon and archdeacon of Braga, was the chaplain and chamberlain of Cardinal Pietro, he was deprived of his benefices and replaced by another Italian absentee, this one unqualified for appointment by both age and orders.²¹ For the same reason *inter alia*, in Castile a similar fate overtook Bishop Velasco of Ciudad Rodrigo.²²

Exempt from this persecution, evidently because they enjoyed the favour of King Dinis, were João Martins de Soalhães and Geraldo Domingues, dean of Braga, chaplain of Cardinal Giacomo²³ and in October 1297 Roman proctor of João Martins.²⁴ By then João Martins himself was bishop of Lisbon, his refusal to accept election to the see of Braga in 1292 having resulted in the appointment of Martinho Pires.²⁵ Now, at the request of King Dinis, and doubtless because the king had need of him at home, he was dispensed from making the 'ad limina' visit to the papal court.²⁶ Equally, though, business of his own demanded his presence at Rome, notably an enquiry initiated in November 1298 into the complaint of the bishop of Coimbra, Pedro Collaço, that his church had suffered enormous loss on account of the transfer of properties to João Martins 'not as bishop but as a private person' by Pedro's predecessor Aimerico.²⁷ In March 1299 the case was being argued at the

19. *Reg. Bon. VIII*, 344 (printed S. DOMÍNGUEZ SÁNCHEZ, *Documentos de Bonifacio VIII (1294-1303) referentes a España* [León, 2006], no. 120).

20. G. ROMESTAN, 'Nicolas IV et la fondation de l'Université de Montpellier', in E. MENESTÒ, *Niccolò IV: un pontificato tra Oriente ed Occidente* (Spoleto, 1991), 39-52.

21. *Reg. Bon. VIII*, 2164 (DOMÍNGUEZ SÁNCHEZ, no. 476).

22. *Reg. Bon. VIII*, 2031 (DOMÍNGUEZ SÁNCHEZ, no. 447).

23. As such, in January 1292 he was dispensed to enjoy benefices in plurality, including canonries at Braga, Lisbon, Coimbra and Lamego. One of the executors of this provision was the cantor of Évora, MARTINHO PIRES: *Reg. Nich. IV*, 6504-5. See A. M. S. A. RODRIGUES *et al.*, *Os capitulares Bracarenses (1245-1374): notícias biográficas* (Lisbon, 2005), 59.

24. 'In nostra proposuisti', 10 Oct. 1297, granting permission to borrow up to 400 marks of silver: ADB, Gav. das Notícias Várias, no. 22. A loan for that sum from the members of the Ammanati Company was raised later that month: ADB, Gav. das Notícias Várias, no. 23.

25. Above, n. 19. According to this account, 'cum eum ex certa causa de iure non possint eligere, postularunt', but João renounced the postulation. H. V. VILAR and M. C. BRANCO, 'Servir, gouverner et leguer: l'évêque Geraldo Domingues (1285-1321)', *A Igreja e o Clero Português no Contexto Europeu* (Lisbon, 2005), 95-116, at 100, suggest that illegitimacy was the problem. If so, it did not stand in the way of his election to Lisbon in March 1294, a carefully orchestrated affair in which mistakes were avoided by vesting all powers of election in a single canon, Petrus Remigii: ADB, Gav. dos Privilegios, 5. When translating him (and his archive, whence this note) to Braga in 1313 Clement V abrogated 'omnem defectum seu impedimentum quodlibet': ADB, Gav. dos Arcebispos, 45.

26. 'Celsitudinis tue litteris', 4 Oct. 1297: ADB, Gav. das Notícias Várias, no. 21.

27. '... non tamen sicut episcopo set tanquam private persone per ipsum et heredes ipsius in perpetuum possidenda concessit, receptis ab eo propter hoc quibusdam aliis casalibus que tunc ad ipsum

Lateran before the acting ‘auditor litterarum contradictarum’, Huguccio de Vercellis, canon of Bruges.²⁸ And at Anagni on 6 September 1301 both João Martins and Geraldo Domingues (since the previous year bishop of Porto)²⁹ were there in person because it was in the papal presence that on that day each of them sought leave to borrow three thousand gold florins on the security of themselves and their sees.³⁰

Loans such as these, earmarked for provision of ‘necessities’ and advancement of their churches’ affairs, were of course routinely raised by prelates at the curia. What is interesting about these two though is that it was on that same day, 6 September 1301, that the long-desired, and hugely expensive, papal bull legitimising Fernando IV of Castile and his siblings was at last secured by the agents of Fernando’s mother, María de Molina.³¹

In the triumphal account of that achievement, one that had been worked for by fair means and foul for a decade or more, the Castilian chronicle of Fernando’s reign made much of María de Molina’s success in scrimping and saving the ten thousand silver marks demanded by the pope. And it was common knowledge how much the success of the negotiation owed to the exertions of the papal referendary, the Castilian Petrus Hispanus.³²

Although the nature of the relationship between the three thousand Portuguese gold florins and the ten thousand Castilian silver marks is uncertain,³³ certain remarks contained in three letters home from the king of Aragon’s men at Rome sheds some light on the question. The first, from Godofrè de Foix and dated 25 August, told of the arrival three days earlier of the bishops of Coimbra and Porto and of two of Fernando IV’s knights (Fernando being described, in accordance with Aragonese ideology, as the son not of *King* Sancho but of the ‘late lord Sancho of Castile’). They had come for three reasons: two dispensations and a legitimization. Their principal interest was in Fernando IV’s union with Dinis’s daughter, Constança (Jaume II of Aragón’s niece) and that of Dinis’s son Afonso (the future Afonso IV) with Fernando’s sister Beatriz. The legitimization issue came last.³⁴ The

Iohannem episcopum sue dumtaxat ratione persone et non ratione Ulixbonen. ecclesie pertinebant’: ADB, Gav. dos Coutos, no. 88.

28. Ibid.

29. VILAR & BRANCO, ‘Servir, gouverner’, 103

30. *Reg. Bon. VIII*, 4121 (DOMÍNGUEZ SÁNCHEZ, no. 816-17).

31. *Reg. Bon. VIII*, 4403 (DOMÍNGUEZ SÁNCHEZ, no. 818).

32. A. MARCOS POUS, ‘Los dos matrimonios de Sancho IV de Castilla’, *Escuela Española de Arqueología e Historia en Roma: Cuadernos de Trabajo*, 8 (1956), 7-108; *Crónica de Fernando IV*, c. 8 (p. 119a); P. LINEHAN, *History and the Historians of Medieval Spain* (Oxford, 1993), 540.

33. F. BAETHGEN, ‘Quellen und Untersuchungen zur Geschichte des päpstlichen Hof- und Finanzverwaltung unter Bonifaz VIII’, *Quellen und Forschungen aus Italienischen Archiven und Bibliotheken*, 20 (1928-9), 114-237, at 234 (Oct. 1301, 3 *marche*=5 *floreni auri*). Cf. W. E. LUNT, *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939), 467, quoting an exchange rate of five florins to the mark.

34. ‘Episcopi Colimberiensis [sic] et Portugalensis nuncii regis Portugalie et duo milites Ferrandi filii quondam domini Sancii de Castella intraverunt Anagniam die martis ante festum beati Bartholomei et fuerunt obtime excepti [*leg. recepti*] et aiunt eis commissa tria. Primo est concessa dispensacio, quod dictus Ferrandus possit contrahere matrimonium cum filia (regis) Portugalensis (?) nepte vestra,

author of the other, Guerau d'Albalat, writing on 14 September, reported that he had been in conversation with 'the bishop' (subsequently identified as the bishop of Lisbon), who stated that the referendary (Petrus Hispanus) led them to believe that the matter was a foregone conclusion. But the pope was causing complications. For while he was prepared to make free with dispensations, on the legitimization question his one object was to screw as much as he could out of 'them',³⁵ 'they' appearing to be the Castilian and Portuguese contingents collectively. Such was the pope's way with everyone he wanted money from.³⁶

But by any account there was dissension, the Aragonese agent continued, because the pope wanted more gold than they had brought, and they were unwilling to make up for the shortfall in silver.³⁷ What the Aragonese perhaps did not know was that some of that gold had been used to fund not Fernando's legitimization but rather the dispensation for him to marry the king of Portugal's daughter; in other words, not for acquiescence in the consequences of the king of Castile's parents' incest but for permission for him to commit incest of his own.³⁸ So in fact, and doubtless on account of the efforts of French diplomacy to raise the stakes beyond breaking point, Boniface's policy of milking petitioners extended to petitioners for dispensations, with the result that at a critical moment of the history of Castile its ruler was reduced to turning to a couple of Portuguese bishops in order to fulfil obligations entered into (at the treaty of Alcañices four years earlier), to honour his side of a dynastic deal, and so beget a 'fijo de bendicion' and lawful heir.³⁹

secundo quod filius regis Portugalie possit contrahere cum filia predicti domini Sancii, tercio quod dominus papa legitimabit et habitabit predictum Ferrandum et fratres suos ad successionem omnem, que eis poterit (?) obvenire': H. Finke, *Aus den Tagen Bonifaz VIII*. (Münster-in-W., 1902), xxiii. Godofrè was evidently misinformed about the identity of the first Portuguese prelate. Cf. the report of another Aragonese agent, Guerau d'Albalat, and his knowledge of the bishop of Lisbon: '...quod octava die assumptionis beate Marie [22 August] [veneru]nt Anagniam episcopus Lixbonensis et episcopus Portugalensis cum quibusdam militibus Castellanis et quodam fratre Uclesii, qui consuevit esse in Lorcha, et fuerunt per papam et referendarium mirabiliter bene recepti et illa die cum referendario comederunt. Pecierunt autem a papa, ut dispensaret, quod inter filios domini Sancii et regis Portugalie possint contrahi matrimonia. Item et quod legitimaret filios dicti Sancii et eos redderet habiles ad regni successionem et quod per suam dispensationem et declaracionem: hiis intellectis secreta *ab episcopo Lixbonensi, cuius notitiam magnam et familiaritatem habui, cum vos, serenissime domine, ad regem Portugalie me misistis*' [my emphasis]: idem, *Acta Aragonensia*, I (Berlin, 1908), 102-3. For Albalat's presence in Portugal in 1294, referred to here: *ibid*, 106.

35. In letters dated ten days after issue of the bull of legitimization, the pope was at pains to emphasise the enormity of what he had granted: an act of grace that abolished the infamy of the king's parents and cleansed the blackened reputation of the royal house, for which there was no precedent ('auctoritas') in his predecessors' acts, he insisted: *Reg. Bon. VIII*, 4404 (DÓMINGUEZ SÁNCHEZ, no. 819).

36. '...quod referendarius fecerat eos venire, quasi super re certa. Set modo papa intricabat negocia. Nam super matrimoniis contrahendis inter predictos volebat dispensare libenter. Set super legitimacione non ita cito. (...) Papa tamen non propter aliud ab initio exaggeravit negocium, nisi ut maiorem pecuniam posset extorquere ab eis. Talem enim modum servat in omnibus, a quibus pecuniam sperat habere. (...)': FINKE, *Aus den Tagen*, xxvii-xxviii.

37. 'Nunc autem est dissensio inter eos, quia papa petit aurum et plus quam oportaverint, ipsi nolunt dare marchas argenti ad valorem auri': *ibid.*, xxviii.

38. Constança was the great grand-daughter of Alfonso X, Fernando the grandson.

39. Cf. LINEHAN, *History and the Historians*, 539-40. For Castile's fractured economy and society at this time, see *Crón. Fernando IV*, c. 3 (p. 110a), and the report of the Aragonese agent Bernat de Sarria

As Fernando IV freely acknowledged almost four years later, three thousand of the six thousand florins they had borrowed between them had gone towards the cost of that dispensation: ‘Sepades que don Johan, obispo de Lixbona, et don Giraldo, obispo del Porto, me prestaron en corte de Roma, pora la mi despensaçion, tres mill florines d’oro,’ and that he had undertaken to repay them over three years from the rents of the city of Seville: ‘Et yo tove por bien de gelos poner en las rentas de y, de Seuilla, quelos ayan d’aqui a tres años, cada año mill florines’ -- though he might as well have done so from the revenues of the Castilian Church, which, after rebuking him and his predecessors for having helped themselves to for more than sixty years, the pope had licensed him to continue to do for a further three.⁴⁰

In September 1301 it had been altogether to the advantage of D. Dinis to have Fernando IV’s successional qualifications attended to, for he was just four months away from marrying his daughter to him.⁴¹ In the spring of 1304 he allowed himself to be persuaded by his wife, Isabel of Aragón, to subsidize his son-in-law to the tune of a million *maravedies*.⁴² Moreover, he was also seeking to advance the prospects of his bastard son Afonso Sanches, and to secure for him a dispensation to marry a lady to whom he was related in the very same degree as Fernando IV’s parents had been. In October 1302 the pontiff referred the matter to the dependable judgment of Bishops Fernando Martins of Évora and ... João Martins of Lisbon.⁴³

As to the reasons for the bishops’ anxiety about repayment almost four years later, the death of Boniface VIII in October 1303 and the earliest stages of the process reversing the anti-Colonna measures of 1297 provide the beginnings of an answer. During the vacancy following Benedict XI’s brief pontificate, the publication, in Paris in early September 1304, of Guillaume de Nogaret’s *protestationes*, with their description of Boniface as ‘not true pope’ but as a ‘thief and robber’, heretic, idolater, sodomite etc. was followed by rumours of the rehabilitation of the Colonna. Again, news of this was promptly conveyed home by the Aragonese royal agents at Rome.⁴⁴ And in April 1305, with the papal vacancy continuing, so did the church of Toledo’s man at Perugia in a letter full of gossip, rumour and fact, a vivid letter concerning the ‘bad state’ of the city of Rome and the armed bands of Colonna and Orsini fighting to control it – though for our purposes what is of particular interest is the strength of support it reported for the view that ‘everything that Boniface did has to be revoked and annulled, being the work of one who was not pope’: precisely as Boniface himself had revoked and annulled everything that his predecessor Celestine V had done, regarding the

on 20 June 1301, ‘la terra de Castela es en fort anol estament e y a gran carestia’: A. GIMÉNEZ SOLER, *Don Juan Manuel. Biografía y estudio crítico* (Zaragoza, 1932), 251.

40. Appendix II, lin. 25-27; *Reg. Bon. VIII*, 4407 (DOMÍNGUEZ SÁNCHEZ, no. 820).

41. C. GONZÁLEZ MÍNGUEZ, *Fernando IV de Castilla (1295-1312). La guerra civil y el predominio de la nobleza* (Vitoria, 1976), 128.

42. *Ibid.*, 153. Cf. FINKE, *Aus den Tagen*, xxviii: ‘Preterea, inclite domine, dixit michi episcopus Lixbonensis, quod se reputat clericum vestrum’ (G. de Albalat to Jaume II of Aragón).

43. *Reg. Bon. VIII*, 4937 (DOMÍNGUEZ SÁNCHEZ, no. 936); VILAR, *As dimensões*, 69-74.

44. J. COSTE, *Boniface VIII en procès. Articles d’accusation et dépositions des témoins (1303-1311)* (Rome, 1995), 218-19, 241-4; FINKE, *Acta Aragonensia*, I. 185.

Order of Santiago for example.⁴⁵ For, even worse than Boniface's Celestine, it was now being said that Boniface himself had not only not been pope; he had not even been Christian; he had been the enemy of Christ, a Patarene and 'omne sin ley':⁴⁶ charges plainly based on Nogaret's accusations. To the archbishop of Toledo as he read this its implication would have been alarmingly clear.

In brief, if all the late pope's acts were annulled, the royal dispensation of 1301 would be worthless, and the king of Castile would revert to being a bastard without right of succession. If Boniface had not been pope, the king of Castile's dispensation was no dispensation, and if his dispensation was no dispensation, many consequences followed, of which the likelihood that the king would feel no pressing anxiety to repay those who had helped him acquire a now worthless document was arguably the least important – except of course for the bishops of Lisbon and Porto. Such no doubt was the conclusion that occurred to Fernando IV's Portuguese creditors, one of whom, Geraldo Domingues of Porto, was in Castile between January and April 1305 representing D. Dinis at the ratification of the Arbitration of Torrellas which marked the end of ten-years of warfare between Castile and Aragón: the conclusion of a diplomatic process based on the assumption that Fernando's title was good.⁴⁷ Now, as the parties assembled at the Cistercian monastery of Huerta on the Castilian-Aragonese border, that assumption was thrown into doubt.

The death in mid-April of Fernando's Jewish *almoxarife*, Samuel de Vilforado, the only man even remotely capable of reducing the royal finances to order,⁴⁸ constituted a further reverse for the king's creditors. But Fernando had pledged his Seville revenues as security, so after their appointment at Lisbon on 2 June thither the bishops' agents betook themselves.⁴⁹ They had already secured from the king letters patent and a mandate addressed to the *recabdadores* of his rents at Seville, ordering repayment of the debt over a period of three years, with the former specifying impressive sanctions in the event of non-compliance.⁵⁰ Just how empty those threats were was now revealed when the debt-collectors reached Seville and presented their documentation to Samuel Abenxuxem, the king's *almoxarife*, at his house in the *judería* there. Frustratingly, at this point of the narrative the document

45. A. BARTOLOMEI ROMAGNOLI, 'Le bolle di Celestino V cassate da Bonifacio VIII', *Archivum Historiae Pontificiae*, 37 (1999), 61-83. For the effect of the revocation on the peninsular status of the Order of Santiago, see D. W. LOMAX, 'El rey Don Diniz de Portugal y la Orden de Santiago', *Hidalguía*, 30 (1982), 477-87, at 481-3; P. A. LINEHAN and P. N. R. ZUTSHI, 'Fiat A. The earliest known roll of petitions signed by the pope (1307)', *English Historical Review*, 122 (2007), 998-1015, at 1004-5.

46. M. GAIBROIS DE BALLESTEROS, 'Roma despues de la muerte de Bonifacio VIII', *Boletín de la Real Academia de la Historia*, 84 (1924), 351-6, at 353.

47. GONZÁLEZ MÍNGUEZ, *Fernando IV*, 177, 196-7.

48. *Ibid.*, 140, 204.

49. Appendix I.

50. Atienza, 8, 10 March 1305: 'Et non fagan ende al por ninguna manera, si non, a los cuerpos τ a quanto ouiesen, me tornaria por ello' (Appendix II, lin. 17). Payment was stipulated in the period between 1 December and '[el] día de la çinquesma' (Quinquagesima, which in the year 1304-5 had fallen on 28 February). On 2 June the term had been stated to be Pentecost, i.e. four days later: Appendix I.

published below is badly damaged. But enough of it is legible to demonstrate the precarious state of the royal finances.

The *almoxarife* declined to make payments from the income of 'la Frontera' because the king had committed it to 'Johan Nunez -- Juan Núñez de Lara -- *adelantado de la frontera*, one of Fernando's principal tormentors and a long-term adherent of the La Cerda claimant to the Castilian throne.⁵¹ Neither the king nor Juan Núñez had authorised him to make disbursements. And even if he had he could not have done so since, what with hoarding of wheat by the municipalities, the Military Orders, the *terceros* and the grain-warehouses, the supplying of Alfonso Pérez de Guzmán's requirements at Tarifa, the problems of defence throughout the region, and what was owed to those who had to have money 'en la nomina del Rey' there was a deficit in the accounts of some 800,000 *maravedies* and nothing to be had.⁵²

So far had royal authority slipped by 1292 that Sancho IV had found himself obliged to countersign his own mandates.⁵³ By July 1305 it had slipped further: Fernando IV had his cheques refused. Civil order had not been restored by the ending of civil war. The king of Castile was outside his own fiscal loop while the independence enjoyed by his Jewish *almoxarife* at Seville demonstrated his own impotence and the futility of the legislation decreed at the recent cortes of Medina del Campo, not least the prohibition of the likes of D. Samuel from holding public office.⁵⁴ While the careers of his two Portuguese creditors lay before them, with primacy in the one case and butchery in the other,⁵⁵ for Castile and its ruler in the summer of 1305 the only immediate prospect was bankruptcy.

51. GONZÁLEZ MINGUEZ, *Fernando IV*, *passim*; S. R. DOUBLEDAY, *The Lara Family. Crown and nobility in medieval Spain* (Cambridge, Mass., 2001), 92-5.

52. Cf. the 'Nómina de la Frontera' for 1290, printed F. J. HERNÁNDEZ, *Las rentas del rey. Sociedad y fisco en los reinos castellano-leoneses del siglo XIII* (Madrid, 1993), 1.391-418.

53. F. J. HERNÁNDEZ & P. LINEHAN, *The Mozarabic Cardinal. The life and times of Gonzalo Pérez Gudiel* (Florence, 2004), 352.

54. *Cortes de los antiguos reinos de León y de Castilla*, ed. Real Academia de la Historia, I (Madrid 1861), 172-9 (§9: 'Otro si a lo que nos pidieron que los judios non fuesen cogedores nin sobre cogedores nin arrendadores, tenemos por bien que lo non sean').

55. Geraldo Domingues was translated to the see of Palencia in 1307 (borrowing a further 6,000 florins at Avignon to assist the process). There he was able to attend on D. Constança, one of those whose marriages he had helped facilitate in 1301. As bishop of Évora, he was done to death in 1321 by another beneficiary of Pope Boniface's acquiescent attitude in such matters, the bastard pretender to the Portuguese throne Afonso Sanches (above, p. 217): IAN/TT, C. E. (Bulas), cx. 4, no. 39; VILAR and BRANCO, 'Servir, gouverner', 95ff.

APPENDIX

I

1305, 2, June. Lisbon

A. Braga, Arquivo Distrital, Colecção Cronológica, pasta 5, no. 220. Parchment. To left, attachment for missing seal; to right, double ogival seal depicting the Virgin and Child, inscription illegible.

Sepam quantos esta presente procuraçom virem que Nos, Johanne et Giraldo, pela merçee de deus bispos de Lixbona et do Porto, fazemos et ordinhamos et stabeçemos nossos procuradores liidimos et abastosos don Affonso Perez de Gozmam e don Roy Perez d'Alcala, cada hum deles per si, pera reçeber mill floriis d'ouro por nos et en nosso nome de qual quer ou de quaes quer que aiam de recadar et reçeber rendas et dereyos por el Rey don Fernando en Seuilla, os quaes mil floriis lhys manda o dito Rey don Fernando per sa carta que den a nos ou a quem nos mandarmos, por este Penticoste, dos tres mil floriis que lhy nos enprestamos na Corte de Roma pera sa despensaçom. E damos lhys poder a anbhos et a cada hum delos per si pera dar carta ou cartas, estormento ou estormentos de quitaçom ou de quitaçoens daqueles floriis que reçeberem, et aa qual ou aa quales de quantos reçeberem. En testemoyngo da qual coussa mandamus ende fazer esta procuraçom et seelar dos nossos seelos. Feyta foy a procuraçom en Lixbona, dous dias andados do mes de juyngo, Era de mill et trezentos et Quareenta et tres annos.

II

1305 July, 1. Seville

A. Braga, Arquivo Distrital, Colecção Cronológica, pasta 5, no. 223.- Parchment instrument of 44 lines; damage to lin. 7-15 and 39-44. Word(s) supplied from sense are shown within square brackets; ----- indicates lost text.

Jueves primero dia del mes de julio era de mill τ trezientos τ quarenta τ tres años. Yo Pero Ferrandez escriuano publico de Seuilla, con los otros escriuanos que aqui₂ pusieron sus nombres en testimonio, fuemos a la juderia, a casa de don Samuel Abenxuxem, almoxarife de Seuilla, con Domingos Peres clerigo del obispo de Lixbona₃ por mandado de Ruy Peres de Alcala, alcalde mayor por el Rey en Seuilla, en que enbio mandar por vna su aluala que fuesemos con este Domingos Peres₄ a dar le testimonio de dos cartas que el auie a amostrar al dicho almoxarife por mandado del obispo de Lixbona, et del obispo del Puerto de₅ Portugal. Et estando presente el dicho Domingos Peres ante este almoxarife, leymos le estas dos cartas, que dize la vna en esta manera:

“Sabham quantos₆ esta stromento uirem τ leer ouirem que ena era ·M^a. trezientos τ quarenta τ tres annos, conuem asaber, dez dias do mes de juno ena çidade de Lixboa₇ en preseça de min, Loureço Eanes, publico tabalion da dita çidade, e dos otros que a deante son escriptos, os onrados padres τ sennores don J[ohan] τ Giraldo₈ por la gracia de deus bispos

de Lixboa τ do Porto, mostraron τ fazer leer τ publicar vna carta aberta τ seelada do verda-dey ---- ente do₉, muyto alto τ muy noble sennor don Ferrando, por la graçia de dios Rey de Castela, dante os onrados τ sages Fernam Verm ----- Johan Ferrens₁₀ aluazil da dita çidade de Lixbona, da qual carta o teor de ueruo a ueruo tal he:

‘Sepan quantos esta carta uieren commo yo [don Ferrando, por] la gracia del₁₁ dios Rey de Castiella, de Toledo, de Leon, de Gallizia, de Seuilla, de Cordoua, de Murçia, de Jahen, del Alg[arbe, τ señor] de Molina otorgo₁₂ e conosco que, por los tres mill florines d’oro que uos don Johan, obispo de Lixbona, et don Guiraldo, obispo do Porto, -----la corte de Roma₁₃ pora la mi despensaçion que yo que uolo mande d[ar] ----- cadanno mill florines, et sennaladament ----- Seuilla. Et mando₁₄ a qual⁵⁶ quier o a quales quier que ouieren de re[cabdar por mi las rentas de la] villa de Seuilla, quier en renta o en [fiadat o en] otra manera qual quier, que₁₅ uos den a uos, los dichos don Johan τ don G[uiraldo] -----dezir por uestra carta con el traslado desta [traslada]do de escriuano publico, ₁₆ los mill florines deste primero año, daqui al dia de çinquesma, esta primera que uiene. Et los otros, otrosi, cada año por las cinquesmas, segund dicho es. Et non₁₇ fagan ende al por ninguna manera, si non, a los cuerpos τ a quanto ouiesen, me tornaria por ello. Et tomen el traslado desta mi carta signado de escriuano publico et₁₈ la suya de pagamiento. Et yo mandar gelos he reçebir en cuenta. Et por que esta sea firme τ estable mande uos dar esta mi carta seellada con mio siello de₁₉ çera colgado. Dada en Atiença, ocho dias de março, era de mill e trezientos τ quarenta τ tres años. Yo Johan Sanchez la fiz escriuir por mandado del Rey.’

La qual₂₀ carta perleuda τ publicada, os ditos obispos pediron a os ditos alcaides [*sic*] τ aluazil que dese a mim, sobredito taballiom, sua utoridade ordinhayra de tornar a dita carta⁵⁷ en₂₁ publica forma τ lhys dar en huum publico estromento, escripto con mia maaο τ asinado de meu sinal.

Et eu sobredito taballiom, d’outoridade dos ditos alcaide τ aluazil, adita₂₂ carta en publica forma torney τ ena este estromento τ mia maaο propria [*sic*] screuy con mia maaο⁵⁸ enel pugi en testimonio de uerdade que tal he. Testes: Petro Meendes, Steuam Phy-₂₃lippe, Alfonso Eanes, mercadores de Lixbona, Alfonso Paez maestrescola de Lixbona τ otros muytos.

Et la otra carta dezia en esta manera:

‘Don Ferrando, por la carta [*sic*] de dios₂₄ Rey de Castiella, de Toledo, de Leon, de Gallizia, de Seuilla, de Cordoua, de Murçia, de Jahen, del Algarbe, et señor de Molina, a qual quier o aquales quier que ayan₂₅ de recabdar las rentas de Seuilla en renta o en fiadat o en otra manera qual quier,⁵⁹ salut τ gracia. Sepades que don Johan, obispo de Lixbona, et don Giraldo, obispo₂₆ del Porto, me prestaron en corte de Roma, pora la mi despensaçion, tres mill florines d’oro. Et yo tove por bien de gelos poner en las rentas de y de Seuilla₂₇ quelos ayan d’aqui a tres años, cada año mill florines. Et desto les di mi carta seellada con mio seello de çera colgado, en commo los ayan cadaño desde₂₈ el primero dia del año fasta el dia de çinquesma. Por que uos mando que, delos maravedis que uos por mi recabdades delas rentas de Seuilla que dedes ende a los dichos₂₉ obispos, o a quien ellos uos enbiaren dezir por sus cartas, los mill florines d’oro que an de auer deste año⁶⁰ començo primero

56. MS: aqual.

57. ‘carta’ repeated, marked for deletion

58. dittography

59. que deleted

60. add. que

dia de dezienbre que agora paso, que^{|₃₀} fue en la era de mill τ trezientos τ quarenta τ dos años, τ se acabara postrimero dia de nouienbre dela era desta carta. Et dadgelos por esta çinques^{|₃₁}ma primera que viene desta misma era, et eso mismo cada año los otros florines que fincan, fasta que sean pagados dellos. Et non fagades ende al por ninguna^{|₃₂} manera. Et yo mandar uos los he reçeibir en cuenta. Et, quando fueren pagados destos tres mill florines, tomad dellos la carta del seello colgado que ellos tienen de^{|₃₃} mi en este razon.

Dada en Atiença, diez dias de março, era de mill τ trezientos τ quarenta τ tres años. Yo Johan Martinez la fiz escriuir por mandado del Rey. Pedro Gomez.⁷

Et el dicho don Samuel Abenxuxem oyo las cartas τ , luego que fueron leydas, respondio τ dixo que el que tenie por don Johan Nuñez las rentas de^{|₃₅} la Frontera, que las arrendo de nuestro señor el Rey, et que non veye carta del Rey en que mandase a don Johan Nunez que gelos diese, nin carta de don Johan^{|₃₆} pora este almoxarife en que mandase que gelo cumpliese; et quando tales cartas troxiesse non les podria auer, por que ay mengua de vnas ochoçientos vezes mill maravedis^{|₃₇} por los descuentos que el Rey a de reçeibir en cuenta a don Iohan por las sacas del pan quel uedaron los conçeijos τ por las otras cosas quel tomaron^{|₃₈} delos derechos del Rey, et por las sacas del pan, que tomaron las ordenes en sus lugares, et por las sacas de todos los otros señorios de la frontera [τ] ^{|₃₉} por las tercias del pan que menguan τ por la alfondiga dela farina, et por otros muchos maravedis que el Rey puso en esta almoxarifadgo, mas de que...^{|₄₀} en manera que de lo que y puede auer non se puede complir lo que a de auer don Alfonso Perez pora Tarifa, nin la su soldada nin bas[tecimiento?]..... ^{|₄₁} delos castiellos que por la tenençia, nin a los otros que an de auer dineros en la nomina del Rey, que por este..... ^{|₄₂} por auer m[engua?] destos dineros florines ca de buena ment cumplirse mandamiento de nuestro^{|₄₃} de que puso [Pero] Ferrandez escriuano sobredicho quel d[.....] ^{|₄₄} firmado de mi τ delos otros escriuanos..... digelo que fue folgo ca ^{|₄₅} Johan Gomes la escriui. Et yo, Johan Garçia, escriuano Gutierrez, escriuano de Seui[lla] et yo Pero Ferrandez, escriuano publico sobredicho ----- escribir----- en el mi sig⁶¹

61. *Signum* in form of four-pointed star