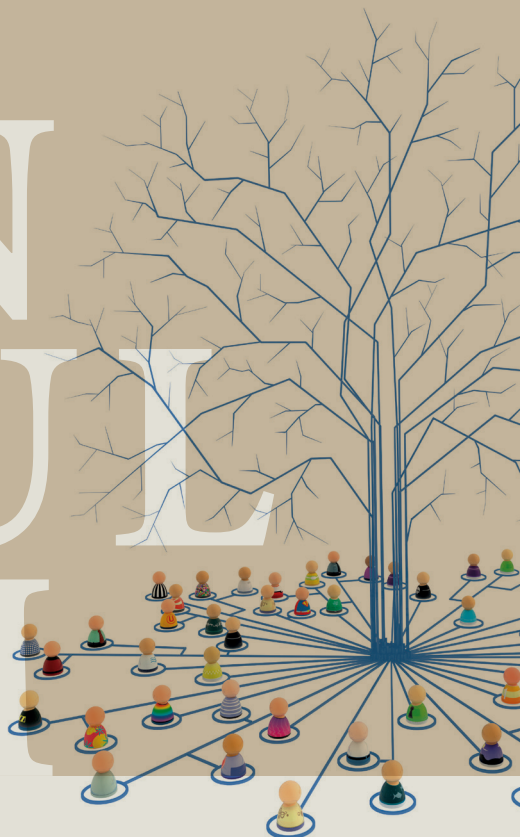


HISTORICAL AND ARCHIVAL STUDIES /
ESTUDOS HISTÓRICOS E ARQUIVÍSTICOS



(dir. Maria de Lurdes Rosa)

VINCULUM



Entails in the Portuguese territories, 14th to 17th centuries:
the social agency of a corporate body - Volume 1

IMAGINING AND ORGANISING KINSHIP: THE ENTAILMENT SYSTEM (14TH-17TH CENTURIES)

Miguel Aguiar



PROJETO VINCULUM

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Edição

Imprensa da Universidade de Coimbra

Email: imprensa@uc.pt

URL: <https://www.uc.pt/imprensa>

Vendas online: <https://livrariadaimprensa.uc.pt>

Coordenação Editorial

Imprensa da Universidade de Coimbra

Conceção gráfica

Rui Veríssimo Design

Infografia

Rui Veríssimo Design

ISBN digital

978-989-26-2671-0

DOI

<https://doi.org/10.14195/978-989-26-2671-0>

Apoio



VINCULUM project has received funding from the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (grant agreement nº 891734).



The IHC is funded by National Funds through FCT - Fundação para a Ciência e a Tecnologia, I.P., under the projects UIDB/04209/2020, UIDP/04209/2020, and LA/P/0132/2020.



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Em memória de meus avós,
verdadeiros «fundadores»...





“Mas, assim como aprendi com os livros, as lembranças também formam um calhamaço: viro uma página, outra se sucede, e o que não fazia sentido a princípio desponta como uma revelação. Na teia do esquecimento, a memória se faz de doses iguais de verdade e de imaginação.”

Itamar Vieira Junior, *Salvar o Fogo*

“A livraria, clara e larga, escaiolada de azul, com pesadas estantes de pau-preto onde repousavam, no pó e na gravidade das lombadas de carneira, grossos fólhos de convento e de foro (...) E daí, da sua cadeira de couro, Gonçalo Mendes Ramires, pensativo diante das tiras de papel almaço, roçando pela testa a rama da pena de pato, avistava sempre a inspiradora da sua novela – a Torre, a antiquíssima Torre, quadrada e negra sobre os limoeiros do pomar que em redor crescera, com uma pouca de hera no cunhal rachado, as fundas frestas gradeadas de ferro, as ameias e a miradoura, bem cortadas no azul de Junho, robusta sobrevivência do Paço acastelado, da falada Honra de Santa Ireneia, solar dos Mendes Ramires desde os meados do século X.”

Eça de Queirós, *A Ilustre Casa de Ramires*

“Eu cá sou dos FONSECAS
Eu cá sou dos MADUREIRAS
De ferro e puro sangue
O que me corre nas veias”

Fausto Bordalo Dias, “Olha o fado”, *Por este rio acima*





PRESENTATION

Maria de Lurdes Rosa

VINCULUM project's four volumes of *Historical Studies*, which are now being published, were conceived as complementary pieces in response to a central hypothesis, supported by another collective endeavour: the compilation of an extensive documentary survey and its transformation into a database that served as the foundation for all the books. The Introductions made by the authors of each volume highlight their respective specificities and bear witness to the independent decisions of autonomous and experienced researchers, who often took their own direction in relation to the initial project, as expected and encouraged. This Presentation, which is common to all the four books, can thus refer to the work of pursuing a shared hypothesis and an overall research plan, which are essential to explain here in order to understand what has been achieved. Subsequently, I shall take the liberty of composing a “quasi-chronicle” of a scientific of a scientific endeavour that was also a great experience of human conviviality around the ‘historian's craft’, beloved by us all.

The hypothesis

The research programme of the VINCULUM project, as outlined in its European Research Council (ERC) proposal, was based on an extensive *State of the Question*. This described the analytical richness of historiography on entails while identifying open questions to be addressed through the development of major empirical enquiries, the connection of historiographical traditions, and, above all, the exploitation of the opportunity to propose innovative interpretations.



The central hypothesis to be demonstrated was the corporate nature of entails as entities endowed with their own social agency.

In previous historiography, entailment had been studied either from one-sided perspectives (legal, social, cultural) that played down its wholeness, or from the point of view of site-specific monographs that scarcely problematize the broader issues. VINCULUM project argued that only by considering the whole could the phenomenon be understood, the more so because the autonomy (for analytical purposes) of the spheres of politics, economy, society, religion, etc., corresponds to an epistemological paradigm belonging to a different society. Departing from the Portuguese-Iberian case, the proposal has been to study 'entailment' as a diverse but pivotal practice, one embedded in law, aristocratic discourse, and kinship-based organization, and to craft a definition that takes into account this global nature. VINCULUM was grounded on the analytical importance of the idea that entailment, a corporate body, was a key social agent as such. As such, only by assuming that this specific legal subject is the social agent, created and acting within a specific kind of society where non-personal legal subjects were normal, would it be possible to bring out and analyse the historical problem, apprehending entailment in its entirety and in the totality of its functions.

Scientific objectives for its realisation

To achieve this, a set of scientific objectives was devised, namely:

To develop and follow a roadmap of concepts, historiography, and new theoretical approaches (notably by adopting the perspective of historical anthropology, offering a novel treatment of sources, and expanding the spatio-temporal boundaries of analysis).

To gather and structure documentary information according to theoretical principles rooted in the epistemology of sources, beginning with a comprehensive reconstruction of the contemporary system of information production, followed by the study of archival preservation and the custodial history of these records.



To develop and test the hypothesis of entails such as legal body, made of persons, goods and corporate identity. In fact, no other semi-formal institution has managed to function for so long or with such a central social role as the entail; its strength managed to compete with much stronger institutions, and relegated other familial corporate bodies to a second plan. Entailment provided a brand for the group that lived around the entails – seat, name, symbols, internal norms created to govern internal and external relations, a script and legal forms for using wealth and for the prevention of its loss. It was reproduction-oriented. It embodied the model par excellence of nobility and as such ruled over the way to maintain or achieve it. To understand this objective, it were analysed its basic components, which functioned together to achieve the institution's aim: structuring a specific kind of family, maintaining or gaining power, lasting perpetually around the same essential origin.

The central structure of the research program was therefore designed around what are defined as the central components of the agency of the entailment corporate body – kinship, power, identity – to propose a new concept for the phenomenon. Profiting from what was considered an excellent lab, the project was also set to verify how what could be termed "entailment societies" functioned in the specific context of the colonization of the Atlantic territories.

Definition of analytical fields and methodologies of analysis

Following the ERC project proposal's structure, analytical fields for the exploration and validation of the hypothesis were defined, alongside a set of methodologies to achieve the objectives – what may be evocatively termed the design of the research programme. Each of these fields was subsequently configured into a specific subproject. The construction of the database, the first subproject, is explained in the accompanying documentation¹. The remaining fields, which were expected to result in four monographs, correspond to subprojects 2 through 5, and their main

¹ <https://www.vinculum-database.fcsh.unl.pt/>, "About" and "Information".



output are the *Historical Studies* now published. Let us briefly outline these subprojects².

(Sub)project 1, “Kinship and family – entailment structure, lineage, house” had as central goal to define what can be called “entailment kinship”, a particular configuration of kinship bonds that has a threefold specificity: i) a capacity (and need) to combine vertical descendancy with the maintenance of large groups of relatives from the horizontal branches; ii) a conceptualization of the founder that combines elements from theology and juridical thought with older nobility values of lineage leadership; iii) an institutional framework that turns this manipulated kinship group into a corporate body, with its own internal norms and rule. The methodological pathway consisted mainly in the construction and analysis of case studies were to be set forth from the database materials to examine how entailment affected kinship relations.

As for **(sub)project 2, “Power – Entailment, status and social mobility”** it dwelt on the historiographical consensus on the strong relationship between entailment practices and social power, a cornerstone of the main historiographical interpretations of the role of the entail in the maintenance of aristocratic status and the creation of the ethos of nobility and came to function as a parameter of social achievement, turning its foundation into a necessary step in social climbing. The main objective in this subject was to understand exactly how both trends functioned, combined and rivalled each other. The time span chosen by VINCULUM was here fundamental, since it related to societies enduring processes of change, territorial expansion and internal organization (new nobilities, ascension of non-noble elites, affirmation of the importance of purity of blood parameters in the access to power structures, the Crown’s growing centrality). Concerning the construction of research, different case studies were drawn from the database materials, concentrating on the most relevant cities and applying a common questionnaire.

² The project is now available in full on the website, where the subprojects’ configuration may be explored in detail - <https://www.vinculum.fcsh.unl.pt/about/>.



Considering (sub)project 3, “Identity – Entailed corporate bodies: innerness, community, exterior relations”, the focus was on the identity of entails as corporate bodies, superior to the human agents encompassed therein, throughout the generations, with the powers of administrators being limited. Such existence was possible because of the institutional nature of entails, and to understand the core of the entail will be the starting point of the study. When entails started to grow, they quickly replaced the figurehead of the lineage with that of the founder. It would have been a major change and a very good option. The founder would become, after his founding act, and even more so after his death, a legal person, whose will was the law, enabling an institutionalization of the kinship he consecrated. The founder managed internal relations departing from a Christian version of the *patria potestas*, inserted in a paradigm of affective and redistributive paternalism, combined with the triumph of the idea that the virtues of blood were transmitted by primogeniture, in the direct line of the founder himself. Methodologically speaking, the signals of such identities will be identified from among the entails in the database, categorized and analyzed as to their actual functioning, aiming at define the meaning of corporate identity.

Finally, with (sub)project 4, “Entailment societies? Entails and colonization of the Atlantic territories”, the central objective was to reunite the three parameters previously studied and to observe the agency of the entail corporate body in what can be referred to as a laboratory. The use of the laboratory metaphor is both historiographical (combined analysis of medieval–modern–maritime expansion history, insertion of the hypothesis of the dynamics of feudal society) and historical (the islands were unpopulated and the society was organized from the ground). Combining quantitative analysis and qualitative insights, as supplied from the database, this project was planned around the concept of “entailment societies” as derived from “slave societies”, and sought to globally investigate how the Atlantic islands as uninhabited territories were socially captured through entailment, and the consequences of this.

This comprehensive roadmap marked the beginning of the VINCULUM project in June 2019, with a phased approach that appeared both robust



and feasible: to complete the documentary surveys and input the data into the database in the first two years; to update the enquiries accordingly, prepare and draft the monographs during the following three years. These plans, however, were altered just a few months after the project began, as soon as the first team was assembled, necessitating a profound reorganisation. On the one hand, from March 2020 the COVID-19 pandemic posed significant challenges, particularly limiting access to archives and libraries and delaying the prompt resolution of central Information Technology issues within the project. On the other hand, and even more persistently, archival realities proved to be a major obstacle. While the types of archival collections targeted for research aligned with the original plan, the overwhelming volume of documentation encountered in some cases, coupled almost invariably with inadequate documentary descriptions, required adjustments.

These challenges were addressed with the ERC's flexibility regarding the adaptation of the plan and the granting of an additional semester. They were also mitigated by the enthusiasm and professional dedication of the excellent team assembled by VINCULUM from the outset. Consequently, instead of beginning in June 2021, the preparation of the *Historical Studies* commenced in August 2022, with the recruitment of the four postdoctoral researchers (PDs) envisaged in the original proposal. Fortuitously – reflecting the strong collaborative relationships within the team – it became possible to promote two researchers previously responsible for the documentary surveys and database development, Ana Rita Rocha and Arthur Curvelo, to postdoctoral positions after they completed their PhDs a few months after their initial recruitment. The team was completed with the hiring of two additional recently graduated PhD researchers: Rita Sampaio da Nóvoa and Miguel Aguiar. Noteworthy is the diversity of institutional affiliations, academic training, and the internationalisation of the doctoral backgrounds of the postdoctoral researchers, which greatly enriched the team. Their qualifications include doctorates from institutions such as the Universidade de Coimbra – Faculdade de Letras; Universidade de Lisboa – Instituto de Ciências Sociais; Universidade Nova de Lisboa – Faculdade de Ciências Sociais e Humanas & U. Paris I- Panthéon-Sorbonne; Universidade do Porto – Faculdade de Letras & U. Paris I- Panthéon-Sorbonne.



The work of preparing the books initially unfolded with a strong sense of collective engagement, as it was essential to convey the hypotheses to be tested – or inferred! The ongoing development of the database, which already contained thousands of documents with no sign of slowing down, was a concern shared by the entire team. A timeline for what we might call “individual reflection” was established to ensure the collective effort could proceed with minimal disruption. It was decided from the outset to include two initial chapters in all the books, dedicated respectively to historiography and the “documentary landscape,” the latter discussed in detail in group meetings. Between March and April 2023, the researchers revised the design of their respective research project and defined the criteria for constructing their documentary samples. With the structures for the specific parts of each book refined, the now-designated “Historians” embarked on their individual tasks, reformulating their initial questions based on personal decisions and drafting the books – first in Portuguese and later overseeing the revision of their English translations. The progress of the work was presented and debated during coordination meetings, which were crucial moments for ensuring coherence in this collective research endeavour.

It should be noted that, in addition to their monograph, each postdoctoral researcher was required, according to the original proposal, to organise a science communication event, conduct a postgraduate-level training activity, and submit an article to a peer-reviewed publication. Over these years, each researcher fulfilled these obligations, in some cases exceeding the expected number of outputs. A further issue arose when Arthur Curvelo decided to pursue a permanent academic position at universities in Brazil, a country to which he had returned for personal and professional reasons. While he continued contributing to the project as much as possible, the solution adopted, which posed no significant difficulties, involved maintaining the work Arthur had already completed and awaiting his further contributions on Brazilian entails within a broader framework. This was complemented by engaging new collaborators. For the entails of Cape Verde and São Tomé, Miguel Galdes Rodrigues, a PhD graduate of yet another institution, the European University Institute, was brought in. For the entails of Madeira, Ana Madalena Trigo de Sousa, a PhD



researcher at the Centro de Estudos de História do Atlântico, joined the team, marking an excellent new collaboration between VINCULUM and the Madeira Archive and Library, where this centre is based. The entails of the Azores will be addressed through a collective effort by the team.

It would be remiss not to mention the master's researchers who continued, over these years, to contribute to the documentary surveys and database development, even if they did not directly participate in writing the books. This task proved far more challenging than initially anticipated due to the nature of the documentation and deficiencies in archival descriptions. An additional, albeit positive, factor was the high standard voluntarily adopted for the database: constructing a "guide of the information system"; creating three repositories of information (archival institutions, authority records, and documentary descriptions) in compliance with archival standards; providing diplomatic descriptions of items to preserve documentary transmission; following rigorous verification of authentic documentation; adhering to the formal parameters defined in the survey for included documentation; and writing all entries in English. The "basistas," as they became known, also undertook science communication activities and authored texts – many of which were not initially planned but were enthusiastically embraced whenever the opportunity or idea arose.

It is time to conclude. I would say that, in the end, this presentation-chronicle was written somewhat in reverse: the expression of satisfaction comes at the end. This does not diminish the contentment, for it is justified through the gradual exposition to the reader of what became a scientific adventure we will never forget – one that made us better scientists and better people. We thought, planned, worked, and faced difficulties, resolving them together. Our approach was rooted in a profound respect for *Histoire-problème*, for scientific freedom, and for the definition of theoretical problems based on the materials themselves. We believe this approach makes a difference and ensures the quality of our results. The Historical Studies you are about to read stand as evidence of this, and I extend my heartfelt thanks to all their Authors for the dedication, enthusiasm, and rigour they brought to their work. Now, only the fifth and final



book of the series remains, under my responsibility. It was envisioned as a monograph presenting the historiographical and conceptual issues and providing a broad picture of entailment, as well as a synthesis of the results obtained in the different projects. It hopes to reconsider the problem according to the proposed model, testing it and opening new avenues for future interpretations. Above all, it will be a work that is indebted to and enriched by the extraordinary efforts of this remarkable team.





FOREWORD

*José Augusto de Sottomayor-Pizarro*¹

Nearing its conclusion, after five intense years of work – and I now register my sincere admiration and gratitude to the research team, superiorly coordinated by Professor Maria de Lurdes Rosa and which I was happy to integrate as a member of its Scientific Council –, the *VINCULUM* (2019–2025) may represent one of the most significant projects in the field of Social and Human Sciences in the first quarter of this century, with repercussions that are easy to project into the future research on the late-medieval and early modern societies, opening diverse paths of exploration. The extension and solidity of the data base, constructed from numerous documents collected from public archives and many private archives hitherto inaccessible by researchers, now offers researchers vast information about family, kinship, the assets or family and social relationships, bringing us closer to the societies of the 14th to 17th centuries, with information that was largely unknown or inaccessible a few years ago, in particular given its meticulous and methodical organization.

Throughout the project's years of preparation and consolidation, which I was fortunate to accompany through information regularly provided by the coordination, I also had the opportunity to attend diverse presentations of the research's partial results, offered by diverse team members, individually or in group, in congresses or scientific journals. In these, one or a reduced number of entail foundations gradually revealed a universe only known – and in itself this is no small matter – through the judicial

¹ Faculdade de Letras da Universidade do Porto, Academia das Ciências de Lisboa



readings of 18th or 19th century authors, in their eagerness to present entails, *morgados* or *capelas* in their normative armour, downplaying these institutions' more 'human' aspects.

The book we now have in our hands is the result of a long journey of research and mature reflection around hundreds of those foundations, established between the 13th and 17th centuries, by the hand of one who reveals a gradual intellectual and scientific maturation that now reaches a level of great prominence. I confess that presenting the author, Miguel Aguiar, to the public is simultaneously honourable and comforting, but also a sign of my own path as an academic and researcher, which is now approaching its final phase.

As my undergraduate student, Miguel Aguiar early revealed a passion for the Portuguese Middle Ages and, in particular, the field of Social History. His final seminar report was an approach to the aristocratic group. This first work would lead him to his master's thesis, which he elaborated under my guidance, dedicated to chivalry as an expression of the nobility's ideology². Then, with co-guidance from my good friend and colleague Joseph Morsel, who received him in his research centre, in the Sorbonne (Paris), he embarked on a larger project that resulted in his doctorate thesis, a notable work that unfortunately is still unpublished, once more concerning this social group, but now based on analysing the articulation between family and kinship structures with the models of transmission and reproduction of power³.

As is easily understood, Dr. Miguel Aguiar could not fail to participate in the *VINCULUM* project, given his research path, his undeniable working qualities and his high level of historical culture and scientific preparation and intuition. I almost dare say they were both destined to meet!

2 *Cavaleiros e cavalaria: ideologia, práticas e rituais aristocráticos em Portugal no final da Idade Média*. Porto: Teodolito, 2018 [presented in 2016].

3 *Aristocracia, parentesco e reprodução social em Portugal no final da Idade Média*; Porto/Paris: Universidade do Porto | Université Paris 1 Panthéon-Sorbonne, 2021.



Let us therefore consider the book. This is no critical review, nor was I invited to produce one. It is merely a detailed and commented presentation of what the book offers, beginning with a generic appreciation and description and then highlighting the more defining and innovative aspects, in my view. *Imagining and Organizing Kinship: the entailment system (14th–17th centuries)* is a book that captivated me since the beginning because of two elements that are not always present, in isolation or articulation: it is well written and very well structured.

Let us not forget, this study results from profound research that does not include any publication for the general public but is rather aimed at a scientific community wider than Portuguese academia. Therefore, a clear and fluid writing was essential, although (and inevitably given the study matter) a more detailed and technical exposition was at times necessary. This clarity and fluidity circulate throughout the text's internal organization, revealing a well-thought-out structure that guides us in a smooth but continuous ascension through the paths of the entailment system since its appearance until the peak of its development. The author invites us constantly, but with balance, to travel with him in that space of time, through various entail institutions that reveal different stages of familial representation, from the forms of kinship to the continuous and generational management of entailed property, including the preferential models of choosing administrators and the groups of succession, and the issues of the founders' gender or social categories, often erroneously attributed exclusively to the nobility.

After an *Introduction* of great clarity and density, the first two chapters, as the true pillars of the book, are fundamental. The first chapter works as a genuine 'state of the art'. The second chapter offers a general panoramic of the documentation and information, whose articulation results in the reasoning that sustains the analyses in the subsequent chapters. Concerning the *Historiography of entails*, the author proposes a diachronic reading around, roughly, the last 50–60 years, during which (and in necessarily differentiated rhythms) the various historiographic schools approached the study of kinship and family, with very reasonable comments on the importance of the anthropological and sociological approaches to these matters, while alerting to the many deviations often provoked by



using concepts and methods that are not adapted to the societies of the *Ancien Régime*, particularly medieval societies.

Focusing carefully on Spanish historiography – as is natural and obvious, although this was not always the case – in a comparative analysis with Portuguese historiography, Miguel Aguir highlights the different aspects studied by some of the former's most prominent names, from the pioneering analyses to the more current tendencies. But, in truth, at the root of the entailment of assets, through a *morgado* or *capela*, what was at stake was a solution to organize assets that provoked a rupture with the traditional forms of organizing kinship and succession. In the Iberian Peninsula – by a combination of factors that need not be adduced now –, these forms of organization found their origins in the traditions of German law, and a rupture was only possible by the gradual recovery of Roman law, largely since the mid-13th century. Although the phenomena only truly emerged in large scale in the late 14th century, it would allow the favouring of one sibling or another family member to the detriment of others, or the imposition of one line of descent over others, by decision of the entails' founders. On the other hand, we are confronted with the powerful dynamic of 'legalized' exclusion, which incorporates ever increasing prescriptions, particularly in the transition to the early modern era, related to religious or ethnic issues, as several authors have recently underlined when analysing the increasingly restrictive criteria for the selection of the entail administrator's spouse, thereby guaranteeing the purity of the line of descent. Lastly, the perception, on the one hand, that the entailment of assets was far from an aristocratic appanage but was rather well represented among the clergy or more wealthy artisans and bourgeois; and, on the other hand, that it did not provoke the absolute decline in relations of cognatic kinship, essential for the more general maintenance of social groups, particularly the aristocracy.

The second chapter, on *Information and Documentation*, is a fascinating journey through the different archives and works that preserved the originals, copies or news about the practice of entails through time, and that served as the basis to build the aforementioned data base and, specifically, the *corpus* Miguel Aguiar used to construct his study. Aguiar analyses the



mechanisms of documentary production, from the theoretical and methodological issues to the centres of production associated with each entail (which reveal, more or less explicitly, the outline of each family group). The main production centres of this documentation were the Crown and Church institutions: the latter understandingly given their control over the execution of many pious and *pro anima* legacies that were always imposed in entails; the former as the final resolution centres for succession conflicts among heirs and kin. This chapter ends with a very interesting analysis, confronting documentation produced by entails: on the one hand, the foundation itself and associated information; on the other hand, all the surviving documentation resulting from numerous disputes throughout the many generations, from the beginning of entails to their extinction in the mid-19th century (even though, as mentioned, this study stops in the 17th century).

In synthesis, two very well woven and articulated chapters, each of them important *per se*, but whose reading as a whole properly prepares us to fully benefit from the two subsequent chapters.

I could not hide my growing enthusiasm as the reading unfolded. As is normal in any scientific work, or even human work, one detects some gaps here and there or aspects that a specialized reader would treat differently. However, the content of this book makes it mandatory reading from now on for those who wish to begin or deepen their study of the wide variety of areas encompassed by entails. Let us take a closer look at them.

Chapter 3, generically entitled *Carving and pruning*, offers the reader a very complete excursion through all the trails that guide the construction of the entailment edifice, from its foundation, through its smallest details (such as the path to the superiority of masculinity and primogeniture over other lines, although these relegated lines maintained their interest, as if they configured a ‘plan B’), to the role of the clergy or collateral kin, such as uncles, nephews or cousins – in short, all those who, in diverse forms, constituted what the author designates ‘hotspots’, that is, the kin that are or can be called to succeed in entails, in contrast with ‘coldspots’, that is, all those who for different reasons are excluded from succession.



In contrast, this chapter (as had occurred in the two first chapters) already advances some conclusions or, rather, attempts some organization of analysed data, allowing an approach to more elaborate and dense issues. From this point of view, there are very enriching pages that analyse some entailment typologies – structured and fluid – and their evolution, or how they differentiate according to social group or gender. This is followed by a discussion of the founders' ordering role and how they constrain kin structures through their selection of the heir and preferential line of succession; and how that interferes with the relations among kin, in addition to other matters, such as terminology and concepts. And finally, a very detailed analysis of this institution based on judicial documentation, as they ended up creating friction and disputes over continuity of succession (and occasionally some acts of violence), when the main line was interrupted for lack of direct heirs.

The fourth and last chapter, entitled *Regulating and constraining* refers issues, or rather, the essential consequences of founding an entail, as the dispositions enshrined in a foundation will have impacts *until the end of time*, literally affecting generations and generations of direct successors and collateral kin. Hence the importance of defining some concepts of wider interest, such as the 'corporate hierarchy of inequality' or, more downstream, how all these processes materialize when one speaks of lineage or House, in what the author designates the 'corporative and institutional dimension of kinship'. There is a very elaborate analysis, both of the founders and their choice of assets or rules of succession, and of the construction of the figure of the administrator (from his prominent position in the family structure to the demands placed on his conjugal alliances), who had a dual role of protecting kin and producing succession, always at the service of the Crown and the Church.

Before the final comment, a brief reference to the tables systematizing the archival data and the bibliographic sources, both of great importance, especially the latter, a genuine reading guide for those wishing to study this subject.



In his conclusion, Miguel Aguiar highlights three or four points that we need to mention here in order to best understand the importance of the research path followed. Firstly, the idea that entailment defines ‘hotspots’ and ‘coldspots’ is very interesting, for it clearly establishes who is or can be integrated in the lines of succession, or who is definitely excluded, which could include siblings or even children of the entail’s founder. I would add, for it holds great relevance in my opinion, the issue of the typology of institutions, between structured and fluid institutions; the latter, with less structured clauses in its application, constituted the majority of cases. Secondly, how the imperative need to monitor the dynamics of succession ended up enhancing the development of the study of family history, a particularly dear issue to me, and that constituted one of the motors in the resurgence of genealogy in the 17th and 18th centuries. Finally, the topic of the ‘corporate hierarchy of inequality’, in itself fascinating, offers the author the opportunity to synthesize the main defining elements of hierarchy formed with each family group as a consequence of choosing a given line of succession.

In short, a work that should be read and reread, in order to understand a model of how we can, and should, from our own contemporaneity, approach the past, without prejudice and value judgements that only make sense in our own time. Evaluating, or worse, judging the past in light of such assumptions led the liberal historiography of the 19th century to completely distort the understanding of previous eras, as it did not comprehend how the formation and evolution of certain elements could occur in a completely different time from their own (and more even from ours). From this point of view, Miguel Aguiar’s words in this regard in his concluding pages are extremely clarifying.

An excellent book and excellent reading is what this study offers. Congratulations to the author and, through him, the entire team behind *VINCULUM*.





ACKNOWLEDGEMENTS

Although written by a single person, this book is the result of a broader collective effort. I would like to express my sincere gratitude to Professor Maria de Lurdes Rosa for giving me the opportunity to write it and for the privilege of being part of an exceptional project and team that has broken down traditional academic barriers, imagined new horizons for understanding past societies, and embraced the richness of human diversity. Participating in this project has been a truly transformative experience, for which I feel I owe the deepest gratitude.

The demanding atmosphere, rigor, and reciprocity that should guide scientific work have characterized the relationships among colleagues. Therefore, I would like to thank the entire VINCULUM team, with whom I have shared many hours of stimulating work and sincere friendship. I owe special gratitude to Ana Rita Rocha and Rita Sampaio da Nóvoa, my ‘historian’ colleagues since the summer of 2022, with whom I had the privilege of constantly discussing ideas and methods. Our books, each with its own individuality, seem to be part of a broader and cohesive entity – in some sense, as entails were to the people who lived in their sphere.

I would also like to thank Professor José Augusto de Sottomayor-Pizarro, who kindly granted access to his research files, allowing me to find valuable documentary references for the 13th and 14th centuries. The book has also benefited from important contributions from the reviewers, a clear example of how direct and constructive criticism helps to build more robust knowledge.

Professional achievements are much more fulfilling when they are shared. I would like to thank my family, a home filled with love and reciprocity. I also wish to remember my grandparents, who have been very much alive to me while writing these pages.





INTRODUCTION

“Deu grau em grau até ao fim do mundo”¹. With this expression, in 1515, Francisco Valente, a knight from Faro, ordered the succession of the chapel he had established. With no forced heirs, Francisco entailed his estates, leaving them to his wife Inês Martins and giving her the power to appoint a successor. The assets were incorporated into the chapel he administered and that his uncle Rui Valente, a member of the king's council and *Vedor da Fazenda* in the Algarve, had established in 1464, in the church of Santa Maria de Faro. His uncle had ordered his burial there, with space reserved for his heirs, *criados*, brothers-in-law and nephews. Rui Valente and his wife, however, would have the right to a stone and monumental tomb that would bear statues of both of them: Rui was to be depicted with “seu corpo armando assim como andava na guerra dos mouros”², and his wife Beatriz Pereira would be “vestida como andava no mundo”³. The institution was made “por sua memória e louvor e prazer de Deus”⁴, and the administration was the responsibility of his executor and *criado* Pedro Eanes. The foundation of the chapel and the will his nephew and successor made decades later, improving the foundation with new assets, is projected in perpetuity, and reserves income to be channelled towards the realization of perennial pious charges for the salvation of the souls. The entail's administration would primarily be attributed according to ties of proximity, such as *criados* and consanguineous relatives.

Therefore, these structures would become points of support for the existence of the institution, theoretically in a relationship of mutual benefit between the salvation of the souls of the founders and the administrators⁵.

1 “Kin to kin until the end of the world”.

2 “With his body armed as he was in the war against the Moors”.

3 “Dressed as she was in the world”.

4 “For his memory and the praise and pleasure of God”.

5 Both wills are recorded in a tomb of the Crown Chapels: Tombo ([162-]) - VINC002348 RV EA/002; TT-FC-CC-1, fls. 315v-317v.



Other foundations coexisted with these, where the institutors combined the creation of strong pious and identity instruments with the imposition of specific values and ways of configuring kinship. In 1422, Fernando Lopes Lobo drew his will, using estates to establish a *morgado* for the benefit of his son Nuno Fernandes Lobo. The *morgado* had several pious obligations in the convent of S. Francisco de Évora, including the celebration of a mass on August 15, thanking the Virgin for having freed the Portuguese from Castilian subjection with the victory at Aljubarrota. In the document, the institutor recalls that he was on that battlefield at the age of 17 or 18. Fernando Lopes Lobo stipulates the profile he desires for the entail's administrator: he should be a layman, in a position to correctly administer the estates, and he should primarily be the first-born son, as daughters would only succeed in the absence of male. The founder provided some alternative lines, stressing that if they were exhausted, the successor would be “o parente mais chegado que seja da parte dos Lobos”, passing “de grau em grau, geração em geração, de guisa que não saia do meu dívido e linhagem”⁶.

Both cases highlight some of the immanent characteristics of entails. First, entails result from a founding act, concentrating the assets and investing them with a new nature. The act creates a corporate entity that functions according to its own rules: the wishes of the founder, set out in the foundational document, henceforth and perpetually the entail's ‘internal law’. Pious legacies played a central role in a society governed by Christian beliefs transformed into norms and laws, organized according to a conception of eschatological time and attributing legal personality to abstract entities such as souls, united in the desire and promise of salvation, and overshadowed by the threat of damnation. Memory, referred to by many founders, is a crucial aspect and the basis for a set of mechanisms that allowed founders to annul time and remain in the world of the living, in the hope of reaffirming their presence, continuing the celebration of masses of redemption from sin, and aiding in the viaticum to Paradise.

6 “The closest relative of the Lobo (...) kin to kin, generation to generation, so that he does not leave my *dívido* and lineage”. In Will (extract) (1422-09-18) - VINC000056 FLL EA/001aa; TT-FC-TD-276, fls. 101-102v.



For all these reasons, the founder acquired a legal personality of his own, an authority that served as a reference for those to come. As a rule, consanguineous relatives were called upon to be part of this corporate entity. Consanguineous kinship was seen as the great support structure, a repository from which successors must be recruited, as long as the world lasts. Despite the major trends, how this recruitment was defined varied between those who set up well-marked mechanisms – primogeniture, masculinity, obligation of legitimacy, exclusion of clerics – and those who, in a more fluid way, appealed to ‘kin’ or ‘lineage’, always within a perpetual temporal scope. In addition to succession, there were institutions where the founder defined rules to control the administrator’s marriage or prescribe behaviours and social profiles that he wished others to emulate, for they acted as identity factors and were socially distinctive.

The corporate entity thus generated, combining estates and people and subject to its own legal dimension governed by the power of the founder, acquired a specific personality, resulting from the combination of all these elements, but being more than their simple sum. Kinship, power, and identity were intrinsic and intertwined dimensions. This book focuses on kinship relationships framed by entails, within a broad chronological and spatial context. In line with the theoretical conception forged by the overarching project this work is a part of we will use the concept of entail to encompass legal realities that could be expressed by the concepts of *morgado* and/or *capela*, which have a very fluid and variable use in the documentation⁷. The basis is the Portuguese territory, spreading throughout the chronology and across areas progressively dominated by the Portuguese crown. The study is guided by a geographical openness, although space was not a defining element of the samples created for the research, whose criteria are explained in a specific chapter⁸. The chronology is also vast, centred on the 14th to 17th centuries, but bringing together

⁷ The theoretical paradigm on which this research is based, forged by M^a de Lurdes Rosa, can be found at: <https://www.vinculum.fesh.unl.pt/about/>.

⁸ Particularly in chapter 2, dedicated to an overview of information and documentation and to explaining the processes of forming documentary samples for research. These aspects are, however, highlighted throughout the book, so as to always clearly demonstrate the quality of the information that supports the statements and hypotheses formulated.



earlier documents, produced in the late 13th century, with the aim of studying the beginnings of the entailment phenomenon.

The book aims to answer a series of questions: how did the founders of entails, in this broad geographical and chronological context, imagine and attempt to organize kinship? Is it possible to discern typical forms of shaping these relationships? What developments can be distinguished in a diachronic perspective? And what are the appropriate ways of conceptualizing these relationships, restoring the specific meanings with which they functioned in a vanished world governed by a logic very different from ours?

The conceptual obstacles between that world and ours are significant, and their crucial point is the wide-ranging rupture between the mid-18th century and the late 19th century, i.e. the period when the *Ancien Régime* society was dismantled and a new world was built that, while retaining many previous traits, was organized upon very different principles. The state and the nation; the legal uniformity, the individual and the citizen; science and biology; the market and the economy as a specific dimension of collective life, governed by the circulation of products and property; religion as an individual sphere of freedom of conscience and voluntary adherence, and no longer a framework for explaining the world and organizing the social order. All these aspects are part of a set of conceptual fractures⁹ that rendered the previous organizational models obsolete, if not absurd to the most enlightened liberal minds. Corporate society, governed by a global Christian framework, by abstract entities with legal personality such as souls, by unequal access to inheritance, and by formally instituted relationships of authority between generations and between siblings, under the power of a figure who had long since disappeared from the world of the living, such as the founder, no longer made sense, nor did they respond to the challenges of the emerging world. For Alexandre Herculano, all the premises of the entails were a kind of negation of rationality. The founders did nothing more than “empilhar os corpos dos indivíduos tirados das diversas gerações para sobre eles assentar o trono da sua vaidade”¹⁰.

9 Guerreau, 2001, pp. 9-39.

10 “Pile up the bodies of individuals taken from various generations to place the throne of their vanity



Nonetheless, thousands of entails have existed over the centuries, organizing various spheres of social life, and going far beyond the scope of the administrators and their closest consanguineous relationships. The durability of the institution can only be explained by its effectiveness in solving problems of various kinds, within the specific societal logic in which they existed. How kinship was conceived and organized cannot be perceived – any more than any of the other dimensions intrinsic to entails – from the worldview of a 21st century observer. It is therefore necessary to reject intuition and build appropriate reading grids to understand historically situated phenomena. Therefore, on the one hand, this research places a fundamental importance on the reconstitution of the main endogenous concepts. In this framework, we analyse the concepts forged by those whose lives were framed by entails, concepts designed to explain and mould this legal institute and that, consequently, in the long run, conditioned the social perception of why entails existed, why they should be founded, and how they ought to organise kinship. On the other hand, historians and social scientists must construct instruments to better capture social dynamics and explain how and why they functioned in a certain way. Such an approach allows us to attain a superior degree of understanding, detecting patterns and tendencies. Toward this goal, we can use concepts and ideas alien to the society under study, often resorting to metaphors and analogies. The operation is delicate and imposes a constant dialog and balance between the historical actors' discourses, the materials and the social practices reconstituted through them, and the construction of tools that permit new research questions and shed new light on the data. This is the approach followed in this book, paving the way for ideas such as 'kinship hotspots', 'entailment clusters', 'types of institutions' or the 'corporate hierarchy of inequality': ideas constructed during the research to achieve a deeper understanding of the subject.

In this sense, this book is organized around fundamental ideas that structure its central chapters and whose validity we will try to demonstrate, following an itinerary that is based on a logic reconstructed from the

upon them". In Herculano, 1983, pp. 335–336. Text originally published in 1856.



documentation. First, entails allowed the founders to define ‘hotspots’ within the parental universes of those capable of integrating and managing the institutions, primarily formed from consanguineous structures, recruited vertically and supported by collaterals, within a horizon of perpetuity. The ways of defining proximity varied and included clauses that simultaneously defined the closest relative and the heir’s profile. Primogeniture and masculinity were the most common clauses and would typify the so-called ‘*morgados regulares*’. Organizational models were applied to these groups, based on relational schemes typical of the cultural representations of *Ancien Régime* society. We propose to analyse these modalities through a reading grid that eliminates the criticisms made from the 19th century onwards and rejects the introduction of our own categories of ‘family’ into the analysis. This reading grid, which we call the ‘corporate hierarchy of inequality’, aims to restore the logic and coherence of the representations emanating from the documentation, and the control mechanisms they seek to institute. Finally, we argue that the logic inherent to the functioning of these social bodies, along with a set of broader and long-term transformations in the society in which they were integrated, fostered a more established dynamic of surveillance between relatives and external entities.

The book is divided into four chapters. It begins by offering an exhaustive overview of the historiographical production of recent decades on entails, with a focus on the analysis of kinship. This panorama will allow us to highlight the main strengths and gaps of the literature, situating this research, the legitimacy and relevance of its organizing questions, as well as the main contributions and theoretical frameworks that have helped to frame its analysis. This is followed by an overview of the documentation and information. This stage involves explaining the information system related to entails in order to understand the documentary landscape. This step is crucial to explaining the process of forming the documentary samples that underpin the research. Based on two large typological groups – foundational and judicial documentation – the procedures are explained, subordinated to the research questions, and related to the constraints underlying the documentary landscape.



The first two chapters form a central part of the research itinerary, explaining the methods used to construct chapters three and four, based on the documentation compiled and, on the contributions of historiography. They are based on the ideas mentioned above, which structure the description. Chapter three studies the different ways of defining the ‘hotspots’ within the parental universe, while chapter four looks at the ways of regulating and conditioning the kinship groups framed by entails. The book ends with a conclusion that aims to be a synthesis of the different topics and ideas, bearing in mind the analytical tools built up throughout the book, diachronic developments, and seeking to raise new questions and paths for further research.

*

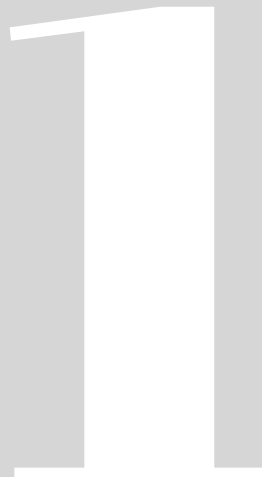
As explained in the chapter on information and documentation, the VINCULUM project database was the essential tool for mapping the documentation used in this book. As such, the method of citing documents will refer in a footnote the typology and date of the document, the reference code in the database, and the archival reference. The archival reference corresponds to a code created by the project team. Bearing in mind the objectives of the research, namely the intention to systematically study the institutions carried out between the late 13th century and the 15th century – in other words, the beginning of the entailment phenomenon – there are a number of documents that are cited, and which have not been inserted into the database, for reasons also explained in the chapter on the documentation. These documents are cited by typology, date and complete archival reference. After the conclusion, the lists of all the documents that make up the corpus of this book are presented. These lists include, on the one hand, the documents from the 13th to the 15th centuries that have not been inserted in the database and, on the other hand, the printed and manuscript documents, ordered by the archival holding institution. They also include documents that were not cited throughout the chapters, but which provided material for broader analyses subordinated to the main questions of the book.





The historiography on entails

CHAPTER 1







The historiography on entails

In recent decades, how has historiography approached the relationship between entails and kinship? What are the main topics of research, the common points, and the knowledge gaps? The aim of this state of the art is to provide an exhaustive overview of historiographical production, focusing primarily on Iberian historiography. It also aims to review the main theoretical frameworks from other latitudes that have influenced perspectives about entails and the evolution of the European kinship system, in a broad chronological perspective. A diachronic overview will be presented, highlighting the links between themes, authors, and the evolution of theoretical and thematic issues, aiming to reflect the ideas and concepts used by the authors themselves.

Scientific production about entails and the shaping of kinship essentially began in the 1970s. Research on this institution's legal dimension was fundamental, along with an emerging trend in Iberian historiography of progressively incorporating new perspectives of social and family history. The use of entails and their integration into a wider context of practices favouring primogeniture in Europe between the 15th and 18th centuries was addressed early on by J. Cooper in a work bringing together various case studies¹. In a foundational article on the study of inheritance practices in Europe between the 15th and 18th centuries, Cooper drew attention to several central aspects of these forms of transmission. Specifically, he exposed the criticisms they were subjected to, throughout Europe and at different stages, from the 17th and 18th centuries

¹ Cooper, 1976, pp. 233–296.



onwards, especially by Enlightenment thinkers. Cooper outlined the general characteristics of Iberian entails – the preference for primogeniture; the prevalence of a direct line of female succession over collateral relatives; a concept of family based on the estates administered by the successor, who was also responsible for caring for relatives –, while considering the role of jurisprudence on the evolution of entails, particularly Charles V's laws to prevent the accumulation of institutions. For this author, Castilian entails were “the strictest form of inalienable entailment”². In the same book, J. Thirsk analysed the European debate on primogeniture, which is closely connected to entails because, in most cases, succession clauses tended to favour the eldest son. Thirsk demonstrated the rise of this figure in 16th and 17th century juridical literature. Lawyers and bureaucrats built several arguments in favour of concentrating inheritance on first-born sons, stressing that, although partly perceived as unfair for the remaining siblings, this mechanism was nevertheless a solution that helped protect families and the kingdoms' cohesion³.

In the 1970s, the first systematic studies carried out by Spanish historiography were published. The founding works largely belong to B. Clavero. In 1974, Clavero published his book *Mayorazgo. Propiedad feudal en Castilla (1369-1836)*⁴. Based mainly on juridical sources, the book synthesises a broad set of issues connected to entails. Clavero outlined the legal framework of the institution and its evolution. Concerning the organisation of kinship, he highlighted several structural elements. First, the authority of the founder, whose will ought to be perceived as an internal law prescribing familial and social behaviours, disciplining the conduct of subsequent generations to reflect the institutor's ideal. Clavero underlined the predominance of primogeniture in the succession schemes, although, at their essence, entails were not defined by succession by primogeniture, but by specific configurations of “*propiedad territorial feudal*”⁵. In this book, Clavero also categorized the succession schemes, dividing between “regular entails” (defined by male and primogeniture succession) and all other possible configurations. Moreover, given the

2 Cooper, 1976, p. 296.

3 Thirsk, 1976.

4 Clavero, 1974.

5 Clavero, 1974, p. 5.



wide variability of succession schemes (at the discretion of each founder), the author considered the “patrimonial” regime as the institution’s central element⁶. In his work, Clavero gave particular attention to the disposable portions available to the founders of entails, and the necessary articulation with the other heirs, especially through legal figures such as the “*derecho de alimentos*”⁷. These issues, as he points out in his work, were widely discussed by jurists, especially in the 16th and 17th centuries.

Clavero's work on entails, which extends into the 1990s, is characterised by in-depth reflection based on juridical sources, perceiving them as instruments for constructing and shaping reality. In short, his work reflects a more anthropological approach, in an evolution that goes hand in hand with the renewal of social history at that time. Certain topics he set out in his 1974 book paved the way for subsequent developments and extensive articles. Primogeniture would continue to be addressed within the general framework of European law⁸. The author showed to what extent the favourable arguments of jurists were partly based on *ius divinum* and concepts from the Roman period, such as the notion of representation between the father and son. According to the author, an association was consolidated between primogeniture and nobility⁹. The overlap between primogeniture, nobility, and a more restrictive way of transmitting property was addressed in an extensive article in 1994. Based on a saying attributed to Saint Bernard, Clavero demonstrated that, although ‘unfair’, the favouring of the first-born son found support among jurists in biblical passages and other theological or religious sources, such as the *beati dictum* analysed in the article. In short, this current of thought deemed the exception conferred to nobles in the ways of transmitting inheritance as acceptable. Even if partially perceived as unfair, this mechanism allowed the strengthening of lineages as basic cells of the kingdom’s social fabric¹⁰.

6 Clavero, 1974, pp. 211–221

7 Clavero, 1974, pp. 222–232.

8 Clavero, 1986.

9 Clavero, 1992.

10 Clavero, 1993–1994.



Clavero's work was also very relevant in the discussion he promoted about the legal configuration of entails. On this point, however, his thesis was challenged. While for Clavero the central element of entails was the notion of “*propriedad feudal*”, this interpretation was notably rejected by J. Bermejo Cabrero, who criticised Clavero's excessive reliance on juridical literature, and considered that, despite the exponential development of entails during the Trastámara period, their essential foundations were established earlier¹¹. Despite the discussion between the foundation of ‘proto-entails’ and ‘true’ entails, in a juridical-discursive evolution that would extend over the centuries, J.P. Molénat, in a study of the entails and chantries of Toledo between the 13th and 15th centuries, attributed the origin of the dissemination of these practices to a will to last. According to this author, these were mechanisms developed to ensure notoriety, nobility, and the lineage's preservation, in a relationship between the founder's wishes and his descendants¹².

Between 1980 and the 2000s, Spanish historiography developed an important set of studies on the aristocracy and the family. On the one hand, kinship relationships framed by the entail system were analysed through juridical thought. On the other hand, the ‘lineage’ and the ‘house’ were studied as social configurations that organised the power of the aristocracy and could shape its structures and kinship, emphasizing the importance of entails.

In a 1984 article on “*mayorazgos arcaicos*”, J. Moreno Núñez demonstrated how these institutions were a way of consolidating family groups and strengthening them against contenders, above all through various foundations for different branches of the same lineage¹³. J. Pro Ruiz has argued that the same objectives were achieved throughout the early modern period, and by different social groups, through chantries. For this author, chantries were a type of entailed property used by the nobility to benefit secondary branches of the lineage excluded from the main entail, making it possible to create a kind of perpetual benefit that allowed the

11 Bermejo Cabrero, 1985, pp. 284–293.

12 Molénat, 1986, pp. 690–696.

13 Moreno Núñez, 1984.



placement of a relative as chaplain. This solution was later extended to other groups as a strategy of social distinction¹⁴.

During this period, entails were also analysed in greater depth as important tools for a series of wider transformations, mainly at the level of noble families. This type of analysis reflects the permeability of Spanish historiography to the thesis, diffused in Western Europe between the 1960s–1980s, on the formation of a lineage system in medieval Europe and subsequent transformations of kinship structures. In a book published in 1979 that became widely cited amongst Spanish historians, M. C. Gerbert studied the nobility of Extremadura in the late Middle-Ages. Gerbert offered a broad analysis of the structures that supported the group's dominant position. Kinship plays a central role in her examination, both in matrimonial practices and transmission strategies. For Gerbert, this region's nobility came to be organised in lineages, under the authority of the "*parente mayor*". Entails were important in consolidating this dynamic by favouring a more stable concentration of inheritance, although, according to the author, this system was catastrophic for second-born children, even if they could later institute their own entails and start a new branch of the lineage¹⁵. In 1990, I. Beceiro Pita and R. Cordoba de la Llave published a synthesis about the Castilian nobility between the 12th and the 15th centuries. The book emphasises the importance of kinship and argues that aristocratic groups progressively adopted a lineage organisation, favouring agnatic elements such as vertical descent, primogeniture, and masculinity¹⁶. The authors analyse the strategies and practices used by familial groups to transmit their estates, where entails assumed significant relevance, particularly from the late 14th century onwards¹⁷.

In 1991, I. Atienza Hernández published an article in which he contextualized the "*antropología del linaje*" and gathered a set of elements that gave meaning to the family in the early modern period: the importance of the founder and the *pater familias*, and the moral economy of the house, understood simultaneously as an entity endowed with personality and as

14 Pro Ruiz, 1989, pp. 587–591.

15 Gerbert, 1979, pp. 203–232.

16 Beceiro Pita, Cordoba de la Llave, 1990, pp. 35–107.

17 Beceiro Pita, Cordoba de la Llave, 1990 pp. 232–250.



an organic body. This motivated an extensive tradition of literature articulating practical and moral considerations. All these components were related to entails and consolidated throughout the period under analysis (16th–19th centuries)¹⁸. According to authors such as M. Pallares Méndez and E. Portela Silva, prior to the diffusion of entails, noble families were not organised in a lineage system, which presupposed an association between primogeniture and the exercise of power, or a scheme of intergenerational devolution of inheritance explicitly favouring one of the heirs¹⁹. Furthermore, the historiography of entails began to stress how this legal institution produced an association between property and the ‘familial body’, between the dead, the living, and their descendants. According to G. Lemeunier, this shaped an institution “a prétention de totalité et vocation d'éternité”²⁰.

The relation between entails and the shaping of family structures was analysed from different perspectives and considering the different Hispanic kingdoms and their diverse legal systems. For Valencia, P. Marzal Rodríguez highlighted the importance of primogeniture and its supporting arguments; how entails allowed the construction of a successor’s profile; the succession schemes created by founders, almost always favouring first-born sons; and the cases allowing disentanglement of property, essentially connected to dowries. He exposed the contradictions between a scheme designed to prolong familial property down a purportedly perpetual line and the rights of other heirs excluded from succession²¹. On this point, however, an author such as B. Yun–Casalilla critically reflected about the historiography that assigns, according to contemporary canons, irrational economic behaviour to the aristocracy, and stressed that the concentration of inheritance through entails for the benefit of a single heir also forced families to make heavy investments to support the careers and social destinies of the other children²². He exposed this focus of tension, visible in the discussion of jurists, between the reproduction of the lineage or the house and the interests and rights of the different family members.

18 Atienza Hernández, 1991.

19 Pallares Méndez, Portela Silva, 1993, pp. 838–840.

20 Lemeunier, 1993, pp. 719–723.

21 Marzal Rodríguez, 1996.

22 Yun–Casalilla, 1998, pp. 55–58.



In a study centred on Murcia between the 15th and 18th centuries, J. Hernández Franco and A. Peñafiel Ramón considered entails as solutions that allowed the projection of a lineage's identity, consolidating an organisation where the administrator/successor had a central importance in the house's governance. However, they conceived lineage in an open way, combining vertical projection and the reserve of relatives found in horizontal ties. For them, the theoretical perspective of P. Bourdieu was equally relevant, understanding 'operative kinship' as a network used in a 'practical' way with the aim of maximizing the social potentialities of the group²³.

Regarding Portuguese historiography, particularly covering the history of medieval aristocracy, there was a strong trend emphasising the importance of kinship. This trend was mostly the result of J. Mattoso's research, along with the master and doctoral theses he supervised. In 1966, Mattoso presented his PhD thesis at the University of Louvain. Supervised by L. Génicot, this research was dedicated to the study of monasteries in the diocese of Porto in the 11th-12th centuries and the adoption of the Benedictine rule. Mattoso recognised the importance of aristocratic families: the comprehension of their organisation was therefore fundamental to explain the monastic landscape, and the political and religious transformations in these centuries²⁴. Hence, Mattoso's subsequent research paid significant attention to aristocratic families. As K. Schdmit and G. Duby's thesis on the diffusion of lineage organisation became widely accepted amongst historians of Medieval Europe, Mattoso tested this hypothesis with the nobility from the *Condado Portucalense* and the newly formed Portuguese kingdom, between the 11th and the 13th centuries, in several books and articles that promoted research on these subjects. According to Mattoso, the adoption of a lineage organisation implied the progressive fading of broad horizontal kinship in favour of vertical descent, the concentration of inheritance in one heir (who became the head of the lineage), matrimonial endogamy and restriction, and the adoption of symbolic behaviours, such as the transmission of surnames/family names

23 Hernández Franco, Peñafiel Ramón, 1998.

24 Mattoso, 2002 (1st edition from 1966).



and heraldic devices²⁵. For the author, this organisation was strictly related to the political transformations in these centuries. In this sense, the lineage system, functioning with the features mentioned above, allowed the nobility to ‘capture’ local powers at a time when ‘State’ powers were weakened, particularly in the 11th century²⁶.

In the following years, Mattoso supervised several academic studies on these issues. In 1992, L. Ventura presented her PhD thesis on the courtly nobility during the reign of D. Afonso III (r. 1248–1279). In this thesis, kinship relationships were conceived as the nobility’s fundamental social structure. The author highlighted the gradual adoption of lineage organisation, along with the importance of marriage and forms of ‘artificial kinship’, namely between the king and his nobles. In some sense, a language of social relations embedded with kinship terminology and meanings was perceived as a framework for the relations between powerful groups²⁷.

Still in the 1990s, two PhD theses continued this research trend, although presenting some nuances on Mattoso’s theories. Based on a case study (the Pimentel lineage), B. V. Sousa analysed the origin of the lineage; the political, religious, and military careers of its members; and their exile in Castile following the political turmoil of the late 14th century. Regarding kinship, Sousa analysed the lineage structure and discussed the terminology used in the sources to describe kinship relationships, the hierarchy between siblings, and the role of women. Sousa considers that there was no strict adherence to an agnatic form of lineage organisation. According to the author, vestiges of cognatic conceptions can be perceived in some behaviours, such as the importance conferred to maternal ancestors depending on the contexts. The broader kinship relationships of historical

25 Mattoso, 1985, pp. 104–113; 2001, 283–304 (1st edition from 1977).

26 Mattoso, 1992, pp. 241–257 (1st edition from 1982). These perspectives are summarized in one of Mattoso’s main contributions to Portuguese historiography, the book *Identificação de um País*. In this essay, Mattoso analysed the formation of the Portuguese kingdom between 1096 and 1325, considering both the elements that contributed to oppose the different regions and the elements that ultimately contributed to their union and solidification under a single political entity. In this theoretical perspective, aristocratic kinship structures, and their organisation into lineages, were considered inherent to the familial organisation of specific powerful groups who acted within a ‘pre-modern state’ framework, with their own tensions and sometimes against the interest of the kingdom – Mattoso, 1995, pp. 209–216.

27 Ventura, 1992, vol. 1, pp. 177–251.



actors were manipulated to suit the contexts they faced. Similarly, B. V. Sousa observed a high density of matrimonies and inheritance partitions, which led to the patrimony's fragmentation. However, this coexisted with other strategies that could be used to favour one heir. This practice did not necessarily exclude the remaining siblings from a share of the inheritance. Therefore, lineage as an 'agnatic' structure (in the sense of G. Duby's thesis) was not attested in this case: broader and horizontal kinship relationships continued to have a fundamental importance, and the concentration of the patrimony to explicitly and formally favour one line was not in practice²⁸. As we shall see later in this state of the art, this panorama allowed the author – along with J. A. de Sottomayor-Pizarro – to formulate the prospective hypothesis that entails were fundamental for the later organisation of aristocratic familial structures into lineages and houses, particularly in the early modern period.

In 1998, J. A. de Sottomayor-Pizarro presented his doctoral thesis. This research focused on an extensive genealogical reconstruction of many noble lineages of different status, using the reign of D. Dinis (r. 1279–1325) as the central chronology. Departing from a vast empirical base, Sottomayor-Pizarro described patterns like those observed by Sousa, especially regarding inheritance. Estates were shared between all siblings (women and nuns included), resulting in a patrimonial landscape in constant mutation, with estates circulating between lineages via matrimonial and religious connections. According to this author, such a pattern created an aristocratic group whose patrimonial basis was not strong enough to counterweigh the progressively hegemonic power of the Crown. Entails were prospectively considered as instruments that allowed the nobility of the late Middle Ages to consolidate a lineage organisation, by formalizing the principle of favouring one heir and constituting a solid patrimonial basis endowed with symbolic and identitarian meanings²⁹.

Finally, the work of M^a L. Rosa, entirely devoted to entails, brought a new understanding of this subject in the medieval period. The author studied elements that are essential to understand the connection between

28 Sousa, 2000, pp. 241–276 (published version).

29 Sottomayor-Pizarro, 1999, vol. 2, pp. 565–592 (published version).



this institution and the shaping of kinship. A first article dealt with how founders designed their heir's profile, in both physical and psychological dimensions, based on a very different conceptual framework from that imposed by liberal societies³⁰. In 1991, using the case study of four families from Portalegre, the author demonstrated how entails were envisaged as legal solutions that structured powerful groups (grounded on the authority of the institutor), regulated the use of their estates, and fostered the lineage's identity. Among other things, this system relied on the articulation between this tendentially solid basis and the extensive kinship networks perceived as reserves, especially in a perilous demographic context as during the *Ancien Régime*³¹.

In 1995, the author published a book based on her Master's dissertation³², which presents a broader investigation of the various dimensions inherent to entails. Regarding kinship the founder affirms his authority over future generations, prescribing behaviours and affirming his memory. His authority is immediately articulated with the figure of the heir and his relatives: an heir whose image is constructed by the founder, exacerbating certain ideal characteristics and obeying a family discipline that, in the foundational documents, may prescribe ideals of marriage, obligations of legitimacy, and clauses of responsibility as the lineage's representative. Although based primarily on direct line of succession, this relational scheme is associated with the 'operative kinship' applied in wider family networks. In short, this institution provided a framework for kinship relationships that evolved over the centuries in a dialectic between social practices and legal thought, creating and imposing a certain idea of lineage. This is expressed both in defining the universe of successors and relatives who shall be recruited in perpetuity, and projecting an image and social behaviour based on the founder's wishes and grounded on a set of general Christian principles, and others specific values closer to an aristocratic *ethos*.

30 Rosa, 1988.

31 Rosa, 1991.

32 Rosa, 1995.



Alongside historiographical production on the Middle Ages, one must also point out the importance of the article by A. M. Hespanha on conceptions of family. Constructed using juridical literature from the 16th–17th centuries, the article exposes the impact of entails on family organisation and its inherent contradictions: the benefits of supporting primogeniture, eminently thought to favour the good of the kingdom, and the interests of the other heirs, perceived in terms of their “natural” rights³³.

From the 2000s onwards, the historiographic production around these topics grew exponentially, particularly in Spain. In the rest of Europe, one should highlight the relevance of some studies on other institutional variations of entails, particularly in France, Italy, and England. Some attention was given to the projection of a kind of ‘dynastic thinking’ that shaped kinship in favour of the reproduction of the lineage and the house. At the same time, important research was published on components of the kinship system, namely conceptions about the familial body and the *pater familias*.

Some of these topics resulted in a vast historiographical production impossible to cover in this state of the art. We will only mention some representative titles of this dynamic, highlighting key-aspects that contribute to a better understanding of entails. The 2005 article by J. Adams provides an overview of “patriarchal” power within the context of a corporate society, in which, for example, the power of kings, and its transmission between fathers and sons, was perceived as analogous to the relationship between God the Father and his Son. These relationships, embedded in images formed by Christian values and founding myths, are embodied in the dynamics of authority within the aristocratic house³⁴. Overall, this converges with the synthesis by P. Bianchi on the historiography of these themes. This author highlights studies that emphasize the growing importance of the ‘nuclear family’ and of inheritance mechanisms as means of sustaining aristocratic families. In this context – and considering a growing viewpoint of the ‘family economy’ in treatises on house management –, the *pater familias* assumes special prominence in the domestic

33 Hespanha, 1993, pp. 964–967.

34 Adams, 2005.



sphere, analogous to the king as ‘father of the fatherland’³⁵. Moreover, in Italian historiography, the relation of these themes with entails was also analysed. For G. Rossi, property granted ‘substance’ to the family. Jurists were vital in shaping this social construct, whose foundation lay in the fact that the social body of the *res publica* was the aggregation of familial bodies. In this sense, wealth was seen as sustaining the family and the community, justifying the pertinence of conserving it³⁶.

In England, there is a historiographical tradition around the history of law, but which does not end there. For M. Hicks, there is an increasing emphasis on primogeniture in the representation of English noble families from 1300 onwards, partly related to the spread of entails. His 2007 article was based on the genealogies produced by monasteries with connections to certain families, who used them as burial places for founders and patrons. In these sources, the chain of lords and heirs was emphasised; first-born sons were thus invested in the documentation with a much more significant social existence than their brothers and sisters³⁷.

However, the legal configurations of the English entail model seem to have taken on specific contours compared to Iberian entails. On this matter, the work of L. Bonfield is very relevant. The strict settlements studied by this author were a form of entailment he considered essential for the structuring of the dominant social groups in England until the 20th century. They were usually instituted by marriage contracts, which benefited the new couples’ first-born child. Overall, his 2011 book allows us to grasp the dynamic discussion between principles of indivisibility and perpetuity of property or its division, in a society where land ownership was fundamental. These legal solutions had a direct relation with kinship and with key moments in family life, starting with marriage, and have direct implications on the very functioning of the social fabric. In comparison with the Iberian case, the English model seems to have been less restrictive, generating a greater circulation of property, in line with the social evolution of the different European regions throughout the

35 Bianchi, 2011.

36 Rossi, 2009.

37 Hicks, 2007.



17th-18th centuries³⁸. In a 2012 article, Bonfield defined inheritance as a phased process, and observed that *Ancien Régime* societies viewed marriage as one of its pivotal moments. Regarding family organisation, the author considers that these social practices and legal debates helped establish a form of “dynastic thinking”³⁹.

Similar observations were made by French historiography on fideicommissum. In 2012, E. Haddad described the legal framework of these institutions, highlighting jurisprudence and debates among legal practitioners about defining their basic functions and rules. Regarding kinship, the author underlined the significant openness of these institutions to female succession, which coexisted, however, with a discourse and practices favouring primogeniture⁴⁰. The articulation between the interests embedded in this institution and the reproduction of fideicommissum and family strategies and interests are highlighted in the article by A. Cogné on requests for subrogation of entailed property in Lombardy during the early modern period. Based on these processes and acknowledging the prevalence of masculine-based models of succession, the author questioned the idea of the total immobilisation of estates, showing that, quite regularly, the arguments invoked for these types of operations stemmed from a need for resources for matrimonial or conventual dowries⁴¹. In other words, these operations reflected constraints on the existence and stability of the fideicommissum caused by the interests of the remaining familial group.

As with Iberian entails, the historiography on fideicommissum also emphasizes the centrality of this legal institute in shaping a kinship organisation conditioned by transversal elements, such as the existence of an entity – the lineage or house – intended to last in perpetuity, and the authority emanating from the founding figures. For A. V. Solignat, the fideicommissum was a solution that allowed the perpetuation of the lineage or house by manipulating kinship structures or, if necessary, by creating ‘fictitious’ lines that did not exclusively depend on male descendants.

38 Bonfield, 2011.

39 Bonfield, 2012.

40 Haddad, 2012.

41 Cogné, 2013.



According to the author, the main issue was not so much the extinction of kinship in a male or even direct line, but the dissolution of the house and its social role and place. Among other things, this perception led to the adoption of marriage strategies for second-born children, creating lines perceived as reserves that could eventually replace the main line⁴². For these social configurations, the past was also of vital importance or, if we prefer, the founding figures and the memory of certain characters and events. Certain ascendants were therefore valued or devalued, and the kinship structures were moulded – in this case, the ascendants – according to present interests and objectives. Some, closer in time, might be deliberately forgotten because their profiles were not convenient at a given moment. Others, both ‘real’ and/or ‘mythical’ ancestors, might be valued. Models coexisted that might value an ancestor considered a founder – as in Iberian entails – or a family branch with several relevant characters. For Solignat, succession via male primogeniture played a central role in this process, along with a concept of kinship embodied in a relationship between the dead, the living, and future offspring⁴³.

Alongside these trends, one must also point out the revision of the interpretative framework on the ‘lineage mutation’ proposed by K. Schmit and G. Duby, which also generated a vast amount of literature impossible to cover in detail in this review. Based on a case-study in Germany, J. Morsel emphasised that the organization of noble houses’ archives, mostly during the early modern period, contributed to mould a perspective of kinship organisation based on the transmission of a set of estates, a family name, and a symbolic entity. This plain image, Morsel argued, deceived historians, particularly in the study of kinship in the Middle Ages, since the information in these archives from the previous centuries was reorganized according to the needs and perspectives of later generations⁴⁴. For Morsel, lineage is thus a “pseudo-parental” social construct that conditioned kinship relationships but did not alter the fundamental conceptions characterised by cognatic principles⁴⁵. In some sense, how historians perceive such a social construct is profoundly influenced by an

42 Solignat, 2012.

43 Solignat, 2016.

44 Morsel, 2004.

45 Morsel, 2004a, pp. 290–291.



intersection of historical, anthropological, and sociological knowledge, concepts, and methods, directly connected to how these disciplines appeared as social sciences and evolved since then. In a book published in 2005, D. Crouch discussed how the study of noble kinship was influenced by the work of figures such as Durkheim and Lévi-Strauss, leading to a revision of the historiographical production of the previous decades and to criticism of the Schmit-Duby theory on lineage mutation. Crouch presented his own perspective on the subject, arguing that, particularly between 1100 and 1300, although familial relationships were overwhelmingly represented in a lineage perspective, broad kinship structures did not cease to have a fundamental importance concerning power, patronage, and protection⁴⁶.

In the Iberian context, the historiographical production on entails in Spain, in the last twenty years, has been quite abundant, both by medievalists and modernists who have sought to blur tight chronological divisions, encompassing the 15th century in their studies and often extending them to the end of the *Ancien Régime*. On the other hand, with the renewal of social history, greater attention was given to entails and kinship. Monographic studies, focusing on specific noble houses, regions, or cities, proliferated.

The articles of L. Ferrer-Alòs are important to discuss the connections between kinship, legal systems, inheritance transmission, and social strategies. In an article on the forms of transmission in Spain, Ferrer-Alòs contextualised the different practices of two major systems (egalitarian or single heir), explaining their advantages and challenges. He considers the transmission of property as a process with several stages, conditioned by the organisation of social groups and influenced by gender issues. According to the author, the single heir system confers central importance to the house, and its maintenance and reproduction; ultimately, the house was a complex social configuration to which individuals were theoretically subjected. In egalitarian systems, observable in regions under the influence of the Castilian legal system – such as Portugal – Ferrer-Alòs referred to various partition schemes, stressing however that the existence

46 Crouch, 2005, pp. 99-155.



of an equitable principle does not necessarily imply strictly egalitarian practices in the transmission of inheritance⁴⁷. In this perspective, Ferrer-Alô emphasised that legal frameworks should not be considered deterministically when studying inheritance and property systems⁴⁸.

Regarding entails and chantries, the work of E. Soria Mesa must be underlined. Like J. Pro Ruiz in the 1980s, Soria Mesa pointed out the relevance of chantries in family strategies. The author refers to them as “*instrumento[s] de promoción social y de solidaridad familiar*”⁴⁹, because they allowed the support of a family chaplain or led to the accumulation by certain groups through strategies of matrimonial endogamy. In his synthesis of the Spanish nobility in the early modern period, Soria Mesa also provided very significant contributions to the problematic that will occupy us in this book. To begin with, the author considered kinship and family as a basic structure of the social fabric. In a corporate background, individuals were in principle subordinated to the familial body. Some ideas provide a general characterisation of the nobility’s kinship in this broad chronology: the weight of the first-born son; the importance of the entail system in the organisation of the groups; and the relevance of clerical relatives who, following more or less brilliant careers, passed on part of their fortunes to their nephews or nieces through the creation of entails⁵⁰. Regarding entails, Soria Mesa presents important ideas: for example, he considers that the prevalence of regular succession schemes (which do not exclude women and which, the author estimates, constituted more than 50% of the institutions) favoured the concentration of entails in the long run, especially considering the increasing matrimonial endogamy⁵¹. According to the author, the processes of accumulation of entails by certain families thanks to demographic constraints and matrimonial strategies remains an historiographical gap⁵².

47 Ferrer-Alô, 2014.

48 Ferrer-Alô, 2007.

49 Soria Mesa, 2002, p. 137.

50 Soria Mesa, 2007, pp. 116-122.

51 Soria Mesa, 2002, p. 226.

52 Soria Mesa, 2002, pp. 238-244.



Entails were thus juridical institutions that conditioned and were conditioned by familial structures, generating a reproductive model with wider implications, perhaps more easily observable in aristocratic groups. This is the hypothesis, presented by A. Framiñan Santas and A. Presedo Garazo, for the Galician nobility between 1350 and 1600. According to the authors, entails contributed to endow the organisation and reproduction of dominant groups with a specific dynamic, notably by favouring first-born sons as leading figures, by concentrating inheritances, and by applying matrimonial restrictions to the remaining siblings. In sum, entails were connected to a reproductive model progressively framed by the ‘house’ and by the definition of succession dynastic lines⁵³.

The Murcia School contributed several publications on the history of the nobility, the urban oligarchies, the family, and entails. From the outset, two contributions on subjects related to the organisation of the family and inheritance must be considered. In 2007, J. Hernández Franco undertook a series of reflections on the figure of the father in *Ancien Régime* society and presented the religious and legal foundations of paternal authority in Christian society, based on biblical texts and classical authorities, such as Aristotle. The father emerges as a figure imbued with authority and as the centre of government of the house, mirroring the form of government in the monarchical system. This authority was however tempered by *cari-tas* and by good governance of the house, articulating affection and a relational architecture anchored in principles of respect and obedience⁵⁴. Regarding inheritance, Hernández Franco underlines the importance of framing the forms of transmission historically, while also considering broader contexts, the different interests of social groups, and the wide range of possible solutions. Primarily, the need to historicize inheritance coincides with the proposals of Ferrer Alòs of overcoming the idea of geographical determinism – and the legal systems in force – regarding the modes of transmission of property. Individuals and groups can apply other strategies to achieve the same objectives – concentrating or sharing their wealth – despite legal contingencies. These options are also related to balancing the preservation of the house and the interests of its members,

53 Framiñan Santas, Presedo Garazo, 2005.

54 Hernández Franco, 2007.



and the concern with perpetuating social status and the care offered to non-successors. Various strategies might be developed to attain specific purposes: foundation of entails, chantries, investments in ecclesiastical careers, monastic vows, and matrimonial investments or restrictions⁵⁵. As in the case of the father figure, fundamental concepts in *Ancien Régime* society are also relevant here, such as the idea of distributive justice stressed by the author and partly related to the importance of *caritas* as a social bond⁵⁶.

Lineage, house, and entails acquired a central position in some collaborative articles based on case studies of power groups between the 15th and 18th centuries. Three articles signed jointly by J. Hernández Franco and A. Rodríguez Pérez address how the notions of lineage and house evolved throughout the early modern period and discuss the connection between them. The authors suggest an operative definition of both concepts, demonstrating how important entails were in forming houses, and how these presupposed, in a certain sense, the delimitation of more restricted and tendentially vertical kinship groups, although the lineage and wider kinship ties remained important, above all as a symbolic reference⁵⁷. In short, both defend the idea of lineage dilution within a house as the main process that organised aristocratic power. By formalising the preference for vertical and close kinship relationships, entails played an essential role in this process⁵⁸. These ideas were also partly incorporated in an article by J. Hernández Franco and S. Molina Puche in 2010, in which the dynamics of closer kinship relationships, the importance of the *pater familias*, the “*parente mayor*”, and the discipline of the house are emphasised. In this regard, the authors partially subscribe the thesis of the “*modelo reproductivo vincular*” proposed by N. G. Monteiro for the Portuguese nobility⁵⁹.

In 2014, C. Luchía made several observations on the legal construction of this institute in an article discussing the Castilian entail as a form of privileged property. According to the author, the principle of exception as

55 Hernández Franco, 2011, p. 21.

56 Hernández Franco, 2011, p. 25.

57 Hernández Franco, Rodríguez Pérez, 2014.

58 Hernández Franco, Rodríguez Pérez, 2014a; 2015.

59 Molina Puche, Hernández Franco, 2010.



the rule in shaping each entail accentuated the centrality of the founder's authority over succeeding generations. The article also discusses the contradictions expressed by the entails between the familial body and other individual interests, particularly visible in the question of amassing resources for dowries. Alongside entails, dowries were seen as fundamental elements in the organisation of these groups, thus allowing the author to reflect on the contradictions in the dynamics of concentration or circulation of estates and goods. Finally, Luchía sees the administrators or lineage leaders as tutelary figures in the organisation of kinship relationships, their position largely formalised by the institutional configuration of entails⁶⁰. An analogous idea was proposed by O. Pereyra. Studying the northern territories of the kingdom of Castile at the end of the Middle Ages, the author focused on the figure of the “*parente mayor*”. In a specific legal configuration, these figures were understood as a set of social relations that cut across kinship networks, the hierarchy of major or minor lineages, and the various social strata, forming points of articulation in the appropriation and organization of the productive and religious space. For Pereyra, these societies were characterised by a “patriarchal” base. The context favouring the emergence of the “*parente mayor*” was, in some sense, similar to the one that led to the dominant position played by first-born sons in entails⁶¹.

In a certain way, and as proposed in M. Contreras Jiménez's doctoral thesis, entails served to formalise the origin of aristocratic houses, culminating processes of social ascension, and initiating new stages. In her work on the Arias Dávila, the author describes the agreements between brothers regarding inheritance and property to be entailed. Relatives agreed upon a set of practices to bring social distinction to the familial group (such as founding a hospital, chantries, and burial places), preserve memory, and perpetually value the figures of the founders and administrators⁶².

In addition to monographic studies focusing on social spaces or groups, one should also highlight some publications on the evolution of legal

60 Luchía, 2014.

61 Pereyra, 2015, pp. 141–156.

62 Contreras Jiménez, 2016, pp. 295–333, 504–520.



thought and literature on entails. The book by M. Bermejo Castrillo offers a broad framework of the laws of Toro, detailing the different laws, their sources and, in the case of entails, addressing the treatment they received in the following centuries. Among other aspects, the author demonstrates that one of the royal interventions in entails was repealing the rights of heirs excluded from inheritance. This power was based on the idea that allowing such an exception was an act on behalf of public utility⁶³.

In an article published in 2022 on the spread of entails in the Basque territory, M. Ayerbe Irribar presented a legal framework for entails based on Castilian legislation – which gradually became hegemonic in the Iberian Peninsula – with important information on the relation between these foundations and kinship. The author's analysis starts with legislative texts such as the *Fuero Real* and the *Partidas* of Afonso X, which largely established the main mechanisms of inheritance law observed throughout the centuries: the *terça*, the *quinto*, and the concept of forced heirship. Regarding entailment, the combination of the first two mechanisms made it possible to institute entails with about half of an individual's assets. The notion of primogeniture is also reinforced in these texts, establishing an analogy with the kingdom as a kind of first entail. The author also argues that the formal abdication of the *legítima* (i.e., the reserved portion) by the heirs did not annul the *direitos de alimentos*. Ayerbe Irribar considers that the spread of entails in this territory was due to the expansion of Castilian law and institutions, although the ancient laws of these regions favoured the concentration of inheritance in a single heir⁶⁴.

Some of these observations had already been made in 2009 by J. Usunáriz Garayoa, in an article on the entails in Navarre. For the author, and as far as legislation is concerned, the diffusion of these institutions was the consequence of broader social constraints and did not necessarily result from the specific legal systems. The author cites the criticism, from the 17th century onwards, of concentrating entails in the same houses, a phenomenon observable in the different Iberian kingdoms because of endogamous matrimonial strategies. Conversely, the analysis of requests and

63 Bermejo Castrillo, 2009, pp. 570–572.

64 Ayerbe Irribar, 2022.



authorisations to use entailed estates or rents to pay debts and dowries suggests a relationship with the social history of the groups possessing entails, and also outlines a parallelism with other articles on fideicommissum cited in this chapter, which rightly emphasise that these family issues were often resolved using entailed property, freeing it from the legal protection to which it was subject⁶⁵.

The articulation between the foundation and preservation of entails, the wider family strategies, and the use of the entailed assets to meet the needs of the remaining relatives has been observed in different works by medievalists and modernists, almost always based on case studies. In an article on the entails of the ducal house of Maqueda in the 16th century, J. Palencia Herrejón discussed the various entails as fundamental instruments in organising the group, along with other social practices. Thanks to the founder's action, the entails sought to strengthen family cohesion via a typical Castilian dynamic formed by a main entail and other entails created for second-born children but subordinated to the principal institution, namely in the succession clauses and other identity mechanisms that sought to reaffirm this link. Palencia Herrejón also draws attention to an important detail: the unreality of regarding these family strategies as excessively defined, considering the demographic randomness that affected this society. In this study, the institution of entails is also considered within a broader framework of transmission strategies that seek to bestow socially valid destinies to the various members of the family. Thus, wealth also had to be channelled into monastic and matrimonial endowments⁶⁶.

Like Usunáriz Garayoa, M. Quintanilla Raso noted that, despite the theoretically immovable nature of the entailed property, there was a strong tendency for operations to change or remove estates, above all after the second half of the 15th century and particularly in the period of the Catholic kings. These operations were mostly intended to accumulate resources to pay for matrimonial dowries, or to found new entails for lateral branches of the lineage⁶⁷. In a 2006 article, these themes were partially analysed.

65 Usunáriz Garayoa, 2009.

66 Palencia Herrejón, 2002.

67 Quintanilla Raso, 2004.



Defining the aristocratic house as an “organic–functional complex” that included relatives, vassals and servants, the author assigned a fundamental role to entails in structuring those entities and in defining the identity of lineages. Quintanilla Raso addressed the question of the foundation of various entails in the same house (benefiting second–born children and lateral branches), and the processes of disentanglement of estates for the management or foundation of new entails. Using the case of the house of Portocarrero–Cárdenas, the author described an example of a lineage’s ascension to the top of the noble hierarchy, founding three other entails besides the main entail. Here, upward mobility was articulated with other practices, specifically female inheritance and a hypergamous marriage. Entails were a way of shaping acquired prestige and projecting an image into the future⁶⁸.

In 2008, C. Ramos Cobano published a study that relates entails to various dimensions and moments in familial histories. With the case of a family in a village near Seville during the 18th century, the author describes how these elements were manipulated to consolidate power, in a context of social and demographic constraints specific to *Ancien Régime* societies. Inheritance strategies were not entirely constrained by the legal framework and, consequently, led to the adoption of a series of choices that sought to compensate the heirs excluded from the entails. Ramos Cobano also analysed endogamous matrimonial strategies that resulted in the accumulation of entails and drew attention to the lineage’s clerics who were committed to the function of chaplains in some chantries administered by their families⁶⁹.

The study by J. Ortuño Molina on a different social group, and in an earlier chronology – the Pachecos at the end of the Middle Ages – demonstrated similar processes. Exiled from Portugal, the Pacheco family was integrated into a second rank nobility when they arrived in Castile. The meteoric rise of Juan Pacheco culminated with the foundation of an entail in 1461, after a licence from Enrique II to entail all his estates. Thus, and as far as kinship was concerned, the royal licence annulled the laws of inheritance and the rights of the other heirs. Even so, ten years later, this entail was

68 Quintanilla Raso, 2006.

69 Ramos Cobano, 2008.



eventually divided into three entails for the institutor's three legitimate children; the division of the patrimony, also possible given the scale of the assets, allowed the creation of different fractions of entailed patrimony⁷⁰.

Between 2004 and 2014, chantries and the importance of clerical relatives and chaplains became once more the subject of some studies. For A. Irigoyen, assets were crucial in giving expression and substance to the family; in *Ancien Régime* society, “transmitir significa previver, perdurar”⁷¹. The author analysed the role of clerics in the treatises on entails that contributed to normalizing the institution, despite all its inherent contradictions. Often, these figures were the founders of entails, favouring members of their families, especially nephews and brothers, but also female relatives, as a way of contracting interesting marriages and allowing the family's social ascension. Additionally, clerics could serve as chaplains of their families' chantries, using this mechanism to create a system close to a familial prebend. Analysing the entails in Vélez Blanco, centre of the Vélez marquisate, D. Roth drew attention to the formation of a local elite, whose entails and kinship practices (namely endogamous matrimonial strategies) were fundamental for its consolidation. Both entails and chantries served as a strategy of social ascension and consolidation. Chantries were also relevant for the dynamics of social promotion and family solidarity, benefiting the sons and nephews of the founders⁷². A. Díaz, from his study of the *prebendados* of the Cordoba cathedral chapter in the early modern period, described cases of families that invested in the ecclesiastical careers of men, and not necessarily in their secular destinies. If successful, these figures took on the role of ecclesiastical *pater familias*, capable of instituting entails for their nephews and nieces, by entailing rural and urban properties accumulated over the years. These entails also became highly relevant endowment instruments⁷³.

From 2010 onwards, historiographic production highlighted various themes around kinship and entails. A line of studies on the relation between this legal institute and family strategies was pursued, while a greater

70 Ortuño Molina, 2009.

71 Irigoyen, 2004, p. 114.

72 Roth, 2007, pp. 215-228.

73 Díaz, 2014.



focus was given to research on succession conflicts. In 2011, J. Catalá Sanz published an article on the entails of Valencia in the early modern period, underlining the connection between family obligations (namely matrimonial dowries) and the integrity of the entails, and demonstrating the predominantly agnatic tendency in succession schemes⁷⁴. R. Rodríguez Pérez, in an article on conflicts in the house of Vélez, highlighted the fruitfulness of studying conflicts to analyse the internal contradictions of this social construct. According to the author, this point of view is especially important to counterpoint the image projected by the legal literature about the family, which represents kinship as a space of harmony under the authority of the *pater familias*. The analysed conflicts illustrate the tension produced by the basic contradiction in structuring aristocratic power: concentration vs. dispersion, the tensions resulting from inequality between heirs and motivated by the need for resources for matrimonial and conventual dowries; although, theoretically, the entail of this house obliged its administrator to support his siblings⁷⁵.

In an article focusing on the family strategies of the Castilian nobility in the early modern period, R. Molina Recio framed the matrimonial policies and the accumulation of entails in the same houses. From his point of view, these choices were the result of rational strategies in the context of the *Ancien Régime* society, thus justifying the heavy investments they implied. In short, the accumulation of entails resulted from matrimonial policies that engendered houses with a very significant amount of assets⁷⁶.

Between 2009 and 2021, M. Pérez García developed two studies concentrated on the regions of Murcia and Valencia. In the 2009 article, the author outlined the thesis that entails, in the long run, ended up eroding families, producing conflicts (related to inheritance and succession) and, notably because of endogamous concerns, reducing the scale of the network of relationships, leading families to ruin, even if the historical actors did not necessarily have this perception⁷⁷. In 2021, this author published a book focusing on two families from the late Middle Ages to the end of

74 Catalá Sanz, 2011.

75 Rodríguez Pérez, 2012.

76 Molina Recio, 2014.

77 Pérez García, 2009.



the *Ancien Régime*. A central importance was assigned to entails in the organisation of power groups. Emphasis was placed on the importance of the founder and the successors as the heads of the lineages; on entails as important tools in the structuring of groups into lineages and houses; on the creation of entails for second-born children; on the conflicts on inheritance; on the progressive matrimonial restriction and endogamy, also producing house junctions and accumulation of entails; and finally formulating the thesis, set out in the previous article, that the strict observation of this model would eventually lead to the collapse of families⁷⁸.

As mentioned earlier, the issue of conflicts led to several publications. J. Moreno Núñez studied a succession conflict originated by a female succession and argued that the rise of entails and the retraction of an egalitarian system of partitions promoted the progressively secondary role of women in this society⁷⁹. C. Lagunas highlighted the fact that, despite the globally observed principle of favouring males in succession, an appreciable number of disputes were raised by women. These conflicts demonstrate the importance of legitimate descent for stabilising succession, while showing that widows and married women were able to move in the right social circles to claim their rights⁸⁰. An article by A. López Amores on a succession conflict in an entail founded in 1598, and which had already experienced several female successions, also exposes these dynamics based on a case study⁸¹.

Between 2017 and 2021, I. Melero Muñoz presented her doctoral thesis, and a set of articles devoted to the theme of conflicts. In 2017, an article signed with V. González-Serna based on the Orozco family, from Seville, described a conflict over succession between a cleric, a woman, and a natural daughter in an entail founded in 1630. According to the authors, succession conflicts expose contradictions and different interests within family groups. One should note the arguments used by the contenders, namely the biblical arguments⁸². In a 2019 article, Melero Muñoz

78 Pérez García, 2021.

79 Moreno Núñez, 2007.

80 Lagunas, 2007.

81 López Amores, 2015.

82 Melero Muñoz, González-Serna, 2017.



used the concept of androcentrism to account for a masculine vision of the world that naturally tended to favour men as successors, thus relegating women to a secondary position. For this reason, entails with only female succession were very rare, and a greater family discipline was observed in the matrimonial conditions imposed on female successors, who were often dependent on family consent for the choice of their spouses⁸³. Finally, the author's doctoral thesis, defended in 2021, is an extensive work on entails between the 17th and 18th centuries. Although focused on the study of conflicts, the work provides a legal framework of these institutions and their main characteristics. Regarding conflicts, a scheme of typologies is presented, including some considerations on kinship itself, such as the legal discussion imposed on administrators vis-à-vis non-successor relatives, or the creation of entails as a family strategy. The conflicts over the non-fulfilment of *direito de alimentos* should be highlighted. Whenever this situation was not strictly regulated, there was a potential tension in familial circles, always precariously subject to the arbitrariness of the administrator. The author also pays special attention to the analysis of conflicts related to the payment of dowries⁸⁴.

The greater emphasis on female characters is perhaps a noticeable trend in recent historiography. In a 2021 article, A. Paz Moro analysed the social agency of aristocratic women, arguing that conflicts within lineages after the death of the husband exposed the main paradoxes in the methods of transmitting and organising the estates: theoretically, between the perspective of first-born sons, who supported entailing property, and the perspective of second-born children, favouring a more equitable distribution of resources. This case study centred on a widow, Constanza de Ayala, in conflict with her son over how she decided to distribute the inheritance, making considerable concessions to her daughters. The author argued that this type of dispute, with female protagonists, represents a broader understanding of lineage organisation⁸⁵.

83 Melero Munõz, 2019.

84 Melero Muñoz, 2021.

85 Paz Moro, 2021.



Regarding Portuguese historiography, there are publications by historians of the early modern period, characterised by a broad chronological approach and a focus on specific spaces or social groups. Additionally, historiography on the medieval nobility has hypothesised that entails contributed to the organisation of the aristocracy into lineages, the embryo of the later formation of noble ‘houses’. Finally, M^a L. Rosa proposed a new conceptualisation of kinship within the social agency of entails, culminating in the hypotheses formulated for the *Vinculum* project.

In 2001, N. G. Monteiro proposed a thesis whereby the “modelo reprodutivo vincular”, initially designed for the upper nobility, progressively became the referential behaviour of the social elites. According to the author, this model helped define the importance of the house in outlining the nobility’s relations and organisation, and also in producing a kinship scheme thought and organized predominantly around vertical relationships. At the same time, other kinship practices were observed that were an integral part of this scheme, such as matrimonial strategies to produce an accumulation of entails in the same houses, which provoked criticism in the *Cortes* (i.e., the Portuguese parliament)⁸⁶. Furthermore, N. G. Monteiro and M. S. Cunha refined these perspectives into a long-term and *Ancien Régime* overview of the evolution of aristocratic groups within a specific framework in which power relations were organised⁸⁷.

Around the same chronology, and perhaps stressing the specificity of Portuguese entails in comparison with the Castilian reality, L. Abreu pointed out the importance of the foundation of chantries “à maneira de morgados” (i.e., like entails). Almost always founded using the institutor’s disposable portion, they were interpreted by the author as a strategy followed, in the early modern period, by families of more modest social status to found houses and organise family structures in the image of the nobility⁸⁸.

With several contributions over the last two decades, the studies of J. Damião Rodrigues on the elites of the island of São Miguel in the Azores

86 Monteiro, 2001.

87 Monteiro, Cunha, 2010.

88 Abreu, 2001-2002.



have been capital to investigate the relations between social structures and entails throughout the *Ancien Régime*. In 2002, in an article pondering the importance of the house as an organisational model for the nobility of this island in the 18th century, the author attributed a central role to kinship relationships in these societies. According to him, the kinship system was closely associated with the diffusion of the house as an organising structure of the nobility in the Azores, particularly at the end of the *Ancien Régime*. Moreover, the foundation and administration of entails conditioned and was conditioned by other practices and strategies: social endogamy, marriages with close degrees of consanguinity, and the growing exclusion of many second-born children from the marriage market⁸⁹. In 2008, based on the testimony of Gaspar Frutuoso, dated from the end of the 16th century, the author draws attention to the tight kinship networks between the elites of the archipelago. Over time, and as Gaspar Frutuoso maintained, the main landowners and entail administrators became closely related⁹⁰. In 2013, distinguishing between the “*sistema de parentela*”, based on the principle of the division of inheritance, and the “*sistema de casa*”, based on a single heir, Damião Rodrigues considered that the latter was fundamental in determining the mental horizon of the elites of São Miguel. The author's thesis was that entails played a central role in shaping this social organization, simultaneously conditioning kinship practices and conceptions: among other factors, the recurrence of endogamous marriages resulted in the accumulation of entails in the same families⁹¹. This phenomenon, enabled by genealogical continuity and matrimonial alliances, was again underlined in 2014⁹².

The connection between entails, elites, and rising social groups, and the long-term shaping of kinship organisation have also been mentioned in different types of studies, allowing us to glimpse several problematics associated with these issues. In a 2007 article dedicated to the nobilitation of jurists and merchants in the 16th century, F. Olival demonstrated how, in all cases, the foundation of entails constituted an essential part of social ascension and consolidation. These strategies conditioned how

89 Rodrigues, 2002.

90 Rodrigues, 2008.

91 Rodrigues, 2013.

92 Rodrigues, 2014.



kinship was organised, from the foundation of entails to the restrictions on inheritance, but also its projection into the future by imposing clauses, inspired by certain behavioural models perceived as noble, that conditioned the lives of the administrators, notably their matrimonial choices⁹³. Similarly, and to explain the incorporation of a set of documents in a family archive through marriage, M. Leme described the marriage between Maria da Costa and João Mascarenhas. This lady was heir to several entails with estates on the island of São Miguel and in mainland Portugal. Entails assumed increasing importance in matrimonial negotiations between different groups of the aristocracy, circulating through female successions and allowing their incorporation in other houses. Understanding these dynamics is also decisive to explain the evolution of the *Ancien Régime* family archives⁹⁴.

The roots of an ideal family organisation conditioned by entails is clearly observable in J. Esteves' PhD thesis dedicated to the extinction of entails in the 19th century, and the strategies carried out to perpetuate familial status following their abolition. In this research, the author contextualized the post-extinction literature on entails, in particular how different ideological currents treated the family. As is visible in her work, the appropriation of the memory of entails and a family organisation based on a corporate concept is, in the first decades of the 20th century, linked to ideological groups close to the *Integralismo Lusitano*⁹⁵. Additionally, the study of a set of families in the Castelo Branco region demonstrates how a kinship organisation inspired by the institutional moulds provided by entails extended beyond their formal extinction, through genealogical continuity, the house, possession of the land, and embedded memories and symbols⁹⁶.

The periodisation of the spread of entails and the impact this phenomenon had on the organisation of the nobility's familial structures is an unresolved question. For B. V. Sousa, entails were one of the main agents contributing to the organisation of a system of houses from the

93 Olival, 2007.

94 Leme, 2013.

95 Esteves, 2009, pp. 96-112.

96 Esteves, 2009, pp. 144-293.



15th century onwards. According to this perspective, it is virtually impossible to speak of the existence of ‘lineage chiefs’ prior to that chronology and, consequently, of the existence of a system of familial organisation based on institutional configurations close to the house, at least as it came to be perceived in the early modern period⁹⁷.

In a similar way, J. A. de Sottomayor-Pizarro nuances the perspective of ‘lineage structuring’ in the 12th-14th centuries based on the formal existence of a leading figure and hypothesises that this structure only became consolidated with the foundation of entails, hierarchizing kinship structures through the unequal distribution of assets and the formal consecration of a ‘chief’, theoretically the first-born son and successor. In a way, this structure would be a precursor of the noble houses that would come into existence in the early modern period⁹⁸. In a 2016 article in which the author reflects on the relations between the crown and the aristocracy from the 12th to 15th centuries, Sottomayor-Pizarro summarized data from his doctoral thesis to demonstrate that, at least until the mid-14th century, the organisation of kinship was based on equitable inheritance sharing, without explicitly benefiting one of the children. Thus, the aristocratic estates were dispersed, fragmented, and did not constitute coherent blocks that could indicate a lineage organisation with a material and symbolic background. For the author, this context had wider implications, namely explaining the incapacity of aristocratic groups to face the pronounced supremacy of the royal power. Indeed, it was in the late Middle Ages, which the author defines as a period of convergence between the crown and the aristocracy, that one observes the establishment of practices favouring a more formalised lineage organisation and, subsequently, the formation of noble houses. This was consolidated, according to the author, by the increasingly generalised adoption of entails⁹⁹.

Recently, M. Aguiar’s thesis focused on the relation between kinship and social reproduction of the Portuguese courtly aristocracy at the end of the Middle Ages and proceeded to analyse entails among other transmission

97 Sousa, 2013.

98 Sottomayor-Pizarro, 2013.

99 Sottomayor-Pizarro, 2016, p. 175.



strategies envisaged by the group. The author used documents, such as wills and family partitions, to analyse the foundation of entails, mostly by the institutors' disposable portion, and how this act was articulated between parents, the first-born and successor, and the remaining siblings. In addition, the author emphasised the succession schemes and the transmission of these institutions through aristocratic kinship networks. Regarding the adoption of a lineage organisation, the author concluded that, despite the foundation of entails and other practices that favoured concentration of inheritance in first-born or male heirs, broad kinship relationships – expressed as matrimonial integration determined by the presence in a specific social space, or even as dynamic transmission of family names and heraldic devices – remained fundamental to the functioning and social reproduction of the group¹⁰⁰.

Between 2012 and 2020, M. L. Rosa published several studies that deepened her previous work on entails and chantries, broadening the area of analysis and proposing new interpretative and conceptual grids. In 2012, her book on the chantries of Lisbon between 1400 and 1521, resulting from the author's doctoral thesis, outlined some perspectives of these institutions as juridical and social mechanisms that allowed 'embodying the soul'. Their nature and internal organisation were based on and simultaneously expressed the founder's authority (previously addressed by the author in her master's dissertation). In addition, the reproduction of these structures followed the institutional and succession principles of entails, that is, the consanguinity networks of the founders¹⁰¹. In recent years, and as a result of the author's interest in topics related to these forms of entailment, particularly family archives, her research has broken the academic chronological barriers between the Middle Ages and the early modern period, demonstrating how a conceptual framework based on an *Ancien Régime* perspective allows us to understand these social dynamics and processes much more fruitfully. In a 2018 article dealing with genealogical production in family archives, several subjects associated with entails were again analysed. Rosa affirmed how the importance

100 Aguiar, 2021, 2022.

101 Rosa, 2012, pp. 569–608.



of the founder and head of the lineage was enhanced by the entail, in the framework of a corporate society where kinship played a structuring role. In this sense, there was a coincidence between people and estates, generating a social body – the family – embedded within specific legal devices. Entails – together with the issues of blood purity – were legal institutions that contributed to the dissemination of genealogical production throughout the early modern period¹⁰². Some of these themes were taken up again in a 2020 article. Describing the main characteristics of the institution, the argumentation was intensified with respect to certain elements, such as the figure of the founder and their importance in this society’s cultural references. Regarding the conceptual framework of entails, the concept of “familial corporate body” was forged, allowing this family organisation to be understood as more than the sum of individuals, living and dead. As the author states, “this [*human*] element was not the true ‘matter’ to be defended, but rather a supra-individual notion, an organisation designed to maintain and reproduce the power of the group that created it”¹⁰³.

102 Rosa, 2018.

103 Rosa, 2020.



Information and documentation

CHAPTER 2







Information and documentation

On 19 February 1863, the interim civil governor of Porto authorised the registration of a set of documents presented by Francisco Diogo de Sousa Cirne de Madureira concerning the entails he administered. The documentation was recorded in one of the books of the *Registo Vincular* of that district and then deposited in the Civil Government's archive. The creation of these books responded to article 9 of a government decree dated July 30, 1860, which determined the abolition of all entails that were not registered within two years¹. The mode of registration followed specific instructions: the administrators were compelled to present the foundation deed, deeds of annexation of estates, as well as the description of the properties' income and the associated pious legacies. The entails and their documentation should be registered in the Civil Government office of each district, in a special and authenticated book. Once registered, two copies would be extracted: one for the *Torre do Tombo* (i.e., the National Archives in Lisbon) and the other for the applicant².

The administrators should gather documentation from their family archives and search for other documents in the notary offices and other institutions. Among the documents presented by Francisco Diogo de Sousa Cirne de Madureira, several concerned an entail instituted in 1541 by Luís Álvares de Madureira together with his wife and cousin Joana de Madureira, and his aunt Isabel de Madureira³. Associated with the

1 Esteves, 2008, pp. 53-59.

2 *Regulamento para a execução da reforma vincular*, published January 19, 1861, section V, pp. 16-21.

3 Foundation deed (1541-06-10) - VINCO04075 LAMJMIM EA/001; ADPRT-GCP-RV-C/4/1/3-4806, fls. 173v-183.



entail one finds the foundation deed (dated June 10, 1541), which discriminated the estates and stipulated its rules of succession and of other nature⁴. In addition, there are two deeds of declaration, made in 1559 and 1560, by which Luís Álvares de Madureira and his wife annexed more properties and specified some rules for the functioning of the entail. In accordance with the regulations of the *Registo Vincular*, two deeds of annexation were also attached, made in 1612 and 1615, where two administrators – Maria de Madureira and Luís Álvares de Madureira – entailed more properties. Finally, the registration ends with a deed of partition, concluded in 1559, whereupon António de Madureira, Catarina, Briolanja, and Luís Álvares de Madureira shared the estates of their grandparents (Luís Álvares de Madureira and Catarina Alves)⁵, and with a genealogical narrative, dated 1597, recounting the family’s history. The genealogical narrative and other documents might have been copied from a “*Livro de morgadio*”⁶. The making of this book probably obeyed the expressed wishes of the founders. The deed of foundation prescribed the making of a *tombo* (i.e., a document in which the patrimonial assets belonging to an institution were listed and measured) with three copies: one for the administrator and the other two for the Cathedral and municipality of Porto. In turn, the deed of declaration of 1560 specified that these books should be “de mui bom papel e muito bem encadernados de tábuas e couro e com as armas deles instituidores neles em todos os ditos três livros”⁷.

As far as one knows, the book of this entail has not survived or, if there is a copy deposited in any public or private archive, its existence is unknown.

4 This document incorporated a deed of donation, made two years before, by which Joana de Madureira donated her inheritance to her sister Isabel; these estates would be incorporated into the entail.

5 It also contains the will of Catarina Alves, made in 1517, mentioning the donations to her granddaughters. The transcription is due to the fact that part of the donated properties would be incorporated into the entail.

6 Two expressions in the narrative support this hypothesis: “dos quais todos se faz menção neste mesmo livro e instituição de morgado” and “Do dito matrimonio nasceram ao dito Luis Alvares oito entre filhos e filhas dos quaes todos se faz menção neste mesmo livro e instituição de morgado nas partilhas que nele vao escritas entre eles”. – Genealogical Narrative (1597-01-22) -VINC004075 LAMJMIM EA/007; ADPRT-GCP-RV-C/4/1/3-4806, fls. 248-248v. On these “*livros de morgadio*” see Rosa, 1995, pp. 224-231.

7 The books should be “of very good paper and very well bound with boards and leather and with the coat of arms of the founders in all said three books”.



If the documents presented in the *Registo Vincular* did indeed come from this documentary unit, then partial knowledge of its contents was preserved via the copies made during this 19th century administrative procedure. This seems an interesting starting point to reflect on the materials one can gather to study entails. They are conditioned by a specific information system intrinsic to entails that must be reconstituted in order to understand what information was produced, how and why it was preserved and/or discarded on the long run. These processes constrain the documentary landscape, i.e., the set of materials that can be gathered to study the phenomena, and the historical analysis that can be constructed. The *Registos Vinculares* may be defined as an administrative procedure during the transition between the *Ancien Régime*'s legal system – wherein entails came to existence and were fully coherent, despite the successive attacks since the mid-18th century⁸ – and the Liberal regime's legal system. Under the latter system, and as long as abolition was not decided upon, entails were mainly perceived in light of property rights, forming a distinct legal relationship with the estates. The legislative provision that obliged administrators to register their entails, if they wished to keep the property united under this legal configuration, led to the production of copies of a very substantial set of documents of different typologies. They were preserved according to a specific logic, reflected in the very way the source and the documents it contained were organised, as explained above. It was not merely a matter of copying the family archive, or even the whole archive concerning the entail, but rather, and above all, of establishing instruments that could prove the right to possess the estates within the enforced legal-institutional order, even if this administrative circumstance – and the context of social transformation in which it was inserted – was also used by other people to reorganise their family archives⁹.

In a certain way, the *Registos Vinculares* are the final stage of a centuries-long process, in which several institutions were related to entails, for different reasons, and produced and kept documentation about them.

⁸ Esteves, 2008, pp. 32-97.

⁹ In this sense, the inventory of General Pestana, studied in the Inventarq project, is paradigmatic: <https://inventarq.fcsh.unl.pt/index.php/inventario-do-general-pestana>. Drawn up between 1854 and 1864, it was an effort to regroup and organise documentation, not only for memorialist purposes, but also to justify the possession of entails.



Starting this problematisation using the *Registos Vinculares* can help unravel this entanglement retrospectively, highlighting the profoundly distinct institutional architecture of the *Ancien Régime* and how this complex framework related to entails and the families that administered them, generating layers that interpose themselves between the researcher and the historical problem being addressed. In the case of entails, there is a complex institutional architecture, beginning with the entails themselves, the familial bodies, and involving various institutions, with different missions and objectives, in an evolutionary configuration over the centuries. The dynamics of the construction of the historical archives, and how they incorporated documentation that no longer had an immediate organisational purpose – as the institutions that produced and used them ceased to exist – are also relevant in this reflexion. The same applies, moreover, to the *Registos Vinculares*: in fact, there is a significant gap between the normative provisions of the legislation (which ordered that copies of the records be sent to the Torre do Tombo) and the actual practices of the public corporations involved in this process. On the one hand, the *Registos Vinculares* deposited at the Torre do Tombo correspond only very partially to the records made in the various districts of the Portuguese territories, probably because the decree abolishing entails was issued abruptly in 1863. On the other hand, many of the records kept in the Civil Governments – extinct in 2011, and whose archives have been gradually integrated in the district archives since the 20th century – were fossilised in the archives of these institutions and of other public corporations: undervalued, poorly described, and sometimes difficult to access, these sources were consequently difficult for researchers to reach and handle.

In short, this example induces a reflection on several stages: from the production of the information and documents to the underlying institutional circuits (which evolved over the centuries), and to the very dynamics of archiving, from both an organizational and historical perspective, along with the logic of preservation, loss, or destruction of documentation. All of them, in short, contributed to shape the documentary landscape, that is anything but ‘neutral’. This chapter attempts to carry out a global overview of the sources, in order to explain what type of documentation one can mobilise today to study entails, and what is the historical signifi-



cance of the available materials. On a more specific level and related to the questions addressed in this book, we will focus on the documentation that allows historiographical surveys of kinship relationships, understanding them as an intrinsic part of the social agency of entails. As argued later in this chapter, there are documentary typologies that are particularly pertinent to address these relationships, but their production and organizational and historical archiving was also conditioned by several important factors that must be considered when constructing a corpus to tackle the research questions.

For all these reasons, to explain the theoretical foundations of the perspective adopted in this research one must confer a central place in the historiographical operations and discourses to the comprehension of the materials and of the social processes related to the documentation and archives. After this explanation, we will explain the criteria that governed the construction of the *Vinculum* project's database¹⁰, which respond not only to 'technical' problems but also to theoretical and historiographical choices that aim, as far as possible, to reconstitute the productive and accumulative dynamics of documentation concerning entails. The database serves as a kind of 'cartography' to understand and move around the documentary landscape generated by entails. Finally, and as a consequence of all these steps, we will be in a better position to consistently comprehend the construction, the characteristics, and the potentialities of the documentary corpus that will sustain this book.

2.1 – Theoretical framework

The metaphor of the 'documentary landscape' is useful for the reflection intended in this work. A landscape, with the characteristics an observer can describe, is not immutable, it is shaped by forces and agents, and its transformation over time is an accepted fact. The usefulness of this metaphor for the historian lies in the provocation to reflect on the traces

¹⁰ <https://www.vinculum-database.fcsh.unl.pt/index.php/about>.



that have come down from the past: today these constitute a landscape with a different configuration than when these elements were produced. Historians, and particularly specialists of ancient societies – in this case, pre-modern – work with fragments of a vanished world. These fragments, synonymous here with written documentation, are numerically much less expressive than what existed before: the loss of documentation is a central part of this process, whether it occurred due to random factors, or whether it resulted from rational options made by historical agents, who above all moved according to an organisational and practical logic, and not, as today, for ‘patrimonial’ purposes of preserving whatever was understood as traces of their activities¹¹. Or also because these fragments/documents, before being traces and potentially historical documents, were instruments produced with specific purposes, expressing social relations¹². In short, the disappearance of a world implies that the fragments it left behind are numerically smaller than those it produced and, above all, that the type of social relations these traces embodied has profoundly changed, or even disappeared. Consequently, the documentary landscape metaphor aims to foster scrutiny of the materials: what information system underlies the production and conservation of documents intrinsic to entails? What kind of materials can be gathered to study the institutions and the social dynamics they generated?

The theoretical conception of this chapter – and of the methodological position that will guide this book – presupposes that the description and comprehension of this landscape’s limits and characteristics constitutes a fundamental task of historiographical enquiry and discourse. It thus refuses a methodological position of using sources without questioning them, without reflecting on the reasons why one disposes of these traces in the present, and without considering the implications these processes have for the construction of historiographical discourse and knowledge. In other words, one refuses a utilitarian notion of the sources, thinking only of what is available or what does not exist, since this way of thinking implies a positivist heritage that imagines sources as limpid instruments for knowing the past; a metaphor that, as J. Morsel insisted, imbues the

¹¹ Morsel, 2000, pp. 3–4.

¹² Kuchenbuch, 2004.



researcher's discourse with a way of perceiving the working materials that, most of the time, deprives their enquiry and discourse from understanding how these very materials limit, condition, or enable their results¹³.

In line with the suggestion of authors such as É. Anheim, the presentation of materials, their characteristics, and nature is a core part of scientific enquiry and the discourse that communicates it¹⁴. In an article schematizing this methodological approach, M^a L. Lurdes Rosa emphasizes the need to reconstruct the path of the available materials used by the historian, over their wide existence, from information to documentary materiality, through its uses over time, studying the social processes associated with documentation and archives. In short, it is a guide for questioning materials that presupposes considering three steps: production of information, documentalization, archivalization (the latter both in the “organizational” logic of the institutions that held these archives and have since disappeared, and in the “historical” perspective, imposed from the moment these archives became more or less fragmented traces of the past, when certain types of social relations no longer operated)¹⁵. These steps confer more concrete meanings to the documentation available today. This involves, in the case of this research, reconstituting the circuits dismembered with the end of entails and the *Ancien Régime*, and questioning what disappeared (and why). The conjugation of these operations permits, finally, the deepening of the historiographical enquiry.

The aim is to incorporate these operations into the enquiry and the discourse. This was done in the *VINCULUM* project, since the database and the reconstitution of the information system were central products of the research program, and not just a phase of the work that used specific techniques in the service of historiographical studies. An understanding of these two components is essential to answer the questions addressed in this chapter.

13 Morsel, 2004, pp. 275-281.

14 Anheim, 2012.

15 Rosa, 2017, pp. 572-573.



2.2 – The database: mapping the materials

Considering its conceptualisation and construction criteria, the database, a research product *per se*, also functions, as far as conducting historical studies is concerned, as an instrument that allows the reconstitution of the information generated by entails; and as a tool to map, understand, and navigate a documentary landscape conditioned by various processes, starting with the logics of production and conservation of information intrinsic to entails.

The construction of the database considered the entail as an entity that produced and aggregated information. This was in fact the case, since the administrators should always be in possession of the foundation deed, which dictated norms and acted as the “internal law” of the entail¹⁶. But also because, during the existence of these institutions, they interacted with other powers who produced documentation: for instance, in succession conflicts, the Crown’s courts issued sentences; the monasteries, where pious legacies were celebrated, kept copies of the foundation deeds so they would know their obligations and the material retributions owed them; sometimes the founders ordered the establishment of *tom-bos*, describing in detail the entailed properties and generating management instruments that were updated over time. An example of this type of concern was provided at the beginning of this chapter regarding the Madureira entail, to which many others could be added.

This whole system, however, was dismantled with the crumbling of the *Ancien Régime* in Portugal. This broad process also included the gradual decomposition of entails with the laws issued by Marquês de Pombal in the second half of the 18th century, and their definitive abolition in 1863. The documents of the entails often functioned as fundamental pieces in the aggregation of family archives¹⁷. Without this unifying bundle, families lost most of their administrative sense and family archives were most often lost or deeply dismembered. The other two macro-institutions related to entails – the Crown and the Church – also saw their circumstances

¹⁶ Rosa, 1995, pp. 221–222.

¹⁷ Rosa, Nóvoa, 2018, pp. 8–9.



change profoundly. This will be analysed in greater detail later in this chapter, but we can indicate from the outset a correspondence between the dismantling of the institutional organisations and a significant deformation of the archival fonds, most of which evolved, throughout the 19th century, from an organisational status to an historical status in the national archive.

Given this panorama, the premise for constructing the database was the virtual reconstitution of the entail archives. This implied gathering the documentation produced and preserved by different institutions, always indicating their provenance. This helps us understand the circuit of the documents and the relations they express. At the same time, this documentation may come from different archives and documentary fonds within the archival organisation designed from the 19th century onwards.

These objectives and constraints also presupposed a huge amount of research work and document collection in the country's different archives, from the Arquivo Nacional da Torre do Tombo (which holds a diversity of fonds central to this research) to the various district archives of the Portuguese mainland, Azores, Madeira, and in territories encompassed by the project, such as Brazil and Cape Verde. This dispersion, as one shall see, corresponds to the activity of a vast set of institutions that, both at the 'central' and 'local' or 'peripheral' level, were related to entails¹⁸. This effort also involved, within the limits of the information provided by the archives and the working tools developed by the project team, a detailed study of the state of conservation and description of the fonds, their custodial history, and the history and organisation of the institutions that produced and preserved them.

The database, using the software AtOM, interconnects three fundamental pieces: the entails, considered as archival institutions and identified by the names of their institutors; the entails and the people related to them (founders and administrators), understood as authority records that produced and aggregated documentation concerning these institutions; and the archival descriptions, foremost the entail's archive and the items

18 <https://www.vinculum-database.fesh.unl.pt/index.php/about>.



attached to it, which constitute an archival–diplomatic description of all the documents, hierarchizing the provenance of the information (for example, creating levels of subordination between documents transcribed within other documents). The virtual archives of the entails seek to reconstitute the documentation connected to each institution, always mentioning their provenance in terms of archiving institutions.

The documents are also thematically and geographically indexed. This allows the regrouping of documentary references to study certain subjects or entails of a given locality¹⁹. Thematic indexing resulted from an historiographical rationale based on the knowledge of the documentation and the characteristics of entails. Regarding the study of kinship, particularly important aspects were indexed both at the level of foundational documents and court sentences, which for various reasons were pronounced by judicial institutions. Besides thematic indexing, information can also be retrieved by date, by producer, and by documentary typology. After this first general approach to the database’s characteristics, the presentation of the information obtained through all these tools will be made in this chapter’s last section, as this operation is closely connected to the construction and explanation of the documentary corpus assembled to address the issues tackled in this book.

In short, one disposes of an extremely rich database that is naturally heterogeneous in terms of the documentary richness of each entail. For many, an archive was reconstituted with a considerable number of documents, produced by different institutions and from different archives and fonds; for many others, one only knows one or two documents. This different panorama reflects different factors, such as the stability and structure of the archives of the entails themselves and of the families that administered them, but also the related institutions. Ultimately, this heterogeneous panorama is also a sign of the subject’s complexity and of the imperative of knowing the underlying information system, in a multi–secular perspective.

19 <https://www.vinculum-database.fcsh.unl.pt/index.php/taxonomy/index/id/35>.



2.3 – The entailment information system

The description of the information system that follows is essential to appreciate the information circuit, and to understand with greater consistency the description, presented later, of the documentary corpus to study kinship and entails. As often underlined above, the abolition of entails, the disintegration of the *Ancien Régime*, the creation of the historical archives, and the current arrangement of the archival fonds and of the description and research tools, pose serious challenges to research projects. These can only be overcome through the study of the forms of production, circulation, and preservation of the documentation. These circumstances presuppose the reconstitution of the circuits that were dismantled when the *Ancien Régime*'s institutional architecture collapsed and when entails were abolished, and the effects this had on the kinship groups that supported and structured entails.

At this level, one must consider a wide and evolving set of institutions, articulated among themselves, which exercised control and supervision over entails. These institutions were connected to entails and to family archives. In these archives, the entail's documentation was central and aggregative, serving several purposes, starting with the management of the estates, but not exhausting this purpose, since the family documents were also identitarian elements.

On this point, it is worth noting that the flourishing field of Historical Archivistics in Portuguese academia has produced very relevant research. Entails are seen as having a structuring role in the organization of family archives, because their administrators were supposed to possess the foundation deeds (which established the pious legacies and rules of succession), but also the documentation that allowed them to manage the estates. Occasionally, the ritual reading of these instruments at specific times of the year was intended as a public reminder of the institutor's will, which in principle the administrators had to obey²⁰. Historical Archivistics

²⁰ For example, in the entail that he instituted in Braga in 1530, João de Coimbra ordered that every year, after mass on the day of Immaculate Conception, the chaplain should read the foundation deed "para que cada um saiba a que é obrigado e não possa alegar ignorância"/"so that each one knows what he is obliged to do and cannot allege ignorance": Foundation deed (1530-02-16) - VINC000366 JC EA/002a; UM-ADB-MAB-JR-B-10, fls. 235v-244v.



research has also demonstrated the various archive management operations throughout the *Ancien Régime*, and beyond²¹, often leading to the production of *tombos* and inventories intended to organise the documentation concerning each entail. The Inventarq project demonstrated, among other things, that the study of inventories allows the reconstructing of these archives' previous organization, often indicating the existence of documentation that had been lost, rejected, or incorporated elsewhere, and contributing to uncover the information management processes²².

The abolition of entails was a central cause in the disintegration of these archives. In most cases, it led to the fragmentation of the estates and even to the dilution of previously structured familial bodies. In certain contexts, the families developed strategies within the new legal framework that allowed them to maintain the estates²³ and the archives; in others, however, both property and documents were disaggregated. Once again, research in the field of Historical Archivalistics has produced archival reconstitutions, managing to reconstitute the layers of organisation of these archives, often dispersed through family partitions or reorganisations made according to legal, historical or memorialist interests that, throughout the 19th and 20th centuries, shaped new views on documents, distinct from those that prevailed in the *Ancien Régime*²⁴. Such reconstitutions demonstrate, on the one hand, the structuring role entails had previously and, on the other hand, the importance of research paths that, by reconstituting these circuits, overcome the apparent inability to access part of the documentation. Some specific family archives – part of which are described in the database's "About" section, and partly related to this field of research²⁵ – were deposited in public archives, particularly in Torre do Tombo, although there are still problems of disorganisation or insufficient description.

This field of research serves to stress that entails are the first piece of this information system, producing and aggregating documentation essen-

21 Nóvoa, 2016, pp. 71–73; Gago, 2019, vol. 1, pp. 227–249.

22 <https://inventarq.fcsh.unl.pt/index.php/>.

23 Esteves, 2008, pp. 305–360.

24 Nóvoa, 2016, pp. 258–297.

25 <https://www.vinculum-database.fcsh.unl.pt/index.php/about>.



tial to their existence and management. At the same time, entails were articulated with a vast set of institutions, which were also producers and keepers of information created in the context of their legal competences. The database was constructed through the virtual reconstitution of the entails' archives and the indication of the provenance of the documentation, thus counterbalancing the archival disintegration generated by the formal abolition in 1863.

The first piece of this system, embodied by the juridical framework of entails, are the familial bodies. These suggest several reflections with a direct impact on the production and conservation of information and documentation. To study kinship as an intrinsic dimension of the social agency of entails, it is imperative to consider that one depends on written documentation, most often framed by formal legal acts. This observation, although obvious, needs to be stressed: in fact, kinship was a domain structured by identity references and traditional forms of authority, where many agreements or conflicts could arise or be solved informally and thus not lead to the production or conservation of documentation. This point is not, however, a complaint about the lack of documentation, since, as one shall see – especially in this chapter's last section – the documentation is massive and requires rational choices in the construction of documentary *corpora*. Rather, it serves to highlight an epistemological problem in the historian's reflection about their work materials, and the extent to which they allow one to 'inquiry reality'. But this point also has full historical relevance, since, in the society in which entails existed, the written sources of law were not the only sources regulating these social relations²⁶. Traditional systems, governed by their own rules, coexisted with official law. Kinship relationships were thus a domain marked by the authority of its principal members (namely the *pater familias*, perceived as the primary source of regulation) – although conditioned by laws of inheritance that, mainly from the reign of D. Afonso III (r. 1248-1279) onwards, were considered applicable to the whole kingdom –, and by other representations and rules deriving from theology and canon law²⁷.

26 Hespanha, 1994, pp. 441-445, 448.

27 Hespanha, 1993.



Regarding producers of documentation that fall within this circuit emanating from formal and written law, the notaries were the first entities directly related with entails and the familial bodies associated with them. By resorting to these writing officers, families requested the production of instruments with public value, such as wills and foundation, dowry, or donation deeds; in short, a vast set of provisions and business related to the creation and management of entails over the long term that resulted in the creation of very diverse types of documents. However, no notarial fonds for the medieval period were preserved. The poverty, dispersion, and lack of indexation for the 16th-17th centuries explains the *Vinculum* project's decision to exclude any systematic survey of these type of fonds²⁸. In any case, a substantive part of the information produced by these agents ended up in other institutional circuits: for example, a significant part of the documentation in family archives and in the fonds of the Crown or Church's institutions are copies of notarial acts.

Entails, kinship groups, and notarial offices were, therefore, the first pieces of this information system. They were also related to the institutions of the Crown and the Church, in an institutional architecture that evolved over the centuries: their surveillance and inspection shaped practices of document production and preservation. To a great extent, but not only for this reason, it may be said that the great promoter of these interactions were the pious legacies laid down by the founders and the material retributions they established. Throughout the 14th and 15th centuries, the Crown and the Church disputed jurisdictions and competences in the execution of wills²⁹. The supervisory and institutional system designed during this period, and maintained throughout the *Ancien Régime*, reserved vast competences for the Crown and was based, according to M^a L. Rosa, on a paternalistic and charitable paradigm of relationship and social hierarchy. The king, and the institutions under his tutelage, safeguarded the fulfilment of the pious duties in the name of caring for the souls of his subjects³⁰, always in articulation with the wishes expressed by the entails' founders. From the Church's point of view, in its different

28 <https://visg.vinculum.fcsh.unl.pt/instituicoes/cartorios-notariais/>.

29 Rosa, 2012, pp. 165-291.

30 Rosa, 2012, pp. 165-166.



institutional configurations, the great vehicle for relations with entails was also the fulfilment of pious legacies and the material retribution they established.

The whole system was therefore underpinned by a matrix of Catholic social organisation, structured by the belief in the life of souls beyond the death of the body, endowing them with legal personality, and in the positive effects of the ‘spiritualisation of wealth’ left on Earth, cyclically and perpetually converted into suffrages and/or charitable works. However, and especially as far as the Crown was concerned, intervention did not end here. It was also expressed in some cases of entail foundation, or in judicial interventions resolving, for example, succession disputes. All these relations were also articulated with a fundamental point in the organisation of the documentation produced and preserved over the centuries: despite the chronological distribution of the documentation over various centuries considered by the project, there was an overwhelming reliance on copies made in the 17th, 18th and 19th centuries, as part of the activity of a broad set of institutions related to entails, even when they copied much older documentation. This ultimately demonstrates that adopting a broad perspective of *Ancien Régime* is crucial: even to trace the ‘medieval history’ of entails, one cannot reach the documentation, nor understand its nature and characteristics, without this theoretical and methodological perspective in mind.

Based on the *Vinculum Information System Guide* (VISG), it is therefore important to highlight these powers and responsibilities a little more schematically. The aim is not to summarise the information system guide, but rather, to explain the documentation circuit and how documents can be accessed presently, by using examples from the database and the main archival institutions and fonds, in order to present in a more consistent manner the type and quality of documentation accessible for research purposes.

2.3.1 – The Crown

As far as the institutions of the Crown are concerned, and for the sake of clarity, two levels should be distinguished:



- 1) The ‘central’ institutions, namely superior courts, the *Desembargo do Paço*, and the royal chancery as a document production circuit associated with various institutions.

- 2) The *Provedorias* which, replicating Lisbon’s organisational model, spread throughout the kingdom’s districts, especially from the 16th century onwards, with the aim of supervising the fulfilment of pious duties.

The description of the origin of these institutions, the evolution of their general powers, their organic structure, and the normative documents that governed them can be found in the detailed files of the VISG³¹. Thus, this presentation will be based on examples from the main fonds tracked by the research team (which provided a very significant flow of information into the database), by explaining their provenance and underlying institutional-informational circuits.

One of the Crown’s spheres of intervention in the life of entails was justified by the care for the souls of subjects, through the supervision and vigilance of the fulfilment of pious duties. A vast set of documents has come down to our days by this means, in particular due to entails that, for various reasons (such as the extinction of the institutor’s kinship), became vacant for the Crown, setting in motion a functional hierarchy with supervisory capacity and the ability to pronounce sentences. It is in this context that, at least since 1574 and going through various phases, the Crown tried to make an inventory of its entails, estates, income, and pious legacies. Within the *Casa da Suplicação* – a court that, since the 15th century, was responsible for appeals in civil and criminal matters³² –, a commission of the *Capelas da Coroa* was set up in 1604–1605 with the task of listing the institutions belonging to the Crown. The information from this commission was later increased by the activity of Diogo Castilho Coutinho, *Guarda-Mor da Torre do Tombo*, who inventoried these entails from the documentation of the royal chancery. Afterwards, in 1619,

31 <https://visg.vinculum.fcsh.unl.pt/instituicao/coroa/>.

32 <https://visg.vinculum.fcsh.unl.pt/instituicoes/casa-da-suplicacao-1440s-1582/>; <https://visg.vinculum.fcsh.unl.pt/instituicoes/casa-da-suplicacao-1582-1833/>.



Tomé Pinheiro da Veiga was appointed to continue this task. Until the 1640s, hundreds of entails whose rights of administration belonged to the Crown were recorded by consulting the documentation existing in the Torre do Tombo, and by carrying out *tombos* and resolving disputes over administrations in the kingdom's *Provedorias*. This series of operations consolidated the activity of the *Juízo das Capelas da Coroa*, within the sphere of the *Casa da Suplicação*³³.

Based on the reconstitution of some entail archives in the database, several cases in the documentation of the *Capelas da Coroa*³⁴ were selected that are, simultaneously, part of other circuits related to other royal institutions, namely the chancery and the *Provedorias*. These examples are intended to demonstrate the complexity of the communicating circuits between institutions, and the type of information that can be obtained for historical studies. As will be seen, it is possible to gather documentation from different centuries, often going back to wills and foundation deeds from the 14th century. In short, information can be consistently reconstituted by understanding this institutional architecture and its information circuits, in a broad perspective of the *Ancien Régime* that considers the evolutionary dynamics manifested until the deposit in the national archives. This landscape is also fragmented and filtered by the interests of the institutions that produced it and that, naturally, were not strictly the same as those of other agents – therefore, the information about entails obtained through these circuits is not necessarily the same, in its completeness and heterogeneity, as that which can be found in well-preserved and organised family archives. As will be seen, the Crown's institutions were predominantly interested in the *tombos* (as instruments for keeping a detailed picture of the entailed estates), the foundation deeds (since they

33 Synthesis elaborated from the VISG website: <https://visg.vinculum.fcsh.unl.pt/instituicoes/comissao-do-tombo-das-capelas-da-coroa/>; <https://visg.vinculum.fcsh.unl.pt/instituicoes/juizo-das-capelas-da-coroa-1643-1832/>.

34 The records of the *Capelas da Coroa* are part of the *Feitos da Coroa*'s fonds, held at the Torre do Tombo. In accordance with this institution's archival description, documentary series from the *Casa da Coroa* archives relating to enquiries and trials concerning royal rights were gathered under this fonds. Once again, with the dismemberment of the institutional architecture of the *Ancien Régime*, this fonds became part of the heritage of the National Archives: <https://digitalq.arquivos.pt/details?id=4182529>.



consecrated the rules of the entail, the pious legacies, and the memory of the founders), and judicial documentation related to the administration.

In book 2 of the *Capelas da Coroa*, one finds the registry of the entail of Lourenço Pires and Domingas Eanes³⁵. This couple established a chapel in the Church of Nossa Senhora da Devesa, in Castelo de Vide. The *tombo* was elaborated by order of Tomé Pinheiro da Veiga, as member of the *Comissão das Capelas da Coroa*. It also includes a copy of an exemplification of the foundation deed, requested by the Provedor of Portalegre, that gives access to the founding document, drawn up in 1349, by which the couple established the entail's rules. Together with these documents, a 1622 sentence is also recorded in the *tombo*, proving that Tomé da Silveira was the legitimate administrator of the entail, despite being previously declared vacant for the Crown.

However, in the complex institutional architecture forming an equally intricate circuit of information, one can find information about entails in different contexts, as is the case of the entail established by João Fernandes and Catarina Rodrigues Pimenta, with a chantry in the Church of Nossa Senhora do Carmo, in Moura, and a hermitage under the invocation of S. António, in the same locality³⁶. The copies made for the records of the *Capelas da Coroa* contain a sentence dated 1622, appointing Gomes Ravasco as the legitimate administrator of the entail, ordering its removal from the list of the *Capelas da Coroa*, and instructing the administrator to make a *tombo* of the properties, or register it in the *Provedoria*, and to have a plaque placed in the chapel whose inscription should contain the name of the institutors, the obligation to celebrate a daily mass, and the name of the administrator. Together with the sentence, the will (1503) and codicil (critically dated 1516) of the founders are also transcribed. As in the previous case, one can appreciate the connection between the Crown's central institutions and their peripheral extensions – the *Provedorias*. The former even ordered the production of documentation in different but hierarchically related institutions. However, this entail had

35 The archival-diplomatic descriptions of the documents, as well as the others cited hereafter, can be found in the project database: Tombo ([16-----]) - VINC002045 LPDE EA/002; TT-FC-CC-2-222-226.

36 Tombo ([16-----]) - VINC001237 JFCRP EA/002; TT-FC-CC-4, fls. 31v-37v.



already been mentioned in the royal chancery a century before, confirming the attribution of the administration to António Fernandes, the instigator's nephew³⁷. At the end of the 17th century, the entail would be the object of a new dispute, with a lawsuit brought by the Crown's attorney that would lead to the sequestration of its assets. This process ended in 1695, with a new sentence declaring Gaspar Limpo Homem as the legitimate administrator. The sentence was copied into one of the registry books of the *Registo do Arquivo*, at the Torre do Tombo³⁸. This documentation, which to a certain extent runs parallel to the *Feitos da Coroa* fonds, since it also concerns the Crown's estates and rights, is nowadays conserved in a fonds entitled *Arquivo do Arquivo*³⁹.

Both cases demonstrate part of the institutional organisation in force and the mechanics of document production/accumulation it established. Although this documentation was produced in the context of litigious processes during the 17th century, it grants access to previous documentation, such as the foundation deeds establishing the rules of the entail, the *tombos* listing their estates, or sentences that settled conflicts.

Contrary to the occurrences described so far, there were also entails whose administration had long been, for various reasons, of royal nomination, therefore producing a somewhat distinct pattern of information flow and conservation. This is the case of the entail established by Fernando Gonçalves do Sobrado in 1390, with a chantry in the Church of S. Bartolomeu of Lisbon⁴⁰. As in the previous situations, the will establishing the entail is known through a copy requested by the church where the chapel was situated. Both documents are recorded in the *tombo* ordered by Tomé Pinheiro da Veiga within the scope of his functions in the *Comissão das Capelas da Coroa*. In this case, however, the sentence included in the *tombo* determined that the entail belonged to the Crown.

37 Administration letter (1517-04-15) - VINC001237 JFCRP EA/001a; TT-C-M-9, fls. 62v-63v.

38 Torre do Tombo registry book record (1696-05-07) - VINC001237 JFCRP EA/003; TT-AA-RA-2, fls. 165-166v.

39 <https://digitarq.arquivos.pt/details?id=4201111>.

40 Will (1390-08-13) - VINC001716 FGS EA/012aa; TT-FC-CC-6, fls. 109v-111v.



Nevertheless, this entail is mentioned several times in the records of the royal chancery since the 15th century, with successive letters of administration. The institutor had foreseen a form of succession that gave the administrators the power to appoint their successors. Presumably, one of the administrators failed in this task and the responsibility reverted to the Crown, who from then on ensured its administration. The administration letters registered in the chancery sometimes confirmed the administrators, occasionally conferred it to people related to their predecessors, or appointed new people in place of others who had failed to fulfil the pious duties.

The mention of the royal chancery requires a more detailed explanation of this institution's role⁴¹. Despite the absence of an explicit regulation for registering the entail's documentation in these books, the project surveys allow a first approximation to the logic behind this documentary flow. The royal chancery basically functioned as a communicating circuit for the emanations of some institutions, such as the *Desembargo do Paço*, a specific court closely connected to the king⁴². In any case, the registration in these books was only the final stage of proceedings, judicial or otherwise. Nowadays it is very difficult, or even impossible, to know these processes fully, either because the archives of some courts were lost or because of their very incomplete description. Likewise, it is necessary to bear in mind that the chancery's surviving records were also profoundly modified, either by loss of documents or by the reorganisation of previous records, which led to the discarding of documents no longer considered important, the best example being the *Leitura Nova*, carried out during the reigns of D. Manuel and D. João III⁴³.

According to the VISG, there are two main reasons why the entail documentation was copied into the royal chancery records. On the one hand, issues associated with the ownership of this institution and letters of administration, especially when related to entails with pious legacies

41 Comments based on the VISG description: <https://visg.vinculum.fcsh.unl.pt/instituicoes/chancelaria-regia/>.

42 <https://visg.vinculum.fcsh.unl.pt/instituicoes/desembargo-do-paco/>.

43 Chorão, 1997. Deswarte-Rosa, 1997. Lage, 2004. Head, 2019, pp. 72-93.



granted by the Crown, as in the examples described above. On the other hand, there are documents related to estate management, with subrogation licenses (allowing the exchange of the entail's properties), apostilles on interest rates or leasehold contracts, typologies that are more regular in the 17th century.

Judging by the numbers, the royal confirmation of entails institutions was not the norm. Possibly, copies made in the records of the *Provedorias* would have satisfied that need, at least judging by the vast set of entails recorded in the documentation of these institutions. Registration in the chancery books was, however, used – though not very often – as a way to guarantee or consolidate the institution of an entail, inserting it in the Crown's records, perhaps for the prestige and solidity these suggested. It was probably even a solution followed by social groups especially close to the royal circuits and familiar with their institutional mechanics. This is the case of the entail established by Vasco Fernandes César and his wife Inês Gonçalves Batavias⁴⁴. Vasco Fernandes was a *fidalgo da casa do rei*, and *Guarda-mor das Naus da Índia, Mina e suas armadas*. The registration in the chancery was by initiative of his son and successor Luís César, member of the King's Council and *Provedor-mor dos Armazéns e armadas do reino*. The register, made in 1595, spans some 40 long folios, with a substantial set of intricate documents. The first document is the foundation deed, made in 1556, explaining the rules of succession and the obligation to use the institutor's surname and coat of arms, among many other detailed clauses imposed on the successors. It was also mandatory that the entail's administrators be the same as those established by Catarina Vaz, with chapels in the churches of S. Nicolau and of S. Iria, in Santarém, which at that time were administered by Vasco Fernandes César and Inês Gonçalves Batavias. For this reason, the record also includes a copy ordered by Luís Cesar in 1583 of a *tombo* made in 1506, which contains the will of Catarina Vaz, dated 1463. Regarding the entail of Vasco Fernandes and Inês Batavias, the chancery record also includes, among other documents, copies of the agreement between the founders and the Order of the Holy Trinity of Lisbon, dated 1558,

44 Documentation described at: Chancery record of an entail foundation deed (1595-05-06) – VINCO02397 VFCIGB EA/001; TT-C-J3-P-3, fls. 214–253. All the mentioned documentation comes from this register, where it is incorporated hierarchically.



contracting the church masses and foreseeing the affixing of the family coat of arms in the chapel; the will of Inês Batavias and six partition deeds made between 1563 and 1583, preserved due to the incorporation of estates into the entail; and even another foundation deed drawn up in 1578, in which Luís César and his wife Cecília de Eça instituted another entail through their testamentary disposable portions, attaching it to the entail founded by Luís César's parents, and appointing the couple's son as successor. Among many other documents attesting to the negotiation and legal complexity behind the foundation of the entail, there was a 1594 royal provision: at Luís César's request, the monarch ordered the *Guarda-morda Torre do Tombo* to record the institution and associated documents in the chancery books, for the preservation of the entail and for “*perpetum rex memoriam*”.

This case seems somewhat exceptional, however, due to the quantity and quality of the copied documentation and is certainly related to these figures' proximity to the king and the Crown's institutions, increasingly shaped by a legal and written culture. This question is of wider interest for, once again, it shows how studying and understanding the information system provides very relevant insights for the analysis of social processes. According to the bibliography dedicated to Castilian entails, the royal confirmation served, among other things, to derogate legislation when some of the entail's clauses contradicted the legislation in force, particularly in what concerns inheritance laws⁴⁵.

Most of the registration of entails in the Crown's institutional-informational circuits took place in its peripheral extensions, through the *Provedorias da Comarca*. The organisation of these institutions largely replicated that of their Lisbon counterpart⁴⁶. First, through the *Contadorias*

45 Clavero, 1974, pp. 222-226. Bermejo Cabrero, 1985, pp. 290-293. Bermejo Castrillo, 2009, pp. 565-570. Ayerbe Iribar, 2022, pp. 56-62.

46 <https://visg.vinculum.fcsh.unl.pt/instituicoes/juizo-dos-hospitais-capelas-albergarias-e-confrarias-da-cidade-de-lisboa-e-seu-termo-1493-1564/>;
<https://visg.vinculum.fcsh.unl.pt/instituicoes/provedor-das-capelas-hospitais-albergarias-e-confrarias-de-lisboa-e-termo-1493-1564/>;
<https://visg.vinculum.fcsh.unl.pt/instituicoes/provedoria-das-capelas-residuos-de-lisboa-e-termo-1564-1832/>.



(and with the *Provedorias* from the reign of D. Manuel onwards), a set of competences were established, including the supervision of entails with pious legacies, forcing their fulfilment and avoiding the dilapidation of estates and the consequent damage inflicted on the souls of the institutors⁴⁷. They were thus compelled to know the chapels and their assets, survey the fulfilment of the pious legacies, and elaborate *tombos* of the estates. As stated in previous examples, these institutions communicated with the higher courts and other organisms of the Crown, such as the *Desembargo do Paço* and the *Casa da Suplicação*, feeding information flows and applying sentences.

The surviving records of these institutions cover the kingdom's territory very unevenly, both in quantity and in the state of preservation and quality of the archival description. These variables must be taken into account seriously so that distorted analyses are not produced: one cannot automatically assign an excessive and disproportional weight to the diffusion of entails in regions where the documentation, for various reasons, has been better preserved, as is the case of the *Provedoria of Portalegre* (kept in this city's district archives)⁴⁸. The same might be said, conversely, for regions where little or no documentation has survived, or whose state of conservation and archival description complicates a researcher's access and understanding of the working materials.

This documentation is organised in record books. The founders or administrators went to the *Provedoria* with the documentation they wished to copy. Hence, along with the copied instruments, one must consider the *Provedoria's* record as the 'mother-document', and the recorded documents as subordinated items. There is an abundance of wills, codicils, and foundation deeds, as well as court sentences, *tombos* and documentation related to the estates that were entailed, such as acquisition letters. There are records that contain a significant and quite rich number of documents, and others that only copy extracts of wills containing the information strictly necessary for the *Provedor's* supervisory functions.

47 <https://visg.vinculum.fcsh.unl.pt/instituicoes/provedorias-das-comarcas-final-sec-xv-1832/>.

48 <https://digitarq.adptg.arquivos.pt/details?id=1015766>Description available at: <https://digitarq.adptg.arquivos.pt/details?id=1008454>.



The dynamics and characteristics of these sources will once again be demonstrated by using database information, seeking to highlight cases from different institutions and archives.

On April 23, 1666, João Carneiro, member of the King's Council, *Chanceler-mor da Relação do Porto* and *Corregedor da Justiça*, registered the foundation deed of the entail he had established a year before together with his wife Helena Araújo⁴⁹ in the books of the *Provedoria* of Porto. The couple entailed the *quinta* da Boavista, in the parish of Cedofeita, in Porto, where they had already erected the chapel of S. Bento, considered the head of the entail. Among the succession clauses and the pious obligations left to the administrators, the region's *Provedor* was also asked to oversee the fulfilment of the pious legacies, demonstrating the articulation between familial groups and other institutions, used to enforce their wills. In 1676, the institutor made a new register in the *Provedoria*⁵⁰, this time copying a deed of declaration drawn up in the same year, adding masses in memory of João Carneiro's father and brother. In this case, one finds a circuit that inserts the foundational documents into the *Provedoria*'s records. These documents were indispensable for securing the entail and, from the viewpoint of the supervisory institutions, for the exercise of their functions. The documents were also recorded in the same time span as the entail's foundation, a specific practice that, among other factors, might be explained by the professional occupations of the institutor, who was connected to the Crown's judicial institutions and perhaps more likely to secure his will through these legal mechanisms.

However, in addition to this type of case, there are many more simple records, made even a few years after the institution was created. This happened, for example, with the entail established by Catarina de Meneses in 1528, with a chapel in the monastery of S. António of Campo Maior⁵¹.

49 Provedoria record (1660-04-23) - VINC004030 JCHA EA/001; ADPRT-PCP-K/22/4/5-60.3, fls. 7-13v. The foundation deed is inserted in this record.

50 Provedoria record (1676-06-17) - VINC004030 JCHA EA/002; ADPRT-PCP-K/22/4/5-60.3, fls. 278-279v.

51 Provedoria record (1541-05-24) - VINC004140 CM EA/001; ADPTG-PCE-1, fls. 106-106v.



The registration in the *Provedoria* of Elvas occurred only in 1541 by initiative of the administrator Domingos Lopes and consisted only of an extract of the institutor's will: in other words, the record only contained the parts of the foundational document that explained the succession and pious conditions of the entail.

In other circumstances, the records of the *Provedorias* encompass entails with information available elsewhere, emphasizing the different institutional circuits. The entail established by Maria de Bettencourt, with a chapel in the monastery of S. Francisco of Funchal⁵², is mentioned multiple times in the royal chancery because of the issuance of letters of administration. However, one should mention the account of an entail's administration that includes several documents, such as the will (dated 1491), only accessible through this record⁵³. Another example of this dynamic, worthy of mention because it opens the door to other areas of reflection, is the entail of Fernando Álvares Baldaia and Branca Luís, founded in 1469 and with a chapel in the monastery of S. Domingos of Porto. As in the previous case, this entail appears several times in the royal chancery due to the issuance of letters of administration⁵⁴. However, it is through a record in the *Provedoria* of Porto from 1643 that one learns of the letter of donation through which the couple contracted the chapel with the Dominicans friars⁵⁵. One does not know exactly why the registration was only made so long afterwards; certainly, the lack of studies on the effective functioning of these institutions makes it difficult to formulate any hypotheses. One of the documents found in this register – the letter of possession of the entail by João Baldaia, the institutor's cousin, in 1501 – was also copied onto the records of the monastery of S. Domingos, indicating the existence of copies of the same documents in different institutions. The archival fonds of this monastery, kept in the *Arquivo Distrital of Porto*, provided the virtual archive of the entail with other documentation, such as a *tombo* made in 1497. This case introduces, therefore, a new component of this institutional-informational system, formed by the ecclesiastical institutions.

52 Confirmation letter (1515-07-28) - VINC002471 MB EA/001a; TT-C-M-11, fls. 123-123v.

53 Account of the administration (1624-1869) - VINC002471 MB EA/004; ABM-JRC-108, fl.11.

54 Administration warrant (1501-01-17) - VINC001709 FABBL EA/001aa; TT-C-M-17, fls. 13-13v.

55 *Provedoria* record (1643-10-03) - VINC001709 FABBL EA/006; ADPRT-PCP-K/22/4/6-68, fls. 15-23.



2.3.2 – The Church

Among the various characteristics of entails – the immobilisation of estates, kin administration, the aim of perpetual existence – there was also, and fundamentally, the inclusion of masses and other pious legacies for the soul of the founders and other designated persons. Part of the income from the entailed estates was channelled towards the payment of these charges, as contracted with the ecclesiastical institutions where they were to be performed. Furthermore, certain Church institutions assumed jurisdictional functions over their fulfilment, especially within diocesan structures. This created a perpetual relationship between the entails and the Church, in its different institutional configurations, and consequently generated a material and documentary flow.

While trying to also involve other ecclesiastical organisms, this demonstration will be based on two types of institutions: the registers of the *Juízo dos Resíduos* of the archdiocese of Braga and the fonds of two mendicant convents of Porto. The aim is to explain the institutional logic behind the production and conservation of documentation on entails and emphasize other social processes that influence access to that documentation today. These cases will also establish points of contact with other institutional configurations of the Church, directly related to these institutions, to entails, and their founders and administrators, but for which there is not abundant documentation, or at least not with conditions of access and archival description that are acceptable for research purposes. By making these links explicit, light will be shed upon a series of social dynamics that are relevant for studying entails, while also attempting to demonstrate the distance between the active institutional/informational circuits at that time and the documentary losses that occurred in the succeeding centuries, for various reasons. This demonstration will allow the incorporation of the theoretical principle underlined earlier in this chapter (information production, documentalization, organizational and historical archivalization⁵⁶), presenting the characteristics, constraints, and potentialities of the information sources used to problematize the questions addressed in this book in a more consistent manner.

⁵⁶ Rosa, 2017, pp. 572-573.



On November 20, 1609, Manuel da Grã went to the clerk of the *Juízo dos Resíduos* of Braga⁵⁷. On that day, a large set of documents was recorded in this court's *Livro das Capelas* concerning the entail established in 1600 by Dr. Pedro da Grã, *escudeiro fidalgo da casa do rei* of King João III, and commendatory abbot of the monastery of Santa Maria do Carvoeiro. In 1609, the entail was administered by his brother Manuel da Grã and his daughter Ângela da Grã, married to Acácio Correia. At the request of the administrator and with the authorization of the judge of the Resíduos, a copy of a *tombo* of the entail was made. Extending over some 50 folios, the *tombo* copied a vast set of documents, which simultaneously presents the type of information managed and documented by the entail's founders and administrators. It describes the chapel, located in the church of Santiago of Cidade in Braga, and its liturgical ornaments, paintings, and altarpieces. Over 15 folios, the entailed estates are described, with copies of acquisition letters and exchange deeds made between 1570 and 1590, organised by the parishes in which the estates were located. The *tombo* also copied documents related to the execution of the institutor's will, along with the entail's foundation deed – ordering, among other things, the production of the *tombo* –, but also other documents attesting to the social quality of the institutor and his relatives, such as a *de genere* enquiry demonstrating that his ancestors were “honourable people” and descendants of old Christians.

In this case, organised documentation in possession of the entail's institutors and administrators was preserved thanks to the institutional mechanism related to entails, leading to its registration in an ecclesiastical court. The records of the *Juízo dos Resíduos* allowed the project to identify around one thousand documents concerning entails located in the former jurisdiction of the Archdiocese of Braga⁵⁸. This court was responsible for overseeing will executions; the judge had to order the fulfilment of the obligations and pious legacies associated with chapels, including their rightful administration⁵⁹. Organised in record books, this

57 Juízo dos Resíduos record (1609-11-20) - VINC004651 PG EA/001; UM-ADB-MAB-JR-B-736, fls. 5-67.

58 In this case, the registry books of the 1st and 2nd *Ofícios*. The documentation, part of the fonds of the archdiocese, is deposited in the *Arquivo Distrital of Braga*: <http://pesquisa.adb.uminho.pt/details?id=1585041>.

59 <https://visg.vinculum.fcsh.unl.pt/instituicoes/dioceses/>.



documentation is ordered in a similar manner to the books of the *Provedorias da Comarca*: documents are recorded that contains pious legacies, including foundation deeds, wills, codicils, but also letters of acquisition and leasing of estates related to the fulfilment of pious duties. The court's clerk transcribed the documents and marked the date of registration, often indicating the presence of the entail's current administrator. The information for most entails is limited to the date of registration in the books and a copy of the foundational document. Often these are small entails, with some pious legacies and simple succession schemes; in other cases, such as the example presented above, one has access to a wider range of information. A similar situation occurred with the registration of the entail established by Gaspar da Rocha Pais, judge and vicar-general of the archbishopric of Braga⁶⁰. In the 1620s, Manuel da Costa Mesquita, executor of Gaspar da Rocha Pais' will, appeared before Dr. Feliciano de Lima de Sousa, judge of the Resíduos, and presented the institution of a chapel the testator had made. The judge ordered the clerk of the Resíduos to make a record of the properties and transcribe in a specific book the documents concerning the entailed properties and the inventory of silver and goods from the Deocriste manor. The book was signed and sealed "em hum livro emcadernado numerado pellas cabeças e assinado de baixo de meu signal e sello dos Residos pera que a todo o tempo constasse a clareza e verdade das ditas propriedades avinculladas a dita capella e morgado e se saber sempre a memoria dellas"⁶¹. The copy in the registers of this Court not only obeyed a norm imposed by the local ecclesiastical powers, but also guaranteed, on the part of the founders, the existence of the entail and the oversight of the ordered pious legacies.

The *Juízo dos Resíduos* was also related to other Church organisms besides the entails and their founders and administrators. To preserve the information on the pious legacies, the judge had them inscribed in the records of the churches where the pious duties were to be celebrated⁶².

60 Juízo dos Resíduos record ([162----]) - VINC004746 GRP EA/001; UM-ADB-MAB-JR-B-738, fls. 6-209.

61 "So that at all times the clarity and truth of said properties entailed to the aforesaid chapel and entail will be stated and their memory always known".

62 <https://visg.vinculum.fcsh.unl.pt/instituicoes/dioceses/>.



The parishes were thus another of this system's core elements related to entails, at the level of both their founders and administrators, together with the other ecclesiastical or royal institutions with juridical competences on this matter⁶³. Throughout the 16th and 17th centuries, several instructions were issued through diocesan constitutions that obliged parish priests to keep registers of chapels and pious legacies, identifying administrators and entailed estates. These records should be periodically shown to the visitators. It is possible to identify cases of this type in the database. In 1550, João da Fonseca instituted an entail with a daily mass in the church of Santa Maria Madalena of Olivença, satisfying his father's will⁶⁴. The entail was registered in July 1564 in the *Provedoria of Elvas*, and the document of institution was transcribed in a certified copy a few days earlier. Requested by the institutor's attorney, it was pointed out that one of the copies would be submitted to the *Provedoria*, while another was destined to be incorporated in the records of the church where the masses would be celebrated.

While it is possible to identify traces of this communication flow, the reality is that this documentation was not preserved in a systematic way, even though one knows that, theoretically, there was a great volume of such documentation to manage the pious legacies. The abolition of the entails – and, before that, the wide reduction of pious legacies observed since the 18th century⁶⁵ – may have significantly contributed to the dilapidation of parish documentation related to perpetual pious legacies.

Regular institutions are another of the Church's institutional configurations connected to entails, with the advantage, however, of having much more voluminous documentation that is easier to access, even if it was also subjected to losses and major disorganisation in recent centuries. Of special relevance here are the convents founded from the 13th/14th centuries onwards, especially those of the mendicant orders in urban centres. Their role as mass celebrants, as well as the applicable material retributions, led these institutions to produce, over the centuries, *tombos* and

63 <https://visg.vinculum.fcsh.unl.pt/instituicoes/paroquias/>.

64 Provedoria record (1564-07-24) - VINCO04641 JF EA/001; ADPTG-PCE-6, fls. 301-305.

65 Abreu, 2004.



factitious codices, transcribing and organising documents considered pertinent for managing relations with entails. A significant part of the documentation from these institutions is kept at the Torre do Tombo, although much of it is also scattered throughout district archives. This transfer of documentation to the Torre do Tombo after the extinction of the orders in 1834 certainly led to many losses and to a significant disorganization of the monastic-conventual archives. The Arquivo Distrital do Porto holds most of the documentation from the city's convents. One can specifically mention the convents of S. Domingos and S. Francisco, whose documentation was transferred from the *Cartório das Finanças* to the District Archive in 1934⁶⁶. This documentation, as well as that of the other monasteries that played an important role in suffrages for the souls, is an essential piece for the study of entails. These institutions, especially from the 15th century onwards and throughout the entire early modern period, produced *tombos*, factitious codices, and books that sought to organise information, including documentation such as wills and other acts that established pious legacies and material retributions. In the case of S. Francisco of Porto, most of these units were reorganised during the 1810s, following the destruction caused by the second Napoleonic invasion, and constitute factitious codices with originals and modern copies sown together, along with other instruments for locating documentation and supervising payments⁶⁷.

Frequently, monastic documentation makes it possible to identify entails whose existence would not otherwise be known. Yet, the same entails may appear in fonds such as the *Registo do Arquivo* and *Capelas da Coroa*, when their administration became vacant for the Crown, or in the documentation of the *Provedorias*. In these cases, however, one depends either on the somewhat accidental history of the entail's administration, or on the state of preservation and description of the *Provedorias'* fonds (as mentioned earlier in the section on the Crown, these are in a very uneven state in Portuguese archives). In these circuits, and even when several

66 <https://pesquisa.adporto.arquivos.pt/details?id=485543>; <https://pesquisa.adporto.arquivos.pt/details?id=779636>. The S. Francisco fonds are much better organized and described thanks to the work of Gouveia, 2011.

67 These are the codices included in the series *Instituição de Legados e Capelas*: <https://pesquisa.adporto.arquivos.pt/details?id=779649>.



institutions kept copies of the same documents – especially the foundational instruments regulating the conditions of the entail –, there was also specific documentation from the monastic fonds, shaped according to the interests of these organisms. One example is the aforementioned diversity of documents in the virtual archive of the entail of Fernando Álvares Baldaia and Branca Luís, namely the *tombo* from the fonds of the convent of S. Domingos of Porto. Another example of this dynamic can be found in the virtual archive of the entail established by Jerónimo Pereira de Meneses and Juliana Pais, with a chapel under the invocation of the Holy Trinity in the convent of S. Francisco of Porto. The couple founded the entail in 1576, and copies of the foundation deed are preserved in the *Provedoria* of Porto and in the codices of the convent of S. Francisco⁶⁸. The convent’s documentation, however, had more documents, such as a copy of the will of the institutor’s mother – in which she left her disposable portion to institute an entail –, a *tombo*, and an agreement between the convent and the founder to enlarge the chapel.

*

The exploration of this chapter’s theoretical framework, the explanation of the database’s architecture and the description of the entail information system intended to offer a global overview of the materials for studying this phenomenon. This demonstration is fundamental to understand more consistently what types of *corpora* can be built to answer historiographical questions.

2.4 – Building a documentary corpus to study kinship as an intrinsic part of the social agency of entails

What kind of kinship did the founders of entails imagine? What configurations and modes of organisation did they seek to establish through

⁶⁸ Foundation deed (1576-12-30) - VINC004067 JPMJP EA/001; ADPRT-PCP-K/21/1-32, fls. 481v-487v. In this case, the “notes areas” of the description underlines that the copy of the *Provedoria* was made in a record of 1772, while indicating the existence of another copy located in the convent’s fonds.



this resource? What specific mechanisms did they incorporate into their institutions to constrain the behaviour of future generations? And how were these dictates received? What diachronic developments can be discerned? These are the major questions that guide the research in this book. Taking into account all the elements previously described, it is now important to explain the procedures to collect the data necessary to provide solid answers.

We will focus on two groups of documents, each with its own characteristics, types of information, and specific approach: foundational acts and judicial documentation. We will describe the main typologies, their provenance, orders of magnitude, and chronological distribution, and explain the criteria underlying the formation of representative samples. We will outline how these documentary groups were used in the book's survey, although more specific observations will be made in the course of the demonstration, highlighting the quality and limits of the information used to formulate interpretative hypotheses and suggesting avenues for further research.

2.4.1 – Foundational documents

Entails were foundations materialized through institutional documents, becoming their “internal law”⁶⁹. The clauses imposed by the founders designed how they wanted to organize the successive generations of relatives. Throughout chapters 3 and 4 we will explain the specific use we will make of these documents. Foundations were mostly made through wills or codicils, but also through deeds of foundation, dowries or donations. These outlined the assets to be entailed (or the proportion of the assets to be used for this purpose) and the internal rules, especially in terms of pious legacies and succession schemes. Sometimes, the foundation of an entail was made in a foundation deed, while some rules were later specified in a will; on other occasions, a will was used and, later, a codicil specified the rules or assets to be entailed.

69 Rosa, 1995, pp. 221-222.



The most representative typology was wills, followed by codicils. Almost all of them were used to institute entails, to settle details regarding their rules and functioning, or to complete some of a testator's last wills⁷⁰. In short, they indicate and manifest a concern, in the final phase of life – but not necessarily at the time of death – to build or better regulate an entail that presupposed both the care for the salvation of their souls and a perpetual projection of a certain idea of family by using estates to provide ‘substance’. Obviously, this vast number of documents also contains considerable heterogeneity: while there are very rich wills, with ample considerations on kinship and memory, and many clauses on the functioning of the entails, others, however, are much more stereotypical and lacunary documents. These profuse typologies are distributed over all the fonds consulted in the documentary surveys. Chronologically, their number increases over the centuries, and the 17th century stands out as the most representative.

In addition to these typologies, there are also foundation deeds. This is a type of notarial document by which the issuer expressed its wish to establish an entail and determined the material and regulatory conditions for its foundation, operation, and maintenance. Regularly, these documents are very detailed in establishing the rules that should guide the existence of the entail, imposing various mechanisms (both succession and otherwise) to organise kinship relationships. In addition, and with respect to kinship, they also contain considerations about the pertinence of founding entails to protect the institutor's memory, the lineage's future, and the house's survival. Foundation deeds are generally documents where the nature and objectives of entails are explained in greater length and detail, certainly following careful planning, thereby organizing the kinship group through this legal resource. The producers of these documents tended to belong to privileged sociological strata.

Entails could also be instituted or donated through dowry deeds. In *Antien Régime* Portugal, the formation of new conjugal and domestic cells involved the donation of assets – whether movable or immovable property –, endowing the new conjugal cell. These transfers implied notarial

⁷⁰ For all typologies mentioned hereafter, we will base ourselves on the typological and diplomatic analysis presented in the VISG: <https://visg.vinculum.fch.unl.pt/documentos/>.



acts regulating the quantity of assets, their quality, and the mechanisms of devolution⁷¹. In certain cases, the donors could compel the entailment of the donated estates, thus founding a new institution with the new couple. This could happen between parents and children, but also in other kinship relationships, such as uncles and nephews/nieces⁷².

This diversity of foundational documents shapes different entailment projects, ranging from the most complete to the most fluid. Diversity is intrinsic to entails, so once we've broken down the types of documents that could be used, we must question how to address that diversity within a working framework also marked by a vast chronology and evolving history. The phenomenon seems much more expressive – or at least clearly more visible – in the 16th and, above all, the 17th century, with thousands of foundations and documents. But, as the bibliography suggests, its appearance between the late 13th century and the 15th century is part of a series of broad transformations. According to these theories, the spread of entails may have contributed to the formation of more firmly established lineage structures, with more restrictive forms of heritage transmission and mechanisms of leadership and hierarchy among relatives⁷³. Thus, the formation of the working materials had to reconcile various interests, subordinated to the research's major guiding questions. On the one hand, establishing a documentary basis as complete as possible to examine the rise of entails, while incorporating the investigation into important historiographical debates in Portugal and Spain, which in turn are part of a wider debate, on a Western scale, about the progressive transformation of the European kinship system between the 15th and 19th centuries. On the other hand, given the sheer volume of documents from the last few centuries, it was necessary to devise a sustainable methodology for selecting a representative and well-founded sample of documents that could be properly processed.

71 On this subject see Aguiar, 2021, pp. 535–605. Conde, 2013.

72 This happened on February 25, 1671, when Manuel Martins Brandão gave 30 thousand *cruzados* as dowry to his niece Antónia de Brandão on her marriage to Inácio Bettencourt e Câmara, to which the donor's goods would be added. All of this property should be entailed and the first-born son of the couple was meant to succeed: Dowry deed (1671-02-25) - VINC002106 MMB EA/001a; TT-MC-V-FUN-1, fls. 223v-225v.

73 Sousa, 2013. Sottomayor-Pizarro, 2013, 2016.



Approximately eight hundred foundational documents were gathered, produced between the end of the 13th century and 1700. About half of the documents relate to institutions established between the late 13th century and the 15th century, corresponding to an exhaustive study of the initial phase of entailment. The references are essentially the result of previous surveys carried out by the project team in public archives in Portugal. Some of the references also come from the J. A. de Sottomayor-Pizarro file described below, from transcriptions in works by scholars of the *Antien Régime*, or from monographic or periodical publications of academic or local nature. It should be noted, however, that not all of these documents are in the project's database: the database was fed from funds systematically surveyed by the project team to build a coherent sample, choosing not to insert atomized references. Furthermore, the 13th century and the early but less formal cases of entails from the 14th century were not included, both because the project focused its research on the period after 1300 and because, for the entire period studied, an attempt was made to respect the formal institutional characteristics for the definition of entails. The earlier and less formal cases were used to understand the genesis of the entailment phenomenon in a comparative way.

Access to the file built by J. A. de Sottomayor-Pizarro for his doctoral research was kindly granted to us by the author. The main aim of this database, based on prosopographical records, was to reconstruct the genealogies of lineages of different statuses, as well as to study how they passed on their wealth and contracted their marriage alliances. Its chronological scope is the reign of King Dinis (r. 1279–1325) but going well beyond it⁷⁴. During his research, the author surveyed the main Portuguese public archives over several years and systematically consulted monastic-conventual and diocesan archival funds. This file allowed us to trace documentary references to institutions of entails and indications of 'proto-entailment' practices and inheritance restrictions. They are largely unpublished sources from royal and monastic funds deposited in the Torre do Tombo and district archives, produced between the second half of the 13th century and the second half of the 14th century, and consist mostly of wills and donations in which chapels were founded.

74 Sottomayor-Pizarro, 1999.



The other four hundred documents relate to foundations carried out in the 16th and 17th centuries. In this respect, the selection depended entirely on the project's database. Since the mass of documents made it impossible to design a systematic study along the lines of what had been decided for the first centuries, it was necessary to find a feasible and historically grounded criterion to define these samples. The solution was to use exports from the database – which was still expanding while these operations were being carried out –, and sort them by date and according to the types of documents usually used to establish entails. We considered that the best solution to cover the social heterogeneity of the entailment phenomenon and its documentary diversity in a statistically random way would be to build samples by decades, covering, for example, all the documents of the selected typologies produced in 1510, in 1520, and so on until 1700. Considering the 'documentary landscape' and the institutional evolution in the production and conservation of information described in the first part of this chapter, the number of documents grows steadily, and is considerably more significant in the 17th century. The selection, primordial by decade, makes it possible to capture different types of foundations, from the most complex to the simplest. It allows us to bring together foundations established by different social groups, theoretically reproducing the complexity of the entailment in these chronologies. This selection method, in theory, is less prejudicial to the complex 'organics' of the historical phenomenon under study, and to the different sources of information worked on in the project's surveys, making it less dependent on sample constructions based on typological, chronological, regional, sociological, or other criteria that could produce distorted results.

Finally, this model for constructing the materials seemed to be the most appropriate for dealing with the set of questions structuring the research. In the future, other types of surveys using the database's various instruments can be constructed to answer other questions, both general and more specific. For example, documents mentioning primogeniture and masculinity clauses, or female succession preference, could be selected from the different categories created to index the documentation. The immense richness and diversity of sources allows for multiple forms of inquiry that will be mentioned across the book.



Clearly the effective level of documentary production in the 13th–15th centuries and the 16th–17th centuries is not ‘organically’ reflected in the sample constructed for this book. If this were the case, the documentation relating to the latter period, and especially the 17th century, would have to be much higher. However, this way of constructing the materials is subordinate to the historical questions and historiographical issues already outlined, which in our opinion are duly justified, and is therefore not the result of mere chance. In any case, the characteristics of the information gathered in this way will often be highlighted during the description, exposing the bases and possible limits of the formulated hypothesis, especially when trying to discern major overall developments.

2.4.2 – Judicial documentation

The other large set of documents is made up of judicial documents. Since entails were corporate entities governed by an internal law provided by the foundational document marking the wishes of the institutor, the disputes allow us to study how these rules were received and handled by different generations, and how kinship structures were reconfigured by the foundation and accumulation of entails over the centuries. The study of conflicts has rightly been highlighted by historiography as a useful observatory of social dynamics⁷⁵.

Acórdãos and sentences are the documentary typologies used for this study. *Acórdãos* are judicial decisions on an appeal issued by judges from a higher court. They summarise the decisions and the general sense of the conflict, even if they do not present the contenders’ arguments in detail. A significant part of these documents results from the activity of Manuel Álvares Pegas⁷⁶, a 17th century jurist who, in his treatise in five volumes about entails⁷⁷, tried to gather the law in force, as well as judicial opinions and decisions that would provide material to characterise this legal institute. This is also an essential source to access sentences that were

⁷⁵ In this regard, one must highlight the work carried out by Melero Muñoz.

⁷⁶ For an overview of the life of this personality and the work in question see Teixeira, 2003.

⁷⁷ *Tractatus de exclusione, inclusione, successione, & erectione maioratus*, 1685–1739.



lost due to the destruction caused by the 1755 earthquake. The rest of the documentation comes essentially from the activity of the *Comissão* and *Juízo das Capelas da Coroa*. This documentary fonds was preserved in the *tombos* of the *Capelas da Coroa* or the *Registo do Arquivo*, whose fonds are now deposited in the *Torre do Tombo*. Both these institutions/fonds were mentioned in the section on the Crown in the description of the entailment information system.

In addition to this typology, there is a substantial number of sentences issued by various courts of the Crown. Equally important here are the records obtained from the cases transcribed by Pegas, as well as the documentation of the *Juízo/Comissão das Capelas da Coroa* and therefore accessed through the same circuits as the *acórdãos*. Most of the documents result from disputes that took place during the 17th century, although the entails might have been instituted several centuries earlier. Conversely, this documentation and its chronological distribution should not misguide us into believing that, previously, the management of entails was carried out peacefully, and that no conflicts whatsoever existed.

This set of documents is also very vast, making it necessary to form samples based on the descriptions and indexes built in the project's database. Using exports from the database, lists were formed based on the documentary typologies mentioned above, generating around 500 references to documents indexed with categories related to kinship⁷⁸. The most common indexations – “Consanguinity” and “Collateral-relatives” – made it possible to build a corpus of documents to investigate succession disputes between relatives, or between the Crown and administrators, based on the existence or not of blood ties between the founders and the last administrators, or on the precedence due to one person over another, according to the rules laid down by the founders. These documents are especially pertinent to the investigation carried out in chapter three, around the idea of entails forming ‘hot spots’ within parental universes.

78 The following index categories were considered: S – Consanguinity; S – Collateral-relatives; S – Illegitimate; S – Agnation; S – Appointment; S – Marriage; S – Second born child; E – Partitions; E – Annexation.



Other more rarely indexed documentation also permits enquiries on other points that are particularly relevant to the questions that will guide this book. This is the case of the *acórdãos* and sentences transcribed by Pegas and indexed under the category “Marriage”. With this material, one can analyse disputes that originated with the accusation of non-fulfilment of a clause imposed by the founders regarding the marriage of the administrators. Such clauses impeded, for example, marriage with descendants of New-Christians or people of lower social status or without the agreement of the relatives, especially when it was a woman who succeeded in the administration.

More than 90% of the judicial documentation indexed with categories related to kinship was produced in the 17th century, and it is complemented by around 40 documents for the previous centuries. Our choice was therefore to carry out a systematic survey encompassing all the documents produced in the 15th and 16th centuries and filtering production by decades for the 17th century, as done with the foundational documents. This resulted in a sample of around one hundred judicial documents, including *acórdãos* and sentences, which were used in accordance with the questions of the book, providing material that can be compared and complemented with the large set of foundational documents. The judicial documentation thus indexed makes it possible to investigate how the organization of kinship was constrained by the authority of the founders through the legal ‘cover’ provided by entails. As in the case of the institutions, we will make more specific observations on ways of interrogating this documentation in chapters three and four, subordinated to the specific questions that structure them.

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In short, by combining the database’s potential and its very extensive information, one can create *corpora* to answer historiographical questions such as those that will structure this book. The long description of all these stages provides a more consistent framework for the type of documentation we currently have access to, for the intense and complex work behind the construction of the database as a ‘guiding cartography’ of the documentary landscape, and for the historically and theoretically grounded



operations of sorting, cutting, and selection that can be applied to working materials in order to tackle specific questions, ultimately highlighting the quality, potential, and limits of the information used. As explained in the introduction, all the documents that constitute the corpus are listed after the conclusion.



Carving and pruning: entails and the formation of kinship hotspots

CHAPTER 3







Carving and pruning: entails and the formation of kinship hotspots

This chapter is based on the following idea: entail founders selected, within their parental universes, hotspots through which entails were transmitted, in their generation and those to come, ‘as long as the world lasts’. The hotspot metaphor will allow us to reconstitute and explain these operations. Initially, this will be done using foundational documents, which will then be confronted with judicial documentation. We propose an itinerary that will begin with the description of four foundations, located at the chronological extremes of this work (14th and 17th centuries), and with different levels of complexity. They will allow us to identify the main elements that defined, to varying degrees of detail, the kinship structures encompassed in entails. We will then be able to expose these topics and outline, in a first overview, the more and less regular clauses, which will reveal the main trends and the degree of institutional plasticity. Once these topics have been identified, and although they might function together, we will decompose them for analytical ends and develop partial syntheses that are sensitive to diachronic developments and specific sociological manifestations.

Having elaborated these summaries, we will propose the construction of ‘types of institution’ for analytical purposes, in order to better assess the weight, functions, and configurations of kinship within a vast and heterogeneous repertoire. In the last stage of this itinerary, this tool will also be used to analyse institutions in a more dynamic way, forming large



groups: on the one hand, focusing on the developments that can be discerned diachronically; on the other hand, through the formation of sociological groups of founders. In both cases, the thematic synthesis and the types of institutions will serve as a questioning grid to explore the materials, expose and explain relationships, and suggest avenues for further research. The aim will be to create a permanent path between the particular and the general, and between the materials and the theoretical tools to fully explore them.

Finally, the representations emanating from the foundational documents will be confronted with a corpus of judicial documentation. Within the scope of this chapter's question, succession litigation surrounding entails will be used to analyse how the kinship organisation designed by the founders was received by future generations. By overcoming the dichotomous forms of analysis between 'theory' and 'practice', the aim is to combine these different typological sets and discern how entails conditioned kinship structures in the long term.

3.1 – Problematising from the documents

In May 1304, Bishop João Martins de Soalhães of Lisbon made a donation to Vasco Eanes. Referred to in the document as a *criado* of the bishop of Porto, Vasco received the property “por direito de *morgado*”¹, in the first traceable record using this legal concept in Portugal in our sample. Through this act, João entailed property in different regions, including Soalhães, in the region of Entre Douro e Minho. After Vasco Eanes, his descendants would succeed him in the *morgado*, prioritising males and first-borns, but allowing female succession in the event of male absence. The heirs would be laypeople, born of legitimate marriage, and transmission would take place “em toda a geração dele descendendo sempre por linha de grau em grau”² If Vasco Eanes died without descendants, the bishop would allow alternative lines of succession, listing the various hypotheses, without determining his eventual kinship relations with

1 “By the right of *morgado*”.

2 “Throughout his generation, always descending by line from kin to kin”.



these characters: first he would choose the descendants of João Escolar and Constança Eanes; then Martim Eanes Avô and Joana Martins; and finally João Rodrigues de Portocarreiro and Maria Eanes. If these alternatives were exhausted, the founder ordered that succession fall to “parentes melhores e mais chegados de sua linhagem”³. With assets in Beja and Covilhã, João Martins set up another *morgado* in 1308, with identical succession clauses. On this occasion, the bishop of Lisbon honoured Sancha Eanes, also referred to as his *criada*, on her marriage to Gonçalo Eanes Correia, specifying that if she died without descendants, the *morgado* should be owned by the same person who succeeded to the *morgado* of Soalhães, established in 1304⁴.

A few decades later, in 1339, Lourenço Vicente established a chapel in the church of S. Mamede de Évora, where his body was to be buried⁵. He appointed his *criada* Marinha as its administrator, ordering that the income from the property be used to pay for a chaplain to celebrate the masses. Marinha was to be succeeded by a son or daughter, and for “enquanto aí houver linhagem por sucessão”⁶. If she had no descendants, the estate would go to Vasco Vicente or another relative, under the condition that they were suitable for the task. Contrary to the foundations of D. João Martins, the institution of Lourenço Vicente did not seek to delineate an heir with a well-defined profile, nor did it seek to reinforce parental perimeters. The succession clauses are incipient, referring only to a vague perimeter of relationships, that of the “lineage”. In its coeval use, this term referred primarily to consanguineous relationships in general. Small institutions, based on limited assets and with few operating clauses (succession and otherwise), can be found in great abundance throughout the chronology. In 1670, when Maria de Barros, who lived in Gáfete, drew up her will⁷, she reserved the houses she owned in the town and, with them, set up a chapel with a perpetual charge of five masses each year. The entail was to be administered by her husband Gaspar Domingues, who

3 “The best and closest relatives of his lineage”. In Donation deed (1304-05-13) - VINC000003 JMSVE EA/001a; TT-CA-23-70-1323.

4 Confirmation letter (1308-08-20) - VINC000005 JMSSE EA/001a; TT-CA-22-67-1279.

5 Will chart (1377-01-11) - VINC006271 LV EA/001aaaa; TT-FC-TD-276, fls. 34v-35.

6 “As long as there is lineage by succession”.

7 Will (1670-07-26) - VINC005090 MB EA/001; ADPTG-PCP-003, fls. 490v-492v.



would own it during his lifetime and would have the power to appoint a successor according to his wishes, with the obligation of assuring the celebration of the masses. Apart from the pious legacies, whose purpose was to work on behalf of the soul's salvation, these entails do not seem to have the fundamental purpose of moulding kinship groups in specific ways, either by favouring primogeniture and masculinity, or by shaping the familial body based on strong signs of identity and power. They do, however, reveal the primordial use of blood relatives as repositories for the administration of the corporate entities that supported pious legacies and the care of the souls.

Amongst this vast sea of small institutions, and like the *morgados* of bishop João Martins, other institutions were founded throughout the centuries with more firmly established identity and power purposes. At the same time, as a cause and consequence of these purposes, they sought to reinforce kinship structures, making the entail their point of support. These institutions delineated more precisely the heir's profile, the succession clauses, and the conditions for recruiting administrators within specific kinship hotspots, defining proximities and priorities. Naturally sensitive to contextual changes, they also included new clauses, such as those prohibiting marriages with New Christians. The institution established by Francisco Mendes Pimentel in 1690 is an example of these developments⁸. This quite complete foundation will conclude this set of descriptions, gathered to raise questions. A professed knight of the Order of Christ and a judge of the court of *Relação* in Porto, Francisco used his disposable portion to establish a *morgado*, also entailing the inheritances of other relatives. The conservation of nobility, the family, and the service of God were the founder's main arguments and objectives. Francisco appointed his son, Luís Coelho Pimentel, as the first administrator. The entail's rents would support the costs of his married life. The founder established the heir's profile as being physically and mentally healthy and loyal to the king; outlined the succession criteria, giving preference to men and first-born sons, and excluding clerics; and named the alternative lines of succession should the son's descendance be exhausted, to the point of

⁸ Entail foundation deed (1690-02-22) - VINC001198 FMP EA/001a; TT-AA-RA-39, fls. 112v-118v.



admitting that, in the absence of legitimate or even bastard relatives, the “most honourable man” of the Couto of São Varão could be appointed.

The set of cases presented here was intended to highlight characteristics and display the limits of kinship organisation within entails. Such limits are polarised between the more complete institutions and the smaller, less detailed institutions. The former indicate timely planning and anticipation of different scenarios, both succession and otherwise. These are foundations of tendentially dominant social groups and/or cultured elites, who were certainly supported by legal experts in these processes. As far as kinship is concerned, they also delimit well-defined structures that were a point of support for the entail’s existence. Conversely, most institutions were small and fluid, without much elaboration and with incipient succession clauses, in which the kinship concepts of “lineage” or “generation” were only mentioned generically. Both poles, and the whole universe of foundations between them, demonstrate this institution’s plasticity and their differentiated effect on kinship. From this complex universe, different topics emerge that will be analysed in this chapter, with entailment viewed as defining hotspots within parental universes: first in a segmented logic, and then trying to build integrated analyses to reconstruct functional and evolutionary dynamics.

Underlying all of this is the power of a decisive figure in institutions of this nature: the founder. Their wide-ranging role, as well as the anthropological foundations that underpin their power, activating their relationship with future generations, requires constant reference throughout the analyses. From the perspective of this chapter in particular, we are interested in the founder's power to imagine the kinship groups that would fit into the corporate entity, but their role is not limited to this matter. As we will also see in the next chapter, in addition to this prerogative of defining the hotspots, the founders also had the ability to impose values and behaviours. All in all, this had the effect of moulding kinship groups. In a certain sense, kinship groups were institutionalised by being framed within a corporate entity that operated a coincidence between estates and people⁹, in a process that, with variations and nuances, seems to have

⁹ Rosa, 2019, p. 266; 2020.



generally affected kinship structures in the European system¹⁰. In other words, one of the first components of the creation of these corporate entities was the definition of the people who, in successive generations, would be incorporated, playing the role of administrator with duties and benefits. In short, entails were entities with parental bases and components, central to its nature and functioning. They constitute the core of the research presented in this book.

3.2 – The elements defining and operationalising kinship in the foundational documents

In a universe of founders primarily constituted by men, and secondarily by women and couples, the first person to be nominated administrator was defined from the outset in the foundational documents. This person could take possession of the entail while the founders were still alive or after their death. In most cases, a consanguineous kinship relationship is explicit, and the sphere of descent was the most significant: first the sons, then the daughters, and only then the grandchildren. Collateral kinship was also a very frequent resource, including siblings, nephews, and cousins. Rare are the cases when godchildren or *criados* were appointed, although these instances reveal the breadth of the founders' power.

The primordial universe was therefore that of consanguineous kinship, which forms the basis wherein succession mechanisms operated, transmitting the entail until the end of time. While some institutions referred solely and vaguely to 'lineage', others defined a variety of succession clauses, listed cumulatively or combined in varying ways: primogeniture; masculinity; preference or exclusion of women; preference or exclusion of clerics; succession by appointment; exclusion of illegitimate children; regulation of succession disputes between uncles and nephews. Alongside these clauses, subsequent and alternative lines were often outlined in the event that one or more lines of kinship were exhausted, by specifying,

¹⁰ A reflection proposed by Sabeen and Teuscher, 2007, in their collective book on the evolution of the European kinship system between 1300 and 1900.



for example, criteria to define the choice of the “*parente mais chegado*” (i.e., closest relative) that would succeed. All these clauses defined fields of recruitment. We propose to conceptualise this operation using the idea of hotspot formation within the universe of kinship relationships. This idea allows us to grasp and elucidate the operation, aimed primarily at defining the metaphorical ‘heat’ according to consanguineal closeness, thus selecting a group of people within a broader structure. In certain cases, and negatively, ‘cold spots’ were also delimited, indicating relatives and lines of descent excluded from succession despite consanguineous proximity. We argue that, ultimately, the hotspot metaphor also allows us to forgo concepts such as ‘nuclear’ or ‘extended family’, forged to explain other social realities.

The underlying principle was the formation of “discrete groups”, according to the conceptualisation of the anthropology of kinship¹¹. They are the basis upon which an “operative kinship” is meant to be constructed¹². It is not a question of encompassing the universe of relatives of a founder and their successors, which was necessarily much wider. For this purpose, we need only recall the calculation of matrimonial interdicts by consanguinity, symmetrical on the paternal and maternal sides and extending to the 4th canonical degree¹³; the founding myth of humanity’s original couple, essential for understanding the integration of conceptions of kinship into a worldview¹⁴; and, in aristocratic contexts, the valorisation of blood relations as the basis for the group’s unity, inscribed in the ‘natural’ order

11 In other words, descent groups that sought to perpetuate themselves and act as moral persons (“corporate groups”), transmitting estates, an immaterial ‘heritage’, rights, and duties. Although the conceptualisation of these social formations was forged for bilinear kinship systems (and not for complex and undifferentiated filiation systems, such as the European one), there are some similarities with entailment kinship: despite the global scope of individual kinship relations, entailment kinship would certainly frame the perceptions and representations of kinship networks differently, as well as social behaviours and their reciprocal surveillance by groups. For this terminology, see Barry et al, 2000, p. 725.

12 A concept used by Rosa, 1995, pp. 96–97, 100–101. In this respect, but also fundamental to other characteristics of entails, such as the production of archives, consider the work of J. Morsel on the concept of *Geschlecht*: Morsel, 2004a; 2017, pp. 58–75.

13 The notion of incest also applied to kinship by affinity and baptism. The field of affinity prohibited the widow or widower from marrying blood relatives of the deceased spouse up to the 4th degree. Baptismal kinship prohibited marriages between godchildren and godparents, godchildren and godparents’ children, and godparents and the carnal parents of the baptised.

14 Hummers, 2018. Guerreau-Jalabert, 2018.



of the universe¹⁵. In other words, kinship was a structure of relationships underlying the functioning of the social fabric, which could be used in a variable and operative way, by choosing different fields of proximity. Entails tend to define kinship through a formalised and institutionalised way. Consequently, the research must begin by studying how these hotspots were defined, ideally around a vertical axis projected into perpetuity that, according to some authors, would constitute the essential mark left by entails in the transformation of kinship structures over the long term¹⁶.

Finally, we have tried to ensure that the order of the analysed topics is non-arbitrary and corresponds to the overall logic of the foundational documents. Inspired by the typical order of such instruments, we will start with the figure of the first nominee and progress, within the hotspots of kinship, to the maximum extension and the figure of the closest relative, passing through the criteria for defining the heir, and ending with the cold poles, that is, the set of relatives and lines of succession explicitly excluded by the founders.

3.2.1 – First nominees and subsequent lines: the consanguineous kinship as the major repository

Vertical kinship and direct lines, between the first appointees and their successors

In most cases, the institutors define that only one person in each generation will be responsible for the administration. This person is referred to as the heir, administrator or *provedor*. The latter term is rarer and found mainly in 14th and 15th century documentation¹⁷. The terminology resonates a notion of delegated power, always within the limits of what was

15 A concept used in the work of an author as influential for the Portuguese nobility throughout the *Ancien Régime* as the count Pedro de Barcelos: Ferreira, 2020, pp. 191–216.

16 In Spain, historians who studied the family and the nobility in the early modern period have defended the idea that entails progressively defined a vertical kinship structure based on the “Casa”: Hernández Franco, Peñafiel Ramón, 1998. Hernández Franco, Rodríguez Pérez, 2014. Dedieu, 1998.

17 In the institution of the entail of Constança Eanes Palhavã, in 1327, the successor is designated as “provedor e mantedor da capela”: Will (1327–08–13) – VINC000653 CEP EA/005a; TT-AA-RA-7, fls. 95–96.



indicated by the founder. Occasionally there are more diversified solutions for the first nominees, possibly as a way of managing resources within families with several children, or a more balanced way of passing on the inheritance, simplifying the mechanisms for the subsequent generations. In 1550, Maria Franca determined that the administration of the entail she had established would rotate among her sons, each of whom would hold the position for three years. After her children, her grandson Zuzarte Pereira would succeed, or her eldest grandson if he had died, and the entail would be passed on in the direct male line, or female in the absence of a male¹⁸.

The predominant scheme was based on the appointment of a single administrator in each generation, ideally recruited from within the vertical consanguineous kinship. As far as the first appointees are concerned, the descendants prevailed – first the children, and secondly the grandchildren. This is perhaps an obvious choice when the founders had descendants, particularly children. This logical nature explains the rarity of justifications for these choices. It is possible, however, to outline hypotheses to explain such preferences, placing them in a broader context that will help make sense of the choices. Although it is not wise to ponder inheritance laws deterministically¹⁹, one must bear in mind that, in the Portuguese legal framework, the existence of forced heirs – i.e. ascendants or legitimate descendants and spouses – severely restricted, in theory, the power of disposition over all the assets: in these circumstances, testators could only dispose of a third of the assets as their disposable portion. Other strategies and agreements could be reached, also based on power relations between relatives and other conceptions regarding possession and use of wealth²⁰. For the time being, it is important to emphasise the idea, present in the legal framework we are dealing with, of children as the ‘natural’ heirs of their parents. In addition to being heirs, they were

18 Will (1550–04–04) – VINC004148 MF EA/001; BPARLSR–PRCIT–1, fls. 221–237v.

19 As Lorenç Ferrer Alós demonstrates, when studying property and transfer systems it is necessary not to approach legal frameworks deterministically. The author draws attention to the various forms of transmission available, even in systems that tended towards egalitarian principles, such as the Castilian and the Portuguese. Historical actors could use different resources to achieve similar results, even in different legal frameworks: Ferrer–Alós, 2007, 2014.

20 See topic 4.5.



often the executors of wills. They inherited the assets and were called upon to act as executors because, following the logic of closest kinship (often exacerbated in institutional documents), children came first. The basis behind this choice is probably the belief, ingrained in this society, in the equivalence and overlap between proximity, similarity, and love between people as the essential foundation of kinship ties: the greater the proximity, the greater in principle the union between people and the predisposition for charitable love²¹, a concept that, moreover, was the basis for the vast matrimonial prohibitions²².

Some of the evidence gleaned from the documentation fits this logic. In the institution they established in 1322, Estêvão da Guarda and Sancha Domingues invoked close kinship as a reason to trust the administration to their children, a safer way to ensure the fulfilment of pious legacies in benefit of their souls²³. As Diogo Gonçalves do Prado emphasised in 1472, God had given him a son, to whom Diogo had given his own name, “e por ser meu filho e minha carne, eu lhe deixo os ditos bens”²⁴, and the responsibility of fulfilling the burdens imposed on him²⁵. An underlying idea of love and affection that generates trust – essential for the proper administration of the estates and the pious legacies – is sometimes stated clearly²⁶.

21 Avoiding any kind of appearance of evidence, it is important to emphasise that we are referring to charitable love, an expression of *caritas* as the foundation of human relationships and the cement of the *ecclesia*, born of the Incarnation, translating a conception of society as a spiritual union destined to produce unity: Guerreau-Jalabert, 2000. As P. Cardim shows, this notion permeated representation and discourse on multiple areas of social life throughout the *Ancien Régime*: Cardim, 2000. Historiography demonstrates the extent to which the triumph of ‘romantic love’ as an ideal is recent, the result of a process directly related to the affirmation of liberal societies, based on the primacy of the individual, and with the relative subalternation of kinship structures and relations in the functioning of societies: Coontz, 2005.

22 Guerreau-Jalabert, 2018. The knowledge of these prohibitions on the part of the general population – and especially aristocratic groups – is well proven, demonstrated both by the dispensations systematically requested and by the incidence of marriages in the degrees immediately after the prohibited perimeter: Rosa, 1996; Aguiar, 2022c.

23 “My son the closest he is to me the more reason he has to fulfil this” / “O meu filho mais chegado é a mim quanto mais razão é de cumprir isto” – Approval and addition deed (1322-10-13) – VINC001684 EGSD EA/011a; TT-FC-CC-5, fls. 333-338v.

24 “And because he is my son and my flesh, I leave him the aforesaid estates”.

25 Will chart (1472-05-29) – VINC000208 DGP EA/002aa; TT-HSJ-010, fls. 1v-7v.

26 In 1484, it was stated that Estêvão Soares, *fidalgo da casa do rei*, had shown an instrument of donation made on 1484-09-23, by which Beatriz de Sousa, his mother, had given him two-thirds of her possessions for the love and affection she had for him – Confirmation letter (1484-10-05) – VINC000097 ESM EA/001; TT-LN-7, fls. 161v-162.



It should be noted, however, that in the sample we worked with, this equivalence is stated more regularly in documents from the 13th and 14th centuries and is not particularly emphasised in the following centuries.

Although the justification of love between the founders and the first nominees can also be found in other types of relationships, such as collateral or even baptismal kinship²⁷, the idea that the nomination of children would be understood as ‘natural’ due to the equivalence between greater proximity and greater love is reinforced by the argument used by founders who, without forced heirs, nominated people with whom they didn't necessarily have kinship ties. In these cases, the relationship with the beneficiaries is put in terms equivalent to filiation: the person nominated is represented as “seu filho carnal”²⁸, and this equivalence confers additional justification for bequeathing the entail's administration.

Contrary to the delineation of the succession criteria, the founders did not explicitly declare, in most cases, whether the heirs were the first or second-born children. There are cases, albeit rare, in which preference is given to a second-born son. In the establishment of the *morgado* of Martinho Afonso de Sousa, governor of India, and his wife Ana Pimentel, in 1560, the first appointed administrator was the first-born son Pedro Lopes de Sousa; if he died without descendants, his sister Inês Pimentel, married to António de Castro, count of Monsanto, would succeed him. If this couple had more than one male child, they intended that the second-born should inherit the entail they had founded. The justification lay in primogeniture as a vehicle for full transmission of the ‘Houses’, and the attempt to avoid diluting their memory: thus, the couple's first-born son would inherit the *Casa* of Monsanto, and the second son would inherit the entail founded by the governor of India, bearing his coat of arms

²⁷ Thus, ‘love’ is also a criterion that is sometimes used to choose other relatives, perhaps as a supplementary criterion, even if they are elected in the absence of the founder's forced heirs, such as nephews in the case of Aldonça Martins Lobo (Entail foundation deed (extract) (1510-09-02) - VINC006292 AML EA/001aa; TT-FC-TD-276, fls. 113-114v) or even compadres, as Margarida Dinis did (Donation deed (1520-03-06 - 1520-03-13) - VINC006282 MD EA/001aa; TT-FC-TD-276, fls. 68-68v).

²⁸ It is in these terms that, in 1520, Inês Martins justified the appointment of Tomé Vaz as heir to all the property, stating that she had received good wishes from him and because “she loves him as she would her carnal son, and has wanted for many years to make him her heir, as she has done”. Will (1520-08-22) - VINC001867 IM EA/001a; BPARPD-GCPD-RV-15, fls. 60v-63.



and surname, and thus avoiding “a confusão destas duas casas”²⁹. In this case, the preservation of nobiliary elements, represented autonomously and thus prolonged, led the founders to imagine a succession favouring the second-born. Ana Esmeraldo’s will in 1610, establishing an entail in Madeira, reveals a different context. The administration fell to her daughter Maria and then to the descendants of another daughter called Joana, who was granted the power to appoint a successor, except for “o morgado por estar bem dotado”³⁰. The nobiliary and identity purposes don’t seem to have been the essential motives in this case: the fundamental point was perhaps the pious legacies and, at the same time, the strengthening of a secondary line within the lineage, preventing the main *morgado* from accumulating more entails³¹.

After the first appointees, succession is imagined within the scope of vertical kinship. The preferential choice is expressed through the direct lines (*linhas direitas*) and from kin to kin (*de grau em grau*), concepts that are abundantly present in the institutions throughout the chronology considered in this book, and in a transversal way with regard to the social profiles of the founders. In an institution from 1460, Martinho Garcia de Oliveira and Beatriz Gonçalves declared that the entail would be passed to their first-born son or daughter, “e daí em diante a toda a sua geração que deles descenderem por linha direita”³². In 1520, Clara Eanes Correia also named her first-born son as the preferred heir and, after him, his descendant children and grandchildren, “de maneira que não saiam de minha linha”³³. In 1560, Francisco Rodrigues declared that direct line relatives should succeed, resorting to collateral kinship only in the absence of descendants³⁴. In 1630, António Pacheco da Silveira foresaw that after

29 “Avoiding the confusion of these two houses”. Will (1560-03-08) - VINCO02952 MASAP EA/003; Furtado, 2015.

30 “The morgados as he is well endowed”. Will (1610-12-13) - VINCO05338 AE EA/001; ABMJRC-108, fl. 8.

31 The accumulation of entails in the same administrators poses specific problems, especially in terms of moulding kinship structures and relationships in diachrony. This issue will be analysed in chapter 4.

32 “And from then on to all their generations who descend from them by direct line [*por linha direita*]”. In Will (1460-02-09) - VINCO00311 MGOBG EA/001; TT-AA-RA-8, fls. 464-465v.

33 “So that it does not leave my line”. In Codicil (1520-12-19) - VINCO00200 CC EA/001aba; TT-HSJ-463, fls. 419v-424.

34 Will (1560-10-13) - VINCO04248 FRJRC EA/001; ADVRL-FTH-02-16.



his and his wife's death the entail would pass to their daughter Maria da Silveira, "e daí correrá em linha direita de descendente em descendente"³⁵. The preferred imagery of the founders is based, from the first appointees to their successors, on a vertical kinship ideally projected in perpetuity.

The choice of collateral relatives and the consanguineous networks as a repository for an operative kinship

Within the scope of the first appointees, collateral relatives were a significant source of recruitment. Siblings, nephews, and cousins were appointed in the absence of descendants, rendering collateral kinship an important repository right at the foundation. Several institutors expressly state that they have no forced heirs and can therefore freely dispose of their assets. Siblings, nephews, or cousins were named as their universal heirs³⁶; alternatively, the founder's soul was declared as the universal heir³⁷, instituting a chapel and appointing a collateral relative as administrator³⁸. Both scenarios are characterised by the absence of descendants, who would, in principle, be the first to be appointed. The same logic applied to clerics as institutors. In the absence of legitimate descendants who

35 "And from there it would run in direct line from descendant to descendant". In Will chart (1630-07-29) - VINC001512 APSAR EA/001; BPARPD-GCPD-RV-7, fls. 111v-120.

36 In 1520, Beatriz Velha bequeathed her estates "*em instituição e administração de capela*", with the charge of masses for the soul of the testator and her dead relatives, celebrated at the altar of Our Lady in the monastery of S. Domingos. She appointed her nephew João Velho, son of Heitor Velho, as administrator, to be succeeded by his first-born son, or alternatively by his daughter, "*e daí por diante em a sua linha direita*" - Will (extract) (1520-04-21) - VINC006702 BV EA/001aa; TT-FC-TD-276, fls. 176-177. In 1640, Francisco Mexia Pexim declared that he had no forced heirs. He instituted as his universal heir Afonso Vaz, his brother, an unmarried young man. He established a chapel with an obligation to celebrate 30 masses a year for as long as the world lasted, appointing his brother Afonso Vaz as the first administrator. If he died without children, the chapel would go to the next of kin of the institutor's father - Will chart (1640-04-11) - VINC006213 FMP EA/002; ADPTG-PCP-014, fls. 478-479v.

37 João Afonso Barreiros established an entail in Pedrógão Grande, with his soul as heir and appointing his nephew João Álvares as administrator - Will (1427-10-28) - VINC000668 JAB EA/004; TT-AA-RA-3, fls. 311-312v. João de Moura Rolim established an entail in Madeira, with his soul as heir and appointing his nephew José as administrator - Will (1640-02-06) - VINC005315 JMR EA/001; ABM-JRC-106, fl. 1. On this topic: Rosa, 2012, 66-70.

38 In 1380, Maior Domingues made her soul heir to all her assets, establishing that they would perpetually support a chaplain in the church of São Miguel de Estremoz. The first administrator would be the nephew Afonso Eanes, together with Gonçalo Galego - Will (1380-04-14) - VINC003723 MDAE-GG EA/002b; TT-FC-CC-4, fls. 148v-149.



become forced heirs, they freely disposed of their estates and regularly benefited their collateral relatives. This form of relationship has been identified in the literature with certain social groups relying on the ecclesiastical careers of men, reverting assets to their nephews through entails³⁹, often given as marriage endowments. In Portugal, high figures of the secular clergy were founders of significant *morgados* in favour of their nephews in the 14th century, including the famous D. Gonçalo Pereira, archbishop of Braga⁴⁰. The principle, which can be observed throughout the chronology, is summarised, for example, in a foundation established by Manuel Gonçalves Antão, canon of the Cathedral of Braga, in 1650. Declaring that he had no forced heirs, he instituted the entail with obligations of masses for his soul, the souls of his father, the canon Miguel Lopes, and the souls in Purgatory, appointing his nephew Francisco Pereira Marinho as administrator⁴¹.

The role of clerics in entail foundations will be the subject of a specific enquiry later in this chapter. In any case, after the first appointee, succession was based primarily on descent: after the first administrator, whether they were descendants or collaterals, the founders established rules combining vertical and collateral kinship, so that, whenever possible, a basis for the entail's perpetual transmission was fabricated within this perimeter. Here too there is polarisation. On the one hand, there are institutions that clearly and diversely describe the use of different alternative lines of kinship. On the other hand, and in contrast with these more detailed foundations, there were institutions with less defined structures within the parental universe, or whose structures were simply less important in certain social contexts, where the founders did not carefully determine these perimeters of succession. Both these types reveal the heterogeneity of the social groups that resorted to entails and the diverse use they made of kinship as one of the intrinsic dimensions of these corporate bodies.

39 In this respect, they embodied the concept of “ecclesiastical *pater familias*”, as suggested by Díaz, 2014, 83. Along with this article, important perspectives on clerics as founders of entails are provided by Irigoyen, 2004. Also considered is Pro Ruiz, 1989. Olival, Monteiro, 2003.

40 These foundations will be analysed in the topic consecrated to entails instituted by clerics.

41 Entail foundation deed (1650-01-17) - VINCO05267 MGAIF EA/001a; UM-ADB-MAB-JR-B-747-102-106v.



The institution set up by Gil Eanes da Costa and Joana da Silva in 1560 shows us the range of possibilities under the founder's control⁴². This was a fairly complete institution, designed by a member of the king's council and a man from the royal officialdom, occupying the position of *Vedor da Fazenda*⁴³. It was part of a path of clear social ascension, where entails (and how they specifically organised and hierarchised kinship relationships, reflecting what was considered proper for the nobility) partly consolidated status. By appointing the first-born son António as the first administrator, the founders demarcated a series of hierarchically listed perimeters that had to be used to find a successor. If the couple's legitimate offspring were exhausted, succession by illegitimate children was allowed, first by male and alternatively by female. Only then were collateral relatives admitted: first, those "da linhagem dos Costa" and then, if this line was exhausted, someone "da geração de Joana da Silva"⁴⁴.

Cases like the latter – in which the founders set out the various possibilities of succession starting from their offspring and each of their lines of descent, formulating hierarchies and then opening up a hierarchical spectrum of possibilities – seem to be the hallmark of socially privileged groups, with ascending or consolidating positions. As members of the nobility and the royal officialdom, creditors of a nobiliary tradition or emulating socially distinctive practices and values, their foundations sought to rely on kinship structures that were simultaneously reinforced by the foundation itself. In 1450, Gil Martins do Poço, *Vedor da Fazenda* (i.e., king's accountant), bequeathed the entail he had instituted to his son Martinho, establishing as alternative lines his other son Gil, and after him his daughters, preferring the first-born. His intent was that, within this perimeter, the entail would not leave his and Clara Pires' descendants⁴⁵. In 1520, Brás Afonso Correia, the former *corregedor* of Lisbon, chose the "linha direita" as the preferred succession mechanism, preferring it to passing "from man to man". He appointed his son as the first administrator and declared his brothers'

42 Entail foundation deed (1560-07-05) - VINC001816 GECJS EA/002aa; TT-IMC-NA-190, fls. 1-16.

43 Personifying one of the cases that Fernanda Olival characterises as investments in honour: Olival, 2002.

44 "Those of the Costa lineage...of Joana Silva's generation".

45 Will chart (1450-06-03) - VINC000225 GMP EA/001aa; TT-MSDL-54, fls. 112v-114.



descendants (expressly named in the document) as possible lines of succession⁴⁶. In 1560, Martinho Afonso de Sousa, together with his wife Ana de Pimentel, made an extremely careful foundation⁴⁷. The couple chose their first-born son Pedro Lopes de Sousa as heir, and outlined the various alternatives if this line were exhausted: first, their daughter Inês Pimentel, married to the count of Monsanto; then, the founder's nephew, Martinho Afonso de Sousa; and third, an abstract definition, based on a universe of clearly nobiliary references, namely the closest male relative of the last possessor, as long as he was born of legitimate marriage “procedido do tronco dos Sousas de minha linhagem”⁴⁸. Here, and inversely to what happened in the institution of Gil Eanes da Costa and Joana da Silva mentioned above, only the lineage of the institutor, and not that of his wife, was accepted as a possible universe for recruitment.

In this and other institutions, “*dívido*”, “*geração*” and “*linhagem*” are the terms most used to express kinship relations and to define a horizon of consanguineous kinship, although with specific evolutions. Sometimes they are used together, or complemented by terms such as “*linha*”, which expresses the predominance of vertical kinship. “*Dívido*” is found above all in documents from the 14th and 15th centuries⁴⁹, and is not very frequent. “*Geração*”⁵⁰ and “*linhagem*”⁵¹ are the most common, but the former is more frequent and chronologically comprehensive, since

46 Will chart (1520-09-06) - VINC000176 BAC EA/001a; TT-GCL-RV-104, fls. 96-113.

47 Will (1560-03-08) - VINC002952 MASAP EA/003; Furtado (2015).

48 “Coming from the trunk of the Sousas of my lineage”.

49 In 1429, Estêvão Redondo wanted “those who are closest to me [*dívido*]” to succeed him - Will (1429-07-02) - VINC001992 JPCER EA/002a; TT-FC-CC-2, fls. 313v-314. In 1468, Martinho Ferreira and Violante Lourenço decided that the surviving member of the couple would administer the estates, after which they would choose “a person from our *dívido* who seems most suitable and related and of good conscience to fulfil all the things and each one of them” - Will chart (1468-05-14) - VINC000310 MFVL EA/001aa; TT-HSJ-1188, fls. 124-127v.

50 In 1336, the bishop João Afonso de Brito wanted the *morgado* to be transmitted “from then on by the direct line [*linha direita*] of his generation born of legitimate birth” - Entail foundation deed (1336-03-12) - VINC000012 JAB EA/001a; CP-A4-2, pp. 72-77. In 1630, Pedro Ferreira Pinto and Diogo Ferreira, 1630 decided that the entail would run “in the family and generation” - Will chart (1630-01-22) - VINC000995 PFPDF EA/001aa; TT-AA-RA-47, fls. 248-249.

51 In 1436, Nuno Afonso de Sequeira, wanted the entail to be possessed by “all his ascendants and descendants of the said lineage of Sequeira” - Entail foundation deed (1436-12-06) - VINC000068 NAS EA/001aa; CP-DU-1-2, pp. 87-91. Afonso de Aboim, in 1480, wanted the property he entailed “to go together in my lineage by direct descending line” - Will (before 1480-07-03) - VINC000094 AA EA/001aa; TT-MC-V-LSB-5, fls. 395-398v.



lineage is much less frequent in 17th century documents. Lineage also refers to a structure of consanguineous relatives delimited by proximity; a structure sometimes reinforced, as will be seen in the examples below, by the importance of the relative perceived as the founder, or by association with a surname, in any case operating a selection within a wider network⁵².

“*Sangue*”, on the other hand, is an extremely rare term⁵³, unlike its more abundant use in later judicial documentation⁵⁴. It does not therefore appear as a resource used by the institutors to categorise their relations, in apparent contrast with the representations built around this substance. Its importance can be attested at least since the genealogical work of count Pedro de Barcelos, in the 14th century. Blood had paramount importance to aristocratic groups and was conceived as having unitary properties, marking the ties of kinship between noblemen. Given its ‘spiritual’ connotations – certainly based on the blood of Christ as the founder of the Church –, blood was a mark of value and social prestige⁵⁵. Throughout the 16th and 17th centuries, blood appeared as a charismatic substance marking stratified conceptions of the social fabric, in parallel with the multifarious demands associated with the problem of blood cleanliness

52 As is well known, the concept is not always easy to define, especially because of its use over time: in addition to its evolution as a historical concept, it has also been used, in a dialogue that is not always clear, by anthropology and historiography. Of European origin, the term has been used to describe kinship systems other than the European cognatic system. Reference is made to the explanations provided by Goody, 1983, pp. 222–242. Reflections on the variability of the concept and its impact on the construction of research objects in Aguiar, 2021, pp. 147–154.

53 In 1600, Pedro da Grã empowered the administrators to appoint successors from among the institutor’s relatives “by blood” – Chapel foundation deed (1600–08–19) – VINCO04651 PG EA/001adaa; UM–ADB–MAB–JR–B–736, fls.14–19. In 1700, Manuel Pinheiro da Fonseca established that if there were no legitimate, natural, or bastard offspring, a “close relative of the blood of the institutor” could be appointed – Will (1700–04–04) – VINCO04299 MPF EA/001; ADVIS–GCV–RV–9, fls. 238–248v. 54 See 3.4.

55 Based on the image of the blood of Christ, the founder of the Church, B. Bildhauer, emphasises the concept of blood in medieval representations as a substance that unifies the body and, by analogy, social bodies, starting with family structures themselves: Bildhaeur, 2006, pp. 133–164. This is an avenue for reflection that will need to be pursued in the investigation proposed in the following chapter, in an attempt to conceptualise the relationships between relatives within entails (topic 4.2). Regarding all these dimensions, as well as the evolution of thinking about blood in the Iberian panorama (which, as we know, would still include questions of blood purity to distinguish ethnic–religious groups from the end of the Middle Ages onwards), see: Guerrau–Jalabert, 2013. Delille, 2013. Ruiz, 2015. Bethencourt, 2024. For a proposed reading of terms such as ‘blood’ and ‘heart’ in the prologue of the *Libro de Linhagens do Conde D. Pedro* and their rooting in a discourse on social order, see: Aguiar, 2022d.



(*Pureza de sangue*)⁵⁶. Although rarely used, the concept is mentioned in foundational documents. We can assume that it belongs to a set of ‘cultural’ representations rooted in the social representations of the entail founders, aristocratic or with pretensions to be so.

As observed, the articulation between vertical and collateral kinship is a structuring element in defining the perimeters of succession. Its variable configuration could also be defined from different starting points. While some institutors allowed their own collateral relatives to succeed, others explicitly refused to allow the institution to go beyond the scope of their own descendants: in other words, collateral relatives of the descendants were allowed only if they were descendants of the founders. In 1650, captain João de Ávila and his wife Maria Borges Sanches instituted an entail on the island of Terceira, in the Azores, emphasising that only their legitimate descendants by direct line could be administrators, and refusing succession through any collateral relatives. If the descent line was extinct, the administration would be handed over to the *Provedor* and the *Irmãos* of the *Misericórdia* of Angra⁵⁷.

Scenarios like these, however, were less common. More often, the institutors allowed their collateral relatives (and those of their descendants) to succeed. The latent aim seems to have been finding a blood relative to administer the entail whenever possible. Notably, in this context, some institutors clarified, on the one hand, the maximum extent of the parental universe and, on the other, the different ways of determining the figure of the closest relative. As far as the maximum extension is concerned, some founders, men of the Church or of the law, limited the horizon of relatives to coincide with the matrimonial interdicts, i.e. the fourth canonical degree⁵⁸, thus admitting the root of these interdicts, organised and

56 Hespanha, 1994, 316–318.

57 Will (1649–07–30 – 1650–03–14) – VINC003966 JAMBS EA/001; BPARLSR–GCAH–RV–7, fls. 1–77v.

58 As Rui Gonçalves, canon in Porto, in 1412 – VINC002484: Will (1412–05–04), Biblioteca Pública Municipal do Porto, Ms. 1923, fls. 373–380. António de Carvalho, citizen of Porto, and Maria Antónia de Carvalho – Entail foundation deed (1640–01–17) – VINC001037 ACMAC EA/001; TT–AA–RA–49, fls. 355–358. Francisco Mendes Pimentel, Knight professed in the Order of Christ, *desembargador* of the Court of *Relação* in Porto, 1690. – Entail foundation deed (1690–02–22) – VINC001198 FMP EA/001a; TT–AA–RA–39, fls. 112v–118v.



inculcated by the Church since the Fourth Council of the Lateran (1215), as a possible horizon for delimiting parental boundaries. Others admit a universe as extensive as the 10th degree, which in practical terms – and especially in small communities – seems a legal artefact to admit any tenuous relationship as admissible for succession⁵⁹.

The closest relative (*parente mais chegado*) is a legal figure often mentioned in institutional and judicial documents. Since kinship proximity was a common criterion for defining the successor (although sometimes subordinated, especially in the closest degrees, by other criteria such as masculinity), this figure became a mechanism for defining a successor, in an abstract way and projected into the future. Many institutions refer to it only after stating the alternative lines or succession criteria, without adding any further specifications. Others stipulate that the closest relative must be determined by male or female lines, or even through moral qualities. Here, too, we can perceive a multiplicity of solutions, representing how the different founders sought to mould kinship structures.

Throughout the chronology, it is worth noting the founders who – coming from aristocratic background and for whom genealogical relationships, surnames and heraldic symbols were identity factors – refer to the determination of the closest relative within the horizon of the lineage and surname. Examples include the “*linhagem dos Borges*”⁶⁰; “*o parente varão mais chegado da parte dos Mexias*”⁶¹; “*o chegado ao último possuidor que seja da parte dos Cunhas*”⁶²; “*o parente mais chegado da parte*

59 Catarina de Sena Pereira's will refer to the 10th degree - Will chart (1630-04-26) - VINC000998 CSPPM EA/001a; TT-AA-RA-12, fls. 41-43. Manuel Dias Maninho, Doctor and priest, refers to relatives “up to the 10th degree” to recruit administrators, chaplains and orphans to marry using the chapel's revenues. Will (1680-03-19) - VINC005121 MDM EA/001; ADPTG-PCP-004, fls. 157v-161v.

60 “The lineage of the Borges”. Gomes Borges, servant of King Duarte and clerk of the chancellery - Entail foundation deed (1470-01-27) - VINC001927 GB EA/001aa; TT-C-A5-32, fls. 26-28.

61 “The closest male relative on the part of the Mexias”. Afonso Mexia, nobleman of the king's household - Entail foundation deed (1550-10-03) - VINC001401 AM EA/001a; TT-IMC-NA-213, fls. 1-7v.

62 “The closest to the last possessor on the parte of the Cunhas”, Fernando Álvares da Cunha, nobleman of the king's household - Will chart (1570-08-28) - VINC001710 FAC EA/004aa; TT-IMC-NA-191, fls. 1v-10.



dos Campos”⁶³; and “o parente mais chegado da parte dos Sequeira de Palma”⁶⁴. Other circumstances, also observable across the chronology, clearly indicate a more diverse social universe, where the determination is not based on surname or similar symbolic references, but on parental proximity. This is determined either by the founder’s lineage, without further specification as to kinship, but sometimes stating the need for the person’s suitability⁶⁵; or by determining this proximity through the lineage of the father⁶⁶ or, more rarely, the mother⁶⁷. In other cases, the founders define that determining the closest relative should be a calculation based on either the founder himself⁶⁸ or the last possessor, although the latter must be among the founder’s relatives, from his “sangue e

63 “My closest relative on the part of the Campos”. Maria Cid – Will (1600–07–28) – VINC003252 MC EA/002a; ADPTG–PCP–005, fls. 287–288v.

64 “The closest relative on the part of the Sequeira de Palma”. Fernando de Sequeira de Monroy, *moço fidalgo* of the king’s household and professed knight of the Order of the Hospital of Saint John – Entail foundation deed (1640–03–17) – VINC001039 FSM EA/002aaba; TT–AA–RA–4, fls. 308–310v. 65 Salvador Mendes and Maria Pires refer to the closest and most suitable relative of the lineage – Will (1320–07–02) – VINC001297 SMMP EA/006; ADPTG–PCP–006, fls. 61–63v. Afonso Dias Brião elects the “closest relative of my lineage” – Exemplification of a will (1377–08–11) – VINC001322 ADB EA/007a; TT–FC–CC–2, fls. 114–114v. Afonso Eanes Carrasco mentions the “closest relative that the prior and convent of the said monastery see that will be most suitable to maintain and fulfil the said charge and from then on so go from degree to degree for ever and ever” – Will (extract) (1380) – VINC000030 AEC EA/001aa; TT–MSDL–48, fls. 227–227v.

66 Lopo Cabreira defines that the closest relative from the testator’s father’s side would succeed – Will chart (1630–10–26) – VINC006224 LC EA/002; ADPTG–PCP–016, fls. 49v–51. Gregório Tavares elects the next of kin through his father’s line – Will (1640–02–05) – VINC004400 GT EA/001a; ADPTG–PCP–001, fls. 372–373. Francisco Mexia Pexim elects the closest heir in his father’s line – Will chart (1640–04–11) – VINC006213 FMP EA/002; ADPTG–PCP–014, fls. 478–479v. Isabel Domingues defines the closest relative on her father’s side, with the obligation of living in the same town – Will (1640–11–02) – VINC005658 ID EA/001; ADPTG–PCP–006, fls. 373–375v. Bernardo Henriques Machado, chanter and canon at the See of Viseu, decides that the administrator should be “the closest relative from my father’s side” – Will chart (1670–09–03) – VINC004353 BHM EA/001; ADVIS–GCV–RV–13, fls. 288–294v. Father Domingues Rodrigues Cid decides that the entail “will go to the closest relative from my father’s line” – Will (1680–03–27) – VINC004512 DRC EA/001b; ADPTG–PCP–002, fls. 57–58v.

67 Pedro Marques Cabeçudo, provided that the closest relative on his mother’s side should succeed him – Will (16709–08–17) – VINC004898 PMC EA/001aa; ADPTG–PCP–003, fls. 73–74. João Fernandes, a knight from Lisbon, provides that if his children die without descendants, “the one closest to my lineage from my mother’s side” will succeed him – Will (1329–04–05), Torre do Tombo, Colegiada de S. Lourenço, mç. 8, n. ° 159.

68 Rodrigo Monteiro, 1570, a member of the king’s council, clarified how the closest relative was established, specifying they should be calculated based on the institutor himself and not from the last administrator – Entail foundation deed (1570–11–18) – VINC000786 RM EA/002a; TT–AA–RA–33, fls. 299–302.



linha”⁶⁹ or “da geração dela instituidora”⁷⁰. In one way or another, this determination is part of an effort to delimit a parental universe sheltered by the corporate entity: the entail should be administered by people close to the founder, with whom they shared blood ties, as opposed to “strangers” who, as a matter of principle, should be cast aside⁷¹.

The principle behind what we’ve just described can be framed through one of the reading keys we proposed to build this chapter: that of entailment as the definition of hotspots within kinship universes. As we have seen, there is an operation aimed at defining these poles according to proximity – as well as an additional set of criteria that we will discuss below – within a horizon that could vary depending on each founder’s circumstances, judgement, and imagination. It also meant an operation of choice and delimitation within the parental universe, which was not exhausted by these perimeters⁷². What underlies these operations is pruning that universe, defining preferential perimeters in different ways: sometimes the relatives of the founder; sometimes the father or, more rarely, the mother; occasionally encompassing the universe of the founder’s collaterals; every now and then only the founder’s descendants would be admitted as administrators. The solutions, with somewhat regular patterns, could vary. But the principle of carving out and defining hotspots as an essential characteristic of the parental dimension of entails, and as the first dimension of the operation to institutionalise familial bodies, will be duly proven. Only after exhausting the various possible configurations of this universe, did the founders allow other entities (such as the Crown, corporations, and ecclesiastical institutions) to be designated administrators: in this view, however, these entities were seen as external and as alternative resources to the primordial field formed by consanguineous kinship.

69 “Blood and line”. In Simão Marques Barroso refers to the last possessor’s closest relative “being of my blood and line” – Will (1640–09–11) – VINC004931 SMB EA/001a; ADPTG-PCP-003, fls. 159v–160.

70 “From the generation of the founder”. Guiomar da Costa clarified that it must be “the closest relative of the last possessor being of the generation that instituted it” – Entail foundation deed (1670–11–03) – VINC004335 GCLS EA/001; ADG-GCG-RV-11, fls. 170–174.

71 For Afonso Eanes Vendeiro, the entail “will always go to the closest relative of my generation and will not go to strangers” – Will chart (1520–09–04) – VINC000707 AEV EA/001a; TT-AA-RA-9, fls. 276–278.

72 As the calculation of marriage impediments, defined symmetrically on the paternal and maternal sides, makes clear. In other words: the founders defined perimeters of kinship, but not all of the kinship networks would fit within entails.



3.2.2 – Masculinity and primogeniture

Once the first appointees and the priority areas for recruitment had been defined, the founders could establish clauses to determine the heir's profile, as well as preferential elements that would contribute to determining who the successor would be if there were more than one person with the same degree of kinship. An extensive set of clauses could be used, cumulatively or combined in different ways, according to the founder's wishes. The two clauses most closely associated with the parental dimension of entails were masculinity and primogeniture. Jurisprudence came to define those entails favouring first-born and male successors as "*morgados regulares*"⁷³. In fact, some founders stress that this is the form of succession of the *morgados* in the kingdom of Portugal, which is perhaps why they don't feel the need to justify these choices⁷⁴. While some institutions refer to only one of the clauses – favouring only masculinity, or defending primogeniture without distinction of gender –, they were commonly applied simultaneously. A combination applied whether the first nominees were sons of the founders or collateral relatives.

Even if they were listed simultaneously, masculinity appeared as the first and most frequent criterion: in light of this tendency, the entail's administrator should primarily be a man. If there were several male candidates, the first-born would be preferred. As stated in the institution made by Pedro de Meneses, captain of Ceuta and count of Vila Real, in 1431, his intention was that the male should exclude the female and the older the younger⁷⁵. This principle should apply regardless of whether the first nominee is a man or a woman. Baltasar Leitão de Azevedo, *fidalgo da casa do rei*, and his wife Joana de Andrade Leitão, in 1610, instituted an entail for their daughter Antónia de Leitão, in which "males would always be favoured over females" and first-borns, "in the form and manner in which the *morgados* of this kingdom of Portugal are succeeded"⁷⁶.

73 Clavero, 1974, pp. 211-217. Bermejo Castrillo, 2009, pp. 586-561.

74 A point emphasised by Rosa, 1995, pp. 102-103.

75 Dowry deed (1431-03-08) - VINC000061 PM EA/002; D'Ornelas-1928-1, pp. 310-319.

76 Entail foundation deed (1610-11-11) - VINC005808 BLAJAL EA/001; TT-HSJ-009, fls. 6v-10v.



Although very rare, some of the institutors considered the scenario of twin children: some preferred that the one born first should succeed⁷⁷; others provided for the twins to be raised together, choosing *a posteriori* the one deemed most suitable for the task⁷⁸.

The prevalence of these criteria makes it possible to state that, for most founders, the ideal successor would be a first-born male. It remains to be seen, in a later part of this work, whether this was more prominent in certain types of foundations or those designed by certain social groups⁷⁹. In any case, the prevalence of these clauses, perhaps due to their more ‘obvious’ nature, is diametrically opposed to the justifications given for them in the documents. Jurisprudence, as we have seen, enshrines this profile as ‘regular’. It is necessary to carry out a sort of archaeology of concepts, the results serving as a backdrop to understand this prevalence.

On the one hand, the progressive ‘masculinisation’ of power may not be alien to this tendency in a markedly patriarchal society⁸⁰, although women were given room for manoeuvre in a variety of circumstances that remain largely unstudied. The dominant values prioritised what was considered masculine. In aristocratic contexts, they reinforced virile and warrior ideals, while also constructing the group's identity, largely based on knightly references, themselves constructors of masculinity⁸¹. This may explain the prevalence of masculinity and primogeniture in the foundations carried out by aristocratic groups. The ‘public’ space was, at least in theory, progressively controlled by men. Women in similar circumstances were exceptions, particularly in contexts of widowhood, which men tried to control. All this coincides, especially in aristocratic families, with the consistent growth of female monasticism throughout the period.

77 Case of Diogo Lopes Pacheco: Entail foundation deed (1389–03–05) – VINC000039 DLP EA/001aa; CP-J1-2-1, pp. 67–71.

78 Case of Álvaro de Sousa and Francisca de Távora: Entail foundation and donation deed (1590–11–08) – VINC001420 ASFT EA/002a; TT-C-F1-D-25, fls. 143–146.

79 Topic 3.3.3.

80 Although the Portuguese and Castilian inheritance systems are apparently more favourable to women than other systems in Europe. In any case, as Ferrer Alós emphasises, one should not look at inheritance regimes simplistically, as a different combination of social practices could produce similar results: Ferrer Alós, 2007, 2014.

81 Aguiar, 2018b. Rodrigues, 2021.



Conventual vows and marriage became the acceptable life solutions for women, and lay celibacy the exception⁸². As will also be seen, generally even female founders, despite the latitude of possible solutions, built institutions in which men had precedence in succession⁸³. This was a world whose vision was by default “androcentric”, as Isabel Melero Muñoz suggests, and this vision had a direct impact when it came to imagining the organisation of kinship relationships within the framework of entails⁸⁴.

In turn, and especially in the context of the transmission of royal power, primogeniture was the object of a theoretical construction. In the Iberian Peninsula, this construction – as well as many others – reached a fundamental milestone in the *Partidas* attributed to King Alfonso X of León and Castile. The argument in favour of succession by the first-born was built on ideas of proximity as ways of determining kinship hotspots. The legislator explains three bases for this hierarchy amongst siblings: nature, law, and custom⁸⁵. As far as nature is concerned⁸⁶, the need arises from the desire of fathers and mothers to have children (“*haber linage*”) to inherit their property; the first born would come closest to satisfying these desires, justifying greater love. Regarding the law, the relationship between Abraham and Isaac is used, emphasising the prominence of this son among the Patriarch’s offspring. The argument from custom centres on what is perhaps the acute question the *Partidas* sought to resolve: while all parents might intend to divide their property among their various children, kingdoms could not be similarly divided; therefore, custom established that it should be the first-born son to succeed or, if there were no sons, the eldest daughter.

The important aspect in *Partidas* that should be emphasised is that the naturalness of succession is based on the eldest sons, depicting them as

82 Sottomayor–Pizarro, 1999, vol. 2, pp. 489–490. Monteiro, 2003, pp. 75–76. Aguiar, 2021, vol. 1, pp. 658–661.

83 Topic 3.3.4.

84 Melero Muñoz, 2019.

85 *Segunda Partida*, title XV.

86 The concept used is “*natura*” and not “*naturaleza*”, which, as M. R. Ferreira demonstrates in a study of Count Pedro de Barcelos’ use of concepts from the Alfonsine legal works, is not a mere semantic detail: the former refers to the order of the world organised by God, an immanent order of the universe, as opposed to “*naturaleza*”, which refers to relationships and hierarchies of a ‘contractual’ or negotiated type: Ferreira, 2015, pp. 62–65.



representants of their fathers, as if they were one and the same person, following the model of the divine sphere of spiritual kinship, in which Father and Son are one and the same person⁸⁷. This was a vital association within this social system, supported by the central Trinitarian dogma, and manifested in the representations of kinship⁸⁸. Its importance will go far beyond the mere definition of poles and proximities that occupies us for the moment. It will decisively structure the relational hierarchy between relatives within entail corporate bodies. The representations of Christianity will thus enrich other constructions recovered from Roman law (such as *pater familias*), adapting them to new contexts⁸⁹.

Such ideas could develop in these terms because, in this patriarchal and androcentric world, theories on the engendering of persons attributed different and hierarchical functions to God and the parents and, within the couple, the father provided the form, which was superior to the matter provided by the mother⁹⁰. There was certainly an intertwined relation between these cultural constructs and the development of the historical actors' practices, undoubtedly correlated and mutually fuelled. They circulated and fuelled somewhat widespread representations of the world, to which the founders studied in this book were no strangers to. The aristocratic institutors who were grantees of the Crown's estates were also affected, from the early 15th century onwards, by the "*Lei Mental*". Although the practice was always susceptible to exceptions granted by the monarchs, this law stated that the succession of Crown estates would always go to first-born males, and that in the absence of such descendants these estates would return to the Crown. Bearing in mind the importance of these assets – lordships with broad jurisdictional powers, as well as tax and judicial rights of various kinds – in moulding the aristocratic groups in the social spaces built around the monarchs⁹¹, and given that these

87 "Ca segunt los sabios antiguos mostraron, el padre et el hijo asi son como una persona, pues que dél es engendrado et rescibe su forma", *Segunda Partida*, title XV, law I.

88 Baschet, 2000, pp. 330–343. Baschet, 2006, pp. 637–687.

89 A dimension to which the historiography of law and of the early modern period makes important contributions, the works of Clavero, 1986; 1992; 1993–94 being absolutely central. See topic 4.2.

90 Baschet, 2016. In the Hispanic world, this second view remained predominant, starting with the *scriptorium* of Alfonso X of León and Castile, emphasising that one of the consequences of this distribution of roles was the superiority of the father's love: Quiroga, 2007.

91 Monteiro, 2001, pp. 25–27. Cunha, Monteiro, 2010. Aguiar, 2021, vol. 1, pp. 198–260.



same grantees possessed and founded entails, one can hypothesize that the possession of Crown estates under those conditions was yet another channel for inculcating the principles of primogeniture and masculinity as idealising factors in the construction of the heir's profile, and the succession mechanisms that hierarchized relationships within kinship groups.

The circulation of the elements suggested here will demonstrate the background against which the institutors clearly favoured succession mechanisms based on masculinity and primogeniture. In any case, the 'archaeology' of these concepts requires further investigation. If gender as an analytical category has entered historiography in recent decades, bringing new contributions and fresh perspectives, the anthropological and legal foundations of primogeniture, and its translation into specific social configurations, remains largely unresearched and misunderstood beyond what appears to be their obvious social diffusion.

3.2.3 – Female lines: between reserves, exclusion and preference

If the *Lei Mental* was highly restrictive for women, this was not the case with entails. The place occupied by women in these institutions can be characterised as follows: in the overwhelming majority of cases, women were seen as reserves, called upon to succeed in the absence of men, under different priority configurations. Only in very rare cases were they completely deprived of succession capacity, and only very rarely were they designated as preferred successors⁹².

In the more regular circumstances, the founders with several descendants would allow succession to one of the daughters, if the sons died⁹³. In others, succession was only authorised through one of the daughters if there are no male children or grandchildren⁹⁴. In yet other cases, probably

⁹² Consider the similar observations in the case study by Solignat, 2012.

⁹³ Within the sample, all along the chronology, the social groups, and the type and scale of the entails. One example, among many, is the entail established by Diogo de Castro Pacheco and Jerónima de Castro: Will (extract) (1580-03-08) – VINC002683 DCPJC EA/004; TT-HSJ-155, fls. 153v-154.

⁹⁴ For example, Gaspar Lopes de Murga did the same: Will (extract) (before 1600-10-02) – VINC005743 GLM EA/001a; TT-HSJ-004, fls. 180v-183.



with proper legal advice and attempting to foresee possible inheritance disputes, the value and precedence of each possible line of descent was clarified. In 1590, Álvaro de Sousa and Francisca de Távora clarified that male lines of descent would take precedence over female lines, meaning that “a fêmea que for filha de macho seja reputada por macho e o macho que for filho de fêmea seja reputado por fêmea”⁹⁵. This could also involve nobiliary beliefs, although very rarely formulated declaratively, regarding blood and its origin and transmission by the paternal or maternal line. In 1560, Martinho Afonso de Sousa and Ana Pimentel made similar considerations in the institution they established. The justification they gave for the precedence of the son’s daughter over the daughter’s son, in the event of a succession dispute, used symbols typical of nobiliary thinking, favouring succession to the granddaughter over the son’s daughter because the blood “dos Sousa de minha linhagem”⁹⁶ would be transmitted through the paternal line, which would be diluted if transmitted through the female line⁹⁷. Finally, the articulation between several variables – kinship proximity, preference for a male successor, and women as a reserve – could also be manoeuvred in the sphere of collateral kinship: certain founders preferred a more distant male relative over a closer female⁹⁸ – a definition that, as will be seen in the study of judicial documentation, was the subject of frequent disputes between relatives.

This resulted in women’s subordination, which for some institutions was not complete because they continued to be seen as a reserve, even if sometimes a very remote one. Perhaps this concern is clearer in institutions with strong identitarian constructions. In such circumstances, clauses for the transmission of the surname and the coat of arms also specifically

95 “The female who is the daughter of a male is reputed to be a male and the male who is the son of a female is reputed to be a female”, in Entail foundation and donation deed (1590-11-09) – VINC001420 ASFT EA/002aa; TT-C-F1-D-25, fls. 143-146.

96 “Of the Sousas of my lineage”.

97 Will (1560-03-08) – VINC002952 MASAP EA/003; Furtado, 2015.

98 Jorge Lopes Gavicho and Maria Nunes declared that they had no children other than António Lopes, who was appointed as the first administrator of the *morgado*, “so that it may always run in his generation and descent by direct line”, preferring the elders and the men to the women. Male preference also applied in circumstances of more remote degrees: “even though the female is closer in degree counting according to civil law” – Entail foundation deed (1630-04-02) – VINC002018 JLGMNALG EA/001ab; TT-C-F3-D-24, fls. 231v-236v.



provided for female succession. For the founders, their line of descent and the group's intrinsic identity symbols were threatened in this scenario by a stronger pole, that is, by the symbols of the heiress's husband. This was a specific solution for groups that, either due to old traditions or the dynamics of upward mobility, invested more in identitarian devices. This type of clause emphasises a distrust in female succession, perceived as a potential fragility of the various elements intrinsic to the corporate entity. This is very clear, for example, in the foundation established by Afonso Mexia in 1550⁹⁹. For this nobleman and *fidalgo da casa do rei*, succession belonged to men and first-born children, with women only succeeding in their absence. If they succeeded and married a man who owned an entail with a clause obliging him to use a specific coat of arms and surname, the founder designed several hypotheses: if the couple's first-born son was obliged to use the paternal symbols, the second-born son would succeed, or even a daughter, giving full continuity to the Mexia coat of arms and surname. In a scenario of female succession, perceived as more fragile, clauses would avoid the extinction of the founder's symbols and memory. Finally, the perception of this fragility and the need to establish control mechanisms is also evident in marriage clauses. Although this is not exclusive to female succession, it is more common for female heirs to have to marry with the consent of their relatives¹⁰⁰.

In any case, this implicit mistrust only rarely led to the total exclusion of women's capacity to succeed. In fact, men were not the only founders that excluded women: Ausenda Eanes Leonardes, in 1325, stipulated that women had no capacity to succeed to the chapel she was establishing¹⁰¹. The fairly complete institution created, between 1446 and 1452, by Leonor de Meneses (daughter of the first captain of Ceuta, Pedro de Meneses), outlined several alternative lines, but women were stripped of their capacity to succeed: if those lines were exhausted, the king should give the entail to who was considered the closest to her fathers legitimate

99 Entail foundation deed (1550-10-03) - VINC001401 AM EA/001a; TT-IMC-NA-213, fls. 1-7v.

100 A way of regulating behaviour within the parental structure of the entail corporate entity that will be analysed in the next chapter: topic 4.6.2.

101 Will (1325-10-22) - VINC000652 AEL EA/004a; TT-AA-RA-3, fls. 329v-332.



line, with the obligation to use the surname and coat of arms¹⁰². Similarly, Gonçalo Dias de Abreu, in 1640, excluded female succession “por certos respeitos que a isso me movem”¹⁰³, preferring that, once the male lines had been exhausted, the assets should be handed over and administered by the *Misericórdia* of Crato¹⁰⁴. In line with the relation established above between female succession and the loss of identity considering the strength of the husband’s parental group, José Caires, in 1700, emphasised that women would always be excluded from succession, and that the entail should be held by a male relative who had to be called Caires¹⁰⁵.

Equally rare (only 13 cases), but interesting for what they reveal about the plasticity of entails moulded under the full authority of the founders, are the institutions that favour female succession. In this research’s sample, with one exception from the 14th century¹⁰⁶, these cases are from the 17th century, a time when the number of institutions increased exponentially. A significant proportion (5 out of 13) had female founders. These choices were not always clearly justified, but it is possible to construct some interpretative hypotheses. The earliest foundation, established in 1341 by the Lisbon merchant Raimundo Eanes, was done in several stages. The disposable portion of his inheritance was set aside for the institution with the objective of, among other things, supporting his daughters if they lived in poverty, became widows, or were abandoned by their husbands. Only then were the sons Estêvão Raimundo and Afonso Raimundo to set up a “capela ou albergaria ou sucessão”, which they would own during their lifetimes and later pass on to a legitimate daughter¹⁰⁷. The property served, both in the pre- and post-entailment phases, as a mechanism to ensure the women’s proper support.

102 The wills and codicils were drawn up between 1445 and 1452 and incorporate into the *morgado’s tombo*: Tombo (1495 – 1521) – VINC001635 LMAV EA/004; TT-CA-086-259-4843. A transcription, using another copy of the same document, was published by Moura, 2018.

103 “For certain reasons that move me to do so”.

104 Will (1640-08-31 - 1640-05-05) – VINC005500 GDA EA/001; ADPTG-PCP-005, fls. 314v-316.

105 Will chart (1700-02-20 - 1700-02-27) – VINC001290 JC EA/001; TT-AA-RA-26, fls. 19-20.

106 This is the case of the entail established by Raimundo Eanes and Afonso das Leis: Will (1341-10-10) – VINC000105 REAL EA/004a; TT-HSJ-1191, fls. 151v-155v.

107 Document cited in the previous note.



The sample also shows that this limited set of female foundations was made in areas where sources survived in greater volume, such as the Azores and Portalegre. In these cases, the foundations, also realised by women, were set up in densely entailed regions (especially the Atlantic islands) where power networks were very endogamous¹⁰⁸. Women's foundations are small institutions, perhaps designed for side branches of lineages, providing them with means of support since the group's central axes were already structured around one or more main entails. The conditions we listed above explain why these foundations did not encompass particularly significant estates, nor did they stipulate sophisticated clauses designed to prolong identity symbols. Often, they limited their concerns to pious legacies for the souls of the founders and were also often quite simple¹⁰⁹. Moreover, apart from two cases, these foundations were classified as “*capelas*” and not as “*morgados*”¹¹⁰.

Possibly the most fruitful angle of analysis for understanding these institutions lies in the conception of entails as a legal resource, whose use mobilised various dimensions, including kinship, but that could be employed for different purposes. In this small sample of female succession foundations, the purpose of power and identity, especially of nobiliary symbols, does not appear to be fundamental. However, they are no less revealing of female agency, designed for other purposes, as illustrated by a specific case. In Évora, in 1610, two women joined forces, although the document does not mention any kinship ties. Feliciana Ribeiro and Maria do Avelar declared themselves to be single women; Feliciana had an inn in the city and Maria an adjoining house. Both women expressed their desire to unite these properties and “institute a chapel in them so that as long as the world lasts, ten masses may be said for their souls and for all their dead”. Feliciana Ribeiro would be the first administrator, succeeded by

108 The best-studied case is the Azores: Rodrigues, 2002, 2013.

109 For example, see the institutions of Sebastião da Costa Arruda: Codicil (1610-10-19) - VINC002356 SCA EA/002a; TT-MC-V-PDL-23, fls. 68-69; and Graça Torres: Will (extract) (1640-09-26) - VINC007407 GT EA/001; TT-CNSCL-090, fls. 81v-82.

110 The exceptions are the entail instituted by Luzia de Vasconcelos on Terceira Island: Will (1640-09-30) - VINC003954 LV EA/001; BPARLSR-GCAH-RV-4, fls. 83-86v; and the entail instituted by Maria Velez in Portalegre: Will (1700-09-21) - VINC004229 MVMG EA/001a; ADPTG-PCP-001, fls. 10-12v.



Maria do Avelar and her children, should she have any. The chapel would be owned by the eldest daughter, and the preference for female succession in this institution built by two women is emphatically stated: “even if there is a male child, she will always precede the male”. The somewhat special circumstances of these foundresses may explain an equally different choice of succession mechanisms.

3.2.4 – Appointing the successor

In the sample of foundational documents we have compiled, around 15%, distributed throughout the chronology, stipulate that the succession of the entail should be made by appointment: the last possessor appointed the person who would succeed them in the task. This clause was imposed whether the founders had appointed a son or daughter as the first administrator, or whether they had named a brother, nephew, or cousin, although collateral relatives appear in this sample in greater numbers. In any case, this clause was most often complemented by other mechanisms that either defined preferential recruitment universes or conveyed ways of establishing who would be the successor if the last administrator failed to appoint someone. Here too, the masculinity and primogeniture clauses were more significant, acting as a sort of reserves: if the administrator failed to appoint a successor, male and first-born relatives were nominated, since this is the ‘regular’ form of succession according to jurisprudence¹¹¹. Conversely, some founders allowed nomination if the administrators had no descendants or close relatives¹¹².

¹¹¹ João Frade de Pina, institutor of an entail in Abrantes, left his property to his daughter Isabel de Almeida, granting her the power to appoint a son or daughter to succeed her before her death. If she didn’t, the first-born son or daughter would succeed her – Will chart (1620-06-16 – 1620-06-20) – VINC001967 JFP EA/001a; TT-MC-V-STR-15, fls. 5-10. Simoa de França, institutor of an entail in Tavira, appointed her nephew Belchior da Franca as administrator, to be succeeded by the son he wanted to appoint; if he didn’t, the first-born male son, or alternatively the daughter, had priority, “and from then on his heirs in the manner declared until the end of the world” – Will chart (1580-02-05) – VINC002375 SF EA/001a; TT-FC-CC-4, fls. 215v-218.

¹¹² João de Atouguia, who lived in Lisbon, left the entail to his *criado* Gonçalo Eanes. On his death, it would pass to his first-born son. If he had no descendants, he could appoint someone to the position, on condition that they were lay and suitable to fulfil the duties – Will (1471-11-26) – VINC001943 JA EA/002a; TT-HSJ-1188, fls. 204v-207.



Often, the first limitation in entails primarily intended for appointment is the obligation imposed on administrators to choose a relative, descendant, or collateral. The concern is not clearly stated, but there seems to be an underlying intention to avoid giving the entail's administration to 'strangers'. Similarly, the ability to appoint was also a way of increasing the power of parents over their children: since the latter were subject to their choices, they would have to continue to be obedient. From the perspective of the entail's good administration, with its many implications, it was also a way of choosing the most suitable person. Several cases of this kind can be presented:

- In 1550, António de Sá established that the most suitable son should be chosen as successor¹¹³.
- In 1617, Pedro Machado and Isabel Francisca emphasised that the entail they were founding would be of appointment so that the children would be more obedient to their parents¹¹⁴.
- In 1682, Gonçalo Barbosa specified that the entail had to be passed on to his legitimate offspring, namely to the most obedient son or daughter and understood to be best suited for the task¹¹⁵.

This kind of clause also had the advantage that it could be applied in particularly difficult succession circumstances, allowing administrators to appoint a collateral relative they deemed most suitable in the absence of descendants. In 1569, Lourenço Leitão allowed that, in the absence of descendants, brothers, or nephews, a male relative could be appointed within the fourth degree, as long as he was the "mais honrado e rico" and used the surname Leitão¹¹⁶. Other founders allowed a "stranger" to be nominated if there weren't any close kin, even though the choices should theoretically be subordinated to the nominee's moral character. This is how Isabel de Serpa and Margarida Andrade proceeded in 1530: although

113 Entail or chapel foundation deed (1550-08-03) - VINC005212 AS EA/001; SGMAI-GCVC-RV-9608-50v-53v.

114 Entail and chapel foundation deed (1617-03-09) - VINC004274 PMIF EA/001a; UM-ADB-MAB-JR-B-7, fls. 28v-34v.

115 Chapel foundation deed (1622-02-23) - VINC004819 GB EA/001a; UM-ADB-MAB-JR-B-745, fls. 211-217.

116 "The most honourable and wealthy". In Will (1569-07-20) - VINC005864 GL EA/002a; TT-HSJ-012, fls. 59-69v.



they preferred the entail to be passed on “na geração de ambos”, they allowed “uma pessoa boa e de boa consciência que cumpra estes encargos” to be appointed if there were no relatives¹¹⁷.

In short, conferring the ability to appoint a successor was not, in most cases, unconnected to a preference exercised within consanguineous kinship networks. Once again, this defined hotspots primarily determined by proximity: first the descendants, then the collaterals, and only then, once the more remote degrees were exhausted, the ‘strangers’. However, both must obey moral criteria that filter these relationships: the ability to correctly manage the entail; and obedience of the presumed heirs towards their parents, if they couldn’t rely on automatic succession. The aim, therefore, was to ensure an additional way of facilitating succession, of finding an administrator who would provide continuity, and of affirming the founder and their successors as the organising poles of their parental groups, providing them with instruments for controlling succeeding generations.

3.2.5 – The legitimacy of the heir

Legitimacy, along with other physical and moral characteristics¹¹⁸, was usually part of the idealising marks of the entail administrator. It was part of an increasingly marked social valorisation of the legitimacy of birth and, conversely, the theoretical exclusion of illegitimate people from inheritances¹¹⁹ and from a series of positions and offices in the Church and in the Crown’s institutions. In the organisation they imagined for their kinship groups, the founders integrated a conjugal model that engendered offspring according to the vision progressively imposed by the ecclesiastical hierarchies: that is, framed by the marriage sacrament¹²⁰.

¹¹⁷ “In both their generations” they allowed “a good person of good conscience to fulfil these duties”. In Will (1530–08–18) – VINC007042 ISMA EA/001a; TT–HSJ–1192, fls. 123–126.

¹¹⁸ Rosa, 1988.

¹¹⁹ However, it did not eliminate the “*direito de alimentos*”: Hespanha, 1993, pp. 956–957.

¹²⁰ For some years now, historiography has taken a renewed interest in the subject, focusing on the progressive construction of the notions of legitimacy and illegitimacy, but also on a dialectical analysis between norms and social practices. See C. Avignon’s considerations in the book she co-ordinated, bringing together studies on this subject in Western Europe between the Medieval and Early Modern periods: Avignon, 2016.



Historiography shows how this model transformed the previous practices of the dominant groups¹²¹, royal and aristocratic, and how these used kinship ties in power relations¹²². Concomitant with the imposition of ecclesiastical and royal legislation on this matter, royal letters of legitimisation, especially from the late 13th century onwards¹²³, were perceived as a means to eliminate this ‘stain’, particularly in matters of succession. Nevertheless, the aforementioned *Lei Mental*, from the early 15th century, also imposed legitimacy of birth as a criterion for possession and transmission of the Crown’s estates. For all these reasons, illegitimacy could have very serious implications for inheritance processes and become a potentially disruptive factor.

Among the almost eight hundred institutions analysed, around one hundred contain the heir legitimacy clause. Its inclusion could result in different configurations. For certain founders, illegitimacy of birth was a criterion of total exclusion, and people born this way were not allowed to succeed even if they had been legitimised by the king. Exceptions were sometimes made in the first generation, certainly depending on the relationship between the founders and the illegitimate offspring, imposing a fixed criterion for future generations. These conditions were stipulated, for example, in the institution established by Gaspar Vaz Rebelo: while he admits that his sons’ bastard children could succeed him, he makes it clear that, from then on, only children of legitimate marriage would succeed, revoking succession to illegitimate persons, even those who had obtained royal legitimisation¹²⁴. Legitimacy often completed an inheritance profile which, like the one we’ve been describing so far, was characterised primarily by masculinity and primogeniture¹²⁵. Considering the problems that could arise from an illegitimate succession, the profile the founders wanted to impose on the heir to

121 See Sottomayor-Pizarro, 2022.

122 The work of I. Calderón Medina on the use of concubinage by Iberian kings between the 11th and 13th centuries to define areas of territorial influence is extremely enlightening. It was published in a dossier she coordinated on illegitimate kinship in the medieval Iberian Peninsula: Calderón Medina, 2022.

123 Ventura, Matos, 2013.

124 Will chart (1557-04-21) – VINC005838 GVRFR EA/001; TT-HSJ-011, fls. 1v-15.

125 In the institution of João Rodrigues Caixeiro’s entail, the assets were entailed, excluding illegitimate relatives from the succession and giving preference to the first-born sons or, in the absence of men, to the first-born daughter: Will chart (1590-11-07) – VINC000844 JRC EA/001aaab; TT-AA-RA-3-164v-165v.



the entail – and also as a condition for its continuity – was primarily that of a legitimate lay man capable of passing on the succession. This is why the clauses of legitimacy and the exclusion of clerics from succession frequently co-occurred in the same institutions¹²⁶. The underlying concern was, as Cristóvão de Brito stressed in 1560, to establish a *morgado* “para casados e descendentes legítimos”¹²⁷.

In any case, even in this issue, the more cautious founders, or those who had recourse to specialised legal support, could come up with different formulations, subordinated to the intention of prolonging the entail’s existence and mitigating sources of possible disputes, as much as possible. For them, illegitimacy, being a minorizing blemish, did not completely eliminate succession capacity. In line with the principle of defining hotspots according to proximity and other criteria, priority circles were also drawn, in varying forms. In 1550, Luís Ribeiro and Isabel Pacheco allowed bastards to succeed in the absence of children born of legitimate marriage¹²⁸. And Gonçalo Barbosa, in 1682, established a hierarchy among illegitimate children¹²⁹: first the natural sons would be favoured, then the spurious children, and only then those born of incestuous connection¹³⁰. It should be remembered that the definition of incest was much broader than in our own societies and included connections by consanguinity and affinity up to the 4th degree, as well as baptismal kinship, that had not been subject to canonical dispensation.

3.2.6 – Clerics in succession schemes

The previous quote taken from the institution of Cristóvão de Brito’s entail in 1560 may provide a framework to understand the intention that

126 Among several possible examples, we can mention the institution of Álvaro Garcia Mendes and Catarina Gomes Garcia, which forbids religious and illegitimate children to succeed: Will (1687-04-10) – VINC004562 AGMCGG EA/002b; ADPTG-PCP-002, fls. 199v-202v.

127 “For married couples and legitimate descendants”, in Entail foundation deed (1560-03-21) – VINC002755 CB EA/012; ADPRT-GCP-RV-C/4/1/4-4833, fls. 18-25.

128 Entail foundation deed (1550-11-07) – VINC004976 LRIP EA/001a; TT-GCL-RV-97, fls. 14v-26.

129 A hierarchy that can be detected since the end of the Middle Ages in Castile: Dacosta, 2022.

130 Chapel foundation deed (1682-02-23) – VINC004819 GB EA/001a; UM-ADB-MAB-JR-B-745, fls. 211-217.



led several founders to exclude clerics from the succession: they wished entails to be possessed by someone capable of producing a legitimate heir, creating a succession line through consanguineous relationships. Whenever it is invoked in the foundational documents (as in the legitimacy of the heir described above), the exclusion of clerics from succession co-occurs in the same documents with other clauses, namely masculinity, primogeniture, and the obligation of legitimacy. In other words, both the exclusion of clerics and the obligation of legitimate birth are normally part of institutions in which a significant variety of clauses are laid down to predict and shape succession, guaranteeing permanence, establishing hierarchies, and seeking to mitigate any disputes. This is not to say, however, that in these foundations relatives who were clerics were excluded from the corporate entity. On the contrary, there were founders who, even if they excluded clerics from the administration, stipulated that if there were such men among his relatives, they should be favoured as chaplains and charged with celebrating the masses, receiving the appropriate payment¹³¹. Sometimes, a perimeter of priorities was also demarcated: although subordinate to the most important characteristic governing the choice of a cleric as chaplain, namely his suitability – in line with the principle guiding the choice of people in the ecclesial sphere¹³² –, a blood relative would be preferred over a servant or a “stranger”¹³³.

The mechanism generated a kind of familial prebend, identified in the literature¹³⁴. It became nevertheless more complete when the founders favoured clerics to administer the entail. In our sample, such cases are quite rare (16), spanning across the chronology and almost always referring to entails with incipient clauses regarding the structuring of kinship, revealing that the foundations’ core resided in the pious legacies for the benefit of the souls of the founders and their ancestors. These founders were not necessarily clerics but could also be lay men and women.

131 As Salvador Mendes and Maria Pires: Will (1320–07–02) – VINCO01297 SMMP EA/006; ADPTG–PCP–006, fls. 61–63v.

132 Authors such as J. Morsel to propose a concept such as “déparentalisation” for the functioning of ecclesiastical hierarchies: Morsel, 2007, pp. 118–120.

133 This is imposed on the institution of Luís Ribeiro and Isabel Pacheco: Entail foundation deed (1550–11–07) – VINCO04976 LRIP EA/001a; TT–GCL–RV–97–14v–26.

134 Aspect identified in the Spanish bibliography: Pro Ruiz, 1989, pp. 587–589. Soria Mesa, 2002, pp. 137–141. Note to the study by Fernandes, 2012.



In most cases they appointed collateral relatives, but they also named children. In addition to the preference for clerics stipulated in the clauses of succession, the first to be appointed were already clerics themselves, accumulating the duties of administering the estates with the celebration of masses, for which they received payment. In her will dictated in 1580, Isabel Tavares established a chapel in the church of S. João Batista in Alegrete. Declaring that she had no relatives up to the 4th degree, she appointed Manuel Martins as administrator, stipulating that her son Pedro Soilheiro would become a cleric. He would celebrate the masses for Isabel's soul and become the entail's administrator. Before he died, Pedro was to leave the entail to a cleric related to him¹³⁵. In 1610, Constança Lourenço Freire also stipulated that after the death of her nephew and first administrator, Father Vicente Ferreira, a cleric relative should succeed him by appointment¹³⁶.

The explanatory hypothesis for these choices probably lies in the reason for the foundation. If it was established essentially for pious purposes and for the salvation of the founders' souls, then the kinship structures would function essentially as support, as dimensions that were intrinsic but subsidiary: administrators and/or chaplains could be found in these structures and appointed, supporting the future of kin who desired to dedicate themselves to this spiritual occupation, and possibly trusting that blood closeness would encourage these administrators and chaplains to perform a proper administration of the estates and a strict observance of the pious duties. This may also explain the regular mention of the suitability of these administrators and chaplains as a primary characteristic, blood relations not being an absolute criterion. In any case, these operations also demonstrate the fundamental authority of the founders over the theoretical flexibility of entail clauses, and the different purposes that could be encompassed within the corporate entities thus formed.

135 Will (1580-10-14) - VINC004584 ITMM EA/001a; ADPTG-PCP-002, fls. 250v-251v.

136 Chapel foundation deed (1610-01-08) - VINC001622 CLF EA/001a; TT-FC-CC-4, fls. 269v-270v.



3.2.7 – Uncles, nephews and the right of representation

Generational differences could be a source of contention in the transmission of inheritance. While Portuguese inheritance law enshrined the rights of a deceased son's descendants to the inheritance of his grandparents¹³⁷, the transmission of indivisible assets posed different problems. The crux of the difficulty lay in establishing the precedence of succession: where did the children of the first-born son stand if their father died while the grandfather was still alive without having succeeded him? Did uncles take precedence over nephews? Should nephews have priority? Were there gender differences in the regulation of these schemes? These questions also had a bearing on sensitive issues in the organization of kinship, namely the timings of the transmission of inheritances and the assignment of lay or ecclesiastical roles to each descendant¹³⁸.

The *Lei Mental*, which regulated the principles of the transmission of Crown estates from the 15th century until the end of the *Ancien Régime* – and that affected some of the characters included in this study, both holders of such property and founders/administrators of entails – gave precedence to uncles, as direct descendants of the estate's last possessor; aunts were excluded, as Crown estates should only be owned by men. The wording of the law should not, however, be seen as rigid. In practice, there are known understandings between the relatives and monarchs that benefited nephews through first-born sons to the detriment of uncles, or that allowed female succession, depending on the marriage contracted for that woman¹³⁹.

The recognition of this point of possible friction between close relatives was certainly implicit and a backdrop to the different solutions followed by the historical actors. A preference for children of first-born sons over uncles would be enshrined using a 'legal fiction' recovered from Roman

137 Cases described in Sousa, 2000, 256–257; Sottomayor-Pizarro, 1999, vol. 2, p. 575.

138 As A. Rouillet's article on the relationship between the Sottomayor, a lineage from Extremadura, and the Franciscan order shows: Rouillet, 2021.

139 On the wording of the law and different understandings between relatives and monarchs, between the 15th and early 16th centuries: Aguiar, 2021, vol. 1, pp. 181–194.



law, namely the right of representation¹⁴⁰. The first institution in our research to enshrine the preference of nephew over uncle is quite premature. In 1317, the bishop of Évora Geraldo Domingues set up a *morgado* in Medelo, appointing his nephews Vasco Martins, Estêvão Domingues and Vicente Domingues as the first administrators. The first two were clerics, and the succession “*per rectam lineam*” was to begin with Vicente. Among the various succession clauses, the son’s son was preferred over the uncle¹⁴¹. In later foundations, from the 16th and 17th centuries, this preference was effectively crystallised under the legal concept of representation, as in the institutions established by Rui Brandão, in 1568¹⁴², and by Manuel da Silveira Frade, in 1620¹⁴³. The concept also took root thanks to its regular use in court documents, produced to settle succession disputes that often involved people with these kinship relationships against each other.

Even so, the inclusion of clauses favourable to nephews, whether or not they explicitly mention the right of representation, was somewhat rare. Unsurprisingly, all the founders who used this clause simultaneously signalled a preference for succession schemes based on primogeniture and masculinity. Among men of the Church, of the law, of the nobility and with a seat on the king’s council – in short, individuals from aristocratic strata, all the founders who used this clause framed it within fairly complete institutions, imbued with identity characteristics and well-defined succession mechanisms. They were usually charters of institution, not wills, which implies that these were foundations thought out in advance, through timely and meticulous planning. To clarify how to proceed in the context of a possible dispute between relatives, they may have received advice from jurists and

140 Rosa, 2010, p. 33, note 10.

141 VINC000009: Donation deed (1317-04-28), Torre do Tombo, Cabido da Sé de Lamego, lv. 47, fl. 29.

142 In the institution of Rui Brandão, in Porto, is stated “always preferring the son of each of those who die during the life of the father to the uncle representing the person of the deceased father”: Entail foundation deed (1568-11-24) – VINC002772 RB EA/002; ADPRT-CSFP-K-20-6-97, fls. 332v-365.

143 The institutor prefers the grandson or granddaughter of the firstborn who died during the father’s lifetime to succeed the uncle, invoking the right of representation and emphasising that it applies even in circumstances where the successor is a woman – “because this is what they want and order that this representation should take place in this manor, even though the people who are to represent their fathers are female, with such a declaration that in the descendants of the said Martinho da Silveira Frade, even if they are transversal, it should take place forever”: Entail foundation deed (1620-12-19) – VINC002082 MSFMSF EA/001aa; TT-C-F3-D-2, fls. 177-184.



other legal experts, who were familiar with the recurrence of this type of dispute and the legal arguments used to solve it. An example can be found in the institution established by Manuel da Silveira Frade, *fdalgo da casa do rei*, together with his first-born son Martinho da Silveira Frade, in 1620¹⁴⁴.

Conversely, and in line with the precepts of the *Lei Mental*, several institutions – more numerous, but still rare in the sample – explicitly preferred the more senior generation. The uncle took precedence over the son of the heir presumptive who had died during his father's lifetime, as happened in Álvaro Cardoso's institution in 1520¹⁴⁵. In 1550, António de Sá recognised this same capacity of uncles and aunts over nephews and nieces descended from the firstborn who had died in the meantime¹⁴⁶. Seniority was linked to precedence by gender. Some founders preferred uncles but used the right of representation to attribute precedence to a nephew over an aunt. A founder like Afonso Mexia, in 1550, gave preference to the uncle over the nephew, but favoured the succession of a nephew who was the son of a first-born daughter if the latter only had sisters¹⁴⁷. In the same year, Luís Ribeiro and Isabel Pacheco made it clear that they preferred the nephew, son of the first-born, to the uncle, reversing the order if the first-born only had daughters, and preferring nieces to aunts¹⁴⁸; in 1560, Cristóvão de Brito favoured the uncle to the niece, but preferred the nephew to the uncle¹⁴⁹, as did Álvaro de Sousa and Francisca de Távora in 1590¹⁵⁰.

144 Entail foundation deed (1620-12-19) - VINC002082 MSFMSF EA/001aa; TT-C-F3-D-2, fls. 177-184: they prefer the grandson or granddaughter of the firstborn who dies during the father's lifetime to succeed the uncle, invoking the right of representation and emphasising that it applies even in circumstances where the successor is a woman.

145 Entail foundation deed (1520-08-30 - 1520-09-04) - VINC006277 AC EA/001aa; TT-FC-TD-276, fls. 51-53v.

146 Entail or chapel foundation deed (1550-08-30) - VINC005212 AS EA/001; SGMAI-GCVC-RV-9608, fls. 50v-53v.

147 Entail foundation deed (1550-10-03) - VINC001401 AM EA/001a; TT-IMC-NA-213-1-7v.

148 Entail foundation deed (155011-07) - VINC004976 LRIP EA/001a; TT-GCL-RV-97-14v-26.

149 Entail foundation deed (1560-03-21) - VINC002755 CBEA/012; ADPRT-GCP-RV-C/4/1/4-4833, fls. 18-25.

150 Entail foundation and donation deed (1590-11-08) - VINC001420 ASFT EA/002aa; TT-C-F1-D-25, fls. 143-146.



What could dictate these choices, within the scope of their diversity? The institutions don't justify these choices, so it's necessary to establish relations and look for explanations. If, on the one hand, their inclusion did indeed take place in carefully planned institutions, regularly run by privileged groups, on the other hand, can further observations explain the different configurations of these clauses? The issue of gender comes to the fore: there are institutions that shaped their regulations according to gender, favouring the appointment of a male administrator. This view is in line with what was already outlined about the preference for masculinity that characterises most institutions. The preference for uncles could be explained by the desire to ensure that the heir was a more senior figure, in a generational precedence that, given the unpredictable and unstable demographic situation that affected these societies¹⁵¹, was fully justified, particularly to defend the familial bodies against external contenders. The prevalence of nephews could also be based partly on the experience of demographic constraints, ensuring that a young man capable of marriage and procreation would succeed, rather than a single, older uncle. Such choice could also have been underpinned by an effective belief in the power to ensure a line of succession through the first-born lines, if only as a representation that hovered over the mental horizon of the historical actors. In the wake of the theoretical elaborations on the transmission of crowns referred earlier, greater proximity was attributed to first-born lines.

3.2.8 – Cold spots: the excluded relatives

Thus far in the description we have observed the clauses that defined the hotspots within the parental universe and the establishment of criteria

¹⁵¹ Demography is no longer a relevant topic in many studies, but it is a fundamental framework for understanding the social dynamics articulated with the will of the founders. The research carried out by Framiñán Santos and Garazo Presedo on the nobility of Galicia clearly demonstrates the link between demographic constraints and succession mechanisms, in a chronological panorama like the one followed in this book: Framiñán Santos, Garazo Presedo, 2005. In his overview of the family in France from the Middle Ages to the 19th century, J. Viret emphasises the importance of taking this variability into account: Viret, 2014, pp. 118–160, 316–357. Although using somewhat more uncertain data from genealogical literature, J. Boone's observations on the Portuguese nobility of the 14th–16th centuries are relevant to understanding this subject: Boone, 1986.



for choosing successors. All of these operations are part of a positive statement, clarifying who will be the heir and the perimeters within the parental universe included in that category, in a scope designed for perpetuity and anticipating the need (vital for the existence of the entail and its intrinsic purposes) for as many lines of succession as possible in order to deal with the randomness of succession, mitigate conflicts, and ensure succession. The negative aspect of this action is what can be catalogued as the definition of ‘cold spots’, i.e. relatives and lines of descent explicitly excluded by the founders. This operation is also part of the founder’s vast power. Positive and negative clauses, in different ways, reveal the implicit decision to define perimeters of who can be admitted to or excluded from the corporate entity.

Exclusions, however, were rarely used by the founders (only nine cases between the 15th and 17th centuries, in a sample of around 800 institutions). Finally, they reveal, albeit in extreme and rare circumstances, that recognising the existence of blood relations between people, and sometimes in very close degrees, was not always equivalent to absolute agreement between them, even leading certain founders to prefer other alternatives. This circumstance, in any case, only reveals the limits of consanguineous relationships, and does not deny their obvious and fundamental importance for entail institutions, and the moulding they underwent through this framework.

The process consisted of excluding certain people, and sometimes their lines of descent, in perpetuity. The sphere of relationship is sometimes a little vague, as when Manuel Duarte Pinto, in 1670, excluded Jorge de Beto even though there were no other relatives to succeed¹⁵²: the existence of a relationship is implied, without specifying its nature or degree of closeness. But it could be quite close: in 1412, the canon of Porto Rui Gonçalves excluded his brother Gonçalo Rodrigues and his descendants, “posto que seja meu irmão”¹⁵³. In other situations, there were family disagreements, declared or implied, that underpinned the choices: in 1422, Fernando

152 Will (1670-04-17) – VINC004959 MDP EA/001; ADG-GCG-RV-1, fls. 152v-155v.

153 “Even if he is my brother”. VINC002484: Will (1412-05-04), Biblioteca Pública Municipal do Porto, ms. 1923, fls. 373-380.



Lopes Lobo excluded Lopo Fernandes and his entire generation “pelo que ele sabe”¹⁵⁴; in 1530, Mécia Dias prevented Isabel Antunes and her descendants from being administrators, not forgiving the “desobediência que teve a seu pai e a mim testadora em casar contra nossas vontades”¹⁵⁵. We can intuit that these choices also reveal tensions inherent in family relationships, highlighting the frictions typical of these social formations, between the figures vested with authority and those who were theoretically subject to it, and also the perhaps sensitive issue of the inheritance’s management and transmission. These were issues that, as we will see in the next chapter, the founders also tried to address by attempting to instil and regulate behaviour through certain clauses inserted in the foundational documents.

3.3 – Developments and specific sets: types of institutions, diachrony, social groups and gender

The itinerary we have taken so far started with a description of the main elements that characterised kinship relationships in the representations outlined in the foundational documents, identifying them from case studies and breaking them down analytically. Partial syntheses were made, always pointing out important factors to contextualise the data – namely the chronology and information on the founder’s social status – and trying to establish relations between the topics. This procedure delivered a more solid basis for understanding the various clauses used by the founders to define the heir and the kinship hotspots that could be integrated into the corporate entity, by establishing perimeters and hierarchies. Although they take on varying configurations, we have integrated this procedure under a common denominator, namely framing these operations as an action to define hotspots within the parental universe.

154 “For what he knows”, in Will (extract) - VINC000056 FLL EA/001aa; TT-FC-TD-276, fls. 101-102v.

155 “Disobedience she had to her father and to me testator in marrying against our wills”, in Will chart (1530-09-09) - VINC000720 MD EA/002a; TT-AA-RA-52, fls. 1v-3v.



We can now delve deeper into the investigation, building analytic tools based on some fundamental questions that seek to keep in mind the dynamics of this deep social phenomenon with a broad chronological manifestation: is it possible to distinguish types of institutions according to how they use kinship structures, and how they seek to organise them? Is it possible to discern chronological developments? Are there developments and specificities according to the founder's gender? And by social group? These questions will be answered sequentially. Based on the elements observed previously, we will try to construct analytic tools that, while not exhausting the themes, could reveal new perspectives and trigger other paths for further research. As a first step, we will try to discern the weight and specific forms of kinship in entails by constructing 'ideal-types'. This categorisation was explicitly built upon a link between the documents and their representations, and took into account the role of the researcher in developing abstract instruments to shed further light on the data. It will also help us, on the one hand, to better frame the description made throughout the first part of this chapter and, on the other hand, to observe the clusters, with more and less regular patterns. The same strategy will be used to investigate foundations by social groups. As it is not within the scope of this work to exhaust all avenues, we will make choices. Having listed the different fields to be investigated, we will select two groups as a test, but with historical justifications that we will present in due course: firstly, from a sociological perspective, the institutions carried out by clerics and aristocrats; then, from a gender perspective, the foundations set up by women. The aim is that, at the end of this itinerary, we will have built up solid material that can present a view that is both global and fragmentary, structural and dynamic, and sensitive to chronological changes.

3.3.1 – Kinship and entails: types of institutions

The categorisation of the types of entails according to their purpose – the conceptual distinction between *morgados* and *capelas*, present in Portuguese legislation since the early 16th century *Ordenações Manuelinas*¹⁵⁶ and prolonged in the following centuries, subordinating the former to the

¹⁵⁶ *Ordenações Manuelinas*, lv. 2, t. 35, 49.



preservation of the family and the latter to the salvation of the soul – and according to succession mechanisms – between “regular” *morgados*, of primogeniture and masculinity, and the various configurations of “irregular” *morgados* and of another nature¹⁵⁷ – was the subject of attention by historical actors throughout the chronology of this research. Although there was always a gap between jurisprudence and legal literature and actual social practices – visible, for example, in the conceptual fluctuation between *morgados* and *capelas* in the sources¹⁵⁸ –, this did not cease to manifest itself in social reality, moulding the mental framework of historical agents. The production of these categories was carried out by agents involved in the creation and/or regulation of entails, who shaped them for specific purposes and to solve concrete problems. The categorisations we will now construct are of a different nature, although they highlight the importance that endogenous concepts had for the historical actors and for the construction of the historiographical survey¹⁵⁹.

We propose the construction of two categories subordinate to the fundamental objective of this research, that is, understanding how kinship structures and relationships were imagined and moulded within entails, and the role they played in them. The two ‘ideal types’ that we will design will attempt to define the major poles of this moulding, while at the same time becoming tools of analysis to be related with other variables presented below, such as chronology, social groups, and gender¹⁶⁰. However, these are abstract categories, built upon the data with the aim of glimpsing other patterns and delving deeper into the research questions.

157 Clavero, 1974, pp. 211–217. Bermejo Castrillo, 2009, pp. 586–561.

158 We provide some examples of documents in which the foundation of a “*morgado e capela*” is explicitly mentioned: Diogo Gomes Aranha, Will (1464) – VINC004096 DGA EA/001aaa; AD-PRT-CSDP-K/19/6-1, fls. 6v-7. Domingas Pires, Will (1640-01-08) – VINC005693 DP EA/001c; ADPTG-PCP-007, fls. 120v-121. André Pires Beltrão and Maria Osório de Almeida, Entail and chapel foundation deed (1690-06-21) – VINC004314 ARBMOA EA/003a; ADVIS-GCV-RV-12, fls. 201v-222v.

159 The theoretical reference for this operation is Hespanha, 2018.

160 The inspiration comes from ‘ideal types’ formulated by M. Weber at different stages of his career, which is an abstract construct produced to analyse reality. It should be noted that the notion of ‘ideal’ does not refer to an ideological or evaluative dimension, but rather to the attribution by the observer of a set of characteristics on the basis of which he builds tools to analyse social phenomena. On the evolution of Weber’s thinking and a proposed application of this concept, see Swedberg, 2018. In his review and reflection on the writing of history, S. Sand proposes Weber’s ‘ideal types’ as a relevant tool for the ontology of historiographical practice: Sand, 2015, pp. 285–295.



Unlike the categorisations derived from the law of the time, these are research constructs, not endogenous categories.

The first type brings together foundations that more clearly define the kinship structures encompassed in the entail, by detailing the succession mechanisms and the subsequent and alternative lines of succession, and by explaining how the figure of the closest relative should be recognised. While they define these boundaries, they also seek to reinforce these structures and regulate the hierarchies and relationships within them. Kinship, although intrinsic to thousands of entail foundations along with other dimensions, takes centre stage in these types of foundations. In them, kinship relationships are integrated into a core that reinforces the other dimensions and is simultaneously reinforced by them. For this reason, the institutions that seek to build up kinship horizons and relationships in more detail are also, regularly, those that most completely outline mechanisms to manufacture and maintain the group's identity, and the bases of its power and social status (i.e. clauses on surnames and coats of arms, on the management of estates, etc.). They are therefore the most complete types of entails. For the sake of the argument's clarity, we will define them as structured institutions. The criteria for defining this type of institution came from the segmented analysis of the clauses in the foundation deeds, a result of modelling necessarily done by the researcher. We considered as part of this first type those institutions that contained at least three clauses referring to succession models (primogeniture, masculinity, appointment of the successor, legitimacy of the heir, preference or exclusion of women, and preference or exclusion of clerics), together with an indication of subsequent lines of succession and/or specific ways of determining the closest relative.

Institutions of this type, although numerous, are not the rule. At the other end of the spectrum, are the fluid institutions that do not meet the characteristics defined above. In these, kinship is also an intrinsic dimension since it is used to appoint administrators and establish priority lines of succession. However, kinship is not the subject of very elaborate constructions. Overall, these are institutions with incipient succession mechanisms (one or two criteria, sometimes none at all, referring only



to “*geração*” or another similar term to mention consanguineous kinship), and which merely define that succession will be prioritised by blood descent. There doesn’t seem to be any specific concern on the part of the founders to establish very strict succession criteria, nor to define specific parental perimeters. For this reason, even though kinship is an intrinsic dimension, we see it as instrumental, as it appears to be subordinate to other types of objectives, and its structures are fluid.

What hypotheses can be put forward to understand these differences? Could they be due to the social context of the founders, who came from less structured backgrounds and kinship groups, and for whom the horizon of concerns intrinsic to the first type of institution would not be pertinent? Or can they be explained by the particularly pious concerns of the foundations, where these are the primary element, while kinship structures were merely an important and safe resource for the correct administration of the entail and the care of the souls?

At the start of this chapter, we began our problematisation by describing four institutions, located at the extremities of the chronological gap in which this research is situated. We chose cases that not only obeyed a necessary chronological diversity, but also structured the entail and kinship relations differently: the *morgado* de Soalhães, founded by Bishop João Martins in 1304, and the *morgado* established by Francisco Mendes Pimentel in 1690, as examples of complete, careful foundations that could be included in the structured institutions; and the chapels of Lourenço Vicente, from 1339, and Maria de Barros, from 1670, as less elaborate and therefore considered fluid foundations.

3.3.2 – Orders of magnitude and diachronic developments

The first questions that arise are: what is the overall weight of both types of foundation? Are there any chronological changes? How does the prevalence of either type of institution relates to the use of other elements, namely: the use of specific legal concepts in foundations (*morgado*, *capela*, or both); the prevalence of clauses favouring primogeniture,



masculinity, and female preference or exclusion; the preference or exclusion of clerics; and the obligation of the heir's legitimate birth. In short, what orders of magnitude of all these elements can be discerned, and how did they evolve over time? In what concerns diachrony, the criterion is an arbitrary but necessary one, with no specific correlation with the unfolding social dynamics: the century. This chronological framework only serves as a basis, to be complemented and revised through confrontation with other dimensions – sociological, in particular – that can provide a more explanatory view to comprehend these evolutions.

Before making any comments, the limits of this sample need to be clearly demarcated. These were explained in the chapter on the documentation and briefly at the beginning of this chapter, but they should be mentioned here to clearly evaluate the validity of the conclusions. Our observations are based on a set of around 800 foundational documents, distributed throughout the chronology. However, the weight of each century is not strictly proportional to the number of foundations and documents produced in each century. For historiographical reasons that are also well-founded – and that will be fully realised in the survey presented in the following pages –, it was essential to trace the first phase of entailment dissemination (encompassing the late 13th, 14th and 15th centuries) as exhaustively as possible. Thus, the foundations carried out in these centuries represent around half of the sample and documentary base. The documentary samples from the 16th and 17th centuries were built based on selections by decade. This method more organically captures the quantitative and chronological diversity of the origin of the information and the types of institutions in centuries with a notable quantitative increase in the number of foundations and which, as such, requires selecting and delimitating manageable sets of data. It is therefore very important to emphasise that what we will present below will be comparative orders of magnitude, and not a statistical study based on the total or proportional universe of foundations. We believe that the comparisons are legitimate given that, despite these limitations, we handled a very significant number of documents and clarified the limits of this analysis. We therefore consider it more appropriate to reason in terms of orders of magnitude, denoting a horizon of scales with some variability. Later, more extensive



research will be able to define them with greater certainty. In any case, the orders of magnitude that will be presented fall into regular percentage ranges, thus suggesting that further research could, above all, refine a general picture that may not be too far from reality.

Types of institutions, diachronic developments, and prevalence of clauses in institutions

In this sample, structured type institutions account for 17% of institutions, compared to 83% of the simpler fluid type. The stability of this order of magnitude in the division by centuries suggests that it may be indicative of a general and perhaps somewhat constant pattern:

Table 1 - Types of institutions

Centuries	Type 1 – Structured institutions	Type 2 – Fluid institutions
13-14	18%	82%
15	17%	83%
16	20%	80%
17	13%	87%

Based on these orders of magnitude, the more refined institutions, which sought to carefully reinforce and define kinship structures and relationships, oscillated around 13 to 20% of the universe of foundations¹⁶¹. This more restricted group may coincide with elite sociological profiles and necessarily minorities in the social fabric. On the other hand, the vast majority of foundations, for reasons that will be explored later, used kinship

¹⁶¹ In the current state of research, we think it's more pertinent to keep orders of magnitude in mind, rather than formulating very assertive explanatory hypotheses about their variations. They are, in fact, small, suggesting that we may be dealing with a structural recurrence without much room for variation. Moreover, the variations may even be explained more by reasons related to the characteristics of the documentary landscape, preservation and current access to information, and not so much by social processes related to the foundations themselves. This is where the 16th century comes in, for which we have a significant and proportionally more marked set of structured type institutions. In this, as in other aspects, only further research will be able to confirm or correct the orders of magnitude.



structures as their primary recruitment universe, but did not prioritize the building and strengthening of parental universes. It should be remembered that we are currently analysing the projects conveyed by the institutors in the foundational documents. We know that simpler institutions ended up being aggregated into noble ‘Casas’ that administered various entails, thus conditioning the kinship structures as a whole¹⁶².

Table 2 – Prevalence of the different clauses in structured type foundations (%)

Primo- geniture	Mascu- linity	Appointment of successor	Legiti- macy	Preference for clerics	Female preference	Exclusion of clerics	Female exclusion	Indication of subse- quent lines	Reference to the “clos- est relative”
94%	98%	21%	70%	0%	0%	38%	12%	88%	27%

Practically all structured type institutions have clauses favouring primogeniture and masculinity as succession criteria, showing that these elements, which have since been framed by case law as characterising “regular” succession *morgados*, were central elements of the more complete foundations. Certainly, sociological factors could also explain this prevalence, associating these institutions with elite groups. Perhaps this is why the inclusion of the legitimacy clause was also quite common, as some of these groups were grantees of Crown estates that required legitimacy of birth to qualify for succession. The moulding of the heir was completed, first and foremost, by the assumption of a lay profile – obviously, one that allowed to produce an heir of legitimate birth and the prolongation of the succession by “*linha direita*” – and by an exclusion of women from the succession, or by admitting them merely as a reserve. The power to appoint the successor, conferred with some regularity, was almost always supplemented by primogeniture and masculinity as a succession resource, counterweighing any failure to name the successor. The prevalence of these clauses in isolation should not let us forget, when assessing each one’s weight, that most of them co-occur in the same documents.

¹⁶² Topic 4.7.



Other clauses are absent from this set, such as the preference for succession given to clerics and women. Although rare, they are found in other documents. Finally, this series of clauses is complemented, in almost all of them, by the enunciation of the subsequent lines of succession and, in around a quarter of the cases, by the establishment of the criterion for defining the closest relative.

A comparison with the prevalence of the same clauses in fluid type institutions is revealing, but needs to be further analysed with other variables:

Table 3 – Prevalence of the different clauses in fluid type foundations (%)

Primo- geniture	Mascu- linity	Appointment of successor	Legiti- macy	Preference for clerics	Female preference	Exclusion of clerics	Female exclusion	Indication of subse- quent lines	Reference to the “clos- est relative”
27%	24%	16%	3%	2%	2%	2%	0,1%	56%	9%

In this type of institution, no clause has a very significant prevalence. The indication of masculinity and primogeniture as preferential criteria for designating the successor have a similar value, and are often, but not always, co-occurring. Other clauses for defining the heir – the preference and exclusion of women and clerics, and the obligation of legitimate birth – are very rare. As such, the context is one of a fluid hierarchisation by the founders of the kinship groups that would be integrated into the entail. Around half of the institutions indicate the subsequent lines of succession, and only around one in ten define how the closest relative is determined – lower frequencies than in structured type institutions. If they use blood relatives as first administrators, and even if they indicate that people within this sphere of relationships should be prioritised, the construction of kinship perimeters – determining who can be integrated into the corporate entity and how to hierarchize them, particularly through the preferential criteria for succession – is fairly fluid. Kinship relationships are therefore given a different weight and role compared to structured type institutions. These two types are effective tools for analysing the possibilities of organising kinship.



Developments over the centuries

Using the types of institution as an analytical tool together with other variables, we will now proceed to break down the elements by centuries: primogeniture; masculinity; preference and exclusion of clerics; appointment of the successor; and the successor's legitimacy of birth¹⁶³. The division by centuries obviously contains a dose of arbitrariness and should be complemented in the future by other solutions and criteria.

Bearing in mind the characteristics of the information on which we are basing these observations – and, of course, the fact that we don't have an exact representation of the universe of documentary production and foundations in each century, as previously indicated – it is possible to put forward some indications of general characteristics, whose validity will need to be investigated in future research. Firstly, it should be noted that clauses as characteristic of entails as primogeniture and masculinity are present in 30 to 40% of all foundations in each century¹⁶⁴. The weight of both clauses increases slightly in the 16th century (around 45%), for reasons that are certainly due to the sample of institutions for this century. This mirrors a pattern already observed for this century with regard to the types of institutions. Given the characteristics of our information, it doesn't seem very prudent to hypothesise about developments with statements such as 'primogeniture became more relevant in the 15th or 16th century'. These kinds of statements would, as things stand, be more speculative than well-founded hypotheses. But it is perhaps safe to put the problem in other terms, and note that, possibly, masculinity and primogeniture were considerably prevalent characteristics in entails, perhaps between a third and 40%, assuming great importance in the most complete institutions and less importance in the most numerous but less elaborate foundations.

¹⁶³ Given the rarity of certain clauses – such as the preference or exclusion of women – we have not considered them in this survey, considering that they would become mere statistical artefacts, without any real representativeness.

¹⁶⁴ 13th–14th centuries – primogeniture: 36%; masculinity: 34%. 15th century – primogeniture: 40%; masculinity: 42%. 16th century – primogeniture: 46%; masculinity: 45%. 17th century – primogeniture: 33%; masculinity: 29%.



Observing the same principle of analysis, let's consider the weight of other clauses:

- Appointment entails ranged from 13 to 23%, with less prevalence in the 15th century and more in the 17th.
- The exclusion of clerics ranged from 4 to 12%, with a higher percentage in the 13th-14th centuries and a lower percentage in the 16th.
- Legitimacy clauses ranged from 12 to 2%, with a greater weight in the 14th and 15th centuries.

Apparently, the range of percentages is also consistent with the weight of the types of institutions presented above. In the future, only the inclusion of an even larger sample, and perhaps by determining the inclusion of documentary sets that are representative of the differences in documentary production and institutions in each century, could provide material for a more rigorous statistical study and for the development of more grounded explanatory hypotheses.

3.3.3 – Clerics, aristocrats and entailment clusters: trends and developments

The social universe involved in entailment was quite vast. Although the possession of entailed and Crown estates was a distinctive feature of aristocratic groups and explicitly claimed by them¹⁶⁵, the truth is that entail founders had a more diverse social profile. Therefore, research cannot fail to consider the panoply of social categories involved as an important angle of analysis. The itinerary of the description shows that the elite groups sought to develop stricter definitions of perimeters and kinship relationships, but deeper research is needed.

The chronology is very broad. The Portuguese social fabric, both metropolitan and overseas, had points of stability and transformation in this

¹⁶⁵ Catarina de Sena Pereira, who established an entail in Lisbon in 1630, justified the foundation with the desire to leave a memory of herself to her descendants, and because it was useful for noble houses to have entailed property: - Will chart (1630-04-26) - VINC000998 CSPPM EA/001a; TT-AA-RA-12, fls. 41-43.



chronological and spatial vastness¹⁶⁶. Instead of constructing *a priori* sociological classifications, we decided to inventory the social taxonomy used in the sources. Based on this data, we formed two sociological groups to be used as analytical tools, explaining their limits, the ties between them, and the in-depth study they can help carry out. We will also indicate other groups that deserve specific investigations and which, above all because of their scale, proved impossible to cover in this work.

Around 30% of the foundational documents indicate some social status or function. These can firstly be divided into laypeople and clerics, from bishops to simple priests of small parishes. In the sphere of the laity, one can discern categories of social classification and indications of privilege (noblemen, knights), categories of service in the royal officialdom (judges, *vedores* of Crown institutions), and ‘professional’ statuses (merchants, farmers). This universe is practically all male, with a small number of women characterised as “*donas*”¹⁶⁷ (or in the household service of members of the royal family¹⁶⁸), thus marking a privileged social stratum.

Ecclesiastics account for around 30% of this group of founders with an indication of social taxonomy. The weight is slightly lower (35%) than a sociological group that can be classified as aristocratic. Within this set there were variations between groups with local and regional influence and those structured around the royal court, based on relationships with the monarchs. In their specific contexts, some were in socially dominant positions, others were part of royal and/or seigneurial circles on the ‘peripheries’ of the kingdom¹⁶⁹. Within this aristocratic context, and maintaining relations with the other subgroups, we can also distinguish elites linked to the Crown’s judicial and administrative structures, mastering relevant knowledge and techniques for the functioning of these institutions, from law to administrative competences. There are also cases in which these categories overlap in the same individuals. The social

166 As a framework: Magalhães, 1997. Sousa, 1997. Pereira, 1998. Rodrigues, 2001.

167 As Constança Mendes: Will (1298-01-08) - VINC001311 CM EA/001a; TT-LN-27, fls. 285-285v.

168 Maria Dias, founder of a chapel in the church of S. Pedro de Évora, was chambermaid to Queen

Beatriz: Will (extract) (1377-11-08) - VINC002472 MDG EA/002aa; TT-FC-TD-276, fls. 44-46.

Mécia Dias, founder of a chapel in the church of Santa Maria de Oeiras, was a chambermaid of Queen

Leonor: Will chart (1530-09-09) - VINC000720 MD EA/002a; TT-AA-RA-52, fls. 1v-3v.

169 Concept used by Cunha, Monteiro, 2010.



taxonomy is, within a certain limit, variable, justifying conceptualisation through a concept such as aristocracy¹⁷⁰ and, alternatively, elites¹⁷¹. The taxonomy is divided into titleholders, members of the king's council, *fidalgos da casa do rei*, knights, judges, and *vedores* of administrative institutions of the Crown and from high courts¹⁷².

We will focus on two groups, namely clerics and aristocrats, while keeping in mind general observations about the 'control group' formed by institutions in which the social taxonomy of the founders is not indicated. The enquiry into these groups will consider some points related to the construction of the documentary samples, with possible impacts on the distribution of information over the research's chronology. Questions will be asked both of historical nature, relating to the social processes themselves, but also of heuristic nature, on the documentary landscape accessible today and what it reveals and/or hides about the social processes. The same questionnaire will be applied to both groups, subordinated to the questions that guide this book's research. In other words, this is not an investigation on the sociological dimension of power, or the processes of social mobility, although these elements cannot be ignored as a backdrop. Rather, these topics are subordinated to an enquiry on the ways of organising kinship in entails.

170 In this context, using the concept of 'aristocracy' as proposed by J. Morsel is the most appropriate way to conceptualise the problem: the focus is on the socially dominant relations exercised by these groups, seeing the taxonomy of the documentation of the time not as a mirror or a 'sociological' description of hierarchies, but as claimed positions that seek to act on and shape reality: Morsel, 2004, pp. 5-11. The work of M. Crawford clearly demonstrates that in the kingdom of Castile, in the 15th and 16th centuries, these statuses were the subject of social dispute with real impacts on the lives of individuals and communities: Crawford, 2014. In Portugal, the dynamic relationship between vocabulary and endogenous conceptions of society and the construction of historiographical surveys seems to have been the subject of more pressing reflection among historians of the early modern period, as summarised in Rodrigues, 2001, pp. 404-407.

171 This conceptual hierarchy is justified by the idea that elites may not exercise socially dominant relations: Doyle, 2010, p. 7. These are characterised, among other things, by the mastery of skills or knowledge, as is in the aforementioned case with individuals from the administrative and judicial structures of the Crown, who thus led paths of social ascent.

172 The fundamental study for understanding this social space is Gomes, 1995. Within certain limits, there is a plurality of statuses, but the common element to all these groups is the socially dominant position they occupy, intrinsically connected to their insertion in the royal social space, between the court and the Crown's institutions of government and justice. The sociological universe is largely comparable to that identified by M^a L. Rosa in her doctoral thesis on the chapels of Lisbon between 1400 and 1521, reconciling "the fluidity of the 'social' and 'professional' designations in medieval sources": Rosa, 2012, pp. 359-366.



Bearing in mind the diachronic manifestations of entailment, we will try to discern how both groups used this resource to mould their kinship relationships. The types of institutions previously constructed will prove to be essential analytical tools. They will help to clarify the main trends within the groups, as well as the rarer solutions. Moreover, as we will try to show, clerics and aristocrats were not completely watertight groups. There were ties between them, of neighbourhood, kinship, frequenting the same social spaces, and even relations between the entails. Considering relations between entails will make it possible to highlight the importance of the notion of ‘entailment clusters’ that will be put forward.

These groups are not the only ones that can be investigated. With regard to the choices that were made, and other paths for further research, two comments are necessary. First, it was necessary to form a sort of ‘control group’ to better frame the results of the groups based on the taxonomy indicated in the documents. The option was to consider the panorama formed in the documents where these statutes or functions are not indicated. These constitute 535 foundations, distributed throughout the chronology, with the greatest weight in the 17th century. Almost half (45%) are female foundations, which is not surprising considering that the main identifying factor of women in the documentation is their relationship to a man, i.e., as a man’s daughter, wife, or widow. In the control group, structured type foundations account for 12%, a relative weight that, as will be seen, is lower than in clerical and aristocratic foundations – therefore suggesting that the use of social classifications correlates with more complete institutions, or institutions that, from the point of view of this chapter, seek to construct kinship relationships in a more structured way. In this ‘control group’, the use of surnames and the recognition of individuals linked to aristocratic circles or local elites can also occur. On certain occasions, these elements, combined with references to the heir’s social taxonomy, make it possible to situate them socially¹⁷³, thus showing that the construction of sociological sets based on the source’s taxonomy, although globally secure, has its limits, like all research constructs.

173 This is the case of Antónia Dias Velha, who established an entail in favour of her children, with the first-born male, João Vaz Correia, referred to as a “nobleman of generation” / “nobre de geração”: Declaration deed (1610-10-01) - VINC000900 ADV EA/001; TT-AA-RA-30, fls. 331-332v.



Secondly, the vast documentation from the 17th century, revealing a notable increase in the number of foundations and their documentary visibility, should prompt the construction of surveys that take other social groups into account. Despite a context of increasingly crystallised stratification, from an ethnic-religious point of view and the associated ‘*estados*’ and categories of privilege¹⁷⁴, the use of entails by a more diverse set of social categories, including farmers and mechanical officers, is manifest. In addition to this specific information, in the documents where this classification does not appear – the majority, in fact – the non-use of family surnames, the location and small size of the foundations, or their fluid identity structures, reveal in themselves, and combined with other indicators, a vast sea of social repertoires associated with entailment. As we have seen, and as will also be emphasised in the following descriptions of sociological groups, the 17th century was the most represented in the ‘control group’ without social classification of the founders. This also suggests a widening of the social diversity of the founders and could also be an additional explanation for the fact that the 17th century is less represented in the sociological groups than might be supposed. Possibly foundations by privileged groups were proportionally more representative in the first few centuries, which only more research can confirm. It is therefore important to build specific surveys from these sets, asking other questions: how did this resource mould specific configurations of kinship structures and relationships in non-aristocratic groups? What differences can be established? In any case, we hope that some of the tools and proposals trialled here can suggest avenues for further research.

Foundations by clerics

The 75 foundations carried out by clerics are distributed throughout the chronology. However, they assume a significant proportional weight between the late 13th century and the 14th century, i.e., in the initial phase of entailment in Portugal. They are institutions set up by men from the

¹⁷⁴ This led, as will be seen in the next chapter, to the notorious increase in foundations that prohibited marriages with New Christians, Moors, blacks or craftsmen: see topic 4.6.2.



secular clergy, from the bottom to the top of the hierarchy. Let's analyse this group based on the types of institutions described above.

Structured type institutions account for around 25% of this universe. Foundations by archbishops and bishops from the 14th century are prominent, some of them with particularly complete justifications as regards the importance of entails for the service of God and the kingdom, and as a way of structuring kinship groups, the elements of which will be relevant for conceptualising the nature and form of kinship relationships within the framework of entails in the following chapter. The institution mentioned at the beginning of this chapter and created by the bishop of Lisbon (later archbishop of Braga), D. João Martins de Soalhães, in 1304, belongs to this group and bears the first use of the concept of “*morgado*” in the sample¹⁷⁵. But it was joined at the top of the hierarchy by other similar foundations, carried out by individuals from various spheres of aristocratic groups, including :

- The *morgado* of Oliveira, founded by the archbishop of Braga D. Martinho Pires de Oliveira in 1306, appointing his brother Martinho Pires as its first administrator¹⁷⁶.
- The four entails set up by the archbishop of Braga D. Gonçalo Pereira between 1330 and 1344 in favour of his nephews Rui Vasques Pereira and Joana Vasques Pereira at the time of their marriages¹⁷⁷.
- The two *morgados* founded by the bishop of Lisbon D. João Afonso de Brito in 1329 and 1336, leaving the first to his nephew Gonçalo Mendes de Vasconcelos and the second to Martim Afonso, referred to in the document as his *criado*¹⁷⁸.

All these foundations include a series of clauses defining the heir's profile and the preferential perimeters to be integrated into the entail, thereby forming their kinship hotspots. All the institutions have clauses on mas-

175 Donation deed (1304-05-13) – VINC000003 JMSVE EA/001a; TT-CA-23-70-1323.

176 Will (1306-087-13) – VINC000004 MPO EA/004aa; FC-TD-276, fls. 22-24v.

177 Donation deeds made between 1330 and 1344: Arquivo Distrital de Braga, *Coleção Cronológica*, cx. 13, doc. 511; cx. 20, docs. 766, 772 and 773.

178 Entail foundation deed (1329-08-17) – VINC000014 JABGMV EA/001a; TT-CA-22-67-1279. Entail foundation deed (1336-03-12) – VINC000012 JAB EA/001a; CP-A4-2, pp. 72-77.



culinity, primogeniture, and the obligation of legitimate birth. That of Martinho Pires stands out for its exclusion of women, while the others exclude clerics from the succession. The foundations of D. Gonçalo Pereira state that the entailed estates were acquired in a personal capacity, unrelated to episcopal duties. In these early decades of the spread of entails, bishops from various aristocratic groups, from the northern seignorial region to the urban oligarchies, and having more or less close kinship relationships with each other¹⁷⁹, seem to have played a central role in using this resource to mould their parental groups. Clearly, in these social and kinship groups, the relatives sent to ecclesiastical careers ended up having great importance, having been set on ascending paths that led them to truly central positions in this social system, amassing assets that were later channelled in favour of their relatives¹⁸⁰.

Possibly, these individuals could have a crucial explanatory weight in entailment development. Having come from social contexts with deep-rooted ‘lineage’ traditions (as in the case of the Pereira’s), they contacted with a corporat/institutional thinking, in which estates were administered and not freely possessed – such as Church property, strongly conditioned by theological–legal constructions and subordinated to abstract entities with legal personality, like the saints or the souls¹⁸¹. The complete institutions that they established in favour of their relatives represent a synthesis between individual interests (the salvation of their souls through the prescribed perpetual masses) and those of their relatives, and the lineage’s identity and cohesion, perhaps reinforced by the notion of estates as giving ‘substance’ to these relationships¹⁸², and as a way of providing them

179 João Martins de Soalhães and Gonçalo Pereira came from northern noble lineages, although the latter’s lineage was much more prominent. Regarding the nobility of this period and as a way of categorising these characters, we consider the categories drawn up in the doctoral thesis by Sottomayor–Pizarro, 1999. On Martinho Pires de Oliveira, João Afonso de Brito and Évora’s cathedral Chapter, see Vilar, 1999, pp. 108–109.

180 Evidencing the relevance of the concept of “ecclesiastical *pater familias*”, suggested by Díaz, 2014, p. 83.

181 Destined or possessed for and by the body of the faithful, the poor and the saints, operating a coincidence and analogies between the different ‘bodies’, with the ecclesiastics carrying out functions that, despite beneficial counterparts, were theoretically classified as being of administration rather than possession. See Iogna–Prat, 2010.

182 On the idea of estates as conferring substance to kinship relations in fideicommissum foundations, see Descimon, 2007. Haddad 2012.



with an institutional dimension and character that, ultimately, could protect the group. They also meant a legal reconversion of the estates that combined all these elements, integrating them into a ‘corporate’ conception that suggested the creation of an entity made up of all these elements, but whose nature was based on more than the simple sum of its parts.

In the following centuries, structured type foundations were also established by other types of ecclesiastical founders, demonstrating the diversity of sociological uses of this resource to organise kinship groups in depth, and the decisive role they could play in their family structures¹⁸³:

- In 1520, in Évora, Álvaro Cardoso, established an entail in favour of his nephew¹⁸⁴, also called Álvaro Cardoso. It was a detailed institution, with clauses on masculinity, primogeniture, female exclusion, and legitimacy, defining various alternative lines and how to elect the closest relative¹⁸⁵.
- In 1700, Father Estêvão Marques, who lived in Póvoa de Cervães, founded two chapels using his own property and that received by inheritance. He left the entail to his nephews Dionísio do Amaral and Maria do Amaral. Both institutions included primogeniture, masculinity, and legitimate birth clauses, as well as subsequent and alternative lines of succession¹⁸⁶.

Alongside structured type foundations, most institutions fell into what we have categorised as fluid type: small institutions essentially focused on pious legacies, rather than building a well-defined hierarchy within kin. In these cases, relatives were called upon to act as administrators, perhaps because of their proximity, which was associated with a greater propensity for love and, as such, a theoretically safer reciprocal care between founders and future relatives, manifested in the correct

183 Olival, Monteiro, 2003. Irigoyen, 2004. Díaz, 2014.

184 The use of the term nephew in this chronology indicated not only what in modern Portuguese we call a nephew, by consanguinity and affinity, but also the son of a cousin, as soon as he was in the younger generation. In the case of this institution, the nephew is the son of the founder's cousin.

185 Entail foundation deed (1520-08-30 - 1520-09-04) - VINC006277 AC EA/001aa; TT-FC-TD-276, fls. 51-53v.

186 Will (1700-11-18) - VINC003902 EMDA EA/001 / VINC003903 EMMA EA/001; TT-MC-V-CBR-1, fls. 38v-44.



administration of assets and the strict fulfilment of the pious legacies. Examples are abundant and spread across the chronology. Often, they derive from wills where clerics defined their burial places, near which the masses for their souls were to be perpetually celebrated. Occasionally, a family cleric was preferred as the chaplain or administrator¹⁸⁷; in most cases, it was stated that the entail should be passed down “in the family and generation”¹⁸⁸, or an analogous expression was used to elect the field of consanguinity and descent as preferential.

However, this simplicity or preferential focus on other domains, and the definition of kinship as an essentially subsidiary and supportive dimension, doesn't imply that this type of entail didn't have an impact on succession, or even that it didn't become, sometimes alongside other entails, the fundamental basis of the identity and organisation of certain kinship groups. As a result of later matrimonial alliances, they became part of ‘Casas’ of the nobility, structured around elements with strong identity and corporate components, certainly complemented by the diversity of administered entails. This was the case, for example, with the entail established by the canon of Lisbon, Vicente Afonso Valente, in 1348¹⁸⁹. The canon entailed the lands of Póvoa de Santa Iria and the houses of Lisbon, leaving them, with associated pious legacies, to his brother Lourenço Afonso Valente, a knight. The clauses regarding the definition of kinship hotspots, although not as simple as those mentioned in previous cases, were limited to the definition of the criteria of primogeniture and masculinity, and the indication that succession should take place “by descent [*linha direita*] to the eldest legitimate son” of his brother, without defining alternative and subsequent lines, or resorting to the figure of the closest relative. As a result of the transmission of the entail and the matrimonial alliances of his descendants, the institution came to the

187 Pedro Esteves Barbas, a cleric, ordered that if there was a cleric who was related to him, he should celebrate the masses: Will chart (1342-01-04) - VINC002491 PEB EA/002a; TT-FC-CC-4, fls. 311-311v. Baltasar Gomes Favacho wanted the chapel's masses to be celebrated by João Dias Favacho or, if he had already died, by “another priest called Favacho”: Will (1580-08-27) - VINC001531 BGF EA/001aa; TT-FC-CC-4-121-122.

188 Pedro Ferreira Pinto appointed his cousin Francisco Pinto as administrator, to be succeeded by his son Lucas Pinto, and the assets passed on “in the family and generation”: Will chart (1630-01-22) - VINC000995 PFPDF EA/001aa; TT-AA-RA-47, fls. 248-249.

189 Will (extract) (b. 1348-01-10) - VINC000015 VAV EA/004ba; BNP-ACVB-009-0017, fls. 2-3v.



Castelo Branco lineage in the 15th century and, from the beginning of the 16th century, became part of the important ‘Casa’ of the counts of Vila Nova de Portimão¹⁹⁰, playing a structuring role in its organisation throughout the centuries.

In short, like many lay founders, clerics also set up a wide range of institutions primarily designed to save their own souls and sometimes those of the relatives listed in their wills. In these institutions, resorting to blood kinship meant using a space of proximity that tended to be more favourable to the correct management of assets and pious legacies. The entails would reinforce relationships between ancestors and those to come, but they didn’t necessarily seek to build specific spaces within the parental universe or structure it according to a hierarchy. In any case, there were several founders, from privileged groups or who reconverted the benefits of an ascending career in favour of their relatives, who built complete institutions. Based on ‘lineage’ thinking, by reinforcing and maintaining the group’s symbols and its cohesion, they built a hierarchy firmly grounded on kinship relationships, primarily based on proximity, masculinity, and primogeniture. And, in a way, they reconverted this thinking through corporative notions that were especially prevalent in the ecclesial universe, thereby suggesting the concrete importance that entails would come to have in organizing the familial bodies of powerful groups.

Aristocratic groups

For the reasons we have just outlined, it is essential to interpret the data on the aristocratic groups using an identical grid, while keeping in mind the links between these social poles, and assuming, as the succession clauses studied above emphasise, a porosity between clerics and their lay relatives. These questions are also connected with some theses in Portuguese historiography, influenced by the old question of the ‘lineage mutation’ that took place in Portugal from the late Middle Ages onwards, and the role played in this process by entails¹⁹¹. What answers can we give to this

190 About this group: Duarte, 2022.

191 Sottomayor-Pizarro, 2013, 2016. Sousa, 2013



question based on the data compiled? How were entails used by powerful groups to better define kinship, framing and hierarchising relationships according to an institutional and corporate logic?

The concept of aristocracy, encompassing a diverse social taxonomy, but referring to a socially dominant universe, albeit heterogeneous, is important to pose the problem¹⁹². We isolated 134 foundations in which the founders were classified as follows: with nobiliary social status, from squires to noble titles (such as counts); belonging to the households of the king and of the high nobility; and, with judicial and/or administrative functions in the Crown's institutions. The foundations are scattered across the centuries, but their distribution deserves a few comments¹⁹³. There is a chronological disproportion that should be borne in mind, emphasising how it can be circumvented in the future, if it is indeed a problem. The weight of these aristocratic categories associated with the Crown is significantly greater for the 14th and 15th centuries; the 16th century, and especially the 17th, are under-represented. The first hypothesis to explain this disproportion lies in how the sample was built: despite the 400 or so documents from the 16th and 17th centuries, they are much more numerous in the 'real' documentary landscape and proportionally higher than those from the other centuries; therefore, we may only be dealing with an under-representation because our work sample does not fully reflect the 'organicity' of the documentary landscape. The other hypothesis, perhaps more speculative, suggests 'historical' causes: could it be that in the 17th century, aristocratic groups, who already had several entails, resorted less regularly to new foundations? The empirical basis for answering these questions may be insufficient. It will only be possible to get around this with more in-depth research with 17th century documentation, leading to the construction of specific surveys. In any case, it should be remembered that, conversely, the 'control group' (with no social identification of the founders) showed greater weight in the 17th century. This could partly corroborate the historical hypothesis (or at least correlate the elements). In any case, the data gathered here is not insignificant and

192 Morsel, 2004, pp. 5–11.

193 The chronological distribution is as follows – 13th–14th centuries: 35; 15th century: 59; 16th century: 23; 17th century: 17.



allows us to tackle questions with a historical basis and the problems raised by this book's research: from which social centres did entails arise? And how did these groups mould their kinship relationships through these corporate entities, perhaps with a profound impact on the structure of powerful strata, in a phase (14th-15th centuries) considered fundamental by historiography for this transition and for defining the basic structures that would mark aristocratic rule throughout the *Ancien Régime*?¹⁹⁴

It is more revealing for our research to interrogate the data based on the types of institution, while keeping in mind the chronology and specificity of the social taxonomy in each case. Structured type institutions represent around 30% of this set, a figure higher than the average weight of this type of institution in the overall sample, even divided by centuries. They are distributed throughout the chronology but are more numerous in the 15th and 16th centuries. The vast majority identify foundations with the legal concept of *morgado* (29 of the 40 documents), almost three times as often as the concept of *capela* (11), and five institutions use both concepts simultaneously. These are generally foundation deeds and, to a lesser extent, wills: in other words, complete documents that provide doctrinal justifications for the foundations, along with a more generous volume of information on the organisation of kinship, and clauses and solutions concerning pious legacies and identity mechanisms such as family names and coat of arms. In the set of institutions in which there is a more refined definition of kinship structures, there is a prevalence of founders connected to administrative and judicial institutions of the Crown, as well as to the king's household, especially in the 14th and 15th centuries, although the phenomenon continues to manifest itself in the following centuries. Cases such as:

- Afonso Domingues de Beja, knight of the king's council, in 1378¹⁹⁵.
- Gil Lourenço de Miranda, knight and *cevadeiro-mor*, in 1430¹⁹⁶.

¹⁹⁴ Cunha, Monteiro, 2010.

¹⁹⁵ Entail foundation deed (1378-09-09) - VINC005656 ADBMDPA EA/002; TT-AA-RA-16, fls. 145-151. Entail foundation deed (1378-09-09) - VINC000667 ADBMDJD EA/002a; ADEV-REV-1, fls. 76-84.

¹⁹⁶ Entail foundation deed (1430-08-04) - VINC000116 GLMJG EA/004a; TT-FC-TD-272, fls. 137v-141.



- Gonçalo Pacheco, *cavaleiro da casa do rei* and *tesoureiro das coisas d'além-mar em África*, in 1478¹⁹⁷.
- Gil Eanes da Costa, member of the king's council and *vedor da Fazenda*, in 1560¹⁹⁸.
- Manuel Colaço, judge of the *Casa da Suplicação* and *juiz dos feitos* of the *Misericórdia* of Lisbon, in 1590¹⁹⁹.

Within this set, only one institution refers to the top of the nobility: the *morgado* founded by Pedro de Meneses in favour of his daughter Beatriz de Meneses on the occasion of her marriage to João de Noronha, regulating the transmission, among other things, of the Meneses surname and coat of arms through the first-born son of this marriage²⁰⁰. The pattern suggests that entailment as a way of structuring kinship, defining hotspots and hierarchies, was a resource used more regularly by individuals connected to the social space of the royal court and the Crown's institutions: groups intrinsically linked to service relationships, sensitive to writing and perhaps to sources of non-customary law, in bottom and intermediate categories. Processes of upward mobility are clearly visible and constitute one of the most common dynamics of entailment²⁰¹. In the case of the very rich and educated New-Christians connected to officialdom and business, the foundation of structured entails also became part of a strategy to convert the assets accumulated in international and even transcontinental business networks into a coherent set of estates and revenues, in keeping with the image of the aristocracy²⁰². High nobility seems to have made less use of this resource as a way of structuring kinship in a more detailed way, perhaps due to the well-established presence of other elements that gave them cohesion and identity. It is perhaps revealing of the conceptual origins of entails that figures from the old noble lineages of northern Portugal who founded *morgados* were clerics, and not lay men

197 Will (1478-11-03) - VINC000237 GPAD EA/001a; TT-HSJ-011, fls. 22-30.

198 Entail foundation deed (1560-07-05) - VINC001816 GECJS EA/002aa; TT-IMC-NA-190, fls. 1-16.

199 Will (1590-01-05) - VINC002077 MC EA/001aa; TT-MC-V-CBR-10, fls. 10-22v.

200 Dowry deed (1431-03-08) - VINC000061 PM EA/002; D'Ornelas-1928, pp. 310-319.

201 This is part of what Fernanda Olival – who has studied some of these entails and family groups – characterises as “investments in honour” – Olival, 2002.

202 Bethencourt, 2024, pp. 144-168.



or women, as we have seen, for example, with the archbishop of Braga, D. Gonçalo Pereira. Be that as it may, through the matrimonial alliances within spaces of power – which, in the royal court, would be organised mostly according to membership in this space, absorbing new groups and periodically readjusting the hierarchies²⁰³ – the top groups would end up absorbing entails and thus see their kinship structures conditioned by them. This is an aspect that will be analysed in another part of this book, seeking to investigate the diachronic shaping of an entailment kinship with wide-ranging effects on the organisation of powerful groups, or, as the literature has suggested, the establishment of a “entailment reproductive model”²⁰⁴.

Reinforcing the perception of the intrinsic link between social mobility and the desire to organise kinship following a certain image of the transmission of power perceived as nobiliary, this set of foundations constantly favoured primogeniture and masculinity as criteria for succession. The *Lei Mental* regulated transmission of the Crown’s estates, which all the top groups aspired to possess as forms of seigneurial power and social distinction and may have played a role in shaping the clauses of aristocratic entails. In addition to these aspects, 30 of the 40 structured type institutions impose the heir’s legitimacy of birth²⁰⁵, certainly as a way of mitigating succession disputes, a breach that, in groups that simultaneously possessed entails and Crown estates, could lead to a split in the lines of succession and disunity of the ‘Casa’. None of these foundations attributed succession preference to clerics, and 13 excluded them²⁰⁶; none gave succession preference to women, but only one completely removed

203 Aguiar, 2022c.

204 Monteiro, 2001.

205 As Lopo Rodrigues Patalim, knight: Chapel foundation deed (1319-05-20) - VINC006274 LRP-MP EA/001aaa; TT-FC-TD-276, fls. 41-42. Fernando Eanes, knight: Chapel foundation deed (1450-06-26) - VINC004095 FEMAAAGT EA/001aa; ADPRT-CSDP-K/19/6, fls. 1-6. Rodrigo Monteiro, member of the king’s council: Entail foundation deed (1570-11-18) - VINC000786 RM EA/002a; TT-AA-RA-33, fls. 299-302. Jerónimo Correia Homem, licentiate and captain of the *Coutos* of the archbishop of Braga: Foundation deed (1650-11-07) - VINC004776 JCH EA/001a; UM-ADB-MAB-JR-B-743, fls. 19v-20v.

206 Pedro Nunes de Sotomaior, Doctor of Laws: Will chart (before 1409-07-28) - VINC000673 PNS EA/001aa; TT-AA-RA-44, fls. 3v-5v. Baltasar Leitão de Azevedo, *fidalgos da casa do rei*, and Joana de Andrade Leitão: Entail foundation deed (1610-11-11) - VINC005808 BLAJAL EA/001; TT-HSJ-009, fls. 6v-10v.



their succession capacity²⁰⁷; 11 allowed the appointment of the successor, either as an alternative to the lack of heir, or as a way of electing the most suitable relative²⁰⁸, but in any case maintaining the clauses of primogeniture and masculinity as priorities or reserves. Synonymous with the care taken to structure the kinship hotspots and their possible horizons, all of them describe subsequent and alternative lines, and 14 resorted to the figure of the closest relative. As the negative pole of this operation, three institutions excluded some relatives and their descents²⁰⁹.

In short, these were institutions that, from the point of view of carving and pruning kinship hotspots, proved to be quite complete and, in comparison to other groups – the clerics and the female foundations, to be studied next – were more based on primogeniture and masculinity. The values of formalised and masculine leadership, conveyed in nobiliary culture, shaped by the genealogical literature of growing fortune at the time, and by the very mechanisms of transmission of the Crown's estates, possibly played an important role to shape this reality.

At the same time, what kind of insights can be formulated based on the 94 fluid type institutions²¹⁰? In this set, the use of the legal concept of *capela* exceeds that of *morgado* (38 vs. 21 institutions), and in two documents the concepts are used simultaneously²¹¹. Among the institutions that indicate some succession clause, primogeniture (33) and masculinity (29) prevail.

207 This is the case of the entail of João Fernandes, a knight and neighbour of the city of Lisbon: Will (1329–04–05) Torre do Tombo, Tombo, Colegiada de S. Lourenço, mç. 8, n. ° 159.

208 As an example of these solutions, the institution of Mécia Dias, Queen Leonor's chambermaid, in 1530, allowed her brother, heir to the entail, to appoint one of his sons as successor, only being able to appoint a daughter in the absence of men. If he had no descendants, he had to appoint one of the closest relatives in his line. If he didn't name anyone, the chapel would go to his first-born male son, or alternatively to his first-born daughter: Will chart (1530–09–09) – VINC000720 MD EA/002a; TT-AA-RA-52, fls. 1v–3v.

209 João de Ávila and Maria Borges Sanches: Will (1649–07–30 – 1650–03–14) – VINC003966 JAMBS EA/001; BPARLSR-GCAH-RV-7, fls. 1–77v. Fernando Álvares da Cunha excludes any heir of Cris-tóvão de Albuquerque from the succession: Will chart (1570–08–28) – VINC001710 FAC EA/004aa; TT-IMC-NA-191, fls. 1v–10.

210 The chronological distribution of these institutions is as follows: 13th–14th centuries: 29; 15th century: 44; 16th century: 12; 17th century: 9.

211 Diogo Gomes Aranha: Will (1464) – VINC004096 DGA EA/001aaa; ADPRT-CSDP-K/19/6–1, fls. 6v–7. Francisco Garcia Mascarenhas: Dowry deed (1700–06–12) – VINC004957 FGM EA/001; ADG-GCG-RV-1, fls. 151–152.



They are, moreover, the first clauses to appear in the oldest institutions: for example, in the Urraca Lourenço bequests of the Pinheiro estate to her niece Sancha Vasques, in 1269²¹²; or in the entail established by João Eanes Palhavã, of the Lisbon elite, and Sancha Pires, in 1306²¹³. In fact, these were part of a kinship group that systematically made use of entails. Despite the presence of groups linked to the royal officialdom around the city of Lisbon²¹⁴, there were also squires and knights in other regions of the kingdom, whose social importance must have been eminently local²¹⁵. More than half of these foundational documents mention lines of succession, if only to indicate descent as preferential²¹⁶. Only ten use and define the figure of the closest relative, almost all of which are institutions of primogeniture and masculinity²¹⁷. The possibility of naming the successor is a resource used with some frequency (12) and, compared to structured type institutions, only two indicate masculinity and/or primogeniture as reserve criteria²¹⁸. As with the other type of institutions, there is no succession preference given to clerics or women, although relatives are

212 “Et mando quod ista hareditas semper remaneat filio maiori (...) et quod remaneat semper magis propinquo generi ipsius”. Published by Pereira, 1990.

213 Will (1306-08-23) – VINC000649 JEPSP EA/002aa; TT-FC-CC-4, fls. 76-77.

214 For example, Fernando Afonso, accountant to King Pedro. Will (1382-09-20), Torre do Tombo, Convento de Nossa Senhora da Graça de Lisboa, lv. 1, fl. 141. Gil Martins do Poço, also the king’s accountant: Will chart (1450-06-03) – VINC000225 GMP EA/001aa; TT-MSDL-54, fls. 112v-114. Or Diogo Ribeiro, judge of the Lisbon Customs House: Will (extract) (1580-02-20) – VINC005775 DR EA/001; TT-HSJ-003, fls. 120-120v.

215 Examples include Martim Eanes, knight of Castelões – Will (1344-07-04): Torre do Tombo, Mosteiro de Santa Maria de Arouca, gav. 4, mç. 5, n.º 53. The entail established by Gonçalo Eanes de Carvalho, squire, in Montemor-o-Novo: Will (1454-12-31) – VINC000676 GEC EA/003a; TT-FC-CC-5, fls. 371-372v. The chapel established by Pedro Eanes Preto, squire, on the island of São Miguel: Will chart (1510-06-08) – VINC000698 PEP EA/001a; TT-AA-RA-9, fls. 7-8. In this sample, terms such as knight or squire are not used in the social taxonomy of 17th century documents.

216 Gomes Lourenço da Cunha defined that the entail would run through the descendants “*et sic fiat per secula seculorum*”. Will (1272), Torre do Tombo, Mosteiro de São Simão da Junqueira, liv. 8, fls. 37-38.

217 Nuno Vasques de Castelo Branco, member of the king’s council, *Vedor da Fazenda*, and Joana Zuzarte: Entail foundation deed (1442-10-31): Torre do Tombo, Mosteiro de Chelas, mç. 49, n.º 970. As a negative, the entail instituted by the licentiate Gregório Tavares in Portalegre, defines that the next of kin must be found through the father’s line, but does not lay down primogeniture and masculinity clauses: Will (1640-02-05) – VINC004400 GT EA/001a; ADPTG-PCP-001, fls. 372-373.

218 Pedro da Grã mentions the masculinity clause: Chapel foundation deed (1600-08-19) – VINC004651 PG EA/001adaa; UM-ADB-MAB-JR-B-736, fls. 14-19. Francisco Garcia Mascarenhas mentions the primogeniture clause: Dowry deed (1700-06-12) – VINC004957 FGM EA/001; ADG-GCG-RV-1, fls. 151-152.



prioritised to be chaplains²¹⁹; however, only on two occasions are clerics excluded²²⁰. Women, for their part, are not totally excluded from succession. Finally, no institution imposes an obligation on the administrator's legitimacy of birth.

By comparing the results obtained through the two ideal types and the characteristics they brought together, several points can be highlighted:

- Although the weight of masculinity and primogeniture in fluid type institutions is lower than in structured type, their relative weight is higher than in the sample of institutions made by clerics and, as will be seen below, women. One can therefore suggest that masculinity and primogeniture appear as a proper form of hierarchisation within aristocratic kinship, either through emulation by groups rising to social prominence, as a resource to crystallise a specific way of organising kinship gradually used by the aristocracy's 'traditional' sectors or, finally, through dynamic relations between these topics.
- By outlining kinship hotspots, founders sought to define them more carefully, establishing boundaries and perimeters to be integrated into the corporate entity. There is certainly a correlation between the role of entails in reinforcing these structures, and these structures already being strong enough, due to a genealogical awareness on nobiliary contexts, for the founders to imagine and delineate kinship networks, to hierarchise them and, as will be seen in the following chapter, to impose behaviours and values considered nobiliary.
- The 14th and 15th centuries were vital periods in this process, considering co-occurring social phenomena: the spread of genealogical literature, which, albeit with due distances from 'reality', would

219 Maria Dias, chambermaid to Queen Beatriz: Will (extract) - VINC002472 MDG EA/002aa; TT-FC-TD-276, fls. 44-46. João Rodrigues da Rocha, abbot of S. Julião de Parada do Bouro, and his brother António João da Rocha, captain in Ribeira Soaz and the *couto* of Parada do Bouro: Chapel foundation deed (1670-02-25) - VINC004783 AJRJRR EA/001ba; UM-ADB-MAB-JR-B-743, fls. 93-96.
220 João Afonso de Alenquer, knight and *vedor* to King João I: Will (extract) (1437-07-29) - VINC003124 JAA EA/002aaaa; TT-HSJ-1189, fls. 163-163v. Diogo da Fonseca, doctor and member of the king's council: Will chart (1475-05-02) - VINC003122 DF EA/003a; TT-FC-CC-5, fls. 325-328.



attribute increasing weight to figures such as the founder and to primogeniture and masculinity as basic elements in the organisation of the nobility's kinship; and the very evolution of the configuration of power groups, both the result of broader processes (such as the “monarchical framework” of the aristocracy²²¹) and moments of acceleration of these transformations (namely the crisis of 1383–1385, but not only).

In any case, further research should deepen our understanding of this process, either by broadening the documentary base and perhaps diversifying the chronological scope a little more, or by constructing specific samples of other social groups that can provide means of comparison.

Entailment clusters

The distinction between institutions of clerics and aristocrats, if based on the taxonomy and social representations of the time and bearing in mind the first major hierarchical element of the social body (clerics vs. laity) should not, however, be viewed too rigidly. On the one hand, clerics' foundations benefited lay blood relatives, relied on these relationships for the proper administration of the entail, and tried to mould these structures carefully in the more elaborate institutions. In these cases, they clearly reinforced the lineage structures of lay relatives, and in a way became ‘lineage makers’ themselves. On the other hand, there were close and porous relationships between the two groups: kinship, neighbourliness, and frequenting the same social spaces. The previous description highlighted the social space of the royal court and its institutions of justice and administration, as well as the top of the secular clergy, in a geography largely polarised by the court's itineraries, progressively dominated by Lisbon. These elites, both clerical and secular, thus seem to have taken centre stage in the first centuries of entailment. In this context, there are well-known cases described in the literature, such as the collegiate church of S. Lourenço, in Lisbon, with various foundations added between the late

²²¹ An idea proposed by Morsel, 2004, pp. 288–295. Resumed for the Portuguese case, between the 14th and 16th centuries: Aguiar, 2021.



13th century and the 14th century, established by close relatives linked to the Church, the Crown, and the Lisbon oligarchy²²².

The notion of ‘cluster’ as a research construct to enlarge the comprehension of these dynamics is in this regard very important and will also be taken up in the following chapter²²³. It allows us to establish connections between foundations and to scrutinise the correlation between ways of organising kinship and social status and the spaces through which specific practices and knowledge could circulate. Its importance lies first and foremost in the initial phase of the diffusion of entails (the clues to which were outlined in the previous pages) but does not end there. Among other questions, is there a regional pattern in ways of organising entailment kinship? Are these hypothetical formulas related to regional variations in kinship structures (suggested by the historiographical and anthropological literature) observable until very recently²²⁴? How were entails used for this purpose in traditionally nobiliary and small property regions? How did this happen in regions, also with smallholdings, that were highly stratified and entailed since their colonisation, such as the Atlantic archipelagos? If there were particular practices, did they give rise to their own configurations for organising kinship, with effects that would manifest far beyond the chronology framed by this research? We believe that these are very relevant questions, for which the concept of ‘cluster’ – applied to geographical spaces as such or to social spaces polarised by institutions (such as the royal court) or by kinship (not just consanguineous) – could be very useful. To this end, it will be necessary to construct specific documentary samples, subject to criteria that consider the documentary panorama and the nature of the topics to be considered in the research, including social status, chronology, regions, and churches where the masses should be celebrated.

222 Silva, 2012, pp. 84–102.

223 In the following chapter, we will pay special attention to the foundation of entails that were explicitly aggregated and/or related to other entails, as well as investigating the impact that these relations, and the incorporation of various entails into the same kinship groups, ended up having on the structuring and moulding of kinship structures in the long term: topic. 4.7.1.

224 Rowland, 2002.



3.3.4 – Female foundations

Questioning the foundations of entails through gender may provide relevant data, especially considering that this was a patriarchal world. It's accurate to affirm that entails helped instil binary constructions, applying them both to the definition and reinforcement of what was understood to be specific to the male gender – primarily a male heir, lay, of legitimate birth, faithful servant of the Crown, a combination of ideals wrapped in warrior and knightly traditions – and also to the subalternation of women in the lines of succession, reinforcing their primarily secondary role in the possession of power and social prestige. But perhaps it is more pertinent to interrogate these patterns based on the gender of the founders, with a special focus on those who, from the outset, had a secondary role.

To what extent did the institutions made by women conform or circumvent the general patterns? And what can this tell us about the autonomy of these women and the forms of kinship organisation that they could imagine for their own groups through entails? Our sample includes a significant number of foundations carried out by women, acting alone or together with their children²²⁵ (around 30% of the total number of foundations included in this sample²²⁶), distributed throughout the chronology. We consider that it would be more useful to analyse the data using the types of institutions previously constructed, seeking to ascertain the weight that female founders gave to moulding kinship relationships in their institutions, and the specific characteristics that may be discernible in them.

It is perhaps quite revealing that structured type institutions accounted for 11% of this set, a figure lower than the average weight of this type of

225 We exclude from this group foundations carried out by women with their husbands, fathers or brothers. Although Portuguese law gave married women and widows significant power over property, there could also be other informal mechanisms that could suggest, in these specific cases, submission to projects essentially imagined by male characters. These are obviously speculative questions, but they nevertheless justify, from the point of view of investigating women's foundations, an isolated analysis of the institutions in which they appear to act primarily on their own.

226 It should be emphasised that these observations are based on the sample built specifically for this research, the criteria for which was explained in the chapter on sources and mentioned throughout this chapter. We are not claiming that 30% of all entail foundations were carried out by women in these circumstances.



institution in the universe of foundations in this study's sample, and lower than that recorded in foundations made by clerics and aristocrats. In other words, it is possible to hypothesise that most of the foundations set up by women had more immediate purposes beyond organising and hierarchising kinship groups. However, within the scope of structured type institutions, there are some points worth emphasising, starting with a tendency towards aristocratic extraction of the female founders, as detected by their family surnames, the sociological indications in the documents – namely the reference to their husbands, accompanied by the social taxonomy²²⁷ –, the type and scale of the entailed estates, and the places where they stipulate they should be buried and where the masses will be celebrated, often reputed convents. Similarly to what happens with clerical institutions, there is a significant tendency to appoint collateral relatives, especially nephews²²⁸, particularly in institutions realised by widows, freer to dispose of their estates²²⁹. However, the greater freedom did not translate into clearly different choices from the general pattern of institutions, especially with regard to their “androcentric” nature²³⁰. Almost all of them benefited first-born males, and none gave succession preference to women. In the most extreme cases, some foundresses even stated that women could not be administrators of the entail²³¹.

Ultimately, structured type institutions, certainly created in social contexts fuelled by a ‘lineage’ culture with deep roots, progressively crystallised characteristics that, in extreme cases, could impose hierarchies of complete inequality (in this case, gender inequality) accepted by the historical actors, and conveyed by the same type of people who would theoretically be harmed. Even so, these elements do not allow us to automatically accept the assumption that these women lacked agency.

227 Among several examples, Isabel Henriques is mentioned as the widow of Lopo do Vale, knight – Will (1475-01-10) – VINC000256 IH EA/001a; TT-HSJ-1190, fls. 81v-84v.

228 For example, Aldonça Martins Lobo, a resident of Évora and widow of Álvaro Mendes de Vasconcelos, former *alcaide* of Monsaraz, who favoured her nephew António Lobo: Entail foundation deed (extract) (1510-09-02) – VINC006292 AML EA/001aa; TT-FC-TD-276, fls. 113-114v.

229 Aguiar, 2022a.

230 Concept proposed by Melero Muñoz, 2019.

231 Ausenda Eanes Leonardes: Will (1325-10-22) – VINC000652 AEL EA/004a; TT-AA-RA-3, fls. 329v-332. In the case of Leonor de Meneses, the documents are copied in a *tombo*: Tombo ([c. 1495-1521]) – VINC001635 LMAV EA/004; TT-CA-086-259-4843.



On the contrary, even though they conformed to the references from a primarily male social universe, they reveal the ability, with a degree of autonomy that is certainly real, to build institutions while actively manoeuvring the references that constructed masculinity in terms of ideals and social practices. Such a set of references were, to a large extent, confounded with that society belief's in the nature of power rooted in its warrior and virile values. This is the case, for example, with the institution carried out by Leonor de Meneses between 1446 and 1452. Using her will and later codicils, the daughter of Pedro de Meneses – a lord and knight who, thanks to his services as the first captain of Ceuta recovered the lineage's power and prestige²³² – designed an institution heavily invested with symbolic and identity elements. Containing various clauses defining how to choose the heir (primogeniture, masculinity, obligation of legitimacy), and excluding women and clerics from succession, she appointed her nephew Pedro de Meneses, son of her sister Beatriz de Meneses and João de Noronha, and established the different alternative succession lines²³³. In 1452, Leonor changed this decision and decided to favour another nephew, Afonso Vasconcelos de Meneses, the future count of Penela. In this way, she continued, through the compulsory use of the coat of arms and surname, a kinship based on paternal symbols and the identity of the lineage, transmitted in the first generation through women.

About two centuries later, Maria da Costa de Noronha, widow of Pedro de Alcáçova, also established a complete entail in what concerns the formalisation of kinship. The will and the declaration deed that completes it – produced between 1658 and 1660, when the widow had retired to the convent of Almoester – reveal a detailed institution favouring her nephew Rodrigo da Costa, son of the count of Soure, and a succession by primogeniture

232 Documents also published by: Campos, 2004.

233 Leonor established as an alternative line that of João de Noronha, her nephew and brother of Pedro de Meneses, imposing, however, that if he were to assume the succession, he should use the surname and coat of arms of the Meneses. She established alternative lines under the same conditions: Afonso, son of Isabel de Meneses, her sister, and Fernando de Cascais (the future Count of Penela); Fernão Gomes, second son of Rui Gomes da Silva and Isabel de Meneses, sister of the founder (natural daughter of Pedro de Meneses); their brothers, nephews of the founder through Isabel de Meneses; the legitimate son of her sister Aldonça de Meneses, natural daughter of his father. If all these lines were exhausted, Leonor de Meneses asked that the king give the entail to a person he saw as being closest to his father's legitimate line, with obligations to use the name and coat of arms.



and masculinity, excluding clerics²³⁴. In this case, the spectrum of relatives admitted to the entail would always be limited to the nephew's descendants, excluding collateral relatives, even if they succeeded to the entail instituted by the founder's parents. In these circumstances, Maria da Costa de Noronha gave the administration to the *Misericórdia* of Lisbon.

Conversely, most institutions are characterised by being small foundations, institutions that did not seek to impose specific forms of organisation on parental structures. An explanatory hypothesis for this scenario, which has already been repeated throughout this chapter, lies either in the priority given to elements other than kinship, seen here as a more accessory or supportive dimension, or in the social contexts of the founding groups, possibly part of loosely structured parental networks. Most of this group is made up of institutions whose documents do not have lengthy justifications for the institution; these women came from sociological backgrounds that are far more diverse than those of structured type institutions. Legally, the concept of *capela* is largely majoritarian; only 10% of the institutions were classified as *morgados* and, moreover, these were entails of succession by appointment²³⁵. Several institutions do not specify any succession clauses, but merely state that the entail would be passed down through the descendants. Occasionally, relationships other than blood kinship were invoked, either because these were absent or there was overlap with other relationships considered more significant at the time of death:

- In 1418, Inês Eanes, widow of André Afonso Almuinheiro, who lived in Lisbon, recognised the great friendship that united her to João Fernandes, her *compadre*, and his wife Maria, who lived in the same parish, as well as the many services she had always received from them. She donated some houses located in that parish to them and their heirs, without any further succession

234 Declaration deed (1660-03-07) - VINC004983 MCN EA/001b; TT-GCL-RV-98, fls. 56-70.

235 Maria Monteiro Correia, widow of Captain Amador Álvares Varzim and resident of Azurara, stands out among many examples. She set up a chapel in the form of a *morgado* ("and I make a chapel in the form of a *morgado* or whatever is best"), appointing her nephew, Father António Dinis, as administrator, giving him the power to appoint a successor within the kinship of the founder and through the descendants of the sisters: Will (1670-03-05) - VINC004063 MM EA/001; AD-PRT-PCP-K/21/1-18, fls. 8-16.



specifications, merely with the charge of saying masses for her souls in the local church²³⁶.

- In 1520, Inês Martins made her will. She was the widow of Gonçalo Moreno, a squire who lived in Vila Franca do Campo, on the island of S. Miguel. Having no forced heirs and leaving only two sisters and nephews, she freely disposed of her property and made Tomé Vaz her heir, as if “he was her carnal son”. After Tomé, the estates would be possessed by his son and descendants²³⁷.

However, there could be cases in which the founders, belonging to privileged social strata, named blood relatives without trying to construct detailed ways of hierarchising kinship, but simply stating the lines of succession. This is the case, for example, with the chapel established in 1610 by Beatriz Fernandes, widow of Dr Álvaro Vaz, *desembargador dos agravos*²³⁸. Declaring that she owned a chapel in the cloister of the monastery of S. Domingos in Lisbon under the invocation of Our Lady of Humility, where she would be buried and where she also allowed her descendants to be buried, she established a chapel so that masses could be celebrated for their souls and to preserve the memory of herself and her husband Álvaro Vaz. She entailed her manor of Malvasia, located in Sacavém, leaving it to her son Pedro Álvares de Gouveia, who would possess it during his lifetime with the established pious duties, namely three masses each week. After his death, the administration of the chapel would pass to his children and descendants; if he didn’t have any, it would pass to Francisco Vaz de Gouveia, also a son of the founder; and after him to the “descendentes dela instituidora pela ordem com que de direito são chamados”²³⁹, with no further succession clauses. In this foundation, despite the elements of identity and the specific desire to preserve the memory of the founders, no attempt is made to construct in any particular detail the kinship structures through which the entail was to be transmitted, leaving only the enunciation of some succession alternatives.

236 Donation deed (1418-02-91) - VINC000246 IEJFMC EA/001a; TT-HSJ-1191, fls. 82v-84.

237 Will (1520-08-22) - VINC001867 IM EA/001a; BPARPD-GCPD-RV-15, fls. 60v-63.

238 Chapel foundation deed (1610-03-24) - VINC000897 BGPAG EA/003a; TT-HSJ-009, fls. 11v-13v.

239 To “the descendants of the founder in the order in which they are rightfully named”.



At least based on the sample analysed in this book, and despite the incipient nature of these institutions (sometimes of very small scale and appointing female administrators), none of them establishes female succession preference, nor do any of them disqualify women from succeeding. However, while 50 institutions favour primogeniture, only 31 combine primogeniture and masculinity. By comparison, 40 institutions give administrators the power to appoint successors, either male or female. Only two define primogeniture²⁴⁰ and masculinity²⁴¹, separately, as criteria for defining the heir in the event the last possessor does not appoint a successor, even though several documents declare preference that appointment should be given to a person of the institutor's blood²⁴².

In summary, and at least judging from this sample, we can formulate the hypothesis that female institutions were less rigid when it came to defining and hierarchising kinship. In principle, their purpose was primarily to establish pious legacies, with kinship playing an essentially subsidiary and supportive role to administer the entail. Nonetheless, women established quite complete entails with which they sought to mould parental universes, articulating them with symbolic elements that both reinforced and were reinforced by these relationships. These institutions referred to aristocratic social spaces, with markedly noble values, whose power was based, among other elements, on the performance of warrior and knightly deeds, in other words, on values that were in themselves constructive of masculinity, an essential source of charisma and power in this society. In these same institutions, women sometimes excluded their female peers from the ability to succeed.

240 Ana Durenha: Will (extract) (1580-09-30) - VINC005719 AD EA/001; TT-HSJ-001, fls. 151v-152v.

241 Maria Viegas: Will (extract) (1640-10-31) - VINC006200 MV EA/001; TT-HSJ-005, fls. 251-251v.

242 Catarina Eanes: Will (1348-10-01) - VINC005829 CEPA EA/001aa; TT-HSJ-009, fls. 306-311v.

Maria de Matos Bettencourt: Will chart (1680-12-11) - VINC002174 MMB EA/001; TT-MC-V-PDL-20, fls. 154-162.



3.4 – Reception of the kinship imagined in foundational–documents: visions based on judicial documentation

Thus far, the book’s itinerary has led us to investigate the organisation the founders imagined for kinship relationships through the instruments that, perpetually expressing their wishes, became the entail’s internal law: the institutional documents. In the following chapter, among other aspects, we will have the opportunity to investigate the ‘negotiated’ dimension of the foundations: behind the formality of these documents (particularly the more complete ones), there is often evidence of negotiations between relatives regarding the definition of the entail’s assets and organisational arrangements, suggesting a project that – even if based on the founder’s full authority and the hierarchical relationships they imagined, and fully coherent with this society’s value system– still assumed some degree of collective agreement.

But first we must look for clues as to how the projects emanating from the foundational documents were received by succeeding generations, focusing on entailment as a definition of kinship hotspots, in line with the main lines of research followed in this chapter. To what extent was the organisation laid out in the institutional documents actually realised, especially over such a long period of time? How were future generations organised according to the parental perimeters and hotspots imagined by the founders? What disputes arose when it came to defining the poles encompassed by entails? Is it possible to establish differences and similarities between kinship defined in the institutional documents and that represented in the judicial documents, both in terms of court decisions and the arguments of the disputants? Did the possession and dispute of entails give rise to specific consciences and strategies on the part of kinship groups to represent and organise their relationships? The way to answer these questions is not based on a simplistic dichotomy between theory (represented in the founders’ projects) and practice (represented in the judicial documentation), but on the dialogue between the two, and considering that both dimensions feed into each other, producing widespread social effects and shaping reality²⁴³.

²⁴³ The theoretical proposal drawn up by C. Pollet in his research into treatises on the nobility and their reception in the 17th century, rejecting the dichotomy between ‘theory’ and ‘practice’, seems very suggestive here: Pollet, 2023, pp. 23–26.



The preservation of institutional documents was fundamental to manage entails, both from the point of view of the founders and administrators, and from that of the institutions related to entails (the Crown and Church) in a social process of production and preservation of information we had the opportunity to discuss in the chapter on information and documentation. The other significant documentary typologies associated with these institutions is the judicial documentation. Spanish historiography has demonstrated the vast potential of these sources, still largely unexplored, and the revealing enquiries that can be built with them²⁴⁴. This documentation, the institutional circuits linked to the production and conservation of information, the chronological distribution, and the criteria that governed the selection of the documentary sample are discussed in greater detail in the chapter dedicated to the sources²⁴⁵. Here we will briefly summarise these aspects as an introduction to the subsequent analysis. Constructing the sample depended on the thematic indexing built by the VINCULUM team for the project database, selecting the topics that were of specific interest to this book. It involved collating all the documentation from the 14th to 16th centuries and selecting a sample based on the 17th century's decades. The documentation is more voluminous for this century, which can be explained, on the one hand, by a possibly more frequent recourse to litigation in the courts, going all the way up to the higher courts; and, on the other hand, by institutional developments, such as the creation of the *Comissão* and then the *Juízo das Capelas da Coroa*, the repository of a very substantial set of judicial documentation²⁴⁶. Alongside this repository, the work of Manuel Álvares Pegas, gathering entailment case law, is also fundamental²⁴⁷.

We will work essentially with sentences and *acórdãos*, summarising the arguments of the disputants and the court decision. For the questions raised above, both the rulings and the arguments of the disputants will be fundamental, because: 1) they reveal evidence of the representation and

244 Of particular note here is Isabel Melero Muñoz's extensive research, and in particular her doctoral thesis: Melero Muñoz, 2021.

245 Check topic 2.4.

246 <https://visg.vinculum.fcsh.unl.pt/en/instituicoes/juizo-das-capelas-da-Coroa-court-of-the-crown-chantries-1643-1832/>.

247 For an overview of his life and work, see Teixeira, 2003.



organisation of kinship according to the corporate entities studied in this book; 2) they attribute the organising role in these social formations to the founder's wishes.

We will choose an introductory case study that brings us into contact with the nature of this documentation and allows us to identify the main topics to be explored. At the same time, the bibliography will allow us to find suggestions and reading grids²⁴⁸. From here we will structure thematic summaries, always keeping in mind the distinction between the arguments of the disputants and the judicial decision, and the chronology, despite the very strong bias towards the 17th century.

*

In April 1680, a judgement was handed down in a case concerning the administration of the entail set up by Filipa de Távora²⁴⁹. The documentation comes to us through the work of Pegas. The case opposed Pedro Falcão de Sunega and his wife Catarina de Távora as plaintiffs and Alexandre de Távora as defendant; the contenders were second cousins. The plaintiff argued that she was Manuel de Távora's niece, the daughter of his brother Diogo Ortiz de Távora. Her uncle did not have any children, so he called his cousin Diogo Teles de Távora to the succession, a nephew of the foundress and legitimate son of her brother Manuel Teles de Távora. The plaintiff claimed that this nomination was unfounded, as she was the next of kin and the succession belonged to her. Furthermore, the appointment had also been made on the condition that Diogo married the plaintiff, which he had not done. For his part, the defendant argued that after Diogo Teles, his daughter Isabel had succeeded to the entail. But as she had died as a little girl and without descendants, the entail was his as

248 In addition to reading this documentation, it is essential to emphasise the contributions made by historiography in suggesting grids for analysis and questioning. In the Spanish case, the *porcones*, more complex and much more voluminous sources than the documents we have worked with in this research, allow for broader degrees and topics of questioning, but which we have nevertheless endeavoured to incorporate into this research. The potential of these documents, both in terms of types of conflicts and argumentative resources and their diverse nature, was well demonstrated in Melero Muñoz's doctoral thesis, 2021. Consider also the observations of Lagunas, 2007.

249 Court sentence (transcription) (1680-04-05) - VINC001728 FT EA/002a; PEGAS-1687-2, pp. 480-481.



he was the closest relative descended from the legitimate Távora, son of Madalena de Távora, sister of Diogo Teles de Távora and cousin of the first administrator Manuel de Távora.

The judgement is based on the founder's wishes as expressed in the foundational document. It showed that Filipa de Távora had established an entail of her assets in her will, naming Manuel de Távora, the son of her sister Catarina de Távora, as the first administrator. If he died without children, the closest relative of the Távora's, of legitimate birth, would succeed him. The founder had called "à sucessão deste morgado o agnado parente mais chegado dos Távoras verdadeiros"²⁵⁰ to the succession, considering women in the absence of men. With this provision, stated to "expressa intenção de conservar sua memória na família dos Távora, chamando com prelação os agnados por a agnação se conservar somente em varão, e não na fêmea"²⁵¹. Considering this interpretation of the foundational document, the defendant was considered the legitimate successor, as he was the closest relative of the last administrator, Diogo Teles de Távora, a descendant of this lineage and "do sangue da instituidora"²⁵².

Based on this case, and in light of the issues we have been analysing in this chapter (centred on entailment as an instrument for defining kinship hotspots), we can isolate the following topics that can be dealt with using judicial documentation, drawing up partial summaries in permanent articulation with the data analysed on foundational documents:

- The reference to the document of institution as regulator of the entail's functioning, and of the parental perimeter it establishes, formalising, over the centuries, the institutor's power in these social formations.
- The conceptualisation of kinship relationships and the terminology used to characterise them, allowing a direct comparison with the language of institutional documents.

250 "The closest agnate relative of the true *Távoras*".

251 Shed "expressed intention of preserving her memory in the *Távora* family, priorly calling the agnates".

252 "From the blood of the founder".



- The group of relatives in confrontation, enquiring about their type of relationship.
- The reconstruction, by the disputants and the judges, of kinship relations, in their breadth and depth, and the ways of determining the ‘closest relative’ and the legitimate successors.
- The use of specific concepts, such as the ‘right of representation’, or the categorisation of *morgados* as ‘regular’ or of another nature.

The potential of this documentation will not be exhausted by these topics. Litigation by women will be a very relevant topic²⁵³. This and other themes will be more pertinent in the following chapter, where we will focus on analysing the specific ways in which kinship relationships were shaped by entails, in which age and gender hierarchies play a central role²⁵⁴.

3.4.1 – The founder and his will: the centrality of the foundational document

Around 40% of the documents in this sample refer explicitly to the institutional document, relying on the clauses contained therein to resolve the dispute according to the founder’s wishes. The use of the document sometimes made it clear that administration should be passed by appointment, and not by succession²⁵⁵; or clarified elements such as the precedence of male lines over female²⁵⁶, or primogeniture, with no difference in gender²⁵⁷. In most cases, recourse to the document enabled conflicts to

253 An aspect also addressed by Melero Muñoz, 2019, 2021, 2022.

254 Among various examples, when studying the conflicts in the house of Vélez in the 16th century, R. Rodríguez Pérez clearly demonstrates the tension between the legal representation of the family as a body peacefully governed by the authority of the *pater familias*, and the real functioning of relationships within these social formations. Inequality between heirs could therefore pose challenges. As the author suggests, the study of conflicts makes it possible to explore the contradictions inherent in these social formations. Rodríguez Pérez, 2012.

255 Acórdão em relação (1568) – VINC001487 AD EA/003d; TT-FC-CC-1, fls. 324v-325. Consultation of the institution led to the conclusion that this chapel was one of nomination and not of succession by kinship.

256 Acórdão (transcription) (1650-04-30) – VINC001433 AMDCD EA/001a; PEGAS-1687-2, p.

257 Court sentence (extract) (1553) – VINC001240 MSAO EA/005c; TT-FC-CC-1-229. The right of the sister over the brother was proven because she is the eldest, and because, in this entail, and despite the defendant’s claim, masculinity does not override primogeniture.



be resolved. In the large repositories of information already mentioned, such as the *Capelas da Coroa*, the judgements, rulings, and institutional documents were part of the *tombos* ordered by the judges. Conversely, ignorance of the foundational document, or suspicion about the veracity of any of the existing copies, was the cause of conflicts or their non-resolution. Sometimes the disputing parties accused each other of hiding the documents, seeking to gain an advantage in the dispute²⁵⁸. In other cases, the courts disqualified accusations or punished current administrators for not presenting the document²⁵⁹, or conflicting versions of it²⁶⁰.

The reference to other sources of law, common or jurisprudential, is always subsidiary, serving to make up for omissions or to seek to impose a decision in the spirit of the founder's wishes²⁶¹.

258 Royal sentence (1441-02-05) - VINC001240 MSAO EA/005c; TT-FC-CC-2, fls. 228v-229. It also accuses the defendant of hiding the institution and other documents.

259 Court sentence (1507) - VINC002409 VDB EA/006aa; TT-FC-CC-4, fls. 282-282v: Sentence issued by Doctor Álvaro Fernandes in a case involving the Crown Prosecutor as plaintiff on the one hand and João Afonso Souto as defendant on the other, concerning the administration of the entail instituted by Vicente Domingues Bolouras. The judgement condemns the defendant to leave possession of the entail: on the one hand, the defendant did not have the chapel institutional document; on the other, it had not been proven that he descended "from the direct line of the first institutor". Court sentence (1515-08-22) - VINC001277 PASA EA/004a; TT-FC-CC-4, fls. 39-39v: Sentence pronounced in the *Comissão das Capelas da Coroa*, on behalf of King Manuel, concerning the administration of the entail instituted by Pedro Afonso and Senhorinha Afonso. The judgement acquits the defendant because the plaintiff did not fulfil the conditions requested by the court, namely the presentation of the institutional document.

260 Acórdão (1650-04-09) - VINC000959 CE EA/005ad; TT-AA-RA-2, fls. 130-131. Reference is made to the founder's will and the two existing copies, one of which is incomplete and the other from the *Provedoria's* old *tombo*. They were not in agreement, particularly regarding the female exclusion alleged by the author.

261 Court sentence (transcription) (1689-03-01) - VINC001675 DR EA/001a; PEGAS-1739-4, pp. 347-348. Judgement in a case between the plaintiff João Freire and the defendant Antónia Freire, concerning the administration of the entail instituted by Domingos Rodrigues. It was judged that João Freire was the legitimate administrator, being the son of Maria da Rosa, sister of Manuel, the first administrator, and niece of the institutor, who expressly appointed these relatives to administer the entail in the event that her brother had no children. It was considered that in this case the right of representation should also apply "according to the opinion of the most approved Doctors".



3.4.2 – Representations of kinship: terminology and concepts

Given the nature of these disputes, the type of relationship implied is almost exclusively consanguinity. It is possible to establish some common points and some differences in the concepts and vocabulary used in this judicial documentation and in the institutions to qualify this universe. In both, ‘lineage’ continues to refer to consanguineous relationships and to the definition of the closest relative within this variable perimeter²⁶². Its use is roughly equivalent to that of “*geração*”, which can refer to a kinship group organised around a name²⁶³, itself serving as the motto of the institution and as the aggregator of relations, or simply to the kinship relationships of the institutor²⁶⁴. These are the terms that, in the foundational documents, are most frequently used by the founders to refer to present and future kinship networks. Therefore, there is an effective correspondence, not supplanted by the rare appearance of terms such as “*família*”, which, in terms of categorising and delimiting a sphere of relations, referred primarily to domesticity and not just to kinship by blood or affinity²⁶⁵. The big difference in judicial documentation, especially from the mid-17th century onwards, is the clear dominance of the term “*sangue*” (blood) to cover all these dimensions, largely replacing or complementing the terms mentioned above. The formula “*sangue do instituidor*” (blood of the founder) referred to the existence of relatives or their relationship

262 Court sentence (1437-06-15) - VINC006264 NRJG EA/001c; TT-FC-TD-272, fls. 317v-323v. The assets belonging to the entail established by Nuno Ribeiro should be inherited by his children or by other legitimate relatives of the testator’s generation and lineage, with the “closest cleric of the lineage” inheriting the assets.

263 Court sentence (1547) - VINC001935 JB EA/002e; TT-FC-CC-4, fls. 92-92v. The judgement states that the plaintiff did not prove that his father was the son of João Álvares Bousão, and therefore did not prove that he was of the *geração* of the Bousões. The institution provided that the chapel should go to the closest relative “of the said *geração* of the Bousões”, including both men and women.

264 Sentence (1576-01-30) - VINC002402 VLT EA/005b; TT-FC-CC-3, fls. 178v-179v. The author’s argument states that they were “relatives and of the generation of the said institutor”.

265 Acórdão em relação (1568) - VINC001487 AD EA/003d; TT-FC-CC-1, fls. 324v-325. Judgement clears Martinho Lopes de Azevedo of the appeal made by Pedro Álvares: “which he could well do because the said entail was of appointment”, with “no right reserved to any person of the family of the institutor”. In what concerns the use of the term in medieval sources: Sousa, Sottomayor-Pizarro, 2010, 126. However, a distinction should be made between the legal documents and other literature, especially abundant in the early modern period, surrounding the ‘family’, the ‘*Casa*’, and the ‘family economy’, which we will focus on in the next chapter: see topic 4.2.



to the founder²⁶⁶. This predominance is not observed in the foundational documents, which may suggest a specificity in the legal discourse, which, incidentally, used blood for ethnic-religious constructions that were fully appropriate in the compartmentalisation and hierarchisation of the social body, especially marked from the mid-16th century onwards²⁶⁷.

3.4.3 – Relatives in confrontation: what kind of relationships?

One of the purposes often stated by the founders is to create a stronger pole within the parental universe, capable of supporting the relatives. The institution of entails is underpinned by a discourse of unity and concord, as opposed to the disharmony and disintegration that, in this logic, the permanent division of assets would imply²⁶⁸. But the definition of kinship hotspots, and the formalised leadership that administration in principle implied, did not always come without costs, generating disputes between relatives²⁶⁹. These could occur in the generation immediately after the institution, or hundreds of years later. As a result, it is possible to reconstitute broad spectrums of kinship relationships, with remarkable genealogical depth, and these same confrontations can involve close or very distant relatives against each other. Collateral kinship, whether close and in the same generation (siblings), in different generations (uncles and nephews), or in much more distant relationships (from the 3rd to the 6th or 7th degree), marks the spectrum of relationships between the contenders.

266 Acórdão (1690-07-01) - VINC001199 AAMF EA/001aa; TT-AA-RA-2, fls. 59v-69: the objectors' allegations were not proven, considering that they were not relatives of the institutor "because they are not of the family of the institutor". Acórdão (1694-07-06) - VINC000816 LF EA/002ac; TT-AA-RA-3, fls. 122v-123: the chapel instituted by Luís Fernandes was judged to be vacant for the Crown, as it had been proved that there was no "descendant or relative" of the institutor after the death of the last administrator, and that he had also died "without leaving any relatives of the blood of the institutor". Acórdão (1700-07-15) - VINC002150 MENG EA/001aa; TT-AA-RA-3, fl. 130v: it was determined that the petitioner was the legitimate administrator of the chapel instituted by Maria Eanes "because he was of the blood of the institutor".

267 For an overview of the ethnic-racial problem in the context of social stratification in the early modern period: Bethencourt, 2021.

268 See topic 4.3.

269 Note for the typology suggested by Melero Muñoz, 2021, pp. 292-295



Disputes between brothers often involved the concepts of primogeniture and masculinity, arguments used by the contenders in the hope of proving their right to administration. Despite the prevalence of these clauses in structured type institutions, and the aristocratic leanings of their founders, legal disputes that resorted to these arguments did not necessarily belong to this social universe. In 1441, two half-brothers from Guimarães – João de Braga, a butcher, and Duarte Afonso, a barber – clashed over the ownership of an entail created by their great-grandfather some 50 to 60 years earlier, in a case that went up to the *Casa do Cível*. The social context is therefore that of craftsmen, recognising the validity of those clauses, and the importance of documents to prove them²⁷⁰. In 1463, in a dispute between four brothers, the sister won, proving that the primary criterion left by the founder was primogeniture regardless of gender²⁷¹. In 1553, a similar ruling benefited another sister, disqualifying the claim of her brother, the defendant in this case, proving that masculinity in this institution did not override primogeniture²⁷².

In the spectrum of collateral kinship, conflicts were most acutely displayed between uncles and nephews and between cousins. Between uncles and nephews, the legal figure of the ‘right of representation’ intervenes, crystallised in judicial documentation and handled by the disputants, as can be seen, for example, in the dispute in 1670 between aunt and

270 Royal sentence (1441-02-05) – VINC002239 MPG EA/005b; TT-FC-CC-2, fls. 228v-229. Case concerning the chapel instituted by Martinho Pais. The plaintiff argues that the founder had been a cleric and canon in Santa Maria da Oliveira. It had been proven that the institutor had founded a chapel and succeeded to an entail with the charge of seven masses a year, and that the entail “should always run in his generation who descended from him, namely in the first son or daughter who was older at the time of the death of the possessor of said administration”. The assets that had been entailed were also listed. The founder had been dead for 50-60 years and had been succeeded by Rui Martins, his legitimate son; after his death, Catarina Rodrigues, his daughter, succeeded him. Catarina had married José de Braga, and the author as her only legitimate son, who in this capacity would be the universal heir. Catarina Rodrigues had married Afonso Eanes do Basto as his second wife, and the defendant was born of this marriage, taking possession of the property after his mother’s death. Thus, the plaintiff argues that the entail belonged to him because he was the eldest son. He also accuses the defendant of hiding the institution and other documents. The accusation was rejected because it was not considered that the plaintiff had properly proved his case.

271 Acórdão (1463-10-05) – VINC001666 DDJRR EA/002aa; TT-FC-CC-4, fls. 341-342.

272 Court sentence (extract) (1553) – VINC001240 MSAO EA/005c; TT-FC-CC-1, fl. 229.



nephew over the administration of the entail established by Francisco Dias²⁷³. Between cousins, the disputes were localised at the level of first cousins²⁷⁴, as well as the 2nd and 3rd degrees²⁷⁵, in cases where, for example, several disputants were great-great-grandchildren of an administrator²⁷⁶. In the most extreme situations, these disputes manifested themselves in very diffuse kinship relationships, going far beyond the sphere of the 4th canonical degree which, as we saw in some institutions, was the space recognised by certain founders as likely to recruit the closest relative. In the dispute over the administration of the entail instituted by Agostinho Afonso and Marta Filipa, sentenced in 1690, the various opponents tried to demonstrate, through various lines, that they were descended from the institutors, each claiming to be the closest, or to have precedence by male lines. All the contenders were vaguely related to each other, as they were 6th or 7th degree relatives of the founders²⁷⁷.

3.4.4 – Reconstituting kinship

The last case shows that, in certain situations, disputes could lead to the reconstitution – real and/or partly imaginary, or of dubious support – of broad and deep kinship networks, with the aim of proving the status of closest relative and legitimate administrator. This endeavour implied an

273 Acórdão em Relação (transcription) (1670-06-21) – VINC001761 FD EA/001^a; PEGAS-1687-2, p. 264. The dispute involves nephew and aunt. The nephew claims that he represents his mother, the eldest daughter, even though she died during her father's lifetime. The defendant claims that in a *morgado* instituted transversally, representation did not apply, and that she was the closest relative by one degree of the last possessor, in this case her father, and that the male preference did not apply. The court ruled in favour of the plaintiff, arguing that representation was allowed in these cases.

274 Royal sentence (1499-07-10) – VINC001292 IC EA/005b; TT-FC-TD-274, fls. 33-38v: the dispute over the administration of the entail instituted by Iria Caeira opposed two cousins. Acórdão (transcription) (1649-02-13) – VINC001638 DCLA EA/001a; PEGAS-1739-3, fls. 80-86: dispute over the entail instituted by Diogo de Castro and Leonor de Ataíde opposing cousins.

275 Court sentence (transcription) (1680-04-05) – VINC001728 FT EA/002a; PEGAS-1687-2, fls. 480-481: case concerning the administration of the entail instituted by Filipa de Távora. The succession of the entail is reported, from the founder to the contenders, who were 2nd cousins. Court sentence (transcription) (1680-04-24) – VINC001618 CA EA/001a; PEGAS-1687-2, fls. 269-271: case concerning the administration of the entail instituted by Constança de Aguiar, opposing 3rd degree relatives.

276 Acórdão em Relação (1568) – VINC001487 AD EA/003d; TT-FC-CC-1, fls. 324v-325. Dispute over the administration of the entail instituted by António Domingues, the contenders being the great-great-grandchildren of one of the clerics who had been administrator of the chapel.

277 Acórdão (1690-07-01) – VINC001199 AAMF EA/001aa; TT-AA-RA-2, fls. 59v-69.



awareness of a broad genealogical kinship, and it was of crucial importance in this society. Entails and other topics (e.g. marriage impediments, blood purity) meant that, for legal reasons, for both personal security and survival, this genealogical knowledge had to exist, or at the very least had to be manufactured, a problem for which there was widespread awareness. In aristocratic groups, all of this was underpinned by a culture and self-image that extracted the group's cohesion from, among other factors, the love that kinship relationships should arouse among everyone, an idea formulated by an author like count Pedro de Barcelos, whose nobiliary will often serve as the basis for the genealogical reconstructions so present in family archives²⁷⁸.

The widespread diffusion of entails and their accumulation in the same groups (as a result of the growing social endogamy in the early modern period), may have also led to more frequent disputes over administrations, themselves inducing a greater need for genealogical knowledge. Entails would have been another of the essential vehicles for the greater production of this knowledge and, consequently, one means of imposing ways of conceiving and imagining kinship, with lasting effects. Its effects would be felt in various social groups, not just the nobility. Although the depth of genealogical reconstructions would certainly vary, they were usually more detailed in privileged groups. So how were these reconstructions carried out in the context of legal disputes? What evidence and resources were used by the disputants and accepted by the judges?

Both the disputing parties and the judges often described the lines of kinship between the disputants and the founders, and the lines of succession through which the administration passed. Often the reconstructions went back, for example, to the generation of the great-grandparents²⁷⁹. In the dispute that took place in 1576 over the succession to the chapel established by Vasco Lourenço Torneiro, it was the public recognition,

²⁷⁸ Rosa, 2019.

²⁷⁹ Acórdão (1547-03-29) - VINC001873 EF EA/001ac; TT-FC-CC-4, fls. 246-246v: case concerning the administration of the entail established by Ermígio Fernandes. They describe the succession since the author's great-grandfather. Court sentence (transcription) (1680-04-24) - VINC001618 CA EA/001a; PEGAS-1687-2, pp. 269-271: case concerning the administration of the entail instituted by Constança de Aguiar, reconstructing the lines of descent of the litigating parties up to the institutor, her great-grandmother.



supported by witnesses, which made it possible to prove that the plaintiff's great-grandfather was descended from the institutor²⁸⁰. A "noted" and "publicly recognised" kinship is also what underpinned the decision to declare Álvaro Lucas the legitimate administrator of João Pontes' entail in 1579²⁸¹. The chronological and generational depth could be very significant: in 1591, the administration of a chapel instituted by Maria Martins Bousão around two hundred years earlier was judged, showing that the institution "came to many descendants" until it came into the possession of the defendant's father, who in his lifetime appointed his son as successor²⁸². In 1621, it was judged that the chapel established by Paio Pires in S. Nicolau de Mesão Frio had been in the possession of the defendant's ancestors for around 120 years²⁸³.

Genealogical reconstructions were intended to prove who was the closest relative, a concept that circulated both in foundational and judicial documents. Sometimes these relationships were seen for their charitable relevance, especially in fluid type institutions where, as we have argued, naming relatives as administrators had a mainly utilitarian character, subordinated to the administration of estates and the fulfilment of pious legacies. In 1510, the possession of the chapel instituted by João Rodrigues and Leonor de Almada was judged. In the process, it is reported that João Rodrigues, the current administrator and 1st cousin of the founder, had been asked about his capacity for succession, declaring his degree of kinship with the founder and saying there was no other relative "que de sua alma se doesse"²⁸⁴. The priority was therefore not to imagine and organise kinship relations, but to resort to them, as it was believed that, in principle, relatives would be more concerned with the soul of the founder.

In the aristocratic context, which tended towards foundations that conferred greater centrality and importance to the elaboration of kinship, concepts such as closest relative were handled within a framework where

280 Sentence (1576-01-30) - VINC002402 VLT EA/005b; TT-FC-CC-3-178v-179v.

281 Royal sentence (1579-07-02) - VINC000724 JP EA/001m; TT-IMC-NA-939, fls. 72-74.

282 Acórdão (1591) - VINC001235 MMB EA/001c; TT-FC-CC-4, fls. 294v-295.

283 Acórdão (1621-08-17) - VINC001295 PP EA/002aa; TT-AA-RA-3, fls. 118v-119v.

284 "Who would be afflicted by their [*the institutor's*] soul", in Court sentence (15--) - VINC002004 JRLA EA/004ab; TT-FC-CC-4, fl. 118v.



kinship played a central and identitarian role, reinforcing and simultaneously reinforced by other elements. When judging a dispute over Luís Melo Freire's entail in 1660, it was considered that Francisco Soares de Melo, the appellant's father, was the last possessor's closest relative. It had been proven that he was the son of Martim de Melo, a cousin and brother of the founder, and grandson of Fernão de Melo, brother of Ana de Melo, tracing the genealogy back to Nuno Freire de Andrade, master of the Order of Christ, characterised as “cabeça e tronco de onde procede a verdadeira e ilustre família dos Freire deste reino”²⁸⁵. A judgement whose form and content is similar to that which, in 1680, considered the plaintiff as the closest relative of the last possessor of the entail instituted by Pedro Cascais de Abreu, being of the institutor's blood and “descendente por varonia das famílias dos Abreu e Cascais, as quais o instituidor pretende conservar em sua instituição”²⁸⁶.

A case that is perhaps paradigmatic of this panorama, and of the type of evidence that litigants could use, concerns the administration of the entail established by Gil do Sem, Branca Eanes and Martinho do Sem in the early 15th century. The case was judged between 1691 and 1692²⁸⁷, with the first ruling unfavourable to the Count of Sarzedas, the plaintiff, and the second reversing the decision. In 1691, the plaintiff's argument reconstructed the lines of kinship, going back seven generations to the founder, and passing through several women. The argument was rejected on the grounds that the reconstitution of the kinship lines was based solely on “certificates drawn from genealogical manuscripts”, to which many flaws and contradictions were regularly attributed. The 1692 judgement proved kinship, since the information from the genealogical books was corroborated by other papers from the *Mesa da Consciência* and the *Torre do Tombo*. The various cases, however, demonstrate the importance that the cultivation of genealogical knowledge assumed for the groups who possessed entails, and those related to them, serving, among other things, to prove rights and support litigation: it was not knowledge purely cultivated

285 Acórdão (transcription) (1660-06-10) - VINC002064 LMF EA/001a; PEGAS-1685-1, pp. 34-35.

286 “The head and trunk from which the true and illustrious family of the Freires of this kingdom originates”, in Court sentence (transcription) (1680-04-12) - VINC002291 PCA EA/001a; PEGAS-1685-1-466.

287 Acórdão (1691-07-28) - VINC000028 GSBEMS EA/006aa; TT-AA-RA-2, fls. 177v-181.



for ‘cultural’ reasons, but for causes that were truly central to the organisation of collective life.

3.4.5 – Right of representation, regular and agnation entails

The categorisation built by the law – especially since the landmark Laws of Toro (1505) – regarding the characteristics of the *morgados* according to their succession clauses, headed by the most common ‘regular’ *morgados*, gave rise to the creation of concepts to typify the founder’s different choices. Even with the help of jurists and other legal professionals, especially in the more carefully planned institutions, the reality is that these concepts, at least in the sample we worked with, are never mentioned in the foundational documents. Perhaps because they were unnecessary, since the clauses to be drawn up were at the discretion of the founders. But, particularly with the more informed founders, one can argue that this panoply of categorisations was an underlying knowledge, handled by the legal experts who certainly helped them. The same applies, incidentally, to the ‘right of representation’: although it is rarely formulated as such in the foundational documents, the problem it aims to solve was known and theoretically circumvented by the institutors who defined how succession precedence should be established in any dispute between uncles and nephews. Proportionately, the concept and type of conflict to which it refers is much more present in judgements and rulings than in foundational documents, a pattern that will shape the rate of conflicts of this nature. In the language of law, the notion of representation is often used, whether or not it applies to specific cases²⁸⁸.

288 Court sentence (transcription) (1676-03-12) – VINC001948 JL EA/001a; PEGAS-1687-2, pp. 306–307: judgement on the administration of the entail established by João de Lemos, in a case involving Baltasar de Lemos as the plaintiff and Gaspar de Lemos as the defendant. The plaintiff showed that João de Lemos had established the *morgado* by appointing his nephew Gaspar de Lemos as its first administrator. On Gaspar’s death, his second son Leão de Lemos succeeded, because his older brother had died during his father’s lifetime. Leão had a succession dispute with his nephew Gaspar de Lemos, who obtained a judgement in his favour, judging the entail “by representation”. Acórdão (transcription) (1680-06-08) – VINC001676 DVA EA/001b; PEGAS-1687-2, p. 411: judgement in a case between the plaintiff Catarina Martins and the defendant Francisco Martins, concerning the administration of the chapel established by Domingo Vaz Amarelo. A previous decision by the Judge and *Ouvidor* was overturned, acquitting the defendant on the grounds that he was the founder’s closest relative and the last administrator, and that the right of representation did not apply in this case.



Notions such as ‘regular’ or ‘agnation’, although absent in the wording of the institution’s documents, were used to support the judge’s decisions. In 1671, the entail established by Carlos Nunes was judged to be regular and not of agnation²⁸⁹. In 1690, the entail established by Luís Barbuda de Melo was considered ‘regular’, and Juliana de Castro could succeed in her capacity as next of kin. Even though she wasn’t named in the will, she wasn’t excluded by express and clear words, as was required by law²⁹⁰. In 1680, two decisions favoured men based on the concept of agnation: in the entail established by Filipa de Távora, it was suggested that she had expressly intended to preserve her memory in the family of the Távora, stating that succession should be transmitted from male to male²⁹¹. In the entail established by Constança de Aguiar, the judgement stated that the chapel “*não somente é de agnação, mas que aos filhos varões declarou sempre a preferência às fêmeas, que só em falta deles elas poderiam ser admitidas*”²⁹².

*

In short, the analysis of the judicial documents highlighted conflicts arising from a point that is characteristic of the nature of entails: the definition of the kinship hotspots, circumscribed within the parental universe. The succeeding generations, close to or far from the founder, and close or very distant in their kinship ties, did not always agree on the definition of the closest poles that could be integrated into the corporate entity and have administrative rights over it. The concrete manifestation of the founder’s wishes could, for sincere or opportunistic purposes, be received with ambiguity²⁹³. One of the most lasting effects of the type of kinship designed by entails was the growth of a ‘genealogical kinship’, that is, a

289 Court sentence (transcription) (1671–06–11) – VINC001579 CNLGN EA/001a; PEGAS–1687–2, pp. 583–584.

290 Court sentence (transcription) (1690–04–04) – VINC002050 LBM EA/002a; PEGAS–1739–4, pp. 521–522.

291 Court sentence (transcription) (1680–04–05) – VINC001728 FT EA/002a; PEGAS–1687–2–480–481.

292 “Is not only of agnation, but that the male children should always be given preference over females, that only in their absence could these be admitted”, in Court sentence (transcription) (1680–04–24) – VINC001618 CA EA/001a; PEGAS–1687–2, pp. 269–271.

293 I. Melero Muñoz emphasises that instead of promoting peaceful succession, succession clauses often triggered ambiguity, which led to conflicts: Melero Muñoz, 2021, p. 319.



genealogical consciousness, real and/or partly fabricated, but which nevertheless attached central importance to a vast network of present and past relationships, ingrained in the very functioning of the social fabric. Entails were thus added to other central points in Iberian *Ancien Régime* societies, which made this knowledge indispensable in practice, along with marriage impediments and issues of blood purity. Their importance was manifested in a variety of areas, central to social reproduction and sometimes to the very survival of individuals and their familial groups²⁹⁴. Real and/or fraudulent, as the historical actors themselves often emphasised, this knowledge became central to the functioning of the social order. E. Soria Mesa suggests that, in early modern Spain, genealogical knowledge constructed an image of a stable and immovable social order, since it was based on a chain anchored in the past, pushing into obscurity the phenomena of social mobility that was nevertheless an essential part of its dynamics. As far as entails are concerned, this author reports cases of the cult of this knowledge in family archives, indicating the expectation (harboured among the most endogamous groups) of succeeding in entails after the death of a given relative. In other words, genealogical knowledge also made it possible to update a kind of cartography of relatives and inheritance opportunities²⁹⁵. Unlike free inheritances, which are easier to split up, the institutional dimension of entails may have made this mapping and litigation over inheritance rights easier.

Considering the ever-increasing number of foundations and the accumulation of entails within the same social and kinship groups, it is logical to assume that these corporate entities increasingly contributed to ways of structuring kinship that would become very present socially: a kinship with theoretically more defined and circumscribed poles, verticalized but necessarily supported by collaterals, whose genealogical awareness, in its depth and breadth, was perhaps strengthened. Although it may sound paradoxical, the profusion of succession conflicts eventually contributed to solidifying this panorama by inculcating the entailment rules²⁹⁶.

294 On marriage impediments, we refer again to Rosa, 1996. Aguiar, 2022b. On the social importance of genealogical knowledge and blood purity: Olival, 1997. Figueirôa-Rego, 2008. Marcocci, Paiva, 2016, pp. 161-179. Bethencourt, 2024.

295 Soria Mesa, 2004.

296 Melero Muñoz, 2021.



In the next chapter, and based on this same corpus of documents, it will be necessary to investigate how the dictates of the founders in terms of behaviour – starting with the marriage of the successor – were received over the centuries.



Regulating and constraining: the moulding of kinship groups framed by entails

CHAPTER 4

4





Regulating and constraining: the moulding of kinship groups framed by entails

In 1560, Cristóvão de Brito decided to set up a *morgado*. Cristóvão had lived a long life. Together with his brothers, he served the king in India. The son of João de Brito and Beatriz de Lima, he descended from a lineage of founders and administrators of various *morgados* and *capelas*, some of which were based in the collegiate church of S. Lourenço, in Lisbon, one of the entailment ‘clusters’ mentioned in the previous chapter¹. In the foundational document, the institutor presented himself as the group’s ordering pole, concentrating the estates and organising them in an institutional logic, basing these choices on ideals of service. The verb was “*instituir*”; the legal concepts were “*morgado*” and “*vincular*”. The estates should always be possessed by a successor, thereby preserving the founder’s memory, which would not occur if they were divided. In this way, the successors could better serve God and the king. Experience showed that entails strengthened honour, the houses and memory².

¹ This institution was analysed in one of the texts of the “Entail of the month” initiative, available on the Vinculum project website: <https://www.vinculum.fcsh.unl.pt/entail-of-the-month/morgadio-of-cristovao-de-brito-1560/>.

² “Minha intenção e vontade é instituir um morgado das rendas, rendas juros e bens que no dito testamento vinculei, e aprovei para isto para que ande sempre em um dos meus sucessores para o que hei seja conservada e permaneça a minha memória e represente por ele porque a fazenda partida e despedaçada por muitos se não poder assim conservar como andando assim toda junta em uma só pessoa para que com ela possa melhor servir a Deus e ao rei deste reino que foi a causa por que os antigos trabalharam sempre de instituir morgados e capelas porque por experiência servia sempre o grau de aumento que daí se segue às suas honras, casas e memórias/ My intention and wish is to set up a *morgado* of the rents, interests and assets that I have entailed in said will, and I have approved this so that it may always go to one of my successors, to preserve and extend my memory that they will represent, because the estates, broken and torn apart by many, cannot be preserved in this way, as they can if all are together in one person, so that with that they might best serve God and the king of this kingdom, which was the reason why the ancients always worked to institute *morgados* and chapels, because experience showed they always served to strengthen honours, houses and memories”.



With no descendants, he appointed his nephew João de Brito as successor. As part of a family circle involved in founding and managing entails, Cristóvão had thorough knowledge about this resource. He was probably also in agreement with his brother Lopo, himself the founder of another *morgado* in 1547, given the similarity between the clauses imposed in both institutions³. The beneficiary would be João de Brito, who would concentrate the two entails, along with others that were already administered by his relatives.

This significant set of assets was used from the outset to maintain the administrator. The heir was henceforth seen as the group's pivot, having a position of privilege and responsibility. An idealised representation was imposed, depicting the administrator as a key figure in the connection between past, present and future, as long as the world lasts. This link was expressed in the obligation to use the surname Brito, as well as the lineage's coat of arms, thus creating continuity. The successor should also be a layman, preferably a man and first-born son, since the institution was devised "for married couples and legitimate descendants". They also had to be physically and mentally fit, excluding from succession those who were born "feeble-minded or furious", as well as "mute and crippled": in short, all those who could not govern themselves (and the entail) properly. Each generation of administrators was also tasked with improving the institution by entailing more estates taken from their own *terça*, i.e. the testamentary reserve that people could dispose of under Portuguese inheritance law. A point of support for kinship organised around the representation of the administrator's power, seen as a kind of *pater familias*, the entail also defined roles of authority in the name of the familial body's interests, in key moments that, in this society, could not be conceived as 'private' or 'individual' matters: if the potential successor married against the father's wishes, he or she would lose the right of succession in favour of the next of kin.

A house, real estate properties and monetary assets, extending a name and heraldic symbols: an ensemble that should be passed on to a universe of blood relatives, projected as a chain between the founder and their

³ Entail foundation deed (1560-03-21) - VINC002755 CB EA/012; ADPRT-GCP-RV-C/4/1/4- 4833, fls. 18-25.



successors until the end of time. This is part of the corporate entity instituted by this *morgado*, completed with the pious and spiritual dimension. Using part of the entailed assets' income, Cristóvão de Brito ordered two daily masses, one of them in the convent of Madre de Deus in Lisbon. To support and adorn the offices that interceded for the salvation of souls, the founder also bequest liturgical objects and an altarpiece of Our Lady of the Assumption for the altar.

As have many founders of entails over the centuries, Cristóvão de Brito refers to the importance of memory, bringing the founder into the present and making him the object of the intercession of the living. This project exemplifies the aggregation of a set of inseparable topics and objectives in *Ancien Régime* Portuguese society under the umbrella of entails. In other words, entails aggregated categories that, according to the conceptions of the society in which we live, we would classify as 'familial', 'political' or 'religious', and whose functioning we would understand as theoretically autonomous.

*

This case provides a first approach to a new stage of the research. In the previous chapter, we studied entails and the moulding they imposed on kinship structures through the definition (not always peaceful) of hotspots within the parental universe that were susceptible of integrating the corporate entity. We will now try to deepen our understanding of the phenomenon by asking new questions: once the hotspots were defined, how did relationships between the relatives worked? How did they operated between administrators and their coeval relatives, since the system assumed a differentiation between them based on authority? How did the founders justify this differentiation? What cultural roots and deeply ingrained social representations serve as the foundation for these entities and the relationships woven into them? And how have they evolved over the centuries?

This is a set of questions that we hope to answer by breaking them down into segmented topics of analysis. These topics are suggested in Cristóvão de Brito's institution and are repeated in other similar documents.



In the most complete documents, all topics are present and articulated; in others, only one or a few are explicitly developed by the founders. To build the logic of the description, it will be useful to outline a general inventory:

- First, the founders were explicitly creating an institution. They used verbs such as *ordain*, *institute* and *found*. They built a foundation with an abstract and institutionalised nature, made up of various intrinsic elements (including kinship), but whose nature is more than the simple sum of its parts.
- The founders presented themselves as the new organisers of their kinship groups. They constructed discourses that justify the institution, its nature and concrete forms of relationships and obligations. They intertwined topics from theology and various sources of law, encompassing them in ideals of service to God and the king. The discourse was also partly based on a system of nobiliary representations, gradually dominant and socially distinctive, but its foundation was not strictly nobiliary, rather using ideas transversal to the social system:
- As we shall see, the notion of service was rooted in a relational matrix with Christian foundations and was therefore transversal to the social system.
- The assets were concentrated, petrifying them in perpetuity. The declared aim was to prevent the scattering and squandering of inheritances, which would cause the memory of the founders and their ancestors to fade. The entailed assets provided the substance that united the web of ancestors and those to come. Through this legal framework, they acquired protection against the contingencies that could affect the group, including a reduction in movable wealth, relations with more powerful organisations (the Church, the Crown), and the threat of assets sequestration.
- The heir to the entail or, more specifically, its administrator, was seen as the kinship group's centrepiece. The administrator's physical and moral profiles were defined, obligations were imposed, forms of control and, at the same time, support were established for them and the kinship group at key moments such as marriages, conflicts or succession.



4.1 – The documents and the representativeness of the sample

The topics we have just listed appear articulated in foundational documents and are the gateway to understanding how kinship is organised in these social formations. They can also be found in the arguments of disputants and the judgements in legal disputes. As we saw in the previous chapter, these concepts circulated, despite their specific use depending on the context. This is also explained by the diffusion of entails, and the involvement of a body of legal experts in the litigation surrounding these social formations and sometimes assisting the founders in their creation.

However, while all the foundational documents outline the hotspots with varying degrees of complexity, not all of them are particularly descriptive about how familial relationships should be organised and what the conceptual underpinnings of these choices were. It is essential to contextualise this sample and demonstrate how it can be representative of a broader set. In reality, only a small minority of documents contain generous information on this matter. Within the sample we built for this book⁴, around 50 documents (i.e. 6% of the sample) develop the topic of the founder as the organising pole, more than half of which (29) are structured type institutions. And 8% of the sample of foundational documents determine the heir's ideal profile and the obligations they should have towards their relatives. Even so, these more complete documents can be found from the 14th century onwards, produced by founders belonging to sociological groups connected to the Church and law practice, groups from which them entailment seems to have taken off decisively.

Given this panorama, it is legitimate to ask the question: how representative is this set of documents in relation to the universe of institutions included in this research? Is it possible to extrapolate their significance to the institutions as a whole? Do they serve as complete examples from which, with different levels of gradation, we can point to models of how kinship structures function in less elaborate foundations? There are some topics that can only be indicated here, but that could be used to further

⁴ Check topic 2.4.



research in the future. Some of the justifications in the foundational documents may come from documentary formulae ready-made by jurists, scribes and other legal practitioners who assisted the founders. These elements are still largely unstudied but were also part of a circuit related to the enrichment of jurisprudence on entails, which, as Pegas' work clearly demonstrates, made abundant use of documentation to enrich the casuistry and categories proposed. In addition, there were also the wishes of the founders themselves, who were sometimes cultivated men and law specialists, or simply aware of what they intended to do and the reasons for their choices. In the current state of our research, it will certainly be useful to think about the production of documents based on the interweaving suggested here, considering that it will also be related to the different levels of complexity of the institutions.

Our working hypothesis, the validity of which we will try to prove in the course of the description, is that this restricted set is representative of the idealisation of the functioning of kinship relations in entails, and that the more incipient institutions and documents acquire more meaning if compared with the complete and detailed documents. In order to do this, it will be necessary to demonstrate how each of the aforementioned topics relate to one another and form a coherent system. And how they are rooted in deep cultural representations of structural importance in this social system and are not restrictive attributes of a small group of founders. However, only the documents they produced offer us a generous number of elements to begin relating them with one another. Therefore, we believe it would be useful to think of this documentary sample as material that could act as a gateway to research. Moreover, we are working here with a sample that, although significant, is very far from exhausting the documentary universe of entails. During the presentation, in addition to contextualising each case, we will use the research tools developed in the previous chapter, specifically the types of institutions. These will help clarify the topics and the sustainability of the information. As a 'negative' of this specific material, institutions that are less complete in terms of the explicit formulation of clauses and the explanation of their foundations will be compared with those that are more complete, making it possible, among other things, to outline diachronic developments.



The material extracted and analysed from the institutions will also be compared with the study of a sample of judicial documentation. Subsidiarily, we will refer to other types of documentation that have not been systematically explored in this book, but that in future research could be used to enrich case studies, such as partition deeds, subrogation and administration letters, *morgados'* books and *tombos*. The interweaving of these different levels and types of information will make it possible to build documented cases in a broad chronology, studying the life of these institutions. We believe that the reading grid we will construct in this book will allow us to understand these cases more adequately.

4.2 – The ‘corporate hierarchy of inequality’: building a reading grid to understand kinship relationships encompassed by entails

It is essential to construct a reading grid to reconstitute the practices and representations emanating from the documents, but also to give them meaning within their social logic. Armed with this reading grid, we will be able to avoid anachronistic and ethnocentric judgements and interpretations. The reference to these concepts is not random and corresponds to typical distortions identified by history and other social sciences when trying to understand alteritarian societies. Alterity, often highlighted by anthropology, works somewhat ambiguously for historians of European *Ancien Régime* societies: while in some respects it is formally recognised (for example, in the large role played by so-called religious elements), in others it can be intuitive to treat strangers as if they were acquaintances under the pretext of being ancestors, as B. Clavero emphasised⁵. This semblance of similarity is evident in one of the topics we deal with in this book, kinship, where the maintenance of certain practices and, above all, the same vocabulary, points to a sense of continuity and evidence that, illusory as it is, can easily lead to distorted analyses.

⁵ Clavero, 2000, p. 195.



Building a reading grid therefore seems essential. Theoretical tools and interdisciplinarity allow us to overcome constraints and solve problems. This path implies, first of all, the rejection of intuitions that are disguised in what appears to be obvious, a step that is particularly useful in the study of the concepts and forms of organisation of kinship⁶. Firstly, it is necessary to be aware of the ‘filters’ separating the 21st century observer from the entails, their founders, and those who lived within these social formations. These layers were generated by the profound social transformations that rendered those formations incomprehensible. The long process of the extinction of entails emerged in this context, as part of the wider dismantling of a social order and the constitution, in marked rupture, of a new, liberal and individualist world. The 19th century, sometimes amplifying earlier debates, played a central role in this regard. An ‘ideological’ battle was fought, giving voice to and being an intrinsic part of the profound structural changes that were taking place. Entails were one of the arenas of dispute between the contenders. Immersed in a new value system, the detractors of entails saw these entities as absurd and incomprehensible. Some of the accusations are widely known and were shared with similar debates in other parts of Europe: the inadequacy of the system of perpetual pious legacies, progressively dismantled since the 18th century⁷, and the rejection, under physiocratic and modern economic thinking, of the immobilisation of ‘property’⁸.

What elements can we align within the scope of criticisms and transformations that focused on kinship? The power of the founder and the constraints on future generations was understood by Alexandre Herculano – one of the prominent intellectuals of the liberal camp that was

6 In the study of kinship systems, anthropology was immediately confronted with extreme otherness, which allowed it to emphasise that kinship (as a system of relationships) is a social construct that takes on very diverse and evolving configurations. Without pretending to be exhaustive, reference should be made to the summary of the history of this discipline drawn up by Godelier, 2010, pp. 9–40.

7 Among various works, L. Abreu’s article on the progressive reduction in the number of masses since the 18th century is a relevant example to situate this dynamic: Abreu, 2004.

8 Rosa, 1995, pp. 28–29.



definitively victorious in the 1832–1834 Portuguese civil war – as a tyranny, motivated solely by the founder’s vanity, piling up the bodies of future generations⁹. In parliamentary debates and in the legislation that progressively restricted entail institutions, the inequality established between siblings in the transmission of the inheritance was perceived as unfair and even unnatural¹⁰. A theme that, although not exactly new¹¹, was now part of a coherent discourse at the forefront of broad projects of social transformation, in which the very notion of ‘inheritance’ acquired new meanings. In 19th century romantic and realist literature, the character of the ‘*morgado*’ became established in *topoi* characterised by a nostalgic treatment, as in *A Ilustre Casa de Ramires*¹², and the anachronism of Calisto Elói in *A Queda de um Anjo*¹³. The affirmation of the nuclear family by the triumphant bourgeois elites, based on a “sentimental” community and a society theoretically organised on the primacy of the individual–citizen, rendered previous conceptions and solutions obsolete, if not absurd¹⁴. According to some authors, the relationships between siblings, now thought of primarily in the sentimental sphere – but no less authoritarian, if necessary –, were indicative of deeper changes in the European kinship system and the role it played in social organisation¹⁵.

The very concept of ‘inheritance’ needs to be historically determined. As J. Morsel suggests, this concept underwent profound changes between the mid–18th and mid–19th centuries. Legal theory, with significant contributions from natural law, began to conceive of inheritance not as a gift from the deceased, but as a right of the heir. The theological meaning of *hereditas*, of Christians as spiritual heirs of God, gave way to the notion of biological heredity¹⁶. The discussions, all over Europe, about the need to

9 Herculano, 1983, pp. 335–336.

10 Coelho, 1980, p. 125. Esteves, 2009, pp. 45–61. Rosa, 1995, pp. 23–31.

11 In the laws issued by the Marquis de Pombal in the mid–18th century, injustice in the transmission of inheritance, among other inconveniences of the entails, was justified by the benefits that the institutions generated in the conservation of the nobility and in a better service “to the King, both in peace and in war”: Esteves, 2009, p. 41.

12 By Eça de Queirós, published in 1900.

13 By Camilo Castelo Branco, published in 1866.

14 Vaquinhas, Cascão, 1998, pp. 386–388.

15 Johson, Sabeau, 2011.

16 Morsel, 2015, pp. 483–484.



change inheritance practices that were seen as unfair and anachronistic, were contemporary with the advent of biology and the natural sciences, which irrigated conceptions of the world and, by extension, kinship¹⁷.

Several of the mentioned topics require more in-depth research, but they are symptomatic of profound contextual transformations, inducing a rupture between the world in which entails existed and a 21st century observer. More than a side excursion, these points are essential to keep in mind the conceptual layers we were referring to, so we can remove them as much as possible from the analysis, creating the conditions to build appropriate reading grids for historical alteritarian phenomena. The starting point should be the representations constructed by the historical actors themselves¹⁸. Which representations are included in and give meaning to the concept of a ‘corporate hierarchy of inequality’? We propose this concept as a reading grid for restoring logic to forms of organising kinship within institutionalised entities such as entails, in which relations of hierarchy and inequality, manifested in different ways, were entirely appropriate and constituted modes of organisation and strengthening that were typical of societies based on collective, rather than individualistic, principles. The concept brings together endogenous conceptions of entails and kinship relationships, demonstrating how they functioned entirely according to alteritarian societal logics.

According to the perspective that guides this research, for the concept to be valid it must abandon chronological categorisations that are hermetic and block appropriate forms of understanding. As argued by A. M. Hespanha, the legal literature of the early modern period – which the author considered, along with theology, the greatest cultural legacy of ancient, medieval and early modern Western Europe – gave centrality to a way of thinking dominated by the idea of the “body”, or, to put it another way, a “supra-individual” way of thinking, of modes of “dogmatic construction of the collective personality” capable of self-regulation and autonomous constitution in the face of “broader political bodies”, such as kingdoms

17 Especially useful for understanding this and many other points is the “cultural history” of the notion of heredity elaborated by Müller-Wille, Rheinberger, 2012, especially for this topic on pp. 45-51.

18 Guerreau, 1990, pp. 459-460. Clavero, 2000, p. 42.



and the Church¹⁹. In this logic, the ‘family’ – thought of as a domestic unit that encompassed ties of blood, affinity and servanthip, especially when united and institutionalised through estates and forms of regulation that gave it substance – was shaped by a corporate culture whose elements, despite all forms of individual agency, were in principle subordinated to the collective entity²⁰. To some extent, the system was based on the plastic metaphorical and analogical representations of the ‘body’, which have medieval roots and were developed during the social configurations of the early modern period²¹. As far as entails are concerned, this matrix would translate into the formation of a corporate entity bringing together estates and people, theoretically protected from the intrusion of external entities, and in which the figure of the founders and their wishes, standardised through the foundational document, acquired a legal dimension, within the broader framework of a society with diverse, and sometimes even contradictory and competing, sources of law²².

Contrary to the notions of inheritance introduced with the liberal system, how property was passed on in the period under research in this book was constrained, first and foremost, by the nature of property itself, with its own personalities imposed on people and groups. Property regimes were affected by different sources of law, by concepts and notions of ‘bodies’ encompassing people, but also spiritual and abstract entities with real powers (God, the saints, the body of the faithful, souls, etc.), impossible to grasp through dichotomies typical of the modern and western world, such as public vs. private²³. Entails were intrinsic components of this world. And it’s important to emphasise this idea because it was very present in the *Ancien Régime*²⁴, in clear opposition to

19 Hespanha, 1994, 297–301, pages in which the author explains the “Corporate Theory of Society”.

20 Hespanha, 1993. Cardim, 2000, pp. 205–246, 352–362. Soria Mesa, 2007, p. 116.

21 And they should in no way be confused with ‘corporative’ and ‘organicist’ visions of society in the logic of the right-wing movements that marked European history between the late 19th century and the early 20th century. The readings proposed by M. F. Coelho, and above all the criticisms of anachronistic use of these ideas, are relevant: Coelho, 2016.

22 Ideas emphasised by Rosa, 2019, pp. 265–266.

23 The overview provided by Bastias Saavedra, 2024, in a comparative perspective between the Iberian world and the spaces it colonised, and the different cultural matrices in confrontation, is extremely suggestive.

24 We emphasised in the previous chapter how these constructions, especially around Church estates, could be related to entails: see topic 3.3.3.



contemporary Portuguese society, where specific legal regimes for property are a privilege of the property-owning classes and are therefore very isolated and socially situated practices. Entails were not things to be possessed freely and without conditions. This is why the idea of equality, as far as possession is concerned, cannot be thought of using our modern concepts. Furthermore, and for the benefit of kinship groups, the transmission of property has, at least since the late 14th century, been progressively subordinated to social roles, conditioned by constructions on gender, social profiles and birth order²⁵. In other words, a system not of strict equality but aimed at “distributive justice”²⁶, where (theoretically) benefits are conceived as common.

How can these realities be understood in the forms of organising kinship within entails? How can we contextualize these realities within the transformations, long advocated by historiography and anthropology of kinship, in how kinship was organised, in their structures and in the social functions they performed²⁷? Portuguese and Spanish historiography, particularly in works about the dominant groups between the 14th and 17th centuries, identifies entails as a central part of a broader process of kinship transformation, tending to focus on vertical lines, inducing mechanisms of restrictions on marriage and the transmission of inheritance²⁸. The logical principle would be first analysing the conceptual bases of how kinship was conceived and organised, within its own logic or, as Atienza Hernández put it, within an “anthropology of lineage”²⁹ that served as a cultural matrix for these groups, and that also had strong demographic and other consequences over the centuries³⁰.

Relationships of inequality and authority are the great distinguishing marks, especially when compared with our own conceptions of kinship. In this “anthropology of lineage”, authority was primarily exercised by the *pater familias*. The notion was taken from Roman law, although

25 Aguiar, 2021, pp. 417–474.

26 Hernández Franco, 2011, p. 25.

27 Sabeau, Teuscher, 2007.

28 This topic was outlined in the overview of historiographic production.

29 Atienza Hernández, 1991.

30 In this context, it is important to mention the large-scale approach proposed by Molina Recio, Mejías Gallardo, 2023.



the latitude of the power exercised by the *pater familias* in that society was much broader³¹.

The relationship between the *pater familias* (and also the “*parente mayor*” emphasised by Spanish historiography³²) or, in the case of entails, the founder and the heir/administrator could take different forms. The cornerstone, however, was the authority of one person. The existence of a figure who administered the estates, a guiding pole invested with authority and responsibility, was enshrined in a paternalism fuelled by charitable references. In a way, this figure is fused with the father, in the expectation that he will be cyclically and perpetually replaced by the chain of first-born sons. A figure who, as we also saw in the previous chapter, should primarily be incarnated by men and, as a rule, by the eldest. Gender and generational domination are based on representations of great power in this social system: the father was the lord, just as God was *pater* and *dominus*³³. The laws constructed around the primacy of this authority figure, and the similarity between the father and the first-born son, were based on interweaving divine and theological sources and Roman law, as B. Clavero explained³⁴. They function within the framework of a patriarchal society. In the household, the father and lord exercised an authority imagined as analogous to that of the king in his kingdom; reciprocally, and reinforcing the strength of the model, royal power was conceived in terms of affective paradigms analogous to the sphere of domesticity³⁵.

We are dealing here with a set of deep-rooted representations. Of course, there were situations when the historical actors, for various reasons, could have organised themselves differently, or challenged the authority figures.

31 For a comparison between the kinship system of ancient Rome and medieval Europe, see Guerreau-Jalabert, 2007.

32 Gerbet, 1979, pp. 206–210. Hernández Franco, Peñafiel Ramón, 1998. Molina Puche, Hernández Franco, 2010. Pereyra, 2015. Pérez-García, 2021, p. 165.

33 Perreux, 2023.

34 B. Clavero's work on the evolution of legal thinking around primogeniture, based on the *ius divinum* and reworking concepts from the Roman period such as the notion of representation between father and son, is fundamental in this respect: Clavero, 1986; 1992; 1993–1994. Note also the importance of the article by Hernández Franco, 2007, and the synthesis by Thirsk, 1976.

35 Ideas developed in the work of Adams, 2005. Rossi, 2009. Bianchi, 2011. To the Portuguese case: Cardim, 2000. Curto, 2013.



The bibliography highlights the tensions between individual and group interests³⁶, and how the ‘family’ was a construction that was negotiated and realised, and not received automatically³⁷. One of the ideas of this book is that one of the characteristics of entailment kinship is the noticeable increase in surveillance between relatives and, as a result, the outbreak of conflicts.

However, if we recognise the existence of these authority figures within a worldview that favoured collective notions, and if we accept the apparent paradoxes anchored in relations of inequality and authority between relatives, we also need to recognise that their lasting effect can be attributed to the efficiency in how these forms of organisation solved the problems faced by groups and individuals. They were based on this society’s structural beliefs, sometimes directly stated. One such belief was conceiving the institution in terms of *service*. Both the foundational documents and the enormous jurisprudence surrounding entails mentions service to God, the king, the kingdom, and the republic as a central idea of entails³⁸. The founders and the treatises on entails present service as a motive, thereby justifying, among other things, unequal access to paternal inheritance. It seems that this notion only acquires explanatory potential because it is central to the social system itself: in a way, the concentration of estates allows a service (in different ways, as we will have the opportunity to highlight) that ensures a kind of spiritualisation of wealth through pious legacies, but also because it serves, without exclusion, God, the king and relatives³⁹.

36 Ideas defended by some authors regarding the functioning of kinship within entails. Hernández Franco, Peñafiel Ramón 1998, pp. 159–162. Luchía, 2014, pp. 320–323. As Quintanilla Raso suggests, this tension and the need to care for the interests of the different members of the group led to requests for release, especially from the second half of the 15th century onwards: Quintanilla Raso, 2004. However, the problem had broader implications, particularly affecting aristocratic groups and exposing different ways of transmitting fortune and organising the groups, as shown, for example, in the studies by Soria Mesa, 2007, pp. 200–212. Rodríguez Pérez, 2012. Paz Moro, 2021.

37 An idea emphasized by A. Roulet, drawing on P. Bourdieu’s theories, in his research on the Sottomayor family in the 16th century, analysing the relationship between the organization of the group’s kinship structures, the entails they managed, and the convents they supported as patrons.

38 Hespanha, 1993, pp. 964–967.

39 The concept of ‘spiritual’ is inspired by the idea of the analogical matrix proposed by Guerreau-Jalabert, 2015.



This is a fundamental assumption for understanding the connection that some founders express between the concentration and petrification of inheritance, the preservation of lineage, name and nobility, and the construction of authority figures. Having explained this reading grid, we are now equipped with a perspective that restores coherence to the founders' choices, enabling the comprehension of the topics outlined in the beginning of this chapter. We will also use some of the tools designed in the previous chapter, namely the social taxonomy of the founders, diachronic developments, and types of institution.

4.3 – The institution of an abstract corporate entity designed for unity

Entailment was an instrument used by the founders to create an abstract, institutionalised corporate entity, governed by its own rules, where kinship was one of the intrinsic elements. This notion is immediately clear from the verbs used in foundational documents: “to make” “to institute” and “to order”, together with “to entail”, “to unite” and “to oblige”, are found in the documents throughout the chronology, clearly denoting the foundational action in question and its effect on the estates it incorporated. In most cases, the founders used one or two terms, but in the more complete institutions, certainly devised with the advice of jurists, several terms were commonly mentioned⁴⁰. The underlying principle was the creation of an abstract and institutionalised entity that acquired its own agency and imposed itself on the people included therein. In the previous chapter, regarding the institutions set up by clerics, the analogy with Church property was mentioned. This property was strongly conditioned by legal-theological constructions, and clerics only had administrative rights. We think it's worth emphasising this principle, which was declared

⁴⁰ An institutor such as Fernando Fiel Lugo, in 1540: “ordenou, instituiu, vinculou, uniu e obrigou esta instituição de morgado da sobredita fazenda/ordered, instituted, entailed, united and obliged this institution of *morgado* of the aforementioned estate”, all “por serviço de Deus e memoria dele instituinte e dos que dele descenderem/for the service of God and in memory of him who instituted it and of those who descend from him” - Entail foundation deed (1540-06-23 - 1540-06-25) - VINC000830 FFL EA/001aa; TT-C-J3-D-40, fls. 169-170v.



in the foundation that Luís Ribeiro, *fidalgo da casa do rei*, and his wife Isabel Pacheco set up in 1550: the entail's administrators would only have usufruct of the assets, and would possess them “como coisa alheia e não sua”⁴¹. This principle also appears in a more complete form, in the 1563 institution of Maria Fernandes da Póvoa, widow of António Madureira: *fidalgo da casa do rei* the assets were incorporated “em um corpo imaginário e fingido e que todo fosse um e não se pudesse partir nem dividir em nenhum tempo do mundo (...) assim como a unidade por direito não se podia dividir”⁴². The foundation, as a kind of act of ‘social magic’, consecrated the estates with a new nature, conferring a new and specific legal personality. This would certainly fit in with old rituals loaded with symbolism, such as the acts of taking possession of houses and lands, choreographies of power around them and their concrete expression, acting out this ‘social magic’⁴³. Writing also played an important role, as the foundational document played a central and regulatory role, anchored in the legal personality attributed to the founder. This ultimately emphasised the importance of legal thinking that was largely developed around the idea of abstract bodies and entities.

Analogous to this effect is the objective, formulated by some of the founders, of trying to achieve unity among relatives. In this society, unity and concord are presented as social ideals, as opposed to the disintegration and conflicts caused by Original Sin. Despite the strength of the representations of wealth that force it to circulate in order to be spiritually

41 “which chapel and *morgado* institution they declare that they did not institute it, nor did they make or order it, out of favour or any particular respect for any of their descendants, even if they were their own children, but only for the benefit of their souls and to perpetuate with its fruits the memory and addition of their lineage, wherefore they ordered and willed and commanded that the possessors and administrators of said chapel and *morgado* should not have and could not have more than the usufruct in their lifetime, and that all the inheritance should be possessed as if it were someone else's and not their own, and therefore they ordered that the properties and rents of said *morgado* should never be lost” - Entail foundation deed (1550-11-07) - VINC004976 LRIP EA/001a; TT-GCL-RV-97, fls. 14v-26.

42 The assets should be incorporated “into an imaginary and pretend body and that was all was one and could not be broken or divided at any time in the world (...) just as unity by right cannot be divided”. In Will (1554-08-14) - VINC004076 AMMFP EA/001aa; ADPRT-GCP-RV-C/4/1/3-4806, fls. 196-197.

43 See the analysis by Quintanilla Raso, 2002, pp. 269-284.



reconfigured⁴⁴, entails, by exerting a centripetal force on the estates, prevented their partition and consequently preserved the memory of the people who had earned or collected them, to the benefit of their souls; their concentration allowed their use according to ‘spiritual’ principles. It prevented a dispersion that weakened the groups and the kingdom, leading to the impoverishment of lineages or, as Fernando Gonçalves Baião and Inês Gonçalves recalled in 1470, leading to conflicts between relatives. These founders mention the great disputes surrounding the *quinta da Mão*, in the Algarve, after the death of Vasco Gonçalves Vieira, due to partitions between his descendants and those of Vasco Gonçalves de Baião, Fernando Gonçalves’ grandfather. The hatreds and disputes would not have existed if there had been no partitions, “o que não fora se a dita quintã não fora partida e sempre andara em uma pessoa só como em morgado”⁴⁵.

4.4 – The founder as the ordering pole

All these topics reinforce the role of the founder as an ordering pole, the creator of a group invested with identity references embedded in kinship relationships, or belonging to older preceding traditions, which are re-organised⁴⁶. The construction had several mutually reinforcing *raisons d’être*. In this research, we are interested in the effect it has on kinship groups, but it cannot be fully understood if it is detached from a coherent set of topics and objectives. The imposition of specific ways of organising kinship groups can only be fully understood by inserting them within a matrix of values and collective organisation specific to their society. To discuss the representations of kinship in entails, we must reconstitute the pillars on which they were based. In our study of the foundational documents, we systematically noted the discourses that viewed the founder as

44 Built on an image already used by the Church Fathers, associating good wealth with flowing water that fertilises the earth, and bad and vicious wealth with stagnant and fetid water: Todeschini, 2019, p. 16. A semantic study on the notion of treasure shows that a positive perception of wealth lies in its charitable circulation: Guerreau-Jalabert, Bon, 2008.

45 “Which there hadn’t been if the said *quinta* hadn’t been broken up and had always been in one person as in a *morgado*”, in Fernando Gonçalves de Baião, noble squire, and Inês Gonçalves, in 1470: Entail foundation deed (1470-10-26) - VINC000082 FGBIG EA/001a; TT-LN-11, fls. 1-1v.

46 On these different modalities and some of the topics we’ll cover here: Rosa, 1995, pp. 48-68.



the group's organising pole. They intertwined elements from the Bible, theology and law in a hierarchy typical of the society's system of representations⁴⁷. During the 16th-17th centuries, these elements also integrated 'economic' thinking, in the Aristotelian sense⁴⁸, reinforcing the corporate dimension of the foundation. They also incorporated images of the stratified social order, encompassing the evolving representations, particularly in the more developed institutions, about the nature and role of the nobility, which reacted to the improvement of the corporate society's image⁴⁹.

In the sample drawn up for this book, the documents where these constructions were moulded are predominantly structured type institutions, according to the categories we created in the previous chapter⁵⁰. The founders' social taxonomy indicates privileged contexts, including clerics, elites and dominant groups. Even when the taxonomy is not indicated, the surnames indicate social levels of that calibre. The discourse that places the founders as the ordering poles enunciates the entail's purpose, justifying its order: the service of God and the king, avoiding the loss and disintegration of property and the family, ensuring the preservation of honour and lineage, supporting those close to them and their relatives, and ensuring the memory and salvation of the founders' souls and of the people in their custody. In the most complete institutions, these topics are articulated; in others, only one or two appear. However, it seems clear to us that, despite their greater or lesser elaboration, they are based on a common context.

The foundation of entails as a way of ensuring the memory and salvation of souls is the most common topic. Memory is essentially linked to the fulfilment of pious legacies, which are decisive in the economy of salvation. As we have been stressing, it is primarily based on the link between the founders and their blood relatives, where property is the glue that

47 Consider Clavero, 2000, p. 48.

48 Atienza Hernández, 1991. Clavero, 1993-1994, pp. 62-68. Hespanha, 1993.

49 Hespanha, 1994, pp. 308-324.

50 See topic 3.3.1.



substantiates and unites the different generations⁵¹. In nobiliary groups, knightly references were essential elements of identity. Memory, recorded in chronicles or in epitaphs engraved on tombs, was a central aspect⁵², as emphasised by Leonor de Meneses, who in 1446 instituted the entail for “serviço d’el rei e do reino por boa memória dos serviços que a estes reinos fez meu padre dignos e de muy grande honra”, also incorporating her father’s sword⁵³.

The service of God is the most frequently invoked topic, almost always in conjunction with other topics, such as remembrance and salvation of the soul, and the purpose of defending the lineage. The service of God translates into a ‘spiritual’ use of the wealth accumulated in life, arranged in a charitable logic analogous to the gratuitous nature of God’s grace⁵⁴.

51 Consider several examples. Catarina Gonçalves, in 1463: with no forced heirs, the *morgado* was instituted so that “haver memória para sempre e serviço de Deus e salvação das almas assim do meu marido e minha como daqueles de que nos ficaram e teúdos somos/there would be memory forever and the service of God and the salvation of the souls of my husband and mine as well as of those who have come after us and to whom we are obliged” – Will chart (1463-12-07); VINC000192 CGFG EA/001aa; TT-HSJ-1190, fls. 122-126. Gonçalo Vaz de Castelo Branco and Beatriz Valente, 1485: “Considerando eles que todas as cousas deste mundo são trespassadoiras e delas não fica senão o bem fazer que para sempre aproveita e como é grande obra meritória acrescentar o culto divino e se fazer perpétua memória e sacrifício por as almas/Considering that all the things of this world are transmissible and from them there remains only the good to be done, which will profit forever, and how great a meritorious work it is to add divine worship and to make perpetual remembrance and sacrifice for the souls” – Chapel foundation deed (1485-04-22) – VINC000238 GVCBBV EA/003; BNP-ACVB-009-0011. Afonso Mexia, 1550: declared that he “instituiu e ordenava por honra de sua linhagem e fidalguia e memória sua e de seus antepassados e descendentes e sucessores /instituted and ordained for the honour of his lineage and nobility and the memory of himself and his ancestors and descendants and successors” – Entail foundation deed (1550-10-03) – VINC001401 AM EA/001a; TT-IMC-NA-213, fls. 1-7v.

52 In this context, Nigel Saul’s idea of knightly society as “a community of memory” is useful: Saul, 2012, pp. 283-298. It has also been shown how the chronicles of 15th century North Africa, and their knightly filter, were of fundamental importance in the competitive aristocratic arena: Aguiar, 2018b. The different ways in which the memory of the ‘house’ is constructed, valorising one or several real or mythical ancestors and understood as founders, is also studied by Solignat, 2016.

53 The entail was instituted for “the service of the king and the kingdom out of good memory of the services that my father did to these kingdoms, of worth and great honour”, in Will (extract) (1446-06-14) – VINC001635 LMAV EA/004a; TT-CA-086-259-4843, fls. 5-28.

54 As a reading grid, we consider the works of A. Guerreau-Jalabert and B. Clavero to be fundamental, insisting on the idea of a spiritual behaviour of giving without expecting a return, in a way trying to model God’s relationship of love for mankind: Guerreau-Jalabert, 2000. Clavero, 2000. Recent research dates the emergence and spread of the concept of reciprocity to the Enlightenment, related to the virtues of a society founded on the market, and its subsequent use in the 19th century as a way of criticising social inequalities: Walton, 2018.



The founders often thanked and recognised the accumulation of wealth and the need to convert it. This is what Clara Vicente, lady of Évora, did in 1352 when she instituted a chapel in the convent of S. Francisco⁵⁵. Or the noble couple Nuno Martins da Silveira and Leonor Gonçalves de Abreu, who in 1431 thanked God for the provision of “bens corporais e temporais para com todo o haveremos de servir e louvar”, the insufficient redistribution of these goods during their lifetime, and the need to dispose of them for perpetual suffrages “à honra e louvor de nosso rei celestial e verdadeiro remidor e Salvador”⁵⁶. A merchant from Porto, Pedro Afonso Painho, and his wife founded a chapel, in 1463, recognising that “o melhor tesouro que as pessoas tementes ao senhor Deus podem haver assim é fazer obras meritórias per as quais o senhor Deus seja louvado”⁵⁷. In the more elaborate institutions, the service of God was articulated with the other topics, as mentioned by the knight of the Order of Christ and judge in Porto, Francisco Mendes Pimentel, in 1690, declaring that he intended to institute the entail “for the conservation of the nobility of his family and the better service of God and his majesty”⁵⁸.

Invoking the service of God is a commonly used and multiform *topos*⁵⁹. Related to the salvation of souls and beliefs in the virtuous disposition of wealth⁶⁰, it allowed the founders to regulate a specific configuration of kinship, conditioned by the group’s honour, particularly in dominant groups. Honour was generally incorporated into a discourse on the proper

55 In 1352, Clara Vicente, the widow of João Domingues Louseiro, a *vizinho* of the city of Évora, mentioned the need to convert the goods she had earned on Earth: “Considerando em como a Deus não devo ser ingrata e conhecendo mui bem que me fez niente não sendo dele merecedor em como eu aqui dos bens que me deu não fiz obra pela saúde de minha alma/ Considering how ungrateful I must not be to God and knowing very well that he has made me nothing and that I am not deserving of him and that I have not done anything for the health of my soul here with the goods he has given me” – Entail foundation deed (1352-09-15) – VINC000134 CVMEL EA/001baa; TT-FC-CC-1, fls. 13-14.

56 “Bodily and temporal goods for us to serve and praise with all our heart (...) to the honour and praise of our heavenly king and true redeemer and saviour”, in Entail foundation deed (1431-08-10) – VINC000062 NMSLGA EA/001aaaa; TT-FC-TD-276, fls. 149v-156.

57 “The best treasure that people who fear the Lord God can have is to do meritorious deeds in which the Lord God is praised”, in Chapel foundation deed (1463-12-12) – VINC004127 PAPCV EA/001; ADPRT-CSFP-K-20-6-99, fls. 74-78.

58 Entail foundation deed (1690-02-22) – VINC001198 FMP EA/001a; TT-AA-RA-39, fls. 112v-118v.

59 As, among others, Vitorino Magalhães Godinho emphasised: Godinho, 1978, p. 98.

60 We refer to the previous note citing the works of A. Guerreau-Jalabert and B. Clavero.



preservation of lineage, house, and nobility. Through concepts that evolved over time, honour was incorporated into collective realities delimited and substantialised by estates and projected onto the social fabric's dominant strata. Honour is a polysemic and wide-ranging concept that cuts across different types of discourses throughout the *Ancien Régime*. When associated with dominant groups, it can translate a mobilisation specific to a competitive social arena, part of pre-modern states relationship matrices⁶¹. In entail's documentation, a relation is built between the concentration of wealth and the service to God and the king. In 1357, Fernando Gonçalves Cogominho, a knight and vassal of the king, declared that avoiding asset sharing through the entail allowed children to “manter a honra dos pais e dos seus avós”, and that the *morgados* were appropriate for the service of God and kings and for maintaining lineages “nos estados e honras de seus antecessores”⁶². A discursive relationship that, despite conceptual nuances typical of the discernible evolutions in the chronology, will be detected in more cases⁶³.

61 This is, moreover, an important topic in cultural anthropology, with a vast bibliography. In a review of the literature, C. Giordano draws attention to the need to frame honour as an expression of an arena of strong social competition, especially in openly stratified social structures that represent themselves as such (as is the case of medieval and early modern societies), where forms of social differentiation acquire particular importance, without failing to demonstrate the alteritarian nature of these codes. These are pre-modern state in nature and, as such, inconceivable in the conceptual matrix that characterises modern societies: Giordano, 2001, pp. 39-47.

62 “To maintain the honour of their parents and grandparents (...) in the states and honours of their predecessors”, in Entail foundation deed (1357-01-22) - VINC000025 FGCME EA/002aaa; CP-P1, pp. 17-19.

63 In 1381, Gonçalo Vasques de Azevedo and Inês Afonso declared that they were establishing a *morgado* for the “prol, louvor e honra da dita linhagem/ benefit, praise and honour of the lineage” and for the service of the king - Confirmation letter (1381-11-15) - VINC000031 GVAIA EA/002a; TT-LN-30, fls. 103-104v. In 1389, Diogo Lopes Pacheco stated: “porque entre todas coisas que boas e honestas são aos grandes e nobres homens e proveitosas a suas almas e corpos assim é ficar boa memória deles depois de seu saimento e isto se faz por perpetuação dos seus bens em seus filhos e no seu linhagem que deles descender/because among all the things that are good and honourable to great and noble men and beneficial to their souls and bodies is to keep a good memory of them after their departure and this is done by perpetuating their assets in their children and in their lineage that descends from them” - Entail foundation deed (1389-03-05) - VINC000039 DLP EA/001aa; CP-J1-2-1, pp. 67-71. Finally, consider the arguments put forward by Fernando de Sequeira de Monroy, in 1640: “a sua tenção é que os ditos bens que assim vincula em morgado andando sempre em acrescentamento e não em diminuição por conservação de seu nome, família e geração/ his intention is that the said assets that he thus entails in a *morgado* should always be added to and not diminished for the preservation of his name, family and generation” - Entail foundation deed (1640-03-17) - VINC001039 FSM EA/002aaba; TT-AA-RA-4, fls. 308-310v.



The objectives listed above are achieved by avoiding the sharing and dispersal of assets through the use of entails. The itinerary we have followed is fundamental to properly situate another purpose of the organisation of kinship relations, whose understanding cannot be achieved by moving away from the elements set out so far. Within the ‘anthropology of lineage’ that we have described, the rationale is to create a stronger centre within the parental universe, with assets that serve the group, its possessors and those close to it, and that are able to support those who might fall within its orbit. For the bishop of Évora, Geraldo Domingues, in 1317, the *morgado* was used for “*ad Dei servitium et utilitatem personarum hic nominatarum*”, and masses would be said for the king and other people “*parentum ac benefactorum meorum*”⁶⁴. The institutions established by the bishop of Lisbon, João Afonso de Brito, between 1329 and 1336, are explicit in associating the entail with a way of avoiding partitions that would cause the weakening and disintegration of the group, and instead building a strong centre around the successor, who would temporarily possess the estates and could then serve God, the king, and relatives⁶⁵. Without the entail, no matter how extensive the patrimony, it would gradually become nothing⁶⁶. In 1569, Tomás de Noronha and Helena da Silva lined up a similar hierarchy of reasons, while emphasising the purpose of “ajudar a amparar as pessoas que por sangue ou criação forem chegadas aos instituidores dos tais morgados, e às casas e geração deles”⁶⁷. A notion is put forward of protecting those who are close, both by blood and other kind of relationship.

64 Donation deed (1317-04-28): Torre do Tombo, Cabido da Sé de Lamego, lv. 47, fl. 29.

65 Entail foundation deed (1329-08-17) – VINC000014 JABGMV EA/001a; TT-CA-22-67-1279. Entail foundation deed (1336-03-12) – VINC000012 JAB EA/001a; CP-A4-2, pp. 72-77.

66 As Martinho Vaz Mascarenhas and Isabel Correia argue, in 1477: Entail foundation deed (1477-03-03) – VINC000090 MVMIC EA/001a; TT-LN-12, fls. 110v-113.

67 “Helping to support people who by blood or upbringing are close to the founders of such *morgados*, and to their houses and generation”, in Foundation deed published in Arcos, 2007. This entail was analysed under the initiative “Entail of the month”: <https://www.vinculum.fcsh.unl.pt/entail-of-the-month/morgadio-and-chapel-of-quinta-da-torre/>.



4.5 – Concentrating the inheritance: estates as the substance of kinship relationships

The examples listed above could be repeated endlessly. Estates were not detached from kinship relationships, but rather gave them substance and, in this society, a fundamental horizon of perpetuity. As far as property is concerned, the discursive topics encompassed in the foundational documents (whereby the founders positioned themselves as ordering poles) must be related to the various ways of disposing and mobilising wealth in order to imprint specific ways of organising kinship groups. Entailed estates prevent the dispersion of memory and kinship ties and create a stronger pole of service to God and the king and for supporting relatives.

Along with the discourses above, even in less complete foundations, the founders commonly described the origin of the assets they decided to entail. Some made it clear they were entailing their own assets and/or those received in inheritance. In 1290, Vasco Pires Farinha entailed his estates in Góis, including those he inherited from Afonso Pires Farinha and those he bought in that locality⁶⁸. The canon João Lourenço, in 1407, specified that he was entailing the estates he inherited from his parents, as well as those he had accumulated with his income using them to satisfy the souls of his parents and brother⁶⁹. Paternal inheritances were often entailed, their origin declared, fulfilling the wishes of the former possessors. In 1540, Teodósio, Duke of Bragança, disposed of the patrimonial assets located in Bragança, Ponte de Lima and Barcelos, establishing an entail in fulfilment of his father's wishes, stating that he had not done so earlier because there were doubts about the nature of some of the assets, namely whether they were patrimonial and freely disposable or whether they were part of a *morgado*⁷⁰. The principle was that legal personality of property should be imposed on people, not the other way round. Assets inherited from parents and accumulated by the founders themselves could be joined with assets

68 Ramos, 1956.

69 Will (extract) (1407-07-10) - VINC003818 JVLV EA/003; TT-HSJ-019, fls. 163-167v.

70 Entail foundation deed (1540-09-23) - VINC001331 TI EA/001a; TT-C-J3-D-40, fls. 236v-237.



bequeathed by deceased spouses⁷¹ or siblings⁷². In any case, the aim was to incorporate desires and ways of disciplining succeeding generations though the transmitted assets.

Due to the nature of the assets and the constraints imposed through them, and as a way of legitimising the provisions, some founders clarified that the assets were bought with a certain income or earned through their own effort and industry. Perhaps with the intention of dispelling any doubts about the origin of the assets and their nature, the archbishop of Braga, Gonçalo Pereira, in the various *morgados* he established between 1330 and 1344, emphasised that they had been acquired in a personal capacity before he was bishop of Lisbon or while he was dean of Porto, and that they were patrimonial assets unrelated to the ecclesiastical functions he performed⁷³. Other founders emphasised their efforts, sometimes in association with colonial enterprises. In 1540, Fernando Fiel Lugo, set up a *morgado* in Cape Verde, declaring that he had worked hard to amass the assets, which were described in detail in the foundation deed⁷⁴. And in 1650, Captain João de Ávila and his wife Maria Borges Sanches set up a *morgado* on the island of Terceira, pointing out that the entire estates had been acquired by the captain “por sua indústria e favor de Deus”, and that they had not received any inheritance⁷⁵.

The logic of entailing to protect the estates and, consequently, the memory of the founders and to support their future generations explains the quality of the assets set aside for this purpose. By quality we mean, first

71 Pedro Botelho, a member of the king's council, and Inês Eanes, in 1495, entailed their disposable portion, including estates they bought and others they inherited, including those of Isabel's first husband - Will (1495-09-14) - VINCO00320 PBIE EA/001; TT-CSEL-021.

72 João Esteves, *cavaleiro vassalo do rei* and *alcaide-mor* of Lisbon, left his disposable portion with real estate to his daughter Beatriz Eanes and son-in-law Estêvão Vasques, reserving some assets for this purpose, namely the Panasqueira farm, which had belonged to his brother Afonso Esteves, and before that to his parents: Will (1372-09-16) - VINC004993 JEAE EA/002aa; TT-HSJ-1189, fls. 64v-68. In 1610, Iria da Câmara entailed the assets that belonged to her sister's inheritance, constituting her share of their parents' assets: Dowry deed (1610-11-13) - VINCO03952 IC EA/002; BPARLSR-GCAH-RV-4, fls. 70-70v.

73 The foundational documents (1330-1344) can be found in: Arquivo Distrital de Braga, Coleção Cronológica, ex. 13, doc. 511; ex. 20, docs. 766, 772, 773.

74 Entail foundation deed (1540-06-23 - 1540-06-25) - VINCO00830 FFL EA/001aa; TT-C-J3-D-40, fls. 169-170v.

75 “By his industry and God's favour”, in Will (1649-07-30 - 1650-03-14); VINCO03966 JAMBS EA/001; BPARLSR-GCAH-RV-7, fls. 1-77v.



and foremost, their income potential. So much so that founders, even in the mid-17th century, entailed purchased and inherited property, and declared they were instituting a “*morgado e vínculo dos bens de raiz de herdade*”⁷⁶. Over the course of the chronology, monetary relations and other forms of income and liquidity became increasingly important. However, the founders always favoured the entailment of real estate. In both the largest and smallest institutions, the ideal would be to own land, sometimes in conjunction with houses in towns and cities, for living in or renting out. In the documentary management instruments produced throughout the chronology, such as “*morgado books*” and *tombos*, the assets, their specific nature, location and income played a structuring role in organising information⁷⁷. In theory, land assets, on a larger or smaller scale, meant perpetual sources of income. Land was the core of the production system, and the social relations organised upon it. This same principle can be seen both in the large entails and in the small foundations designed primarily to generate sufficient income to pay for suffrages (which explains the entailment of small or even micro properties). Even when redeemable annuities became common, from the reign of King João III onwards, but especially in the 17th century, their use was still marginal within the universe of institutions⁷⁸. Even in the most complete institutions, redeemable annuities and other assets considered ‘movable’ (in that period’s conceptions), such as slaves, were complementary to the entailment of real estate⁷⁹.

76 Case of Jerónimo Correia Homem in 1650: Entail foundation deed (1650-11-07) - VINC004776 JCH EA/001a; UM-ADB-MAB-JR-B-743, fls. 19v-20v.

77 Rosa, 2019, 270-276. Some of the documents we worked with in this sample come from books and *tombos* such as these. For example, the transcript of Fernando Álvares da Cunha’s will is included in the *morgado* book in the Torre do Tombo, in which royal rulings on conflicts over estates at the time of the institution are also transcripts: Torre do Tombo exemplified original (1578-06-10) - VINC001710 FAC EA/004; TT-IMC-NA-191. In turn, Teresa Eanes da Fonseca’s will is recorded in the *tombo* of the *morgado do Esporão*, requested by the administrator João Mendes de Vasconcelos around a hundred years after its foundation: Tombo (1526-1541) - VINC000058 TEF EA/001; TT-CA-086-257-4841.

78 J. Romero Magalhães hypothesised that the widespread use of redeemable annuities was also due to the growing unavailability of land: Magalhães, 2012, p. 99.

79 This is the case of the entail of Cristóvão de Brito, with which we began to problematise this chapter: the entail incorporated real estate and redeemable annuities worth 400,000 reais: Entail foundation deed (1560-03-21) - VINC002755 CB EA/012; ADPRT-GCP-RV-C/4/1/4-4833, fls. 18-25. In 1620, on the island of Fogo, Cecília Fernandes de Barros set up a chapel entailing farms and 40 slaves: Will (extract) (1620-1624) - VINC006812 CFBF EA/001a; IANCV-SGG-E3-741-26-28.



The entailment of estates with reproductive potential was a way of protecting the group and ensuring its basis for perpetual existence. It protected the group from the volatile logic that governed trade, war or the king's court, even if the origin of the wealth came from such activities. For the nobility, the existence of these estates and manors far from the court might have been a kind of *fuga mundi*⁸⁰, or a means to isolate themselves from the king and the court. This was the case of António Pereira Marramaque who, during the reign of King João III, was isolated in the *paços* entailed by his ancestors in Entre Douro e Minho⁸¹. Historiography demonstrates how the reinvestment of commercial profits in land was embedded in nobiliary representations and social distinction practices that became increasingly relevant in the early modern period⁸².

In addition to the income associated with property, prestige and social distinction were also important factors. The study of the partition deeds of aristocratic groups from the 15th and 16th centuries demonstrates that, although the legitimate heirs tended to have access to equal shares of the inheritance, the content of the shares was not exactly equal. The most prominent figures within the family commonly had access to the most socially valued assets. Married women accessed their inheritance through the marriage dowry, almost always in monetary form, while nuns tended to renounce their inheritance in exchange for life annuities⁸³. It is therefore more appropriate to consider an equitable principle subordinated to “distributive justice”, as proposed by J. Hernández Franco⁸⁴; or, in addition, to recognise the practice of “discrimination” as a way of “neutralising disparities”, as suggested by C. Ramos Cobano⁸⁵. The distinction in the quality of estates overlaps with, and gives expression to, the hierarchies of gender and birth order inherent to these familial bodies, and which we have emphasised to understand the configurations of kinship in entails.

80 For a reading of the different modalities and social meanings of these options, which sometimes generated intra-family tensions in the groups that owned *morgados*, see Rosa, 2014.

81 The fundamental study for understanding this character is Miguel, 1980. Regarding the manor house of *morgado* da Taipa, which was the target of major improvements by António Pereira, see Pereira, 2017.

82 In this respect, F. Olival's work on a series of cases within this sociological profile, in which entails were explicitly used as a way of organising kinship groups, is paradigmatic: Olival, 2002.

83 Aguiar, 2021, pp. 417–4171.

84 Hernández Franco, 2011, p. 25.

85 Ramos Cobano, 2008.



No type of property could give greater substance and perpetuity to kinship than real estate with reproductive potential. In this sense, the most regular pattern, even in social groups based in the main cities and towns of the kingdom and even linked to commercial activities, were foundations with pious charges in urban monasteries and parish churches, entailing land assets in the neighbouring regions. Throughout the chronology, this case is most visible in Lisbon. In 1450, Gil Martins do Poço, *contador do rei*, took his disposable portion, incorporated his Palma farm and made it a *morgado*, ordering that his body should be buried in the church of Santa Justa in Lisbon, next to Maria Vicente and his grandfather Gil Esteves, where the perpetual masses should be celebrated⁸⁶. In 1486, Álvaro de Barros, *cavaleiro da casa do rei* and knight of the Order of Santiago, took a farmstead in Charneca, on the outskirts of Lisbon, incorporated in his disposable portion and left it to his son-in-law Fernando Lourenço, *fidalgão da casa do rei* and overseer of the business in Guinea, with masses celebrated in the church of Madalena⁸⁷. Beatriz Gouveia, in 1610, declared that she had a chapel in the cloister of the monastery of S. Domingos in Lisbon under the invocation of Our Lady of Humility, where she ordered herself and her descendants to be buried, entailing the Malvasia manor in Sacavém and leaving it to her son Pedro Álvares de Gouveia⁸⁸.

The pattern was repeated in other parts of the kingdom. In a commercial city like Porto, Nuno Álvares and Maria Dias contracted with the friars of S. Francisco to establish a chapel in 1520. They entailed the income from a farmstead they owned in Maia, near the city, which would be owned by their son-in-law Diogo Brandão and Isabel Nunes, his wife and daughter of the founders⁸⁹. In Viana do Castelo (a town that from the 16th century onwards would be deeply linked to Atlantic trade), the squire and nobleman Álvaro do Porto Pedroso and his wife entailed the Barrosa estate, located in the parish of Lanheses⁹⁰. The masses were to be held in the

86 Will chart (1450-06-03) - VINC000225 GMP EA/001aa; TT-MSDL-54, fls. 112v-114.

87 Will (1486-04-21) - VINC000153 AB EA/001a; TT-HSJ-092, fls. 23-24v.

88 Chapel foundation deed (1610-03-24) - VINC000897 BG EA/002; TT-HSJ-009, fls. 11v-13v.

89 Chapel foundation deed (1520-07-30) - VINC004109 NAMD EA/001; ADPRT-CSFP-K-20-6-93, fls. 116-118. See the many cases described in the work by Brito, 1997.

90 Chapel foundation deed (1560-12-11) - VINC004798 APPME EA/001c; UM-ADB-MAB-JR-B-744, fls. 133v-138.



chapel of the manor and in the parish church of Ponte de Lima. The founders' discourse on estates followed the logic we have been describing: if the estates were constantly divided, they would be "torn apart" and owned by "different people", squandering the great work of those who assembled them.

The history of a property's origin depicts different profiles of entail institutors, from true founders of lineages to their reorganisers, and is also the result of relationships of a corporate and even affective nature with the entailed estates, in some cases the most symbolic. The topic was clear and relevant to the nobility, with estates and manors heavily invested with identity symbols: the origin of the surname, the manor by which they were known (analogous to the category of "*fidalgo de solar*", which emerged in the classification taxonomy of the royal household⁹¹), the house and the adjacent chapel inlaid with coats of arms and other identity devices⁹². They would embody the principle of entailing estates with feudal rights over land and men⁹³, observed in entails established especially in the 14th century. As a way of conferring kinship with substance and establishing links between ancestors and descendants, this principle was also manifest in smaller or less structured entails, such as houses in urban areas, or even in the sharing of burial sites⁹⁴, be they graves in churches or chapels annexed to cult buildings. In 1346, Martinho Esteves entailed the houses built by his predecessors, obliging his descendants to look after and inhabit them; he also ordered that his remains and the masses in his memory be placed and celebrated next to his ancestors⁹⁵. In Lisbon, in 1460, Martinho de Oliveira and his wife Beatriz Gonçalves instituted a *morgado*, leaving as its head the houses where they lived, with its tower⁹⁶. In the case of dominant groups, with long-standing traditions or in the process

91 Pereira, 1998, pp. 305-315.

92 The topic is addressed in Rita Sampaio da Nóvoa's research, in another of the books in this collection.

93 Examples include the various entails established for the children of Álvaro Gonçalves Pereira, Master of the St John: Entail foundation deed (1356-09-06) - VINC001422 AFRA EA/001aa; CP-P1, pp. 222-224. Entail foundation deed (1357-08-05) - VINC000024 GMM EA/001aa; CP-P1, pp. 225-227. Entail foundation deed (1359-07-01) - VINC000024 GMM EA/001ab; CP-P1, pp. 227-228.

94 An idea already emphasised by J.-P. Molénat for Toledo between the 13th and 15th centuries: Molénat, 1986, pp. 691-693.

95 Will chart (1346-10-26) - VINC000658 ME EA/001a; TT-AA-RA-48, fls. 250-251.

96 Will (1460-02-29) - VINC000311 MGOBG EA/001; TT-AA-RA-8, fls. 464-465v.



of building them, the burden associated with the estates is more evident. In 1580, André Coelho wanted his Carnide estate, incorporated into the entail, to remain intact as he had inherited it from his grandparents⁹⁷. In 1568, a New-Christian such as Diogo Castro do Rio referred to the Sacavém estate, head of the *morgado* he was founding, as the “manor of his nobility”⁹⁸. And in 1590, Dr Manuel Colaço, a judge of the *Casa da Suplicação* (a higher court of the Crown) entailed his *quinta* of Ribeira, in Penela, tracing its history. The *quinta* had belonged to his ancestors and had first been reconstituted by his grandfather. On his death, it was divided between his heirs. Manuel Colaço had gone to great efforts to recover the properties. Uniting and entailing them, he would preserve the memory of the ancestors and ensure the necessary conditions to serve God, the king, and sustain and feed their poor brothers and sisters⁹⁹.

Underlying these operations was the belief that the formation of property *nuclei* would ensure a solid identity and more secure income possibilities. In the entail they set up in 1569, Tomás de Noronha and Helena da Silva incorporated all the assets they owned in Caparica, in Almada, including the *quinta* of Torre, asking future administrators to annex estates in or near that location¹⁰⁰. The case of Álvaro do Porto Pedroso’s aforementioned entail, located near Viana do Castelo, is similar, as he asked future administrators to buy and entail property as close as possible to the said *quinta*¹⁰¹. The arguments put forward by administrators in requests for subrogation go in the same direction. In the books of the royal chancellery from the late 15th century onwards, we find charters and licences of this type granted by the kings, allowing the administrators to exchange assets from entails for others of equal or greater value and income capacity. Generally, the administrators argued that they wanted to exchange a set of assets for a single property, or that these should be

97 Will (1580-08-19) - VINC003361 AC EA/004; TT-HSJ-008, fls. 182v-187.

98 Entail foundation deed (1568-05-19) - VINC001637 DCREVMCR EA/005a; TT-GCL-RV-98, fls. 143v-157. The trajectory of Diogo de Castro do Rio and his family and the patrimonial strategies they developed are analysed in Bethencourt, 2024, pp. 144-146.

99 Will (1590-01-05 - 1590-01-06) - VINC002077 MC EA/001aa; TT-MC-V-CBR-10, fls. 10-22v. 100 Arcos, 2007.

101 Chapel foundation deed (1560-12-11) - VINC004798 APPME EA/001c; UM-ADB-MAB-JR-B-744, fls. 133v-138.



concentrated in a region closer to where they lived, making administration easier¹⁰². This type of document deserves a specific and systematic investigation, as it offers ample material to analyse some of the processes of managing entailed assets and how they conditioned the organisation of family structures¹⁰³. The management of assets and income could have been more flexible than the institutions' rigid nature suggests, especially in the long term.

Entailment along these principles, and the concentration of assets, were designed to crystallise *nuclei* in certain spaces¹⁰⁴. The entail would make the groups more firmly rooted in a particular space, which would become both the source of wealth and the centre of identity. It simplified the administration of assets and control over them, with long-lasting effects on the production of information and the solidification of information management mechanisms, which were strongly conditioned by the legal nature of the estates and their location¹⁰⁵. Entails thus seem to have had a direct relation with administrative and management improvement, certainly contributing reciprocally to cementing the institutionalised dimension of kinship groups.

In addition to what we wrote earlier about the preferential entailment of real estate as a way of protecting familial bodies from any contingencies, it should be borne in mind that entailment provided the property with its own effective legal cover. By giving them a new nature, this cover could,

102 One of these cases, related to the entails inherited by the Count of Penela and the operations to recompose them during the reign of King Manuel I: Aguiar, 2021, pp. 324–327.

103 One must point out the existence in Spanish bibliography of studies on the disentailment of assets for the payment of dowries or to institute new entails for secondary branches of the lineage: Quintanilla Raso, 2004. Catalá Sanz, 2011, 65–67. The dynamic is also known in the management of *fideicommissum* in other parts of Europe: Cogné, 2012.

104 Sottomayor-Pizarro, 1999, vol. 2, 567–592. The author draws attention to the dynamics of sharing estates until the 14th century, resulting in their dispersal, although sometimes counterweight with later purchases and exchanges, reconstituting nuclei.

105 As explained by Rosa, 2019, pp. 270–276. Gago, 2019, vol. 1, pp. 255–264. Lopes, 2023, pp. 254–259, 308–314. However, the dynamic should not be read in a mechanical and simplistic way. The top groups, owners of entails and Crown estates, would continue to be characterised by a certain geographical dispersion, albeit based on diversified geographical centres. Each of them would still have a certain coherence, to which the various entails would contribute.



among other things, protect them from sequestration ordered by the courts¹⁰⁶. With this nature, they could escape sequestration and continue to be used by relatives and founders. It is also for this reason that certain founders inserted the ‘legal fiction’ of considering the administrator who commits crimes of lese-majesty of having died hours or days before the act, thereby transmitting possession of the entail to the next in the line of succession¹⁰⁷. In short, all these elements make up a corporate entity whose institutionalised nature is designed to protect the soul and memory of the founders and their relatives, within a horizon of perpetuity and safeguarded from the less happy turns of fortune. It thus provides a substance that binds and protects the different generations.

4.5.1 – The entailed estates share: the *terça*, agreements and royal waivers

Apart from the aspects associated with the quality of the entailed assets we have just described, what were the sizes of the shares used by the institutors? How representative was the proportion of entailed assets? What constraints were imposed on the different relatives’ access to the inheritance, and consequently on how siblings’ different roles were delineated? How were discourses in favour of the concentration of assets materialised and articulated with actual transmission practices? Basically, what impact did entails have on the forms of distribution and access to inheritance and, consequently, on the organisation of kinship groups?

Two elements should be considered before looking for answers. Firstly, the following analysis is based on foundational documents. Only at a later stage will we be in a position, from a diachronic perspective, to reflect on the lasting effects of entails in moulding kinship structures, after considering the density of the foundations, the cumulative effects they may have had on the groups that administered various entails, and the

106 In his classic book on the *mayorazgo*, B. Clavero argues that the essence of the institution rested on the reconfiguration it made to the nature of property, and not so much on the question of succession, by primogeniture or otherwise. On the “property regime of the *mayorazgo*”, including the protection of its confiscation: Clavero, 1974, pp. 261–278.

107 Rosa, 1995, pp. 236–238.



possible paths for further research, particularly with the documentation of family archives. Secondly, for a proper understanding of the data, it is necessary to refer to the reading grid based on the concept of the ‘corporate hierarchy of inequality’. The transmission of inheritance was based on assumptions specific to this social system, which are different from ours. A reading of these practices through prisms such as individual rights according to a contemporary understanding, and in a simplistic dichotomy between heirs and outcasts, is inappropriate and distorts the logic of the historical actors. These considerations do not imply rejecting the assumption, clearly expressed by the historical actors themselves, of the existence of hierarchies and unequal relations between relatives. The transmission of inheritance and the management of family assets was organised – in the more structured and powerful groups (but not only in these), who regularly founded and administered entails – to ensure roles and social frameworks. It was a negotiated, step-by-step dynamic, involving, among other things, matrimonial and conventual dowries, and investments (formative and otherwise) in descendants, as a way of structuring the group and ensuring it would prosper¹⁰⁸. These dynamics were subordinated to the collective interest, since its members could not prosper outside of it.

Sometimes founders wanted to entail specific estates for identity reasons or considering the potential for income and perpetuation of the family. A first assessment should evaluate not just the quality of the assets, but the shares that are entailed within the overall patrimony at the individual’s disposition. One should remember that Portuguese inheritance law, based on Castilian law, limits the power of the possessor to dispose of their assets when there are legitimate and forced heirs. However, the legislative matrix could be circumvented by other means, and historical actors could

108 In this regard, and at least as far as the aristocracy is concerned, the data and observations in Monteiro, 2000, are important to consider. Soria Mesa, 2007, pp. 116–212. Aguiar, 2022a. Also relevant are the readings offered by C. Luchía, who emphasises the relationship between an idea of stability immanent to family bodies and a form of “negotiated” existence: Luchía, 2014, p. 307. Or, from A. Roulet’s perspective, of the family as a construction resulting from constant efforts of “institutionalisation” and negotiation, balancing the relations between relatives and operating a “fiction of mechanical continuity”: Roulet, 2021.



produce similar results in different ways¹⁰⁹. In any case, this horizon remains as a backdrop, and will somehow shape the practices that could be implemented. Of the eight hundred or so foundational documents studied in this sample, around 350 explicitly mention the share of assets to be entailed, using various legal figures in different contexts: some entail all the assets, others refer to the *terça* (i.e., the disposable portion, a third part of the assets, the remainder was divided amongst forced heirs) and others, much rarer, make use of what seem to be legal artefacts, such as the *quarta* and the *quinto*.

Within these cases, the *terça* is the figure most regularly used by founders (162), sometimes combined with the share of assets of another person associated with the foundation, or also entailing the share of the inheritance that in principle belonged to the entail's heir presumptive. In other words, it seems that the founders predominantly used the part of the estates that they could freely dispose of under Portuguese law if they had forced heirs. In the case of an institutor or a couple with legitimate children, the descendants could already have had access to their part of the inheritance through gifts or donations during marriages or advances from the inheritance for investment in the heirs' education. Thus, resorting to the *terça*, in principle, prevented the institutors from harming their heirs by depriving them of part of the inheritance. They only had to define which assets fell into each of the shares after the *post-mortem* inventories. At the same time, potential sources of disputes in partitions were minimised.

The data doesn't seem to indicate a correlation between the type of institution – according to the 'types of institution' we constructed in the previous chapter¹¹⁰ – and the use of the *terça*. Almost 80% of the institutions that use this quota are fluid type institutions, but these are also the majority in the sample. Conversely, just over 20% of the foundations that

109 Once again, we draw attention to the importance of the work of Ferrer-Alós, 2007, 2014. C. Ramos Cobano's work on a family in the region of Huelva demonstrates precisely the unequal forms of access to inheritance behind egalitarian appearances. In the case studied, almost all family members used these strategies to benefit heirs who did not become successors of the *mayorazgos*: Ramos Cobano, 2008.

110 See topic 3.3.1.



use the *terça* are structured type institutions. Despite the variability in the scale of the assets, this data emphasises that it was possible, at least in the minds of the founders, to think of quite sophisticated ways of structuring kinship groups using just one part of the estate, even if it was the best part, or the most socially valued.

The use of other portions is rare and refers to specific geographical and chronological contexts. The *quinto*, although enshrined in the different Castilian inheritance systems for the purposes of dispositions for the souls of testators¹¹¹, was only invoked on three occasions, together with the *terça*, and in foundations from the 13th and 14th centuries¹¹². The *quarta* was apparently a custom in the Portalegre region in the 17th century¹¹³, but perhaps with an older origin: in 1650, João da Fonseca Coutinho and Maria Pereira Vasconcelos used this quota to establish their *morgado*, stating that it was “customary in this city”¹¹⁴.

What we have described so far presupposes favouring an heir, who receives an additional share, often invested with a greater income potential and/or more deeply rooted symbolic and identity meanings. But what happened when the founders wanted to entail larger parts of their estates? How did they manage given contingencies such as having forced heirs? Often, in the absence of forced heirs, the founders entailed all the assets, declaring their soul as heir and appointing collateral relatives (or even people with whom they did not claim consanguineous kinship) as administrators, a dynamic observed both in structured

111 Clavero, 1974, pp. 222–226. Gerbert, 1979, pp. 213–218. Molénat, 1986, pp. 683–690. Ayerbe Irribar, 2022, pp. 49–56.

112 In the will of the knight Gomes Lourenço da Cunha, in 1272: Torre do Tombo, Mosteiro de S. Simão da Junqueira, col. Costa Basto, no. 14, fls. 37–38. In the donation made by the knight Martinho Peres and his wife Teresa Martins in 1297–12–24: Torre do Tombo, Cabido da Sé de Coimbra, 2.^a Inc., mc. 86 n.º 3975. These documentary references come from J. A. de Sottomayor–Pizarro’s file, which we refer to in the chapter on sources, renewing our thanks here for making these materials available (see topic 2.4.1). A final example of this behaviour in the institution made by João Lourenço Buval in 1372: Will (1410–05–02) – VINC001978 JLB EA/006ab; TT–FC–CC–2, fls. 60–62.

113 In only one case in another region did the founder use this quota, the institution of João Frade de Pina in Abrantes in 1620: Will chart (1620–06–16 – 1620–06–20) – VINC001967 JFP EA/001a; TT–MC–V–STR–15, fls. 5–10.

114 Will chart (1650–06–02) – VINC005967 JFCMPV EA/001; ADPTG–PCP–011, fls. 129v–131v.



and fluid type institutions¹¹⁵. The project to entail larger shares of property when there were forced heirs gave rise to more complex processes. On the one hand, it required agreements between relatives, ceding part of the inheritance, sometimes with explicit compensation in life¹¹⁶, and denoting a collective project around the institution. On the other hand, and in addition to these agreements, the founders asked the king for a waiver from succession laws, an exception anchored in the institution's benefits in the service of God and the kingdom.

These cases are typical of the most elaborate institutions, of groups structured from the point of view of their kinship relations, identity mechanisms, estate management, and insertion into powerful networks, using entails as an essential tool to organise all these dimensions. As a result, these are generally rich documents, formalising institutions that we would classify as structured type, referring primarily to sociological contexts specific to powerful groups, often related to the royal court¹¹⁷. They founded *morgados* of substantial size, with well-established lineage projects, planning the fate of the various family members through hierarchies of gender and seniority within the 'corporate hierarchy of inequality' that we suggested as a reading grid. Sometimes, they forced the presumptive administrators to incorporate their own share of the paternal inheritance. This operation, although it enlarged the entail, constrained the liberty to freely dispose of these estates. In 1560, Martinho Afonso de Sousa and Ana Pimentel entailed the couple's *terças*, the inheritance share of their son and heir to the entail, and also the share of another son who had joined the church¹¹⁸. In 1569, Tomás de Noronha and Helena da Silva entailed their *terças*, incorporating into them all the property they owned in Caparica. If these assets exceeded the disposable portions, the

115 In the institution of Beatriz Fernandes, of fluid type, in 1580, the totality of the assets is entailed, in the absence of forced heirs, naming her soul as heir, and leaving the assets to Álvares without specifying kinship with him: Will chart (1580-09-25) - VINC000819 BFAA EA/001; TT-AA-RA-17, fls. 2-3v. In 1700, in a structured type of institution, José Caires entailed all the assets in the absence of forced heirs, naming his brother Luís Caires: Will chart (1700-02-20 - 1700-02-27) - VINC001290 JC EA/001; TT-AA-RA-26, fls. 19-20.

116 A type of case also identified in Spanish literature. For example, see Contreras Jiménez, 2016, pp. 298-300.

117 Gomes, 1995

118 Will (1560-03-08) - VINC002952 MASAP EA/003; Furtado (2015).



couple asked the entail's heir to incorporate them into their own share of the inheritance and annex it to the entail, preferring that such assets be real estate in that locality¹¹⁹. In 1560, Gil Eanes da Costa and Joana da Silva entailed their disposable portions, the inheritance of two nun daughters, and finally the inheritance of the *morgado*'s heir, referring to the royal provision that authorised this last operation¹²⁰. In 1700, Simão de Cordes entailed the disposable portion and the inheritance of his nun daughters¹²¹. The daughters of the dominant groups were either married or sent to convents, imposing different forms of relationship with the paternal inheritance and with the transmission projects of the lineage groups: the former, through matrimonial dowries; the latter, through convent dowries given to the monasteries, as cash payments or annuities for life which, for the protection of the family group, could force the formal renunciation to the inheritance thus incorporated into the entails¹²².

Royal confirmation of institutions was requested primarily when the founders' plans infringed the law and theoretically harmed the rights of legitimate heirs. An exception was allowed because of the benefits to the community¹²³. Here, too, it was mainly aristocratic groups, sometimes elites with knowledge of the law or privileged access to legal advice, who were involved in the royal circuits. Afonso Domingues de Beja, a man involved within the Crown's administrative and judicial institutions, set up two *morgados* with his wife Maria Domingues and their sons Pedro Afonso and João Domingues. To "avoid scandal and folly", they requested confirmation from the king and exemption from inheritance laws¹²⁴.

119 Arcos, 2007.

120 Entail foundation deed (1560-07-05) - VINC001816 GECJS EA/002aa; TT-IMC-NA-190, fls. 1-16.

121 Will (1700-08-26) - VINC006444 SC EA/001; TT-FSC-004-003-02-0043.

122 Regarding Portuguese aristocracy between the late 14th century and the end of the *Ancien Régime*, consider the cases identified and described in Aguiar, 2021, 304-307, 448-464. Conde, 2023, 7-12. The movement is similar to that detected in other regions of the Iberian Peninsula throughout the chronology. Without pretending to be exhaustive, reference should be made to the results of Diago Hernando, 2011, pp. 9-15. Prieto Sayagués, 2021, pp. 756-757. Rouillet, 2021.

123 Clavero, 1993-1994. Hespanha, 1993, pp. 965-967. On royal confirmations of foundations and the derogation from succession codes and laws: Rosa, 1991, pp. 52-53; 1995, 244.

124 Entail foundation deed (1378-09-09) - VINC005656 ADBMDPA EA/002; TT-AA-RA-16, fls. 145-151.



This confirmation derogates from various codes, in a dynamic seen in similar foundations, applicable when there were several children or when the founders sought to incorporate the legitimate inheritance of the presumed successor:

- In 1381, Gonçalo Vasques de Azevedo and Inês Afonso entailed their disposable portions and made *inter vivos* donations to their son, which was why the royal confirmation derogated from a set of inheritance laws¹²⁵.

In 1540, Fernando Fiel Lugo, a single man with no children wanted to entail all his assets. The royal letter of confirmation derogated inheritance laws to validate the institution, since it projected the donation to only one child that he might have¹²⁶.

- In 1590, Álvaro de Sousa and Francisca de Távora obtained royal confirmation that derogated inheritance laws to validate the institution¹²⁷.

In 1630, Jorge Lopes Gavicho and Maria Nunes entailed their assets and the inheritance of their son and heir presumptive of the *morgado*, emphasising the need to request royal confirmation of the institution¹²⁸.

The underlying principle was therefore to recognise the right of all heirs to have some form of access to the paternal inheritance¹²⁹, while recognising the necessity to use forms of validation of the operation to mitigate possible sources of conflict.

125 Confirmation letter (1381-11-15) - VINC000031 GVALA EA/002a; TT-LN-30, fls. 103-104v.

126 Entail foundation deed (1540-06-23 - 1540-06-25) - VINC000830 FFL EA/001aa; TT-C-J3-D-40, fls. 169-170v.

127 Entail foundation and donation deed (1590-11-08) - VINC001420 ASFT EA/002aa; TT-C-F1-D-25, fls. 143-146.

128 Entail foundation deed (1630-04-02) - VINC002018 JLG MNALG EA/001ab; TT-C-F3-D-24, fls. 231v-236v.

129 J. Morsel proposes the idea of “generalised participation” as a reading grid, emphasising that it is not so much a question of strictly equal sharing of assets, but rather of “d’ avoir part à quelque chose”: Morsel, 2017, p. 17.



4.5.2 – The obligation of administrators to entail estates

In around 50 institutions in the sample we studied, almost all of them structured type, the administrators were compelled to entail more assets. The arguments, when put forward, were to improve the entail and the lineage, as can be seen in the institution of Nuno Vasques de Castelo Branco and Joana Zuzarte in 1442¹³⁰, and also allow “que os sucessores dele possam ser mais abastados e honrados”¹³¹, as mentioned by Fernando Álvares da Cunha in 1570. The modalities of this obligation could vary. The most common was for the founders to oblige the entailment of parts of the disposable portions: between the third part of the third¹³², half¹³³ and the totality of this disposable if there were no forced heirs¹³⁴. There were also cases in which the imposed quota varied depending on the kinship relationship between the successor and the last administrator¹³⁵. The principle, however, if there were forced heirs, was that part of the disposable portion be freely disposable, even to take care of their souls, since this was the nature of the hereditary quota in question. The “*livros de morgado*” and *tombos* of the 16th and 17th centuries, and even later, often included authenticated copies of documents through which various administrators complied with the institutor’s dictate and entailed more assets.

130 The foundation deed can be found in an exemplification dated 1448-06-28, made after the death of the founder, and in the presence of Leonor de Castelo Branca, nun in the monastery of Chelas. The abbot and the community requested the exemplification to preserve the memory of the pious legacies that the founders had ordered to be celebrated in the monastery: Torre do Tombo, Mosteiro de Chelas, mç. 49, n.º 970.

131 “His successors to be wealthier and more honourable”, in Will (1570-08-28) - VINC001710 FAC EA/004aa; TT-IMC-NA-191, fls. 1v-10.

132 In 1700, Simão de Cordes compelled the administrators to entail the third part of their disposable portions (i.e., *terça*): Will (1700-08-26) - VINC006444 SC EA/001; TT-FSC-004-003-02-0043.

133 Gonçalo Lourenço de Gomide and Inês Leitão imposed, in 1398, that the successors should entail half of the disposable portion: Entail foundation deed (1398-11-21); VINC002454 GLGILB EA/001aa; CP-J1-2-3, p. 77. Similar in Luís Ribeiro and Isabel Pacheco, in 1550: Entail foundation deed (1550-11-07) - VINC004976 LRIP EA/001a; TT-GCL-RV-97, fls. 14v-26.

134 Manuel da Silveira Frade and Martinho da Silveira Frade, in 1620, obliged the administrator to entail half of the *terça*, or all of the assets if they had no descendants: Entail foundation deed (1620-12-19) - VINC002082 MSFMSF EA/001aa; TT-C-F3-D-2, fls. 177-184.

135 In 1491, Fernando Martins Evangelho imposed that if the successor were a natural child he was compelled to entail one-third of his disposable portion; if they were a collateral relative they should entail half of the *terça*; if the successor was a merchant appointed by the brotherhoods of S. Francisco and Espírito Santo, they should entail two-thirds of his disposable portion: Will (1491-06-10) - VINC000219 FME EA/001; TT-HSJ-004, fls. 129-140.



Several of the copies of institutions analysed in this sample come from documents of this nature, reproducing this dynamic between the institution, the assets and the chain of kinship¹³⁶. This dynamic suggests that the successive incorporation of more assets into entails is one of the most plausible causes for the preservation of partition deeds in family archives¹³⁷.

In the minds of the founders, there was a concern to continually strengthen the institution by improving its forms of income. It was a question of imposing a specific behaviour on future generations, moulding them to the dictates of the founders. The accumulation of several administrations in the hands of the same person, some possibly with similar obligations, could contribute to a progressive decrease in the availability of free assets and, consequently, cause problems in the groups' liquidity and solvency, a blockage emphasised by the literature and which, particularly from the 18th century onwards, will be criticised by detractors of entails¹³⁸. Only in-depth research in family archives, analysing sets of wills and partition deeds over several generations, will make it possible to evaluate the impact of these clauses in an informed way, both in terms of the history of specific entails and in terms of the evolution of the organisation of the groups that accumulated and administered these institutions over the long term.

136 In this sample, these documents almost always refer to dominant groups close to the king. Among several examples, the institution of the *morgado* of Gil Eanes da Costa and Joana da Silva is included in a *tombo* produced in 1570-08-20 and deposited in the Torre do Tombo at the request of the administrator António da Costa: Torre do Tombo exemplified original (1570-08-20) - VINC001816 GECJS EA/002; TT-IMC-NA-190. The institution of Fernando Álvares da Cunha is incorporated in a copy of the *morgado's* book deposited in the Torre do Tombo, copying numerous documents, including royal judgements relating to conflicts over the assets at the time of the institution: Torre do Tombo exemplified original (1578-06-10) - VINC001710 FAC EA/004; TT-IMC-NA-191.

137 The hypothesis, suggested in another paper, is that partition deeds dealt with free assets which, by definition, circulated. Consequently, the preservation of the documents would lose juridical relevance after two or three generations. On the contrary, the incorporation of the assets into entails justifies the preservation of the information: Aguiar, 2021, pp. 417-418. Lopes, 2023, p. 248.

138 This idea is suggested by Spanish authors such as M. Pérez García, who argues that, in the long run, entails ended up wearing down families, producing conflicts, forcing endogamous behaviour and reducing the breadth of social relations, undermining their reproductive bases and leading them to ruin, even if the social actors didn't necessarily have this perception: Pérez García, 2009, 2021. For the top nobility of the kingdom of Portugal, the nature of the entailed assets and their overall importance was one of the factors associated with its progressive paralysing indebtedness: Monteiro, 2003, pp. 372-376.



4.6 – The centrality of the administrator in the kinship group

After the founder, an ever-present and referential figure, the administrators assumed the power delegated to them in each generation, under the conditions and prescriptions set out in the foundational document. A chain between the institutor and successive administrators was projected in perpetuity, ‘as long as the world lasts’, based primarily on blood ties, investing each administrator with power, privileges, and responsibilities. As we saw in one document, the assets were to be possessed “como se de coisa alheia se tratasse”¹³⁹, especially if they were many and profitable, and conferred power, prestige and social distinction. These favours, it was assumed, would ensure the best conditions for serving God, the king and relatives, including the souls of the ancestors whose masses were to be paid with the entail’s income and the administrator’s relatives, supported and managed by this powerful figure.

In practice, this system did not work without tensions. The organizing representations are the gateway to understanding the general logic. They guided the choices of historical actors but are not a clear mirror into the concrete course of social life. Despite the discourse around entail foundations, anchored in unity, we need to recall the density of conflicts that surrounded these institutions, starting from the basic operation of defining the ‘kinship hotspots’, as we had the opportunity to demonstrate in the previous chapter by studying the judicial documentation¹⁴⁰. The same applies to how relationships were organized within these poles. There were founders who excluded successors with mental or physical ‘defects’, creating a kind of fictitious death that gave way to the next in line¹⁴¹. Sending unmarried daughters to convents, who often renounced their inheritance in exchange for life annuities, although it might seem a peaceful process in the documents, could have been achieved at the cost of tensions and conflicts, exacerbating forms of authority. Conflicts also

139 “As if it were someone else’s”, in Institution of Luís Ribeiro and Isabel Pacheco: Entail foundation deed (1550–11–07) – VINCO04976 LRIP EA/001a; TT–GCL–RV–97, fls. 14v–26.

140 See topic 3.4.

141 Rosa, 1988.



arose, sometimes quite violently, when the heir presumptive refused the life projected for them and wanted to join a strict monastic order. The case of Gonçalo da Silveira, the first-born son of Nuno Martins da Silveira, is paradigmatic. In 1439, his father invaded the convent cloister with armed men to forcibly snatch the habit from his heir and bring him back to his worldly duties¹⁴². Even in the simplest institutions, which we have classified as fluid type and whose main purpose was not to structure kinship, the obligations to maintain the estates and to suffrage the souls were present, not least because of possible claims from the churches that, possessing copies of the documents, could claim the due payments, demanding correct management of the assets.

The system was based on a tension, with a certain degree of flexibility, between the group's interests – substantiated by estates, power and identity signs, wrapped in a matrix of relationships of authority and duty, and filtered through a charitable paternalism – and the negotiations each context imposed, considering the number of siblings, their individual characteristics, and each generation's luck and fortune. All this in a context strongly conditioned by an unstable demographic regime, which is almost always incompatible with highly defined strategic planning¹⁴³. The balance could be quite precarious and was based primarily on people conforming to the social roles designed for them, whose distribution was subordinated to collective interests, the only way to protect each family member in a society that was not conceived as a mere collection of individuals. Interpreting behaviour in terms of individual ideals of 'fulfilment', ignoring the different forms of integration into social bodies, is anachronistic and produces distorted results¹⁴⁴. For all these reasons, the primacy of the entail administrator cannot be seen as a despotic privilege – a criticism made by 19th century liberals, even though the bourgeois family reproduces hierarchical and even authoritarian forms of relationship – even though it is clearly based on a logic of favouritism and authority. The system could also be highly constraining for heirs, disregarding their wishes and desires, sometimes violently. This set of factors

142 This case is discussed in Rosa, 1995, pp. 148–156. For a reading of this *fuga mundi* within the cultural matrix of the time, see Rosa, 2014.

143 Framiñán Santas, Garazo Presedo, 2005. Viret, 2014.

144 See Rouillet, 2021.



reinforces the indispensability of thinking of the functioning of these institutions in a corporate logic, formed by people, but constituting more than them. An analysis based on the sum of individual wishes obscures the logic of the system and the strength with which it solved problems, despite the conflicts it could have triggered.

Insisting on this reading grid is crucial to an appropriate and historically situated understanding of the role played by the entail's heir and administrator as the pivot of each generation. We therefore need to analyse how this figure was constructed as a prominent relative invested with authority. We will then study how the heir's marriage was controlled and their obligations towards relatives, as well as how compliance with or infringement of these provisions was monitored and how these dynamics triggered conflicts.

4.6.1 – The profile of the administrator: continuity as the premise of a formalised authority

The entail administrator was the pivotal figure for the successive generations integrated into the corporate entity, invested with idealised physical and moral characteristics and enjoying primacy and authority. This construction included identity elements, designed to build continuity, and was expressed in the repetition of a profile (knightly, but not only), as well as the obligation to use the founder's coat of arms and surname, and in certain cases his first name¹⁴⁵. These continuities are certainly related to the representations already mentioned, analogous with the divine sphere of spiritual kinship, of shared essence and similarity between father and son¹⁴⁶. In essence, annulling the passage of time¹⁴⁷ and differences to create a permanent continuity, despite generations, ruptures, and conflicts.

145 The study of the transmission of coat of arms and surnames clearly demonstrates the hierarchy within aristocratic siblings, between the first-born (successor to the most socially valued assets and subject to greater discipline) and the second-born, through whom the surnames and symbols of various ascendants circulated: Monteiro, 2008; Aguiar, 2023.

146 See topics 3.2.2 and 4.2.

147 M^a L. Rosa speaks of a "suspension" of time: Rosa, 2020.



This more complete construction was naturally rooted in male profiles and values, the preferred universe for exercising authority and, as we're talking about dominant groups, power. The rare cases in which female succession was favoured are, as we have said, small and loosely structured foundations¹⁴⁸, which did not give rise to very elaborate female administrator profiles. Nevertheless, women could play roles in the estates' management. This dynamic would certainly be felt more acutely in the dominant groups, where men's royal service would take them to court, war, and service in the empire. There are research pathways that need to be pursued further, especially using documentation from family archives, to ascertain the effective roles women played in the shadow of male figures.

In any case, and regarding the codes and values of leadership and the organisational modalities, historiography has suggested that entails were fundamental resources for formalising all these aspects, unlike the more 'horizontal' or fluid modes of functioning characteristic of at least the 13th and 14th centuries¹⁴⁹. In this respect, it is necessary to organise the investigation based on entail documentation, since there were different ways of imagining and configuring the heir and the role they would play in kinship groups, that are not limited to the references traditionally perceived as nobiliary. In the previous chapter, we mentioned a series of fluid type institutions and small foundations that, although rare, determined that the heir had to be a cleric, often responsible for carrying out the entail's pious legacies and creating a kind of family prebend, a dynamic well identified by historiography¹⁵⁰. Among various examples, we can mention the institution established by Pedro Fernandes Colaço and Maria Fernandes in 1660, requiring their grandson Manuel, who was appointed the first administrator, to become a cleric and to celebrate masses for the souls of the founders¹⁵¹.

Even in entails that defined a lay heir, the construction we have been referring to could be based on knightly traditions that were complemented, especially in the 16th and 17th centuries, by other means of social promotion and distinction, such as university degrees and holding positions of

148 See topic 3.3.4.

149 Sottomayor-Pizarro, 2013. Sousa, 2013.

150 Consider the work of Pro Ruiz, 1989. Soria Mesa, 2002. Irigoyen, 2004. Roth, 2007, 227-234. Rodrigues, 2010, 121-132. Fernandes, 2012. Díaz, 2014.

151 Will (1660-06-02) - VINC004560 PFCMF EA/001b; ADPTG-PCP-002, fls. 185v-186v.



administration and justice in the Crown's institutions. The principle is therefore that of emulating a socially distinctive profile, the contours of which evolve over time, but that in any case assume and seek to reinforce the heir's status as the group's centrepiece.

The ideals of chivalry were embodied in the weapons, spaces and objects that are loaded with symbolism and reflect the meaning of service. Service which, as we have argued, was an essential anchor in the conceptualisation of these institutions. In 1344, the knight Martinho Eanes Castelões founded a *morgado*, ordering that his weapons always be in the tower of Castelões¹⁵². In 1431, the captain of Ceuta Pedro de Meneses imposed the necessary physical and moral fitness of the heir, “de tal guisa que seu senhor natural possa servir”¹⁵³. Fifteen years later, his daughter Leonor founded an aggregate entail, built around the memory of her father and ordering that the sword of the first captain of Ceuta, as well as a relic of the *Vera Cruz*, be an integral part of the *morgado* “por memória daquele honrado cavaleiro que com ela tantos bons feitos fez”. Additionally, the possessor of the estates had to live in Portugal “e que seja a serviço d’el rei e do reino por boa memória dos serviços que a estes reinos fez meu padre dignos e de muy grande honra”¹⁵⁴.

Discourses on nobility, particularly in the 17th century, extended the sources of distinction to academic titles and judicial positions, albeit with strongly dissenting opinions¹⁵⁵. While there are cases since the 14th century where the founders refer to law books¹⁵⁶, certainly preserving these

152 Will (1344–07–04), Torre do Tombo, Mosteiro de Santa Maria de Arouca, gav. 4, mç. 5, n.º 53. The reference comes from Sottomayor–Pizarro, 1999, vol. 2, pp. 576–577, nt. 105.

153 “In such a way that he can serve his natural lord”, in Dowry deed (1431–03–08) – VINC000061 PM EA/002; D’Ornelas–1928, pp. 310–319.

154 “In memory of that honourable knight who did so many good deeds with it (...) and be at the service of the king and the kingdom in good memory of the services that my father did to these kingdoms, of worth and very great honour”, in Will (extract) (1446–06–14) – VINC001635 LMAV EA/004a; TT–CA–086–259–4843, fls. 5–28.

155 Consider a recent study of these treatises: Pollet, 2023. For the 17th century, A. M. Hespanha’s observations on these topics are fundamental, framed in a reflection on the “constellation of powers”: Hespanha, 1994, pp. 297–352. Monteiro, 2003, pp. 21–36.

156 This is the case of the entail established by Estêvão Gomes, prior of the church of S. Pedro of Óbidos. The founder appointed Afonso Esteves, his servant and law scholar, as administrator, leaving him with the task of raising and maintaining Bartolomeu, “e o haja de por a ler em escola e fazer dele homem bom ao qual eu mando os livros de direito canónico/ and having him reading in school and making him a good man, to whom I send the books of canon law”, entailing the books to the *morgadio*: Will chart ([13–]) – VINC001689 EG EA/001aaa; TT–MC–V–STR–9, fls. 8–9.



resources as a ‘professionalising’ condition that protected the group itself, it is especially in the 17th century that we find constructions of the heir’s primacy based on these references. In 1620, Francisco Gastão explained that the income from the entail he had established would be used for the heir to go to Coimbra to study, following “as letras e dignidade que teve seu bisavô Diogo Gastão”¹⁵⁷. In the same year, Margarida Aires de Almeida set up an entail in which many of these topics are present¹⁵⁸. Her nephew and heir, Manuel Aires de Almeida, then a student in Coimbra, would be supported by his father through the *morgado*’s income until he finished his studies, “honradamente e conforme a qualidade de sua pessoa”. And following the logic that shaped many institutions (as we will see below), he was to marry with the agreement of his parents, always refusing the possibility of marriage with bastards or New Christians. In the generations after the nephew, the profile was also subordinated to repeating the names of the ancestors. If they were men, the *morgado*’s successors would be called Fernando Aires de Almeida, presumably the name of the founder’s father. If the succession went to someone else, the successor would change his name if he had not already been confirmed, and if this was not possible, he would at least have to keep the surnames Aires and Almeida. A similar discipline would apply in the case of female succession, imposing the name Margarida, in the image of the founder.

The argument here is that these dispositions constructed an idea of continuity, a significant premise for understanding the role of authority and responsibility played by the administrator in successive generations. Exactly how these arrangements were organised between lay and ecclesiastical heirs, emulating socially distinctive behaviours and values, demonstrates the plasticity with which the founders could build ways of organising kinship groups through entails.

157 Following “the letters and dignity that his great-grandfather Diogo Gastão had”, in Will (extract) (1620-08-20) - VINC005789 FG EA/001; TT-HSJ-004, fls. 10-11v.

158 “Honourably and according to the quality of his person”, in Will (1620-09-09) - VINC005179 MAA EA/001a; ADPTG-PCP-004, fls. 461v-466v.



4.6.2 – The administrator’s marriage

In September 1510, Aldonça Martins Lobo, resident in Évora, founded a chapel in the convent of S. Francisco of Évora. She remembered her late husband Álvaro Mendes de Vasconcelos, former *alcaide* of the town of Monsaraz, with whom God had joined her “em estado e ordem de casamento per ele feita e ordenada no Paraíso terreal”¹⁵⁹. Elevated to a sacrament, marriage was the form of alliance par excellence, the framework for the generation of legitimate offspring and, in the system of representations that governed this society, a way of multiplying the bonds that built social cohesion¹⁶⁰. For kinship groups, marriage had vital functions, which varied according to the constraints and forms of organisation affecting the different groups: while the fundamental implications of marriage for the aristocracy are well known, not least because of the documentary evidence it generated, for less prominent groups it also had concrete implications at the material level, supporting and reproducing the familial cells, which were often simultaneously productive structures essential to the social fabric¹⁶¹.

The idea of romantic love as the primary factor in choosing a mate for marriage is a modern invention¹⁶². In the logic of the society in which this research is situated, choices based solely on such criteria and thought of individualistically were inconceivable, if not considered a serious risk, fraught with disruptive potential. A logic of this kind did not conform to the role kinship played in supporting the functioning of society, in a broad context that encompassed productive structures and the mechanisms for exercising and transmitting power. We must consider the contributions of historiography on the subject as a way of framing the clauses imposed

159 “In the state and order of marriage made and ordained by him in the Terrestrial Paradise”, in Entail foundation deed (extract) (1510-09-02) – VINCO06292 AML EA/001aa; TT-FC-TD-276, fls. 113-114v.

160 The conceptualisation of Guerreau-Jalabert, 2018, is fundamental in this regard. For a very complete summary of the evolution of marriage’s conceptions from patristics, theology, scholasticism and canon law up to the Council of Trent, see Reynolds, 2016.

161 To study more diverse social groups, we rely on notarial records, and the data is much more generous from the 17th century onwards. Without pretending to be exhaustive, consider two studies on different regions of mainland Portugal: Osswald, 1990 and Conde, 2014.

162 Coontz, 20005. On love and friendship as social bonds in *Ancien Régime* society, along the same lines: Cardim, 1999.



by entail institutors. The data is more abundant for dominant groups and, within them, for groups at the top of the hierarchy or located in specific geographical areas, such as the Azores¹⁶³. Historiography describes a pattern of alliances primarily organised by social homogamy, balanced by homo/hypergamous alliances that renewed hierarchies, always subject to some degree of mobility. Organised by endogamous principles, marriage alliances also became increasingly marked by tighter consanguinity relationships from the late Middle Ages onwards, coinciding, especially at the high nobility, with the organisation of a hierarchical curial and titled aristocracy, forming a dynamic that, in general terms, lasted until the end of the *Ancien Régime*¹⁶⁴. The study of marriage contracts and dowry deeds (abundant in Portuguese archives), as well as wills and partitions, demonstrates the enormous amount of resources that circulated through marriage, and the density of the social interactions thus promoted¹⁶⁵.

Appropriately, within the corporate and institutionalised logic through which the founders sought to organise future kinship, clauses were imposed to control the marriage of the administrator, the pivot of each generation. The central idea was to establish forms of control over this key moment, based on obedience that expressed the authority of older generations over younger ones. The implications were varied. The principle was to establish forms of control that ensured socially acceptable marriages, promoting the stability or even progression of the group, while also avoiding disqualifications caused by unequal and discrediting marriages. At the end of the day, institutors wanted to avoid the ethnic-religious ‘stain’ that, from the mid-16th century onwards, would justify the widespread exclusion of heirs who married New Christians, Muslims or mulattos, in a list of categories of this type that was both extensive and revealing of the forms of social and ethnic-religious stratification that would mark Portuguese society in those centuries and, to a large extent, until Liberalism. In addition to the discrediting ‘stain’, it was also a matter of ensuring the group’s survival by keeping the doors open for decisive honours, from the Inquisition to the Military Orders.

163 Rodrigues, 2008, 2013.

164 Monteiro, 2003, pp. 77–81; Cunha, 2009; Cunha, Monteiro, 2010; Carvalhal, 2016; Mata, 2016; Aguiar, 2022b.

165 Aguiar, 2021, pp. 538–600, 671–676.



Although the sacrament of marriage was rooted in the couple's freedom and autonomy, there were ways of imposing the will of authority figures. Disobedience in this matter was, at least since the legislation of King Dinis (r. 1279–1325), one of the legal grounds that authorised parents to disinherit their children, although they had no power to annul the sacrament, which depended solely on the expression of the couple's consent¹⁶⁶. The nature of entails allowed tighter control mechanisms for relatives, anchored in the institutor's wishes and in the internal law established by the foundational document.

The authority of the older generations over the heir presumptive is evident, a principle grounded on the nature of entailment kinship and ingrained in social representations. Some founders imposed that the heir presumptive marry only with the consent of their father and/or mother¹⁶⁷, others refer to the couple¹⁶⁸, and still others indicate “os parentes”¹⁶⁹, possibly authority figures close to the line of succession. The concept of “*casar a furto*” was also invoked by some founders as an illustration of the infringement of paternal authority¹⁷⁰. The principle applies to the heir as an abstract figure, but in some cases (especially for women) it is declared explicitly¹⁷¹,

166 Review of these topics in Aguiar, 2021, pp. 530–535.

167 In 1550, Afonso Mexia imposed the condition that the heir of the *morgado* marry with the consent of his father and mother: Entail foundation deed (1550–10–03) – VINC001401 AM EA/001a; TT-IMC-NA-213, fls. 1–7v.

168 In 1650, Manuel Gonçalves Antão and Isabel Ferreira excluded from the succession any heir who married without their parents' consent: Entail foundation deed (1650–01–17) – VINC005267 MGAIF EA/001a; UM-ADB-MAB-JR-B-747, fls. 102–106v.

169 João Martins Tinoco, in 1590, declared that if his son Belchior were to succeed him, he should marry in accordance with his will and that of the rest of his relatives: “e quanto a meu filho Belchior Lopes declaro e mando que casando ele contra vontade de minha e de seus tios e irmãos não seja herdeiro nesta capela nem em cousa alguma de minha terça/ and as for my son Belchior Lopes, I declare and order that if he marries against my will and that of his uncles and brothers, he shall not be heir to this chapel or to any part of my estate”. Will chart (1590–11–10) – VINC001982 JMT EA/001aa; TT-FC-CC-4, fls. 171–172v.

170 In 1560, Cristóvão de Brito granted authorisation to remove a presumptive successor if they married against their parents' wishes, whether they were a son or a daughter: Entail foundation deed (1560–03–21) – VINC002755 CB EA/012; ADPRT-GCP-RV-C/4/1/4–4833, fls. 18–25.

171 Rui Gonçalves Martins, Francisco Rodrigues and Inês Rodrigues, in 1560, established that in the event of female succession, the heiress should marry “com pessoa que tenha as qualidades que hão de ter os que sucederem nesta administração/ a person who has the qualities that those who succeed in this administration must have”: Will (1560–10–16) – VINC000705 RGMFRIR EA/001ba; TT-AA-RA-43, fls. 89v–92.



demonstrating the belief in a need to support and control the key figure who, in the prevailing conceptions of gender, could be understood as a more fragile pole, thereby needing specific control devices. Usually, clauses of this type are found in structured type institutions, formalised by dominant and elite groups, and are part of an effort to organise kinship through entails.

The social quality of the bride and groom was the central concern in several of these institutions. This concern was fully appropriate in this context, given that the prevailing conceptions accepted and regarded social stratification, difference, and privilege as natural. The institution established by Tomás de Noronha and Helena da Silva in 1569 is particularly revealing of this set of topics¹⁷². The purpose of the *morgados* was “o desejo de conservar a nobreza”. According to the founders, nobles often lost their status “por se casar[em] desordenadamente”. It was stipulated that the heir presumptive should marry “pessoas de nobre geração e de pais e avós fidalgos de sangue, e nos livros d’el-rei, os quais vivam ou vivessem como fidalgos”¹⁷³. The criteria combined quality of birth and a reputation for antiquity and wealth that allowed them to live as nobles. It was up to the fathers, mothers or grandparents to approve the marriage, without which the heir would lose the right to administration. The exception to this obligation, present in some institutions of this kind, was allowed when the unauthorized marriage was with a person with the qualities stipulated above. In other words, if it was at least a socially homogamous marriage, there was a possibility of challenging the authority of the elders that, at some point, could prove to be unfounded. The institution of Gil Eanes da Costa and Joana da Silva, in 1560, obliged the heir to marry with the approval of their parents or grandparents, unless the women they married were “fidalgas filhas de pais e avós fidalgos de sangue”¹⁷⁴; the institution of Fernando Álvares da

172 Arcos, 2007.

173 “The desire to preserve the nobility (...) by marrying in disorder (...) people of noble generation and of noble parents and grandparents by blood, [recorded] in the books of the king, who live as noblemen”.

174 “Noble daughters of noble parents and grandparents by blood”, in Entail foundation deed (1560-07-05) - VINC001816 GECJS EA/002aa; TT-IMC-NA-190, fls. 1-16.



Cunha, in 1570, excluded heirs who married without the licence of their father or mother, except if that person was honourable¹⁷⁵.

Clauses of this nature emphasised the centrality of marriage in the reproduction of these social groups, defining their horizon for progression and consolidation of status in a stratified social fabric. The logic evolved according to the changing contexts of Portuguese society, in the various geographies through which it spread, coming to encompass definitions that expressed the stratified hierarchies of the social body. Some clearly stipulated the recognised character of noble on the paternal and maternal side¹⁷⁶, in analogy to the definition of “*cavaleiro fidalgo*” present at least since the *Ordenações Afonsinas* in the 15th century¹⁷⁷, and also a *topos* in the nobility’s treatises from the 16th and 17th centuries¹⁷⁸. Others stipulated, for example, the exclusion of those who marry “*filho de peão ou oficial mecânico*”¹⁷⁹. It seems correct to affirm that, from the 16th century onwards, the clauses and language of the documents instituting entails denote, and in a way are one of the concrete extensions of, more pronounced concerns with the establishment of formal mechanisms of social hierarchisation and precedence, with all its practical and consubstantial implications (for access to honours and privileges)¹⁸⁰. Sometimes there was tense competition between groups, in a process that was anything but stable, and where the classificatory taxonomy, rather than a ‘mirror’ of the social order, was a mechanism to shape this order.¹⁸¹

175 Will (1570-08-28) - VINC001710 FAC EA/004aa; TT-IMC-NA-191, fls. 1v-10.

176 Jerónimo Correia Homem, in 1650, excluded from the succession heirs who married a person who was not descended from noblemen on either the maternal or paternal side, along with Jews, blacks or Moors: Entail foundation deed (1650-11-08) - VINC004776 JCH EA/001a; UM-ADB-MAB-JR-B-743, fls. 19v-20v.

177 Aguiar, 2018a, pp. 39-45, 62-69.

178 Pollet, 2023.

179 As Manuel da Silveira Frade and Martinho da Silveira Frade excludes “the son of a peon or mechanical officer”, in: Entail foundation deed (1620-12-19) - VINC002082 MSFMSF EA/001aa; TT-C-F3-D-2, fls. 177-184.

180 Hespánha, 1994, pp. 307-324. E. Soria Mesa’s perspectives on the Spanish nobility in the early modern period seems to be fruitful for understanding this issue: it is a confrontation between, on the one hand, an endogenous vision of society divided into different ‘*estamentos*’, compartmentalised, organic, with legal and other resources to imprint these moulds; and, on the other hand, much more mobile social dynamics, permeable in particular to the importance of material wealth. The author situates entails within a set of “concealment” operations to reconfigure forms of a dominant group’s capital into socially valued models: Soria Mesa, 2007, pp. 213-320.

181 This idea that led J. Morsel to opt for the operative concept of aristocracy: Morsel, 2004. In a study of Castile in the 15th and 16th centuries, M. Crawford draws attention to a society of privileges, evol-



This also coincided with the rise of clauses banning matrimonial relations considered discrediting and even dangerous, from an ethnic-religious point of view. The ban on marrying descendants of New Christians was the most common, the result of an obsession with this issue, visible in the Inquisition's activity¹⁸². Purity of blood had a direct relation, along with entails, with the notable increase in genealogical production, both in Portugal and Castile¹⁸³. It thus seems logical that the issue was raised when it came to defining the acceptable criteria for the administrator's marriages: it was a matter of the descendants' security, preventing a socially discrediting taint and even threats to their existence. Ethnic-religious stratification took on more defined contours, based on a culture of hierarchising human beings built around phenotypical and cultural prejudices¹⁸⁴, and anchored in a given interpretation of Christianity's proselytising message. Both topics, despite their own history, are often manifested in the same institutions: the ban on marrying Jews and New Christians was joined by a ban on "mouros" and people "de outra infâmia"¹⁸⁵, "mulatos ou negros, ou de outra casta vil"¹⁸⁶, "índios"¹⁸⁷ or "gentios"¹⁸⁸, "gente de infeta raça"¹⁸⁹. In short, the aim was to promote marriages with "gente limpa de boa casta sem mistura"¹⁹⁰, generating a descent that should perpetually be "nobre, pura e cristã"¹⁹¹. Prejudices and the prohibition of connections with 'others' who lived on the margins, or who were seen to

ing from a customary system of local uses and customs to a system that tended to be bureaucratised (and that, although recognising various systems, sought to standardise them), in which the search for specific privileges, combining material and symbolic factors, generated disputes in the recognition of social positions: Crawford, 2014.

182 Marcocci, Paiva, 2016, pp. 161–179.

183 Olival, 1997. Figueirôa-Rego, 2008. Rosa, 2019.

184 Bethencourt, 2021.

185 "Moors" and people "of other infamy" – Institution of Pedro Gonçalves and Leonor Vaz, in 1530: Will chart (1530–09–04) – VINC000719 PGLV EA/001aa; TT-AA-RA-30, fls. 243–246.

186 "Mulattoes or blacks, or of any other vile caste" – Jorge Lopes Gavicho, Maria Nunes and António Lopes Gavicho: Entail foundation deed (1630–04–02) – VINC002018 JLG MNALG EA/001ab; TT-C-F3-D-24, fls. 231v–236v.

187 Foundation of Fernando de Sequeira de Monroy, in 1640: Entail foundation deed (1640–03–17) – VINC001039 FSM EA/002aaba; TT-AA-RA-4, fls. 308–310v.

188 Nuno da Cunha de Eça, in 1700: Will (extract) ([before 1700–03–15]) – VINC000016 MCE EA/001; TT-HSJ-006, fls. 3–7.

189 "People of an infected race", in Entail foundation deed (1620–12–19) – VINC002082 MSFMSF EA/001aa; TT-C-F3-D-2, fls. 177–184.

190 "Clean people of good caste without mixture", in Entail foundation deed (1570–11–18) – VINC000786 RM EA/002a; TT-AA-RA-33, fls. 299–302.

191 Francisco Mendes Pimentel, 1690: Entail foundation deed (1690–02–22) – VINC001198 FMP EA/001a; TT-AA-RA-39, fls. 112v–118v.



defile the social body, came to the centre of the institutors' concerns, as they sought to safeguard themselves and their descendants. Nonetheless, New Christians did resort to entail foundations, in a process that still lacks systematic research¹⁹². Be that as it may, these exclusions must be conceptualised according to a logic that both perpetuates these prejudices and protects the entail and the relatives.

4.6.3 – The administrator's obligations towards kin

When Martinho Afonso de Sousa and Ana Pimentel established their entail in 1560, they stated that the incorporation of assets into a *morgado*, owned by only one person, would preserve the memory of the founders and their descendants, as well as “favorecer e ajudar e socorrer aos parentes mais pobres que de nós descender[em]”¹⁹³. This and other institutions argued that the concentration of estates in one person was a condition for, among other services, supporting the administrator's less fortunate relatives and siblings. According to this logic, this would not be possible if the assets were constantly shared and scattered. This argument is found in the most complete institutions from the 14th century onwards and is replicated throughout the chronology. The principle is a concentration of authority and wealth that provide consistency, invested with rights and duties, and anchored in representations from the Bible, theology, and Roman law. The concept of a ‘corporate hierarchy of inequality’ as a reading grid allows us to situate these means of organising relations amongst kin coherently, based on assumptions that are very different from those that govern the societies in which we live. The depth of the conceptual separation regarding these basic elements was first visible in their criticism by the liberal elites and their radical process of dismantling the structures of the *Ancien Régime*, as previously mentioned.

In the foundational documents gathered in this sample, such principles were materialised in two main ways. We will focus on them presently,

¹⁹² Several of the issues highlighted in this paragraph are the subject of in-depth research by Bethencourt, 2024.

¹⁹³ “Favouring and helping and assisting the poorer relatives who descend from us”, in Will (1560-03-08) – VINC002952 MASAP EA/003; Furtado (2015).



and later draw attention to the discussion around concepts such as the “*direito de alimentos*” and, more broadly, a corporate worldview that conferred meaning to these relationships. The judicial documentation will allow us to see how these recommendations were received by succeeding generations.

As far as the foundational documents are concerned, some institutors established annuities for relatives. Most often life annuities were given to sisters who became nuns¹⁹⁴: without partitioning the entail’s assets, supplementary means of support were provided¹⁹⁵. One should note that since the 14th century there was a progressive growth in the foundation of female convents, places where ladies from dominant groups and elites were sent. Until the end of the *Ancien Régime*, their fate was limited to marriage or the convent¹⁹⁶. In some cases, the social integration of women became the argument for founding new houses of this type¹⁹⁷. Clauses like these were part of agreements within families. The nuns would have to renounce at least part of their inheritance in exchange for the concentration of profitable estates with reproductive potential within the entail, and for means of decent sustenance for as long as they lived. For dominant groups and throughout the chronology – despite the Tridentine efforts at

194 In 1520, Brás Afonso Correia ordered the heir of the *morgado* to give 3,000 reis a year to Constança Correia, a nun at the monastery of Salvador: Will chart (1520–09–06) – VINC000176 BAC EA/001a; TT–GCL–RV–104, fls. 96–113. In 1590, Manuel Colaço stipulated that successors should be obliged to give annual rents to the religious daughters in the monastery of Celas for as long as they were alive: Will (1590–01–05 – 1590–01–06) – VINC002077 MC EA/001aa; TT–MC–V–CBR–10, fls. 10–22v. Baltasar Martins de Castro, in 1620, stipulated that 4,000 reis would be given annually from the proceeds of the estates to his granddaughter Ana, daughter of his daughter Maria, who was a nun during her lifetime: Will (1620–03–26) – VINC001533 BMC EA/001aa; BPARPD–GCPD–RV–7, fls. 96v–105. In 1650, Diogo Fernandes de Aguiar and João Manuel de Aguiar left the obligation to pay annual and life annuities to their sister, Inês de S. João, a nun at the Rosa monastery in Lisbon: Will (1650–08–13 – 1650–08–15) – VINC003678 DFAJMA EA/003; TT–HSJ–018, fls. 201–206v. In 1690, Francisco Mendes Pimentel left the obligation to give annual and life annuities to Marta da Cunha and Maria Mascarenhas, nuns in Lorvão: Entail foundation deed (1690–02–22) – VINC001198 FMP EA/001a; TT–AA–RA–39, fls. 112v–118v.

195 In 1620, António de Faria ordered those who owned “this *morgado*” to take care of their relatives, especially the institutor’s nephew and his sister nuns, since although the monastery where they are was rich, the nuns are always in need: Will chart (1620–05–23) – VINC001478 AFALF EA/001; BPARPD–GCPD–RV–4, fls. 177v–192v.

196 Sottomayor–Pizarro, vol. 2, pp. 489–490. Monteiro, 2003, pp. 75–76. Aguiar, 2021, pp. 658–661.

197 Among several possible examples, the foundation of the convent of Nossa Senhora da Piedade in Tavira was justified in a royal letter of 1495 because it made it possible to house the daughters of the region’s honoured people: cit. by Silva, 2021, p. 301.



moralisation and discipline, especially around the obligation of strict enclosure –, entry in the convent commonly resulted in investments to construct specific quarters for the nuns¹⁹⁸, in the provision of slaves or maids to accompany these ladies, and, finally, in the establishment of strong networks of “sorority”¹⁹⁹, every so often markedly parental²⁰⁰. Ultimately, these convents could become spaces of spiritual and material power, in great synchrony and porosity with the secular relatives, and with whom the entail’s founders and administrators could be deeply connected²⁰¹.

Analogous obligations were also occasionally imposed in other contexts, such as maintaining the heir who had been excluded from administration due to physical or mental incapacity, in accordance with the criteria laid down by the founders²⁰². Or supporting the widows of deceased administrators, if they didn’t remarry²⁰³, a condition that can be explained as a way of preventing strangers from interfering with the entail’s income.

Albeit more rarely, the founders also established mechanisms for the administrators to set aside income or specific funds to endow the siblings, allowing these to take their place in the world. The concentration of profitable assets would provide the means for each generation to provide useful and dignified conditions for each of its members, according to the context, thereby also benefiting the group. Some founders instructed

198 Take, for example, the letter of division of Gonçalo Vaz de Castelo Branco’s estates (institutor and administrator of entails, already discussed in this book), in 1493: the nuns received property, had houses built in the convent, and took slaves to be served. Document published by Aguiar, 2020.

199 Concept proposed by A. Atienza López when analysing the forms of self-government and autonomy in women’s convents, and resistance to male authorities, particularly after Trent: Atienza López, 2019.

200 Consider, for example, the data and observations on a markedly aristocratic convent like S. Bento de Cástris in the early modern period: Conde, 2023.

201 We deal with this subject in section 4.7.2.

202 In 1560, Gil Eanes da Costa and Joana da Silva excluded the blind, mute, mad or crippled from succession “em tal maneira que não possa haver filhos/ in such a way that they could not have children”. Anyone who only suffered from these problems afterwards would be fed from the *morgado*’s assets, with maintenance expenses not exceeding a quarter of the income: Entail foundation deed (1560–07–05) – VINC001816 GECJS EA/002aa; TT-IMC-NA-190, fls. 1–16.

203 In 1550, Afonso Mexia forced the widows of the administrators to be supported until they remarried: Entail foundation deed (1550–10–03) – VINC001401 AM EA/001a; TT-IMC-NA-213, fls. 1–7v.



the administrators to guide and support their brothers and sisters²⁰⁴, or to take care of relatives while leaving recommendations for harmony among everyone²⁰⁵. Marriage dowries for women were the most expensive investment, especially in powerful groups, which is why some founders stipulated that part of the assets should be used for this purpose²⁰⁶. The institution set up by Fernando Fiel Lugo in 1540 incorporated all the above²⁰⁷. Its organisation was possibly too rigid and idealistic but reflected the notion of a hierarchical functioning between the siblings and the entail's income. It was stipulated that if the administrator had sisters and brothers born of legitimate marriage, they would be obliged to support them using the *morgado's* income: the brothers until they were fifteen and the women until they married or entered a convent. There was to be a contribution of three hundred *cruzados* for a woman's marriage, and two hundred for the brothers to earn their living. These portions did not invalidate the right that descendants would have in each generation to the inheritance of their parents, stipulated by the assets they possessed. According to the logic of entail foundations, the underlying principle was to make the siblings less subject to the contingencies of fate and the consequent variable scale of wealth, which was also exposed to forms of dissipation or even appropriation for legal reasons. The entailed nature of the estates, designed to defend the assets and the people related to them, theoretically protected the relatives from such contingencies. The assets were invested with their own legal personality and, consequently, with obligations subordinated to forms of relationship governed by historically situated social logics.

Although only a limited number of institutions applied these mechanisms, it is important to have some elements as a backdrop to understand the idealised forms of relation between the administrators and their relatives, and between the latter and the entail. At least since the early

204 Manuel Colaço case in 1590: Will (1590-01-05 - 1590-01-06) - VINC002077 MC EA/001aa; TT-MC-V-CBR-10, fls. 10-22v.

205 As António de Faria in 1620: Will chart (1620-05-23) - VINC001478 AFALF EA/001; BPARPD-GCPD-RV-4-177v-192v.

206 In 1520, Álvaro Cardoso ordered that a thousand gold *cruzados* be given for Leonor Cardoso's marriage dowry, or two-thirds of the *morgado's* rents until she was duly paid: Entail foundation deed (1520-08-30 - 1520-09-04) - VINC006277 AC EA/001aa; TT-FC-TD-276, fls. 51-53v.

207 Entail foundation deed (1540-06-23 - 1540-06-25) - VINC000830 FFL EA/001aa; TT-C-J3-D-40, fls. 169-170v.



16th century, discussions among Castilian treatise writers, recognising the inequality between heirs formalised by entails, crystallised the concept of *direito de alimentos*, sometimes including dowries to be provided to women²⁰⁸. Although the concept is absent from the sample of foundational documents we worked with, it is found in jurisprudence and judicial documentation and refers to a ‘cultural’ representation: siblings had the right to receive at least minimal support²⁰⁹. Within corporate and ‘economic’ thinking – in the sense that the discussion of this period uses the Aristotelian concept²¹⁰ –, this paternalistic responsibility was expected of the entail administrator, in analogy with the affective paradigm that regulated the relationships between kings and their vassals, and the role that “distributive justice” played²¹¹. A leadership that implied responsibilities that would ultimately benefit the group, embodied by the entail and other ‘moral persons’ (such as the *Casa*) and its members, who should be subordinate to it. In the eyes of a society like ours, where the recognition of diverse and even competing sources of law has theoretically disappeared²¹² and social organisation is based on the primacy of the individual-citizen and their rights and duties under the rule of law, this organisational model may sound arbitrary, to say the least. It places younger siblings – in terms of age and status – under the possibly tyrannical power of the administrator, who is not necessarily the most competent in each generation.

The organisational model under analysis here cannot, in fact, be understood in these terms. We are not denying that these relations of authority, based on forms of domination between generations and genders, eventually led to tense and even violent expressions, as the cases we will explore below using judicial documentation will show. It's not a question of painting an idyllic portrait of this operating model, but simply of recognising its organising representations. Because of this logic, and despite

208 Clavero, 1974, pp. 12–20, 222–240, 1992, 228–230. Hespanha, 1993. Bermejo Castrillo, 2009, pp. 570–572. Melero Muñoz, 2021, pp. 162–165.

209 It is again important to appeal to the notion proposed by J. Morsel: more than an equal share, what was important was the notion “d’avoir part à quelque chose”: Morsel, 2017, p. 17. I. Melero Muñoz analyses conflicts over the non-fulfilment of the *direito de alimentos*: Melero Muñoz, 2021, pp. 511–543.

210 Atienza Hernández, 1991. Hespanha, 1993. Clavero, 1993–1994. Hernández Franco, 2007. Rossi, 2009. Bianchi, 2011.

211 In this regard, it is important to consider: Cardim, 1999, 2000. Curto, 2013, pp. 353–359.

212 Hespanha, 2015.



the conflicts, the model was able to provide effective responses in the organisational modalities of kinship groups. At the same time, and at least in other regions of the Iberian Peninsula, there was some latitude in the articulation between individual and group interests, and in the management of the entailed assets. From the late 15th century onwards, requests to the kings for the release of assets to then found secondary entails for other segments of the lineage or to free up resources for the formation of matrimonial dowries became frequent²¹³. This dynamic has also been identified for fideicommissum foundations in other parts of Europe²¹⁴. The data from Portuguese historiography, although centred on the Houses of the top nobility, suggests a strong level of indebtedness, associated with the growing value of dowries and matrimonial restriction²¹⁵, and the growing weight of inalienable assets within the Houses' patrimony. Nevertheless, a corpus formed by subrogation deeds, wills, dowries and marriage contracts, and partition deeds may allow the construction of dossiers with more sociologically diverse research cases, which can be interpreted through the reading grid suggested in this book.

4.6.4 – The vigilance exercised by the kinship group and external entities: conflicts over the fulfilment of the founders' wishes

First appearing in the late 13th century and growing exponentially until the 17th century, entails had a marked social diffusion. They were used by dominant groups, but the sociological scope was broader and more diverse. The continuous flow of foundations, associated with the growing endogamy of powerful groups – from the top nobility of the early modern period to local oligarchies – would have resulted in the concentration of entails in the same groups, modelling their structures according to the institutions they administered. Furthermore, the very nature of certain institutional clauses ended up producing these effects in the long term. The 'social quality' required by certain founders for the administrator's marriage favoured endogamous relationships. As E. Soria Mesa suggests,

213 Marzál Rodríguez, 1996, pp. 306–317. Quintanilla Raso, 2004. Usunáriz Garayoa, 2009, p. 403.

214 This was the case, for example, in Lombardy in the 17th and 18th centuries: Cogné, 2012.

215 Monteiro, 2003.



the regular succession clauses – which favoured masculinity but allowed female succession as a recourse – tended to concentrate entails in the same lines of succession²¹⁶. It seems logical to accept the following premises: more and more kinship groups lived in some way within the framework of entails; at the same time, certain groups concentrated a considerable number of institutions and therefore their organisation was strongly conditioned by the accumulation of entails.

This panorama allows us to revisit a hypothesis outlined in the previous chapter. The idea is as follows: the spread of entails increased surveillance between people and institutions. It would have been felt from the outset between administrators and relatives, particularly in the 16th and 17th centuries. In this period, perhaps more prominently in endogamous and powerful groups, there was a habit of maintaining a map of succession opportunities, fostered by genealogical knowledge that had become increasingly central to various aspects of social life, starting with questions of blood purity. Surveillance was also felt between kinship groups and external entities, such as the different institutions of the Church and the Crown. The system's very nature, as some founders recognised, appealed to these external entities, parental or institutional, if the administrator failed to comply with several of the clauses set out in the foundational document. This recourse was fundamental to monitor the fulfilment of pious legacies (the salvation of souls was at stake) and was also manifested in the appeal to choose suitable administrators in the event of the extinction of kinship²¹⁷. Among other things, this dynamic shaped a system of information production and conservation that had an impact on the documentary landscape used to study entails²¹⁸. In the previous chapter, the study of the documentation produced in the context of disputes

216 Soria Mesa, 2007, pp. 226, 238–244. Similar observations by Dedieu, 1998.

217 In 1317, João Rodrigues Pimentel and Estevainha Gonçalves Pereira requested supervision from the bishop of Lisbon: Will (1337–03–14) – VINC002003 JRPEGP EA/001aa; TT-MC-V-STR-8, fls. 13–15. In 1378, Afonso Domingues de Beja and Maria Domingues appealed to the king and the municipality of Lisbon to choose successors in the event of the extinction of kinship and asked the bishop of Lisbon to visit the chapel and to monitor the fulfilment of the pious legacies: Entail foundation deed (1378–09–09) – VINC005656 ADBMDPA EA/002; TT-AA-RA-16, fls. 145–151. In 1456, Catarina Eanes appealed to the justices of the land to supervise the fulfilment of the pious legacies, and to choose a suitable administrator in the event of kinship extinction: Will (extract) (1456–06–24) – VINC003034 CEJC EA/008a; TT-FC-CC-2, fls. 244–244v.

218 Consider the panorama outlined in section 2.3.



surrounding entails demonstrated the intervention of the Crown courts in the resolution of succession disputes, the crux of which lay in the concrete definition of the kinship hotspots that should be considered legitimate administrators, always from the perspective of interpreting the institutor's wishes.

In short, and in an evolutionary configuration, we can accept the premise that vigilance between these different poles constitutes a core part of the entailment system, with a clear reflection on how kinship was organised. The path we will now follow is to examine a set of judicial documents generated by alleged infringements of the founders' wishes, particularly regarding the behaviour and conduct expected from the administrator as the group's pivot. The aim is to investigate the long-term reception of attempts to condition and regulate kinship groups by the founders, thereby forming a more informed view of the functioning of entailment kinship²¹⁹. Let's start with a particularly rich document to problematise several of the mentioned topics, creating the conditions for a more in-depth exploration of a wider range of documents.

*

In his monumental treatise bringing together extensive entailment documentation, the lawyer Manuel Álvares Pegas included a sentence by the *Desembargo Régio*, dated 1649, in a case involving António de Carvalho as the plaintiff and his cousin Maria Madalena de Castro as the defendant²²⁰. The ruling and, above all, the arguments of the contenders transcribed therein, offer us a concrete example of many of the topics we have analysed throughout this book. The reason for the dispute was as follows: the plaintiff claimed ownership from his cousin of the *Casa de Basto* entail, established by Diogo de Castro and his wife Leonor de Ataíde, and of the entail instituted by Beatriz de Vilhena, Madalena de Sousa, and Maria de Vilhena. He claimed to be the legitimate administrator, succeeding Fernando de Castro (the first-born son of Diogo de Castro, Count of Basto)

219 Melero Muñoz, 2021, is the work of reference on this topic, both for its typological proximity and its suggestions to analyse the documentation.

220 Court proceedings (partial) (1649) - VINC001638 DCLA EA/001; PEGAS-1739-3, pp. 80-86.



as his father's representative. For her part, Madalena considered herself the legitimate administrator because her uncle Fernando, her cousin's father and opponent in this dispute, had married without the consent of his father, the previous administrator of the entails, and to a woman descended from New Christians²²¹.

The court's decision would favour António de Carvalho, but the extensive arguments of the contenders reveal, in addition to the elements mentioned above, the paradoxes and tensions inherent to the functioning of entails and their intrinsic kinship relationships, offering a more complex view of the relationship between the founders and their descendants, between the relatives who lived framed by these corporate entities and those who were on their margins, the reception of the cultural representations and forms of hierarchy and authority that lied at the foundations of these institutions. The allegations, although at certain points they may resort to elements whose veracity seems dubious or impossible to prove, must be contextualized by representations and values that were central to this society, with a clear expression in the contours of entail foundations.

The genealogical chain presented is the same in both arguments: the contenders were cousins, grandchildren of Diogo de Castro. António de Carvalho was the son of Fernando de Castro, Diogo's firstborn son, while Madalena de Castro was the daughter of Joana de Castro. Both also refer to their uncle Lourenço de Castro.

Let's start with the allegations of the defendant, Maria Madalena de Castro. After the death of Diogo de Castro, Count of Basto, his son Lourenço Pires de Castro continued to hold "the *morgado* and the patrimonial assets of the *Casa de Basto*", established by Diogo de Castro and Leonor de Ataíde, and three other entails instituted by Beatriz de Vilhena, Madalena de Sousa, and Maria de Vilhena. Lourenço died in Catalonia with no descendants, and the defendant took possession of the entails, claiming that the succession belonged to her because she was the only daughter of Joana de Castro, the legitimate daughter of Diogo de Castro, Lourenço's

221 On succession disputes in entails raised by women, see Lagunas, 2007.



sister, and the last possessor's closest relative. Fernando de Castro, the plaintiff's father, had died during his father Diogo de Castro's lifetime and had never succeeded him. At that time, the plaintiff had a dispute with his grandfather Diogo de Castro over the *morgado* and the *direitos de alimentos*. With the intervention of the orphans' judge, the parties reached an agreement confirmed by the king whereby the plaintiff, under his mother's guardianship, would renounce the entails' administration in return of rents for both him and his siblings. The succession would be left to his uncles Lourenço and Joana, and their descendants. As a grandfather and true *pater familias*, Diogo de Castro received the plaintiff and his siblings in his household, organising the destinies of each of them: for the plaintiff he obtained the role of *tesoureiro* the Lisbon Cathedral, his sister Madalena da Silva was to be a nun at the Esperança convent, and there is also mention of another brother who was sent to Flanders and died there.

Referring to the clauses of one of the entails, the defendant claimed that Diogo de Castro and his wife had imposed two clauses by which the plaintiff's father had been excluded from the succession. The first implied that the heir should marry with the consent of their father or mother; the second prevented marriages with people from whom the lineage was dishonoured. She was convinced that the plaintiff's father had violated both rules by marrying Catarina da Silva, the plaintiff's mother, against his parents' wishes, a marriage that had brought notorious dishonour to Diogo de Castro's generation. Catarina was the fourth granddaughter of Duarte Brandão, a man suspected to be a new Christian. In support of this suspicion, some of Duarte Brandão's descendants had obtained dispensations to enter the military orders. In addition, Count Fernando de Castro had stated in his will and codicil that his parents' will declared that the heir presumptive who married a person from whom he received dishonour and without the licence of his father, mother or grandparents, would lose the right of succession. The testator also said that if his grandson Fernando de Castro married the daughter of António de Melo and Madalena da Silva, he would be doing so against his will and that of his parents, and would lose his right of administration, since it was a marriage with descendants of Duarte Brandão, “com que sua casa e linhagem ficava



recebendo grande detrimento e desonra, conforme a opinião comum deste reino”. Therefore, the defendant intended to prove that “sua família recebeu notória desonra e detrimento, porquanto neste reino não há maior labéu para as famílias nobres que o terem mácula de sangue hebreu”²²².

The plaintiff’s allegations lead us to different versions of the same facts. He believed that he should succeed Fernando de Castro because he was his only son, retaining his rights as if his father had been alive at the time of his grandfather’s death, excluding Lourenço (because he was the youngest son) and the defendant’s mother (because she was a woman); he should therefore benefit from the right of representation. Regarding the allegations concerning the father’s marriage, the plaintiff argued that the clause obliging parental consent to marry was against the law, which was based on freedom of marriage. Furthermore, he proved by a large number of witnesses, some of which belonging to the top of the nobility, that his father married his mother without infringing the social quality clause because, as it was proven that his mother descended from the most illustrious families of this kingdom. Likewise, he argued that it was not proven that Duarte de Brandão was of Jewish descent. To this end, he presented various versions of the nobleman’s origins.

Both referred to the 15th century and to more or less mythical references based on knighthood and nobility. One of the traditions reported that Duarte Brandão had been “one of the most distinguished men-at-arms of his time, a knight of the Garter in England” who “ate with two kings at table”, having come to live in Portugal during the reign of King Afonso V (r. 1438–1481), who granted him a “*carta de naturalidade*”. Another tradition considered him to be Portuguese, descended from people of ‘clean blood’ and the son of Rui Barba, a nobleman from the Barbas and Alardos lineage. Rui Barba had his son with a married Christian woman from Golegã whose husband was said to be Jewish, but the claim that Duarte was the son of this man was invalidated by the fact that he had been out of the kingdom for a long time, thus cancelling out the presumption of paternity.

222 “With whom his house and lineage would receive great detriment and dishonour, according to the common opinion of this kingdom (...) her family received notorious dishonour and detriment, since in this kingdom there is no greater disgrace for noble families than to have the taint of Hebrew blood”.



Duarte Brandão had been lord of the town of Buarcos and counsellor to King João II (r. 1481–1495) and King Manuel (r. 1495–1521), having received the Garter from the King of England. He was knighted by King Manuel when he took the habit of the Order of Christ. All the offices and estates he held were not given to people of Hebrew descent. Furthermore, his sons and daughters were said to have married illustrious noblemen and women, and all these honours were extended to his first-born son. His grandchildren, great-grandchildren and other descendants married the first nobility of this kingdom, and occupied the highest posts and dignities, including the *Vedoria da Fazenda*, the government of Madeira, and the viceroyalty of India. Many of Duarte Brandão's descendants had been knights of the various military orders and had been approved by the *Mesa de Consciência e Ordens*, whose enquiries proved that there was no defect in Duarte Brandão's blood. In this regard, one of the pieces of evidence presented by the defendant was recognised: although it showed that one of Duarte Brandão's descendants had obtained dispensations to take the habit of the military order of Santiago and two others the habit of Christ, it was argued that they had not been requested for the reasons given above, but only because of the suspicion aroused by an enemy of his father and uncle who sat in the king's council in Madrid, a suspicion that he had also cast over other rival noblemen. Those who received dispensations for the habit of Christ held positions of the utmost importance: one sat on the Council of State and was Viceroy of India, and the other was *vedor da Fazenda* and assistant to the Duchess of Mantua in the government of Portugal. The witnesses that the author presented were, according to him, among the most qualified in the kingdom, and all were of the opinion that the marriage of his parents did not bring dishonour or detriment to the lineage of Dom Diogo de Castro.

António de Carvalho's allegations also provide us with interesting data about the relationships within these familial bodies, between authority, subjugation to, and contestation of the *pater familias*. While not denying that he had accepted the transaction mentioned by the defendant, in which he had renounced the administration of the entails, he says he had only done so out of fear, because at that time his grandfather Diogo de Castro held the highest positions in the kingdom (regidor of justice,



president of the *Desembargo do Paço*, Governor and Viceroy), with which he was feared and respected. António claims to have made the transaction constrained by fear of losing not only the entails, but also the *direito de alimentos*, which his grandfather wanted to reduce to a smaller amount. The forced renunciation had denied him the administration of various entails and his right as the “cabeça da casa e família de seus avós”²²³, and therefore he requested the transaction be annulled.

The court decided to dissolve the transaction and declare the plaintiff the rightful successor to the entails. The decision was based on the conviction that the plaintiff’s father should succeed if he were alive, invalidating the allegations of disobedience and poor quality of his marriage. Since the plaintiff was the only surviving child, the right of representation applied, condemning the defendant to relinquish the entails and the income received during the time the claim was pending.

The case is complex, and its narrative certainly long²²⁴. The nature of the dispute, the richness of the allegations, and the reference to several elements analysed in this book in a context of conflict are, in themselves, diametrically opposed to the unitary ideals enshrined in the entail institutions and constitute an important framework for further reflection. The disputes and the decisions handed down by the courts were based on the founders’ wishes. Although it may sound paradoxical, disputes were a way of invoking the founder’s presence through the institutional document conferring the entail’s ‘internal law’, updating his memory and bringing it into the present: more than a mythical figure, particularly in groups with deep-rooted nobiliary traditions, the entail’s founder was a figure invested with authority and legal personality and, as such, always subject to being invoked.

The topics we have outlined into a reading grid designed to understand the concepts underlying the framing of kinship in entails attribute central importance to relations of authority among kin. The head was the *pater*

²²³ “The head of the house and family of his grandparent”.

²²⁴ There are notable similarities with the case analysed by Martín Humanes, 2023.



familias, a figure who, in entails, was embodied by the administrator and holder of the power delegated by the founder in each generation. This dynamic could, however, be contested. Although represented on charitable grounds, it could even be exercised based on coercion and fear. In any case, what is clear is that its existence as a central component in entailment kinship was not contested, as it was a structural representation in this society, anchored in an analogy between father and lord, in the image of the *pater* and *dominus* on earth and in heaven. As in the case of the founder, conflicts were a way of reactivating these representations as long as the entailment system continued to efficiently resolve the organisational challenges specific of powerful groups and of the other social strata that founded, administered, and lived under the framework of these institutions.

To problematise the reception of the founders' dictates and how they conditioned the behaviour of future generations, let us focus on a corpus of sentences from cases triggered by alleged infringements of marriage clauses, such as those we studied above. Of all the topics that can be analysed, we believe that this one is likely to provide the richest insights into the connection between the founders' projects and the conditioning of future generations, given the centrality of marriage in the structuring and reproduction of the social fabric.

This set of processes presupposes complaints of infractions of the clauses imposed by the founders, and the existence of conflicts between people with more or less close blood relations. By triggering the dispute, they hoped to take possession of the entail. It seems to us that these elements are also arguments in favour of the hypothesis of increased vigilance among relatives, as it presumes:

1) Knowledge of the foundational document and the evolution of kinship networks. Such knowledge would even have a more secure basis than some of the disputes we studied in the previous chapter, which based claims on allegedly ancient kinship relationships and could only use "public knowledge" to prove they were the closest relative²²⁵.

225 See topic 3.4.



2) Related to the previous point, a stricter surveillance between relatives is also assumed, in the hope of verifying whether the clauses were being obeyed or whether the entail's administration became vacant. In theory, this provision reinforced surveillance within familial bodies – between close relatives – and on their margins.

Therefore, with the advance of time and the multiplication of institutions, requested or implicit surveillance became a specific mechanism for defining and controlling parental groups. The fact that this set of documents increased significantly in the 17th century can be explained by a more regular recourse to litigation in courts and the specific factors of document production and conservation already mentioned. There was also a higher incidence of litigation, which may be partly the result of this increase in surveillance between relatives and external organisations.

The cases we've collected reveal different types of conflicts over breaches of marriage clauses. Quite often, the disputants, especially the plaintiffs, used that argument in conjunction with others, mobilising concepts already cited throughout this book, such as “agnation”, “right of representation” and the “closest relative”. The description is of interest for the typology of conflicts, the meaning of the decisions, and the concepts and arguments mobilised by the litigants. In 1671, Manuel Correia de Lacerda (the plaintiff) and his niece, Maria Antónia de Portugal (the defendant) disputed the administration of the entail established by Carlos Nunes²²⁶. The uncle claimed, on the one hand, that the *morgado* was of agnation, so he was the legitimate successor of his deceased brother Luís de Sá e Meneses; on the other hand, he claimed that his niece had married against her father's wishes, thus infringing one of the clauses of the institution. The niece defended herself by proving that the *morgado* was regular and that she was next in line for succession. She recognised the existence of the marriage clause but argued that it was essentially designed to prevent marriages with people of unequal quality. Maria argued that she had married a person of quality and nobility, with the support of her father, who received the couple in his house

226 Court sentence (transcription) (1671-06-11) – VINC001579 CNLGN EA/001a; PEGAS-1687-2, pp. 583-584.



supporting them and sponsored their first child. The ruling was therefore in favour of the niece.

The founders could delimit ‘cold spots’, i.e. spectres within their kinship relationships who, due to enmities or unstated reasons, were explicitly excluded from succession²²⁷. One way to ensure this clause remained active was to prevent any of the administrators from marrying a descendant of an excluded person. In 1676, a case of this type was judged²²⁸. The conflict concerned the administration of the entail instituted by João de Lemos. The issue of the right of representation, opposing collateral relatives in different generations, and the question of marriage were invoked. The institutor had forbidden matrimonial ties with people related to Margarida de Sande and to Sebastião Valejo. The plaintiff Baltasar de Lemos argued that the defendant had married a person of Margarida de Sande's generation. However, the defendant reasoned that he had married a collateral relative of that lady, and not a descendant, claiming that clauses of this nature could only apply to descendants and not to collaterals. This opinion corroborated the sentence by stating that clauses like this, restricting the freedom of marriage, could only apply to descendants.

As far as prejudices and prohibitions were concerned, a couple's social quality could also be limited by moral stipulations. In 1673, Pedro Barbosa de Figueiredo was removed from the administration of the entail set up by Manuel Figueiredo de Lacerda and himself after it was proved that he had contravened the clauses of the institution by marrying Isabel de Almeida, a woman considered to be of low birth and reprehensible sexual behaviour²²⁹. In 1680, the possession of the entail established by Dr Pedro de Cascais de Abreu was judged²³⁰, with Sebastião Freire and his wife Filipa Mouzinho as plaintiffs and Manuel Mendes Mexia as defendant. Both claimed to be the closest relative of the institutor and Maria de Abreu, the founder's granddaughter and the last undisputed

227 On this subject, see topic 3.2.8.

228 Court sentence (transcription) (1676-03-12) - VINC001948 JL EA/001a; PEGAS-1687-2, pp. 306-307.

229 Court sentence (transcription) (1673-09-07) - VINC002098 MFLPBF EA/003a; PEGAS-1685-1, p. 595.

230 Court sentence (transcription) (1680-04-12) - VINC002291 PCA EA/001a; PEGAS-1685-1, p. 466.



administrator of the *morgado*. The issue of marriage was incorporated into the dispute: according to the defendant, the plaintiff had breached the clauses of the institution, which demanded marriages to people of noble and clean blood, claiming that he had married the granddaughter of a mulatto. Filipa, however, proved that she was the daughter of Gaspar Moutinho, who had occupied the governorship of the town of Alcácer; furthermore, Sebastião proved his blood was clean as he was a *familiar* of the Inquisition. The decision in favour of the plaintiff was therefore based on the invalidation of the accusation of infringing the institution's marriage clause and also on proving that Sebastião was the last possessor's closest relative and “descendente por varonia das famílias dos Abreu e Cascais, as quais o instituidor pretende conservar em sua instituição e consistir o vínculo dela”²³¹.

To summarise, this set and, by extension, the list of documentary samples that can be built from the vast judicial documentation, offers fundamental material for analysis. It shows, from the outset, a clear contrast between unitary projects based on concord between and within the same generations, albeit based on hierarchical relations, and a much more tense and even conflictual reception and practical operation. The system was based on and, by extension, generated a dynamic of vigilance that, on the one hand, maintained the figure of the founder and his wishes present and always referential, but, on the other hand, produced frequent disputes, leading the parties to fight over arguments presented as being in agreement with the founder's wishes. The assets, power, and identity embodied in entails, if based on a coincidence between all these elements and the people who had rights of administration or support over them, may have generated noted problems, especially when certain groups accumulated many foundations (sometimes with clauses of contradictory or even incompatible nature).

231 “A descendant by male line of the families of Abreu and Cascais, which the institutor intends to preserve in his institution making the essence of the entail”.



4.7 – Entails, the ‘lineage’, the ‘House’: the corporate and institutional dimension of kinship

At this point, we need to recapitulate certain ideas and ask new questions. Kinship was an intrinsic dimension of entails, both in terms of the definition of kinship hotspots and the concrete realisations of the ‘corporate hierarchy of inequality’. It assumed variable configurations, from the most complete and structured to the most fluid. We analysed the documentation under the assumption that these social formations conferred a corporate and institutionalised dimension to kinship, a hypothesis that the data seems to make operative. The tendency for various institutions to accumulate in the same groups may have intensified this effect, increasing surveillance and conflict between relatives and external entities, within the scope of the institutional diversity of the Church and the Crown as macro-institutions in the *Ancien Régime*. The following overall question will allow further research: how did the foundation and accumulation of entails by the same groups generate specific configurations of entailment kinship? And, partitioning this overall question into more specific interrogations: what projects did the founders carry out to aggregate or differentiate their institutions from other entails they already administered or that played an aggregating role within their kinship groups? What role did entails play in conjunction with other elements – Crown estates, patronage of churches and monasteries – in generating kinship of a corporate nature, observable from a diachronic perspective? How were the discourses in the entail documentation about ‘lineage’ and the ‘house’ articulated? And what translations might these discourses have into ways of conceiving and organising kinship groups?

4.7.1 – Entailment clusters: aggregated or separate foundations

The concept of ‘entailment clusters’ was first mentioned in the previous chapter as a way of understanding extended entailment projects, sometimes spanning several generations, subordinated to the reproduction of parental groups and the polarising role of institutions (from the royal court to certain churches), and based on the replication of practices and the sharing of knowledge that circulated in certain social spaces.



We must emphasize that this is an operative concept, not an endogenous one, aimed at highlighting varied dynamics. The founders were conscious of some dynamics – as when they explicitly intended to aggregate or separate entails – but unaware of others that can be discerned with the proper analytical tools. The use of the concept can be extended to scrutinise certain dynamics visible in the documentation, which we will list and analyse in turn: founders who in the same document established more than one entail; founders who explicitly established foundations of a more ‘secular’ and ‘spiritual’ nature, distinguishing each one’s core and objectives; those who sought to establish entails with specific institutional roots, such as the foundation of chapels or the imposition of pious legacies and graves in churches already important to their kinship group; finally, the establishment of smaller entails explicitly designed to strengthen collateral lines. Analysis of these topics is subordinated to their impact on the configuration of kinship. The cluster metaphor allows us to grasp the diversified social relations ingrained in all these interactions.

There are founders who, in the same document or in successive stages, set up various entails in favour of different relatives. We have presented several cases of this type, especially foundations set up by top prelates in favour of nephews: the two *morgados* instituted by bishop João Afonso de Brito between 1329 and 1336, one for Martim Afonso, referred to in the document as a *criado*, and the other for his nephew Gonçalo Mendes de Vasconcelos²³²; and the various *morgados* set up by the archbishop of Braga Gonçalo Pereira for his nephews Rui Vasques Pereira and Joana Vasques Pereira, between 1330 and 1344²³³. In 1377, Francisco Domingues instituted three entails in the same document, each to be administered by his sons Afonso, Francisco and Fernando, with the obligation to celebrate masses in different churches (S. João and S. Clara in Beja, and S. Francisco in Lisbon)²³⁴. In cases of this kind, the founder’s social profile was likely to be a determining factor in their choices and could determine, from the outset, the extent of the assets that were

232 Entail foundation deed (1329-08-17) – VINC000014 JABGMV EA/001a; TT-CA-22-67-1279. Entail foundation deed (1336-03-12) – VINC000012 JAB EA/001a; CP-A4-2, pp. 72-77.

233 The institution’s documents can be found in: Arquivo Distrital de Braga, Coleção Cronológica, cx. 13, doc. 511; cx. 20, docs. 766, 772, 773.

234 Will (1377-04-09) – VINC000362 FDBJRB EA/001a; FC-CC-1, fls. 62-64.



sufficient to establish different foundations. The use of entailment made it possible to consolidate different segments of the lineage, whose assets were protected from possible dissipation. If there were close kinship relationships, it was also possible, not to say probable in the demographic context of the time, that institutions could be grouped together, with administration falling to the same people.

The dynamic of founding various entails was also observed in later chronologies, particularly in the 17th century, in densely entailed regions for which abundant documentation was preserved, such as the Atlantic islands and the region of Portalegre. In 1620, in Ponta Delgada, Margarida Pacheco, widow of Jorge Camelo da Costa, dictated her will establishing three entails²³⁵. For the first, she appointed her nephew and executor of her will, Antão Pacheco de Sousa, allowing him to name his daughter or another descendant, and urging that the entail would always pass by appointment to his descendants. The other foundations were left to her nephews João Pacheco de Sousa and Miguel Pacheco de Sousa, emphasising that if they had no descendants, the institutions would be incorporated into the first entail. Another similar case, but with different variants, took place in 1700 in Alpalhão. Father Manuel Themudo Ravasco left a *tapada* to a nephew who was also a priest, called Manuel de Almeida. He was to be succeeded by his brother Pedro Cordeiro and his descendants or, failing that, by the closest relative on the institutor's mother's side. The other entail consisted of some houses, a vineyard, and other properties and was left to the cousin Gonçalo Fernandes, to be succeeded by his descendants or by the closest relative on the father's side²³⁶.

These cases, to which numerous examples could be added, emphasise the use of entails and the founding of various institutions to reinforce different lines of kinship, albeit with different meanings: the large foundations were notably lineage projects, while others, especially in the vast sea of new and small institutions carried out in the 17th century, are representative of the diffusion of this legal recourse for diversified purposes. For these, the institution 'types' developed in the previous chapter, subordinated to the

235 Will (1600-01-29) - VINC004143 MPJPS EA/001a; TT-MC-V-PDL-19, fls. 70v-73v.

236 Will (1700-11-24) - VINC004943 MTRMA EA/001; ADPTG-PCP-003, fls. 196v-198.



role played by kinship, contain important explanatory potential²³⁷. In all of them, kinship was an intrinsic dimension, since its structures were used to make the entail last. And they embody ways of endowing relatives with parts of the inheritance, protected by entails' legal modalities. In this case, and regarding the modelling of kinship framed by these corporate entities, the strengthening of certain lines in the smaller institutions could have had an aggregating effect, even if theoretically autonomising some of them. The accumulation of institutions along the same lines may have resulted in greater 'discipline' and constraint, if only because of the supremacy that the line of accumulating institutions had acquired over the poles around it.

Exploring the casuistry allows us to highlight the diversity of options and projects. There were founders who set up two foundations, clearly distinguishing the purposes of both, in a dynamic related to the evolution of jurisprudence and the categorisation of foundations, between *morgados* and *capelas*, according to their purposes and ways of applying their income. However, practice was much more fluid²³⁸. One can cite the well-known case of Gonçalo Lourenço Gomide, member of a cultured elite, *escrivão da puridade* to King João I, and a man who served the Crown's administrative institutions. Gonçalo and his wife Inês Leitão set up a first foundation in 1398²³⁹. They founded a *morgado*, annexing estates around Vila Verde de Francos and obligating the administrator to pay a chaplain to sing masses in the local church. They provisionally indicated their daughter Beatriz as heir, to be replaced by any son the couple might have, since the succession clauses favoured primogeniture and masculinity. The heir was urged not to share the remaining assets with their siblings since she already had the advantage of owning the entail. Later, in 1410, the couple founded a chapel in the convent of Graça in Lisbon²⁴⁰. This foundation was clearly intended to be the "casa da alma"²⁴¹, with graves for the founders and for those of their lineage. The fulfilment

237 Topic 3.3.1.

238 On the topic of chapels instituted "à maneira de morgado" between the 15th and 18th centuries, with an administrative universe based primarily on succession by consanguinity: Abreu, 2001-2002. Rosa, 2012.

239 Entail foundation deed (1398-11-21) - VINC002454 GLGILB EA/001aa; CP-J1-2-3, p. 77.

240 Chapel foundation deed (1410-08-26) - VINC002454 GLGILB EA/003aa; TT-CNSGL-001, fls. 70v-72v.

241 This chapel and the metaphor of the "houses" is analysed by Rosa, 2012, pp. 37-39.



of the pious legacies would be overseen by the administrator of the Vila Verde de Francos *morgado*. The two foundations were entangled.

We can also perceive the integration of successive foundations into clusters organised around the chapels of an ancestor or churches with which the founders had specific relationships as parishioners and patrons. Social distinction was also an important factor particularly in some parish or convent churches in the kingdom's main towns and cities. In them, the layout of the graves, the ordering of the perpetual masses, and the logic of administration over the different entails recreated kinship relationships that existed during the earthly pilgrimage, simultaneously constituting identity factors and, in certain cases, prestige and social distinction. This dynamic is visible throughout the chronology, but according to the sample that underpins this research, it is immediately noticeable in the Lisbon oligarchies of the 14th century. In 1329 the knight João Fernandes established his entail and respective pious charges in the chapel under the invocation of S. João Apóstolo. This chapel had been established by his uncle Pedro Eanes in the church of S. Jorge, where he and those of his lineage were buried²⁴². We've also seen how the collegiate church of S. Lourenço in Lisbon was one of these clusters, hierarchically aggregating an important set of foundations that were successively passed on and later incorporated into the house of the viscounts of Vila Nova de Cerveira, one of the first noble houses in the kingdom.

From the 15th century onwards, with the greater spread of entails as an organisational resource, as well as the parental and power structures organised according to the logic of hierarchy and leadership we have described in this chapter, we also observe foundations established by second-born children organised according to a trend we could classify as 'centripetal'. The church of S. Martinho and its connection to the Castelo Branco family can be used as an example. The connection begins with the marriage of Gonçalo Vaz de Castelo Branco to Beatriz Valente. Beatriz was heir to the *morgadio* of Póvoa, established by the Lisbon canon Vicente Afonso Valente in 1348, in favour of his brother, the knight Lourenço²⁴³.

242 Will (1329-04-05): Torre do Tombo, Colegiada de S. Lourenço, mc. 8, n.º 159.

243 Will (extract) ([before 1348-01-10] - VINC000015 VAV EA/004ba; BNP-ACVB-009-0017, fls. 2-3v.



His ancestors were related to the church of S. Martinho. In 1485, Gonçalo and Beatriz decided to establish a chapel with a tomb in that church, ordering masses to be said there for their souls and the souls of their dead, “especialmente daqueles de que precedeu o morgado da Póvoa”²⁴⁴. The administrator of the *morgado* would also be the administrator of this chapel, bringing together parental leadership and its inseparable identity elements. Ten years later, Lopo de Castelo Branco, one of the couple's sons, dictated his will²⁴⁵. At the home of his eldest brother Martinho, heir to the *morgado* da Póvoa and head of the group, he declared that he had no forced heirs and was free to dispose of his assets. With all his immovable property, he set up a “meia capela” with the charge of masses in the chapel that his parents had founded in the church of S. Martinho. He did this using the property he had inherited and “lembrando-se do dívulo paternal e benefício que do dito senhor seu pai e de sua mãe tem recebido”²⁴⁶. The owner of the chapel would be his brother Martinho and all his descendants, under the same conditions as when the chapel was passed down from his father and enjoying the remaining income once the pious legacies had been paid. The first-born, administrator, and pivot of the parental group brought together yet another institution and strengthened his role through this dynamic of foundations.

On varying scales, this dynamic can be found throughout the chronology, and we believe it is appropriate to call it ‘centripetal’ insofar as the central and polarising role of an older institution is explicitly recognised, attracting the kin who were on the margins or near that threshold, leading them to increase the polarising point²⁴⁷. This practice was certainly linked to specific groups with abundant social and material resources, but it was also visible when the sources of religious institutions were preserved more systematically, as was the case in Lisbon. In 1650, Diogo Fernandes de Aguilar and his brother, Father João Manuel de Aguilar, made their will²⁴⁸. Both ordered their bodies to be buried in the church of the

244 “Especialmente those from whom the *morgado* da Póvoa preceded”, in Chapel foundation deed (1485-04-22) - VINC000238 GVCBBV EA/003; BNP-ACVB-009-0011.

245 Will (1495-01-01) - VINC000287 LCB EA/006; TT-CA-103-727.

246 “Remembering the paternal debt and benefit that he had received from his father and mother”.

247 Consider the similar patterns described by Palencia Herrejón, 2002. Quintanilla Raso, 2006. So-ria Mesa, 2007, p. 227. Pérez- García, 2021, pp. 204-205

248 Will (1650-08-13-1650-08-15) - VINC003678 DFAJMA EA/003; TT-HSJ-018, fls. 201-206v.



monastery of Santa Clara, in Lisbon, inside the chapel of St John the Baptist where they already had their graves, since this chapel had been instituted by their uncle João Manuel de Lisboa. Without forced heirs, they named each other as heirs and stipulated that, on the death of both, the property would remain entailed for the preservation and memory of their families, annexed to the chapel instituted by their uncle, both to be administered by their nephew Tomé Lopes Manuel.

Therefore, some of these foundations were well-established ‘lineage’ projects, on which kinship, identity, and social distinction practices are deeply entangled. The entail established by Leonor de Meneses in 1446, with masses for the souls of her father and grandparents, was connected to the *morgado* her father had founded in favour of her sister Beatriz and her descendants, thus continuing in the line of the counts of Vila Real, with the same conditions in terms of identity, namely the obligation to use the surname and coat of arms²⁴⁹. In 1569, Tomás de Noronha and Helena da Silva explained that, in the event of the extinction of their descendants, part of the *morgado*'s assets should be incorporated into the institution founded by Gil Eanes da Costa and Joana da Silva, the institutor's parents²⁵⁰. The following year, Rodrigo Monteiro, a member of the king's council, instituted an entail stating that he wished to incorporate the *morgado* of Rui Gonçalves Franco, with pious legacies in the convent of Santa Clara in Lisbon, having already obtained a bull from the pope and confirmation from the king²⁵¹. In 1630, Garcia de Melo referred to the *morgados* set up by his father and grandfather, saying that the foundation he was creating should be governed by the same conditions²⁵². Maria da Costa Noronha retreated to the monastery of Santa Maria of Almoester, where she dictated her will in 1658. In 1660, she issued a declaration deed regulating the institution of her chapel in a more complete way. Its administration would be the responsibility of her nephew Rodrigo da Costa²⁵³.

249 Will (extract) (1446-06-14) - VINCO01635 LMAV EA/004a; TT-CA-086-259-4843, fls. 5-28. In 1452, she appointed her nephew Afonso, son of her sister Isabel and Fernando, lord of Cascais, as successor to the entail: Codicil (1452-05-02) - VINCO01635 LMAV EA/004c; TT-CA-086-259-4843, fls. 33-40.

250 Arcos, 2007.

251 Entail foundation deed (1570-11-18) - VINC000786 RM EA/002a; TT-AA-RA-33, fls. 299-302.

252 Will (extract) (1630-04-27) - VINC005843 GM EA/001; TT-HSJ-011, fls. 59v-62.

253 Declaration deed (1660-03-07) - VINC004983 MCN EA/001b; TT-GCL-RV-98, fls. 56-70.



The clauses stipulated that the chapel would be subordinate to the main *morgado*, referred to as the “*morgado dos Costa*”, and administered by the same person. Finally, in 1700, Nuno da Cunha de Eça established a *morgado* that was to be “sempre unido ao morgado que foi de meus pais e avós, do qual a cabeça é a quinta de Nossa Senhora dos Olivais”²⁵⁴.

Some documents recognise the foundational character of a previous institution, to which they attribute a polarising role. Those new institutions, established by administrators or by their collaterals, reinforced this previous line and polarising nucleus. Yet, there are documented circumstances where the founders clarify that the administration should fall along alternative lines, thus distinguishing parallel groups²⁵⁵. Several hypotheses can be put forward to interpret their intentions. On the one hand, the founders could be seeking to strengthen these lines as a safeguard for the reproduction of the parental group, designing poles that tend to be autonomous, capable of broadening relationships and, if necessary, of aggregating different lines. On the other hand, they might consider that administration by second-born children and less powerful lines within the parental group would be more appropriate and effective with foundations that tended to be small, or at least smaller in scale when compared to a main entail. Such administrators could thus better preserve the memory of the founders and correctly administer the pious legacies. This would also avoid dilution in a large congregation of entails, some with a great weight that could anonymise the new foundation. The data for this type of dynamic is more generous in densely entailed areas, with strongly marked social hierarchies and for which we have more complete sources, such as the Atlantic archipelagos. In 1610, Ana Esmeraldo entailed the place of Pico do Cardo and established a chapel in the convent of S. Francisco of Funchal, in Madeira, stating that her body should be buried in the church’s main chapel, joining the bodies of her ancestors and children²⁵⁶. The first administrator would be her daughter Maria, to be succeeded by her grandson Simão Gonçalves, Joana’s son.

254 “Always united to the *morgado* that belonged to my parents and grandparents, the head of which is the *quinta* of Nossa Senhora dos Olivais”, in Will (extract) ([before 1700-03-15]) - VINC000016 MCE EA/001; TT-HSJ-006, fls. 3-7.

255 Consider the work of López Amores, 2015.

256 Will (1610-12-13) - VINC005338 AE EA/001; ABM-JRC-108-08.



In the absence of descent, the entail would again be left to Joana, who would appoint one of her sons, with the exception of the *morgado* [i.e., heir to the main entail], as he was already well endowed. Similarly, and also in Funchal, in 1650 João de Moura Rolim appointed his nephew José, the son of his sister Antónia de Moura, as administrator of the chapel he was establishing. If José had no descendants, his brother João would succeed him, always following the line of second-born children²⁵⁷.

The hypothesis of avoiding the dilution of memory within a conglomerate of institutions that played a stronger role gains consistency when we analyse careful and complete institutions that clearly seek to prevent that outcome. This argument can also be found in 16th century Castilian legislation, justifying, in the legislator's view, the impediment to the concentration of many large entails²⁵⁸. This concept was transferred to Portuguese legislation to prevent matrimonial strategies conceived to concentrate entails, whose negative consequence would be to reduce the scale of the nobility at the service of the kingdom²⁵⁹. Both structured and fluid type institutions may be imbued with this concern. The founders sought to achieve similar objectives in different ways, depending also on the contexts where they were operating. The autonomization of a parental group operated a coincidence between estates and people that was, in itself, a condition for strengthening identity and social distinction and for taking care of the founders' souls. In this respect, these clauses reveal how the founders overlapped parental and identitarian purposes.

In 1550, Luís Ribeiro and Isabel Pacheco obliged the administrators to use the Ribeiro surname and coat of arms, bearing them on the right side of the shield²⁶⁰. If the administrators received another *morgado* with similar obligations, they stipulated that the Ribeiro surname would always be the first, regardless of whether the other *morgado* was larger, older, or whether its surname was of greater and older nobility. Ten years later,

257 Will (1640-02-06) - VINC005315 JMR EA/001; ABM-JRC-106-01.

258 Pragmatics of 1534 cited by Bermejo Castrillo, 2009, pp. 589-590. The criticism continued into the 17th century: Usunáriz Garayoa, 2009, p. 392.

259 Monteiro, 2001, p. 25.

260 Entail foundation deed (1550-11-07) - VINC004976 LRIP EA/001a; TT-GCL-RV-97, fls. 14v-26.



Martinho Afonso de Sousa and his wife Ana Pimentel set up a *morgado* where these issues played a central role in terms of succession, leading the founders to make numerous recommendations regarding the possibility the administrator was heir to another *Casa*, preferring that, in this type of situation, the succession pass onto another person²⁶¹. The entail culminated the institutor's flourishing career in Brazil and India²⁶². The immediate concern related to the *Casa* of Monsanto, governed by the husband of the daughter listed as a possible successor if the institutors' son, Pedro Lopes de Sousa, died without descendants. In such circumstances, they both wanted the successor not to be the daughter's first-born son, to avoid the confusion of these two houses. If a woman succeeded, she should preferably marry a man of the Sousa lineage, with the obligation to bear the lineage's surname, coat of arms, and motto, without any mixtures. If succession befell a woman already married to someone who was not of the lineage, her husband was obliged to change his surname and coat of arms. If it was a nobleman who was heir to a *morgado* and *casa* with an obligation to bear coat of arms and surname, they authorised him to mix the symbols, bearing those of the Sousa on the right side.

Clauses of this nature are varied and complex and are the subject of specific research in another book²⁶³. They are mentioned here to emphasise how they fit into the constitution of particular parental groups, and how these objectives intertwine kinship, power, and identity, in the way characteristic of the social agency of entails.

4.7.2 – The 'lineage', the 'House', patronages and other institutional elements: reinforcing a corporate organisation

The case previously described emphasises the importance that historical actors attributed to social constructs, such as 'lineage' and 'house'. And, more generally, the elements that contribute, within the sphere of entails and in relation to these, to formalising institutional dimensions

261 Will (1560-03-08) – VINC002952 MASAP EA/003; Furtado (2015).

262 Context provided in the in-depth investigation by Pelúcia, 2009.

263 In the project book on Identity, written by Rita Sampaio da Nóvoa.



that generate specific kinship configurations. In what ways are concepts such as ‘lineage’ and ‘house’ used in entail documentation? Did entails contribute to solidifying parental organisations and lineage identities? Or, as the chronology progresses, did entails shape a parental organisation structured around the ‘house’? What connections can be established between these various topics and, over the long term, the moulding of an entailment kinship?

Historiography, focussing on dominant groups and their kinship structures, has put forward some proposals in recent decades, discussed throughout this book. Works on the medieval Portuguese nobility, stressing its predominantly horizontal nature, formulated the hypothesis that the diffusion of entails from the late 14th century onwards resulted in a more firmly established lineage organisation, establishing notions of primacy and leadership exercised by one of its members²⁶⁴. For the 15th and 16th centuries, in intermediate and top groups polarised by the royal court’s social space, this dynamic, along with other forms of transmission of family surnames and heraldic symbols, would have been progressively subordinated to the reproduction of the ‘house’, embodied in a crystallised combination of estates, symbols, and people²⁶⁵. The ‘house’ would then become the aggregating factor, conditioning kinship relationships and subordinating them to its reproduction²⁶⁶. In the kingdom’s top nobility throughout the 16th and 17th centuries – and continuing as such until the late *Ancien Régime*, acting as an emulating reference for the group’s lower echelons and for the ‘provincial’ nobility –, the possession of entailed assets, together with Crown estates that imposed similar forms of transmission, and deep-rooted symbolic devices (the surname and heraldic symbols) would have formed a coherent system, solid enough to suggest that an “entail reproductive model” had been imposed²⁶⁷. The system was consolidated with particular strength in markedly stratified

264 Sottomayor-Pizarro, 2013. Sousa, 2013.

265 Aguiar, 2021, 2022a, 2023.

266 Generally speaking, this notion of ‘house’ – built around a set of titles, entails and even specific charges and positions, and structuring the narratives about the development of associated kinship groups – informs part of the research about the aristocratic groups of the 15th–17th centuries. Consider for example the research carried out by: Salvado, 2009. Moura, 2020.

267 Monteiro, 2000, 2001. Cunha, Monteiro, 2010. We draw attention to the review and synthesis of this literature by Lopes, 2023, pp. 71–89.



contexts, such as the Azores²⁶⁸. Evidence also points to an emulation of this first nobility at a regional level, in areas such as the Entre Douro e Minho²⁶⁹, polarised for centuries around the manor and the chapel, generally entailed²⁷⁰.

Anthropological and historiographical literature suggests the importance of the concept of ‘house’ as an organisational matrix for rural groups, structured around the “agricultural house”²⁷¹. In addition to material and jurisdictional implications arising from broader factors of social organisation, the plasticity of the concept is underpinned by a corporate principle, in which the ‘house’ is a moral person: in practice, depending on the context, the principle would have different degrees of implementation. É. Haddad’s review of the use of the concept since Lévi–Strauss’ proposals seems essential to frame the issue²⁷². The problem begins with the link between anthropology and history, navigating between mutual recourse to ideas forged by other disciplines and a not so clear definition of how they have been employed. Even in the context of historical research using the tools of other social sciences, the problem arises with regard to concepts that are both historical and scientific, on the overlapping of *emic* and *etic* meanings. As Haddad explains, for Lévi–Strauss the ‘house’ was essentially a “moral person”, in a definition close to that developed by Haddad himself and other specialists of the nobility of the early modern period, based on the representations elaborated by historical actors. But the idea also largely shaped anthropology and historiography around ‘extended

268 Rodrigues, 2002, 2013.

269 Osswald, 2015, pp. 84–93.

270 Paiva, 2013. Tovar, 2022.

271 This system is characterised by great stability over the centuries, associated with a mode of production and organisation of social life largely based on agriculture and localism (as opposed to the market system built from the second half of the 19th century onwards, although with great regional variations in its integration). It seems likely therefore that the contributions of anthropology and contemporary history around the “agricultural house” or the “*casa grande*” – often distinguishing it from the “noble house”, but sometimes sharing characteristics and overlapping with each other – have an important explanatory potential. Consider, without intending to be exhaustive, Marques, 2003. Pires, 2017. Rodrigues, 2017. As background to the different inheritance schemes provided for in Iberian law: Ferrer–Alós, 2007, 2014.

272 Haddad, 2014.



families' and 'farmhouses' in *Ancien Régime* Europe – but not only –, to which Portugal was no stranger²⁷³.

Without losing sight of the aforementioned contributions and problematisations, which are vast and not always easy to reconcile, the first question that arises is: how often and with what meanings are 'lineage' and 'house' used in entail documentation, particularly in foundational documents? And what conclusions can be drawn from this frequency and diversity of meanings? Regarding 'lineage', we characterised its use in the previous chapter while explaining the definitions of kinship hotspots²⁷⁴. The term is used with some frequency, but in a rather flexible way and referring primarily to consanguineous relationships. Sometimes the founders delimit a specific perimeter within this universe: the surname, the relatives on the paternal or maternal side. In any case, the term refers above all to relationships and not so much to a perimeter of a corporate nature, formed by estates and other particularly marked identity factors.

The concept of 'house' was very rarely used in the foundational documents we worked with. The importance of this representation and, ultimately, its explanatory potential, can be found more clearly in other documentation, incorporated into funds such as family archives. In these, the estates and relationships that make up the 'house' frame the production and conservation of information and, by extension, the organisation of the included kinship groups. We have also seen that the concept was used in judicial documentation. Is the low frequency in entail foundation deeds indicative of low importance? Or, hypothetically, is it a topic that, at least for certain social groups, was so obvious it need not be mentioned in the type of legal acts we are studying? Was the 'house' a reality that already conditioned the founders of entails, annulling the need to resort explicitly to the concept? Is it legitimate to admit – as we did for the representations surrounding primogeniture and the *pater familias*, important because they are rooted in strong representations within a cultural matrix – that

273 In addition to the works mentioned in the note above, it seems important to emphasise how the concept was related to surveys by anthropologists and ethnologists working on productive and familial structures in rural areas in the 19th and 20th centuries, drawing attention to regional diversities that would find their roots in ancient structures. See the review by Rowland, 2002.

274 See topic 3.2.



this is an obvious representation for the institutors of entails, allowing the small sample, with due caution, to have a more general explanatory potential, and thus considering that the ‘house’ was already a factor that constrained the founders’ options?

We need to analyse the different meanings of the concept in the working sample, complemented by resorting to other types of documents that may provide clarifying data. There are cases where the use of the term operates a coincidence between the house (as a physical space) and the kinship relationships (woven around the house for several generations). This occurs in the foundation established, in 1670, by the captain of Ribeira de Soaz António João da Rocha and his brother João Rodrigues da Rocha, abbot of S. Julião de Parada do Bouro: the entail would be administered by the same person who owned the house of Serolhal, where they had been born, with succession always falling to “o mais chegado parente que houver da dita casa do Serolhal”²⁷⁵.

Some founders use the entail as a way of establishing a ‘house’ for their children, in a similar way to the expressions found in dowry and marriage contracts from the medieval period onwards. The expression combines the house itself, with its movable and immovable assets and the kinship and patronage relationships woven into it, as well as, particularly in groups with nobility projects, symbolic elements from that universe. Combining these aspects, in 1670, on the island of Terceira, Captain João de Ávila and his wife Maria Borges Sanches entailed their assets to “fazer casa em um só filho”²⁷⁶.

The corporate notion of the ‘house’ as a conglomerate of physical and symbolic assets, coinciding with and personified by a kinship group, is a resource used above all in the foundations established by top groups, and from the late 15th century onwards. Both this chronological evolution and social context are similar to what has been identified by historiog-

275 “The closest relative from the said house of Serolhal”, in Chapel foundation deed (1670-02-25) - VINC004783 AJRJRR EA/001ba; UM-ADB-MAB-JR-B-743, fls. 93-96.

276 “To establish a house on a single child”, in Will (1649-07-30 - 1650-03-14) - VINC003966 JAMBS EA/001; BPARLSR-GCAH-RV-7, fls. 1-77v.



raphy dedicated to other areas of western Europe²⁷⁷. In 1499, Fernando Pereira Barreto, *cavaleiro da casa do rei*, and his wife Catarina Sequeira, explained that the fundament for their institution was the “memória do nome, linhagem, apelido ou casa”, considering that, without entails, they would inevitably be lost as a result of the assets’ constant division²⁷⁸. The case of the *morgado* founded by Martinho Afonso de Sousa and his wife Ana Pimentel, in 1560, is paradigmatic of this use, especially the quest to avoid “confusion” of the houses, that is, his own (which gained institutional expression with the *morgado*) and that of Monsanto (owned by his son-in-law and made up of entails and Crown estates²⁷⁹). The Duke of Bragança himself, D. Teodósio – the most prominent figure of the Portuguese nobility at the time – founded a *morgado* in 1540, incorporating assets in various parts of mainland Portugal. The *morgado* would be administered by the “herdeiro que minha casa herdar” and, in this case, it also included the possession of extensive lordships and rents from the Crown²⁸⁰. The ‘house’ was formed by this confluence, with the heir assuming a pivotal role. The link between service, memory and conservation of the ‘house’ is also emphasised by other founders, such as Cristóvão de Brito, in 1560²⁸¹; António de Carvalho and Maria Antónia de Carvalho and João de Castro Moreno, in 1640²⁸²; or André Ribeiro Beltrão and Maria Osório de Almeida, in 1690. They stressed the coincidence between the ‘house’ and the ‘generation’, that is, the corporate entity and kinship relationships²⁸³. In addition, we have seen that the judicial documentation

277 Haddad, 2014.

278 “The memory of the name, lineage, surname or house”, in Entail foundation deed (1499–07–15) – VINC001326 FPBCS EA/002; TT-LN-16, fls. 75v–77v.

279 Will (1560–03–08) – VINC002952 MASAP EA/003; Furtado (2015).

280 “The heir that my house inherits”, in Entail foundation deed (1540) – VINC001331 TI EA/001a; TT-C-J3-D-40, fls. 236v–237. On the House of Bragança the fundamental studies are Cunha, 1990, 2000.

281 “The ancients always worked to institute *morgados* and chapels because experience demonstrated the degree of increase that ensued for their honours, houses and memories/ Os antigos trabalharam sempre de instituir morgados e capelas porque por experiência servia sempre o grau de aumento que daí se segue às suas honras, casas e memórias”. Foundation deed (1560–03–21) – VINC002755 CB EA/012; ADPRT–GCP–RV–C/4/1/4–4833, fls. 18–25.

282 Entail foundation deed (1640–01–17) – VINC001037 ACMAC EA/001; TT-AA-RA-49, fls. 355–358.

283 They established the entail “for the service of God Our Lord and for the good of their souls and all those of their generation, both of their past and of their successors, and for the increase and perpetuation of their house and generation/ em serviço de Deus Nosso Senhor e bem de suas almas e de todas as de sua geração, assim de seus passados como de seus sucessores, e aumento e perpetuação de sua casa e geração”: Entail and chapel foundation deed (1690–06–21) – VINC004314 ARBMOA EA/003a; ADVIS–GCV–RV–12–201v–222v.



we worked with, produced mainly in the late 17th century, conveys this corporate notion of ‘house’ with some frequency. And it is also this logic that primarily shaped *Ancien Régime* family archives, where entails played a structuring role²⁸⁴.

In this small dossier of occurrences, ‘house’ summons various meanings, differentiated but not totally incompatible with each other, formalised in a more complete way, invoking material and identity dimensions, for groups placed at the top of the social hierarchy. The review by E. Haddad allows us to emphasise two points when reflecting on ‘house’ and entails, which may at the same time suggest new research pathways. On the one hand, the cases presented above, related to a well-defined corporate dimension in aristocratic foundations, certainly supported by elaborate legal thinking, demonstrate an effort of “realisation”, as Haddad emphasises. The ‘house’ was an entity realised through the cooperative efforts of historical actors. This endeavour was not without its tensions but was aligned with the fundamental transformations in how power was preserved, exercised, and transmitted by and within dominant groups, and that, ultimately, conditioned the behaviour of successive generations. From this perspective, Haddad suggests thinking of the ‘house’ as an entity of a “crypto-corporate nature”. The idea of “realisation” is also close to the perspective that P. Bourdieu forged about the family as an entity instituted and realised through ideas and rituals²⁸⁵. It was also used by A. Roulet in his analysis of the path of a top lineage of 16th century Castilian nobility that founded and administered various entails²⁸⁶.

This problem deserves a more in-depth analysis and other types of documentary samples. In any case, the data and the framework we have developed seem to highlight a relation between ideas about the ‘house’ and entails, stressing how they are intertwined and how they shaped ways of organising kinship. Spanish historiography speaks of a process of mutation that took place from the 15th century onwards, where entails played a decisive role, moving from the lineage to the house: in concrete terms,

284 Nóvoa, Rosa, 2018, pp. 8-9.

285 Bourdieu, 1993.

286 Roulet, 2021.



moulding groups and subordinating them to the reproduction of the house, and making kinship structures more dependent on restricted and vertical formulations, on close ties, and no longer on vague horizontal structures²⁸⁷. The interpretation is like that presented by other authors in their overviews of the transformations of the European kinship system over the long period between the 14th and 19th centuries²⁸⁸. As kinship in *Ancien Régime* societies was intertwined with a wider range of social relations, these changes were also part of profound transformations²⁸⁹. The ‘house’ was an “organic–functional complex”, bringing together blood relatives, patronage networks, vassals, and servants, to which the foundation of entails, and perhaps above all their accumulation, contributed decisively²⁹⁰. The explanatory potential of the connection between entails and this concept seems fruitful, especially if research dossiers are built around institutions and kinship groups over several generations.

But how would this occur in groups less involved with nobiliary representations? How did entails contribute to formalising ways of organising parental cells based on the ‘house’ as a primarily productive entity, while not being limited to these socio–economic functions? What geographical variations can be detected? This set of questions will imply the formation of documentary samples specific to regions where, according to the anthropological and historiographical literature from different periods, these organisational modalities assume greater importance. Some research suggests, however, that there was an emulation effect in the regional nobility, and a great deal of porosity and organisational similarity between these and well–off farmers²⁹¹.

The concepts of ‘lineage’ and ‘house’ were used by the founders to set out this institutionalised dimension or functioning as representations behind

287 Ideas particularly linked to the ‘Murcia school’: Molina Puche, Hernández Franco, 2010. Hernández Franco, Rodríguez Pérez, 2014, 2014a. These authors also subscribe to the thesis of the “entail reproductive model” formulated by Monteiro, 2001.

288 Consider the summaries by Sabeau, Teuscher, 2007. Johnson, Sabeau, 2011.

289 It is therefore not possible to isolate them from transformations in ‘political’ structures and in the organisation of the mode of production.

290 Quintanilla Raso, 2006.

291 As argued, for example, in research into the Ribeira Lima, in northern Portugal, between the 18th and 19th centuries: Pires, 2017. See also Rodrigues, 2017.



their actions. In addition, the corporate nature of entails was also solidified by relations with ecclesial institutions, sometimes explicitly included within the entails' perimeter or, on other occasions, referred to as parallel, but incorporated within the scope of the groups' resources. In any case, both contributed to establishing the group's identity, laying the foundations for its social status and organising its kinship relationships. This is the case, for example, with patronage of churches and convents, whose contours evolved throughout the chronology. This diverse set of rights was also framed in the archives of *Ancien Régime* noble families, configuring yet another dimension of the social dominance exercised by these groups²⁹².

These connections, especially when they resulted from investments in a monastic foundation or refoundation, were 'spiritual' forms of investment, the primary way of manufacturing *status*. They provided a standing for men and women from kinship groups, giving them status. The prerogative of patronage permitted the appointment of a blood relative or a servant for a given benefit. Patronage of convents usually ensured perpetual places within the communities for women of the family, eventually reducing dowry values and replicating kinship networks within the convent. In the entail established by the canon of Lisbon João Vicente, in 1342, the heir Afonso Eanes would also hold the patronage of the church of S. João da Praça, which had been donated to him by the king. He would have to present "o mais chegado clérigo de minha linhagem e do seu, que for idóneo"²⁹³ as the church's cleric, following the logic of creating a family prebend, as previously mentioned. In the various *morgados* he set up for his children between 1356 and 1359, the master of the Order of St. John, Álvaro Gonçalves Pereira, incorporated various seigneurial prerogatives and the patronage of churches²⁹⁴. Together, they contributed to a more solid control of the land and men, underpinning the heir's authority. They could also provide him with the means to guide his blood relatives and servants by appointing them to ecclesiastical roles, exercising

292 Consider the example of the information instruments relating to the patronages of the house of the viscounts of Vila Nova de Cerveira: Lopes, 2023, pp. 259–265.

293 "The closest cleric of my lineage and yours, who is suitable", in Will (1342–03–02) – VINC000048 JV EA/004; TT–HSJ–098, fls. 41–45v.

294 Entail foundation deed (1356–09–06) – VINC001422 AFRA EA/001aa; CP–P1, pp. 222–224. Entail foundation deed (1357–08–05) – VINC000024 GMM EA/001aa; CP–P1, pp. 225–227. Entail foundation deed (1359–07–01) – VINC000024 GMM EA/001ab; CP–P1, pp. 227–228.



an authority role with a charitable paternalism, both over the community encompassed by the entail and over his men.

Convents had other nuances. Sometimes the founders sought to establish entails whose pious charges would be celebrated in convents with which they had some connection, in particular the great mendicant convents in Lisbon and the kingdom's main urban centres, true attractors of pious foundations of social prestige. The various examples listed to prove the effectiveness of the concept of 'entailment clusters' will suffice to show how these foundations also overlapped with kinship. In the 'peripheries' of the kingdom and especially with the dominant groups, this relation could also coincide with the area where the family group was based, as suggested in particular by Spanish historiography: lordships, *mayorazgo*, chapels, patronages, and convent foundations formed a matrix of social dominance whose general features were established in the 15th century and lasted until the end of the *Ancien Régime*²⁹⁵. In the 16th and 17th centuries, when the Catholic Church was undergoing intense renewal, new convents were created, embodying reformist desires. These foundations were also used by the elites of recently colonised areas, such as the Atlantic islands, to establish their dominance according to the logic described above. On the island of S. Miguel, in 1570, Diogo Vaz Carneiro and Beatriz Rodrigues established an entail stipulating that masses would be celebrated in the monastery of S. André of Ponta Delgada "que eles fizeram e de que são padroeiros" and where their bodies would be buried²⁹⁶. The founders recalled that they had built the monastery so that "nele se recolherem suas parentas deles ambos para servirem a Deus em estado de religiosas", formalising the roles within kinship groups in perpetuity. This formalisation involved not only the increasingly common conventual vow of women, but also the clear assumption of leadership vested in the administrator: it was the founders' intention "que uma coisa andasse junta à outra em uma só pessoa", and that the heir to the *morgado* should forever be the patron of the monastery²⁹⁷.

295 Soria Mesa, 2007, pp. 162–170. Atienza López, 2010. Roulet, 2021. Prieto Sayagués, 2022.

296 "Which they built and of which they are patrons", in Dowry deed (1570–09–02) – VINC001652 DVCBR EA/001a; BPARPD–GCPD–RV–2, fls. 88v–95v.

297 "Their relatives could also gather in it to serve God as religious (...) that one thing should go together with the other in one person".



Patronage relations between aristocratic groups and monasteries, dating back to the high Middle Ages, took on evolutionary contours that, in any case, showed the interdependence – sometimes collaborative, sometimes quite tense – between these poles²⁹⁸. Patronage of churches and convents, or more informal relationships of influence over them, fell within the scope of the administrators' social relations. Sometimes they were also part of the founders' recommendations, in an institutional logic. Therefore, the social distinction and even the organisational potential provided by entails had a strong 'spiritual' component. This set of topics, only listed here as examples, requires more in-depth research based on a reading grid that has yet to be properly developed.

For the aristocratic groups and certainly even more prominently in the top groups, all the components mentioned above would be enhanced, as far as the formation of a corporate system based on the 'house' is concerned, by another element: the accumulation of various entails in the hands of the same administrators or, in other words, the formation of conglomerates of entails. E. Soria Mesa's hypothesis is that regular entails – i.e. those favouring male succession but not excluding women – tended, in this demographic scenario, to be accumulated by the same groups²⁹⁹. The phenomenon was reflected in the growing role of these social formations in organising the material, symbolic, and identity bases of groups, and their role of organising kinship. These roles were inevitably intertwined. The historiography of the socially dominant poles, both in Portugal and Spain, suggests that this accumulation, combined with other phenomena throughout the 17th and 18th centuries, drastically reduced the groups' reproductive capacity: they progressively faced serious problems of indebtedness and solvency, impossible to solve when the bulk of the assets they possessed were armoured by their entailed nature³⁰⁰.

298 As an example for the 13th–14th centuries, consider the studies of Sottomayor-Pizarro, 2011, 2014.

299 According to R. Molina Recio, this dynamic meant that large noble houses in Spain accumulated a huge number of entails. According to this author, in the 18th century the 6th Count of Luque administered 108 entails: Molina Recio, 2014, p. 66. See also Dedieu, 1998.

300 Monteiro, 2003.



In some way, this system was already in place in the 16th and 17th centuries. It is highly probable that many of the founders we have studied throughout this book were simultaneously administrators of various entails, although

such a reference in the foundational documents was not deemed pertinent. However, the hypothesis that kinship structures, and the specific configurations of their relationships, were strongly conditioned by a corporate logic seems logical, even if this discursive resource was not explicitly used very often. For the most part, this conditioning effect was greater with denser and more expressive conglomerates of entails (even if many of them were individually small foundations), combined with other assets and rights of an institutional nature. In any case, only the construction of other research objects, as well as the use of different types of documents within the archives of the families who possessed entails, will allow a deeper understanding of these dynamics. The work on these archives demonstrates that entails formed their organisational backbone³⁰¹. In this sense, we believe that the reading grid we have constructed for understanding the configurations of kinship organisation within entails can be applied to different case studies, allowing us to grasp different dynamics.

We consider sufficiently demonstrated the hypothesis that the foundation and accumulation of entails, encompassing more planned and complete institutions and others that were more fluid, resulted in institutionalised ways of organising kinship that were progressively perfected. Firstly, because they were certainly influenced from the outset by an aspect that we have mentioned throughout the book: the construction of an entity with a specific nature, bringing together estates and people, and moulded by legal components that consecrated juridical personality to the estates. Since the medieval period, Church assets, in their various forms, have been the most influenced by these constructs³⁰², especially regarding the principle of the inalienability of property and rights and their disposal through theological and legal concepts based on abstract entities with specific legal personalities (God, the saints, souls, the faithful as the body of the *ecclesia*). It is therefore no coincidence that men from the clergy

301 Nóvoa, Rosa, 2018, pp. 8-9.

302 We mentioned this in section 3.3.3.



and from legal professions figure prominently in the first wave of foundations, particularly the more complete ones, between the late 13th and the early 15th centuries, in a sociological profile that would always have an important expression over the centuries. Initially, these groups made a clear use of entails and all its dimensions, unlike the traditional nobility, rooted in strongly seignorial regions and perhaps more attached to customary logics, to ancestral forms of dominance based on rights won through service to kings and immemorial possession. In the 14th century, however, some founders of important entails would emerge from the ranks of the old nobility, frequently ecclesiastical figures. The endogamy of powerful groups and the dynamic of matrimonial alliances between its various strata ended up giving the administration of various entails to the ‘traditional’ nobility, who, over time, began to make use of this legal resource themselves, founding new entails.

We argue that the corporate notions associated with the Church and written law, notions related with the abstract constructs mentioned above, were the cornerstone upon which ‘dynastic’ thinking was expressed throughout the perpetual succession of administrators, ‘as long as the world lasts’, a chain formed by blood ties, and subsidiarily by other ways of fabricating continuity (such as the election of the administrator by the king or other authority, using mechanisms to fabricate this continuity and ‘make the founders live’, such as the imposition of their surnames and heraldic symbols). All these topics also favoured the existence within these corporate entities of formally established relationships of authority, hierarchies that incorporated and gave expression to key elements in the cultural references of this society, which we have tried to describe and explain throughout this chapter.



CONCLUSION

This book was based on a set of questions: how did the founders of entails imagine and attempt to organize kinship, in Portugal and in its overseas territories, throughout a vast chronological span between the late 13th and the 17th century? Is it possible to distinguish specific forms of entailment kinship? Were there diachronic developments, and which variations depended on the sociology of the founders?

These questions are part of the theoretical paradigm forged in the VINCULUM project and are related to the historiographical panorama described in the chapter on historiography, with its strengths and lacunae. To answer these questions, a vast repertoire of sources was used, grouped into two typological sets: foundational and judicial documentation. The type of information they contain and the specific approaches they imply was emphasised throughout the book. The formation of a coherent corpus that could provide relevant material obeyed criteria and methods whose validity was explained in the chapter on information and documentation. A few case studies throughout the description, representative of the diversity of entails – more structured to more fluid foundations; conflicts over small to large entails – made it possible to highlight topics of analysis. With this approach, the book was constructed around three main ideas, materialized in the organization of the chapters. Based on the assumption demonstrated throughout the chapters, according to which foundations implied the creation of abstract bodies, with a perpetual horizon, operating a coincidence between estates and people, but with a social agency that surpassed them, we argue that:



- 1) At the parental level, entails defined hotspots called upon to integrate the corporate body, cutting across the necessarily broader kinship structures.
- 2) The spread of these institutions increased vigilance between relatives and external entities, simultaneously contributing to a greater awareness of genealogical kinship and reactivating, through conflict, the principles that governed entails.
- 3) Once the hotspots were defined, the founders sought to regulate and shape behaviours, in a relational scheme based on principles of benefit, authority, and responsibility amongst relatives, with the administrator as its pivot, and integrated into a relationship matrix typical of *Ancien Régime* society, which we proposed to frame according to the reading grid of a corporate hierarchy of inequality.

The idea of entails as defining hotspots within parental universes is the basis for understanding other operations that mould kinship relationships. As explained, this is a metaphor designed to better explain the kind of action intended by the founders, cutting across a wider spectrum of relationships. Between the first appointees and the subsequent lines, consanguineous kinship emerges as the major repository for recruiting successors, through criteria that simultaneously seek to outline their profile and define the mechanisms for determining the figure of the closest relative. The most common clauses were masculinity and primogeniture, meaning in practical terms that the vast majority of founders projected a model of generational continuity based on descent and centred on the first-born son. In this scheme, women were only rarely the preferred successors, and always in small and not particularly structured entails; nevertheless, they were also rarely excluded. In other words, female lines served above all as a reserve for succession, in the hope that with or through them and their descendants an administrator would be found, preferably through consanguineous kinship. The entails that place the onus on appointing the successor in each generation were not particularly common and, in most cases, the appointments were conditioned by some preference for blood relatives.



The legitimacy of the heir is another defining characteristic, particularly marked in foundations carried out by privileged groups, certainly in conjunction with the more restrictive laws of the kingdom in matters of succession to Crown estates, such as the *Lei Mental*, and as a way of mitigating succession disputes. From the 15th century onwards, and in the most complete and structured institutions, perhaps in kinship groups that were more sensitive to this type of dispute, the juridical fiction of the right of representation emerged, determining how succession disputes between uncles and nephews would be resolved. As in the case of legitimacy, it is likely that this topic had something to do with the provisions of the *Lei Mental*, preventing succession divergences in Crown estates and entails held by the same groups and, in this logic, partitioning estates that gave coherence to the group. The administrator should most often be a man, a legitimate and firstborn son, and a lay person: in the most complete foundations, it was common for clerics to be excluded from the succession, even if they were the founders. But there were also a number of small foundations, eminently focused on pious duties, which favoured succession by clerical relatives, often determining that they celebrate the masses prescribed by the founders, organizing a kind of familial prebend.

These topics, all or partially combined in the more complex foundations, or isolated in the smaller or more fluid ones, are subordinated to the principle of defining hotspots within the parental universes: the founders defined models for cutting out discrete groups (according to the conceptualization forged by anthropology of kinship) from a structure of consanguineous kinship that was much broader. This structure extended symmetrically along the paternal and maternal sides, and to more remote degrees, as evidenced, among other things, by the marriage impediments and the need to apply for canonical dispensation to marry within this specific perimeter. The very model of defining hotspots was based on this assumption, operating primarily on a vertical kinship, but always accepting, albeit through variable configurations, the indispensability of relying on an extended structure, spreading to the margins and subject to integration into the corporate entity, sometimes disputing this place with others who understood themselves to be equally distant or closer to



the founder or last administrator. The negative of defining hotspots was a resource the founders rarely used, even though it showed the breadth of the projects they could imagine: in other words, demarcating the cold spots, the relatives who, for stated or undeclared reasons, were excluded from the succession.

The segmented analyses of these topics allowed us to build more complex research grids. We defined two ‘types of institutions’, demonstrating that kinship was an intrinsic element in both categories, although used differently and to varied degrees of complexity. On the one hand, structured type included a more restricted set of institutions that combined all or most of the clauses mentioned above. In them, the moulding of kinship groups according to certain conceptions and mechanisms played a central role in the entailment project. In the sample we worked with, the weight of these institutions is always around 13 to 20% of the universe of foundations in each century, and they are almost always led by privileged groups. They were contrasted with fluid type foundations, numerically much more expressive, in which consanguineous kinship, and subsidiarily affinity or baptismal relationships, is essentially a repository of trust and proximity to recruit someone to administer the assets and ensure the celebration of pious charges, for the benefit of the souls of the founders. A system that was nevertheless based on the relationship between ancestors and those to come, and on the establishment of common rules and compensations.

These two types of institution were useful analytical tools used throughout the book. First, by investigating sets of institutions formed according to sociological and gender criteria, questioning how kinship was shaped in each of them. Three groups were specifically investigated, justifying their relevance, weaving in diachronic developments and highlighting areas for further research: foundations of clerics, aristocratic groups and, from a gender perspective, foundations carried out by women. These are often overlapping groups, separated only for analytical purposes. The concept of entailment clusters also appears throughout the book. It allowed us to complement these groups and highlight how certain projects of entailment, and even of aggregation and/or separation of institutions, are partly explained by belonging to these centripetal clusters, be they social



spaces (such as the royal court), kinship or ‘professional’ networks, conventual or parish churches of a certain importance for the choice of burial sites and the celebration of perpetual masses.

Judicial documentation, abundant especially from the 17th century onwards, allowed us to follow research paths suggested by more recent historiographical currents, highlighting the broad potential of these typologies, and to study conflicts as a space for negotiation between different institutions and for their ‘realization’. The sample was analysed assuming that entails formed kinship hotspots and imposed values, behaviours, and modes of organization on future generations. Within the first topic, disputes were analysed by reconstructing the network of relatives in confrontation and the breadth and depth of the relationships between them and the founders, in order to enquire the effectiveness of the figure of the closest relative and other legal concepts specific to this universe, such as the right of representation. Disputes were triggered and resolved by reference to the founder’s wishes, as expressed in the constitutional document of the entail, the foundational instrument. The growing inbreeding of power groups and the natural interruption of lines of descent, combined with more recurrent recourse to judicial channels and the intervention of the Crown or the Church as controlling macro-institutions, allowed us to suggest that the definition of hotspots went far beyond the founder’s wishes and was the subject of deep-rooted disputes, whether sincere or opportunistic, often two or three centuries after the foundation. An environment that was also certainly related to the increasing importance of genealogical kinship, fostered by entails themselves and by the issues of blood purity, from the mid-16th century onwards. Historical actors could therefore more easily draft cartographies of succession opportunities within their extended kinship networks. In short, entails were part of a more general context of surveillance and hierarchization that was progressively felt in various spheres of social life – among the different bodies that made up the social fabric, by genders and social and religious groups – and which, in the specific context of entails, increased this dynamic within kinship groups with more or less close relationships. Forms of surveillance over who would come after them were sometimes institutionalized by the founders themselves, using various secular



institutions (the Crown, the municipalities) and ecclesiastical institutions, thus making this a mechanism specific to entails and the relations framed within them.

Once the hotspots were defined the founders, also in a variable way, imposed clauses to regulate and condition behaviour, shaping the kinship groups framed by the institution. We argue that these clauses should be read through historically situated cultural forms. This implies dismantling the criticisms to which entails were subjected to with the advent of liberal societies and removing conceptions on the ‘family’ and other topics that are alien to the world in which these formations existed and functioned as living entities. The way to overcome these constraints was to construct a reading grid to situate these forms of relationship: the corporate hierarchy of inequality. The aim was to demonstrate that entails were forms of organizing kinship within institutionalized bodies, in which hierarchy and inequality, manifested in different ways, were fully appropriate, constituting modes of organization and strengthening that were typical of societies based on collective, rather than individualistic, principles. These assumptions are historically appropriate to understand the hierarchy between relatives, the authority of the founder and administrator as *pater familias*, and the relationships of benefit and service between them, God, the kingdom, and the relatives. The reading grid was constructed using cultural macro-representations with sufficient weight to be valid in the broad temporal perspective of the *Ancien Régime*, even though an attempt was made to discern the evolutions manifested in certain topics.

Foundations are acts that create an abstract, institutionalized body, governed by its own rules, bringing together estates and people. In them, the administrators only had prerogatives and management rights, subordinate to the founder’s wishes. The founders established themselves as the ordering pole of the parental group, always present through the legal personality with which they were invested, and through the foundational document, the institution’s internal law, within the framework of a society marked by diverse, and ultimately competing, sources of law. In the foundational documents, the discourse shaping the founder’s place and



the provisions they imposed on those to come articulates various topics, generally stated as the purpose and justification of entails: serving God, the king and the kingdom, avoiding the disintegration of assets and kinship ties, ensuring the salvation of the souls of the founders and the people they consigned, all encapsulated in a will to endure. The justifications were more complete, and worked in an articulated and coherent way, in a restricted set of institutions, generally produced by privileged groups. However, we tried to demonstrate in a sequential manner how the topics are embedded in representations rooted in the cultural matrix of the *Ancien Régime* society. This allowed us to consider the restricted set as an example of the more finished construction of the entails, but as a gateway to the wider set of smaller and more fluid foundations.

The topics integrated into the perspective of the founder as the ordering pole provide the appropriate historical framework for understanding two key elements in the organization of kinship encompassed by entails, precisely those that are most clearly distant from our own conceptions of family: the concentration of inheritance and the centrality of the administrator as the pivotal figure of successive generations, both articulated in a dynamic of benefit, authority, and responsibility. As far as the concentration of the inheritance is concerned, we systematically studied the shares of inheritance used in entail foundations, concluding that the *terça* (one third of the assets, the disposable portion if one had forced heirs) was preferentially used, in parallel with other foundations in which the shares of the designated successor and other heirs were used through waivers and formal agreements, and sometimes using royal confirmations that explicitly revoke codes and inheritance laws. As a rule, the foundation of entails with the totality of assets was only done when the founders had no forced heirs. Foundations therefore implied the concentration of the inheritance and the benefit of an heir, who would come to possess a larger share of assets, generally the most profitable and symbolic: countryside manors or houses in urban areas that belonged to the ancestors or were acquired with the founder's endeavours. The benefit required express authorization when it harmed other heirs, which was part of a discussion already visible in the late 15th and early 16th centuries in treatises and jurisprudence on entails – and amplified by Enlightenment and liberal



criticism in the 18th-19th centuries – about the legitimacy of jeopardising other heirs. The benefit could only be understood on the assumption that it provided better conditions of service, in an articulated matrix that implied that the entail and the people included in it should serve God, the kingdom and the realm, and support their relatives. The concentration of the inheritance, petrified by the entailment nature performed through the act of ‘social magic’ that was the foundation, provided the substance that united the different generations in a horizon of perpetuity, contrary to the disintegration – of memory, kinship ties, and even the strength of the social fabric – that the permanent sharing of assets implied. Some founders claimed this as a reason and motive for foundations. The entail as a corporate entity acted as a centripetal point, a role that explains why certain founders designed clauses obliging administrators to entail more assets, always aiming to enhance the institution and, consequently, protect the people encompassed by it. As historiography has shown, these clauses, and even the accumulation of many entails conditioned by constructions of this type, gradually made the possessor groups less solvent, as they faced growing liquidity problems.

The administrator, through the powers delegated to him by the founder, was the pivot of each generation, a central figure endowed with authority and responsibilities, framed by cultural representations such as the *pater familias*, and acting within an anthropology of lineage. A system based on the attribution of roles within family bodies, performed both in lay life and in ecclesial structures, primarily distributed according to gender and age hierarchies. These dynamics sometimes generated tensions, as in principle they constrained individuals to the interests of the group; nevertheless, these ways of organizing social relations should not be viewed through individualistic prisms. For the heir, however, a profile was defined based on continuity as a condition of formalized leadership: continuity expressed in the intergenerational chain of blood ties, partially constructed in analogy with central representations in this social system – such as the divine sphere of spiritual kinship, stressing the sharing of essence and similarity between father and son – annulling time and bringing the founder into the present. But also imposed by mechanisms such as the obligation to use the surname, coat of arms and other symbolic devices. Occasionally,



especially among privileged groups, the reproduction of a warrior profile was imposed (and in more recent centuries also a literate profile), inducing identity and socially distinctive marks, yet all features specific to a patriarchal mode of organization. In this society, ideas of leadership greatly overlapped with characteristics perceived as specific to male individuals or the masculine ideal. However, systematic research into the actual role that women played as administrators of entails, especially in the absence of male figures – which was quite common, especially throughout the overseas expansion –, has yet to be carried out.

The centrality of the heir presumed obligations and was theoretically subject to mechanisms that could be institutionalized by the founders in order to control key moments in the organization of group life, such as marriages. Some founders established clauses preventing marriages with people perceived as socially inferior, imposing the agreement of parents or, alternatively, other relatives with authority, without which the heir would lose the right to the administration. Particularly from the mid-16th century onwards, the hierarchization of the social body at the ethnic-religious level, with the incorporation of purity of blood laws, would gain expression in entails, with particular emphasis on the prohibition of marriages with New Christians, a truly central factor for the physical and social survival of the groups and, therefore, for the stability of the corporate entity. We chose to use judicial documentation to analyse how the behaviour of future generations was conditioned, allowing us to reinforce the idea of increased vigilance between relatives and institutions outside the entails. Vigilance became more refined in the 17th century, or at least more visible, thanks to the institutional mechanisms of the Crown and the Church, and their effects on the production and conservation of information. But we believe that the hypothesis that this dynamic is part of a broader movement in which institutions of different kinds become more organized and more efficient in regulating social life is sustainable.

Finally, and in line with one of the elements stated by the institutors, the administrator had obligations towards the other relatives and had to support them. Sometimes clauses were put in place that provided life



annuities for the nun sisters or for the brothers. More rarely, mechanisms were imposed that obliged the administrator to provide properly for the siblings in each generation, be them lay people or integrated in Church institutions, using the entail's income. All these aspects were also underpinned by jurisprudence around entails and family law that valued the figure of the '*direito de alimentos*', also operative in judicial conflicts. Protecting and balancing the hierarchical poles, as well as the heir as the institution's focal point with relatives included or on the margins of the corporate entity, the system functioned and enshrined a principle of authority, sometimes tense, but in any case presupposing duties viewed through a Christian and charitable filter, thought of as authoritarian, but not despotic. A relational scheme that will become incomprehensible in the individualistic world of citizens inserted into political communities governed by the rule of law, as will happen with the establishment of the liberal regime.

Entails were related to other abstract constructs associated with kinship, intertwining with them in such a way as to reinforce a corporate and institutional dimension. This was the framework used to sketch the idea of entailment clusters, studying projects of foundations explicitly aggregated or separated from previous institutions, distinguishing different projects of entailment, and diverse long-term effects on the shaping of kinship structures, from groups that favoured the establishment of new lines to those that were progressively conditioned by the accumulation of several entails, even if sometimes the clauses of these institutions disagreed with each other. The conglomerations of entails could coincide with the possession of Crown estates (especially in the high nobility) or with other elements inducing institutional dimensions, such as patronage of churches or convents. The relationship between these different bodies was centuries old and changed over time. Running parallel to the entails or sometimes explicitly incorporated into the institution, patronage extended the forms of social dominance, while at the same time providing the means to place relatives in ecclesiastical positions or in more favourable conditions to enter a convent. The hypothesis is that all these elements contributed to shaping a corporate culture, which was reflected in the concrete ways of organizing kinship, exacerbating all the topics highlighted above.



These dynamics become more visible over the course of the chronology, such that in the 17th century the conglomerates of entails and other assets and rights can be seen more clearly, subordinated to the logic of the ‘Casa’, that is, the ‘moral person’ made of assets and people, in a coincidence that generates a social agency of its own, analogous to that of the entails and, therefore, revealing an overlap between these poles.

These elements seem to us explanatory when combined with some data revealed by other parts of the research, such as surveys at specific stages of the chronology or with social groups. The first great wave of foundations in the 14th century, especially the more complete ones, came from men of the Church or from those immersed in officialdom and law practice. The notion of cluster has shown how these poles are partly overlapping, with social relations of a different nature between them. But it is certainly no coincidence that the phenomenon of entailment was decisively initiated by groups accustomed to dealing with and handling abstract constructions of law, immersed in institutional bodies conditioned by theological and legal constructions based on abstract entities with legal personality. The *ecclesia* and the souls are the most obvious examples. The hypothesis is that it will be on this corporate conceptual basis that ‘dynastic’ thinking will later be based, expressed in an idealized intergenerational chain formed by blood ties and projected in perpetuity, annulling time and fabricating continuity.

Foundations grew, became more complex, and were typified in jurisprudence and treatises. The social scope of the founders widened, and the vast sea of institutions would have more complete entails coexisting with smaller institutions without major organizational devices. Within this broad scope, kinship was also subject to different levels of regulation. Primarily designers of a vertical image and organization of kinship, entails could only have survived thanks to a permanent relationship with the marginal demographic reserves shaped according to how the founders defined the hotspots. Entails fostered vigilance among relatives, starting with disputes over succession. They contributed to increasing genealogical knowledge and, consequently, an awareness – partly fabricated, but also with real and proven backgrounds – of kinship ties, along with other



requirements, such as marriage impediments and, from the 16th century onwards, purity of blood. For these reasons, we also believe that the treatment proposed in this book has allowed us to more adequately conceptualize how entails shaped perceptions and kinship relationships, between the hotspots and the wider structures. These topics could not be properly assessed through a dichotomous logic of vertical/horizontal kinship, and much less by notions such as nuclear family/extended family.

Other questions and possibilities for research were raised throughout the description. We believe that the main pillars of this book, which simultaneously acted as reading grids, were sufficiently demonstrated and have useful explanatory potential, enabling a more historically appropriate way of understanding the phenomenon studied. They can therefore be used in other research. We believe we have contributed to a more adequate understanding of the worldviews that gave meaning to the lives of many thousands of people, in different centuries and territories, who lived within the framework of entails, under conceptions and modalities that, as we have seen, became incomprehensible and even strongly vilified from the 19th century onwards. An understanding of a world of which today we only have sparse traces that need to be reconnected. Traces embedded in a logic that, for an observer in the 21st century, is anything but intuitive. With the aim, finally, of trying to rationally apprehend a world populated by strangers who we treat as similar under the pretext of being our ancestors, as B. Clavero warned³⁰³.

303 Clavero, 2000, p. 195.



Documents

I – Documents not inserted in the VINCULUM database

This list contains all the foundational documents from the 13th to the 15th centuries that have not been inserted in the database. They are ordered by date, from the oldest to the most recent one. The published documents are cited by author/date, all full references can be found in the bibliographical list. If available, digital identifiers of the archival references are also presented.

Data	Title	Archival reference	Digital identifier	Publication
1215-10-00	Donation deed			MERÊA, 1921, pp. 71-32
1257-09-00	Donation deed			FIGUEIREDO, 1947, pp. 78-79
1269-10-11	Will			PEREIRA, 1990, pp. 89-99
1272-07-00	Will	Torre do Tombo, Mosteiro de São Simão da Junqueira, lv. 8, fls. 37-38	PT/TT/MSSJ/004/L008	
1278-01-31	Donation deed	Torre do Tombo, Mitra Arquiepiscopal de Braga, mç. 4, n.º 133	PT/TT/MAB/M04	
1281-07-30	Cartulário	Arquivo do Cabido da Sé de Évora, Cartulário da Sé e do Cabido, CEC3-III, fls. 91-91v		
1287-12-03	Donation deed	Torre do Tombo, Cabido da Sé de Coimbra, 2.ª Incp, mç. 27, n.º 1133	PT/TT/CSC/2M027	
1290-06-05	Will			RAMOS, 1956, pp. 1-22
1293-06-05	Donation deed	Torre do Tombo, Ordem de Cristo e Convento de Tomar, Documentos particulares, mç. 1, n.º 29	PT/TT/OCCT/E/007/0001/00029	
1293-07-30	Will	Torre do Tombo, Mosteiro de São Domingos de Lisboa, lv. 50, fls. 137-147	PT/TT/MSDL/L050	



Data	Title	Archival reference	Digital identifier	Publication
1296-08-14	Codicil	Torre do Tombo, Mosteiro de São Domingos de Lisboa, lv. 50, fls. 142v-145	PT/TT/MSDL/L050	
1296-09-06	Codicil	Torre do Tombo, Mosteiro de São Domingos de Lisboa, lv. 50, fls. 145v-147	PT/TT/MSDL/L050	
1297-12-24	Donation deed	Torre do Tombo, Cabido da Sé de Coimbra, 2.ª Inc., mç. 86 n.º 3975	PT/TT/CSC/2M086	
1308-07-13	Donation deed	Torre do Tombo, Gavetas, Gav. 11, mç. 6, n.º 2	PT/TT/GAV/11/6/2	
1308-08-30	Chapel foundation deed			SOUSA, 1953, t. VI, p. I, p. 176-179
1316-04-28	Donation deed	Torre do Tombo, Mosteiro de São João Baptista de Pendorada, mç. 24, n.º 23/24	PT/TT/MS-JBP/004/0024	
1318-04-09	Will (extract)	Torre do Tombo, Mosteiro de Santos-o-Novo de Lisboa, n.º 28	PT/TT/MSN/4/28	
1318-10-03	Donation deed	Torre do Tombo, Casa de Abrantes, cx. 26, n.º de ordem 78, doc. 1615	PT/TT/CAB-T/G/0078/01615	
1329-04-05	Will	Torre do Tombo, Colegiada de São Lourenço de Lisboa, mç. 8, n.º 159	PT/TT/CSLL/M08/00159	
1330-09-08	Donation deed	Arquivo Distrital de Braga, Colecção Cronológica, cx. 13, doc. 511		
1339-10-15	Will			BEIRANTE, 2006, pp. 245-278
1340-10-13	Donation deed	Arquivo Distrital de Braga, Colecção Cronológica, cx. 20, doc. 766		
1344-02-21	Donation deed	Arquivo Distrital de Braga, Colecção Cronológica, cx. 20, doc. 772		
1344-02-21	Donation deed	Arquivo Distrital de Braga, Colecção Cronológica, cx. 20, doc. 773		
1344-07-04	Will	Torre do Tombo, Mosteiro de Santa Maria de Arouca, gav. 4, mç. 5, n.º 53	PT/TT/MSMAR/G4M05/53	



Data	Title	Archival reference	Digital identifier	Publication
1348-04-26	Bond	Torre do Tombo, Mosteiro de Santa Maria de Lorvão, gav. 1, mç. 1, n.º 37	PT/TT/MSML/ G1M01/000037	
1348-12-03	Will			BEIRANTE, 2006, pp. 245-278
1382-09-20	Will	Torre do Tombo, Convento de Nossa Senhora da Graça de Lisboa, lv. 1, fl. 141	PT/TT/CNSGL/L001	
1391-08-28	Will			MARQUES, 1993, pp. 183-239
1394-05-19	Will			BEIRANTE, 2006, pp. 245-278
1401-10-12	Will (extract)	Torre do Tombo, Hospital de S. José, lv. 141, fls. 153-153v	PT/TT/HSJ/A- D-A/031-001/0141	
1410-01-10	Royal Charter			CAEIRO, 1973, pp. 151-158
1412-05-04	Will	Biblioteca Pública Municipal do Porto, Ms. 1923, fls. 373-380		
1413-10-06	Will (extract)	Torre do Tombo, Colegiada de Santa Cruz do Castelo de Lisboa, doc. 372	PT/TT/CSCCL	
1436-06-04	Donation deed			SOUSA, 1953, t. VI, p. I, p. 217-219
1442-10-31	Entail foundation deed	Torre do Tombo, Mosteiro de Chelas, mç. 49, n.º 970	PT/TT/MCH/ M49/970	
1466-07-26	Donation deed	Torre do Tombo, Hospital de S. José, lv. 37, fls. 320-322v	PT/TT/HSJ/A- D-A/031-001/0037	
1468-10-28	Will (extract)	Torre do Tombo, Hospital de S. José, lv. 10, fl. 35	PT/TT/HSJ/A- D-A/031-001/0010	
1473-07-06	Will	Torre do Tombo, Hospital de S. José, lv. 090, ls. 52-54	PT/TT/HSJ/A- D-A/031-001/0090	
1474-02-17	Will	Torre do Tombo, Hospital de S. José, lv. 237, fls. 146-148	PT/TT/HSJ/A- D-A/031-025/237	
1489-04-03	Will (extract)	Torre do Tombo, Hospital de S. José, lv. 125, fls. 61v-63v	PT/TT/HSJ/A- D-A/031-001/0125	
1495-00-24	Contract and bond deed	Torre do Tombo, Hospital de São José, lv. 79, fls. 83-87v	PT/TT/HSJ/A- D-A/031-001/0079	
1497-12-17	Will	Torre do Tombo, Hospital de S. José, lv. 44, fls. 107-108	PT/TT/HSJ/A- D-A/031-001/0044	



II – Documents from the VINCULUM database

The list of documents is organised into two categories: printed documents and manuscript documents. The first category shows the printed documents consulted, listed in alphabetical order of the author's surname. The second category lists the manuscript documents consulted, serialised according to the archival holding institution.

In both categories, part of the information contained in the VINCULUM project database is reproduced. Four elements are provided for each document:

- Document title. This corresponds to the type of document (e.g. 'Entail foundation deed');
- Date of production (year-month-day);
- Reference code assigned by the VINCULUM project. It consists of the acronym "VINC" followed by the number assigned to the document, the initials of the founder(s), and the code of the document within the entail archive (e.g. "VINC005782 DRLJL EA/001a");
- Archival reference. In the case of printed documents, this consists of the author's surname and the year of publication, followed by the volume number (if applicable) and the page range. In the case of manuscript documents, it consists of the abbreviation of the name of the archival holding institution (e.g. "TT"), the abbreviation of the title of the fonds (e.g. "HSJ"), the number or type of installation unit, where applicable (e.g. "003", "cx."), and the folio range (e.g. "134-141"). In the list of manuscript documents, each archival holding institution is identified by its full name, followed by its acronym. The acronyms and full titles of all the fonds in each archival holding institution are also shown.

Example:

TT-HSJ-003-134-141

Arquivo Nacional Torre do Tombo, Hospital de São José, livro 3, fls. 134-141.

- Digital identifier, when applicable. Corresponds to the reference code assigned by the archival holding institution.

To obtain further information on each document, a search can be made in the VINCULUM project database using the VINCULUM reference code, or in the database of the corresponding archival holding institution using the digital identifier³⁰⁴.

304 Some digital identifiers may be obsolete due to updates made by the archival holding institutions after the publication of this book.



a) Printed documents

Chancelaria de D. Dinis. Ed. Rosa Marreiros. Coimbra: Imprensa da Universidade de Coimbra, 2019. Lv. 3, vol. 1.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-DI-3-2-498-500	Donation deed	1322-02-10	VINC000011 EG EA/001a	-

Chancelaria de D. Afonso IV. Ed. A. H. de Oliveira Marques, Teresa Ferreira Rodrigues. Lisboa: Instituto Nacional de Investigação Científica | Centro de Estudos Históricos, 1992. Vol. 2.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-A4-2-72-77	Entail foundation deed	1336-03-12	VINC000012 JABMA EA/001a	-

Chancelaria de D. Pedro I. Ed. A. H. de Oliveira Marques et al. Lisboa: Instituto Nacional de Investigação Científica, 1984.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-P1-17-19	Entail foundation deed	1357-01-22	VINC000025 FGCMEEA/002aaa	-
CP-P1-222-224	Entail foundation deed	1356-09-06	VINC001422 AFRAEA/001aa	-
CP-P1-225-227	Entail foundation deed	1357-08-05	VINC000024 GMM EA/001aa	-
CP-P1-227-228	Entail foundation deed	1359-07-01	VINC000024 GMM EA/001ab	-
CP-P1-332-334	Entail foundation deed	1362-10-10	VINC000026 MNS EA/002aa	-



Chancelaria de D. João I. Ed. João José Alves Dias, Pedro Pinto. Lisboa: Centro de Estudos Históricos, 2004. Vol. 1, t. 1.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-1-1-139-140	Donation deed	1384-09-05	VINC000034 JFP EA/001a	-

Chancelaria de D. João I. Ed. João José Alves Dias, Pedro Pinto. Lisboa: Centro de Estudos Históricos, 2005. Vol. 1, t. 2.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-1-2-155-156	Donation deed	1385-04-04	VINC000036 VMC EA/001a	-

Chancelaria de D. João I. Ed. João José Alves Dias, José Jorge Gonçalves. Lisboa: Centro de Estudos Históricos, 2005. Vol. 2, t. 1.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-2-1-67-71	Entail foundation deed	1389-03-05	VINC000039 DLP EA/001aa	-

Chancelaria de D. João I. Ed. João José Alves Dias, José Jorge Gonçalves. Lisboa: Centro de Estudos Históricos, 2005. Vol. 2, t. 3.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-2-3-102-103	Donation deed	1397-07-15	VINC000046 DLS EA/001a	-
CP-J1-2-3-228-229	Confirmation and reformulation letter	1399-05-06	VINC000123 JPPE EA/001a	-
CP-J1-2-3-36-38	Confirmation letter	1395-12-14	VINC000045 NVRID EA/001a	-
CP-J1-2-3-77-80	Entail foundation deed	1398-11-21	VINC002454 GLGILB EA/001aa	-



Chancelaria de D. João I. Ed. João José Alves Dias et al. Lisboa: Centro de Estudos Históricos, 2006. Vol. 4, t. 1.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-4-1-220-224	Donation deed	1421-09-25	VINC002459 JGCA EA/001a	-

Chancelaria de D. João I. Ed. João José Alves Dias et al. Lisboa: Centro de Estudos Históricos, 2006. Vol. 4, t. 2.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
CP-J1-4-2-14-16	Donation deed	1419-09-26	VINC000051 PRC EA/001a	-

FURTADO, Júnia Ferreira – *O Testamento de Martim Afonso de Sousa e de Dona Ana Pimentel no Acervo da Seção de Obras Raras da UFMG.* Belo Horizonte: Editora UFMG, 2015. ISBN: 978-8542301458.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
Furtado (2015)	Will	1560-03-08	VINC002952 MASAP EA/003	-

ORNELAS, Afonso de – *Instituição do vínculo de morgado dos condes de Villa Real, feita em Ceuta em 1431. Elucidario Nobiliarchico: revista de história e de arte.* Lisboa. N.º 10 (1928), p. 305-319.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
D'Ornelas-1928-1-305	Dowry deed	1431-03-08	VINC000061 PM EA/002	https://hemeroteca-digital.cm-lisboa.pt/Periodicos/Elucidario-Nobiliarchico/V1/N10/N10_master/ElucidarioNobiliarchico_Vol1_N10_Out1928.pdf



PEGAS, Manuel Alvares – *Tractatus de exclusione, inclusione, successione, & erectione maioratus* ... – Ulyssipone: ex Typographia Michaelis Deslandes sumptibus Antonii Leyte Pereyra, 1685–1739. – 5 vol.

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
PEGAS-1685-1-163-165	Court sentence (transcription)	1680-11-25	VINC003896 DMF EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-199-200	Court sentence (transcription)	1670-12-19	VINC001449 AF EA/004a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-273	Acórdão (transcription)	1680-03-09	VINC002099 MGB EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-34-35	Acórdão (transcription)	1660-06-10	VINC002064 LMF EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-379-380	Acórdão (transcription)	1680-11-03	VINC002347 RT-MFTM EA/001c	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-4-5	Court sentence (transcription)	1650-03-02	VINC001730 FS EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-466	Court sentence (transcription)	1680-04-12	VINC002291 PCA EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-542-543	Court sentence (transcription)	1670-12-09	VINC002303 PDM EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html
PEGAS-1685-1-595	Court sentence (transcription)	1673-09-07	VINC002098 MFL-PBF EA/003a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-3/UCFD-H-D-19-3_item2/index.html



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
PEGAS-1687-2-16-18	Court sentence (transcription)	1670-11-07	VINC002210 MS EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-170-172	Acórdão em Relação (transcription)	1660-08-07	VINC002088 MMSM EA/002a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-261	Acórdão em Relação (transcription)	1670-11-15	VINC002089 MSC EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-264	Acórdão em Relação (transcription)	1670-06-21	VINC001761 FD EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-269-271	Court sentence (transcription)	1680-04-24	VINC001618 CA EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-269-271	Court sentence (transcription)	1680-04-24	VINC003416 AGN EA/002a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-306-307	Court sentence (transcription)	1676-03-12	VINC001948 JL EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-337-338	Acórdão (transcription)	1660-03-14	VINC001404 AVP EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-337-338	Acórdão (transcription)	1660-03-14	VINC002236 MLSA EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-409	Acórdão (transcription)	1650-04-30	VINC001433 AMD-CD EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
PEGAS-1687-2-411	Acórdão (transcription)	1680-06-08	VINC001676 DVA EA/001b	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-444-447	Court sentence (transcription)	1660-02-18	VINC001420 ASFT EA/003a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-447	Acórdão (transcription)	1670-02-20	VINC001420 ASFT EA/003b	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-447-448	Acórdão (transcription)	1674-08-23	VINC001420 ASFT EA/003c	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-480-481	Court sentence (transcription)	1680-04-05	VINC001728 FT EA/002a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-583-584	Court sentence (transcription)	1671-06-11	VINC001579 CNLGN EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1687-2-636	Acórdão (transcription)	1650-07-07	VINC001612 CRIR EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-5/UCFD-H-D-19-5_item2/index.html
PEGAS-1739-3-179-180	Court sentence (transcription)	1686-04-17	VINC001540 BE EA/003a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-3-376-377	Court sentence (transcription)	1686-11-28	VINC001940 JG EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-3-453-455	Court sentence (transcription)	1690-06-26	VINC002218 MT EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
PEGAS-1739-3-80-86	Acórdão (transcription)	1649-02-13	VINC001638 DCLA EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-3-80-86	Acórdão (transcription)	1649-02-13	VINC003865 BV EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-3-80-86	Acórdão (transcription)	1649-02-13	VINC003866 MS EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-3-80-86	Acórdão (transcription)	1649-02-13	VINC003867 MV EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-7/UCFD-H-D-19-7_item2/index.html
PEGAS-1739-4-245-249	Court sentence (transcription)	1690-06-12	VINC001697 FCAS EA/002a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html
PEGAS-1739-4-347-348	Court sentence (transcription)	1689-03-01	VINC001675 DR EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html
PEGAS-1739-4-348	Acórdão (transcription)	1690-07-08	VINC001675 DR EA/001b	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html
PEGAS-1739-4-353-355	Court sentence (transcription)	1688-05-09	VINC001650 DS EA/001a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html
PEGAS-1739-4-355	Acórdão (transcription)	1690-04-04	VINC001650 DS EA/001b	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html
PEGAS-1739-4-521-522	Court sentence (transcription)	1690-04-04	VINC002050 LBM EA/002a	https://digitalis-dsp.uc.pt/fd-digital/UCFD-H-D-19-3_5/UCFD-H-D-19-3_5_item2/UCFD-H-D-19-10/UCFD-H-D-19-10_item2/index.html



b) Manuscripts

Abbreviations:

ABM – Arquivo Regional e Biblioteca Pública da Madeira
 ADEVR – Arquivo Distrital de Évora
 ADGRD – Arquivo Distrital da Guarda
 ADPRT – Arquivo Distrital do Porto
 ADPTG – Arquivo Distrital de Portalegre
 ADVIS – Arquivo Distrital de Viseu
 ADVRL – Arquivo Distrital de Vila Real
 AHU – Arquivo Histórico Ultramarino
 AUC – Arquivo da Universidade de Coimbra
 BNP – Biblioteca Nacional de Portugal
 BPARLSR – Biblioteca Pública e Arquivo Regional Luís da Silva Ribeiro
 (Angra do Heroísmo)
 BPARPD – Biblioteca Pública e Arquivo Regional de Ponta Delgada
 IANCV – Instituto do Arquivo Nacional de Cabo Verde
 SGMAI – Secretaria-Geral do Ministério da Administração Interna
 TT – Torre do Tombo
 UM-ADB – Arquivo Distrital de Braga

Arquivo Regional e Biblioteca Pública da Madeira (ABM)

Abbreviations:

ABM-JRC – Arquivo Regional e Biblioteca Pública da Madeira,
 Juízo dos Resíduos e Capelas

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ABM-JRC-106-01	Will	1640-02-06	VINC005315 JMR EA/001	PT/ABM/JRC/059/00015
ABM-JRC-107-2	Will	1483-08-21	VINC005394 GD EA/001	PT/ABM/JRC/059/00025
ABM-JRC-108-02	Will	1600-09-28	VINC005333 BA EA/001	PT/ABM/JRC/059/00037
ABM-JRC-108-07	Will	1650-01-03	VINC005337 MV EA/001	PT/ABM/JRC/059/00042
ABM-JRC-108-08	Will	1610-12-13	VINC005338 AE EA/001	PT/ABM/JRC/059/00043
ABM-JRC-108-11	Will	1491-02-09	VINC002471 MB EA/004a	PT/ABM/JRC/059/00046
ABM-JRC-112-01	Will	1630-11-19	VINC005346 CP EA/001a	PT/ABM/JRC/059/00066
ABM-JRC-112-06	Will	1670-06-25	VINC005354 GFB EA/001	PT/ABM/JRC/059/00071



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ABM-JRC-114-06	Will	1550-05-05	VINC005365 AC EA/001a	PT/ABM/JRC
ABM-JRC-119-05	Will	1600-09-27	VINC005385 FF EA/001a	PT/ABM/JRC/059/00120
ABM-JRC-121-01	Will	1490-05-11	VINC001920 JAC EA/006a	PT/ABM/JRC/059/00127
ABM-JRC-121-03	Will	1630-12-22	VINC005390 HF EA/001a	PT/ABM/JRC/059/00129
ABM-JRC-128-06	Will	1550-00-00	VINC006013 FNC EA/001a	VINC006322 IHC EA/001a
ABM-JRC-130-01	Will	1660-06-30	VINC006019 MVPLV EA/001a	PT/ABM/JRC/2/25/1
ABM-JRC-133-01	Will	1600-04-08	VINC006031 DP EA/001	PT/ABM/JRC/2/28/1
ABM-JRC-138-04	Will	1630-01-23	VINC006058 MCC EA/001	PT/ABM/JRC/2/33/4
ABM-JRC-141-02	Will	1560-07-15	VINC006072 MG EA/001a	PT/ABM/JRC/2/36/2
ABM-JRC-141-06	Will	1680-01-15	VINC006075 MH EA/001a	PT/ABM/JRC/2/36/6
ABM-JRC-141-06	Will	1680-01-15	VINC006915 MHAF EA/001a	PT/ABM/JRC/2/36/6
ABM-JRC-142-01	Will	1630-09-09	VINC006077 MV EA/001a	PT/ABM/JRC/2/37/1
ABM-JRC-143-06	Dowry deed	1690-07-20	VINC006084 AC EA/001	PT/ABM/JRC/2/38/6
ABM-JRC-143-06	Dowry deed	1690-07-20	VINC006909 ACA EA/001	PT/ABM/JRC/2/38/6
ABM-JRC-144-02	Will	1670-01-25	VINC006087 STO EA/001a	PT/ABM/JRC/2/39/2
ABM-JRC-144-05	Will	1570-02-18	VINC006091 GFMG EA/001a	PT/ABM/JRC/2/39/5
ABM-JRC-146-01	Will	1580-01-30	VINC006098 MG EA/001a	PT/ABM/JRC/2/41/1
ABM-JRC-150-01	Will	1610-11-30	VINC006307 ACBCCB EA/001a	PT/ABM/JRC/2/45/1
ABM-JRC-150-03	Will	1610-11-30	VINC006331 ACBJBC EA/001a	PT/ABM/JRC/2/45/3
ABM-JRC-150-04	Will	1680-08-11	VINC006309 ICB EA/001	PT/ABM/JRC/2/45/4
ABM-JRC-153-02	Will	1540-08-05	VINC006322 IHC EA/001a	PT/ABM/JRC
ABM-JRC-158-03	Will	1600-04-08	VINC006338 LH EA/001a	PT/ABM/JRC/2/22/1/E/158
ABM-JRC-163-04	Will	1690-10-28	VINC006365 FPA EA/001	PT/ABM/JRC



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ABM-JRC-165-02	Will	1500-01-09	VINC006371 JV EA/001a	PT/ABM/JRC
ABM-JRC-166-01	Will	1570-02-02	VINC006373 MAF EA/001a	PT/ABM/JRC
ABM-JRC-167-02	Will (extract)	1600-01-02	VINC006376 JC EA/001a	PT/ABM/JRC
ABM-JRC-168-05	Will	1580-07-10	VINC006379 JSLD EA/001	PT/ABM/JRC
ABM-JRC-172-03	Will	1580-09-28	VINC006389 RGMV EA/001a	PT/ABM/JRC
ABM-JRC-178-01	Will	1580-08-21	VINC006510 MG EA/001a	PT/ABM/JRC
ABM-JRC-190-02	Will	1550-10-25	VINC006583 PB EA/001a	PT/ABM/JRC
ABM-JRC-195-02	Will	1700-06-01	VINC006566 MF EA/001	PT/ABM/JRC
ABM-JRC-199-06	Will	1700-07-25	VINC006580 AA EA/001a	PT/ABM/JRC
ABM-JRC-201-06	Will	1620-07-18	VINC006597 MF EA/001a	PT/ABM/JRC
ABM-JRC-206-03	Will	1650-12-31	VINC006615 BA EA/001a	PT/ABM/JRC
ABM-JRC-209-02	Will	1700-07-09	VINC006629 MD EA/001	PT/ABM/JRC
ABM-JRC-211-06	Will	1640-05-08	VINC006640 AF EA/001a	PT/ABM/JRC
ABM-JRC-215-03	Will	1560-06-13	VINC006666 PB EA/001a	PT/ABM/JRC
ABM-JRC-220-06	Will	1680-02-16	VINC006686 DBP EA/001	PT/ABM/JRC
ABM-JRC-224-05	Dowry deed	1690-05-13	VINC006860 MOS EA/001	PT/ABM/JRC
ABM-JRC-225-07	Will	1670-06-06	VINC006861 AMMCM EA/001a	PT/ABM/JRC
ABM-JRC-226-02	Will	1640-12-05	VINC006878 JF EA/001a	PT/ABM/JRC
ABM-JRC-227-03	Will	1610-06-24	VINC006882 FGMG EA/001a	PT/ABM/JRC
ABM-JRC-229-06	Will	1620-04-13	VINC006894 PGVB EA/001a	PT/ABM/JRC
ABM-JRC-239-02	Will	1540-07-08	VINC006933 MRP EA/001a	PT/ABM/JRC
ABM-JRC-239-10	Will	1590-07-24	VINC006937 CG- MLC EA/001a	PT/ABM/JRC
ABM-JRC-241-01	Will	1600-08-11	VINC006949 JFMT EA/001a	PT/ABM/JRC



Arquivo Distrital de Braga (UM-ADB)

Abbreviations:

UM-ADB-MAB-JR-B – Mitra Arquiepiscopal de Braga, Juízo dos Resíduos

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
UM-ADB-MAB-JR-B-10-129-133	Chapel foundation deed	1640-09-24	VINC004290 JDL EA/001a	PT/UM-ADB/DIO/MAB/JR-01/001/0010
UM-ADB-MAB-JR-B-10-235v-244v	Chapel foundation deed	1530-02-16	VINC000366 JC EA/002a	PT/UM-ADB/DIO/MAB/JR-01/001/0010
UM-ADB-MAB-JR-B-11-178-179v	Chapel foundation deed	1680-11-03	VINC004307 MS-JMSJS EA/001aa	PT/UM-ADB/DIO/MAB/JR-01/001/0011
UM-ADB-MAB-JR-B-14-185-190	Will	1690-06-17	VINC004426 JT-VBFR EA/002a	PT/UM-ADB/DIO/MAB/JR-01/001/0014
UM-ADB-MAB-JR-B-15-38v-40	Will	1540-06-26	VINC004427 JAR EA/001a	PT/UM-ADB/DIO/MAB/JR-01/001/0015
UM-ADB-MAB-JR-B-18-263v-267	Entail and chapel foundation deed	1670-01-11	VINC003348 FRGRJR EA/001	PT/UM-ADB/DIO/MAB/JR-01/001/0018
UM-ADB-MAB-JR-B-736-105v-106v	Donation deed	1610-11-17	VINC004668 CS EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0736
UM-ADB-MAB-JR-B-736-14-19	Chapel foundation deed	1600-08-19	VINC004651 PG EA/001adaa	PT/UM-ADB/DIO/MAB/JR-02/001/0736
UM-ADB-MAB-JR-B-737-64-65	Will (extract)	1600-04-21	VINC004722 PRMA EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0737
UM-ADB-MAB-JR-B-737-64-65	Will (extract)	1600-04-21	VINC004723 PRHN EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0737
UM-ADB-MAB-JR-B-737-64-65	Will (extract)	1600-04-21	VINC004724 MA EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0737
UM-ADB-MAB-JR-B-740-104v-106	Will	1630-01-22	VINC004760 PFP EA/001aa	PT/UM-ADB/DIO/MAB/JR-02/001/0740
UM-ADB-MAB-JR-B-740-93-95	Will	1630-04-10	VINC004759 PGMM EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0740
UM-ADB-MAB-JR-B-741-64v-65v	Donation deed	1640-08-20	VINC004769 GBBG EA/002a	PT/UM-ADB/DIO/MAB/JR-02/001/0741
UM-ADB-MAB-JR-B-743-191-192v	Will	1650-09-04	VINC004793 FMHAC EA/001da	PT/UM-ADB/DIO/MAB/JR-02/001/0743
UM-ADB-MAB-JR-B-743-19v-20v	Entail foundation deed	1650-11-07	VINC004776 JCH EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0743
UM-ADB-MAB-JR-B-743-21-23	Will	1660-04-24	VINC004777 DDMD EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0743
UM-ADB-MAB-JR-B-743-38v-39	Will	1462-08-26	VINC004778 VFLF EA/001c	PT/UM-ADB/DIO/MAB/JR-02/001/0743
UM-ADB-MAB-JR-B-743-93-96	Chapel foundation deed	1670-02-25	VINC004783 AJR-JRR EA/001ba	PT/UM-ADB/DIO/MAB/JR-02/001/0743



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
UM-ADB-MAB-JR-B-744-133v-138	Chapel foundation deed	1560-12-11	VINC004798 APPME EA/001c	PT/UM-ADB/DIO/MAB/JR-02/001/0744
UM-ADB-MAB-JR-B-745-19-19v	Will	1433-00-00	VINC004812 EAB EA/001cb	PT/UM-ADB/DIO/MAB/JR-02/001/0745
UM-ADB-MAB-JR-B-745-226v-228v	Will	1680-02-19	VINC004821 ACMP EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0745
UM-ADB-MAB-JR-B-746-103v-105v	Entail and chapel foundation deed	1670-07-17	VINC005257 ARBD EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0746
UM-ADB-MAB-JR-B-747-102-106v	Entail foundation deed	1650-01-17	VINC005267 MGAIF EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0747
UM-ADB-MAB-JR-B-748-104v-106	Will	1680-00-00	VINC005279 BDJIG EA/001b	PT/UM-ADB/DIO/MAB/JR-02/001/0748
UM-ADB-MAB-JR-B-748-69-70v	Entail foundation deed	1690-08-17	VINC005276 PRBMAMSA EA/001aa	PT/UM-ADB/DIO/MAB/JR-02/001/0748
UM-ADB-MAB-JR-B-748-92-92v	Will	1690-08-09	VINC005278 MR EA/001a	PT/UM-ADB/DIO/MAB/JR-02/001/0748

Arquivo Distrital de Évora (ADEVR)

Abbreviations:

ADEVR-GCE-RV – Arquivo Distrital de Évora, Governo Civil de Évora, Registo Vincular

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADEVR-GCE-RV-1-76-84	Entail foundation deed	1378-09-09	VINC000667 ADBMDJD EA/002a	PT/ADEVR/AC/GCEVR
ADEVR-GCE-RV-6-15v-17v	Will	1421-02-08	VINC005654 GC EA/001a	PT/ADEVR/AC/GCEVR
ADEVR-GCE-RV-6-23v-33v	Will	1446-05-28	VINC005655 LGMC EA/001a	PT/ADEVR/AC/GCEVR



Arquivo Distrital da Guarda (ADGRD)

Abbreviations:

ADGRD-GCG-RV – Arquivo Distrital da Guarda, Governo Civil da Guarda, Registo Vincular

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADGRD-GCG-RV-11-170-174	Entail foundation deed	1670-11-03	VINC004335 GCLS EA/001	PT/ADGRD/ACD/GC/NA/001/00011
ADGRD-GCG-RV-1-151-152	Dowry deed	1700-06-12	VINC004957 FGM EA/001	PT/ADGRD/ACD/GC/NA/001/00001
ADGRD-GCG-RV-1-152v-155v	Will	1670-04-17	VINC004959 MDP EA/001	VINC004959 MDP EA/001
ADGRD-GCG-RV-1-239v-243v	Will	1650-07-09	VINC004961 JSCB EA/001	PT/ADGRD/ACD/GC/NA/001/00001
ADGRD-GCG-RV V-1-239v-243v	Will	1650-07-09	VINC004962 JSDFLIF EA/001	PT/ADGRD/ACD/GC/NA/001/00001
ADGRD-GCG-RV-13-152v-160v	Will	1670-05-05	VINC004450 CFCMF EA/001e	PT/ADGRD/ACD/GC/NA/001/00013

Arquivo Distrital do Porto (ADPRT)

Abbreviations:

ADPRT-CSDP – Arquivo Distrital do Porto, Convento de S. Domingos do Porto

ADPRT-CSFP – Arquivo Distrital do Porto, Convento de S. Francisco do Porto

ADPRT-GCP-RV – Arquivo Distrital do Porto, Governo Civil do Porto, Registo Vincular

ADPRT-PCP – Arquivo Distrital do Porto, Provedoria da Comarca do Porto

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPRT-CSDP-K/19/6-1-6	Chapel foundation deed	1450-06-26	VINC004095 FE-MAAGT EA/001aa	PT/ADPRT/MON/CVS-DPRT/007/0039
ADPRT-CSDP-K/19/6-1-6v-7	Will	1464-00-00	VINC004096 DGA EA/001aaa	PT/ADPRT/MON/CVS-DPRT/007/0039
ADPRT-CSDP-K/19/6-1-7v-8	Chapel foundation deed	1483-08-16	VINC004097 SD EA/001aa	PT/ADPRT/MON/CVS-DPRT/007/0039
ADPRT-CSDP-K/19/7-31-62v-63v	Will (extract)	1476-05-24	VINC004102 GEM EA/001a	PT/ADPRT/MON/CVS-DPRT/007/0040
ADPRT-CSFP-K-20-6-93-116-118	Chapel foundation deed	1520-07-30	VINC004109 NAMD EA/001	PT/ADPRT/MON/CVS-FPRT/002/6047/47037
ADPRT-CSFP-K-20-6-95-400v-405	Will	1470-09-10	VINC004117 FCLAS EA/001a	PT/ADPRT/MON/CVS-FPRT/002/6049/49398



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPRT-CSFP-K-20-6-97-412v-428v	Will	1580-04-10	VINC003382 AMGM EA/002aa	PT/ADPRT/MON/CVS-FPRT/002/6051/51412
ADPRT-CSFP-K-20-6-99-74-78	Chapel foundation deed	1463-12-12	VINC004127 PAPCV EA/001	PT/ADPRT/MON/CVS-FPRT/002/6053/53079
ADPRT-GCP-RV-C/4/1/4-4833-18-25	Entail foundation deed	1560-03-21	VINC002755 CB EA/012	PT/ADPRT/AC/GCPR-T/J/078/4833
ADPRT-GCP-RV-C/4/1/4-4834-32-33v	Will	1670-12-30	VINC004091 MBJCA EA/001	PT/ADPRT/AC/GCPR-T/J/078/4834
ADPRT-PCP-K/21/1-18-8-16	Will	1670-03-05	VINC004063 MM EA/001	PT/ADPRT/AC/PRV-CPRT/004/0022
ADPRT-PCP-K/21/1-31-105-107v	Donation deed	1429-08-09	VINC003206 GG EA/003c	PT/ADPRT/AC/PRV-CPRT/004/0034
ADPRT-PCP-K/21/1-32-20-23v	Will	1454-08-22	VINC004065 JPBM EA/001aaa	PT/ADPRT/AC/PRV-CPRT/004/0035
ADPRT-PCP-K/21/1-33-62v-63	Will (extract)	1399-10-05	VINC000671 LFCE EA/002b	PT/ADPRT/AC/PRV-CPRT/004/0036
ADPRT-PCP-K/21/2-43-13-19	Foundation deed	1492-09-10	VINC001981 JMF EA/002a	PT/ADPRT/AC/PRV-CPRT/004/0031

Arquivo Distrital de Portalegre (ADPTG)

Abbreviations:

ADPTG-PCE – Arquivo Distrital de Portalegre, Provedoria da Comarca de Elvas

ADPTG-PCP – Arquivo Distrital de Portalegre, Provedoria da Comarca de Portalegre

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPTG-PCE-1-119-119v	Will (extract)	1530-01-22	VINC004164 JGBR EA/001a	PT/ADPTG/PCELV/4/1/26
ADPTG-PCE-1-143-144v	Will	1491-10-03	VINC004171 VMA EA/001a	PT/ADPTG/PCELV/4/1/60
ADPTG-PCE-1-288v	Will (extract)	1496-04-25	VINC004635 AFM EA/001a	PT/ADPTG/PCELV/4/1/137
ADPTG-PCP-001-10-12v	Will	1700-09-21	VINC004229 MVMG EA/001a	PT/ADPTG/PCPTG/2/1/00003
ADPTG-PCP-001-10-12v	Will	1700-09-21	VINC004230 MVBV EA/001a	PT/ADPTG/PCPTG/2/1/00003
ADPTG-PCP-001-136v-137v	Will	1700-03-26	VINC004242 DPC EA/001	PT/ADPTG/PCPTG/2/1/00052
ADPTG-PCP-001-188-189	Will	1700-10-21	VINC004361 MRL EA/001a	PT/ADPTG/PCPTG/2/1/00074



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPTG-P-CP-001-280-281	Will	1690-07-20	VINC004369 MMR EA/001b	PT/ADPTG/PCPTG/2/1/00107
ADPTG-P-CP-001-311-312	Will	1640-01-10	VINC002712 MAM EA/003b	PT/ADPTG/PCPTG/2/1/00119
ADPTG-PCP-001-355-356v	Will	1670-09-03	VINC004390 AD EA/001b	PT/ADPTG/PCPTG/2/1/00132
ADPTG-P-CP-001-372-373	Will	1640-02-05	VINC004400 GT EA/001a	PT/ADPTG/PCPTG/2/1/00139
ADPTG-PCP-001-381v-382v	Will	1670-07-18	VINC004402 FRGV EA/001b	PT/ADPTG/PCPTG/2/1/00143
ADPTG-PCP-001-61-62v	Will	1700-11-24	VINC004943 MTRMA EA/001	PT/ADPTG/PCPTG/2/3/00086
ADPTG-PCP-001-61-62v	Will	1700-11-20	VINC004234 MMFIDR EA/001a	PT/ADPTG/PCPTG/2/1/00024
ADPTG-PCP-001-70v-72	Will	1630-05-08	VINC004235 HFS EA/001ab	PT/ADPTG/PCPTG/2/1/00027
ADPTG-PCP-001-90-91v	Will	1650-12-28	VINC002794 ARF EA/001	PT/ADPTG/PCPTG/2/1/00036
ADPTG-P-CP-002-132-133	Will	1670-04-26	VINC004541 MGM EA/001a	PT/ADPTG/PCPTG/2/2/00065
ADPTG-PCP-002-17-17v	Will	1680-08-21	VINC004414 CGMP EA/001b	PT/ADPTG/PCPTG/2/2/00008
ADPTG-PCP-002-185v-186v	Will	1660-06-02	VINC004560 PFCMF EA/001b	PT/ADPTG/PCPTG/2/2/00089
ADPTG-PCP-002-197v-198v	Will	1670-12-03	VINC004562 AG- MCGG EA/001b	PT/ADPTG/PCPTG/2/2/00093
ADPTG-PCP-002-199v-202v	Will	1687-04-10	VINC004562 AG- MCGG EA/002b	PT/ADPTG/PCPTG/2/2/00094
ADPTG-PCP-002-250v-251v	Will	1580-10-14	VINC004584 ITMM EA/001a	PT/ADPTG/PCPTG/2/2/00120
ADPTG-P-CP-002-29-30	Will	1690-11-21	VINC004421 ADGC EA/001b	PT/ADPTG/PCPTG/2/2/00016
ADPTG-P-CP-002-324-328	Will	1640-01-21	VINC001038 MFP EA/002	PT/ADPTG/PCPTG/2/2/00156
ADPTG-P-CP-002-324-328	Will	1640-01-21	VINC004611 MFPPG EA/001	PT/ADPTG/PCPTG/2/2/00156
ADPTG-P-CP-002-324-328	Will	1640-01-21	VINC004612 MFPGAF EA/001	PT/ADPTG/PCPTG/2/2/00156
ADPTG-P-CP-002-324-328	Will	1640-01-21	VINC004613 MFPFGA EA/001	PT/ADPTG/PCPTG/2/2/00156
ADPTG-P-CP-002-324-328	Will	1640-01-21	VINC004614 MFPBD EA/001	PT/ADPTG/PCPTG/2/2/00156
ADPTG-PCP-002-338v-340	Will	1670-04-27	VINC004619 MC EA/001b	PT/ADPTG/PCPTG/2/2/00161



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPTG-P-CP-002-459-460	Will	1630-08-14	VINC004855 MAGA EA/001a	PT/ADPTG/PCPTG/2/2/00221
ADPTG-P-CP-002-489-490	Will	1640-02-01	VINC004864 MRMG EA/001a	PT/ADPTG/PCPTG/2/2/00231
ADPTG-PCP-002-57-58v	Will	1680-03-27	VINC004512 DRC EA/001b	PT/ADPTG/PCPTG/2/2/00032
ADPTG-PCP-003-115v-117v	Will	1590-08-18	VINC004911 BVAM EA/001a	PT/ADPTG/PCPTG/2/3/00051
ADPTG-PCP-003-115v-117v	Will	1590-08-18	VINC004912 BVAS EA/001a	PT/ADPTG/PCPTG/2/3/00051
ADPTG-PCP-003-115v-117v	Will	1590-08-18	VINC004913 BVJS EA/001a	PT/ADPTG/PCPTG/2/3/00051
ADPTG-PCP-003-115v-117v	Will	1590-08-18	VINC004914 BVBS EA/001a	PT/ADPTG/PCPTG/2/3/00051
ADPTG-P-CP-003-15-16	Will	1660-09-16	VINC004877 PVC EA/001b	PT/ADPTG/PCPTG/2/3/00007
ADPTG-PCP-003-159v-160	Will	1640-09-11	VINC004931 SMB EA/001a	PT/ADPTG/PCPTG/2/3/00073
ADPTG-PCP-003-18v-21	Will	1670-12-08	VINC004880 HMJMN EA/001a	PT/ADPTG/PCPTG/2/3/00009
ADPTG-PCP-003-18v-21	Will	1670-12-08	VINC004881 HMIR EA/001a	PT/ADPTG/PCPTG/2/3/00009
ADPTG-PCP-003-196v-198	Will	1700-11-24	VINC004944 MTRGF EA/001	PT/ADPTG/PCPTG/2/3/00086
ADPTG-PCP-003-325v-326v	Will	1630-03-01	VINC005035 SGA EA/001	PT/ADPTG/PCPTG/2/3/00131
ADPTG-PCP-003-490v-492v	Will	1670-07-26	VINC005090 MB EA/001	PT/ADPTG/PCPTG/2/3/00197
ADPTG-PCP-003-68v-70v	Will	1447-07-19	VINC004896 JFGBG EA/001a	PT/ADPTG/PCPTG/2/3/00031
ADPTG-P-CP-003-73-74	Will	1670-08-17	VINC004898 PMC EA/001aa	PT/ADPTG/PCPTG/2/3/00034
ADPTG-P-CP-003-79-80	Will	1590-02-03	VINC000354 GR EA/003	PT/ADPTG/PCPTG/2/3/00037
ADPTG-PCP-004-148-151v	Will	1690-08-15	VINC005117 CS EA/001a	PT/ADPTG/PCPTG/2/4/00037
ADPTG-PCP-004-157v-161v	Will	1680-03-10	VINC005121 MDM EA/001	PT/ADPTG/PCPTG/2/4/00039
ADPTG-PCP-004-175v-177	Will	1650-10-30	VINC005125 PGSMG EA/001a	PT/ADPTG/PCPTG/2/4/00042
ADPTG-PCP-004-175v-177	Will	1650-10-30	VINC005126 PGSMG EA/001a	PT/ADPTG/PCPTG/2/4/00042
ADPTG-PCP-004-267v-270	Will	1630-07-12	VINC005146 MFO EA/001a	PT/ADPTG/PCPTG/2/4/00068



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPTG-PCP-004-35-36v	Will	1680-09-17	VINC005097 APIM EA/001a	PT/ADPTG/PCPTG/2/4/00008
ADPTG-PCP-004-461v-466v	Will	1620-09-09	VINC005179 MAA EA/001a	PT/ADPTG/PCPTG/2/4/00117
ADPTG-PCP-005-287-288v	Will	1600-07-28	VINC003252 MC EA/002a	PT/ADPTG/PCPTG/2/5/00102
ADPTG-PCP-005-314v-316	Will	1640-05-05	VINC005500 GDA EA/001	PT/ADPTG/PCPTG/2/5/00114
ADPTG-P-CP-005-319-320	Will	1650-11-19	VINC005504 IMMN EA/001	PT/ADPTG/PCPTG/2/5/00116
ADPTG-P-CP-005-319-320	Will	1650-11-19	VINC005505 IMCF EA/001	PT/ADPTG/PCPTG/2/5/00116
ADPTG-PCP-005-329-329v	Will	1650-01-06	VINC005506 PFG EA/001a	PT/ADPTG/PCPTG/2/5/00123
ADPTG-PCP-005-443-444v	Will	1620-01-14	VINC005540 MFLM EA/001	PT/ADPTG/PCPTG/2/5/00173
ADPTG-PCP-006-116-117v	Donation deed	1630-07-22	VINC003520 FV-MIVCVM EA/003	PT/ADPTG/PCPTG/2/6/00044
ADPTG-PCP-006-12v-15	Will	1650-12-02	VINC005240 IVV EA/001	PT/ADPTG/PCPTG/2/6/00006
ADPTG-PCP-006-12v-15	Will	1650-12-02	VINC005241 IVG EA/001	PT/ADPTG/PCPTG/2/6/00006
ADPTG-PCP-006-313v-314	Will	1610-04-25	VINC005588 CF EA/001	PT/ADPTG/PCPTG/2/6/00124
ADPTG-PCP-006-358-359v	Will	1560-11-05	VINC005593 SDM EA/001	PT/ADPTG/PCPTG/2/6/00146
ADPTG-PCP-006-358-359v	Will	1560-11-05	VINC005594 SDCF EA/001	PT/ADPTG/PCPTG/2/6/00146
ADPTG-PCP-006-373-375v	Will	1640-11-02	VINC005658 ID EA/001	PT/ADPTG/PCPTG/2/6/00151
ADPTG-PCP-006-373-375v	Codicil	1640-11-04	VINC005658 ID EA/001a	PT/ADPTG/PCPTG/2/6/00151
ADPTG-PCP-006-383v-385	Will	1680-05-29	VINC005659 MD EA/001	PT/ADPTG/PCPTG/2/6/00155
ADPTG-PCP-006-424v-426	Will	1650-07-07	VINC005627 FDL EA/001	PT/ADPTG/PCPTG/2/6/00172
ADPTG-PCP-006-446-447v	Will	1700-04-14	VINC005625 AGRMP EA/001	PT/ADPTG/PCPTG/2/6/00181
ADPTG-PCP-006-61-63v	Will	1320-07-02	VINC001297 SMMP EA/006	PT/ADPTG/PCPTG/2/6/00024
ADPTG-PCP-006-65-66v	Will	1560-11-11	VINC005288 BFA EA/001	PT/ADPTG/PCPTG/2/6/00026
ADPTG-P-CP-006-71-74	Will	1680-10-12	VINC005291 MD EA/001	PT/ADPTG/PCPTG/2/6/00029



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADPTG-P-CP-007-110-111	Will chart	1630-12-14	VINC005689 BPCB EA/001	PT/ADPTG/PCPTG/2/7
ADPTG-PCP-007-116v-118	Will chart	1670-10-11	VINC005692 MDF EA/001	PT/ADPTG/PCPTG/2/7
ADPTG-PCP-007-120v-121	Will	1640-01-08	VINC005693 DP EA/001c	PT/ADPTG/PCPTG/2/7
ADPTG-PCP-007-130v	Will (extract)	1363-03-27	VINC005695 AEZ EA/001ba	PT/ADPTG/PCPTG/2/7
ADPTG-PCP-007-432v-433	Will chart	1670-12-20	VINC005917 FGAG EA/002	PT/ADPTG/PCPTG/2/7
ADPTG-PCP-008-38-39v	Will chart	1700-06-18	VINC005925 JBMR EA/001	PT/ADPTG/PCPTG/2/8
ADPTG-PCP-008-406v-407	Will chart	1580-06-29	VINC005940 DDMA EA/001a	PT/ADPTG/PCPTG/2/8/00110
ADPTG-PCP-008-479v-480v	Codicil	1682-08-22	VINC005090 MB EA/002	PT/ADPTG/PCPTG/2/8/00135
ADPTG-PCP-011-129v-131v	Will chart	1650-06-02	VINC005967 JFCMPV EA/001	PT/ADPTG/PCPTG/2/11/00023
ADPTG-P-CP-014-466-471	Will chart	1580-09-15	VINC006212 BRBR EA/002aa	PT/ADPTG/PCPTG/2/14/00113
ADPTG-PCP-014-478-479v	Will chart	1640-04-11	VINC006213 FMP EA/002	PT/ADPTG/PCPTG/2/14/00116
ADPTG-P-CP-014-77-79	Will chart	1630-07-17	VINC005993 BA EA/001a	PT/ADPTG/PCPTG/2/14/00010
ADPTG-P-CP-015-482-486	Will chart	1690-01-05	VINC006218 IRA EA/001	PT/ADPTG/PCPTG/2/15/00066
ADPTG-PCP-016-49v-51	Will chart	1630-10-26	VINC006224 LC EA/002	PT/ADPTG/PCPTG/2/16/00018

Arquivo Distrital de Viseu (ADVIS)

Abbreviations:

ADVIS-CSDR – Arquivo Distrital de Viseu, Casa de Souto d'el rei

ADVIS-GCV-RV – Arquivo Distrital de Viseu, Governo Civil de Viseu, Registo Vincular

ADVIS-ML – Arquivo Distrital de Viseu, Morgado de Loureiro

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADVIS-CSDR-liv.8/48	Will chart	1660-10-13	VINC004478 AMIC EA/001	-
ADVIS-GCV-RV-12-201v-222v	Entail and chapel foundation deed	1690-06-21	VINC004314 AR- BMOA EA/003a	-



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADVIS-GCV-RV-13-288-294v	Will chart	1670-09-03	VINC004353 BHM EA/001	--
ADVIS-GCV-RV-4-183v-188	Will chart	1600-01-13	VINC004202 IAV EA/003aa	-
ADVIS-GCV-RV-7-37v-42v	Dowry deed	1690-11-18	VINC004253 MBSMPP EA/001	-
ADVIS-GCV-RV-8-398-402	Will chart	1660-06-27	VINC004199 GR-CHFA EA/001a	-
ADVIS-GCV-RV-9-238-248v	Will	1700-04-04	VINC004299 MPF EA/001	-
ADVIS-ML-cx.10-74-2-6v	Chapel foundation deed	1650-05-24	VINC004491 JAP EA/001a	

Arquivo Distrital de Vila Real (ADVRL)

Abbreviations:

ADVRL-FTH – Arquivo Distrital de Vila Real, Família Teixeira Homem (1472-1974)

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
ADVRL-FTH-02-16	Will	1560-10-13	VINC004248 FRJRC EA/001	PT/ADVRL/FAM/FTH/B-A/007/116

Aquivo Histórico Ultramarino (AHU)

Abbreviations:

AHU-CU-BA – Arquivo Histórico Ultramarino, Conselho Ultramarino, Bahia

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
AHU-CU-BA-40-3642	Will (extract)	1700-12-09	VINC000534 ABB EA/001	http://resgate.bn.br/docreader/DocReader.aspx?bib=005_BA_AV&pesq=3642&pagfis=25451
AHU-CU-BA-157-11991	Will (extract)	1660-00-00	VINC000414 DAP EA/001	http://resgate.bn.br/docreader/DocReader.aspx?bib=005_BA_AV&pesq=11991&pagfis=98081
AHU-CU-BA-157-11991	Codicil (extract)	1660-00-01	VINC000414 DAP EA/001a	http://resgate.bn.br/docreader/DocReader.aspx?bib=005_BA_AV&pesq=11991&pagfis=98082



Arquivo da Universidade de Coimbra (AUC)

Abbreviations:

AUC-PCC – Arquivo da Universidade de Coimbra, Provedoria da Comarca de Coimbra

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
AUC-PCC-108-360	Will (extract)	1680-00-00	VINC003915 PNS EA/001	-
AUC-PCC-109-389-389v	Court sentence	1700-12-04	VINC003913 MHMM EA/002	-

Biblioteca Nacional de Portugal (BNP)

Abbreviations:

BNP-ACVB – Biblioteca Nacional de Portugal, Botelho, Condes e Viscondes do (séc. XI-V-XX)

BNP-ALB – Biblioteca Nacional de Portugal, Arquivo Almada Lencastre Basto

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
BNP-ACVB-009-0011	Chapel foundation deed	1485-04-22	VINC000238 GVCBBV EA/003	-
BNP-ACVB-009-0017-2-3v	Will (extract)	1348-01-10	VINC000015 VAV EA/004ba	-
BNP-ALB/ANTT/PAS-TA 35/CX. 4/Doc. 678/Fls. 34v-40v	Will	1457-06-18	VINC004098 IV EA/001baa	-



Biblioteca Pública e Arquivo Regional Luís da Silva Ribeiro (BPARLSR)

Abbreviations:

BPARLSR-GCAH-RV – Biblioteca Pública e Arquivo Regional Luís da Silva Ribeiro, Registo Vincular

BPARLSR-PRCIT – Biblioteca Pública e Arquivo Regional Luís da Silva Ribeiro, Provedoria dos Resíduos e Capelas da Ilha Terceira

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
BPARLSR-GCAH-RV-3-1-8v	Will	1690-08-16	VINC003944 AR-FAIFCR EA/001a	-
BPARLSR-GCAH-RV-4-52v-54	Will	1640-07-07	VINC003950 LC EA/001	-
BPARLSR-GCAH-RV-4-56-58	Will	1600-05-22	VINC003951 BML EA/001	-
BPARLSR-GCAH-RV-4-70-70v	Dowry deed	1610-11-13	VINC003952 IC EA/002	-
BPARLSR-GCAH-RV-4-83-86v	Will	1640-09-30	VINC003954 LV EA/001	-
BPARLSR-GCAH-RV-4-86v-89	Codicil	1640-11-19	VINC003954 LV EA/001b	-
BPARLSR-GCAH-RV-4A-27-30	Will	1700-05-26	VINC003959 GMB EA/001a	-
BPARLSR-GCAH-RV-7-1-77v	Will	1650-03-14	VINC003966 JAMBS EA/001	-
BPARLSR-GCAH-RV-7-24v-26v	Declaration deed	1656-01-16	VINC003966 JAMBS EA/001i	-
BPARLSR-GCAH-RV-10-130-133v	Will	1590-04-26	VINC003980 IMIMNSAG EA/001a	-
BPARLSR-GCAH-RV-14A-93v-94v	Court sentence	1575-00-00	VINC004003 FDCCN EA/002c	-
BPARLSR-GCAH-RV-14A-94v-95	Acórdão em relação	1575-03-10	VINC004003 FDCCN EA/002d	-
BPARLSR-GCAH-RV-14-216-219	Will	1550-08-07	VINC003996 MTCC EA/003aa	-
BPARLSR-GCAH-RV-15-46v-54v	Will	1520-02-01	VINC004005 ADS EA/001	-
BPARLSR-PRCIT-1-116v-120	Will	1530-03-21	VINC004025 AMCO EA/001	-
BPARLSR-PRCIT-1-1-3v	Will chart	1570-06-01	VINC004020 BM EA/001	-
BPARLSR-PRCIT-1-221-237v	Will	1550-04-04	VINC004148 MF EA/001	-



Biblioteca Pública e Arquivo Regional de Ponta Delgada (BPARPD)

Abbreviations:

BPARPD-GCPD-RV – Biblioteca Pública e Arquivo Regional de Ponta Delgada, Registo Vincular

BPARPD-MEC – Biblioteca Pública e Arquivo Regional de Ponta Delgada, Manuscritos Ernesto do Canto

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
BPARPD-GCPD-RV-2-88v-95v	Dowry deed	1570-09-02	VINC001652 DVCBR EA/001a	-
BPARPD-GCPD-RV-2-9-16	Will chart	1640-08-17	VINC001502 ALFMP EA/001	-
BPARPD-GCPD-RV-4-106-112	Will chart	1530-09-11	VINC001956 JDC EA/001	-
BPARPD-GCPD-RV-4-177v-192v	Will chart	1620-05-23	VINC001478 AFALF EA/001	-
BPARPD-GCPD-RV-5-132-142v	Will chart	1520-03-22	VINC001580 CAAG EA/001a	-
BPARPD-GCPD-RV-7-111v-120	Will chart	1630-07-29	VINC001512 APSAR EA/001	-
BPARPD-GCPD-RV-7-96v-105	Will	1620-03-26	VINC001533 BMC EA/001aa	-
BPARPD-GCPD-RV-15-60v-63	Will	1520-08-22	VINC001867 IM EA/001a	-
BPARPD-GCPD-RV-15-131-136	Will	1690-03-30	VINC001941 JAA EA/001a	-
BPARPD-MEC-81-81-83	Will chart	1540-07-03	VINC004215 FQ EA/001a	-
BPARPD-MEC-81-105v-112	Will chart	1530-08-13	VINC004220 GRMP EA/001aa	-
BPARPD-MEC-81-158-159	Will	1550-05-02	VINC004225 SA EA/001a	-
BPARPD-MEC-81-162-163v	Will	1570-06-26	VINC004226 SG EA/001a	-
BPARPD-MEC-150-60-65	Will	1550-11-07	VINC006752 PFG EA/001aa	-
BPARPD-MEC-150-130-138	Will	1560-08-26	VINC006756 CVBP EA/001aaa	-
BPARPD-MEC-150-192v-197	Will chart	1560-10-16	VINC006760 CGRTV EA/001aa	-



Instituto Nacional do Arquivo de Cabo Verde (INACV)

Abbreviations:

IANCV-SGG – Fundo da Secretaria-Geral de Governo de Cabo Verde

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
IANCV-SGG- -E3-741-26-28	Will (extract)	1620-00-00	VINCO06812 CFBF EA/001a	-
IANCV-SGG- -E3-741-27-28	Will (extract)	1620-00-00	VINCO06813 CFBSPB EA/001a	-

Secretaria-Geral do Ministério da Administração Interna (SGMAI)

Abbreviations:

SGMAI-GCVC-RV – Secretaria-Geral do Ministério da Administração Interna, Governo Civil de Viana do Castelo, Registo Vincular

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
SGMAI-GCVC-RV- -9608-50v-53v	Entail or chapel foundation deed	1550-08-03	VINC005212 AS EA/001	PT/SGMAI/GCVCT/N- -A/001/9924

Torre do Tombo (TT)

Abbreviations:

TT-AA-RA – Arquivo do Arquivo, Livros de Registo

TT-CA – Casa de Abrantes

TT-C-A5 – Chancelaria Régia, D. Afonso V

TT-C-M – Chancelaria régia, D. Manuel I

TT-C-J3-D – Chancelaria Régia, D. João III, Doações, Ofícios e Mercês

TT-C-J3-P – Chancelaria Régia, D. João III, Privilégios

TT-C-SH-P – Chancelaria Régia, D. Sebastião e D. Henrique, Privilégios

TT-C-F1-D – Chancelaria Régia, D. Filipe I, Doações, Ofícios e Mercês

TT-C-F2 – Chancelaria Régia, D. Filipe II

TT-C-F3-D – Chancelaria Régia, D. Filipe III, Doações, Ofícios e Mercês

TT-CNSCL – Convento de Nossa Senhora do Carmo de Lisboa

TT-CNSGL – Convento de Nossa Senhora da Graça de Lisboa



TT-CSEL – Convento de S. Elói de Lisboa
 TT-CSFL – Convento de S. Francisco de Lisboa
 TT-FC-CC – Feitos da Coroa, Capelas da Coroa
 TT-FC-TD – Feitos da Coroa, Tombos e Demarcações
 TT-FSC – Família Sinel de Cordes
 TT-GCL-RV – Governo Civil de Lisboa, Registo Vincular
 TT-HSJ – Hospital de São José
 TT-IMC-NA – Instituição de Morgados e Capelas, Núcleo Antigo
 TT-LN – Leitura Nova
 TT-MC-V-CBR – Morgados e Capelas, Vínculos, Coimbra
 TT-MC-V-CTB – Morgados e Capelas, Vínculos, Castelo Branco
 TT-MC-V-FUN – Morgados e Capelas, Vínculos, Funchal
 TT-MC-V-LSB – Morgados e Capelas, Vínculos, Lisboa
 TT-MC-V-PDL – Morgados e Capelas, Vínculos, Ponta Delgada
 TT-MC-V-STR – Morgados e Capelas, Vínculos, Santarém
 TT-MSDL – Mosteiro de São Domingos de Lisboa

Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-AA-RA-2-59v-69	Acórdão em Relação	1690-07-01	VINC001199 AAMF EA/001aa	PT/TT/AA/002/0002
TT-AA-RA-2-70-70v	Acórdão	1689-11-10	VINC000052 SEP EA/004aa	PT/TT/AA/002/0002
TT-AA-RA-2-70v	Acórdão	1690-08-26	VINC000052 SEP EA/004ab	PT/TT/AA/002/0002
TT-AA-RA-2-130-131	Acórdão	1650-04-09	VINC000959 CE EA/005ad	PT/TT/AA/002/0002
TT-AA-RA-2-147-147v	Will chart	1434-01-18	VINC000669 JB EA/003aaca	PT/TT/AA/002/0002
TT-AA-RA-2-173v-174	Will (extract)	1492-00-00	VINC000364 PLLC EA/004aaa	PT/TT/AA/002/0002
TT-AA-RA-2-177v-181	Acórdão	1691-07-28	VINC000028 GSBEMS EA/006aaa	PT/TT/AA/002/0002
TT-AA-RA-2-181-182v	Acórdão	1692-08-20	VINC000028 GSBEMS EA/006aab	PT/TT/AA/002/0002
TT-AA-RA-3-091v-092v	Will chart	1480-05-10	VINC000093 LM EA/003aaa	PT/TT/AA/02
TT-AA-RA-3-107v-108	Acórdão em Relação	1700-02-04	VINC002238 MPJR EA/002ab	PT/TT/AA/02
TT-AA-RA-3-109v	Acórdão	1700-05-08	VINC001455 LMCR EA/002aa	PT/TT/AA/02
TT-AA-RA-3-111v-112	Acórdão em Relação	1700-05-18	VINC001297 SMMP EA/005aa	PT/TT/AA/02
TT-AA-RA-3-112v-114v	Exemplification of a will	1467-12-21	VINC000680 GM EA/004aaaa	PT/TT/AA/02



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-AA-RA-3-115v-116	Acórdão em Relação	1699-06-26	VINC000680 GM EA/004ab	PT/TT/AA/02
TT-AA-RA-3-116	Acórdão em Relação	1700-05-18	VINC000680 GM EA/004ac	PT/TT/AA/02
TT-AA-RA-3-117	Acórdão em Relação	1700-06-12	VINC001299 ACCB EA/002aa	PT/TT/AA/02
TT-AA-RA-3-118v-119v	Acórdão	1621-08-17	VINC001295 PP EA/002aa	PT/TT/AA/02
TT-AA-RA-3-119v	Acórdão em Relação	1700-07-20	VINC001295 PP EA/002ab	PT/TT/AA/02
TT-AA-RA-3-122v-123	Acórdão	1694-07-06	VINC000816 LF EA/002ac	PT/TT/AA/02
TT-AA-RA-3-123	Acórdão	1700-03-30	VINC000816 LF EA/002ad	PT/TT/AA/02
TT-AA-RA-3-124-124v	Acórdão	1700-07-15	VINC000673 PNS EA/003aa	PT/TT/AA/002/0003
TT-AA-RA-3-129-129v	Acórdão em Relação	1700-04-03	VINC000832 FRCJ EA/002ad	PT/TT/AA/02
TT-AA-RA-3-130v	Acórdão	1700-07-15	VINC002150 MENG EA/001aa	PT/TT/AA/02
TT-AA-RA-3-135v	Acórdão	1700-02-25	VINC000987JM EA/002ad	PT/TT/AA/02
TT-AA-RA-3-149-150	Will	1493-09-06	VINC000387 CESN EA/002aaa	PT/TT/AA/TT/002/0003
TT-AA-RA-3-162v-164v	Donation deed	1600-05-01	VINC000844 JRC EA/001aaaa	PT/TT/AA/02
TT-AA-RA-3-164v-165v	Will chart	1590-11-07	VINC000844 JRC EA/001aaab	PT/TT/AA/02
TT-AA-RA-3-183-185	Will chart	1620-01-20	VINC000944 JD EA/002a	PT/TT/AA/02
TT-AA-RA-3-236v-237	Will	1620-10-23	VINC000947 ADMAM EA/004	PT/TT/AA/002/0003
TT-AA-RA-3-274-275	Will	1487-07-09	VINC000685 LN EA/001b	PT/TT/AA/02
TT-AA-RA-3-279	Will	1530-10-10	VINC000731 JF EA/002	PT/TT/AA/02
TT-AA-RA-3-311-312v	Will	1427-10-28	VINC000668 JAB EA/004	PT/TT/AA/02
TT-AA-RA-3-329v-332	Will	1325-10-22	VINC000652 AEL EA/004a	PT/TT/AA/TT/002/0003
TT-AA-RA-3-392v-393v	Will	1540-03-25	VINC000738 LPFL EA/002a	PT/TT/AA/02
TT-AA-RA-4-32v-35	Will	1540-06-12	VINC000405 ARC EA/001	PT/TT/AA/002/0004
TT-AA-RA-4-44v-45v	Verba do testamento	1448-07-21	VINC000057 MV EA/003baa	PT/TT/AA/002/0004



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-AA-RA-4-57	Acórdão	1568-04-30	VINC000780 JL EA/008	PT/TT/AA/002/0004
TT-AA-RA-4-204-205v	Will	1351-12-12	VINC000661 VACEACCM EA/001a	PT/TT/AA/002/0004
TT-AA-RA-4-239-240v	Chapel foundation deed	1311-10-23	VINC003118 LMMM EA/004aa	PT/TT/AA/002/0004
TT-AA-RA-4-308-310v	Entail foundation deed	1640-03-17	VINC001039 FSM EA/002aaba	PT/TT/AA/002/0004
TT-AA-RA-5-38v-39v	Will	1387-01-29	VINC000660 VDF EA/001baaa	PT/TT/AA/002/0005
TT-AA-RA-5-56v-58	Will chart	1590-03-03	VINC000839 FS EA/001a	PT/TT/AA/002/0005
TT-AA-RA-6-266v-267	Royal sentence	1423-04-15	VINC000052 SEP EA/007baa	PT/TT/AA/002/0006
TT-AA-RA-7-95-96	Will	1327-08-13	VINC000653 CEP EA/005a	PT/TT/AA/002/0007
TT-AA-RA-7-134v-135v	Will chart	1590-01-08	VINC000838 MFCR EA/001	PT/TT/AA/002/0007
TT-AA-RA-7-160-161	Chapel foundation deed	1610-09-11	VINC000899 FRMA EA/003a	PT/TT/AA/002/0007
TT-AA-RA-7-223v-224	Will	1500-01-04	VINC000695 NM EA/001a	PT/TT/AA/002/0007
TT-AA-RA-7-226-227	Will	1540-06-03	VINC000739 LDLD EA/001b	PT/TT/AA/002/0007
TT-AA-RA-7-240-241v	Will chart	1580-07-03	VINC000837 ACIA EA/001	PT/TT/AA/002/0007
TT-AA-RA-7-255v-256	Will chart	1560-02-27	VINC000784 BT EA/001a	PT/TT/AA/002/0007
TT-AA-RA-7-257v	Court sentence	1596-03-21	VINC000784 BT EA/001f	PT/TT/AA/002/0007
TT-AA-RA-7-267v-268	Will chart	1640-10-23	VINC001042 DM EA/001a	PT/TT/AA/002/0007
TT-AA-RA-8-34-35v	Will chart	1590-07-30	VINC000842 NVIC EA/001	PT/TT/AA/002/0008
TT-AA-RA-8-464-465v	Will	1460-02-29	VINC000311 MGOBG EA/001	PT/TT/AA/002/0008
TT-AA-RA-9-3-3v	Donation deed	1331-11-15	VINC000648 AEME EA/001a	PT/TT/AA/002/0009
TT-AA-RA-9-7-8	Will chart	1510-06-08	VINC000698 PEP EA/001a	PT/TT/AA/002/0009
TT-AA-RA-9-46v-47v	Will chart	1640-06-24	VINC001040 JCM EA/002aa	PT/TT/AA/002/0009
TT-AA-RA-9-49v-51v	Dowry deed	1610-04-03	VINC000898 MPMR EA/001	PT/TT/AA/002/0009



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TT-AA-RA-9-276-278	Will chart	1520-09-04	VINC000707 AEV EA/001a	PT/TT/AA/002/0009
TT-AA-RA-12-41-43	Will chart	1630-04-26	VINC000998 CSPPM EA/001a	PT/TT/AA/002/0012
TT-AA-RA-12-44v-46v	Will chart	1640-02-13	VINC000998 CSPPM EA/002	PT/TT/AA/002/0012
TT-AA-RA-13-177-190v	Will chart	1560-11-08	VINC000764 AOBV EA/002	PT/TT/AA/002/0013
TT-AA-RA-13-191v-193	Codicil	1560-12-03	VINC000764 AOBV EA/005	PT/TT/AA/002/0013
TT-AA-RA-13-317v-318	Will (extract)	1580-09-24	VINC000817 JAB EA/002a	PT/TT/AA/002/0013
TT-AA-RA-13-378v-382v	Will chart	1620-06-19	VINC000946 DFDB EA/002a	PT/TT/AA/002/0013
TT-AA-RA-15-133-138v	Will	1670-12-29	VINC001136 DVb EA/001aaa	PT/TT/AA/002/0015
TT-AA-RA-16-145-151	Entail foundation deed	1378-09-09	VINC005656 ADBMDPA EA/002	PT/TT/AA/002/0016
TT-AA-RA-17-2-3v	Will chart	1580-09-25	VINC000819 BFAA EA/001	PT/TT/AA/002/0017
TT-AA-RA-18-288-290	Will	1494-06-13	VINC000692 FGIE EA/001	PT/TT/AA/002/0018
TT-AA-RA-21-350-351	Will	1660-09-27	VINC001102 STV EA/001	PT/TT/AA/002/0021
TT-AA-RA-23-214v-215	Will	1660-12-27	VINC001246 PN EA/003	PT/TT/AA/002/0023
TT-AA-RA-26-19-20	Will chart	1700-02-20	VINC001290 JC EA/001	PT/TT/AA/002/0026
TT-AA-RA-27-334v-336	Entail foundation deed	1670-08-16	VINC001134 JMCAS EA/002	PT/TT/AA/002/0027
TT-AA-RA-29-328v-329v	Will (extract)	1441-08-09	VINC005414 MSMA EA/001a	PT/TT/AA/002/0029
TT-AA-RA-30-243-246	Will chart	1530-09-04	VINC000719 PGLV EA/001aa	PT/TT/AA/002/0030
TT-AA-RA-30-331-332v	Declaration deed	1610-10-01	VINC000900 ADV EA/001	PT/TT/AA/002/0030
TT-AA-RA-31-311-312v	Will chart	1670-10-28	VINC001135 MC EA/001a	PT/TT/AA/002/0031
TT-AA-RA-32-244-247	Will chart	1550-01-20	VINC000748 FEHD EA/001a	PT/TT/AA/002/0032
TT-AA-RA-33-132v-135	Dowry deed	1494-01-03	VINC000691 RR EA/002a	PT/TT/AA/002/0033
TT-AA-RA-33-299-302	Entail foundation deed	1570-11-18	VINC000786 RM EA/002a	PT/TT/AA/002/0033



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TT-AA-RA-35-192-192v	Will chart	1700-01-15	VINC001285 MPAGM EA/001	PT/TT/AA/002/0035
TT-AA-RA-39-112v-118v	Entail foundation deed	1690-02-22	VINC001198 FMP EA/001a	PT/TT/AA/002/0039
TT-AA-RA-39-223v-225v	Entail foundation deed	1640-10-17	VINC001041 MACFC EA/001a	PT/TT/AA/002/0039
TT-AA-RA-42-34-37	Will chart	1335-02-15	VINC000654 MG EA/001aa	PT/TT/AA/002/0042
TT-AA-RA-43-10	Will (extract)	1475-01-18	VINC000682 RE EA/001aa	PT/TT/AA/002/0043
TT-AA-RA-43-89v-92	Will	1560-10-16	VINC000705 RGMFRIR EA/001ba	PT/TT/AA/002/0043
TT-AA-RA-44-3v-5v	Will chart	1409-07-27	VINC000673 PNS EA/001aa	PT/TT/AA/TT/002/0044
TT-AA-RA-47-248-249	Will chart	1630-01-22	VINC000995 PFPDF EA/001aa	PT/TT/AA/002/0047
TT-AA-RA-48-110-112v	Will chart	1550-11-25	VINC000749 CRC EA/001	PT/TT/AA/002/0048
TT-AA-RA-48-250-251	Will chart	1346-10-26	VINC000658 ME EA/001a	PT/TT/AA/002/0048
TT-AA-RA-49-355-358	Entail foundation deed	1640-01-17	VINC001037 ACMAC EA/001	PT/TT/AA/002/0049
TT-AA-RA-52-1v-3v	Will chart	1530-09-09	VINC000720 MD EA/002a	PT/TT/AA/002/0052
TT-AA-RA-56-110v-111v	Chapel foundation deed	1610-03-24	VINC000897 BGPAG EA/002	PT/TT/AA/002/0056
TT-CA-086-257-4841-29-32v	Will	1427-00-00	VINC000058 TEF EA/001aa	PT/TT/CABT/002/0257/004841
TT-CA-086-259-4843-28v-32v	Will (extract)	1446-00-00	VINC001635 LMAV EA/004b	PT/TT/CABT/002/0259/004843
TT-CA-086-259-4843-33-40	Codicil	1452-05-02	VINC001635 LMAV EA/004c	PT/TT/CABT/002/0259/004843
TT-CA-086-259-4843-5-28	Will (extract)	1446-06-14	VINC001635 LMAV EA/004a	PT/TT/CABT/002/0259/004843
TT-CA-103-727	Will	1495-01-01	VINC000287 LCB EA/006	PT/TT/CABT/0103/00727
TT-CA-22-67-1279	Confirmation letter	1308-08-20	VINC000005 JMSSE EA/001a	PT/TT/CABT/E/0067/001279
TT-CA-22-67-1279	Entail foundation deed	1329-08-17	VINC000014 JABGMV EA/001a	PT/TT/CABT/E/0067/001279



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-CA-23-70-1323	Donation deed	1304-05-13	VINC000003 JMSVE EA/001a	PT/TT/CABT/E/0070/01332
TT-C-A5-32-26-28	Entail foundation deed	1470-01-27	VINC001927 GB EA/001aa	PT/TT/CHR/I/0032
TT-C-A5-32-29	Declaration and addition deed	1479-10-30	VINC001927 GB EA/001ad	PT/TT/CHR/I/0032
TT-C-FI-D-25-143-146	Entail foundation and donation deed	1590-11-08	VINC001420 ASFT EA/002aa	PT/TT/CHR/N/001/0025/14201
TT-C-F-2-3-7	Will	1349-01-25	VINC000019 GETLRV EA/001aaa	PT/TT/CHR/F/001/0002
TT-C-F-2-42-42v	Donation deed	1379-04-20	VINC000029 GVCLG EA/001a	PT/TT/CHR/F/001/0002
TT-C-F3-D-24-231v-236v	Entail foundation deed	1630-04-02	VINC002018 JLGMNALG EA/001ab	PT/TT/CHR/P/1/24
TT-C-F3-D-24-236v-238	Declaration and addition deed	1630-08-06	VINC002018 JLGMNALG EA/001ac	PT/TT/CHR/P/1/24
TT-C-J3-D-29-63-64	Will	1466-04-25	VINC000326 REFR EA/002aba	PT/TT/CHR/L/1/29
TT-C-J3-D-40-169-170v	Entail foundation deed	1540-06-23	VINC000830 FFL EA/001aa	PT/TT/CHR/L/1/40
TT-C-J3-D-40-236v-237	Entail foundation deed	1540-09-23	VINC001331 TI EA/001a	PT/TT/CHR/L/1/40
TT-C-J3-D-52-110	Will (extract)	1510-06-22	VINC001338 AEQ EA/001aaa	PT/TT/CHR/L/1/52
TT-C-J3-P-1-41-41v	Will	1228-12-12	VINC001316 FMA EA/001aba	PT/TT/CHR/L/3/1
TT-C-M-41-37v-38	Will	1309-05-15	VINC000994 GLUP EA/001aa	PT/TT/CHR/K/41/37-400V
TT-CNSCL-090-45-46	Donation deed	1620-08-03	VINC007403 CC EA/002a	PT/TT/CNSCRL/005/0001
TT-CNSCL-090-81v-82	Will (extract)	1640-09-26	VINC007407 GT EA/001	PT/TT/CNSCRL/005/0001
TT-CNSCL-090-82-82v	Will (extract)	1464-10-08	VINC007410 HA EA/001	PT/TT/CNSCRL/005/0001
TT-CNSCL-090-120-120v	Will (extract)	1560-10-17	VINC007422 JACF EA/001	PT/TT/CNSCRL/005/0001
TT-CNSCL-090-129-129v	Will (extract)	1439-09-30	VINC000197 CVBL EA/001	PT/TT/CNSCRL/005/0001
TT-CNSGL-001-062v-063v	Will	1495-04-02	VINC000242 GS EA/001	PT/TT/CNSGL/L001
TT-CNSGL-001-70v-72v	Chapel foundation deed	1410-08-26	VINC002454 GLGILB EA/003aa	PT/TT/CNSGL/L001
TT-CSEL-021	Will	1495-09-14	VINC000320 PBIE EA/001	PT/TT/CSEL/6/L21



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TT-CSFL-001-238-238v	Dowry deed (extract)	1590-12-07	VINC006473 BASA EA/001a	PT/TT/CSFL/002/0001
TT-CSFL-002-178-178v	Sentence	1650-02-14	VINC004975 FTMH EA/006	PT/TT/CSFL/002/0002
TT-CSFL-003-112-112v	Will (extract)	1590-04-12	VINC006113 IJFR EA/001	PT/TT/CSFL/002/0003
TT-CSFL-003-171-172	Will (extract)	1428-09-15	VINC000248 IPV EA/001	PT/TT/CSFL/002/0003
TT-CSFL-003-270-270v	Will (extract)	1650-10-10	VINC007217 IT EA/004a	PT/TT/CSFL/002/0003
TT-CSFL-003-308-309	Will (extract)	1620-12-13	VINC007237 JB EA/001	PT/TT/CSFL/002/0003
TT-CSFL-003-323v-324	Will (extract)	1580-06-05	VINC007238 ISHM EA/001	PT/TT/CSFL/002/0003
TT-CSFL-003-348-348v	Will (extract)	1610-09-25	VINC007239 IT EA/001a	PT/TT/CSFL/002/0003
TT-CSFL-m027-d002	Will	1477-08-30	VINC000264 JABP EA/001	PT/TT/CSFL/008/0021/00002
TT-C-SH-P-9-45-47	Royal sentence	1568-11-18	VINC001230 JFAA EA/003ab	PT/TT/CHR/M/3/9
TT-CSL-47-29-34v	Donation deed	1317-04-28	VINC000009 GD EA/007	PT/TT/CSLM/005/L047
TT-FC-CC-1-10-13	Will	1363-05-27	VINC000134 CVMEL EA/001a	PT/TT/FC/7/1
TT-FC-CC-1-10-13	Will	1363-05-27	VINC001231 BPMEL EA/002a	PT/TT/FC/7/1
TT-FC-CC-1-13-14	Entail foundation deed	1352-09-15	VINC000134 CVMEL EA/001baa	PT/TT/FC/7/1
TT-FC-CC-1-28-28v	Will	1470-07-18	VINC003808 JP EA/003	PT/TT/FC/7/1
TT-FC-CC-1-28v-29	Will	1487-06-30	VINC003893 JPPATLA EA/001a	PT/TT/FC/7/1
TT-FC-CC-1-34v-35	Will chart	1570-04-10	VINC002252 MR EA/003a	PT/TT/FC/7/1
TT-FC-CC-1-39v-40	Will	1363-03-31	VINC000144 VEF EA/013aaa	PT/TT/FC/7/1
TT-FC-CC-1-52v-53v	Will	1363-03-31	VINC003878 VEFAD EA/001aaa	PT/TT/FC/7/1
TT-FC-CC-1-62-64	Will	1377-04-09	VINC000362 FDBJRB EA/001a	PT/TT/FC/7/1
TT-FC-CC-1-62-64	Will	1377-04-09	VINC000979 FDB EA/002a	PT/TT/FC/7/1
TT-FC-CC-1-89	Will (extract)	1347-00-00	VINC001834 GERE EA/005a	PT/TT/FC/7/1



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TT-FC-CC-1-102	Acórdão em relação	1620-00-00	VINC002131 MDGD EA/005e	PT/TT/FC/7/1
TT-FC-CC-1-102v-103v	Will	1377-04-09	VINC001765 FDBPG EA/002a	PT/TT/FC/7/1
TT-FC-CC-1-105	Court sentence	1530-00-00	VINC001765 FDBPG EA/002ea	PT/TT/FC/7/1
TT-FC-CC-1-105-105v	Acórdão	1536-00-00	VINC001765 FDBPG EA/002eb	PT/TT/FC/7/1
TT-FC-CC-1-135-135v	Will chart	1486-00-00	VINC002188 MLNG EA/005aa	PT/TT/FC/7/1
TT-FC-CC-1-135v	Donation deed	1487-06-15	VINC002188 MLNG EA/005ab	PT/TT/FC/7/1
TT-FC-CC-1-158v-159v	Will	1453-07-10	VINC002401 VL EA/003aaa	PT/TT/FC/7/1
TT-FC-CC-1-212-212v	Will	1363-04-05	VINC002396 VEG EA/019a	PT/TT/FC/7/1
TT-FC-CC-1-227	Will	1344-08-11	VINC001392 ADB EA/002a	PT/TT/FC/7/1
TT-FC-CC-1-227-227v	Acórdão em relação	1499-03-14	VINC001392 ADB EA/002b	PT/TT/FC/7/1
TT-FC-CC-1-228v-229	Acórdão em relação	1467-02-13	VINC001240 MSAO EA/005bc	PT/TT/FC/7/1
TT-FC-CC-1-228v-229	Acórdão em relação	1467-01-20	VINC001240 MSAO EA/005bd	PT/TT/FC/7/1
TT-FC-CC-1-229	Court sentence (extract)	1553-00-00	VINC001240 MSAO EA/005c	PT/TT/FC/7/1
TT-FC-CC-1-230	Court sentence	1575-03-12	VINC001240 MSAO EA/005g	PT/TT/FC/7/1
TT-FC-CC-1-233-233v	Will (extract)	1375-11-19	VINC003731 GLSA EA/003aa	PT/TT/FC/007/00001
TT-FC-CC-1-234-234v	Will	1366-03-11	VINC001620 JFCD EA/003a	PT/TT/FC/007/00001
TT-FC-CC-1-302-303	Will	1372-01-05	VINC000642 JDGEC EA/004a	PT/TT/FC/7/1
TT-FC-CC-1-315v-316v	Will chart	1464-02-01	VINC002348 RV EA/002a	PT/TT/FC/7/1
TT-FC-CC-1-316v-317v	Will chart	1515-04-10	VINC002348 RV EA/002c	PT/TT/FC/7/1
TT-FC-CC-1-319-320	Will	1487-12-01	VINC001841 GRLA EA/008aa	PT/TT/FC/7/1
TT-FC-CC-1-323v-324v	Will chart	1381-10-12	VINC001487 AD EA/003aa	PT/TT/FC/7/1
TT-FC-CC-1-324v-325	Acórdão em relação	1568-00-00	VINC001487 AD EA/003d	PT/TT/FC/7/1



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TT-FC-CC-2-19-19v	Exemplification of a will (extract)	1469-07-01	VINC002146 MEG EA/008a	PT/TT/FC/7/2
TT-FC-CC-2-37	Will (extract)	1461-00-00	VINC002232 MERMT EA/013aa	PT/TT/FC/7/2
TT-FC-CC-2-49v-50	Will (extract)	1363-02-04	VINC001683 EA EA/002aa	PT/TT/FC/005/276
TT-FC-CC-2-60-62	Will	1372-05-02	VINC001978 JLB EA/006ab	PT/TT/FC/7/2
TT-FC-CC-2-87v	Will	1520-05-03	VINC001688 EG EA/004aa	PT/TT/FC/7/2
TT-FC-CC-2-89v-90v	Will	1477-08-13	VINC002035 LL EA/003aa	PT/TT/FC/7/2
TT-FC-CC-2-90v	Codicil	1481-01-07	VINC002035 LL EA/003ab	PT/TT/FC/7/2
TT-FC-CC-2-90v-91	Will	1483-10-13	VINC002035 LL EA/003ba	PT/TT/FC/7/2
TT-FC-CC-2-102-103	Will	1433-07-16	VINC002405 VMAHW EA/006aa	PT/TT/FC/7/2
TT-FC-CC-2-114-114v	Exemplification of a will	1370-08-11	VINC001322 ADB EA/007a	PT/TT/FC/7/2
TT-FC-CC-2-164-164v	Will	1389-04-25	VINC001623 JPCP EA/006aa	PT/TT/FC/7/2
TT-FC-CC-2-172-172v	Will	1348-12-20	VINC001690 EMF EA/009aa	PT/TT/FC/7/2
TT-FC-CC-2-181-181v	Will	1444-07-18	VINC001619 CD EA/004a	PT/TT/FC/7/2
TT-FC-CC-2-213-213v	Will	1382-03-08	VINC002230 MAP EA/015a	PT/TT/FC/7/2
TT-FC-CC-2-222	Entail foundation deed	1349-07-10	VINC002045 LPDE EA/002aa	PT/TT/FC/7/2
TT-FC-CC-2-228v-229	Royal sentence	1441-02-05	VINC002239 MPG EA/005b	PT/TT/FC/7/2
TT-FC-CC-2-244-244v	Will (extract)	1456-06-24	VINC003034 CEJC EA/008a	PT/TT/FC/7/2
TT-FC-CC-2-290	Will	1462-09-12	VINC001919 JACLC EA/004a	PT/TT/FC/7/2
TT-FC-CC-2-296v	Will (extract)	1540-04-08	VINC002122 MES EA/005a	PT/TT/FC/7/2
TT-FC-CC-2-298	Will	1344-10-15	VINC000657 GV EA/005a	PT/TT/FC/7/2
TT-FC-CC-2-303-303v	Will	1377-05-15	VINC001828 GEMA EA/005aa	PT/TT/FC/7/2
TT-FC-CC-2-305v	Will chart	1336-07-04	VINC001435 AG EA/004a	PT/TT/FC/7/2



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TT-FC-CC-2-313v-314	Will	1429-07-02	VINC001992 JPCER EA/002a	PT/TT/FC/7/2
TT-FC-CC-3-146v-147v	Entail foundation deed	1488-03-16	VINC003179 JS EA/002	PT/TT/FC/007/00003
TT-FC-CC-3-174v-175v	Will	1348-02-03	VINC002402 VLT EA/005aa	PT/TT/FC/007/00003/000027
TT-FC-CC-3-178v-179v	Sentence	1576-01-30	VINC002402 VLT EA/005b	PT/TT/FC/007/00003/000027
TT-FC-CC-3-209v-210	Acórdão	1597-05-07	VINC000657 GV EA/006d	PT/TT/FC/007/00003/000030
TT-FC-CC-3-263-264	Will chart	1400-10-13	VINC002446 FVGIL EA/007aa	PT/TT/FC/007/00003/000036
TT-FC-CC-3-264	Codicil	1400-11-15	VINC002446 FVGIL EA/007b	PT/TT/FC/007/00003/000036
TT-FC-CC-4-21v-22	Will	1468-01-13	VINC001700 FEA EA/001aaa	PT/TT/FC/7/4
TT-FC-CC-4-39-39v	Court sentence	1515-08-22	VINC001277 PASA EA/004a	PT/TT/FC/7/4
TT-FC-CC-4-40v	Court sentence	1548-00-00	VINC001277 PASA EA/004d	PT/TT/FC/7/4
TT-FC-CC-4-45v-46	Will	1325-12-03	VINC001686 EDTA EA/005aaa	PT/TT/FC/7/4
TT-FC-CC-4-51-51v	Will	1409-07-08	VINC000234 GEME EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-52-52v	Will	1485-06-03	VINC001921 JAC EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-57v-58	Will (extract)	1350-11-14	VINC002194 MM EA/001aaa	PT/TT/FC/007/00004
TT-FC-CC-4-59-60	Will	1493-05-20	VINC001889 IFAG EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-61-61v	Will	1493-05-20	VINC001424 AGIFIG EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-62v-64	Will	1400-01-16	VINC000194 CLGRC EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-64v-66	Will chart	1450-05-02	VINC000194 CLGRC EA/001b	PT/TT/FC/007/00004
TT-FC-CC-4-66v-67	Will	1493-04-17	VINC000194 CLGRC EA/001da	PT/TT/FC/007/00004
TT-FC-CC-4-76-77	Will	1306-08-23	VINC000649 JEPSP EA/002aa	PT/TT/FC/007/00004
TT-FC-CC-4-79v	Dowry deed	1475-03-20	VINC002028 LFJSBM EA/001a	PT/TT/FC/007/00004
TT-FC-CC-4-80v-81	Will	1471-11-26	VINC001943 JA EA/002a	PT/TT/HSJ/A-D-A/031-010/1188



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TT-FC-CC-4-92-92v	Court sentence	1547-00-00	VINC001935 JB EA/002e	PT/TT/FC/7/4
TT-FC-CC-4-93	Court sentence	1554-00-00	VINC001935 JB EA/002g	PT/TT/FC/7/4
TT-FC-CC-4-94v-96	Will	1345-11-02	VINC000377 EVFE EA/006a	PT/TT/FC/7/4
TT-FC-CC-4-115-115v	Will	1342-12-01	VINC001957 JDTR EA/003a	PT/TT/FC/7/4
TT-FC-CC-4-118v	Court sentence	1510-00-00	VINC002004 JRLA EA/004ab	PT/TT/FC/7/4
TT-FC-CC-4-121-122	Will	1580-08-27	VINC001531 BGF EA/001aa	PT/TT/FC/7/4
TT-FC-CC-4-137-138	Will	1359-03-19	VINC001681 EL EA/002aaa	PT/TT/FC/7/4
TT-FC-CC-4-148-148v	Will	1371-12-15	VINC001276 MRS EA/006a	PT/TT/FC/007/00004
TT-FC-CC-4-148v-149	Will	1380-04-14	VINC003723 MDAEGG EA/002b	PT/TT/FC/7/4
TT-FC-CC-4-171-172v	Will chart	1590-11-10	VINC001982 JMT EA/001aa	PT/TT/FC/7/4
TT-FC-CC-4-215v-218	Will chart	1580-02-05	VINC002375 SF EA/001a	PT/TT/FC/7/4
TT-FC-CC-4-246-246v	Acórdão	1547-03-29	VINC001873 EF EA/001ac	PT/TT/FC/7/4
TT-FC-CC-4-249-250v	Entail foundation deed	1450-09-26	VINC002042 LECA EA/001aa	PT/TT/FC/7/4
TT-FC-CC-4-250v	Declaration deed	1450-12-19	VINC002042 LECA EA/001ab	PT/TT/FC/7/4
TT-FC-CC-4-250v-251	Appointment letter	1450-12-31	VINC002042 LECA EA/001ac	PT/TT/FC/7/4
TT-FC-CC-4-269v-270v	Chapel foundation deed	1610-01-08	VINC001622 CLF EA/001a	PT/TT/FC/7/4
TT-FC-CC-4-282-282v	Court sentence	1507-00-00	VINC002409 VDB EA/006aa	PT/TT/FC/7/4
TT-FC-CC-4-293-294	Will	1361-06-29	VINC001235 MMB EA/001a	PT/TT/FC/7/4
TT-FC-CC-4-294	Codicil	1364-01-14	VINC001235 MMB EA/001b	PT/TT/FC/7/4
TT-FC-CC-4-294v-295	Acórdão	1591-04-05	VINC001235 MMB EA/001c	PT/TT/FC/7/4
TT-FC-CC-4-311-311v	Will chart	1342-01-04	VINC002491 PEB EA/002a	PT/TT/FC/7/4
TT-FC-CC-4-341-342	Acórdão	1463-10-05	VINC001666 DDJRR EA/002aa	PT/TT/FC/7/4
TT-FC-CC-4-345-345v	Will	1451-10-05	VINC002150 MENG EA/002a	PT/TT/FC/7/4



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TT-FC-CC-4-345v-346v	Will	1450-01-17	VINC001301 GD EA/003a	PT/TT/FC/7/4
TT-FC-CC-4-346v	Codicil	1450-02-14	VINC001301 GD EA/003b	PT/TT/FC/7/4
TT-FC-CC-4-347v-348	Court sentence	1554-00-00	VINC002150 MENG EA/002b	PT/TT/FC/7/4
TT-FC-CC-4-349v-351	Will chart	1453-00-00	VINC000640 MDC EA/002aaa	PT/TT/FC/7/4
TT-FC-CC-4-356-357v	Will	1434-10-24	VINC000959 CE EA/004aa	PT/TT/FC/7/4
TT-FC-CC-4-360v-361	Will	1496-08-07	VINC001399 AL EA/002aa	PT/TT/FC/7/4
TT-FC-CC-5-41-42	Will	1496-05-05	VINC002324 PFC EA/011a	PT/TT/FC/007/00005
TT-FC-CC-5-311v-312	Will chart	1333-06-14	VINC002328 PGJG EA/002aaaaa	PT/TT/FC/007/00005/000019
TT-FC-CC-5-325-328	Will chart	1475-05-02	VINC003122 DF EA/003a	PT/TT/FC/007/00005
TT-FC-CC-5-333-338v	Approval and addition deed	1322-10-13	VINC001684 EGSD EA/011a	PT/TT/FC/007/00005
TT-FC-CC-5-337v	Chapel foundation deed	1320-11-08	VINC001684 EGSD EA/011ab	PT/TT/FC/007/00005
TT-FC-CC-5-371-372v	Will	1454-12-31	VINC000676 GEC EA/003a	PT/TT/FC/007/00005/000023
TT-FC-CC-5-458-460	Will	1404-10-30	VINC000028 GSBEMS EA/005aa	PT/TT/LN/0024
TT-FC-CC-5-493v-496	Will	1368-11-17	VINC000664 LA EA/004aa	PT/TT/FC/007/00005/000036
TT-FC-CC-6-89-89v	Acórdão em relação	1630-01-23	VINC001244 JLFB EA/005	PT/TT/FC/007/00006/000008
TT-FC-CC-6-109v-111v	Will	1390-08-13	VINC001716 FGS EA/012aa	PT/TT/FC/007/00006
TT-FC-CC-6-302v-304	Will	1412-08-18	VINC000186 CEPEMP EA/009aaa	PT/TT/FC/007/00006
TT-FC-TD-272-137v-141	Entail foundation deed	1430-08-04	VINC000116 GLMJG EA/004a	PT/TT/FC/005/272
TT-FC-TD-272-317v-323v	Court sentence	1437-06-15	VINC006264 NRJG EA/001c	PT/TT/FC/005/272
TT-FC-TD-272-351v-352v	Will chart	1429-05-12	VINC002236 MLSA EA/002aa	PT/TT/FC/005/272
TT-FC-TD-272-431-440	Will	1302-05-28	VINC000002 GGP EA/001aa	PT/TT/FC/005/272
TT-FC-TD-272-694-698v	Will	1438-06-24	VINC003917 BVVB EA/003aa	PT/TT/FC/005/272
TT-FC-TD-274-19v-21v	Will	1478-05-15	VINC002535 IRG EA/003aa	PT/TT/FC/005/274



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TT-FC-TD-274-33-38v	Royal sentence	1499-07-10	VINC001292 IC EA/005b	PT/TT/FC/005/274
TT-FC-TD-274-68-69	Will (extract)	1378-07-24	VINC001060 LMA EA/011aa	PT/TT/FC/005/274
TT-FC-TD-274-79v-80	Will chart	1488-08-05	VINC006266 SVGIV EA/001aa	PT/TT/FC/005/274
TT-FC-TD-274-79v-82v	Chapel foundation deed	1495-07-18	VINC006266 SVGIV EA/001a	PT/TT/FC/005/274
TT-FC-TD-274-85-87v	Will	1489-07-06	VINC001894 IL EA/004a	PT/TT/FC/005/274
TT-FC-TD-275-38-39v	Will chart	1497-12-27	VINC000100 HSBM EA/001a	PT/TT/FC/005/275
TT-FC-TD-276-22-24v	Will	1306-08-13	VINC000004 MPO EA/004aa	PT/TT/FC/005/276
TT-FC-TD-276-25	Will	1478-07-25	VINC006268 TECGP EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-26-26v	Will (extract)	1386-07-24	VINC006269 VMV EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-32-32v	Will (extract)	1449-05-23	VINC000070 JF EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-34v-35	Will chart	1339-01-11	VINC006271 LV EA/001aaaaa	PT/TT/FC/005/276
TT-FC-TD-276-37-37v	Will	1530-05-27	VINC006272 FV EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-37v-38	Codicil	1530-06-01	VINC006272 FV EA/001ac	PT/TT/FC/005/276
TT-FC-TD-276-41-42	Chapel foundation deed	1319-05-20	VINC006274 LRPMP EA/001aaa	PT/TT/FC/005/276
TT-FC-TD-276-43-46	Will (extract)	1377-11-08	VINC002472 MDG EA/002aa	PT/TT/FC/005/276
TT-FC-TD-276-48-49	Will chart	1327-00-08	VINC006276 AD EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-51-53v	Entail foundation deed	1520-08-30	VINC006277 AC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-55-55v	Will (extract)	1371-05-20	VINC001003 SE EA/003aaa	PT/TT/FC/005/276
TT-FC-TD-276-57-57v	Will (extract)	1482-08-26	VINC006279 LC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-68-68v	Donation deed	1520-03-06	VINC006282 MD EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-70-70v	Chapel foundation deed	1362-07-09	VINC000117 GELMA EA/001aaa	PT/TT/FC/005/276
TT-FC-TD-276-72	Will (extract)	1355-04-09	VINC006283 AEM EA/001aaa	PT/TT/FC/005/276



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TT-FC-TD-276-76-76v	Declaration deed	1348-10-11	VINC006284 EMG EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-76v-77v	Declaration deed	1362-12-24	VINC006284 EMG EA/001ab	PT/TT/FC/005/276
TT-FC-TD-276-79	Will (extract)	1453-07-15	VINC006285 LGRG EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-80-81	Codicil	1414-02-04	VINC006286 CE EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-84	Will (extract)	1453-12-28	VINC006287 CAB EA/001aaa	PT/TT/FC/005/276
TT-FC-TD-276-86-86v	Will (extract)	1395-05-29	VINC000064 LRF EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-96-97	Will chart (extract)	1456-04-06	VINC006289 VMPMFC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-101-102v	Will (extract)	1422-09-18	VINC000056 FLL EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-108	Will (extract)	1452-01-17	VINC006290 MC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-113-114v	Entail foundation deed (extract)	1510-09-02	VINC006292 AML EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-129-129v	Donation deed	1391-12-23	VINC006293 BEGC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-149v-156	Chapel foundation deed	1431-08-10	VINC000062 NMSLGA EA/001aaaa	PT/TT/FC/005/276
TT-FC-TD-276-163	Will (extract)	1496-11-10	VINC006298 GGM EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-165	Will (extract)	1455-07-07	VINC006299 DGB EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-170-171	Will chart (extract)	1495-10-15	VINC006278 BRAEJM EA/001ca	PT/TT/FC/005/276
TT-FC-TD-276-176-177	Will (extract)	1520-04-21	VINC006702 BV EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-188	Will (extract)	1459-10-07	VINC006705 JC EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-210-210v	Will (extract)	1520-10-19	VINC006708 REDE EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-211-211v	Will chart (extract)	1483-08-19	VINC006709 MG EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-239-239v	Appointment letter	1370-06-08	VINC000665 VAEA EA/010aa	PT/TT/FC/005/276
TT-FC-TD-276-271-272	Chapel foundation deed	1339-03-21	VINC006719 MDS EA/001aa	PT/TT/FC/005/276
TT-FC-TD-276-286-287	Will chart (extract)	1498-06-21	VINC006722 IFB EA/001aa	PT/TT/FC/005/276



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TT-FSC-004-003-02-0043	Will	1700-08-26	VINC006444 SC EA/001	PT/TT/FSC
TT-GCL-RV-94-157v-169	Will	1383-03-20	VINC004970 JL EA/001a	PT/TT/AC/GCL
TT-GCL-RV-97-14v-26	Entail foundation deed	1550-11-07	VINC004976 LRIP EA/001a	PT/TT/AC/GCL
TT-GCL-RV-98-056-070	Declaration deed	1660-03-07	VINC004983 MCN EA/001b	PT/TT/AC/GCL
TT-GCL-RV-98-305-307v	Will	1349-12-28	VINC001817 CP EA/001	PT/TT/AC/GCL
TT-GCL-RV-99-121v-123	Will (extract)	1610-07-03	VINC003557 DFMDT EA/002	PT/TT/AC/GCL
TT-GCL-RV-99-146-146v	Will	1620-10-12	VINC004992 AM EA/001	PT/TT/AC/GCL
TT-GCL-RV-100-301v-308	Dowry deed	1630-08-23	VINC004996 MFGASAMV EA/002a	PT/TT/AC/GCL
TT-GCL-RV-104-96-113	Will chart	1520-09-06	VINC000176 BAC EA/001a	PT/TT/AC/GCL
TT-GCL-RV-104-150-154	Will chart	1432-10-21	VINC000337 VLIA EA/001a	PT/TT/AC/GCL
TT-HSJ-001-0v-4	Will (extract)	1570-02-12	VINC005724 AMIM EA/001	PT/TT/HSJ/A-D-A/031-001/0001
TT-HSJ-001-38v-47	Dowry deed	1620-10-03	VINC005776 AGMN EA/001aa	PT/TT/HSJ/A-D-A/031-001/0001
TT-HSJ-001-76-79v	Donation deed	1620-06-08	VINC005790 AAM EA/001	PT/TT/HSJ/A-D-A/031-001/0001
TT-HSJ-001-151v-152v	Will (extract)	1580-09-30	VINC005719 AD EA/001	PT/TT/HSJ/A-D-A/031-001/0001
TT-HSJ-002-222v-223	Will (extract)	1475-01-00	VINC000285 LAC EA/001	PT/TT/HSJ/A-D-A/031-001/0002
TT-HSJ-002-55-55v	Will (extract)	1570-09-20	VINC005731 BA EA/001	PT/TT/HSJ/A-D-A/031-001/0002
TT-HSJ-003-1-1v	Will (extract)	1600-04-01	VINC005761 TRCV EA/001	PT/TT/HSJ/A-D-A/031-001/0003
TT-HSJ-003-3-3v	Will (extract)	1600-09-11	VINC006106 CC EA/001	PT/TT/HSJ/A-D-A/031-001/0003
TT-HSJ-003-5-5v	Will (extract)	1570-09-27	VINC005762 CLJF EA/001	PT/TT/HSJ/A-D-A/031-001/0003
TT-HSJ-003-12v-13	Will (extract)	1620-11-15	VINC006108 CLAB EA/001	PT/TT/HSJ/A-D-A/031-001/0003
TT-HSJ-003-40v-41	Will (extract)	1630-06-11	VINC006118 CF EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-003-120-120v	Will (extract)	1580-02-20	VINC005775 DR EA/001	PT/TT/HSJ/A-D-A/031-001/0003



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TT-HSJ-003-125v-126v	Will (extract)	1660-03-13	VINC005780 MRDAP EA/001	PT/TT/HSJ/A-D-A/031-001/0003
TT-HSJ-003-179v-180v	Will (extract)	1590-10-24	VINC006117 DSM EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-5-6v	Will (extract)	1630-08-27	VINC005787 FA EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-10-11v	Will (extract)	1620-08-20	VINC005789 FG EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-73-78v	Entail foundation deed	1334-04-02	VINC000013 FPCV EA/003a	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-129-140	Will	1491-06-10	VINC000219 FME EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-180v-183	Will (extract)	1600-10-02	VINC005743 GLM EA/001a	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-201v-202v	Will (extract)	1494-05-05	VINC000243 GG EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-227v-228	Will (extract)	1560-07-10	VINC006150 GEIV EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-237-238v	Will chart	1480-05-25	VINC000227 GE EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-238v-239v	Contract and bond deed	1486-04-13	VINC000227 GE EA/002	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-004-372-374	Donation deed	1482-03-08	VINC000260 IVJE EA/001	PT/TT/HSJ/A-D-A/031-001/0004
TT-HSJ-005-137-138	Will (extract)	1630-12-02	VINC006185 MFL EA/001	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-187-188v	Entail foundation deed	1468-11-14	VINC000303 MEV EA/001	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-212-212v	Will (extract)	1650-01-02	VINC006191 MSFAV EA/001aa	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-212-212v	Will (extract)	1650-01-02	VINC006192 MSFMF EA/001aa	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-251-251v	Will (extract)	1640-01-31	VINC006200 MV EA/001	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-252-252v	Codicil	1641-09-13	VINC006200 MV EA/002	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-005-252v-253	Codicil	1641-12-04	VINC006200 MV EA/003	PT/TT/HSJ/A-D-A/031-001/0005
TT-HSJ-006-3-7	Will (extract)	1700-03-15	VINC000016 MCE EA/001	PT/TT/HSJ/A-D-A/031-001/0006
TT-HSJ-006-31	Will (extract)	1620-01-12	VINC006409 PL EA/001	PT/TT/HSJ/A-D-A/031-001/0006
TT-HSJ-006-38-39	Will (extract)	1610-10-07	VINC006412 PG EA/001	PT/TT/HSJ/A-D-A/031-001/0006



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TT-HSJ-006-66-71v	Dowry deed	1550-09-26	VINC006414 RAML EA/001	PT/TT/HSJ/A-D-A/031-001/0006
TT-HSJ-008-1v-5v	Will	1347-09-05	VINC000017 AECCG EA/001a	PT/TT/HSJ/A-D-A/031-001/0008
TT-HSJ-008-182v-187	Will	1580-08-19	VINC003361 AC EA/004	PT/TT/HSJ/A-D-A/031-001/0008
TT-HSJ-008-267v-271	Will (extract)	1494-11-06	VINC000155 AFPAP EA/001	PT/TT/HSJ/A-D-A/031-001/0008
TT-HSJ-009-6v-10v	Entail foundation deed	1610-11-11	VINC005808 BLAJAL EA/001	PT/TT/HSJ/A-D-A/031-001/0009
TT-HSJ-009-306-311v	Will	1348-10-01	VINC005829 CEPA EA/001aa	PT/TT/HSJ/A-D-A/031-001/0009
TT-HSJ-010-1v-7v	Will chart	1472-05-29	VINC000208 DGP EA/002aa	PT/TT/HSJ/A-D-A/031-001/0010
TT-HSJ-010-35-35v	Will (extract)	1493-09-08	VINC001631 DAHN EA/003	PT/TT/HSJ/A-D-A/031-001/0010
TT-HSJ-011-22-30	Will	1478-11-03	VINC000237 GPAD EA/001a	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-45v-46	Will (extract)	1419-07-07	VINC000231 GM EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-59v-62	Will (extract)	1630-04-27	VINC005843 GM EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-94-94v	Will (extract)	1600-04-08	VINC005844 GFMF EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-95v-96v	Will (extract)	1492-06-08	VINC000235 GFHB EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-140v-141v	Will (extract)	1610-07-26	VINC002653 JFE EA/002	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-142v-145	Codicil (extract)	1600-06-10	VINC005845 RFE EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-262-265	Will	1640-08-08	VINC003406 JA EA/002	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-011-337v-341v	Will	1560-01-03	VINC005853 ICMA EA/001	PT/TT/HSJ/A-D-A/031-001/0011
TT-HSJ-012-77-77v	Will (extract)	1455-01-20	VINC000129 LELF EA/007aa	PT/TT/HSJ/A-D-A/031-001/0012
TT-HSJ-012-404v-418v	Will	1447-07-23	VINC000331 SA EA/002aa	PT/TT/HSJ/A-D-A/031-001/0012
TT-HSJ-013-188v-190	Will	1700-08-06	VINC005884 MC EA/001	PT/TT/HSJ/A-D-A/031-001/0013
TT-HSJ-014-164v-166v	Will	1426-11-01	VINC000334 TN EA/001aa	PT/TT/HSJ/A-D-A/031-001/0014
TT-HSJ-014-167-174	Declaration deed	1452-12-26	VINC000334 TN EA/001ab	PT/TT/HSJ/A-D-A/031-001/0014



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TT-HSJ-014-181-183v	Will	1630-12-10	VINC005888 TL EA/001	PT/TT/HSJ/A-D-A/031-001/0014
TT-HSJ-016-322v-331	Donation deed	1590-01-29	VINC006441 IC EA/001	PT/TT/HSJ/A-D-A/031-001/0016
TT-HSJ-018-2-3	Will chart	1346-11-29	VINC001409 AD EA/004a	PT/TT/HSJ/A-D-A/031-001/0018
TT-HSJ-018-71-71v	Will (extract)	1600-08-04	VINC006455 ADP EA/001	PT/TT/HSJ/A-D-A/031-001/0018
TT-HSJ-018-201-206v	Will	1650-08-13	VINC003678 DFAJMA EA/003	PT/TT/HSJ/A-D-A/031-001/0018
TT-HSJ-019-163-167v	Will (extract)	1407-07-10	VINC003818 JLVLEA/003	PT/TT/HSJ/A-D-A/031-001/0019
TT-HSJ-019-181-183v	Will (extract)	1475-11-02	VINC000286 LREA/001	PT/TT/HSJ/A-D-A/031-001/0019
TT-HSJ-020-280v-283	Will	1475-09-28	VINC000335 VEFAR EA/002aa	PT/TT/HSJ/A-D-A/031-001/0020
TT-HSJ-021-220v-221	Will (extract)	1580-09-11	VINC007276 VAMFEA/001	PT/TT/HSJ/A-D-A/031-001/0021
TT-HSJ-021-24v-26v	Will (extract)	1560-08-14	VINC007264 JHAG EA/001	PT/TT/HSJ/A-D-A/031-001/0021
TT-HSJ-022-132v-133	Will (extract)	1630-00-00	VINC007284 PGJREA/001a	PT/TT/HSJ/A-D-A/031-001/0022
TT-HSJ-023-5-6	Will (extract)	1670-02-23	VINC007298 CAO EA/001	PT/TT/HSJ/A-D-A/031-001/0023
TT-HSJ-031-80-82v	Will (extract)	1468-08-06	VINC000162 BB EA/001	PT/TT/HSJ/A-D-A/031-001/0031
TT-HSJ-031-150-152v	Will	1441-01-13	VINC000206 DEVD EA/001	PT/TT/HSJ/A-D-A/031-001/0031
TT-HSJ-031-224-224v	Will chart (extract)	1425-10-29	VINC007049 PVPAGGV EA/001a	PT/TT/HSJ/A-D-A/031-001/0031
TT-HSJ-042-15-20v	Will	1484-01-20	VINC000329 RFBTEA/001	PT/TT/HSJ/A-D-A/031-001/0042
TT-HSJ-062-64-67v	Will	1296-02-21	VINC004971 PLEA/002a	PT/TT/HSJ/A-D-A/031-001/0062
TT-HSJ-080-410-413	Will (extract)	1493-05-25	VINC000293 LA EA/001	PT/TT/HSJ/A-D-A/031-001/0080
TT-HSJ-097-72-76v	Will chart	1483-03-17	VINC000173 BTEA/001	PT/TT/HSJ/A-D-A/031-001/0097
TT-HSJ-098-46-51	Donation deed	1345-04-15	VINC000048 JVEA/005aaa	PT/TT/HSJ/A-D-A/031-001/0098
TT-HSJ-1188-7v-9v	Donation deed	1475-09-10	VINC000245 IA EA/001a	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-12v-14v	Will	1498-05-04	VINC000164 BEAPEA/001a	PT/TT/HSJ/A-D-A/031-010/1188



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-HSJ-1188-14v-15v	Codicil	1498-12-01	VINC000164 BEAPEA/001b	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-49v-54v	Donation deed	1373-11-20	VINC007029 GVPAAEA/001a	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-99-102	Will	1494-11-14	VINC000241 GA EA/003a	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-105v-109	Will	1493-11-26	VINC000198 CVSEEA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-113v-114v	Will (extract)	1415-06-27	VINC000296 MABEEA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-118v-119v	Will (extract)	1415-06-17	VINC000296 MABEEA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-118v-119v	Will (extract)	1415-06-17	VINC007054 MALREEA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-124-127v	Will chart	1468-05-14	VINC000310 MFVLEEA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-165v-167v	Will chart	1460-11-24	VINC000232 GA EA/001aa	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-168v-170v	Agreement deed	1466-02-05	VINC000232 GA EA/001b	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-191-196	Will	1500-10-23	VINC000193 CGJREEA/001a	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1188-200-201	Donation deed	1485-11-10	VINC000171 BGIAPEEA/001a	PT/TT/HSJ/A-D-A/031-010/1188
TT-HSJ-1189-1-3v	Will	1497-12-01	VINC000209 DJ EA/001a	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-10-11	Will	1477-08-11	VINC000175 BE EA/001a	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-19v-22v	Codicil	1418-12-20	VINC000274 JEMMEEA/002a	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-56v-58	Will (summary)	1378-05-10	VINC007027 BCJCEEA/001aa	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-64v-68	Will	1372-09-16	VINC004993 JEAE EA/002aa	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-93v-98	Will chart	1447-11-04	VINC000269 JFVA EA/001aa	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-134v-135v	Will	1399-07-11	VINC000214 DSEEA/001a	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1189-163-163v	Will (extract)	1437-07-29	VINC003124 JAAEA/002aaaa	PT/TT/HSJ/A-D-A/031-010/1189
TT-HSJ-1190-1-3v	Resignation and appointment deed	1480-05-22	VINC000228 GECFEA/001a	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-10v012v	Donation deed	1466-07-22	VINC000277 JGBEEA/001d	PT/TT/HSJ/A-D-A/031-010/1190



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-HSJ-1190-81v-84	Will	1475-01-10	VINC000256 IH EA/001a	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-105v-109	Will chart	1510-01-25	VINC000201 CPCG EA/001a	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-122-126	Will chart	1463-12-07	VINC000192 CGFG EA/001aa	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-131-133	Will	1492-08-22	VINC000257 IMPE EA/001aa	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-171-176v	Will	1409-04-20	VINC007035 JAA EA/001a	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1190-186v-191	Will chart	1500-01-12	VINC000319 PAL EA/002a	PT/TT/HSJ/A-D-A/031-010/1190
TT-HSJ-1191-064v-072v	Will	1500-10-27	VINC000187 CEJDCD EA/001a	PT/TT/HSJ/A-D-A/031-010/1191
TT-HSJ-1191-82-83	Donation deed	1418-02-01	VINC000246 IEJFMC EA/001a	PT/TT/HSJ/A-D-A/031-010/1191
TT-HSJ-1191-137v-141v	Will	1453-08-10	VINC000157 AL EA/001aa	PT/TT/HSJ/A-D-A/031-010/1191
TT-HSJ-1191-151v-155v	Will	1341-10-10	VINC000105 REAL EA/004a	PT/TT/HSJ/A-D-A/031-010/1191
TT-HSJ-1192-123-126	Will	1530-08-18	VINC007042 ISMA EA/001a	PT/TT/HSJ/A-D-A/031-010/1192
TT-HSJ-128-105-107v	Will	1479-03-04	VINC000167 BEPE EA/001	PT/TT/HSJ/A-D-A/031-001/0128
TT-HSJ-128-326-327	Will (extract)	1478-10-22	VINC000283 LPVNGM EA/001	PT/TT/HSJ/A-D-A/031-001/0128
TT-HSJ-141-201-202v	Will (extract)	1485-06-28	VINC000239 GLM EA/003	PT/TT/HSJ/A-D-A/031-001/0141
TT-HSJ-147-116-118	Will (extract)	1485-11-20	VINC000271 JM EA/001	PT/TT/HSJ/A-D-A/031-001/0147
TT-HSJ-147-192v-195v	Contract and bond deed	1331-12-17	VINC000656 MB EA/005a	PT/TT/HSJ/A-D-A/031-001/0147
TT-HSJ-147-345-346v	Codicil	1383-05-29	VINC000033 VLA EA/001a	PT/TT/HSJ/A-D-A/031-001/0147
TT-HSJ-149-49v-50v	Will (extract)	1570-01-06	VINC003042 AAVIA EA/004	PT/TT/HSJ/A-D-A/031-001/0149
TT-HSJ-151-109v	Will (extract)	1493-11-21	VINC000224 FLB EA/001	PT/TT/HSJ/A-D-A/031-001/0151
TT-HSJ-151-184-192	Entail foundation deed	1401-08-25	VINC000047 GLGIL EA/001	PT/TT/HSJ/A-D-A/031-001/0151
TT-HSJ-151-226-226v	Will (extract)	1488-01-14	VINC000259 IVLA EA/001	PT/TT/HSJ/A-D-A/031-001/0151
TT-HSJ-151-264-264v	Will (extract)	1590-06-01	VINC006982 ISJM EA/001	PT/TT/HSJ/A-D-A/031-001/0151



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-HSJ-153-140v-141	Will (extract)	1470-11-10	VINC000306 MGGA EA/001	PT/TT/HSJ/A-D-A/031-001/0153
TT-HSJ-153-145-146v	Will (extract)	1489-00-00	VINC002981 MLME EA/002	PT/TT/HSJ/A-D-A/031-001/0153
TT-HSJ-153-145-146v	Will (extract)	1489-00-00	VINC002981 MLME EA/002	PT/TT/HSJ/A-D-A/031-001/0153
TT-HSJ-153-259-260	Will (extract)	1680-11-30	VINC007613 MRJC EA/001	PT/TT/HSJ/A-D-A/031-001/0153
TT-HSJ-155-153v-154	Will (extract)	1580-03-08	VINC002683 DCPJC EA/004	PT/TT/HSJ/A-D-A/031-001/0155
TT-HSJ-156-67v-69	Will (extract)	1610-07-07	VINC007325 FLLL EA/001	PT/TT/HSJ/A-D-A/031-001/0156
TT-HSJ-163-136-138	Will (extract)	1475-12-12	VINC000275 JFMR EA/005	PT/TT/HSJ/A-D-A/031-001/0163
TT-HSJ-164-247v-248	Will (extract)	1407-04-16	VINC000215 EEBCE EA/002	PT/TT/HSJ/A-D-A/031-001/0164
TT-HSJ-237-13-14v	Will	1486-04-21	VINC000153 AB EA/001a	PT/TT/HSJ/A-D-A/031-001/0092
TT-HSJ-463-396-403	Will chart	1490-11-26	VINC000188 CEC EA/001aa	PT/TT/HSJ/A-D-A/031-011/463
TT-HSJ-463-419v-424	Codicil	1520-12-19	VINC000200 CC EA/001aba	PT/TT/HSJ/A-D-A/031-011/463
TT-IMC-NA-190-1-16	Entail foundation deed	1560-07-05	VINC001816 GECJS EA/002aa	PT/TT/MC/1/190
TT-IMC-NA-191-1v-10	Will	1570-08-28	VINC001710 FAC EA/004aa	PT/TT/MC/1/191
TT-IMC-NA-191-19-86	Royal sentence	1578-01-19	VINC001710 FAC EA/004ca	PT/TT/MC/1/191
TT-IMC-NA-191-39v-84	Court sentence	1578-01-19	VINC001710 FAC EA/004cab	PT/TT/MC/1/191
TT-IMC-NA-193-1-5	Entail foundation deed	1620-12-19	VINC002082 MSFMSF EA/002a	PT/TT/MC/1/193
TT-IMC-NA-206-199v-207	Will chart	1660-08-25	VINC005351 ICCMG EA/001	PT/TT/MC/1/206
TT-IMC-NA-213-1-7v	Entail foundation deed	1550-10-03	VINC001401 AM EA/001a	PT/TT/MC/1/213
TT-IMC-NA-939-72-74	Royal sentence	1579-07-02	VINC000724 JP EA/001m	PT/TT/MC/1/939
TT-LN-11-1-1v	Entail foundation deed	1470-10-26	VINC000082 FGBIG EA/001a	PT/TT/LN/0011
TT-LN-12-62-63	Confirmation letter	1480-02-25	VINC000092 MRF EA/001	PT/TT/LN/0012
TT-LN-12-110v-113	Entail foundation deed	1477-03-03	VINC000090 MVMIC EA/001a	PT/TT/LN/0012



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-LN-12-120-121	Will	1476-07-13	VINC000088 NM EA/001a	PT/TT/LN/0012
TT-LN-14-2-2v	Will	1474-12-17	VINC000086 VDBB EA/001aa	PT/TT/LN/0014
TT-LN-16-75v-77v	Entail foundation deed	1499-07-15	VINC001326 FPBCS EA/002	PT/TT/LN/0016
TT-LN-16-77v	Declaration deed	1503-01-19	VINC001326 FPBCS EA/003	PT/TT/LN/0016
TT-LN-18-290-294v	Entail foundation deed	1483-04-29	VINC000096 MVRT EA/001a	PT/TT/LN/0018
TT-LN-24-217-217v	Entail foundation deed	1438-08-03	VINC000028 GSBEMS EA/004a	PT/TT/LN/0024
TT-LN-26-55-55v	Donation deed	1442-06-21	VINC003232 IMABLM EA/001	PT/TT/LN/0026
TT-LN-27-273-273v	Will	1363-02-08	VINC003236 PVPA EA/001	PT/TT/LN/0027
TT-LN-27-285-285v	Will	1298-01-08	VINC001311 CM EA/001a	PT/TT/LN/0027
TT-LN-30-103-104v	Confirmation letter	1381-11-15	VINC000031 GVAIA EA/002a	PT/TT/LN/0030
TT-LN-7-161v-162	Confirmation letter	1484-10-05	VINC000097 ESM EA/001	PT/TT/LN/0007
TT-MC-V-CBR-1-38v-44	Will	1700-11-18	VINC003902 EMDA EA/001	PT/TT/MC/3-004
TT-MC-V-CBR-1-38v-44	Will	1700-11-18	VINC003903 EMMA EA/001	PT/TT/MC/3-004
TT-MC-V-CBR-1-6-10v	Will	1560-01-22	VINC001665 DDF EA/001	PT/TT/MC/3-004
TT-MC-V-CBR-2-3v-8v	Will	1453-03-03	VINC001707 FF EA/003	PT/TT/MC/3-004
TT-MC-V-CBR-10-10-22v	Will	1590-01-05	VINC002077 MC EA/001aa	PT/TT/MC/3-004
TT-MC-V-CBR-26-14-19v	Will	1348-12-17	VINC000143 VP EA/001	PT/TT/MC/3-004
TT-MC-V-CTB-12-178-178v	Will (extract)	1620-06-28	VINC001553 BCJM EA/001a	PT/TT/MC/3-003
TT-MC-V-CTB-12-421v-426v	Will	1560-02-13	VINC001673 DLEA/002	PT/TT/MC/3-003
TT-MC-V-CTB-12-430v-435	Will	1590-06-20	VINC001797 GDR EA/001aa	PT/TT/MC/3-003
TT-MC-V-CTB-21-138-143	Will chart	1630-08-18	VINC001427 AAF EA/001	PT/TT/MC/3-003
TT-MC-V-FUN-1-75-76v	Will	1670-12-10	VINC001473 ACB EA/001	PT/TT/MC/3-005



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-MC-V-FUN-9-2v-4	Will chart	1499-08-31	VINC001419 AOCM EA/001a	PT/TT/MC/3-005
TT-MC-V-LSB-17-5-9	Will chart	1481-09-12	VINC002426 VMFC EA/001aa	PT/TT/MC/3-007
TT-MC-V-LSB-17-5-9	Will chart	1481-09-12	VINC003922 VMAF EA/001aa	PT/TT/MC/3-007
TT-MC-V-LSB-5-89-92v	Will	1381-01-07	VINC001840 GRAMG EA/003	PT/TT/MC/3-007/00005
TT-MC-V-LSB-5-27-30v	Dowry deed	1478-02-23	VINC001708 FAIG EA/001a	PT/TT/MC/3-007
TT-MC-V-LSB-5-395-398v	Will	1480-07-03	VINC000094 AA EA/001aa	PT/TT/MC/3-007/00005
TT-MC-V-PDL-19-52v-58v	Will chart	1550-08-06	VINC002134 MM EA/001	PT/TT/MC/3-008
TT-MC-V-PDL-19-70v-73v	Will	1600-01-29	VINC002138 MPAPS EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-19-70v-73v	Will	1600-01-29	VINC004143 MPJPS EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-19-70v-73v	Will	1600-01-29	VINC004144 MPMPS EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-1-4v	Will	1560-09-29	VINC001658 DAPBCBF EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-1-4v	Will	1560-09-29	VINC004243 DAPBCLRAA EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-1-4v	Will	1560-09-29	VINC004244 DAPBCNG EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-1-4v	Will	1560-09-29	VINC004245 DAPBCLL EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-107v-109	Will	1650-09-11	VINC001539 BPP EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-20-154-162	Will chart	1680-12-11	VINC002174 MMB EA/001	PT/TT/MC/3-008
TT-MC-V-PDL-22A-1v-3v.	Will	1493-10-18	VINC002340 RVT EA/001a	PT/TT/MC/3-008
TT-MC-V-PDL-22A-4-4v	Declaration deed	1493-10-18	VINC002340 RVT EA/001b	PT/TT/MC/3-008
TT-MC-V-PDL-23-65-67v	Will	1610-10-18	VINC002356 SCA EA/001a	<u>PT/TT/MC/3-008</u>
TT-MC-V-PDL-23-65-67v	Will	1610-10-18	VINC004286 IC EA/001a	<u>PT/TT/MC/3-008</u>
TT-MC-V-PDL-23-68-69	Codicil	1610-10-19	VINC002356 SCA EA/002a	<u>PT/TT/MC/3-008</u>
TT-MC-V-PDL-23-68-69	Codicil	1610-10-19	VINC004286 IC EA/002a	PT/TT/MC/3-008



Archival reference	Title	Date	VINCULUM reference code	Digital identifier
TT-MC-V-PDL-24-13-21	Will chart	1630-08-27	VINC001470 ACT EA/001	PT/TT/MC/3-008
TT-MC-V-PDL-24-22-23	Codicil	1630-08-28	VINC001470 ACT EA/002	PT/TT/MC/3-008
TT-MC-V-PDL-24-35v-39	Will	1640-05-16	VINC001504 AM EA/001a	PT/TT/MC/3-008
TT-MC-V-STR-8-13-15	Will	1337-03-14	VINC002003JRPEGP EA/001aa	PT/TT/MC/3-011
TT-MC-V-STR-8-15-17	Will	1300-00-00	VINC002003JRPEGP EA/001ab	PT/TT/MC/3-011
TT-MC-V-STR-9-8-9	Will chart	1356-11-27	VINC001689 EG EA/001aaa	PT/TT/MC/3-011
TT-MC-V-STR-15-5-10	Will chart	1620-06-16	VINC001967 JFP EA/001a	PT/TT/MC/3-011
TT-MC-V-STR-16-6-7v	Will	1380-12-17	VINC000113 FRP EA/001ab	PT/TT/MC/3-011
TT-MSDL-12	Will	1334-03-25	VINC000647 VE EA/003	PT/TT/MSDL/L012
TT-MSDL-48-204	Will (extract)	1464-02-21	VINC000161 BGBC EA/002b	PT/TT/MSDL/L048
TT-MSDL-48-227-227v	Will (extract)	1380-00-00	VINC000030 AEC EA/001aa	PT/TT/MSDL/L048
TT-MSDL-48-227-227v	Will	1380-00-00	VINC000030 AEC EA/001aa	PT/TT/MSDL/L048
TT-MSDL-49-96-98v	Will	1347-11-20	VINC000018 MPR EA/008aa	PT/TT/MSDL/L049
TT-MSDL-50-106-118	Will	1446-07-04	VINC000302 MEHC EA/001a	PT/TT/MSDL/L050
TT-MSDL-50-169v-172v	Will chart	1600-08-16	VINC007007 AM EA/001	PT/TT/MSDL/L050
TT-MSDL-51-144-145	Will (extract)	1560-01-03	VINC005853 ICMA EA/002a	PT/TT/MSDL/L051
TT-MSDL-51-162v-167	Letter of possession	1383-09-01	VINC000018 MPR EA/009	PT/TT/MSDL/L051
TT-MSDL-54-110-111	Donation deed	1440-03-23	VINC000160 AXCDAD EA/001a	PT/TT/MSDL/L054
TT-MSDL-54-110-111	Donation deed	1440-03-23	VINC005891 AXCDJD EA/001a	PT/TT/MSDL/L054
TT-MSDL-54-112v-114	Will chart	1450-06-03	VINC000225 GMP EA/001aa	PT/TT/MSDL/L054
TT-VNC-004-0010	Will	1362-10-27	VINC008483 MA EA/001	PT/TT/VNC/D/410
TT-VNC-004-0010	Will	1362-10-27	VINC008484 MAA EA/001	PT/TT/VNC/D/410





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