

CONTROLLING WHAT IS WRITTEN: ARISTOCRATIC INTERFERENCE WITH BURGOS'S CLERK OFFICE IN THE LATE MIDDLE AGES

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ABSTRACT

The aim of this article is to examine the head clerk's office in the *realengo* (under royal jurisdiction) city of Burgos during the fifteenth century. I will analyse the professional path that gave access to this office, its functions and its duties, and I will also go over the holders of this position in the fifteenth century. I will examine the appropriation of this post by the lineage of the Fernández de Velasco, Counts of Haro, *condestables* of Castile, and Dukes of Frías, members of the high Castilian nobility. Special attention will be paid to the mechanisms used by the nobility to access this public office, as well as to the scope and meaning of their control over the head clerk's office.

KEYWORDS

Castile, clerk office, nobility, *realengo*.

CAPITALIA VERBA

Castella, scriptus, nobilitas, *realengo*.

1. Introduction¹

The attributions and duties of Castilian notaries in the Late Middle Ages have received considerable historiographical attention from the mid-twentieth century.² Several studies have emphasised the fact that this office was often an ‘onerous honour’, often conferred as a reward for an earlier service.³ Head clerkships were among the most coveted offices for powerful men and their clients, the position generally being requested by the nobility from the city councils for their servants. Although this was a way for nobles to interfere with urban governments, the councils in *realengo* cities generally went with the request;⁴ it was believed that surrendering clerical positions did not undermine the cities’ interests and privileges, much to the contrary, as cities saw this as a way to reward powerful men for their services to the city, an investment for their future support, or a means to keep the peace and avoid reprisals.

1. This article is part of a research project entitled “Más allá de la palabra. Comunicación y discurso políticos en las Castilla Trastámara (1367-1504) / Beyond the Word. Political Communication and Discourse in Trastámara Castile (1367-1504)” (PID2021-125571NB-I00, MINECO 2022-2026/AEI/FEDER, UE), funded by the Ministerio de Ciencia e Innovación (Spain). Used Abbreviations: AMB, Archivo Municipal de Burgos; AGS, Archivo General de Simancas; AHNOB, Archivo Histórico de la Nobleza.

2. See especially (among many more): Arribas Arranz, Filemón. “Los escribanos públicos en Castilla durante el siglo XV”, *Centenario Ley del Notariado*. Madrid: Junta de Decanos de los Colegios Notariales de España, 1964: I, 165-260; Bono, José. *Historia del Derecho Notarial Español*. Madrid: Junta de Decanos de los Colegios Notariales de España, 1982; Corral García, Esteban. *El escribano del concejo en la Corona de Castilla (siglos XI-XVIII)*. Burgos: Ayuntamiento de Burgos, 1987; Domínguez Guerrero, María Luisa. “El ascenso al oficio de escribano público en el antiguo reino de Sevilla (siglo XVI)”, *Funciones y prácticas de la escritura. I Congreso de Investigadores Noveles en Ciencias Documentales*, Nicolás Ávila Seoane, Bárbara Santiago Medina, eds. Toledo: Universidad Complutense de Madrid-Ayuntamiento de Escalona, 2013: 56-62; Domínguez Guerrero, María Luisa. “Poderes y elección de escribanos en Sevilla”, *Práctica notarial en Andalucía (siglos XIII-XVII)*, Pilar Ostos Salcedo, coord. Sevilla: Universidad de Sevilla, 2014: 449-471; García Marín, José María. *El oficio público en Castilla durante la Baja Edad Media*. Madrid: Instituto Nacional de la Administración Pública, 1987; Gomariz Marín, Ana. “Las escribanías en la ciudad de Murcia a fines de la Edad Media”. *Miscelanea Medieval Murciana*, 26-28 (2003-2004): 35-67; Pardo Rodríguez, María Luisa. *Señores y Escribanos. El notario andaluz entre los siglos XIV y XVI*. Sevilla: Universidad de Sevilla, 2002; Rábade Obradó, María Pilar. “Los escribanos públicos en la Corona de Castilla durante el reinado de Juan II. Una aproximación de conjunto”. *En la España Medieval*, 19 (1996):125-166. Historiographical interest in notarial activity has not waned in recent years, as illustrated by the Universidad de Sevilla project led by Pilar Ostos Salcedo, seconded by M^a Luisa Domínguez Guerrero de la Universidad de Sevilla: *Escritura y Ciudad en la Corona de Castilla (Siglos XIII-XVII) y Notariado y Documentación Notarial en Andalucía*. Outside of the urban sphere, the actions of notaries have been analyzed in: Villalba Pérez, Enrique. “Sospechosos en la verdad de lo que pasa ante ellos: los escribanos de la Corte en el Siglo de Oro, sus impericias, errores y vicios”. *Litterae: cuadernos sobre cultura escrita*, 2 (2002): 121-149; and Villalba Pérez, Enrique; Negro del Cerro, Fernando. “Escribanos en defensa de su oficio”, *El nervio de la república: el oficio de escribano en el Siglo de Oro*, Enrique Villalba Pérez, and Emilio Torné Valle, eds. Madrid: Calambur Editorial, 2010: 153-182.

3. Bono, José. *Historia del Derecho...*: 278-79.

4. Recent years have witnessed an increasing interest for aristocratic activity in the cities. See a recent review in: Montero Málaga, Alicia. “Los nobles en la ciudad: una aproximación a las relaciones ciudad-nobleza en la historiografía castellana de los siglos XX y XXI”, *Discurso político y relaciones de poder: Ciudad, nobleza y monarquía en la Baja Edad Media*, José Antonio Jara Fuente, coord. Madrid: Dykinson, 2017.



This was the case with Burgos, *Caput Castellae*, and the *escribanos de número*.⁵ Several nobles requested an *escribanía de número* between 1379 and 1521, including Pedro de Estuñiga, Lord of Béjar, en 1429;⁶ Pedro Manrique de Lara, *adelantado mayor* of Castile, in 1431;⁷ Juan de Aragón, King of Navarre, en 1441;⁸ Álvaro de Luna, *maestre* of Santiago, en 1453;⁹ Guiomar de Castro, Countess of Treviño, in 1461;¹⁰ Mencía de Mendoza, Countess of Haro, en 1494;¹¹ Gutierre de Cárdenas, *comendador mayor* of León, en 1496, and so on.¹²

The head clerks, also referred to as council clerks, deserve special mention. The appointment of head clerks was not always a conflict-free matter in Castilian cities, because of the significance of the post and its close links with urban elites. Although specific studies are still lacking, the head clerkship in Burgos differed little from that in other Castilian cities, which have been examined by Juan Antonio Bonachía Hernando and Yolanda Guerrero Navarrete for the reigns of John II and Henry IV.¹³ In general, head clerkships have attracted limited attention, especially during the reign of the Catholic Monarchs. It is thus necessary to identify the individuals who held this post between 1379 and 1520. Similarly, it is necessary to examine the process that led to the appointment of head clerks, a matter which, notably in Burgos, is still poorly understood, as are the voting rights held by head clerks in the city from the 1490s onwards. Especially important in this regard are the votes cast by the head clerk Gonzalo de Cartagena, who was at the service of the house of Velasco – Counts of Haro (1430), *condestables* of Castile (1470) and Dukes of Frías (1492) – as head valet of the 2nd Duke of Frías, Íñigo Fernández de Velasco († 1528).

Against this background, the aim of this article is to examine the office of head clerk in the *realenga* city of Burgos during the fifteenth century. I will analyse the process that led to the appointment of head clerks, its functions and duties, and I will also go over the holders of this position in the fifteenth century. Particularly, I will examine the appropriation of this post by the Fernández de Velasco, one of the most important Castilian noble families during this period. In connection with this, I shall outline the tools mobilised by the nobility to access this public office, as well as the scope and meaning of the control they exercised over it. Ultimately, the example posed by the head clerkship in Burgos will allow us to approach one of the ways used by the nobility to infiltrate urban governments. In the late fifteenth

5. Normally there were 25 of them, and they were appointed for life. Bonachía Hernando, Juan Antonio. *El concejo de Burgos en la Baja Edad Media (1345-1426)*. Valladolid: Universidad de Valladolid, 1978: 91-94.

6. AMB, Libros de Actas, 1429, f. 22^r.

7. AMB, Libros de Actas, 1431, f. 19^r.

8. AMB, Libros de Actas, 1441, f. 85^v and 85^v.

9. AMB, Libros de Actas, 1453, ff. 15^v-17^r.

10. AMB, Libros de Actas, 1461, ff. 65^v-69^r, 70^v-71^r.

11. AMB, Libros de Actas, 1494, ff. 243^v-244^r.

12. AMB, Libros de Actas, 1496, f. 136^v.

13. Bonachía Hernando, Juan Antonio. *El concejo de Burgos...*: 91-97; Guerrero Navarrete, Yolanda. *Organización y gobierno en Burgos durante el reinado de Enrique IV de Castilla, 1453-1476*. Madrid: Universidad Autónoma de Madrid, 1986: 100-102.



century, the head clerks in Burgos were controlled by the Fernández de Velasco, and they did not hesitate to use the prominent position of these public servants for their own profit.

2. The head clerkship: function and duties

In the city of Burgos, there was a single head clerk, who held the post for life, as in other cities, such as Segovia, Cuenca, Seville, and Murcia.¹⁴ In other cities, such as Valladolid and Ávila, there were two head clerks.¹⁵

Ten head clerks are attested in Burgos between 1379 and 1521: Pedro Fernández de Villegas, Pedro Sánchez de Laredo, Pedro Suárez de Santa María, Pedro López de Bocos, Lope López de Bocos, Juan de Santotis, Bernardino de Lerma, Fernando de Covarrubias, Gonzalo Pérez de Cartagena, and Juan de Zumel.¹⁶

Table 1. Head clerks in the council of Burgos between 1379 and 1534

Years in office	Head clerk
1379-1396*	Fernández de Villegas, Pedro
1396-1426* (nr)	Sánchez de Laredo, Pedro
1426-1438* (r)	Suárez de Santa María, Pedro
1439-1453 (ar) (r) (vf)	López de Bocos, Pedro

14. Two overviews in Corral García, Esteban. *El escribano del concejo en la Corona de Castilla (siglos XI-XVIII)*. Burgos: Ayuntamiento de Burgos, 1987; Álvarez Álvarez, César. "Oficiales y funcionarios concejiles de la Corona de Castilla durante la Baja Edad Media (un largo proceso de intervención regia y oligarquización", *Las sociedades urbanas de la España medieval. Actas de la XXIX Semana de Estudios Medievales de Estella (15 al 19 de julio de 2002)*. Pamplona: Gobierno de Navarra, 2003: 489-540. For the appointment of head clerks during the reign of John II, the posts' requirements and the conflict between the crown and the councils, see: Rábade Obradó, María Pilar. "Los escribanos...": 125-166. Most of the monographs cited explain the composition of city councils in each city. See for instance Asenjo González, María. *Segovia: la ciudad y su tierra a fines del Medievo*. Segovia: Diputación provincial, 1986: 452; Jara Fuente, José Antonio. *Concejo, poder y élites. La clase dominante en Cuenca en el siglo XV*. Madrid: Consejo Superior de Investigaciones Científicas, 2000: 102-103, 251-258. The latter dedicates several pages to council clerks and their links with the political elite. Similarly, these works explain that the position was often held by delegation of their official holder, for instance in Burgos.

15. Álvarez Álvarez, César. "Oficiales y funcionarios...": 521.

16. Nine of them feature in the municipal minutes. There may have been more, since the municipal acts for some years are lost.



1453-1461 (ar) (r) (vf)	López de Bocos, Lope
1461-1471* (ar) (r)	Santotis, Juan de
1471-1476* (ar)	Lerma, Bernardino de
1476-1492	Covarrubias, Fernando de
1492-1517 (nr) (r)	Cartagena, Gonzalo de
1517-1534 (ar) (r)	Zumel, Juan de
<p>* Approximate dates, based on preserved acts. (ar): appointed following his predecessor's resignation (nr): royal appointment (r): resigned his post (vf) family links with the following head clerk</p>	

The head clerks and the *escribanos de número* were the council officials in charge of formalising all types of documents, from sales contracts to letters of naturalisation. They handled many types of documents, which allowed them to control many of the issues that were being addressed in the city and provided them with a large volume of information. Both the head clerkships and the *escribanías de número* were well-paid positions, so they were highly coveted.¹⁷ Head clerks, in addition, accompanied investigators and supervised judicial processes. The head clerk had two assistants chosen from among the *escribanos de número*, to help him with judicial processes and to represent him in council meetings.¹⁸ None of these assistant clerks was ever elevated to the position of head clerk, although some worked for more than one of them, for instance Diego Sánchez de Santa María, who assisted head clerks Pedro Suárez de Santa María and Pedro López de Bocos.¹⁹ The head clerk's duties included transcribing municipal acts, legalising the other documents issued by the council, and filing them in the archives.²⁰

17. Bonachía Hernando, Juan Antonio. *El concejo de Burgos...*: 91-97; Guerrero Navarrete, Yolanda. *Organización y gobierno...*: 100-102.

18. Bonachía Hernando, Juan Antonio. *El concejo de Burgos...*: 98.

19. Cantera Burgos, Francisco. *Alvar García de Santa María. Historia de la judería de Burgos y de sus conversos más egregios*. Madrid: Instituto Arias Montano, 1952: 355, 525.

20. For the organisation and preservation of documents in the archive, see for instance: AMB, Libros de Actas, 1508, folio 184^v. In the first decade of the sixteenth century, the council planned to create an archive in the city's jail, Archivo Municipal de Burgos, *Histórica*, 3101.



In contrast with *escribanos de número*, head clerks could intervene in council meetings. The political importance of this position was such that, in Burgos, from the late fifteenth century they even had a vote, which was rare in Castile.

In the *Cortes* held in Zamora in 1432, John II banned head clerks from having voting rights in any of the kingdom's city councils.²¹ It is unclear when the head clerks in Burgos began disobeying this order and holding this prerogative, which was claimed as early as Juan de Santotis' term as head clerk in Burgos from 1461 to 1471.

During his tenure, Juan de Santotis filed a number of lawsuits against the city council in order to be granted this right, but he never had the opportunity to exercise it.²² The conflict continued with later head clerks – Bernardino de Lerma, Francisco de Covarrubias and Gonzalo Pérez de Cartagena – as in 1494 the Catholic Monarchs passed a law, at the request of the Burgos city council, reiterating the ban, which indicates that the issue was still being contested.²³ It is assumed that it was between 1492 and 1517 (probably before 1508), during Gonzalo de Cartagena's tenure, that the head clerk finally gained this prerogative. In this year, Queen Joanna I requested an earlier ban, which barred Gonzalo de Cartagena from intervening and voting in the council meetings, to be suspended until the lawsuit filed by the head clerk against the council to keep this right, was brought to a head.²⁴ After this date, Gonzalo de Cartagena is found in the record casting votes in council meetings.²⁵ It is likely that the opposition posed by *alcaldes* and *regidores*²⁶ was related to the fact that, in practice, head clerks were not always in collusion with the urban elite, which therefore tried to keep head clerks away from decision-making processes.

3. The appointment of head clerks

The appointment of head clerks in fifteenth-century Castile could follow two models: first (the most common procedure), appointment by the city council, which

21. See Pardo Rodríguez, María Luisa. "La escribanía mayor del Concejo de Sevilla en la Edad Media", *La diplomatie urbaine en Europe au Moyen Âge. Actes du congrès de la Commission internationale de Diplomatie, Gand, 25-29 août 1998*, Walter Prevenier, Thérèse Hemptinne, eds. Leuven: Garant, 2000: 366.

22. See Guerrero Navarrete, Yolanda: *Organización y gobierno...*: 101-102.

23. AGS, Registro General del Sello, Legajo, julio de 1494, f. 60.

24. AMB, Histórica, 4820.

25. For instance, in 1508, when council officials voted the *encabezamiento* of the annual *alcabalas*. The head clerk voted in favour of this measure. AMB, Libros de Actas, 1508, folios 104^v-106^v. Also in 1514; AMB, Libros de Actas, 1514, folios. 85^v-86^f. The 1514 meeting discussed whether procurators were entitled to keep their position if they were the servants of a powerful man. In this case, Gonzalo de Cartagena voted against. In addition, the clerk was in favour of banning procurators if they *vivía con señor* [were in a lord's household]. Gonzalo de Cartagena argued that the procurator must have left the lord's service at least a year prior to taking his public position.

26. Highest municipal official in Castile.



had later to be endorsed by the king; second, by direct appointment by the monarch, who always reserved this prerogative.²⁷ In Burgos, the records yield evidence for the mode of appointment of six of the ten head clerks included in our study. Gonzalo Pérez de Cartagena was appointed on 16 July 1492, on the recommendation of the Catholic Monarchs after the death of the previous head clerk, Fernando de Covarrubias.²⁸ Pedro Sánchez de Laredo was also appointed at the king's (Henry III) request in approximately 1396.²⁹ Finally, Pedro López de Bocos, Lope López de Bocos, Juan de Santotis and Juan de Zumel were appointed after the resignation of their predecessors.³⁰

The resignation mechanism was common in other Castilian councils too, and was also used in Burgos to appoint *regidores*, *alcaldes*, and *escribanos de número*.³¹ However, in most Castilian cities, head clerks were generally appointed by the council and later confirmed by the king.³² Therefore, what we have seen concerning these four

27. For instance, Cuenca and Segovia followed the first model and Granada and Malaga the second.

28. AGS, Registro General del Sello. Legajo, julio de 1492, f. 32. Gonzalo de Cartagena's appointment was accepted on 26 July, AMB, Libros de Actas, 1492, f. 191^r.

29. No municipal acts for 1396 are preserved, but the Sección Histórica in the municipal archives holds a letter signed by Henry III, dated to October 1396, in which he asked the council to give this royal grant to Pedro Sánchez de Laredo. AMB, Histórica, 4067. In 1398, for which acts survive, Pedro Sánchez de Laredo features as head clerk.

30. No records remain for Pedro López de Bocos' access to the position of head clerk. In the acts for 1436 Pedro Suárez de Santa María still features as head clerk, but in those for 1439 Pedro López de Bocos is already in this position, so the resignation must have taken place in 1436-1437, for which no municipal records survive. Cantera Burgos, Francisco. *Alvar García...*: 262, 355 and 364. For his part, Lope López de Bocos resigned his post in favour of Juan de Santotis in 1461. In April, he handed the council the royal letter confirming his resignation, which was included in the municipal acts. AMB, Libros de Actas, 1461, ff. 56^v-57^r. Finally, Juan de Zumel gained access to the head clerkship after Gonzalo Pérez de Cartagena's resignation in 1517: AMB, Libros de Actas, 1517, f. 88^r.

31. Tomás y Valiente, Francisco. "Origen bajomedieval de la patrimonialización y la enajenación de oficios públicos en Castilla", *Actas del Primer Symposium de la Historia de la Administración*. Madrid: Instituto de Estudios de la Administración Local, 1967. For clerkships see Rábade Obradó, María Pilar. "Los escribanos públicos en la Corona de Castilla durante el reinado de Juan II. Una aproximación de conjunto". *En la España Medieval*, 19 (1996): 128-129, 147-148. This work also examines the relationship between resignations and venality. For the problems generated by the hereditary bequeath and appropriation of clerkships in Baeza and Cuenca see: Calero Palacios, María del Carmen; Crespo Muñoz, Francisco. "La enajenación de oficios públicos en Castilla durante la Edad Moderna: Las escribanías de Baza (siglos XV-XVI)", *Homenaje a Antonio Domínguez Ortiz*, José Luis Castellano, coord. Granada: Universidad de Granada, 2008: 197-214; Rábade Obradó, María Pilar. "Las escribanías como conflicto entre el poder regio y el poder concejil en la Castilla del siglo XV: el caso de Cuenca." *Anuario de Estudios Medievales*, 21 (1991): 247-276. Also: Ruiz Pilares, Enrique. "Los escribanos mayores de los concejos castellanos en el siglo XV: Una élite de burócratas al servicio del grupo dirigente. Los Román de Jerez de la Frontera". *Bajo Guadalquivir y Mundos Atlánticos*, 1 (2018): 193-210.

32. For conflicts between the Crown and cities around this issue see Ríos Conejero, Alejandro. "La escribanía del concejo de Teruel en la Baja Edad Media: Evolución e injerencia monárquica". *Aragón en la Edad Media*, 30 (2019): 295-324; Montero Málaga, Alicia. "The control of the council offices in the Late Middle Ages: The notaries in Burgos. A conflict of authority", *Medieval Urban Identity*, Flocel Sabaté, dir. Cambridge (UK): Cambridge Scholars Publishing, 2015: 223-241, and "Capital relacional y capital social en el acceso de la alta nobleza al gobierno municipal burgalés a principios del siglo XVI. La provisión de la alcaldía mayor a Francisco de Brizuela". *En la España Medieval*, 41 (2018): 227-256. For the private appropriation of the head clerkship see Jiménez López de Eguileta, Javier. "Familias y



clerks in Burgos did not follow the general rule, although there are other cities in which similar practices are attested, for instance Seville, where the Catholic Monarchs authorised the position to be appropriated by a local noble family, the Pinedas, in the late fifteenth century;³³ and Murcia, where between 1481 and 1515 two head clerks, Alonso and Francisco Palazol, who were father and son, were appointed after the resignation of their predecessors.³⁴

On the other hand, in contrast with Seville and Murcia, not all head clerks appointed after their predecessor's resignation were related to them. Table 1 shows that not all head clerks who accessed the post by way of resignation in Burgos were related to the previous holder of the office, for instance Pedro Suárez de Santa María and Pedro López de Bocos or Juan de Santotis and Bernardino de Lerma. This has led to the conclusion that, in contrast with *alcaldías* and *regidurías*, head clerkships in Burgos, were not affected by the private appropriation of the office by a single family, even if the holder of the post could surrender it voluntarily.³⁵ However, it has been attested that Pedro López de Bocos and his successor, Lope López de Bocos, were related, and that Lope was the uncle of Juan de Santotis, who followed him in office.³⁶ In any case, the private appropriation of this position by a single family never became a consolidated practice in Burgos. Despite this, appointment by way of resignation remained the most common procedure to access the post.

Two factors could explain the renunciation of the post in favour of a non-relative, a rare eventuality by all accounts: first, that resignations could in fact be concealing the sale of the post, which explains the lack of kinship ties between incumbent and appointee;³⁷ and, second, that the beneficiary of these resignations and the previous head clerks were related, if not through family ties, for instance, by both of them serving a single third party. The examination of the head clerks under scrutiny here suggests that the second explanation may not be too wide of the mark, because it is very likely that, if not during the whole fifteenth century, for at least a few decades the head clerkship of Burgos was privately controlled by the house of Velasco.

escribanos: los Guillén de Barat en Sanlúcar de Barrameda como ejemplo de patrimonialización notarial y aristocratización del linaje en la Edad Media", *Escritura y sociedad: burgueses, artesanos y campesinos*, Santiago Fernández, José María Francisco de Olmos, eds. Madrid: Dykinson, 2018: 237-252.

33. Pardo Rodríguez, María Luisa. "La escribanía mayor...": 360-361.

34. Gomariz Marín, Ana. "Las escribanías...": 47.

35. Guerrero Navarrete, Yolanda. *Organización y gobierno...*: 101.

36. AMB, Libros de Actas, 1461, f. 56^v.

37. This practice is often found with *regidurías* and *alcaldías*. For an example in Burgos see Montero Málaga, Alicia. "Capital relacional...": 227-256. For head clerks in the city of Murcia see Rodríguez Llopis, Miguel. "Las Escribanías y el Poder. La emisión de documentos en la sociedad murciana bajo-medieval". *AREAS*, 9 (1988): 18. Asimismo, Gomariz Marín, Ana. "Las escribanías...": 40.



Table 2. Head clerks related to the house of Velasco

Years in office	Head clerk	Position in the house of Velasco
1379-1398*	Fernández de Villegas, Pedro	
1398-1426* (nr)	Sánchez de Laredo, Pedro	
1426-1438* (r)	Suárez de Santa María, Pedro	Household member
1439-1453 (ar) (r) (vf)	López de Bocos, Pedro	Head accountant
1453-1461 (ar) (r) (vf)	López de Bocos, Lope	Household member
1461-1471* (ar) (r)	Santotis, Juan de	Household member. Assistant to the counts in the city.
1471-1476* (ar)	Lerma, Bernardino de	Assistant to the counts in the city
1476-1492	Covarrubias, Fernando de	
1492-1517 (nr) (r)	Cartagena, Gonzalo de	Head valet
1517-1534 (ar) (r)	Zumel, Juan de	Councillor and valet
* Approximate dates, based on preserved acts. (ar): appointed following his predecessor's resignation (nr): royal appointment (r): resigned his post (vf) family links with the following head clerk		

4. The control of the head clerkship by the house of Velasco: scope and meaning

The first of the factors that suggest this notion is that, of the ten head clerks documented, at least three – Pedro López de Bocos, Gonzalo de Cartagena and Juan



de Zumel – were directly related to the house of Velasco, holding positions within the noble household during their tenure as head clerks.

Pedro López de Bocos features in the municipal acts as head clerk from 1439 to 1453. We have little information about the family origins of this official, although we know that he was from Briviesca. Pedro López de Bocos was the right-hand man of Juan Fernández de Velasco († 1418), to the point that he was appointed the executor of Juan's will and codicil. He worked in the administration of the household from 1412 to 1458,³⁸ during which years he also held the post of court clerk with John II of Castile, a position that also overlapped with his duties in the Velascos' household.³⁹ In addition to acting as the Velascos' clerk, Bocos was one of the lineage's Christian tax collectors.⁴⁰ In his testament, Juan de Velasco commanded Bocos to remain in his fiscal duties during the rule of his son Pedro (II) Fernández de Velasco, and everything indicates that this was the case.⁴¹

The testament of the 1st Count of Haro, dated to 13 April 1458, suggests that, from this year, Bocos also served Fernando Sánchez de Velasco. The document claims that Bocos' knowledge of the Count of Haro's patrimony was second to none, advising Fernando Sánchez to demand his services.⁴²

For his part, Gonzalo de Cartagena was head valet of Fernández de Velasco, to which we must add the special relationship between the whole Cartagena family and the Counts of Haro from 1430 onwards.⁴³ Gonzalo Pérez de Cartagena was the bastard son of the *regidor* Pedro de Cartagena. In addition to being captain of the province of Burgos in 1478 with the Catholic Monarchs and receiving *acostamiento*

38. Franco Silva, Alfonso. "El gobierno y la administración de un señorío. El modelo de los Velasco (1368-1470)", *La Península Ibérica en la Edad Media: treinta años después. Estudios dedicados a José Luis Martín*, José María Mínguez Fernández, Gregorio Del Ser Quijano, coords. Salamanca: Universidad de Salamanca, 2006: 139-140.

39. López de Bocos' work in John II's court has been analysed by Francisco de Paula Cañas Gálvez, Francisco de Paula. *Burocracia y chancillería en la corte de Juan II (1406-1454). Estudio institucional y prosopográfico*. Salamanca: Universidad de Salamanca, 2013: 91, 111, 127, 128, 405, 406. I want to thank Francisco de Paula for his help with, and suggestions concerning, this character.

40. García Luján, José Antonio. *Judíos de Castilla (siglos XIV-XV). Documentos del archivo de los duques de Frías*. Córdoba: Universidad de Córdoba, 1994: 62-63.

41. García Luján, José Antonio. *Judíos de Castilla...: 63*.

42. AHNOB, FRÍAS, caja 598, documento 13, f. 23^v. For de transcription: Porres Fernández, César Alonso. *El Buen Conde de Haro (Don Pedro Fernández de Velasco [III]). Apuntes biográficos, testamento y codicilos*. Medina de Pomar: Asociación de Amigos de Medina de Pomar, 2009: 182.

43. Montero Málaga, Alicia. "Lealtad compartida ¿Servir al rey, a la nobleza o a la ciudad? Burgos y el linaje de los Cartagena a finales del siglo XV". *Roda da Fortuna*, 4/1 (2015): 236-263. The concern of the lineage for the preservation of the written word and its relationship with family memory has been highlighted by Cristina Jular Pérez-Alfaro in: Jular Pérez-Alfaro, Cristina. "Escritura y poder en las casas nobiliarias: materiales de trabajo comentados (taller)", *Discurso, memoria y representación: la nobleza peninsular en la Baja Edad Media, Semana de Estudios Medievales de Estella*. Pamplona: Gobierno de Navarra, 2016: 403-448 y Jular Pérez-Alfaro, Cristina. "¿Qué archivos para qué señor? Los primeros inventarios del linaje Velasco (Castilla, siglos XIV-XV)", *Les archives familiales dans l'Occident médiéval et moderne. Trésor, arsenal, memorial*, Véronique Lamazou-Duplan, ed. Madrid: Casa de Velázquez, 2021: 105-115. This author coordinates a project, *Scripta Manent* (<<https://www.scriptamanent.info>>), which has brought to light various documents written by the Velasco family, and on its website, there is an interesting section devoted to the signatures of notaries.



from them⁴⁴, Gonzalo was appointed head clerk in Burgos in 1492, after the death of Fernando de Covarrubias.⁴⁵

Finally, Juan de Zumel acted as counsellor and valet for the 2nd Duke of Frías, Íñigo Fernández de Velasco. Zumel, born in Valladolid in 1473, was linked to the *condestable* of Castile through his wife Catalina de Estrada. The latter was part of the circle of María de Tovar, wife of Íñigo Fernández de Velasco. From the beginning of the sixteenth century, it is possible to verify how Zumel participated in matters of special relevance for the *condestable*. An example of this was his participation in the Revolt of the *comuneros*. He was also tutor of Juliana Ángela, niece of Íñigo Fernández de Velasco. From June 1515 Zumel was a neighbour of Burgos.⁴⁶ In 1518 he was procurator in the courts of Valladolid.⁴⁷ After the Revolt of the *comuneros* the contestable would request for Zumel a position in the royal council.⁴⁸

Therefore, as noted, at least three of the head clerks under consideration had direct links with the house of Velasco and played active roles in its administration as accountant, head valet and counsellor. Considering the way head clerks were appointed in Burgos, and who followed whom in the post, it is almost compulsory to ask whether the other head clerks also served the Counts of Haro.

The last of our head clerks, and Íñigo Fernández de Velasco's counsellor, was appointed in 1517 after Gonzalo de Cartagena resigned in his favour, so there can be little doubt about the links between the house of Velasco and the city's head clerkship between 1492 and 1534, when these two head clerks were in office. However, thirty years elapsed between Gonzalo de Cartagena and Pedro López de Bocos' tenures. Is it possible to find links between the office and the Velasco's between Pedro López de Bocos' resignation in favour of his son in 1453 and Gonzalo de Cartagena's appointment in 1492? Also, what about Pedro López de Bocos' predecessors?

Owing to interruptions in the municipal act series prior to 1483, the records for the two earliest head clerks in our list – Pedro Fernández de Villegas and Pedro Sánchez de Laredo – are scant, and it is unclear whether the latter resigned in favour of Pedro Suárez de Santa María,⁴⁹ although we know that Pedro Sánchez de Laredo had been appointed on the king's command.⁵⁰

More information exists concerning Pedro Suárez de Santa María, who was appointed in 1426. Although no direct links between Pedro Suárez de Santa María and the house of Velasco has been attested, some evidence suggests that the Santa Marías –future Cartagenas – and the Velascos were linked in some way at this stage. For instance, Pedro de Cartagena, nephew of Pedro Suárez de Santa María

44. Cantera Burgos, Francisco. *Alvar García...*: 509.

45. AMB, Libros de Actas, 1492, f. 191^r.

46. For this character's life see Hergueta, Domingo. *Noticias históricas del doctor Zumel*. Burgos: Tipografía del Monte Carmelo, 1923: 12.

47. AMB, Libros de Actas, 1518, ff. 249^v-250^r and 250^v.

48. AGS, Patronato Real, legajo 1, documento 105, ff. 279, 313, 245.

49. Cantera Burgos, Francisco. *Alvar García...*: 352-365.

50. AMB, Histórica, 4067.



and *regidor* in the council from 1426, was enlisted in Pedro Fernández de Velasco's († 1470) host during his uncle's tenure as head clerk.⁵¹

Between 1438 and 1439, Pedro Suárez de Santa María resigned his office in favour of Pedro López de Bocos, who had been serving the house of Velasco since 1412 as an accountant, a position that he kept until 1458. It is thus legitimate to assume that Pedro Suárez de Santa María's resignation in favour of Pedro López de Bocos is explained by the counts of Haro's interest in keeping their links with this official position.

From 1453, Lope López de Bocos, son of Pedro, features in the municipal acts as head clerk, after his father resigned in his favour sometime between 1450 and 1453.⁵² Years later, in 1461, Lope López de Bocos resigned his office in favour of his nephew Juan de Santotis.⁵³ It is unknown whether Lope López de Bocos and Juan de Santotis still had links with the Velasco, although it is worth pointing out that, during the years in which Lope was head clerk, his father was still keeping the accounts of the 1st count of Haro, Pedro Fernández de Velasco († 1470). In addition, several family members were to serve the family in the forthcoming decades, as valets of the following counts of Haro and dukes of Frías.⁵⁴ No evidence of this kind has been found for the years 1461-1471, during Juan de Santotis' tenure as head clerk. However, on a couple of occasions Juan de Santotis was sent to represent the council before the Count of Haro. For instance, in 1462 the council sent Juan de Santotis to dissuade the Count of Haro and the Abbot of Oña from pursuing their ongoing conflict with one of the city's *regidores*, Pedro Ruiz de Villegas.⁵⁵ Similarly, in 1465, a group of council officials that included Juan de Santotis were put in charge of finding accommodation for Pedro Fernández de Velasco, future 2nd Count of Haro, after he was sent by Henry IV to monitor the situation in Burgos in the aftermath of the Farce of Ávila.⁵⁶ In 1465, after prince Alphonse's proclamation, he was appointed, along with other council officials, to discuss the city's position with the son of the 1st Count of Haro.⁵⁷

After 1471, the record becomes somewhat less eloquent concerning the head clerkship, owing to the lack of municipal acts for the period. According to Yolanda Guerrero Navarrete, head clerks Lope López de Bocos, Juan de Santotis and Bernardino de Lerma followed one another by way of resignation.⁵⁸ It remains to

51. *Regidor* in Burgos from 1426 to 1478 and member of the 1st Count of Haro's host, participating in the conquest of the Navarre town of San Vicente de la Bastida. Cantera Burgos, Francisco. *Alvar García...*: 446-47.

52. In 1450, the head clerk that appears in the record is Pedro López de Bocos, and by 1453 he had already been replaced by Lope López de Bocos, so the resignation must have taken place in this interval, although the municipal acts for 1451 and 1452 do not survive.

53. AMB, Libros de Actas, 1461, ff. 56^v-57^r.

54. In 1492 one Pedro de Bocos is registered as valet to Bernardino Fernández de Velasco. AHNOB, FRÍAS, caja 527, documento 23.

55. AMB, Libros de Actas, 1462, ff. 132^r and 132^v.

56. AMB, Libros de Actas, 1465, ff. 38^r and 38^v.

57. AMB, Libros de Actas, 1465, ff. 38^r and 38^v.

58. Guerrero Navarrete, Yolanda: *Organización y gobierno...*: 101 (footnote 28).



be established whether Bernardino de Lerma's successor, Fernando de Covarrubias, had also reached the office through this route. The information available for this head clerk indicates that he was occasionally in charge of issues that involved the Counts of Haro in the city. For instance, in 1484 the head clerk was sent to negotiate with the Countess of Haro, Mencía de Mendoza, and resolve the conflict between the city and the *condestables* for the accommodation lent by the city to the servants of the house of Velasco.⁵⁹ Two years later, Fernando de Covarrubias features interceding in favour of the *condestable* Pedro Fernández de Velasco († 1492) in a council meeting.⁶⁰

In any case, these are but isolated incidents. It could be argued that they suggest that the council selected Juan de Santotis and Fernando de Covarrubias as commissioners to the counts because of their affinity with them, owing to the repeated instances in which they had sat to negotiate, but this does not allow us to delve much further into these officials' links with their house.

In addition, resignations could occasionally conceal sales of the office.⁶¹ Gonzalo de Cartagena, the following head clerk in the list and official of the house of Velasco, accessed the post not by way of resignation, but as a royal appointment. Even in this case, however, it is possible to see the Counts of Haro behind the appointment; in this case, perhaps, they had to appeal to the monarch owing to the premature death of Fernando de Covarrubias, before the transition from one head clerk to the other could be arranged. In this context, we must not forget that head clerkships were not beyond the policy of rewards implemented by the Crown, which often allocated these positions to its servants to recompense their loyalty. The example posed by Cuenca, examined by M.^a Pilar Rábade Obradó, is significant, because the city council was forced in several instances to defend its autonomy from the appointment of council clerks by the king, two of which responded to direct requests from the Count of Buendía, Pedro de Acuña.⁶² It must, therefore, not be ruled out that the head clerks appointed by the Crown also had links with the house of Velasco.

There are several open questions concerning the appropriation of the office of head clerk by officials and servants of the house of Velasco. The main support for this theory is the fact that Pedro López de Bocos served the count of Haro's household and held the head clerkship simultaneously, and that his successors accessed the post following the successive resignation of the incumbents, which also feature in the record lending services to the counts in the city.

59. In 1484, the *condestable* Pedro (III) Fernández de Velasco, from his position as Viceroy of Castile, demanded from the city accommodation for the Countess of Haro, the Count of Miranda and some of their vassals. The council denied this request, because it undermined the city's privileges. Seeking to find a solution for this conflict, the council sent Fernando de Covarrubias to negotiate with the Countess of Haro. AMB, Libros de Actas, 1484, ff. 52^v-54^v.

60. AMB, Libros de Actas, 1486, ff. 31^r and 31^v. In addition, Fernando de Covarrubias was entrusted to mediate with the *condestable* when, in 1490, the *vecinos* of the seigniorial town of Medina de Pomar filed a lawsuit against Burgos for charging excessive *portazgo*s. AMB, Libros de Actas, 1489, f. 172^v.

61. A practice that is well documented in Murcia: Rodríguez Llopis, Miguel. "Las Escribanías...": 18. Also, Gomariz Marín, Ana. "Las escribanías...": 40.

62. In one of these occasions the candidate supported by the Count of Buendía, Juan Sánchez de Sarrión, was in fact appointed as head clerk. Rábade Obradó, María Pilar. "Las escribanías...": 261-262.



At any rate, Gonzalo de Cartagena's accession to the post in 1492 began a new period in which the links between the head clerkship and the house are beyond doubt, a situation that continued during Juan de Zumel's tenure.

Gonzalo de Cartagena was appointed head clerk by the king upon the death of Fernando de Covarrubias.⁶³ After serving as head clerk for 25 years, Gonzalo de Cartagena renounced his post in favour of Juan de Zumel, who had gained an *alcaldía mayor* in the city in 1515, a post that he surrendered in turn to Gonzalo Pérez de Cartagena in 1517; that is, they swapped places.⁶⁴ By that time, Gonzalo de Cartagena was in the position of resigning his post in favour of his son, whereas Zumel seems to have had no children. In this context, it is not hard to understand Gonzalo de Cartagena's interest in the *alcaldía*, which could be passed on to his son more easily than the clerkship, as he, in fact, did six months later.

Although there are instances in which the head clerkship was passed on to relatives, the fact is that the appropriation of the office by a single family never took hold in Burgos, where the post never remained within the same family for more than two generations, unlike with *alcaldías*; this suggests that some obstacle was in place to bar the practice. However, Zumel surrendered the post to his nephew in 1534, which suggests that the exchange of offices between Cartagena and Zumel not only responded to the former's interest in perpetuating his family's presence in the council, but also to the greater prerogatives or prestige associated to the office of *alcalde*. Finally, we cannot neglect Gonzalo Pérez de Cartagena's personal wish to occupy an *alcaldía* in the city, a position that he had tried to access unsuccessfully in 1478, years before his appointment as head clerk, after the royal request for his appointment was rejected.⁶⁵ It is unknown whether Íñigo Fernández de Velasco was involved in the swap or whether in this instance his servants acted on their own volition. At any rate, they both belonged to the social network of the Velascos, so the move did not undermine the interests of their master.

Finally, it is worth pointing out that Pedro López de Bocos, Gonzalo de Cartagena and Juan de Zumel broke the rules that banned individuals that *viven con señor* from occupying municipal posts. In contrast with *alcaldías* and *regidurías*, however, this rule seems to have posed no obstacle to them holding the office, as no objection by other council officials is attested. This was likely because, although the head clerks were the best paid officials in the council, in practice they did not hold full political prerogatives, which were reserved for *alcaldes* and *regidores*.⁶⁶ Although Gonzalo de Cartagena appears to have had the right to vote at times, this was against the council's wishes, and he never enjoyed this prerogative fully.

We may also mention another characteristic of head clerkships. Although some of them, like Pedro Suárez de Santa María, Gonzalo de Cartagena, Bernardino de

63. AGS, Registro General del Sello, Legajo, julio de 1492, f. 32.

64. AMB, Libros de Actas, 1517, f. 88^r.

65. Juan Bocanegra was appointed *alcalde* at that time. AMB, Libros de Actas, 1478, ff. 68^v-71^r.

66. Guerrero Navarrete, Yolanda: *Organización y gobierno...*: 100.



Lerma and Fernando de Covarrubias,⁶⁷ belonged to the urban elite, others like Pedro Sánchez de Laredo, Pedro López de Bocos, Lope López de Bocos, Juan de Santotis and Juan de Zumel did not.⁶⁸ These characters were unrelated to the city's elite, and accessed the office of head clerk through the king, to whom they were close, or through the Count of Haro.⁶⁹ However, no council opposition to the appointment of Gonzalo de Cartagena, directly by the Crown by way of resignation,⁷⁰ or to those of the other head clerks that accessed the post in a similar way, is attested. Probably, the council understood that, lacking a vote, the head clerks posed no major threat to the city's interests. This tallies with the hostility with which *regidores* and *alcaldes* fought against these officials, who were not part of the urban elite, being granted the right to vote, which would give them the power to directly influence decisions.

The fact that these head clerks were admitted to the council should not be interpreted as evidence for a lack of interest on the part of the urban elite concerning the control of these offices and the process of selection. The most representative illustration of this dates to 1513, when Ferdinand the Catholic granted *regidor* Diego de Valdivieso the right to appoint the head clerk when the incumbent, Gonzalo de Cartagena, left the post. The council objected, arguing that this appointment method was irregular, as Gonzalo de Cartagena was still active. We do not know what reasons moved the Crown to give Diego de Valdivieso this grant;⁷¹ the relevant point is that the council's pressure forced the king to reverse his decision,⁷² in a clear example of the council of Burgos standing up to oppose the king from appointing municipal officials without their consent, even for a position that was not always under control of the urban elite. Something similar must have happened with Pedro Sánchez de Laredo, as Henry III decried the council's delay in accepting his grant in favour of Pedro Sánchez de Laredo, although in this case he had his wish in the end.⁷³

The fact that the head clerk was sometimes appointed from outside, beyond the control of the families that constituted the urban power elite, unlike in other cities

67. Caunedo del Potro, Betsabé. *Mercaderes castellanos en el golfo de Vizcaya (1475-1492)*. Madrid: Universidad Autónoma de Madrid, 1983: 122-130, 130-139; Guerrero Navarrete, Yolanda: *Organización y gobierno...*: 146-177.

68. These three head clerks were not related to the families that constituted the city's elite and hoarded *regidurías* and *alcaldías*. They were not related either to the so-called participation elite, which held lesser posts, generally associated with tax management, such as *fieles* and tax farmers, posts that gave this lesser elite some share in the city's government. Guerrero Navarrete, Yolanda. "Hacia una prosopografía de los grupos financieros burgaleses", *Fiscalidad, sociedad y poder en las ciudades castellanas siglos XIV y XV*, Yolanda Guerrero Navarrete, coord. Madrid: Universidad Autónoma de Madrid, 2006: 203-239.

69. Let us recall that Pedro López de Bocos was court clerk in John II's court.

70. Gonzalo de Cartagena's service to the Catholic Monarchs as *acostado* and *capitán* may have also played a role in this decision.

71. Diego de Valdivieso also had some connection with the 1st Duke of Frías, Bernardino Fernández de Velasco, acting as his front man. Archivo Catedralicio de Burgos, Libros, 16, ff. 49^r and 49^v.

72. AMB, Libros de Actas, 1513, f. 83^r. AGS. Cámara de Castilla. Cédulas 8, folio 12, documento 1.

73. AMB, Histórica, 4067.



in which the head clerks were always appointed by the council,⁷⁴ could explain not only the council's opposition to the clerk having a vote, but other limitations to their prerogatives: they were barred from participating in the appointment of procurators to the *Cortes*, were relieved from their duties before tax collection acts were issued, etc.⁷⁵

Finally, it is worth pointing out that the head clerks' links with the house of Velasco do not mean that they automatically took their side, especially Gonzalo de Cartagena. Gonzalo de Cartagena's position in Burgos, as a member of one of the most important families in the city's urban elite, whose relationship of patronage with the Velascos was often more horizontal than vertical, explains that his decisions not always went in favour of the family of the *condestables*, but of his own lineage. For instance, in 1510, Gonzalo de Cartagena, who at the time does not seem to have had a vote, but to have had the right to speak in council meetings, opposed the sale of a piece of land belonging to the council to the *condestable* of Castilla, Bernardino Fernández de Velasco († 1512). He made this point in several council meetings, despite praising the *condestable* all the same, as we shall have the opportunity to see in more detail.⁷⁶ In other occasions, Gonzalo de Cartagena voted in favour of the *condestable's* interests, for instance in 1516, when he agreed to the appointment of Francisco de Brizuela, Íñigo Fernández de Velasco's head accountant, for an *alcaldía*. Juan de Zumel, an *alcalde* at the time, also voted in favour.⁷⁷

5. Conclusions

Conceived in this way, the head clerkship of Burgos became a way for the Velascos to reward their servants with a rather lucrative position. At the same time, by appointing their servants and clients to this post these nobles could display their power, generosity and influence. However, although *escribanías de número* did not give the *condestables* direct leverage on decisional processes, they could obtain other forms of capital that were anything but negligible, beginning with the privileged information that they could convey and their ability to legalise documents of all sorts. For instance, an *escribano de número* facilitated the appointment of Fernando de Bañuelos, Bernardino Fernández de Velasco's accountant, as *regidor* in 1505. The clerk confirmed that Bañuelos owned a residence in the city and that he was a *vecino*, two requisites to access the *regiduría* that were being questioned by other council officials.⁷⁸ This demonstrates the importance that possessing and producing information had for the nobles that wished to infiltrate cities; it must be taken into

74. José Antonio Jara Fuente has shown that in Cuenca the local elite totally controlled the appointment of the head clerk and his assistants, Jara Fuente, José Antonio. *Concejo, poder y élites...*: 252-253.

75. Guerrero Navarrete, Yolanda. *Organización y gobierno...*: 101-102 (footnote 30).

76. AMB, Libros de Actas, 1510, ff. 147^r-150^r.

77. AMB, Libros de Actas, 1516, ff. 57^r-61^r.

78. AMB, Libros de Actas, 1505, ff. 36^v-39^r.



account that these clerks not only legalised municipal and seigniorial documents, but also wrote down the municipal acts, the main instrument of urban memory.

Ultimately, it is likely that access to the post of men who were in the service of lords must have been, to a large extent, negotiated, because the sources reveal no conflicts concerning their appointment, despite the fact that this prerogative appears to have been largely beyond the control of the urban elite. This indicates that the urban elite thought that this office provided little political leverage. Conversely, we must emphasise the council's opposition to the head clerks having the right to vote, which would have brought this official to the level of *alcaldes* and *regidores* in decisional processes.

