

ACA, Cancillería, Reg. 1751 — Creatio Tabellionatus: Raimundus Diebra of Híjar

Document Summary

Royal grant issued by Joan I of Aragon appointing Raimundus Diebra (Ramon Diebra) of Híjar (*loci de Ixar*) as a public notary (*notarius publicus*) throughout the Kingdom of Aragon. The document follows the standard formulary for notarial creations: the king attests to the candidate's fitness, notes that the oath has been administered in the royal chancery, defines the scope of notarial authority (including the right to receive testaments, legal acts, attestations, and all other instruments of contract), requires the keeping of protocols, grants royal authority and decree to the appointee's public instruments, and commands all officials of the Kingdom of Aragon to recognize the appointee as a public notary. Issued at Barcelona, 21 March 1387, in the first year of Joan I's reign. Written by the chancery scribe Johannes Martiniz (Joan Martínez), by direct royal mandate.

Date: 21 March 1387

Place of issue: Barcelona

Language: Latin

Document type: Creatio tabellionatus (notarial appointment)

Register: ACA, Cancillería, Reg. 1751, ff. 5v–6r

Scribe: Johannes Martiniz

Reconciled Transcription

[f. 5v]

Nos Johanes dei gracia rex Aragonum et cetera. Attendentes te fidelem nostrum Raimundum Diebra loci de Ixar esse ydoneum et sufficientem ad tabellionatus officium exercendum prestito per te in cancellaria nostra juramento quod bene et legaliter te habebis in exercendo officio memorato · Ideo constituimus et creamus te dictum Raimundum in notarium publicum per totum Regnum Aragonum · Ita quod in universis et singulis locis dicti regni possis recipere et conficere testaments acta atestationes sumas [?] et quelibet alia jura quorumcumque contractuum fuerint et quaslibet alias scripturas autenticas et publicas et ea scribere et scribi facere per substitutum aut substitutos a te juratos tamen de quibus siquidem protocolla sive capi-

[f. 6r]

-tula facias notulari ut eterne memorie commendentur · Nos enim ipsis testamentis actis atestationibus sententiis instrumentis et aliis scriptis tuis publicis et autenticis per te bene et legaliter recipiendis conficiendis et scribendis ac scribi faciendis per juratos et substitutos a te auctoritatem nostram impendimus pariter et decretum · Ita quod eisdem in judicio et extra judicium fides plenaria habeatur et omnimodam obtineat roboris firmitatem tanquam publica manu factis · Dum tamen subscriptione tua et signo apposis in eisdem qua te auctoritate nostra notarium et ipsis contractibus interfuisse confitearis · Mandantes per presentem cartam

nostram Gubernatori nostro generali cuiusque [?] vicesgerentibus necnon vicariis baiulis justiciis curiis superjunitariis calmedinis mermis [?] Consiliariis juratis et universis aliis officialibus et subditis nostris presentibus et futuris vel eorum locatenentibus · quod te pro notario publico habeant et teneant per totum Regnum Aragonum et instrumentis ac scriptis tuis publicis adhibeant plenam fidem · In cuius rei testimonium presentem cartam nostram fieri et sigillo nostro appendicio jussimus communiri · Data Barchinone vicesima prima die Marcii anno a nativitate domini Millesimo ccc^o lxxxvii^o · Regni nostri primo · + Dominus rex mandavit

Johannes Martiniz

Annotated English Translation

We, Joan, by the grace of God King of Aragon, et cetera.(1) Recognizing that you, our faithful Raimundus Diebra (Ramon Diebra) of the town of Híjar,(2) are fit and competent to exercise the office of notary — the oath having been taken by you in our chancery that you will conduct yourself well and faithfully in exercising the said office — we therefore establish and create you, the said Raimundus, as a public notary throughout the entire Kingdom of Aragon,(3) so that in each and every place of the said kingdom you may receive and draw up testaments, legal acts, attestations, sumas [?],(4) and any other instruments of whatsoever contracts there may be, and any other authentic and public documents, and may write them and cause them to be written by a substitute or substitutes sworn by you — provided, however, that you cause the protocols or chapters(5) thereof to be recorded in note form, so that they may be committed to permanent record.

For we bestow upon these testaments, acts, attestations, judgments, instruments, and other public and authentic writings of yours — to be received, drawn up, and written by you well and faithfully, and to be caused to be written by your sworn substitutes — our authority equally and our decree,(6) so that full faith shall be given to them in court and out of court, and they shall obtain every force of validity, as if made by a public hand — provided, however, that your subscription and sign are affixed to them, by which you declare that by our authority you are a notary and that you were present at the said contracts.(7)

We command by this our present letter our Governor General(8) and his vice-regents,(9) and also the vicars,(10) *batlles*,(11) justices, courts, *sobrejunteros*,(12) *çalmedines*,(13) *merinos* [?],(14) councillors, jurats, and all other officials and subjects of ours, present and future, or their lieutenants, that they hold and regard you as a public notary throughout the entire Kingdom of Aragon, and that they give full faith to your public instruments and writings.

In witness whereof we have commanded this our present letter to be made and fortified with our appended seal. Given at Barcelona, the twenty-first day of March, in the year of the Lord one thousand three hundred and eighty-seven, the first of our reign.(15) The lord king commanded it.

Johannes Martiniz(16)

Footnotes

- (1) The abbreviated intitulation (*rex Aragonum et cetera*) is standard in registers where the full list of titles — Aragon, Valencia, Majorca, Sardinia and Corsica, Count of Barcelona, etc. — would be written out in full only on the engrossed original.
- (2) Híjar (Lat. *Ixar*), a town in the Bajo Aragón region of the kingdom of Aragon. The Diebra family is not otherwise known to me from this period, though the name may appear in other notarial records from the region.
- (3) The jurisdiction of this appointment is limited to the *Regnum Aragonum* specifically, not the entire Crown of Aragon. This is typical: notarial appointments were normally granted per individual kingdom or territory.
- (4) The reading *sumas* remains uncertain. The word follows *testamenta acta atestationes* in the standard enumeration of notarial document types. If correctly read, it may refer to *summae* (financial summaries or accounts). Other notarial creation formulae from the Crown of Aragon sometimes list *fines* (quittances), *inventaria*, or *apocas* (receipts) in this position. The manuscript is difficult here; the first two letters appear to be *s* and *m* (possibly with a nasal abbreviation), but a confident reading has not been achieved.
- (5) *Protocolla sive capitula*: the notary's register of abbreviated preliminary drafts from which engrossed instruments (*instrumenta in mundum*) were subsequently produced. The obligation to maintain such records was a standard condition of notarial appointments throughout the Crown of Aragon.
- (6) *Auctoritatem nostram impendimus pariter et decretum*: a formulaic doublet granting royal *auctoritas* (public legal authority) and *decretum* (judicial force) to the notary's instruments. Without these, the instruments would lack the *fides publica* necessary for use as evidence in legal proceedings.
- (7) The notarial validation clause (*dum tamen subscriptione tua et signo appositis... confitearis*) specifies two requirements for a valid instrument: the notary's written subscription (his authentication statement at the foot of the document) and his *signum* (notarial sign or mark). The clause also requires the notary to declare (*confitearis*) that he holds his authority from the Crown and that he was personally present at the transactions recorded.
- (8) *Gubernatori nostro generali*: the Governor General of Aragon, the chief royal officer in the kingdom, exercising delegated royal jurisdiction.
- (9) *Cuiusque vicesgerentibus* [?]: "and his vice-regents." The reading *cuiusque* is tentative; the expected form might be *eiusque* ("and his") or possibly *cunctisque* ("and all"). The sense is clear regardless: the command extends to the Governor General's deputies.
- (10) *Vicariis*: vicars, royal district officers. While the *vegueria* system is more characteristically Catalan, royal vicars also operated in parts of Aragon.
- (11) *Baiulis*: *batlles* (Cat.) / *bailes* (Cast.), local royal administrators with judicial and fiscal functions.
- (12) *Superjunitariis*: *sobrejunteros*, the chief royal officials of the Aragonese *juntas* or administrative districts, responsible for maintaining order and executing royal mandates. A distinctively Aragonese institution.

(13) *Calmedinis*: *çalmedines* (from Arabic *ṣāhib al-madīna*), municipal magistrates in several Aragonese towns, notably Zaragoza. The office was peculiar to the Kingdom of Aragon.

(14) *Mermis* [?]: this reading remains uncertain. If correct, it is likely a compressed or abbreviated form of *merinis*, i.e. *merinos*, royal territorial administrators in Aragon with jurisdiction over defined *merinidades*. The merino was a standard component of Aragonese royal administration and would be expected in this list of officials. However, the paleographic reading is not fully secure.

(15) Joan I acceded to the throne on 5 January 1387 upon the death of his father Pere III (IV). A document dated 21 March 1387 in the first regnal year is consistent.

(16) The scribe Johannes Martiniz (Joan Martínez) writes the warrant clause *Dominus rex mandavit* ("The lord king commanded it"), indicating the document was issued by direct royal order without intermediary chancery authorization.

Unresolved Ambiguities

1. **f. 5v, line 6: *sumas* [?]** — The word following *atestationes* in the enumeration of notarial document types remains uncertain. The first two letters appear to be *s* and *m*, possibly with a nasal macron. Candidates include *summas* (financial summaries) or a scribal compression of another term. No fully satisfactory reading has been reached.
2. **f. 6r, line 8: *cuiusque* [?]** — The word preceding *vicesgerentibus* is not entirely clear. Expected forms include *eiusque*, *cuiusque*, or *cunctisque*. The meaning (extending the command to the Governor General's deputies) is not affected.
3. **f. 6r, line 9: *mermis* [?]** — Tentatively read as a compressed form of *merinis* (*merinos*). The paleographic evidence is ambiguous; the word could potentially be another official title. The position in the list — between *calmedinis* and *Consiliariis* — is consistent with *merinos* as a standard Aragonese office.