

**40. The salary that a child acquires as servant**

All that a child earns as salary or by any other manner should belong to his parents, as has already been said. Just as the parents are accustomed to suffer for the excesses and wicked deeds of their children, so it is also just that they should be pleased to obtain something of their earnings and revenue. Therefore, a child should give over absolutely everything he earns outside his parents' house to share with his siblings provided he or she is not married, because after contracting marriage [children] are not obliged to give anything of what they earn for partition.

**41. The child who strikes his father or his mother**

Although it is forbidden that either the father or the mother should disinherit a child of theirs, nonetheless, we command that they disinherit the one who injures his father or mother and, also, that [that child] should be the enemy of his siblings forever.

**42. The prerogative of the widowers**

A widower or a widow who wants to remain in the state of widowhood should leave these things outside the partition: to the widower, his horse and his weapons, both those of wood and those of iron; neither the bed in which he was lying with his wife before nor the hunting hawks should enter in the draw. For the widow the bed that she was accustomed to share with her husband should remain outside partition; she should also be given a field [that produces] a *kaficius* from seeded land, a yoke of oxen and an *arançada* [approximately 447 square meters] of vineyard, but not of the grape arbor. This is what should belong to the widowers by right of widowhood and nothing else. These rights of widowhood should be conceded to them from what they have acquired jointly and not of other things. And if by chance, when the day of the partition arrives, there are none of these above-mentioned items, they should be given only what is there and nothing else, and in such state as they are.

**43. The widower who does not want to remain in the state of widowhood**

Nevertheless, the widower or widow who does not want to remain in the state of chaste widowhood should give everything he had received during widowhood for the partition, when it pleases the heirs.

All that the siblings acquire jointly, after the partition of their estate, should be [held in] common, both in life and in death, and the acquired goods should be distributed when it pleases any of the siblings.

## CHAPTER XI

## No One Should Pay the Pecuniary Penalty of Homicide for a Man Killed During Sports

**1. No one should pay the pecuniary penalty of homicide for a man who was killed during sports**

We also command that no one should pay any penalty or homicide fine for a person who was wounded or even killed, outside the walls of the city, in the short lance game of the council or in the games of a wedding, by being pushed by a horse, or with a lance, with a shield or in any other way whatever; since if someone does lance riding within the walls of the city and injures or kills someone, he should pay the pecuniary penalty and the damage that he has caused. Anyone who hurls a stone, a light throwing lance, a lance, or other thing of this nature and injures, kills, or causes any damage to someone should pay the pecuniary penalty and the damage that he has done.

**2. Those who hurl tournament lances outside the walls**

He who throws tournament lances outside the walls of the city and in this sport hurls a stone, an arrow, a lance or other thing of this nature, and injures, kills, or causes any other injury to someone, should not pay any pecuniary penalty. But if it is suspected that he caused the damage deliberately, he clears himself according to the Code of Cuenca.

**3. The animal that injures or kills another**

If an animal injures or kills another, its owner should pay the damage that has been done according to the oath of the plaintiff and of a single resident, or he should place the harmdoer in the hands of the plaintiff, if he [the plaintiff] can prove it; otherwise, he [the accused owner] should clear himself with any resident and should be believed.

**4. The animal that injures a person**

The owner of the animal that injures or wounds someone should pay the doctor all the costs of his healing. This same should hold true in the case of a fracture of an arm or a leg.

**5. The animal that kills a person**

If an animal kills someone, the owner of the animal should pay three hundred *solidi* or surrender the harmdoer. Be it known that the owner of the

animal has to choose between paying the fine or surrendering the harmdoer, both for the fatality and for other injury.

**6. Nine days having lapsed, no one should respond for the damage caused by an animal**

No one should respond for the damage caused by a dog or another animal that has not been reported within the term of nine days, starting from the date of the damage.

**7. A frightened animal**

If an animal frightened by someone, or some oxen because of a fly, cause any damage, its owner should not pay anything or surrender the harmdoer; he then who has frightened it has to pay the fine or the damage that occurs because of this. Equally, if a horse running loose or wild kills someone or causes any other harm, neither the rider nor the owner should pay any pecuniary penalty for this or depart as an enemy; but if one of them is suspect, he should swear with twelve citizens and should be believed.

This same judgment is valid for the one who in the lance hurling, in the wedding sports, or in the hurling of lances, stones, or small throwing lances, kills someone or causes any damage. The same judgment applies to the one who frightens an animal, if he says that he has done it unknowingly; that is to say, that he is cleared, as prescribed in the code and the pecuniary penalty is sought.

**8. Those who injure someone with illegal weapons**

Whoever causes wounds to someone with illegal weapons should pay thirty *aurei*; if he breaks a bone, sixty; if he injures him with illegal weapons, but if he does not cause him wounds, he should pay twenty *aurei*. If he takes up weapons, although he does not succeed in injuring with them, he should pay ten *aurei*.

**9. What are illegal weapons**

The illegal weapons that in no way are legal to take up with anger within the confines of the city, or to injure with them, unless one should be punished in the manner that has been said, are these: all iron implements, all clubs, any stone, and in general whatever things can injure or kill someone.

**10. Those who come in a gang**

Whoever comes in a gang and takes out weapons, injures, or causes wounds to someone should pay double the pecuniary penalty for the crime he

has committed if he is convicted; but if not, he should be cleared by two of four named from his parish.

**11. For dishonoring a body in a village**

For all dishonoring of a body that is done against the villagers in a village, there should be named those witnesses who swear to it, except [in the case of] homicide. And those named witnesses should take an oath in front of the tribunal of the *alcaldi* on Friday; he who is not present, and who is judged as such, should lose the case.

**12. Those who present a complaint to the *alcaldi***

Whoever presents a complaint to the *alcaldi* and subsequently makes an arrangement without them or is not present for the judgment should pay the entire claim, and if it is suspected that he has made arrangements for the pecuniary penalty judgment, he should clear himself with any resident and should be believed.

**13. Those who form a gang in the city**

Whoever forms a gang in the city against the council should pay double the pecuniary penalties of the crimes that it [the gang] commits, both he and all his collaborators; and equally, if someone takes up illegal weapons, he should pay twenty *aurei*; if he injures someone, forty; if he causes him wounds, sixty; if he kills him, four hundred. He who denies it and cannot be declared convicted by witnesses should swear with twelve citizens or respond by judicial combat. He who strikes someone with fists, pulls out hair, or insults him should likewise pay double. If he denies it, he should swear with two of four named from his parish. If the *iudex* or an *alcaldus* encounters him in that gang, he should also pay double, and moreover he should lose the charge that stands.

**14. Those who kill a guest**

Anyone who invites someone to his house to eat or to drink or calls him to consult and kills him should be buried alive below the dead person. This same penalty should apply to the one who kills his master whose bread he eats and whose orders he obeys, or who puts him [the master] in the hands of his enemies so that they do with him what they please.

**15. He who kills a companion**

Anyone who on the road kills a companion who relies on him should be buried alive under the dead. If [the accused] denies it and cannot be convicted

with witnesses, he should be cleared with twelve citizens and he should be believed. But if he cannot be cleared, he should pay as has been said; however, it remains in the election of the plaintiff to accept the justification or [demand] that the suspect should respond by judicial combat. Anyone who injures or kills the *Señor* of the city or surrenders the castle through betrayal should be torn apart limb from limb.

**16. He who assaults someone**

Anyone who, in isolated territory or in populated land, by day or at night, assaults a person not discredited, or [who is] accepted [in the community], or a bondsman of sureties, should pay sixty *menkales*. If he injures him or removes anything from him, he should pay double the pecuniary penalty of the crime which he has committed and restore double the damage caused, with the fine of sixty *menkales*, if it can be proved; otherwise, he should be cleared with two of four named from his parish and he should be believed. But if he causes him to die, let him [the assaulter] be hurled from the city cliffs if he is captured. If he flees, he should lose everything he possesses for a fine of four hundred *aurei*, and his house should be demolished, and he should not be received in the city in the future, but rather should suffer permanent exile, if it can be proved; otherwise, he should clear himself with twelve citizens and should be believed, or he should respond with judicial combat; the plaintiff elects the one that pleases him more.

**17. Larceny and robbery**

Anyone who is declared convicted of burglary or robbery, let him be hurled from the city cliffs; otherwise, if he is not convicted and he denies it, he should swear [by himself] only and should be believed, if the value of the lost goods is up to five *menkales*; from five up to ten *menkales*, he should swear with any resident; from ten to twenty, with two citizens; from twenty up, the plaintiff should elect between the suspect swearing with twelve citizens and being believed, or swearing by himself and responding to the challenge [by combat]. If he fights in judicial combat and is beaten, he should pay double the demand and a ninth to the Palace.

**18. He who catches a thief outside the city**

Anyone who captures a thief outside the city should lead him in front of the council of the same city, and there he should be punished; anyone who does not do this and instead punishes him outside the city should pay one hundred *aurei* to the *iudex* and to the *alcaldi*.

**19. He who injures another's Moor**

If someone injures another's Moor, he should pay five *solidi* for doing it; he who kills him, fifteen *aurei*; but if he is a Moor set aside for prisoner exchange, and his *señor* already has bondsmen for the redemption and can confirm it, as is established in the code, he who killed the Moor should pay the promised redemption; for another Moor, whether or not a servant, he should not pay more than fifteen *aurei*, as has been said.

**20. He who injures or kills a free Moor**

Anyone who injures or kills a free Moor should pay for him, as for a Christian.

**21. The free Moor who injures or kills a Christian**

If a free Moor injures or kills a Christian, for injuring him he should pay the pecuniary penalty according to the Code of Cuenca; for killing him, he [the Moor] should be put in the hands of the plaintiff, so that the plaintiff should take the money from the pecuniary penalties, and finally he should do with his [the Moor's] body what he wants.

**22. He who violates another's Moorish woman**

Whoever violates another's Moorish woman should pay her dowry, as if she were a married woman of the city.

**23. He who has a child with another's Moorish woman**

If someone has a child with another's Moorish woman, this child should be the servant of the *señor* of the Moorish woman, until his father redeems him. Also, we say that such a child should not divide with his siblings that which corresponds to the patrimony of their father, while he remains in servitude. Later should he become free, he should take a share of the goods of his father.

**24. He who violates an unmarried woman**

Whoever violates an unmarried woman or abducts her against the will of her parents should pay three hundred *solidi* and depart as an enemy; his collaborators should pay three hundred *solidi* each and also depart as enemies. And if she subsequently surrenders to the will of her abductor, she should be disinherited and as an enemy should join her abductor.

**25. He who violates a married woman**

Whoever violates a married woman or abducts her should be burned alive if he can be captured; if he cannot be captured, all his goods should

belong to the husband, and the violator should be his enemy in perpetuity. If she goes with him voluntarily, and he is captured in her company, in the city or in its confines, both should be burned alive.

**26. What woman should be believed concerning violation**

The woman who is a complainant through violation should complain to the *iudex* and to the *alcaldi* in a term of three days starting from the date of the violation, having clawed her cheeks. If the violator denies it, he should swear it with twelve citizens or respond with judicial combat, the one which is more pleasing to the complainant. And if he loses, he should depart as an enemy in perpetuity, and his collaborators [should depart] for one year, each one of them [the collaborators] also paying a fine of three hundred *solidi*.

**27. He who violates a religious woman**

Whoever violates a religious woman let him be hurled from the city cliffs if he can be captured; but if not, he should pay five hundred *solidi* from the goods that he possesses.

**28. He who surprises his wife in adultery**

Anyone who finds his wife with another in adultery and kills her should not pay any fine or depart as an enemy; similarly, if he kills the adulterer or the adulterer escapes wounded. But if the husband kills her in other circumstances, he should pay the corresponding pecuniary penalties and should depart as an enemy. Also, if he kills or injures the adulterer and not his wife, he should also pay the corresponding pecuniary penalties.

**29. He who insults another's woman**

Whoever insults another's woman, calling her prostitute, worn-out horse, or leprous, should pay two *aurei*, and also he should swear that he does not know whether she has that defect; or else, if he does not want to swear it, he should depart as an enemy. But if someone violates a public prostitute or insults her, he should pay nothing.

**30. He who grabs a woman by the hair**

Whoever grabs a woman by the hair should pay ten *aurei* if she can prove it; otherwise, he should swear with two of four named from his parish that he did not do it, and he should be believed.

**31. He who pushes a woman violently**

Whoever pushes a woman violently should pay five *aurei*. If she falls to the ground from the force of the push, although it does not cause her wounds, he should pay ten *aurei*; but if it causes her wounds, he should pay thirty *aurei*.

**32. He who carries off the clothing of a naked woman**

Whoever carries off the clothing of a woman who was bathing, or robs her, should pay three hundred *solidi*; if he denies it and the plaintiff cannot prove it, he should swear it with twelve citizens and should be believed; the public prostitute remains excepted, for she does not have a right to any pecuniary penalty, as has been said.

**33. He who cuts the bosom of a woman**

Whoever cuts the bosom of a woman should pay two hundred *aurei* and depart as an enemy; if he denies it, the plaintiff should select between the oath of twelve citizens or the challenge [to combat], the one which pleases her more.

**34. He who cuts the skirts [or clothing] off a woman**

Whoever cuts the skirts off a woman without command of the *iudex* or of the *alcaldi* should pay two hundred *aurei* and depart as an enemy; if he denies it, he should clear himself with twelve citizens and should be believed, or he should respond by judicial combat.

**35. The woman who abandons her child**

Any woman who abandons her child in any place should be whipped and, also, she should be obliged to take care of it.

**36. The bigamist who has two women simultaneously**

Anyone who has a legitimate wife in another place and gets married to another in Cuenca while the first woman still lives, let him be hurled from the city cliffs. If a woman has a husband in another place and gets married to another in Cuenca, she should be burned alive; if she is taken by a man as a concubine, she should be whipped in the square and in all the streets of the city and expelled from this place.

**37. The married man who has a concubine openly**

If a man who has a legitimate wife, already in Cuenca, yet in another place has a concubine, both [man and concubine] should be tied up together openly and whipped.

**38. The woman who puts her child in the care of the father**

Any woman who places her child in the care of the father, in spite of him giving her eight *menkales* a year, should be whipped. For which, we command by the code that the woman who has a child with someone should care for her child, and that the father should give her annually eight *menkales* for other nurses until it is three years old, as it is in the code. But if the father does not want to give this payment, the mother should return their child to him without fine.

**39. The woman who miscarries knowingly**

The woman who aborts knowingly should be burned alive if she admits it; otherwise, she should clear herself by means of the ordeal of hot iron.

**40. The woman who says she is pregnant by someone**

The woman who says that she is pregnant by some man, and he does not believe her, should take the hot iron, and if it burns her, she should not be believed; but if she survives without burns, the father should receive his child and raise it, as is established in the code.

**41. Those who cast spells**

The woman who casts spells on men, animals, or other things, should be burned alive; but if it cannot be proved, she should be cleared by means of the ordeal of [hot] iron. If a man was the spell caster, he should be exiled from the city after being shorn and whipped; if he denies it, he should be cleared by means of judicial combat.

**42. The herbalists and the witches**

The woman who is an herbalist or witch should be burned alive, or cleared by means of the ordeal of [hot] iron.

**43. The woman who kills her husband**

The woman who kills her husband should be burned alive or cleared by means of the ordeal of [hot] iron. In this case, all [accused] women have to take up the iron; in the other case [of an herbalist-witch], no one has to take up the iron other than the prostitute who has fornicated with five men or the procuress.<sup>1</sup>

**44. Procuresses**

Women who are shown to be procuresses or panders should be burned alive; if a woman is only suspected and she denies it, she should be cleared by means of the ordeal of [hot] iron.

**45. The shape of the iron**

The iron in order to do justice is placed four feet high approximately, so that the one who has to prove her innocence should place her hand under it; she should hold [an iron] of a palm's length and of two fingers' width. She who grasps the iron should carry it a distance of nine paces and deposit it smoothly on the ground; but first, it should be blessed by a priest.

**46. The heating of the iron**

The *iudex* and the priest heat the iron, and meanwhile no one should approach the fire, so that no one by chance should cast any spells. She who must grasp the iron should first be examined carefully, so that she should not have any charms; later, she should wash her hands in the presence of all and grasp the iron with dry hands. After she has seized it, the *iudex* should immediately cover her hand with wax and onto the wax put flax or linen; then, he should bind the hand with a cloth. Once this is done, the *iudex* should lead her to his house and after three days should examine the hand; if the hand is burned, she should be burned alive or suffer the penalty to which she is sentenced. Only that woman bears the iron who has demonstrated that she is a procuress or one who had fornicated with five men; any other woman who is suspected of larceny, of homicide or of arson should swear or provide a judicial combatant, as is established in the code.<sup>2</sup>

**47. Who sells a Christian**

If a man or a woman sells a Christian, he or she should be burned alive if it can be proved; otherwise, the man should accept judicial combat and the woman should take the iron. If someone sells a Christian and flees, he should never be reconciled with the council.

**48. The woman who is surprised with an infidel**

If a woman is surprised with a Moor or with a Jew, both should be burned alive.

**49. Who injures or kills a pregnant woman**

Whoever kills a pregnant woman should pay the fine for double homicide if the plaintiff can prove it; but if not, he should clear himself as in the case of double homicide. If he only injures her, and because of this she miscarries, he should pay the fine for wounds and for homicide if she proves it; but if not, he should clear himself as it is in the code on homicide and likewise on wounds.

**50. The wife whom the husband suspects**

If any husband has suspicion that his wife is unfaithful, but he cannot prove the truth of the deed, the woman should give him juridical satisfaction, swearing with twelve female residents, and she should be believed; and if she cannot give satisfaction, the husband can abandon her with impunity.

**51. The nurse who gives bad milk to the child whom she nurtures**

If the nurse gives bad milk to the child whom she nurtures, and because of this the child dies, the corresponding pecuniary penalties being paid, she should depart as an enemy.

## CHAPTER XII

## Insults to Men and Many Other Violent Acts

**1. Insults to men and many other violent acts**

Whoever calls a man treacherous or traitor to his face should pay ten *aurei* if he cannot prove [the truth of] what was said with proper witnesses.

**2. He who is accused of [being a] traitor**

If someone is accused of being a traitor, he should clear himself by means of judicial combat; if he wins, he should be reinstated in the field and collect the pecuniary penalty cited above; if he loses, he should be expelled from the city and his house should be demolished to the very foundations. But if the accusation is betrayal of the castle or the death of or wounding of the *Señor*, one should abide by the penalty cited above.

**3. He who calls someone a leper**

He who calls someone a leper, horn-bearer [cuckold], fornicator, or son of a fornicator should pay two *aurei* if he [the victim] can prove it; and likewise, he [the perpetrator] should swear with two citizens that they are not aware that he dishonored him; otherwise if he does not want to swear it, he should depart as our enemy; if he denies it and [the victim] cannot prove it, he should swear with two citizens that he has not said this, and he should be believed.

**4. He who puts his hands in anger in another's hair**

Whoever puts his hands angrily in the hair of another should pay five *aurei*; and if he throws him to the ground, he should pay ten *aurei* if the

plaintiff can prove it; but if not, he should be cleared by two of four named from his parish.

**5. He who pushes another violently**

Whoever pushes another out of indignation should pay two *aurei*; if from the force of the push [the victim] falls to the ground, he [the pusher] should pay ten *aurei*; if he leaves welts because of this, he should pay thirty *aurei*, if he is declared guilty with witnesses; but if not, he should be cleared with two of four named from his parish, as it is in the code, and he should be believed.

**6. He who hits another with his fist**

Whoever hits another, with his fist or with the palm of his hand, from the shoulders upward should pay ten *aurei* for each blow; if he causes welts, he should pay twenty *aurei* if he admits it; but if not, he should clear himself with two of four named from his parish. Whoever hits another, with the fist or with the palm of the hand, from the shoulders downward should pay two *aurei* for each blow, provided that he injured him in a spirit of anger; if he denies it, he should clear himself with two of four named from his parish and he should be believed.

**7. He who causes welts on the neck or on the face of another**

Anyone who claws another on the neck or on the face should pay two *aurei*; if he denies it, he should clear himself with two of four named from his parish and he should be believed.

**8. He who ruptures one eye of another**

Whoever ruptures the eye of another should pay one hundred *aurei*; if he denies it, he should clear himself with twelve citizens or he should respond by judicial combat.

**9. He who breaks another's tooth**

Whoever breaks another's tooth should pay twenty *aurei*; if he denies it, he should be cleared with twelve citizens or he should respond by judicial combat.

**10. He who cuts off someone's finger**

Whoever cuts off someone's finger should pay twenty *aurei*; if he denies it, he should clear himself with twelve citizens or he should respond by judicial combat.

**27. Those who testify in legal cases between Christians and Jews should be citizens**

In Cuenca there will be no testifying about a Jewish citizen unless by Jewish and Christian citizens; nor about a Christian, unless by Christian and Jewish citizens.

**28. Witnesses of Christians and Jews should not answer to a challenge [by combat]**

The witnesses of Christians and Jews should not answer to a challenge [by combat].

**29. No one may take weapons out of the town to sell them**

For the advantage and defense of the city, we establish by the code that neither Christian nor Moor nor Jew should remove wooden or iron weapons from the city. And whoever removes them to sell them should pay twenty *aurei*. He who takes them for the purpose of fighting and making war should pay no fine because of this. Also, no weapon or vessels of gold or silver should be taken out of use in Cuenca.<sup>2</sup>

**30. The judgment that is given in the court to the Christian and to the Jew**

All judgments that are given in the court of the *alcaldi* to the Jew and to the Christian should be firm and legal, and they should not appeal.

**31. The sureties that the Jew does not want to show**

If the Jew has sureties and the Christian wants to redeem them and they are not shown immediately to him, the Jew should lose the profit of the money. However, he should agree that the Christian should show him money first. If the Christian does not show money, the Jew does not have to show the sureties, except when the Christian says that he delivered them to the *venditor*.

**32. The Christian who injures or kills a Jew**

If a Christian injures or kills a Jew, he should pay five hundred *solidi* to the king, if it can be proved, as the code between Jews and Christians prescribes. But if not, for injury he should clear himself with two of four designated [citizens] and for death with twelve citizens, and he should be believed. If it is the Jew who injures or kills a Christian, he should pay the penalty of the offense that has been assigned, if it can be proved, according to the Code of Cuenca. But if not, for injury he should be cleared with two of four designated Jews and should be believed; for death, he should be cleared with twelve Jewish citizens and should be believed.

**33. All the pecuniary penalties of Jews belong to the king and not to another**

Jews do not have any part in the pecuniary penalty of a Jew, because all belong entirely to the king, since, in fact, the Jews are serfs of the king and they are entrusted to his treasury. Equally, neither does the *iudex* have a right to a seventh part of the pecuniary penalty of a Jew, since he has not done any work to request it.

CHAPTER XXX

The Government of the Military Expedition

**1. The government of the military expedition and the guarding of the city**

When the council wants to make a military expedition [*exercitus*] against the enemy, before it departs, watchmen should be placed in each parish who should guard and keep watch over the city day and night. There should remain also two sworn *alcaldi* together with an acting *iudex*, whom the annual *iudex* leaves in his place. And these *alcaldi* together with this *iudex* should concern themselves with protecting the city, as has been said. Also it remains established in the code that once the council has departed [on expedition], all strangers should be expelled from the city. After sunset, if the guards find anyone walking in the streets without carrying a light, they should seize all his belongings and put him in confinement until the following morning. In the morning, he should be brought before the [acting] council, and if he was a citizen or the son of a citizen, he should be absolved;<sup>1</sup> but if he was a stranger, let him be hurled from the city cliffs. The guards abovesaid should guard the city against fire, warning the house-dwellers that they should be careful of fire and if, God forbid, a fire happens, everyone should hasten first to the gates and secure them, and only then should [they] return to extinguish the fire. This is stated because on many occasions some, wanting to betray the city, set a fire so that, while everyone was trying to extinguish the blaze, they were free to open the gates and receive the enemy. Furthermore, if someone is suspected of potentially endangering the town, the acting *iudex* together with the *alcaldi* should expel him from the city or hold him captive until the council returns. The same precautions should be taken to guard the city at harvest-time.

**2. The pay of the guards of the city**

Those [compelled to] remain in the town by the council [during a military expedition] should nonetheless have the same share of booty taken by the

militia which is granted to any horseman [who did serve]. We establish this because those required to stay behind by the council's order had no opportunity to take any booty.

### 3. He who stays behind from the military expedition without the command of the council

All horsemen, whether from the city or from the villages, who stay behind from the military expedition without mandate of the council should pay two *aurei*. Also, foot soldiers in the same circumstance should pay an *aureus*, unless they were ill or absent from the district of Cuenca.

### 4. The *señor* of the house should go on the military expedition

The *señor* of each house should go on the military expedition and no other in his place. But if the *señor* of the house is old, he may send in his place his son or nephew who represents his house, and he should not be a salaried worker. Wage earners should not excuse their masters from going on the military expedition.

### 5. What arms are borne on campaign, and shares their bearers have

The horseman serving in militia expeditions who fails to bring a shield, lance, and sword should receive only one-half of his normal booty share. A foot soldier who failed to bring a light lance and a dagger or a club should receive no share. A foot archer bringing a crossbow with two bow strings and one hundred arrows should receive a half-share of booty for them; any substitution for this equipment should receive nothing. The horseman archer, trained in that skill, who brings a crossbow with two bowstrings and two hundred arrows should receive a full share of booty [for that equipment];<sup>2</sup> any substitution for this equipment should receive nothing. A person wearing a long-sleeved mail jacket with a helmet should receive a full booty share for them, as does a person with a short-sleeved or sleeveless mail jacket with a helmet. Mail jackets worn alone should receive a half-share of booty. Persons wearing only a helmet should receive a quarter-share. Persons who bring chains with twelve collars [for holding prisoners] should receive a full share. The share should be reduced proportionately for a chain with fewer collars.

### 6. Children and women should be prohibited from the military campaign

Women and children should not go on campaign with the town's militia, nor receive any shares of booty.

### 7. The election of camp guards

Where all the military expedition assembles together, there the *iudex* and the *alcaldi* should choose trustworthy watchers from each parish, from among those whom the people call *talayeros* [scouts], who have good horses. And if the *iudex* and the *alcaldi* learn that a scout does not have a good horse or that he himself is weak or a coward, he should be replaced and another should be put in his place.

### 8. The pay of scouts

Each scout should have an ox or four *aurei* as salary for his work, that which pleases him more. If the military expedition does not obtain so much booty that they [the scouts] can be paid fully, each one should receive two *aurei*. If the military expedition does not acquire anything, the scouts should receive nothing. The scouts ought to proceed according to the orders and the will of the *alcaldi*.

### 9. The scout who encounters some difficulty

The scout who does not fulfill his obligations every day should lose all his salary. The *Señor* of the city, together with the *iudex* and the *alcaldi*, should lead the military expedition. Also they [the command group] select the leaders.

### 10. The one who injures a guide

If someone injures a commander guiding the military expedition, he should lose his right hand.

### 11. Those who go to collect information

If the *Señor*, together with the *alcaldi*, orders someone to collect information, the one who goes should receive half of all that is gained thereby, and the council receives the other half.

### 12. Where they should record the encampments and other things in writing

Where the military expedition prepares its food to pass the night, there the *notarius*, together with the *iudex* and the *alcaldi*, should record in writing the encampments, the men, the animals, and the weapons. We command that these things be written at the beginning, because if someone deserts from the military expedition with something stolen or sends a message to the Muslims, one can know from the encampments. But, since it seems impossible that anyone could depart with something stolen or that he could send a message to the Muslims without the complicity of his encampment companions, by this

we order that for offenses of this type, the companions who remain should suffer the penalty that this other one would have suffered, had he been made prisoner.

**13. The dispatch of a mobile raiding force**

When they want to dispatch a mobile raiding force [*algara*], half the group of each encampment should go in the mobile raiding force and the other half should remain in the rear guard [*açaga*]. And if any excess individuals are in half the encampment, because they should not be equal, they should remain with the rear guard as well.

**14. The fifth part of the mobile raiding force**

Those who go in the mobile raiding force should receive a fifth part from all the things that they obtain as booty.

**15. The mobile raiding force indemnifies its animals**

Members of the mobile raiding force should be compensated for all animals from the fifth part [of the booty] that they have obtained [as a part of that force], as the code prescribes.

**16. The election of the *quadrellarii***

The day that the mobile raiding force departs, all the parishes should designate a *quadrellarius* [booty divider] for each parish, who should divide the booty on the day of the division, delivering to each one his share faithfully.

**17. The recording of the booty of the military expedition**

These *quadrellarii* should make a written record of the quantity of the total booty, and do it guaranteeing through such men that, if by chance something should be lost later, they should indemnify it for them. The *quadrellarii* should do the recording and the guarding of the Moors, the animals [horses, asses], the sheep, and the cattle. And any guard who does not deliver what he had in custody on the day of the division, as is written, should pay according to what the council prescribes.

**18. Animals of the military expedition should be in the hands of the *quadrellarii*, the *iudex*, and the *alcaldi***

The mounts should be in the hands of the *quadrellarii*, the *iudex*, and the *alcaldi*, and if these [officials] observe that someone mistreats an animal, they should take it from him and should give it to one who will care for it well.

**19. The *quadrellarii* should give animals to the injured and invalids**

The *quadrellarii* should examine [those who are] injured, sick, the old, and invalid of the entire military expedition and should give them animals which should carry them until the day of the division. If the *quadrellarii* do not do this properly, the *iudex* and the *alcaldi* should take sureties daily of a *menkal* for each one, and with this money they should rent animals to carry the injured, sick, old, and invalid.

**20. The day of the partition**

When the day of the division arrives, in the first place they should compensate [for loss of] animals and injuries; after this, should give to the soldiers a sixth part [of the booty]. We said "to give the sixth part" because when horsemen and foot soldiers are together, they should not have to consider as rightfully theirs more than a sixth part. When the horsemen are alone without those on foot, one should give them a fifth part [of the booty]. When those on foot are alone, one should give them a seventh part [of the booty].

**21. No one should be given a fifth part for the Moor whom they want to present in exchange for a captive Christian**

Neither the horsemen nor those on foot, according to the code, should be given a fifth part of any Moor whom they will offer for a captive [Christian]. Nor should they be given a fifth part nor a sixth nor a seventh of the other things, but only of the Moors [not needed for prisoner exchange], the animals, and the sheep and cattle.

**22. What animals should be compensated**

[The owners of] animals that the Moors have beaten, killed or crippled should be compensated. [The owners of] animals that are lost in this way the mobile raiding force should similarly [as in 20] compensate from its fifth part [of the booty].

**23. The price of the animals that should be compensated**

The compensations should not exceed sixty *aurei*; and up to sixty *aurei*, each one should receive for his horse as much as he swears [in value] with two citizens [testifying]. Other animals should not exceed twenty *aurei*; and up to twenty, each one should receive as much as he swears with two citizens. The asses should not have any [separate] compensation, but should have their part just as the horses.

**24. The price of treating injuries**

The [victim of a] wound that has bone fracture should receive twenty *menkales*. The [victim of a] wound that passes from side to side [breaks the skin in two places] should receive ten *menkales*. For any other injury [the victim] should receive five *menkales*. These should be the compensations for injuries, as much for men as for animals that have been injured, as much within the city as outside of it.

**25. The pay of the doctor**

The surgeon should receive this price; be it known, for a wound that has a bone fracture from a blow, twenty *menkales*, and for this alone. For an injury that passes [breaks the skin] and requires two bandages, he should receive ten *menkales*. For any other injury that does not pass or have a bone fracture, the surgeon should receive not more than five *menkales*.

**26. The salary of animal herders on the military expedition**

Each animal herder, both of sheep and of livestock, should have a sheep, whichever he chooses. The guards of captives should receive [the same] as the animal herders; that is to say, a sheep for each one. And the animal herders as well as the guards of the captives should guard continually by day and by night until the day of the division.

**27. Election of the animal herders**

The animal herders and guards should be selected equally by each parish.

**28. Bondsmen of the animal herders**

The animal herders and guards first should give legal bondsmen from those [over] whom the council has jurisdiction, when it is necessary.

**29. He who unhorses a horseman**

If a horseman, or one on foot, unhorses a horseman at the gate of a castle or of a town, he [who unhorses him] should have his horse; and he who unhorses him in another place should receive the shield, the saddle, or the sword, whichever pleases him most of these things.

**30. He who first enters into a castle**

The horseman or one on foot who first enters into a castle or tower should have any Moor of those who are found there. And if there are two or more who enter at the same time, they should share that Moor in common.

**31. The compensation of weapons**

The horseman or one on foot who loses a lance with or without a standard in the body of a Moor at the gate of a castle or of a town should receive two *aurei* for the lance with a standard; for the lance without a standard, one *aureus*. All weapons that are lost on a battlefield should be indemnified.

**32. He who is made captive on a military expedition**

If a horseman or one on foot is made prisoner during a military expedition, his [family or heir] should be compensated for his weapons and his mount.

**33. The redemption of a captive**

If a horseman becomes captive, and in [among the captives of] the military expedition there is a Moor horseman who can be exchanged for him, he should be given for him. Equally a Moor foot soldier should be given for a Christian foot soldier.

**34. The captive Moor who is an *alcayat***

If a Moor *alcayat* [warden or castellan] or *señor* [chief officer], who at that moment commands a castle, is seized, if the king wants to have him, he should redeem him with one hundred *aurei* and he should belong to the king. The other captives, both the rich as well as the poor, should belong to those who can acquire them.

**35. The division of cattle**

The *alcaldi* together with the *quadrellarii* should give to all in the military expedition, to all the parishes equally, and to the *Señor* of Cuenca, the meat of the booty cattle. If some take cattle in other ways, their ears should be cut.

**36. What booty should be brought to partition and divided**

When the day of the partition arrives, all the things that have been obtained, such as sheep, cattle, animals, garments, clothing, money, gold, silver, and weapons, except the living Muslims, should be brought to the division.

**37. The encampment that is suspect**

The *iudex* and the *alcaldi* should investigate all the encampments, if they have suspicion of theft. And whoever they find stealing something should be left without his share [of booty] and, furthermore, his hair should be shorn in the form of a cross, and his ears should be cut.

**38. He who has written two times**

The same penalty will be administered to the one who makes a writing two times [submits his name in writing for a double share of booty]; that is, [his hair] should be shorn in a cross, his ears should be cut, and he should lose his share.

**39. The shares of the standard of the council**

The standard of the council should have the right to two shares. The *iudex* should receive these shares for himself. Nevertheless, if the standard or *Señor* of another council should receive more shares, as many shares should be received by the standard of the council of Cuenca; and the *iudex* should retain two of these shares, and the other shares should belong to the council.

**40. The shares of the *adalil* [battle commander]**

All guides or battle commanders, if they are known, should receive two shares.

**41. He who shouts "pillage"**

Everyone who shouts "pillage" [*tala*] in the military expedition should be left without a share and should pay ten *aurei*.

**42. He who does not present booty on the day of the division**

Whoever has something from the military expedition and does not present it to the *quadrellarii* on the day of the partition, should pay it double as a thief.

**43. The code of the auction**

Whoever buys something at the auction and does not pay for it within the term of nine days should pay double its amount. And the nine days having elapsed, the plaintiff should take live and dead sureties until [the debtor] pays it double. And if that one denies the debt, the plaintiff should prove it with two companions from the mounted raiding party.

**44. He who gives a bondsman for auction money**

If someone who places a bondsman for auction money and does not relieve him within the term of nine days, and the bondsman pays double, the debtor should pay quadruple [four times the value] to the bondsman. And if the bondsman has paid only the quantity [owed], the debtor should pay him double. Furthermore, it should be known that the auction bondsman does not have any term in which to bring the indebted to judgment.

**45. He who injures another in a military expedition**

Whoever injures another in a military expedition with prohibited weapons should lose his right hand.<sup>3</sup>

**46. He who injures another without forbidden weapons**

He who injures him otherwise but not by forbidden weapons, should pay double the penalty of the offense, whatever it is, according to the Code of Cuenca.

**47. He who kills another**

He who kills another should be buried alive under the dead person.

**48. He who commits a theft**

He who commits a theft, and it cannot be proved against him, [of] up to five *menkales*, should clear himself with twelve citizens and should be believed. For five *menkales* or more, he should respond by judicial combat. If the theft can be proved against him, he should pay double the claim within the nine-day term, as the code prescribes.

**49. He who wants to make a claim**

He who wants to make a claim to the council, be it the *Señor*, the *iudex*, an *alcaldu*, or anyone else, should make it the first day of the division, when all the council is summoned by proclamation. And if the full council is in agreement in considering it, it should be held firm and legal. But if the council is not in agreement in considering it, because of someone being opposed, the claim should not be legal. The promise or donation of another day should not be legal.

**50. He who gives something without the command of the council**

If the *Señor* of Cuenca, the *iudex*, the *alcaldi*, the *quadrellarii*, or anyone else gives something to anyone that day or another [day] without the order of the council, he should pay double that thing, according to the code on theft, and he to whom it was given should be free without penalty. Whoever of the council in this case has made a claim and wins in the case against the one who gave it or received it, he [the claim maker] should cover the fine and keep it.

**51. The pay of the chaplain and of the *notarius***

The chaplain of the council should be given any Moor as pay. The *notarius* who goes on the military expedition should be given equally a Moor; the

chaplain and the *notarius* should not be given anything from the military expedition unless they had been a part of it.

**52. The *quadrellarii* [should divide booty] evenly among the parishes**

The *quadrellarii*, [assisted by] the *notarius*, should divide [the booty] equally among the parishes.

**53. He who does not receive his part within a term of nine days**

If the *quadrellarius* does not pay someone his corresponding share within a term of nine days, he should pay double to the plaintiff and also an *aureus* to the *iudex* and to the *alcaldi*. If this happens due to the fault of the *notarius*, the same *notarius* should pay double the share and the *aureus* fine, as has been said.

**54. The plaintiff does not accept another debt**

The plaintiff should not receive any other debtor after the nine days [during which] the *quadrellarii* should pay double, as has been said. They have to [acknowledge any debt] during [that] nine-day term.

**55. The *quadrellarius* who commits a theft**

The *quadrellarius* who commits a theft or defrauding in the division should pay as a thief if it is proven; and make it known that he should never have an office of the council nor should he be received as a witness.

**56. The salary of the *quadrellarii***

The *quadrellarii* should receive as pay for their work a cavalry booty share each, in addition to their [normal] portions.

**57. The pay of the *iudex* and of the *alcaldi***

The *alcaldi* and the *iudex* should receive four *aurei* each if the military expedition obtains good booty. However, if it procured little, each one of them should receive two *aurei* and nothing else. If the military expedition does not obtain anything, they should receive nothing.

**58. They receive a fifth part there where they take provisions**

The horsemen and those on foot that go in a raiding party should receive a fifth share, a sixth [share], or a seventh [share], according to what the code prescribes, at the place where they take provisions. The code orders that the horsemen alone [during a raid made up exclusively of cavalry

forces] should receive a fifth share; the horsemen and those on foot [together] should receive a sixth part; and those on foot alone should receive a seventh share.

**59. The leader who leads a raiding party**

He who leads a raiding party should receive two shares, if he is the only leader; because, if there were more than one leader in the raiding party, they should have only one share each, unless they are given other portions voluntarily.

**60. The others should answer to the leader for a fifth part**

The leaders should take a fifth part and answer for them to the *iudex*. And whoever prevents the leader from taking a fifth, sixth, or seventh share should pay ten *aurei*.

**61. The auction that is held without the *iudex* being present, and the *aurei* of the auction**

The auction that is held without the *iudex* being present should not be legal. Whoever ought to pay auction money should pay at the rate of four *menkales* per *aureus*.

**62. The renting of a horse**

Whoever rents his horse as a participant in a raiding party for booty, after he has received the horse, even though he has not departed with the leader, nonetheless, if the horse is healthy, [the renter] should pay to the owner of the horse the quantity agreed according to the estimate of the leader. What we said of the horse, we say it also regarding the provisions, that is to say, of the supplies.

**63. He who loses his horse in the raiding party**

Whoever loses his horse in the raiding party, in the way that has been said above concerning the military expedition, should receive up to sixty *aurei* for it, swearing it with two citizens.

**64. Leaders should distribute the shares of the participants in the raiding party**

The leaders should distribute the shares of the raiding party members, and those same leaders should be the judges of those who litigate for something [gained in the raid].

**65. The leader who does not pay within the term of nine days**

All leaders who do not pay within the term of nine days should pay double the share. The nine days having elapsed, the plaintiff should not [advance any other claims], unless to [that person] who divided [the share] instead of the leader.

**66. He who robs the house of participants in the raiding party**

Whoever robs the house of participants in the raiding party should pay two hundred *aurei* and depart as an enemy forever, if he confesses it; if he denies it, he should clear himself as in the case of homicide.

## CHAPTER XXXI

## The Emergency Military Muster

**1. He who does not go in the emergency military muster of the council**

Whoever does not go in the emergency military muster of the council, if he is a horseman, should pay two *aurei*; if he is on foot, he should pay one *aureus*. Equally, if someone hears the call to the emergency military muster and he does not go immediately to seek the standard, day and night, at the place where it can be found, he should pay two *aurei* if he is a horseman; if he is a foot soldier, he should pay one *aureus*, as has been said. But if someone asserts that he walked a day and a night, and, nonetheless, he could not arrive before [the standard was carried from the vicinity], he should swear alone and should be believed.

**2. He who says that he did not hear the proclamation**

If anyone says that he did not hear the proclamation of the emergency military muster, he should swear alone and should be believed. He who finds himself outside the town when the call sounds for the emergency military muster, if when he returns he cannot find any company with whom to go, should not pay anything.

**3. The horseman who does not have his horse and he who is ill should not go in the emergency military muster**

Neither he who is ill nor the horseman who does not have his horse in the town should pay anything. Also the horseman whose horse is in the

municipal fort or injured should not go in the emergency military muster. When the emergency military muster arrives at a village where there is no standard, the strangers should join themselves with the first that arrive; but if they do not join, they should pay as has been said. He who says that he could not arrive earlier, or that he did not find himself in the town when the call sounded, should swear alone, as has been said, and should be believed.

**4. The first [members] of the emergency military muster who put enemies to flight**

If the first [members] of the emergency military muster defeat enemies, the later members who did not intervene in the combat should not receive anything of the booty that the first members have obtained, if it is not by agreement with the first combatants.

**5. The horse that dies in the emergency military muster**

If someone's horse dies in the emergency military muster, the council should pay for it, if the owner of the horse can prove it with two citizens, as the code prescribes.

**6. The witnesses concerning the death of the horse in the emergency military muster**

The code prescribes that the witnesses should testify that they personally have seen the horse die, and that it was not by the will of its owner; and also that [its death] was to the advantage of the council, and that it was not engaged in a hunt.

**7. The witnesses who are not believed**

If the witnesses are not believed, they should respond to the challenge by judicial combat; and if not [challenged], they should not yield.

**8. The witnesses who are believed**

If the witnesses are believed, the owner of the horse should swear with two citizens [other than the witnesses] that the horse did not die through his fault. And in the oath he should include the price that it cost him, if a year has not passed since he bought it; however, if a year has elapsed, he can do it with two citizens [swearing] up to [a value of] sixty *aurei*, and should recover [the value of] his horse.

**9. How the horse ought to be shown to the council**

If someone's horse is crippled or some [other] injury happens to it, the owner of the horse should show it to the council, and the *iudex* should keep it for thirty days. If it heals, it should be returned to its owner; but if not, the council should pay for it.

**10. He who does not show the horse until the third day**

If the owner of the horse does not show it to the *iudex* or to two *alcaldí* until the third day after the return of the emergency military muster, he should lose [his right to compensation for the horse]. Sureties should be taken from those who do not go in the emergency military muster until the third day after the return, since, after the third day, no one has to respond.

**11. He who pillages the battlefield in combat**

If the council or the components of the raiding party or of the emergency military muster engage in a field battle, and before the standard returns from the conflict, someone pillages the battlefield or steals something, he should pay four hundred *aurei* and should be banished forever. And if he does not have it to give, let him be hurled from the city cliffs. If he is under suspicion and it cannot be proven about him, he should clear himself with twelve citizens.

**12. Those who do not assist those who are fighting**

This same judgment we give regarding those who are in sight and do not assist those who are fighting, [or who] hide in some place, or flee from the battle line. Whoever finds something from the battle up to nine days after [the battle] should present it for the partition and, by finding it, he should receive a fourth of all that he found.

**13. He who gives advice to a gang**

Whoever, be he a villager or a citizen, makes the council dishonor the *Señor* of Cuenca or any other without the command of the *iudex* and of the *alcaldí* or does violence to someone or for this same reason gives advice to a gang should pay five hundred *aurei*; and [the same penalty] to others when they were consenters, both in the council as well as in the [giving of] advice, the ones about whom the *iudex* and the *alcaldí* know to have conspired in this crime.

**14. He who steals something in battle or in the military expedition**

Whoever steals something from the things of the Muslims, and it is not demanded from him within the twenty-seven-day term from the day the standard enters the city, once these days elapsed, he should not respond.

**15. The leader who leads the military expedition that takes a castle**

Any Christian leader who leads the military expedition against a castle or a town, if he conquers it, should take the house that he wants with all the things that are there. [Likewise], if the leader is a Moor, he should take the house that he wants as well, together with the things that are there and, furthermore, all his relatives [in that town] should be safe.

**16. Those of the emergency military muster who recapture cattle on this side of the boundary stones**

The participants in a raiding party or an emergency military muster who recapture livestock of Cuenca from the Moors on this side of the boundary stones; that is to say, Villora, Iniesta, Tébar, Rus,<sup>1</sup> should receive a thirtieth part from the sheep and an equal amount from the cattle. If they recapture it beyond the boundary stones, they should receive a tenth part from any class of cattle. For the Moors that they bring back, from either this side or beyond the boundary stones, they should receive five *menkales* apiece, and for each horse or mule the same. For the cattle that they procure after entering a town or a castle, they should not answer; the same is true of the beasts and of the Moors [taken in a town or castle]. Of the cattle on this side of the boundary stones of the Tajo River, they should receive the same as from the Cuenca cattle. Of the cattle beyond the boundary stones of the Tajo, they should receive a fifth part where they want to recapture it, whether it be on this side or the far side of the above-mentioned boundary stones.

**17. He who brings a message to the leader**

Whoever brings a message of a Moorish military expedition or raiding party, if the council subsequently defeats them, should receive five *aurei*.

**18. He who brings a Moorish leader or the head of a spy**

Whoever brings a Moorish leader to the council should receive ten *aurei*, and he who brings the head of a known spy should receive five *aurei*, and these *aurei*, both for the leader as well as for the spy, should be given by the council.

**19. The execution of Moorish leaders**

The council should execute Moorish leaders in any way that pleases it.

## CHAPTER XXXII

### The Code of Purchase, of Sale, and of Collateral of Real Estate

**1. The code of purchase, of sale, and of collateral**

Whoever wants to sell his goods should [ordinarily] accept his buyer as bondsman and debtor, since if he accepts [a bondsman] from another, it would not be legal. Nevertheless, if the seller fears that the buyer is leaving or will not pay, he should demand a bondsman from him, according to the Code of Cuenca, who should pay the debt the day of the term, if the buyer has fled or has not paid.

**2. He who wants to buy something**

He who wants to buy something should buy it with a surety bondsman who frees him of all claim and fine, if it is necessary. If someone does not accept a bondsman in this way and after the other person [offers one] judicially for the purchase, he should lose it unless he gives an observer, according to the Code of Cuenca.

**3. The validity of purchase and of sale**

The sale, purchase, or exchange of something, be it real estate or furniture, should be ratified between everyone except monks, so that no one can back out after it has been made.

**4. He who wants to sell real estate**

He who wants to sell some real estate should proclaim it during three days in the city, and if some of his relatives want to buy it, he should sell it for as much as he who wants to buy it will pay. The three days having transpired, he should sell it to whom he wants.

**5. No one should go back on the agreement of what is sold**

The transaction being made, no one can go back on it. If the seller does not proclaim it and sells it, the relatives of the seller cannot claim it from the buyer, but only from the seller, because he sold the real estate secretly without

his relations knowing of it; therefore, he should give them as large a piece of real estate and of the same quality and for the same price as he sold it. But if it was proclaimed, as has been said, he does not have to answer to anyone for it. If the code prescribed that no one could sell real estate to other than his relatives, the properties would be depreciated totally and their price would not be able to help captives or homicides.

**6. He who pledges real estate or a Moorish servant**

If a debtor pledges a vineyard or other property, or a Moorish servant, whether the property or the Moor can bring revenue or not, the lender should have the item unredeemed forever, having its usufruct, until he recovers all the money that he gave for it. And when the owner of the item wants to recover it, he should redeem it from January to January [within a year] and not after, if it is a vineyard. If it is arable land, he should redeem it from [the feast of] Saint Michael [29 September] to Saint Michael. If it is not either one thing or the other, he should redeem it when he has the money. In Cuenca, real estate can never be destroyed or lost.

**7. He who wants to sell pledged real estate**

He who possesses a pledged property or something else cited earlier and wants to sell [the pledged property] because of the wrath of the king [a kind of outlawry], for homicide or for captivity, should notify the owner of the sureties [given for the pledged property] so that he can redeem [the sureties]. But if [the owner of the sureties] does not want to or is unable to sell them, once [the seller of pledged property] has taken his money, he should deliver the rest to the owner of the sureties. If [the owner of the sureties] cannot sell them, he should pledge them to whomever he wants under the same conditions in which he has them. And such a sale should be legal. Moreover, it should be such a firm pledging so that neither the buyer nor the one who pledged should lose anything through this nor should they pay any fine. Nevertheless, if the one who sells the sureties cannot recover all his money, the one who pledged should not answer to him because of this, unless [the seller of the sureties] can prove with witnesses that both agreed to this, knowing that the owner of the property would deliver all the money to him, if the value of the property would not be sufficient to reimburse him.

**8. Pledging made with conditions**

A property, an animal, or something else that is pledged on a fixed date and is not redeemed within the indicated term should be sold, except real