

Doc id.	transcription_20250905_002539
Location	Portugal. Arquivo Histórico Ultramarino (Macau, cx. 1, doc. 1)
Revised by	Francisco Peixoto
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Summary

This document, "Titulo do Regimento do Ouvidor de Macáo nas partes da China," dated February 16, 1587, outlines the regulations for the Ouvidor (magistrate) of Macau, China. The Ouvidor will preside over civil and criminal cases, with appeals going to the Relação (high court) in Goa. Specific instructions are given for handling cases involving monetary or movable goods, real estate, and written contracts. Criminal cases will be heard jointly with the Capitão (Captain) of Macau, with a Vereador (councilor) acting as tiebreaker if needed. The Ouvidor also has jurisdiction over orphan's affairs, following established regulations. Two Escrivães (clerks) and a Meirinho (bailiff), who also serves as jailer, will assist the Ouvidor. Procedures are outlined for issuing legal writs (Cartas de Regimento), considering the distance to Goa. The Ouvidor's jurisdiction extends to cases involving up to 20,000 in movable goods and 20,000 in real estate, with appeals to the Relação for larger sums. Sentences involving capital punishment for individuals of noble rank require the Viceroy's approval. The Ouvidor can impose fines of up to 2,000 lees, and cannot imprison individuals without due process. The document also details administrative duties, salary (30,000 reis annually), staffing, record-keeping requirements, and interactions with Captains and the Viceroy. Jurisdiction over Chinese individuals within Macau is excluded. Finally, the document emphasizes the Ouvidor's authority, superseding any conflicting regulations, and mandates its registration in various official locations, including Goa.

Transcription

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Titulo do Regimento do Ouvidor de
Macáo nas partes da China

1 O Ouvidor de Macáo conhecerá por acções nova derodas as causas Civeis, e Crimes; em Seitos Civeis que em seu Juizo vejporcessarem Sentenciará finalmente por si si, dando Appellação nos Casos que não couberem em sua alçada para a Relação, com Instrumentos de Termo, ou Cartas testemunhaveis, que d'ante Me retirarein das Sentenças interlocutorias, De que por bem de Minhas Ordens se podem agravar, verão para a Relação, e não para o Ouvidor Geral, como athé aqui se fazia.

2 Os Causas Civeis que não couberem na alçada do dito Ouvidor sendo a Condemnação de dinheiro, ou de quaesquer Bens moveis De que se apellar, como dino he, não prechindo os Condemnados Bens de raiz, ou não dando fiança bastante á Condemnação, se fará executelas ditas Sentença, porro que dellas está appellado na forma da Ordenação do L. 3. tt.o 17. §. final, o qual se guardará na dita appellacoens, porroque fale de agravo.

3 Sendo as ditas Sentenças dadas por virtude de alguma Escripura publica, ou Contractos que tenha entre si, ou por Conhecimento

execução na forma da Ordenação do L. 3.
tt.o 16 no principio, conforme as Leis da
reformação da Justiça, q. falão nesta Ordenação.

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11.2

Nº Que dito Ouvidor porcepara provisão aº Feitor Crimes athe final, as quaes ramsoque estiverem concluhidos, os fara asaber ao Capitão para aspcncarem dia Certo, e a hora em que sehão de ajuntar em alguma Caza publica se a houver na ditta Povoação de Maias, e para se lhe dar despacho, e não haven-do adita Caza publica, se ajuntarão o Ouvidor com o Capitão na Caza aonde elle poura, esendo dito Ouvidor, e Capitão conforme se escrevera a Sentencia pelo Ouvidor em que se asignarão ambas, a qual vedará a devida execução cabendo em sua alçada; sendo em-votos differentes não se escreverá a sentença, e tomarão Preceiro que será o Vereador mais velho, ao qual se dará juramento de que votará almenos no mesmo Feito, se an-Forme sem que porrous for acorrado sexora a sentença em que todos tres asignarão, a que se dará a devida execução pelo modo sobredito.

5º Cas Lauras Crimes que não couberem na alçada do dito Ouvidor a despachara para o praro que o Capitão veja presente dando Appellações na forma das minhas Ordenações para a Relação, aonde o Ouvidor Geral do Crime a despachara conforme este Regimento.

6º E não estando o Capitão na ditta Pova-

ção de Maias, o dito Ouvidor despachara os dito Feitos Crimes, que cabem em sua alçada por viço como lhe parecer Justiça, dando suas sentenças à execução como se forão dadas como Capitão.

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Alaman

de Maias

Regimento de

padrao

Trienal do

Juiz dos or-

7º O dito Ouvidor finira jūtamente de feu aman

do Orphaõ, guardando em tudo o Regi-

darado em Minhas Ordenações, e nas mais

Estravagantes, que nos Juizes dos Orphaõs falarem, e linhaõ

uzarem no dito officio de Juiz dos Orphaõs da alçada

que por este Regimento lhe hé concedida no officio

de Ouvidor.

8º Haverão dous Escrivães que servirão

ante do dito Ouvidor, aſim na Caza da Ouvidoria

como dos Orphaõs, os quaes verão jūtamente Vata-

livro dos Orphaõs, e livros dos Orphaõs, e livros da

Cidade de Malaca, e livros do

dito Officio igualmente

te havendo entre elles diftribuição.

9º Haverá hum Meirinho, que servirá dian-

te do dito Ouvidor, e servirá de Carcereiro, e terá

vinte e quatro Mil réis de ordenado cada Anno, equa-

tro Homens, com pagamento ſe lhe fará na Feitoria de

Malaca.

10º Lançarão Carta de Regimento no Caza em que

aſſim para ir aos Corregedores das Comarcas, caſim

em rodos os Cafos, em que aſſim não Corregedor da

Corte, em os em que os ditos Corregedores da Corte alsim
vão em Relação conforme o seguo Regimento, alsim
para o dito Ouvidor com parecer do Capitão, esen-
do differentes tomarão o parecer que ferá o segundo ndo
mais velho, e baftará ferem daus delles conformes
em conceder, ou negar as Cartas, com livramento
das Benções aque as pallarem correrão diante do dito
Ouvidor, o que alsim lhe hei por bem havendo respeito
à distancia que ha delta Barracação à Cidade de Goa
aonde está a Relação, e á grande vexaias que re-
ceberão as Party em irem lequerer a Lugares tão
remotos.

11º Terá o dito Ouvidor alçada em Caza

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11.4

Civeis athé Censo evinte milliy noz Bens moveis,
enoz de laiz athé virenta milliy; etaque panaren
Padina quarcia, que não couberem násua alcada dara
dino Ouvidor appellação yparane Relação.

12.

Inox Geiton Crimes rerá odito Ouvidor com
Capitães alçada querem os Capitães dos meus
Lugares d'alem declarada na Ordenação 1^a.XV^a
Lf.47 noz Corrigery, enas Senconias que devem noz
Cang que couberem em sua alçada, conforme aestelle-
gimento, caditta Ordenação, anexecubarão comefeito.

13.

Caemsecundo alguma da Cazor dadinha Ordena-
ção porque conforme acha terhão alçada athé morte
natural não executarão a sentença emque cada
hum dos Laços derem, sendo os Comdemnados Cuidadeing
ou Cavalheiros da Minha Laza, ou dermera qualidade
maior, porque anty deexecutarem adima Sentencia
Harão asaber ao Vice Rey, para que com o seu parecer
Segunda dará dina Sentença áexecução.

14.

Odito Ouvidor poderá por penas condem-
nar nellas athé dou mil lees para desprezas da Jus-
tiça, sem dandittas Sentenciaõ haver appellativo, nem
Agravado.

15.

Odito Ouvidor não poderá por Creia de qual-
quer qualidade que sejam sem merecer Sumario de
Tebemunhas conforme a ley noma da reforma
da Justiça, agual rize, e emudo ormais se campriva
como nella se contém.

16.

Fará as Audiencias que são obrigadoz
afazer os Corregedores das Ilmarcas, e isto no lu-
gar do dito Meão publico, e não ohavendo acom-
dado, as fará em sua Caza.

17.

Tirá todas as Devraças, que os Corregedores
das Comarcas vão obrigados atirar por bem dau Tri-
bunal, e os Corregedores deste Reino
sobre as penas nella declaradas no Cargo em que

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HAS

18.

Poderá o dito Ouvidor ouero sim prover as sirvencias, & Officios de Justiça que vagarem na forma das pragmaticas, achê o fazer saber as Vice-Reis, o qual oynarem de ferventia em quanto lhe ohouver por bem, e não mandar o Contrario, e somente poderá prover de propriedade a qually, que por seu Regimento pode fazer, cais Proviçoens para Meus Creados, e outras Pessoas benemeritas, erendo iguaymerecimento, sempre preferirão Meus Creados.

19.

O dito Ouvidor será obrigado mandar a cada hum dos Ouvidores de Seu Juizo fazer hum Livro em que escrevam todos os Feitos Civeis, e Crimes, Sentenças de Agravo, e as may Cauzas, de que o dito Ouvidor conhecer appensando cada hum o que lhe for distribuido somente assim aque ver por cestarem por bem da Justiça, e aque porem em troparty.

20.

Será mais o dito Ouvidor obrigado porelle, em que faça escrever todas as condemnaçoens, & dinheiro que se aplicar ás despesas da Justiça, ou para outra parte, na forma da lei navegante.

21.

O dito Ouvidor, e os Capitães, em a leridencia que houver de dar se lhe tomará conta do dinheiro das deppezas, das ditas Condemnaçoens, para se saber se tem mandado entregar as ditas Condemnaçoens aquem eram applicadas, e as desperas, que por seus mandados fizeram se são bem feitas.

22.

O dito Ouvidor não poderá ser prezo, nem

embaraçado durando o tempo de seu cargo por cazo
nenhum Crime, nem Cível, exceptu pro Mandar
do Vice Rey, ou da Relação.

23.

Porque importa muito á boa administra-
ção da Justiça, que os Ouvidores renhão authoridade
ao Cargo de que lhe faço Mercê, e de serem sujeitos

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11.6

as Capitães nascidos muy inconveniente, e eram oprimidos de maneira, que não podião cumprir com asua Obrigação, com a inteireza, e liberdade, que convem ao serviço de Deos, e Meu; e querendo nisto prover. Hey por bem, e mando, que os Capitães das Craças e Vayas não renhão nenhuma Jurisdição, nem autoridade sobre o dito Ouvidor de Maias, nem se introduza em cauza alguma do que a seu cargo pertencer: autrosim Hey por bem, e mando, que o dito Ouvidor governe adita Corraças juramente athe chegar em Berço o Capitão de Viagem com a Benção, que os Moradores della elegerem por Capitão no tempo que está dentro.

24.

Cometendo o Ouvidor algum Crime, ou exceção porque pareça ao Capitão que deve avizar disso ao Vice Rey, fará por suas Cartas, e o Vice Rey mandará ver em Relação para se proceder contra elle como for Justiça.

25.

O dito Ouvidor levará assignatura, como as podem levar os Corregedores das Comarcas por bem, Leições, Regimentos, e Minhas Ordenações.

26.

Quando o dito Ouvidor for ausente, assim pedido de maneira, que por si não possa servir, servirá em seu lugar o Vereador mais velho, ao qual vedará

juramento em Camara, que bem, e verdadeiramente servirá durante o dito impedimento, o qual jurará em tudo deste Regimento.

27.

E assim Hey por bem, que a cerca das Suspeicoens que forem postas ao dito Ouvidor nos Reinos, e Causas de que por razão do seu Officio pode conhecer, elle tenha a maneira seguinte: Antes que lhe for intentada suspeição por alguma Parte de qualquer qualidade, ou Condição que seja, não relançam o dito Ouvidor por suspeito, remettera os Autos da dita suspeição ao Vereador mais velho da Camara de Maião, e juramentando, que a determinará

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28-

como for Justiça, erdino Ouvidor porcadera sempre
 nalaura emque Neparem aal suspeicás actis ede
 terminar finalmente, romando comsigo por adjunto
 ouero Vereador não sendo suspeito, e sendo somara
 outro sem suspeita, cortuig que assim forom Senren-
 ciados verás valiozos, como se a suspeição Kenão fora
 inventada, esendo julgado que não hé suspeito por-
 cederá só nalauza como havia defarer se ascapei-
 cção Renão fprepara, esendo julgado por suspeito
 emtal cavo, não porcedera may, edarseha Quiz
 emeu lugar que Jodino Cars conheça, segundo
 aforma de Minhas Ordenacseny

29.

Eafrim meprae que quando assim for
 γισια Suspecção Σοδικο ουvidor emqualquer Care
 afsim Orime, como Civel, ea Parte que azywver mas
 Forcontente como feudepoimento, equirer datailla
 prova deporite quatro Cruzados anty que lhe
 seja dade Lugar à prova, oz quay perdera yparaca
 preço probex dalauza dadina Bovoação de Mariño,
 se for julgado por não suspeito.

Haverá odino Ouvidor durerig mil Zuij
 de ordenado emeadá hume Anno pagos naveitoria
 dee Malaca speler Geitong della voz Quarreis do
 Anno, oz quay Feisory Nepagaráo deprimeiro di-
 nheiro que trouver na Seivoria demaneira que seja
 sempre bem pago, eistocom Certidão do Escrivains
 do Seu Cargo decomo rem servido oempo de quar-
 rel; ecomadita Certidão, e Conhuimento do Ou-

vidor sera dinheiro dondition Geunzy Quarrey Levado em
Conta noz Contos por Peiory que Rupagarem, e-
ste Capitulo se legirrara no Livro dos
Reginos da Peitoria de Malaca pelo Curivas
della, epodendre dar alguma comoda Ordem
como odito ordenado sepaque ardino Order, e
anmais que Ne Succederem na Corvações deelMaias-

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Mi.g

Direitos das Fazendas q̃ aze Mairie q̃ della
vem hão de pagar em Malaca Mando ao ticolý
q̃ ora he, Eam q̃ cediente forem, q̃ adem por-
q̃ a Minha renead hé, q̃ o divo ordenado Reseja
sempre bem pago namelhor maneira q̃ poder ver,
oqual ordenado vencera o Ouvidor Lerrado vamente.

30. Codino Ouvidor haverá omancimento
para dous Homens, que o acompanharem, cumelle
viviem nas Couras de Jusnica, oqual Resera payo
na Feitoria de Malaca ao Guarrey, eá Cuina da
minha Fazenda como athé aqui vefes acamay
da Ouvidor da Feitoria da Judia, e isto por Cer-
tidão q̃ servem ao dito Ouvidor, em q̃ declare
os ditos dous Homens, e com eles servem.
Namaneira Sobreditta.

31 Manda, q̃ o dito Ouvidor senão inter-
meca nas Jurisdições q̃ se Mandarin daquella
Correas tem sobre os Ching, e Chinees, ena Coroy
q̃ se moverem entre os moradores, eclly, hes fara
inteiramente comprimento da Jusnica.

32. Hey probem, q̃ este Regimenro se
cumpra em todo daqui em diante na forma, e ma-
neira nelle declarada, sem Embargo do qualquer
outro Regimento, Leys, e Provisões, e tambem
q̃ em contrario veja para o derogado, e quero q̃ senão
cumprao, nem tenham
força, nem vigor algum, nem

se guardem nem
a este encontrarem, oqual se legirnara nos. da
Relação do Estado da India, eno Regimento do
Secrer. e na Chancellaria, ena H. da Camara
da ditta Cidade de Goa, e assim legirnara nos. da
Regimento de todas as Fortalezas das ditas partes pa-
ra em geral ver naodis o contecudo nelle, e o pro-
prio vepora na Area da Camara da dita Cidade
de Goa, aonde Hey ã estará em todo o tempo.

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M1.9

mais guardado. Notifico assim aos meus Officiaes do Estado da India, aos Desembargadores da Relação della, e a todos os mais Capitães, e mais Justicas, Officiaes, e Benons das ditas partes da India, que ora vão, e adiante forem Nomeando, que em tudo cumprão, e guardem, e façam com effeito cumprir, eguardar este Regimento como nelle se contem sem vida, Embargo, nem entrada, nem alguma, que a elle veja pena, porque assim he minha vontade; e por firmeza delle o mandei este por mim assignado que terá todo o effeito por não que não seja firmado pela Chancellaria sem embargo da Ordenação aoezy que delígnem os meus Officiaes. Francisco de Reino o fez em Madrid a 16 de Fevereiro Anno do Nascimento de Nosso Senhor Jesus Christo de 1587. Roque Vieira fez escrever.

El Rey, 88.

Translation

This translation to UK English is made using the gemini-1.5-pro AI model...

0001_p001

---DOCUMENT-SEPARATOR---

Title of the Regulations for the Magistrate of Macau in the parts of China

1 The Magistrate of Macau shall hear, by new actions, all Civil and Criminal cases; in Civil Suits that come before his Court, he shall pass final judgement himself, granting Appeal in cases beyond his jurisdiction to the High Court, with official records or certified letters, which shall be withdrawn from before me in interlocutory judgements. Appeals against these, by the grace of My Orders, shall be heard by the High Court, and not by the Chief Magistrate, as has been the practice until now.

2 In Civil Cases beyond the jurisdiction of the said Magistrate, where the judgement is for a sum of money, or any movable goods, and an appeal is lodged, as is proper, and the condemned do not pledge real estate, or provide sufficient surety for the judgement, execution of the said judgements shall be carried out, even though they are under appeal, according to the Ordinance of Book 3, Title 17, final paragraph, which shall be observed in said appeals, even if they relate to grievances.

3 When the said judgements are given by virtue of some public deed, or contracts held between the parties, or by acknowledgement, they shall be enforced in the manner of the Ordinance of Book 3, Title 16, at the beginning, according to the Laws of Judicial Reform which are referred to in this Ordinance.

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11.2

The said Magistrate shall provide the Factor with Criminal cases until their conclusion. Once concluded, he shall inform the Captain so that they may set a specific day and time to meet in some public building, if there is one, in the said settlement of Macau. There, they shall give their decision. If there is no such public building, the Magistrate and the Captain shall meet in the house where the Magistrate resides. The Magistrate and Captain shall jointly sign the sentence written by the Magistrate, which will authorise the appropriate execution, provided it falls within their jurisdiction. If they disagree, the sentence shall not be written, and they shall call upon a third party, who shall be the most senior Councillor. This third party shall be sworn to impartiality in the same case. The sentence, which all three shall sign, will be formulated accordingly, and duly executed in the manner described above.

5 Criminal Cases that are beyond the jurisdiction of the said Magistrate shall be referred to the Captain at the earliest opportunity, allowing appeals, according to my Ordinances, to the High Court, where the Chief Criminal Magistrate will decide according to these Regulations.

6 If the Captain is not in the said settlement of Macau, the said Magistrate shall decide the said Criminal Cases, which fall within his jurisdiction, by whatever means he deems just, giving his sentences for execution as if they were given jointly with the Captain.

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Macau

Regulations

Standard

Triennial

of the

Judge of Or-

7 The said Magistrate shall jointly exercise his role as Judge of Orphans, observing in all things the Regulations set out in My Ordinances, and in other Extravagants, which relate to Judges of Orphans and which they must apply in the said office of Judge of Orphans within the jurisdiction granted to him by this Regulation in the office of Magistrate.

8 There shall be two Clerks who shall serve before the said Magistrate, both in the Magistrate's Court and in the Orphan's Court. They shall jointly act as Registrar of Orphans and keep the books of Orphans, the books of the City of Malacca, and the books of the said Office equally, dividing the work between them.

9 There shall be a Bailiff, who shall serve before the said Magistrate and also act as Jailer, and shall receive a salary of twenty-four thousand réis each year, and four men, with payment to be made by the Factory of Malacca.

10 Letters of Regiment shall be issued in cases which require referral to the District Magistrates, and in all cases where it is not necessary for the Magistrates of the Court to go to the High Court, according to the following Regulations, and also for the said Magistrate with the opinion of the Captain. If they disagree, they shall take the opinion of the second most senior Councillor. It will suffice for two of them to agree in granting or denying the letters, with the dispensing of the appropriate fees. These shall be dealt with before the said Magistrate, which I hereby decree, having regard to the distance between this trading post and the City of Goa, where the High Court is located, and to the great inconvenience that the parties would suffer in having to go to such remote places.

11 The said Magistrate shall have jurisdiction in Civil

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11.4

Cases up to a value of twenty thousand in movable goods, and in land up to twenty thousand; and for anything exceeding a quarter, which is beyond his jurisdiction, the said Magistrate shall grant appeal to the High Court.

12.

In Criminal Cases, the said Magistrate, together with the Captains, shall have jurisdiction as declared for the Captains of my overseas territories in Ordinance 1.15, Book 47, in relation to inquiries and sentences that should be carried out in cases within their jurisdiction, according to these Regulations and the said Ordinance, and they shall execute them accordingly.

13.

In accordance with one of the cases given in the said Ordinance, where they have jurisdiction up to the death penalty, they shall not execute the sentence handed down in each case if the condemned are Citizens or Knights of My Order, or of higher rank. Before executing the said sentence, they shall inform the Viceroy so that, with his opinion, the appropriate sentence may be executed.

14.

The said Magistrate may impose fines of up to two thousand réis for contempt of court, without such sentences being subject to appeal or grievance.

15.

The said Magistrate may not imprison anyone, regardless of their status, without first conducting a summary investigation with witnesses, according to the law on judicial reform, which applies, and everything else must be observed as contained therein.

16.

He shall hold the hearings that the District Magistrates are obliged to hold by virtue of the Court, and shall do so in the designated public place; if there is no suitable place, he shall hold them in his own house.

17.

He shall collect all the fees that the District Magistrates are obliged to collect by virtue of the Court, and the Magistrates of this Kingdom, under the penalties declared therein, in the office in which they are employed.

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18.

The said Magistrate may also provide services and judicial offices that become vacant in accordance with the pragmatics, informing the Viceroy, who shall appoint them to serve as long as he sees fit, and does not order otherwise. He may only appoint definitively those he is permitted to by his Regulations, such as appointments for My Servants, and other deserving persons. Where there is equal merit, My Servants shall always be preferred.

19.

The said Magistrate shall be obliged to order each of the Clerks of his Court to keep a book in which they record all Civil and Criminal cases, judgements on appeal, and the most important cases that the said Magistrate hears, each appending what is assigned to them, only as they see fit for the sake of justice, and which they put into separate parts.

20.

Furthermore, the said Magistrate shall be obliged to keep a book in which he records all fines and monies applied to the expenses of Justice, or to any other purpose, in accordance with current law.

21.

In the audit that the said Magistrate and the Captains must undergo, an account shall be taken of the money for expenses, and of the said fines, to ascertain whether the said fines have been delivered to those to whom they were assigned, and whether the expenses incurred by their orders are justified.

22.

The said Magistrate may not be imprisoned or hindered during his term of office for any crime, Civil or Criminal, except by order of the Viceroy, or the High Court.

23.

Because it is very important for the good administration of Justice that Magistrates have authority in the office to which I appoint them, and that they be subject

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---DOCUMENT-SEPARATOR---

11.6

as Captains born very inconvenient, and they were oppressed in such a way, that they could not fulfil their Obligation, with the integrity and freedom, which suits the service of God, and Mine; and wishing to provide for this. I am pleased, and command, that the Captains of the Fleets and Voyages shall not have any Jurisdiction, nor authority over the said Judge of Malacca, nor shall they introduce themselves into any matter pertaining to his position: also I am pleased, and command, that the said Judge shall govern the said Fleets by oath until the Voyage Captain arrives in Port with the Blessing, whom the Inhabitants thereof shall elect as Captain at the time he is within.

24.

Should the Judge commit any Crime, or offence for which it appears to the Captain that he should advise the Viceroy of this, he shall do so by his Letters, and the Viceroy shall order an Inquiry so that proceedings may be taken against him as Justice requires.

25.

The said Judge shall receive a signature, as may be received by the Magistrates of the Districts, by virtue of Laws, Regulations, and My Ordinances.

26.

When the said Judge is absent, so

requested in a manner, that he cannot serve himself, the oldest Alderman shall serve in his place, to whom an oath shall be administered in the Chamber, that he shall well and truly serve during the said impediment, the which he shall swear to everything in this Regulation.

27.

And so I am pleased, that concerning the Suspicions that are placed on the said Judge in the Kingdoms, and Cases which by reason of his Office he may know-ledge of, he shall have the following method: Before suspicion is brought against him by any Party of whatever quality, or Condition whatsoever, they shall not declare the said Judge as suspect, he shall remit the Proceedings of the said suspicion to the oldest Alderman of the Chamber of Malacca, and swearing that he will determine it

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28.

as Justice requires, and the Judge can always intervene in the case in which they place the said suspicion, and determine finally, taking with him as an assistant another Alderman not being suspect, and being so, another without suspicion, so long as those who are thus Sentenced are valid, as if the suspicion had not been raised, and being judged that he is not suspect, he shall proceed alone in the case as he would have done if the suspicion had not been raised, and being judged suspect in such a case, he shall not proceed further, and it shall be given in my place that I may order the Cases to be known, according to the form of My Ordinances.

29.

And likewise I am pleased that when there is thus raised Suspicion against the said Judge in any Case, as well Criminal as Civil, and the Party who raises it is not content with his statement, and requires to give proof of it, he shall deposit four Cruzados before being given Leave to prove, the which he shall lose for the benefit of the poor of the case from the said Town of Malacca, if he is judged not suspect.

The said Judge shall have during a thousand Reis of salary in each one Year paid in the factory of Malacca from the proceeds of the one percent of the Year, the which the Factors shall pay from the first money they find in the Factory in a manner that it is always well paid, and this with a Certificate from the Clerks of his Office that they have served in time of quar-

rel; and with this Certificate, and Knowledge of the Judge it shall be money from the one percent which shall be taken into

Account in the Accounts for the Factors who shall pay it, and-

this Chapter shall be entered in the Book of the

Regulations of the Factory of Malacca by the Clerk

thereof, and he may give some convenient Order

as the said salary is paid to the said Judge, and

to others who shall succeed in the Jurisdiction of Malacca.

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30.

Concerning the Income from the Properties which belong to Malacca which come from there are to be paid in Malacca I command the Viceroy who now is, and those who shall be hereafter, that besides because it is my income, that the said salary should be always well paid in the best manner that can be found, which salary the Judge shall receive lawfully.

31. The said Judge shall have the allowance for two Men, who shall accompany him, with whom he shall live in the Courts of Justice, the which shall be paid in the Factory of Malacca to the Factor, and from the Treasury of my Treasury as hitherto has always been paid to the Judge of the Factory of India, and this by Certificate that they serve the said Judge, in which he shall declare the said two Men, and with them they serve. In the manner above mentioned.

32. I command that the said Judge shall not interfere in the Jurisdictions which are commanded from that Region to have over the Ching, and Chinese, and in the Matters that may arise between the residents, and to them, he shall make full compliance with Justice.

33. I am pleased, that this Regulation be complied with in all from now on in the form, and manner declared therein, notwithstanding any other Regulation, Laws, and Provisions, and also

that which is contrary to it I declare repealed, and I wish that it not be complied with, nor shall they have any force, nor vigour, nor shall they be kept nor contravene this, the which shall be read in the books of the Relation of the State of India, and in the Regulation of the Secretary, and in the Chancery, and in the book of the Chamber of the said City of Goa, and likewise it shall be read in the books of the Regulation of all the Fortresses of the said parts so that in general it may be seen by all that which is contained therein, and the same shall apply to the book of the Chamber of the said City of Goa, where I command that it shall be at all times.

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34.

most guarded. I thus notify my Officials
of the State of India, the Judges of the Relation
thereof, and all other Captains, and other Justices, Offi-
cials, and People of the said parts of India, who now
are, and hereafter shall be Appointed, that they in all shall com-
ply with, and keep, and cause with effect to be complied with, and kept this Regulation as
contained therein without
delay, impediment, nor contravention
whatsoever, that
goes against it under penalty, because such is my will;
and for the firmness thereof I ordered this signed by me
which shall have full effect even though it is not confirmed
by the Chancery notwithstanding the Ordinance
whereby my Officials are designated. Francisco of Reino
made it in Madrid on the 16th of February in the Year of the
Birth of Our Lord Jesus Christ
of 1587. Roque Vieira caused it to be written.
The King, 88.