

Crown magistrates in the popular anti-French revolts. The Ferragudo uprising of 1808¹

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Abstract

This paper examines the question of the popular anti-French revolts of 1808 during the final stages of the occupation of Portuguese territory by Napoleon's troops, which had invaded the country in November 1807 following its failure to enforce the continental blockade. First, we situate the uprisings within the Iberian context, and then we focus on the specific case of the revolt by the people of the fishing village of Ferragudo. We seek to gauge their motivations and characteristics, and place the event within the framework of resistance against the French occupation and the treatment meted out to supposed collaborators and sympathizers. In a detailed analysis of the case of the *juíz de fora* of Lagoa, we seek to explain how Crown magistrates were among the socio-professional groups in Portugal who suffered most from the wave of persecution.

Keywords

Algarve; French invasion; popular revolts; Frenchified; Crown magistrates

Resumo

Com este trabalho abordamos a questão das revoltas sociais antifrancesas ocorridas em 1808, na fase final da ocupação do território nacional pelas tropas napoleónicas, que em Novembro do ano anterior tinham invadido Portugal, em consequência da desobediência deste país ao bloqueio continental. Escolhemos o exemplo do motim desencadeado pelos populares da aldeia piscatória de Ferragudo. Analisámos as suas motivações e características, enquadrando-o nas movimentações contra a ocupação dos franceses e os seus supostos colaboradores e simpatizantes, que então agitavam a Península Ibérica. Procurámos, de forma mais detalhada, explicar o facto de os magistrados régios, designadamente o juiz de fora de Lagoa, se encontrarem entre os sectores socioprofissionais portugueses mais atingidos por tal onda persecutória.

Palavras-chave

Algarve; Invasões francesas; Revoltas populares; Afrancesados; Magistrados régios

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1. Introduction

The atrocities perpetrated by the French during their occupation of the Iberian Peninsula and the popular revolts that this violent treatment of the Portuguese population gave rise to were described in the numerous accounts produced by contemporary commentators from Portugal and Spain,³ as well as by authors from the rest of Europe—in particular France (Alegria, 2008; Assis, 2008) and England⁴—who were based in Portugal or Spain for military or other reasons. The value of such testimonies is of course limited by the fact that they were produced in an emotionally charged and confused atmosphere and, because of this, they obviously lack the necessary sense of proportion that only the passage of time can bring. Nevertheless, the abundance of information and descriptive details means that, over time, these sources have come to be regarded as crucial and cannot be ignored in the study of the era in question.

Of particular note in this context are works such as *História geral da invasão dos franceses em Portugal e da restauração deste reino* [A general history of the invasion of Portugal by the French and the restoration of this kingdom], first published between 1810 and 1811, and republished in 1984 and 2008. This is a work of great importance on the subject of the French occupation and the Portuguese resistance to the invaders, in which the author, José Acúrcio das Neves, “a bitter enemy” of Napoleon (Vicente, 345), also deals with various instances of support lent to the Portuguese insurrection by rebels in Spain, particularly in the border regions.

Simão José de Luz Soriano also devoted a volume of his monumental work, *História da guerra civil e do estabelecimento do governo parlamentar em Portugal* [A history of the civil war and the establishment of parliamentary government in Portugal], published in the second half of the nineteenth century, to the Peninsular War, offering detailed descriptions of the uprisings against the occupying forces and their links with the Spanish insurrections.

The topic has attracted the renewed attention of historiographers since the late 1970s. Vasco Pulido Valente was one of the first of these (Valente 1979, 7-48), followed in 1985 by Isabel Nobre Vargues, who published a huge bibliography of the works written on the insurrections and revolts that took place in Portugal in the first half of the nineteenth century, including those directed against the French occupation and the national uprising of 1808. Some of these works were produced and published at the time when these events

3 Many such accounts are referred to in Valente 1979, Araújo 1985, and Moliner de Prada 2008, to mention only a few authors who refer to the greatest number of sources of this type.

4 For example, in Castanheira: 2008; Martins: 2008; and Castel-Branco: 2008.

actually occurred (Vargues, 515-20). In the same year, Ana Cristina Araújo examined some of the revolts and the opposing ideologies that were to be noted during the French occupation, focusing in particular on the motivations and behaviors of the social groups involved in the uprisings occurring from late June 1808 onwards (Araújo, 7-90).

José Tengarrinha also examines the topic in the second volume of his work entitled *Movimentos populares agrários em Portugal* [Popular agrarian movements in Portugal] published in 1994, highlighting the influence of the Spanish insurrections.

The commemorations of the 200th anniversary of the Peninsular War during the early years of this century gave rise to a profusion of new studies, some of which take a fresh look at the topic of the popular resistance to the French invaders.

A study by Alberto Iria published in 2004 analyzed the impact of the first French invasion in the Algarve, including the popular revolts that it led to. José Viriato Capela, Henrique de Matos and Rogério Borralheiro all produced works published in 2008 examining the topic with regard to the northern provinces, and the role played by the district councils in organizing resistance.

Many studies have also covered revolts and resistance movements in Spain. John Lawrence Tone's work entitled *The fatal knot: the guerrilla war in Navarre and the defeat of Napoleon in Spain*, published in 1995, appeared in Spanish as *La guerrilla española y la derrota de Napoleón* in 1999, the Spanish version being used for the writing of this paper. Two studies have also covered events in Portugal, providing an understanding of both aspects that were common to the two countries and features that were specific to either one or the other: Charles Esdaile's work entitled *The Peninsular War. A new history*, published in 2002, and *La guerrilla en la Guerra de la Independencia* [Guerrilla warfare in the War of Independence], published in 2004 by Antonio Moliner de Prada.

The above-mentioned commemorations contributed towards increasing our knowledge and awareness of this complex political and social phenomenon, with the appearance of new publications (Capela, Matos and Borralheiro 2008), reprints (Valente 2007), and papers presented at international academic meetings. Some of these papers are cited in this study and many others are currently being prepared for publication.

The aim of this paper is to provide a contribution to the debate on this relevant and topical question.

2. A comparison of anti-Napoleonic revolts in the two Iberian countries

The traditional historical similarities between Portugal and Spain are once again highlighted in the case of the occupation of the Peninsula by Napoleon Bonaparte's troops. The anti-French insurrections in the two countries display many common features despite the specificities of the social, political and military circumstances in each country.

The Spanish uprising against the "Godoyist" traitors (Esdaile, 49) and the violent treatment of the population at the hands of the French army quickly led to a struggle for independence (Moliner de Prada 2004, 24) following the kidnapping of Carlos IV and Fernando I and the imposition of a foreign king. The power vacuum caused by their forced abdication led to the setting up of the Spanish *juntas*, which were "left very much to their own devices," claiming as they did to enshrine and defend the sovereignty of the nation (Valente 1979, 27). The predominantly bourgeois political leanings of some provincial *juntas* and the Junta Central (Tone, 55-56) endowed the movement with a revolutionary impulse that resulted in the Constitution of Cadiz of 1812 (Araújo, 36) and Spain's first experience of liberal government.

The Portuguese *juntas*, either elected by local people or, in the majority of cases, merely approved by popular acclaim (Tengarrinha, 45; Valente, 29), asserted themselves as the only institutions "that upheld the authority of the State at the beginning of the revolution" (Neves, 438). They mainly comprised members of the rural aristocracy and clergy of the northern inland province of Trás-os-Montes, who were primarily conservative and restorationist in character (Araújo, 36), with only a small number of bourgeois elements (Valente 1979, 28-29; Tengarrinha, 46), reflecting the relative lack of importance attached to the bourgeoisie at the national level.

Moreover, members were required to swear an oath of allegiance to the Prince Regent, whose restoration was the goal of these *juntas*, carrying out his instructions to the letter, including that of their own dissolution, decreed by the Regency when it was restored to power by English forces (Valente 1979, 27-28).

In Spain, the popular uprising was supported by the Church. Even the bishops, in spite of their previous connivance with the Napoleonic authorities, supported the revolt and preached in favor of it. Many priests and members of the religious orders participated in guerrilla warfare and some even organized the guerrillas (Moliner de Prada 2004, 35-37; Esdaile, 47-48). However, they did not have enough influence over the people to be able to control the political direction of the movement.

By contrast, in Portugal, the clergy contributed decisively to determining the “ideological content of the struggle” (Araújo, 53), transforming an armed struggle for the homeland against the French occupiers and powerful nobles into a kind of religious struggle on behalf of the Crown and the Church against the enemies of God. This vision prevailed thanks to the crucial role played by friars and the clergy in anti-Napoleonic uprisings, mainly in northern and central regions, where their spiritual influence was strong (Valente 1979, 24-26). In many places in Trás-os-Montes, as well as in the cities of Viana do Castelo, Guarda and Viseu, they took the lead in the guerrilla war (Moliner de Prada 2004, 44-45).

While the regular Portuguese army had been disbanded by order of Junot, Spain had around 100,000 soldiers at the beginning of the uprisings (Esdaile, 45), plus those returning from Portugal and deserters from French-controlled areas. The Spanish *juntas* therefore initially appealed to the regular army to defeat the French, while underestimating the impact of the civilian guerrillas who had set the revolt in motion. Only after the almost total destruction of the army, resulting from a successful Napoleonic counter-offensive over the course of barely a year (Moliner de Prada 2004, 140-89), did guerrilla warfare, which had previously played a crucial role in the urban resistance (Calleja Loyal, 83-89), come to be regarded by the *Junta Central* as the main priority in the fight against the foreign occupiers (Tone, 65-81).

The movements in the two countries had much in common: both of them were not only set in motion by the common people in cities and especially in rural areas, but also grew in size and aggressiveness to achieve a level never experienced before. Violence spread quickly, although initially movements had neither commanders nor operational plans: incensed by feelings of rage and revenge which had long been repressed, elements on both sides of the border attacked both imagined and real enemies with sticks and stones, agricultural implements, knives, hunting equipment and other improvised weapons (Esdaile, 49-59; Moliner de Prada 2004, 31-86; Tengarrinha, 48-50).

In both countries, uprisings took at the dual level of social and political struggle, the former against the foreign occupiers and collaborators and the latter against those who held power at the local level, the symbols of fiscal, political, and social oppression, although in an excuse for their acts of vengeance many were labeled “*afrancesados*” [those who had been “Frenchified”], “Masons,” “Jacobins,” “heretics,” “atheists” or even “Jews” (Tone, 57-60; Moliner de Prada 2007, 222-223; Esdaile, 54-56; Valente: 1979, 14-15 and 33; Tengarrinha, 12-14, 31 and 35; Araújo, 51-52).

Frightened by the impetus of the riots, prelates, nobles, magistrates, military officers and wealthy merchants in both countries who were not closely involved with the foreign enemy ended up leading the revolts, with the aim of moderating their ferocity and planning the struggle against the French and their domestic collaborators. Some of them even managed to switch allegiance at the last minute and thus escaped popular fury, falling over themselves to join the *juntas*, in order to deal with the threat from within, which for the time being was regarded as the more serious (Prada 2007, 223; Esdaile, 54; Tengarrinha, 15-16; Valente, 21-22). Even the red ribbon, the traditional insignia of the Bourbon monarchy, worn by the Spanish rebels (Esdaile, p50; Tone, p55), was widely used by the Portuguese as a token of their loyalty to the Prince Regent.

3. The spread of the uprising in Portugal

The atmosphere of apparent acceptance with which Junot was greeted in Portugal in late November 1807 quickly evaporated. The disbanding of the army, the exacting of a heavy financial contribution (a hundred million francs) and the taking of gold and silver from the churches (Soriano, 192) constituted an attack on national pride, an intolerable financial burden and a deep offense to popular religious feeling. Furthermore, many other no less onerous or humiliating measures were implemented, and ordinary people and local authorities were treated arrogantly and arbitrarily. There were: requisitions and acts of extortion of all kinds; billeting of soldiers in private houses, with inevitable material, physical and moral damage being suffered by the host families; robberies and looting; violation of and damage to places of worship; laying waste of land; and disruption to the economy. Brutal reprisals were carried out in communities where organized resistance was attempted, or local people carried out isolated acts of revenge (Silbert, 67-71 and 78-79).

In this dramatic context, hostility towards the occupying power grew, and at times exploded into incidents of revolt, which were immediately and harshly put down (Araújo, 32-34; Tengarrinha, 11-12). The uprisings in Aranjuez from 17 to 19 March 1808 only served to raise the level of popular revolt even higher (Moliner de Prada 2007, 214).

By April, the Spanish troops in Portugal had come to regard their Iberian neighbors as friends and the French as the enemy (Neves, 197). On 4 May, news arrived in Badajoz of the events of the two previous days in Madrid; ordinary people and soldiers at once made preparations to go and help in the capital, while a message was circulated on both sides of the border inciting the people to revolt (Neves, 222).

However, a generalized uprising only occurred following the forced abdication of Fernando I on 20 May (Esdale, 46-47). The *juntas* set up to provoke insurrection in Spain's main urban centers addressed proclamations to their Portuguese neighbors, encouraging them to follow their example. At the same time, the Spanish troops that had entered Portugal with the French were ordered to return to their homeland in order to fight the former ally (Soriano, 91-172).

Before this withdrawal, the Spanish army stationed in Porto under the command of Dom Domingos Bellesta carried out the first attempted revolt on 6 June and, although it was quickly put down, numerous towns and villages in the provinces of Minho and Trás-os-Montes were infected with revolutionary fervor (Capela *et al.* 2008, 57-58). These uprisings in turn brought renewed courage to the Porto rebels, who acclaimed the Prince Regent on 18 June and set up a provisional *junta*, whose authority was increasingly widely recognized, so that it soon became the *junta* of the supreme government (Soriano, 247-57).

During the month of June, the insurrection spread throughout the country, including the Algarve (Soriano, 257-285), where the news of the initial Porto revolt arrived by sea. Encouraged by the example of the northern capital and the rebellion in neighboring Andalucía, and, at the same time, confident of the support of the English squadron meanwhile sailing round the southern Iberian coast, the people of the Algarve rose up in revolt on 16 June in the fishing village of Olhão. The insurrection immediately spread to the adjacent parishes of Fuseta, Moncarapacho, Pechão and Quelfes, later reaching Loulé on 18 June and Faro on 19 June (Iria, 32-77).

Appeals sent by the council of Faro, the capital of the province, to other towns and cities in the Algarve, backed up by those issued by the prelate Dom Francisco Gomes do Avelar and the Portuguese military authorities, led to the expulsion from all these settlements of the French occupiers, who, after several attempts to regain control of the situation, ended up withdrawing to the Alentejo and joining Kellermann's forces. The weak response of the French troops in the Algarve was due to the small number of soldiers stationed in the province, the intimidating proximity of the British squadron, and the size and ferocity of the popular revolts (Iria, 94-95).

Due to the large number of French forces stationed in Elvas (Fonseca 2008, 227-40), Estremoz and Vila Viçosa (Neves, 319), the Alentejo was the last province to join the insurrection. When the revolt, which had been contained for so long, finally broke out in Vila Viçosa on 19 June, the disturbances quickly spread all over the province, from the northern Alentejo to the Algarve hills and coastal areas (Soriano, 287-300).

The uprisings in Portugal were not only instigated but also supported by the Spanish, who supplied both weapons and combatants. Following the actions of Bellesta in Porto, the revolutionary *juntas* of Galicia collaborated closely with their counterparts in the Minho (Matos 2008, 199-202). For example, the defense of the long border of the district of Miranda in Trás-os-Montes was organized jointly with the *junta* of Zamora (Borrallheiro 2008, 186-88).

In the Alentejo and the Algarve, the Spanish contribution was decisive. The *junta* of Badajoz provided support for insurrections in a number of different places in the Alentejo, while those of Ayamonte, Seville and Cadiz aided the Algarve rebels in their struggle against the French (Araújo, 40-46).

4. Crown magistrates and the anti-French revolts

All over the country, local officials such as *provedores*, *corregedores*, and *juízes de fora*—itinerant magistrates who had been brought in from outside to serve in a given place—were targeted for persecution (Neves, 297-438), and the itinerant magistrates were targeted most heavily because of their frequent dealings with the general public.

Even in peacetime, the mission of an itinerant magistrate was a difficult one, due to the nature, scope and complexity of the job.⁵ As representatives of the Crown, these officials inspired respect but were also feared and despised.

The common people associated them with unpleasant obligations such as: the payment of government taxes, fines and levies; the obligation to obtain local authority licenses; and the imposition of onerous duties, such as transporting prisoners, accommodating local officials, collecting taxes and performing public works. Generally proud of their heritage and the fact that they belonged to a restricted group qualifying them to hold local offices, the local nobility, although poorly educated and conservative in their political leanings, begrudged or even reacted with hostility to the interference of local officials from outside who were often their social inferiors, but who were nevertheless more cultured and more competent in matters of the law than themselves (Fonseca 2002, 151-65).

Thus, when local magistrates, who were generally identified with the principles of political centralization and administrative standardization associated with the Marquis of

⁵ *Ordenações Filipinas*, Livro 1, Título 65. For the period covered by this paper, see also Fonseca: 1996-1997, 241-250.

Pombal's reforms, sought to abolish the old ways, remove privileges of doubtful legality, remedy the improper appropriation of land and offices, or deal with other abuses, they inevitably came up against the vested interests and resistance of these powerful local figures, who regarded such measures as humiliating attacks on their ancestral rights and privileges (Fonseca 2002, 151-52).

Due to the intransigence of the litigants, cases involving disputes arising from such conflicting views of municipal and judicial power often ended up in the higher courts, and, whatever the verdicts delivered, lingering resentment was usually the result.

For Crown officials brought in from outside, the difficulties of ensuring that central government measures were implemented within the area for which they were responsible were considerably greater in times of war, due to the inevitable increase in the tax burden falling on the common people and the introduction of new levies. This was never so true as during the period of the French invasion and occupation (Capela: 2001, 332-33), which constituted the culmination of a long period of political instability, gradually worsening after 1793 with the Portuguese involvement in the War of Roussillon.

In keeping with the recommendations of the Prince Regent, drawn up before the royal court left for self-imposed exile in Brazil, and the decisions of the Administrator Lagarde, "Junot's right-hand man" (Neves, 189-90), but also as a matter of common sense procedure, itinerant magistrates were obliged to implement the harsh and inhumane orders of the invaders. In many cases, their moderating influence prevented greater evils, such as pillage and mass slaughter, from being wrought on the local people, but this did not mean that they were any less disliked. Their daily lives filled with fear and despair, the common people understood little of the delicate role of local officials and the great skill required in dealing with the constant demands of the occupiers, while at the same time containing popular anger and preventing retaliation.

In Trás-os-Montes, where the anti-Napoleonic rebellion was particularly ferocious, some itinerant magistrates either led uprisings (such as the magistrate of Algosó) or helped to organize them, as for example the judge of Chaves (Borrallheiro 2007, 180-81). Others, such as the magistrate of Covilhã (Araújo, 41), and those of Viseu (Soriano, 350-52) and Marvão (Tengarrinha, 21), performed similar roles. Nevertheless, the itinerant magistrate from Viseu, for example, did not escape the popular fury: on 30 June, he was threatened by the inhabitants of the city, along with other members of the city council (Neves, 424).

Others managed to navigate a safe passage through this difficult period, such as the itinerant magistrate from Montemor-o-Novo (Fonseca 1995, 35) and the magistrate from

Cuba,⁶ due to the fairness with which they had dealt with military requisitions and the billeting of troops and thanks to their skill in dealing with the French troops, thereby preventing the sacking of rural areas and other acts of violence.

The majority, however, fared far worse, whether through a lack of experience, because they were less able or because they faced extremely difficult situations. Many were arrested, beaten or threatened, and their lives were placed in grave danger: this was the case with the magistrates from Amarante (Neves, 297; Soriano, 291) and Melgaço (Tengarrinha, 13) in the north; those from Oliveira de Azeméis, Aveiro and Castelo Branco (Tengarrinha, 13-33), besides the magistrate from Viseu, referred to above, in central Portugal; and those from Évora (Neves, 379), Redondo (Fonseca: 2005, 56), Borba,⁷ Mértola,⁸ Messejana,⁹ Odemira,¹⁰ Tavira (Iria, 141) and Lagoa in the south.

Some magistrates ended up losing their lives as a result of the popular fury, a fate which befell the itinerant magistrate from Arcos de Valdevez (Capela: 2001, 338), the magistrate from Beja, and other higher-ranking magistrates, such as the *provedor* of the same city (Neves, 327; Soriano, 285) and the *corregedor* of Évora (Neves, 386).

5. The *juíz de fora* of Lagoa and the Ferragudo uprising

Just like similar movements occurring all over the country, the Algarve restoration movement referred to above provided an opportunity to satiate the desire for revenge which had been repressed for so long; only at great cost was the lynching of the French military governor of the Algarve, General Maurin, prevented, and he was imprisoned with some of his subordinates (Iria, 67 and 119). But again, as happened all over the country, the people of the Algarve did not vent their anger only on the French enemy, but extended the range of their persecution to all those regarded as sympathizers or collaborators, and, although some of these deserved such accusations, many others were unfairly targeted.

The Provisional Supreme Junta of the Kingdom of the Algarve, elected on 22 June in the city of Faro (Iria, 102-104), was powerless to subdue the popular outrage and stop

6 Torre do Tombo (T. T.) / Desembargo do Paço (D. P.) Repartição do Alentejo e Algarve (A.-A.), maço 580, doc. 104.

7 T.T./D.P., - A. A., maço 580, doc. 91.

8 T.T./D.P., - A. A., maço 579, doc. 9.

9 *Idem, ibidem.*

10 T.T./D.P., - A. A., maço 579, doc. 11.

the persecution. It encountered great difficulty in imposing its authority due to a situation that was rapidly deteriorating into widespread anarchy (Iria, 122).

Besides the itinerant magistrate from Lagoa, who is the principal subject of this paper and was the target for the fury of the people of Ferragudo, the Tavira magistrate referred to above, and those from Olhão and Moncarapacho, also suffered the consequences of popular indignation (Iria, 141).

An experienced judge, who had held a similar office in the city of Silves until late 1803¹¹ and had always performed his duties with distinction, the itinerant magistrate from Lagoa, José Francisco Borja de Albergaria Corte Real, was appointed to the office in February 1807.¹²

He had demonstrated the same admirable qualities in his present job. Up until the time of the revolt, he had carried out his duties “with the greatest degree of impartiality, honesty, honor and decency:”¹³ in some instances he had taken council salaries away from those who were paid them on an illegal basis, and for the same reason he himself forwent certain fees levied by his predecessors; furthermore, on being sent to work in different places in the district, he declined offers of accommodation in the houses of local people, opting instead to pay for his lodging out of his own pocket; and he never accepted any private payments. As a result of his proper way of proceeding with petitioners, they soon realized that, in dealing with this magistrate, they were better off doing things the right way, without asking for any special favors.¹⁴

He was no stranger to this new area of jurisdiction: besides having served as a magistrate in the neighboring district of Silves, as mentioned above, he was originally from a wealthy family background in Lagos in the Algarve.¹⁵ His valuable experience was enhanced by his profound knowledge of the region and its people. However, in spite of

11T. T. / D. P.; A.-A., maço 629, doc. 7, residence authorization document of *bacharel* José Francisco Borja de Albergaria Corte Real, drawn up on 27 June 1804.

12T. T. / D. P., A.-A., maço 579, doc. 22. This is the narration of the events occurring on 24 June 1808 in the town of Lagoa, involving its itinerant magistrate, José Francisco Borja de Albergaria Corte Real, made by the plaintiff himself in the city of Lagos on 7 November 1808, addressed to the Prince Regent by the high court (*Tribunal de Desembargo do Paço*).

13T. T. / D. P.; A.-A., maço 579, doc. 22, anexo nº 2, evidence given by António Miguel de Sousa Prado.

14*Idem, ibidem*, anexo nº 5, Autos de justificação do juiz de fora de Lagoa ... witnesses' accounts of the events of 3 November 1808.

15 *Idem, ibidem*, anexo nº 10, witnesses' accounts of the events of 3 November 1808. *Idem*, maço 503, doc. 6.

this, or perhaps because of it, he was not spared the anger of the people of Ferragudo, as we shall show by referring to his own account of events.¹⁶

On 21 June, on receiving the message from Faro city council referred to above, he immediately convened a council meeting and, donning the red ribbon symbolizing commitment to the national cause, presided over the decision to acclaim the Prince Regent. In order to repel a possible French attack, he sought, in conjunction with Silves council, to build up the stock of arms and munitions existing in the two municipalities by requesting the help of the English squadron and troops from Gibraltar.

On the same day, he also sent an emissary with the good news to the Fort of São João de Arade near Ferragudo, whose commander hoisted the Portuguese flag and fired a salvo of 21 guns the following morning.

Implementing further defensive measures, he arranged with the commander of the local garrison for a review of the companies of the local district with a view to gauging what arms were available. On 24 June, at about 4pm, a general parade was held in front of his quarters, whereupon he was able to verify that the Ferragudo company, unlike the others, had some arms. Placing his full confidence in those that bore them, he congratulated the Ferragudo commander, Captain José Bernardo dos Santos, on this showing.

However, while sitting at a table working on a list of Ferragudo company members, he was interrupted by one of them who, “forgetting the many good things” that he had done for the district as an itinerant magistrate “during the time of the abominable French occupation, so often risking” his own life, raised his voice against the magistrate, followed by “all the company,” assuming an attitude which they had previously planned. Incensed with the fury brought on “by inebriation from drinking wine,” they were then responsible for “the most serious outbursts of insults, and shouted at their superiors without the least respect or obedience.”

As it happened, that day was the annual fair of St John the Baptist and there was an unusually large influx of outsiders in the town; some of these, affected by the agitation of the townspeople, joined in the disturbance. Aided by the chaplain of St John’s Institute, the magistrate managed to avoid his pursuers temporarily, but a mule-driver gave away his hiding place, and, armed with knives and bayonets, they invaded his house, breaking down the door with axes, and attacked him “with a range of weapons and also chairs.” One even raised an axe to his head and was about to kill him when one of mob shouted that it would

16T. T. / D. P.; A.-A., maço 579, doc. 22. An account of events ...

be better to arrest him, so he was “hoisted in the air” and carried out into the street. Then, one António Álvares Piloto pointed a loaded shotgun at him and, had it not been for the intervention of the captain of the company, José Bernardo dos Santos, referred to above, he would have been shot.

Then a carpenter from Mexilhoeira da Carregação, “a cavalryman” attached to the Ferragudo company, struck him with his sword, and three others attacked him with chairs aimed at his head. “Covered in blood from two wounds, one to the head and the other to the hand,” he was taken away to be held at the Fort of São João. As the party was leaving the town, the magistrate saw that his registrar, Francisco António, had also been arrested and was tied up “with a belt.” Corte Real was thus driven on foot from Lagoa to the prison, suffering “atrocious insults” and being manhandled by “people tugging him by the hair (...) and pulling at his dress-coat;” some shouted, “kill him now,” while others suggested tying him to the “yard-arm of a boat,” and in the midst of the confusion his “plaited wig” was torn off.

Manuel António Balanda, a Portimão gunner and the partner in crime of an alleged burglar a short time earlier, who was the subject of a judicial inquiry by the itinerant magistrate, was one of his worst tormenters. Laying “his hand on the neck of his shirt and waistcoat,” he led the magistrate “completely bent over, all the way” shouting at him, “Oh, *Senhor Juiz de Fora*, Your Honor received orders from the English, but you ignored them and only carried out the orders of the French!”

Their route took them through the settlement of Ferragudo, the centre of the revolt, where “cheering and shouting” were heard, and they arrived at the fortress “at sundown.”

In Lagoa, the riots did not die down following the arrest of the magistrate. “Almost everyone of any standing” in the town “had fled” to neighboring districts, due to “similar insults hurled at them by the townspeople.”¹⁷ The wave of unrest continued over the following two days, with houses being broken into and looted; the judge and mayor having been arrested and the local government representatives having fled, the rioters gained control of the district during this period. Among the measures they decreed was an increase in the wages of the clerk of the *almotaçaria* (the department that fixed the prices of victuals), probably one of those who had been worst affected by the magistrate’s campaign to curb

17 *Idem, ibidem*, anexo nº 5.

abuses. The situation became so bad that “civil war almost broke out in the town against the Ferragudo faction.”¹⁸

Gaining confidence from their show of force, the Ferragudo mob sought to “extend the scope of its insults” to other places. The authorities in Portimão, fearing an invasion by the rioters from the neighboring village, prohibited them from entering the town in groups of over six; those who disobeyed were to be fired upon.¹⁹

On 26 June, the commander of the troops stationed at Lagoa travelled to Ferragudo, and managed to negotiate with the leaders of the revolt the release of prisoners on condition that the itinerant magistrate promised in writing never to return to the town and district of his jurisdiction. The promissory note having been signed, he was allowed to sail for Lagos, where he was to be found on 7 November of that year, the date on which he gave this account.

The numerous witnesses questioned during investigations carried out later that year all described the huge risk run by magistrates who resisted carrying out the orders of the French by refraining from implementing their decrees as far as possible, and the reluctance with which they obeyed them when they had no alternative. Other types of meritorious behavior were also praised: not collecting taxes on behalf of the invaders; keeping money collected from local people in council safes; and refusing to confiscate merchandise of English origin, thereby disobeying the French authorities. Furthermore, witnesses described their religious devotion, excellent manners and good practices, their admiration for the English, their patriotic sentiments and their loyalty to the Bragança dynasty.²⁰

Our interpretation of these events would doubtless be improved if only we had access to the rebels’ own versions of events and not merely the statements of plaintiffs and their supporters. Nevertheless, existing evidence allows us to put forward explanations for this insurrection, which can also be applied to many other disturbances occurring during the period in question.

The town of Ferragudo was granted self-governing status as a parish, separate from Estombar,²¹ a few years before it became part of the municipality of Lagoa, kept apart from that of Silves in accordance with the provisions contained in a royal letter dated 16 January 1773, in keeping with Pombal’s policy of administrative reform. In 1808, the life of its inhabitants would not have been very different to the description provided in 1758 by the

18 *Idem, ibidem*, anexo nº 5.

19 *Idem, ibidem*, anexo nº 5.

20 *Idem, ibidem*, anexos nº 5 a nº 13.

21 T.T./ Memórias Paroquiais (M.P.), vol. 15, Memória nº 47, fl. 297 (297-302).

curate Bartolomeu Mimoso Fajardo: “In this village, there is little of note other than the misery and poverty of his inhabitants, and what little fishing activity there is serves only to sustain the local population, and even then only with good weather permitting”²². For those who existed in such dire poverty, the excesses of the French were certainly even more onerous than those perpetrated in wealthier places such as the town of Lagoa. Indeed, the parish priest of Lagoa wrote in the same year that the people of the town enjoyed “an abundance of goods,” enough to sustain the inhabitants and export the surplus to other places in the Algarve.²³ Furthermore, during the previous decade, the permanent risk of invasion had constituted an excuse for removing numerous local privileges enjoyed by the people of Ferragudo: for example, “exemption for the sons of the townspeople from the obligation of military service” granted by Dom João V.²⁴

The despair resulting from a hard and miserable life, aggravated by fear, humiliation and the heavy burden of foreign occupation was gradually transformed into a deep feeling of resentment, which Corte Real’s enemies, unhappy with the firm but fair treatment they had received, skillfully directed against him. The persecution he was subjected to was also immediately extended to serving councilors and other local government officials, who, as in most municipalities, belonged to wealthy families and the local high nobility.

Meanwhile, the parish priest of Ferragudo, Ricardo José Cabrita, noted Corte Real’s compassion for the “oppressed poor” and his sympathy for their feeling of revolt in the face of the “tyrannical tributes” imposed on them.²⁵ However, his parishioners, crushed by a life of hard work and deprivation, failed to notice the humane side of his character, which he prudently concealed; for them, he was directly responsible for the impositions and burdens they had to bear, made even more intolerable when carried out on behalf of invading forces, who, besides exploiting the people, killed their kinsmen and destroyed their property and goods.

6. Conclusion

For the common people, whether in rural, urban or coastal areas, liberation from French domination represented an opportunity for revenge against those who held power

22 *Idem, ibidem*, fl. 301.

23 T.T./M.P., vol. 19, Memória. 20, fl. 87 (85-92).

24 *Idem*, vol. 15, Memória n° 47, fl. 297.

25 T. T./ D. P.; A.-A., maço 579, doc. 22, anexo n° 11, evidence given by a parishioner . . . , on 26 October 1808.

at the local level, and this was also facilitated by the breakdown in both the Crown's authority and municipal power (Capela: 2001, 334). Local Crown officials, soldiers, nobles and municipal officers, merchants, auctioneers, tax-collectors and other influential figures, were attacked as representing royal, municipal and noble authority, or as masters, employers, creditors, or those who had illegally appropriated communal or private land.

Disturbances broke out all over Portugal, and also throughout Spain, where, as far as is known, there were proportionally many more mortal victims of popular anger, including "Godoyist" magistrates (Esdaile, 49-57).

There is no information as to the final outcome of the case of Dr José Francisco Corte Real, but if similar cases provide any guide, the accusations leveled at him by the inhabitants of Ferragudo served as an excuse for persecution and would almost certainly have been dropped due to a lack of evidence; indeed, other local officials facing more serious accusations were acquitted, reinstated or even promoted to the office of magistrate.²⁶

In fact, if we consider the behavior of Crown magistrates in their dealings with the occupying power, the contemptuous accusations leveled at them for their "French," "Frenchified," "Jacobin" or "Masonic" sympathies were nearly always unfair. They generally amounted to deliberate attacks on *juízes de fora* motivated by the festering resentment that their necessary impartiality invariably ended up causing.

Thus, these accusations, very often unfounded, nevertheless fell on fertile ground in the ochlocratic atmosphere (Moliner de Prada 2008, 218-23) which prevailed in Portugal during the chaotic months from June to September 1808, resulting, in many places, in attacks by mobs, who perpetrated acts of violence similar to those described by the magistrate of the town of Lagoa.

²⁶Those who also found themselves in a similar situation were: the itinerant magistrate from Borba, Henrique Lopes da Cunha, appointed in 1815 to the office of *juíz de fora* of the city of Évora, a judiciary of the highest standing, as important in political and administrative terms as those of Braga and Coimbra and only subordinate to those of Lisbon, Porto and Santarém (Fonseca 2002, 144-45); the itinerant magistrate from Odemira, Francisco Luís da Silva, appointed in 1813 as Superintendent-General of Tobacco, Customs and Tolls, an office which he "uncommonly deservedly" held until 1818 (T. T./ D. P., A.-A., maço 640, doc. 11); and the itinerant magistrate from Évora, José António de Leão, who had unjustly been accused of being a "Jacobin" and a French collaborator. Having been forced to flee persecution, mainly incited by the Évora nobility, he was later arrested, tried in Porto by the supreme government *junta*, and acquitted. In 1814, he returned as *corregedor* to the city where he had been falsely accused (Neves, 379. Lacerda, 22).

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