

## READINGS ON EXPLORATION AND COLONIALISM

### Privileges and Prerogatives Granted by Their Catholic Majesties to Christopher Columbus : 1492

From the Avalon Project and *The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America*,  
Compiled and Edited Under the Act of Congress of June 30, 1906 by Francis Newton Thorpe  
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**F**ERDINAND and ELIZABETH, by the Grace of God, King and Queen of *Castile*, of *Leon*, of *Arragon*, of *Sicily*, of *Granada*, of *Toledo*, of *Valencia*, of *Galicia*, of *Majorca*, of *Minorca*, of *Sevil*, of *Sardinia*, of *Jaen*, of *Algarve*, of *Algezira*, of *Gibraltar*, of the *Canary Islands*, Count and Countess of *Barcelona*, Lord and Lady of *Biscay* and *Molina*, Duke and Duchess of *Athens* and *Neopatria*. Count and Countess of *Rousillion* and *Cerdaigne*, Marquess and Marchioness of *Oristan* and *Gociano*, &c.

For as much of you, *Christopher Columbus*, are going by our command, with some of our vessels and men, to discover and subdue some Islands and Continent in the ocean, and it is hoped that by God's assistance, some of the said Islands and Continent in the ocean will be discovered and conquered by your means and conduct, therefore it is but just and reasonable, that since you expose yourself to such danger to serve us, you should be rewarded for it. And we being willing to honour and favour You for the reasons aforesaid: Our will is, That you, *Christopher Columbus*, after discovering and conquering the said Islands and Continent in the said ocean, or any of them, shall be our Admiral of the said Islands and Continent you shall so discover and conquer; and that you be our Admiral, Vice-Roy, and Governour in them, and that for the future, you may call and stile yourself, D. *Christopher Columbus*, and that your sons and successors in the said employment, may call themselves Dons, Admirals, Vice-Roys, and Governours of them; and that you may exercise the office of Admiral, with the charge of Vice-Roy and Governour of the said Islands and Continent, which you and your Lieutenants shall conquer, and freely decide all causes, civil and criminal, appertaining to the said employment of Admiral, Vice-Roy, and Governour, as you shall think fit in justice, and as the Admirals of our kingdoms use to do; and that you have power to punish offenders; and you and your Lieutenants exercise the employments of Admiral, Vice-Roy, and Governour, in all things belonging to the said offices, or any of them; and that you enjoy the perquisites and

salaries belonging to the said employments, and to each of them, in the same manner as the High Admiral of our kingdoms does. And by this our letter, or a copy of it signed by a *Public Notary*: We command Prince *John*, our most dearly beloved Son, the Infants, Dukes, Prelates, Marquesses, Great Masters and Military Orders, Priors. Commandaries, our Counsellors, Judges, and other Officers of Justice whatsoever, belonging Courts, and Chancery, and Constables of Castles, Strong Houses, and others; and all Corporations, Bayliffs, Governours, Judges, Commanders, Sea Officers; and the Aldermen, Common Council, Officers, and Good People of all Cities, Lands, and Places in our Kingdoms and Dominions, and in those you shall conquer and subdue, and the captains masters, mates, and other officers and sailors, our natural subjects now being, or that shall be for the time to come, and any of them that when you shall have discovered the said Islands and Continent in the ocean; and you, or any that shall have your commission, shall have taken the usual oath in such cases, that they for the future, look upon you as long as you live, and after you, your son and heir, and so from one heir to another forever, as our Admiral on our said Ocean, and as Vice-Roy and Governour of the said Islands and Continent, by you, *Christopher Columbus*, discovered and conquered; and that they treat you and your Lieutenants, by you appointed, for executing the employments of Admiral, Vice-Roy, and Governour, as such in all respects, and give you all the perquisites and other things belonging and appertaining to the said offices; and allow, and cause to be allowed you, all the honours, graces, concessions, prehaminences, prerogatives, immunities, and other things, or any of them which are due to you, by virtue of your commands of Admiral, Vice-Roy, and Governour, and to be observed completely, so that nothing be diminished; and that they make no objection to this, or any part of it, nor suffer it to be made; forasmuch as we from this time forward, by this our letter, bestow on you the employments of Admiral, Vice-Roy, and perpetual Governour forever; and we put you into possession of the said offices, and of every of them, and full power to use and exercise them, and

to receive the perquisites and salaries belonging to them, or any of them, as was said above. Concerning all which things, if it be requisite, and you shall desire it, We command our Chancellour, Notaries, and other Officers, to pass, seal, and deliver to you, our Letter of Privilege, in such form and legal manner, as you shall require or stand in need of. And that none of them presume to do any thing to the contrary, upon pain of our displeasure, and forfeiture of 30 ducats for each offence. And we command him, who shall show them this our Letter, that he summon them to appear before us at our Court, where we shall then be, within fifteen days after such summons, under the said penalty. Under which same, we also command any Public Notary whatsoever, that he give to him that shows it him, a certificate under his seal, that we may know how our command is obeyed.

GIVEN at *Granada*, on the 30th of April, in the year of our Lord, 1492.-

I, THE KING, I, THE QUEEN.

By their Majesties Command,

John Coloma

*Secretary to the King and Queen.*

Entered according to order.

RODERICK. Doctor.

SEBASTIAN DOLONA,

FRANCIS DE MADRID,

Councillors.

Registered

## An Aztec Account of the Conquest of Mexico

From the Internet History Sourcebooks Project and

Miguel Leon Portilla, ed., *The Broken Spears: The Aztec Account of the Conquest of Mexico* (Boston, 1962)

*In 1519 Hernan Cortés sailed from Cuba, landed in Mexico and made his way to the Aztec capital. Miguel Leon-Portilla, a Mexican anthropologist, gathered accounts by the Aztecs, some of which were written shortly after the conquest.*

### Speeches of Motecuhzoma and Cortés

**W**hen Motecuhzoma [Montezuma] had given necklaces to each one, Cortés asked him: "Are you Motecuhzoma? Are you the king? Is it true that you are the king Motecuhzoma?"

And the king said: "Yes, I am Motecuhzoma." Then he stood up to welcome Cortés; he came forward, bowed his head low and addressed him in these words: "Our lord, you are weary. The journey has tired you, but now you have arrived on the earth. You have come to your city, Mexico. You have come here to sit on your throne, to sit under its canopy."

"The kings who have gone before, your representatives, guarded it and preserved it for your coming. The kings Itzcoatl, Motecuhzoma the Elder, Axayacatl, Tizoc and Ahuitzotl ruled for you in the City of Mexico. The people were protected by their swords and sheltered by their shields.

"Do the kings know the destiny of those they left behind, their posterity? If only they are watching! If only they can see what I see!

"No, it is not a dream. I am not walking in my sleep. I am not seeing you in my dreams.... I have seen you at last! I have met you face to face! I was in agony for five days, for ten days, with my eyes fixed on the Region of the Mystery. And now you have come out of the clouds and mists to sit on your throne again.

"This was foretold by the kings who governed your city, and now it has taken place. You have come back to us; you have come down from the sky. Rest now, and take possession of your royal houses. Welcome to your land, my lords!"

When Motecuhzoma had finished, La Malinche translated his address into Spanish so that the Captain could understand it. Cortés replied in his strange and savage tongue, speaking first to La Malinche: "Tell Motecuhzoma that we are his friends. There is nothing to fear. We have wanted to see him for a long time, and now we have seen his face and heard his

words. Tell him that we love him well and that our hearts are contented."

Then he said to Motecuhzoma: "We have come to your house in Mexico as friends. There is nothing to fear."

La Malinche translated this speech and the Spaniards grasped Motecuhzoma's hands and patted his back to show their affection for him....

### Massacre in the Main Temple

**D**uring this time, the people asked Motecuhzoma how they should celebrate their god's fiesta. He said: "Dress him in all his finery, in all his sacred ornaments."

During this same time, The Sun commanded that Motecuhzoma and Itzcohuatzin, the military chief of Tlatelolco, be made prisoners. The Spaniards hanged a chief from Acolhuacan named Nezahualquertzin. They also murdered the king of Nauhtla, Cohualpopocatzin, by wounding him with arrows and then burning him alive.

For this reason, our warriors were on guard at the Eagle Gate. The sentries from Tenochtitlan stood at one side of the gate, and the sentries from Tlatelolco at the other. But messengers came to tell them to dress the figure of Huitzilopochtli. They left their posts and went to dress him in his sacred finery: his ornaments and his paper clothing.

When this had been done, the celebrants began to sing their songs. That is how they celebrated the first day of the fiesta. On the second day they began to sing again, but without warning they were all put to death. The dancers and singers were completely unarmed. They brought only their embroidered cloaks, their turquoise, their lip plugs, their necklaces, their clusters of heron feathers, their trinkets made of deer hooves. Those who played the drums, the old men, had brought their gourds of snuff and their timbrels.

The Spaniards attacked the musicians first, slashing at their hands and faces until they had killed all of them. The singers-and even the spectators- were also killed. This slaughter in the Sacred Patio went on for three hours. Then the Spaniards burst into the rooms of the temple to kill the others: those who were carrying water, or bringing fodder for the horses, or grinding meal, or sweeping, or standing watch over this work.

The king Motecuhzoma, who was accompanied by Itzcohuatzin and by those who had brought food for the Spaniards, protested: "Our lords, that is enough! What are you doing? These people are not carrying shields or macanas. Our lords, they are completely unarmed!"

The Sun had treacherously murdered our people on the twentieth day after the captain left for the coast. We allowed the Captain to return to the city in peace. But on the following day we attacked him with all our might, and that was the beginning of the war

## Hernan Cortés: from Second Letter to Charles V, 1520

From the Internet History Sourcebooks Project and

Oliver J. Thatcher, ed., *The Library of Original Sources* (Milwaukee, 1907), Vol. V: 9th to 16th Centuries

In Order, most potent Sire, to convey to your Majesty a just conception of the great extent of this noble city of Temixtitlan, and of the many rare and wonderful objects it contains; of the government and dominions of Moctezuma, the sovereign: of the religious rights and customs that prevail, and the order that exists in this as well as the other cities appertaining to his realm: it would require the labor of many accomplished writers, and much time for the completion of the task. I shall not be able to relate an hundredth part of what could be told respecting these matters; but I will endeavor to describe, in the best manner in my power, what I have myself seen; and imperfectly as I may succeed in the attempt, I am fully aware that the account will appear so wonderful as to be deemed scarcely worthy of credit; since even we who have seen these things with our own eyes, are yet so amazed as to be unable to comprehend their reality. But your Majesty may be assured that if there is any fault in my relation, either in regard to the present subject, or to any other matters of which I shall give your Majesty an account, it will arise from too great brevity rather than extravagance or prolixity in the details; and it seems to me but just to my Prince and Sovereign to declare the truth in the clearest manner, without saying anything that would detract from it, or add to it.

Before I begin to describe this great city and the others already mentioned, it may be well for the better understanding of the subject to say something of the configuration of Mexico, in which they are situated, it being the principal seat of Moctezuma's power. This Province is in the form of a circle, surrounded on all sides by lofty and rugged mountains; its level surface comprises an area of about seventy leagues in circumference, including two lakes, that overspread nearly the whole valley, being navigated by boats more than fifty leagues round. One of these lakes contains fresh and the other, which is the larger of the two, salt water. On one side of the lakes, in the middle of the valley, a range of highlands divides them from one another, with the exception of a narrow strait which lies between the highlands and the lofty sierras. This strait is a bow-shot wide, and connects the two lakes; and by this means a trade is carried on between the cities and other settlements on the lakes in canoes without the necessity of traveling by land. As the salt lake rises and falls with its tides like the sea, during

the time of high water it pours into the other lake with the rapidity of a powerful stream; and on the other hand, when the tide has ebbed, the water runs from the fresh into the salt lake.

This great city of Temixtitlan [Mexico] is situated in this salt lake, and from the main land to the denser parts of it, by whichever route one chooses to enter, the distance is two leagues. There are four avenues or entrances to the city, all of which are formed by artificial causeways, two spears' length in width. The city is as large as Seville or Cordova; its streets, I speak of the principal ones, are very wide and straight; some of these, and all the inferior ones, are half land and half water, and are navigated by canoes. All the streets at intervals have openings, through which the water flows, crossing from one street to another; and at these openings, some of which are very wide, there are also very wide bridges, composed of large pieces of timber, of great strength and well put together; on many of these bridges ten horses can go abreast. Foreseeing that if the inhabitants of the city should prove treacherous, they would possess great advantages from the manner in which the city is constructed, since by removing the bridges at the entrances, and abandoning the place, they could leave us to perish by famine without our being able to reach the main land, as soon as I had entered it, I made great haste to build four brigatines, which were soon finished, and were large enough to take ashore three hundred men and the horses, whenever it should become necessary.

This city has many public squares, in which are situated the markets and other places for buying and selling. There is one square twice as large as that of the city of Salamanca, surrounded by porticoes, where are daily assembled more than sixty thousand souls, engaged in buying and selling; and where are found all kinds of merchandise that the world affords, embracing the necessities of life, as for instance articles of food, as well as jewels of gold and silver, lead, brass, copper, tin, precious stones, bones, shells, snails, and feathers. There are also exposed for sale wrought and unwrought stone, bricks burnt and unburnt, timber hewn and unhewn, of different sorts. There is a street for game, where every variety of birds in the country are sold, as fowls, partridges, quails, wild ducks, fly-catchers, widgeons, turtledoves, pigeons, reed-birds, parrots, sparrows, eagles, hawks, owls, and kestrels; they sell likewise

the skins of some birds of prey, with their feathers, head, beak, and claws. There are also sold rabbits, hares, deer, and little dogs [*i.e.*, the chihuahua], which are raised for eating. There is also an herb street, where may be obtained all sorts of roots and medicinal herbs that the country affords. There are apothecaries' shops, where prepared medicines, liquids, ointments, and plasters are sold; barbers' shops, where they wash and shave the head; and restaurateurs, that furnish food and drink at a certain price. There is also a class of men like those called in Castile porters, for carrying burdens. Wood and coal are seen in abundance, and braziers of earthenware for burning coals; mats of various kinds for beds, others of a lighter sort for seats, and for halls and bedrooms.

There are all kinds of green vegetables, especially onions, leeks, garlic, watercresses, nasturtium, borage, sorrel, artichokes, and golden thistle; fruits also of numerous descriptions, amongst which are cherries and plums, similar to those in Spain; honey and wax from bees, and from the stalks of maize, which are as sweet as the sugar-cane; honey is also extracted from the plant called maguey, which is superior to sweet or new wine; from the same plant they extract sugar and wine, which they also sell. Different kinds of cotton thread of all colors in skeins are exposed for sale in one quarter of the market, which has the appearance of the silk-market at Granada, although the former is supplied more abundantly. Painters' colors, as numerous as can be found in Spain, and as fine shades; deerskins dressed and undressed, dyed different colors; earthen-ware of a large size and excellent quality; large and small jars, jugs, pots, bricks, and endless variety of vessels, all made of fine clay, and all or most of them glazed and painted; maize or Indian corn, in the grain and in the form of bread, preferred in the grain for its flavor to that of the other islands and terra-firma; patés of birds and fish; great quantities of fish---fresh, salt, cooked and uncooked; the eggs of hens, geese, and of all the other birds I have mentioned, in great abundance, and cakes made of eggs; finally, everything that can be found throughout the whole country is sold in the markets, comprising articles so numerous that to avoid prolixity, and because their names are not retained in my memory, or are unknown to me, I shall not attempt to enumerate them.

Every kind of merchandise is sold in a particular street or quarter assigned to it exclusively, and thus the best order is preserved. They sell everything by number or measure; at least so far we have not

observed them to sell anything by weight. There is a building in the great square that is used as an audience house, where ten or twelve persons, who are magistrates, sit and decide all controversies that arise in the market, and order delinquents to be punished. In the same square there are other persons who go constantly about among the people observing what is sold, and the measures used in selling; and they have been seen to break measures that were not true.

This great city contains a large number of temples, or houses, for their idols, very handsome edifices, which are situated in the different districts and the suburbs; in the principal ones religious persons of each particular sect are constantly residing, for whose use, besides the houses containing the idols, there are other convenient habitations. All these persons dress in black, and never cut or comb their hair from the time they enter the priesthood until they leave it; and all the sons of the principal inhabitants, both nobles and respectable citizens, are placed in the temples and wear the same dress from the age of seven or eight years until they are taken out to be married; which occurs more frequently with the first-born who inherit estates than with the others. The priests are debarred from female society, nor is any woman permitted to enter the religious houses. They also abstain from eating certain kinds of food, more at some seasons of the year than others.

Among these temples there is one which far surpasses all the rest, whose grandeur of architectural details no human tongue is able to describe; for within its precincts, surrounded by a lofty wall, there is room enough for a town of five hundred families. Around the interior of the enclosure there are handsome edifices, containing large halls and corridors, in which the religious persons attached to the temple reside. There are fully forty towers, which are lofty and well built, the largest of which has fifty steps leading to its main body, and is higher than the tower of the principal tower of the church at Seville. The stone and wood of which they are constructed are so well wrought in every part, that nothing could be better done, for the interior of the chapels containing the idols consists of curious imagery, wrought in stone, with plaster ceilings, and wood-work carved in relief, and painted with figures of monsters and other objects. All these towers are the burial places of the nobles, and every chapel in them is dedicated to a particular idol, to which they pay their devotions.

Three halls are in this grand temple, which contain the principal idols; these are of wonderful extent and

height, and admirable workmanship, adorned with figures sculptured in stone and wood; leading from the halls are chapels with very small doors, to which the light is not admitted, nor are any persons except the priests, and not all of them. In these chapels are the images of idols, although, as I have before said, many of them are also found on the outside; the principal ones, in which the people have greatest faith and confidence, I precipitated from their pedestals, and cast them down the steps of the temple, purifying the chapels in which they had stood, as they were all polluted with human blood, shed ill the sacrifices. In the place of these I put images of Our Lady and the Saints, which excited not a little feeling in Moctezuma and the inhabitants, who at first remonstrated, declaring that if my proceedings were known throughout the country, the people would rise against me; for they believed that their idols bestowed on them all temporal good, and if they permitted them to be ill-treated, they would be angry and without their gifts, and by this means the people would be deprived of the fruits of the earth and perish with famine. I answered, through the interpreters, that they were deceived in expecting any favors from idols, the work of their own hands, formed of unclean things; and that they must learn there was but one God, the universal Lord of all, who had created the heavens and earth, and all things else, and had made them and us; that He was without beginning and immortal, and they were bound to adore and believe Him, and no other creature or thing.

I said everything to them I could to divert them from their idolatries, and draw them to a knowledge of God our Lord. Moctezuma replied, the others assenting to what he said, that they had already informed me they were not the aborigines of the country, but that their ancestors had emigrated to it many years ago; and they fully believed that after so long an absence from their native land, they might have fallen into some errors; that I having more recently arrived must know better than themselves what they ought to believe; and that if I would instruct them in these matters, and make them understand the true faith, they would follow my directions, as being for the best. @ Afterwards, Moctezuma and many of the principal citizens remained with me until I had removed the idols, purified the chapels, and placed the images in them, manifesting apparent pleasure; and I forbade them sacrificing human beings to their idols as they had been accustomed to do; because, besides being abhorrent in the sight of God, your sacred Majesty had prohibited it by law, and commanded to put to death whoever should take the life of another. Thus, from that time, they refrained from the practice, and

during the whole period of my abode in that city, they were never seen to kill or sacrifice a human being.

The figures of the idols in which these people believe surpass in stature a person of more than ordinary size; some of them are composed of a mass of seeds and leguminous plants, such as are used for food, ground and mixed together, and kneaded with the blood of human hearts taken from the breasts of living persons, from which a paste is formed in a sufficient quantity to form large statues. When these are completed they make them offerings of the hearts of other victims, which they sacrifice to them, and besmear their faces with the blood. For everything they have an idol, consecrated by the use of the nations that in ancient times honored the same gods. Thus they have an idol that they petition for victory in war; another for success in their labors; and so for everything in which they seek or desire prosperity, they have their idols, which they honor and serve.

This noble city contains many fine and magnificent houses; which may be accounted for from the fact, that all the nobility of the country, who are the vassals of Moctezuma, have houses in the city, in which they reside a certain part of the year; and besides, there are numerous wealthy citizens who also possess fine houses. All these persons, in addition to the large and spacious apartments for ordinary purposes, have others, both upper and lower, that contain conservatories of flowers. Along one of these causeways that lead into the city are laid two pipes, constructed of masonry, each of which is two paces in width, and about five feet in height. An abundant supply of excellent water, forming a volume equal in bulk to the human body, is conveyed by one of these pipes, and distributed about the city, where it is used by the inhabitants for drink and other purposes. The other pipe, in the meantime, is kept empty until the former requires to be cleansed, when the water is let into it and continues to be used till the cleaning is finished. As the water is necessarily carried over bridges on account of the salt water crossing its route, reservoirs resembling canals are constructed on the bridges, through which the fresh water is conveyed. These reservoirs are of the breadth of the body of an ox, and of the same length as the bridges. The whole city is thus served with water, which they carry in canoes through all the streets for sale, taking it from the aqueduct in the following manner: the canoes pass under the bridges on which the reservoirs are placed, when men stationed above fill them with water, for which service they are paid. At all the entrances of the city, and in those parts where the canoes are discharged, that is, where the

greatest quantity of provisions is brought in, huts are erected, and persons stationed as guards, who receive a certain sum of everything that enters. I know not whether the sovereign receives this duty or the city, as I have not yet been informed; but I believe that it appertains to the sovereign, as in the markets of other provinces a tax is collected for the benefit of the cacique.

In all the markets and public places of this city are seen daily many laborers waiting for some one to hire them. The inhabitants of this city pay a greater regard to style in their mode of dress and politeness of manners than those of the other provinces and cities; since, as the Cacique Moctezuma has his residence in the capital, and all the nobility, his vassals, are in constant habit of meeting there, a general courtesy of demeanor necessarily prevails. But not to be prolix in describing what relates to the affairs of this great city, although it is with difficulty I refrain from proceeding, I will say no more than that the manners of the people, as shown in their intercourse with one another, are marked by as great an attention to the proprieties of life as in Spain, and good order is equally well observed; and considering that they are barbarous people, without the knowledge of God, having no intercourse with civilized nations, these traits of character are worthy of admiration.

In regard to the domestic appointments of Moctezuma, and the wonderful grandeur and state that he maintains, there is so much to be told, that I assure your Highness I know not where to begin my relation, so as to be able to finish any part of it. For, as I have already stated, what can be more wonderful than a barbarous monarch, as he is, should have every object found in his dominions imitated in gold, silver, precious stones, and feathers; the gold and silver being wrought so naturally as not to be surpassed by any smith in the world; the stone work executed with such perfection that it is difficult to conceive what instruments could have been used; and the feather work superior to the finest productions in wax or embroidery. The extent of Moctezuma's dominions has not been ascertained, since to whatever point he despatched his messengers, even two hundred leagues from his capital, his commands were obeyed, although some of his provinces were in the midst of countries with which he was at war. But as nearly as I have been able to learn, his territories are equal in extent to Spain itself, for he sent messengers to the inhabitants of a city called Cumatan (requiring them to become subjects of your Majesty), which is sixty leagues beyond that part of Putunchan watered by the river Grijalva, and two hundred and thirty leagues

distant from the great city; and I sent some of our people a distance of one hundred and fifty leagues in the same direction.

All the principle chiefs of these provinces, especially those in the vicinity of the capital, reside, as I have already stated, the greater part of the year in that great city, and all or most of them have their oldest sons in the service of Moctezuma. There are fortified places in all the provinces, garrisoned with his own men, where are also stationed his governors and collectors of the rents and tribute, rendered him by every province; and an account is kept of what each is obliged to pay, as they have characters and figures made on paper that are used for this purpose. Each province renders a tribute of its own peculiar productions, so that the sovereign receives a great variety of articles from different quarters. No prince was ever more feared by his subjects, both in his presence and absence. He possessed out of the city as well as within numerous villas, each of which had its peculiar sources of amusement, and all were constructed in the best possible manner for the use of a great prince and lord. Within the city his palaces were so wonderful that it is hardly possible to describe their beauty and extent; I can only say that in Spain there is nothing equal to them.

There was one palace somewhat inferior to the rest, attached to which was a beautiful garden with balconies extending over it, supported by marble columns, and having a floor formed of jasper elegantly inlaid. There were apartments in this palace sufficient to lodge two princes of the highest rank with their retinues. There were likewise belonging to it ten pools of water, in which were kept the different species of water birds found in this country, of which there is a great variety, all of which are domesticated; for the sea birds there were pools of salt water, and for the river birds, of fresh water. The water is let off at certain times to keep it pure, and is replenished by means of pipes. Each specie of bird is supplied with the food natural to it, which it feeds upon when wild. Thus fish is given to the birds that usually eat it; worms, maize, and the finer seeds, to such as prefer them. And I assure your Highness, that to the birds accustomed to eat fish there is given the enormous quantity of ten arrobas every day, taken in the salt lake. The emperor has three hundred men whose sole employment is to take care of these birds; and there are others whose only business is to attend to the birds that are in bad health.

Over the polls for the birds there are corridors and galleries, to which Moctezuma resorts, and from

which he can look out and amuse himself with the sight of them. There is an apartment in the same palace in which are men, women and children, whose faces, bodies, hair, eyebrows, and eyelashes are white from their birth. The emperor has another very beautiful palace, with a large court-yard, paved with handsome flags, in the style of a chess-board. There are also cages, about nine feet in height and six paces square, each of which was half covered with a roof of tiles, and the other half had over it a wooden grate, skillfully made. Every cage contained a bird of prey, of all the species found in Spain, from the kestrel to the eagle, and many unknown there. There was a great number of each kind; and in the covered part of the cages there was a perch, and another on the outside of the grating, the former of which the birds used in the night time, and when it rained; and the other enabled them to enjoy the sun and air. To all these birds fowls were daily given for food, and nothing else. There were in the same palace several large halls on the ground floor, filled with immense cages built of heavy pieces of timber, well put together, in all or most of which were kept lions, tigers, wolves, foxes, and a variety of animals of the cat kind, in great numbers, which were fed also on fowls. The care of these animals and birds was assigned to three hundred men. There was another palace that contained a number of men and women of monstrous size, and also dwarfs, and crooked and ill-formed persons, each of which had their separate apartments. These also had their respective keepers. As to the other remarkable things that the emperor had in his city for his amusement, I can only say that they were numerous and of various kinds.

He was served in the following manner: Every day as soon as it was light, six hundred nobles and men of rank were in attendance at the palace, who either sat, or walked about the halls and galleries, and passed their time in conversation, but without entering the apartment where his person was. The servants and attendants of these nobles remained in the courtyards, of which there were two or three of great extent, and in the adjoining street, which was also very spacious. They all remained in attendance from morning until night; and when his meals were served, the nobles were likewise served with equal profusion, and their servants and secretaries also had their allowance. Daily his larder and wine-cellar were open to all who wished to eat or drink. The meals were served by three or four hundred youths, who brought on an infinite variety of dishes; indeed, whenever he dined or supped, the table was loaded with every kind of flesh, fish, fruits, and vegetables that the country produced. As the climate is cold, they put a chafing-dish with live coals under every

plate and dish, to keep them warm. The meals were served in a large hall, in which Moctezuma was accustomed to eat, and the dishes quite filled the room, which was covered with mats and kept very clean. He sat on a small cushion curiously wrought of leather. During the meals there were present, at a little distance from him, five or six elderly caciques, to whom he presented some of the food. And there was constantly in attendance one of the servants, who arranged and handed the dishes, and who received from others whatever was wanted for the supply of the table.

Both at the beginning and end of every meal, they furnished water for the hands; and the napkins used on these occasions were never used a second time; this was the case also with the plates and dishes, which were not brought again, but new ones in place of them; it was the same also with the chafing-dishes. He is also dressed every day in four different suits, entirely new, which he never wears a second time. None of the caciques who enter his palace have their feet covered, and when those for whom he sends enters his presence, they incline their heads and look down, bending their bodies; and when they address him, they do not look him in the face; this arises from excessive modesty and reverence. I am satisfied that it proceeds from respect, since certain caciques reproved the Spaniards for their boldness in addressing me, saying that it showed a want of becoming deference. Whenever Moctezuma appeared in public, which is seldom the case, all those who accompanied him, or whom he accidentally met in the streets, turned away without looking towards him, and others prostrated themselves until he had passed. One of the nobles always preceded him on these occasions, carrying three slender rods erect, which I suppose was to give notice of the approach of his person. And when they descended from the litters, he took one of them in his hand, and held it until he reached the place where he was going. So many and various were the ceremonies and customs observed by those in the service of Moctezuma, that more space than I can spare would be required for the details, as well as a better memory than I have to recollect them; since no sultan or other infidel lord, of whom any knowledge now exists; ever had so much ceremonial in his court.

## The New Laws of the Indies, 1542

From the Internet History Sourcebooks Project and

*The New Laws of the Indies*, ed. Henry Stevens (London, 1893)

*The Laws and ordinances newly made by His Majesty for the government of the Indies and good treatment and preservation of the Indians created a set of pro-Indian laws—so pro-Indian that some had to be revoked in Mexico and in Peru due to settler opposition. where the viceroy was killed when he attempted to enforce them. The conflict was between "feudalists" who favored the encomienda system because it maintained society as in the Old World, and the more centralizing "regalists" who wanted to preserve royal power in Spain's new Empire. Eventually the encomienda was allowed to continue.*

Charles by the divine clemency Emperor ever august, King of Germany. . . . To the Most Illustrious Prince Don Philip our very dear and very beloved grandson and son, and to the Infantes our grandsons and sons, and to the President, and those of our Council of the Indies, and to our Viceroy, Presidents and Auditors of our Audiencias and royal Chanceries of our said Indies, Islands and Continent of the Ocean Sea; to our Governors, Alcaldes mayores and our other Authorities thereof, and to all the Councils, magistrates, regidores, knights, esquires, officers, and commoners of all the cities, towns, and villages of our said Indies, Islands, and Tierra-firme of the Ocean Sea, discovered and to be discovered; and to any other persons, captains, discoverers, settlers, and inhabitants dwelling in and being natives thereof, of whatever state, quality, condition and pre-eminence they may be. . . .

Know ye, That having for many years had will and intention as leisure to occupy ourselves with the affairs of the Indies, on account of their great importance, as well in that touching the service of God our Lord and increase of his holy Catholic faith, as in the preservation of the natives of those parts, and the good government and preservation of their persons; and although we have endeavoured to disengage ourselves to this effect, it has not been possible through the many and continual affairs that have occurred from which we were not able to excuse ourselves, and through the absences from these kingdoms which the King have made for most necessary causes, as is known to all: and although this incessant occupation has not ceased this present year, nevertheless we commanded persons to assemble of all ranks, both prelates and knights and the clergy with some of our Council to discuss and treat of the things of most importance, of which we had information that they ought to be provided for: the which having been maturely debated and consulted upon, and in presence of me the King divers times argued and discussed: and finally having taken the opinion of all, we resolved on commanding to enact and ordain the things contained below:

which besides the other Ordinances and Provisions that at different times we have commanded to be made, as by them shall appear, we command to be from henceforwards kept inviolably as laws. . . .

Whereas one of the most important things in which the Audiencias are to serve us is in taking very especial care of the good treatment of the Indians and preservation of them, We command that the said Audiencias enquire continually into the excesses or ill treatment which are or shall be done to them by governors or private persons; and how the ordinances and instructions which have been given to them, and are made for the good treatment of the said Indians have been observed. And if there had been any excesses, on the part of the said Governors, or should any be committed hereafter, to take care that such excesses are properly corrected, chastizing the guilty parties with all rigour conformably to justice. The Audiencias must not allow that in the suits between Indians, or with them, there be ordinary proceedings at law, nor dilatory expedients, as is wont to happen through the malice of some advocates and solicitors, but that they be determined summarily, observing their usages and customs, unless they be manifestly unjust; and that the said Audiencias take care that this be so observed by the other, inferior judges.

Item, We ordain and command that from henceforward for no cause of war nor any other whatsoever, though it be under title of rebellion, nor by ransom nor in other manner can an Indian be made a slave, and we will that they be treated as our vassals of the Crown of Castile since such they are.

No person can make use of the Indians by way of Naboria or Tapia or in any other manner against their will.

As we have ordered provision to be made that from henceforward the Indians in no way be made slaves, including those who until now have been enslaved against all reason and right and contrary to the provisions and instructions thereupon, We ordain and

command that the Audiencias having first summoned the parties to their presence, without any further judicial form, but in a summary way, so that the truth may be ascertained, speedily set the said Indians at liberty unless the persons who hold them for slaves show title why they should hold and possess them legitimately. And in order that in default of persons to solicit the aforesaid, the Indians may not remain in slavery unjustly, we command that the Audiencias appoint persons who may pursue this cause for the Indians and be paid out of the Exchequer fines, provided they be men of trust and diligence.

Also, We command that with regard to the lading of the said Indians the Audiencias take especial care that they be not laden, or in case that in some parts this cannot be avoided that it be in such a manner that no risk of life, health and preservation of the said Indians may ensue from an immoderate burthen; and that against their own will and without their being paid, in no case be it permitted that they be laden, punishing very severely him who shall act contrary to this. In this there is to be no remission out of respect to any person.

Because report has been made to us that owing to the pearl fisheries not having been conducted in a proper manner deaths of many Indians and Negroes have ensued, We command that no free Indian be taken to the said fishery under pain of death, and that the bishop and the judge who shall be at Venezuela direct what shall seem to them most fit for the preservation of the slaves working in the said fishery, both Indians and Negroes, and that the deaths may cease. If, however, it should appear to them that the risk of death cannot be avoided by the said Indians and Negroes, let the fishery of the said pearls cease, since we value much more highly (as is right) the preservation of their lives than the gain which may come to us from the pearls.

Whereas in consequence of the allotments of Indians made to the Viceroy, Governors, and their lieutenants, to our officials, and prelates, monasteries, hospitals, houses of religion and mints, offices of our Hacienda and treasury thereof, and other persons favoured by reason of their offices, disorders have occurred in the treatment of the said Indians, it is our will, and we command that forthwith there be placed under our Royal Crown all the Indians whom they hold and possess by any title and cause whatever, whoever the said parties are, or may be, whether Viceroy, Governors, or their lieutenants, or any of our officers, as well of Justice as of our Hacienda, prelates, houses of religion, or of our Hacienda,

hospitals, confraternities, or other similar institutions, although the Indians may not have been allotted to them by reason of the said offices; and although such functionaries or governors may say that they wish to resign the offices or governments and keep the Indians, let this not avail them nor be an excuse for them not to fulfill what we command.

Moreover, we command that from all those persons who hold Indians without proper title, having entered into possession of them by their own authority, such Indians be taken away and be placed under our Royal Crown.

And because we are informed that other persons, although possessing a sufficient title, have had an excessive number of Indians allotted to them, We order that the Audiencias, each in its jurisdiction diligently inform themselves of this, and with all speed, and reduce the allotments made to the said persons to a fair and moderate quantity, and then place the rest under our Royal Crown notwithstanding any appeal or application which may be interposed by such persons: and send us a report with all speed of what the said Audiencias have thus done, that we may know how our command is fulfilled. And in New Spain let it be especially provided as to the Indians held by Joan Infante, Diego de Ordas, the Maestro Roa, Francisco Vasquez de Coronado, Francisco Maldonado, Bernardino Vazquez de Tapia, Joan Xaramillo, Martin Vazquez, Gil Gongales de Venavides, and many other persons who are said to hold Indians in very excessive quantity, according to the report made to us. And, whereas we are informed that there are some persons in the said New Spain who are of the original Conquistadores and have no repartimiento of Indians, We ordain that the President and Auditors of the said New Spain do inform themselves if there be any persons of this kind, and if any, to give them out of the tribute which the Indians thus taken away have to pay, what to them may seem fit for the moderate support and honourable maintenance of the said original Conquistadores who had no Indians allotted to them.

So also, The said Audiencias are to inform themselves how the Indians have been treated by the persons who have held them in encomienda, and if it be clear that in justice they ought to be deprived of the said Indians for their excesses and the ill-usage to which they have subjected them, We ordain that they take away and place such Indians under our Royal Crown. And in Peru, besides the aforesaid, let the Viceroy and Audiencia inform themselves of the

excesses committed during the occurrences between Governors Pizarro and Almagro in order to report to us thereon, and from the principal persons whom they find notoriously blameable in those feuds they then take away the Indians they have, and place them under our Royal Crown.

Moreover, We ordain and command that from henceforward no Viceroy, Governor, Audiencia, discoverer, or any other person have power to allot Indians in encomienda by new provision, or by means of resignation, donation, sale, or any other form or manner, neither by vacancy nor inheritance, but that the person dying who held the said Indians, they revert to our Royal Crown. And let the Audiencias take care to inform themselves then particularly of the person who died, of his quality, his merits and services, of how he treated the said Indians whom he held, if he left wife and children or what other heirs, and send us a report thereof with the condition of the Indians and of the land, in order that we may give directions to provide what may be best for our service, and may do such favour as may seem suitable to the wife and children of the defunct. If in the meantime it should appear to the Audiencia that there is a necessity to provide some support for such wife and children, they can do it out of the tribute which the said Indians will have to pay, or allowing them a moderate pension, if the said Indians are under our Crown, as aforesaid.

Item, we ordain and command that our said Presidents and Auditors take great care that the Indians who in any of the ways above mentioned are taken away, and those who may become vacant be very well treated and instructed in the matters of our holy Catholic faith, and as our free vassals. This is to be their chief care, that on which we principally desire them to report, and in which they can best serve us. They are also to provide that they be governed with justice in the way and manner that the Indians who are under our Royal Crown are at present governed in New Spain. . . .

