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## Document 1494

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# The Treaty of Tordesillas changed the Line of Demarcation

*Sources: Treaty of Tordesillas, dated 7 June 1494. Original ms. in AGI Seville: Simancas—Bulas, est. 1, caj. 1, leg. 1; also in Torre do Tombo: Gaveta 17, maço 2, n° 24 & Gaveta 18, maço 2, n° 2. Published in Navarrete's Colección de los viages, ii, pp. 130-143 (147-162, 2nd ed.); in Col. doc. inéd. Amér. y Ocea-nía, vol. 26, pp. 54-74; and in ACL's Alguns documentos, pp. 69-80. Translation into English in B&R I, pp. 122-129.*

### Introductory note

When the Portuguese court received their copy of the papal bull (See Doc. 1493), they did not agree with the Pope's decision to restrict their sphere of influence to the east side of a meridian passing 100 leagues west of the Azores and/or Cape Verde. Oblivious to the fact that a shift to this line in the Atlantic might adversely affect their future discoveries on the Asian side, if this line were extended around the globe, they registered their protest. In June 1494, the two nations held a convention at Tordesillas, which resulted in the present Treaty, which moved the line 270 leagues further west, and changed the datum line to the Cape Verde Islands only, but without determining which island in the group. A worse complication was to occur later when the Magellan Expedition met with the Portuguese at the antipodes in the Moluccas.

This treaty of partition was signed by the respective envoys of the Spanish and Portuguese kings, on 7 June, at Tordesillas. It was ratified by the King and Queen of Spain at Arevalo on 2 July, and by the King of Portugal at Setubal on 5 September.

(Facing page) **The division of the world according to the Treaty of Tordesillas.** *The Line of Demarcation is at about 47°W of Greenwich, and the anti-meridian was in fact east of the Moluccas, but the Spanish believed it to be west of them. The ownership of the Moluccas thus remained in dispute for some time. (From Texeira da Mota's "A viagem", Lisbon, 1975, f.p. 146)*

## Text of the Treaty of Tordesillas

Thereupon it was declared by the above-mentioned representatives of the aforesaid King and Queen of Castile, Leon, Aragon, Sicily, Granada, etc., and of the aforesaid King of Portugal and the Algarves, etc., that:

Whereas a certain controversy exists between the said lords, their constituents, as to what lands, of all those discovered in the Ocean Sea up to the present day, the date of this treaty, belong to each one of the said parties respectively; therefore, for the sake of peace and concord, and for the preservation of the relationship and love of the said King of Portugal for the said King and Queen of Castile, Aragon, etc., it being the pleasure of their Highnesses, they, their said representatives, acting in their name and by virtue of their powers herein described, have **convenanted and agreed that a boundary or straight line be determined and drawn north and south, from pole to pole, on the said Ocean Sea, from the Arctic pole to the Antarctic pole. This boundary, or line, shall be drawn straight, as aforesaid, at a distance of three hundred and seventy leagues west of the Cape Verde Islands<sup>1</sup>**, being calculated by degrees [of longitude], or by any other manner, as may be considered the best and readiest, provided the distance shall be no greater than above said<sup>2</sup>. And all lands, both islands and mainlands, found and discovered already, or to be found and discovered hereafter by the said King of Portugal and by his vessels on this side of the said line and boundary determined as above, toward the east, in either north or south latitude, on the eastern side of the said boundary, provided the said boundary is not crossed, shall belong to, and remain in the possession of, and pertain forever to the said King of Portugal and his successors. And all other lands, both islands and mainlands, found or to be found hereafter, discovered or shall be discovered by the said King and Queen of Castile, Aragon, etc., and by their vessels, on the western side of the said boundary, determined as above, after having passed the said boundary toward the west, in either north or south latitude, shall belong to, and remain in the possession of, and pertain forever to the said King and Queen of Castile, Leon, etc., and to their successors.

*Item:* The said representatives promise and affirm by virtue of the powers aforesaid, that from this date no ships shall be despatched, namely as follows: the said King and Queen of Castile, Leon, Aragon, etc., for this part of the boundary, and its eastern side, on this side of the said boundary, which belongs to the said King of Portugal and the Algarves, etc.; nor the said King of Portugal to the other part of the said boundary which belongs to the said King and Queen of Castile, Aragon, etc., for the purpose of discovering and seeking any mainlands or islands, or for the purpose of trade, barter, or conquest of any kind. But should it come to pass that the said ships of the said King

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1 Ed. note: Emphasis mine.

2 Ed. note: Depending on which point in the Cape Verde Islands is picked as a reference point, this demarcation line corresponds to a meridian between 44 and 48 degrees of longitude west of Greenwich, more exactly 47° W if the island of San Antón is chosen (See: (1) Navarrete, *op. cit.*, iv, pp. 55-56; (2) Texeira da Mota, *A viagem*, p. 150).

and Queen of Castile, Leon, Aragon, etc., on sailing thus on this side of the said boundary, should discover any mainlands or islands in the region belonging, as above said, to the said King of Portugal, such mainlands or islands shall pertain and belong forever to the said King of Portugal and his heirs, and their Highnesses shall order them to be surrendered to him immediately. And if the said ships of the said King of Portugal discover any islands and mainlands in the regions of the said King and Queen of Castile, Leon, Aragon, etc., all such lands shall belong to and remain forever in the possession of the said King and Queen of Castile, Leon, Aragon, etc., and their heirs, and the said King of Portugal shall cause such lands to be surrendered immediately.

*Item:* In order that the said line or boundary of the said division may be made straight and as nearly as possible the said distance of three hundred and seventy leagues west of the Cape Verde Islands, as hereinbefore stated, the said representatives of both of the said parties agree and assent that within the ten months immediately following the date of this treaty, their said constituent lords shall despatch two or four caravels, namely, one or two by each one of them, a greater or lesser number, as they may mutually consider necessary. These vessels shall meet at the Grand Canary Island during this time, and each one of the said parties shall send certain persons in them, to wit, pilots, astrologers<sup>1</sup>, sailors, and any others they may deem desirable. But there must be as many on one side as on the other, and certain of the said pilots, astrologers, sailors, and others of those sent by the said King and Queen of Castile, Aragon, etc., and who are experienced, shall embark in the ships of the said King of Portugal and the Algarves; in like manner, certain of the said persons sent by the King of Portugal shall embark in the ship or ships of the said King and Queen of Castile, Aragon, etc., a like number in each case, so that they may jointly study and examine to better advantage the sea, courses, winds, and the degrees of the sun [i.e. its elevation] and of north latitude, and lay out the degrees [sic]<sup>2</sup> aforesaid, in order that, in determining the line and boundary, all sent and empowered by both the said parties in the said vessels, shall jointly concur.

These said vessels shall continue their course together to the said Cape Verde Islands, from whence they shall lay a direct course to the west, to the distance of the said three hundred and seventy leagues, measured as the said persons shall agree, and measured without prejudice to the said parties. When this point is reached, such point shall constitute the place and mark for measuring the degrees of the sun and of north latitude, either by daily runs measured in leagues, or in any other manner that shall mutually be deemed better.<sup>3</sup> This said line shall be drawn north and south as aforesaid, from the said Arctic pole to the said Antarctic pole. And when this line has been determined as

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1 Ed. note: Meaning astronomers, cosmographers or geographers.

2 Ed. note: The degrees of longitude equivalent to 370 leagues. A consultant for the King of Spain was later of the opinion that such a distance corresponded to 18 degrees (Opinion of Jaime Ferrer, in Navarrete ii, p. 99).

3 Ed. note: This was a tall order, for lawyers to ascribe to navigators, as the science for determining longitudes at sea did not yet exist. It is no wonder that such a scientific expedition never took place, even though, on 7 May 1495, a prorogation of 10 more months had been agreed upon (See Doc. 1524B).

above said, those sent by each of the aforesaid parties, to whom each one of the said parties must delegate his own authority and power, to determine the said mark and boundary, shall draw up a document concerning it and affix thereto their signatures. And when determined by the mutual consent of all of them, this line shall be considered forever as a perpetual mark and boundary, in such wise that the said parties, or either of them, or their future successors, shall be unable to deny it, or erase or remove it, at any time or in any manner whatsoever. And should, perchance, the said line and boundary from pole to pole, as aforesaid, intersect any island or mainland, at the first point of such intersection of such island or mainland by the said line, some kind of mark or tower shall be erected, and a succession of similar marks shall be erected in a straight line from such mark or tower, in a line identical with the above-mentioned bound. These marks shall separate those portions of such land belonging to each one of the said parties; and the subjects of the said parties shall not dare, on either side, to enter the territory of the other, by crossing the said mark or boundary in such island or mainland.

*Item:* Inasmuch as the said ships of the said King and Queen of Castile, Leon, Aragon, etc., sailing as before declared, from their kingdoms and dominions to their possessions on the other side of the said line, must cross the seas on this side of the line belonging to the said King of Portugal, it is therefore concerted and agreed that the said ships of the said King and Queen of Castile, Leon, Aragon, etc., shall, at any time and without any hindrance, sail in either direction, freely, securely, and peacefully, over the said seas of the said King of Portugal, and within the said line. And whenever their Highnesses and their successors wish to do so, and deem it expedient, their said ships may take their courses and routes direct from their kingdoms to any region within their line and boundary to which they desire to despatch expeditions of discovery, conquest, and trade, they shall take their course direct to the desired region and for any purpose desired therein, and shall not leave their course, unless compelled to do so by contrary weather. They shall do this, provided that, before crossing the said line, they shall not seize or take possession of anything discovered in his said region by the said King of Portugal; and should their said ships find anything before crossing the said line, as aforesaid, it shall belong to the said King of Portugal, and their Highnesses shall order it surrendered immediately. And since it is possible that the ships and subjects of the said King and Queen of Castile, Leon, etc., or those acting in their name, may discover within the next twenty days of this present month of June following the date of this treaty, some islands and mainlands within the said line, drawn straight from pole to pole, that is to say, inside the said three hundred and seventy leagues west of the Cape Verde Islands, as aforesaid, it is hereby agreed and determined, in order to remove any doubt, that all such islands and mainlands found and discovered in any manner whatsoever up to the said twentieth day of the said month of June, although found by ships and subjects of the said King and Queen of Castile, Aragon, etc., shall belong to and remain forever in the possession of the said King of Portugal and the Algarves, and of his successors and kingdoms, provided that they lie within the first two hundred and fifty leagues of the said three hundred and seventy leagues as reckoned west of the Cape

Verde Islands to the above-mentioned line, in whatsoever part, even to the said poles, of the said two hundred and fifty leagues they may be found, determining a boundary or straight line from pole to pole, where the said two hundred and fifty leagues end.

Likewise, all the islands and mainlands found and discovered up to the said twentieth day of this present month of June, by the ships and subjects of the said King and Queen of Castile, Aragon, etc., or in any other manner, within the other one hundred and twenty leagues that still remain of the said three hundred and seventy leagues where the said boundary that is to be drawn from pole to pole, as aforesaid, must be determined, and in whatever part of the said one hundred and twenty leagues, even to the said poles that they are found up to the said day, shall belong to and remain forever in the possession of the said King and Queen of Castile, Aragon, etc., and of the successors and kingdoms; just as whatever is or shall be found on the other side of the said three hundred and seventy leagues belonging to their Highnesses, as aforesaid, is and must be theirs, although the said one hundred and twenty leagues are within the said boundary of the said three hundred and seventy leagues belonging to the said King of Portugal, the Algarves, etc., as aforesaid.

And if, up to the said twentieth day of the said month of June, no lands are discovered by the said ships of their Highnesses within the said one hundred and twenty leagues, and are discovered after the expiration of that time, then they shall belong to the said King of Portugal as is set forth in the above.

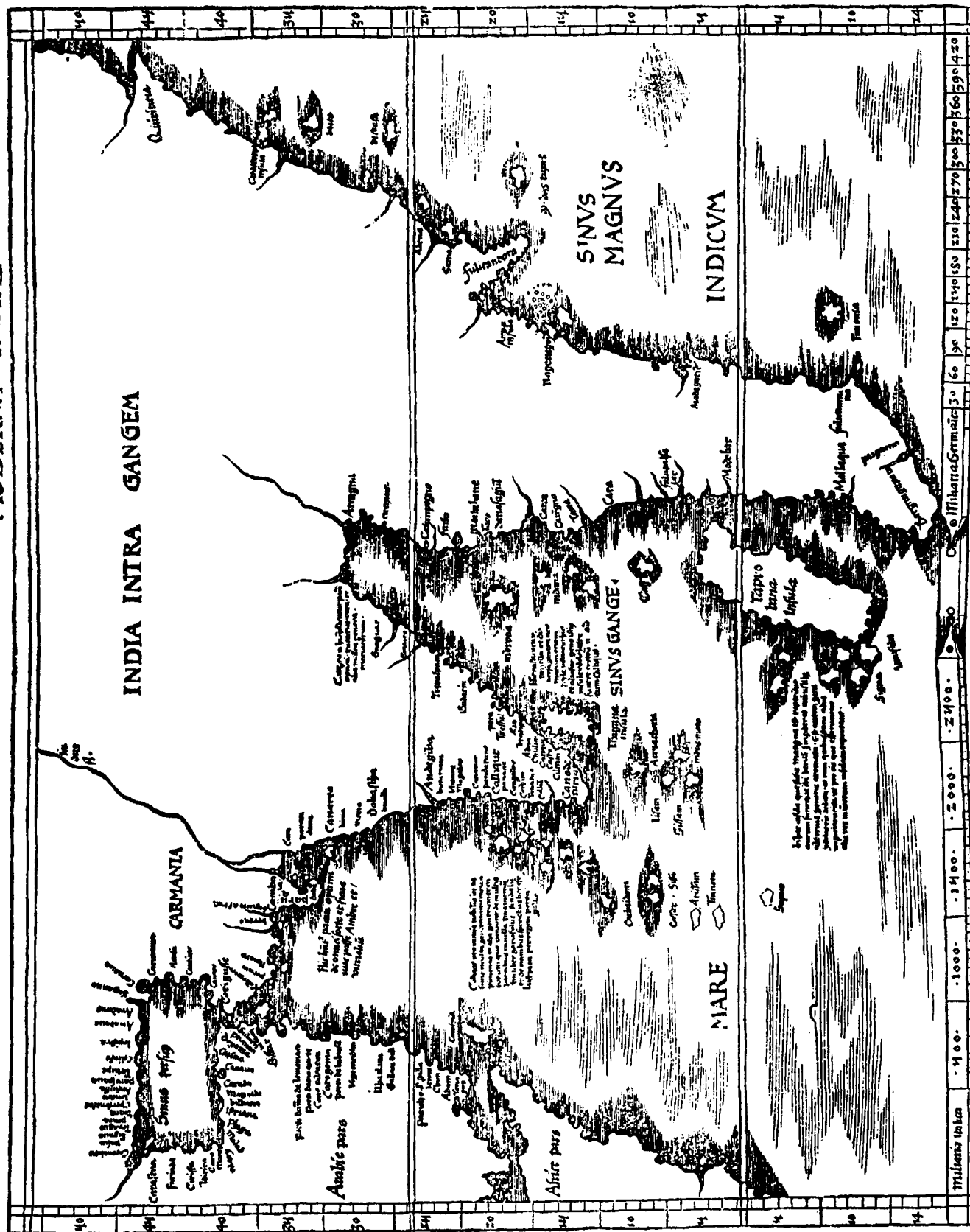
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1 Ed. note: The rest of the Treaty deals with procedural matters; for instance, the treaty was to be ratified by Prince John, heir to the Spanish Crown, as well as by his parents, and, once ratified by both parties, it was to be submitted to the Pope for approval. By the way, a papal bull to that effect was not issued until 1506, by Pope Julius II. Before this, in 1501, a bull granting taxing powers was issued (See next document).

# MODERNA INDIAE

## TABVLA



Map of the Indies. Asia as it was known to Magellan when he was serving there with the Portuguese Navy in about 1510. (From Ptolemy's Geographiæ, Strasburg, 1513)