
Document 1602B

Instructions from King Philip III to Governor Acuña

Sources: AGI Fil. (1597-1634) 105-2-1; translated in B&R 11:263-288.

Instructions to Pedro de Acuña

The King:

To Don Pedro de Acuña, whom I have appointed my governor and captain-general of the Philippine Islands, and president of my Audiencia therein. My royal Council of the Indies having examined some letters from the said islands, I have resolved upon the following.

...

I have also heard that one of the things by which my treasury is most defrauded, and the inhabitants of the islands most wronged, is to be found in **the lading and despatch of the ships** for New Spain with merchandise; for the governors, for several years, have appointed to that duty various personal dependents and friends, who have succeeded through illicit means in lading the ships with their own goods and even those of their relatives, friends, and others; and all the cloth which is shipped beyond the general apportionment goes without paying the duties.

To remedy this it would be expedient that hereafter the allotment of freight be made in the presence and with the supervision of the government and other persons appointed for it—an auditor and a royal official, appointed each year in turn, beginning with the oldest ones; and that immediately after the said apportionment the royal official make a copy of it. The persons to whom the said cloth is allotted should go with their inventories in order to value the goods and pay the duties in the presence of my officials, who would give in return a permit for lading. One or two of the officials should be present in the port of Cavite, the place where the ships are laded. Likewise the lading of the ships ought to be witnessed by the freighters who are usually appointed, and by an auditor, in order to prevent the lading of goods not included in the apportionment and for which no permit was given by the said officials, as an acknowledgment that the duty was paid. Since it is not right to allow opportunity for the irregularities and fraud which

are reported to have occurred, and of which the citizens have complained, I charge and command you to restore order and to employ the remedy which most fits the occasion, appointing for the allotment of the merchandise and the lading of the ships persons in whom great confidence can be placed. You will see that all this be done according to equity, by being yourself present at times, if that seem best, and you take the necessary measures that my royal rights be in no manner defrauded.

...

I have been informed that the ships which go to those islands from New Spain carry each year, without a merchandise register, a large quantity of money from that country and Peru—which is not found on reaching the port, on account of the care with which they hide it; and that it was necessary to make investigations and inspect the said ships before their reaching port. Since I understand that there is some foundation in this, and that many irregularities occur in this respect, I charge and command you to prevent and correct this evil in a fitting manner; and to see that the fiscal shall go with the officials of my treasury to inspect those ships, at such place as they find convenient. Let the penalty be rigorously enforced in connection with what is found and discovered to be brought without register and against orders, adjudging to the informer the share which may seem to be best to my royal Audiencia of those islands.

...

[Justice, Philippine style]¹

Although, as there are such excellent judges and officials in the Audiencia of Manila, it is reasonable to believe that justice is administered therein, I have learned that in certain cases there has been laxity, and specially in two—namely, when Melchor Ramirez de Alarcón, being intoxicated in the said city of Manila, and being reprimanded by his son-in-law, Pedro Muñoz, gave the latter a blow with his fist, receiving in return nine dagger-thrusts, of which he died; and when, in the city of Cáceres,² Captain Pedro Cid killed Juan Martín Morcillo in a duel. In spite of the gravity of these cases, the delinquents were not sent to prison, but were set free after paying a fine of 800 pesos each—a procedure which caused censure and discontent among the people.

Since it is right that similar cases not be left unpunished, I charge and command you that, as soon as you reach the islands, you demand and copy, without declaring your purpose, the record of the proceedings in regard to the said two murders, and examine it in company with the Licentiate Don Antonio de Rivera, auditor of the Audiencia; and with the consent of the fiscal; and, if you find sufficient cause for action, you will have the culprits seized, and will make all the investigations and efforts necessary for ascertaining the truth. If it seem to you that the administration of justice requires it,

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- 1 Ed. note: The following section on justice in the islands is reproduced here, because it invites a comparison with what was practiced by the “barbarian” natives of the Ladrões that same year, 1602, in connection with the death of the Spanish sailor, Sancho. The attentive reader will not fail to notice the irony of it all.
 - 2 Ed. note: In the province of Camarines, Luzon Island. It no longer appears on the map under this name.

you will send the prisoners under arrest to New Spain, together with the records of their cases, and will inform me of what has been done and of the investigation made. You will always take great care that justice be done and administered in every case, and that crimes which merit punishment receive it, so that disorders may be repressed and justice exist and be feared, and that it shall not set a bad example or occasion lawless conduct in the land.

I have learned that many of the decrees and orders issued for those islands are not being executed, and that there is laxity in this respect, specially as concerns the ordinances about the equity with which the positions of profit in that country should be apportioned, and those persons who have not yet been remunerated should be rewarded...

...

The said Don Francisco Tello writes that because he did not carry with him the instructions which were given to him, he did not execute what he was therein ordered to do when passing by the **Ladrones** Islands—namely, that he was to provide for the religious instruction of those Indians, leaving there such persons as he should select. He said that, with the consent of the Audiencia, he wrote to the viceroy of New Spain, requesting him to fulfil that command by ordering the officers of the ships which were to sail for those islands last year, 1600, to follow. He added that this work would prove of great service to God, as those islands were thickly settled with Indians who were docile, and inclined to receive instruction; and that, if religious should enter that region, there is reason to expect that they would convert many of the natives. And because this means no less than the salvation of so many souls, I charge and order you that, if the viceroy has not fulfilled the above order, you yourself shall do so, in accordance with the orders regarding it which were given to the said Don Francisco in his instructions. You will notify me of what is being done in this matter.

...

At Zamora,¹ 16 February 1602.

I, the King.

Countersigned by Juan de Ibarra.

Signed by the Council.

1 Ed. note: By coincidence, the court was sitting in the hometown of Fray Juan Pobre, while he was in Mexico preparing for his missionary adventure in Rota.