
Document 1518B

Contract between King Charles I of Spain and Magellan regarding the discovery of the Spice Islands

Source: AGI Seville: Leg. 4 de Relaciones y Descripciones. Published in Navarrete's Colección de los viages, iv, pp. 116-121.

Contract and agreement that His Highnesses ordered made with Magellan and [his partner] Faleiro regarding the voyage of discovery to the Spice islands

In the file books which I, Francisco de los Cobos, Secretary, have of despatches to the India House of Trade and about the voyages of discovery to the spice islands, there is on record a provision confirming a certain contract which His Majesty had drawn up with Ferdinand Magellan and Ruy Faleiro. Its contents are, verbatim, as follows:

Doña Juana and Don Carlos¹, etc.:

Inasmuch as you, Bachelor Ruy Faleiro and Ferdinand Magellan, gentlemen born in the Kingdom of Portugal, have informed me that I, the King, through a Decree and Contract of mine, there should be prepared a certain record about the voyage which, with the help of God, you wish to undertake to discover what has until now not been found, which is within the limits of our demarcation that is not yet discovered, and to place them under our Lordship and dominion, as is set forth in greater detail in this my said Decree and record, whose contents are as follows:

Inasmuch as you, Bachelor Ruy Faleiro and Ferdinand Magellan, gentlemen born in the Kingdom of Portugal, wishing to render us a distinguished service, oblige yourselves to find in the domains that belong to us and are ours in the ocean sea, within the

1 Charles I of Spain was born in Belgium in 1500 and therefore was only 18 years of age then. He became Charles V of Germany, i.e. Holy Roman Emperor, when 20 years old. He ruled over Spain jointly with his mother, Queen Juana, who was insane.



Charles I of Spain, when he was being educated in Belgium. (*From a bust in the Gruuthuse, Bruges, attributed to Conrad Meyt. Reproduced from McKew Parr's Magellan, p. 237*)

limits of our demarcation, islands, mainlands, and rich spices, with other things by means of which we, and these our new kingdoms, shall be advantaged, we order that the following contract with yourselves be recorded:

Firstly, that you may with good fortune go forth and discover upon the ocean sea, within our limits and demarcation, and since it would be unjust that others should cross your path, and since you take the labors of this undertaking upon yourselves, it is therefore my wish and will, and I promise that, during the next ten years, I will give no one permission to go on discoveries along the same route and in the same regions as yourselves. Should anyone ask for a permit to go upon such an undertaking, we will, before we give it, inform you of it, in order that if you wish to do it within the time offered by them, you may be able to do it yourselves, provided you are as well equipped and have as many ships in as good conditions, and as well manned, as the others who wish to undertake the said discovery. It is understood, however, that if we wish to send other expeditions, or give permission to others by the western route, via the islands and the Mainland [of America], and via all the other parts that are discovered as far as the part that we wish in order to look for a strait in the said seas, we may do so if their intentions is to seek discoveries from the Mainland that is discovered to the South Seas, beyond the island of San Miguel¹, they can go ahead, and also if the Governor² and the people who are there now, or will be there by our command, from now on at the said Mainland or others of our subjects or vassals, wish to set forth on discoveries in the South Seas and to send ships thereto for the purposes of discovery, they then may do so without hindrance from what is stated above or from any clause of this agreement. If, however, you wish to go in search of discoveries in one of these regions, you may do so, provided you avoid what has already been discovered and found.

You must so conduct this voyage of discovery that you do not encroach upon the demarcation and boundaries of the Most Serene King of Portugal, my very dear and beloved uncle and brother³, or otherwise prejudice his interests, except within the limits of our demarcation.

And appreciating the resolve that has moved you to undertake this voyage of discovery in our service, for the services which you render us, for the aggrandizement of the royal power, for the labors and risks which you will assume, as a reward for it, **it is our wish and will that of all the lands and islands that you shall discover, to grant to you, and by the presents we do grant that, from all the profits and interests from all the lands and islands that you will thus have discovered, whether as income from duties or from any other thing that will accrue in whatever manner, you can take the twentieth part⁴ and shall besides receive the title of**

1 Ed. note: San Miguel, on what is now King's Island in the Pearl Islands in the Gulf of Panama.

2 Ed. note: A possible reference to the Governor of the Darien Peninsula, and to a planned expedition to be led by Gil González Dávila.

3 Ed. note: King Manuel of Portugal had married Charles V's aunts Isabel and Maria, before marrying his sister Leonora.

4 Ed. note: Emphasis mine.

Lieutenants and Governors of the said lands and islands for yourselves and your sons and heirs in freehold for all times, provided that the supreme [authority] shall remain with Us and with the Kings who will come after Us, and provided your sons and heirs be born in our Kingdoms, be married in them, and provided the said Governorship and title of Lieutenants after you shall remain with a son or heir, and about which we shall order that your letters patent and privileges be issued in due form.

You shall furthermore be recompensed by our giving you the permission and opportunity from this day henceforth to send yearly, in your own ships, or in whatever ships you may choose, the equivalent of 1000 ducats in purchase price to and from these lands and islands, sold and employed there in such form and manner as may seem to you best, or bring it back to these Kingdoms, by paying us as in royalty a **twentieth part**, without being obliged to pay any of the other usual taxes, including even those which shall thereafter be imposed. However, let it be understood that the above shall apply after you will have returned from this first voyage and shall not apply so long as you are still under way.

Next, that you may be still further recompensed, it is moreover our wish and command that of the islands which you will have discovered, after six of them have been selected for us, you may choose two from the remainder, of whose income and profit you shall have the fifteenth part, after deduction of costs.

Item, to further demonstrate our favor, it is Our will, inasmuch as we recognize the great expenditure of money and labor which this voyage will entail upon you and since we wish to recompense you, therefore, out of the net profits which you bring us you shall have the fifth part, after deduction of the expenses of the fleet.

And so that you may the better be able to carry out the above-mentioned project and the enterprise have the needed certainty of success, I declare that **I promise to outfit 5 ships for you**: 2 each of 130 tons, 2 each of 90 tons, and 1 of 60 tons, equipped with crew, food, and artillery, to wit that the said ships are to go supplied for 2 years, and with a crew of 234 men, including masters, able seamen, ordinary seamen and all the other people necessary, in accordance with the memorandum that is being prepared for that, and thus we shall order it to be carried out by our officials who reside in Seville, at the India House of Trade.

And because it is our will that what is stated above be secured to you and fulfilled, we desire that, if during the prosecution of the above voyage one of you should die, all the above-mentioned shall accrue to the one left living as though both were alive.

Also, so that confidence and order and the necessary certainty be maintained, we must and shall name a factor, a treasurer, and an accountant for the above-mentioned ships, to keep any and all the accounts and records of the said fleet.

This I promise you, attest and give you my royal word that I shall protect you according to the above, and to this end I give you this signature of my name in Valladolid on the 22nd of March, 1518.

I, the King.

By order of the King: Francisco de los Cobos.

[Confirmation:] So that the said contract and deposition may gain in compliance and be fulfilled more readily in all its terms, you have prayed for the favor that it be confirmed and ratified and, whenever necessary, renewed. We appreciate the usefulness of yourselves, and of whatever you may discover, to our realm, as well as the services which you, as I hope, will render us and our Royal Crown, and your personal ability, and the pains that the voyage and the discoveries will cause you. And to the end that an eternal memorial of yourselves and your services shall be set up, so that these services may be rewarded and others be encouraged to serve us equally well, we do hereby and voluntarily vouch for, confirm, and approve this contract and its contents with full knowledge of the facts and with absolute royal power, and do decree that it shall be executed and maintained, fulfilled in every particular, now and for all times, in accordance with its terms, by this original, or through a copy signed by a public notary, I enjoin Infante Fernando, our very dear and beloved son and brother, the princes, prelates, dukes, counts, marquis, nobles, masters of the Orders, their commanders and sub-commanders, governors of castles and forts, members of the Privy Council, judges, mayors, constables of our House, Court and Chanceries, and all the councils, Governors, bailiffs and their assistants, mayors, constables, stewards, elders, aldermen and any other authorities and officials of the cities, towns and villages in our kingdoms and domains, not only those now in existence but also those who will in the future come to be, who may chance to see the above contract and agreement, that they shall according to their duty recognize and execute it, and shall in no way act contrary to the contract or to any part of the same, no matter what laws and sanctions may be directed against it...

Should you wish a copy of this our letter or of the above contract, we authorize our treasurers and their lieutenants to deliver it to you whenever you need it and apply for it. We have commissioned our Grand Chancellor, the notaries, and other officials to execute, present, and confirm it, and not to cause you any difficulties in so doing, upon penalty of a fine of 10,000 maravedis to be paid to our Chamber... Moreover, I enjoin the man who will produce this document, or his copy of it signed by a public notary, to summon you to appear at our court, wherever we may at that time be residing, within the first 300 days; otherwise, he shall suffer the above penalty, and he must bring us a proof corroborated by any public notary that he has shown it to you so that we may know how our orders are being carried out.

Given at the city of Valladolid, on the 22nd of March of the year of our Lord 1518.
I the King.

I, Francisco de los Cobos, had this decree taken down from the above-mentioned file books, by order of the Gentlemen of the Royal Council, and I do hereby confirm the fact that it has been fully and exactly transcribed.

Valladolid, January 24th, 1523.

Francisco de los Cobos.

(Overleaf) **Portrait of Charles I of Spain, circa 1518, by Van Orley. (Original hanging in the Louvres, Paris)**

