
Document 1573D

Royal Orders regarding the discovery, settlement and pacification of the Indies

Sources: AGI Indiferente general, legajo 427, libro 29; published in Col. de Indias, vol. 8, pp. 484 et seq., and vol. 16, pp. 142 et seq.; also in Altamira's Ensayo (Madrid, 1959), p. 113 et seq.¹

Introductory note by the editor.

This document is important because it shows the “philosophy” that was to guide Spanish explorers and missionaries until 1900, the end of the period during which their influence was felt in the western Pacific. Hence, we may refer to these guidelines, issued during the “golden century” of exploration, to judge their actions, and those of other European discoverers, according to such contemporary rules of accepted civilized behavior. It would indeed be wrong for us to judge them according to more modern rules of conduct, enacted after the events under scrutiny.

Partial translation of the orders regarding the discovery, settlement and pacification of the Indies, by King Philip II, dated Segovia 13 July 1573

The order to be followed in making discoveries and settlements.

Don Felipe, etc.—

To the Viceroy, Presidents of Audiencias and Governors of our Indies in the ocean sea and to all other persons to whom it concerns or may concern in any manner whatsoever:

¹ Ed. note: These royal orders were drafted by Juan de Ovando, who died in 1575 and was President of the Royal Council of the Indies. I do not know if the orders have already been translated, but it will be faster to make my own translation than to search for some other, which would have to be checked anyhow.

Know ye that, in order for the discoveries, new settlements and pacifications of lands and provinces that are to be discovered, settled and pacified in the Indies be more easily accomplished and in conformity with the service of God and ours and the good of the natives, we have ordered, among other things, that the following orders be issued:

1. No-one, of any status or condition, is to use his own authority to make a new discovery by sea or on land, nor any entry, new settlement or village in what is already discovered or about to be discovered, without a licence and provision from someone who holds our power to give them, under penalty of death and of transfer of all their property to our estate. We order our Viceroy, Audiencias and Governors and other judges in the Indies not to give licences for making new discoveries without consulting with us first and first holding our licence to do so, but in the case of what is already discovered we allow them to give licences to make necessary settlements, provided that they follow the order that is specified in such cases by the laws included in this book, regarding the making of settlements in parts already discovered, and they send us a relation afterwards.

2. Those in charge of the government of the Indies, in things spiritual as well as secular, are to inform themselves as soon as possible about whether there are inside their district, in the lands and provinces who border on it, there may be something to be discovered and pacify and about their substance and qualities, the peoples and nations inhabiting them, without sending military men to them nor anyone else who might cause a scandal, without first informing themselves through the best means possible. In addition, they are to inform themselves about the persons who would be fit to make the said discoveries and, with the persons who would seem most adequate, they are to pass a written contract, offering them some honors and benefits that they can in fact offer justly and without prejudice to the Indians. They are not to carry it out without [first] having it certified, by sending a relation about it to the Viceroy and to the Audiencias, to be forwarded to the Council and, once it has been seen there and licence given for it, they may then carry out their discovery, in accordance with the following order.

3. Regarding **discoveries by land** in the confines of a province that is peaceful and subject to our obedience, they are to found a settlement of Spaniards whenever there is a disposition to that effect, otherwise, one of Indian subjects, so that they may be safe.

4. From the newly-settled place in the confines, by way of trade and barter, Indian subjects and interpreters are to enter the land and the religious and Spaniards with trade goods, with gifts and peace; they are to try and learn, and understand the subject, substance and characteristics of the land and the nations of peoples who inhabit it, the lords who govern it, and to make a description of all that was learned and understood. They must always send a relation to the Governor so that he may forward it to the Council.

5. They are to look for places and posts where Spanish settlements could possibly be made, without prejudice to the Indians.

6. Regarding **discoveries by sea** the following instruction should be respected by whoever has a licence or provision, from us or from someone holding our power, to go on some discovery by sea: he is obliged to bring at least two small ships, caravels or

boats, of at most 60 tons, that can not only cross the ocean but also coast and go up any river or bars without the danger of running aground.

7. The said ships are to go always two by two, so that one can assist the other, and in case of trouble the remaining one would be able to pick up the men.

8. In each of the said ships with the said tonnage are to go 30 men, including sailors and discoverers, and not more so that they may go well supplied, and not less so that they may be well managed.

9. Two pilots are to go aboard each of the said ships, whenever possible, and two priests or religious so that they may take care of the conversion.

10. They ought to be supplied for at least twelve months from the date of departure, well provided with sails, anchors, cables and the rest of the rigging and equipment necessary for the navigation, with reinforced rudders.

11. To trade and barter with the Indians and people of those parts where you would end up, some merchandise of little value is to be carried in each ship, like scissors, combs, knives, axes, fishhooks, colored bonnets, mirrors, jingle bells, glass beads and other things of that quality.

12. The pilots and seamen who are to go in the said ships are to keep on marking their charts and pay attention to their planned routes, the currents, sea swells, increasing winds, watering places that could be found there, and the seasons of the year. With the sounding line in the hand they are to keep on taking note of shoals and reefs they encounter, that are discovered below the surface, the islands, lands, rivers, ports, bays and coves they encounter. In the **logbook** which every ship is to carry to that effect, they are to write everything concerning the latitudes and positions they find, those in one ship consulting those in another as often as possible and when an opportunity presents itself so that, whenever there is a difference, they may agree if possible and check out what is more correct or leave it as it was first written down.

13. The persons who go on a discovery by sea or on land are **to take possession** in our name of all the lands, provinces and parts they encounter and to step ashore to make a ceremony and necessary affidavits sworn in due legal and public form so that it may serve as proof.

14. After the discoverers have arrived at the provinces and lands to be discovered, they are, jointly with the officials, to give names to the whole land, to each province, as well as to the major mountains and rivers found there, and to the towns and cities which they might find in the land and which they themselves found.

15. They are to try and take along some Indians as interpreters to the parts where they go, from where they think most appropriate, and they may do the same thing in the provinces to be discovered from some lands to others. They are to treat them all well and through the said interpreters or as best as they can they are to speak and converse with the inhabitants and to hold discussions and conversation with them, in order to try and understand the customs, qualities and ways of life of the people of the land and their neighbors, informing themselves about the religion they have, the idols they worship, what sacrifices they make, the rites they follow, if there is among them some

doctrine and literature, how they govern themselves, if they have kings and if these are so made by election or blood right, or if they govern themselves as a republic or through lineages, what taxes or tributes they pay or give and how and to whom, what things are the most prized by them from among those found in the land and from those brought there from other parts and which they value, if in the land there are metals, of what quality, if there are spices or some sort of drugs and aromatic things; for this purpose, they are to take along some kinds of spices like pepper, cloves, cinnamon, ginger, nutmeg and other things as samples to show to them and ask them about. In addition, they are to find out whether there is some kind of stones, precious things which are valued in our kingdoms and to find out about the animals, domesticated and wild, the properties of plants and trees, cultivated or wild to be found in the land, and of the uses they make of them, and finally about all things contained in the headings of descriptions.

16. They are to inform themselves about the types and sources of food to be found in the land and to make provisions of the good types for their voyage.

17. If they see that the people are peaceful and some religious may safely stay among them and if there be some who would be glad to stay and instruct them and teach them civil manners, they are to leave them, promising them to come back for them within one year and before if possible.

18. The discoverers are not to detain themselves in the land nor delay their departure until the food supplies become lacking, in any manner nor for any reason. Rather, once they have spent half of the provisions they had when they went out, they are to turn back to give a report of what they found, discovered, and understood about the peoples they came in contact with, as well as their neighbors they might have heard about.

19. If in a discovery by sea, besides the ships with the above-mentioned capacity, they were to take some ships of high capacity, they are to take care, at the beginning of a coasting operation, to look for a safe port in which to leave them, while the lesser ships and boats continue to coast and discover, sounding until they come to another safe port and from there return for the big ships and take them by the safe area just discovered to the next safe port, and so on, advancing in succession.

20. **[Pacification, not conquest]**. The discoverers by land or by sea are not to impede themselves with war or conquest in any manner nor in helping some Indians against others, nor to get involved with disputes and quarrels with those of the land for any reason whatsoever, nor are they to harm them in any way nor take anything from them against their will unless it be in barter or they give it themselves willingly.

21. The discovery and voyage having been made, the discoverers are to return and give an account to the Audiencias and governors who had despatched them.

22. The discoverers by land or sea are to keep a daily account or diary of everything seen and found and heard about in the lands they might discover and all this is to be written down in a book and after it is written it is to be read publicly every day in front of those who participate in the said discovery, the better to ascertain what went on and to serve as an official record of it, by having one of the leaders sign it. The said book is

to be kept very securely so that, when they return, they may bring it and present it before the Audiencia with whose licence they had left.

23. The persons who might have made any discoveries by sea or on land are to return to give an account to the Audiencias about what they discovered and done in the said discoveries. The latter are to send us a full and detailed relation of it all to our Council of the Indies so that decisions may be made for the service of our Lord and ours, and so that the discoverer may be entrusted with the settlement of what was discovered, by reserving the parts necessary for that or to grant him the reward he may have merited for his work and expense, or to verify that all parts of his contract have been fulfilled.

24. [**Kidnapping generally forbidden**]. Those who make discoveries by sea or on land cannot take and are not to take along any Indian from the lands to be discovered, even though they may be offered to them for sale as slaves or they may wish to come along with them nor in any other manner under penalty of death, except up to three or four persons as interpreters who are to be well treated and paid for their work.

25. [**Purpose and cost of explorations**]. Although, in accordance with the zeal and desire we have, everything to be discovered in the Indies is for the propagation of the holy Gospel and to attract the natives to the knowledge of our holy Catholic faith, we would not look closely at what can be spent from our royal treasury to achieve such a holy purpose; however, since experience has shown that in many discoveries and navigations made on our account in the past have been made at much cost and with much less care and diligence on the part of those who went on them, they having tried to take advantage of the royal treasury more than to achieve the desired purpose, we order that no new discovery, navigation or settlement may be made at the expense of our treasury nor can those who govern spend in this anything from it even though they may hold our powers and instructions to make such discoveries and navigations unless they hold a special power to do it at our expense.

26. As long as there will be friars and religious from the orders who are permitted to pass to the Indies with the wish to devote themselves to the service of our Lord available to go and discover lands and preach the holy Gospel there, before anyone else they are to be responsible for the discovery and they are to be given a licence for it. They are to be favored and provided with everything necessary for such a holy and good work at our expense.

27. The individuals to whom new discoveries are to be entrusted are to be examined as to their proven christianity and good conscience, zeal for the honor of God and our service, lovers of peace and of the affairs concerning the conversion of the Indians so that they may give complete satisfaction, not harm them in any way, and by their virtue and goodness they may satisfy our wish and the obligation that we have to try and achieve this purpose with much devotion and temperance.

28. Discoveries cannot be entrusted to foreigners from our kingdoms nor to persons prohibited to pass to the Indies. The persons to whom they will be entrusted cannot take them either.

29. Discoveries are not to be given the title or name of conquests, since they are to be made with such peace and charity as is our wish that we do not want that the name may give an occasion or excuse that might result in force or harm being done to the Indians.

30. The discoverers are to follow the orders in this book, specially those made to favor the Indians, and the specific instructions to be given to them. They are to be given such instructions to fit the characteristics of the province and land where they are to go.

...
136. **[Settlements]**. If the natives want to prevent the [Spanish from making a] settlement, they are to be given to understand that a settlement is desired there, not to cause them any harm nor take their properties, but to make friends with them and to teach them how to live politically and to teach them how to know God and teach them His law so that they may be saved, giving them to understand through the religious, priests and persons to be assigned to this by the Governor and through good interpreters, trying, by all good means possible to make the settlement with their peace and consent. Should they, however, not consent to it after they have been asked to do so by the said means various times, the settlers are to make their settlement without taking what is private to the Indians and without doing them any harm beyond what would be necessary for the defence of the settlers and in order that the settling will not be hindered.

...
138. **[Pacifications]**. Once the settlement and its buildings have been completed, and not before, the Governor and the settlers with much diligence and holy zeal are to try and bring peacefully into the fold of the holy Church and to our obedience all the natives of the province and its neighboring area through the best means they know of and understand, and by the following ones.

...
142. Even though they wish to receive and they do receive the preachers and their instruction, they are to go to their villages with much caution, prudence and precaution so that, although they may want to be rude they may not treat the preachers in a disrespectful manner, because if they were to lose respect for them and treat them with disrespect, punishment would have to be applied to the guilty ones and that would be a serious impediment to the pacification and conversion. Even though it be necessary to go and preach and instruct them with such a warning, let it be done with such a good dissimulation that they do not understand how to treat them with disrespect, such as when they are overly frightened. This result can be accomplished, for instance, by first bringing to the Spanish settlement the sons of chiefs and leading men and leaving them there as hostages under the pretext of teaching them how to dress and by giving them gifts and by using other means that appear proper. Thus the preaching may proceed through all the Indian villages and communities that want to receive them in peace.

143. In parts and places where they do **not** wish to receive the Christian doctrine in peace, the following procedure could be followed in preaching it. A concertation should be had with the principal leader of those who are at peace in order to come to terms with those who are at war and wish to come to his land to rest or for some other thing that might attract them; while there, the preachers with a few Spaniards and friendly Indians may make contact with them, secretly so that they may be safe, and at the right time, discover themselves to those who have been invited and to them and to the rest they may begin to teach the Christian doctrine through interpreters. And, so that they may hear it with more veneration and admiration they should be dressed at least with albs, surplices and stoles, with the cross in the hand and, whenever Christians are to spot them they are to show a very great respect and veneration so that by imitation the infidels are to become fond of being taught. If it be considered necessary to cause more wonder and attention in the infidels, use can be made of choir and minstrel music, in two parts, in order to provoke a gathering of the Indians, and to make use of the other sensible means to tame and pacify the Indians who are at war. Even though it may appear that they become peaceful and ask for preachers, the preachers who are to go to their land are to take the same above-said precaution and prevention, by asking for their children under the excuse of teaching them and by detaining them as hostages in the land of friends, entertaining them and persuading them to build churches first where they may go and preach to them and teach them until such time as they may go in safely. By this means and others that may be found more acceptable they are to go on always pacifying and instructing the natives without in any way or occasion for doing them any harm, since the only thing we wish is their good and conversion.

...

147. In places where Gospel preachers are sufficient to pacify the Indians and convert them and bring them to peace, the entry of other persons who may disturb the conversion and pacification is prohibited.

148. [**Reduction into villages**]. To the Spaniards to whom Indians may be granted are to take great care that the Indians who may be assigned to them are reduced into villages and that churches be built there so that they may be instructed and live in a civilized manner.

Consequently, we order that you to see to it that the said orders be incorporated as written above, that you respect and obey them and have them respected and obeyed, in accordance with their contents, to the letter and spirit, and that you do not disregard nor consent that they be disregarded under penalty of displeasing us.

Made at the grove of Segovia on the 13th of July of the year 1573.

I, the King.

Countersigned by Antonio de Eraso.

Delivered by the members [of the Council of the Indies]: President Juan de Ovando, the Licentiate Castro, Don Gomez Zapata, Botello Maldonado Otalora.