

# Florida Historical Quarterly

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Volume 16  
Number 3 *Florida Historical Quarterly*, Vol 16,  
*Issue 3*

Article 6

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1937

## Concession made by the King of Spain to De Soto

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### Recommended Citation

Society, Florida Historical (1937) "Concession made by the King of Spain to De Soto," *Florida Historical Quarterly*. Vol. 16: No. 3, Article 6.

Available at: <https://stars.library.ucf.edu/fhq/vol16/iss3/6>

CONCESSION MADE BY THE KING OF SPAIN  
TO HERNANDO DE SOTO OF THE GOVERN-  
MENT OF CUBA AND CONQUEST OF FLOR-  
IDA, WITH THE TITLE OF ADELANTADO\*.

THE KING

IN AS MUCH as you, Captain Hernando de Soto, set forth that you have served us in the conquest, pacification, and settlement of the Provinces of Nicaragua and Peru, and of other parts of our Indias; and that now, to serve us further, and to continue to enlarge our patrimony and the royal crown, you desire to return to those our Indias, to conquer and settle the Province of Rio de las Palmas to Florida, the government whereof was bestowed on Panfilo de Narvaez, and the Provinces of Tierra-Nueva, the discovery and government of which was conferred on Lucas Vazquez de Ayllon; and that for the purpose you will take from these, our kingdoms and our said Indias, five hundred men, with the necessary arms, horses, munitions, and military stores; and that you will go hence, from these our kingdoms, to make the said conquest and settlement within a year first following, to be reckoned from the day of the date of these articles of authorization; and that when you shall leave the Island of Cuba to go upon that enterprise, you will take the necessary subsistence for all that people during eighteen months—rather over than under that time—entirely at your cost and charges, without our being obliged, or the kings who shall come after us, to pay you, nor satisfy the expenses incurred there-

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\*This translation was made by Buckingham Smith from a copy in the *Archivo de Indias* at Seville (rubricated by the secretary Samano). It was published in the appendix of his translation of the Elvas *Narrative*, the Bradford Club edition (New York, 1866) from which it is reprinted. Florida historians and all who are interested in our history are under great obligation to this Floridian and scholar who made so much of our Spanish colonial history known to us.

for, other than such as in these articles may be authorized to make; and you pray that I bestow on you the conquest of those lands and provinces, and with it the government of the said Island of Cuba, that you may from there the better control and provide all the principal and important material for the conquest and settlement, whereupon I have ordered to be made with you the terms and contract following:

First, I give you, the said Captain Hernando de Soto, power and authority, for us and in our name, and in that of the royal crown of Castilla, to conquer, pacify, and populate the lands that there are from the Province of the Rio de la Palmas to Florida, the government of which was bestowed on Panfilo de Narvaez; and, further, the Provinces of the said Tierra-Nueva, the government whereof was in like manner conferred on the said Licentiate Ayllon.

Also, purposing to comply in this with the service of God our Lord, and to do you honour, we engage to confer on you the dignity of Governor and Captain-general of two hundred leagues of coast, such as you shall designate, of what you discover, so that within four years, to be reckoned from the time you arrive in any part of the lands and provinces before mentioned, you shall choose and declare whence you would have the two hundred leagues begin that from where you designate they shall be measured along the coast, for all the days of your life, with the annual salary of fifteen hundred ducats, and five hundred ducats gratuity, in all two thousand, which you shall receive from the day you set sail in the port of San Lucar, to go upon your voyage, to be paid to you from the duties and profits to us appertaining in those said lands and provinces which you so offer to conquer and colonize; and in

that time should there be neither duties nor profits, we shall not be obliged to order that you be paid any thing.

Also, we will confer on you the title of our Adelantado over the said two hundred leagues which you shall thus select and make known for your government in the said lands and provinces you so discover and colonize, and will likewise bestow on you the office of High-Constable (Alguazil mayor) over those territories in perpetuity.

Also, we give permission, the judgment of our officers of said province being in accord, that you build there as many as three stone fortresses in the harbours and places most proper for them, they appearing to you and to our said officers to be necessary for the protection and pacification of that country and we confer on you the Lieutenancy of them, and on one heir for life, or successor whom you shall name, with the annual salary to each of the fortresses of one hundred thousand maravedis, which you shall enjoy from the time they be severally built and finished and enclosed, in the opinion of our said officers to be done at your own cost, without our being obliged, or any of the kings who shall come after us, to pay you what you may expend on those fortresses.

Again, inasmuch as you have petitioned us to bestow on you some portion of the land and vassals in said province you would conquer and populate, considering what you have served us, and the expenditure you will meet from this time in making said conquest and pacification, we receive the petitions favourably: hence we promise to bestow on you, and by these presents we do, twelve leagues of land in square in the said two hundred leagues you shall designate to hold in government in the said territories and provinces before declared, which we

command our officers of the said province to assign, after you have designated the said two hundred leagues, to include no sea-port, nor the principal town, and that with the jurisdiction and title we shall confer at the time we give you the deeds.

Again, as has been said, you have petitioned us, that for the better governing and providing of all the principal and important matters for the conquest and settlement of said territories and provinces, I should order that there be given to you with them the government of the said Island of Cuba, which, to that end, we deem well, and is our pleasure, for the time it shall be our will, that you hold the government of said island; and for thus much we will order to be given you our provision by which you will be obliged to have a Chief-Justice, who shall be a lawyer to whom we shall require you to pay yearly on that Island the salary of two hundred *pesos* of gold and we give to you five hundred ducats annual gratuity for the government of said Island, while you hold the same, to be paid from the duties and profits we may have from the provinces you have thus to conquer, pacify, and hold in government; and if there be none there, we shall not be obliged to pay you that, nor any other thing more than the two hundred *pesos* of the said Chief-Justice.

Also, we give you liberty and right that you from these our kingdoms and lordships, or from the Kingdom of Portugal, or Islands of Cabo Verde, or Guinea, do and may pass, or whosoever may exercise your power, to the said Island of Cuba fifty negro slaves, not less than one-third of them to be females, free of the import duties that of right may belong to us at said island, upon paying the license of two ducats on each to Diego de la Haya, which sum by our order he is charged to collect.

Again, also, we promise that upon your arrival in that country of your government, which you have thus to conquer and settle, we give liberty and right to whomsoever shall have your power, that you may take thither from these our said kingdoms, or from Portugal, or the Islands of Cabo Verde, other fifty negro slaves, the third part of them females, free from all duties.

Also, we concede to those who shall go to settle in that country within the six years first following, to be reckoned forward from the day of the date of these presents, that of the gold which may be taken from the mines shall be paid us the tenth, and the said six years being ended, shall pay us the ninth, and thus annually declining to the fifth part; but from the gold and other things which may be got by barter, or is spoil got by incursions, or in any other manner, shall be paid us thereupon one-fifth of all.

Also we give, free of all import duty, to the inhabitants of that country for the said six years, and as much longer as shall be our will, all they may take for the furnishing and provision of their houses, the same not being to sell; and whatsoever they or any other, merchants or traffickers, sell, shall go free of duty for two years, and not longer.

Likewise, we promise that for the term of ten years, and until we command otherwise, we will not impose on the inhabitants of those countries any excise duty, or other tribute whatsoever.

Likewise, we grant that to said inhabitants may be given through you the lots and grounds proper to their conditions, as has been done, and is doing, in the Island of Espanola; and we also give you license, in our name, during the time of your government, that you take the bestowal of the Indians of that land, observing therein the instructions and provisions that will be given to you.

Again, we bestow on the hospital that may be built in that country, to assist the relief of the poor who may go thither, the charity of one hundred thousand maravedis from the fines imposed by the tribunal of that country.

Again, also, according to your petition and consent, and of the settlers of that country, we promise to give to its hospital, and by these presents we do give, the duties of *escobilla* and *relabes*, existing in the foundries that may there be made and, as respects that, we will order our provision to be issued to you in form.

Also, likewise we will order, and by the present command and defend, that from these our kingdoms do not pass into said country, nor go, any one of the persons prohibited from going into those parts, under the penalties contained in the laws and ordinances of our letters, upon which subject this by us and by the Catholic Kings are nor any counsellors nor attorneys to exercise their callings.

The which, all that is said, and each thing and part thereof, we concede to you, conditioned that you, the said Don Hernando de Soto, be held and obliged to go from these our realms in person to make the conquest within one year next following, to be reckoned from the day of the date of this charter.

Again, on condition that when you go out of these our said kingdoms, and arrive in said country, you will carry and have with you the officers of our exchequer, who may by us be named; and likewise also the persons, religious and ecclesiastical, who shall be appointed by us for the instruction of the natives of that Province in our Holy Catholic Faith, to whom you are to give and pay the passage, stores, and other necessary subsistence for them, according to their condition, all at your cost, receiving nothing

from them during the said entire voyage with which matter we gravely charge you, that you do and comply with, as a thing for the service of God and our own, and any thing otherwise we shall deem contrary to our service.

Again, whensoever, according to right and the laws of our kingdoms, the people and captains of our armaments take prisoner any prince or lord of the countries where, by our command, they make war, the ransom of such lord or cacique belongs to us, with all the other things movable found or belonging to him; but, considering the great toils and perils that our subjects undergo in the conquest of the **Indias**, as some recompense, and to favor them, we make known and command, that if in your said conquest and government any cacique or principal lord be captured or seized, all the treasures, gold, silver, stones, and pearls that may be got from him by way of redemption, or in any other manner whatsoever, we award you the seventh part thereof, and the remainder shall be divided among the conquerors, first taking out our fifth; and in case the said cacique or lord should be slain in battle, or afterward by course of justice, or in any other manner whatsoever, in such case, of the treasures or goods aforesaid obtained of him justly we have the half, which, before any thing our officers shall take, after having first reserved our fifth.

Again, since our said officers of said province might have some doubt in making the collection of our duties, especially on gold and silver, stones and pearls, as well those that may be found in sepulchres, and other places where they may be hidden, as those got by ransom and incursion, or other way, our pleasure and will is, that, until some change, the following order be observed.

First, we order that of the gold and silver, stones



and pearls that may be won in battle, or on entering towns, or by barter with the Indians, should and must be paid us one-fifth of all.

Likewise, that all the gold and silver, stones, pearls, and other things that may be found and taken, as well in the graves, sepulchres, *ocues*, or temples of the Indians, as in other places where they are accustomed to offer sacrifices to their idols, or in other concealed religious precincts, or buried in house, or patrimonial soil, or in the ground, or in some other public place, whether belonging to the community or an individual, be his state or dignity what it may, of the whole, and of all other, of the character that may be and is found, whether finding it by accident or discovering it by search, shall pay us the half, without diminution of any sort, the other half remaining to the person who has found or made the discovery and should any person or persons have gold, silver, stones, or pearls, taken or found, as well in the said graves, sepulchres, *ocues*, or Indian temples, as in the other places where they were accustomed to offer sacrifices, or other concealed religious places, or interred as before said, and do not make it known, that they may receive, in conformity with this chapter, what may belong to them, they have forfeited all the gold and silver, stones and pearls besides the half of their goods, to our tribunal and exchequer.

And we, having been informed of the evils and disorders which occur in making discoveries and new settlements, for the redress thereof, and that we may be enabled to give you license to make them, with the accord of the members of our Council and of our consultation, a general provision of chapters is ordained and dispatched, respecting what will have to observe in the said settlement and conquest,

and we command it here to be incorporated in tenor as follows:—\*

\* \* \* \* \*

Hence, by these presents, you, the said Captain Hernando de Soto, doing as aforesaid at your cost, according to and in the manner before contained, observing and complying with the said provision here incorporated, and all the other instructions we shall henceforth command you to obey, and to give with regard to that country, and for the good treatment and conversion to our Holy Catholic Faith of the natives of it, we promise and declare that to you will be kept these terms, and whatever therein is contained, in and through all; and you doing otherwise, and not complying therewith, we shall not be obliged to keep with you and comply with the aforesaid, nor any matter of it; on the contrary, we will order that you be punished, and proceed against you as against one who keeps not nor complies with, but acts counter to, the commands of his natural king and lord. In confirmation whereof we order that the present be given, signed by my name, and witnessed by my undersigned Secretary. Done at the town Valladolid, the twentieth day of the month of April, of the year one thousand five hundred and thirty-seven.

I The King.

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\*This Ordinance, first placed in the charter granted to Francisco Montejo for the conquest of Yucatan, dated the seventh day of December, of the year 1526, signed by the King, his Secretary, Francisco de los Cobos, Mercurinus cancellorius, fr. G. Epus. Oxemes, Dotor Caravajal, Epus. Canariensis, el Dotor Beltram, fr. G. Epus. Civitatem, was afterwards inserted in all like concessions, and is deemed to follow here.