

Image
①

465.3
66
K73
1994

ENCOMIENDA POLITICS IN EARLY
COLONIAL GUATEMALA, 1524-1544

DIVIDING THE SPOILS

Wendy Kramer

Dellplain Latin American Studies, No. 31

Westview Press
BOULDER • SAN FRANCISCO • OXFORD



To my parents, my sisters, my daughter



Plain Latin American Studies

is Westview softcover edition is printed on acid-free paper and bound in library-quality, cloth covers that carry the highest rating of the National Association of State Textbook Administrators, in consultation with the Association of American Publishers and the Book Manufacturers' Institute.

rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without permission in writing from the publisher.

Copyright © 1994 by the Department of Geography, Syracuse University

Published in 1994 in the United States of America by Westview Press, Inc., 5500 Central Avenue, Boulder, Colorado 80301-2877, and in the United Kingdom by Westview Press, 36 Parkside Road, Summertown, Oxford OX2 7EW

CIP catalog record is available for this book from the Library of Congress.
ISBN 0-8133-8833-3

Printed and bound in the United States of America

The paper used in this publication meets the requirements of the American National Standard for Permanence of Paper for Printed Library Materials Z39.48-1984.

9 8 7 6 5 4 3 2 1

Chapter 1

INTRODUCTION: THE ENCOMIENDA IN EARLY COLONIAL SPANISH AMERICA

The *encomienda* was of central importance in the Spanish conquest and colonization of the New World. Also sometimes called the *repartimiento*, the *encomienda* was an institution designed to channel Indian labor and produce into Spanish hands after the conquest of an area. It was considered by the conqueror to be his just reward from the Crown for his services at arms, which had been rendered at his own expense. Charles Gibson describes the *encomienda* as "a formal grant of designated Indian families, usually the inhabitants of a town or of a cluster of towns, entrusted to the charge of a Spanish colonist, who thus became the *encomendero*."¹ In turn, the *encomendero* was obliged to see to the Christianization of his charges, and to maintain his horse and arms in good condition so that he could defend the Crown's sovereignty. An *encomienda* grant did not confer the right to own land, but went beyond the right to collect tributes, entitling the *encomendero* to deploy the Indians in mines or agricultural enterprises.²

The *encomienda*, as it developed in the New World, had very little connection with the institution of the same name in Spain. The Castilian *encomienda* consisted, most importantly, of temporary grants of territory to individuals; these included powers of government and the right to receive the revenue and services owed to the Crown by the peoples attached to the designated areas.³ The Crown had no desire to perpetuate this system in

¹ Charles Gibson, *Spain in America* (New York: Harper and Row, 1967), p. 49. Gibson also notes that: "Definitions of *encomienda* are all after the event. As with many other historical institutions, the development occurred before any need to define was recognized."

² James Lockhart, *Spanish Peru, 1532-1560: A Colonial Society* (Madison, Wisconsin: University of Wisconsin Press, 1968), p. 11.

³ Robert S. Chamberlain, *Castilian Backgrounds of the Repartimiento-Encomienda* (Washington, D.C.: Carnegie Institution Publications, no. 509, 1939), pp. 15-66. cited in Lesley B. Simpson, *The Encomienda in New Spain*

their new colonies;⁴ rights to land were also of little economic interest to the first conquerors because of the extent of the new lands and their large Indian populations.

Many of these men were more interested in quick riches and a passage home than settling and working the land. Those more inclined to settle found manual labor distasteful—in true Iberian *hidalgo* tradition—and were reluctant to perform it unless forced to do so.⁵ The labor needed to exploit the land was what the invaders, arriving in ever-increasing numbers, demanded and seized. The Indians, who were loath to perform these functions voluntarily, had to be enslaved and forced to provide food and gold for the Spaniards. Overworked, mistreated and dying in large numbers from virulent Old World diseases, the Indians reacted by rebelling, fleeing or taking their own lives.⁶

The Antillean Encomienda

Soon after Columbus' discovery and colonization of Hispaniola in 1493, the problem facing both the colonists and the Crown—soon in open competition over the spoils of the new colony—was how best to harness this lucrative but diminishing manpower. In the early years, two solutions were offered for what was becoming a chronic labor shortage on Hispaniola: enslavement of uncooperative Indians and slave raids to neighboring islands; and the distribution of designated lands (*repartimiento*) and their Indians to the Spaniards for forced labor.⁷ Under Spanish rule, however, the Indians were "free" Crown subjects and could only be taken as slaves if they were in rebellion against the Crown, or had served as slaves under their native rulers.⁸ The *repartimiento* therefore was a device

by which the colonist could remedy the problem of a labor supply without incurring the penalties imposed on slaving.⁹ The major difference between *encomienda* Indians and Indian slaves was the manner in which they had been acquired, and not the manner in which they were used.

Columbus first made attempts to regulate the chaotic relationship between the Indians and the Spaniards in 1495 by prohibiting slaving expeditions and imposing a tax of gold and cotton on the Indian population over 14 years of age. These measures did little to remedy the situation in the colony; the Indians were unable to pay the tax and fled from the invaders, refusing to feed them. This tribute requirement was then commuted to personal service; subject Indians led by their *caciques* were to work in the fields cultivating food crops.¹⁰ Later, Columbus petitioned the Crown for permission to grant the colonists the labor of the natives for a year or two until the colony should be able to support itself.¹¹ In this way, a rather irregular form of what was to be the *encomienda* was inaugurated.

This system was to undergo many modifications as a result of Crown regulations and the colonists' demands, starting with the intervention of Governor Nicolás de Ovando (1501–1509). Under the Catholic kings and the less humane rule of Ferdinand, dozens of orders, counter-orders and secret orders were despatched to Hispaniola with instructions regarding the treatment of the Indians, the Spaniards' duty to Christianize them and, most important of all, the best means to extract as much gold from them as possible.¹²

With the arrival of new settlers with the Governor in 1501, the Spanish population had grown from 300 to some 3,000 men. The Indian population, rapidly diminishing from illness and excessive workload, was unable and unwilling to meet the increasing demands placed on their labor. Ovando informed the Crown of the appalling conditions in the colony and sought permission to transfer to Hispaniola the *encomienda* system with which he was familiar. In reply he received a royal decree which, among other things, clearly authorized and legalized the forcing of "free" Indians to work for designated "worthy" Spaniards.¹³

Spanish Mexico (Berkeley and Los Angeles: University of California Press, 1982), p. 176 n. 25.

- ⁴ Simpson, *Encomienda in New Spain*, p. ix. Simpson notes that: "It was quite unthinkable that the Spanish monarchs would tolerate in the New World an institution which would disperse their newly won authority. From the beginning the Crown carefully refrained from giving the conquistadors anything resembling permanent ownership of their *encomiendas*."
- ⁵ Gibson, *Spain in America*, p. 51. The Spaniards' attitude towards manual labour is discussed in José Durand, *La transformación social del conquistador*, 2 vols. (Mexico: Porrúa y Obregon, 1953), 2, pp. 57–63.
- ⁶ For a discussion of the situation in Hispaniola and the development of the *encomienda* see Frank Moya Pons, *Después de Colón: Trabajo, sociedad y política en la economía del oro* (Madrid: Alianza Editorial, 1987).
- ⁷ Simpson, *Encomienda in New Spain*, p. 6. For a discussion of slavery in the West Indies: Queen Isabella's time see pages 1–15.
- ⁸ J. H. notes that this liberty did not however mean freedom to be idle and refrain from making any contribution to the well-being of society and the revenue of

the Crown; *The Spanish Seaborne Empire* (London: Hutchinson, 1977), pp. 174–175.

- ⁹ Simpson, *Encomienda in New Spain*, pp. 5–6. Moya Pons, *Después de Colón*, p. 24.
- ¹⁰ Moya Pons, *Después de Colón*, pp. 15–17. C. H. Haring, *The Spanish Empire in America* (New York and London: Harcourt Brace Jovanovitch, 1975), p. 39.
- ¹¹ Simpson, *Encomienda in New Spain*, pp. 8–9. Simpson notes that, in all probability, in this later action, he was seeking the legal recognition of an existing situation.
- ¹² See Moya Pons' discussion of Nicolás de Ovando's government in *Después de Colón*, pp. 29–52.
- ¹³ Haring, *Spanish Empire*, p. 39. Simpson, *Encomienda in New Spain*, pp. 10, 12–14.

It was left up to Ovando's discretion to determine both the numbers of Indians to be distributed, and the deserving recipients of these grants. Legal recognition of the grant was formalized by the *cédula de encomienda*. These titles to encomienda bore the name of the recipient, the cacique, the number of his Indians who were to serve the encomendero, and the tenet regarding the encomenderos' duty to Christianize their charges. This system, and its rationalization to the conquered people, became a crucial device for rewarding conquest and encouraging Spanish settlement. It was carried with the Spaniards to the mainland and persisted, in one form or another, until the eighteenth century.¹⁴

In practice, under Ovando and his successors the encomienda differed very little from Columbus' repartimiento. Encomienda Indians were abused, overworked, and bought and sold as if they were private property. The obligations to Christianize them often took the form of mass baptism, and the obligations of the encomendero to protect them were ignored.¹⁵

Experiments in Hispaniola, designed to preserve the Indian population while controlling its labor, did not prevent the complete destruction of the native population or impede the continuation of the encomienda system. The encomienda survived, amidst contradictory Crown legislation and the constantly changing group of royal representatives despatched to enforce the newest law, or to annul the previous ones carried out by their predecessors. The Laws of Burgos in 1512—promulgated as a direct result of Dominican complaints about the nefarious consequences of the encomienda system—sanctioned the encomienda but sought to surround it with certain directives meant to protect the Indians from the worst abuses of the encomenderos. Encomiendas should be limited in size (no more than 150 Indians per encomendero), encomienda Indians could not be enslaved or mistreated, encomenderos should see to the Christianization of the Indians, etc.¹⁶ One of the foremost historians on the encomienda, Lesley Simpson, noted that these laws were both naïve and callous, and never enforced.¹⁷ Charles Gibson suggests that,

It may be doubted whether any West Indian encomendero modified his conduct as a result of the Burgos legislation ... and the Laws of Burgos stand as one of many instances in Spanish colonial history of the ineffectiveness of law.¹⁸

¹⁴ Moya Pons, *Después de Colón*, pp. 38–40. Simpson, *Encomienda in New Spain*, pp. 12–13.

¹⁵ Haring, *Spanish Empire*, p. 41. Gibson, *Spain in America*, p. 51.

¹⁶ Gibson, *Spain in America*, p. 53. For a summary of the text of the Laws of Burgos see Simpson's, *Encomienda in New Spain*, pp. 32–34 and also his *Studies in the Administration of the Indians in New Spain: I, The Laws of Burgos of 1512*, Ibero-Americana, no. 7 (Berkeley and Los Angeles: University of California Press, 1934).

¹⁷ Simpson, *Encomienda in New Spain*, p. 35.

¹⁸ Gibson, *Spain in America*, p. 53.

The Crown continued to regard the encomienda as a temporary solution to the settlers' demands. But the captains who led expeditions to the mainland, and their followers, already had a fixed idea of the role of the encomienda in the society that they were hoping to establish. During the early period of trial and error, certain concepts had evolved regarding duration of encomiendas, size of encomiendas, and eligibility for them.

Probably the most important development in the early encomienda was the *repartimiento general* of Hispaniola in 1514. A special *repartidor* was named for this task, Rodrigo de Albuquerque, and he was to be guided by the Laws of Burgos and later addenda to these laws, drawn up with this repartimiento in mind.¹⁹ For reasons unknown this specific post was never carried to the mainland; repartimientos would be carried out by captains, governors and presidents but never by men named solely as repartidor. Certainly this repartimiento did not completely change the patterns already established in Hispaniola, but it did mark the crystallization of a process that had been going on for many years.

The result of this process was that encomiendas were to be distributed according to rank, social status and marital status. Encomienda size would be officially limited to 300 Indians, but some men, like the King and Crown officials, would be exempt from these restrictions. Some encomiendas were granted for two lives but others were only for one life or an indeterminate amount of time, to be decided at the Crown's pleasure.²⁰ However, this important precedent contributed to the assumption that prevailed amongst encomenderos throughout the early sixteenth century—that inheritance was an integral part of encomienda.

As a result of Albuquerque's repartimiento, those men who remained from the original group which had served under Columbus and Roldán, most of them from the lower social classes, were left with either small encomiendas or none at all. A hierarchy of royal officials and their dependents had managed to gain control of the bulk of the Indian population distributed in encomiendas. Important figures from the peninsula (absentee encomenderos) also continued to hold large groups of Indians, a practice dating from the time of Ovando's repartimiento. This tendency was consistent with Crown policy which had established that encomiendas were better placed in hands of "worthy" recipients and Crown representatives. Independent governors, captains and their followers, crucial to the conquest phase of colonization, were to be prevented from becoming a rival political power through their control of the encomienda. Crown attempts to enforce this policy in its rapidly expanding domains on the mainland met with only varying success.

¹⁹ The repartimiento general of Hispaniola is examined in detail in Moya Pons' *Después de Colón*, pp. 97–117. This is also discussed in Silvio Zavala, *La Encomienda Indiana* (Mexico: Editorial Porrúa, 1973), pp. 17–19.

²⁰ Zavala, *Encomienda Indiana* pp. 16–19.

Some of the original group of encomenderos on Hispaniola amassed enough wealth to gain admission to this charmed circle; men married to Spanish women were also favored. Those who had married or entered into unions with noble Indian women as a means to gain favor and control through local caciques, were evidently discriminated against; they either had their encomiendas removed or were given very small numbers of Indians.²¹ This reversal of Crown policy, which had initially encouraged marriages between Spaniards and Indians, might have influenced the Spaniards' handling of native rulers in the conquest of mainland areas. In Guatemala, for example, the assassination of Indian lords became a common occurrence and there were no marriages between conquerors and Guatemalan Indian women. In the islands this means of controlling Indian labor had met with Crown disapproval, and henceforth it was only in rare and unique circumstances, as in the case of the polygamous unions practiced in the isolated region of Paraguay, that the Spaniards sought to gain the favor and allegiance of Indian lords by marrying members of their families.²²

Another consequence of the uneven distribution of encomiendas in Hispaniola was the impetus that it gave to emigration. Early settlers joined up with new expeditions of discovery, in the hopes that next time they would be able to secure a larger share of the spoils. There were advantages to be had in taking part in the earliest stages of conquest and colonization of new regions. Thus Pedrarias' men, the majority of them artisans and laborers, took part in lucrative slave raids and were granted the small encomiendas available in Panama in the repartimientos of 1519 and 1522;²³ those loyal to Cortés shared in the distribution of the Aztec treasure houses and the large encomiendas of New Spain.²⁴

An important policy change which affected the way Indians were subsequently treated on the mainland, however, had to do with the increasing influence of the clergy. The repentant encomendero from Hispaniola, Bartolomé de las Casas, was so influenced by the pious example of the Dominicans in Hispaniola that he joined the order and made

21 Moya Pons, *Después de Colón*, pp. 41-42, 59, 104.

22 The unusual relationship between Spaniards and Indians in Paraguay is examined in Elman R. Service, *Spanish-Guaraní Relations in Early Colonial Paraguay* (Ann Arbor: University of Michigan Press, 1954).

23 The first repartimientos in Panama are examined in María del Carmen Mena García, *La sociedad de Panamá en el siglo XVI* (Seville: Diputación Provincial, 1984), pp. 327-336. The social origins of the encomenderos is discussed in Mario Góngora, *Los grupos de conquistadores en Tierra Firme (1509-1530)* (Santiago de Chile: Universidad de Chile, 1962), pp. 68-90.

24 Francisco A. de Icaza, *Conquistadores y pobladores de Nueva España*, 2 vols. (Madrid: Ir ya de "El adelantado de Segovia," 1923). Robert Himmerich y Valencia, *1. Incomenderos of New Spain, 1521-1555* (Austin: University of Texas Press, 1991).

it his life work to denounce the abuses of the encomienda system.²⁵ As a result of Las Casas' urgings, the Crown ruled in 1520 that the institution of encomienda was to be abolished. It was, however, precisely at this time that Cortés was conquering the peoples of New Spain, opening up new opportunities for obtaining encomiendas.²⁶

The Encomienda in New Spain

The institution of encomienda took on a new life with the conquest of Mexico. Initially, Cortés himself was not partial to the establishment of the encomienda in New Spain, arguing that his 20 years in the Caribbean had shown him the dire consequences of this institution. Nevertheless, he would soon be arguing that the encomienda, under different circumstances, could be of mutual benefit to Spaniards and Indians. Although he claimed that because of the demands of his soldiers he was "forced" to carry out the distribution of encomiendas, it is clear that Cortés believed that, properly defined and restricted, the encomienda was the only viable means of rewarding the conquerors (who had served without pay), encouraging settlement and controlling native society.²⁷

Thus, in 1523, Cortés openly defied the Crown's orders to abolish the encomienda, arguing that conditions were much different in the newly conquered areas to the ones found in the islands. Here, he noted, the Indians were used to a cruel form of servitude under their Aztec rulers and the encomienda released them from this unbearable slavery. In addition, he argued, he had enforced certain ordinances regarding the treatment of encomienda Indians to prevent them from being used in mines or on plantations the way they had been in the islands. Personal service, which henceforth became an integral part of the encomienda, was to be limited to 20-day work periods, and 30-day rest periods per Indian. Indians were to serve their encomenderos in their *estancias* and tend to their livestock, but were not to be removed from their towns and villages. Encomenderos were forbidden to force their Indians to provide gold, or to mistreat them in any other way. Mistreatment of the Indians incurred the loss of the encomienda. Cortés also ordered that encomiendas would only be granted to conquerors who intended to reside for at least eight years in the area. Those who left before this time would forfeit all rights to their

25 After Las Casas' treatise on the "destruction of the Indies" (1509) there was an important policy change which was directly responsible for the greater protection afforded the Indians on the mainland; Elman R. Service, "Indian-European Relations in Colonial Latin America," *American Anthropologist* 57 (1955), p. 413. Las Casas' early years in Hispaniola and Cuba are examined in Simpson, *Encomienda in New Spain*, pp. 36-38.

26 Gibson, *Spain in America*, pp. 54-55.

27 Zavala, *Encomienda Indiana*, pp. 40-47. Simpson, *Encomienda in New Spain*, p. 63. Himmerich y Valencia, *Encomiendas*, pp. 1-10.

encomiendas. With this measure Cortés proposed to prevent another ill that he believed had so influenced affairs in the islands—the holding of encomiendas by absentees.²⁸

Cortés made no reference to the maximum size of the encomiendas, stating only that encomenderos with more than 2,000 Indians had to pay for the services of a priest to indoctrinate the Indians. Cortés promised that grants would be valid for the life of the recipient and the life of his legitimate heir. Many of these measures met with the support of the Dominicans and the Franciscans who were in New Spain at this time, and in 1525 the Crown rescinded its earlier ruling, allowing encomiendas to continue to exist, pending further instructions.²⁹

Cortés naturally favored his own men in the repartition of encomiendas, to the detriment of groups that arrived later with Panfilo de Narváez, Francisco de Garay and other captains. The uneven distribution of rewards in Mexico contributed to the configuration of the Guatemalan troop as many of these less favored men later took part in the conquest of Guatemala.³⁰

Cortés soon lost all claims to the government of New Spain, consistent with the Crown's policy to restrict the powers of independent governors. However, in 1529 the Crown granted him permanent title to a large number of towns, outside the jurisdiction of the Valley of Mexico; with his specially created *Marquesado*, Cortés became one of the wealthiest men in the Spanish world. No complete records have survived of Cortés' earliest distribution of encomiendas, but it took place immediately after the conquest, and the recipients of the large encomiendas in the Valley of Mexico were members of Cortés' loyal army of soldiers. Pedro de Alvarado was awarded the encomienda of Xochimilco, which had some 20,000 tributaries in the 1530s. Cortés took the largest towns for his own use, which gave him a personal interest in the defense of the encomienda system.³¹

The Crown, meanwhile, continued to vacillate over its policies, no doubt contributing to the instability of the encomienda. Throughout the chaotic administrations that ruled New Spain in the 1520s, encomiendas

were frequently removed and reassigned by opposing factions. During the disastrous government of the first Audiencia in Mexico (1528–1530), the suspension of encomiendas encouraged some of the conquerors to leave for Peru and Guatemala.³² Nevertheless, many of the "first conquerors" who had served under Cortés managed to hold on to their encomiendas, with rights to their usufruct for their lifetimes.³³ This was a result of consistent royal legislation that recognized the special rights of the original group of conquerors.

The governors and interim governors that ruled throughout the 1520s did not bother with systematic records of repartimientos, and registers of encomienda grants were confined to the actual titles to encomiendas.³⁴ The Crown, however, in instructions to the first Audiencia, asked for a census to determine the size and yields of all existing encomiendas, so that a new repartimiento could be carried out to reward the early conquerors who had served under Cortés. Further instructions dictated in 1528 ruled that married men should have preference over single men in the allocation of encomiendas, and that no more than 300 Indians should be allotted per encomendero.³⁵ In fact, the official limit on encomienda size was never enforced. The members of the first Audiencia completely ignored most of this legislation and, against Crown orders, took some of the best encomiendas for themselves and their followers. However, the first Audiencia did assign the Crown encomiendas, which they then administered.³⁶ Bishop Zumárraga and his fellow Franciscans protested loudly over the abuses committed by the Audiencia and eventually all of the members of the first Audiencia were suspended from their posts.

The members of the second Audiencia (1530–1535) were of a different ilk; they were "all *licenciados* and jurists of standing."³⁷ Licenciado Maldonado, soon to play an important role in Guatemala, was one of the *oidores* appointed at this time. One of the Audiencia's first duties when members took office in 1530 was to revoke all of the encomiendas assigned during the government of Nuño de Guzmán. The Crown, once again, was tending towards the gradual elimination of the encomienda and ordered that these encomiendas be placed under royal jurisdiction to be administered by

²⁸ Zavala, *Encomienda Indiana*, pp. 41–46. Simpson, *Encomienda in New Spain*, p. 61.

²⁹ Zavala, *Encomienda Indiana*, pp. 47–49.

³⁰ Victor M. Alvarez identifies 36 conquerors of Mexico (without encomiendas) who took part in the conquest of either Guatemala or Yucatan; "Los conquistadores y la primera sociedad colonial" (Ph.D. diss., Centro de Estudios Históricos, El Colegio de México, 1973) pp. 164–168, 217. Many of the men who arrived with Garay and Narváez took part in the conquest of Guatemala. For the individual histories of the men who later returned to Mexico see Icaza, *Conquistadores y pobladores*, and Himmerich y Valencia, *Encomenderos of New Spain*.

³¹ Charles Gibson, *The Aztecs under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519–1810* (Stanford: Stanford University Press, 1976), pp. 59–61, 413–434.

³² Simpson, *Encomienda in New Spain*, p. 96. Alvarez, "Conquistadores y la primera sociedad," p. 192.

³³ Gibson, *Aztecs*, p. 61. Alvarez notes that despite the disastrous abuse of power exercised by the first Audiencia, the Crown managed to maintain Cortés' group in power, "Conquistadores y la primera sociedad," p. 170.

³⁴ J. Benedict Warren notes that none of the governors seems to have kept an official register of grants of encomienda and that the title was the only proof that a person had of his right to an encomienda; *The Conquest of Michoacán* (Norman: University of Oklahoma Press, 1985), p. 158.

³⁵ Zavala, *Encomienda Indiana*, pp. 53–54.

³⁶ *Ibid.*, pp. 331–332.

³⁷ Simpson, *Encomienda in New Spain*, pp. 75–84.

corregidores, who would be in charge of collecting tribute for the Crown. In addition, the Crown ruled that absent encomenderos were to lose their encomiendas; these encomiendas should also escheat to the Crown. However, any new areas conquered were to be distributed amongst the original conquerors and first settlers. Although these instructions were not rigorously enforced by the oidores, who would also argue for the continuation of the encomienda, some *corregimientos* were established in the 1530s.³⁸

During the presidency of Ramírez de Fuenleal (1532–1535) the controversy over the institution of encomienda versus the *corregimiento* continued unabated. But as the result of a special report prepared by the Audiencia, the Crown decided to suspend its orders regarding the suppression of the encomienda.³⁹ The president and oidores recommended that the Indians be Crown subjects and as such granted to worthy individuals for two lives. These grants would include the rights to tribute and personal service, but in quantities established by the Audiencia, and to be reassessed every three years. Any abuse of these assessments would result in loss of the encomienda. The Crown, meanwhile, would have the right to one fifth of all tribute paid in gold or silver, and one tenth of all other tribute goods. Both Fuenleal and the oidor Ceynos argued in letters to the Crown for the restriction on numbers of encomenderos; it was a recognized principle that not every conqueror or colonist should be eligible for encomiendas and that this privilege should only be reserved for a special elite in the colony. Fuenleal was also opposed to the holding of encomiendas by unmarried men, who were not even first conquerors.⁴⁰ The term “first conqueror” referred to the men who had come to New Spain before the fall of Mexico City in 1521.

These recommendations, along with some of the innovations introduced earlier by Cortés in his *ordenanzas* of 1524, formed the basis of legislation which governed the encomienda until the publication of the New Laws in 1542. During the period of the second Audiencia and the first years of the viceroyalty, royal decrees prohibited the sale or rental of encomienda Indians. Tribute assessments were to be carried out and the oidores were to carry out tours of inspection to ensure that the Indians were not mistreated. In 1536, in special instructions to Viceroy Mendoza, the Crown dictated the famous law of succession which formally allowed encomiendas to be held for “two lives.” In the same year the Crown reaffirmed that encomenderos had a duty to maintain priests to instruct

³⁸ *Corregimiento* appeared as an alternative to encomienda at this time; Gibson, *Aztecs*, p. 82. Simpson, *Encomienda in New Spain*, p. 88. Zavala, *Encomienda Indiana*, p. 58.

³⁹ Marvyn H. Bacigalupo, *A Changing Perspective: Attitudes Toward Creole Society in New Spain (1521–1610)* (London: Tamesis Books Ltd., 1981), p. 31.

⁴⁰ Zavala, *Encomienda Indiana*, pp. 61–62. Simpson, *Encomienda in New Spain*, p. 100.

Indians in the Catholic faith. Mendoza also received orders to carry out tribute assessments in Nueva Galicia, Pánuco and Guatemala.⁴¹

In the early 1540s, during the viceroyalty of Mendoza, a complete census of all the conquerors of New Spain was begun. The purpose of this document was to establish who was to be given preference for appointments and encomiendas. The list was organized according to time of arrival in New Spain, and under which captain the conqueror had served. Place of origin, services in other regions, occupation, and whether or not they had been rewarded for their efforts in the conquest were also included in many of the entries.⁴²

Himmerich y Valencia noted that although the enforcement of the New Laws greatly restricted the tribute benefits of the encomienda, the institution did not easily fade away, as previous historians have sometimes asserted, and as late as 1580–1600 encomienda-holding families still dominated large regions of New Spain. Nevertheless, by 1555 “the golden age of the encomienda of New Spain was over.”⁴³

The Guatemalan Encomienda and the Development of the Encomienda Outside New Spain

The progress of Crown legislation regarding the encomienda throughout the 1520s and the 1530s intermittently threatened the livelihood of encomenderos in Mexico, but had little effect on Guatemalan encomenderos. Massive attempts to establish control over the Spanish colonists and authenticate who had rights to encomiendas, like the census carried out by Mendoza, had few repercussions in far-off Guatemala. The encomienda was first established there as early as 1524 by Cortés' captain, Pedro de Alvarado, but the early governors who ruled Guatemala were left to their own devices at least until the arrival of Licenciado Alonso de Maldonado in 1536.

Prior to 1529, when Alvarado was officially appointed Governor of Guatemala, encomiendas were granted “according to the ordinances of New Spain,” in theory at least.⁴⁴ From 1529, instructions from the Crown were sent directly to the authorities in that area. These instructions, however, differed little from the body of legislation which was developed generally to govern all the new colonies.⁴⁵ Guatemalan encomenderos were to apply

⁴¹ Zavala, *Encomienda Indiana*, pp. 63, 66–68.

⁴² Bacigalupo, *Changing Perspective*, p. 96. This document has been transcribed and published by Icaza, *Conquistadores y pobladores*.

⁴³ Himmerich y Valencia, *Encomenderos of New Spain*, pp. 16–17.

⁴⁴ The first *cédulas* de encomienda granted in Guatemala include this in their text. These *cédulas* will be discussed in later chapters.

⁴⁵ Linda A. Newson, “Indian Population Patterns in Colonial Spanish America,” *Latin American Research Review* 20, no. 3 (1985), p. 49.

or residency within a stipulated period of time, and see to the construction of permanent dwellings (1533, 1538). Encomiendas held by absent encomenderos were to be removed and reassigned (1535, 1538), and it was strictly prohibited for *vecinos* to hold encomiendas in separate jurisdictions (1534). Encomenderos were to marry within a period of three years or bring over their wives from Spain (1536, 1545, 1546). Orders regarding tribute assessments were sent out in 1535, 1536 and 1538.⁴⁶ As early as 1534 the Crown had been alerted to Alvarado's arbitrary removal of encomiendas held by conquerors and ordered that this be stopped; similar decrees were sent out in 1535 and 1536. These decrees give some idea of the nature of the complaints which had reached the authorities in Castile, and the repetition of these orders shows that they were not being adequately enforced.

In Guatemala, the encomienda was shaped, not by laws so much as by local conditions and the virtually unchecked control which local governors exercised in the first 20 years of Spanish colonization. Direct interference from the Crown, or from members of the clergy, was minimal during the 17-year ascendancy of Pedro de Alvarado. In its basic structure, the early encomienda in Guatemala was directly influenced by the Mexican model. Perhaps the earliest evidence for the influence of the Mexican experience on Guatemalan practices can be seen in the fact that only one city (Santiago de Guatemala) was ever founded in the area, no doubt hoping to emulate the role which Mexico City at Tenochtitlán played as the grand urban center of the encomendero elite. In Yucatan, meanwhile, another region within the Mexican sphere, Montejo attempted both to encourage settlement and provide an impetus for immigration by founding various towns.⁴⁷ Pedro de Alvarado was uninterested in such humble aspirations. His uppermost concern was to maximize Guatemala's small economic potential and relocate to an area which would yield more gold and precious minerals.

Like Yucatan, Guatemala is best regarded as a peripheral area, virtually autonomous but directly influenced by central-area Mexico; this core/periphery division, moreover, had predated conquest. But, quite unlike the case of Yucatan, the Guatemalan encomienda was quickly established, and immediately became the focus of strong competition between rival colonists. In this way it resembled the Mexican encomienda, and diverged notably from isolated regions like Paraguay or Venezuela, where it took many years before the encomienda was first established.⁴⁸

⁴⁶ A list of these decrees can be found in J. Joaquín Pardo, *Prontuario de reales cédulas, 1529-1599* (Guatemala: Union Tipográfica, 1941), pp. 52-56.

⁴⁷ Montejo's conquest of Yucatan and the founding of towns there is described in detail by Robert S. Chamberlain, *The Conquest and Colonization of Yucatan, 1517-1550* (Washington, D.C.: Carnegie Institution, 1948).

⁴⁸ James Lockhart and Stuart B. Schwartz, *Early Latin America: A History of Colonial Spanish America and Brazil* (Cambridge: Cambridge University Press, 1983), pp. 177-178, 284. Lockhart and Schwartz note (p. 303) that, "In regions close to a central area, the conquerors, coming directly from the center and knowing

Guatemala suffered from greater exploitation than other peripheral regions, especially in the first decade after conquest, as it had gold placer mines and became a route to the rest of Central America and, more importantly, Peru. However, it was never as strategically important for the conquest of Peru as Panama or even Nicaragua.⁴⁹

The size and nature of Indian populations, and the characters of the different governors, invariably affected the methods used to control the Indians on the mainland more than any Crown legislation. Newson notes that in those societies where the Indians were used to paying tribute and had been subject to labor drafts, large Indian populations could be controlled and exploited through the hierarchy of their native leaders; this obviated the need for closer means of control such as slavery.⁵⁰ Lockhart has also noted that,

Where the Indians were organized in large political entities, making it possible to control a larger encomienda by using Indian traditional authority, the governors granted whole regions to the most eligible individuals.⁵¹

In New Spain, because of the wealth and size of the Indian population and the existence of the well-established Aztec tribute economy, the imposition of the encomienda was ultimately less harmful than in other areas. In Mexico, a different type of encomienda evolved with the emphasis on tribute not labor, a direct result of pre-conquest organization of Aztec society.⁵² The reforms introduced by Cortés and the efforts of the learned men of the second Audiencia to regulate both tribute and personal service would also greatly influence the development of the encomienda in New Spain.

On the other hand, in areas with low-density native populations like Panama and parts of Nicaragua, the Indians diminished rapidly in the years immediately following Spanish conquest, as they had in the Caribbean. Like the Indians in the Antilles, they were also to suffer the devastating consequences of slave raids and forced labor—conceived as a more efficient means of controlling the population than the encomienda.⁵³ The ambitions

its well-developed encomienda structure, attempted to impose the full standard form from the beginning, only gradually making the required adjustments to the indigenous system."

⁴⁹ Linda A. Newson, *Indian Survival in Colonial Nicaragua* (Norman and London: University of Oklahoma Press, 1987), pp. 91, 94, 104. Mena García, *Sociedad de Panamá*, pp. 48-51.

⁵⁰ Newson, "Indian Population Patterns," p. 50.

⁵¹ Lockhart, *Spanish Peru*, pp. 11-12.

⁵² Alvarez, "Conquistadores y la primera sociedad," p. 163.

⁵³ Newson notes that the type of institution used to control and exploit the Indians was greatly influenced by the nature of human societies at the time of Spanish conquest; *Indian Survival*, p. 12. Although the spatial impact of the slave trade was

and characters of governors like Pedrarias, Castañeda and Contreras, who all profited from the slave trade, contributed to the abuses of the early years of colonization.

In Guatemala, many of the different Indian groups were accustomed to tribute and labor obligations, but the area was politically divided among many different Indian kingdoms and therefore encomiendas tended to be smaller and more numerous than in the central areas of Peru and Mexico. This pattern, however, only fully emerged after population decline and increased demands for encomiendas reduced the size and increased the number of individual encomiendas.

Practically no comparative work exists on the earliest distributions of encomiendas in Spanish America. Nevertheless, it is apparent from different regional studies that, regardless of factors such as the size and pre-conquest organization of the Indians (which would play a more important role in subsequent partitions), captains and governors showed two distinct tendencies in their criteria for assigning encomiendas. There were those who wished to reward as many of the conquerors as they could and encourage settlement, while others ascribed to the belief that only a restricted number should be granted this privilege.⁵⁴

In the first repartimiento of Panama (1519), Pedrarias, who sought to reward as many vecinos as he could, granted encomiendas to one quarter of his men. Responding to complaints over granting such pitifully small encomiendas and the fact that many men soon left the region, he reorganized the repartimiento a few years later, increasing the numbers of Indians granted to each encomendero, and decreasing the total number of encomenderos.⁵⁵ Something similar occurred in Chile, where almost all the conquerors who arrived with Valdivia received encomiendas in the first repartimiento (1544); a year later Valdivia was forced to cut the numbers in half.⁵⁶ In New Granada Benalcazar gave out few encomiendas in the distribution of Popayán and Cali, in the belief that it was best to perpetuate the seigniorial system and have a powerful elite in charge of the encomiendas. A later distribution carried out there by one of Pizarro's captains was a source of great complaint because he had increased the total number of encomenderos, and the vecinos alleged that grants were now so small that none could benefit from them.⁵⁷ In Yucatan, Montejo, who was

particularly interested in settling as many vecinos to consolidate colonization and for defensive purposes, sent his son specific instruction regarding the number of vecinos to be granted encomiendas: "100 vecinos and not less, because of the great size of the provinces and because of the large numbers of the natives."⁵⁸ Pizarro's first encomienda grants in Peru included practically all of the men who took part in the conquest.⁵⁹

Initially Alvarado copied his captain Cortés, taking the best for himself and then dividing up huge areas among his family and soldiers: but even he was forced to give out more encomiendas than he wanted to because of the fear of Spanish mutiny. Whereas Cortés also assigned encomiendas to the Crown and for *proprios de la ciudad*, Guatemalan encomiendas were held privately until the 1540s.⁶⁰ The second repartimiento, carried out by Jorge de Alvarado, included a greater number of the conquerors, contrary to his brother's original plan for the partition of the spoils, but by now it was clear that Guatemala did not have the potential of Mexico, and that there would be little to attract settlement if the conquerors were not guaranteed encomiendas.

By mid-century we find approximately 160 encomienda towns listed for the jurisdiction of Santiago de Guatemala, as compared to the Valley of Mexico, for example, where in the mid-1530s there were only some 30 encomiendas. An average encomienda in the Valley of Mexico contained some 6,000 tributaries, while in Guatemala (ca. 1550) the majority of encomiendas had less than 300 tributaries.⁶¹ Lockhart notes that in Peru encomenderos sneered at an income below 1,000 pesos; in Guatemala by mid-century most encomenderos had to be content with less than 300 pesos.⁶²

Compared to Mexico and later Peru, the Central American region was a backwater—but it was a "backwater of the Mexican system," and as such had little in common with the isolated fringe areas like Yucatan, Chile and Paraguay where the encomienda continued to exist until the end of the eighteenth century or the beginning of the nineteenth century.⁶³

Guatemala was poor in mineral wealth and difficult to subjugate: there was no one centralized indigenous kingdom to dominate, but numerous small political units. Santiago de Guatemala, the principal city founded by the Spaniards in the region, quickly became little more than a staging post

not uniform throughout Nicaragua, Newson estimates (p. 105) that some 200,000 slaves were exported from Nicaragua.

⁵⁴ Zavala notes these two different tendencies in the early distributions in New Granada, *Encomienda Indiana*, p. 793.

⁵⁵ Mena García, *Sociedad de Panamá*, pp. 326–334.

⁵⁶ J. H. Elliot, "The Spanish Conquest," *Colonial Spanish America*, ed. Leslie Bethell (Cambridge: Cambridge University Press, 1987) p. 38. Tomas Thayer Ojeda, Carlos J. Larraín, *Valdivia y sus compañeros* (Santiago de Chile: Academia Chilena de la Historia, 1980), pp. 28–30.

⁵⁷ Zavala, *Encomienda Indiana*, p. 793.

⁵⁸ Chamberlain, *Conquest of Yucatan*, pp. 197–198.

⁵⁹ Lockhart, *Spanish Peru*, p. 13.

⁶⁰ Cortés' assignments to the city and the Crown can be found in Gibson, *Aztecs*, pp. 417–418, 420–421, 430–432.

⁶¹ Charles Gibson, *Aztecs*, p. 61. Salvador Rodríguez Becerra, *Encomienda y Conquista: Los inicios de la colonización en Guatemala* (Sevilla: Universidad de Sevilla, 1977), pp. 168–170.

⁶² Lockhart, *Spanish Peru*, p. 22. AGI Justicia 282, Cristóbal Llanusa, *En el licenciado Cerrato sobre su encomienda*, 1555.

⁶³ Lockhart and Schwartz, *Early Latin America*, p. 178.

for Spaniards traveling either to Peru or up to Mexico.⁶⁴ For this reason, although there are records of more than 500 Spaniards who were in Santiago before mid-century, the numbers of enrolled vecinos was never more than 150, a figure reached in 1529 and not to be achieved again until the 1560s.⁶⁵ Because of this population's mobility, it is difficult to estimate the ratio of encomenderos to vecinos and residents at any time before mid-century, when the Spanish population finally became more stable. During the first two decades of colonization both vecinos and residents were granted encomiendas.⁶⁶ William Sherman estimates that in 1549 there were 100 vecinos and 80 of them were encomenderos.⁶⁷ The Cerrato *tasación* of mid-century, meanwhile, lists 93 encomenderos for the years 1548-1555.⁶⁸

The Guatemalan Encomienda: Themes and Problems

The present study examines the establishment and distribution of the encomienda in colonial Guatemala from 1524 to 1544. While much has been written about the first military encounters between the Indians of Guatemala and their Spanish invaders, little attention has been paid to the encomienda, the institution through which Spaniards controlled the region's native manpower and resources. There has been considerable confusion about the introduction of the encomienda into Guatemala. In 1590, the *cabildo* of Santiago de Guatemala would make the following statement suggesting that the encomienda was only introduced after the abolition of slavery in 1542:

The Marqués del Valle (Hernan Cortés) and don Pedro de Alvarado chose the most prominent and valiant men who were in these parts at the time to carry out the conquest of Guatemala ... and the said city and its citizens were able to serve Your Majesty because in the beginning they held as slaves the Indians of that province, which was well populated and inhabited. And with these slaves much gold was gathered from the mines and the rivers and the conquerors were able to maintain their authority and station ... the Catholic Emperor don Carlos ... then ordered that all the slaves be removed

⁶⁴ Bishop Marroquín lamented in a letter to the Crown on February 28, 1542, "This city has always been market, inn and hospital for all, and it is and will continue to be, because it is passage to all places, and all take advantage of it, while it gains nothing in return." Carmelo Sáenz de Santa María, *El licenciado Don Francisco Marroquín, Primer Obispo de Guatemala (1499-1563); su vida—sus escritos* (Madrid: Ediciones Cultura Hispánica, 1965), p. 183.

⁶⁵ During the course of my research I have been able to identify more than 500 Spaniards who passed through Guatemala in the first 25 years.

⁶⁶ William L. Sherman, *Forced Native Labor in Sixteenth-Century Central America* (Lincoln: University of Nebraska Press, 1979), p. 359.

⁶⁷ *Ibid.*

⁶⁸ ...

and that they be distributed in encomiendas amongst the conquerors and settlers and their descendants for one and two lives.

*Petition presented by the city of Santiago de Guatemala to the Council of the Indies, January 19, 1590.*⁶⁹

In fact, though the early encomienda in Guatemala might have been little more than "a subterfuge for slavery" before the enforcement of the New Laws of 1542, in theory it had, by that time, existed as an institution quite separate from slavery for nearly 25 years.⁷⁰

In Guatemala, the encomienda originated with the conquest in 1524, the year that Pedro de Alvarado led the first conquering campaign to Guatemala and carried out the first distribution of encomiendas. By 1548, when the New Laws dictated under Charles V were enforced by President Cerrato, it had already had a turbulent history. Despite this, students of Guatemalan colonial history have tended to focus discussions of the early encomienda around the presidency of Alonso López de Cerrato (1548-1555). Since the earliest extant list of encomienda towns and their encomenderos was compiled during Cerrato's presidency, the choice of this starting point is understandable.⁷¹

Studies of the encomienda in other areas of Spanish America reveal the same tendency, invariably taking as their starting point a complete tribute assessment or list of encomenderos and their holdings. Until now studies of the early encomienda have relied almost exclusively on tribute rolls and lists. Studies attempting to reconstruct the early distributions of encomienda are still rare, but historians like Benedict Warren, Charles Gibson and Peter Gerhard have successfully traced the encomienda history of individual towns in the region of New Spain.⁷² Also for New Spain Robert Himmerich y Valencia, relying on the published sources, has identified some 506 men from the first generation of encomenderos, 1521-1555, and traced their encomienda holdings. But his study does not

⁶⁹ AGCA, A.1. leg. 2196, exp. 15750, Petición presentada en nombre de la ciudad de Santiago de Guatemala, 19 de enero 1590.

⁷⁰ Simpson, *Encomienda in New Spain*, p. xiii.

⁷¹ AGI Guatemala 128, Las tasaciones de los pueblos de los términos y jurisdicción de la ciudad de Santiago de Guatemala, 1548-1551 (hereafter cited as Las tasaciones, 1548-1551). Cerrato's tasación of Guatemala is discussed in W. George Lovell, Christopher H. Lutz, and William R. Swezey, "The Indian Population of Southern Guatemala, 1549-1551: An Analysis of López de Cerrato's Tasaciones de Tributos," *The Americas* 40, no. 4 (1984), pp. 459-77. More recently Lawrence H. Feldman also bases his study of sixteenth-century encomiendas on the Cerrato tasación: *Indian Payment in Kind: The Sixteenth-Century Encomiendas of Guatemala* (Culver City, CA: Labyrinthos, 1992).

⁷² Warren, *Conquest of Michoacán*, pp. 260-285. Gibson, *Aztecs*, pp. 413-434. Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Cambridge: Cambridge University Press, 1972).

provide a breakdown of when encomiendas were granted, nor by whom and therefore we are told relatively little about the development and evolution of the early encomienda.⁷³

The present study traces the Guatemalan encomienda through the individual documents prepared by the encomenderos themselves, until the one of the first extant tribute assessments compiled at mid-century. In spite of the absence of comprehensive lists of encomienda holdings in the first quarter-century after conquest, this study demonstrates for the first time that the early encomienda can be effectively traced through the documentary sources.

President Cerrato did not actually carry out a repartimiento of encomiendas: what he did do was attempt to moderate tribute assessments for towns already held in encomienda. Although Cerrato redistributed some encomiendas, and granted others that were vacant, these cases appear to be few in number. Nowhere in the Cerrato tasación is there any indication of how long a particular town had been held in encomienda, nor by whom it was originally granted, though encomiendas that were held by conquerors' sons or heirs—a fact always noted in the tasación—obviously reflect earlier grants as they indicate that these towns had already entered their "second life." The Cerrato tasación cannot be regarded as the beginning of encomienda in Guatemala. Instead, it serves best as a point from which to work backwards, when reconstructing early encomienda history.

Studies of the distribution of encomiendas in Guatemala have evolved very little from Zavala's time when he suggested that the encomienda was introduced in 1536 by Pedro de Alvarado.⁷⁴ Rodríguez Becerra, more recently, notes that there were earlier distributions of encomienda, but he also believes that a repartimiento general carried out by Alvarado in 1535 (something that we now know never took place) marked the crystallization of the early encomienda.⁷⁵

It has often been assumed that, because of the instability of Spanish leadership and occupation, early grants of encomienda were few in number and ephemeral in nature, and their history consequently of little significance. However, my research in the archives in Seville and Guatemala has produced a rather more complex picture of the first quarter century of Spanish occupation.⁷⁶

There are numerous extant accounts from the late 1520s and early 1530s which mention conquering campaigns and from these accounts emerge the names of a whole new group of men who, long before Cerrato's time, were both conquerors and encomenderos of Guatemala. Moreover, even the historiography of the conquest and early colonial government was revealed to be inaccurate; it lacked detail and placed too much emphasis on the career and exploits of the infamous first Captain and Governor of Guatemala, Pedro de Alvarado.⁷⁷ Many questions arose regarding the actual role and contribution of Pedro de Alvarado. Although we are told that he was the master of Guatemala until his death in 1541, he spent very little time in Guatemala. Who then ruled the country in his absence, and what role did these interim governors play in the conquest and distribution of encomiendas? When exactly did the area come under Spanish control? According to the primary sources the first distribution of encomiendas took place in 1524–25: what happened to these grants over time? Who were the first encomenderos of Guatemala, and is the Cerrato list a reliable source for this information?

To approach such questions, and to clarify the chronology of conquest and the development of early Spanish society, this study seeks to provide an accurate account of the distribution of rewards among the Spaniards through encomienda, the principal stages of encomienda development, and the factors which governed its development. The identity and the careers of the men who granted encomiendas are also explored and, where possible, the early encomenderos and their encomiendas are traced up to the time of Cerrato's tribute assessments. In order to sharpen the focus of inquiry, the "case history" of one encomienda, Huehuetenango, is reconstructed in detail.

The geographical area under discussion, the jurisdiction of the city of Santiago de Guatemala, can best be described as present-day southern Guatemala (the area of the Republic of Guatemala, excluding Belize and the Petén) with some parts of Chiapas to the west and El Salvador to the east (Figure 1.1). Estimates of Indian population numbers in southern Guatemala at the time of Spanish contact range from a conservative 315,000

³ Himmerich y Valencia, *Encomenderos of New Spain*.

⁴ Zavala, *Encomienda Indiana*, p. 71.

⁵ Rodríguez Becerra, *Encomienda*, pp. 46–47.

⁶ Some of these findings were included in a paper prepared for the XV Congress of the Latin American Studies Association. The Congress, which was to take place in San Juan, Puerto Rico in September 1989, was cancelled because of Hurricane Hugo. Wendy Yener, Christopher H. Lutz, W. George Lovell, and William R. Swezey, "Toward a Tribute: Towards a Cultural Geography of Sixteenth Century Guatemala."

⁷⁷ For a complete bibliographical list of the numerous sources which deal with Pedro de Alvarado see, Jesús María García Añoveros, "Don Pedro de Alvarado: las fuentes históricas, documentación, crónicas y bibliografía existente," *Mesoamérica*, 13 (June 1987), pp. 243–282.

to 4.7 million. Lovell and Swezey argue for a mid-range figure of approximately two million, which they believe fell to approximately 427,850 by mid-century.⁷⁸

We are concerned here with the period which starts with the first conquering expedition in 1524, and ends with the founding of the first Audiencia in Gracias a Dios, Honduras, in 1544. This 20-year period covers the period of the captain-governors who, prior to the arrival of an Audiencia and before the publication of the New Laws, were able to rule the area according to personal whims and ambitions. For the purposes of this study, the time span has been extended in some cases to include discussion of the period of the second Audiencia, under Cerrato.

Documentation on the size and number of tributaries of encomiendas for the pre-Cerrato period is sorely lacking. Hence, practically all the figures for encomienda size come perforce from the Cerrato listing. An attempt has been made to map the location of towns that were included in identified encomiendas in the jurisdiction of Santiago de Guatemala in the period 1524–1548 (Figure 1.1).⁷⁹

Many of the early conquerors, registered as vecinos in the first cabildo book, held encomiendas but disappeared without leaving a trace by mid-century. The majority probably moved on to more lucrative terrain in Peru or back to Mexico, while others died without heirs. For this reason, the list of encomenderos holding towns in Cerrato's time tells us relatively little about the identity of the first conquerors and encomenderos of Guatemala.

Although, according to some accounts, Pedro de Alvarado conquered the region in less than a year, others argue that the country was not pacified until Pedro de Alvarado's return from Spain in 1530.⁸⁰ We have reason to believe, however, that the conquest and pacification of Guatemala was not effectively over until the mid-1530s and that systematic government was only introduced in 1544, 20 years after the first *entrada*, with the foundation of the Audiencia de los Confines.⁸¹ Over a 20-year period, Guatemala was

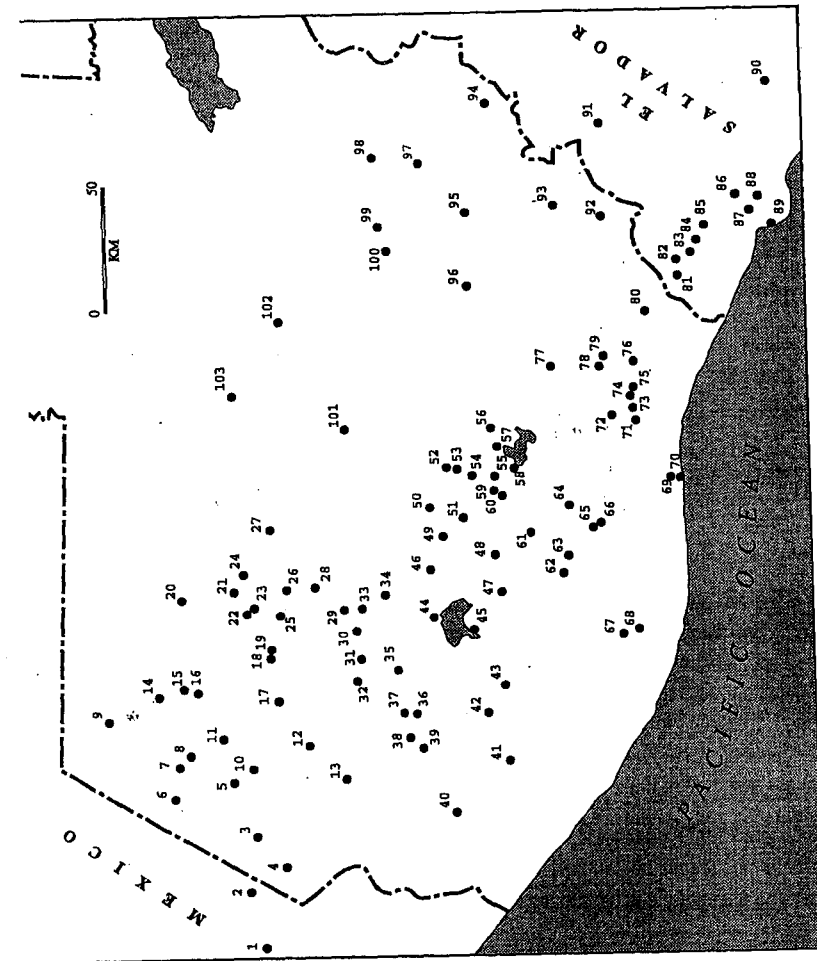
⁷⁸ W. George Lovell and William R. Swezey, "The Population of Southern Guatemala at Spanish Contact," *Canadian Journal of Anthropology* 3, no. 1 (1982), pp. 71-84. W. George Lovell, "Surviving Conquest: The Maya of Guatemala in Historical Perspective," *Latin American Research Review* 23, no. 2 (1988), p. 29.

⁷⁹ A full listing of these towns with the number of tributaries is provided in Appendix A.

⁸⁰ Mackie says that "Alvarado accomplished the conquest of the country in short order in April 1524, after a veritable slaughter of the Indians"; *Pedro de Alvarado, An Account of the Conquest of Guatemala in 1524*, trans. and ed. Sedley J. Mackie (New York: The Cortes Society, 1924), p. 9. The following authors believe that the conquest was over by 1530: Elías Zamora Acosta, *Los Mayas de las Tierras Altas en el Siglo XVI* (Seville: Diputación Provincial, 1985), p. 62; and Rodríguez Becerra, *Encomienda*, p. 68.

⁸¹ Murdo J. MacLeod argues that, "It is safe to say that even in the key areas of Central America conquest did not finish and systematic government did not properly begin until some twenty years after the first entradas." *Spanish Central America: A*

Figure 1.1 Encomienda Towns in the Jurisdiction of Santiago de Guatemala, 1524–1548



governed by at least six different men, during eleven different terms of government (Table 1.1). There were eleven distinct "grantor periods," when encomiendas were assigned (see Appendix C).

TABLE 1.1 OFFICES OF THE GOVERNORS WHO GRANTED ENCOMIENDAS, 1524-1548

| Governors, Lieutenant Governors, Interim Governors | Date of Possession | Last Day of Office |
|--|-----------------------|-----------------------|
| Pedro de Alvarado | July 27, 1524 | August 26, 1526 |
| Jorge de Alvarado | March 20, 1527 | August 14, 1529 |
| Francisco de Orduña | August 14, 1529 | April 11, 1530 |
| Don Pedro de Alvarado | April 11, 1530 | January 20, 1533 |
| Jorge de Alvarado | February 1533 | April 20, 1535 |
| Don Pedro de Alvarado | April 20, 1535 | March 2, 1536 |
| Lic. Alonso de Maldonado | May 10, 1536 | September 16, 1539 |
| Don Pedro de Alvarado | September 16, 1539 | May 19, 1540 |
| Don Francisco de la Cueva | May 19, 1540 | August 29, 1541 |
| Bishop Marroquín and Don Francisco de la Cueva | September 17, 1541 | May 17, 1542 |
| Lic. Alonso de Maldonado | May 17, 1542 * | May 16, 1544* |
| Lic. Alonso de Maldonado (President of the Real Aud. de los Confines) | May 16, 1544 | May 26, 1548 |

Source: This table is adapted from Agustín Estrada Monroy, *Hombres, fechas y documentos de la patria* (Guatemala: Editorial "José de Pineda Ibarra," 1977), pp. 120-121.

* These are the dates given by J. Joaquín Pardo, *Efemérides de la Antigua Guatemala 1541-1779* (Guatemala: AGCA et al., 1984), pp. 3-6.

Though initially encomenderos were also conquerors, this pattern was soon disrupted by the arrival of newcomers who accompanied the different captains and governors over the years. In an attempt to accommodate these men and also tend to their own changing needs, the captains and governors redistributed encomiendas, divided them in two, and even allowed them to be bought and sold as if they were private property. Did the early encomienda reflect the Crown's desire to reward conquerors, or was it merely a tool for the different men who ruled Guatemala, granting and confiscating encomiendas according to their own personal needs and those of their followers?

Over time the definition of who was a first conqueror of Guatemala would inevitably become blurred. From 1524 till the mid-1530s there were

Socioecon History, 1520-1720 (Berkeley: University of California Press, 1973), p. 4.

many opportunities to take part in campaigns against rebellious Indians and therefore serve the King in some capacity. The different waves of men who accompanied Jorge de Alvarado from Mexico to Guatemala, the men who arrived under different captains from Honduras, Mexico and Nicaragua, and those who came from Spain with Alvarado on his two visits there, would all be able to claim that they had taken part in the conquest of Guatemala. An identical process took place in Mexico where the arrival of new groups of men soon created fierce competition for the rights to encomiendas. The conquerors themselves and later their descendants were very concerned with establishing their seniority in the region; for this reason I attempt, when possible, to establish which men comprised the group of first conquerors and when other bands of conquerors and settlers came to Guatemala.

The present study attempts to establish the chronology of encomienda distribution under the different captains and governors and the grantors' military and political careers. In addition, where possible, information on the social background, Spanish origins and military career of individual grantees is provided. Additional information on the families and offspring of encomenderos who settled in Guatemala is also included. Nevertheless, the study falls short of being a complete social history of the first group of Spaniards in Guatemala; nor does it pretend to examine the economics of the encomienda. Both of these matters have received some attention in recent years but their histories still remained to be studied in detail. Pilar Sanchíz Ochoa examines the value system and family ties of the Spaniards who were in Guatemala by mid-century.⁸² Salvador Rodríguez Becerra, meanwhile, provides a general history of the encomienda from the time of conquest until the end of Cerrato's presidency.⁸³ More recently Lawrence H. Feldman has tabulated the number of tributaries and the tribute requirements found in the Cerrato tasación.⁸⁴ The development of a clique of wealthy encomenderos and their entrepreneurial activities in the second half of the sixteenth century is discussed in detail by Murdo MacLeod.⁸⁵ This present work complements but also refines these earlier studies, especially that of Rodríguez Becerra, and draws on some of their findings, and those of other scholars, to present an in-depth study of the politics which governed the distribution of rewards from 1524-1544.

Except for some brief discussion of the major Indian groups and their response to their Spanish invaders in the opening chapters, this study is confined to Spanish society in Guatemala. Additional information on the Spaniards' treatment of the Indians and Indian responses to Spanish hegemony is included where available but the study, like the sources it is

⁸² Pilar Sanchíz Ochoa, *Los Hídalgos de Guatemala: Realidad y apariencia en un sistema de valores* (Seville: Universidad de Sevilla, 1976).

⁸³ Rodríguez Becerra, *Encomienda*.

⁸⁴ Feldman, *Indian Payment in Kind*.

⁸⁵ MacLeod, *Spanish Central America*, pp. 80-142.

based on, lacks detailed descriptions of Indian society. However, by establishing the early pattern of Spanish domination over the indigenous population, conclusions can be drawn about pre-conquest settlement patterns and population which will contribute to subsequent studies of Indian Guatemala. Descriptions of the post-conquest *encomienda* are often the earliest records kept by Spaniards on Indian towns and villages. Key information on the early *encomienda* comes from various sources; most notably the *probanzas de méritos y servicios* presented by the conquerors and their descendants, and the *pleitos* between vecinos over rights to *encomiendas*. However, these diverse and sometimes illegible documents often include information on *encomiendas* only incidentally. The correspondence of the governors, treasury officials, Bishop Marroquín and the cabildo members forms the basis of the discussion of early colonial government and provides a framework for the examination of the distribution of *encomiendas*.

This study is organized chronologically, tracing the distribution of *encomienda* over the two decades following Pedro de Alvarado's first entry into the region in 1524. Chapter Two deals with the first conquering expedition carried out by Pedro de Alvarado, filling in some of the gaps in the historiography on Indian rebellions and the founding of the first Spanish city. Chapter Three examines the scope of the first repartimiento (distribution of *encomiendas*) carried out by Pedro de Alvarado. Chapter Four looks at the government of Jorge de Alvarado, when the city of Santiago at Almolonga was established, and the large-scale repartimiento general took place. Chapter Five examines the career of Francisco de Orduña, the controversial judge, who was sent down by the Audiencia of Mexico to take over the government. Chapter Six describes Pedro de Alvarado's second period as governor, and the events surrounding his distribution of *encomiendas* prior to his expedition to Peru. Jorge de Alvarado's brief interim government from 1534–1535 is also discussed in this chapter. Chapter Seven deals with Pedro de Alvarado's third term as governor and the government of Alonso de Maldonado. Maldonado was sent by the Audiencia of Mexico, and during his government reforms were introduced to restrict the arbitrary removal of *encomiendas*. Chapter Eight investigates Pedro de Alvarado's last period as governor, and examines how his death and the subsequent destruction of the city affected the *encomienda*. The government of the newcomer, don Francisco de la Cueva, and the co-government of don Francisco and Bishop Marroquín are also discussed in detail. Chapter Nine looks at the government and activities of Alonso de Maldonado from 1542 until the founding of the first Audiencia in the region in 1544. The penultimate chapter provides a case history of the early *encomienda* of Huehuetenango, held by a lowly artisan, Juan de Espinar.

Chapter 2

THE ENTRY OF THE SPANIARDS INTO GUATEMALA, 1524–1526

Alvarado's First Conquering Expedition to Guatemala

The powerful Aztec empire had recently been conquered and subjugated by Hernán Cortés and his men. Cortés, who had moved his lands to the south, outside the boundaries of Aztec control in Guatemala, was anxious to expand his domain and take control of the region.¹ After the successful conquest of central Mexico in 1523, Cortés had evidently received peaceful representatives from the Cakchiquel and Quiché kingdoms who had declared themselves subjects of the Spanish king.² The Indians were well received and returned to Guatemala with presents for their chiefs. Cortés received reports from his men in Soconusco that these reports were harassing the Spaniards' Indian allies there. The Cakchiquels and other Indian nations that were causing these disturbances were reported by these reports Cortés decided to arm his captain, Pedro de Alvarado, and send him overland by way of the Pacific coast to Guatemala. He also sent another captain, Cristóbal de Olid, by sea to the region of Honduras.

On December 6, 1523 Alvarado set off accompanied by 100 men and 300 foot soldiers, including 130 crossbowmen and musketeers. He also took four pieces of artillery with plenty of powder and ammunition, and some of the Spaniards' Mexican allies.³ In his company were Jorge, Gonzalo and Gómez de Alvarado, his cousins Hernán

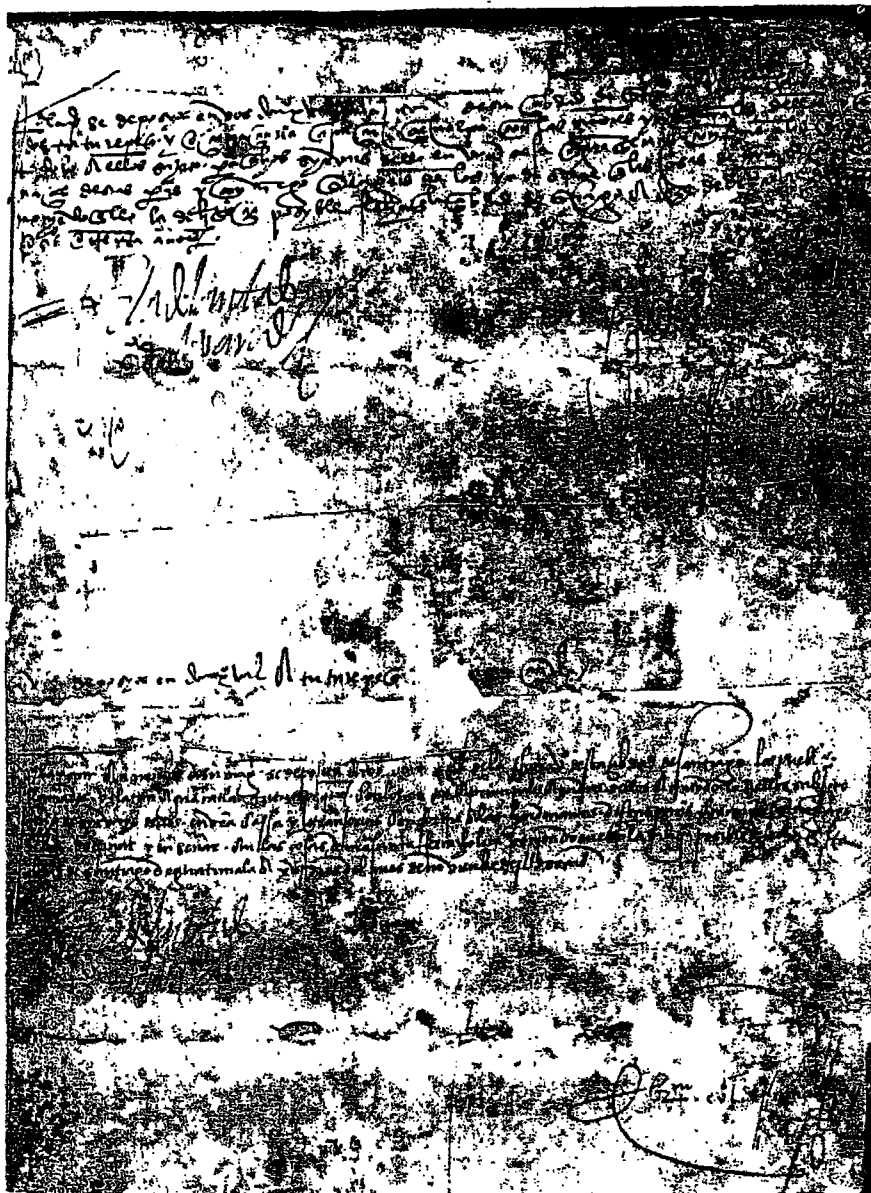
¹ Zamora Acosta, *Los Mayas*, pp. 56–58.

² Sherman, *Forced Native Labor*, pp. 21–22.

³ Alvarado, *Account*, pp. 12–15. Cortés' letter to the Emperor was dated 1524.



Figure 2.2 Pedro de Alvarado's Route, 1524



Facsimile of Titles to Encomiendas Granted by
Adelantado Don Pedro de Alvarado to Don Cristóbal de La Cueva.
Above: The Towns of Tututepeque and Oçumaçintla, December 12, 1530.
Below: The Towns of Uilatán Aguacatlán and Tututepeque, November 16, 1530.

Source: AGI Patronato 70-1-8, Probanza de méritos y servicios de Cristóbal de la Cueva, 1570. Reproduced by permission.

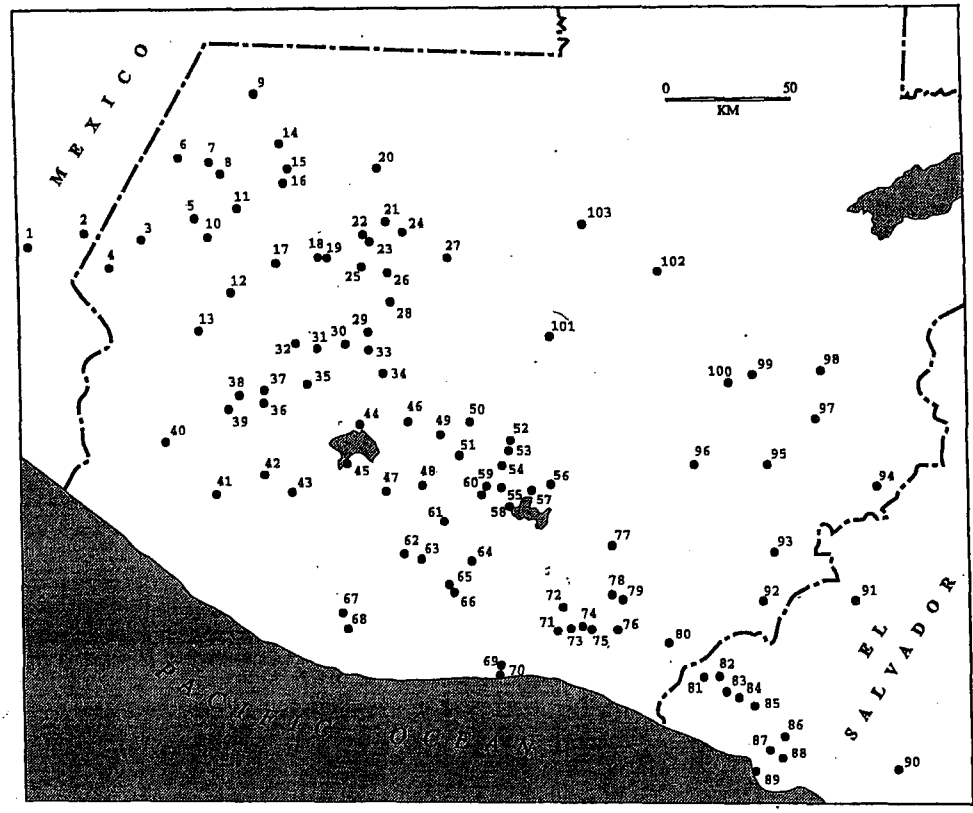


Figure 1.1 Encomienda Towns in the Jurisdiction of Santiago de Guatemala, 1524-1548

numbers on map correspond to Table 4.1

redress the grievances that had arisen over past distributions.⁴¹ Jorge was clearly responding both to his duties as lieutenant governor to reward the vecinos with encomiendas, and to vecino demands to get their hands on encomiendas as quickly as possible.

It must also be remembered that some criticism of his repartimiento came only with the benefit of hindsight: early interest in holding towns in the sierra near the mines waned, due to the freeing of the Indian slaves who worked these mines, in the late 1540s; also, these areas were found to be unproductive in comparison to the cacao-rich lands of the coast. In the early years of Spanish colonization the Spaniards did not yet know that what they considered a rather unappetizing Indian drink would become such a lucrative crop.⁴²

In 1572 the encomendera doña María de Bobadilla, daughter and heiress of the conqueror Ignacio de Bobadilla, explained what had happened in the repartimiento general in the following manner:

After the conquest, when this land was distributed [in encomienda], Indian towns in the highlands were thought to be better than those on the coast or in the lowlands because of their proximity to the gold mines, and the most prominent men were granted highland towns, and as in those days they had Indian slaves they were able to collect much gold and were the richest; but when the slaves were freed those who held such encomiendas were left with very little income ... while those who were favored with the coastal encomiendas that grow cacao are the rich ones now.⁴³

What is evident from the following table of encomienda grants is that Jorge carried out the first systematic, large-scale distribution of encomiendas in Guatemala, and that most of the conquerors were granted encomiendas. Whether or not he was successful in satisfying the needs of the majority of the Spaniards remains a matter of debate.

The Grants

A reconstruction of Jorge de Alvarado's repartimiento general is provided in Table 4.1.

⁴¹ Repartition of these lands is discussed in Bancroft, *History*, 2, p. 98.

⁴² MacLeod, *Spanish Central America*, p. 128.

⁴³ AGI Patronato 72-1-13, Probanza de Ignacio de Bobadilla, 1572. This document is cited in Sanchíz Ochoa, *Los hidalgos*, pp. 46-47. She notes that this is one of the reasons why, over time, many important conquerors ended up holding the worst encomiendas.

TABLE 4.1 JORGE DE ALVARADO'S REPARTIMIENTO GENERAL,
1527-1529

| Grant #* | Date | Name of Encomienda | Encomendero | Tenure |
|----------|-----------------------------------|---|------------------------------------|---|
| 1 | 3/1527 | Chichicastenango | Jorge de Alvarado | held until August, 1529 |
| | 3/24/1528 cédula [‡] | Chiquimula and Cinacantlán | Hernando de Chaves | ◆ half held by heir |
| | 1528? | Cinacantlán | García de Salinas | half to H. de Chaves 1529? dejación of other half in 1536 |
| 2 | 1529? | half of Chiquimula | | dejación in 1536 |
| 3 | 3/26/1528 cédula [‡] | Huehuetenango | Juan de Espinar | lost for 1 year ◆ |
| 4 | 3/29/1528 cédula [‡] | Uspantlán Quezaltepeque Chacuytlán | Diego de Rojas | held town until 1530s, left for Peru |
| 5 | 3/29/1528 cédula [‡] | Tianguizteca province Petatlán Tasisco | Gonzalo de Ovalle | passed to heir in 1541, not recorded in 1549 new encomendero by 1549 ◆ |
| 6 | 3/27/1528 cédula | Malcuilcotlán (Chiapas) | Hernando Lozano | lost to family on his death, 1550s |
| 7 | 4/17/1528 cédula | Culuteca | Diego de Rojas | held town until 1530s, left for Peru |
| 8 | 1528 Jorge grant? | half of Yzalco | Diego López | held it in 1532, lost it soon after |
| 9 | prior to 1530, Jorge grant? | half of Momostenango Cochil | Diego Díaz | dejación in 1530 new encomendero, 1531 |
| 10 | repartimiento general | Mistlán | Gutierre de Robles | lost half in 1531, new encomendero in 1549 |
| 11 | repartimiento general | Tescoaco | Gutierre de Robles | lost in 1529 |
| 12 | 1528? ‡ | Ostuncalco Zacatepeque | don Pedro Portocarrero | ◆ held until death, passed to widow |
| 13 | 1528? ‡ | Zapotitlán | Bartolomé Becerra | ◆ |
| 14 | 1528? | Cochumatlán (called Niquitla) | Marco Ruiz | lost half in 1530s, ◆ all held by heir |
| 15 | 1528? | Ataco | Alonso Pérez | ◆ |
| 16 | 1528, repartimiento general | half of Yzalco | Antonio Diosdado | held until death 1543, ◆ passed to widow's new husband |
| 17 | repartimiento general | Yzuatlán and Tizapa | Alonso Cabezas (Jorge's criado) | left for Spain, 1538 |

* Numbers in the first column refer to sources listed at the end of the table.

| Grant # | Date | Name of Encomienda | Encomendero | Tenure |
|---------|-----------------------------|--|---|---|
| 18 | early Jorge grant? | Yzcuintepeque (Escuintla) | Eugenio de Moscoso | sold to Pedro de Alvarado in 1530s, left for Peru |
| 19 | 2/9/1529 cédula† | half of Atitlán | Sancho de Barahona | lost for 10 months, 1533 |
| 20 | 2/9/1529† | half of Atitlán | Pedro de Cueto (shared with Barahona) | 1533, town given to J. de Alvarado |
| 21 | 2/9/1529 cédula | Cobán | Sancho de Barahona | held until 1540, granted to Juan Rodríguez Cabrillo |
| 22 | 7/7/1529 cédula | half of Cuscatlán and Alaxualtique (San Salvador) | Pero Núñez de Guzmán | confirmed by P. de Alvarado, 1531 |
| 23 | 8/10/1529 cédula | Tlanguisteca, Atitlán, Yztacthepeque, Xacaltenango, Petatlán, and others | Gonzalo de Ovalle | all held by heir in 1541 ♦ by 1549 only Xacaltenango named as heir's encomienda |
| 24 | 1528-1529? Jorge grant | half of Zacapula | Antón de Morales | dejaición, 4/20/1534 |
| | Jorge grant? | half of Zacapula | Juan Pérez | ♦ |
| 25 | 1528? | Ozumacintla, Yztapa, half of Ayllon | Hernando de Yllescas (Jorge's criado) | towns removed 1530s, absent in Honduras |
| 26 | prior to 1530 | town in Huehuetenango? | García de Salinas | removed by P. de Alvarado, 1530 |
| 27 | 1528? | unknown | Hernán Méndez de Sotomayor | removed by P. de Alvarado, 1530 |
| 28 | 1528, Jorge grant? | Comalapa | Ignacio de Bobadilla | removed by P. de Alvarado, 1530 |
| 29 | 1528, Jorge grant? | Amatitlán | Cristóbal Lobo and Juan Freyle | ♦ held by C. Lobo |
| 30 | 1528, Jorge grant? | Guazacapán | Juan Gómez | sold to P. de Alvarado, late 1530s |
| 31 | 1528, Jorge grant? | Amayuca | Fernando de Arévalo | forced dejaición in 1530 |
| 32 | 1528, Jorge grant? | Jumaytepeque | Alonso González Nájera and Sebastián del Mármol | killed in his town, 1530? held until death, 1540? |
| 33 | 1528, Jorge grant? | Tacuba | Sebastián del Mármol | held until death, 1540? |
| 34 | 1528, Jorge grant? | Yzapa and Quezalcoatlán | Alonso de Loarca | ♦ |
| 35 | prior to 1531, Jorge grant? | Xocotenango Acatenango | Diego Sánchez de Ortega | held until death, early 1540s |

| Grant # | Date | Name of Encomienda | Encomendero | Tenure |
|---------|----------------------------------|---|---|---|
| 36 | 1528, Jorge grant? | Cacalutla and Quezaltenango | Ignacio de Bobadilla | ♦ |
| 37 | prior to 1531, Jorge grant? | Jilotepeque | Bartolomé Núñez (ano del pueblo) | killed in his town, 1531 |
| 38 | prior to 1530, Jorge grant? | Usumacintla (in Huehuetenango) | Pedro de Olmos | held by Marco Ruiz in 1531 |
| 39 | prior to 1529, Jorge grant? | town in Huehuetenango | Juan Niño | town removed 1530s, killed cacique |
| 40 | prior to 8/26/1529, Jorge grant? | half of Ciquinalá | Francisco de Zebberos | removed by Orduña? |
| 41 | early Jorge grant? | Atezcatempa | Francisco de Utiel (surgeon) | ♦ passed to heir in 1560 |
| 42 | early Jorge grant? | half of Chalchuytlán (in Huehuetenango) | Alonso del Pulgar | ♦ |
| 43 | prior to 1530, Jorge grant? | Chiquimula de la Costa | Juan Gómez and Cristóbal Rodríguez Picón | granted to Juan de Celada, 1530 |
| 44 | early Jorge grant? | Zacualpa and Malacatepeque | Diego de Monroy | held until death, 1541 |
| 45 | early Jorge grant? | Yzquine, Iztapa, Ocotenango | Gaspar Alemán | ♦ |
| 46 | early Jorge grant? | Ozuma and San Bernabé Acatenango | Andrés de Rodas (Jorge's criado) | ♦ |
| 47 | 1528? repartimiento general | Tecosistlán (Rabinal) | Baltasar de Mendoza and Gaspar Arias | dead, 1535, goes to Jorge dejaición to Jorge .5/15/1534 |
| 48 | Jorge grant? | Tetechan | Alonso Larios | ♦ |
| 49 | Jorge grant | unknown | Francisco de Olivares (Jorge's naguatato) | sold his town, left Guatemala |
| 50 | Jorge grant | unknown | Francisco de Castillo (Jorge's criado) | sold his town, left for Peru |
| 51 | Jorge grant | unknown | Francisco Núñez | no further record of him |
| 52 | Jorge grant | unknown | Alonso de Zamora | no further record of him |
| 53 | Jorge grant | Petapa? | Juan Pérez Dardón | removed by P. de Alvarado, 1530 |
| 54 | Jorge grant | unknown | Juan García de Lemos | lost tenure when he went to Honduras |
| 55 | Jorge grant | Zacualpilla, Nema, Quequel, Coatlán, Citala | Francisco Sánchez | ♦ |
| 56 | prior to 1530, Jorge grant? | Chimaltenango | Antonio Ortiz | removed briefly by P. de Alvarado ♦ |

| Grant #* | Date | Name of Encomienda | Encomendero | Tenure |
|----------|-------------|--|----------------------|---------------------------------|
| 57 | Jorge grant | Chiquitlán | Blas López | left for Peru, 1534 |
| 58 | Jorge grant | half of Suchitepeque Cuico, Motocintla, Amatenango, Tusta, Naguacán | Rodrigo de Benavides | dejación in 1533, left for Peru |
| 59 | Jorge grant | Suchitepeque Taquelula, Ystalavaca | Diego de Alvarado | dejación in 1533, left for Peru |
| 60 | Jorge grant | half of Cozumalnapa | Gaspar Arias | dejación in 1534 |
| 61 | Jorge grant | Vyztlán? Miaguatlán? | Francisco López | ♦ |

♦ Encomiendas that were still held by this encomendero or an heir at the time of the Cerrato tasación in 1549.

‡ Confirms an earlier grant by Pedro de Alvarado.

SOURCES FOR TABLE 4.1

- AGI Justicia 1031, Ortega Gómez con Pedro de Alvarado sobre el pueblo de Chichicastenango, 1537.
- AGI Justicia 282, Pleito de Isabel de Vargas, viuda de Hernando de Chaves sobre el pueblo de Chiquimula, 1549; AGI Guatemala 13, Autos fechos de oficio por el conde de la Gomera, 1617, fol. 53v; AGI Justicia 285, Ana de Chaves con Lorenzo de Godoy sobre Chiquimula, 1562.
- AGI Justicia 1031, Juan de Espinar con Pedro de Alvarado sobre el pueblo de Huehuetenango, 1537-1540.
- AGI Patronato 54-5-2, Probanza de Diego de Rojas, 1528.
- AGI Escribanía de Cámara 332a, El licenciado Arteaga Mendiola con Pablo Cota, 1570-1575.
- AGI Guatemala 58, Probanza de Hernando de Lozano, 1557.
- AGI Patronato 54-5-2, Probanza de Diego de Rojas, 1528.
- AGI Guatemala 100, Información presentada por Juan de Guzmán, 1559.
- AGI Guatemala 110, Probanza de los servicios de Diego Díaz, 1539.
- AGI Guatemala 110, Información de Gutierre de Robles, 1531.
- Ibid.*
- AGI Guatemala 110, Probanza de don Pedro Portocarrero, 1531.
- AGI Patronato 55-6-5, Información de los servicios de Bartolomé Becerra, 1539.
- AGI Guatemala 110, Probanza de méritos y servicios de Marco Ruiz, 1531; AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 789.
- Ibid.*, fol. 394v; AGI Patronato 56-4-3, Información de méritos y servicios de Alonso Pérez, 1543.
- AGI Guatemala 100, Información presentada por Juan de Guzmán, 1559.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 471; AGI Patronato 60-2-4, Información de los servicios de Alonso de Cabezas, 1538.
- Arévalo, *Libro de Actas*, p. 24; AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fols. 291, 366v, 827, 849.
- AGI Justicia 292, El fiscal con Sancho de Barahona sobre el pueblo de Cobán, 1572; AGI Justicia 295, Sancho de Barahona con Pedro de Alvarado sobre el pueblo de Atitlán, 1537.
- AGI Guatemala 53, Probanza de méritos y servicios de Pedro de Cueto, 1560.
- AGI Justicia 292, El fiscal con Sancho de Barahona sobre el pueblo de Cobán, 1572; AGI Justicia 290, El fiscal con Juan Rodríguez Cabrillo sobre el pueblo de Cobán, 1563.
- AGI Guatemala 110, Pero Núñez de Guzmán sobre indios de encomienda, 1537.
- AGI Escribanía de Cámara 332a, El licenciado Arteaga Mendiola con Pablo Cota, 1570-1575. For a complete list of the towns see Appendix E.
- Arévalo, *Libro de Actas*, pp. 9, 47; AGI Justicia 285, Pleito sobre el pueblo de Acazabastlán, 1564.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 373; AGI Patronato 66a-1-7, Probanza de méritos y servicios de Hernando de Yllescas, 1564.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 384; AGI Justicia 1031, Juan de Espinar con Pedro de Alvarado sobre el pueblo de Huehuetenango, 1537-1540.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 347; AGI Patronato 84-1-9, Probanza de méritos y servicios de Hernán Méndez de Sotomayor, 1604.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 74v.
- AGI Justicia 283, Cristóbal Lobo con el licenciado Cerrato sobre su encomienda, 1555.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 231; AGI Guatemala 117, Información de los servicios de Juan de Celada, 1611; AGI Patronato 66a-1-5, Probanza de méritos y servicios de Juan Gómez, 1564.
- AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 67; AGI Guatemala 110, Probanza de don Pedro Portocarrero, 1531; AGI Patronato 54-7-7, Probanza de Luis de Vivar, 1531.
- AGI Patronato 59-1-3, Información de Alonso González Nájera, 1549; AGI Patronato 66-1-3, Probanza de Pedro González Nájera, 1564; AGI Patronato 73-2-6, Información de los servicios de Sebastián del Mármol, 1574.
- AGI Patronato 56-2-2, Probanza de méritos y servicios de Luis de Vivar, 1541.
- AGI Patronato 58-1-3, Probanza de Alonso de Loarca, 1548.
- AGI Justicia 286, Juan Rodríguez Cabrillo sobre Jumaytepeque y Tacuba, 1542; AGI Guatemala 110, Probanza de los servicios de Diego Sánchez Ortega, 1531.

80

- 36 AGI Patronato 72-1-13, Probanza de Ignacio de Bobadilla, 1572; AGI Patronato 78-2-1, Probanza de méritos y servicios del capitán Ignacio de Bobadilla, 1585.
- 37 AGI Guatemala 110, Probanza hecha en nombre de la ciudad de Santiago, 23 de mayo 1531.
- 38 AGI Justicia 1031, Juan de Espinar con Pedro de Alvarado sobre el pueblo de Huehuetenango, 1537-1540; AGI Guatemala 110, Probanza de méritos y servicios de Marco Ruiz, 1531.
- 39 AGI Justicia 1031, Juan de Espinar con Pedro de Alvarado sobre el pueblo de Huehuetenango, 1537-1540; AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 347.
- 40 Arévalo, *Libro de Actas*, p. 137.
- 41 AGI Guatemala 114, Probanza de Francisco de Utiel, 1562; AGI Patronato 60-5-6, Probanza de méritos y servicios de Francisco de Utiel, 1556.
- 42 AGI Guatemala 53, Probanza de méritos y servicios de Gaspar Arias, 1541; Arévalo, *Libro de Actas*, p. 47.
- 43 AGI Guatemala 117, Información de los servicios de Juan de Celada, 1611; AGI Justicia 285, Ana de Chaves con Lorenzo de Godoy sobre Chiquimula, 1562.
- 44 AGI Justicia 292, Pleito sobre el pueblo de Jupelingo, 1572; AGCA A.1. leg. 2501, exp. 36517, Alonso Pérez a la Audiencia, 1543.
- 45 AGI Justicia 317, Residencia de Francisco Briceño, 1569, fol. 1065v; Arévalo, *Libro de Actas*, p. 50; AGI Indiferente General 857, Las cédulas de encomiendas dadas por licenciado Briceño, 1569.
- 46 AGI Patronato 83-4-1, Información de los servicios de Juan de Aragón y Andrés de Rodas, 1604; AGI Guatemala 60, Probanza de méritos y servicios de Hernando de Chaves, 1575.
- 47 AGI Patronato 55-3-1, Información de méritos y servicios de Jorge de Alvarado, 1542; AGI Patronato 60-1-1, Probanza de Gaspar Arias, 1562; AGI Guatemala 53, Probanza de méritos y servicios de Gaspar Arias, 1541; AGI Justicia 1031, Ortega Gómez con Pedro de Alvarado sobre el pueblo de Chichicastenango, 1537.
- 48 AGI Patronato 54-5-2, Probanza de Diego de Rojas, 1528.
- 49 AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fols. 470-473v.
- 50 *Ibid.*
- 51 *Ibid.*, fol. 473v.
- 52 *Ibid.*, fol. 475v.
- 53 *Ibid.*, fol. 478.
- 54 *Ibid.*, fol. 480v; AGI Guatemala 96, Probanza de los servicios de Juan García de Lemos, 1570.
- 55 AGI Guatemala 52, Probanza de méritos y servicios de Francisco Sánchez, 1551; AGI Guatemala 57, Probanza de servicios de Francisco Sánchez, 1553.
- 56 AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 75v.
- 57 AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 43; Arévalo, *Libro de Actas*, p. 50.

- 58 AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fol. 43; AGI Justicia 284, Juan de Gibaja sobre sus pueblos de indios, 1556.
- 59 AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fols. 43, 317v-371, 404.
- 60 AGI Guatemala 53, Probanza de méritos y servicios de Gaspar Arias, 1541; AGI Patronato 60-1-1, Probanza de Gaspar Arias, 1562; AGI Justicia 1031, Ortega Gómez con Pedro de Alvarado sobre el pueblo de Chichicastenango, 1537.
- 61 AGI Guatemala 41, Escrituras que presentó Juan Méndez de Sotomayor en nombre de la ciudad de Santiago de Guatemala, 1534.

The vecinos who were allocated encomiendas are too numerous to allow for general biographies of the individual men, as set out in the discussion of Pedro de Alvarado's first repartimiento. Although in some instances the original titles have survived, in others I have had to rely on the encomenderos' remarks regarding who originally granted them their encomiendas, and whether Jorge de Alvarado in fact confirmed grants made earlier. Although it is sometimes difficult to know whether a conqueror who claims that Jorge gave him his encomienda is referring to a 1520s or a 1530s assignment, in most cases the conquerors state clearly that they received their towns in the repartimiento general. This has made it possible to differentiate this distribution from the others, particularly from Pedro de Alvarado's first, and his 1530s repartimiento, both sometimes incorrectly called a repartimiento general.

It has not been possible to establish a complete list of conquerors who arrived with Jorge de Alvarado in 1527 and thus describe with any certainty the social makeup of this new wave of conquerors. For our purposes the lists of vecinos who registered in the cabildo book after Jorge de Alvarado's return, in 1527 and 1528, are unreliable. Due to the solemn occasion for these entries, the founding of Santiago at Almolonga and the distribution of house-plots and agricultural lands, it is obvious that many men who had neglected to be received as vecinos at an earlier date were now compelled to make their tenure in Guatemala official.⁴⁴ Many of the registered men had already been in Guatemala for some time while others had been absent in Mexico, or in other parts of Central America.

It has been possible to identify some of the men who served predominantly under Jorge de Alvarado in the conquest of Guatemala and who had presumably accompanied him to the area in 1527. These men in their probanzas placed more emphasis on their services in the conquest under Jorge than under his brother Pedro de Alvarado. Unraveling which men arrived with which captain, however, is at times very difficult. Unless they had arrived with Pedro de Alvarado in 1524, many conquerors were reluctant to specify exactly when they came to Guatemala because of the

⁴⁴ Arévalo, *Libro de Actas*, pp. 46-53, 61. Many vecinos' names appear in more than one list of enrolled citizens. "This was done in order to obtain new grants without prejudice to previous ones"; Bancroft, *History*, 2, p. 97.

and other areas such as New Granada, fierce opposition to the New Laws made compliance impossible.²⁴

The New Laws were eventually enforced during the government of President Cerrato. Tributes were greatly reduced and the labor component of the encomienda was curtailed, but very few encomiendas were redistributed. MacLeod notes that Cerrato did little in the way of altering the economic structure of the colony and he did not dismantle the rich class created by the early distributions.²⁵

Except for a handful of towns which were granted in the late 1530s and early 1540s, most of the encomiendas held by mid-century reflect Pedro de Alvarado's distribution of the early 1530s and, to a lesser extent, Jorge de Alvarado's repartimiento general and the first distribution, both carried out in the 1520s. The encomienda, as recorded in the Cerrato tasación, had been built up in layers over a 25-year period. Numerous factors affected the longevity of individual grants. Although Orduña's assignments (1529–1530) and the Co-governors' repartimiento (1541–1542) were both revoked en masse and there is no record of them in the Cerrato list, they did have an effect on subsequent distributions and they are pieces in the complicated puzzle. Far from being the starting point of the Guatemalan encomienda, or reflecting recent innovations wrought by the new President, Cerrato's tasación reflects the circumstances and allegiances of six different men, influenced by and responding to the vicissitudes of eleven different governments.

Appendix A

ENCOMIENDA TOWNS IN THE JURISDICTION OF SANTIAGO DE GUATEMALA, 1524–1548

In Figure 1.1, I have attempted to locate the Indian towns granted in encomienda prior to the Cerrato tasación; I also show the three consecutive sites of the city of Santiago de Guatemala (nos. 46, 60, and 59). Many of the designations are approximate and are only meant to indicate the general area of the encomienda. The elaboration of this map is perforce rudimentary and subject to amendment. There are no reliable maps from the early sixteenth century and contemporary documents rarely provide precise information on the location of encomienda towns. Furthermore, many of the towns have since disappeared or changed name. Any towns omitted from the map are ones that I have been unable to assign to even approximate locations.

This attempt to map early encomienda towns relies mainly on the initial findings of a long-term study on the historical geography of early colonial Guatemala, in which I am currently engaged with Christopher Lutz and George Lovell. Our study will consolidate both documentary and archaeological evidence, to provide detailed maps which will undoubtedly improve on this present one. The boundaries used on this map are present-day ones. With some modifications I have chosen to follow the model used by David Browning in his book *El Salvador: Landscape and Society*, pp. 304–308, to list Indian towns and number of tributaries. In addition to the documentary sources cited for individual towns in the tables above, the following secondary sources provided information on the location of encomienda towns: W. George Lovell, *Conquest and Survival*, pp. 12–13 and Francis Gall's four volume *Diccionario Geográfico de Guatemala*.

The first column in the table below shows the number under which each town appears in Figure 1.1. The second column gives the name of the town as it appears in this study. Sixteenth-century spellings of Indian town names vary widely, therefore where possible I have included the spellings which most resemble modern-day Spanish orthography; in some cases I have also included, in brackets, the name of the town as it appears in the

²⁴ María Angeles Eugenio Martínez, *Tributo y Trabajo del indio en Nueva Granada* (Seville: Escuela de Estudios Hispano-Americanos, 1977), pp. 27–32; Simpson, *Encomienda in New Spain*, p. 133.

communities where they exist. The fourth column lists the number of tributaries given in the Cerrato tasación. Towns which do not appear in the Cerrato listing are described as "not listed."

| # | TOWN | MODERN NAME | NUMBER OF TRIBUTARIES |
|----|-------------------------------------|----------------------------|-----------------------|
| 1 | Motocintla | San Francisco Motozintla | 138 |
| 2 | Amatenango | Amatenango | 70 |
| 3 | Cuilco | Cuilco | 290 |
| 4 | Tetechan | Tectitán | 50 |
| 5 | Niquitla | San Pedro Necta | 60 |
| 6 | Vyztlán | Santa Ana Huista | 45 |
| 7 | Xacaltenango | Jacaltenango | 500 |
| 8 | Petatlán | Concepción | — |
| 9 | Yztapalapán | San Mateo Ixtatán? | 30 |
| 10 | Cacalutla | Colotenango? | not listed |
| 11 | Cochumatlán | Todos Santos Cuchumatán | — |
| 12 | Zacapa | Sipacapa | 80 |
| 13 | Comitlán | Comitancillo | 20 |
| 14 | Tiangüisteca (Tecpán Poyumatlán) | Santa Eulalia | 150 |
| 15 | Zoloma | Soloma | 140 |
| 16 | Yscos | San Juan Ixcoy | not listed |
| 17 | Huehuetenango | Huehuetenango | 500 |
| 18 | Aguacatlán | Aguacatán | 200 |
| 19 | Chalchuytlán | Chalchitán (barrio) | 60 |
| 20 | Ayllon | Ilóm | 160 |
| 21 | Quequel | ? | 10 |
| 22 | Cochil | part of Nebaj or Aguacatán | 30 |
| 23 | Nema | Nebaj | 35 |
| 24 | Cozalchiname | San Juan Cotzal? | — |
| 25 | Culuteca (Colutla) | ? | 60 |
| 26 | Zacapula | Sacapulas | 160 |
| 27 | Uspantlán | Uspantán | — |
| 28 | Jocotenango | San Bartolomé Jocotenango | 100 |
| 29 | Xocotenango | San Pedro Jocopilas | 120 |
| 30 | Luquitlán | San Antonio Ilotenango | 300 |
| 31 | Chiquimula | Santa María Chiquimula | 400 |
| 32 | Momostenango | Momostenango | 450 |
| 33 | Utatlán | Santa Cruz del Quiché | not listed |
| 34 | Yzquine | Chichicastenango | 400 |

| | | | |
|----|------------------------------|--------------------------------------|----------------------|
| 35 | Totonicapa | Totonicapán | — |
| 36 | Quezaltenango | Quezaltenango | — |
| 37 | Talolintepeque | Olintepeque | not listed |
| 38 | Ostuncalco | Ostuncalco | see no. 39 |
| 39 | Zacatepeque | San Martín Sacatepéquez | 2000 with Ostuncalco |
| 40 | Coatlán | Coatepeque | — |
| 41 | Ystalavaca | Retalhuleu | 200 |
| 42 | Zapotitlán | San Martín/Francisco Zapotitlán | 1000 |
| 43 | Suchitepeque | San Antonio Suchitepequez | — |
| 44 | Tecpán Atitlán | moved to Sololá in 1541-42 | 1000 |
| 45 | Atitlán | Santiago Atitlán | 1000 |
| 46 | Tecpán Guatemala, Iximché | Tecpán Guatemala site of 1st city | 400 |
| 47 | Pochutla | Pochuta | not listed |
| 48 | Acatenango | San Bernabé Acatenango | — |
| 49 | Comalapa | Comalapa | 50 |
| 50 | Jilotepeque | San Martín Jilotepeque | 500 |
| 51 | Chimaltenango | Chimaltenango | — |
| 52 | Zacatepeque | San Juan Sacatepéquez | see no. 53 |
| 53 | Zacatepeque | San Pedro Sacatepéquez | 700 with San Juan |
| 54 | Zacatepeque | Santiago Sacatepéquez | — |
| 55 | Milpa | Santa Lucía Milpas Altas | not listed |
| 56 | Pinulá | Santa Catarina Pinulá? | 100 |
| 57 | Petapa | Petapa | — |
| 58 | Amatitán | Amatitlán | 176 |
| 59 | Santiago de Guatemala | Antigua Guatemala | site of 3rd city |
| 60 | Santiago de Guatemala | San Miguel Escobar | site of 2nd city |
| 61 | Malacatepeque | disappeared | 80 |
| 62 | Cozumaluapa | Santa Lucía Cotzumalguapa? | 60 |
| 63 | Ciquinalá | Siquinalá | 150 |
| 64 | Yzcuintepeque | Escuintla | not listed |
| 65 | Ozuma | San Andrés Osuna | 40 |
| 66 | Masagua | Masagua | 80 |
| 67 | Mistlán | Santa Ana Mixtán | — |
| 68 | Tescoaco | Texcuaco | — |
| 69 | Amayuca | disappeared | 3 |
| 70 | Yzapa | San Andrés Iztapa | 160 |
| 71 | Tasisco | Taxisco | 300 |
| 72 | Taquelula | archaeological site of Tacuilula | 30 |
| 73 | Guazacapán | Guazacapán | 400 |
| 74 | Chiquimula | Chiquimulilla | 150 |
| 75 | Cinacantlán | Sinacantlán | 100 |
| 76 | Tecoaco | San Juan Tecuaco | 40 |

| | | | |
|-----|---------------|-----------------------------|------------|
| 77 | Jumaytepeque | Jumaytepeque | — |
| 78 | Yzuatlán | Santa María Ixhuatán | — |
| 79 | Nestiquipaque | Santa Anita | 100 |
| 80 | Moyutla | Moyuta | — |
| 81 | Tacuba | Tacuba | 250 |
| 82 | Aguachapa | Ahuachapán | 100 |
| 83 | Ataco | Concepción Ataco | — |
| 84 | Apaneca | Apaneca | 160 |
| 85 | Quezalcoatlán | Salcoatlán | 100 |
| 86 | Yzalco | Izalco | 20 |
| 87 | Tacusalco | Tacusalco | — |
| 88 | Yzalco | Caluco | 100 |
| 89 | Acajutla | (Port of) Acajutla | 400 |
| 90 | Cuscatlán | San Salvador | 20 |
| 91 | Masagua | Santa Catarina Masahuat | not listed |
| 92 | Atezcatempa | Atezcatempa | 100 |
| 93 | Mitla | Asunción Mita | 100 |
| 94 | Yzquipulas | Esquipulas | 155 |
| 95 | Xilotepeque | San Luis Jilotepeque | — |
| 96 | Jalapa | Jalapa | 160 |
| 97 | Chiquimula | Chiquimula | 1000 |
| 98 | Zacapa | Zacapa | 160 |
| 99 | Ozumatlán | Usumatlán | 80 |
| 100 | Acasaguastlán | San Cristóbal Acasaguastlán | — |
| 101 | Tecocistlán | Rabinal | 400 |
| 102 | Teculutlán | Tucurú | 600 |
| 103 | Cobán | Cobán | not listed |
| | | | not listed |

Appendix B

ENCOMIENDA SUCCESSION IN SELECTED GUATEMALAN TOWNS, 1524-1549

| ATITLAN AND ITS SUBJECT TOWNS | | |
|--|--|---------------|
| Encomenderos | Grantors | Dates |
| Jorge de Alvarado | P. de Alvarado | 1524-25 |
| Sancho de Barahona and Pedro de Cueto | P. de Alvarado | 1525-26 |
| S. de Barahona and P. de Cueto | J. de Alvarado | 2/9/1529 |
| S. de Barahona and P. de Cueto | P. de Alvarado | 6/6/1532 |
| J. de Alvarado | P. de Alvarado | 5/7/1533 |
| S. de Barahona and J. de Alvarado | J. de Alvarado | 3/4/1534 |
| J. de Alvarado (and S. de Barahona) | P. de Alvarado | 6/3/1535 |
| S. de Barahona (and P. de Alvarado) | P. de Alvarado | 2/9/1536 |
| doña Leonor de Alvarado (and S. de Barahona) | don F. de la Cueva and F. Marroquín | 9/1541 |
| don F. de la Cueva, husband of doña Leonor (and S. de Barahona) | don F. de la Cueva and F. Marroquín | 12/14/1541 |
| don F. de la Cueva (and S. de Barahona) | A. de Maldonado | 1542-44? |
| Corona Real (and S. de Barahona) | A. de Maldonado | 1/1/1544 |
| Corona Real and S. de Barahona | A. L. de Cerrato | 1549 tasación |

assignments for the admiral of his armada, his majordomo and procurador, and his mestiza daughter.

TABLE 8.1 PEDRO DE ALVARADO'S LAST ENCOMIENDA GRANTS, 1539-1540

| Grant Date | Name of Encomienda | Encomendéro | Tenure |
|--------------------------------------|----------------------------|-------------------------|---|
| 1539 | Aguachapa | Alvaro de Paz | invalid grant, encomienda not vacant |
| 1539 | Zacatepeque and Ostuncalco | doña Leonor de Alvarado | ◆ held by her husband, don F. de la Cueva in 1549 |
| 12/20/1540 cédula, Colima, New Spain | Jumaytepeque and Tacuba | Juan Rodríguez Cabrillo | held by don F. de la Cueva, 1549 |
| 3/31/1540 cédula | Cobán and Xocotenango | Juan Rodríguez Cabrillo | held by Dominicans ◆ |

Note: Sources are cited in full in the footnotes to the text dealing with individual encomenderos.

◆ Encomiendas that were still held by this encomendero or an heir at the time of the Cerrato tasación in 1549.

There was one newcomer, however, who must have been lured to Guatemala as a result of certain promises made while in Spain—don Francisco de la Cueva. Don Francisco had, no doubt, been led to believe that his post as lieutenant governor would facilitate the acquisition of encomiendas. His rapid accumulation of encomiendas, both while lieutenant governor and later when he was co-governor with Bishop Marroquín, was notable. Don Francisco's ambitions for power were a nuisance to Alvarado on at least one occasion when conflict arose over the possession of Tacuba and Jumaytepeque.

These two towns fell vacant on the death of Sebastián del Mármol in 1540. He had held them for many years and died a bachelor with no legitimate heirs. Alvarado's grant (dated on December 20, 1540 in Colima, New Spain), evidently secured with the assistance of Bishop Marroquín, gave these towns to his admiral Juan Rodríguez Cabrillo.¹⁴ Since Alvarado had been notified that don Francisco had already granted these towns to a Juan de Ortega Mallero, he was forced to order in a letter that Rodríguez

¹⁴ Sebastián del Mármol had three mestizo children. AGI Guatemala 113, Información sobre los méritos de Sebastián del Marmol y de Diego de Monroy, 1572. Kelsey, *Juan Rodríguez Cabrillo*, p. 82.

Appendix D

TASACIÓN OF ATITLÁN, 1537

The tribute assessment of the Indians of Atitlán, held in encomienda by the adelantado don Pedro de Alvarado and Sancho de Barahona, was carried out on the sixteenth day of March, 1537. Every year the Indians are to give 1,000 *xiquipiles* of cacao, 500 to each encomendero. They are to provide each encomendero with 15 Indians to serve in the city [Santiago in Almolonga] and every 15 days they are to provide each encomendero with 40 striped Indian mantles and 20 doublets and loincloths. Every year they are to provide each encomendero with 100 pairs of sandals; and every 15 days [they are to give] to each encomendero 15 chickens, 10 of Castile and five of Castile,¹ and 15 *cargas*² of maize, one of beans, one of chili peppers, one of salt, and a jug of honey. Every Friday they are to provide each encomendero with 40 eggs and a carga of crabs³; and 60 reed mats every year [to each encomendero] and the same amount of gourds. These amounts are only for this year because the Indians claim that they are exhausted, and that later the tribute assessment should be adjusted to what they are able to give. The Indians are not obliged to give any more, nor is any more to be taken from them [by their encomenderos] under pain of the loss of their Indians.

Source: AGI Justicia 295, Residencia de Pedro de Alvarado, 1535, fols. 706v-707. This tasación was carried out by Alonso de Maldonado.

- ¹ This entry appears to have been incorrectly copied by the scribe; it is probably meant to read: and five "[chickens] of the country", a reference to native fowl (turkeys).
- ² A *carga* usually refers to a dry measure, often of corn, equivalent to approximately six bushels; Nancy M. Farriss, *Maya Society Under Colonial Rule: The Collective Enterprise of Survival* (Princeton: Princeton University Press, 1984), p. 540.
- ³ The text is ambiguous regarding the frequency with which the carga of crabs was given in tribute, but it seems likely that a small carga might have been delivered every Friday together with the eggs or perhaps a larger carga was delivered once a year.

Appendix E

TITLES TO ENCOMIENDAS AWARDED TO GONZALO DE OVALLE AND HIS HEIR, 1524-1541

Title to an Encomienda Granted by Pedro de Alvarado to Gonzalo de Ovalle, October 27, 1524

I hereby entrust [in encomienda] to you, Gonzalo de Ovalle, the province of Tianguizthecha Puyumatlan, with its lord called Suchil, and the province of Matlathethenpan, with its lords and nobles, and all of its subject villages and peoples, so that you may use them in your estates and commerce, in accordance with the Ordinances of New Spain, and with the obligation that you instruct and indoctrinate the said peoples in matters pertaining to our Holy Catholic Faith, applying to this duty all possible diligence. Done in the city of Santiago, the twenty-seventh day of October, 1524.

[signed] Pedro de Alvarado
By command of his Lordship, Reguera [notary]

Title to an Encomienda Granted by Pedro de Alvarado to Gonzalo de Ovalle, August 27, 1526

I hereby entrust [in encomienda] to you, Gonzalo de Ovalle, citizen of this city of Santiago, the town of Talolintepeque, which is near to Chichicastenango, with its lords and nobles, so that you may use them in your house and commerce up until my return from Mexico, in accordance with the Ordinances of New Spain, and with the obligation that you instruct the said peoples in matters pertaining to our Holy Catholic Faith, applying to this duty all possible diligence. Done in the city of Santiago de Guatemala, the twenty-seventh day of August, 1526.

[signed] Pedro de Alvarado
By command of his Lordship, Alonso de Reguera [notary]

**Title to an Encomienda Granted by Jorge de Alvarado to
Gonzalo de Ovalle, March 29, 1528**

I hereby entrust [in encomienda] to you, Gonzalo de Ovalle, citizen of this city of Santiago, the province of Tianguizteca, with its lords and nobles, and all its subject towns and villages, and the town of Petatlan, which is near to the said province, and the town of Tasisco, which is near to Guazacapan, also with its subject towns and villages, so that you may use them in your house and commerce, in accordance with the Ordinances of New Spain, and with the obligation that you indoctrinate the said peoples in matters pertaining to our Holy Catholic Faith, applying to this duty all possible diligence; and whereas it is possible that prior or subsequent to the date of this title I may have entrusted or commended towns and villages which, unbeknownst to me, are subject to the aforementioned province and the aforementioned towns, I hereby declare that such encomiendas are invalid and of no worth, and it is my wish and command that only this present one; to you Gonzalo de Ovalle, be valid. Done in the city of Santiago, the twenty-ninth day of March, 1528.

[signed] Jorge de Alvarado.

By command of the lord captain general, Juan [sic] de Reguera [notary]

**Title to an Encomienda Granted by Jorge de Alvarado to
Gonzalo de Ovalle, August 10, 1529**

I hereby entrust [in encomienda] to you, Gonzalo de Ovalle, citizen of the city of Santiago, the towns called Tianguiztheca Atitlan and Yztacthepeque, also known as Tiçapa Guantitlan, and also called Gueypetatlan Guametilco Cacalutlan Ystapalapan Guanthethela Xacaltenango Amaxala Petatlan Guauxulutitlan Guaxutla Teacpa, which are near to the said town of Tianguiztheca, with all of their lords and nobles, and with all their subject towns and villages, so that you may use them in your house and commerce, in accordance with the Ordinances of these parts, and with the obligation that you indoctrinate them in matters pertaining to our Holy Catholic Faith, applying to this duty all possible diligence. Done in the city of Santiago, the tenth day of August, 1529.

[signed] Jorge de Alvarado

By command of his Lordship, Alonso de Reguera [notary]

Title to an Encomienda Granted by Francisco de Orduña to Gonzalo de Ovalle, February 25, 1530

In the name of His Majesty I hereby entrust [in encomienda] to you, Gonzalo de Ovalle, citizen of this city of Santiago de Guatemala, the towns called Tianguiztheca and Yztapalapan and Atitlan and Yztacathepeque and Guathethelco and Gualtitlan and Palutlan and Yztacthepeque, which is near to Huiztlan; and Guauxulutitlan which is near to the said Huiztlan; and Cacalutla and Xacaltenango and Quaquincapa and Petlatan and Nenepila and the rock (*peñol*) of Tizapa, which is in the direction of Gazpala and Tlalpa, which are near to the said town of Tianguizteca, with all of their lords, nobles and peoples, and with all of their subject towns and villages, so that you may use them in your house, estates and commerce, in accordance with the Ordinances which in New Spain have been issued, or will be issued with respect to this matter, with the obligation that you indoctrinate them in matters pertaining to our Holy Catholic Faith, applying to this duty all the necessary and possible diligence. Done in this city of Santiago, the twenty-fifth day of February, 1530.

*[signed] Francisco de Orduña.
By command of his Lordship, Luis de Soto [public notary]*

Title to an Encomienda Granted by Alonso de Maldonado to Gonzalo de Ovalle, November 20, 1538

I hereby entrust and grant [in encomienda] to you, Gonzalo de Ovalle, citizen of this city of Santiago, the lords and peoples of the town called Culutheca, which is next to Cacapula and Chalchuitlan, and was held by Diego de Rojas, so that you may use them in your house, estates and commerce, in accordance with the Ordinances of His Majesty, and with the obligation that you indoctrinate them and teach them in matters pertaining to our Holy Catholic Faith, applying to this duty all the necessary and possible diligence; and in this I charge your conscience and discharge that of his Majesty and mine in his Royal Name; and this grant and encomienda of the said town I give unto you, because the said Diego de Rojas was given licence to go to Peru but to return to this land within a year and a half, and as he has not returned and as the stipulated period of time has elapsed, I therefore command the chief constable of this city or his lieutenants in the said office to give you possession of the said Indians and towns [sic] and to protect you in it, not permitting that you be deprived nor dispossessed of them before first having been heard and by due process of law defeated. Done on the twentieth day of November, 1538.

*[signed] el licenciado Maldonado
By command of the lord governor, Sebastián Alvarez [public notary]*

**Title to an Encomienda Granted by don Francisco de la Cueva
to Lope Rodríguez de las Barillas [Son of Gonzalo de Ovalle],
January 28, 1541**

In the name of His Majesty I hereby entrust and commend to you, Lope Rodríguez de las Barillas (legitimate son of Gonzalo de Ovalle, deceased citizen of this city of Santiago, and Francisca Gutiérrez de Monzón, your legitimate father and mother), the towns called Tianguiztheca and Tictan and Sucthepeque, which is also called Tīçapa and Quantitlan, and which is also called by the name of Gueypetatlan Guanthethelco Cacalutla Ystapalapa Guanthethela Xacalthenango Amaxalco Guanxulutitlan Guaxutlatelacpa, and they [these towns] are near to the said town of Tianguiztheca and within its borders; and the town of Tasisco which is near to Guazacapan; and in addition the town called Coclutheca which is next to Zacapula and Chalchuitlan, so that together with all their lords, nobles and peoples and subject villages, and everything attached to them and subject to each one of them, you may use them in your house and estates and commerce, in the manner that your deceased father, Gonzalo de Ovalle, held them and possessed them and made use of them during his lifetime, in accordance with the Ordinances of His Majesty, and with the obligation that you, or another in your name, teach and indoctrinate them in matters pertaining to our Holy Catholic Faith, applying to this all necessary and possible diligence; in this I charge your conscience and discharge that of His Majesty and mine in his Royal Name. Done in the city of Santiago, province of Guatemala, on the twenty-eighth day of January, 1541.

*[signed] el licenciado don Francisco de la Cueva
By command of his Lordship, Diego Hernández [government notary]*

Glossary

| | | |
|----------------------|-------|---|
| Adelantado | _____ | Governor of a frontier province, leader of an expedition of conquest with administrative rights over conquered lands |
| Alcalde | _____ | Judge and member of the municipal council of a Spanish town |
| Alcalde ordinario | _____ | Judge and chief official of the municipal council |
| Alguacil | _____ | Constable |
| Alguacil mayor | _____ | Chief constable |
| Amo del pueblo | _____ | Master or encomendero of the town |
| Antiguo poblador | _____ | Early or first settler |
| Audiencia | _____ | Court of justice and governing body of a region; by extension the region under its jurisdiction |
| Caballero | _____ | Gentleman |
| Cabecera | _____ | The head town of a district, generally with several other villages under its jurisdiction |
| Cabildo | _____ | Municipal council; council building |
| Cacique | _____ | Hereditary Indian chief or local ruler |
| Calidad | _____ | Quality; used when discussing a person's social standing or background |
| Calpisque | _____ | Majordomo, foreman or tribute collector |
| Castellano | _____ | Monetary unit |
| Caudillo | _____ | Chief, tyrant, political boss |
| Cédula | _____ | Order, decree, title (to an encomienda) |
| Cédula de encomienda | _____ | Title or certificate which formally registered the date and terms of an encomienda grant, the Indians granted in encomienda and the name of the encomendero |
| Contador | _____ | Accountant |

| | |
|--------------------|---|
| Corregidor | Royal official with administrative and judicial authority over a Crown encomienda or a local Indian district known as a corregimiento |
| Corregimiento | Jurisdiction governed by a corregidor |
| Creole; criollo | A Spaniard born in America |
| Criado | Servant, retainer |
| Cuadrilla | Work gang, usually of slaves |
| Dejación | Formal declaration in which an encomendero waived his rights to a specific encomienda |
| Entrada | A military expedition into unconquered territory |
| Estancia | Tract of rural land used for grazing livestock; subordinate Indian settlement or community |
| Factor | Royal official charged with collecting rents and tribute owed to the Crown |
| Fanega | A unit of dry measure; 55 litres or about 1.5 bushels |
| Hacienda | Wealth, possessions; land or estate used for ranching and agriculture |
| Herrero | Blacksmith |
| Hidalgo | Member of the lesser nobility, an untitled noble |
| Indios de servicio | Indians from a community under obligation to render personal service on a regular basis to an encomendero |
| Interrogatorio | Questionnaire |
| Juez de agravios | Judge or inspector appointed to hear complaints and compile a report |
| Juez de residencia | Judge presiding at a residencia |
| Justicia | Judge, magistrate; justice |
| Justicia mayor | Chief-justice |
| Legajo | Bundle of documents |
| Letrado | University-trained lawyer |
| Licenciado | Holder of a university degree |
| Macegual | Indian peasant or commoner |
| Manta | Standard square of woven cotton cloth |
| Marquesado | Marquisate |

| | | |
|-----------------------------------|-------|---|
| Mayordomo | _____ | Majordomo, foreman or manager |
| Merced | _____ | Favor; grant of money, land or privileges |
| Mestizo | _____ | Person of mixed Indian and Spanish descent |
| Milpa | _____ | Cornfield; often used for growing additional crops, especially beans. A rural settlement on the outskirts of a Spanish town on which a Spanish vecino placed Indian slaves and their families to work growing maize and wheat |
| Morisca | _____ | Spanish woman of Moorish descent |
| Naborío | _____ | Indian who worked as a servant in a Spanish household, 'free' Indian forced to work for a Spaniard or Spanish town |
| Naguatato | _____ | Interpreter, especially between Nahuatl and Spanish. In Guatemala used for interpreters of Mayan languages as well |
| Oidor | _____ | Judge and member of an Audiencia court |
| Ordenanza | _____ | Ordinance, regulation |
| Peninsular | _____ | A person born in Spain, someone who had recently arrived from Spain |
| Peñol | _____ | Rocky mountain, a large rock. A place used by the Indians to resist attacks by the Spanish armies of conquest |
| Peso | _____ | Monetary unit worth two tostones or eight reales |
| Platero | _____ | Silversmith |
| Pleito | _____ | Legal dispute, lawsuit |
| Poder | _____ | Power of attorney |
| Principal | _____ | Hereditary member of the Indian nobility, a village elder |
| Probanza (de méritos y servicios) | — | Proof; testimonial containing information on a person's antecedents and activities, generally elaborated for the purpose of seeking recompense from the Crown for services rendered |
| Procurador | _____ | Untitled lawyer, legal counsel |

| | |
|-----------------------|---|
| Propios de la ciudad | Property held by a municipality |
| Real cédula | Royal order, decree |
| Regidor | Municipal councilman or alderman |
| Relación | Report or descriptive account |
| Repartidor | Spanish official, in this case charged with the distribution of encomiendas |
| Repartimiento | The distribution of Indians in encomienda; synonym for encomienda during the period covered in this book |
| Repartimiento general | Official act which involved the extensive distribution of Indians in encomienda, generally carried out over a short period of time |
| Residencia | Judicial review and inquiry into the conduct of a Spanish official who had completed his term of office or had been removed from it. The presiding officer was generally the successor to the same office |
| Señor | Indian lord |
| Servicios | Services; generally referred to a Spaniard's personal contribution to the conquest and colonization of a region |
| Sierra | Highland region, mountains |
| Solar | Building lot, urban tract of land |
| Sujeto | Community subject to a cabecera |
| Tasación | Tribute assessment; census of an Indian community to assess the amount of tribute owed to an encomendero |
| Teniente de contador | Deputy of the treasurer |
| Tesorero | Treasurer |
| Tierra de Guerra | Land of War; originally applied to the unconquered region later known as Verapaz |
| Tierras | Agricultural lands adjacent to a city |
| Vecindad | Formal application for status of vecino of a Spanish town |

| | | |
|-----------|-------|--|
| Vecino | _____ | Citizen, resident; householder in a Spanish town |
| Veedor | _____ | Inspector or overseer |
| Villa | _____ | Small Spanish town |
| Visita | _____ | A tour of inspection |
| Visitador | _____ | Inspector, investigator |
| Xiquipil | _____ | A load of cacao; a measure of 8,000 cacao beans |