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THE SOCIAL AND POLITICAL EFFECTS  
of the  
SPANISH COLONIAL SYSTEM

by

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. TABLE OF CONTENTS

Introduction..... 1-4

I. THE SPANISH CONQUEROR..... 1-10

II. THE INDIAN..... 11-20

III. THE SYSTEM OF GOVERNMENT..... 21-35

IV. THE COMMERCIAL SYSTEM..... 36-51

V. THE GOVERNMENT OF THE INDIANS..... 51-63

VI. THE CHURCH..... 64-75

VII. THE SPANISH-AMERICAN CITY..... 76-89

VIII. THE SPANISH-AMERICAN PEOPLE..... 90-105

Bibliography..... 106-108

## INTRODUCTION

The Spanish colonies in America were occupied by three races, whose mixture and action upon each other produced a new race and a new society. Of the three race elements, the negro is of no importance, except in the islands and a few districts on the continent. Of the other two elements, the Indian was the most numerous, and the Spaniard the most forceful and energetic. The phenomenon of a blending of conquerors and conquered is common, but the mingling of two races so different as the Indian and the Spaniard, on so large a scale, is unique. In physical structure, in mental endowments, in political, social and religious institutions, there was an immense difference between the most cultured of the Indian tribes and the men of Castile. The fact and manner of the conquest left a permanent impression of the superiority of the white man. Spanish blood, pure or diluted in greater or less degree with that of the Indian, conveyed through successive generations in the new world something that was characteristically Spanish. It is therefore a matter of importance to know what kind of a man the Conqueror was.

It is of equal importance to understand the Indian. The race that inhabited America when the European came was not new. The Indian seems to have attained exactly that

grade of economic and social development which made him useful to the Spaniard without making him formidable. A slightly higher degree of political and military capacity would have made the conquest impossible. A lower degree of economic development would have hindered or made impossible the exploitation of the natives for the benefit of Spain.

The Indian race persisted in spite of oppression. The centuries of humiliation and suffering left their mark. The undoubted benefits of the Spanish system, the higher grade of culture which the Indian and the mixed race attained, did not make them Spaniards. At the end of the colonial period we find them hospitable to ideas that are not Spanish. At a later day a Zapotec Indian, Benito Juarez, appears as the first statesman of Spanish speech to separate church and state. In the great struggle that followed, when the united power of the Pope and the French Emperor had overcome the resistance of that part of Mexico that was most largely Spanish, Porfirio Diaz, the son of a half-breed mother, found among the Indians of the Oaxaca Mountains the soldiers who saved Mexico. In blood Spanish America is much more than half-Indian. If it had been thoroughly Spanish it would have been impervious to republican and progressive ideas which found ready entrance at the end of the colonial period, and since that time.

Spain's government of her colonies is instructive because of what it failed to do. It is wonderfully impressive because of its vast scale. A system that embraced

so much territory; that endured for centuries, operating like a fatal necessity, almost without change of method or purpose, and regulating human life with a minuteness that has never been surpassed, is interesting in itself. From first to last Spain governed the new world for her own benefit, and only incidentally for the benefit of the colonies. When her rule ended, her colonies were incapable of self-government. She wished to rule a submissive people, and no approach to local self-government could be permitted.

Her commercial system, a part of her system of government which is sufficiently important to merit special treatment, was formed wholly in the interests of Spain. It inflicted perpetual poverty on nearly all the colonies, and the reaction against it was the main cause of the revolution.

The church appears as a great formative and unifying power. It converts, protects, educates and civilizes. It has no independent life, but moves in its appointed orbit in the colonial system. As the agent of the king it sometimes protects the Indians, and at other times sanctions their oppression. At the end of the colonial period it is the enemy of progress.

One popular institution is imported to the new world from Spain. The transplanted Spanish municipality preserves the **form** of popular government, and, in some cases, manifests its spirit. At the end of the colonial period it was the only political organization through which Spanish Americans could take action with a semblance of legality, and therefore it became the basis of the revolutionary governments.

By the contact and mixture of Spanish and Indian, the action of the Spanish system, and the re-action against it, a new race and a new culture came into being. It is the object of this dissertation to describe these races, and the Spanish colonial system, as they <sup>a</sup>affected the life and institutions of the people of America.



## Chapter I

### THE SPANISH CONQUEROR

In American Spanish the word "Conquistador", or Conqueror, is a technical term. It designates the man who participated in the conquest of the lands called Spanish America. He is also called a "Godo", or Goth, this term being one of insult. It is common to speak of the period of Spanish domination as "the era of blood and fire".(1) The attitude of mind of the American of Spanish or Spanish-Indian descent toward this progenitor is one of emphatic dislike. This attitude of mind has been a matter of considerable importance. It is explained, if not justified, by the character of the Conqueror, and by the circumstances of the Spanish rule. A warrior and governing class ruled in America till forced out of it.(2)

1. Valenzuela, Historia de Chile, p 19. History of South America, by an American, p 65. Lopez, Historia de Argentina, Vol. 1, p 78. For a different view, Cuervo, Vida de Rufino Cuervo, p 1. "The criollo and the mestizo had a hatred for the Spaniard no less great than that of the "Indian". Aspuruá, Hombres Notables, Vol. 1, p 92. Documentos para la Historia Argentina. Vicinos, Conquistadores y Pobladores, pp 82-84.

2. "Don Quijote returned to his native La Mancha, exhausted by his barren adventures!" García Calderón, Latin America, p 30.

From beginning to end it remained alien and un-American.

There are few exceptions to the rule that the Conqueror was a Spaniard, which is somewhat remarkable when we consider that the conquest took place in the reign of Charles V, who ruled over a number of kingdoms beside those of Spain. Foreign influence in the period of conquest and colonization was very little.(1) The Conquerors came from Castile rather than from the North. Wherever he came from, the Spanish type is one. It is African rather than European. There is no structural difference between the inhabitant of southern and central Spain and the inhabitant of Morocco.(2) The Spanish Empire was established by men like those of the Atlas, brown, dolicocephalic, fanatical and cruel. Mental affinity to the Moorish type is shown by the fact that the Cid, who was the great popular hero of Spain, is in title and life a

1. Of Germans, we have Alfinger and Federman in Venezuela, and Schmiedel in La Plata; Pedro de Candia was a Greek; Ambrose O'Higgins, Viceroy of Peru, was Irish; Benzoni, author of a "History of the New World", was Italian; Santiago Liniers, Viceroy of Buenos Aires, was French; Fleming, John De Witt, was consecrated first Bishop of Cuba, but did not cross the sea.

2. Ripley, "Races of Europe". Calderon, "Latin America", p 41. There is a good characterization of the Spanish Conqueror in H. H. Bancroft, Vol. VI, Chapter 1.

Moorish chief with a slight Christian disguise. As a result, the Spanish-American Empire was a caliphate; that is, it had a monarch who was absolute in church and state. In both spheres the Spaniard showed a fanatical loyalty.

Among the men of the Conquest there was manifest an indomitable energy, a dauntless courage, and a spirit of enterprise that dared the impossible. The Conquest is a remarkable exhibition of the powers of the individual man. However the fact may be explained, Spain produced from her population of five or six millions an astonishing number of great men.(1)

One reason for this is that there was in Spain a sort of cult of rebellious and exuberant energy; a tendency to be dominated by personalities rather than ruled by laws. This tendency is explanatory of much in Spanish American history.(2) The long war with the Moor was terminated by the fall of Granada in 1492. This war produced a race of soldiers which at that time had no equal. The

1. In 1541, the population of Spain was 6,777,000. Hebler, quoted by Keller, "Colonization", p 189.

2. "In Spain we see the triumph of those military and political organizations in which the individual finds the greatest freedom; in the people, the tribe, the guerrilla band. The cult of rebellious and exuberant energy is general". Calderon, "Latin America", p 85.

Spaniard was surprisingly indifferent to death. He had little esteem for the life of others, inflecting slaughter without mercy or compunction of conscience, but we must do him the justice to say that he apparently esteemed his own life almost as little as he did that of others. This was partly due to his fanatical belief. He was sure of Heaven, and Heaven was a desirable place. He was careful of the rites by which Heaven was to be gained.

For his courage there was also a sound physical basis. Where all fought, a process of natural selection weeded out the weak. Also, he was always in training. To wear the armor and bear and use the arms of a fighting man required a special physical development and skill. The Conqueror was a great fighting man. This is a matter of importance, as his empire was established fully as much because of his personal prowess as because of his superior arms. Among American Indians the tendency was for the chief fighter to rule. The Spanish leader of that time was a soldier as well as a general. Examples are numerous and exceptions are few. When Cortez took the place of Montezuma, and Pizarro that of Atahualpa, in each case a great war chief was succeeded by a better one. A general of the modern type could not have dominated the Indian mind as these two Spanish leaders did.(1)

1. Valor was the loftiest virtue; no position under the government was given to any but approved soldiers.

The Spaniard of four centuries ago had some capacity for invention and adapting himself to circumstances. He seldom failed to rise to the level of new conditions. This is illustrated by two notable exploits in ship-building; that of Balboa, who built the first ships on the Pacific, and that of Cortes, who built ships on the Mexican lake to aid in his final attack on the city.(1)

That the Conqueror was a man of exceptional cruelty, and that his cruelty entailed consequences which have lasted till the present time, is supported by conclusive evidence.(2) We find proofs of humanity, but we generally find them in the laws made in Spain for the government of the colonies, and the attempts of priests to protect the Indians. At home he was familiar with suffering and death. Incursions into the land of the Moor before the conquest was completed had cruelty and massacre as their ordinary incidents. In

(nl-p4) The king could not receive his crown till he had taken captives with his own hand. Bancroft, "History of Mexico", Vol. IX, pp 400-401. Warlike exploits of Cortez, (same) pp 434, 477, 621.

1. Helps, Vol. I, pp 292-295; Prescott, "Conquest of Mexico", Vol. II, 175-409,

2. "Nine-tenths of all their cruelties were committed under the conviction that what they did was in the line of duty, and that to refrain from doing so would have been no kindness". Bancroft, Vol. VI, p 30.

the last war with Granada, a large number of Moors were publicly tortured to death.(1) In Spain Moorish slaves abounded, and whatever the law may have been, the right of a Spaniard to kill a Moorish slave was probably never questioned. On coming to the new world, the Spaniard was freed from certain restraints of government and public opinion, and his evil qualities developed under the novel conditions. Peril, suffering, and the temptation of absolute authority turned him into a tyrant.(2) Those who suddenly attain absolute power over the lives and property of their fellows, with disastrous results to the normal nature, may be studied in the lives of many of the Conquerors.(3)

Perhaps we cannot say that the Spaniard was avaricious to an unusual degree, but he had a special reason for seeking a fortune. By this means he became a noble, or, if already noble, escaped the fate of sinking into the ignoble class. In Spain "rico hombre", "rich man", was a title of nobility.(4) No man ever deserved nobility

1. Lea, "The Moriscoes in Spain, p 4.

2. Winsor, "Narrative and Critical History",  
Vol. 2, p 299.

3. Irala, described by Lopez, "Historia Argentine",  
Vol. 1, p 78. Pedrarias, Helps, "Spanish Conquest", Vol.  
3, p 59.

4. Ricohombre, Que pertenecia a la primera nobleza

more than the Spaniard. With money, it was easy to go where one was not known, buy a coat of arms, and set up as a noble. He had thus a great incentive to get the necessary gold. The determination to get money, but not to work for it, gives to the Spanish conquest the character of a vast slave-hunt.

Spanish settlements were formed where slaves could be obtained, and nowhere else.(1) As the native population of Cuba wasted away, the Spaniards went on to Mexico and other parts of the mainland, where Indians were abundant. As they could be had for the catching, there was little care for their lives.

In the matter of education the Spaniard of the sixteenth century stood well, when compared with the men of his age. It was the golden age of Spanish learning and literature. Naturally the Conquerors were not generally recruited from the learned class. We have a few notices of the medical profession. Lawyers receive frequent and most uncomplimentary mention.(2) The clergy of the age of Ximenes were more learned than they have ever been since

(n4-p6) de España---(Who belonged to the highest nobility of Spain). Rodriguez Navas; Diccionario.

1. An example is "the lost city of Esteco". The reason for deserting the site is given by Lopez, "Historia Argentina", Vol. 1, pp 194-195.

2. "One thing I supplicate your Highness, to give

that time. The letters of Cortes show that he could wield the pen almost as ably as he wielded the sword.(1)

The Conquerors produced a considerable literature.(2) Gómara, Bernal Diaz, Cieza de León, and Benzoni produced historical works of permanent value. The greatest work in connection with the Conquest is the "Historia de las Indias", by Las Casas. Writing of a certain kind abounded more and more as the Conquest extended. Minutely detailed reports of everything must be sent home to Spain, duplicated by the peculiar process that sets one man to watch another, and works on the principle that all need watching. In the matter of red-tape, no man ever surpassed the Spaniard.

A high type of Christian character is found among the Spaniards, but nearly always among the priests and monks. Montesino and Harroquin may be cited as examples.(3)

(n2-p7) orders, under a great penalty, that no lawyer be allowed to come to these parts, for no lawyer comes here who is not a devil, and does not lead the life of a devil". Balboa, cited by Helps, Vol. III, p 13.

1. The Letters of Cortes (Cartas de Relación), are found in the "Biblioteca de Autores Españoles, Vol. XXII. Pizarro and Almagro could not read. Prescott, "Peru", p 432.

2. Among them were official Chroniclers of the Indies. A list and criticism of them is given by Gonzales, "Historia Estadística de Cojedes, Chapter I.

3. Montesino, "Helps, Vol. I, pp 176-179.  
Harroquin, Bancroft, Vol. VII, pp 135-140.



It is difficult to discover in the average Spaniard any tincture of Christianity. That he was religious, after a fashion, is shown by the names to his cities; Santa Fe, San Antonio, San Francisco, etc. The Conquest was a crusade. Its object was to make the Indian a "Christian" and a servant.(1)

The Conqueror believed that he lived on intimate terms with spiritual powers. His patron saint, Santiago or St. James, frequently appeared in person, sometimes fighting in the ranks, and sometimes hovering in the air and discomfiting the Indian host with spiritual lightning. Wonder working images abounded, usually appearing in a mysterious manner. One of these, the Virgin of Luján, is still in existence, and is believed by the credulous to cure all kinds of diseases.(2) Piety was exhibited in soundness of belief, performance of ceremonies, and payment of tithes. The Pope "has on earth the place of God" and must be obeyed.(3) He had given the new world to the faithful, and was thought to condemn too much mercy to unbelievers.

1. It was called a crusade. In the seventeenth century there was still an Office of the Crusade in Chile. See the account of the Count of Sierra Bella, in "Mayorazgos y Títulos de Castilla.

2. I have seen this image. The walls of the temple are covered with the offerings of those who have been healed. Another mentioned by Keene, "Central and South América, Vol. 1, p 145. (Note 3 on page 10).

The Conqueror was loyal to the king, and, in spite of frequent examples of bad faith, he was fairly loyal to his chief. In business matters he usually kept his word, perhaps because repudiation of debts was a somewhat difficult matter.

Of sexual morality he had none. The consequences appeared promptly, and were lasting. There were marriages between Spaniards and Indian women, but the ordinary connection was unsanctioned by the church. Perhaps the most remarkable case is that of Iralá, first Governor of Paraguay, who married seven daughters of an Indian chief, and allowed his soldiers to have two wives each.(1) Thus the mestizo appeared, and the characteristic Spanish American type had its beginning.

Such was the man who won a new world for Spain, and in connection with the Indian, brought into being a new race with a mournful past and an uncertain future.

(n3-p9) Calderón de la Barca, "La Cisma de Inglaterra".

1. Cortes left offspring by at least four Indian women. For the matrimonial arrangements of Iralá, see Moses, "Establishment of Spanish Rule", p 195.

## Chapter II

### The Indian

The Spaniard conquered the islands in and around the Caribbean Sea, the isthmus of Panama, the highlands of Mexico and Peru, and the lands that could be made tributary to these territories. In establishing his empire he took up a work of civilization that had been begun by the Indians, and its sphere of action was limited to the kind of Indians which composed the Mexican and Peruvian kingdoms. Attempts to settle within the limits of what is now the United States had very slight success, except in New Mexico. In that region the Pueblo Indians were incorporated into the Spanish empire, while the Apaches and Navajos were not. At the southern end of the empire we have a similar sharp line of division drawn between the Indians of the central valleys of Chile and the Araucanians south of the Bio-bio. The empire had for its basis a settled, agricultural population, and where any other kind of Indians was found, they were either exterminated or left unconquered. The natives of the islands, unable to bear the Spanish yoke, defend themselves, or flee, disappeared. The Araucanians and Navajos maintained their independence in wars which lasted for more than two centuries.

Primitive agriculture begins on the table-land.

In America a table-land suitable for agriculture extends

from northern New Mexico to central Argentina and Chile. It is broken at Tehuantepec and Panama, but there is a large plateau between the two isthmuses. In Mexico, the plateau of Anahuac, where the City of Mexico is located, has an area of 69,000 square miles, and is from 6000 to 8500 feet above the level of the sea. For 420 miles north of the City of Mexico the altitude does not drop below 6000 feet, and even as far north as El Paso the bed of the Rio Grande is 3700 feet above the sea. South of Panama the altitude of the capital cities shows that a moderate climate is enjoyed even in the tropics. Carácas is 3000, Bogotá 8500, Quito 10,000, Cuzco, the old Inca capital, 6000, and La Paz 11000 feet above the sea. In all these regions the greater part of the land consists of high plateaus. (1) On these there was a population fit for subjection to Spain.

(1) A. H. Keene, Central and South America, describes the physical geography of Mexico, Central and South America, and its relation to ethnology. A reference to any of the countries dominated by the Spaniards shows a culture similar to that of Mexico and Peru.

They were fit because they could produce an abundant supply of food. Their most important food-plant was maize. This is one of the most productive of cereals. There were no domestic animals that could be used, or at least that were used, in tillage, and it was therefore a matter of importance that hand-cultivation was excellently adapted to the production of maize. Tools and methods of cultivation, among the more advanced peoples, were such that good crops were produced. (1) It is uncertain how many acres one man could cultivate, but a crop of from one to two tons of food to the acre gave security for a large population. More than one crop a year could be grown in many places. (2)

(1) On corn cultivation by the Aztecs, see Bancroft, History of Mexico, Vol. II, p 348. Gómara says of Tláscala, "They have no other riches or crop but maize, which is their bread."

(2) "In Mexico two annual crops (of maize) are raised, each averaging 60 bushels to the acre." Keene, Central and South America, Vol II, p 80

The New World has another food-plant that supplements maize; it will grow where maize will not. In warm countries the potato will grow only at high elevations. (1) Ross found potatoes growing on the divide between Lake Titicaca and the Amazon basin, at an altitude of 14, 170 feet.(2) Under fair circumstances the potato produces two hundred bushels to the acre. It is a poor food, but there is a large surplus for the cultivator. It was indispensable to the founding of the Inca empire. The Aymaras and Incas had their beginning on the bleak Collao, where nothing but the potato would grow. (3) It is not probable that a large part of the country was populated to the limit of its food-supply. Some of it was.

(1) Experiments at the New Mexico Agricultural College show that it will not grow in that state below 7000 feet.

(2) South of Panama, p 63.

(3) Prescott, Peru, p 84.

In many parts of America the cacao was an important food, but was not as important as corn and potatoes.

The terraced mountains of the Urbamba Valley, near Cuzco, show that this was the case in that part of Peru.(1) As to Mexico, it is not probable that much land was left uncultivated on the plateau of Anahuac, since rafts covered with earth served as gardens for vegetables on the Mexican lake.(2) Cholula, according to Cortes, had no spot of ground that was not cultivated.(3) A native writer, Ixtlilcochitl, says "Even the steep mountains were occupied as sown fields."(4) As the whole corn-crop of Mexico was for human consumption, such cultivation would indicate a large population, and one at least equally large must have existed in Peru. Signs of an abundant population are numerous.(5) The many large temples and palaces; the

1. "The walls of the andenes are made of rough-fitted stones, and are from four to fifteen feet high. The andenes narrow as the slopes become steeper, until you find a wall twelve feet high built in order to gain for cultivation a strip of earth not over a yard wide. Surely nowhere on the globe has so much sweat been paid for a foot of soil as here". Ross, p 18.

2. Bancroft, Vol. II, p 342.

3. Relaciones, p 75.

4. Cited by Bancroft, Vol. II, p 346.

5. Spence assigns to Tlascala 500,000 people.

This is much too high. Tlascala had only about 400 square miles of territory. Spence, "Ancient Mexico", p 28. Nor does one readily believe that the City of Mexico contained 300,000 people, though this is possible. Gomara says it contained 60,000

great causeways at Mexico City; the large markets; the great diversity of employments, indicating a complex culture, confirm the many statements of the Spanish writers that they found many people in Mexico.(1) Yet more convincing is the testimony of the stupendous fortresses and roads of Peru. There seems no reason for thinking that the population of either Mexico or Peru was less numerous than that of Spain. It is certain that in both countries there were millions of laborious arms at the command of the monarch, and ready for the dominion of Spain.

In both countries the people had been so trained and organized that great buildings had been erected, and other public works, some on a large scale, had been made. In Mexico the temple of the chief god was an immense structure.(2) The causeways and palaces of the Aztec capital were matters of wonder to the Spaniards.(3) The works of the Peruvians

(n5-p15) houses.

1. One of the causeways was seven miles long, and was broad enough to allow ten men on horseback to pass along abreast. Briart, "The Aztecs", p. 86.

2. It was 375 feet long, 300 wide, and the upper platform was reached by 340 steps. It was composed of rubble, clay and earth, covered with stone slabs cemented with gypsum. Spence, "Ancient Mexico", p. 110.

3. Montezuma had a great palace built, with three courts, many large halls, and more than 100 small rooms. The



were on a grander scale. The most important of these were the great road from Cuzco to Quito, the fortress that overlooked the capital, and the city itself. The fortress was so large that one of its sides measured twelve hundred feet in length, and the citadel had room for five thousand soldiers. The Peruvians handled stones of enormous size.(1) The Indians were accustomed to seeing large bodies of men taken from their homes and districts at the call of the ruler and employed for his profit. The system for gathering and supporting these armies of laborers was created before the coming of the Spaniard.(2)

Political organization had reached a degree of completeness that was of great service to the Conqueror. The mass of the population was subject to a warrior class. In Mexico power was centralized in three confederated cities.

(m3-pl6) roof of the building was of carved cedar, and the walls were covered with slabs of jasper or marble. Biant, "Aztecs", p 92.

1. Cieza de Leon, chapter 82, 106. The Spaniards were great builders, and used the Indians for that purpose. Prescott, "Conquest of Mexico", Vol. III, pp 239-240. "Conquest of Peru". p 332.

2. "All the mines in the kingdom belonged to the Inca. They were wrought exclusively for his benefit, by persons familiar with this service". Prescott, "Conquest of Peru" p 32.

Mexico was the chief of the three cities, and held 370 towns as her tributaries. These towns paid tribute to the extent of thirty per cent of their products. Aztec nobles resided in the subject towns and collected the tribute.(1) In Peru the process of centralization had gone farther than in Mexico; the government of the towns and districts was by officers sent from the capital. The Incas had destroyed all local independence, and established a compulsory system of industry.(2) Indian rule was one of terror. The Spaniard grasped this important fact and used it for his purpose. He cast down the images of the gods, slew the priests, and disposed of the war-chiefs by killing them.(3) The method was effective. No people ever suffered greater oppression than the Peruvians, but from the attempt of Inca Manco to take Cuzco in 1535 till the uprising under Tupac Amaru in 1780

1. Bancroft, Vol. II, pp 235-237.

2. Payne, "History of America", Vol. II, p54.

On the military supremacy of the Aztecs, see Spence, "Ancient Mexico", pp 37-40. On the military class, Biart, "The Aztecs", Chapter XIII.

3. Cortes hanged Xicotencatl, the great war-chief of Tlascala, and Cuatemotzin, king of the Mexicans. These were the most powerful nations in Mexico.

the Indian made no attempt to free himself.(1) In Mexico nearly three hundred years were to pass before an Indian general with an Indian army faced the white man in battle.(2) As the Indian population was sedentary and agricultural, it could not escape from the Spaniard. Even those on the edge of the plateau could not go down into the hot lands and live in the jungle. Being unable to fight or run away, submission was the only course left.(3)

It was the object of the Spanish government to acquire wealth that could be sent to Spain, and would not compete with home industries. How well this purpose was accomplished is shown by a singular document. On September 9, 1628 the Dutch Admiral Hein captured the Plate Fleet of Spain in the harbor of Matanzas,

1. His submissive attitude toward the white man today is shown by "Aves sin Nido", by Señora Clarinda Matto de Turner, Ross, South of Panama, p 73, and "Slavery in Peru", House Documents, Vol. III, 62nd Congress.

2. **Güerrero**, in the war of independence.

3. Cieza de León, Chapter XIII.

*elliptical* Cuba.(1) Hein's list of plunder shows how completely the effort of Spain's colonial empire was devoted to the production of gold and silver.(2) Spain's exploitation of the Indian is one of the saddest chapters in human history. ✓

1. Plate Fleet= Silver Fleet, plata being the Spanish word for silver.

2. The list is

135 pounds of gold.

177,537 pounds of silver.

37,375 hides.

2270 chests of indigo.

7,961 pieces of logwood.

735 chests of cochineal.

235 chests of sugar.

"Cambridge Modern History". Vol. IV, p 706.

Chapter III

THE SYSTEM OF GOVERNMENT.

The system of government of the Spanish colonies had for its basis the absolute authority of the king. The two great features of Spanish colonial policy were absolute political control and monopolistic privilege in industry and trade.(1) This statement must be qualified; there is abundant evidence that Spanish sovereigns attempted to protect their Indian subjects against the rapacity and cruelty of the Spaniards, though the needs of the treasury sometimes made even the best of them lax in the enforcement of the laws.(2) They interposed their royal authority between the persistent wrong-doing of their Spanish subjects and the defenceless inhabitants of the new world, sometimes with good results, but ordinarily the

1. Moses, "Establishment of Spanish Rule". p 23.  
The object of Spanish rule "was to keep the colonies in a state of blind dependence on Spain, and so to extract all possible advantages from their possession". Valenzuela, "Historia de Chile", p 31.

2. Roscher, "Colonial System", p 4. Bancroft, Vol. VI, p 255.

edict of the distant sovereign was easily evaded.(1) One reason for this small result from good intentions and good laws was the absence of the king. No Spanish monarch, and no prince of the royal house, ever visited the kingdoms of New Spain, Peru, Chile and New Granada. The kings of Spain were dependent on their subjects for information on which to base their laws, and for instruments to execute their commands. Of the great Code of the Indies Valenzuela says "Almost all these laws were sent forth because of suggestions made by the servants of Spain in the colonies".(2)

Considering their circumstances, it is a matter of surprise that even such kings as Charles V (Charles I of Spain) and Charles III were able to do as much as they did. It is probable that Charles V had a better knowledge of contemporary American affairs than any other Spanish sovereign. The list of his

1. "They protested earnestly, and for the length of centuries, but their subjects went **their** way and executed their will with the natives". Bancroft, Vol. VI, p 259.

2. "Historia de Chile", p 30. This code, commonly quoted as the Recopilación de las Leyes, was in no sense fixed and final. Not only was it subject to constant change by the Council, but viceroys and "audiencias" in America took liberties with it.

labors shows that he gave a conscientious care to his American dominions.(1) As he was king during the formative period, we must attribute to him a large measure of the good, and a comparatively small measure of the evil, that came from the colonial system. It existed as established by him till it was reformed by Charles III.(2)

The king governed America, as he governed Castile, through a council. This body, called the Council of the Indies, was created August 1, 1524. It sat at Madrid. Its jurisdiction extended to every department, civil, military, ecclesiastical, and commercial, and no other council in Spain had any jurisdiction over any matter connected with the new world.(3) The Council was composed of a president, a grand chancellor, and at least six associates, who must be men learned in the laws. There was also a "fiscal", or prosecuting attorney, two secretaries, and a deputy

1. Helps, "Spanish Conquest", Vol. IV, p 318.
2. Moses, "Era of Emancipation", p 48. Roscher, p 59. Buckle, "History of Civilization", pp 93-95.
3. Bancroft, Vol. VI, pp 255-519. Solozano, "Ciudad Indiana", Vol. II, p 394. Moses, "Establishment of Spanish Rule", p 18. The exact date of the founding of the Council is uncertain. Helps, Vol. II, p 18.

chancellor, who must all be men of noble blood and upright in morals. In addition there were various subordinate officials, including a lawyer and a "procurador" or attorney for poor suitors. All ordinances must receive the approval of two-thirds of the members of the council before being presented to the king for his approval. Three members constituted a quorum. All bulls and indulgences issued by the Pope must pass through the Council of the Indies, which had full authority to reject them.(1)

The absolute authority of the king and his council might be represented in the new world by a viceroy, and "audiencia", an "adelantado", or a captain-general. An "adelantado" was a conqueror of new lands, and because of the fact, he received the government of them.(2) An "audiencia" was a court, but executive, legislative and judicial functions were not clearly separated.(3) So it might act as a council

1. Bancroft, "Central America", Vol. I, p 280.  
Roscher, p 25.

2. "Adelantado", from "adelantar", to advance. Alvarado, who conquered Guatemala, and Almagro, who invaded Chili, were "adelantandos".

3. "Audiencia", usually a court of appeals. Its judges were "oidores".



for the viceroy or captain-general; or its president might serve as governor. For a long time it was the law that in case of the death of the viceroy, the president, or in case of his death, the senior member of the "audiencia", succeeded "ad interim".(1)

The viceroy possessed the entire royal authority in the territory over which he ruled. The ceremonial maintained by him was pompous in the extreme. He gathered round him a court appropriate to the representative of the sovereign. He was commander of the army, the supreme executive, and had large legislative powers. Though bound to consult the "audiencia" on many matters, the decision rested with himself. He had the appointment of many officials, including the clergy. In case of a vacancy in the office of parish priest, he appointed one of the candidates named by the bishop.(2) The higher offices in church and state were reserved by the king for his own appointment. The viceroy was not permitted to remain long in office. The "audiencia" kept watch upon him, and could correspond directly with the king. In some cases an appeal might be taken from the viceroy to the "audiencia", and might be remanded from the "audi-

1. Bourne, "Spain in America", pp 232-234.
2. Roscher, p 23. Bancroft, Vol. XI, p 527.

encia" to the Council of the Indies. The viceroy was president of the "audiencia", which was considered a separate office with a separate salary. He had no vote except in case of a tie.(1) In the later period of colonial government the viceroy had the assistance of three boards; the board of administration, of war, and of revenue. The last board regulated the expenditures for the year, which the viceroy could not exceed.(2) He exercised the right to pardon criminals within his dominions, under the same conditions as the king in Spain. He could not create offices nor increase salaries, nor extend a term of office beyond the point fixed by law.(3) America had two viceroyalties during the fifteenth and sixteenth centuries. The viceroyalty of New Granada was established in 1718, and

1. Keller, "Colonization", p 309. Roscher, p 25. Moses, "Eve of Emancipation", p 35. "If a viceroy gave an order to a subordinate that was contrary to the law, the subordinate might answer, 'I obey, but I do not comply', and appeal to the judges of the **audiencia**." López, Vol. 1, p 266.
2. López, Vol. I, p 266.
3. Moses, "Establishment of Spanish Rule", pp 89-91.

included what is now Panama, Colombia, and Venezuela. Buenos Aires was made a viceroyalty in 1776. The earlier viceroyalties were Mexico and Peru, and the newer ones were created from the territories of Peru.(1)

These "kingdoms" were divided into provinces, which had their governors and "audiencias", though a governor might rule a province without being associated with an "audiencia", and in other cases there was no appointed governor, the president of the "audiencia" acting in that capacity.(2) In any case the "audiencia", where there was one, was to keep the viceroy informed of the affairs of the province, and keep a watch on the governor.(3) The governor was always president of the "audiencia", where there was an "audiencia" and a governor. In districts where there was no "audiencia", the governor had a lawyer as an assessor, and the

1. Keller, p 309. The commission of a viceroy is given by Moses, "Eve of Emancipation", pp 38-40.

2. Moses, "Establishment", p 65. "The chief tribunal in Plata is that of the "audiencia", whose president has the titles of governor and captain-general of the province". "Noticias Secretas", p 144.

3. Moses, "Establishment", p 72.

cabildo of the capital city acted as his council.(1)

The administrative officers of provincial districts were called "alcaldes mayores", or greater "alcaldes", to distinguish them from the ordinary "alcaldes" of the cities. These were generally appointed by the viceroy, and had executive as well as judicial authority. The government of the districts, called "partidos", was closely connected with that of the municipalities. The "regidor", or chief of police, of the city, was frequently chief of a sort of volunteer police force, called the Brotherhood (Hermandad), which, in case of emergency, enforced order in the district. In the more remote and unsettled regions the enforcement of law was put in the hands of a provost, (preboste), who was given ample powers. He pursued criminals anywhere, and tried and executed them when caught, without having to give account to anyone.(2) On the judicial side this course was long and no doubt hard to follow. The city judge ("alcalde") was the judge of first instance. From him there was an appeal

1. López, "Historia Argentina", Vol. I, p 267.

2. López, "Historia de Argentina", Vol. I, p 267.

The provost was called "Preboste de Alta Justicia"; that is, he exercised "the high justice, the middle and the low".

to the "alcalde mayor," or superior judge, of which there were two hundred and forty-two in Mexico in 1786. Above these district judges were the supreme courts, or audiencias, of which there were eleven in Spanish America. From the audiencia an appeal might be taken to the Council of the Indies.(1) The audiencia of Mexico consisted of twelve civil and six criminal judges, and was divided into three sections of six judges each. Each judge went on circuit once in three years to investigate civil, criminal, and ecclesiastical matters.(2)

At the expiration of a term of office, an inquisition into the official's record was made. This was called the "residencia".(3) A residencia might be ordered by the king before the expiration of a term of office. The inquiry was conducted by one man, and in the case of high officers he was sent from Spain for that purpose, frequently with authority to inflict capital punishment. Residencias of inferior officers were taken by officials sent out by the supreme courts. When the representative of the king came to take the residencia of a viceroy he summoned all who had complaints to appear. All public records were open to him.

1. Bancroft, Vol. XI, pp 532-541-545. As an example of how authority would sometimes accumulate in the hands of one man, the presiding judge in Panama in 1537 acted as attorney for both the plaintiff and the defendant. Oviedo, cited by Bancroft, "History of Central America", Vol. II, p 58.

(Notes 2 and 3 on page 30)

This inquisition was of doubtful value . It is generally condemned by those who have written about it.(1)

This system existed unchanged till it was reformed by Charles III. The creation of a Ministry of the Indies and Commerce subordinated the council of the Indies to the government of Spain(2) In America the unwieldy provinces were diminished in size, and were ruled by intendant-governors who were brought into more direct relations with the home government than had been the case with the old governors.(3) The district administrative officers, or "alcaldes mayores", having in many cases degenerated into tyrants, were abolished, and officers called "subdelegados", or subaltern magistrates, were appointed,

(n2-p29) Bancroft, Vol. XI, p 541. (n3-p29)

The official must reside in the place where he had held office till the inquiry was completed.

1. Helps, "Spanish Conquest", Vol. III, Chap. III.

2. López, "Historia Argentina", Vol. I,

p 242.

3. Moses, "Eve of Emancipation", p 55.

and subjected to close restrictions. This last chance did not produce the results expected, as the sub-delegados proved more rapacious than the alcaldes.(1)

The greatest defect of the political system was its parasitic character. The chief function of the colonial empire was to produce revenue for the Spanish king. The imperialistic policy of Charles V and Philip II bankrupted Spain, and through the whole period of colonial rule the Spanish treasury demanded every dollar that could be squeezed out of the colonies. All efforts at reform were helpless before this insistent demand. A royal decree to better the condition of the Indians might be sent out, but the viceroy who received it knew that if obedience involved a diminution of the royal fifth of the gold and silver produced, he was at liberty to disobey. It is impossible to estimate with accuracy the total revenue which the king received from the mines; the monopolies, such as that of tobacco; the produce of royal domains; tithes, annates, and the sale of offices and titles, and taxes, direct and indirect, of every imaginable kind. The "fish-net tax", (alcavala) is worthy of special mention. This tax was introduced into Spain

1. At least in Mexico. Humboldt, "Political Essay", Vol. I, p 195.

by the Arabs, and was a favorite because of its value as a producer of revenue. It was a tax on sales, and goods of every kind were caught in the net. According to the Recopilación de las Leyes (Code of Laws), the alcavala was two per cent, but this seems to have been the minimum. In Tucumán, in the viceroyalty of Buenos Aires, it was two per cent on the fruits of the country, and four per cent on real estate and imported goods. In Peru and Mexico it was for a time four per cent in the frontier districts, and six per cent in the more densely populated provinces. In Mexico it was finally raised to fourteen per cent. From this tax the Indians were exempt. It was one of the worst taxes ever invented, and must have been a practical prohibition of many branches of commerce. (1)

The colonial system was parasitic in another way; it governed through an army of Spanish officials to whom America was a foreign land. It does not seem that the salaries paid these officials were excessive, as a rule. They constituted a class which was held together by common interests, and they were fa-

(1) Humboldt, Political Essay, Vol 1, p 198. Documentos para la Historia Argentina, Vol. 1, pp 25, ff. The Cubans made an effort to evade the alcavala in the sale of lands, by leasing them perpetually, so that the lease could be inherited or sold. The king ordered that any lease for a longer term than ten years be treated as a sale.



vered by the mother country in every way. Security against punishment for oppression and fraud was found in class-loyalty, and the community of interest between the criminal and his judge. There was no system of education for civil service to fit the Spaniard for a position in the new world. Instead, he frequently bought the office, and looked upon it as a speculation. Of 160 viceroys, only four were not Spaniards. (1) One of these was the Irishman, O'Higgins, whose genius for government made him viceroy of Peru, and whose career has no parallel in the history of Spanish America. Another was the Frenchman Liniers, whose good fortune as a soldier in resisting the English was rewarded with the post of Viceroy of Buenos Aires. The third was the great Mexican, the Marquess of Casa Fuerte, the only creole who ever ruled as viceroy in the land of his birth. (2) The fourth was the great Mexican, Juan José Vertiz, Viceroy of Buenos Aires. In church and state, and down to the lowest grade of officials, much the same state of affairs existed. All the offices except those of the cabildos and the militia were the exclusive property of the Spaniard.

This system of rule was subject to the defects of personal government. The laws might be codified, but the next edict of the king or the Council of the Indies might set aside an important law of the code. The rule of an official class responsible only to a distant sovereign had an arbitrary and despotic character. Whatever the letter of the law might have been, the real law in any particular case

1. Valenzuela, "Historia de Chili", p 54.
2. Roscher, p 25.

was simply the commandment of the local representative of Spain.(1) It must have been inexpressibly galling to colonials, who were perhaps the sons of Spanish rulers, or men possessed of wealth and titles of nobility, or men of talent for administration, to be shut out of public employment by foreigners, ignorant of colonial affairs, indifferent to colonial interests, and often insolent to the last degree. It is not surprising that when Buenos Aires raised the standard of revolt, this exclusion was stated to be one of her chief grievances. In native ability the Argentine leaders, Pueyrredon, Moreno and Rivadavia, are superior beyond all comparison to Sobremonte and Cisneros, the viceroys whom Spain sent to rule them.(2)

1. "Representatives of a despotic king, they were themselves absolute in the exercise of their functions, making their caprice or their interest preponderate over the precepts of the law. Masters, like the king, of the new world, conquerors and lords of her people, they dominated over them according to their will, and held in their hands the life and well-being of the colonials". Valenzuela, "Historia de Chile", p 58.

2. Bernardo O'Higgins, the son of the great Viceroy of Peru, disqualified from office by his American birth, placed himself at the head of the Chilian revolution, and became the first ruler of independent Chili.

The good that might sometimes result from this system of personal rule is shown by the history of the Mexican Viceroy of Buenos Aires, Vertiz. But we should note that the example of the Mexican statesman was not lost on the bright young men who gathered in his new and progressive College of San Carlos. The college became the cradle of Argentine independence. Vertiz, like Ambrose O'Higgins when the latter was Captain general of Chili, and to a greater degree than O'Higgins, was an American statesman rather than an agent of a foreign sovereign. His true successors were not the viceroys sent forth from Spain, but the men who established an American government in Buenos Aires.(1) These men were exceptions to the general rule of Americans, as Vertiz was an exception of the general rule of viceroys. Argentina itself was entirely unprepared for self-government, and so was every other Spanish colony. In all of them, men absolutely without political experience were, at the end of the colonial period, called to form constitutions and govern states. One legacy of the Spanish colonial system was a political incapacity and inaptitude from which some of the republics have risen only at the cost of terrible struggles, and in which others still remain.(2)

1. López, "Historia de Argentina", Vol. 1, chap. 38.
2. Markham, "History of Peru", p 280.

Chapter IV

THE COMMERCIAL SYSTEM.

A special department of the colonial government was organized and maintained for the regulation of commerce, which included all communication between Spain and the colonies. The institution established by the Spanish kings to govern the commerce of the new world was called the Casa de Contratación, or "India House". This board consisted of three royal officers, an auditor, a treasurer, and a factor, with a president. In addition there was a court consisting of three judges, who were lawyers, and a fiscal, or prosecuting attorney. The functions of the two sections were sharply defined. If a case was originally brought in the chamber of direction, and questions belonging to the court of justice were developed in the course of its consideration, it was immediately turned over to the chamber of justice.(1)

The India House reached its final form by a long process of development. The decrees for its establishment were published in 1503. For eighty years the whole business of the Board was transacted by one body. Till 1557 it consisted of only three members, but at that time a president was added, and in 1583 the three judges were appointed, and the division of judicial and directive func-

1. Moses, "La Casa de Contratación", in Report of American Historical Association, 1894; pp 98-99. (Con. p 37)

tions took place.(1)

The India House was responsible to the king, either directly or through the Council of the Indies . It was not subject to the jurisdiction of any of the Spanish kingdoms, in any respect. The connection between Castile and the new world was solely through the person of the sovereign. The new world was the property of the Spanish kings, and was managed by them in the interests of Spain, but the governments of Spain had nothing whatever to do with the government of the Indies.(2)

The India House became a powerful institution which sometimes had an important influence on Spanish affairs. It was called on to organize and equip the great Armada which Philip II sent against England in 1588.

For more than two centuries the seat of the India House was Seville, which city had a monopoly of all commerce

1. Moses, "Casa de Contratación", p 101.

2. Moses, "Casa de Contratación", p 93. "Spanish America did not belong to Spain, but was a part of the hereditary domains of the sovereigns of Castile, with which the cortes of Castile had little more to do than with the Kingdom of Naples." Bourne, "Spain in America", p 221.

with the new world. In 1718 it was removed to Cadiz, but the system of limiting commerce to one port of entry was continued till 1765.(1) Trade was regulated with great minuteness. At first a ship was allowed to sail whenever it was ready and had the proper license, but later it was allowed to go only in fleets and under escort. Two fleets were sent annually, one to Porto Bello, on the Isthmus, and the other to Vera Cruz.(2) All trade with Mexico was therefore through Vera Cruz, and all trade with South America through Porto Bello. As the fleet made the voyage but once a year, there was little room for private enterprise. The quality and amount of the goods sent from Spain were carefully prescribed.(3) Gold and silver were the chief objects sought in return, and the returning fleets came to be called the "plate-fleets".(4)

The India House had control of the important matter of emigration to the Indies. It was provided in 1511 that any subject of Castile, upon entering his name, should be licensed to go. This privilege was soon restricted, and the Board was charged to see that persons newly converted

1. Moses, "Casa de Contratación", pp 96-97. Morris, "History of Colonization", Vol. 1, p 261. Mitre, "Belgrano", Vol. 1, p 19.

2. Mitre, "Belgrano", Vol. 1, p 19. Morris, "Colonization", Vol. 1, p 261.

3. Moses, "Casa de Contratación", p 103.

4. From plata---silver.

from Judaism and Mohammedanism, and the descendants of those condemned for heresy, should not be allowed to emigrate.(1) Anyone violating these provisions was punished by confiscation of property, one hundred lashes, and perpetual banishment from the Indies. All magistrates, captains, pilots, or other persons aiding in the violation of these restrictions were subject to severe penalties. In the course of time the penalties were made more severe. In the seventeenth century both passengers without a license and the captains who carried them were sent to the galleys for four years, and in 1607 it was ordained that any sea-officer carrying passengers to the Indies without leave should be punished with death. So closely did Spain guard the doors of her American realms.(2)

A merchant was given license to go to the Indies for three years. No other married man could go without his wife, and no single woman was given a license. If a man was licensed to go to a particular town, he must reside there. If he pretended to be going to exercise a certain handicraft he was obliged to follow it. If any person went to the Indies without license, and was discovered there by the royal officers, his entire property was forfeited to the crown,

1. Evidently this did not always work. For the oldest Hebraic, if not Hebrew, colony in America, see Ross, "South of Panama, p 14.

2. Moses, "Casa de Contratación", pp 112-113.

save one-fifth, which went to the informer. It was the office of the India House to investigate the moral character of priests and friars, and to exclude the unworthy. No foreign friar could go to the Indies. No friar who returned to Spain was allowed to go back, unless he could show good cause for his return to Spain. Members of the religious orders, thus carefully restricted, were sent out at the king's expense, but during their whole stay in the Indies, they were under the orders of the India House.(1) No foreigner could trade with the Indies without a special license from the king; nor might he become the owner or master of a ship. All who were not born in Castile, Leon, or Aragon, were foreigners. This excluded the Catalans and Navarrese, though they were the king's subjects. A violation of this law was punished by death and the forfeiture of goods. Persons residing in the Indies who purchased goods from foreigners were returned to Spain as prisoners and forfeited half their property. By a later law all foreigners residing in the Indies were expelled.(2) In order to secure the monopoly of Spain, all industries that could compete with those of the mother country, and all commerce between the colonies, was pro-

1. Moses, "Casa de Contratación", pp 112-113.
2. Moses, "Casa de Contratación", pp 116-117.



hibited.(1)

It was the duty of the commissioners to dispatch all fleets, and to receive them on their return. Each ship was inspected to see if it was in condition to go to sea, and if it carried the required amount of provisions and fresh water. The goods allowed to be shipped were subject to careful restrictions. Once at sea, a ship must not leave the fleet "on pain of death and the forfeiture of goods" to the captain. When to ships returned, they were inspected to see if they had brought back the men with whom they started, and that they contained no unlicensed, and especially heretical, person. It was strictly prohibited to bring any Indian from America.(2)

Vera Cruz and Porto Bello became to the new world what Seville was to Spain. Great fairs were held there when the fleets arrived. In Mexico and Peru dealers were organized in close corporations. The supply of goods was always less than the demand. Scarcity and high values were the aims in view. Profits were sometimes three hundred per cent. Goods worth forty million pesos would be sold in forty days. As the products the fleets could take back to Spain were limited, the excess of colonial products

1. Mitre, "Belgrano", Vol. 1, p 19. Blackmar, "Spanish Institutions", p 297.
2. Moses, "Casa de Contratación", pp 118-119.

over that taken by the Spaniards was a total loss. To sell at all the colonist must run a fearful gauntlet of red-tape. The practical result was the suppression of much of the energy of the people.(1)

Under the rule of the India House, commerce with America was very limited. It is estimated by Professor Cairnes that at its highest the legal traffic of Spain with her colonies did not exceed 27,500 tons.(2) In 1555 the fleet from Seville consisted of eight vessels, and apparently other vessels still sailed to the Indies. In 1573 the two fleets consisted of thirty vessels each. In 1582 the return fleet consisted of thirty-seven ships, which carried gold, silver, cochineal, sugar, and hides. In 1625, thirty-three ships sailed to Vera Cruz. In 1637 the fleet to Porto Bello had dwindled to ten ships.(3) The two-fleet system finally broke down for lack of merchant-ships to carry the goods, and for lack of a navy to protect them. In the decline of the Spanish monarchy there would be intervals of several years when the ships did not sail. The last fleets sailed in 1701, and the last great fair at

1. Morris, "History of Colonization", Vol. 1, p 262. Bourne "Spain in America", p 283. Keller, "Colonization", p 284. Mitre, "Belgrano, Vol. 1, p 22.
2. Cited by Moses, "Casa de Contratación", p 119.
3. Bourne, "Spain in America", pp 286-288.

Porto Bello took place in 1737.(1)

This restrictive policy was favored by there being no possible port for Mexico but Vera Cruz, and by the fact that the Pacific was a closed sea. The Dutch, English and French were always looking for an opening. In 1616, a Dutch captain named William Schouten caught sight of the promontory that marks the end of South America, and named it Cape Horn, after the city from which he sailed.(2)

Mitre says, "This was a memorable event, destined to work a commercial revolution. This fellow-countryman of Grotius entered the Pacific, not to fight, but to trade. When he "rounded the Horn", he carried with him the doctrine of the freedom of the seas. From 1623 to 1636, eight hundred Dutch ships, "crowned with cannon, loaded with goods", reached the South American coast, and dominated both seas.(3) The monopoly of Spain was broken by the guns of Willikens and Hein. Dutch stations were established on Talcahuano Bay in southern Chili, at Bahía, Surinam and Curacao. At the same time Dutch and English ships entered the Rio de la Plata and took possession of Colonia de Sacramento on the Banda Oriental, opposite Buenos Aires.(4) Some of these posts were held

1. Mitre, "Belgrano", Vol. 1, p 41.

2. This Dutchman seems to have been somewhat neglected by historians. He captured San Salvador in Brazil in 1624, and was killed by his mutinous men. Andrade, "Historia do Brazil", p 72.

3. Belgrano, Vol. 1, p 33.

4. Banda Oriental, the "Eastern Shore", (Con. p 44.)

by an uncertain tenure and at irregular intervals, but two of them came to be of great consequence. From Curacao the Dutch gained the trade of Colombia and Venezuela, while from Colonia they and the English made a beginning of the commerce that has changed Buenos Aires from a poverty-stricken village into one of the world's great cities.

The industries of Spain declined, ruined by bad government. Burgos, Segovia and Toledo ceased to be manufacturing towns. By 1640, the southern provinces of Spain had so declined that it was found impossible to impose on them a productive tax. In 1662, an official report of the cortes to Philip IV stated that Seville contained only a quarter of its former inhabitants.(1) The new world was supplied with goods from England, Holland, and France, either directly by smuggling, or indirectly by way of Spanish ports.(2)

In the case of Buenos Aires the India House made its greatest effort to suspend the laws of nature, and sustained its greatest defeat. It was the best place in

(con. from p43-n4) from which the Uruguayans are commonly called Orientales.

1. Buckle, "History of Civilization", pp 55-58.
2. "Scarcely five per cent of American necessities were furnished by Spanish manufacturers". (About 1750) Roscher, "Spanish Colonial System", p 37.

the colonies to build up a great city, of which the fact that it is now the greatest Spanish-speaking city in the world is sufficient evidence.(1) Well situated for communication with Europe, convenient as a port of call on the way to the Strait of Magellan, centre of a vast hydrographic system, and the natural outlet for the overland trade of a vast hinterland, the advantages of its situation made it the natural emporium of South America.(2)

The Spanish colonial system attempted to make it, and for a time did make it, the extreme frontier of the empire. Goods to supply her needs must cross the Atlantic to Porto Bello, be transported to Panama, thence by sea to Callao, and be sent overland, by mule transport, through Peru and Bolivia, to Tucumán, Córdoba and Buenos Aires. Goods sold in Buenos Aires for six times their cost in Seville. Whatever the cost, Argentina had little money with which to pay the bill. She is the only example in South America of a colony established on the basis of productive labor, and not mainly for the purpose of acquiring the precious metals. For her products there was no market. She could

1. "Buenos Aires was predestined to be the rock on which the Spanish colonial system was ship-wrecked." López, "Historia de Argentina, Vol. 1, p 218.

2. Mitre, "Belgrano", Vol. 1, p 23.

not send hides to Spain by way of Peru and Panama. By a refinement of oppression she was forbidden to exchange mules, the only product that she could send, for the gold or silver of Peru. She was deprived of wine, oil, and especially iron, and such was her poverty that she could buy only a meagre supply of clothing.(1) In 1602, the inhabitants of Buenos Aires sent a representative to present their case to the king, and as an act of mercy, they were permitted to ship to the coast of Brazil, each year, 4,000 bushels of flour, 50,000 pounds of dried meat, and 12,500 pounds of tallow. These products could be exchanged for necessary things. This permission was for six years only, but was renewed in 1608 and 1614, and the exportation of a small quantity of hides was permitted. In 1618 permission was given to import and export goods to the amount of 200 tons, in two ships, neither of which could be of more than 110 tons. In order that this small commerce might not interfere with that of Peru, a custom-house was established at Córdoba, where duties of fifty per cent were collected. The goods had previously paid an export duty in Spain, a duty on arrival at Buenos Aires, and the freight to Córdoba, which made them worth three or four times the cost of the manufacture on their arrival in that city.(2)

1. Mitre, "Belgrano", Vol. 1, p 25.

2. Mitre, "Belgrano", Vol. 1, pp 30-31.

In 1640 Portugal and Brazil became independent of Spain. These new neighbors were not subject to the regulations of the Casa de Contratacion. The Banda Oriental was theirs, and the trading nations soon came to an understanding with them. A great trade in wool, hides and dried meat sprang up. European goods came in abundantly, and were sent as far as Bolivia. The Viceroy of Peru raised his voice in unavailing protest.(1) After 1680, smuggling constituted the real commerce, and its operations took place with the regularity of a legal traffic, under the protection of a common interest.(2)

The Dutch, from their post at Curacao, built up a thriving trade, which they afterwards shared with the English when the latter occupied Trinidad. This traffic was so free that Canas, a governor of Caracas at the beginning of the eighteenth century, organized the business, erecting a great store in Caracas to sell smuggled goods.(3) The great export of Venezuela was cocoa, and the great market

1. López, Vol. 1, p 34.

2. Mitre, "Belgrano", Vol. 1, p 35. "Smuggling, a protest in action against an absurd monopoly, had become a normal function, like the circulation of the blood, which had for its agents half South America". Same, p 41.

3. The career of Canas is described by Level, "Historia Patria", pp 190 ff. His enemies reported to the king that "even the clothes he wore were smuggled".

for cocoa was Spain. The climax was reached when Dutch smugglers secured practically the whole cocoa trade between Venezuela and Spain. To meet this situation, a company was organized at Guipuscoa in 1728, and San Sebastian, as well as Cadiz, was opened to trade with Venezuela. The new company was a success. The cocoa trade doubled, the price in Spain fell to one-half what it had been, and a trade in cattle and hides was begun.(1)

The Peace of Utrecht, in 1713, gave the Spanish slave-trade to England, which allowed her ships to enter Spanish-American ports and increased her opportunities for smuggling. She was also allowed to send one registered ship of 500 tons to Porto Bello, by which she ingeniously sent much more than 500 tons of goods.(2) The American colonies of England participated in the traffic. The trade of Spain with her colonies in the eighteenth century occupied only forty ships a year, while more than three hundred ships of other nations engaged in it.(3) Smuggling had risen to the dignity of an institution, and had attained to a degree of regularity and of organization which the world has not known either before or since.(4)

1. Roscher, p 37. In the sixteen years preceding the founding of the company, no ship had sailed from Venezuela for Spain. Keller, p 236.

2. Keller, p 250. (3. Colmeiro, cited by Keller, p 251.

4. Moses, "Establishment of Spanish Rule", pp 169-170.



Charles III, one of the greatest of Spanish kings, ascended the throne in 1759, and reigned till 1788. His reforms terminated the control of the India House. In 1764, he established regular monthly communication with America. The next year, free trade between the West Indies and all Spanish ports was conceded. In 1788 all the ports of the colonial empire were opened to commerce with all the ports of Spain. In 1774, the prohibition of internal trade between Mexico, Guatemala, Peru and New Granada was removed. José Patino, the Colbert of Spain, established the Ministry of the Indies and Commerce, took from the India House the control of commerce, and took from it the pernicious authority to deny to any Spanish ship a license to sail to America.(1)

One result of the commercial system was that foreign powers, particularly England and the United States, were interested in the separation of the colonies from the mother country. From the destruction of the Spanish fleet at Trafalgar to the setting forth of the Monroe Doctrine, the two powers contributed in various ways to that result.(2)

A result of greater consequence was that the colonies found the commercial yoke of Spain far too heavy a

1. Morris, Vol. 1, p 268. López, "Historia Argentina", Vol. 1, p 242.

2. Keller, pp 324-325-327.

burden, and seized the first opportunity to get rid of it. The system had no friends save in Peru, Panama, and Mexico, and in the latter country its friends were few. Buenos Aires and Caracas were the first centres of resistance to Spanish rule, as Lima was the centre of opposition to the revolution. The revolutionists of Caracas demanded of the regent, in 1810, freedom for cultivating all products and manufactures; freedom to import and export to and from all Spanish and friendly ports; free trade between Spanish America and Asia, and free trade with the Philippines; and the abolition of commercial monopolies. Spain refused to yield, and the revolution was the result.(1) The revolt in Buenos Aires came the same year. The two great generals of the revolution were Bolivar of Caracas and San Martin of Buenos Aires, and the war was finished in Peru by the combined armies of the two generals. Because of the severity of Spanish rule the contest left behind it a legacy of lasting hostility. Commercial relations between Spain and her former colonies almost ceased.(2)

Another result of the system was that the colonists were condemned to poverty. With the manufactures of Europe so high in price, the colonials naturally tried to use whatever was produced in America that could be made to take their place. The tendency was to lower the Spanish

1. Morris, Vol. 1, pp 270-271.

2. Moses, "Establishment of Spanish Rule", pp

standard of living to that of the Indian, not to elevate ✓  
the standard of the latter. The vast system of illegal  
trade corrected this tendency in a measure, but the mass  
of the people in Spanish America were poor.

With no opportunity for foreign trade, the Spanish  
American had no opportunity to take to the sea, and no  
incentive to build ships. A maritime commerce by the  
colonists was possible, to a limited extent, on the Pacific  
coast. Otherwise the colonist was forbidden to sail any-  
where or carry anything. Neither goods nor ideas could  
enter the closed circle of the colonial world save as they  
came from Spain, and the monotony of colonial life was never  
relieved by the return of ships from distant lands and the  
tales of those who had explored the far regions of the earth.  
When the need came to fight the navy of Spain, the two  
Anglo-Saxon nations furnished the necessary ships and cap-  
tains.

Chapter V

THE GOVERNMENT OF THE INDIANS

The government of the Indians had a special character, having laws different from those ordained for the white man, and, to a certain extent, different officers for their administration. The land of all the colonies was the domain of the king, and the grants that were made to the Conquerors were in a sense public offices as well as landed estates. The crown sought to place the encomenderos, as those who received grants of land were called, under such restrictions that the Indians would not be oppressed.(1) It was not the intention of the Spanish kings to place the Indians in a condition of slavery, and their laws were humane. Against this we must place the fact that their treasury participated in the profits of Indian servitude.(2) Indians were in law minors. They could not carry arms, learn the manufacture of them, or own a horse. They were obliged to live in villages,

1. Roscher, "Spanish Colonial System", p 4.

"The Spanish monarchs were, without exception, eminent protectors of the Indians". Helps, "Spanish Conquest", Vol. 4, p 257.

2. "The first thing (for the viceroy) was to send riches home to Spain". Markham, "History of Peru", p 197.

whites were not permitted to settle among them, and merchants were not to remain longer than three days in their villages, that they might not be exploited. They could not contract debts of over five dollars. In spiritual matters they were treated with exceptional mildness, and were not under the jurisdiction of the Inquisition.(1)

As a matter of fact they were treated as slaves by the Conquerors. The encomenderos treated the Indians as beasts of burden, exacting from them the **hardest** labors without any compensation.(2) Even the best of Spanish soldiers made war that they might subject the Indians, men and women, to forced labor in the fields and as domestic servants.(3)

An encomienda was a group of Indians, with the land on which they lived, given over to the care of a Spaniard, who was to receive from them certain tributes and services, and was to perform certain duties.(4) It was the duty of an encomendero to defend the person and property of his Indian clients, to treat them well in secular things, and

1. Roscher, "Spanish Colonial System", p 6.
2. "History of South America", by an American, p 74.
3. López, "Historia Argentina", p 127.
4. "They are properly undertakers or patrons for the care and oversight of men committed to their faith and protection, although they may lawfully take tribute of them in return". Acosta, cited by Helps, "Spanish Conquest", Vol. 5, p 79.

to have them instructed in the Christian faith.(1) The laws concerning encomiendas varied from time to time. In Peru, Pizarro received from Charles V authority to grant encomiendas for one life only. In 1536 he was given the power to grant them for two lives. In 1542 the New Laws prohibited them entirely, and in 1545 it was ordered that encomiendas should be granted for two lives, and should then fall to the crown. In Mexico things were different. Cortes granted encomiendas, but the grant was not confirmed. The grantees continued to hold them by tacit permission. These were for one life only, but it became the custom to grant them to widows of former encomenderos, and soon it became customary to transfer them by inheritance. In 1559, a third life was granted. In 1607, after a discussion of twenty-five years, a fourth life was legalized. A fifth life was granted in 1629.

The system was abolished by Charles III.(2) Protectors were appointed to see that the encomendero did his duty. These officers did some good, but in general they were unable to prevent the oppression of the Indians.(3)

1. Helps, Vol. 3, p 80, note, p 123. Moses, "Establishment of Spanish Rule", p 93.

2. Helps, Vol. 4, pp 236-240.

3. Helps, Vol. 4, p 265.

An encomienda was established by force of arms. A body of soldiers were sent to found a village, and to pacify and bring to subjection the neighboring Indians. The natives were slaughtered until those who remained "gave themselves over and commended themselves," after which they served the settlers of the villa. (2) An encomienda might contain a thousand male Indians. (3)

It was at first the rule that the Indians should serve their masters two months in the year, and enjoy liberty in their pueblos the other ten months. This was not sufficient service to satisfy the greed of the Spaniards. The mines demanded an enormous number of laborers. In Peru alone 1400 mines were worked. By law one-seventh of the males, from 18 to 50 years of age, in a given district, must work in the mines if called upon. It is said that not more than one-fifth of those sent to the mines survived to return home. This was the most fatal servitude imposed on the Indian.(4)

Another service that wore out many Indians was that of porters. The only roads were foot-paths, and there was

2. Helps, Vol. IV, p 265.

3. Cortez, "Relaciones", p 96.

Pedro de Alvarado establishes Villa Segura. "The natives were divided by the settlers of the villa, and served them with good will." They rebelled, and Alvarado conquers them. "They are now pacified, and serve the Spaniards. They are so tamed that they will come even to this city when commanded." Cortez, p 98.

4. Markham "History of Peru" p 193

Note 5 carried to page 59.

for a long time a scarcity of beasts of burden, while Indians were plentiful. When the mule replaced the Indian as a burden-bearer it was a great benefit. (1)

Even if the Indian remained in his pueblo the payment of the tribute exacted ceaseless toil. (2) When the system of encomiendas had been largely or entirely abolished, the oppression of the Indians was not relaxed. The official report of Jorge Juan and Antonio Ulloa, made to the Spanish king just before the middle of the eighteenth century, shows the condition of the Indians under the colonial administration. (3) The report maintains that the oppression of the Indians was caused by a greed for wealth on the part of their rulers. The Indians, not living now under the encomienda system, were divided into districts, under the rule of an officer called the corregidor.

1. History of South America, by an American, P 75  
Markham, History of Peru, p 193.
2. Ten thousand Indians died in the first expedition of Almagro into Chili, The transport of Balboa's ship material across the isthmus was very costly in Indian lives.
3. A document preserved by Las Casas gives the tribute imposed on 500 Indian families in the comparatively poor region of Arequipa. It included 180 Peruvian sheep, although such animals were not to be found there, and had to be purchased elsewhere. Helps, Vol. IV, p 231.
4. The report is called Noticias Secretes de America. It was first published in London about 100 years after it was written.



To this officer belonged the right to collect the tribute, and he had a monopoly of trade with the Indians of his district. The Indians subject to the mita, or forced labor, did not pay directly to the corregidor, but the tribute was paid by the masters, who deducted it from the pay of their servants. The corregidores collected excessive sums as tribute, as the Indians had no way of calling them to account. As the corregidor had absolute power, he forced the Indians to labor for his profit, paying very small wages. (1) By law the corregidor was to supply the Indians with such things as they needed, at moderate prices; the theory being that he would know their needs better than anyone else, and would save them from exploitation by merchants. He brought them such things as he wished, and exacted in payment everything that the Indians had that was of value. The gains of the corregidor in purchasing and distributing goods often amounted to more than four hundred per cent of the cost. Men who went from Spain in debt would return at the end of five years with from 60,000 to 200,000 dollars, though the salary of their office was hardly adequate for their current expenses. (2)

1. "These acts of extortion, which have no limit, have reduced them to a condition so deplorable that the state of the most poor and miserable beings that can be imagined is not to be compared with that of the Indians." Noticias Secretas p 239.

2. Noticias Secretas, p 243.

On the agricultural estates Indians were required to work 300 days in the year. For this they were paid eighteen dollars. The tribute, eight dollars, was deducted from the annual wages by the owner of the estate. In addition two dollars and twenty-five cents were deducted in payment of three yards of cloth, which was the sole clothing of the laborer. This leaves him seven dollars and seventy-five cents, with which to support his family and pay the contributions exacted from him by the curate. He and his family cultivated a small piece of ground, but as that did not raise sufficient food, his master sold him corn, for he could buy of no one else, so that he is placed in debt to his master. He thus becomes a slave for life, and the children are required to pay, by their personal services, the debts of their parents. (1)

A factory system of extraordinary cruelty had grown up. Work at the factory began before the day dawned, and the doors were locked. When darkness brought the work of the day to an end, the master inspected the work. Those who had not finished the required amount were punished with terrible severity. The instrument of punishment was the whip, and hundreds of lashes were inflicted for any failure to produce the required amount of work. (2)

1. Noticias Secretas pp 268-270.

2. Noticias Secretas, p 276.

The scourge was made of cow-hide, a little less than a finger in thickness, and about a yard long. Women and children, as well as men, were punished with it. With such an instrument priests chastised their parishioners, and exacted from them any service which they wished. (1)

The official report did not produce any change in the state of affairs. The influence of the oppressors was too strong. Santalices, Governor of La Paz, devoted his life to the cause of reform. He was removed by poison. Blas Tupac Amaru, an Indian of the Inca family, went to Spain to remonstrate against the injustice done his people. He was murdered on his way back. Nothing was done until the great uprising under Tupac Amaru in 1780. (2) After that the corregidores were abolished, and sub-delegados, who received their orders from the intendentes, were appointed to take care of the Indians.

1. Noticias Secretas, pp 289-290.

A person who was not a Spaniard, "or did not enjoy the privilege of being," one was scourged as an ordinary punishment in Buenos Aires. He was given two hundred lashes for carrying prohibited weapons, or for running his horse through the streets, and carrying a knife. Documentos para la Historia, etc, Vol. 1, pp 1,2.

2. Markham, History of Peru, p 197.

(Continued from page 55, note 5) "History of South America", by an American, p 75. Markham, Peru, p 193.

A Supreme Court for Indians was established at Cuzco, in accordance with the demand of Tupac Amaru.(1) For the diminution in the population the rule of Spain was not entirely to blame. Pestilences destroyed a large number of Indians. In Mexico there was a disease called the matlazahuatl, which existed among the Indians before the coming of the Spaniard(2) Small-pox was introduced into Mexico in the time of Cortez. The natives perished in great numbers, and districts were almost depopulated.(3) An epidemic, probably diphtheria, was first noticed in Carth- agena in 1588. It passed over all South America. Of Indian children struck down by this epidemic, not one out of a hundred escaped with life.(4)

So large a number of Indians were taken from agriculture to be used in times of war as porters, and in the mines, that famine was common. This accounts for the death of whole communities.(5)

1. Markham, "History of Peru ", p 197.

2. Bancroft, "History of Mexico", Vol. XI, p 757.

It is estimated that two millions died of this disease in 1576.

3. Same as note 2. Helps, Vol. II, p 303. "Where there were twenty thousand Indians, there have not remained more than forty inhabitants". An official report for 1552, quoted by Helps, Vol. IV, p 258.

4. Helps, Vol. IV, p 258.

5. "History of South America", by an American, p55.

"Famine cannot be classed as less destructive than epidemics". Bancroft, Vol. XI, p 757.

There was an enormous destruction of life from sheer wantonness and cruelty. On this subject, for the early period of the colonization, the one great witness is Las Casas. His estimates must be discounted, but his description of the depopulation of the Antilles is beyond question.(1) Whatever their numbers, these Indians entirely disappeared. As to the manner of their disappearance, we may well believe that "no tongue is capable of describing the villanies of these bloody-minded men".(2) The exact mental attitude of the Spaniard in the matter is shown by Gómara's remark about Governor Ovando, that he governed in "a very Christian way", and that he pacified a certain district by burning alive forty Indian chiefs.(3) In 1552 there remained only 200 Indians in Santo Domingo. In one district of Cuba, more than 7000 children died in three or four months, because their parents had been driven off to the mines.(4)

The author who did more than any other to cover up the evil deeds of the Spaniards estimates the number of Indians

1. For an estimate of Las Casas, see Winsor, "Narrative and Critical History", Vol. II, p 301.
2. Las Casas, quoted by Winsor, Vol. II, p 319.
3. Gómara, "Historia de las Indias, p 175,
4. Las Casas, Winsor, Vol. II, p 327.

killed and enslaved by Pedrarias at two millions.(1)

The extent of the depopulation on the mainland cannot be estimated with any approach to accuracy. Keane, who is a competent judge, estimates that the native population of Columbia declined from eight millions to one million.(2) As to Peru, a district which in 1573 had 11,199 Indian laborers, had in 1673,1674.(3) The population of the Inca empire is estimated by early writers at ten or twelve millions. In 1575, according to the estimate of Humboldt, there remained 1,500,000.(4) During the eighteenth century the increase of the Indian and mixed races, taken together, was considerable.(5)

1. Oviedo, "Historia de Indias", Book 29, Chap. 34.
2. "Central and South America", Vol. 1, p 139.
3. Markham, p 193.
4. Given by Keller, "Colonization", p 267.
5. Humboldt, "New Spain", Book II, Chap. IV.

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NOTE --- In some parts of the Spanish colonial empire the negro became an important factor. The negro population was always limited to the islands and to a few districts on the continent. He belonged to the islands and the lowlands, and never secured a footing in the elevated regions of the tropics or the temperate regions of the south. Humboldt estimates the negro population of Spanish America at 776,000, of which only 387,000 were on the continent. Of these the larger part were in Panama, Columbia and Venezuela.\*

\*Roscher, p 18.

The right to introduce negro slaves into the Spanish dominions was sold by the king to an individual, or a company, for a term of years; the party contracting with the king being bound to introduce a certain number of negroes. This traffic finally fell into the hands of the English at the Treaty of Utrecht. Previous to this time, a French company had the contract for twelve years, and the predecessor of the French company was a Portugese corporation, which had handled the business for five years.(1)

Laws for the government of the negro were very severe. He could have nothing to do with the Indians, and marriages or illicit connections between the two races were prohibited, or punished with great severity.(2) These laws could not be enforced, and the zambo, or descendant of Indian and negro, became, like the mulato, a class to be taken into account.(3) In Mexico descendants of negroes, of whatever mixture, were branded with infamy by being subjected to a special tribute, which, as many of the mixed race could not be distinguished in appearance from the Spaniards, kept them in a state of constant irritation.(4). Laws concerning negroes grew more humane in the latter period of the Spanish empire, and especially during the reign of Charles III. According to these laws, they must be taught the elements of Christianity, and must be given time to attend church. In case their master was cruel, they could get themselves transferred to another.(5) A slave could purchase his liberty, the price being fixed by law at \$300. There were large numbers of free negroes, but there were still 62,000 left in Venezuela when the uprising against Spain in 1810 gave them their liberty.(6)

The negroes, wherever their numbers were sufficiently great, brought into the commonwealth an element of corruption and demoralization.(7) Uprooted from Africa and transported to the new world, they had no elements of culture to contribute to the society of America. Their contribution was biological, and was doubtless of some value. Even where most numerous they had little effect on institutions.

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1. The Portugese Company contracted to introduce 10,000 tons of slaves in six and one-half years, paying for the privilege at the rate of \$112.50 a ton. Terms of the contracts with these individuals and companies are given in Gonzalez, "Historia Estadistica", Chapter VIII.

2. Moses, "Eve of Emancipation", p 108.

3. "Mulato", from "mule", -- mule.

4. Humboldt, "Political Essay", Vol. 1, p 194.

5. Helps, "Spanish Conquest", Vol. IV, p 251.

6. Gonzalez, "Historia Estadistica", pp 67-69.

7. Moses, "Spanish Dependencies in South America", Vol. II, p 204.

## Chapter VI

### THE CHURCH

The Church enters into the colonial system as a department of government, and was so related to other departments as to best promote the common end. The colonial system had at its head a king who was absolute in church and state. Such rights as the pope might have claimed were ceded to the crown of Spain by the bull of Alexander VI in 1493, in the following terms: "We give, concede and assign them in perpetuity to you and the Kings of Castile and Leon, your heirs and successors; and we make, constitute and depute you and your heirs and successors, the aforesaid, lords of these lands, with free, full and absolute power, authority, and jurisdiction".(1) No bull of the pope had any authority in America without being examined and approved by the royal Council of the Indies.(2) The ecclesiastical patronage of the whole of Spanish America ✓ belonged exclusively to the king. By a law of 1508, he

1. Montes de Oca, "Cuestiones Constitucionales", quoted by Moses, "Eve of Emancipation", p 120. "Particularly that Your Majesty is considered in the Indies as more than patron, as the del<sup>e</sup>gate of the Apostolic See, the one to whom is conceded the place of His Holiness, in alleccles- (continuation of this and note 2 on page 64).



nominated all bishops and canons. The annates and the proceeds of the sale of indulgences went into the royal treasury.(1) No churches, monasteries, or pious places might be established without the consent of the king. The titles belonged to him, and were distributed to bishops, churches, hospitals, and similar institutions, one-ninth being reserved for the royal treasury.(2)

The priest-hood established in the new world remained foreign, because no Indian, except in Mexico, and a few Spanish-Americans, were ordained to the priesthood. Very few Americans ever attained the episcopal office. A provincial council could be held only by the consent of the king or viceroy. Its decisions were sent to the Council of the Indies, and were subject to the confirmation of the Council.(3) The audiencias, or supreme courts, were courts of appeal in ecclesiastical as in criminal and civil cases.(4) The quality of the clergy sent to America was frequently very bad. Cortez speaks very explicitly about prelates who indulge in wicked habits and profanity, waste the estates of the Church, and leave estates to their children.(5)

(Continued from preceding page)-siastical affairs".  
Doctor Araciel of the Council of the Indies, quoted by Moses, "Eve of emancipation", p 123. (Note 2) "History of America", by an American, p 69.

1. Moses, "Establishment of Spanish Rule", pp 61-62.
2. Moses, "Eve of Emancipation", pp 242-243.

(Notes continued on following page).

During the early period of Spanish rule many of the bishops, parish priests and missionaries were men of high character and ability.(1) Migration to America, however, was especially attractive to priests who did not like the strict rules to which they were subjected in Spain, and who wished to acquire wealth. Their corruption and avarice became notorious.(2) The quality of ecclesiastics sent to America deteriorated with the decline of the Spanish monarchy. The character ascribed to them by Juan and Ulloa, in their famous report, is one of great wickedness. They usually bent all their efforts to amassing wealth, and though the customary fees might not exceed seven or eight hundred dollars, they had an income of five or six thousand. The two orders of the clergy were guilty of such licentiousness that they seemed to regard it as their privilege to go before all others in the career of vice.(3)

(Continued from preceeding page) 3. Moses "Eve of Emancipation", p 131. 4. "History of South America, by an American, p 71. 5. Helps, "Spanish Conquest," Vol.III. pp20-21.

1. For this side of the case, see Bancroft, Vol. X, Chapter XIX and Roscher, p 14.

2. "History of South America", by an American, p 69.

3. Noticias Secretas, pp 335-337-490. "It is a fact worthy of mention that in the rural districts it is rare to find a well-to-do white family that is not descended from some priest. The prestige of wealth which the parish priest enjoys is such that women of distinguished families lived in public concubinage with the clergy, who knew how to take advantage of this favorable

(Continued on following page.)

In the last half of the eighteenth century the process of recruiting for the religious orders became a scandal. Every year commissaries came to Spain for recruits. Those who enlisted were the rebellious, the wicked, and even those who had been excluded from the monasteries. Such was the character of these missionaries that captains would sometimes refuse to accept them as passengers, and had to be compelled to do so by armed force.(1) The regular clergy were greatly inferior to the secular, the former being recruited from the lowest classes.(2)

The Church in the new world acquired enormous wealth. It ultimately held about half of all the property in the colonies.(3) This was an obstacle to production, as the lands of the church were badly cultivated. All products of agriculture were subject to the tithe, which was so burdensome as to become in some cases prohibitive of cultivation.(4) The Inquisition was established in America in

(Continued from preceding page) disposition, and left numerous families in the localities where they lived".

Paredes, "La Provincia de Inquisivi," quoted by Moses, p 74.

1. "Noticias Secretas", p 509, note by the editor, Barry, who resided in Cadiz.

2. Same as 1, p 518; There is a discussion of the subject in Gonzalez, "Historia Estadística de Cojedes, Chap. III. Level, "Historia Patria", p 168.

3. Moses, "Establishment of Spanish Rule", p 311.

In Lima and some other cities the monasteries had a very large part of all the real estate, and the (continued on following page).

1569. Indians were not subject to its jurisdiction, as they were minors in law.(1) The Holy Office had control of the press, and the prescriptions for its exercise "are a real masterpiece in the bad sense of the word".(2) Every bookseller had to furnish lists of books offered for sale by him, and to have in his shop a list of books condemned by the Inquisition. No person could import books or take them from the custom-house without permission from the Holy Office. The inquisitors could make domiciliary visits and search for prohibited books. The list of prohibited or expurgated books grew till it finally contained the names of 5,420 authors.(3)

In 1790 Olavidi, a Peruvian, was condemned to a severe punishment by the Inquisition for having in his library the works of Bayle, Montesquien, Rousseau and Voltaire.

(Continued from preceding page) laity were reduced to movable property."Establishment of S. R." p 14.

(4) Keller, "Colonization", p 299.

1. Bourne, "Spain in America", p 312. The Indians were "gente sin razón", while the whites were "gente de razón".

2. Roscher, p 31.

3. Keller, "Colonization", pp 300-301. Bourne, "Spain in America", p 314. Moses, "Eve of Emancipation", pp 16-17.

Belgrano, wishing to study the economists, asked and obtained from Pope Pious VI a license to read prohibited books.(1) The celebrated case of Francisco Moyén shows the terrible power and injustice of the Inquisition in the new world. Moyén was arrested in 1749, chained and imprisoned in a dungeon in Lima for twelve years, declared not guilty, but worthy of suspicion, in 1761, and sentenced to the confiscation of half his goods, exile from America, and imprisonment in a fortress for ten years.(2) The inquisition was less active in America than in Spain because there was less material to work on. In 277 years only forty-one heretics were put to death in Mexico, and during the same period, fifty-nine were burned in Peru. There was not enough intellectual activity to furnish the institution many victims, and its subjects were blasphemers, bigamists, and those suspected of witchcraft, more often than heretics.(3)

It was the mission of the church to convert the Indians. Priests and friars accompanied the Conquerors

1. Mitre, "Belgrano", Vol. I, p 60.
2. Moses "Eve of Emancipation", pp 18-24.
3. Bourne, "Spain in América", p 313. Markham, "Peru", p 149. Calderón, "Latin America", p 57.

on their expeditions, and once the conquest was effected, they became the pioneers in the regions beyond, the mountain districts and the rural villages. In wide regions relatively or totally unoccupied by Europeans, they alone represented the forces making for civilization and conversion; thus they constituted a sort of intermediary status between the true colony and what might be called, from the standpoint of civilization, the desert.(1)

Among the early heroes of missions was García Cisneros, a Franciscan, who mastered the native language of the Mexicans, and is said to have baptized 100,000 persons. Diego Carranza led a band of Dominicans into the land of the man-eating Choutales, and multitudes were converted(2). Las Casas himself led such an expedition into the wildest part of Central America.(3) After this preliminary work the next step was to gather the Indians into villages. The name for such a settlement was the "reducción". The wild Indians were reduced to a settled life.(4) This

1. Keller, "Colonization", p 286.
2. Bancroft, Vol. X, pp 294-296.
3. Helps, Vol. III, pp 241-243.
4. Gonzalez, "Historia Estadística, p 31.

settlement enabled the government to exact a tribute, and the Indians were generally given "en encomienda". The villages were organized after the fashion of a Spanish municipality, with Indian "regidores" and "alcaldes". This was a mere show of freedom, as all real power remained to the priests and "encomenderos". (1) Although it was forbidden to convert the Indians by force, it was quite the custom to make inroads (entradas) into the territory of the wild Indians to seize their young people. (2) When the settlement was begun, the friars taught doctrine, letters and industries. Every town was required to have its church, hospital and school for teaching Indian children Spanish and the elements of religion. (3) Whites and mestizos established themselves among the Indians. "The missions became Spanish villages, and the natives lost even the remembrance of their natural

1. Blackmar, "Spanish Institutions", p 115.

2. Roscher, p 9. "Reducción", a group reduced to a settled life. Described by Gonzalez, "Historia Estadística, Chapter V. "Encomienda", a group commended to the guardianship of a Spaniard. "Regidores" and "alcaldes", municipal councilmen and judges.

3. Bourne, "Spain in America", pp 304-305.

idiom".(1)

The missions were a success because the basis of the system was industrial. The Indian accepted the better agricultural methods and mechanic arts because they brought him greater ease of living.(2)

Schools for the higher education of the children of chiefs were established at an early date. Diego de Alvarado, a nephew of the Conqueror of Guatemala, founded a college for the education of Indian youth at Tiripitro in 1640, and a son of the King of Michoacan was one of his first pupils.(3) The Jesuits established a college in Cuzco for the education of "the sons of Indian Princes"(4)

According to law, after twenty years a mission village passed from the friars to the civil authority. In the decline of missionary enthusiasm and energy toward the end of the colonial period it was found that the

1. Humboldt, quoted by Bourne, p 306. The process still goes on. I have visited a village of Tortugas Indians, in Doña Ana County, New Mexico, where **there were** only three people who could speak the Indian tongue. In Corrientes, Argentina. I found whites and Indians speaking both Spanish and Guaraní.

2. Keller, "Colonization", p 288.

3. Bancroft, Vol. X, p 401.

4. "Noticias Secretas, Vol. 2, p 131.



Indians at the end of twenty years were not fit for civil life. In the second half of the eighteenth century the missions seem to have been generally failures.(1) This is true of the most famous mission of all, that of the Jesuits in Paraguay. These "reducciones" of the Jesuits were not really a part of the colonial system, but a sort of independent state. The natives were not taught to speak Spanish, nor do their descendants speak it. After a century and a half of Jesuit rule, the Indians were in much the same state of barbarism as that in which they lived before the Jesuits came.(2)

In the later period of Spanish rule the parish priest figures as an oppressor of the Indian. The priests had a monopoly of marriages, baptisms and interments, and might order the Indians to celebrate a church festival in honor of the virgin, or one of the saints, and pay the fees.(3) The

1. The Intendants of Caracas, wrote in 1797, "In spite of the fact that the missions are so old, the Indians are as rude and ignorant in matters of religion and industrial branches as when they came out of the forest". Level, "Historia Patria", p 161.

2. "History of South America", by an American, p 81.

3. "In order to form an idea of the rights of the clergy we will limit ourselves to noting that, besides the tithe, they exacted forty reals (\$5) for a baptism, twenty for a certificate of marriage, and thirty-two for a burial". "History of South America", by an American, p 76.

various exactions of the priests tasked to the uttermost not only men and women, but also the whole family, and took the whole of their yearly earnings.(1) The efforts of the priests were so little directed to the instruction of the Indians that "their religion does not resemble the Christian religion any more than it resembles that which they had while they were in a state of paganism".(2)

The good which the Church did was great, even when all necessary deductions are made. Roman Catholicism, even with a considerable admixture of paganism, was a marked benefit. It was one, while pagan cults were many. It put an end to cannibalism, human sacrifices, polygamy, and many other things that were evil. Its positive religious teaching frequently went no further than the Lord's Prayer and the Ten Commandments, but it was a good thing to teach criollos, mestigos and Indians that much. To the clergy the new world owed such education as it received. The priests who devoted themselves to industry and commerce necessarily promoted both.

1. "Noticias Secretas", p 335. The priest's concubine took under her charge all the Indian women and children of the village and made them work at spinning and weaving cotton, without pay. The Indians were forced to cultivate the priest's farm on Sunday. Same, pp 340-343.

2. Same as note 1, p 353. On this subject, see Moses, "Eve of Emancipation", Chapter VIII.

If a Spanish priest took an Indian or mestizo woman as his concubine and reared a family of children, he was not guilty in the eyes of his contemporaries.(1) This infusion of Spanish blood was a good thing. The priests and friars brought to the Indians the priceless gift of the Spanish tongue. The Church left to the new nations of Spanish America a long war between clericalism and progress, but in the colonial epoch the good overbalances the evil.(2)

1. The family of the priest was accepted as a matter of course in many places, and still is. A gentleman from Uruguayana in Brazil told me that the most respected priest in that city had a "wife" and three daughters, who moved in the best of society.

2. Álvarez, "La Transformacion de las Razas", is a severe indictment of the Church as an obstacle to progress in Spanish America.

## Chapter VII

### THE SPANISH-AMERICAN CITY

The Spanish-American city was formed according to a definite plan, which was much the same in all cases. It was not an accidental aggregation of people growing up into a town to supply the needs of a rural population.(1) Blackmar traces the Spanish city back to Roman institutions(2) García Calderón traces it rather to the Iberian towns of pre-historic Spain, which he says were like those existing at the present day among the Berbers of the Atlas.(3) A group of Spaniards in the New World almost automatically organized themselves into a municipality. To his city, in Spain, his chief service and loyalty were due. His social status and consequence depended on his citizenship.

The city, as a political institution, had a great place in the scheme of things. When Cortes slipped away from

1. Moses, "Eve of Emancipation", p 77.
2. Blackmar, "Spanish Institutions in the Southwest", p 24.
3. Calderón, "Latin America".

Velasquez and sailed to Mexico, he put himself outside the sphere of legitimate authority. He was nothing more than the outlaw chief of a band of adventurers. To acquire a legal status he founded a city. With due solemnity and according to the ancient customs, Vera Cruz was organized, its citizens enrolled, and its officers appointed(1). The new municipality stepped into the place of authority which, according to Spanish ideas, belonged to its class. This meant that it could do almost anything that needed to be done, in the absence of higher authority. It gave Cortes<sup>S</sup> a commission as Captain-general and Chief-justice, and by virtue of this authority he conquered and governed Mexico. This action received the approval of the king, though not till after a delay of several years.(2)

The way cities were begun is shown by the founding of Buenos Aires. This took place June 11, 1580<sup>1580</sup>. The name bestowed was La Ciudad de la Santísima Trinidad y Puerto de Nuestra Señora de Buenos Aires(3) This means, "The City of the Holy Trinity, and Port of Our Lady of Good Winds". The founder was Juan Garay. He came from Santa Fe for that purpose, bringing with him seventy Spanish soldiers and two

1. Gomara, "Conquistador del Mexico", p 316.
2. Bancroft, Vol., IX. p 136.
3. López, "Historia Argentina", Vol. 1, p 125.

hundred Indians, with their families. The site was chosen for defensive purposes, being an elevated ground bounded by two deep creeks, a swamp, and the river. The city of Garay is still the heart of the modern metropolis. He first made a plaza or market-place, containing several acres. From each side of the plaza the city extended seven squares to the north and south, and ten squares back from the river, making a plot of 150 squares. These lots measured 150 varas, or about 136 yards, on each side. The streets were twelve varas or thirty-three feet, wide.(1) Such narrow streets are characteristic of Spanish towns, perhaps because they are favorable for defensive street-fighting. In the course of time the streets were built up with brick houses, one story in height, all built out to the street, and with brick walls between the houses. Each house had one heavy front door, which was commonly the only outlet to the street, and windows barred with iron. The Spaniard's house was in a real sense his castle. Around the plaza were the public buildings. On the side next the river was the building which served as fort and prison. Directly opposite, across the plaza, was the City Hall, called the Cabildo. The church was built at the northwest corner.(2) Beyond the plot for dwellings was

1. There is an error in Moses, "Eve of Emancipation", p 90. See López, "Historia Argentina", Vol. I, p 126.

2. The Cabildo is still there. The site of the church is occupied by the cathedral, and that of the fort, by the Casa Rosada, containing the administrative offices of the national government.

the common pasture land. Each householder pastured animals on the common lands, the number being proportioned to the extent of his holding.

The first officers of the city were appointed by the founder. These were the "regidores", the "alcaldes", the "alguacil", and the "alcaide". The regidores were members of the city council, called the cabildo or ayuntamiento. Their number in Spanish America varied from six to twelve. At the beginning Buenos Aires had six. There were two alcaldes. They were the city judges. The alcalde derived his title from the Arabic, and the office was as oriental as the title, as he administered justice according to unwritten custom rather than written law. The alguacil, whose title is also Arabic, was the bailif of the city court, and the executive of the decrees of the Cabildo. The alcaide, or "kaid", another officer with an Arabic title, was the keeper of the city prison, and chief of the prison guard. As leader of an armed force he was liable to a call from the Cabildo when needed. As the prison was commonly the fort, he generally had in his hands the citadel and the cannon. He was thus a person of consequence, especially in times of emergency.(1)

1. For the city officers, Moses, "Eve of Emancipation", p 81 f. Titles, Rodríguez-Navas, "Diccionario". "Regidores of Buenos Aires, Documentos para la Historia del Virreinato del Rio de la Plata," Vol.1, p 82. Use of alcaide and prison guard, Level, "Historia Patria", p 203.

This simple organization, mainly that of a Moorish village, could be incorporated into the scheme of Spanish colonial government only by setting aside its popular elements. According to ancient custom the Council was elected by the householders, and the other officers by the Council. As a matter of fact, regidores were frequently appointed by the governors, and other appointive officers sat with them in the Council. (1) In Buenos Aires it was not till after 1750 that regidores were regularly elected by the people. There was an appeal from the alcalde's court to the governor and audiencia, or supreme court, and the decrees of the governor were laws for the alcalde. In Buenos Aires the governor always had control of the fort and military, which made the Cabildo a powerless body. Offices in the Cabildo were sold. In 1619<sup>the</sup> office of regidor of first vote brought \$800, while the other five paid \$700 each. When the office was bought it apparently belonged to the owner for life, but when elected

1. Members of the council were elected each year, on the first of January. By a law of 1594, all householders except retailers could vote. Moses, "Eve of Emancipation", p 79. In 1701 the cabildo of Buenos Aires had eight regidores, and the alférez real, alcalde provincial, alguacil mayor, depositario general, and receptor de penas de cámara sat with them. "Documentos" Vol. 1, p 103.



by the householders the regidor served for only one year. The offices were at first sold by the Audiencia at Potosí, for the profit of its treasury. Afterwards they were sold at auction in front of the Cabildo building in Buenos Aires.(1)

It was the duty of the Cabildo to supervise the market and shops. For this duty the king created the office of Faithful Executor, which was filled by each of the regidores in turn.(2) Prices of all articles were fixed by the Cabildo. One of the Alcaldes had charge of the goods of deceased persons.(3) The Cabildo occupied itself with such things as the enforcement of the law that married men should not live apart from their wives. It provided a constitution for the Shoemakers' Union, when the shoemakers of the city formed a union in 1780. The rules for the government of the shoemakers were very elaborate, and one of the Alcaldes was made director of the organization.(4) The revenues at the disposal of the Cabildo were very limited. In 1783 the total income of the city of Buenos Aires was \$4,444, none of which was raised by direct taxation.(5)

1. "Documentos", Vol. 1, pp 85-86.
2. "Documentos", Vol. 1, p 103.
3. "Documentos", Vol. 1, p 105.
4. "Documentos", Vol. 1, pp 106-107.
5. "Documentos", Vol. 1, p 142.

The influence of the Cabildo extended beyond the limits of the city. When Buenos Aires was founded, the land in the adjacent regions was divided into tracts of about 5,000 acres, and given to the citizens. The city householder became a rural magnate. These lands were tilled by Indians according to the encomienda system, but landless Spaniards were eventually settled upon them.(1) As in other parts of Spanish America, the ownership of land by the citizens made the city the dominant factor.

Centralization of power in the cities was inherent in the nature of Spanish-American institutions. This was not simply because the governor lived there, but because the Cabildo was an advisory council for the governor, and officials having jurisdiction in the province sat in the Cabildo with the city regidores.(2) The provincial judge and sheriff, (Alcalde provincial and Alguacil mayor), were members of the Cabildo, and that body elected the leaders of the militia, called the Hermandad, for the enforcement of order in the province.(3) The city was older than the province, and the province was created, as a political institution, by the city.(4)

1. López, "Historia Argentina", pp 126-127.
2. The cabildo advises the governor in the matter of a commander for an expedition against the Indians. "Documentos", Vol. 1, p 208.
3. "Documentos", Vol. 1, p 104.
4. Of the fourteen provinces of the Argentine Confederation, thirteen bore the names of their capital cities.

There grew up in the province a population separated in interests, culture and sympathy from the inhabitants of the city, and restive under its control. This is well illustrated in the history of Mexico, Venezuela and Argentina, but was more or less true everywhere. This population took its origin from the landless Spaniards who settled as squatters on the domains of the citizens or on the public lands, some of whom were fugitives from justice; the Indians, and the mestizos. These people lived after a fashion that can hardly be called civilized. Their clothes, their necessities, and their habits of life were peculiar. They looked with disdain upon the luxuries, the manners and the orderly life of the city. In the latter were courts, schools, churches, factories and the commerce of a European civilization. In the country was a population with a strong tincture of Indian barbarism. In the colonial system this people were in political, economic and social dependence on those of the city. Frequently the city was nothing more than an oasis of civilization in the midst of a barbarism that extended to her doors.

The life of the city was not only a continual struggle for law and order against barbarism, but also a struggle for a measure of self-government, to keep alive the remnants of popular rule.(1) A remarkable case is found in the history

1. Sarmiento, Facundo, pp 34-35. For the inhabitants of the llanos of Venezuela. Gonzalez, "Historia Estadística de Cojedes, Introducción".

of Caracas, the capital of Venezuela. The Cabildo of that city had fallen to the lowest ebb. Level says, "Reading the minutes of that time, we find a group of serious men who assembled at stated periods to do nothing, because every point of importance was in the hands of the governor".(1) A great emergency arose, The Governor of Venezuela became insane. The Cabildo, true to the tradition that it must and could do what needed to be done, in default of any other authority to do it, took measures against the Governor. The regidores and alcaldes met in secret, arranged the evidence, and forwarded the accusation to Spain. This action was approved, and in due time an official arrived from Santo Domingo to take the insane Governor prisoner and carry him to Spain.(2) This left the country without a governor, so the municipal authorities took charge. The executive functions fell to the two alcaldes, while the cabildo became a governing council for the province. This work they performed with marked success.

A few years later the Cabildo of Caracas engaged in a remarkable conflict with another governor, The first point in dispute was whether the bishop could be appointed to govern in the absence of the governor, or whether that function per-

1. Level, "Historia Patria", p 198.
2. Level, "Historia Patria", p 190 ff.

tained to the alcaldes. The point was decided by the king in favor of the city. The next point was the authority of the cabildo to arrest the governor in a manifest violation of law. The cabildo performed the arrest at the command of the Supreme Court of the Viceroyalty at Santa Fe, and as before, the city alcaldes assumed the government. The king ordered the governor to be released. The governor wished to prevent the election of alcaldes. The cabildo elected them in spite of his opposition, and on an order from the Supreme Court imprisoned him once more. Another order came from the king to release the governor, but the cabildo decided not to obey it until the king was fully informed as to the cause of his imprisonment. Soon after the governor was released, and attempted to assert his authority by force. The alcaldes promptly called the alcaide and his prison guard, and the governor fled. The bishop excommunicated the alcaldes, who responded by ordering out the militia of the province. Finally, on January 26, 1726, the king issued an order restoring the governor, enjoining the Supreme Court against interfering in the matter, disapproving of the action of the cabildo, and stripping it of all of its powers. The alcaldes were superseded in their judicial functions by an officer called a justicia mayor, appointed by the governor. The cabildo had carried on the contest for nearly four years, with great courage and skill. This seems to have been the most important attempt ever made by a Spanish American municipality to secure a measure

of popular and autonomous government. Failure was inevitable, as there was no place in an absolutism for a municipal republic.(1)

The most important act of any Spanish American municipality was that of Buenos Aires in establishing a government for the viceroyalty independent of any existing in Spain. This took place May 25, 1810.(2) On May 17, it was generally known in Buenos Aires that nearly all Spain was in the hands of Napoleon, and that the only governing body left was a junta or committee sitting in Cadiz, and elected by that city. Cadiz, as the seat of the monopoly that had so long oppressed Buenos Aires, was especially odious, and the people resolved on a revolution. To accomplish this object the old machinery of the municipality was used, and what makes the case more remarkable than it would otherwise be is the fact that the machinery was mainly in the hands of Spaniards. The personnel of the cabildo was of slight importance; the institution was necessary to give an aspect of regularity and legality to the revolution.

1. Level, "Historia Patria", p 197 ff.

2. Mitre, "Belgrano", p 264 ff. Biblioteca de Mayo, Vida de Passo. López, "Historia Argentina", Vol. 2, p 21 ff. The municipal council of Caracas formed itself into a supreme Junta of government, April 19, 1810.

On May 18, two military leaders, Saavedra and Belgrano, presented to the chief alcalde, Lezica, a petition, in the name of the people, for the calling of an "open cabildo". In ancient times it was the custom to summon the whole body of the people; that is, of the householders, to a conference on matters of supreme importance. With the growth of cities this had become an assembly of notables, under the presidency of the cabildo. Such an assembly had more than once met in Buenos Aires.<sup>(1)</sup> It was an ancient legal privilege of a Spanish city.

The call was issued by the Alcaldes May 21. Two hundred and twenty leading men assembled. These were the bishop, the chief men of the church, the most important officials, and the chiefs of the military. In the debate the bishop and Spanish officials denied the right of the municipality to take action in the case; on the ground, first, that the government belonged to Spaniards, and as long as one Spanish city remained, it was the lawful ruler of all the colonies; and, secondly, Buenos Aires could not justly and legally act for the whole viceroyalty, such action being possible only by an assembly composed of representatives of all the cabildos.

Two lawyers of distinction, Castelli and Passo, answered for the patriots. Castelli argued that Buenos Aires, as the capital of a viceroyalty, was superior in rank to Cadiz, and

1. Moses, "Eve of Emancipation", p 88.

had at least an equal right to form a government; and that as the descendants of the conquerors the natives of Buenos Aires had a superior right. Passo's argument was that the public safety made immediate action necessary; that the viceroyalty had fallen with the king; that Buenos Aires was in the position of an elder sister, who, in a great crisis in family affairs, administers the family estate for the common benefit; that as soon as possible she will convoke a general assembly; that in the meantime the public authority and common rights are safer in her hands than in any other.

As a result of the courage and determination of the patriot leaders, the "open cabildo", or assembly of notables, voted to authorize the cabildo to constitute a committee of government. After some delay, and under pressure, a governing committee for the viceroyalty was named and installed on May 25, and a sketch of a constitution was furnished to the committee for its guidance. Having performed this function, and being of no further use to the patriots, the cabildo subsided into its former obscurity.(1) The cabildos were the

1. "To the cabildo is due the idea of the representative system and the first glimpse of the division of power. From the time that they took upon themselves the conduct of public affairs, the rudiments of a system of government more complex than the one-man power began to permeate all minds". Banza, "Historia de la Dominación Español en el Uruguay". Vol. 2, p 639. Banza quoted by Moses, "Eve of Emancipation", p 89.



only institution of the ancient Spanish constitution which the mother country bequeathed to her colonies. In Spain the liberties of the communes were suffocated by the despotism of Charles V and Philip II, but in America it was necessary to concede to the cabildos more privileges than were enjoyed by those of the Peninsula. Because it supplied, especially on critical occasions, the elemental necessities of government, and because it was the only popular institution, it gradually acquired a considerable importance. It was never forgotten that a city-community had once been an institution which powerful kings respected and the most arrogant nobles feared. It bore on its coat-of-arms the name of a republic as a reminder that once it had been self-governing. In theory the city fathers still had the right to call the citizens together at sound of bell, and unite them in conference, as in ancient democracies; to levy taxes, control the city funds, and provide for the city militia; to put the governors appointed by the crown in possession of their offices; and above all, they had a clear legal right, reaching back to times before Bourbons or Hapsburgs ruled in Spain, to take such steps as were necessary to promote the general welfare, and preserve the rights of their citizens. These municipalities, thus preserved, were the foundation of the Spanish American republics. (1)

1. Mitre, "Belgrano", Vol. 1, p 107. See the article on Buenos Aires, "Capital y Municipio," in *España Moderna* for May, 1912. "From an ancient Spanish cabildo was born, on May 25, 1810, the republican government of Argentina". Alberdi.

Chapter VIII

THE SPANISH-AMERICAN PEOPLE

Under the rule of the Spanish empire, with the institutions of the colonial system as primary factors, a new civilization was created and a new people was born. Never within historic times has there been another such experiment in the mixture of really alien races as took place when the Spaniard, Indian and negro were brought together in America.(1) The fact that of these three races a new people has resulted is fundamental. The dominant element in Spanish America at the end of the colonial period was the mestizo, though the proportions of Spanish and Indian blood differed greatly in the different colonies. Bolívar said, "We are not Europeans, nor Indians either; but a kind of half-way species between the aborigines and Spaniards".(2) Two classes are to be distinguished among the Spaniards who took part in the founding of colonies. There were the nobles

1. "From the fusion of these three races has resulted a homogeneous whole". Sarmiento, "Facundo", p 32.

2. "Let us be careful not to forget that our race is neither European nor North American; but rather a composite of America and Africa, than an emanation from Europe, since Spain herself ceased to be European by virtue of her African (Arab) blood, her institutions, and her character". Bolívar, cited by Calderón, "Latin America", p 75.

and gentry, and the soldiers of fortune, with whom may be classed the higher clergy and many of the priests. "And when the fervor of the discoveries and conquests was over, there began the emigration of the plain and common folk, in part honorable and laborious, in part stowaways and license evaders, or vicious criminal adventurers"(1)

The emigration from Spain was never very great. It probably averaged between 1,000 and 1,500 a year during the sixteenth century.(2) Spain had no surplus population to send to the new world, and in particular she could not send the sterling middle class who are the bone and sinew of all rational development.(3) Those who came regarded their residence in America as temporary, and intended to return to Spain to enjoy their riches.(4) Of course many, because of a failure to acquire riches, or for other reasons, settled in the new world. Through all the history of the colonies there was a class of office-holders who stayed but a few years in America. These,

1. Colmeiro, cited by Keller, p 211.

2. Bourne, "Spain in America", p 250.

3. Blackmar, "Spanish Institutions in the Southwest", p 84.

4. The Indiano, i e., the man who has gone to the Indies and acquired wealth, is a familiar figure in Spanish literature.

with the merchants of Spanish birth, formed the class called chapetones or gachupines, "who were the spoilt children of the mother country", and were detested accordingly.(1)

It is said that in 1550 there were only 15,000 Spaniards in the new world.(2) Velasco estimated the total Spanish population in America in 1574 at 30, 500 households.(3) How many of these households were the result of mixed marriages is not stated, but it is certain that this was the case with the great majority. The emigrants were nearly all men, as single women were forbidden to go to the colonies, and it was even difficult to obtain permission to return and get a wife who had been left behind.(4) It was the policy of the Spanish government to promote marriages between Spaniards and natives.(5) Among those tribes where descent

1. "History of America", by an American, p 72.
- Valenzuela, "Historia de Chile", p 34.
2. Roscher, "Spanish Colonial System" p 17.
3. Bourne, "Spain in America", p 250.
4. Keller, "Colonization", p 214.
5. Don Manuel de Centurión, Governor of Guiana, reports, "I have facilitated thirty-five marriages between Spaniards and Indian women of the chief families among the Caribs, etc., from which alliances we are uniting ourselves wonderfully with these and other nations". <sup>n2</sup> Gonzalez, "Historia Estadística, p 27.

was in the female line, the son of a Spanish chief might be the heir to the chief place in the tribe.

The criollos were Americans of presumably pure Spanish descent. In many cases the presumption was based on fiction rather than on fact. Families that were really white were rare.(1) Humboldt estimates the population of Spanish America, in 1800, at 7,530,000 Indians, 5,328,000 mestizos, 3,276,000 whites (Spaniards and criollos) and 776,000 negroes. The "whites" were always receiving recruits from the mestizos. This was a matter of importance, as social and military honors were open to the whites, and closed to mestizos, and the law made a distinction, punishing those "who did not enjoy the privilege of Spaniards" with the lash.(2) In the latter days of the colonial period the privilege of being a white man was sold by the government. A royal decree of August 3, 1801, fixes the following prices for social rank: The privileges of hidalguía, (the gentry) \$107,000.(3) The title of "Don", \$1,400. Dispensation from the quality of pardo, (admission of a person of mixed white, Indian and negro, or white and negro, blood to the rank of "white") \$700. Against this decree and similar

1. "Noticias Secretas", p 417.
2. "Documentos para la Historia del Virreinato".
3. Evidently an error. The price given is much too high.

measures the Cabildo of Caracas and the criollos of that region raised a vigorous but unprevailing protest.(1)

It was the desire of Spain to prevent any common union of feeling or spirit among the entire population, that the colonies might remain dependent upon the mother country. To that end the division of the people into classes or castes was deliberately fostered.(2) Spain created in America a nobility equal in rank to that of Spain, and endowed with "mayorazgos" or entailed estates. <sup>in</sup>As the conquest of Moorish lands, so a class of nobles was created in America as it had been created in Granada. Cortes became Marquess of Oajaca as Rodrigo Ponce de León became Marquess of Zahara. It was not very difficult to acquire a title. The descendant<sup>a</sup> of Columbus became Duke of Veragua. A Count of Montezuma, descended from the victim of Cortes, long had a place among the nobles of Spain, and the descendent and heir of the Peruvian Incas was the Marquess of Oropesa. In 1772 there were more than 150 titles of nobility in the new world. The object of forming this circle of nobles was to give dignity to the

1. Gonzalez, "Historia Estadística", Chapter VII.  
"When there was only a sixth of negro or Indian blood in the veins of a colonist, the law granted him the title of white"  
Leroy-Beaulieu<sup>11</sup>, quoted by Keller, "Colonization", p 220, note.

2. Morris, "History of Colonization", Vol. 1, p 252.

vice-regal courts, and to attach wealthy and influential men to the crown, by satisfying their desire for distinction and rank. The sale of titles was a means of raising revenue which the bankrupt treasury of Spain did not neglect. The tax on the great nobles brought in \$600,000 in Mexico, and \$831,408 in Peru, in 1772.(1)

Chile is the country on which this kind of nobility left the most permanent impression. Don Mateo Toro, Count of the Conquista, is an excellent example of his class. He was born in 1727 and inherited a large estate. By the purchase of land, and dealing in the confiscated estates of the Jesuits, he acquired a fortune of \$600,000. Some colonial honors and offices of profit came his way, but his consideration seems to have been due to his wealth, and to the fact that he had a brother at court. To this brother Don Mateo sent a goodly sum of money, and in 1770 his estate became a mayorazgo, and he became Count of the Conquista. The new Count had the chroniclers and kings at arms at the court of Charles III make him a genealogical tree, in which a large series of illustrious persons were shown to be his ancestors. (2) In this way one of the richest men of Chile was bound to his distant sovereign.

1. *Mayorazgos y Títulos de Castilla*, Vol. III, p 34. "The title was an empty honor which despotism granted to the colonist to make more proselytes to its system" Valenzuela, *Historia de Chile*, p 50.

2. *Mayorazgos y Títulos*, Vol III, p 1 ff.

The decendants of the Chilian nobility still form an aristocratic class which holds the land and political power of that country.(1)

The criollos were obsessed with the desire to claim hidalguía, or the lesser nobility. They were continually disputing about their genealogies, and always took care to inform a stranger of their high descent.(2)

At the same time this kind of nobility seems to have become very cheap . In the archives of Simancas there is a record of a patent of hidalguía having been granted to a certain criollo for successfully conducting a mule-train burdened with cow-hides belonging to the king.(3) With such ideas and ambitions the criollos could not be expected to work with their hands. Position under the government must be so arranged as to afford them employment, and all of them who were not office-holders were place-seekers.(4) In Caracas there were six hundred lawyers and judges among 30,000 people. (5)

1. "Chile affords one of the prettiest examples of government for a class to be found in the world today." "Its government is a simon-pure oligarchy of from 100 to 150 families". Ross, South of Panama, pp 271, 273.

2. Noticias Secretas, p 417.

3. Gonzalez, Historia Estadística, p 43.

4. Moses, Establishment of Spanish Rule, Chapter II.

5. Morris, History of Colonization, Vol. I, p 251.



The population was thus separated into classes, Indians, negroes, mulattoes, zambos, mestizos, criollos, and natives of Spain, who usually hated each other heartily. In addition there were antagonisms between different colonies, as Peru and Buenos Aires; and between different districts, as the people of the coast-lands and those of the plateau in Mexico.<sup>(1)</sup> The Spanish colonial empire had uniformity without unity; uniformity of language, laws, government, and religious institutions; and entire lack of unity within each province because of class antagonisms. Out of these classes the mestizo and white were destined to form a sort of union and, after casting off the despotism of Spain, attempt the work of nation-building.

The policy of Spain in keeping the classes separate, and thus holding them in dependence, was wonderfully successful. Her colonial empire had the legitimacy that inheres in a government by the consent of the governed. The colonies were subject to a heavy taxation, and had to support an army of Spanish officials, but the only other army they supported was their own. Spain had no army in the colonies. It is amazing to see the absolute confidence with which Spain supplied arms for the colonial militia, and gave important military commands to colonial leaders. A colonial could not be governor or viceroy, but he could fill

1. Keller, Colonization, p 220.

any military office from lieutenant to field-marshal.(1)  
Even the war of independence was mainly a war between  
colonials.

The lack of education, and the absence of newspapers, ✓  
help to explain the long submission of the colonials. There  
were colonial universities, but until the eve of the revo-  
lution there was nothing to break the monotony of their  
medieval teaching.(2) The great men of the Argentine  
revolution were educated<sup>in</sup> the new and progressive College  
of San Carlos, established in Buenos Aires by the energetic  
Vertiz, not in the old University of Córdoba.(3) News-  
papers are not mentioned till the very end of the colonial  
period. There was one in Bogota' in 1791. The first  
newspaper in Chile was not published till 1812, after the  
outbreak of the revolution.(4) The press was not a factor  
in affairs in colonial times.(5)

The great awakening of human thought connected with  
the American and French revolutions had its effect in

1. The Duke of San Carlos, became field-marshal  
and commanded-in-chief of the forces of the viceroyalty of  
Peru. Belgrano was an officer of militia; San Martín a  
lieutenant-colonel of the Spanish Army. Moses, Eve of  
Emancipation, p 9. Mitre, Historia de Belgrano; Historia  
de San Martín.

2. Moses, Eve of Emancipation, Chapter VII.

3. López, Historia Argentina, Volume I, p 270.

4. Moses, Establishment of Spanish Rule, p 160.

5. The remains of the only printing-press known

(Note continued on next page.)

Spanish America. The revolutionary era was a period in which the leaders were men of great ability. Victoria and Guerrero in Mexico, Bolívar and Paez in Venezuela, O'Higgins in Chile, and San Martín, Belgrano and Rivadavia in Argentina show that the new republics did not go to ruin for lack of great men to guide them. No nation ever entrusted its destiny to a nobler leader than José de San Martín, and his victory at Maipú is one of the world's decisive battles. In capacity for statesmanship we would not risk much by assigning Rivadavia to the class of Hamilton and Jefferson. Argentina had no place for the greatest soldier and the greatest statesman she has ever produced. The former, after his capture of Lima, went into voluntary exile, and never returned to the country he had saved. Rivadavia was exiled by the government of Rosas.(1) Bolívar also died in voluntary exile. Sucre, the hero of Ayacucho, was murdered in prison by an insurgent chief.(2) Hardly less sad was the fate of Belgrano. (3) The fact that these supremely able and patriotic leaders could effect nothing against the rise of anarchy is decisive proof of the total incapacity of the Spanish-American for self-government.

(Continuation of Note 5, preceding page.) to have existed in Argentina before the nineteenth century are preserved in the National Museum in Buenos Aires. I have never seen anything that gave so vivid an impression of the intellectual status of a former epoch as this little press, sole agent among 800,000 people of a mighty force for progress.

(See next page for Notes 1, 2 and 3.)

As was inevitable, the constitution of the United States was taken as a model by the Spanish-American makers of governments. But conditions were entirely different. The revolution was mainly the work of the colonial aristocracy, and it left the cities, where Spanish blood predominated, in control. At its close the inferior castes rose against the aristocracy, the provinces against the metropolis, and the vast, ignorant population of the interior against the cosmopolitan sea-board. (1) Government falls into the hands of the generals of a barbarous democracy.

The Church contributed nothing toward self-government. In polity there was no room for local self-governing congregations, or activities initiated and directed by the laity. The local church of colonial times was an edifice usually built and owned by the government, in charge of a priest appointed by the government. (2) Such training

(Notes from preceding page.) (1.) Rivadavia, "Melgas," p 163. The best work on the period of anarchy is probably "Civilización y Barbarie," by Sarmiento. (2.) "History of South America," by an American, pp 123, 124. (3.) Mitre, "Belgrano," Vol. IV, p 192.

(Notes on this page.) (1) Calderon, "Latin America," p 92. (2) In Argentina the colonial system is preserved without change. The only way a congregation can own property is by taking out a charter as a commercial company. The idea of an autonomous congregation, a "church" in the American sense, is foreign to Argentine law.

for associated action as was given to Americans by church activities was absolutely unknown to the Spanish American.

The absolutism of the Church within the sphere of doctrine was unchallenged at the time of the revolution. The new governments proclaimed the "Rights of Man" to govern himself politically according to his own understanding, sanctioning the sovereignty of the people in the civil order and the rights of the Church in the spiritual order. The people were free with respect to civil rights and slaves with respect to moral rights. Personal self-government was granted by the political constitution and condemned by the religious constitution.(1) The Spanish-American received none of the educational effects of religious discussion. The carefully preserved religious intolerance was transferred to the political field; free political discussion was prohibited, and instead of the action of political parties we see the strife of military leaders. There was no room for a minority party as an opposition to the party in power(2) Not only did the Church stand as a tremendous political power, opposed to progress, at the end of the colonial period, but the type of mind which the Church produced was incapable of functioning in a true republic.(3)

1. Alvarez, "La Transformacion de las Razas", p 74.

2. "Given the national constitution, all political parties should cease and disappear because they sow discord and cause disunion. Therefore the existence of political parties in this province is prohibited". A decree of the Government of Salta, December 9, 1861. Álvarez, p 80.

(Note 3 continued on following page).

The religion, social philosophy and ethics of the colonials was adjusted to the parasitic manner of life. Labor was associated with servility, and complete exemption from useful exertion was the hall-mark of the master-caste. The peon-class was held in a servitude from which it has never emerged.(1) In a mental atmosphere where, in the bitter phrase of Álvarez, "a piece of the clerical garment worn by an invincible enemy of sweat and soap was considered of more importance than the creative intelligence of Bacon and Edison", and where any kind of labor was a social crime, individuals capable of pushing forward along the lines of economic progress could not be produced.(2) As this abstinence from manual labor was accompanied, in the case of city dwellers, by abstinence from military exercises and sport, the result was a race characterized by physical weakness. Another ingredient of the mestizo and criollo character is an overmastering sex-passion.(3) Access to females of a low social caste in extreme youth has

(3..Continued.from.preceding.page)...Unamuno, President of the University of Salamanca, says, "History has made the people called Latin; a history of Catholicism and Romanism". And because that same leaven of medieval understanding is operating in the spirit of new generations, it creates today the same moral type as in the days when the environment was closed to foreign influences. Álvarez, p 153,(1)"From the Rio Grande down the west coast to Cape Horn, free agricultural labor as we know it does not exist." Rose, "South of Panama", pp 144-163 ff.

2. Álvarez, p 137. Ross, "South of Panama", Chapter VI, discusses this point at length. (Continued on page 103.)

resulted and results today in a tremendous waste of human energy. Boys enter upon an unregulated sex-life soon after puberty, and in colonial times, even more than at present, a man's life included a host of illegitimate unions, of concubines, of clandestine amours.(1) It is those countries where puberty comes latest that have the most vigorous population. The people of Argentina and Chile are a stronger race than those of Peru and Venezuela. A social result of the ungoverned sex-instinct is a large per cent of illegitimate births, with results in the care and training of children that were evil in the extreme. This heritage of evil, which the institutions of colonial times did much to promote and little to prevent, is one of the greatest obstacles to progress in Spanish America.

The colonial system left a race that was mentally and morally weak. From the economic standpoint many of its members were useless and parasitic. There was a lack of capacity for associated action, and a lack of aptitude for legal, as distinguished from personal government. The division into castes entailed a heritage of disunion and disorder. Ignorant multitudes were easy

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(note 3 continued from preceding page) "Sensuality and mysticism were the pleasures of the colonists". Calderón, "Latin America", p 55.

1. Ross, "South of Panama", p 184. Calderón, "Latin America", p 55.

prey for ambitious and unscrupulous leaders.

There are many things to place in the other scale of the balance. The colonial system spread over a large part of the earth's surface a culture vastly superior to that which it replaced, and from which much is to be hoped. The eighteen republics which have replaced the Spanish empire have inherited a jurisprudence which reaches back to the days of Alfonso the Wise, and is capable of modification and expansion to meet the needs of progress.

The Spanish empire spread the customs of civilized society. Ancient America at its best never produced anything but barbarism. The republics have at least the conception of public order and well-being, and the ideal and aspiration of national unity. Even such a matter as Spanish manners was no inconsiderable heritage. Spanish Americans, even though bare-footed Indians, are a polite people. The introduction of European cereals and vegetables, and domestic animals, was an immense benefit. The introduction of the mule might almost be called an economic revolution.

The Spanish empire gave to the inhabitants of a vast territory a rich, flexible and melodious language, and a copious and splendid literature. Just as an Anglo-Saxon finds himself immediately at home in the remotest settlement of his race, because names, books, ideas, laws, customs and worship are familiar, so the Spanish American



finds himself within understanding distance wherever he goes, from the rio Grande to the rio de la Plata. The mental equipment is a unity through all Spanish lands. All Spanish Americans enjoy the proverbs that have sifted down through the ages from the peasantry of Spain. None of them know anything of habeas corpus or trial by jury. All of them go courting and bury their dead in the same way, which is entirely different from the Anglo-Saxon way. Men and ideas circulate with a facility that is impossible where national boundaries divide languages and races. Of three presidents of Argentina, one had been chief of artillery in the Bolivian army, another founder of a normal school in Chile, and the third a colonel in the army of Peru. A lawyer, a teacher, a soldier or a journalist passes without difficulty from the service of one country to that of another. This common mind, and the common institutions through which it finds expression, are the best results of the Spanish colonial system. ✓

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UNIVERSITY OF MISSOURI  
COLUMBIA

DEPARTMENT OF ROMANCE LANGUAGES

May 24, 1916.

Professor Walter Miller,  
Chairman of the Graduate Committee,  
University of Missouri.

Dear Sir:--

I have read rather carefully Mr. W. J. Burner's dissertation on "The Social and Political Effects of the Spanish Colonial System" and recommend that it be accepted in partial fulfilment of the requirements for the degree of Master of Arts. The treatise shows first-hand knowledge of the people under discussion and an intimate acquaintance with Spanish-American psychology and its causes.

As the thesis stands at present, its mechanical defects detract somewhat from its effectiveness. I believe that Mr. Burner would be following the best recent practice if he were to spell practically all excepting the very commonest Spanish names as they are spelled in the original. My impression is that Cortés is now preferred to Cortez, Chile to Chili, etc. In any case, I believe that adherence to the original Spanish names would not be a fault in an academic paper. There are many typographical errors, omissions of accents, and some misspellings of English words, and these should be corrected before the dissertation is placed on the shelves of the library.

I regret that Mr. Burner has apparently not referred to Shepherd's Latin America. He would have found the volume stimulating, and might have been induced to look at some of his material from another point of view. I should have been glad, also, had he developed pages 104 and 105 into a chapter. Perhaps there would be a little more freshness and a little more distinctiveness in bringing out the merits of the Spanish Colonial System, and the commendable results it had in Spanish-America. From Bingham's Across South America, some reflections of interest relating to Spanish-American social habits might have been obtained. Possibly some discussion of the heterogeneity of ideas and habits in the different Spanish-American countries and the effects of isolation on social adaptation and political evolution might have been worth while. An interesting comparison could undoubtedly have been made between the Indian workman enslaved by perpetual debt to his master and

*Corrections made in spelling Spanish words according to the suggestions of Dr. Washaw, except that Paey, Goygalez, etc, are spelled as the owners of the names prefer to spell them. Respectfully W. J. Burner*

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or

the mill-hand factory-hand of our own country. The discussion on page 51 concerning the lack of shipbuilding might have been made more vital by a treatment of shipbuilding today in South America under different conditions. The statement on page 99 regarding the incapacity of the Spanish-American for self-government ought, I believe, to be made less trenchant, since what is evident from Mr. Burner's entire essay is, not any inherent incapacity for self-government or republicanism on the part of the Spanish-Americans, but the constant existence of certain social and political and economic factors of a detrimental character. Where those factors have been mitigated or removed, progress toward self-government has been visible. In some of the Spanish-American countries, public-school education and the increase in newspapers are doing what those agencies have done for us. I could wish, in addition, that Mr. Burner had given some time to the reason why the noticeably republican Spanish spirit seemed, away from home, to become docile and yielding to the system of a distant bureaucratic government,--as happens in connection with other countries today.

These comments are made for purposes of suggestion and not in a fault-finding tone, since I imagine that Mr. Burner is likely to do further work on this interesting and valuable subject.

Without special reference to this dissertation, may I suggest the following for consideration by your Committee:

1. The advisability of having all notes to dissertations numbered consecutively from the first to the last page.
2. The usefulness of urging the authors of theses to pay particular attention to structural coherence and cogency, to the 'architectonics' of composition. There is a tendency in American scholarship to look upon a loosely-joined array of notes as satisfactory. To my mind, much efficiency is lost by such procedure. By beginning with our candidates for Master of Arts degrees, we might in time come to approximate the ease, force, and beauty of French scholarly work.

Very truly yours,

*Albanshaw*





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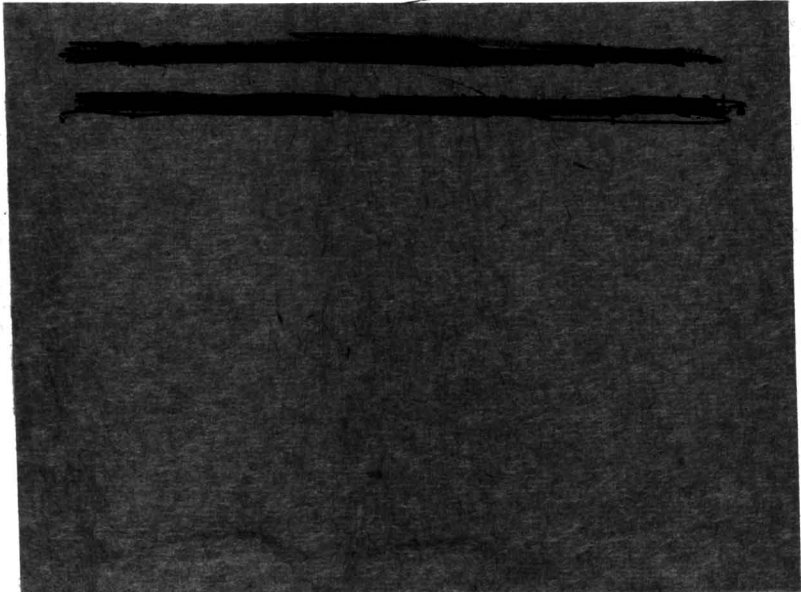
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