

TLAXCALANS IN POST-CONQUEST GUATEMALA

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The Tlaxcalans, most distinguished as the allies of Cortés, were pressed into Spanish service on a broad scale.¹ After the fall of Tenochtitlán they went on to serve from one end of New Spain to the other; from the northern frontiers down to Central America, they served the conquerors in the vital role of "amigos."²

Pedro de Alvarado undertook the conquest and pacification of Guatemala with the assistance of a large number of native warriors from Mexico, including not only Tlaxcalans, but also some from his encomienda of Xochimilco and other areas. From the Tlaxcalan ranks, which may have numbered several hundred, there survived a small colony, stranded two hundred leagues from their lands.³ Although it is often stated,

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² For an account of the interesting part taken by Tlaxcalans in the conquest and settlement of northern New Spain, see Marc Simmons, "Tlascalans in the Spanish Borderlands," *New Mexico Historical Review*, XXXIX (January 1964). Dr. Simmons discusses the considerable involvement of these Indians in the northern extensions of the kingdom, from the late sixteenth to the eighteenth centuries. Their importance was not only in military service, but also as agents of acculturation in bringing some of the wilder tribes under Spanish domination. To understand the situation of the Tlaxcalans on a broader scale, one should consult the excellent work of Charles Gibson, *Tlaxcala in the Sixteenth Century* (New Haven, 1952).

³ The number of auxiliaries from Mexico used by Alvarado in the conquest of Guatemala is uncertain. The figure of Bernal Díaz suggesting that about two hundred Tlaxcalans and Cholulans went along is frequently cited, but there is reason to suspect that Alvarado suppressed the actual number of those taken.

without qualification, that the Crown exempted the Tlaxcalans from tribute payments in recognition of their services, the fact is that their status in that regard was by no means secure.⁴ Subsequent to the initial pacification of Guatemala there was less demand for their arms, and their diminished numbers constituted no great force for purposes of punitive expeditions. Alvarado had, in any case, resorted to the use of the more ferocious Achies in subsequent entradas.⁵ Thus the Tlaxcalans were left to shift for themselves in an alien society, no longer sought as combatants on a regular scale, yet bereft of the means with which to sustain themselves.

After the founding of the city of Santiago, the Tlaxcalans and other Indians from Mexico settled nearby, living as they pleased, with their liberties observed as vassals of the King—or so said the procurador, Gabriel de Cabrera, to the Crown. Cabrera, in 1532, petitioned the King to allow Spaniards to use the erstwhile native auxiliaries in projects involving

In 1563, the Indians of Xochimilco wrote the King, claiming that 2,500 of their men had gone with Alvarado to Guatemala and Honduras, and that all of them had perished, in "Carta de los Caciques é Indios Naturales de Suchimilco a Su Magestad, alegando sus servicios desde el principio de la Conquista de Méjico, Panuco y Xalisco, al Marqués del Valle y al Adelantado Alvarado, y pidiendo Restitucion de sus derechos y posesiones de que han sido despojados. (2 de Mayo de 1563.)," DII, XIII, 293-94. Furthermore, in "Varios indios de Tlaxcala y Mexico a Carlos V" (Guatemala: 15 de agosto, 1547) AGI, Audiencia de Guatemala 52, it is claimed that more than one thousand warriors accompanied the conqueror. How many of the total were Tlaxcalans is not clear.

⁴ Hubert Howe Bancroft, *History of Central America*, 3 vols. (San Francisco, 1882-1887), II, 234, writes that, "By cédula, dated July 20, 1532, they were exempted from other than a nominal tribute of two reals . . . but this order was unheeded.

⁵ The Adelantado used two or three thousand Achie allies when he entered Honduras to pacify rebellious Indians in that area. The cannibalistic Achies terrified the Honduras and proved most effective for Alvarado's purposes. See, e.g., Pedraza a Carlos V (Gracias a Dios: 18 de mayo, 1539), AGI, Audiencia de Guatemala 110.

manual labor, from which the said Indians would be "content," in his opinion. In response, the Crown ruled by *cédula* that the Tlaxcalans were not to serve in *encomiendas*, adding that they should be left alone; if they wished to serve the city they could, but otherwise they were to be treated with the respect of *vecinos* and vassals of the Crown.⁶

Six years later Hernán Ximénez, representing the interests of the citizens of Santiago, noted to the Crown that a few of these same Indians, grouped outside the city, had been joined by many others. Since they no longer had anyone ("depositarios") to look after them, and because the city needed to create and repair public works, Ximénez suggested that the Tlaxcalans do the work. This they could do without involving much labor, he said, because there were many of the Indians. Not only would this occupy the natives, but it would also ennoble the city of Santiago. On this occasion the Crown vacillated, requesting more information about the Indians in question: who they were, what their number was, and what would be best for their conservation.⁷

In 1539, the *regidores* of various *cabildos* in Guatemala noted that certain Indians of Tlaxcala and Mexico had been present when Santiago was founded, and that they had settled nearby. Although few of the original ones were left, they had been joined by others from Mexico, as well as from Guatemala. And, the officials asserted, every day newcomers arrived to settle with the Tlaxcalans and to associate with them,

⁶ Real *cédula* (Medina del Campo: 20 de julio, 1532) AGI, Audiencia de Guatemala 393, R-1, ff. 39-39v.

⁷ Real *cédula* (Toledo: 8 de noviembre, 1538), AGI, Audiencia de Guatemala 393, R-2, ff. 146-146v.

in order to avoid serving the Spaniards by posing as auxiliaries of the conquest. Not only were they behaving like vagabonds, but they had occupied most of the ejidos, had killed cattle, and caused considerable harm to Santiago in other ways. In order to check these abuses, the regidores asked Charles V to require those Indians to serve their encomenderos and to be restricted to their pueblos and asientos.⁸

Aside from the impostors, even those of the original group behaved badly, according to the cabildos. Without specifying the Tlaxcalans, they wrote that during the conquest the Spaniards had treated the native auxiliaries very well. In return for their contributions in the fighting, the allies had enjoyed the company of the Spaniards. However, with the land pacified, the amigos began to assume airs of importance, with the favor of rich Spaniards. They had rejected a condition of servitude to the King or anyone else. Moreover, others had arrived from Mexico, and they began stealing and gambling, thereby scandalizing the Guatemalan natives and harming the Spaniards, "porque como son ociosos comiten muchos pecados y alteraciones." The cabildos asked the Crown to order the former allies returned to their old masters, and the new arrivals put under the care of Spaniards so that they would be indoctrinated in the faith and their condition improved.⁹

There is further indication that some disturbances were caused by the Tlaxcalans, for in 1543 a Spaniard

⁸ Varios cabildos de Guatemala a Carlos V (Guatemala: 22 de enero, 1539) AGI, Audiencia de Guatemala 41. In the margin of the document this notation was made: "Que los yndios de mexico que estan aqui poblados y los otros sirban a la ciudad en obras publicas. Al gobernador e obispo q informe q yndios son estos y q tantos y q casas ay y enbien su parecer."

⁹ *Ibid.*

who said he had spent twelve or thirteen years in Santiago de Guatemala, from whence he had departed about nine months before, testified that natives of Tlaxcala and Mexico had been abusing the Indians of Guatemala. According to the witness, they had mistreated the Guatemalan maceguals and ate their food, "as is done by some servants in señorial homes." And this, he affirmed, was done with the knowledge and consent of the local caciques of the Guatemalans. "It would be enough," he continued, "for the Indians to pay tribute to their cacique and their encomendero without having other 'señorejos' giving them orders and taking away what they have." To prevent such abuses, it was suggested that the Tlaxcalans and other aliens be forbidden to live among the Guatemalans.¹⁰ But, for the moment anyway, the auxiliaries enjoyed royal favor; in September of the same year Prince Philip cautioned the Audiencia de los Confines to observe the decree which stated that Tlaxcalans and other Indians from Mexico and Xochimilco were not to pay any tribute or perform any services whatsoever.¹¹

Whatever liberties the Tlaxcalans may have taken, their own version depicted quite a different situation. On March 15, 1547, two complaints on their behalf were sent to the King. The first represented the grievances of all of them. The plaintiffs reminded Charles V that they had forsaken their families, homes, and lands in order to participate in the conquest of Guatemala. They did this, they declared, under the command and "heavy yoke" of Pedro de Alvarado, his brother Jorge, and Pedro de Puertocarrero. They were left

¹⁰ Información de Gregorio López, (Sevilla: 1543), AGI, Patronato 231, R. 4.

¹¹ Real cédula (Valladolid: 13 de septiembre, 1543), AGI, Audiencia de Guatemala 402, Lib. T-2, ff. 92-92v.

destitute more than two hundred leagues from their native land, suffering many excessive labors, hunger, thirst, and pestilence. They had received very bad treatment from the Spanish captains and soldiers, who had handled them roughly, even violently, hanging some of them and killing others in various ways. But having rendered their services, once Guatemala was pacified these same allies were made to pay tribute in the form of slaves taken in war or slaves of rescate. These alone amounted to more than four hundred slaves, in rescate. These alone amounted to more than four hundred slaves, in addition to others which could not be remembered. Aside from this, they were required to pay tribute in hens, maize, chile, salt, and sandals. Instead of being treated paternalistically and considered free men, they were themselves made slaves and tributaries of the Spanish conquerors, beside whom they had fought. To make matters worse, they continued to give some military service, while being subjected to overwork, pestilence, and abuses from their Spanish masters.

The complaints indicated the manner in which they were enslaved. After the conquest the Tlaxcalans were divided among the captains and soldiers, some of whom were given twenty of the Indians, and others ten or fifteen. Not even caciques and principales were excepted from this servitude, losing their freedom and status along with their people. This condition persisted throughout the process of settlement while the Tlaxcalans lent their services during the campaigns of pacification. When the land was subdued they were treated better for awhile, but they remained as slaves; and so that they would be more rooted in the alien land, the Spaniards made grand promises to them,

including that of granting repartimientos to the Tlaxcalan lords.¹²

After Alvarado returned from Spain with increased powers, including the title of Adelantado, he began to build his armada for the conquest of new lands. This required the labor of many Indians, and the Tlaxcalans were not overlooked. According to their brief, the auxiliaries were forced to renew, and even augment, their former labors. They were made to resume paying tribute and to work at cutting and sawing wood, catching fish, making heavy lines, and gathering carbon for the building of ships and galleys. They had to perform excessive service in the maintenance of Alvarado's household, and a variety of other labors which, along with extreme abuses, resulted in the deaths of many who had survived the earlier rigors of combat. Such sufferings had existed up to the time of the suit, although their condition had been assuaged somewhat. In the end, only forty of fifty Indians remained alive from Tlaxcala, and a like number from Mexico.

After assuring the King of their fealty, and reminding him that all their toil had been in the royal service, the Tlaxcalans asked that their sufferings be alleviated. As it was, the Spaniards would give them no justice; and if their masters could do so, the Indians wrote, they would "devour" them as wolves consume cattle

¹²Indios de Tlaxcala y México a Carlos V (Guatemala: 15 de marzo, 1547), AGI, Audiencia de Guatemala 52. Gibson, *op. cit.*, 163, makes these observations: "The Tlaxcalan settlers in the south . . . adopted the device of personal petition, and in Guatemala, where Tlaxcalan nobility was joined with conquistador blood, the favors granted were exceptionally generous. Thus the mestizo descendants of Pedro de Alvarado and Luisa Techquilvasin, the daughter of Xicotencatl, requested and received many awards, including the encomienda privilege in certain Guatemalan towns. . . . Descendants of Alvarado and Xicotencatl's daughter were still demanding favors in the seventeenth century."

and sheep. This was prevented only because of the protection afforded them by the Franciscans and Dominicans.¹³

On the same date as the letter just cited, the son of a Tlaxcalan cacique represented his own personal discontent, while alluding to the disasters that had befallen his people in Guatemala. This Indian noble, Francisco, describing himself as "el mas pobre y mas humilde" vassal of the King, said that his father was the cacique Axotecatl, whose Christian name was Cristóbal. His father had contributed all his power and goodwill to the service of the Crown in giving assistance to the Marqués del Valle during the conquest of Mexico. Later he sent Tlaxcalans to the conquest of Guatemala under the command of Jorge de Alvarado. At that time Francisco, being a young lad in the service of the King, was also required to accompany the warriors. It was the wish of his father that, if it pleased God to return the son victorious from the campaign, he would succeed to the paternal estate and command the cacicazgo at his father's death. The legacy would include all his father's vassals and his holdings. All this, according to the plaintiff, was well known to Fernando Cortés and to Pedro de Alvarado, who went as Captain General during the subjugation of Guatemala. Jorge de Alvarado had made him extravagant promises and offers of good treatment, assuring the Indian of his gratitude. However, those

¹³ Indios de Tlaxcala y México a Carlos V (Guatemala: 15 de marzo, 1547), AGI, Audiencia de Guatemala 52. This letter was published in José Antonio Saco, *Historia de la esclavitud de los indios en el Nuevo Mundo*, 2 vols. (Habana, 1932), I, 198, according to the author, for the first time. Saco took it from the *Colección* of Munoz, who either omitted some of the document, or copied from another of the same date. While the essentials are the same as those cited here, the manuscript, as cited by Saco, is not identical.

assurances of good faith were soon forgotten, and Francisco was given over to a "guardian" named Hernán Pérez, a resident of the city of Guatemala. When his father, the cacique, died, the writer was in Guatemala serving the royal cause. The father's will appointed a nephew, Sandoval, to implement the specifications of the appanage, which included the division of services, personal effects, and lands among Francisco and his brothers. But as it was incumbent upon Francisco to remain in Guatemala to sustain the other Tlaxcalans, he was unable to claim his inheritance; and later he was informed by good sources in Tlaxcala that his brothers had intruded upon his estate, so that he was in danger of losing his lands and goods. Moreover, the former subjects of his father were losing their crops and fields, as well as personal belongings, which had resulted in the depopulation of the land, with many of the people going to foreign territories. Francisco implored Charles V to make restitution and to punish those guilty of usurping his inheritance.¹⁴

Among those indignant over the abuses of the natives was Fray Francisco de la Parra, who wrote the King the Indians were not treated like men, but like "brute animals." With particular reference to the Tlaxcalan and Mexican allies, he noted their valuable contributions during the pacification of Guatemala. Despite great sacrifices and vexations, they had served faithfully, and a great number of them perished, leaving their widows and orphans with the survivors. When the campaigns ended, most of the remaining Tlaxcalans removed to the site of Almolonca (Almolonga), close to the Spanish town of Guatemala, about

¹⁴ Francisco, natural de Tlaxcala, a Carlos V (Guatemala: 15 de marzo, 1547), AGI, Audiencia de Guatemala 52.

half a league distant. They had been granted a meager portion of land on a hill, where they planted fields with great difficulty. To make matters worse, the parrots and cattle ate their crops, so that they harvested less than half what the fields produced. The friar lamented the fact that, despite their loyal services, the Tlaxcalans had not been given any reward. He begged the King to give them some uncultivated land in the city of Guatemala, near their dwellings. He suggested further that the matter be remitted to the President of the Audiencia, Licenciado Alonso López de Cerrato, who was known to favor the natives, and he beseeched the sovereign to show some mercy because all the Tlaxcalans were old and starving. Previously some small villages had been assigned to help sustain them, but even those had been taken away.¹⁵

The Crown's response, thirteen months later, remarked that a royal cédula was being sent, to the effect that President Cerrato should make the most appropriate provision, without prejudice to a third party.¹⁶ Six days later the order was written, instructing Cerrato to investigate the matter and to make whatever ruling he deemed just.¹⁷ Given Cerrato's propensity for easing the conditions of the natives, one would presume that he was prompt in making the desired reforms.

Whether owing to better circumstances or not, in 1552 the old problem had arisen of other Indians joining the Tlaxcalan village in order to avoid paying

¹⁵ Frai Francisco de la Parra a Carlos V (San Francisco de Guatemala: 15 de julio, 1549), AGI, Audiencia de Guatemala 168.

¹⁶ Real cédula (Valladolid: 4 de agosto, 1550, AGI, Audiencia de Guatemala 393, R-3, f. 173.

¹⁷ Real cédula (Valladolid: 10 de agosto, 1550, AGI, Audiencia de Guatemala 393, R-3 F. 180.

tributes. The Crown, observing the great number of Mexican Indians in Guatemala not making payments, referred to the many outsiders who had joined them under the pretext of belonging to the privileged group. It was the royal opinion that they were becoming loafers, indulging their vices while they should be paying tribute. The Audiencia was ordered to correct the abuse.¹⁸

The lack of urgency with which the matter was considered can be seen by the reply of the oidores more than two and a half years later. The members of the Audiencia wrote the King (Guatemala: 6 de septiembre, 1554), AGI, Audiencia de Guatemala 9, as follows: "Por otra cedula Real dize V. Mt. que es ynformado de que ay grand cantidad de mexicanos en esta prouincia y q con ellos se juntan otros muchos yndios por no tributar y se haze holgazanes y biçios y que conbernia que se diese horden como tributan que aca lo probeamos como mas conbenga platicar sea sobre ello y avisaremos a V. Mt. de lo q çerca dello hizieremos."

Evidence that the Tlaxcalans and other natives of Mexico were favored to some extent may be seen in the fact that their settlement was one of the locations for Franciscan schools for educating sons of the Indian nobility, along with the villages of San Francisco de Guatemala, Atitlán, and Tecpanatitlán. The Franciscans were ordered to see that all learned Castilian; however, the friars wrote that some of the Guatemalan meceguales did not want to learn the tongue, so they taught the Mexican language, "because it is general in this land."¹⁹

There is also good reason to believe that the presence of the auxiliaries had some positive influence, for Remesal writes that two procuradores, Francisco Ortes and Andrés de la Tobilla, were sent to Mexico with the following order:

¹⁸ Real cédula (Toro: 18 de enero, 1552), AGI, Audiencia de Guatemala 386, Q-1, f. 22.

¹⁹ Frai Juan Mansilla a Carlos V (San Francisco de Guatemala: 30 de enero, 1552), AGI, Audiencia de Guatemala 168.

Pedir e suplicar a su magestad. Que mande venira poblar esta tierra cerca de esta villa [Ciudad Real, Chiapas], hasta doscientos indios con sus mujeres, que sean de tierra de México, que acá les daremos muy buenos asientos, en que vivan e tengan sus tratos e grangerías, porque será esto gran parte para la población e sustentación desta villa e para la pacificación de toda la tierra: y pues se ha hecho así con Guatemala e con otros pueblos de cristianos en esta Nueva España que aquí cabe muy bien será de ello muy servido su magestad y esta villa.²⁰

Remesal went on to say that he could not verify that the Indians actually came; however, he did state that when Lic. Juan Rogel, the oidor, visited the city on April 21, 1546, the cabildo had designated certain fields for the plantings of the Tlaxcalans and Mexicans who were resident in the city.²¹

One must allow for a certain degree of hyperbole in the correspondence relating to the Tlaxcalan issue, owing to the high polemical content. The King and Council, unable to observe conditions first and, were, perforce, dependent upon reports from the colony. Therefore, it is difficult to produce any persuasive evidence which would illustrate with complete validity the condition of the Tlaxcalan allies. For example, one would gain the impression from reading Remesal, upon whom we are so dependent for much of our knowledge of early Guatemala and Chiapas, that the Tlaxcalans were honored in the alien lands. Aside from his observation cited above, he also records that during a celebration in Santiago de Guatemala in the year

²⁰ Antonio de Remesal, *Historia General de las Indias Occidentales y Particular de la Gobernación de Chiapa y Guatemala* (Madrid, 1964), I, 391.

²¹ *Ibid.*, I, 99. There are also cases where it is known that, at least as individuals, Mexican Indians were not given any special respect. For example, the testimony of Hernán Sánchez de Alvarado in the Montejó residencia, AGI, Justicia 300 (Gracias a Dios: 1544) includes the following: "Este testigo byo q un yndio mexicano byno al dho adelantado [Montejó] ensangrentado por las narizes a quejarse de q le hiziese justicia de un espanol q le avia herido y el dho adelantado hizo llamar al espanol e le rryno de palabra e no hizo otro castigo."

1557, the Indians from Mexico assumed a prominent role. In his words,

Vienen también este día los indios mexicanos de su Zacualpa o ciudad vieja que ellos llaman Almolonca, muy alegres, bien vestidos y galanos, y con mucha plumería, y van delante de los caballos en forma de escuadrón como gente que ayudó a ganar la tierra, de lo cual tienen privilegio real y excepción de tributo y otras muchas libertades.²²

As the land became more settled, conditions of the Indians generally got better, especially after the reforms of Cerrato by 1550. Nonetheless, it would be in error to accept that the privileges, degraded by some as traditional and inviolate, were secure. It is of some interest that other Indians sought to masquerade as Tlaxcalans or other native conquistadores, because this would indicate that at least some immunities were accorded the auxiliaries. But the tribute exemption was not granted in perpetuity; on the contrary, this would be an issue for decades. In 1564, five Indian nobles, representing Tlaxcalans and other Mexican Indians, including Zapotecs, made complaints through their procurador, Juan de Salazar, regarding the imposition of tribute on them and their descendants. According to the plaintiffs, their status had been confused with other Indians who had been confused with other Indians who had been slaves and who had not participated in the conquest. Again emphasizing their past assistance, they made reference to a royal *cédula*, signed by the Empress, that relieved them from service to *encomenderos*. Moreover, they maintained that the same decree excepted them from any type of service. They had remained in Guatemala only because they were too poor to return to Tlaxcala; and by virtue of their status of conquistadores, they requested freedom

²² Remesal, *op. cit.*, I, 99.

from paying tribute, and asked that their children and descendants not be obliged to pay tribute in perpetuity. On November 16, 1564, Governor Brizeño of Guatemala remanded their case to the Crown and Council, but ordered the Indians to continue paying tribute, or post bonds, until a ruling was made in Spain. The Indians protested that this decision was unjust.

The appeals were carried to the Audiencia of Mexico, where they found little sympathy. The judges noted that the true native conquerors were actually few in number, although many outsiders had settled among them, making fraudulent claims as conquistadores. Consequently, the difficulty was in determining the identity of those who could legitimately claim special consideration. In any case, those who were, in fact, genuine conquerors had been compensated for their contributions by having been granted land for the growing of their crops and lots their houses, as well as enjoying other advantages. Thus, the Audiencia of Mexico decided that no changes should be implemented. Having reviewed the case, the oidores stated, on August 30, 1566, that the ruling in Guatemala had been just, and in September, 1566, they ordered that it should be observed, under pain of 100 pesos de oro. The controversy over whether or not rulings distinguished between the native conquerors and their descendants was revived in December, 1570; but the Audiencia de Guatemala, on February 28, 1571, was reluctant to revise the decision, pending a royal decree.²³

²³ "Tratado de la executoria dada por la Audiencia de Mexico en favor de los Yndios Mexicanos y su libertad. Hecho en la ciudad de Guatemala a 28 de febrero [1571]," AGI, Patronato 231, no. 4, R. 14. Photoprints of this document were lent to the author through the courtesy of the Library of

About the same time concern was expressed by Lic. Arteaga Mendiola in a letter to Felipe II (Guatemala: 20 de febrero, 1571), AGI, Audiencia de Guatemala 9, when he wrote that, "en la audiencia de Mexico se dieron sentencia en vista y revista en fauor de los indios mexicanos taxcaltecas y otras descendientes para que no tribute a V. entre tanto q otra cosa V. Magt. prouee en esta prou^a ay gran cantidad Magt. entre tanto q otra cosa V. Magt. prouee en esta prou^a ay gran cantidad dellos V. Mt. proueeera en ello lo que mas fuere seruido."

The confusion persisted. In October, 1571, the oidores of Guatemala wrote Philip II (duplicating their letter of September 6), alluding to the fact that the Tlaxcalans and others from Mexico were freed by executory letter on account of their past services, until the King ordered something to the contrary. Still, the Audiencia was in a quandary, since some of the Indians who had merely been servants and cargo bearers during the conquest claimed that they deserved the same consideration in view of their contributions. The judges doubted that Indians in that category should be called "conquistadores," and they requested clarification from the Crown.²⁴ Several months later the King answered, to this effect:

Y en lo tocante a la otra dubda que tenéis de que por carta executoria están dados por libres ciertos yndios de México, Trascala y otras partes, que ayudaron a conquistar esas prouincias a los españoles, hasta que por Nos se mande otra cosa, y en el entretanto an pedido libertad los yndios que como esclauos al tiempo que los auía y como gente de seruicios y carga ayudauan también en la dicha conquista a los españoles, si estos esclauos q quien se hizo después merced de libertad y los demás que sirviendo ayudaron, si se podrán dezir conquistadores y ser comprehendido en la libertad de la carta executoria; parece que pues de la determinación del pleyto que cerca de esto está pendiente, resultará lo que se ouiere de hazer, en el entretanto no se deue de hazer nouedad, y así no la haréis. De Madrid, a XVIII de mayo de y

Congress. Silvio Zavala in his scholarly *Contribución a la historia de las instituciones coloniales en Guatemala* (*Jornadas*, no. 36), 45-46, makes some interesting comments on this document.

²⁴ Audiencia de Guatemala a Felipe II (Santiago de Guatemala: 14 de octubre, 1571), AGI Audiencia de Guatemala 9.

quinientos y setenta y dos años. YO EL REY. Refrendada de Antonio de Erasso, y señalada del Presidente Juan de Ouando, y señalada de los del Consejo.²⁵

The whole matter of Tlaxcalan exemptions is fraught with many vague considerations. Charles Gibson, who studied the question in his scholarly *Tlaxcala in the Sixteenth Century*, has pointed out that in Tlaxcala the natives based their claims to exemption on a promise supposedly made to that effect by Cortés, which, if true, might reasonably have been taken as applicable to all such military service. In spite of the dubious nature of the Tlaxcalan claim, the Audiencia of Mexico accepted it, as did the Crown. Consequently, in 1585, the King finally exempted them from tribute payments and accorded them other privileges, at least insofar as the native auxiliaries in Tlaxcala itself were concerned.²⁶ Whether or not this disposition extended to the Tlaxcalan colony in Guatemala the writer cannot establish at this time. If so, it is doubtful that any of the old amigos were still alive, though perhaps their sons enjoyed more privileges. What does emerge clearly is the history of Tlaxcalan litigation, fragmentary though it is, demonstrating conclusively that the native auxiliaries in Guatemala did not always reap the rewards so liberally conceded them by later historians.

²⁵ "Carta de Su Majestad dirigida al Presidente y Oidores de la Audiencia de Guatemala, en respuesta a las suyas de 6 de septiembre y 14 de octubre de 1571. De Madrid, a 18 de mayo de 1572 (A.G.I., Audiencia de Guatemala, Legajo 394, Libro 5), "in Federico Argüello Solórzano and Carlos Molina Argüello, *Monumenta Centroamericanae Historica: Colección de Documentos y Materiales para el Estudio de la Historia y de la Vida de los Pueblos de la América Central*, Vol. I (Managua and Sevilla, 1965), 489-91. The caution of the Audiencia was in accord with the reservations held by the Crown: in "Respuesta al fiscal de Guatemala" (Madrid: 26 de mayo, 1573), AGI, Audiencia de Guatemala 386, Lib. Q-2, f. 7, a royal provision noted that some Indians who had served during the conquest as slaves later expected to be freed from tribute.

²⁶ Gibson, *op. cit.*, 159-61, 175.