

## Imperial Justice, Colonial Power: Pedro Vique y Manrique, the Galley Captain of Cartagena de Indias, 1578-1607

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In 1578, Pedro Vique y Manrique became the first captain of Tierra Firme's inaugural coastal defense force. The galley, manned by a handful of soldiers and sailors and more than a hundred convict and slave rowers, constituted the basic unit of this naval force. Vique had won his new position through years of commended effort in Spain's wars on the European continent and as a naval officer serving in the Mediterranean. For this successful son of an important family, however, the end of his career was not as auspicious as its beginning. Deemed primarily responsible for the 1586 capture and ransoming of Cartagena de Indias, one of the Spanish Crown's premier trading depots, Vique was the subject of a court case that demonstrated the particularities of the Spanish legal system. His legacy, etched into historical memory by the enthusiasm of the Spanish bureaucracy, demonstrates the elasticity of sixteenth-century Spanish law and the centrality of commercial concerns, rather than legal absolutes, in its system of imperial justice.

In colonial Cartagena, as in the Spanish empire more generally, "guilt" and "legality" were notions contingent on many factors other than empirical culpability. Conventions of impersonal justice, which played out in the collection of evidence, investigations of witnesses, courtroom trials, and the right to appeal, could function to obscure what mattered most to the king and the Council of the Indies: namely, the ability of imperial agents to provide a local embodiment of far-away royal authority, assure the fluidity of trade, and deliver revenue to the Crown. In the case of Captain Pedro Vique, this meant that as long as he fulfilled these needs, the Crown was willing to overlook, perhaps out of sheer inability to do otherwise, a number of his legal transgressions. Only when he failed to represent the dignity of the Crown and to safeguard the economy of the empire did Vique's many earlier wrongdoings become material—and punishable.

When Francis Drake and his men captured Cartagena de Indias in 1586, they terrorized the inhabitants of the town and threatened to disrupt the main route by which Peruvian silver flowed from the Spanish colonies to the metropole. For the better part of two months, Drake held the port, abandoning it only after the townspeople delivered a hefty ransom. In the English imagination, this event formed part of the great mythos surrounding Francis Drake. For the Spanish Crown, however, it proved both a great embarrassment and a fiscal calamity: every year, the Spanish king derived nearly half of his royal budget from the Indies trade, of which the ransom Drake extorted amounted to a full three percent.<sup>1</sup>

The resolution of this disaster fell upon the sixteenth-century Spanish empire's great bureaucratic apparatus. A set of standardized judicial processes (primarily the *residencia*, or end-of-term account of service, and the *visita*, or audit) already provided the Crown with somewhat regular, if not constant, insight into the activity of its far-flung agents. In the aftermath of the events of 1586, however, the Crown commissioned a full-blown inquest into details of this catastrophic event, combining a *residencia* of the outgoing governor, Pedro Fernández del Busto, with a *visita* of the galleys.

Taking testimony from dozens of witnesses, colonial notaries provided the material that led to a judicial hearing back in Madrid. The only man condemned was Pedro Vique y Manrique, whose galley defense force had just been created eight years earlier to protect the coasts of Tierra Firme.<sup>2</sup> But the case was not clear cut—only a few testimonies actually accused Vique of any wrongdoing during battle or in the preparations leading up to it. Instead, they pointed to generally poor decision-making among the colony's many civil and military leaders. The royal governor, Pedro Fernández de Busto, highly esteemed in the eyes of the monarchy and the townspeople, first

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<sup>1</sup> General Álvaro Flores de Quiñones: estado de su armada, etc., Cartagena de Indias, 28 January 1587, Archivo General de Indias, Seville (hereinafter cited as AGI), Patronato, 255, número 3, G. 3, ramo 6. These estimates are based upon the comparison between numbers in documentary sources and those provided in David Goodman, *Spanish Naval Power, 1589-1665: Reconstruction and Defeat* (Cambridge: Cambridge University Press, 1997).

<sup>2</sup> Tierra Firme (The Spanish Main) was the sixteenth-century designation for a section of the Caribbean coast of South and Central America, essentially including parts of modern day Panamá, Colombia, and Venezuela, and an important middle stage for the transfer of mineral wealth from the mining colony in Peru to the treasure galleons headed for the Philippines or Europe. Carl Ortwin Sauer, *The Early Spanish Main* (Cambridge: Cambridge University Press, 2008).

attested that Vique had performed admirably, before changing his testimony a year later. During the entire eight years of his career in Cartagena, Vique's colleagues and superiors had inundated the royal office with letters alleging all manners of malfeasance, from trivial to grave. Since he was among the last of the men to capitulate on the battlefield and so clearly seemed to have led the defense of the city, his indictment at this particular juncture seems puzzling, especially given the longstanding accusations against him. That Vique should have come to justice at this particular moment and for this particular crime was ironic.

Drake's attack on Cartagena proved a transformative moment in the colony, with two important outcomes. First, the success of the assault convinced the builders of empire that in a post-conquest era, the existence of a permanent, lone-standing, mobile military force in Cartagena independent of civil authority offered too many opportunities for the dangerous abuse of power. Second, Drake's easy capture of the port motivated the empire to build extensive, and expensive, fortifications to safeguard it in the future. Ultimately, the denouement of Vique's career provides tangible evidence not only of the great latitude of action the monarchy allowed its willful agents as long as they guarded the safety of trade, but also of the Spanish Crown's ability to reformulate and reorganize in the aftermath of crisis.

The crisis took place in the early months of 1586. Francis Drake, whose exploits had earned him the nickname *El Draque* ("The Dragon") among the Spanish, left England in September 1585 with twenty-three ships carrying approximately two thousand men. Over the next few months, he led raiding expeditions at a number of Spanish ports in Europe, North Africa, and the Caribbean. On New Year's Day 1586, his troops sacked Santo Domingo, taking a ransom of 25,000 ducats. From there, Drake proposed the most auspicious target of his fifteen years spent terrorizing the Spanish Main: Cartagena de Indias. Advised of Drake's next move, Cristóbal de Eraso, captain general of the Indies fleet, sped towards Cartagena to inform the governor, who readied a force of musketeers, pikemen, and native archers. Since the town garrisoned so little artillery, two galleys, with their cannons aimed outwards, were stationed at the entrance to the port.

On the night of 19 February, Drake's men stormed Cartagena's beach, overwhelming the first line of defense and sending the Spaniards into a panic. When the combined forces of Captain Pedro Vique and Captain Martín Polo could no longer hold off Drake's forces, the English looted the city, burned down two hundred houses, and

destroyed part of the cathedral. For more than a month, they occupied Cartagena, demanding a ransom. In the middle of March, 107,000 ducats richer, they finally departed.<sup>3</sup>

Founded in 1533, Cartagena de Indias developed, over the course of the next half century, an important urban area, boasting markets, a slaughterhouse, churches, a cathedral, a jail, and a governor's mansion, with a European population that was one of the largest in the Americas. In the mid-1580s, the city had roughly 4,000 Europeans in addition to 9,000 native tributaries and 2,200 African slaves.<sup>4</sup> Cartagena, so named because of its resemblance to Spain's great Mediterranean naval base, owed its importance to a wide bay, which offered one of the finest ports in the New World. At the end of the sixteenth century, it was the most-trafficked port in the Caribbean, dealing in tobacco, foodstuffs, naval supplies, leather, silks, and perhaps most importantly, slaves.<sup>5</sup> In 1609, the Jesuit vice-provincial, Gonzalo de Lyra, called the port "the most principal of the Indies among those on the Atlantic," noting that it drew fleets from Spain and Peru and many merchants from Portugal, Cape Verde, Mexico, and the Canaries.<sup>6</sup> In addition, a sporadic black market trade developed with French and English "merchant" ships.

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<sup>3</sup> María Carmen Borrego Plá, *Cartagena de Indias en el siglo XVI* (Seville: Escuela de Estudios Hispano-Americanos de Sevilla, 1983); and Walter Bigges, Lieutenant Croftes, and Sir Thomas Gates, *A Summarie and True Discourse of Sir Frances Drakes West Indian Voyage: Wherein Were Taken, the Townes of Saint Iago, Sancto Domingo, Cartagena and Saint Augustine* (London: Richard Field, 1589), 42. Borrego Plá notes that additional monetary agreements, which were not part of the official settlement, brought the total to 120,000 ducats before Drake left port. In a slight contrast, Bigges et al. attest to a ransom of 110,000 ducats.

<sup>4</sup> Governor Fernández de Busto provides European population figures in Carta de D. Pedro Fernández del Busto, Gobernador de Cartagena, Cartagena de Indias, 27 January 1579, AGI, Santa Fe, 37, ramo 5, número 26. Estimates for African and native populations are drawn from Borrego Plá, *Cartagena*. Borrego Plá's estimates (for which she gives no methodology in the text) of the European population are a mere 1,500-2,000. Fernández de Busto's figures, when available, seem more reliable. Unfortunately, he makes no concrete count of slave or native populations.

<sup>5</sup> Borrego Plá, *Cartagena*, 64-69; and Captain Bernardo de Vargas Machuca, *The Indian Militia and Description of the Indies: Captain Bernardo de Vargas Machuca*, ed. Kris Lane, trans. Timothy F. Johnson (Durham: Duke University Press, 2008), 215.

<sup>6</sup> Letras Annuas de la Vice-Provincia de Quito y el Nueuo Reyno de los años de mil y seiscientos y ocho y seiscientos y nueve, Cartagena de Indias, 1609, Archivum Romanum Societatis Iesu, Novi Regni et Quitensis, libro 12-I, fol. 55, as cited in José del Rey Fajardo, S.I., "El Operarius Aethiopum en el Colegio de Cartagena de Indias (1604-1767)," in *Sevilla y América en la Historia de la Compañía de Jesús*, ed. José J. Hernández Palomo and José del Rey Fajardo, S.I. (Cordoba: CajaSur, 2009), 195-222.

In 1574, the aging Pedro Fernández de Busto began what would be a mostly successful twelve-year term as governor, supervising the construction of a number of public works and overseeing a massive growth in commerce.<sup>7</sup> Governor Pedro Fernández de Busto held an important distinction; the Crown was so content with his performance that it had actually named him governor in perpetuity. Among his primary achievements were the reform of the Indian tribute code and his infrastructure work on the cathedral, the hospital, and the customs house. But by no means was Fernández de Busto the only politician busy in Cartagena de Indias.

Through centuries of experience managing an expanding society on the Iberian peninsula, the Castilian monarchy had developed formulas for extending the structure of town government on its frontiers. According to the *Recopilación de las Indias*, provinces in the Indies could be classed either as *mayores*, which were governed by an *audiencia*, or as *menores* or *gobernaciones*, which were managed by a governor whose decisions were subject to oversight by the *audiencia*.<sup>8</sup> Cartagena was a *gobernación*, answering to Santa Fé de Bogotá and consisting of the city and the three villages of Tolú, Mompox, and María. Within the province, the governor acted as the local appeals judge and the primary political authority as well as the *capitán general*, entitled to lead the military efforts of the colony.

Fernández de Busto, like other governors, performed regional performance audits, oversaw *repartimientos*, confirmed *alcaldes*, and performed the *residencia* of the proceeding governor.<sup>9</sup> The governor, as titular head of civil authority, and the bishop, representing ecclesiastical authority, presided over all public events. Under the governor, a number of officials worked in clearly defined roles. Most of the administration of the city of Cartagena was handled by the *cabildo*, or municipal council, comprised of *alcaldes*, the *alférez*, the *alguacil*, and *regidores*, all of whom dealt with the administration of the common good.<sup>10</sup>

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<sup>7</sup> Borrego Plá, *Cartagena*, 253.

<sup>8</sup> Borrego Plá, *Cartagena*, 251. Also see Ricardo Zorraquín Becú, "Los distintos tipos de gobernador en el derecho indiano," *Actas del III Congreso Internacional de Derecho Indiano* (Madrid: Instituto Nacional de Estudios Jurídicos, 1973), 539-40.

<sup>9</sup> Borrego Plá, *Cartagena*, 254. For these duties he earned an annual salary of 1,500 ducats.

<sup>10</sup> Borrego Plá, *Cartagena*, 275-92. *Juntas de Notables* would have convened only the most important members of society. The *cabildos* were largely celebrated as open events, though in moments of conflict they could theoretically give way to *Juntas de*

Whatever imperfections it may have suffered, the municipality was a vital nexus for Atlantic trade. Despite its value, however, it long had been feebly defended: through the mid-1570s, the town had no professional military garrison. Whenever any danger appeared, the governor would gather all able-bodied men, horses, and weapons he could find and put them in the charge of the resident with the greatest military abilities.<sup>11</sup> To strengthen the town's defenses, in 1578 the Crown sent Don Pedro Vique to head up Cartagena's first dedicated defensive force, a small galley fleet charged with defending the coast of Tierra Firme.<sup>12</sup>

In choosing Vique, King Philip II called upon a member of a family that had cooperated closely with the kings of Aragón for centuries. Vique's kin first had gained the royal trust when Guille de Viq served King Jayme of Aragón in 1250.<sup>13</sup> Ever since then, the family had long been at the royal behest. When Spain united under the Catholic kings, four members of the family were in royal service: Hieronimo, Guille Ramó, Joan, and Luis. Guille Ramó, named bishop of Barcelona, later served as cardinal in Rome under Pope Alexander VI. Hieronimo, Vique's grandfather, organized the Holy League between the king of Spain, Venice, and the Pope during his time as the king's ambassador in Rome. Luis Vique, son of ambassador Hieronimo and also Pedro Vique's father, served as page to King Ferdinand and later participated in a long list of military adventures, eventually earning the habit of Santiago.

While serving as viceroy of Mallorca, Luis Vique had received an *encomienda mayor* in Aragón for his great service.<sup>14</sup> Luis Vique

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*Notables.* Perhaps the busiest officer was the *alguacil*, who was charged with overseeing the general order in the city, policing public sin and illegality, and enforcing the incarceration orders given by the *alcaldes*. He did night rounds and surveyed public places, aided by *alguaciles menores*. In Cartagena, he was apparently busiest among the seamen and the slave population. Trouble emanated from the many taverns around the plaza mayor, above all in an area known as "*cuatro calles*." Borrego Plá, *Cartagena*, 275-308.

<sup>11</sup> Borrego Plá, *Cartagena*, 284.

<sup>12</sup> Though theoretically subordinate to the captain of the Indies fleet, Vique was largely autonomous because the Indies captain only rarely passed through Cartagena.

<sup>13</sup> The following information is drawn from a petition to the king, written during Vique's imprisonment, which essentially functioned as a *probanza de mérito*. Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 2r-4v.

<sup>14</sup> According to Henry Kamen, an Iberian *encomienda* entailed a grant of land and obligated the landholder to provide military assistance in time of need. Unlike the

fathered seven sons: Hieronimo, Luis, Joan, Francisco, Jorge, Álvaro, and Pedro. Joan became rector of the University at Salamanca and later bishop of Mallorca. Jorge, who earned the habit of the military order of Montesa, was an infantry captain in Orán and *alcaide* of the castle of Rasalcazar before being called in for the rebellion of Alpujarras (1568-1571). Francisco, who earned the habit of Saint John, was taken captive by the Turks during the defense of Saint Elmo at Malta, but later returned to serve as captain of the galley *Vitoria de España* during the rebellion of Alpujarras. As a youth, Álvaro was a page to the king. Afterward, he served first as lieutenant of Pedro Vique's galley company and later as captain of the *Marqués de España* in Don Juan de Austria's army. After a lifetime of achievements in the royal navy, he was named governor of Xátiva, a province then under revolt, which he subsequently pacified, before being named governor of the troublesome *morisco* province of Orihuela in Valencia.<sup>15</sup>

Pedro Vique had a similarly decorated military past, having fought in the king's army in Perpignan, Flanders, Italy, North Africa, and Spain. Pedro made his name during the war of Alpujarras commanding a galley squadron of ten ships charged with defending Spain's Mediterranean coast against an Ottoman invasion. Born in approximately 1535, he was at the height of his career when selected for the new post in Tierra Firme.<sup>16</sup> As captain general of the galley force, Vique was responsible for the defense of Cartagena from 1578 to 1586.

Vique's most important task was to combat the corsairs who had been plaguing the American coasts and threatening Spain's connection to the gold and silver mines of the New World. In 1544, the Frenchman Roberto Baal pillaged Cartagena for 200,000 pesos of value and gathered an additional 20,000 in redemption fees.<sup>17</sup> In 1560, Martin Cote, another Frenchman, plundered the city's merchants but did not find the precious metals for which he was hoping.<sup>18</sup> Though they ultimately suffered no consequences from the event, the residents of

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American *encomienda*, however, it did not confer right to tribute. See Henry Kamen, *Spain 1469-1714: A Society of Conflict* (Harlow, UK: Pearson/Longman, 2005), xii.

<sup>15</sup> Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 3r-4r.

<sup>16</sup> Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fol. 4v.

<sup>17</sup> Borrego Plá, *Cartagena*, 261.

<sup>18</sup> Borrego Plá, *Cartagena*, 263.

Cartagena were frightened when John Hawkins camped outside the city for a week in 1568.<sup>19</sup>

The Crown hoped to curtail these raids with the establishment of the galley force. In an introductory letter dated 1578, Cristóbal Eraso, captain general of the Indies, welcomed Vique to his post, outlining a specific set of instructions for the comportment of those in the galleys and their masters. His primary concerns included provisioning and the constant surveillance of convict rowers and slaves.<sup>20</sup> Vique's fleet was small: two galleys and a *saetía* (settee),<sup>21</sup> manned by approximately 150 soldiers and seamen and 350 oarsmen. Vique later would add, independently of the Crown, two Neapolitan frigates.<sup>22</sup> What his fleet lacked in size, it made up in mobility. While caravels and galleons were superior long-range trade vessels, they were absolutely dependent on wind currents. The galleys, propelled by oars, were much more maneuverable and had a considerable advantage near to the shore. In these boats, Vique and his soldiers patrolled the southwestern corner of the Caribbean.

The decision-making of the Crown and its agents depended on personal relationships. From Pedro Vique, as it did from so many other subjects, the Crown asked for loyalty even more than obedience.<sup>23</sup> While discharging his duty in Cartagena, and even before, Vique was the subject of persistent allegations that he had broken the law. Given the incredible distance and the problems of enforceability, however, the Crown tolerated small infidelities in hopes of securing a general, if imperfect, loyalty from such men. Only catastrophic events—such as Drake's direct attack on the city—offered the Crown sufficient reason to displace them. In the meantime, Vique appears to have used the large force of armed men at his disposal to coerce and extort, which continued until Drake's strike shattered completely both Vique's local autonomy and his value to the Crown. When the Council of the Indies felt it could no longer rely on him to act as an effective representative

<sup>19</sup> Borrego Plá, *Cartagena*, 270.

<sup>20</sup> Cristóbal de Eraso: guarda de las costas de Tierra Firme, 1578, Cartagena de Indias, AGI, Patronato, 270, número 1, ramo 8.

<sup>21</sup> "Settee"—a ship generally used for small commerce or piracy.

<sup>22</sup> Pedro Vique: aumento de salario; construcción de galeras, 5 June 1581, Cartagena de Indias, AGI, Patronato, 270, número 1, ramo 13, fols. 7-8.

<sup>23</sup> Especially operative in the colonies, the Spanish construction "*se obedece, pero no se cumple*" allowed Spanish officials to respect the monarch's general will while subsequently denying the feasibility of its local enactment. For more on this see John Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven, CT: Yale University Press, 2006).

of royal authority, the law provided the necessary formality to excise him from the empire.

Historians of the colonial Americas suggest that the brokering of power in the Spanish Atlantic was more complicated and less straightforward than it appeared on the surface. Royal power existed alongside a patchwork of social and political constraints exercised by local elites and ecclesiastical bodies. By overlooking greed and petty insubordinations, the Crown fostered a paternal relationship with its agents, upon whose loyalty the empire's cohesion depended. Lacking the machinery to rule effectively from afar, the state counted on competition to hinder any group from growing too strong.<sup>24</sup> Historian Tamar Herzog posits that there was no strong distinction between society and the state, and that local social networks decided and dispensed justice, sometimes in line with imperial law and sometimes contrary to it.<sup>25</sup> In addition, historian Colin MacLachlan emphasizes the importance of the Crown's tolerance of its agents' abuses, for without their local authority, all imperial mandate would be for naught.<sup>26</sup> Moreover, historian Peter Marzahl suggests that the Crown exercised no authority at all over a region until those who it contracted as agents managed to build up sufficient political capital.<sup>27</sup>

Colonial agents were most useful to the Crown as reminders to colonists, slaves, and indigenous tributaries of the continuity in royal authority; their adherence to legal code was of secondary concern. Agents' reputations mattered, often more so than did their behavior. As Spanish political authority in the Americas struggled to fill the vacuum created by its displacement of pre-Columbian polities, Pedro Vique took advantage of the space between overlapping mandates to fashion a personal political power. This power had its origins in the office granted to him by the Spanish monarchy but was shaped by what local contexts would allow. While the monarchy struggled to centralize power networks that still bore the mark of the prior centuries' corporate

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<sup>24</sup> Elliott, *Empires of the Atlantic World*, 131-32. Elliott depicts the viceroy and the secular courts as a planned counterbalance to the power of the *encomenderos*.

<sup>25</sup> Tamar Herzog, *Upholding Justice: Society, State, and the Penal System in Quito, 1650-1750* (Ann Arbor: University of Michigan Press, 2004).

<sup>26</sup> Colin MacLachlan, *Spain's Empire in the New World: The Role of Ideas in Institutional and Social Change* (Berkeley: University of California Press, 1988), 18-22.

<sup>27</sup> Peter Marzahl, "Creoles and Government: The Cabildo of Popayán," *Hispanic American Historical Review* 54:4 (1974):636-56.

pluralism, colonial strongmen continued to challenge those centrifugal forces.

It is impossible to aptly portray Vique's role within the society of Cartagena without first examining the objectives of the galley force he commanded. While galleys had long been vehicles of war, it was not until the sixteenth century that they began to seriously evolve as appendages of the state. In the sixteenth century, the methods of punishment made a marriage of compromise with necessities of state defense.<sup>28</sup> Spanish regents, who used galleys for coastal defense, increasingly began to replace the free men in their crews with convicts who, by dint of their labor, would be transformed from social nuisances into socially useful subjects.<sup>29</sup> A sentence to the galleys, normally spanning periods of two to ten years, entailed the back-breaking labor of rowing for hours on end, month after month, under the burning equatorial sun, which often resulted in the condemned man's slow death.<sup>30</sup> Even if one survived his term, he was not guaranteed reprieve from his toil. Because of a great shortage of oarsmen in the sixteenth century, under the king's suggestion, galley captains often forcibly retained those who survived for months or years beyond their original sentences.<sup>31</sup>

For scholars, the documentation of the floating prisons offers a window into the processes of early modern justice. A number of *memoriales* between the king and his agents in the Americas provides some insight into how naval defense in particular, and the government in general, could function across great distances. The everyday

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<sup>28</sup> Medieval justice often made a spectacle of its punishment, and those who fell seriously astray of the law could expect to expire publicly in gruesome ways, such as being drawn and quartered, burned at the stake, strangled, or given a poisonous injection of lead. Félix Sevilla y Solanas, *Historia penitenciaria española: la Galera* (San Agustín: Tipográfico de "El Adelantado de Segovia," 1917), 28.

<sup>29</sup> Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (Baltimore: Johns Hopkins University Press, 1993), 88.

<sup>30</sup> I. A. A. Thompson, "A Map of Crime in Sixteenth-Century Spain," *The Economic History Review*, New Series 21:2 (1968):244-67. In regards to this use of the galleys, Spain's case does not appear to be unique. James H. Sweet suggests that the same trend was at work within Portugal. Working with Portuguese Inquisition sources, Sweet shows that for slaves accused of sodomy, the galleys were a likely end. James H. Sweet, *Recreating Africa: Culture, Kinship, and Religion in the African-Portuguese World, 1441-1770* (Chapel Hill: University of North Carolina Press, 2003), 54.

<sup>31</sup> Ruth Pike, *Penal Servitude in Early Modern Spain* (Madison: University of Wisconsin Press, 1983), 4. Although their change in status nominally entitled such oarsmen (denominated *buenas boyas*) to remuneration, in practice it was not always forthcoming.

machinery of governance holds clues about the king's and royal agents' thoughts concerning acceptable functionality and the enforceability of its prerogatives. The intermittent nature of the *memoriales* between the Americas and the office of the royal scribe (and the Council of the Indies) in Spain allows only snapshots of what occurred over the course of Vique's eight years in Tierra Firme. On 5 July 1578, Vique set off for the Indies from the port of Sanlúcar de Barrameda in a convoy with other members of the Armada. Within this fleet were the two new galleys destined to service the coast of Tierra Firme; Vique was at the helm of one of them, while a man named Gonzales Cabezudo piloted the other.

The initial leg of the trip led the many ships and their crews through to the Canary Islands, where they would take on fresh water and supplies before setting off across the Atlantic Ocean. No sooner had the ships left port in peninsular Spain than Vique and Cabezudo broke off from the rest of the fleet, against the orders of their commanding officer, Cristóbal de Eraso. Furthermore, when they arrived in the Canaries, rather than porting at an afore-agreed meeting point, the two men took their ships to a spot two leagues distant from the others in the Armada. As a result, the convoy was detained in the port six days longer than necessary. After locating the errant captains, Eraso furiously reprimanded the two men. For reasons unknown, on the following leg of the journey, Vique and Cabezudo again broke out of formation, rejoining the convoy only when they arrived in the New World. In October of that year, Eraso sent off an angry missive to the king's office, still apparently displeased with his new captain of the galleys.<sup>32</sup>

This was only the first of many formal complaints made against Vique during his term in Tierra Firme. Indeed, wherever Vique went, the accusations were soon to follow. Immediately after Vique's arrival in Cartagena, one complaint alleged that the captain had separated from the other ships of the Armada prior to their departure from Sanlúcar de Barrameda. The complaint stated that Vique had sought to free a certain Miguel Obeitar, *morisco*. Obeitar was a native of Valencia (as was Vique) and had been condemned by the Holy Office to the galleys for the crime of sodomy.<sup>33</sup> The *alguacil* of

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<sup>32</sup> Expediente contra Pedro Ubique y otro: galeras de Cartagena, Cartagena de Indias, 14 October 1578, AGI, Patronato, 270, número 1, ramo 10, fols. 1-4.

<sup>33</sup> Expediente contra Pedro Ubique y otro: galeras de Cartagena, Cartagena de Indias, 14 October 1578, AGI, Patronato, 270, número 1, ramo 10, fols. 1-4. Sodomy (*pecado nefando*) was a crime that often led to very harsh penalties. During the 1560s, Philip II

Cartagena, Pedro Martínez de Oñate, alleged that within the first six months of his arrival, in return for money and pearls, Vique was selling other *forçados* (convict oarsmen) on his ships their freedom even before they had completed their sentences.<sup>34</sup> The allegations against Vique accumulated: disrespecting orders, selling freedom, entering illicit relationships outside of marriage, surreptitiously selling the king's slaves, allowing armed galley slaves to walk freely through Cartagena, and trading essential galley provisions in Curaçao for personal profit, among ten others.<sup>35</sup>

In 1580, Eraso complained to the king of Vique's failure to use the funds allotted to him by the Crown for provisioning his galley fleet with food and munitions. He also was accused of using the galleys for his own private trading purposes. In fact, Eraso claimed that he had intercepted private correspondence in which Vique communicated to a close friend that if Eraso were not continually monitoring him, he could make 40,000 ducats in four years by exploiting the galleys.<sup>36</sup>

Moreover, the Municipal Council of Cartagena constantly protested his misdeeds. The council's most common complaint was the failure of Vique, his colleagues, and his subordinates to control their soldiers while they were on land. A 1582 letter addressed to the king protested the misbehavior of soldiers from the galleys and the Indies fleet when they were in port. Governor Fernández de Busto of Cartagena blamed Vique and Diego Maldonado for failing to control their troops. Unrestrained, the soldiers committed "great crimes and grave transgressions...which have remained and remain today without punishment, murders and other injustices that gravely endanger this land and those who live in it..."<sup>37</sup> The governor waged a war of

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encouraged the Inquisition to condemn sodomites (among others) to the galleys in order to fill quotas. William Monter, *La otra Inquisición: La Inquisición española en la Corona de Aragón, Navarra, el País Vasco y Sicilia* (Barcelona: Editorial Crítica, 1992), 49-52.

<sup>34</sup> Expediente contra Pedro Ubique y otro: galeras de Cartagena, Cartagena de Indias, 14 October 1578, AGI, Patronato, 270, número 1, ramo 10, fol. 42.

<sup>35</sup> Expediente contra Pedro Ubique y otro: galeras de Cartagena, Cartagena de Indias, 14 October 1578, AGI, Patronato, 270, número 1, ramo 10, fols. 42-44.

<sup>36</sup> General Cristóbal de Eraso: guarda de naves, Tierra Firme, 24 November 1580, AGI, Patronato, 255, número 2, G.1, ramo 16, fols. 3-4. The war of words between Vique and his superior was not always one-sided; Pedro Vique, too, at least once complained about Eraso. Pedro Vique Manrique, Nombre de Dios, 1 December 1581, AGI, Panama, 42, número 33, fols. 1011r-012v.

<sup>37</sup> "cometen mayores delitos y excessos asi contra las justicias de cada ciudad como contra otros ministros de VaLa y personas religiosas y otros Vs de ella y de todo se han quedado y quedan sin castigo, de lo qual se han seguido y siguen muertes de hombres y

correspondence with Diego Maldonado over the right to punish these soldiers. Eventually the king returned a *cédula* stating that, when the crimes involved only soldiers, the punishment would devolve upon the captain. But in the case of crimes involving an inhabitant of the city, jurisdiction would fall to the local government.<sup>38</sup> A more audacious letter to the king from the same Governor Fernández del Busto suggested that the galleys of the coast guard "be subordinated to the governor...because under his care they would be better provisioned...and the grave crimes committed by the soldiers on land would cease [and under his charge] they would be unable to escape or desert...."<sup>39</sup>

Despite the many protests about the misconduct of Vique, the Indies Fleet came and went year after year without serious reproach from the office of the king. The events of 1586, however, changed all that. After Eraso warned him of Drake's imminent arrival, Vique claimed to have prepared the city by digging trenches and positioning musketeers, pikemen, and native archers at the ready for an attack. Moreover, he strung a chain across the narrow entrance to the port to delay Drake's entrance, and he anchored the two galleys under his command within the harbor and prepared their cannons to attack Drake's ships in port.<sup>40</sup>

Nevertheless, when Drake arrived on 19 February, the city seemed to be unprepared. To some of the townsmen of Cartagena, the fact that the galleys were anchored in the port, rather than doing battle on the open sea with the English corsairs, seemed an oversight on Vique's part. Others recognized this as a strategic decision agreed upon by the town council.<sup>41</sup> Vique had been charged by the municipal

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otros escandolos y alborotos en gran daño y perjuicio de la sociedad y su tierra." Cabildos seculares: Audiencia de Santa Fe, Santa Fé de Bogotá, 11 May 1583, AGI, Santa Fe, 62, número 28, fols. 1-2.

<sup>38</sup> Cabildos seculares: Audiencia de Santa Fe, Santa Fé de Bogotá, 11 May 1583, AGI, Santa Fe, 62, número 28, fol. 9.

<sup>39</sup> "esten subordinadas al governador desta provincial porque siendo asi estarían mas bien guarnecidas y bastecidas de lo necesario...y cesaran los excesos que soldados han hecho en tierra no se podran huir y ausentar...." Cabildos seculares: Audiencia de Santa Fe, Santa Fé de Bogotá, 29 March 1585, AGI, Santa Fe, 62, número 33, fol. 1.

<sup>40</sup> Irene Wright, ed., *Further English Voyages to Spanish America, 1583-1594: Documents from the Archives of the Indies at Seville Illustrating English Voyages to the Caribbean, the Spanish Main, Florida, and Virginia* (London: Hakluyt Society, 1951), 62.

<sup>41</sup> Alonso Pérez de Salazar, "La visita que V[uestra] S[eñoría] vio en reuista entre el licenciado Alonso Perez de Salazar, fiscal del Consejo de Indias, con don Pedro Vique Manrique, cabo y capitán general que fue de las galeras de la costa de Cartagena, de las

council to stand watch over and defend the city on land rather than at sea because its eighty-year-old governor was unable to command troops in the field. When questioned, Vique claimed that his well-stationed artillery killed one hundred men led by Drake on the first round of shots. This success was mitigated, however, by what Vique argued was the failure of "Your Majesty's...most cowardly subjects," who he stated had run in fear before the battle was over.<sup>42</sup> Vique was criticized further for his actions during the retreat. Upon seeing the corsairs advance while his own troops were in flight, Vique resolved to prevent Drake from capturing the galleys by burning them beyond repair. Meanwhile, rather than sink his crew along with the ships, he unlocked the manacles that held the *forçados*, telling them all to run away.<sup>43</sup> Two months later, he wrote to the Crown, giving an account of the events, without disguising his disgust for the failure of the defense of the city.<sup>44</sup>

The temporary loss of Cartagena to Francis Drake greatly embarrassed the Council of the Indies. The town's notables eventually brokered a ransom for the return of the port, which was of eminent necessity to the New World transport system. Perhaps unsurprisingly, the members of the Council of the Indies saw Vique's inability to meet Drake at sea and divert his attack as an abysmal failure. In this atmosphere, the Crown finally decided to punish him.

Once brought to court, years of animosity turned into criminal allegations, and the indictments accumulated against Vique. The Crown lodged a total of seventy-four charges against him. In twenty of those cases, the court convicted Vique of crimes which carried only monetary penalties. Some of these cases were related to the men under his command such as letting the slaves and *forçados* of the galleys walk freely through the city of Cartagena, not punishing six soldiers who were responsible for murders and other crimes, and contravening the governor's authority to administer justice to the king's soldiers while they were on land.<sup>45</sup> Other charges concerned his mistreatment of the

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Indias viene," Madrid, 1590, in Library of Congress, Rare Book and Special Collections Division, *Hans and Hanni Kraus Sir Francis Drake Collection*, fols.16-18.

<sup>42</sup> Wright, *Further English Voyages*, 63. If his statements are to be believed, why the soldiers behind him would have run and fled when the Spaniards and their allies held the upper hand seems a mystery.

<sup>43</sup> Pérez de Salazar, "La visita qve V[uestra] S[eñoría] vio," 16-25.

<sup>44</sup> Wright, *Further English Voyages*, 62-64.

<sup>45</sup> Borrego Plá asserts that *alcaldes*, and not the governor, had fought a protracted battle with the captain of the Indies fleet to win the right to try soldiers for crimes

local populace, such as when he publicly insulted a priest during his sermon and when he assaulted the houses (physically) and characters (verbally) of two civilians.

In addition, a plurality of accusations pointed to persistent embezzlement: failing to execute the will of his dead nephew and two other unrelated men, instead keeping the inheritances for himself; failing to pay his troops in certified coin and instead paying them in kind; using material from the galleys to build two frigates and later staffing those frigates with soldiers from the galleys; signing for two hundred bushels of corn for the galleys and keeping one hundred for himself.<sup>46</sup> He was accused of lazy administration, failing to regularly report on the state of the galley fleet, and failing to sell two galleys and a *saetía*, which were removed from service due to their old age, and consequently failing to return the proceeds to the king's coffers. But because his conviction for these crimes was a mere precursor to what the justice considered the more serious accusations, the court bundled all of them into one reduced monetary fine and proceeded to the more serious charges.

Within the proceedings of his trial and the judgments administered against him, jurists made a distinction between lesser crimes, denoted by *culpa*, and the more serious crimes, marked *culpa grave*. Of the seventy-four counts, eleven were deemed *culpa grave*. Importantly, these charges can be divided further into those concerning events prior to Drake's attack on Cartagena and those subsequent to the attack.

The first of the more serious counts—originating prior to 1586—accused Vique of waylaying two ships, carrying corn, near the Spanish coastal village of Tolú, roughly fifty miles south of Cartagena. Reputedly, Vique had demanded that their masters hand over the corn to provision his galleys, then proceeded to the ports of Nombre de Dios and Veragua, where he resold that grain for prices well above the market value. Another serious charge brought against him alleged that he had kidnapped fifty Indians and put them to work without wages at his farm outside of Cartagena. Yet another accused him of having

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committed while they were on land, a battle she claims was resolved for good in 1570. Plá, *Cartagena*, 295. This suggests that even decades after the Crown believed that it had resolved this thorny legal issue via an official *cédula*, ignorance (purposeful or not) of the law meant that royal prerogative had gone unenforced.

<sup>46</sup> Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 20-29.

appropriated 15,000 pesos of common silver from the king's treasury for his own use.<sup>47</sup>

Concerning his role in the defense of Cartagena in 1586, the royal court brought four counts against him for dereliction of duty. The first convicted him of failing to captain his galleys out to sea to meet the advancing corsair fleet. The second count censured him for first failing to use the galleys for the defense of the city, and later burning them once Drake and his men had landed. The third count found him guilty of freeing the Turkish, Muslim, and French *forçados* and *esclavos*, and in the heat of the battle commanding them to flee. The final count merely formalized the charge of dereliction of duty, citing the loss of six ships, men, and artillery under his watch.<sup>48</sup>

In September 1587, the authorities transported Vique to Madrid, where he was held until the date of his trial, which did not commence until 1589. On 14 November of that year, the court charged him 30,000 ducats for the replacement of slaves and equipment, in addition to other costs. For the number and gravity of his crimes, Vique was sentenced to execution by beheading in the public square of Madrid. Vique and his family, however, appealed the verdict of the sentences of *culpa grave*, and in 1593, the Crown absolved Vique on the charges of having misallocated provisions from the three merchants near Tolú. The defense presented a number of testimonies seeking to extenuate the charges against him; nevertheless, the other charges were upheld. At the end of the appeal, only a small victory had been won. Vique's original sentence was revoked and converted into perpetual exile in Orán.<sup>49</sup>

Throughout the proceedings, it is clear that witnesses' opinions varied concerning Vique's comportment. While thirteen persons testified that Vique dutifully "spent the majority of his time patrolling the coast," seven others claimed that "his galleys spent the majority of time in port" and that the "few times that he left the port, he did so for recreation and not in fulfillment of his duty."<sup>50</sup> This divide is evident throughout the testimony concerning crimes prior to the sacking of Cartagena. Interestingly, the testimony demonstrates general support

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<sup>47</sup> Pérez de Salazar, "La visita que V[uestra] S[eñoría] vio," 6. Vique was also convicted of two additional counts very similar to this.

<sup>48</sup> Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 20-33.

<sup>49</sup> Enfermedad que padecía Pedro Vique en su destierro de Orán, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 37-38.

<sup>50</sup> Pérez de Salazar, "La visita que V[uestra] S[eñoría] vio," 11.

for Vique's action in battle, with six witnesses stating that "the loss of Cartagena was not don Pedro Vique's fault, but rather that of the soldiers and captains in his service who neither obeyed orders nor fought as they should," and with ten more witnesses saying that "don Pedro Vique's actions warrant recognition and awards" rather than punishment.<sup>51</sup>

While some criticized the actions taken for the defense of Cartagena, the disapproval generally revolved around inappropriate decisions made in council and not Vique's performance in the field.<sup>52</sup> Meanwhile, many of the excesses (for which there existed more abundant evidence), including the misuse of galleys for his own profit and the general maltreatment of the civil populations of the coast, were exempted from retribution and branded with the marker of *culpa*. On three of the major charges for which he was initially convicted—regarding the embezzlement of merchant goods destined for the provisioning of the galley fleet—he was exculpated.

When Don Pedro Vique was removed from his post and banished from peninsular Spain and the Americas, it was his failure to sustain and protect the regular system of trade that eventually forced the Crown to bring him to justice, even though records of his transgressions stretched through the years. The liminal space that he occupied between royal power and colonial justice made him primarily responsible to the authorities in Madrid, months away by the quickest means of transport. Because of this arrangement, the colonial government in Cartagena suffered doubly: not only had it suffered Vique's criminal tenure, but in the end the Crown mandated that any fiscal restitution for the colony would have to be sought in a new trial, long after Vique's estate had been emptied. What emerges from the Vique case is an example of a sixteenth-century Spanish imperial bureaucracy thoroughly devoted to supporting the infrastructure of commerce but much less interested in prosecuting the day-to-day criminality of its agents in the colonies.

Moreover, Vique's career in Cartagena demonstrates the logic by which the Spanish monarchy judged the performance of its officials. Some decades ago, historian John Leddy Phelan attempted to explain the societal and political stability of Spain's colonies in the Americas.

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<sup>51</sup> Pérez de Salazar, "La visita que V[uestra] S[eñoría] vio," 23.

<sup>52</sup> Cartas y expedientes de personas seculares, 1586-1587, AGI, Santa Fe, 89, número 3, no fol. Information was remitted to the *audiencia* of the Nuevo Reino de Granada by Judge Diego Hidalgo Montemayor.

For the management of the vast empire, he claimed that the Crown's most important characteristic was its allowance for flexibility among its colonial agents. This flexibility, however, was not absolute, for the agents were constricted by multiple bureaucratic standards (local, colony-wide, and imperial.) Through regularly circulated decrees, the Council of the Indies sought to standardize practices throughout the empire, but the peninsular authorities' ignorance of local specificities made their directives sometimes difficult to enforce in local contexts. Laws proliferated, but the immensity of the legal production often provided a choice of standards to enforce in the moment of necessity.<sup>53</sup>

This was a system that could work for functionaries in the colonies and in Castile alike, because the king and the Council of the Indies communicated regularly with a diverse array of colonial agents through the open conduit of the *memorial* system. This anti-hierarchical communication served to mitigate the greed and misbehavior of colonial agents because each one was able to air his grievances directly to the authorities in Spain. Though its response was slow, the Crown could reprimand, fine, or even prosecute those who challenged the general mission of the colony.

In addition to open communication, both Crown and colony were empowered with tools to aid in their effective functioning. Higher-level colonial agents were equipped with the right to eschew imperial mandate (*obedezco pero no cumpro*) when they believed it undermined local necessities. Useful to the Crown were the twin tools of *residencia* and *visita*. The *residencia* was a review conducted upon all Crown appointees, carried out at the end of their terms and meant to unearth any wrongdoing and to punish. Much less predictable for colonial agents was the *visita*, a secret inquiry which sought to discover malfeasance *in media res*. The threat of these two inquiries and any subsequent litigation that might ensue was often enough to curtail any gross miscarriages of justice. When combined with the ability of all agents to communicate directly with the king or the council, these conventions provided sixteenth-century Spain with tools for effective government over a wide distance. For all its faults, historian John Elliott called it a "remarkable achievement," noting that no other sea-based empire ever had endured as long.<sup>54</sup>

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<sup>53</sup> John Leddy Phelan, "Authority and Flexibility in the Spanish Imperial Bureaucracy," *Administrative Science Quarterly* 5:1 (1960):47-65.

<sup>54</sup> Elliott, *Empires of the Atlantic World*, 129.

Given the long list of accusations against him, it is perhaps a surprise that Vique was not reprimanded following one of the surprise visits by auditors of the Crown. Colonial records extant at the Archive of the Indies demonstrate that at least ten times during his tenure *visitadores* reported back to Madrid regarding the activity of various agents in Cartagena. Only once, however, did the Crown attempt to investigate Vique's activity. In 1583, after Antonio de Eraso, secretary of the Council of the Indies, gathered information from royal officials in Cartagena and the Duke of Medina Sidonia (who sat on the council), he informed the king of some possible "excesses." The king sent two auditors, the royal treasurer Don Luis de Guzmán and the galleys accountant Alonso de Tapia, to conduct a *visita*.<sup>55</sup> In May of that year, they accompanied the galleys that the king sent to replace Cartagena's aging vessels.<sup>56</sup> The fleet crossed the Atlantic, and on 3 November, the king's two galleys and a *patax*<sup>57</sup> arrived at Cartagena. For more than a month, the auditors awaited Vique's arrival. According to reports, however, Vique was away at Río de la Hacha. In order to bide their time, the auditors investigated other vessels that arrived in the port. In December, they discovered that one of Vique's newly assigned ship captains, Pedro de Mendiola, had arrived from Spain carrying nearly 3,000 unregistered barrels of wine, judged to be worth 12,000 or 13,000 ducats.<sup>58</sup>

Vique returned to Cartagena in December 1583. With a full complement of guards and *alguaciles* to protect against any last minute tinkering, Guzmán and Tapia conducted a full inspection, but, to their dismay, they found nothing. Absolutely sure that they had been deceived, both wrote back to the king, complaining that on his way back from Río de la Hacha, Vique had made stops at La Margarita and Caracas to sell off most of his ill-gotten goods. What he had not been able to sell there, they claimed he had unloaded the night before the inspection with the help of his convict oarsmen, who he had illegally unchained.<sup>59</sup>

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<sup>55</sup> Consulta del Consejo de Indias, Madrid, 19 May 1584, AGI, Santa Fe, 1, número 47.

<sup>56</sup> Galeras que se han de enviar a Panamá, Madrid, 26 April 1583, AGI, Panamá, 1, número 25.

<sup>57</sup> Attack vessel engineered for superiority on coasts.

<sup>58</sup> Carta de Don Luis de Guzmán al duque de Medina Sedonia, Cartagena de Indias, 18 December 1583, AGI, Santa Fe, 1, número 47b.

<sup>59</sup> Carta de Don Luis de Guzmán al duque de Medina Sedonia, Cartagena de Indias, 18 December 1583, AGI, Santa Fe, 1, número 47b; and Carta de Alonso de Tapia al

Rumors abounded throughout town, but the royal auditors were unable to implicate him in any crime. Seemingly unaffected by all of the attention being paid to him, Vique penned a letter a few days later to the Duke of Medina Sidonia, in which he complained that out of 200 convict oarsmen he had requested, only 190 had arrived from Sevilla, the rest having died or escaped. Likewise, a third of the more than 100 soldiers to be sent were inexplicably absent on arrival. The worst part, Vique claimed, was that he now had 300 more men but no supplies with which to feed them. "You tell me," Vique wrote, "whether you think the friends [Guzmán and Tapia] did a good job. And what's more, that Mendiola is a brash, honorless loudmouth and look what a terrible job he did."<sup>60</sup>

The resilience of the Spanish model depended on two things: a certain latitude for the activities of colonial agents, and a system of checks and balances that would assure that such latitude never grew too wide. All manner of colonial officials in Cartagena, secular and ecclesiastical, kept a careful watch on each other and regularly informed the king. When any one group became too powerful, the king sent out agents from the peninsula to rein in their immoderation. Petty crimes and what today would be called "corruption" abounded among colonial officers. To deal with this problem, when *residencias* were taken, the Crown merely assessed fines on the transgressors in all but the most extreme of cases. The resulting monetary charges against Vique were therefore normal.

The Crown justified the harsher punishment meted out to Vique—initially execution, amended to perpetual banishment—by referring to his manipulation and abuse of colonial society. Clearly, though, his punishment followed no such single abuse, but rather the fall of Cartagena. Dependent as the Crown was on the loyalty of its officers for the coherence of its far-flung empire, it preferred not to humiliate them, much less execute them, publicly. The sentences from his trial, though appealed and later commuted, allude to how threatening Vique's case appeared to the monarchy. Not one thing Vique did made him exceptional; instead, it was the quantity and

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duque de Medina Sedonia, Cartagena de Indias, 17 December 1583, AGI, Santa Fe, 1, número 47c.

<sup>60</sup> Carta de Pedro Vieque y Manrique al duque de Medina Sedonia, Cartagena de Indias, 20 December 1583, AGI, Santa Fe, 1, número 47a.

regularity of his transgressions, all pieced together during the extensive investigations following the disaster.<sup>61</sup>

Although death sentences for officials were rare, sentences of exile were much less so. In 1576, the former governor of nearby Veragua, in the colony of Panamá, Alonso Vaca, was restituted after being sentenced to six years of banishment.<sup>62</sup> In 1591, the king restored the right of Baltasar Callejo, scribe in the *audiencia* of Panamá, to inhabit said province after he had been banished for publicly insulting a judge in the court.<sup>63</sup> In 1579, records document the return of Juan de Peñalosa, royal accountant of Tierra Firme, to the colony after years of banishment related to a fiscal crime.<sup>64</sup> The archives are full of records of such banishments during the late sixteenth century. But in all three of these cases, the banishment was for a limited amount of time and it only applied to their former cities of residence. For more serious offenses, officials might be banished from the Indies entirely. Still, they would retain the right to live in Spain.

In Vique's case, he was not only banished from the Indies and Spain for perpetuity, but he was also condemned to serve at the North African fortress-and-penal colony in Orán. Such a punishment for an officer in the Americas was rare; before him, the fortress at Orán had held only the guilty parties from the 1544-1548 civil wars in Peru.<sup>65</sup> But of all those involved in the debacle at Cartagena, Vique went alone. Other officials who could have prevented or mitigated the disaster, such as Governor Fernández de Busto, Captain Alonso Bravo, or the naval generals Diego Maldonado and Cristóbal de Eraso, remained undicted. Vique suffered the punishment as a result of his long-documented misconduct.

As the conquest-era faded, the Crown took advantage of moments of rupture—such as the end of tenure, or an attack such as the one in Cartagena—to hold agents accountable. Most of Vique's crimes

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<sup>61</sup> Vique's superior, Cristóbal de Eraso, had even been caught smuggling un-assessed treasures into Sanlúcar de Barrameda in 1579, only to be fined and, apparently, forgiven. *Visitas: Contratación*, Sevilla, 1579-1582, AGI, Justicia, 959-69.

<sup>62</sup> Destierro de Alonso Vaca, Madrid, 22 December 1576, AGI, Panamá, 1, número 5.

<sup>63</sup> Indulto a Baltasar Callejo, San Lorenzo, 24 July 1590, AGI, Panamá, 237, leg. 12, fols. 146v-47v.

<sup>64</sup> Alzamiento del destierro de Juan de Peñalosa, Madrid, 30 March 1579, AGI, Panamá, 1, número 20.

<sup>65</sup> *Autos Fiscales: Lima*, 1544-1548, AGI, Justicia, doc. 1067; Real Cédula, Valladolid, 20 July 1551, AGI, Indiferente, 424, leg. 22, fols. 325r-26r; and Real Cédula, Valladolid, 9 August 1550, AGI, Indiferente, 424, leg. 22, fols. 191r-91v.

occurred more than a decade after political power had begun to normalize in the early population centers of the Spanish empire. After Francisco de Toledo became viceroy of Peru in 1569, he quickly reined in the power of undisciplined *encomenderos*. In the Yucatán, Diego de Landa's exploitation of clerical privilege had alerted the Crown to the possibility of ecclesiastical abuses of authority and had prepared it to better deal with them in the future.<sup>66</sup> The creation of Inquisition Tribunals in Peru (1570) and Mexico (1571) provided a medium through which to control abuses of both spiritual and temporal power.

Ultimately, it was the institution of the galleys that threatened the fabric of rule in Cartagena, for the permanent military force introduced an element that was not part of the Council of the Indies' plan for checks and balances within the system of colonial government. Vique, a military man of many years of experience, commanded a band of armed soldiers and dangerous criminals upon which the colony depended for its defense. He experienced more relative autonomy during his eight-year term than did other colonial agents, because his recently-created post was less integrated into the system of counterbalanced authority. Evidence suggests that Vique cultivated loyalty and even friendship among the slaves and convicts under his watch by providing them with small freedoms and the ability to purchase their liberty.<sup>67</sup> Relatively removed from the constrictions of the political web of the colony, Vique had begun to cultivate a personal, exploitative, and coercive power similar to the type that had so threatened the stability of colonial enterprises during the first generation of conquistadors. Nevertheless, because of his privileged position and necessity to the functioning of the system of trade, authorities had, for a period of time, either overlooked his excesses or had been unable to curtail them.

Regardless of one's social class, money and influence could achieve many things, as Vique's interactions with the wealthy *morisco* Miguel Obeitar attest. This same principle worked on Vique's behalf while in prison near Madrid, and later at the presidio in Orán, as his family's long and extensive royal service rescued him first from death and later from imprisonment. Despite Pedro Vique's apparently hopeless situation—the Crown aimed to make an example out of him—

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<sup>66</sup> Inga Clendinnen, *Ambivalent Conquests: Maya and Spaniard in the Yucatan, 1517-1570* (Cambridge: Cambridge University Press, 2003), 125-26.

<sup>67</sup> Expediente contra Pedro Ubique y otro: galeras de Cartagena, Cartagena de Indias, 14 October 1578, AGI, Patronato, 270, número 1, ramo 10, fols. 42-44.

the intervention of his brothers Joan, bishop of Mallorca, and Álvaro, governor of Orihuela, was sufficient to eventually earn him reprieve from the death penalty.<sup>68</sup> In 1598, they managed to convince Philip III, whose father had died months earlier, to commute Vique's sentence and allow him to return to his family's homestead in Valencia, where he spent his last years.<sup>69</sup> In 1607, he passed away, frail and infirm, of natural causes.

Following Drake's return of Cartagena to the Spanish Crown in April 1586, the king ordered a massive fortification effort. Other ports in the Caribbean followed.<sup>70</sup> Although stone fortress would not be built for another hundred years, defenses at the port were, to some degree, improved. Along with the physical change came a structural one: the new, permanent naval force in Cartagena no longer functioned independently of civil jurisdiction. Instead, the incoming governor, Pedro de Lodeña, was given control. Alongside the restructured navy, the city received its first professional military garrison of three hundred soldiers in 1587.<sup>71</sup>

Like in so many of the other cases of structural imbalances that grew out of the early years of empire, the colony suffered until crisis facilitated the entrance of imperial authority. Restricted by a governmental model that, by design, allowed a certain legal leeway to its agents, Madrid had to wait for moments of rupture in political authority during which it could reassert its power over structures of control created in the crucible of local context. At the same time, the fear of crisis served to remind colonial subjects of the great value of continuity that imperial authority offered in dangerous times.

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<sup>68</sup> Real Cédula, El Pardo, 24 November 1598, AGI, Indiferente, 427, leg. 31, fols. 61v-62r. A 1598 *memorial* to the king made a list of the many services Pedro Vique y Manrique's family had rendered to the royal office. *Enfermedad que padecía Pedro Vique en su destierro de Orán*, 16 December 1597, AGI, Patronato, 270, número 1, ramo 23, fols. 1-4.

<sup>69</sup> Real Cédula, El Pardo, 24 November 1598, AGI, Indiferente, 427, leg. 31, fols. 61v-62r.

<sup>70</sup> Borrego Plá, *Cartagena*, 74-77; Enrique Marco Dorta, *Cartagena de Indias: puerto y plaza fuerte* (Cartagena: Alfonso Amadó, 1960), 74-85; and Nicolás del Castillo Mathieu, *Los gobernadores de Cartagena de Indias, 1504-1810* (Santa Fé de Bogotá: Academia Colombiana de Historia, 1998), 35-39.

<sup>71</sup> Cabildos seculares: Audiencia de Santa Fe, Santa Fé de Bogotá, 14 October 1591, AGI, Santa Fe, 60, número 38.



The Caribbean and Tierra Firme. See <http://www.nps.gov/history/nr/twhp/wwwlps/lessons/60sanjuan/60locate1.htm>; accessed 8/11/2011.



Cartagena de Indias and its port.<sup>72</sup> Walter Bigges, Lieutenant Croftes, and Baptista Boazio, *Expediio Francisci Draki eqvitis Angli in Indias Occidentales a. M.D.LXXXV. Quâ vrbes, Fanum D. Iacobi, D. Dominici, D. Augustini & Carthagena, captae fuêre. Additis passim regionum locorûmque omnium tabulis geographicis quàm accuratissimis* (Leydae: Apud F. Raphelengium, 1588), 25, located in Kraus Collection, Rare Book and Special Collections, Library of Congress, Washington D.C.

<sup>72</sup> Baptista Boazio, an Italian residing in London in 1588, most likely received the information for this rendering from Francis Drake.