

3. The Seville officials were also to be instructed to provide one thousand fighting men.

4. A commander of the fleet was to be chosen from among Cortés, the Adalantado of the Canaries and Alvaro de Bazan; and finally

5. The King of Portugal was to be asked to close his ports to French ships.<sup>1</sup>

Meanwhile the Emperor's representations to King Francis against the despatch of the latter's fleet remained unheeded. To the Commendador Mayor of Alcantara, who was then in France, the French king had replied that 'he was not sending these ships in order to make war upon or contravene the peace and friendship then obtaining with the Emperor, but that the sun gave warmth to him as well as to others, and he much desired to see Adam's will, to learn how he had partitioned the world.'<sup>2</sup>

On December 27 the Spanish ambassador in France wrote to the Emperor as follows :

'SIRE,—I again spoke with the King of France concerning the navigation of his subjects to the Indies, not neglecting any of the points contained in your letters, nor any which I thought might have the desired effect, to which he replied as before, that he could not desist from giving the said licence to his subjects, but at least they will not touch at places belonging to your Majesty, nor go to parts not discovered by his predecessors, and belonging to his crown more than thirty years before the ships of Spain had sailed to the new Indies; and as to what I told him that permission to navigate these parts was conceded to your Majesty's predecessors by the pope, and applied to them, he answered that the popes hold spiritual jurisdiction, but that it does not lie with them to distribute lands among kings. In conclusion, Sire, I have not been able to settle anything but that his subjects shall not go to your lands or ports.'<sup>3</sup>

On receipt of this letter at Spire, Emperor on February 5, 1541, again wrote to the Cardinal of Toledo in

<sup>1</sup> Baxter, *op. cit.*, 357-9. The Spanish text is in T. Buckingham Smith, *Colección de varios Documentos*, etc., pp. 114-16 (London, 1857).

<sup>2</sup> Simancas, *Estado. Castilla*, leg. 53, ff. 333-5; British Museum, Add. MS. 28592, ff. 266-7.

<sup>3</sup> Archives Nationales, Paris, K. 1485, Années 1540-1541.