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CHURCH AND STATE IN NEW MEXICO
1610-1650

By FRANCE V. SCHOLES

CHAPTER I

INTRODUCTION

THE guiding principles of Spanish governmental policy from the age of Ferdinand and Isabella to the nineteenth century were orthodoxy and absolutism. By the conquest of Granada, the establishment of the Inquisition as a separate tribunal for the extirpation of heresy, the expulsion of the Jews, and the initiation of that policy of whittling down the charter of liberties of the Moors which culminated in the expulsion of the Moriscos in 1609-1614, the Catholic Kings completed the territorial reconquest of Spain and assured the triumph of Roman Catholic orthodoxy within their dominions. No less important were their victories over the feudal nobility, the Cortes, and the municipalities by which they laid the foundations for the absolutism of the Hapsburgs and Bourbons. Centralization of political power in the Crown matched the imposition of orthodoxy in matters of conscience, and henceforth the two despotisms, political and spiritual, were identified with Spanish tradition.

But neither the Catholic Kings nor their successors believed that the maintenance of orthodoxy required them to guarantee to the Church all of the privileges it had acquired during the long centuries of the Reconquest. Although ready to recognize the Church as a separate corporation with its own system of organization, law, and courts, with special privileges under the ecclesiastical *fuero* and with rich endowments, the Spanish monarchs were firm in their purpose to assert the preponderance, "or at least the liberty of action," of the State in dealings with the Church, and to limit those ecclesiastical privileges which threatened the sovereignty of the State in temporal affairs. Politico-ecclesiastical relations were characterized by an increasing

regalism which culminated in the Bourbon absolution of the eighteenth century.²

The discovery of America created new responsibilities, as well as unlimited opportunities, for the business of governing a vast colonial empire raised problems of the first magnitude. It was inevitable that the principles of absolutism and orthodoxy which the Catholic Kings were making effective in the Old World should be applied in the New. The Indies were regarded as separate realms united with the Crown of Castile in the person of the king, and political organization was based on the Castilian model. Royal control was imposed by means of a separate Council of the Indies, appointed by and responsible to the Crown, which acted as the supreme administrative organism for the colonies, and by local administrative officers and tribunals responsible to King and Council. Even the municipalities which in the beginning represented a certain amount of local self government rapidly lost their democratic character. The manner in which the Crown tried to impose its will in colonial affairs is best illustrated by the mass of legislation on details of government and administration. On the ecclesiastical side, the supremacy of Roman Catholic orthodoxy was secured by the imposition of restrictions on the emigration to America of foreigners, Jews, New Christians, and persons who had been punished by the Inquisition, and by the ultimate establishment of the Holy Office in America with very wide powers of independent jurisdiction. The conversion of the aboriginal population was declared to be the most important aim of colonial enterprise, and the Crown expended large sums on the support of missions, the building of churches, and the endowment of ecclesiastical foundations.

The Spanish monarchs were just as eager, however, to assert a preponderance over the Church in the New World as in the Old. In certain respects it was possible to begin with a clean slate in the New World, especially with regard to ecclesiastical appointments, the erection of dioceses, and

the establishment of ecclesiastical foundations, and the kings took full advantage of the opportunity. Yielding to pressure from the Catholic Kings who urged their services to the faith as arguments for the concessions they desired, the popes issued a series of important bulls which gave the Crown comprehensive powers over the Church in the colonies.

The bulls of Alexander VI, May 4, 1493, gave the Spanish monarchy (1) title over the Indies, with the conditional obligation of carrying on the conversion of the aboriginal population, and (2) all the concessions, privileges, rights, etc., that former popes had conceded to the kings of Portugal in lands discovered beyond the seas, of which the most important was the right of presenting to ecclesiastical office.³ Eight years later, November 16, 1501, the same pope granted to the Crown the right to collect the tithes in the American colonies, with the condition that the Crown should provide revenues for the establishment of churches and missions.⁴ On July 28, 1508, Pope Julius II conceded to the Crown universal patronage over the Church in the Indies.⁵

On the basis of these concessions, which were clarified by later papal decrees, the Crown established an unparalleled control over ecclesiastical organization in America. The tithes were collected by the officials of the royal treasury and expended by them according to instructions from the crown. The consent of civil authority was required for the establishment of every cathedral, parish church, monastic house, hospital, and pious foundation in the Indies. Appointment to all sees and benefices was reserved to the king or his representatives. The establishment and delimitation of dioceses were made by royal authority. The emigration of clergy to the New World was controlled by royal license, and the movements of those who went to the Indies were supervised by the civil officers in the several provinces. The meetings of provincial and diocesan councils and the publication of their decrees were subjected to supervision by the State. Papal bulls and letters directed to the Church in

America were examined and certified by the Council of the Indies. It is not surprising, therefore, that these powers were jealously guarded, that the viceroys and lesser colonial officials were instructed to resist any encroachment on the patronage, or that bishops were required to take an oath not to violate the rights of the Crown under the patronage.

In actual practice the Crown exercised direct power of appointment in the case of archbishops, bishops, and cathedral chapters. The nominations of archbishops and bishops were sent to the Pope who formally installed the appointees in office. Appointment to lesser benefices was made by the viceroys and provincial governors, acting as vice-patrons, from a list of nominations made by the local prelates. The person chosen was then presented to the bishop who installed him in office. The Crown permitted private individuals to endow local ecclesiastical foundations, such as chaplaincies, and to exercise patronage over them, but this form of private patronage was under the strict control of civil authority. Rigid supervision was exercised over the monastic orders, and all prelates, visitors, and guardians elected by the orders were obliged to present their patents of office to the appropriate civil officers. Although the tithes were collected by the officials of the *real hacienda*, the sums collected were expended according to a general scheme ordered by the Crown. It was the usual custom to divide the tithes into four equal parts, of which one was paid to the bishop and one to the cathedral chapter. The remainder was divided into nine parts or *novenos*, of which the Crown retained two and the remaining seven were distributed among the lesser clergy, hospitals, and the general fund of the Church. The *dos novenos*, or king's share, were frequently used for pious purposes. Finally jurisdiction in suits relating to the patronage and the tithes was reserved to the civil tribunals.⁶

But this extraordinary measure of control exercised by the Crown was no guarantee of peaceful relations between

Church and State. In fact, problems of the patronage and tithes often complicated these relations instead of simplifying them. The viceroys and other local officials had constantly to be on guard against the creation of any rights which, in the course of time, the Church might claim to be prescriptive, although royal legislation specifically stated that prescription could in no way alter the character of the patronage. Evasion of the patronage took various forms, such as assumption of the appointing power by bishops and other prelates, or the building of churches and convents without license. Solórzano cites the case of the bishops of Cuba who disregarded royal cédulas forbidding them to appoint the collector-general of the cathedral church.⁷ Occasionally ecclesiastical buildings were actually torn down by royal command as the result of violation of the patronage. The appointment to benefices, the enjoyment of the revenues derived therefrom, and the removal for cause of regularly installed appointees by their prelates were a constant source of controversy involving both the patronage and the canon law. One of the most fruitful sources of embarrassment for the State was the constant need for settling disputes between the secular and regular clergy, especially with regard to the examination of religious appointed to benefices, the supervision of *doctrinas* served by the monastic orders, and the secularization of missions. Suits over secularized missions often dragged on for years and justified the proverb, *si te quieras hazer immortal, hazte pleito eclesiastico*.⁸ The rapid accumulation of property by the Church, by means of private endowment and investments, and the administration of revenues from the same, especially the disposition of *espolios* and the revenues of sees *sede vacante*, created another group of complex and controversial questions. The collection and administration of the tithes raised many issues. What articles of production were subject to the tithes? Were the military and monastic orders exempt from payment? Numerous controversies of a personal character, frequently caused by dis-

agreement concerning precedence at ceremonial functions, engendered bitterness and unduly disturbed the relations of Church and State.^o

Besides these problems that were created by or directly related to the power of the Crown under the patronage, there were many other conflicts of interest between the two jurisdictions, civil and ecclesiastical. For the sake of convenience, these may be divided into two classes: (1) those which related to the position of the Church as a privileged, corporate institution under the canon law; and (2) those which grew out of disagreement concerning the place of the Indian in the general colonial scheme. It is apparent, of course, that the missionary activities of the Church frequently caused a merging of strict canon law questions with problems related to the administration of the aborigines. Moreover, problems within each class were often complicated by the theory and practice of the patronage.

It was a recognized principle of both Spanish and Indian legislation that the clergy and ecclesiastical property enjoyed certain privileges and immunities. Cases of ecclesiastical discipline and offenses committed by the clergy were normally outside the jurisdiction of lay authority. Ecclesiastical property enjoyed special privileges, such as protection against desecration and immunity from the ordinary jurisdiction of civil officers. The right of asylum was generally recognized. Finally, all lay members of the Church were subject to its jurisdiction in cases ecclesiastical in character. Jurisdiction in ecclesiastical cases belonged to courts presided over by ecclesiastical judges ordinary, such as bishops or their vicars and the prelates of the monastic orders. The intervention of civil authority, except in cases related to the royal patronage, or in cases of open and violent denial of royal authority, was usually unwarranted. On the other hand, for the arrest of laymen and for the execution of sentence on them, the ecclesiastical judges ordinary and their officials were obliged to call in the aid of the secular arm, i.e., of civil authority. Thus

there existed two sets of law, canon and civil, and two sets of courts, ecclesiastical and secular. This dual system of jurisprudence had always been a source of conflict between Church and State, for it had never been administered or applied with full satisfaction to either.

The Crown recognized the privileges, immunities, and jurisdictional powers of the Church in the New World, and tried to maintain a just balance between Church and State in matters of this kind. Civil officers were instructed to aid and protect the clergy, to respect the privileges of ecclesiastical persons and things, to refrain from interfering in the exercise of jurisdiction by ecclesiastical judges, and to lend the aid of the secular arm under the customary conditions. Prelates were charged not to usurp or obstruct the exercise of civil justice. But the execution of these instructions presented many difficult problems. The maintenance of order and the suppression of public scandal were functions of civil authority, but how should the civil officers deal with cases involving persons enjoying the immunities of the ecclesiastical *fuero*? Mere investigation of the conduct of clergy by laymen might be regarded as a violation of ecclesiastical immunity. The normal method of procedure was to call a given case to the attention of the appropriate prelate who would make the necessary investigation and impose discipline. If the prelate who had immediate jurisdiction failed to act, then the case was brought to the attention of a superior prelate. Finally, if such measures were ineffective, the Crown might be informed, or, if the offender was incorrigible, the civil authority could, by proper legal formulae, assume jurisdiction. Expulsion of clergy from the Indies was decreed for certain offences, such as abandonment of the habit of a monastic order, chronic and notorious disturbances in the elections of prelates of the regular clergy, and scandalous, public attacks on civil authority. Discipline of this sort was to be arranged, if possible, by joint action of the two jurisdictions, but the civil officers could act alone if necessary.¹⁰

The right of the Church to protest against injustice and to interpose its influence to obtain a remedy for abuse of authority by civil officers was recognized, but the prelates were instructed to admonish the clergy not to use "scandalous words touching the public and universal government" in the pulpit, and not to preach against the "ministers and officials of our justice." If the civil officers were remiss in their performance of duty, the clergy might admonish them privately.¹¹ The imposition of censures and excommunications on civil officers for ecclesiastical offenses was subject to appeal, and if appeal was denied, the royal aid could be invoked. Copies of all the papers pertaining to the case would then be sent to the audiencia possessing jurisdiction, and pending the decision of the audiencia all censures would be raised.¹² It was also ordered that absolution of civil officers should be granted in a simple and quiet manner without show or elaborate ceremony.¹³

Two special ecclesiastical tribunals exercised a wide range of independent jurisdiction and exerted great influence in colonial affairs. These were the tribunals of the Santa Cruzada and the Holy Office of the Inquisition. The sale of bulls of the Santa Cruzada, or indulgences, was introduced into the colonies at an early date, and in the course of time the revenues therefrom became an important source of income for the Crown. The business of the Cruzada was finally put on a permanent administrative basis by the appointment of a Commissary General Subdelegate for the capital of each audiencia district who was subject to the authority of the Commissary General of the Cruzada in Spain. Each Commissary General Subdelegate was assisted by the senior oidor of the district, a fiscal of the audiencia and an accountant.¹⁴ Together they formed the supreme tribunal for the district. Local business of the Cruzada was in the hands of subdelegates, who had charge of preaching the bulls, and lay treasurers, who received the money resulting from the sale of the indulgences. The net revenues were sent to Spain at convenient intervals. The

district tribunals and the subdelegates possessed jurisdiction over all business of the Cruzada; appeals from the district tribunals went to the Commissary General and Consejo de Cruzada in Spain. The civil courts and the ecclesiastical courts ordinary were forbidden to interfere in such matters.

The activities of the district tribunals, the subdelegates, and the local treasurers caused numerous conflicts of jurisdiction. The sale of the bulls and other business operations of the Cruzada provided opportunities for the abuse of privilege. Treasurers who were tempted to use their authority for personal profit claimed exemption from all civil jurisdiction. Ecclesiastical members of the organization were wont to claim freedom from the authority of their prelates. Although colonial legislation denied these claims for general immunity, the laws were not easily enforced. Moreover, the Cruzada, like all other tribunals with power of independent jurisdiction, sought to extend its influence whenever possible. It tried, for example, to assert control over unclaimed property, especially livestock, and to obtain the management of, or a share in, the goods of persons who died intestate. By special concessions the Cruzada in Spain possessed jurisdiction of this kind, but in the Indies no such concessions were made.

The Holy Office of the Inquisition was the most important ecclesiastical court in the New World.¹⁵ Bishops and prelates of the monastic orders exercised jurisdiction in matters of the faith during the early years of the conquest, but in 1569 the Crown ordered the establishment of tribunals of the Holy Office in Mexico City and Lima. In 1611 a third was set up in Cartagena. These tribunals consisted of a board of inquisitors, attorneys, consultants on theology and canon law, receivers of confiscated property, jailers, and numerous lesser officials, and servants. In provincial capitals and important towns local commissioners were appointed to investigate cases of the faith and arrest offenders when so ordered by the inquisitors. These local agents

had no authority to try cases; the accused parties were sent to the central tribunals for trial.

The jurisdiction of the Inquisition was wide and elastic. Heresy, apostasy, blasphemy, bigamy, the practice of superstition, sorcery and demonology, propositions subversive of the faith, denial of ecclesiastical authority, lack of respect for ecclesiastical persons, institutions, and censures, solicitation in the confessional, evil sounding words,—these were some of the causes for prosecution by the tribunal. No member of the non-aboriginal community was exempt. Spaniards, creoles, negroes, mestizos, mulattos, clergy and laymen, officials and private citizens,—all were subject to its authority. The Indians alone were exempt. In addition to its spiritual jurisdiction in matters of the faith, the Holy Office exercised wide authority of a temporal character. It owned and administered property and exercised temporal jurisdiction over all persons, even lay familiars, who were connected with it in an official capacity. The civil courts were forbidden to interfere in the business of the Inquisition, and appeals from the American tribunals were taken to the Council of the Inquisition (the Suprema) in Spain.

Such a broad range of independent jurisdiction made the Inquisition the most powerful and most feared ecclesiastical tribunal in the New World. It could defy the power of the viceroy, and even the orders of the Crown were frequently disregarded with impunity. In Peru, and to a lesser degree in Mexico, the members of the Holy Office exercised a freedom of action that was not infrequently the cause of public scandal. For the Church the Inquisition was a weapon of great importance in dealing with civil authority, because the broad definition of heresy and related spiritual offenses made it easy to bring charges against officials who resisted the policies of the clergy. Moreover, criticism of the actions of the Holy Office or resistance to its demands could be made cause for action on the ground that the offender was guilty of lack of respect for and opposition to the tribunal as an instrument of orthodoxy. It should not

be forgotten, on the other hand, that sometimes the State found the Inquisition a convenient means for dealing with leaders of rebellion and for the suppression of doctrines contrary to accepted theories of government.

The endless conflicts of jurisdiction caused by the extensive temporal powers of the Holy Office, the boldness with which it used them, and the unjustified manner in which it sometimes imposed censures to enforce its will caused the Crown to intervene in order to define and regulate the relations of the Inquisition to civil authority. But these definitions of jurisdiction, known as *Concordias*, failed to solve the problem. The isolation of the Indies, the delays involved in the transmission of reports to Spain, the necessity of discussing all fundamental problems with the Suprema, which found delay and procrastination an effective means of avoiding an issue, and the ecclesiastical censures and penalties which the Inquisition could impose made it impossible to arrive at any permanent solution of the major problems. Many a viceroy preferred to wink at abuses rather than risk a serious dispute. In the provinces the influence of the local commissaries was all pervading, for even the authority to investigate cases of the faith and denounce offenders to the central tribunals was a most effective instrument of power. Finally, the obligation of every member of the Church, even the most ignorant, to report words and deeds subversive of the faith became a convenient means of giving expression to personal jealousy and passion. A word hastily spoken, expressions of anger or excitement, a joking phrase, neglect in the performance of some minor ceremonial obligation of the Church, and harmless and innocent actions were often noted, misinterpreted or misunderstood, and later denounced to the commissary of the Holy Office. No person who has any acquaintance with the records of any of the great American tribunals can fail to realize the tremendous social and political importance of the Inquisition in the Spanish American colonies. Even the sheer bulk of the fifteen hundred volumes of the Inquisition

archive that is preserved in the Archivo General y Público de la Nación in Mexico City is impressive evidence of the activity of the Mexican tribunal.

The general questions of jurisdiction which have been discussed above were familiar issues for which there were numerous precedents to guide the Spanish monarchs in formulating policy for the Indies. The problem of the aboriginal inhabitants was, however, essentially new, and it provoked a storm of controversy in which was revealed a cleavage of opinion and interest based on the contradictory aims and motives inherent in the colonial scheme. The religious motives of the conquest were implicit in the bulls of donation and later papal concessions, and the Spanish kings wholeheartedly accepted the obligation to foster and promote the general missionary program. But the maintenance of empire, the establishment of colonies of Spanish immigrants, and the exploitation of the resources of the Indies for the benefit of the Crown and the colonists brought into play economic interests opposed to the maximum development of the missions. The conflict of motives caused open rivalry between the clergy and the civil population, and created two sets of vested interests that struggled for supremacy. In their efforts to reconcile the claims of each group, the kings issued a mass of legislation that was inevitably confused and contradictory. The ultimate result of the laws was to reduce the Indians to a status of permanent legal minority, for although the Crown sought to protect the Indians from abuses, it also restricted their freedom of action and limited their social position. The Indians were left serving two masters, the clergy and the Spanish colonists, whose interests were never thoroughly reconciled. The major controversies caused by the conflict between the religious and economic motives of colonization are too well known to require restatement here, but a discussion of certain phases of mission administration will be worthwhile as an introduction to the problems of New Mexico with which this essay is concerned.

The methods of indoctrination were fairly simple. In the beginning a few elements were stressed, such as veneration of the Cross, respect for the clergy, instruction concerning the sacraments, the teaching of a few simple prayers, and regular attendance at religious services. Admission to the sacraments of the Church was granted as soon as the Indians received sufficient instruction. These were the positive phases of missionary labor. The negative phases consisted of measures to prevent the practice of the old pagan ceremonies, to destroy the influence of the native priests and sorcerers, and to combat concubinage and sexual promiscuity. The building of churches and monastic foundations was carried forward as rapidly as possible, and to facilitate the teaching of the Indians in these centers the Indian villages were often consolidated into larger and more conveniently located units. At each mission lands were set aside for the raising of food and the grazing of livestock for the mission clergy.

Sooner or later this missionary program brought the clergy into conflict with either the civil authority or the Spanish colonists. The resettlement of the Indians villages in larger units frequently resulted in a temporary reduction in agricultural production, with a resultant decrease in Indian population, which caused a corresponding reduction in the amount of tribute available for the royal treasury or for the private individuals who held Indians in *encomienda*. At each mission there was a group of Indians employed as servants of the clergy,—sacristans, cooks, porters, etc.,—who were exempt from tribute, and any tendency to increase the number of these servants brought immediate opposition from the beneficiaries of the tributes. The expanding economic interests of the colonists, the formation of haciendas, and the rapid development of stock raising led to inevitable encroachments on the lands of the Indian villages. The clergy were quick to denounce any infringement on Indian rights, but the colonists found it difficult to accept criticism of this sort when they saw Indian lands under cultivation

for the benefit of the mission and the large herds of livestock belonging to the clergy grazing on the Indian ranges. Likewise, the employment of Indian labor was a constant source of controversy, for although the system of personal service, or forced labor for pay, was characterized by abuses, it was customary to answer the charges of mistreatment by counter charges that the clergy employed a large number of Indians in the building and maintenance of churches and convents that were far more sumptuous than the simple needs of indoctrination required. Finally, the frequent accusations made by the clergy that the Spaniards were guilty of acts of cruelty and demoralizing social conduct in their ordinary relations with the Indians were countered by an increasing number of complaints concerning the harsh discipline enforced by the clergy on their wards and the moral laxness of an unfortunately large number of the mission priests.

The civil authorities were charged with the difficult task of aiding the missions in every possible way, promoting the economic development of the country, and acting as umpire between the conflicting interests. It was a task for which few local officials had sufficient administrative ability and integrity of character. The conscientious administrator, anxious to promote the general welfare of the Indian population and root out abuses, found himself face to face with essentially irreconcilable interests and soon discovered that the role of benevolent umpire usually aroused criticism and denunciation from both groups. Moreover, his position was not made any easier by certain provisions of colonial legislation enacted for the protection of the Indians which in practice often caused misunderstandings and serious controversy. For example, the civil authorities were instructed not to permit the clergy to molest the Indians by requiring an excessive amount of service,¹⁰ but investigation of the conduct of the missions or limitations placed on the number of Indians to be used as mission servants were usually regarded as failure to co-operate in the work of in-

doctrination. Likewise local officials were charged not to permit the clergy to imprison or detain the Indians, to flog them, or to impose other harsh penalties on them for infractions of mission discipline, except under certain conditions.¹⁷ The mission clergy were likely to complain that strict enforcement of such regulations demoralized mission discipline. Moreover, the intervention of civil authority might easily be denounced as unwarranted interference with or denial of ecclesiastical jurisdiction and immunity. Finally, the laws which gave the church authority over the Indians in ordinary ecclesiastical offenses, but reserved cases of sorcerers (*hechiceros*) to civil justice frequently caused misunderstandings.¹⁸

Officials who followed a course of strict justice were few. Most of them were interested only in their own profit, and found that personal gain was best advanced by joining with the colonists in a conscious policy of exploitation. Against such abuse of authority, the clergy was loud in denunciation and often effective in action. Their economic resources, the power of ecclesiastical censure, including the dread authority of the Inquisition, brought more than one provincial governor to ruin.

Conflict between Church and State characterized the administration of every province of the Spanish empire in America. In New Mexico it was the most important phase of political history during the seventeenth century. No other question troubled the political life of the community to the same degree or with the same persistence. It was a problem which involved practically all of the provincial governors and most of the leaders of the clergy.

There were fundamental reasons why the question of Church and State was so significant a factor in New Mexican history during this period. Failure to discover in New Mexico rich mines or other notable sources of revenue doomed the province to a rather miserable existence. Success in conversion of the Indian had saved New Mexico from possible abandonment, so that the province became pri-

marily a mission area, and it is not surprising that the clergy acquired a position and influence of paramount importance. There was present in all their writings a self-consciousness born of the fact that the province was essentially a mission field, and that the most important duty of the laymen was to aid and protect the missions. Thus the friars were over-zealous in defense of their privileges, and they assumed an attitude of authority which the civilians resented. It irritated the governors, who were usually restless men and impatient under the restraining hands of the clergy, to be reminded of the fact that one of their important duties—perhaps the most important—was the defense and protection of the missions. They also resented many actions of the clergy which they regarded as unwarranted interference in affairs political in character. Moreover, the distance which separated New Mexico from New Spain made easy, if not inevitable, the persistence of many evils which might otherwise have been remedied. Realizing that, in the main, the situation was one which they were obliged to solve for themselves, both the governors and the prelates assumed an unyielding attitude.

For a clear understanding of certain phases of local Church and State relations, it is necessary to emphasize a few facts concerning the organization of the Church in New Mexico. First, all of the clergy were members of the Order of Friars Minor. Consequently the Church was not weakened by rivalry between various monastic orders or by quarrels between secular and regular clergy. Second, no bishop exercised effective jurisdiction in New Mexico prior to 1680. Ordinary ecclesiastical jurisdiction in all cases affecting the friars, Indians, and Spanish colonists was exercised by the prelate of the Franciscans under authority granted by the bull *Exponi nobis* of Adrian VI, May 10, 1522, which gave the prelates of monastic orders the right to exercise quasi-episcopal power in areas where there were no bishops.¹⁹ Moreover, the power of the prelate was frequently increased by appointments under the Inquisition or

the Santa Cruzada. Thus ecclesiastical authority was concentrated to a remarkable degree, and this fact gave the Church a great advantage in dealing with the civil officers of the province. Finally, the combined economic resources of the Franciscans were sometimes greater than those of the colonists.

The character of political administration in New Mexico during the seventeenth century contributed much to the friction between the two jurisdictions. The governors violated the laws forbidding them to engage in trade; they exploited the Indians to the limit; they organized slave raids against the nomadic tribes of the plains,—in short, they sought every means to enrich themselves at the expense of the province. Many were violent in action and speech, and guilty of open immorality. Few of them seem to have been inspired by any deep sense of obligation to the Church and the missions. Peñalosa, the most notorious of all, was a mere adventurer who, in the end, tried to betray the interests of his country. The lesser provincial officials, the *alcaldes* and *regidores* of Santa Fé and the *alcaldes mayores* of the rural districts, were frequently mere servants and tools of their unscrupulous superiors.

The history of the conflict between Church and State in New Mexico in the seventeenth century may be divided into two periods. The first extends from 1610 to 1650, during which the friction between the clergy and the civil authorities became progressively worse until it nearly resulted in civil war. During this period the Inquisition played a minor rôle. The second period covers the years from 1659 to 1664, during which the Inquisition was a most effective instrument of ecclesiastical policy. Governor Mendizábal and his wife, Governor Peñalosa, four soldiers of the province, and Friar Juan Ramírez, ex-custodian of missions, were all tried by the tribunal of the Holy Office in Mexico City as the result of bitter disagreement with the clergy on various phases of mission doctrine and ecclesiastical practice. The first period will be described in the

present study. The second will be covered in a separate series of articles.

NOTES

1. R. Altamira, *Historia de España* (3^a ed., Barcelona, 1913), § 590.
2. For brief summaries of politico-ecclesiastical relations in Spain from the late fifteenth century to the end of the eighteenth, consult Altamira, *op. cit.*, §§ 576, 584, 590, 688, 715-719, 813-821.
3. For the text of these bulls, see F. J. Hernández, *Colección de bulas, breves, y otros documentos relativos a la iglesia de América y Filipinas* (Brussels, 1879), I, 12-16.
4. *Ibid.*, I, 20, 21.
5. *Ibid.*, I, 24, 25.
6. For detailed treatises on the patronage and related problems, consult: Juan de Solórzano y Pereyra, *Política Indiana* (various editions), lib. iv; P. Frasso, *De regio patronatu Indiarum* (Madrid, 1775); A. J. de Ribadeneyra y Barrientos, *Manual compendio de el regio patronato Indiano* (Madrid, 1755); P. J. Parras, *Gobierno de los regulares de América* (Madrid, 1783); Diego de Avendaño, *Thesaurus Indicus* (Antwerp, 1668); A. J. Álvarez de Abreu, *Victima legal real* (2a ed., Madrid, 1769); Alonso de la Peña Montenegro, *Itinerario para párrocos de Indias* (nueva ed., Madrid, 1771). For briefer discussions: L. Ayarragaray, *La iglesia en América y la dominación española* (Buenos Aires, 1920); L. E. Fisher, *Viceregal administration in the Spanish American colonies* (Berkeley, 1926), 182-250; J. L. Mecham, *Church and State in Latin America* (Chapel Hill, 1934), ch. I. For the legislation consult: [Diego de Encinas] *Provisiones, cédulas, capítulos de ordenanzas . . . tocantes al buen gobierno de las Indias* (Madrid, 1596); *Recopilación de leyes de las Indias* (various editions).
7. *Política Indiana*, lib. iv, cap. iii; *Recopilación*, lib. i, tit. vi, ley xxii.
8. *Solórzano*, lib. iv, cap. ix.
9. Cases illustrating these general problems may be found in the history of all the important Spanish colonies in America. Fisher, *loc. cit.*, describes a number of examples. The legal questions are discussed in Solórzano, lib. iv.
10. Solórzano, lib. iv, caps. vii, viii, ix, xxvi, xxvii; *Recopilación*, lib. i, tit. vii, ley liv, tit. x, leyes i, ii, xi-xiii, tit. xii, ley xix, tit. xiv, leyes lxxiii, lxxxiv, lxxxv, lxxxvi.
11. *Recopilación*, lib. i, tit. xii, ley xix.
12. *Ibid.*, lib. i, tit. x, ley x.
13. *Ibid.*, lib. i, tit. vii, ley xviii.
14. The organization of the Cruzada as a *ramo* of the *real hacienda* in New Spain is described in F. de Fonseca y D. de Urrutia, *Historia general de real hacienda* (Mexico, 1850), III, 263-337. For the legislation, see Encinas, I, 234-237, and *Recopilación*, lib. i, tit. xx.
15. The history and organization of the Holy Office in America is described in H. C. Lea, *The Inquisition in the Spanish dependencies* (New York, 1908), 191-516; J. T. Medina, *Historia del tribunal del Santo Oficio de la Inquisición de Lima* (Santiago de Chile, 1887); —, *Historia del tribunal del Santo Oficio de la Inquisición de Cartagena de las Indias* (Santiago de Chile, 1899); —, *El tribunal del Santo Oficio de la Inquisición en las provincias del Plata* (Santiago de Chile, 1899); —, *Historia del tribunal del Santo Oficio de la Inquisición en México* (Santiago de Chile, 1905); Solórzano, lib. iv, cap. xxiv; *Recopilación* lib. i, tit. xix.
16. *Recopilación*, lib. i, tit. xiii, ley xi.
17. *Ibid.*, lib. i, tit. xii, ley vi.
18. *Ibid.*, lib. vi, tit. i, ley xxxv.
19. For the text of this bull, see Hernández, *op. cit.*, I, 382-389.

CHAPTER II
ESTABLISHING AN EVIL TRADITION
1610-1618

I

THE first major incident in the long history of troubled relations between Church and State in New Mexico occurred during the administration of Governor Pedro de Peralta (1610-1614). Peralta took office at a very critical time in the history of the province. For nearly a decade following the establishment of the first settlement in 1598, Juan de Oñate, founder and first governor, had struggled in vain to put the colony on a sound and permanent basis. The failure to discover rich mines, the limited agricultural resources of the country, the sorry consequences of the exploitation and maltreatment of the Indians, and the arbitrary character of certain phases of Oñate's administration had brought bitter disillusionment to the colonists, many of whom had invested their entire fortune in the venture. In 1601, while Oñate was absent on the exploring expedition to Quivira, many of the soldiers who had remained behind in the provincial headquarters at San Gabriel deserted. With them went most of the Franciscan friars. The desertion of the colony punctured the New Mexico bubble. Neither the glowing account of the Quivira expedition which Vicente de Zaldívar brought to New Spain in the winter of 1601-1602 nor the reports of the discovery of the head waters of the Gulf of California in 1604-1605 could restore the reputation of New Mexico and its founder. The viceroy and his advisers realized at last the true character of the New Mexico colony, and they refused Oñate's appeals for a large force of soldiers and for adequate supplies with which he hoped to follow up these discoveries. In 1607 Oñate tendered his resignation and at the same time served notice that unless sufficient aid were granted fairly soon the colonists who had remained loyal to him would be forced to abandon the prov-

ince. For several months the advisability of a complete withdrawal of the colony was discussed by the viceregal authorities and the Council of the Indies. During the winter of 1608-1609 Friar Lázaro Ximénez and Friar Isidro Ordóñez arrived in Mexico City with the news that the religious had at last been able to make considerable progress in the conversion and indoctrination of the Indians, and on the basis of this report Viceroy Velasco decided to maintain the province as a mission area. Supplies of all kinds were provided for the aid of the colonists; eight additional friars, including a new prelate, Friar Alonso Peinado, were sent to the missions; and a new governor, Pedro de Peralta, was appointed with full instructions for the reorganization of provincial administration.¹

Peralta arrived in New Mexico during the winter of 1609-1610. The first duty imposed by his instructions was the establishment of a new villa to take the place of San Gabriel as provincial headquarters. The new settlement, called the Villa de Santa Fé, was founded during the spring of 1610, and the population of San Gabriel was moved to the new capital as soon as buildings could be erected. The instructions contained full details concerning the organization of the government of this new villa. The second obligation of the new governor was the reorganization of defense. Oñate had reduced the Pueblos to submission by the drastic punishment of Acoma in 1599 and by firmness in dealing with the Jumanos on the eastern frontier, but numerous complaints had been received concerning his failure to deal in an appropriate manner with the Apaches and Navahos. Consequently Peralta's instructions contained detailed suggestions concerning relations with the Apaches and the proper measures for defending the pueblos from attack by these marauders. There were to be no more expeditions to the frontiers until the already occupied area had been placed on a sound basis; the Pueblos were to be concentrated into fewer and larger villages, as a means of assisting the missionary program and to enable them the better to with-

stand attack by the Apaches; and future *entradas* to unconverted Indians were to be made only by the friars. The instructions also contained provisions concerning the granting of encomiendas, the maintenance of a minimum number of Spanish colonists, and instruction of the Indians in the Spanish language.²

Reorganization of the non-aboriginal colony and the adoption of adequate measures for defense laid the foundations for an expanding missionary program. During the Oñate period missions had been established among the Tewa pueblos, and attempts had been made from time to time to indoctrinate the Indians of other villages. Several thousand converts were reported in 1608. But the permanence of the mission program was not assured until after the arrival of Friar Alonso Peinado with reinforcements and supplies in the winter of 1609-1610. Friar Peinado was a saintly person thoroughly devoted to the task of saving souls, and under his inspiring leadership as prelate notable progress was made. A convent and church were built in Santa Fé to minister to the colonists and the Indian families settled there. The area of evangelization was gradually enlarged to take in the Keres villages, especially Santo Domingo which became the ecclesiastical capital of the province, the Tanos, and the Río Grande Tiwas. In 1611 Friar Isidro Ordóñez was sent to New Spain to seek further aid for the missions. The viceroy authorized the purchase of large quantities of supplies for the clergy already serving in New Mexico and for a group of new friar-recruits furnished by the Franciscan Order. The supply caravan consisting of twenty wagons, military escort, clergy, servants, etc., departed from Zacatecas toward the end of May, 1612, and arrived at Sandía, the southernmost of the missions on August 26.³ During the succeeding twelve months the mission area was extended to include the Manzano Tiwas on the eastern frontier and the pueblo of Isleta on the south.⁴

Thus the work of indoctrination was proceeding rapidly when a bitter controversy occurred in 1613-1614

between Governor Peralta and Friar Isidro Ordóñez, which caused a slowing down of the mission program and created a feeling of bitterness between the civil and ecclesiastical authorities that was never forgotten.

II

The history of this controversy must be based almost entirely upon a single source written as a *pièce justificatif* by Friar Francisco Pérez Guerta, one of the missionaries who accompanied Ordóñez in 1612. Friar Pérez Guerta was a member of a group of friars who later became highly dissatisfied with Ordóñez' conduct, and for his own personal opposition to some of Ordóñez' actions he was harshly punished. His *Relación Verdadera*⁵ is, therefore, a biased and circumstantial account of what took place. But it is quite apparent that Ordóñez was ambitious for power and that he was inspired by unnecessary zeal as prelate of the clergy. It is also possible that he resorted to fraud in order to gain his ends. With many members of his own order he was not able to maintain friendly relations; with the civil authorities he was uncompromising and exceedingly tactless. His aim seems to have been completely to submit civil authority in New Mexico to the influence of the Church.

Lack of harmony between Ordóñez and a group of the friars was present from the beginning. During the journey northward a certain amount of bitterness was engendered, partly because the new friar-recruits felt that Ordóñez had not made proper provision for the journey, and partly because Ordóñez was harsh and outspoken in his attitude toward them. There was some discussion among the newcomers about turning back, and one lay-brother actually deserted the caravan. But Ordóñez quieted these complaints, and the others continued the journey to New Mexico, where, as Pérez Guerta said, "God had greater labors for them."⁶ When the group arrived at Sandía Ordóñez presented a letter in which the Commissary General removed Peinado from the prelacy "and ordered him to obey the said

P. Fr. Isidro Ordóñez." This letter may have been forged, but Friar Alonso Peinado, who had been commissary since 1609-1610, accepted it as genuine and immediately turned over the government of the missions to Ordóñez.⁷ At Santo Domingo a few days later Ordóñez held a chapter meeting in which mission assignments were made, and several of the recently arrived friars were disgruntled because they were named off as subordinates to other friars instead of receiving independent mission assignments.⁸ There was also a measure of dissatisfaction regarding Ordóñez' disposition of the mission supplies and his division of the same among the several convents and churches.⁹ Moreover, Ordóñez aroused considerable feeling by his treatment of individual friars. He treated Friar Alonso Peinado so shabbily that Peinado finally decided to "banish himself" by undertaking the conversion and baptism of the Indians of Chililí, one of the Tiwa pueblos on the eastern frontier. Friar Luis Tirado, a new arrival who was assigned to the Santa Fé convent, was so aroused by Ordóñez' actions that he called a meeting of some of his associates in which it was voted that they should return to New Spain; but "God Our Lord ordered otherwise."¹⁰ Apparently Tirado was soon appeased, however, for he later became the chief aid of Ordóñez in the latter's quarrel with Governor Peralta.

Relations between Peralta and Ordóñez were apparently none too cordial even during the period prior to 1612, and it was reported that when Peralta heard that Ordóñez was returning as prelate he remarked, "Would to God the Devil were coming instead of that Friar."¹¹ Soon after his arrival in New Mexico in 1612 Ordóñez presented a *real provisión* (a vice-regal decree issued in the name of the king) ordering Peralta to permit all those soldiers and colonists who might wish to do so to leave the province and return to New Spain. This was a matter of considerable importance, for the number of colonists was so small that the departure of even a few might seriously weaken the defense of the province. Was the *real provisión* another of

Ordóñez' forgeries? Pérez Guerta declared that it was; evidence of another sort indicates that it may have been genuine.¹² Forged or not, it was a grave threat to the security of the province, and Peralta urged Ordóñez not to present it. Ordóñez was adamant, however, and in the end Peralta had to accept the order and give license to depart to all who desired to do so. Peralta tried to induce some of them to stay by offering them grants of *encomienda*, but they refused to remain even on such terms. If the *real provisión* was a forgery, Ordóñez must be held responsible for a policy which not only weakened the colony, but also seriously hindered the progress of the missions by reducing the number of soldiers available for protection of friars who wished to preach in outlying pueblos.¹³

Another cause of friction was the old, old problem of personal service. The labor of the Indians was absolutely essential for the building projects in the new Villa de Santa Fé, and on the governor's orders Indians were summoned in relays from the several pueblos. Some of the pueblos were at a considerable distance from Santa Fé, and the journey to and from the villa was arduous. The Indians were given only the most meager rations of food—mostly toasted maize—and in many instances they received none at all. Ordóñez interposed his influence in behalf of the Indians by writing letters to the mission friars and by direct representations to the governor, but Peralta received his suggestions with poor grace. Perhaps, as Pérez Guerta remarked, "the governor was not greatly devoted to us and any little thing that touched his jurisdiction was sufficient to dissipate his patience."¹⁴ Peralta did his best, however, to moderate the abuses and to set a good example by supplying food to the Indians who were working for him. Some of the Spaniards did the same, but "because of the poverty of the land all of them could not give the Indians food . . ."¹⁵ Apparently the colonists were still dependent on the maize collected from the Indians as tribute, and it was within the governor's authority to divide up supplies collected from those

pueblos not granted in encomienda. "And on this point there were disagreements." ¹⁶ "Finally," to quote Pérez Guerta again, "certain actions (*atrebimientos*) of the soldiers gave the Father Commissary occasion to declare himself against the governor, although this might have been excused and softened down with a little reason."¹⁷

Thus relations between "the heads" were strained,¹⁸ when, in the summer of 1613, an incident occurred which led directly to a violent outbreak. Early in May, 1613, Peralta sent a detachment of soldiers to the pueblo of Taos to collect the tributes. Within a few days they returned with a report that the Indians of Taos were in revolt and refused to pay what was due. Ordóñez and the Father Guardian of Santa Fé, Friar Luis Tirado, were greatly agitated by this news, and they urged the governor to use stern measures in dealing with the situation.¹⁹ Peralta calmed their fears and decided to send two Indian traders to Taos as spies. Before these were actually sent messages were received from Taos explaining that when the soldiers had arrived to make the collection of tribute some of the Indians had been absent and that the others had not dared to make the payment during their absence. The mantas were now ready and the governor should send for them. Peralta decided to send another collecting party at once, lest the Indians regard any delay as a sign of anger on his part. On Friday, May 24, two captains and six companions left Santa Fé on this errand.

Meantime the Father Commissary had gone to the Tewa area on a tour of inspection. At Nambé on his journey back to Santo Domingo he met a member of the detachment going to Taos. After questioning the soldier concerning the nature of his mission, he gave orders that the entire group should return at once to Santa Fé in order that they might celebrate the Feast of Pentecost (May 26) in proper fashion.²⁰

When the soldiers returned to the villa Peralta ordered them to resume the journey because he deemed it very important to collect the tribute without delay, but he also

instructed them to hear mass on the day of Pentecost at one of the northern pueblos, such as San Ildefonso or San Juan. Ordóñez had also returned to Santa Fé and when he learned that the governor had ordered the soldiers once more to proceed to Taos, he sent his notary to the Casa Real to make a formal demand, as follows:

I, Friar Isidro Ordóñez, Apostolic Commissary and Judge Ordinary, by the (authority of) Sr. Lic. Bernardo Gutierrez de Quiros, chief Inquisitor of New Spain, order the governor, Don Pedro de Peralta, under pain of major excommunication *late sententie ipso facto incurrendo* to recall the soldiers who are going to Taos within two hours and to have them appear before me for investigations of matters pertaining to the Holy Office.²¹

The governor very properly replied that he had not understood that Ordóñez had brought any commission from the Holy Office; that as chief civil officer of the province he should have been notified in a formal manner; and that if the commissary would present the patent of appointment he would obey it with all haste.²² "The commissary was not pleased by this reply," and before the two hours had expired he pronounced Peralta excommunicate and posted the formal declaration of public excommunication on the door of Santa Fé church. The same day he gave Friar Luís Tirado, the Father-Guardian of the Villa, instructions concerning the form to be followed in case Peralta came to seek absolution,—

If the governor wishes to be absolved, he shall pay fifty pesos fine in the manner I may wish to apply them. At the door of the church let him be absolved with the Psalm *De miserere* in conformance with the Manual. Later let him be taken into the church where he shall swear to be obedient, and there, barefoot and a candle in his hand, in the presence of all the people let him hear mass.²³

The following day during the mass of the Eve of Pentecost Father Tirado publicly declared that any person who might speak to the governor or uncover in his presence would also incur the pain of excommunication.²⁴

During the months preceding this incident Tirado had been on friendly terms with Peralta,²⁵ and he appears to have been anxious to arrange for the absolution in a manner that would not hurt Peralta's pride and dignity. He secretly informed the governor that Ordóñez had left for Santo Domingo, and urged that the absolution should not be delayed until Ordóñez returned, otherwise "things would not take place with the equity and secrecy that he offered." He stated that he would receive the governor before the dawn on the following day and have the mass of penance said in the presence of only three or four of the governor's friends. But Peralta felt that the excommunication was not justified and he refused to accept absolution in this form.²⁶

There followed several weeks of wrangling during which both sides adopted a stiff-necked attitude. Father Tirado abandoned his attitude of personal friendship, and henceforth he was an efficient instrument of Ordóñez' policy. Peralta was convinced of the injustice of the whole proceedings,²⁷ and tried to obtain statements in legal form concerning what had taken place. He demanded a copy of the terms of absolution, but Tirado refused to give it. Peralta then summoned Alférez Asencio de Archuleta, a layman who was serving as ecclesiastical notary and requested a written statement concerning Tirado's order that no citizen should speak to him under pain of excommunication. When Archuleta refused this request, Peralta ordered him arrested. Tirado met this challenge by issuing a second decree of excommunication against the governor.

Both sides also proceeded to make justificatory investigations. Tirado and Ordóñez summoned witnesses in the name of the Inquisition, and Pérez Guerta, who served as notary, stated that they conducted the questioning of these witnesses in a partial and partisan manner.²⁸ The governor proceeded to investigate the source of rumors that he had made a disrespectful remark concerning the Feast of Pentecost,²⁹ but his inquiries were soon interrupted when Tirado ordered the person who was acting as Peralta's notary, Juan

Donayre de las Misas, not to serve in such a capacity. Donayre took this command seriously, and when he refused to act as notary Peralta had him arrested. Finding that this failed to move him, Peralta sentenced him to the garrote. Thoroughly aroused by this action, Tirado summoned the cabildo and citizens and ordered them to demand Donayre's immediate release. Failing in this, they were forcibly to free him and kill the governor. "And he told them that if they did not dare to do it, he, the said Father Guardian, would sally forth (with the aid of) his brothers to do the releasing and killing, and failing this he would consume the host and go to the convent of Santo Domingo where the Father Commissary was and see to it that no friar went to the Villa."⁹⁰

Alarmed by this outburst of passion, the cabildo begged Peralta to release Donayre in order to avoid possible tragedy. Peralta heeded their request, but took pains to declare that in releasing the prisoner he was moved more by the fear of "some disaster" than by their pleas. Having scored a victory on this issue, Tirado then demanded the freedom of Archuleta, the ecclesiastical notary, on the ground that he was exempt from civil jurisdiction. Peralta refused to admit that Archuleta enjoyed ecclesiastical immunity, and for several days governor and friar exchanged legal petitions and uncomplimentary epithets and threats.⁹¹

On June 11 the Father Commissary returned to Santa Fé. Peralta once more sought absolution but refused to submit to the terms previously imposed. Third parties now tried to mediate between governor and prelate, but at first they were unsuccessful. On one occasion during the negotiations Ordóñez threatened to bring the friars to Santa Fé and seize the governor. In the end, however, certain friends of the prelate arranged a compromise which omitted the public mass of penance. But before Ordóñez would proceed with the formula of absolution, he demanded that Peralta should hand over all the papers and records of the investigations he had made. After considerable haggling, Peralta

sent for the documents, but instead of handing them over to the Commissary, he tore them up in the presence of witnesses.⁸²

The peace that was thus effected was merely temporary, for both the governor and the Father Commissary had been too deeply aroused to resume wholly friendly relations. Peralta had been cut to the quick by the actions of Tirado, and the threat to arrest him had made him suspicious of every move made by the clergy. And Ordóñez appears to have regarded the settlement as merely a truce, pending the discovery of an issue which would justify more direct action.

Toward the end of June certain citizens who were about to depart for the country to round up and brand some cattle asked Peralta to appoint one of the *alcaldes ordinarios* to accompany them as a mediator, because these round-ups were accustomed to degenerate into quarrels. Peralta chose Don Juan Escarramad for this thankless task. During the round-up Escarramad and a citizen named Simón Pérez engaged in some sort of dispute. Swords were drawn and Escarramad received a serious wound. He immediately sought redress, but Pérez, aided by friends and relatives, fled to the sanctuary of the Santa Fé convent. Although Peralta took pains not to violate the right of asylum, he issued a formal summons against Pérez and, pending investigation of the case, ordered the persons who had aided Pérez confined to their homes. By this act Peralta aroused the hostility of a group of important citizens, for Pérez' associates were Capt. Alonso Baca, Capt. Alonso Barela, Alférez Pedro Barela, Capt. Jerónimo Márquez, and others who belonged to families who had served in the conquest and were leaders in the colony. Fearing punishment at the hands of the governor, they appealed to Ordóñez for protection.⁸³

About the same time that these events were taking place, Peralta authorized a levy of Indian laborers from the pueblo of San Lázaro. The guardian of San Lázaro, Friar

Andrés Perguer, wrote to Ordóñez to inquire whether he should permit the Indians to leave. In his reply Ordóñez urged Perguer to inform the governor that the Indians should be summoned from more distant pueblos which were not called upon for service so often as those of San Lázaro. Moreover, Perguer should insist that the governor "leave off afflicting the miserable soldiers and citizens of the villa with pleas . . . and that the more he tries to afflict and incriminate them and shed their blood, the more trouble will rain down on him." "I believe," Ordóñez added, "that I must go to the villa this week for I imagine that this man must once more be put in a position from which he cannot escape . . . (for) according to what I am told, I believe that I must do (now) what I did not do in the past affair." Friar Perguer added a few lines to the commissary's letter and sent it on to the governor.³⁴

This was on July 5. The next day Ordóñez went to Santa Fé where he soon forced a crisis. His first act was to notify the governor that he desired an escort in order to go to New Spain to make a report concerning "serious matters" to the viceroy, audiencia, and Inquisition. Peralta replied that he would grant him the necessary soldiers, and added that he, the governor, might accompany the soldiers, "in order that your Fathership may be better protected and served." Smarting from the sting in this reply, the prelate lost no time in paying Peralta back in kind. On Sunday, July 7, when the governor's chair had been put in its usual place in preparation for mass, Father Tirado had it thrown out into the street. "Seeing this, the governor ordered the chair, which he found outside the church, placed inside the door near the baptismal font, and there among the Indians he sat down, the others, captains, alcaldes and cabildo, being seated near the high altar." After the gospel the ecclesiastical notary, Alférez Asencio de Archuleta, who had probably been released at the time of Peralta's absolution, read an edict to the effect that excommunication and a heavy fine would be imposed on any person who might send dis-

patches to Mexico, or even carry them, without first giving notice to the Father Commissary. This announcement was followed by an impassioned speech by Ordóñez, in the course of which he said:

Do not be deceived. Let no one persuade with vain words that I do not have the same power and authority that the Pope in Rome has, or that if his Holiness were (here) in New Mexico he could do more than I. Believe (ye) that I can arrest, cast into irons, and punish as seems fitting to me any person without any exception who is not obedient to the commandments of the Church and mine. What I have told you, I say for the benefit of a certain person who is listening to me who perhaps raises his eyebrows. May God grant that affairs may not come to this extremity.⁸⁵

Pérez Guerta remarked that if the citizens were scandalized by the removal of the governor's chair, the prelate's speech made an even greater impression.⁸⁶

On the following day (July 8) Peralta sent Ordóñez a formal notification (*auto*) to be ready to leave for New Spain on August 1, "but the Father Commissary sent away the secretary and did not wish to hear the *auto*."⁸⁷ The same day Ordóñez informed Peralta that he desired the services of three soldiers, whom he had appointed as *sindic*, *fiscal*, and notary of the Church, for certain ecclesiastical business. In particular, he desired the *sindic*—it should be noted that he was none other than Capt. Alonso Baca—to begin collecting the tithes. Peralta refused to grant his request on the ground that the three men were soldiers in the service of the king, and that, as for the *sindic*, there were no tithes to be collected. When he heard the governor's answer Ordóñez flew into a rage, denounced his opponent as a Lutheran, a heretic and a Jew, and threatened to arrest him and send him off to Mexico.⁸⁸

The next morning (July 9) Peralta was informed, on what seemed good authority, that the prelate planned his arrest. Summoning the citizens, he informed them of the

prelate's intention, which, in view of the letter to Friar Perguer and the speech of Ordóñez on the preceding Sunday, now seemed clear enough. Accompanied by the soldiers, he then proceeded to the convent. Pérez Guerta's description of what took place at the convent is a striking commentary on the bitter passion that the events of the preceding six weeks had aroused. Invoking the authority of the Crown, Peralta ordered the Father Commissary to return immediately to Santo Domingo. A shocking scene ensued during which the governor's pistol was fired, wounding the lay-brother, Friar Jerónimo de Pedraza, and the armorer, Gaspar Pérez. The prelate immediately declared his adversary excommunicate. The soldiers who had been present were summoned and absolved, except for Gaspar Pérez who blamed Ordóñez for the whole affair. The same day the Host was consumed and the church closed. The friars then set out for Santo Domingo where a meeting of all the clergy was called to discuss future policy.³⁹

To the assembled friars Ordóñez presented his version of the incident and proposed that they should return to Santa Fé to force the governor's arrest. Father Peinado urged caution and delay, but the impassioned arguments of Ordóñez prevailed.⁴⁰ On July 13 the prelate and several of his associates returned once more to the villa, where the following day they summoned the cabildo and demanded the immediate imprisonment of the governor. The cabildo refused to assume such a grave responsibility. The prelate then decided to appeal to the viceroy. On July 23 a friar and four soldiers were sent to New Spain with a message describing the general situation and asking the viceroy's authorization to arrest the governor. Peralta sent the *alcalde ordinario*, Juan Ruiz de Cáceres, to stop them, but inasmuch as Ordóñez had induced the said *alcalde* and some of the *regidores* to sign the letter of appeal and complaint, it is not surprising that the messengers were permitted to get away. When they arrived in Mexico City they were severely reprimanded by the viceroy for having departed from New

Mexico without license from Governor Peralta. Investigation of the situation in New Mexico was intrusted to Bernardino de Ceballos, whom the viceroy had recently appointed to succeed Peralta as governor of the province. But long before Ceballos arrived in New Mexico Father Ordóñez had exacted vengeance.⁴¹

Peralta was not willing that the Father Commissary's version of New Mexican affairs should go unchallenged in the court of the viceroy, but it was difficult to find messengers who were ready to incur the pain of excommunication which Ordóñez had decreed against persons who might dare to carry despatches without his consent. The governor decided, therefore, to be his own messenger. Ordóñez was determined, however, to prevent Peralta's departure. To this end he sought to create an anti-Peralta faction among the soldiers and civil population which would not only assume the responsibility for any use of force, but make it possible to proclaim that any action taken was done in the name of civil authority. By skillful argument and sweeping promises he won over several soldiers, notably Alonso Barela, Capt. Alonso Baca, and Capt. Jerónimo Márquez who had been involved in the Simón Pérez affair, and the second *alcalde ordinario* of Santa Fé, Juan Ruíz de Cáceres. With these men as a nucleus a considerable faction was formed under the prelate's leadership with headquarters in the convent of Santo Domingo.⁴²

A double-dealer in the group professing loyalty to Peralta kept Ordóñez informed concerning all movements in Santa Fé. On August 10 Ordóñez received word that the governor had set out on his journey southward. The prelate immediately sent a summons to the clergy to come with arms to Santo Domingo. "(Certain) friars came, but (other) friars excused themselves." After midnight, August 11, Ordóñez and his party left for Sandía and there passed on to Isleta to await the governor. At Isleta the prelate induced many of his soldier associates to sign a statement justifying the seizure of the governor. According to Pérez

Guerta this document was dated at Santa Fé, August 12, although it was really written at Isleta. Pérez Guerta also stated that it contained the forged signatures of citizens who were actually in Santa Fé at the time.⁴³ During the night of August 12-13 Ordóñez surprised the governor's camp and arrested Peralta in the name of the Inquisition. The convent of Sandía was selected to serve as a jail, although the guardian, Friar Estéban de Perea, disliked the duty and responsibility thus thrust upon him. There Peralta was held in chains under guard of three soldiers and several Indians of the pueblo. The first *alcalde ordinario*, Juan de Escarramad, a loyal member of the governor's faction who had accompanied Peralta from Santa Fé, was also arrested and held a prisoner in Santo Domingo for two months.⁴⁴

For nine months during which Peralta was held a prisoner Father Ordóñez was the unquestioned master of New Mexico. One of his first acts was to proceed to Santa Fé where he seized the governor's private papers. To quiet the fears of the citizens he preached a violent sermon in which he asserted that he expected a great reward for his actions and that those who had helped him arrest the governor could expect no less. To justify his actions and stir up resentment against Peralta, he had Friar Jerónimo de Pedraza, the lay-brother who had been wounded during the affair of July 9, carry from house to house a letter which had been found among the governor's papers in which Peralta called the citizens half-breeds.⁴⁵ Inquiry was made concerning the July 9 incident; ecclesiastical censures were freely used; and inquisitorial process was started against persons known to favor the governor. "Excommunications were rained down . . . and because of the terrors that walked abroad the people were not only scandalized but afraid . . . existence in the villa was a hell."⁴⁶ Even the civil government felt the weight of the prelate's hand. In October the lieutenant-governor who had been left in charge of provincial administration when Peralta left Santa Fé was obliged to permit Ordóñez to arrange for and participate in a mili-

tary expedition against Ácoma.⁴⁷ In November Ordóñez was informed that Juan de Escarramad, recently released from confinement at Santo Domingo, and others were planning to free their chieftain. He immediately ordered an *alcalde ordinario* of Santa Fé to arrest Escarramad in the name of the Inquisition and bring him back to Santo Domingo. For three and a half months Escarramad was held a prisoner without having any charges preferred against him.⁴⁸

The prelate spent December reading Peralta's papers and preparing reports to be sent to New Spain. To carry the despatches Ordóñez chose Capt. Alonso Baca, who had formerly served as *sindic* of the Church and had been a member of the group that had helped to effect Peralta's arrest. He read some of the reports to Baca who was said to have asserted to two friars: "I swear to God there is no truth in all that he writes." The prelate also took pains to prevent the sending of letters by other persons who might make a contrary report. To one of the soldiers who was to accompany Baca there had been delivered secretly a *pliego* of papers by the lieutenant-governor and *cabildo* of Santa Fé. Ordóñez seized the papers, and, according to report, falsified the signatures. The messengers finally left for New Spain in February, 1614, but on the way they met the new governor, Bernardino de Ceballos and delivered the papers to him.⁴⁹

On March 18 Peralta escaped from Sandía and fled to Santa Fé where he took refuge in the house of the lieutenant-governor. Friar Luís de Tirado, the guardian of the Santa Fé convent, immediately summoned a group of soldiers and demanded of them, under threat of censure by the Inquisition, that they seize the fugitive and take him into custody. "So the Father Guardian and all (of them) went to the house of the lieutenant-governor and brought the said governor a prisoner to the convent where they put him in a cell and set guards over him that night. God Our Lord knows how much he suffered because he had had no food for two or three days. He was emaciated, and his foot was

bruised by the fetters. On Saturday, eve of Palm Sunday, twenty-second of the said month, a day bitter cold with snow and wind, the Father Guardian had him put on a horse and covered with a skin like an Indian. And in this manner under guard, the Father Guardian took him to the Father Commissary in Santo Domingo."⁶⁰

Meantime Father Ordóñez had heard that an Indian of Cochití had been killed by Indians from the Jemez pueblos. Immediately he sent soldiers to seize some of the offenders and bring them to Santo Domingo, and there the *alcalde ordinario*, Juan Vitorio de Carabajal, sentenced one of the prisoners to death and executed him under the very eyes of Peralta, despite the fact that the said *alcalde* had no authority to exercise jurisdiction in the case. "He hanged the said Indian by command of the Father Commissary, and it was ordered that more should be executed, with the result that the (Indians) of his nation wished to rise in revolt." Immediately after the execution Ordóñez summoned the Indians so that they might see Peralta as he was taken away to his jail at Sandía. Peralta was held in custody in Sandía until April 7, when, at the request of Friar Estéban de Perea, who was tired of his task as jailer, he was moved to the convent of Sía.⁶¹

Thus the Father Commissary directed the affairs of the province according to his plans and desires. Some of his fellow friars disapproved of his actions, however, and during the winter of 1614 three friars, including Pérez Guerta, discussed plans to return to Mexico. The Father Commissary was able to block this move. A little later Friar Andrés Juárez decided to risk the prelate's ill will and depart. One of his brother friars urged him not to do so, but he replied "that only God could remedy (the situation), that he was determined to leave, (otherwise he would either) hang himself or kill the commissary, because he could not stand it (any longer.)" He went ahead with his plans and finally set out. But Ordóñez, who lay in wait along the way, seized him and took him to Santo Domingo, "where he was ab-

solved and put in a kind of jail for a period of four months.⁷⁵²

Among the letters that Juárez was taking to Mexico was found one written by our chronicler, Friar Francisco Pérez Guerta. For some time there had been a coolness between Friar Pérez and Friar Tirado, the Father Guardian of Santa Fé. This had its origin in a difference of opinion concerning certain incidents that occurred during the journey to New Mexico in 1612. In the summer of 1613 Pérez had served as notary for Tirado and Ordóñez during the litigation over the excommunication of Peralta and later during the investigations that were made subsequent to Peralta's arrest. Pérez had not been in agreement with Tirado on many points and had tried to present arguments in behalf of a more reasonable policy; but this attitude of independence merely increased the antagonism that Tirado already felt toward him. During the spring of 1614 Tirado denounced Pérez as a member of the group planning to return to New Spain. Summoned to Santo Domingo, Pérez was lectured by Ordóñez and sent back to Galisteo where he was serving as mission friar. But Pérez was by no means satisfied with the general situation, for he prepared a letter of complaint which he entrusted to Friar Juárez for delivery in Mexico City. This letter was seized at the time Juárez was taken into custody. Immediately Pérez was summoned once more to Santo Domingo where Ordóñez denounced him in the presence of his fellow friars. He was finally sent to Sía where he was held in seclusion for some time.⁶³

Such was the situation when the new governor, Bernardino de Ceballos, arrived early in May, 1614. At first Ceballos expressed great displeasure concerning the events of the preceding months and boasted that he came to restore the honor of his predecessor, but apparently the influence of Ordóñez and his faction was so great that Ceballos soon abandoned this attitude of indignation. Soon after his arrival in Santa Fé on May 12 he started the residencia of Peralta. All of the malcontents seized this opportunity to

justify their acts and denounce those of the former governor. Not until July 4 was Peralta brought to Santa Fé, and even then his position was that of a man accused of serious offenses. Realizing that a fair trial could not be obtained in New Mexico he refused to present a defense and appealed the entire process to the viceroy and audiencia. In October he sent an agent with dispatches for the audiencia. An effort was made to capture the messenger but he escaped. About a month later (November 10) Peralta was finally permitted to depart, but only after having been despoiled of most of his belongings. And at Perrillo on the journey southward four soldiers sent by Ceballos and Ordóñez ransacked his effects searching for letters and dispatches.⁵⁴

Peralta arrived in Mexico during the spring of 1615 and doubtless brought action at once before the audiencia. Unfortunately his residencia has not been found, so that there is an almost complete lack of satisfactory information on this later phase of the affair. The investigation moved very slowly, for it was not until October 6, 1617, that final sentence in the residencia was rendered.⁵⁵ It seems clear, however, that Peralta received satisfaction on one important point, viz., the lack of authority for his arrest in the name of the Inquisition. The Staatsbibliothek of Munich possesses an interesting manuscript entitled *Extractos de Causas de Familiares y Ministros que no son oficiales, que ay en la Camara del Secreto de la Inquisicion de Mexico, 1572-1725*⁵⁶ which contains the following entry:

1615. Fr. Ysidro Ordóñez, Commissary of St. Francis in New Mexico; because pretending to have a commission from the Holy Office and *por causa de Inquisicion*, he sought the aid of soldiers and citizens against the governor, D. Pedro de Peralta, seized him and held him in chains for nine months. On complaint of the said Don Pedro and (on the basis of) information which he gave, (Ordóñez) was brought to Mexico and confined to his convent. But nothing was done, and (after) giving Peralta a statement that there was no *causa*

del Santo Officio (as a basis) for his arrest, license was given to the friar to go as Procurator of this province (of the Franciscan Order) to the General Chapter in Rome.

Except for this brief statement, we have no record of the action by the Holy Office. That some investigation was made seems evident, but no formal *proceso* had been found in the Inquisition papers in the Archivo General y Público, Mexico City. It is probable that the Franciscan Order was forced to make an investigation, but no documents dealing with this phase of the case are available. All that is known is the fact that sometime in 1616, or earlier, a new prelate for New Mexico was appointed *with the title of custodian (custodio)*. This change of title indicates a greater dignity for the prelates and a larger measure of local autonomy for the New Mexico missions. Whether the change was due to considerations other than the increasing importance of the missionary program is not clear. It is significant, however, that the new prelate was Friar Estéban de Perea, a man of mature years, who had not been sympathetic toward many of the policies of Ordóñez. The exact date on which Perea took office is not known. It was sometime during the winter of 1616-1617, and not later than January 30, 1617.⁵⁷

III

Thus Friar Ordóñez continued to exercise the powers of prelate for approximately two years after the departure of Peralta in November, 1614. During this period the friendship and coöperation which had characterized the relations of Ceballos and Ordóñez in the summer and autumn of 1614 gradually changed to rancor and bitterness. The chief cause for this change seems to have been disagreement over Indian affairs.

According to Pérez Guerta, Ordóñez had cleverly used the Indian problem as a means of making trouble for Peralta. Not only did he object to certain phases of Peralta's levy system for Indian labor, but he also kept a sharp watch

for abuse and mistreatment of Indians by private individuals. "Every little fault, no matter how unimportant, was denounced and exaggerated in the extreme. He saw to it that the governor did not dissimulate, or pardon any act committed by a soldier, rather he kept laying it on his conscience." To keep the peace and set some limits to the actions of irresponsible citizens, Peralta had issued decrees imposing damages in the form of mantas and a penalty of ten days imprisonment for offenses against the Indians.⁵⁸ On one encomendero, Asencio de Archuleta, Peralta imposed a fine of fifty mantas and fifty fanegas of maize for various offenses.⁵⁹ Seeing that the governor actually executed the decrees, the Indians, "greedy for mantas," provoked and invited the Spaniards to commit acts of violence in order to claim damages.⁶⁰ The result of this policy had been to stir up the antagonism of the soldiers, and, if one may believe Pérez Guerta, this was the Father Commissary's purpose in denouncing abuse and oppression and urging Peralta to adopt stern measures. It is interesting to recall that Archuleta was an active member of the ecclesiastical faction in the summer of 1613, that he served as notary and messenger for Ordóñez, and that it was his arrest by Peralta for failure to furnish an official statement of Father Tirado's pronouncement against citizens who spoke to the governor while under pain of excommunication that had greatly complicated matters during that difficult period. These facts give especial point to Pérez Guerta's statement that "the said Asensio and all his relatives, of whom there were many, became capital enemies of Peralta because they were not accustomed to have justice done."⁶¹

The same policy of making complaints against soldiers and citizens was tried out on Ceballos, but, warned by Peralta's experience, the new governor "permitted the soldiers to do certain things that were advantageous to them in order to maintain himself and keep friends, and not find himself in the same position as his predecessor."⁶² Moreover Ceballos, who was "opening his eyes" and learning to

assert himself, astutely exhibited all such letters of complaint to the parties who were denounced, and thus turned the wrath of the citizens against the prelate.⁶³

Relations between the governor and prelate were rapidly embittered. "For the space of two years . . . there was no lack of pleas between the Father Commissary and the governor." And between Ceballos and Friar Tirado, the Father-Guardian of the Santa Fé convent, so much passion was engendered that there were threats of violence. "There were such great scandals," Pérez Guerta wrote, "that they would require another memorial and relation like this one to describe them."⁶⁴

Meantime Ordóñez' influence among the clergy was gradually weakened. Friars like Estéban de Perea, Agustín de Burgos, Andrés Juárez, Bernardo de Marta, and Pedro de Haro de la Cueba had never been wholly sympathetic toward the prelate's policies. They doubted the wisdom of many of his actions and they resented his treatment of the former prelate, Friar Alonso de Peinado. At the time Peralta left New Mexico in 1614 several of the friars wrote letters of complaint to Mexico. Ordóñez made every effort to seize these reports, but one letter written by Friar Peinado to the viceroy could not be found, even when Peralta's effects were searched. Ordóñez summoned Peinado and ordered him to write a second letter denying the things he had written in the first one. "Both letters were received by his excellency who thus had reason to regard Peinado as inconsistent (*liviano*)."⁶⁵ Not content with this, Ordóñez called a council of the clergy in Santa Fé in which he used such severe language against Peinado that the two friars came to blows. The next day Peinado was ordered to leave Santa Fé, "although there was no occasion for it, nor could he (Ordóñez) justly send him away from the Villa where the Venerable Father was loved, esteemed, and welcome because of his age, religious zeal, and poor health." But in order not to cause further trouble Peinado departed.⁶⁶

More than a year passed by. Early in February, 1616, Friar Agustín de Burgos went to Chililí to help Peinado baptize the Indians whom he had converted. During the visit the friars looked over certain papers, including the letter by which Ordóñez had relieved Peinado of the prelacy. Examining this document carefully, Friar Agustín "found it was false from the first letter to the last, (even) the seal." A quiet investigation was started by a few of the friars. Friar Pérez Guerta immediately took the lead in humbly asking Ordóñez that he show him his true patent of appointment. For a few days Ordóñez temporized, but finally exhibited "a patent." "I saw it," Pérez Guerta said, "and I read it, and to this day I do not believe he was prelate, for if he were, there was no reason why he should have falsified the other letter." Having exhibited the patent, the Father Commissary ordered Pérez Guerta held in custody at Santo Domingo.⁶⁷ The prelate circulated a petition condemning certain opinions attributed to his opponent and urging that he should leave New Mexico. A few signatures were obtained, but certain friars, including the prelate's good friend, Friar Cristóbal de Quiros, guardian of Sia, and Friar Juan de Salas, guardian of Isleta, refused to sign. Arrangements for the departure of Pérez Guerta were made, and apparently he actually set out for New Spain. But for reasons that are not entirely clear, the journey was cut short before he left the jurisdiction of the province.⁶⁸

Such was the general situation in the spring of 1616. Nothing is known concerning events during the remainder of the year. Sometime before the end of January, 1617, the mission caravan arrived with supplies and additional friars for the missions. The appointment of Friar Estéban de Perea as prelate and the summons requiring Ordóñez to return to New Spain were probably received at the same time. The caravan returned to New Spain in the autumn of 1617, and with it went Friar Francisco Pérez Guerta who presented the *Relación Verdadera* to the Franciscan Commissary General soon after his arrival in Mexico. Friar Isidro Ordóñez probably left New Mexico at the same time.⁶⁹

All that is known concerning the later career of Ordóñez is contained in the brief item from the Munich manuscript quoted above.

IV

Friar Estéban de Perea was fifty years of age when he succeeded Ordóñez as prelate of New Mexico. A native of Spain, where he entered the Franciscan Order, he went to Mexico in 1605 and affiliated with the Province of the Holy Evangel. Four years later he joined the group of friars sent out to New Mexico with Peralta and Peinado. He was assigned to the Tiwa of the middle Río Grande valley, where he built the church and convent of Sandía and served as a missionary during the major part of fifteen years. Even during the five years (1617-1621) when he was custodian he spent part of his time in Sandía. Although he had not been sympathetic toward many of the actions of his predecessor, Friar Isidro Ordóñez, Perea was zealous in the propagation of the faith, fearless in denunciation of error, and unrelenting in defense of ecclesiastical jurisdiction and immunity. During the ten years from the winter of 1616-1617 to the autumn of 1626 he was the central figure in provincial history.

The first act of Perea as prelate for which we have documentary evidence was a grant of power of attorney to Sebastian de Noboa y Castro, Sindic and Procurator General of the Custodia. This was on January 30, 1617.⁷⁰ On April 17, 1617, Noboa y Castro made a formal complaint against Alférez Juan Escarramad, citizen of Santa Fé, on the charge of having made scandalous and insulting remarks concerning certain friars. The complaint was filed before Friar Bernardo de Aguirre, guardian of Santa Fé, judge-delegate by appointment of Perea, who admitted the plea and ordered the arrest and imprisonment of the accused pending trial.⁷¹

Escarramad had served under Oñate in the conquest and occupation of the province. During the Peralta-Ordóñez affair he had held office as one of the *alcaldes ordi-*

narios of Santa Fé and had been a loyal member of the Peralta faction. He was seized with Peralta in August, 1613, and held in jail for two months. After his release he was once more arrested on the charge of plotting to free Peralta and was kept in custody for another three months without trial. Some time during the period from 1614 to 1616 he went to Mexico on business; in fact, it is probable that it was he who carried dispatches for Peralta in October, 1614.⁷² In Mexico City he had given testimony concerning the state of affairs in New Mexico, and it is logical to assume that his statements were not friendly to Ordóñez and the Church. He returned to New Mexico with the mission caravan of 1616.

As a loyal follower of Peralta he was a marked man; his every word and deed were sure to be noted and criticized. And in view of his experience with Ordóñez, who had held him in jail for some five months, it was inevitable that sooner or later he would express his resentment in bitter terms. Sometime during the winter of 1617 Escarramad went to Sandía for confession. The confessor, Friar Cristóbal de Quiros, showed to Escarramad a report concerning statements of the latter that were distasteful to the clergy, and informed him that before he could receive absolution he must retract. It is not clear whether the statements he was asked to retract were part of the testimony he had given before the audiencia (as one man deposed later during the trial) or merely certain libelous and derogatory remarks. In any case Escarramad refused to comply with the demand on the ground that he would not retract the truth.⁷³ It was not long after this incident, apparently, when Noboa y Castro presented formal charges before the ecclesiastical judge-delegate.

During the course of the trial eight witnesses were examined, and in their sworn depositions they testified that on numerous occasions Escarramad had made derogatory statements concerning the clergy. The most important of these statements are summed up as follows: (1) that Friar

Pedro de Escobar had been a highwayman and thief—in fact, one of the greatest thieves in New Spain—before he had become a friar, but having robbed the whole world, he had taken the habit and made himself a saint; (2) that Friar Alonso de San Juan was a villain and a licentious person; (3) that Governor Peralta was a much better Christian and more religious than all the friars, and that Ordóñez had made false statements to the viceroy and audiencia in regard to the Peralta incident; (4) that in New Mexico there had been only three friars worthy of the name, for all the others were devils who wished to disturb the land.⁷⁴

The trial moved slowly. Escarramad became more and more impatient as time passed on, and on one occasion created a scandal by shouting out from behind the bars of his cell that it was true, the friars were villains and thieves.⁷⁵ He was in an uncompromising state of mind, therefore, when, at the end of June, he was called upon to reply to the charges and to select an attorney to defend him. He refused either to testify or to appoint an attorney; moreover, he denounced Noboa y Castro and questioned his authority to prosecute the case, challenging him to show any authority from the viceroy or audiencia. He also demanded that Friar Cristóbal de Quiros, who was now associated with Friar Aguirre as one of the judges in the case,⁷⁶ should give him a copy of the *memoria* of things he was asked to retract when he went to confess at Sandía. Quiros replied that when Escarramad had refused to make the retraction he had destroyed the paper.⁷⁷

The defendant's protestations against the validity of the trial had no effect and on July 1 the judges-delegate handed down their decision. Escarramad was found guilty of slanderous and disrespectful remarks concerning the clergy, fined fifteen mantas, and ordered to make a public confession of his errors. He immediately appealed from the sentence of the audiencia, but the judges refused to admit the appeal and reaffirmed their decision.⁷⁸

There is some uncertainty concerning the next stage in this affair. The last folio of the original manuscript of the trial record contains a brief petition signed by Friar Quiros and countersigned by the ecclesiastical notary asking the aid of the secular arm for execution of the sentence. On the margin of the same folio and running over to the verso there is an additional statement, apparently supplementary to the above-mentioned petition, which justified the refusal to grant Escarramad an appeal on the ground that he should pay the penalty where his offense had been committed, and threatened that if Governor Ceballos refused to coöperate in execution of sentence the clergy would withdraw from the province and present themselves in person before the viceroy and audiencia. This additional note not only referred to the scandalous remark attributed to Escarramad, but also alleged that Peralta, "his instigator (*factor*)" had made false statements concerning the clergy to the viceregal authorities in New Spain. This passing reference to Peralta gives especial interest and importance to the case, if, indeed, it does not provide the key to the whole affair.⁷⁹

In the copy of the trial record sent to the Holy Office by Perea in 1617, the request of Quiros for the aid of the secular arm is given with the additional note incorporated as an integral part of the petition. It is followed by a document dated July 2, 1617, in which Ceballos stated that he was ready to grant the said aid but with the stipulation that in executing sentence Friar Quiros should avoid any dishonor to Escarramad, in view of the fact that he was a former official of the Crown in New Mexico and that it was not just that in "such a new land" the Indians should see the Spaniards put to shame.⁸⁰ But this document is not found in the original trial record. Instead, the petition of Quiros with the marginal additions is followed by a statement signed by Ceballos in which he not only threatened that if the clergy withdrew to New Spain he would follow after them and present his version of affairs to the viceroy, but he even

cast doubt on the jurisdiction of the clergy in the particular case in question.⁸¹

At the very bottom of the verso of the last folio of the original record is another note, probably written in 1639 when the manuscript was sent to New Spain as part of a justificatory report presented by the cabildo of Santa Fé at the time of the Rosas affair. (See Chapter IV) This note, after briefly referring to the sentence and final execution of the same, states: "And because of this, they excommunicated the governor and absolved him with public penance, as the *real provisión* states . . ."⁸² This *real provisión*, which will be discussed in detail in Chapter III, was an order sent to Friar Perea in 1621 as the result of a series of complaints laid before the viceroy during the years 1617-1620. It contains a definite statement to the effect that Ceballos, as well as Peralta, was excommunicated and later absolved with public penance, but the reasons why Ceballos incurred the censure are not given.⁸³

It is reasonable to assume, therefore, that Ceballos at first refused the aid of the secular arm, but later reconsidered after having incurred ecclesiastical censure. It is difficult to understand, however, why this phase of the litigation does not appear in the copy of the trial record in the Inquisition papers, unless Perea had some doubt concerning the validity of Friar Quiros' actions and did not want the authorities in Mexico City to know that another governor had been subjected to public penance by the Church.

The manner in which the sentence against Escarramad was finally executed is indicated in the 1639 marginal note on the last page of the original record, and by a formal document in the copy of the record. In irons and gagged, he was taken through the streets to the parish church where, in the presence of the assembled citizens, he heard mass and made formal retraction of the libels and slanders he had made against the clergy. According to the certification in the Inquisition copy of the trial record, this was on July 2, 1617, the day following the imposition of sentence. Did the ex-

communication and absolution of Ceballos take place during this brief interval?

When the mission caravan returned to New Spain in the autumn of 1617 numerous reports and letters dealing with the events of the preceding period were dispatched by both the clergy and laymen. Two of these have been preserved and they throw a deal of light on the general situation in the province.

One contained testimony to prove that Capt. Jerónimo Márquez was an inveterate trouble maker, that by innuendo and complaints of one kind or another he was constantly arousing the passion of the governor against the clergy or *vice versa*, that he and his sons were a law unto themselves, even to the extent of stealing the property of others whenever and wherever they wished. In a letter accompanying the testimony Perea asked to have Márquez and his family expelled from the province.⁸⁴ This report illustrates an aspect of the general problem that will be made perfectly clear in subsequent sections of this study, viz., that many citizens of the province were not interested in either the clerical or the secular side of the issues at stake as a matter of personal conviction. They were interested in their own personal profit. If the governor's policy limited their scope of action, they supported the clerical faction; if they were permitted to follow their own line and their own interests, they might be found on the governor's side. As for Captain Márquez, it may be observed (1) that he had been a strong supporter of Oñate during the early years of the conquest and had taken the lead in preparing a denunciation of the clergy and soldiers who deserted the colony in 1601; (2) that twelve years later he was a member of the faction that made possible the arrest and imprisonment of Peralta; (3) that in 1617 he was accused of having caused a public scandal by calling Ordóñez a shameless friar who had destroyed the honor of the citizens.⁸⁵ Moreover, although Márquez voluntarily gave testimony against Escarramad during the trial of the latter, evidence was submitted at the same time that

he had maintained communication with Escarramad despite the threat of excommunication against all who did so.⁸⁶ Thus there is point to the general complaint that he was a trouble-maker. Incidentally, this welter of charge and counter-charge illustrates another sorry aspect of the general situation.

The second document is a letter of Francisco Pérez Granillo, *alcalde ordinario* of Santa Fé. It had been impossible heretofore, he said, to make a report "because of the many excommunications and terrors designed to prevent us from informing that Holy Tribunal⁸⁷ concerning the things that have occurred in New Mexico; the land is afflicted and we live under such constant threats that we have to do only the will of our superiors." If some of the soldiers had assisted in the arrest of Peralta, it was because they had been incited to it by Ordóñez under threat of punishment ("con muchas terrores"). "The people of this New Mexico, Señores, have little learning . . . we have been led and guided by PP. Fr. Isidro Ordóñez and Fr. Luis Tirado, whom we believe to have taken advantage of our ignorance. We now find ourselves called traitors, some of us suffering imprisonment, some have fled, and others are about to lose their property, honor, and life . . . Look with eyes of pity on us and aid our cause, for, on our part, there is little malice, and pardon us if we have been in error."⁸⁸

V

It is extremely unfortunate that it is necessary to base the story of the Peralta-Ordóñez episode almost wholly on the prejudiced account of Pérez Guerta. But even if we discount heavily Pérez Guerta's story, two facts are clear: (1) Ordóñez was responsible for the arrest and imprisonment of a governor and captain general holding office under the Crown; (2) his assertion of authority under the Inquisition was without warrant. It need not be supposed that Peralta was a model governor. But if the clergy believed that they had such serious grievances that further coöperation with the governor was impossible, they should have

taken other measures to remedy the situation. The Peralta incident was never forgotten. It poisoned relations between Church and State at a time when friendly coöperation was so essential.

The Escarramad trial also raised serious questions for the future. Could there be no appeal from the sentence of an ecclesiastical court in New Mexico? Did the governor enjoy no discretion in granting or refusing the aid of the secular arm?

Peralta had been imprisoned. Ceballos had been forced to do public penance. Was there no limit to the authority of the Church?

(To be continued)

NOTES

1. The best account of the Oñate period is G. P. Hammond, *Don Juan de Oñate and the founding of New Mexico* (Santa Fé, 1927).

2. The instructions of Peralta have been published, Spanish text and English translation, in *NEW MEXICO HISTORICAL REVIEW*, IV (1929), 178-187.

3. Archivo General de Indias, Sevilla (hereafter to be cited as A. G. I.), Contaduría 714, 715, 850; *Relación Verdadera q. el p^e predicador fr. Fran^{co} Perez guerta de la orden de S^t fran^{co} guardian del conuento de galisteo hiço al R^{mo} Gomiss^o Gen^l de la dha orden de la nueba espa de las cosas succedidas en el nuebo Mex^{co} por los encuentros que tubieron don Pedro de Peralta g^{or} de la dha prouy^a y fr ysidro ordoñez Comiss^o de los frailes de la dicha orden de S^t Fr^{co} q. residen en ella.* (1617?) Archivo General y Público de la Nación, México (hereafter to be cited as A. G. P. M.), Inquisición 316, ff. 149-174.

4. *Relación Verdadera*, A. G. P. M., Inquisición 316.

5. For full title, see note 3, *supra*.

6. "Salimos con sumo gusto todos los religiosos dando a Dios gracias por auernos escogido para la suerte de su ministerio ofreciendole a su mag^d mil feruorosas Voluntades y deseos encendidos en su seruy^o presequimos R^{mo} P^e N^{ro} Viage de Zacatecas a S^{ta} Barbara q. son ciento y mas leguas casi todo despoblado y la tierra por donde bienen los carros casi de ningun regalo ni refugio porque si no es solo el fresnillo y Cuencame pobres poblaciones y bien necesitadas no ay otras a mano, pasamos los religiosos en este Tp^o por ser de quaresma y ser despoblado y ir caminando mucha necesidad absteniendonos Violentam^{te} de cosas q. necesitabamos y pudimos remediar en la ciudad de Mex^{co} la queja de estas cosas era comun de todos y atribuiamos la culpa al p^e fr. Ysi^o Ord^z por auernos siniestram^{te} informado del camino y de lo que se pasa padecimoslo por esta causa y ser todos o casi los mas Visoños y poco traginadores del mundo, llego a oidos del dho P^e fr. Ys^o Ord^z la queja delos dhos religiosos y deseo de voluerse algunos (como de hecho lo hiço un her^{no} Lego) queriendonos satisfacer y dar q^{ta} de si nos junto en el rio florido y alli nos propuso q. lo q. llebaba era p^a todos p para tierra donde gustariamos tener algun regalo q. no enbargante eso nos probeeria de lo neces^o eficaces fueron las rraçones y como no eran ellas las q. nos auian de mober a dejar n^{ra} S^{ta} prou^a y todas las cosas de gusto y regalo sino Dios en confiança de su diuina Mag^d y de lo propuesto y

prometido por el dho P^e Fr Ys^o Ord^z pasamos y padecimos lo q. n^{ro} S^{or} saue en el camino—Tubo con el dho P^e Fr. Ys^o Ord^z el P^e fr Pedro de haro frayle Viejo y antiguo algun desconsuelo y no fue poco porq. le trato el P^e Fr. Ysidro con palabras que era menester mucho espiritu para sufrirlas. Con el P^e fr. Andres perguer tubo otras que tubo q. sentir el religiooso muchos dias y principalm^{te} por le auer notado delante de seglares de codicioso. y mas adelante teniendo poca rraçon el dho P^e Fr Ysidro con los her^{nos} Legos fr. ger^{mo} de Pedraça y fr Xpobal de la asumpcion tambien tubo cosas q. obligo a desconsolarse y aun a querer yrse y dejarlo enpecado. Dios q. los tenia para mayores trabajos no lo permitio. Dios n^{ro} S^{or} fue seruydo llegasemos a este Nuevo Mex^{co} a donde antes de llegar alg^s quince o Viente leguas enuio el P^e fr. Ys^o Ord^z a la Villa de S^{ta} fee y R^l delos españoles por guardian al p^e fr. Luis tirado dando entre nosotros que murmurar y en los religiosos y prelado q. estaban en el nu^o Mex^{co} q. pensar diciendo todos q. sin presentar sus papeles ni sauer de cierto como no nos constaba fuese prelado como entraba mandando.”

Relación Verdadera. A. G. P. M., Inquisición 316.

7. “Entramos R^{mo} p^e en el primer conv^{to} de este nu^o Mex^{co} llamado S. Fran^{co} de Sandía a 25 de ag^{to} de 1612 a^s donde el p^efr. Ys^o Ord^z mostro su patente y dio la carta al P^e fr. Alonso Peynado en q. le absolua N^{ro} R^{mo} p^e de su officio y le mandaba obedeciese al dho P^e fr. Ys^o Ord^z esta carta R^{mo} como adelante dire parecia ser falsa lo qual no hecho de ber el dho P^e fr. Al^o Peynado.” *Ibid.* Cf. also discussion in the text below. But the proof of fraud is not absolute. The treasury accounts (A. G. I., Contaduría 714) dealing with purchase of supplies for the 1612 caravan refer to Ordóñez as “Comisario,” but this may mean merely that he was to be commissary of the new group of friars during the journey to New Mexico. That is Pérez Guerta’s version. “Señalones N^{ro} R^{mo} P^e Commiss^o fr Ju^o Zureta por n^{ro} pres^{to} y Commiss^o en el camino hasta llegar a este nuevo Mex^{co} a el P^e fray Ysidro ordóñez mandando en las patentes q. los religiosos traíamos nos presentase el dho. P^e pres^{te} o Commiss^o al que de pres^{te} era y asistia en este nu^o Mex^{co} o real de los españoles que era el padre fr Alonso Peynado.” “N^{ras} patentes recaban q. fuesemos presentados al pe Commiss^o que era y estaba en el R^l tambien en Mex^{co} dijo el p^e Fran^{co} de Velasco a otro que no uenia por pre^{do} sino por pres^{te} y Commiss^o en el camino.” *Relacion Verdadera*, A. G. P. M., Inquisición 316.

8. As a matter of fact there were not convents enough for all of the friars, new and old, to have guardianships. Moreover, according to Pérez Guerta’s own report, three of the new arrivals were given assignments: Fray Luís Tirado, Fr. Juan de Salas, and Fr. Pedro de Haro de la Cueva. What the new arrivals wanted was immediate assignment to *new* missions, but Ordóñez properly insisted that they should wait for a few months until they had gained a certain experience with conditions in New Mexico. *Relación Verdadera*, A. G. P. M., Inquisición 316.

9. “Llegados los carros que traian el socorro y limosna q. el rey nos auia dado al pu^o de S^{to} domingo a 28 de ag^{to} se descargo alli lo que trayan encargandose dello el P^e Commiss^o para repartirlo entre los religiosos como lo hizo dando de lo que traya a unos mas a otros menos de q. ubo alg^s murmuraciones entre alg^{os} que porque no les auia de dar el p^e Commiss^o lo q. daba a los otros aqui se dijo que el p^e Commiss^o auia comutado en Zacatecas muchas arrobas de cera por uno espada una cuera de anta y unos calçones de terciop^o y que auia hecho otras cosas y commutaciones en Mex^{co} de calices Velos y otras muchas cosas las quales no ui pero oias a religiosos de quien se podran sauer con alg^a dilig^a y estas mobian pesadumbres que alteraban el animo del p^e Commiss^o y despues que ubo hecho la reparticion de la ropa entre los religiosos le quedaron al dho p^e Commiss^o en su conu^{to} muchas cosas las quales tubo con superfluidad careciendo otros Conu^{tos} dellas como es ganado, mulas, vacas, bueyes, tafetanes cant⁴ de yerro, acero, herrage, de q. necesitaban los religiosos y con dificultad y por mil suplicaciones las sacaban de poder del dho p^e Commiss^o teniendo su conu^{to} hecho almacen de generos para el gasto y abundancia del.” *Ibid.*

10. “En esta junta q. el p^e fr Ys^o hizo (Pérez Guerta refers to the chapter meeting at Santo Domingo) le quiso quitar la casa y su rincon al p^e fr Al^o Peynado q. auia

acabado de ser Comiss^o con color de q. se fuese con un religioso para que le regalase aunq. no ygnoraba el p^e fr Ysidro ordoñez la diferencia q. ay de esta tierra a la nueva Esp^a y de conu^{tos} a conu^{tos} con todo quiso llevarlo por aquellos terminos, fuele ala mano el padre fr estaban de Perea g^{an} de Sandia y por su respecto le concedio una casa llamada galisteo donde estuvo poco porque a pocos dias le mando por un enojuelo que tubo con el se fuese a otro conuento a ser subdito de otro guardian lo qual hiço el dho p^e fray Alonso Peynado, luego mando el p^e fr Ys^o Ord^z le quitasen a aquella casa lo que tenia adquirido por este Santo Varon y cosas de la mesma casa no dejando como dicen estaca en pared con esta primera afrenta estuvo este Santo Viejo por subdito de el padre fray andres Bautista algunos meses hasta que por enfermedad fue traydo a la uilla de Santa fee R^l de los españoles—en este tiempo y dia procuro dar pena al p^e guardian de la V^a por q. no le auia entregado (o contradecia q. se le entregasen) los diezmos de los V^{os} de la V^a diciendo q. solo pertenecian al conu^{to} della le reprehendia grauem^{te} y le quiso açotar en el conu^{to} de galisteo por que ya eran coxquillas atrasadas por q^{to} en el camino le dijo el dho p^e fr Luis Tirado al dho p^e fr Ys^o Ord^z q. sauia poco en una porfia y poco era necess^o para encender fuego se yba estos dias encendiendo—El dho p^e fr Luis Ti^{do} quiso hacer junta y la hiço en realidad de Verdad de algunos religiosos y nos juram^{to} y hiço firmar n^{ros} nombres para q. con licencia o sin ella nos fuesemos ala pres^a de V. R^{ma}. Todos con el demasiado desconsuelo teniamos gana de hacerlo y suficiente causa. Dios n^{ro} S^{or} lo ordeno por otro camino." *Ibid.* In another place, referring to the slowing down of the mission program during Ordóñez' prelacy, Pérez Guerta stated: "Y assi en tres años de quatro que a que es comiss^o no se baptizo ynfiel ni se aprobocho en la conversion saluo un pueblo que el p^e fr Al^o peinado baptizo desterrandose Voluntariam^{te} a las Salinas por apartarse de las cosas del p^e Comiss^o que le auia tratado mal y puesto en ocasion de causarse un grande escandalo." *Ibid.* There are several references to Peinado's mission at Chilili in other parts of the *Relación Verdadera*.

11. "Antes que el p^e fr ysidro ordoñez fuese a la nu^a esp^a a procurar el sobre dho. despacho y a traernos a los dhos religiosos ut supra auia tenido con el g^{or} muchas cosquillas dijo un seglar amigo del p^e fr Ys^o Ord^z que es el Cap^{an} Vaca que el dho. fr. Ysidro yba a traer el off^o de G^{or} en su propia pers^a otros an dho que fue para armarse contra don P^o de peralta porq. no le tenia buena Voluntad ni el dho don P^o de P^{ta} a el dho fr. Ys^o y asi dicen que dijo el G^{or} q^{do} supo que benia el dho fr Ys^o hecho comiss^o plugiera a Dios biniera el demonio y no biniera ese fraile." *Ibid.*

12. "En el mes de Sept^{re} del dho año de 612 bino el p^e fr. Ys^o Ord^z a la V^a de S^{ta} fee a presentarle a don Pedro de Peralta una prouys^{on} R^l que el dho p^e auia ympetrado para abrirles la puerta a los soldados que quiesesen salir, leyda q. fue la prouys^{on} al gou^{or} respondio q. la obedecia y cumpliria auriendole antes pedido al p^e fr Ys^o q. no se la notificasen porq. resultaria della mucho daño a la tierra como resultado por la mucha gente casada y avecindada q. salio della por la dha prouys^{on} porque la gente era poca, la tierra nueva, muchos los enemigos y saliendo los q. se fueron pudiera auer peligro en los que quedaban, y de un gran deseruicio de Su Mag^d por ello y aunque el G^{or} tomo muchos medios para que no se le presentase no bastaron y ult^{amente} le amenago el comiss^o diciendo q. sino cumplia la dho prouys^{on} dejando salir la gente q. lo podia hacer en uirtud della selo auia de pagar y que le auia de hacer salir sin almofrex. y con esto el g^{or} complio la prouision." *Ibid.* But in fairness to Ordóñez the following facts should be noted. In 1608 and again in 1609 soldiers were enlisted in New Spain to serve as escort for the friars and supplies that were sent to New Mexico, and they were paid a year's salary in advance. A. G. I., Contaduría 09. Cristóbal de Oñate and Peralta forced several of these soldiers to remain in New Mexico to serve as members of the local militia, instead of permitting their immediate return to New Spain. It is not unlikely that when Ordóñez returned to New Spain in 1611 these soldiers appealed to the viceroy and the latter may have sent back a formal decree (a *real provisión* invoking the name of the king could not be

ignored) authorizing their departure. In any case, several soldiers who did leave New Mexico in 1612, after presentation of the *real provisión*, brought suit in the audiencia of Mexico for back pay, and although the audiencia refused to recognize the full amount of these claims, lump sums were paid in order to discharge the implied liability. A. G. I., Contaduría 716.

13. Pérez Guerta stated that Ordóñez tried to blame Peralta for the departure of the soldiers by asserting that encomiendas were not available. But our informant insisted that Peralta published decrees offering encomiendas, and he took pains to point out, also, that Ordóñez's action had a direct influence on the slowing down of the mission program. When some of the newly arrived friars asked for permission to undertake teaching and indoctrinating unconverted pueblos, and thus prevent the missions from becoming a "calmed ship," Ordóñez justified his refusal of permission on the ground that there were no soldiers available for escort. "And in this he was right," Pérez Guerta remarked, "for he [Ordóñez] was to blame for many leaving the province because of that *provisión* which, as has been noted, he forged." *Relación Verdadera*, A. G. P. M. Inquisición 816.

14. "Algunas cartas escriuio a religiosos cerca del expediente de los Vales que daba el G^{or} para llebar yndios de los pueblos a las obras y labores de la Villa de lo qual gustaba poco el p^e Comiss^o y con las cartas q. escreuia y lo que se hacia se yndignaba el dho Gou^{or} que no nos era sumam^{te} deuoto y qualquiera poca cosa que tocasse a su jurisdiccion bastaua para desquiciarle de la paciencia fundado en el poder y mando que tenia." *Ibid.*

15. "Algunas coxquillas tubieron las cabeças acerca de sacar los yndios de sus pueblos para el seruy^o pers^{al} el p^e. Comiss^o tenia raçon de defenderlos por benir de doce de catroce y a lo mas lejos de veinte leguas por el largo camino y poca comida que ellos traen de solo mayz tostado y los españoles no darles de comer todos aunq. lo hacen algunos y a esto dice el G^{or} q. de los pu^{os} comarcanos no le dejan sacar gente y si la saca alg^a bez mas de lo q. es justo no lo tiene por acertado por ser contra conciencia que solos a aquellos V^{os} pueblos se les cargue todo el seruicio de los españoles y assi los hacia benir a todos por sus turnos y en el darles la comida el g^{or} la daba a los que a el le seruian y mandaba a los V^{os} se la dieran yo soy testigo de lo que daba a los de el pu^o de S^t ylefonso y el p^e fr andres baptista ello era poco pero no podian ni tenian mas que dar y por ser grande la pobreza de la tierra no todos podian dar de comer a los yndios y los que se lo daban no era lo que ellos comen fuera de sus casas." *Ibid.*

16. *Ibid.*

17. *Ibid.*

18. According to Pérez Guerta the relations between the governor and the clergy with the exception of Ordóñez were friendly: "A 4 de febrero de 1613 Vine a uiuir a la V^a donde estube por subdito del p^e fr Luis tirado y por la misericordia de Dios auia suma paz entre religiosos y seglares y todos estabamos muy contentos aunque no con el pre^{do} empero en casa del G^{or} entrabamos comiamos alli muchas beces veuiamos chocolate que nos lo daba con mucho gusto y mas al p^e fr Luis tirado su amigo al p^e haro al padre fr Agustín al p^e Pereguer al p^e fr. geronimo can quienes tenia platicas y conversacion la pascua comimos en su casa—A 16 de abril le dio el g^{or} al p^e Tirado una pistola muy rrica y a 18 del mismo troco al p^e fr Pedro de haro que se lo pidio un muy lindo arcabuz que el g^{or} estimaba mucho por otro no tal y a 23 del dho dio el g^{or} un rico cuchillo de monte damasquino guarnecido con plata y con la cabeza de diente de caballo marino al p^e fr. luis Tj^{do} q. se le pidio y un pedaço de acero y con esto mil ofrecimientos y buena cara para todos y para todo le hallabamos porque reprehendia y castigaba qualquier exceso de los Soldados." *Ibid.*

19. "... y altero mucho esta nueba al p^e guardian dela Villa, y paso al conu^{to} de S^to Domingo a noticia del p^e Comiss^o a quien causo mayor alteracion: pusose en camino el p^e Comiss^o y uiuo a la V^a a 15 del dho mes y pidio al g^{or} se acudiese con tiempo al rem^o de tal atrebim^{to} con demostracion de escarm^{to} de este parecer fue el p^e gu^{an} de la Villa y aunque se llegase a fuego y a sangre que era justo no se tar-

dase el castigo porq. los yndios no tomasen auilantez y juzgando poco Valor y fuerza en los españoles enprendiesen alg^a maldad." *Ibid.*

20. "Viernes 24 del dho mes de mayo queriendo el Comiss^o yrse desde el conu^{to} de nambe para el de S^{to} Domingo que era su abitacion dia en q. tambien salieron de la V^a los dhos Cap^{es} y soldados para el pueblo de los Taos a cobrar sus tributos por mandado de su g^{or} antes que el p^e Comiss^o saliese de nambe lleo alli uno de los Soldados q. yban a los Taos llamado gaspar Perez a la casa del religioso y auriendose apeado topo con el p^e Comiss^o y le beso las manos y el p^e Comiss^o le preg^{to} para donde se camina respondio el Soldado a los taos nos enuia el S^{or} g^{or} a esto respondio el p^e Comiss^o pues aora Vispera de pascua; quantos van? respondio el Soldado dos cap^{es} van y seis Soldados, dijo el p^e Comiss^o pues donde estan? y el Soldado a el por el otro camino van q. yo e benido por uer al p^e guardian, a esto dijo el p^e Comiss^o pues S^{or} yo le mando so pena de excomunion mayor se Vuelua a la V^a y dijo luego a un indiequelo llamado Joseph criado suyo anda muchacho diles a aquellos Soldados q. les mando por descomunion se Vuelban a la V^a q. alla uoy. el muchacho fue y luego partio el español y el p^e Comiss^o para la Villa, el muchacho lleo y dijo lo que el p^e Comiss^o le auia mandado y luego q. los españoles lo oyeron se voluieron al g^{or} (alg^{os} de los dhos Soldados dicen q. se voluieron porque yban de mala gana otros que por el mandato)." *Ibid.*

21. *Ibid.*

22. "El g^{or} respondio al dho monit^o que era cosa nueva y no antes uista en aquella tierra auer en ella Comiss^o del S^{to} off^o que q^{do} su p^d entro no fue con tal n^o ni se entendio .que trugese tal comision del S^{to} Off^o y que a el como a cabega que era de la just^a en esta tierra en n^o de el rey n^{ro} S^{or} pertenecia sauerlo y en uirtud de q. exercia jurisdiccion. que el p^e Comiss^o le mostrase como lo era de el S^{to} off^o y q. siendolo como decia le obedeceria con toda prontitud." *Ibid.*

23. *Ibid.*

24. "Sabado 25 del dho mes . . . se taño a misa y con auer de ser de la Vigilia de pentecostes se dijo de n^{ra} Señora y en ella el p^e g^{an} fr luis Tirado publico por descomulgado al dho g^{or} con palabras arto pesadas contra el diciendo que ning^o le ablase ni aunq. le quitase el sombrero so pena de excom^{on} esta opinion tubo hasta q. la muchedumbre de descomulgados q. se benian a absolver le hicieron estudiarla verdadera." *Ibid.*

25. Cf. note 18.

26. "La dho orden q. dejo al p^e g^{an} el p^e Comiss^o sobre la absolucion del g^{or} se la enuiu para q. la uiesse el dho p^e g^{an} en gran secreto con el Cap^{an} Bar^{me} Romero su teniente y a decir que pues sauia quan gran amigo suio era le rogaba pidiese la absolucion y se contentase de tomarla de su mano (porq. este dia despues de comer se auia ydo el p^e Comiss^o a su conu^{to} del pu^o de S^{to} Domingo) que procederia como amigo diciendo la misa dos oras antes de el dia y que no asistirian en ella mas que tres o quatro amigos suios y que aduirtiesse q. las penitencias de la yglesia no eran afrentosas y que no esperase a que el p^e Comiss^o Voluiesse de S^{to} Domingo porque no pasarian las cosas con la equidad y secreto que el le ofrecia—el g^{or} despues de estas palabras leyo la dha orden y haciendosele dura por no caer debajo de fundamento de justificacion respondio que el no auia hecho porque le descomulgasen aleg^{do} como ho^e q. sauia muchas y buenas raçones y juntam^{te} que no queria receuir semejante forma de absolucion y con esto no queria dar el papel de la dha orden sino quedarse con ella—el Cap^{an} Romero q. se la auia traydo le inoportuno y dijo q. de aquella manera no se le podia cumplir al p^e g^{an} fr luis tirado la palabra q. en su n^o le auia dado de q. se la Volueria y con esto se la dio y el Cap^{an} al p^e gⁿ." *Relación Verdadera*, A. G. P. M., Inquisición 316.

27. Peralta could justify his refusal to accept the Father Commissary's order for public abscolution and penance on royal legislation dealing with the form of absolution for civil officers. The *Recopilación*, lib. i, tit. vii, ley xviii, contains the following provision based on cédulas of October 31, 1599 and March 28, 1620: "Rogamos y encargamos a los arzobispos y obispos de todas y cualesquier iglesias metropolitanas

y catedrales de nuestras Indias Occidentales, asi de las provincias del Perú como de la Nueva-España y a sus vicarios, oficiales, provisoros, y demas jueces eclesiásticos de ellas, que cuando sucediere algun caso en que hayan de absolver a alguno de nuestros oidores, alcaldes, corregidores, gobernadores, u otros nuestros jueces y justicias, o sus ministros y oficiales contra los cuales hubieren procedido por censuras, por algunas de las causas que conforme a derecho lo puedan hacer, les concedan la absolución llanamente, como se practica en estos nuestros reinos de Castilla, y no los obliguen a ir personalmente a recibirla de sus propias personas, y en sus casas episcopales o iglesias, ni para actos semejantes. Y mandamos a nuestras audiencias reales que libren provisiones ordinarias de ruego y encargo, para que sucediendo el caso los dichos prelados y jueces eclesiásticos absuelvan llanamente a nuestras justicias y a sus ministros, como se practica en estos nuestros reinos de Castilla."

28. The *Relación Verdadera*, A. G. P. M., Inquisición 316, contains several statements by Pérez Guerta describing the attitude of Tirado and Ordóñez during these troublous days. Pérez Guerta accused the friars of injustice and passion in their dealings with Peralta: ". . . vide despues por vista de ojos que se procedia con pasion y con animo Vengatiuo queriendo mas dañar que aprovechar como cada día bían y oían todos que el p^o g^{ra}n en el altar trataba de herege de judío, de luterano y de hombre Vaxo y uil al g^{or} y con estas y otras tales obras yba yo abriendo los ojos y conociendo los males q. an benido a la tierra asi de religiosos como seglares por poner dhos dos padres todo su conato en desacreditar al g^{or} y heche de ber que esto era assi Verdad de que los dhos dos padres trataban de destruir al g^{or} porque en estos dias se pusieron a hacer el p^o Comiss^o y el g^{ra}n de la Villa una ynformay^{on} contra el g^{or} de off^o sin acusador y sin infamia ni yndicios mas de los que quisieron vuscar ellos, el p^o Comiss^o higo a su pedimiento en n^o de la S^{ta} ynquisi^{on} un ynterrogat^o de diez y nueve preguntas y enpeço cabeça de proceso contra el dho g^{or} hacia el p^o Comiss^o llamar a quien le parecia y preguntabale por el thenor de las preguntas, qu^{do} el test^o se alargaba q. no auia ning^o que asi no lo hiciera diciendo bien y mal deciale el p^o Comiss^o q. no digese assi que digese lo q. la preg^{ta} contenia q. lo demas lo dirian si despues se lo preguntasen. A otros qu^{do} no decian a gusto del padre comiss^o el dho p^o corregia el language y dho diciendo eso no se a de decir assi porque aquellos Señores del S^{to} off^o no se enfaden con ese language, de este modo de hacer ynformay^{on} salian todos espantados y principalm^{te} q. q^{do} alg^o decia q. sauia lo q. decia la preg^{ta} luego incontinenti me hacia el p^o Comiss^o poner q. la saue como en ella se cont^o pasaron estas ynformaciones ante el que higo esta rel^{on} que era not^o nombrado, el modo de proceder en esta ynformacion era que el p^o Comiss^o hacia encar de rrodillas a los test^{os} que el mesmo hacia llamar y puestos assi y destocados les mandaba por S^{ta} obediencia so pena de excom^{on} mayor no digesen a nadie lo q. alli juraban por ser cosas de el S^{to} off^o y luego les tomava juram^{to} en un misal sobre los ebangelios mandandoles digesen Verdad, en esta ynformacion R^{mo} P^o que higo el p^o fr Ys^o en n^o de la Santa ynquisicion procuro sauer todo quanto podia auer hecho un ho^e en esta uida. en ella entraban alg^{as} cosas q. auian sucedido en tiempos passados procurando poner por preguntas los puntos que le notaba, es Verdad que dijo el g^{or} en cierta ocasion de enojo y de malicia por uida de Dios segun dicen, y assi ni mas ni menos que mostrandole un priuilegio de Clem^{te} 7^o en fauor de los syndicos porque queria dar pena o dar 200 açotes a uno aunque no se los dio, dijo al q. se lo mostraba que era un her^{no} lego Vaya p^o que no conozco a Clem^{te} 7^{mo} dicen tambien que a bien q. auia dho a su S^o q. pues cantaban yndios en el coro que no cantase entre ellos que se estimase, Tambien digeron que auia tenido acceso con dos primas, si todo lo demas es verdad como esta todo esta trabajoso y no aseguro las conciencias de los que an jurado en esta y otras ynformaciones por lo que ellos mesmos an dho a su g^{or} Ber^{no} de Zaballós y a otras pers^{as} diciendo que tienen dolor en el alma de lo que an jurado y el g^{or} que a hecho contra conciencia en lo que a hecho, como ello R^{mo} P^o esta en la audi^a R^l y de alli a de pasar a otro tribunal. espero en Dios que no tenga V P R^{ma} mucho trabajo en sacar en limpio la Verdad y assi yo tampoco no sere largo q. lo pudiera ser mucho por la mucha cant^d de cosas succedidas en este nu^o mex^{co} por el p^o Comiss^o fr Ys^o y fr Luis Tirado."

29. These rumors were based on statements Peralta was supposed to have made when questioning the soldiers whom he had sent to collect the tributes at Taos. "Parece q. el dia antes Jueves 23 estando el g^{or} en la plaça con alg^{os} Soldados y entre ellos Ju^o de Tapia escriu^o del caui^o y uno de los quatro encomenderos de los taos platicando sobre la nueba fresca de las 12 terneras de sibola q. le traian caçadas al g^{or} el dho tapia le dijo si VS. nos diese licencia para q. nos quedemos esta pascua en la V^a los que emos de yr a los taos nos ara mucha mrd y luego en pasando la pascua haremos ese Viage. preguntole el g^{or} q. q. se le ofrecia que hacer en la V^a aquella pascua, el dho tapia le respondió q. ning^a cosa mas que holgarse en su casa con su muger y sus hijos y añadir a la olla alg^a cosa mas del ordin^o y el g^{or} le dijo que pues no deseaba quedarse para mas que aquello que matase un par de buenas gallinas y las hiciese cocer con un pedaço de jamon de tocino y las salpimentase y llebase en sus alforjas y se fuese a donde le enbiaba que con eso tendria buena pascua donde quiera que le cogiese y que mirase que no era mala pascua yr a seruir al Rey en aquella ocasion y hacer su propia hacienda de camino—y esto mesmo Soldado dijo despues al p^e Comiss^o y aun lo Juro q. le auia mandado el g^{or} meter la pascua en el alforja y yr donde le mandaba tengolo por patraña y puede ser verdad pero consideradas las cosas como yo las ui y oi lo prim^o me atengo—lo que este Soldado dijo formo el p^e Comiss^o un caso de ynquisi^{on} como adelante dire." *Ibid.*

30. *Ibid.*

31 "A 7 de Junio mando el P^e g^{an} se le notificase al g^{or} otro monit^o p^a q. hiciese soltar de la pris^{on} al dho Not^o asensio al qual no auia querido soltar aquellos dias antes procedio contra el y le auia hecho cierta condenacion a yrle a notificar este monit^o salio antes de leerse de casa y se fue a un monte que estaba como a tiro de arcabuz della Volui otra y otra vez hasta q. descuidado le halle y ley el dho monit^o a est^o Rd^{io} [respondió] q. aquel h^e era soldado del Rey y que no hallaba por donde el p^e g^{an} le podia hacer esento de la juridicion Rⁱ que el apelaua de aquellas descomuniones y injustas penas de jueces tan apasionados y q. para ello enbiaria despues una pet^{on} al p^e g^{an} como lo higo. llego como a las tres de la tarde al conu^{to} el escriu^o y dos testigos a requerir al p^e g^{an} que no le ynquietase con tantas y tan rigurosas descomuniones y penas porque estaba patente la demasiada pasion con q. se hacian que de todas ellas apelaba para tribunal que mas desapasionadam^{te} conociese de los neg^{os} que estaban en litis. el p^e g^{an} fr. Luis Tirado arremetio al escriu^o y le quito el papel de las manos y se le hiço pedaços y le piso y le dijo digese al g^{or} mucha cant^d de palabras muy feas y indignas de q. las digese un religioso y se digesen a un g^{or} este mesmo dia le escriuió una carta de un pliego el p^e g^{an} al gou^{or} y en lugar de JHS. le puso Dios te alumbre miembro de Satanas y luego le fue diciendo palabras q. como sacerdote yndigno no se que otro hombre que Job. pudiera con las cosas pasadas dejarse de perder con esta carta." *Ibid.*

32. "en estas ydas y benidas enuio el g^{or} Su S^o con una pet^{on} para el p^e Comiss^o la qual no quiso oir diciendo delante de religiosos que alli estabamos Capit^{es} y otros soldados que diablós anda aqui el g^{or} con recaudos replicas y enbajadas un hombre tal y tal tratandole con muy feas y deshonrras palabras q. lo menos era tratarle de hombre vil y bajo &c y tras ellas dijo a los q. le oian esto digo para q. Vsms. se lo digan (como si faltaran coronistas) y prosiguió diciendo Juro por uida de Fr Ys^o q. si me anda en demandas y respuestas y no recieve la absolucion como se le a dho que dentro de veinte y quatro horas haga Venir mis 20 frailes aqui y le haga prender y Vsms. dejenle que yo se lo allanare y pondre humilde. finalm^{te} alg^{os} amigos de el p^e Comiss^o le rogaron se templase y assí dispense en que no oyese el g^{or} la misa como queda referido pero que pagase los cinq^{ta} ducados digo pesos de pena y fuese absuelto a la puerta de la yglesia con el pide miserere conforme al manual—este propio dia luego que vido el g^{or} la resolucion del p^e Comiss^o se determino a Venir a pedir la absolucion y receuirla como el mesmo p^e Comiss^o en pers^a quiso darsela q. fue en esta forma el g^{or} bino a la puerta de la yglesia y el padre Comiss^o y padre g^{an} de aquella

casa y yo y otros dos religiosos salimos por el cuerpo de la ygl'a el p^e Comiss^o con sobre pelliz y con dos baras en las manos y antes q. procediese a la absolucion preg^{to} el p^e Comiss^o al dho g^{or} si tenia algunos escritos contra religiosos el g^{or} dixo q. no el p^e Comiss^o dijo si tiene VS. por que e sauido que a hecho una ynformacion abra pocos dias entonces dijo el g^{or} si e hecho de cierta dilig^a es q. se hiço en este conu^{to} pues combiene para receuir la absolucion la exhiba, el g^{or} le dijo mire padre que importa a esto dijo el p^e Comiss^o no le absoluere sino trae esa ynformy^{on} y me la entrega el g^{or} dijo eso a de ser de esa manera, el p^e Comiss^o assi a de ser luego el g^{or} orejeando dijo a su secret^o tome S^{or} esta llaue y trayga la ynformacion q. hicimos tal dia y el S^o fue y la trujo y se la dio el g^{or} la tenia en sus manos y preg^{to} al p^e Comiss^o que q. se auia de hacer della el p^e Comiss^o dijo q. se la diese. el g^r dijo q. le perdonase q. no se la auia de dar pues q. le declarase los testigos eso menos pues q. la rrompiese. eso hiço arto de mala gana acabada de romper se ynco de rodillas y el p^e Comiss^o començo la forma de la absolucion y a cada verso del miserere le daba con las Varas y acabada la absolucion le m^{do} entrar en la yglesia y que jurase de serle obediente assi lo hiço con arta humildad y luego le mando diese una firmada de su n^e que daria los cinq^{ta} p's para la cosecha por que dijo que entonces no los tenia el g^{or} se fue a su casa y nosotros nos entramos en la n^{ra}." *Ibid.*

33. "Temiendo pues los dhos amigos y parientes del hechor algun rrigor del g^{or} q. lo pedia el succeso escriuiéron al p^e Comiss^o queriendose amparar del al p^e Comis^o le estaba bien para q. no auiedo de cesar los pleytos (como no llebaba traça) amparar esta gente por ser muchos los parientes y hacer su neg^o como adelante sucedio y en lo escrito se notara y para proceder con claridad. los presos por el suceso y parientes del dho hechor fueron los dos her^{nos} Varelas el Cap^{an} alonso Varela y el alf^{ez} P^o Varela el Cap^{an} Ger^{mo} Marquez, el Cap^{an} Vaca amigos y tambien presos." *Ibid.*

34. *Ibid.*

35. *Ibid.*

36. "... se fue el p^e Comiss^o al altar y puesto en pie en una grada sin manto ni otra Vestidura mas q. su auito dijo tantas y tales cosas q. si auia causado grande escandolo en el quitarle la silla al g^{or} mayor le causaron las palabras que dijo todas picando y lastimando [,] al g^{or} llamando Vosotros al auditorio ellos el comun lenguaje suio y fueron tantas las palabras q. se atropellaban unas a otras y por esto pudo ser lapsus lingue lo que dijo." *Ibid.*

37. *Ibid.*

38. "Este propio dia hiço llamar el p^e Comiss^o al Cap^{an} Romero al qual le dijo Vaya Vm. al g^{or} y digale q. le beso las manos y q. se sirua su S^a de dar licencia al sindico, al fiscal, y al not^o (que ya estaba suelto de la pris^{on}) para yr el sindico a recoger los diezmos y los demas a otras partes que tienen que yr. el dho Cap^{an} fue y dijo al g^{or} lo que el P^e Comiss^o le auia mandado a lo qual respondio el g^{or} que aquellos hombres eran soldados y estaban siruiendo al Rey y demas de esto el Sindico no tenia diezmos q. recoger que perdonase desta manera y aun con menos palabras lo dijo el dho Cap^{an} al p^e Comiss^o estando y alçando los manteles de la mesa el p^e Comiss^o tomo tan gran enojo q. le hiço decir espantosas palabras que causaron arta pena—porque llamo al g^{or} de Lut^o erege, judio, hombre Vajo y Vil maxcarero de nap^{es} y acytero, jurando q. se lo auia de pagar echandose mano a la barba y diciendo que auia de enbiar a llamar los frayles y que le auia de hechar al g^{or} dos pares de grillos y en una enjalma enballe a Mex^{co} y esto a boces junto al patio que esta bien en la calle por lo qual pudo benir a noticia del g^{or} y tras esto dijo no me espanto tanto de ese bellaco peraltilla como de los Ruines que andan a su lado y consienten estas cosas.—el cap^{an} tomo eso por si y respondio p^e mire V P. que soy hombre honrrado y soy her^{no} de la orden y que no hago malas ausencias a VsP^{es} a esto dijo el p^e Comiss^o si S^{or} her^{no} es Vm. pero yo digo que son ruines los que consienten estas cosas en ese hombre. a estas rraçones el dho Cap^{an} que era h^o prudente se quito el sombrero y sin ablar palabra se fue—el p^e Comiss^o se lebanto de

la mesa y se sento luego a escreuir con las quales cartas enuiaba a llamar alg^{os} religiosos comarcanos y luego las despacho." *Ibid.*

39. For a fuller account of what happened on July 9, see Appendix I.

40. "Todos los religiosos oyeron al p^e Comiss^o sus justificaciones y culpas del g^{or} porq. sacados los que arriba referi que es el p^e g^{an} de la V^a fr Luis Ti^{do} y fr andres Xuarez y Yo y el religioso lego herido todos los demas que eran doce religiosos no sabian ni aun oy sauen lo sucedido sino por boca y relacion del p^e Comiss^o o g^{an} de la V^a fr Luis Ti^{do} y de algunos seglares amedrentados por el p^e Comiss^o para no poder decir lo que a pasado en la tierra como adelante se dira y assi yo ni mas ni menos no me atrebia a contar a nadie nada porque Viuia el p^e Comiss^o con notable cuidado con todos los que conocia que podian decir o escreuir . . . Abiendo propuesto el p^e Comiss^o a los padres todos su Voluntad que era de yr a la Villa a hacer prender al gou^{or} n^{ro} p^e fr Alonso Peynado dio su parecer de q. se mirase bien y si podia pasar adelante el hacer el g^{or} otras cosas como las pasadas y los religiosos no auian de tener seguridad en la tierra nos fuessemos y adelante enuiase el p^e Comiss^o quien diese noticia al s^{or} Virrey y audiencia R^l y que en S^{ta} Barbara podiamos aguardar el remedio de todo. El p^e Comisario barajo los pareceres gustando se hiciese el suio. Visto por los religiosos todos callaron salbo el p^e Martha que quiso dar su parecer pues para ello auia sido llamado. yba dando las propias raçones que nuestro p^e fr Alonso y que arto ynportaban, el p^e Comiss^o se auia casado con su parecer y assi nos mando a Todos los religiosos q. como cada uno pudiese se auia—y fuesemos todos a la V^a." *Ibid.*

41. Salimos del dho conuento a las dos o tres de la tarde el dho Sabado 13 de Jullio y llegamos a la Villa como a las diez o las once de la noche donde luego el dia sig^{te} domingo 14 de jullio por la mañana hiço el p^e Comiss^o un requerimyento a los alcaldes y cauido pidiendoles prendiesen al g^{or} acabada la misa mayor mando el p^e Comiss^o a los religiosos saliessemos a la yglesia y alli en la peaña del altar mayor me m^{do} leyese el requerimiento en q. les pedia a los alcaldes y rregidores Cap^{es} y demas oficiales de guerra prendiesen al g^{or} atento que auia ydo a matar al p^e Comiss^o sin mas causa que llebado de su dañada yntencion, y porque se queria huir a la nu^a esp^a por no atreberse a parecer en la R^l audiencia donde no podia dar quenta de mucha hacienda r^l que tenia Vsurpada y auer hecho otras cosas muy feas q. le ponía en el dho requerimy^{to} para moberlos a hacer la dha prision que el dho p^e Comiss^o, gustaba se hiciese por los españoles los quales luego pidieron treslado del dho requerimy^{to} y que ellos responderian—este mesmo dia a las dos de la tarde binieron los regidores un alcalde y algunos capitanes y estubieron con el p^e Comiss^o g^{an} de la V^a fr Luis tirado dos oras dificultando en como podian ellos hacer la dha prision q. su p^d mandaba los dhos dos p^{es} la facilitaban enpero los españoles por tiempo de ocho dias que alli estubimos aguardando la resp^{ta} ning^o se mouio ni fue de parecer se prendiese al dho g^{or}. Visto esto por el dho p^e Comiss^o ordeno de hacer despacho y enuiar a los q. estaban retraydos con el qual fue el dho Alferes Simon Perez y otros tres Soldados escriuiendo al S^r Visorrey una carta haciendo relacion de lo q. auia pasado como quiso con algunos regidores y un alcalde pidiendo lic^a al Virrey para prender al dho g^{or} este papel por uer el S^o de gou^{on} como yba no quiso autoriçarle yo fui el secret^o y me peso—salí este despacho de quatro Soldados y un religioso en 23 de jullio de 1613 llegaron a mex^{co} y dicen que quiso el Virrey castigar a los que auian salido sin lic^a del g^{or} enuió la carta que el p^e Comiss^o y regidores auian enbiado a su Ex^a con el nuebo g^{or} para que la reconociesen los que la auian firmado—El mesmo dia enuió el g^{or} al alcalde Ju^o Ruiz de caceres en seguimy^{to} de los q. salian con otros dos soldados y pudiendolos prender por respecto del p^e Comiss^o los dejaron yr." *Ibid.*

42. *Ibid.*

43. "En la V^a tenia el p^e Comiss^o un h^e q. hacia a dos manos auia dado la palabra a^l g^{or} de yr con el a la nu^a Esp^a y al p^e Comiss^o le escreuia le auisaria de la salida y los parages y jornadas q. hiciese el g^{or} para q. con mas comodidad le prendiesen. a 10 de Ag^{to} a las quatro de la tarde lleo auiso al p^e Comis^o q ya el g^{or} se auia puesto en camino. luego al punto escriuió el p^e Comiss^o a todos los religiosos

biniesen al conu^{to} de S^{to} Domingo armados como pudiesen religiosos vinieron y religiosos se escusaron para el dho caso. A 11 del dho ag^{to} despues de m^a noche salio el p^e Comis^o con alg^{as} armas y los que auia de llebar en su comp^a y fue a amanecer al conu^{to} de Sandia donde estaba el p^e g^{an} de aquella casa bien descuidado de tan subita llegada del p^e Comis^o alli trato el p^e Comis^o con los Cap^{es} y Soldados que llebaba q. le pidiesen por pet^{on} que ya que ellos yban a prender al g^{or} por q. desamparaba la Ti^a y salia huyendo a la nu^a espa^a q. su p^d les diese fauor y que para eso que el haria el papel ellos digeron que enora buena hizo el p^e Comis^o una pet^{on} en q. les cargaba la pris^{on} totalmente a los españoles. Ellos biendo y oyendo la pet^{on} no quisieron firmarla mas digeron al p^e Comis^o q. pues su p^d los llebaba para aquel efecto q. se hiciese otro papel. hizo el p^e Comis^o y fue del S^o el p^e fr agustin. este hallaron mas aproposito los cap^{es} y le firmaron los dhos cap^{es} este papel ti^e sus falsedades en la fha porq. se hizo a 12 de agosto en el pueblo de La ysleta y pusieron la fha en la Vi^a de S^{ta} fee y pusieron por test^{os} y quedaban su parecer y consentim^{to} personas que no se hallaron presentes porque estaban en la Vi^a veinte leguas de tierra en medio q. no les pasaba por la ymaginacion ni sabian lo que en La ysleta se hacia este papel esta en poder del S^o de gou^{on} frn^{co} Perez granillo y se podra ber." *Ibid.*

44. "Este dia salio el p^e Comis^o del conu^{to} de la ysleta para yr al camino donde auia de hacer aquella noche jornada el g^{or} que ya estaba abisado de aquel personage q. yba con el g^{or} y dige arriba q. hacia a dos manos— a 13 del dho mes de ag^{to} entre dos luces dio el p^e Comis^o albaço al g^{or} con casi quarenta pers^{as} todas bien armadas requiriole el p^e Comis^o se diera preso el g^{or} no queria y el p^e Comis^o dijo sea preso por el S^{to} off^o el g^{or} hizo sus diligencias pero no le valieron fue preso y traydo al Conu^{to} de Sandia por tenerle mas lejos de la Vy^a y mas seguro aunq. el p^e g^{an} fr Esteban de Perea lo repugno y sintio enpero aprobechole poco porque el p^e Comis^o era el q. mandaba luego saco y tomo los papeles que el g^{or} llebaba y en reconocerlos todos y quitarle los q. al p^e Comis^o, le tenian cuidadoso gasto desde catorce de ag^{to} a m^o dia hasta diez y seis del mesmo y llebandoselos el p^e Comis^o le dejo en el dho conu^{to} preso con prisiones y tres Soldados y otros muchos naturales de aquel pu^o de guarda—

a 17 del dho ag^{to} se fueron el p^e Comis^o y los demas religiosos Cap^{es} y Soldados q. se hallaron en prender al dho g^{or} al conu^{to} de S^{to} Domingo llebandose consigo preso el p^e Comis^o a un alcalde ordin^o de la Vy^a q. se llama don Ju^o Escarramad q. yba con el g^{or} y era su amigo y le tubo preso con grillos en el dho conu^{to} de S^{to} Domingo cerca de dos meses con arta Vejacion y menoscabo de su hacienda." *Ibid.*

45. "A 9 de Sept^{re} fue el p^e Comis^o a la V^a donde dijo un dia de fiesta que el tenia preso al g^{or} y que de auello hecho esperaba gran premio y que ni mas ni menos le podian esperar los q. se auian hallado a prenderle. abomino lo hecho por el g^{or} reprehendio a los timidos y esforçolos para adelante y certificoles que les auia hecho un muy gran bien en quitarle los papeles al g^{or} porq. llebaba cosas q. les auian de dar arta pena y con ellos una carta que enbiaba a Zacatecas en q. les trataba de g^{te} de mezcilla dandoles palabra q. despues se la enbiaria como lo hizo y mando el p^e g^{an} a fr ger^{mo} de pedraça fuese de casa en casa mostrandola de que reciuieron arta pena h^{es} y mugeres y se indignaron de nuebo con el g^{or}." *Ibid.* "... vn delito tan graue y tan atos como fue prender al gou^{or} y cap^{an} gen^l don P^o de peralta y tenerle un año preso en dho conbento de sandia y temiendo q. los uesinos le querian sacar y poner en su gouerno el prelado q. entonces era fr. hisidro hordoñes q. fue el q. le prendio a titulo de la santa ynquisicion sin ser comisario della se puso en el pulpito de la yglesia desta uilla con un cristo en las manos a enternesar la repu^a con esclamaciones y disiendo que esperaua por aquella acsion de la prision ser premiado con una mitra." Statement by the Cabildo of Santa Fé, Jan. 14, 1639. A. G. P. M., Prov. Int., Tomo 35, Exped. 5.

46. *Relación Verdadera*, A. G. P. M., Inquisición 316.

47. *Ibid.*

48. *Ibid.*

49. *Ibid.*

50. *Ibid.* There is another version of Peralta's escape in the Statement by the Cabildo of Santa Fé, Jan. 14, 1639, A. G. P. M., Prov. Int., Tomo 35, Exped. 5: ". . . y abiendose uido de la prision el dho gou^{or} y Cap^{an} general en el rigror del ybierno fue a pie y medio desnudo cubierto con un Cuero de sibola como yndio a una estancia q. esta dos leguas del dho pueblo donde sabido por su carselero q. lo era el P^e fr. esteuan de perea fue con gran cantidad de yndios con arco y flecha y serco la dha estancia y aunq. no le hallo por entonses le bolbieron a prender en esta uilla desde donde le bolbieron a llevar con grillos sentado en una bestia como muger asta el pueblo de Sandia q. era su prision q. esta catorse leguas lleuandole a su cargo el P^e fr. andres Juares digo el P^e fr. luis tirado al conbento desta uilla donde le bolbieron a prender con vos de la ynquisition."

51. *Relación Verdadera*, A. G. P. M., Inquisición 316.

52. *Ibid.*

53. *Ibid.*

54. *Ibid.*

55. On July 7, 1616, the *oficiales reales* of Mexico paid to Peralta part of the salary due, but retained a balance of more than 1800 pesos pending final decision concerning his residencia. A. G. I., Contaduría 719. This balance was finally paid on November 28, 1617, following a certification,—“q se sentencio en Reuista en seis de octubre de DCXVII y que dio quenta y satisfizo todo lo que fue a su cargo el tal gouernador y de las condenaciones que le fueran fhas . . .” *Ibid.*, Contaduría 720.

56. *Codex Hisp.* 79.

57. See Appendix II.

58. *Relación Verdadera*, A. G. P. M., Inquisición 316.

59. *Ibid.*

60. *Ibid.*

61. *Ibid.*

62. *Ibid.*

63. “Despues que el g^{or} Ber^{no} de Zaballos fue abriendo los ojos en la prouy^a con las cosas q. cada uno le contaba que auian pasado entre don P^o de p^{ta} y el p^e Comiss^o hablaba sin pepita lo que queria y le peso harto no auer enuiado al p^e fr Ys^o Ord^z con don P^o de peralta a la nu^a esp^a (como muchas beces lo decia) para escusar las pesadumbres q. ya empeçaban escriuiendose cartas el p^e Comiss^o y gⁿ culpandole al g^{or} el consentir tal y tal estancia que fue por donde hiço mal quisto a don P^o de p^{ta} para hacer con Zavallos lo q. con su antecesor el g^{or} ya estaba prebenido y era astuto y todo lo q. el p^e Comiss^o y gⁿ y otros le escreuiian contra los españoles se lo mostraba y decia a ellos y asi bian de donde salia el triunfo de aficion o desamor.”

64. “Por tiempo de dos años desde q. salio el g^{or} don P^o de p^{ta} hasta q. salio el p^e fr Ys^o ordz a la nueba esp^a nunca faltaron pleytos entre el p^e Comiss^o y el g^{or} como se bera por una carta q. ba en la visita escrita a tantos de Sept.^e de 1616 as.^o que el dho g^{or} escriuió al p^e Comiss^o con el p^e g^{an} fr Luis Tirado fueron ynfinitos los pleytos y las ocasiones que el dho p^e g^{an} dio al g^{or} hasta Venirle a matar al conu^{to} con un pistolete y dos soldados andubieron ocho dias disfrazados con arcabuces para matarle de noche al salir alas secretas a sus necesidades—grandes escandalos ubo que requerian otra tan grande memorial y relacion como esta para contarlos pero por podersele atribuir lo mesmo que se atribuia al p^e fr ysidro ordóñez predicandose delos dos un mesmo modo de proceder en todo y unas mesmas cosas otros las diran y yo no lo hare por q. e sido muy agrauiado deshonnrrado pu^{ca} m^{te} y maltratado deste p^e g^{an} fr Luis Tirado y por que no se diga que la pasion me llega y me hace alargar lo dejo.” *Ibid.*

65. *Ibid.*

66. “A 17 de nob^e de 1614 hiço junta en la Vy^a el P^e Comiss^o de alg^{os} religiosos que alli pudo juntar comodam^{te} q. fueron el p^e fr P^o de haro gⁿ de nambe el p^e fr andres Bpta gⁿ de S^t Ylefonso el p^e fr Agustin de Burgos gⁿ de San Lazaro y el p^e g^{an} de la dha Vy^a y delante de ellos el día sig^{te} despues de auer cenado m^{do} el p^e Comiss^o al p^e fr Alonso Peynado que digese las culpas y auindolas dho como muy

relig^o que es començo el p^o Comiss^o a decir tales y tan malas palabras quales aun nouicio y que fuese conocidam^{te} sospechoso no se pudieran decir. El p^o fr A^o Peynado dijo q. le tratase bien que el no se conocia por aquel que decia entre estas y otras rraçones yntimo mucho el auer escrito la carta a n^{ro} R^{mo} P^e diciendo muchas cosas q. no yban en ella y callando las que yban—A esto le Voluio a decir el p^o fr A^o Peynado que digese Verdad en lo que yba diciendo que pues el no negaba que auia escrito aquella carta y las Verdades que contenia que no digese mas ni menos de lo que en ella estaba que aquello afirmaba auia hecho y mas a esto respondio el Comiss^o que mentia lebantase el Comiss^o y el S^{to} Viejo de las culpas y bienen a las manos apagase la candelas los religiosos que a esso se llegaron se hallaron turbados que no sauian a quien ayudar ni a quien desayudar finalm^{te} los despartieron todos culpan al p^o Comiss^o solo el p^o g^{an} T^{do} simbolo y principio medio y fin de todos estos males. Ayudaba al p^o Comisario contra el S^{to} Viejo por auerle reprehendido alg^{as} cosas q. le estubieran bien al dho p^o g^{an} tomarlas como hijo y no defenderlas como obstinado y por ellas tratarle muy mal delante de seglares de que tomaron mal exemplo y se escandalizaron—El dia sig^{te} 19 de nob^o dia traça el p^o Comiss^o de q. saliese el p^o Comiss^o de q. saliese el p^o Viejo aunque no tenia ocasion ni podia segun just^a hecharle de la dha Vy^a donde amaban, estimaban. y regalaban al S^{to} Viejo por su anciandad gran religion y poca salud. enpero el por no dar lugar a cosas escudandolas pidio salir de alli para otro conu^{to} distante del de la Vy^a veinte leguas y aun pareciendole que no estaba alli seguro salio con artas lagrimas y sentim^{to} de todo el pueblo el quⁱ alcançando a sauer lo que auia pasado y quedando diciendo que desterraban aquel S^{to} Viejo el Comis^o y g^{an} porque queria bien a los españoles y los trataba con amor que es lo que siempre los dhos dos padres an sentido y aborrecido a los religiosos que lo hacen assi que quisieran los dos que a su ymitacion los demas los aperrearan trataran mal de ruines g^{te} ynfame y con otros nombres tales como estos o peores q. los tubieramos por ladrones y en las confesiones les hicieramos desear la absolucion.” *Ibid.*

67. “Hice una pet^{on} pidiendole al p^o Comiss^o con toda la humildad posible me mostrase la patente de su off^o por cierta duda q. se me auia ofrecido escreuila—En este tiempo estaba el p^o Comiss^o en la Vy^a no quise yr alla porque auia de alborotar luego la gente y con lo que digera y hiciera temia no me boluiera a meter donde decia hasta perecer no aguarde a yr a suconv^{to} por el mesmo ynconben^{te} no lo trate con los religiosos por la distancia delos lugares y no ser sentido y prim^o q. yo lo pidiese por pet^{on} me lebantase por pisar el sol que auia cometido un graue delito—fui me a aguardarle en una visita quatro leguas de la Vy^a de S^{ta} fee para presentarle alli mi peticion acertaron a hallarse en aquel pu^o doce españoles los quales llame para que fuesen test^{os} porque no me lebantase el p^o fr Ys^o que le salia a matar sali de la visita al encuentro y receuim^{to} del p^o Comiss^o y como aun tiro de arcabuz de alli por escusar si ubiera boces que no tomaran los yndios mal exemplo le suplique con toda humildad me oyese aquella pet^{on} preguntome que era la duda y causa para presentar aquella pet^{on} y pedille la patente de su off^o yo le dije una carta falsa que emos hallado con que VR. absoluió y hiço renunciar su oficio de Comiss^o a n^{ro} p^o fr Alonso Peynado dijo a esto pues p^o no bastara que muestre cartas de Virrey y oidores y otras pers^{as} y religiosos de n^{ra} pouy^a a esto le dije quanto mejor sera la patente que nos dira la Verdad quedo que la mostraria y con esto nos fuimos cada qual a su conu^{to} Luego otro dia hiço el p^o fr Xpobal de quiros me escriuiese y rogase dejase la demanda empegada yo le respondi que pues en aquello no le pedia oca injusta que si era pre^{do} lo mostrase que no auia dificultad, sino lo era q. no le queria obedecer, otro dia sig^{te} me escriuió el mesmo Comiss^o rogandome no tratase dello todo esto me hacia perseuerar y procurar con muy grandes veras fuera Comiss^o o pre^{do} el que gustaban n^{ros} p^{es} y quien sus paternidades ubiesen nombrado por sus patentes al tercero dia hiço llamar los religiosos y alli a mi mostro una patente yo la ui y ley y hasta el dia de oy estoy incredulo de que fuese pre^{do} pues siendolo poca necesidad tenia de hacer aquella carta falsa y asi como me mostro la patente me m^{do} reclusar y otro dia me llebo

a su conuento de S^{to} Domingo donde me pudo poner en la estufa y hacer todo el mal que quisiera llebandolo por ter^{nos} tiranos que era lo que yo reclusa. pusionos a mi y a los otros dos religiosos en dos celdas y tratando con los demas religiosos q. se haria le aconsejo el p^e g^{an} de Sandia fr Esteban de Perea que hiciese ynformy^{on} de lo hecho y que substanciado el neg^o si me hallara culpado me castigara o me perdonara—el p^e Comiss^o trato el solo de quererlo hacer y que a el se atribuyese la honrra de la liberalidad y se le diesen las gracias y assi nos mando poner en forma de presos los dias en que en S^{to} Domingo estuvimos sin mas papeles ni informy^{on} q. lo dho—despues aca e sauido que en secreto hiço firmar una carta con sola su informacion o dho diciendo q. firmasen aquel papel para tenerme el pie sobre el pescueço que el dicho p^e no me queria hacer mal empero para que si en algun T'po yo hablase pudiese mostrar aquel papel sin mas ynformy^{on} ni acusacion ni indicios ni mala fama de lo que el p^e Comiss^o quiso con su bu^a o mala conciencia poner—" *Ibid.*

68. Otro papel me an dho hiço tambien pidiendo firmas a religiosos el p^e fr. Xpobal de quiros auiendo leydo el papel (con ser un muy grande amigo suio) no le quiso firmar, lo propio el p^e fr Juan de Salas porque dijo que yba en el que yo defendia y tenia nuevas opiniones, otro me dijo que auia firmado, por persuasion diciendole el p^e Comiss^o que pues lo hacian otros tambien el lo hiciesse y assi lo hiço este relig^o dice q. leyo que los religiosos no llegaban a tres y que daban su parecer que yo saliese de la tierra este papel escriuio el p^e Comiss^o fr Ys^o Ord^z queriendo salir a Tierra de paz y yo con el por una licencia q. tenia de n^{ro} P^e fr Juan Zareta, yo no se en que estubo este engaño ni que penso el p^e Comiss^o q^{do} me concedio licencia para yr a la nu^a esp^a y para ello me hecho por tercero al p^e fr Juan de Salas hiço me deshacer de las cosas necesarias de mi pers^a y hiçome poner en camino y en el vit^o conu^{to} finge que auia tenido como Reuelacion del cielo comun language suio y que era la Voluntad de Dios me quedase quisome quitar la patente y hacerme quedar por mal—Visto su pensamy^{to} y que segun era de Tirano y disoluto o absoluto prelado me quede diome una firmada de su n^e que podre mostrar para q. se bea la maldad de las cartas q. hiço firmar, dijome que queriendome quedar pidiese de la tierra lo que quisiere yo creo y otros lo creen assi no me quiso llebar por q. se auian de sauer estas Verdades que aqui estan escritas." *Ibid.*

69. The departure of Pérez Guerta at this time is indicated by a letter of Francisco Pérez Granillo to the Holy Office, October 29, 1617, A. G. P. M., Inquisición 318, f. 477. No definite information exists concerning the date of the departure of Ordóñez, but it is reasonable to assume that he went with the caravan.

70. A. G. P. M., Inquisición 316, ff. 183 v, 184.

71. The incomplete original manuscript of the trial record in the case of Escarramad is in *Diferentes Autos de molestias Hechas a los Vez^{os} de la N^a mex^{co} por los Religiosos y la soberania Con que Usen Juri^{don}* (1604-1639), A. G. P. M., Provincias Internas, Tomo 34, Exped. 1. A copy sent to the Holy Office by Perea in the autumn of 1617 is in A. G. P. M., Inquisición 316, ff 175-184. There are important differences in the two manuscripts which will be noted during the discussion of the case.

72. Pérez Guerta referred to the messenger as "Don Juan." *Relación Verdadera*, A. G. P. M., Inquisición 316.

73. Testimony of Juan Ruiz, April 18, 1617, and of Juan Gómez, June 30, 1617. *Diferentes Autos*, A. G. P. M., Provincias Internas, Tomo 34, Exped. 1.

74. *Ibid.*

75. "Vellacos, picaros, vigardos, ladrones." Declaration of Juan Gómez, June 27, 1617. *Ibid.*

76. Perea gave Quiros authority to act as Judge-delegate in pending ecclesiastical cases on June 15, 1617. A. G. P. M., Inquisición 318, f. 491

77. A. G. P. M., Provincias Internas, Tomo 34, Exped. 1.

78. The text of the sentence is not given in the original manuscript of the trial record in *Diferentes Autos*, but a complete statement is found in the copy of the record in A. G. P. M., Inquisición 316.

79. *Diferentes Autos*, A. G. P. M., Provincias Internas, Tomo 34, Exped. 1.

80. A. G. P. M., Inquisición 316, f. 183.

81. "Visto el auto y rrequerimiento arriva contenido por el señor almirante Ber^{no} de ceuallos dixo que lo oyo y que el dho p^e y demas rrelixyosos [decian?] lo que les conviene, y que su señoría se yra atras de los rrelixyosos si se fueren y ynformaran todos a su esex^a el s^{or} uirrey de la nueva españa de las cosas y estado destas prouincias, y que la causa no era de su rreuerencia el conocella sino como en buenos cristianos y poco temeroso de [blurred] falsamente. Por tanto a su s^a rrogamos nos De [torn] su s^a el conocella, y que a el no se mete en sus adjudicaturas, y que el R^e fr. cristoual no saue tener terminas en sus escritos y que sebastian de novoa no trate de cosa ni causa alguna ni le rreuuelva la tierra porque le castigara rrigurosamente porque el susodho a traydo todas estas cosas, y que se le notifique esta rrespuesta que lo cunpla y guarde donde no que le castigara, y pide su señoría se le de el auto y rrespuesta por testimonio autorisado en forma y lo firmo su señoría. Ber^{no} de ceuallos." *Diferentes Autos*, f. 15, 15v.

82. *Ibid.*

83. The *real provisión* has been published in English translation by L. B. Bloom in *NEW MEX. HIST. REV.*, V (1930), 288-298.

84. Testimony, with Perea's covering letter of Sept. 29, 1617 in A. G. P. M., Inquisición 318, ff. 398-495.

85. G. P. Hammond, *Don Juan de Oñate and the founding of New Mexico* (Santa Fé, 1927), *passim*; *Relación Verdadera* and Testimony against Márquez. A. G. P. M., Inquisición 316.

86. Testimony against Márquez, A. G. P. M., Inquisición 316; *Diferentes Autos*, A. G. P. M., Provincias Internas, Tomo 34, exped. 1.

87. The Inquisition?

88. Letter of Francisco Pérez Granillo, Paraje del Muerto, Oct. 29, 1617. A. G. P. M., Inquisición 318, f. 477.

APPENDIX I

Friar Francisco Pérez Guerta's Account of the Incident of July 9, 1613

Este propio día (8 de Julio) en la tarde mando el p^e g^{an} de la Vya sacar arina para amasar pan y la harina fue con exceso y por serlo dio que pensar en la casa donde se auia de amasar y deseo de sauer la causa al que traya la harina que era un muchacho de la yglesia español el qual sauia q. venian los religiosos y assi dijo q. para este efecto era. El dia sig^{te} martes 9 del dho mes fue bien de mañana a casa del g^{or} un Vz^o llamado Ju^o Lujan el qual preguntado por el g^{or} de las cosas nuevas q. auia o sauia respondio lo que y es q. ayer en la tarde llebaron a mi casa cant^d grande de harina para pan y preguntando mi muger para que trayan tanta junta respondio el muchacho bienen muchos frailes, y lo q. se decir mas es que oy decir a Asensio de arechuleta el not^o q. se auian de juntar los frailes para prender a VS. Luego al punto el g^{or} hiço llamar a todos los Vz^{os} q. biniesen a su casa con sus armas, lo qual hicieron los que entonces se hallaron en la V^a sin sauer para que. Despues q. los tubo juntos les represento el deseo que el P^e Comiss^o tenia de prenderle como constaba por aquella carta que el p^e perguer g^{an} de S^t laçaro le auia enuiado q. se la hiço leer a los dhos Vz^{os}, y como lo auia dho en la yglesia el domino pasado, y como otras beces lo auia dho a otras personas q. le auia de prender sin declararles mas su pensamy^{to} ni lo que auia de hacer. Tras esto probeio el g^{or} un auto y le m^{do} pregonar en q. mandaba no embiasen al conu^{to} comida pan ni camas. Luego m^{do} a su S^o q. tomase papel y tinta y todos juntos con el g^{or} binieron al conu^{to}. Este día por la mañana andaba gran ruydo de los hombres antes de juntarse en casa del g^{or} y auiendo de ser uno de los que abian de yr a la casa del g^{or} y a su mandato bar^{me} Romero, Viniendo el dho Romero benia su muger a la yglesia a misa y abiendo visto el ruido que andaba y el peligro q. podia auer entro en la iglesia llorando y dando boces mobiendo a lastima a las demas mugeres. El p^e Comiss^o acabaua de ponerse en el altar y la muger llamada Doña Lucia no teniendo atencion a que estaba el p^e Comiss^o donde la podia oir començo a culparle y aun a maldecir la suerte de su off^o pues les ponía en aquellas tribulaciones y otras muchas palabras que fue mucho decirlas la dha muger por ser muy prudente callada honesta y muy debota. El p^e Comiss^o yritado con aquellas raçones se boluio a ella y la dijo q. Callase con otras palabras que hasta oy tiene que sentir. En este tiempo que esto sucedia en la yglesia estaba yo mirando desde la porteria el tropel de los soldados y aunque preguntaba que era en

lo que andaban, o que significaba tanta priesa tantas armas y tan juntos no ubo quien me digese nada porque con las cosas q. auia todos nos mostraban mala cara, y asi fuy de la porteria a donde estaba el p^e g^{an} fr Luis T^{do} fr andres Xuarez y el her^{no} fr ger^{mo} de Pedraça en la guerta y les dige, mucho mal creo a de auer que no se que anda en el pueblo que esta ynquieto. Voluiose el p^e g^{an} a mi con colera notandome de gallina y temeroso. Yo calle y disimule y pregunte que se estaba tratando. Fuese me dho Como el p^e g^{an} se determinaba con un machete yrle a matar las terneras de sibola al g^{or}. Estando diciendo estas palabras bimos entrar por la porteria gente armada y con ella al g^{or} con cota, espada en la cinta y en ella un pistolete y en la mano una pistola larga. Fuimos todos quatro hacia la puerta del conu^{to} y alli nos pusimos aguardando que el g^{or} llegase. Llego donde estabamos que era en el patio de la puerta de la libreria y alli quitandose cortesam^{te} el sombrero preg^{to} donde esta el p^e Comisario? El p^e g^{an} fr. Luis T^{do} le respondio diciendo, estaba misa, podra ser q. la aya acabado. Suplico a Vr. le m^{de} llamar dijo el g^{or}. El p^e Tirado llego a la puerta de la libreria, dijo en boz alta p^e Comiss^o aqui llama a Vr. el g^{or} El p^e Comiss^o salio por la dha puerta al patio de la casa y biendo la disposicion q. la g^{te} traia Voluio a entrar—y de un rincon tomo un bordon de m^a asta que alli estaba y diciendo, para este desbenturado este basta, salio con el en la mano. El g^{or} le quito el sombrero y en el ynter dijo el p^e Comiss^o que quiere VS. Respondio el g^{or}, p^e Comiss^o a VP. requiero de parte de su Mag^d que oy en este dia se baya a su conu^{to} y mande a los religiosos q. a enuiado a llamar q. se esten en sus dotrinas porq. esto conuiene. A esto resp^o el p^e Comiss^o S^{or} es berdad q. yo e enbiado a llamar los religiosos pero es para neg^o q. Conbiene. En este punto se aparto con poco religiosas palabras de nosotros el p^e fr Luis T^o y entro alla dentro en la libreria y andando como buscando armas dijo a perro a Traydor—El g^{or} que era timido y Traia los ojos como de lince uido andar al p^e de aquella manera y oyo decir perro. Dijo el g^{or}, perro—Voto a Dios q. sepa yo matar un frayle. Entonces alço la pistola y le hecho el gatillo que asta entonces no le traia hechado y luego mando a dos Soldados entrasen y sacasen las armas que auia—El p^e Comiss^o les mando por descomu^{on} que no entrasen. El g^{or} les apunto con la pistola. El comiss^o los tenia y finalm^{te} entraron y no hallaron armas. Boluio despues de todo esto el g^{or} a decir, p^e Comiss^o, mire q. le requiero q. VP. se baia oy en este dia a su conu^{to} de S^{to} Domingo y haga lo q. le m^{do} dejandome en paz y a esta V^a. A esto resp^o el p^e Comiss^o q. no lo pensaba hacer que en su casa se estaba y voluiendose a los Vz^{os} les dijo, Vsms. a q. bienen aqui—no saben q. son vasallos de esta yglesia, y el g^{or} dijo a esto q. se engañaba en aquello y auiendo de la una y otra p^{te} palabras y boces acometio a alçar el baston que

dige auia sacado el p^e Comiss^o en la mano para dar con el al g^{or} pero dicen q. se le tubo Juan Lujan soldado y Voluiendose al g^{or} le dijo—VS saue con quien se toma y el g^{or} resp^o, q. le parecia q. con fr. Ysidro Ord^z, y el p^e Comiss^o le dijo no se toma sino con toda la orden y hechandose mano de la Barba juro diciendo, por uida de Fr. Ys^o que os tengo de destruir q. bien parece q. no saue VS. en la que le tengo metido. El g^{or} resp^o en que me puede tener metido q. yo no sepa. a esto respondio el p^e Comiss^o no saue, ye el p^e g^{an} de la mesma manera, no saue, y Voluiendo el g^{or} a decirle al p^e Comiss^o que hiciera lo q. le mandaba de yrse a su conuento. A esto dijo el P^e Comiss^o pues puede VS. mandarme a mi. El g^{or} dijo si y hecharle dos pares de grillos. Alguacil trayga dos pares de grillos. Traygan ocho dijo el p^e Comiss^o y no oy mas palabra, porque el g^{or} dijo aqui del Rey se apreso hechándole mano de la Capilla el p^e Comiss^o le hecho mano de la ropilla el p^e fr Luis T^{do} por otro lado y el p^e fr. Andres Xuarez, y assi andando assidos se aparto el p^e fr. Luis T^{do} a sacarle a un Soldado la espada de la bayna y Voluiendo sin ella le arranco al g^{or} una manga del capotillo y el otro religioso entro en una celda a Vuscar armas y saco un haxon conque se tañe musica—Andando de esta manera yba alçando el p^e Comiss^o el palo para descargarselo en la cabeça al g^{or} q. la tenia oprimida y harto llegada al suelo. Yo que estaba mirando estas cosas de afuera q^{do} el p^e Comiss^o como dige yba alçando el palo llegue tenelle y en aquel punto el g^{or} aduirtiolo y tambien yba alçando la pistola q. tenia en las manos y alçandola como q. queria dar con ella al p^e Comiss^o, se la tubieron por detras el Secret^o y otro. Voluio con enojo el g^{or} y soltandola el q. la auia tenido como tiro el g^{or} jurare que no fue en su mano dispararse la pistola porq. ni fue Vista ni casi oida con el alboroto de boces y rruido hasta q. Cayo el religioso lego herido. Esto duraria por espacio de dos credos cantados. Luego ceso todo. Los españoles apartaron al g^{or} y nosotros nos pusimos a cuidar de n^{ro} herido. Fue tan grande el escandalo y confussion y labrimas de las mugeres q. mas es para encomendarlo a Dios y rogarle no entre en juicio con quien fue la causa que de tratar mas de esta lastimosa materia.

Este dho dia 9 de Jullio en q. fue este suceso hizo llamar el p^e Comiss^o a todos los que auian benido con el g^{or} y a cada uno de por si los fue absolviendo salbo al armero no quiso absolver por q. saliendo tambien herido de la municion q. derramo la pistola del g^{or} salio el dho hombre culpando al p^e Comiss^o de lo sucedido, y porque despues en una ynformy^{on} que el dho g^{or} mando se hiciesse culpaba el dho armero al dho padre Comiss^o, estando enfermo y peligroso este dho hombre y pedia confesion, ni confesion ni absolucion no le quisieron d^{ar} el p^e Comiss^o ni g^{an} del R^l. Este mesmo dia mando el P^e Comiss^o pusiesen a la puerta de la yglesia al g^{or} por pu^{co} descomulgado y despacho el p^e

Comiss^o a los religiosos q. benian a la Villa fuesen a S^{to} Domingo para donde despues de consumido el sacram^{to} santiss^{mo} del Sagrario y cerrada la Yglesia y la Sacristia a piedra y lodo sin quedar religioso nos partimos todos con el p^e Comiss^o por su mandato.

Relación Verdadera, A. G. P. M. Inquisición 316.

APPENDIX II

The New Mexico missions had been supervised by the Commissary-General of the Franciscans of New Spain and the Provincial of the Province of the Holy Evangel, to whom the local commissaries were responsible. It was customary, however, for a new mission area to be set up as a *custodia*, or semi-independent administrative area, as soon as a sufficient number of convents were established. The prelate of such an area was called a custodian (*Custodio*), and his duties and powers were essentially the same as those of a provincial of an independent province, subject, of course, to supervision by the province to which the *custodia* was attached. It is not clear whether the appointment of Perea with the title of custodian was due primarily to a decision that the New Mexico missions had reached the stage where local autonomy was justified, or to the belief that, in view of the seriousness of the situation in New Mexico, the prelate should have the greater dignity and authority that the title of custodian implied. There is some justification for thinking that the appointment was the result of an emergency, for Perea was named by the Commissary-General rather than by the *definitorio* of the Province of the Holy Evangel which, later on, exercised the power of appointment. In any case, by choosing Perea the Commissary General gave responsibility to a mature and experienced friar who had not been a violent partisan of Ordóñez. The exact date of Perea's appointment is not known. In my article, "Problems in the early ecclesiastical history of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, VII (1932), 32-74, I discussed Perea's statement that he had been "superior prelate" of New Mexico three times and identified these periods, as follows: (1) Commissary, 1614; (2) Custodian, 1616-17 to 1621; (3) Custodian, 1629-1631. Identification of the first period was based on Zárate Salmerón's statement that Perea was "Commissary of those Provinces" when the bones of Friar Francisco López were found at Puaráy in 1614. *Ibid.*, p. 50. The dates for the second period were based on an accumulation of data from various sources. *Ibid.*, 47-64. Perea's own *Relaciones* dealing with certain events of his terms as custodian beginning in 1629 had long been known. Pérez Guerta's *Relación Verdadera* makes it clear that Ordóñez, not Perea, was commissary in 1614. Consequently Zárate Salmerón's phrase, "Commissary of those provinces," evidently means that Perea was in charge of missions

among the Tiwa pueblos, not commissary of *all* the New Mexico missions. There are other instances of the use of the word commissary to designate the friar in charge of some part of the Pueblo area. But how was Perea prelate twice during the early period, i. e. prior to 1621? The Archivo Histórico Nacional, Madrid, Inquisición, leg. 1228, núm. 3, has a document entitled, "*Mem^a del P^e frai Esteban de perea custodio que a sido de nuebo mex^{co} 1629*", which contains information concerning Perea's *limpieza de sangre* requested by the Holy Office of Mexico in 1627. It contains the following statement: "Memoria de los Padres y aguelos (naturaleça y off^o) del P^e fr. esteuan de Perea, predicador, y cust^o q. a sido dos ueces de las prouincias del nueuo mexico. la primera ues por n. p^e frai xpoual Ramirez Comiss^o g^l de estas yndias y despues continuando por n. p^e fr. diego de otalora comis^o g^l tambien de estas yndias." Now Friar Cristóbal Ramírez was Commissary General of New Spain during the years 1612-1617, and Friar Diego de Otalora for the years 1618-1622. (Fr. Francisco Antonio de la Rosa Figueroa, *Bezerro General Menológico y cronológico de todos los Religiosos...en esta St. Prov^a del S^{to} Evang^o...Ayer* Collection, Newberry Library, Chicago.) It appears, therefore, that Perea's first two terms as prelate were by appointment by these two Commissaries General, and that they cover the period I assigned to the second term in my article cited above. It is logical to assume that the appointment by Friar Cristóbal Ramírez was made sometime between the arrival of Peralta in Mexico in the winter or spring of 1615 and the departure of the mission supply caravan for New Mexico in the summer or early autumn of 1616. (For data concerning the supply caravan, see A. G. I., Contaduría 718, 845 A-B.) This supply train arrived in New Mexico not later than January, 1617, because we have a copy of a *poder* signed by Perea as custodian, dated at Santa Fé, January 30, 1617. (A. G. P. M., Inquisición 316, ff. 183 v. 184.) The re-appointment of Perea to the custodianship by Friar Diego de Otalora, who served as Commissary General from 1618 to 1622, may have been made during the year 1618 and the patient sent with Gov. Juan de Eulate who arrived in New Mexico in December, 1618.