

4-1-1936

Church and State in New Mexico, 1610–1650

France V. Scholes

Follow this and additional works at: <https://digitalrepository.unm.edu/nmhr>

Recommended Citation

Scholes, France V.. "Church and State in New Mexico, 1610–1650." *New Mexico Historical Review* 11, 2 (1936). <https://digitalrepository.unm.edu/nmhr/vol11/iss2/3>

This Article is brought to you for free and open access by UNM Digital Repository. It has been accepted for inclusion in New Mexico Historical Review by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sarahrk@unm.edu.

CHURCH AND STATE IN NEW MEXICO 1610-1650

By FRANCE V. SCHOLES

(Continued)

CHAPTER III

GOVERNOR JUAN DE EULATE VS. FRIAR ESTÉBAN DE PEREA 1618-1626

I

DURING the period from 1617 to 1626 there was a definite advance in the general mission program. A long and bitter quarrel between Governor Eulate and the Franciscans caused considerable embarrassment, but this unfavorable factor was offset by the steady and generous financial support which the missions received from the treasury of New Spain. Supplies of clothing, medicines, building materials, vestments, and altar coverings were received at fairly regular intervals, and each supply caravan also brought a new group of friars.¹ These reinforcements of men and supplies guaranteed the permanence of the progress already achieved, and made possible the founding of new missions in outlying areas.

The effective mission area was extended to include the pueblo of Pecos on the east, Taos on the north, and the Jemez settlements in the northwest. Pecos was the easternmost of all the pueblos, and its position near the edge of the buffalo plains made it an important base for trading operations with the nomadic Apaches. Taos was an isolated outpost, and the Indians of this pueblo were notoriously warlike. The Jemez Indians lived in several villages on the frontier between the main Pueblo area and the Navaho country. To effect their conversion and indoctrination Fray Jerónimo de Zárate Salmerón settled them in a large pueblo in which he established the convent of San José. About 1623 the Jemez rose in

revolt, and although a punitive expedition was sent against them, they were not subdued. During the succeeding three years famine and Navaho raids reduced them to a miserable state. Mission activities in the Jemez area were not resumed until the period of Benavides' prelacy (1625-1629).

II

The term of office of Governor Bernardino de Ceballos came to an end on December 21, 1618. His successor, Juan de Eulate, was a military official who had served in Flanders and in the New Spain *flota*.² He was a petulant, tactless, irreverent soldier whose actions were inspired by open contempt for the Church and its ministers and by an exaggerated conception of his own authority as the representative of the Crown. Like most of the governors of New Mexico in the seventeenth century, he regarded his appointment as an opportunity for personal profit. It is not surprising, therefore, that his seven-year term of office (1618-1625) served to sharpen and perpetuate the old antagonisms between Church and State.

It is not possible to describe the beginnings of the controversy between Eulate and Perea in chronological sequence. Between 1618 and 1621 there was a slow accumulation of grievances which embittered the relations of the civil and ecclesiastical jurisdictions. The points at issue are clear, however, and in the main they were related to the familiar questions of ecclesiastical jurisdiction and privilege and the many-sided problem of Indian relations. Unfortunately the documentary sources consist mostly of denunciations of Eulate's conduct by the clergy and by persons devoted to their cause. Eulate's reports and dispatches have not been found. Consequently the story as told here is mostly a one-sided review of the charges made by the clergy to substantiate their general accusation that Eulate was an avowed enemy of the Church and all its works.

Eulate's lack of respect for the Church was said to have been manifest at all times. On certain matters of doctrine

his views were regarded as definitely unorthodox, especially his statement that the married state was better, or more perfect, than the celibate.³ His attitude toward the ceremonial of the Church was entirely unsatisfactory, for he not only failed to show the proper regard for it himself, but he even ridiculed others who participated actively in religious services.⁴ With regard to the moot questions of ecclesiastical privilege and the powers and spheres of action of the two jurisdictions, civil and ecclesiastical, the governor made boastful assertions that were not only exceedingly tactless, but, in some instances, actually contrary to law. He declared that the king was his chieftain,⁵ from which it was inferred that he regarded the State to be superior to the Church; that if the king ordered him to do so he would arrest and judge clergy, even gibbet them;⁶ and in case of a choice between obeying the pope and obeying the king, he would obey the king.⁷ He denied that the custodian could have any jurisdiction over the laymen of the province, asserting that he—the governor—alone had authority over them.⁸ He expressed contempt also for the censures of the Church, especially excommunications; and he was said to have boasted on one occasion that he would send the custodian to Mexico a prisoner if the latter excommunicated him.⁹ Finally, it was asserted that he abused and insulted the friars in the presence of Spaniards and Indians alike, even indicating a desire (never actually executed, it seems) to beat and maltreat them.¹⁰

In view of these charges concerning the general attitude of Eulate toward the Church, it is not surprising that the clergy found him unsympathetic and even hostile to the general mission program. He denied military escort for friars who wished to convert and indoctrinate frontier pueblos, and even prevented those soldiers from going who voluntarily offered their services. The friars regarded this action as completely unjustified, because the Indians of the pueblos which they wished to convert were already vassals of the Crown and were being called upon to pay tribute to those

soldier-encomenderos whom the clergy requested as escorts.¹¹ In like manner Eulate hindered the building and repairing of churches and convents by maltreating and insulting Spaniards who loaned their ox-teams for the work, even ordering some of them to desist, and by discouraging the Indians in their part of the work.¹² The friars stated also that he deprived them of the services of the Indians in both the ordinary and the special needs of the missions, and they noted especially the actions of Capt. Pedro Durán y Chaves, who, by order of Eulate, informed the Indians of the Tewa towns that they need not obey or serve the friars in any respect, except that they should go to mass when the friars called them.¹³ But most important of all was the fact that Eulate refused to support the Church in its campaign against the old order, declining to coöperate with the friars in their opposition to idols, Indian ceremonial dances, and concubinage. When the friars insisted that the Crown had issued decrees against the use of idols and pagan ceremonial, Eulate refused to believe it, and insisted that the Crown had definitely decreed that newly converted Indians should not be obliged to give up their idols and concubines until after the lapse of a period of years. Eulate's associates and agents, especially one Juan Gómez, interpreter for the Tiwa pueblos and encomendero of San Lázaro, spread this point of view among the Indians; and Gómez even went to the extent of assuring the Indians of San Lázaro that when he returned from a trip to Mexico he would bring back a definite order permitting them to follow their old ways.¹⁴ The friars also charged that Eulate, not being content with generalities, actively interfered in the administration of the missions in order to protect and favor Indian priests and sorcerers (*hechiceros*).¹⁵

But Eulate's defense of the Indians and his liberal policy concerning the old native customs were not inspired by any high idealism regarding aboriginal rights; on the contrary, they were merely a means of attracting the natives to the side of civil authority in order that they might the more

easily be exploited.¹⁸ Eulate and his associates insisted that the Indians could be forced to serve them without pay,¹⁷ and in a report to the viceroy the custodian stated that the Indians were rounded up in groups of forty, or even a hundred, to labor on the farms of the Spanish colonists without compensation.¹⁸ The Spaniards also used the Indians as burden bearers for the transport of the tributes, wood, and other cargo, despite the fact that this practice was not only contrary to the general policy of the Crown with regard to Indian labor, but actually unnecessary because the Spaniards had horses that could have been used instead.¹⁹ Slave raids were organized for the capture of unconverted but peaceful nomads who lived near the pueblos, and the captives were used as day laborers or sent to be sold as slaves in New Spain.²⁰ Moreover Eulate gave the soldiers *vales* (permits) authorizing them to seize orphans in the converted pueblos and use them as house servants.²¹ Finally, the clergy complained that the estancias of some of the Spaniards were located so close to the pueblos that they encroached on the fields and grazing lands of the Indians.²²

Eulate's personal interest in exploiting the Indians is indicated by the fact that he had an estancia of his own for breeding livestock. He also shipped quantities of goods to New Spain from time to time, and on occasion tried to engage in the sale of Indian slaves.²³ These facts give especial importance to the clergy's complaint that he interfered in details of mission administration, especially to influence the election of the Indian officials who governed the pueblos.²⁴

Such are the essential charges that were made concerning Eulate's personal conduct. To them may be added reports that by word and deed he fostered a similarly hostile attitude among some of the leaders of the local Hispanic community. Several of them shared his views concerning the relative merits of the married state and the celibate, and two or three were outspoken concerning the supremacy of civil authority. Two of them (Juan Gómez and Pedro Durán y Chaves) were also singled out for special criticism

because of their efforts to destroy mission discipline. The fact that some of these men were encomenderos gives especial interest to their alliance with Eulate.²⁵

Thus the years from 1618 to 1621 saw the development of an almost irreconcilable controversy between the civil and ecclesiastical authorities. Almost every general issue that could possibly cause irritation was presented in some form: the issue of ecclesiastical privilege and immunity; the exercise of ecclesiastical jurisdiction and the validity of ecclesiastical censures; the relative power of Church and State; questions of orthodoxy; the problem of the Indian labor; control and direction of the missions and of the religious and social life of the natives; the exploitation of the Indians; the enslavement of unconverted tribes. Complaints were dispatched by the friars to the authorities of New Spain, and in 1620 Custodian Perea sent a trusted agent to the provincial of his Order to request permission to renounce his office and go to Mexico so that he could present in person the case for the friars.²⁶

Meantime, Perea adopted a bold policy in New Mexico. On August 18, 1621, he published an official statement denouncing the "evil-sounding, erroneous, suspected, scandalous, and heretical words" that were being spoken "in great offense to God Our Lord and in depreciation of His Church and His Ministers, and contrary to the humble and filial obedience owed to the Holy Roman Church." A long list of errors and evil practices, such as have been outlined above, were enumerated, and the decree ended with an appeal to the people to denounce any person known to be guilty of such offenses against the Church.²⁷ This was a direct challenge to the governor, and it was reported that he swore that if he knew the persons who had informed on him he would give them two hundred lashes.²⁸ Undaunted, Perea went ahead, gathering evidence, and during the next few weeks several friars made declarations which supported the general charges.²⁹ But before the investigation had been carried very far Perea was relieved of his office, for in October a new

custodian arrived to succeed him as prelate of the local Church. Perea was reduced once more to the rank of mission friar. The new custodian, Friar Miguel de Chavarría, dropped the investigation and undertook to foster better relations with the civil authorities.

III

Although this change of policy was due in part to the personal influence of the new custodian, the chief cause was probably the receipt of definite orders from Mexico City. These were the result of a series of complaints filed with the viceroy by both the civil and ecclesiastical leaders of the province. None of these complaints have been found, but it is easy to infer their nature. The grievances of the Church were probably essentially the same as those which have been described above. The representations made by the civil authorities may be inferred from the contents of the orders themselves.

The complaints were formally considered by the vice-regal authorities on July 29, 1620, but it was six months before definite action was taken. On January 9 and February 5, 1621, decrees were dispatched to Custodian Perea and to Governor Eulate respectively in which detailed instructions for the future conduct of affairs in New Mexico were stated. These instructions were so important, both in relation to the situation as it existed in 1621 and as statements of policy on fundamental provincial problems, that they deserve detailed notice. The order to Perea was issued in the form of a *real provisión*, i.e., in the form of a royal cédula, but actually issued by the viceroy, in order to give it greater authority.³⁰

Each set of instructions contained sections dealing with the exercise of ecclesiastical jurisdiction, and they indicate that the representations of the civil authorities of New Mexico on this vexed question had made a marked impression on the viceroy and audiencia. The following quotation is taken from the instructions addressed to Custodian Perea:

... know ye, that in the Council which the Marqués de Guadalcázar, my cousin, viceroy, ... held on the twenty-ninth of July of this year with the three seniors *oidores* of my said Audiencia ... there were seen certain letters, missives, memorials, depositions, and other documents which have been written and dispatched from those said provinces to my said Viceroy by various persons, ecclesiastic as well as lay, through which (documents) account has been given of the strifes over jurisdiction and other (matters) which there have been, and are, between you, the said Custodio, and my said Governor; you, the said Father, claiming that by virtue of the bulls of His Holiness Leo X and of Adrian VI, you have in those said provinces authority and jurisdiction supremest as well as ordinary *ad universitatem causarum* so that you can take cognizance of any ecclesiastical matters whatever, and can issue any censure and interdict against any persons whatever state, condition, or pre-eminence they may be, imposing upon them the punishments at your command, and (you claiming further) that my said Governor should not and could not decree or determine any matter touching his said government without (first) consulting with you and following the advice of you and of the Religious of your Custodia ... and moreover ... there have been reported the serious difficulties which have followed and resulted from (the fact)) that the Prelates, your predecessors, made use of the said jurisdiction against Don Pedro de Peralta and against the Admiral Bernardino de Zeballos, who have been my governors in those provinces, with greater scandal and less prudence than would have been just, exceeding and going contrary to what has been determined by the holy canons, bulls of His Holiness, and my cédulas, in excommunicating them, and, in order for them to have absolution, imposing upon them public penances without due authority and humiliating to my said governors ...

And in order that from now henceforth procedure may be in accord with what is right and that such scandals may be avoided ... wherefore I ask you and I enjoin you that, you, the said Father Custodio holding ordinary jurisdiction in those said

provinces, you employ it and exercise it in conformity with what is right in the matters spiritual and ecclesiastical which may pertain to your Jurisdiction and in these (matters) you alone shall proceed without the other Religious of your Custodia intruding themselves further than in the administering of the Holy Sacraments . . . and if the layman or laymen against whom you shall make the process shall feel themselves aggrieved by the definite sentence or interlocutory *autos*, lest they might have final force or be an incumbrance which it might not be possible to correct, and should take an appeal to the Metropolitan judge, the Archbishop of Mexico, . . . you shall not proceed to execute your decisions until my said Audiencia which resides in the City of Mexico may decide whether you shall give them effect or not, for which purpose you shall send to my Audiencia the original processes which you may have fulminated with all the *autos* without the lack of anything, in the meanwhile absolving those whom, by the said process, you may have excommunicated and raising and removing whatever interdicts and censures you may have imposed;⁸² and in the executive and ecclesiastical causes, cognizance of which may pertain to your ecclesiastical jurisdiction, you shall proceed according to law, taking care as to the form and extent of the judgment and what is provided by my Royal laws . . . against lay persons you shall not proceed in any manner except it be in ecclesiastical matters according to law and in these you shall not proceed to imprisonment without first requesting the aid of the secular arm from my said Governor or from his Lieutenant, who shall give and afford you such aid, you showing him by what you have written that you will proceed legally.^{82a}

Similar statements were made in the instructions addressed to the governor who was ordered to grant the aid of the secular arm when, for good cause, the custodian should request it in proper form. Both the clergy and the civil authorities were instructed to refrain from intervening in affairs not within their respective jurisdictions. In problems relating to "the common good of the baptized

Indians and the universal conservation of the Republic," the governor was ordered to seek the advice of the custodian and other experienced friars, and of the cabildo of Santa Fé; but having been so advised, he alone had power of decision. Above all, the friars were charged not to interfere in secular matters.

The letter and spirit of these decrees can be regarded only as a severe reproof to the clergy for their past actions, and they indicate clearly that the viceroy intended to support secular authority in its relations with the Church. The civil authorities in New Mexico came to regard these orders as a sort of Magna Carta of secular rights.

The two decrees also contained statements of policy concerning many aspects of pueblo and mission administration:

1. It was ordered that on the days of the annual pueblo elections, when the local officials, such as governor, fiscal, etc., were named, no representatives of the State or the Church should be present in the pueblos in order to ensure to the Indians complete freedom of action. The clergy had complained that the governor tried to impose his will in such elections in order to further his own selfish ends. The civil authorities, on the other hand, had asserted that the custodian and other friars had given the Indians to understand that their authority was superior to that of the governor.

2. Governor and custodian were instructed that on feast days and Sundays friars should go to the several pueblos where there were churches, so that the Indians would be spared the trouble of going to distant pueblos to hear mass.

3. In those pueblos already subject to tribute or encomienda, the friars were not to impede the collection of such tribute. In pueblos converted in the future, no tributes were to be levied until governor, custodian, and the guardian of the convent had made reports to the viceroy who would decide what was best. Moreover no tributes were to be collected in the Zuñi and Hopi pueblos, as they were still unconverted.

4. The governor was instructed to see to it that the encomenderos provided military escort for the mission supply trains coming from Mexico City and also for friars going to administer the sacraments in frontier pueblos.

5. The governor was forbidden to graze herds of live stock for his own account.

6. In order to avoid damage to the growing crops of the several pueblos, the Spaniards were instructed not to pasture their stock within three leagues of the pueblos, except under certain circumstances.

7. Both the governor and the custodian were ordered not to permit the uses of Indian labor in illegal ways, or in such amount that the Indians would suffer hardship. All levies or repartimientos of Indian laborers were to be limited only to the work of sowing and planting, the number to be called from each pueblo strictly limited, and the wages duly paid. The allotment of Indian women as servants in the houses of Spaniards was forbidden, unless "they go with their husbands (and) voluntarily." The custodian was instructed that Indian labor at the missions should be used only "for things necessary for the church and the convenience of the living quarters," and then only "with the greatest moderation."

8. The practice of cutting the hair of Indians guilty of minor offenses was forbidden. This order was the result of a complaint that the friars had used this form of punishment "for errors and light faults." For the Indians this was a great affront, and as a result some of them had gone to live in the unconverted pueblo of Acoma, "returning to idolatry."

The instructions of 1621 recognized the two fundamental causes of controversy between Church and State, viz., the problem of ecclesiastical jurisdiction and authority, and the question of Indian relations. The rights and privileges of the Church as a corporate body with its own set of laws and courts were to be preserved; but in the last analysis the authority of the State was to predominate. The provisions concerning Indian affairs were based upon the general

colonial statutes that had been evolved in an attempt to protect the natives from exploitation. A broad spirit of moderation is seen in both decrees, but their successful execution could be achieved only by the restoration of a similar spirit in local provincial affairs.

IV

The orders to Perea and Eulate were probably dispatched to New Mexico with the same caravan which brought the new custodian. The retirement of Perea from the custodianship in the autumn of 1621 and the receipt of these instructions had a quieting effect, temporarily at least, on the relations of Church and State. Governor Eulate was obliged to change his policy in certain respects, and even the friars admitted it. He granted escort to friars desiring to visit unconverted pueblos, and he coöperated in the building of churches, even lending his own ox teams for the work.⁸⁸ On the other hand, the new custodian, Friar Miguel de Chavarría, adopted a conciliatory attitude, either because of the appeal for moderation contained in the instructions, or, as Perea insisted, because he was an intimate friend of the governor and was willing to go to any lengths in order to create amicable relations between the two jurisdictions. Thus, for a year, at least, the leaders of Church and State were once more on good terms.

Although Perea must have felt keenly the sting of the rebuke contained in the instructions, he was too much of a fighter to give up the struggle. In fact, he regarded it as only well begun. Relieved of the custodianship he could now satisfy his desire to go to Mexico to present in person, both to his superior prelates and to the Holy Office, his own version of the situation, and he had no doubt that he could win complete vindication. Soon after his arrival in New Mexico in October, 1621, Chavarría stated that he brought license from the provincial authorizing Perea to leave, and Perea eagerly made his plans in order to make the journey with the supply caravan on its return trip. But the date of the

departure of the caravan was postponed month after month. Meanwhile a coolness, which rapidly turned into open bitterness, developed between Perea and Chavarría. This was due, in part, to the friendly relations between Eulate and the new prelate which Perea declared were purchased by a complete acquiescence by Chavarría in all that Eulate wished. Moreover, as the weeks and months passed by, Chavarría delayed giving Perea the formal authorization to depart, and Perea was soon convinced that Eulate and the prelate were conspiring to defeat his plans.

During the winter of 1621-1622 relations became tense, and, finally, in the summer of 1622, with the date of the departure of the caravan approaching, Perea became more and more insistent. On August 23 he addressed Chavarría in a formal petition and asked for the necessary license.³⁴ Chavarría made no reply. Realizing at last that he was being thwarted, Perea wrote a second petition which was presented to Chavarría on August 26, in which all his anger and disappointment overflowed in a torrent of bitter denunciation.³⁵

I, Friar Estéban de Perea, Father of this Custodia . . . appear before Your Reverence and state that when I was prelate of this Custodia I . . . wrote to our Fathers and Prelates (of New Spain) renouncing my office and asking them very earnestly to do me the favor of sending me license to appear in their presence in order to communicate to them certain matters affecting my conscience and other (matters) of very grave importance for the welfare and conservation of this Church, and their paternities conceded (this request) and gave ample and plenary license to you to be transmitted to me, ordering expressly in it that no inferior of theirs should thwart me . . . Nevertheless, in contravention of all justice you impede me and detain me, doing me grave injury. Seeing myself oppressed without cause or reason whatsoever . . . I presented to Your Reverence a petition . . . to which Your Reverence has not wished to respond, because you do not want it

known in New Spain that you have violated the said license or that you have proceeded against me with feeling and passion . . . ever since you set foot in this land, as everyone, even the Indians, know . . . You said when you arrived that you brought the license and would give me permission to make the journey, and even give me a companion, but you have not given me the license, rather you have burdened me down with acts of disfavor and have debased, persecuted, and oppressed me ever since I entered this convent,³⁶ even desiring that the very stones of this place would rise up against me . . . all in order to please the Governor who is a very tender friend of Your Reverence . . . because it is imagined that if I go to Mexico I shall do him some harm.

Chavarria's hatred had been made manifest in many ways,

even depriving me of the association of friars, ordering them not to see me or visit me . . . as if I were under punishment of the Holy Office.

Likewise, Chavarria had threatened to

take from me this convent and *doctrina* of the Tiwas whom I have gathered together with so many labors, and to drive me out from here and to institute causes and more causes, and legal proceedings with which to disgrace me so that I shall not be able to speak in New Spain and so that no one will believe me . . .

The veil is torn away and the hatred and hard feeling you have for me is revealed . . . I protest to God and to all our Fathers and Prelates that you do me violence and outrage . . . neither my honor nor my life is secure, with the two heads (of State and Church) so clearly showing themselves to be my enemies and with help so far away.

Chavarria refused either to grant or to refuse the request, and Perea abandoned his plan to depart.³⁷ But he had one more move left. On September 18 he wrote an appeal to the Holy Office in which he described the situation in New Mexico and begged that he be summoned to Mexico City on business of the faith. For five years, he said, he had done all in his power to combat error and heresy, the

principal aim of which was the destruction of ecclesiastical authority, but his efforts had been unavailing, as tyranny, rather than justice, ruled. Being a prelate had meant nothing, for whenever he had tried to defend ecclesiastical authority he had always suffered a thousand persecutions. It had been impossible, moreover, to take testimony from laymen concerning this situation, as they all feared that the governor would find them out and maltreat them. Several of them, however, had said, "Let him finish his term of office and then we will tell what we know." Perea stated also that he had written a book describing these errors and heresies, entitled *Defense of His Catholic Majesty Against the Abuses of His Ministers*. This he had hoped to send to the Holy Office, but did not dare to do so. The custodian and governor had conspired to prevent his departure for Mexico, and he begged the Holy Office to issue him a formal summons.³⁸

The bitterness of Perea's denunciation could have been caused only by intense disappointment and by some definite show of hostility on the part of Chavarría. It may be doubted, however, whether Chavarría had so completely abandoned the cause of the Church as was implied by Perea's statements. Before the departure of the caravan three friars wrote a petition to the Holy Office, asking that it appoint an agent or representative with full authority formally and legally to investigate the errors and heresies current in New Mexico, and two of them suggested Chavarría as a suitable person for the post. He was recommended as a prelate who had governed "with much peace as a religious person and as a true zealot in the Christian religion."³⁹ Perhaps Chavarría's aloofness toward Perea may have been caused, in part, by a genuine desire to dissociate himself from the old quarrel. Certainly the severity of the viceroy's reproof could not easily be disregarded, and Chavarría, realizing that Perea had been personally responsible for some of the actions that had inspired it, may have sought deliberately to lessen Perea's influence, so long paramount, by isolating him in his convent at Sandía. But Chavarría's actions were not

wholly without blame. It is clear that Perea did not dare to leave and that he believed it necessary to seek a formal summons from the Inquisition, which no one would defy. Perea must have felt that his denunciations were fully justified when he saw Chavarría depart for Mexico in October, 1622, when the caravan finally set out on its return journey. It was stated by one of his friar associates that Chavarría went on business of the custodia.⁴⁰ But what business? There is no answer to that question.

V

Before Chavarría departed he appointed an old friend and associate, Friar Ascencio de Zárate, to act as vice-custodian, and for more than three years (October, 1622, to December, 1625) Zárate remained in charge. Concerning this period there is not much information. Perea probably remained at Sandía as mission friar. Eulate soon resumed his older policy of hostility to the Church, and Father Zárate, even had he wished to do so, found it impossible to continue Chavarría's policy of conciliation.

Eulate's attitude in Indian affairs was as unsatisfactory as ever. He continued to authorize seizure of Indian orphans as servants.⁴¹ The Indians of Jemez got out of hand and destroyed their church and convent, the result, so it is said, of Eulate's permission to some of the native sorcerors to live in the old way. The governor led a military expedition to Jemez to punish the rebels, but the mission was not re-established until several years later.⁴² The governor continued also to indulge in dangerous speech concerning matters of doctrine and to show a marked lack of regard for the practice and ceremonial of the faith.⁴³ And there was public rumor, finally, concerning the depravity of his private relations. In short, he came to be regarded as thoroughly evil, an enemy of the Church, and suspect in the faith. On one occasion during the period from 1622 to 1625 Father Zárate declared him excommunicate—the cause is unknown

—and the bitterness resulting therefrom was not lessened by the wrangling over terms of absolution.”⁴⁴

On August 14, 1623, Father Perea wrote another letter of appeal to the Holy Office. He repeated the charge that Governor Eulate had asserted supremacy in matters both spiritual and temporal, and had so oppressed the Church that it was impossible to resist him. The governor had kept such close watch over the dispatches sent to New Spain that it was difficult to send reports concerning the situation. “Last year it was necessary to send one *pliego* (of letters) inside a roll of wax, and the other sewed in the wool of a buffalo hide.” One of Eulate’s agents sent to search for dispatches in the effects of the persons who carried them had been upbraided because he had failed to find them; and Capt. Francisco Gómez, who was appointed commander of the 1622 caravan, had been unwilling to take a *pliego* of letters given him by Friar Agustín de Burgos. Thus the clergy were oppressed “like slaves” by the lay authorities. The vice-custodian, Friar Asencio de Zárate, had called a meeting of the clergy to determine what should be done, and it had been decided “to flee from this anti-christ, and abandon this Church.” Perea had offered strenuous opposition to this decision, on the ground that it would mean “the perdition of so many Christian souls and would impede, in future, the conversion of the numberless people who live in the interior of this land.” As a result of his arguments the plan to effect a general abandonment of the missions was given up. But apparently the vice-custodian decided to send “eight or more” friars to New Spain, of whom Perea finally persuaded two to remain. As a result of his opposition to these plans, Perea had earned the ill will of many of the friars. “But I do not care,” he said, “because it is in the service of God.” He appealed once more to be summoned to the Holy Office, “because with license from that Holy Tribunal, they will not put an obstacle (in my way) or touch the papers that I take (with me).”⁴⁵

VI

The letters of Perea and his associates convinced the Holy Office that an agent, or commissary, should be appointed for New Mexico, with full authority to investigate all cases of heresy, error, and other ecclesiastical offenses over which the Inquisition had jurisdiction. For this post was chosen Friar Alonso de Benavides, a Franciscan who had had considerable experience as an official of the Inquisition. This appointment was probably by agreement with the Franciscan Order, for when Father Chavarria's three-year term as custodian expired in 1623, Benavides was elected to succeed him.⁴⁶ Thus the powers of prelate and ecclesiastical judge ordinary were combined with those of commissary of the Holy Office, and no doubt it was expected that this union of authority would enable the Church effectively to combat the numerous errors and heresies said to be current in New Mexico and to defend the missions against the hostility of the civil authorities.

Although elected custodian on October 19, 1623, Benavides did not set out for New Mexico until early in 1625. This delay was probably due to the fact that twelve new friars⁴⁷ were being dispatched to the New Mexican missions and preparations for the long journey northward took much time. Benavides was obliged also to tarry along the way, as he had been authorized to exercise inquisitorial jurisdiction at Cuencamé and Santa Bárbara in Nueva Vizcaya, as well as in New Mexico. It was not until late in December, 1625, that he and his party arrived at their final destination.

In the same party with Benavides came Eulate's successor, Felipe de Sotelo Osorio. After reaching New Mexico the new governor went on ahead of Benavides to Santa Fé where he was duly received and installed in office. His first important duty was to prepare for the reception to be accorded Father Benavides. The reception of a new custodian was always a formal affair, but Benavides' dual position gave his case a special significance. The dates set for the reception were January 24 and 25, 1626. On January 24 Bena-

vides arrived in Santa Fé where the governor and cabildo, in full military regalia, received him with proper courtesy and escorted him to the convent, while the soldiers fired a salute with arquebuses and artillery. On the following day a formal procession of the governor, cabildo, and citizens accompanied Benavides to the church where the edict of the faith was read by Friar Pedro de Ortega, whom Benavides had appointed notary of the Holy Office.⁴⁸

It was fitting that the first person to testify before Father Benavides should be Friar Estéban de Perea. In a long declaration made on January 26, Perea reviewed the entire situation.⁴⁹ At the same time he presented the statement denouncing the errors current in New Mexico which he had published on August 18, 1621, and the testimony received at that time. Between January and September Benavides examined more than thirty persons, most of whom confirmed and re-stated the old charges against the governor.

But Eulate, who must have known that Benavides was preparing a case against him for presentation to the Holy Office, played the game through to the end. On the eve of his departure for New Spain, he reaffirmed his old boast that the king was his leader and chieftain and that he would do whatever the king ordered, even if it meant playing the role of another Duke of Bourbon!⁵⁰

The mission supply caravan returned to New Spain in the autumn of 1626. Eulate and Perea were members of the party. After more than sixteen years of continuous service in the missions, Perea was at liberty, finally, to return to Mexico City and present a full report to the superior prelates of the Franciscan Order and to the Holy Office.

There is no available evidence that Eulate was ever tried by the Holy Office. The reports from New Mexico were received on January 27, 1627,⁵¹ but in so far as known documentary evidence is concerned, the case ends at that point. It is possible that part of the records are lost. But if Eulate was not tried, what was the reason? Did the Holy

Office feel that, in view of the Peralta affair, it would not be politic to submit another representative of civil authority in New Mexico to public disgrace so soon? Did the viceroy interpose his influence? Did the Holy Office feel that the evidence was too circumstantial and patently one-sided? There is no answer to these questions.

But Eulate's arbitrary disregard of colonial law and justice did not wholly escape punishment. In May, 1627, Eulate was arrested by the civil authorities of Mexico for having brought a number of Indians from New Mexico to be sold as slaves in New Spain, and for having used several of the wagons in the supply caravan to bring cargo from New Mexico free of freight. For these offenses he was fined and ordered to pay the cost of sending the Indian slaves back to New Mexico.⁵² There the story of Eulate ends, so far as New Mexico is concerned.

The reports which Father Perea made to the prelates of his Order and to the Holy Office were apparently well received. At the next election of a custodian of the New Mexico missions, he was reelected to take the place of Father Benavides.⁵³ Moreover, the Holy Office took steps to appoint him its agent, or commissary, for New Mexico. But inasmuch as Perea was a native of Spain, it was necessary to ask the Suprema to furnish a report on his genealogy and *limpieza de sangre*. This information was not received promptly, and consequently his appointment under the Holy Office was delayed until 1630.⁵⁴ In September, 1628, Perea returned to New Mexico with thirty new friar-recruits for the missions, and in April, 1629, he once more took over the administration of the ecclesiastical affairs of the province. He would have been less—or more—than human if, on that occasion, he did not feel a certain flush of victory.

VII

The fundamental issues at stake in the conflict of interest between the two jurisdictions were now perfectly clear. The steady success of the missions gave the clergy an in-

creasing influence in provincial affairs, as well as a definite self-assurance because of their belief in the sanctity of their work. It is not surprising, therefore, that they were increasingly critical of the actions and policies of the civil authorities. In their defense of the Indians and the missions, in their denunciation of flagrant errors of doctrine, and in their sturdy justification of ecclesiastical jurisdiction they were acting within their legal and moral rights. But they had become over-sensitive of their privileges and immunities, and their zeal sometimes caused them to exaggerate the importance of things that were really trifling.

The permanence of the missions depended upon the growth of a sizeable non-aboriginal colony, but that colony could not be maintained without contacts with the Indians whose souls were being saved. Land and labor were necessary for the development and permanence of the colony, and it was inevitable that the soldiers and other colonists should yield to the temptation to exploit the natives and to encroach upon the communal farm and grazing lands of the pueblos. The soldiers found it difficult, moreover, to understand the bitter denunciation of their conduct by the clergy. At each mission Indian labor was used for building churches and convents, for the service and maintenance of the same, and for tending large herds of livestock which shared the very ranges from which the cattle and sheep of the soldiers were excluded. It was not enough to argue that such service was necessary for the maintenance of the clergy and the program of evangelization, because the soldiers were convinced, sometimes justly, that the friars employed the Indians in tasks that were but remotely related to the spiritual phases of the missions. It is not surprising, therefore, if resentment sometimes took the form of hasty expressions of opinion concerning the Church and even of opposition to some of the practical aspects of mission administration.

The application of the principles of harmony and compromise expressed in the instructions to Eulate and Perea—they were typical of hundreds of others drawn up in all

parts of the Indies—depended in no small measure on the character and aims of the governor and prelate. A governor of the Eulate type was certain to arouse bitterness and opposition, and the eager desire of Eulate to use his office for personal profit and his boastful disregard of the ordinary proprieties cannot be condoned. Yet in fairness to Eulate and his ilk it should be observed that the governors occupied a difficult position as arbiter between vested interests that were fundamentally irreconcilable. If the governors usually took the side of secular interests, it was not only because their own selfish aims were best promoted in that way. Wholehearted acceptance of the ecclesiastical point of view would not only have meant a definite subordination of civil authority—and even the most enlightened governor would not tolerate that—but it would also have aroused the opposition of a powerful faction within the Hispanic colony, the government of which was the special function of the provincial executive. On the other hand, the prelates, because of their genuine devotion to the missions and their belief in the supreme importance of the salvation of souls, found it difficult to understand either the point of view of the soldier-encomendero class or the practical expediency of adapting provincial policy to the needs and aspirations of that class. And when men like Eulate flagrantly challenged ecclesiastical privilege and openly opposed fundamental principles of mission policy, the reaction of the clergy was bound to be immediate and even violent.

(To be continued)

NOTES

1. Supply caravans were sent out in 1616-1617, 1621, and 1625. Seven new friars were provided in 1616-1617, six in 1621, and twelve more in 1625. For lists of supplies purchased, prices, etc., see A. G. I., Contaduría 723, 726, and 845 B.

2. Libranza, Feb. 6, 1618. A. G. I., Contaduría 720.

3. Eulate's remarks concerning ecclesiastical celibacy illustrate his unfortunate habit of making stinging remarks that unnecessarily offended the clergy and persons devoted to the Church, for when reproved by one of the friars for his statement that the married state was better than the celibate, he flippantly remarked that all that the clergy did was to eat and sleep, whereas married men worked for their living. Declara-

tion of Friar Pedro de Ortega, Jan. 27, 1626. A. G. P. M., Inquisición 356, f. 265v. There was also considerable discussion concerning two stories which Eulate frequently related. The first had to do with an incident which he had heard about in Spain, in which a nuncio was supposed to have empowered a cathedral chapter to confer major orders when the bishop of the diocese had refused to do so. The second case concerned a theological student who had defended the proposition that the Trinity was not three persons but four. How serious Eulate may have been in relating these incidents no one can tell, but in numerous declarations, friar and lay, they were told and retold as proof of his unorthodoxy. *Ibid.*, ff. 257-317, *passim*.

4. It was reported that nothing irked Eulate more than masses and sermons. Instead of remaining in Santa Fé to celebrate the feast of Corpus Christi, or to participate in the services of Holy Week, he usually went hunting, or spent the time with friends at his estancia. He took special pains also to single out for ridicule men who sang in the choir, calling them "vile" and "base." *Ibid.*

5. "El Rey es mi gallo." This seems to have been a favorite expression not only of the governor but also of some of the soldiers. "Dice mas este declarante q. es Verdad q. a oydo decir a algunas Personas, y aun le parece a este declarante al mismo g^{or} q. El Rey ^a su gallo Y esto contra la autoridad del papa y de la Yglesia, quando se trata de la auctoridad Ecclesiastica." Declaration of Friar Pedro de Haro de la Cueva, Aug. 22, 1621. *Ibid.*, f. 286v. "Dice mas este declarante q. algunas veces a oydo decir q. algunas soldados en la Villa de s^a fe quando se trata de la yglesia y su autoridad dicen que el Rey es mi gallo, como q. la iglesia no les puede mandar cosa alguna." Declaration of Friar Pedro de Ortega, Sept. 2, 1621. *Ibid.*, f. 288v.

6. "... ser publica bos y fama que el dicho D. Ju^o de Eulate es enemigo de las cosas de la yglesia y siempre a perseguido los debotos de ella . . . y dijo que si el Rei lo mandara prender al arcobispo de toledo, con un boto a dios y alsaído el baston, que le prendiera porque en todas ocaciones se a de haser lo que el Rei Manda." Declaration of Friar Estéban de Perea, Jan. 26, 1626. *Ibid.*, f. 264. "Dice mas este declarante, que a visto el dho g^{or} don Ju^o de Eulate auer hablado con los Religiosos altiuamente con menosprecio y diciendo que si el Rey le mandase justiciar Religiosos que lo haria. Y esto fue preguntandole est declarante de manera q. si el Rey le mandase ahorcar Religiosos lo haria dijo si." Declaration of Friar Cristóbal de Quiros. Sept. 3, 1621. *Ibid.*, f. 20v.

7. "... y que en cierta conuersacion en q. estaua el dho G^{or} don ju^o de Eulate con este declarante se mouio platica Acerca de la auctoridad de Su sanctidad. Dijo el dho g^{or} q. si el papa le mandaua Vna cosa y el Rey le mandaua otra q. a solo El Rey obedeceria y no el papa, y q. replicandole este declarante q. mirase q. si lo q. mandase su santidad era justo y catholica auia de ser obedecido; con todo eso replico El dho g^{or} con mucho enojo y poniendose como vn demonio de Colera q. no avia de obedecer sino al Rey." Declaration of Friar Pedro de Haro de la Cueva, Aug. 22, 1621. *Ibid.*, f. 286v.

8. "Dice mas este declarante q. a oydo decir a algunas Personas q. el g^{or} don Ju^o de Eulate a dho que en esta tierra nadie tiene Juridición sobre los meramente Seglares, sino solo el dando a entender q. no tiene el prelado Juridicion alguna sobre los Seglares." Declaration of Friar Pedro de Ortega, Sept. 22, 1621, *Ibid.*, f. 288 v. "Dice mas este declarante q. a dias como cosa de Vn año que oyo decir al g^{or} don Ju^o de Eulate q. el prelado de esta tierra Y yglesia no tenia Jur^{on} alguna sobre ningun Seglar sino solo el que era g^{or} y q. en Mex^{co}. El s^r arcobispo no tenia Juridicion sobre ningun seglar y q. si queria Castigar o prender a alguno Se lo quitaua Luego la audiencia Real." Declaration of Friar Pedro de Haro, de la Cueva, Aug. 22, 1621. *Ibid.*, f. 286. If Eulate was merely denying the right of an ecclesiastical judge ordinary to arrest a layman without the aid of the secular arm, his view was entirely correct. But the general trend of the evidence rather substantiates the view that he questioned the prelate's jurisdictional authority over laymen.

9. Several incidents were related to illustrate Eulate's lack of respect for ecclesiastical censures, but the most important was the result of an investigation involving one of his female servants. This servant asserted that Eulate had forced her to marry against her will, and she appealed to Perea, the custodian, for an annulment of the marriage. While investigating the case, Perea had her placed in an "honorable home" and ordered that no one, under pain of excommunication, should molest her. But Eulate, with contempt for the threatened censure, forcibly removed her from the house where Perea had sent her, beat her, and said that marriage or no marriage she had to serve him. The friars offered this incident to show Eulate's contempt for ecclesiastical censures. One friar, in commenting on this affair, remarked, "... y el propio la agoto con sus manos en su propia casa porq. no se supiesen sus vellaquerias y la tenia publicamente por manceba y hasta oy la tiene por lo que el dho g^{or} sauiedo q. auia yncurrido en la dha descomunion dijo que si el prelado le declarase por descomulgado se haria llevar a mex^{co} preso en una enxalma con muy grande menosprecio de la yglesia." Declaration of Friar Pedro Zambrano, Aug. 18, 1621. *Ibid.*, f. 293. In 1626 Perea deposed, on the basis of third-hand evidence, that Eulate had stated that the prelate could not excommunicate anyone without his permission. *Ibid.*, f. 264.

10. "Dice mas este declarante q. el dicho g^{or} se a mostrado enemigo de los Religiosos, en todas ocasiones afrentandolos delante de los españoles y de indios con palabras mal sonantes hasta quererles dar de palos." Declaration of Friar Andrés Juárez, Sept. 2, 1621. *Ibid.*, f. 288. "Dice mas este declarante q. es verdad q. el g^{or} don Ju^o de Eulate se a mostrado mortal enemigo de los Religiosos en todos Ocasiones procurando menos preciallos, abatillos y Vitrajillos diciendoles palabras afrentosas y muy mal sonantes y quando saue que algunos soldados dicen algunas palabras contra los Religios no solamente no los Castiga enpero se huelga dello y da a entender q. se huelga de semejantes libertades y desberguenças, y a llegado a tanto extremo q. a querido dar de palos a los Religiosos Publicamente delante de muchos Soldados y yndios Por lo que a perdido su credito la Doctrina y conuersion destos ynfeles por la afrenta que se les hace a sus ministros." Declaration of Friar Pedro de Haro de la Cueba, Aug. 22, 1621. *Ibid.*, f. 287.

11. "Dice mas este declarante q. es Verdad q. se a mostrado el g^{or} D. Ju^o de eulate enemigo de la Conuerçon de las almas con sus obras negando de todo la escolta q. su mag.^t tiene aqui para ese efeto no queriendo darla a los ministros que iban a predicar el S^{to} ebangelio a todas estas naciones besinas q. a muchos A^s q. son basallos de su Mag.^d y le pagan tributo y sirben personalm^{te} y q. no solam^{te} no a querido inbiar a encomenderos de los dichos pueblos ni a otros soldados para defensa y seguridad de los ministros apostolicos pero que aun a este declarante oydo decir q. a los capitanes Tomas de albisu y fran^{co} gomez que iban de su boluntad aconpañar al ministro los mando que se bolbiesen del camino." Declaration of Friar Andrés Juárez, Sept. 2, 1621. *Ibid.*, f. 287v.

12. Several friars complained about Eulate's lack of co-operation in this respect. Friar Pedro de Vergara testified that Eulate asked the Custodian Perea to have the building of churches stopped. Friar Zambrano stated that the governor ordered both Spaniards and Indians not to aid in this work and that he even threatened to have the Indians hanged if they did not obey. Consequently the custodian ordered the friars to discontinue building operations in order to avoid disturbances and controversy. *Ibid.*, *passim*.

13. "Dice mas este declarante q. es verdad q. mandandole al cap^{an} P^o duran de chaues que fuese a uisitar los pueblos de la nacion tehuas le mando que dijere a los yndios naturales que no hiciesen cosa ninguna q. les mandasen los ministros ni les guardasen sus cavallos ni ganado y que solo aculiesen a la doctrina quando tocan la canpana." Declaration of Friar Pedro de Haro, de la Cueba, Aug. 22, 1621. *Ibid.*, f. 287.

CHURCH AND STATE IN NEW MEXICO 169

14. "... q. en lo que se dice el ser lícito a los yndios Recien convertidos tener ydolos q. es verdad q. a mas de vn año q. el g^{or} don Ju^o de Eulate dijo a este declarante Y al p.^o fr xpobal de quiros q. su mag^d Mandaua en sus Reales hordenanças, q. no se les quitase los ydolos a estos Recien conuertidos hasta tanto tiempo, esto haçiendo mofa y escarnio de lo que los ministros Apostolicos haçen y predicán a los yndios que dejen la Vida vieja y sus ydolatrias y el quitarles como les quitamos los ydolos a los ya Xpianos." Declaration of Friar Pedro de Haro de la Cueba, Aug. 22, 1621. *Ibid.*, f. 286. "Dice mas este declarante q. saue de cierto q. todo esto salio del g^{or} don Ju^o de Eulate el qual decia a los Soldados q. El Rey mandaua sus Reales ordenanças q. a los nuevos Chrisianos yndios no se les quitase sus ydoles y mançebas con las quales proposiciones dice este declarante q. se inquietaron tanto los yndios de la nacion tanos i particularmente los de el pueblo de s.^t laçaro q. publicamente estauan ydolatrando quando este declarante fue a administrarles doctrina y saue muy bien q. el ministro q. auia estado alli antes q. es El p.^o fr. P.^o de Ortega se bio muy afligido por esto y q. esto a sido en tanto grado q. asta oy no lo a podido Remediar aquella doctrina por el graue daño q. hicieron aquellas Palabras de los ydolos que dize El g^{or} don ju^o de eulate y el dho Ynterprete Ju^o gomez en los nuevos conuertidos, y dice mas el declarante q. reprehendiendo a un fiscal del pueblo de s.^t laçaro q. se llama Xpobal que en sus amancebamientos Respondio q. Ju^o gomez bendria de Mex^{co} y les trayria horden que vibiesen como quando no eran Xpianos, y esto lo dijeron los ynterpretes de la lengua tanos a Miguel estanjaq." Declaration of Friar Pedro Zambrano, Aug. 18, 1621. *Ibid.*, f. 282v.

15. The most celebrated case occurred in the pueblo of Pecos where Friar Pedro de Ortega was guardian. "Dice mas este declarante q. es verdad que el g^{or} Don Ju^o de Eulate anpara y faborece a los ydolatras, y hechiçeros q^{do} sus ministros los quieren corregir y castigar las tales ydolatrias y hechiçerías, como se bereficio en Fr^{co} Moçoyo y su her^{no} yndios de los pecos y queriendo corregir y castigar este declarante como cura y ministro suyo no dandoles mas Penitencia que depositarlo en casa de españoles xpianos y honrrados. El dho g^{or} don Ju^o de Eulate no consintio sino que lo ynuio otra uez al pueblo con una carta en que decia que no le tocasse sino que le fauoreciese al dho ydolatra." Declaration of Friar Pedro de Ortega, Sept. 2, 1621. *Ibid.*, f. 289. In 1626 Captain Francisco Pérez Granillo, alcalde ordinario of Santa Fé, confirmed Ortega's testimony and added a few details. He stated that in 1621 he had gone to Pecos to collect certain tributes and that he had found Friar Ortega greatly disturbed because Moçoyo was trying to persuade the Indians not to go to church and was telling them that Eulate had ordered "that they should not go to mass nor to instruction (*doctrina*), or assist at prayers, or obey the minister, and that the governor was their friend." Pérez said that he called the Indians together and in the presence of the friar upbraided Moçoyo and told all the Indians that the governor could not order such things and that they should all obey the minister. Later when he told Eulate what he had done, the latter was angry and demanded by what order or right he had done this. Friar Zambrano, after declaring that Eulate was suspect because of his attitude toward the native priests, added: "tanbien le oydo decir al mesmo don Juan de eulate que no ay bruxos ni hechiceros en el mundo ni los puede auer y los q. tales cossas dicen los tiene por gente facil y nouelera y Para esto no ay rrespuesta mas de lo ordenado por el Santo Officio y lo que cada día Vemos q. hace en aquel Santiss^o tribunal con esta gente mala y que hacen tanto mal a los cristianos." Declaration of Friar Pedro Zambrano, April 20, 1626. *Ibid.*, f. 280. An interesting commentary indeed!

16. Friar Zambrano hinted this in his remarks concerning the Moçoyo case. He said that Eulate had always favored the idolators and sorcerers "porque le rrescaten gamuças." *Ibid.*, f. 283v.

17. "Dice mas este declarante q. es verdad q. el g^{or} don Ju^o de Eulate tiene por vso tiranico haçer y forçar a los yndios q. trauajen sin paga y actualmente los tiene en

las casas Reales trabajando sin pagarles cosa q. lo tiene por vso el y otros muchos de trabajarlos sin paga y lo tienen por obra lícita." *Ibid.*, f. 283. "Dice mas este declarante q. es verdad q. oyo decir a los alcaldes P^o varela y alvaro garcía. q. el Rey puede mandar a los yndios trauajen sin paga par sus obras y asi be y saúe este declarante q. los hacen trabajar en la v^a sin paga como cosa lícita." Declaration of Friar Pedro de Ortega, Sept. 2, 1621. *Ibid.*, f. 288v.

18. "Tambien me a hecho Relacion que los Dichos indios padecen notables incomodidades y trauajos en los Repartimientos a que los embais de ciento en ciento y de quarenta en quarenta en las ocasiones que estan haciendo sus sementeras, y en otras que estan ocupados en sus haziendas y que no se les paga cossa alguna por su trauajo," etc. Excerpt from *Copia de lo prouenido en orden al gouierno del nuevo Mexico* . . . Mexico, 5 de febrero de 1621. A. G. I. Mexico 29. This is a viceregal decree, or instruction, directed to Gov. Juan de Eulate. It has been published, Spanish text and English translation, by L. B. Bloom in *New Mex. Hist. Rev.*, III (1923), 357-380. To be cited hereafter as *Instructions to Eulate*, Feb. 5, 1621.

19. *Ibid.* The legislation on burden-bearing illustrates the conflict between the general humanitarian principles of the Crown and the hard facts of Colonial life and administration that is characteristic of so many phases of Spanish colonial policy and government. It was the general policy of the Crown to limit, or prohibit entirely, the use of Indians as bearers of cargo, even when the Indians were willing to serve for pay, but for a long time exceptions had to be made in many parts of the Indies because of lack of pack animals and suitable pack trails and roads. Cf. *Colécción de Documentos Inéditos* . . . de las Antiguas Posesiones Españolas de Ultramar. Segunda serie. XXI, 245-258, for references to cédulas for the sixteenth century. The laws of 1601 and 1609 on personal service definitely prohibited burden-bearing. Cf. excerpt in *Recopilación*, lib. vi, tit. xii, leg. iii.

20. "Dice mas este declarante q. en los q. se dice q. se puede hacer guerra y cautibar a los ynfeles q. conocidamente no son enemigos de la Yglesia ni contradicen la predicacion del s^{to} Euang.^o q. ve cada día hacen guerra a los ynfeles por sólo hacer presas y q. lo tiene por lícito y los hacen esclauos y q. aunq. los Religiosos sean de Contrario parecer no hacen caso dellos sino lo que les manda su g.^{dor} q. le tienen por su oraculo pero por tratar poco este declarante con españoles. no les a Oydo particularmente decir que es lícito." Declaration of Friar Pedro Zambrano, Aug. 18, 1621. A. G. P. M., Inquisición 356, f. 283. This is one of the earliest references to what later became a common custom. There will be references to other instances during the course of this essay. The Spaniards did not regard the captives as outright slaves in many cases, but rather as servants whose labor they could use in return for teaching them Christian doctrine. But this did not prevent the captives from having a definite market value. The slave raids were responsible for a sharpening of the old feuds between the Pueblos and the Apaches.

21. For example: "bale para que diego martin naranjo pueda de las salinas traer dos guerfanos con comunacasion de nro p^e peynado. en 15 de nobiembre de 1620. (signed) Eulate." *Ibid.*, f. 276. The italics are mine. Does this mean that Father Peinado sanctioned the policy of seizing orphans as servants? Whether the orphans were seized to be enslaved outright, or to serve as free house servants, their masters protecting and indoctrinating them, probably matters little, as the results were not much different. The friars definitely stated that they were enslaved. "Dice mas este declarante q. es verdad q. a oydo decir a algunos Soldados q. no se acuerdo quienes q. El g.^o de estas Prouy^{as}. Puede mandar sacar los guerfanos de los pueblos de los indios y darselos a los españoles en eterna seruidumbre de la qual xamas se libran y q. este declarante a uisto lleuar los guerfanos de su doctrina y darselos a los españoles para perpetuo seruy", y q. el clamor de los ministros sobre esto en fauor de los dhos guerfanos no sirue de mas q. de hacerlo mucho peor." Declaration of Friar Pedro de Haro de la Cueba, Aug. 18, 1621. *Ibid.*, f. 268v. "Dice mas este declarante q. no

se acuerda aber oydo decir q. es lícito El quitar a los guerfanos su libertad y darlos por sieruos de los españoles mas de que se vee que lo vsa asi el g^{or} don Ju^o de Eulate como cose lícita dando vales a los soldados para q. vayan a los pueblos y saquen los huerfanos y se los lleuen a sus casas como negros esclauos porq. si acaso alguna Vez se huyen los dhos guerfanos por la opresion en q. los tienes los ban a buscar Porque los dio el g^{or} y como si fuesen esclauos herados los traen a su casa para perpetua serbidumbre los quales vales avisto este declarante por sus ojos." Declaration of Friar Pedro de Vergara, Aug. 18, 1621. *Ibid.*, f. 285.

22. *Instructions to Eulate*, Feb. 5, 1621.

23. In 1624 Eulate sent several *carretas* with goods to New Spain. Declaration of Capt. Antonio Baca, May 29, 1626, A. G. P. M. Inquisición 356, f. 302. Again in 1626 he used sixteen of the wagons from the mission supply caravan to ship out freight. At the same time he took several Indians to be sold as slaves. *F^{ia} q. otorgo Ju^o Franco de Vertis en favor de Don Ju^o de Eulate q. fue del Nuevo Mex^{co} preso por m^{do} de su Ex.^a* . . . 5 de Mayo de 1627. A. G. P. M., Reales Cédulas y Ordenes, Duplicados, Tomo 8, ff. 33-34.

24. *Instructions to Eulate*, Feb. 5, 1621.

25. The men singled out for personal criticism were Juan Gómez, alcalde ordinario of Santa Fé and encomendero of the pueblo of San Lázaro; Álbaro García, one of the loyal associates of Oñate in 1601 and about 1621 alcalde ordinario of Santa Fé; Pedro Durán y Chaues, sargento mayor and later maese de campo of the local militia; and Alonso Barela, former ally of Father Ordóñez. The fact that Gómez was encomendero of San Lázaro gives especial importance to the charge (see note 14, *supra*) that he told the Tanos, including the Indians of San Lázaro, that they should continue to practice the old pagan ritual. A. G. P. M., Inquisición 356, *passim*.

26. *2^a Petición* . . . , 26 de agosto de 1622, in A. G. P. M., Inquisición 486, ff. 61-61v.

27. See Appendix III for a transcript of the document.

28. Declaration of Friar Andrés Juárez, Sept. 2, 1621. A. G. P. M., Inquisición 356, f. 238.

29. These are the declarations which have been cited and from which quotations have been used in the notes above.

30. The decree addressed to Governor Eulate is the document referred to above as *Instructions to Eulate*, Feb. 5, 1621. See note 18, *supra*. A copy of the *real provisión* addressed to Custodian Perea is preserved in the Spanish Archives of New Mexico, State Museum, Santa Fé, New Mexico, No. 1. L. B. Bloom has published an English translation in *New Mex. Hist. Rev.*, V (1930), 288-298.

31. The Spanish text uses the word "omnimoda" which refers to the bull *Exponi nobis*, May 10, 1522, in which the pope granted his authority—"omnimodam auctoritatem nostram in utroque foro"—to prelates of Mendicant Orders laboring in frontier areas two days journey from the jurisdiction of a bishop. For the complete text of this bull, see Hernández, *Colección de bulas*, I, 382-389.

32. Cf. *Recopilación*, lib. i, tit. x, ley x.

32^a. Quoted from translation by Bloom in *NEW MEX. HIST. REV.*, V, 291-294.

33. Declarations of Frars Ortega, Bautista, and Juárez, May 22, and June 12, 13, 1626. A. G. P. M., Inquisición 356. On the other hand, Eulate had told the Indians of Taos that they should suit themselves about being baptized and that they should pay no attention to what their friar told them. Perea's informant was Juan de Escarra-mad! Declaration of Friar Estéban de Perea, Jan. 26, 1626. *Ibid.*, ff. 260, 264.

34. *Prim^a Petición* . . . 23 de Agosto de 1627. A. G. P. M., Inquisición 486, f. 61.

35. *2^a Petición* . . . 26 de Agosto de 1622. *Ibid.*, ff. 61-61v.

36. The convent at Sandía.

37. Perea stated that he had been informed that if he tried to leave, Chavarría would order the governor to arrest him before he left the jurisdiction of the province. *2^a Petición* . . . 26 de Agosto de 1622. A. G. P. M. Inquisición 486, ff. 61-61v.

38. Perea to the Holy Office, Sept. 18, 1622. *Ibid.*, f. 62.
39. "... y para el efecto es persona idonea y apta nuestro padre custodio fr. miguel de chauarria que al presente sale desta tierra la qual ha gouernado con mucha pas como persona religioso y berdadero zelador de la religion christiana." Friar Bernardo de Aguirre to the Holy Office, Oct. 20, 1622. *Ibid.*, f. 65. Chavarria was not a man without experience, and his Order then and later had much respect for him. Friar Asencio de Zárate, whom he appointed vice-custodian when he left for New Spain, wrote of him: "doy aviso a V^a S^a que el dicho P^o Custodio que ba desta tierra es gran sieruo de dios muy onrrado y principal Prelado que a Regido y gouernado esta nueue yglesia con gran exemplo y edificacion de todos, y merece que se la haga toda mrd. Por ser hombre muy llano y muy amigo y celoso de la carra de dios, y soy testigo desto, Por auer viuido con el dicho P^o Custodio muchos años e ser muy estimado en la Religion, y a tenido officios muy graues y onrrados, como Maestro de Nouicios del conuento Principal de San Fran^{co} nro P^o de Mexico y Vicario de S^{ta} Clara y Prelado de todas estas Prouincias, y en todo con mucha aceptacion y fama." Zárate to the Holy Office, Sept. 8, 1622. *Ibid.*, f. 66. Similar praise of Chavarria is found in Friar Antonio de la Rosa Figueroa's *Bezzero General Menológico y Chronológico*, 249: "Fue varon de Heroycas Virtudes mui abstinente penitente y extatico. lo adorno Dios con gracia de milagros, ya dando lluvias al fervor de su oracion ya sanando un leproso el contacto de sus paños menores. Fue varon App^{co} en el Nueva Mexico," etc. These testimonials to Chavarria's character prove that we must regard Perea's denunciations with some caution.
40. "Nuestro P^o fray Miguel de Echauarria . . . sale en este despacho a essa ciudad y corte a negociar lo tocante a esta tierra." Zárate to the Holy Office, Sept. 8, 1622. A. G. P. M., Inquisición 486, f. 66.
41. A *vale* dated Nov. 8, 1624, is in A. G. P. M., Inquisición 356, f. 275.
42. "... tambien es pu^o aber dado licencia don Ju^o de ulate a los indios idolatros de emex Para que biuiesen como ellos biuián antes en su gentilidad y con este fabor quemaron la iglesia y conuento del pu^o de la Congregacion que auia hecho el p^o fray Ger^{mo} de çarate y esto hico Por odio que a la Sancta madre yglesia a tenido el dho don Ju^o de ulate." Declaration of Friar Pedro Zambrano, April 20, 1626. A. G. P. M., Inquisición 356, f. 280v.
43. All sorts of charges were made to illustrate Eulate's lack of orthodoxy. In 1626 several persons testified that he said the crucifix need not be adored, but merely revered. On the other hand, two persons denied that Eulate ever made such statements and testified that he had insisted that the Cross should be adored even more than the Virgin! One of the witnesses who defended Eulate was Alonso Barela! Father Benavides, who took this testimony, declared in notes added thereto that Barela was a partisan and accomplice of Eulate and that he was always advising the governor to oppose ecclesiastical authority. (Was Benavides mininformed as to the events of 1613-1614?) Still another witness testified that Barela had stated that it was not a sin to swear falsely! Other remarks ascribed to Eulate were: (1) that a person sinned mortally if he heard mass by a priest who was known to be in sin; (2) that he did not need to fast or pray, for the Church fasted and prayed for him; (3) that friends of the Franciscans were his mortal enemies. Whenever he attended mass, and it was not often, he was inattentive, even during the elevation of the Host. During the Jemez campaign he ate meat on Fridays and during Holy Week, and even urged his soldiers to do the same, promising that he would absolve them! A. G. P. M., Inquisición 356, *passim*.
44. *Ibid.*
45. Friar Estéban de Perea to the Holy Office, Sandía, August 14, 1623. A. G. P. M., Inquisición 345, f. 470.
46. As a layman Benavides had served as an Alguacil Mayor of the Inquisition in Española. In 1603 he took the vows of a Franciscan in Mexico City, and the Order

honored him with offices of responsibility, such as Master of Novices in the convent of Puebla and guardian of the convent of San Juan Temematlac. In 1609 he had served as notary of the Inquisition in Vera Cruz. He was elected custodian on Oct. 19, 1623. F. Scholes, "Problems in the Early Ecclesiastical History of New Mexico," *NEW MEX. HIST. REV.*, VII (1932), 69-70. The date of his appointment as commissary of the Holy Office is not known. The letters of Perea and his associates written in 1622 were received by the Holy Office on April 24, 1623 (A. G. P. M., Inquisición 486, f. 59), and Perea's letter of August 14, 1623, was received on November 6 of the same year (A. G. P. M., Inquisición, f. 40). Benavides' appointment as commissary was probably made in the autumn of 1623, just before or after his election as custodian.

47. It is usually stated that twenty-six friars were sent at this time. See Benavides, *Memorial* (Ayer edit., Chicago, 1916), 6. But the treasury accounts indicate expenditures for *twelve new friars and fourteen already in the province*. A. G. I., Contaduría 726.

48. Transcripts of the documents describing these formalities are in Appendix IV.

49. A. G. P. M., Inquisición 356, ff. 260, 264.

50. *Ibid.*, ff. 258-259.

51. *Ibid.*, f. 257.

52. *Fiª q. otorgo Juº Franco de Vertis en fauor de don Juº de Eulate q. fue del Nuevo Mexº preso por m.º de su Ez.ª . . .*, 5 de Mayo de 1627. A. G. P. M., Reales Cédulas y Ordenes, Duplicados, Tomo 8, ff. 33-34.

53. *Custodios de Nuevo Mexico*. Biblioteca Nacional de Mexico, Legajo Series, leg. 9, doc. 8.

54. The reports concerning Perea's genealogy are in A. G. P. M., Inquisición 268, Exp. 5, ff. 1, 2; A. G. P. M., Inquisición 365, Exp. 11/12; Archivo Histórico Nacional, Madrid, Inquisición, leg. 1228, núm. 3.

APPENDIX III

Fr. Esteuan de perea De la horden de los frayles menores De nro Pe st fran^{co} Cust^o desta custodia De la nu^a Mex^{co} Legado app^{co} y juez ordinario della etts^a Porquanto a mi notiçia a benido q. en la v^a de s^{ta} fe y fuera della en su distrito se an dho muchas palabras malosnantes eroneas, sospechosas escandalosas, y hereticas en grande ofensa de Dios nro s.^r y desprecio de su yglessia, y sus ministros, y contra la humilde y filial obediencia q. deuen a la s^{ta} yglesia Romana. el qual mal va creçiendo de Dia en Dia, teniendo las dhas cosas y proposiciones por liçitas y justas ynprimiendolas en los pechos de los simples y sencillos con notable daño de las almas asi de los españoles xpianos viejos como de estos naturales reçien convertidos. como es decir q. a estos Reçien conuertidos es liçito despues De xpanos tener y adorar los ydolos y tener sus mançebos y q. su mag^d lo manda asi en sus Reales hordenanças, y q. en la tierra no ay santos. porque no los veen, q. no es necessario haçer satisfacion alguna por los peccados q. vasta vn peque y confesarlos dicen q. si el g^{or} leuantare alguna seta no diran nada; q. aunq. le echen mill descomuniones no diran nada De lo que le preguntare el prelado. que con vn Puntapie se haran absolver de mill descomuniones: que algunos an aconsejados a otros q. no hagan caso ni teman las censuras Ecclesiasticas y descomuniones: q. Dicen que el prelado no tiene juridiccion alguna sobre los meramente seglares: q. diçen q. el estado seglar y magsime el de la guerra en q. aqui se viue es mas perfecto que el estado ecclesiastico i maxime el de Religiosos que es el que aqui ay: que otros Dicen en desprecio de la auctoridad q. la yglesia tiene sobre todos los fieles El Rey es mi gallo como que a solo El Rey an de obedecer y no a la yglesia: otros Diçen con este mismo desprecio q. el g^{or} es su gallo: otros diçen q. el g^{or} puede forçar a los yndios a que trabajen sin paga ninguna que diçen q. el g^{or} puede haçer guerra y haçer esclauos o depositos a los ynfieles que conocidamente no son enemigos de la yglesia ni contradixen con guerra la predicacion del Euang.^o y que solo por ser ynfieles es liçito hacelles guerra. o priuallos de su libertad y sujetallos: que dicen q. es liçito a los gobernadores dar vales para poner en esclauitud o eterna seruidumbre a los juerfanos o otro qualquier libre sin auer cometido delicto, que otros se entremeten en tratar cosas de fe siendo seglares y sin letras estando vedado por los sagrados canones q. quantan a gente simple q. vn hombre Doctissimo provo y defendio en publicas conclusiones ante hombres muy doctos q. las personas de la sanctissima trinidad eran quatro o çinco, de q. se escandalizan los simples; que afirman q. el nuncio mando y puede mandar al cauildo de vna yglesia q. son muchas personas juntas y ninguna consagrada y aun algunos sin orden sacra q. hiciese ordenes mayores: q. ay persona q. diçe q. no ay cosa q. mas sienta q. es oyr

vna misa cantada o vn sermon y q. este mismo se a salido del pueblo donde viue al campo a Caça lleuando consigo otros muchos los dia de la semana s.^{ta} y Pasqua de ResuRection y corpus // xpi. con otros muchos Dias q. se le siguieron: que ay Persona q. afirma q. el cantar en el coro en la celebración de los off.^{os} diuinos para mayor honrra y gloria de Dios, es de jente Ruin Vil, o Vaja por lo que an huido algunos hombres honrrados del Coro y no quieren cantar las misas ni los demas off.^{os} diuinos que ay quien diga y afirme q. no puede auer aqui dos cabezas ecclesiastica y secular q. seria monstruosidad sino una sola q. es el g.^{or} q. esta en lugar del rey, q. aqui no ay yglesia ni perlado o cabeça della con otras proposiciones malsonantes y cosas, sospechosas y escandalosas; que an dho Personas de estragadas cociencia con poco temor de Dios y escandalo de los cencillos de buena y sincera fe. y gran daño de las almas El castigo y correction de las quales cosas a mi de derecho yncunbe por tanto Para sacar de la Verdad y administrar justicia corrigiendo los q. en ello vuieren delinquido pretende ynquirir y hacer ynformacion juridica sobre ello q. es ffa. en este Conuento de nro S^r s^t fr^{co} de s^{ndia} en diez y ocho dias del mes de agosto de mill y seisçientos y veynte y vn años.

fr esteuan

de perea cust^o (rúbrica)

Por mandado de nro P^e Custodio

Fr. Augustin de Burgos (rúbrica)

Secret^o

A. G. P. M., Inquisición 356, ff. 282-282 v.

APPENDIX IV

ENTRADA DEL COMISS.^o EN EL NUEBO MEX^{co}

En el pueblo y ConV.^{to} de santo domingo desta Cust.^a conVerçion d s. Pablo en estas prouy.^{as} del nuevo mex^{co} a seis diàs del mes de enero del año mil y seis sientos y beinte y seis el P.^e Fr. Alonso de benauides de la horden de nro P.^e s. Fran^{co} cust.^o desta Cust.^a Jues ecclesiastico por autoridad app.^{ca} en ellas dijo que porq. los señores inquisidores desta nueva españa le an honrrado con el titulo de primer comiss.^o del s.^{ot} off.^o en estas prouy.^{as} para que en ellas leyese y publicase los editos generales de nr.a s^{ta} fe catolica y conosiese de todas las causas tocantes al ss.^{to} triuunal en la misma forma que los demas comisarios del santo off.^o lo suelen haser y para ello pudiese nonbrar ministros que Con satisfacion acudiesen a lo que se ofresiese en Virtud de lo qual, el dicho P.^e commiss.^o dijo que nonbraba y nonbro por not.^o destas causas y para leer los santos editos de nr.a s^{ta} fe catolica a mi el P.^e Fr P.^o de hortega de la horden de nro P.^e s. Fran^{co} saserdoté predicador y g.^{an} del conuento de la asuncion de nra s.^{ra} parroquial unica de la V.^a de santa Fe el qual off.^o de not.^o yo el dichò P.^e Fr. P.^o de hortega Reçui con juram.^{to} en forma, in berbo saserdotis, que hise ante el dicho P. comiss.^o y de nuevo le hago de seruir y exerser el dicho off.^o en

el s.^{to} triuunal con toda fidelidad legalidad y secreto, y en fe dello lo firme con el dicho P.^e comiss^o

Fr Alonso de Benauides
comiss.^o (rúbrica)

Fr. P.^o hortega
not^o (rúbrica)

En el sobredicho pueblo ConV.^{to} dia mes y año Respecto de no auer auido nunca en estas prouis^a comiss.^o del santo off.^o y ser esta la primera uez q. el santo triuunal le ponía el dicho padre comiss^o Fr Al^o de benauides para auer de tratarlo conforme en su titulo se le mandaua y se asentasen las cosas del santo off.^o con la estimación que se deue y mas en tierra nueva como esta. adonde no se tiene noticia dellas escriuió de su letra y firma una Carta al almirante d. Felipe sotelo oss.^o que acababa de benir en el mismo despacho por g.^{or} y capitan gl. destas prouyas y otra asimismo de su letra y firma al cabildo de la V.^a de santa fe y Rl. de los españoles que asisten en estas fronteras en que les hasia sauer y manifestaua como los señores inquisidores doctor Ju.^o gutieres flores lisençiado gonsalo mecia lobo doctor d. Fran.^{co} basan y albornos inquisidores apostolicos desta nueva españa le auian honrrado con titulo de // Primer comiss^o del santo off.^o en estas prouyas para que en ellas leyese y publicase los editors de nra santa fe catolica y prosediese en todas las demas causas tocantes al santo triuunal en la misma forma y modo que suelen los demas comisarios del santo off.^o en los puestos que le son señalados cosa de que sentia el dicho padre comiss^o Resultaua muy grande honrra asi al dicho s.^r como al cabildo y demas españoles pues siendo ellos los que plantaron la fe en esta tierra ayudando con su harma a los Religiosos de san fran.^{co} que la predicaban ellos mismos reciuian tambien la muralla desta nra santa fe catolica que es el tribunas del s.^{to} off.^o que la difiende y que pues el dia y fiesta de la Conuerçion de s. pablo estaua tan de proximo a beinti y sinco deste mes de enero en cuyo dia y fiesta, el glorioso santo por auer obrado tan maravillosas cosas en esta tierra le tienen por gl. patron parecia al dicho padre comiss^o ese dia se leyesen en la yglesia de la dicha V.^a tambien los santos editos y se Reconosiese al dicho padre comiss.^o en nonbre del santo triuunal, a las quales cartas y rrazones asi el dicho g.^{or} como el cabildo rrepondieron con otras en que sinificaron mui grande gozo y Reciuir en ello toda honrra y que dello estarian sienpre agradecidos y obedientes al santo triuunal pidiendo al dicho padre comiss.^o entrase en la dicha V.^a a beinte y quatro del dicho mes bispera de la Conberçion de san pablo para que le Reçiuiesen como a su juez eslesiastico hordinario por autoridad app.^{ca} como lo son todos los demas custodios en esta tierra y tambien haser particular demostrasion de gozo y Regosijo en rreçiuirle como a Comiss.^o del santo off.^o a quien desde luego se sugetauan con particular aficion y humildad con lo qual el dicho P.^e comiss^o determino su entrada para el dicho dia de que doi fe.

Fr Alonso de Benauides
comiss.^o (rúbrica)

Paso ante mi
Fr. P.^o de hortega
not^o (rúbrica)

En beinte y quatro dias del mes de enero de mil y seissientos y beinte y seis As^o el P. Fr. Al^o de Benauides comiss^o del santo off^o destas prouyas del nueuo mex^{co} auiedo salido el dia antes del pueblo y con V.^{to} de santo domingo para haser su primera entrada en ests prouyas dijo que para esta accion y para pregonar luego aquel dia en la dicha V^a como el siguiente se auian de leer y preg^{ar} los editos de nra s^{ta} fe catolica con la solenidad que se acostunbra era menester nonbrar ministros que lo hisiesen y asi nonbro al capitan manuel correa falcon bien nacido y de buena fama para que Representase el off.^o de alguasil mayor del santo off.^o y asimismo, al sarg^o mayor destas prouyas Fran^{co} gomes para que llebase enarbolado el estandarte de nra s^{ta} fe catolica con//las armas y escudo del s^{to} off^o tambien de buena fama y mas calificados destas prouyas con los quales el dicho p^e comiss.^o aconpañado de mi el pres^{te} not.^o Fr. P^o de hortega y de todos los Religiosos desta cust.^a el dicho dia beinte y quatro deste entro en la dicha billa, a la entrada de la qual salieron a reçiuirle el dicho g.^{or} alcaldes y cabildo y toda la demas g^{te} puesta en horden a caballo con sus harmas a uso de guerra y el g^{or} con su guion y los demas lo Reciuieron con mui grandes cunplimientos y amor haciendo grandes salbas de arcabuseria y artilleria llebandole en principal lugar, asimismo fue Reciuido en la ygleçia con la solegnidad que los Religiosos suelen la primera ues a sus perlados como lo era tambien el dicho P^e Comiss.^o y con mucho mayores bentajas disiendo que, pues abiend^o plantado ellos nra s^{ta} fe catolica en estas prouyas entre tantas naciones barbaras como frailes de san Fran^{co} fieles hijos de la santa ygleçia Romana tambien plantauan el tribunal santo del santo off.^o pues frailes de san fran^{co} era a quien el santo triuunal enuiaua a ello con tanta honrra y en est ocaçion y en los demas mostraron el amor y ouediencia que al santo triuunal tienen y auiedo el dicho g.^{or} alcaldes y cabildo aconpañado al dicho padre comiss^o hasta su selda y dejadole en ella fueron aconpañando en la misma forma al alguasil mayor por los calles mas publicas pregonando como se usa. que al otro dia se auia de leer y publicar los editos de nra santa fe catolica en la ygleçia parroquial de aquella billa que nadie faltase, asiendo salba cada ues que se pregonaua con arcabuseria y tronpetas y aquella noche bien tenpestuosa hiçieron sus luminarias y los Regosijos que pudieron, Luego al otro dia 25 deste mes dia de la Conuerçion A. oras de missa mayor. el dicho g.^{or} alcaldes, y cabildo, y toda la demas g^{te} y arcabuseria binieron a la selda del dicho P.^e comiss^o para aconpañarle a la ygleçia como lo hiçieron llebando por delante, el estandarte de nra s^{ta} fe catolica en manos del dicho sarg^{to} mayor aconpañado de los capitanes y detras del el alguasil mayor sobredicho aconpañado de los Religiosos y yo el dicho notario de los rreligiosos mas graues desta Cust.^a y el dicho P.^e comiss^o entre el g.^{or} pres^{te} y pasado que a la sason alli estaua y desta suerte entramos en la ygleçia hasta el lugar del dicho P.^e comiss^o que es al lado del colateral de la parte del ebangelio

del altar mayor, en su silla tapete y coxin. y frontero, en la otra parte vn escaño tapado con una alfonbra. en que nos sentamos. yo el pres^{te} notario, el alguasil mayor y el sarg^{to} mayor. que llebo el estandarte, y el dicho g.^{or} se bolbio a su asiento al crusero de la ygleçia y se comienso, la missa mayor que fue cantada por el P.^e Fr. asençio de sarate viçe cust.^o que era por diaconos. dos guardianes principales, acabado el ebangelio me lebante // yo el dicho not.^o acompañado del estandarte de la fe y alguasil mayor y Recuidos de mano del dicho P.^e comiss.^o los editos, fui asimismo al pulpito y los lei en bos alta y inteligible que todos los oyeron y bolbi a entregarselos al dicho P.^e comiss.^o en el dicho puesto. Luego comenso a predicar el P.^e Fr. Al^o de estremera lector de teologia y hiço un grandioso sermon en la misa, a su tienpo se dio la pas al dicho P.^e comiss.^o primero y luego se dio al dicho g.^{or} y acabada la missa bolbieron los mismos en la forma que antes a aconpañar al dicho P.^e comiss.^o hasta su selda en la qual se le ofrecio de nuevo el dicho g. alcaldes, y cabildo rreconosiendole por comiss.^o del santo off.^o y que en el exercicio de su off.^o le siruirian y ayudarian en todo como fieles cristianos de la ygleçia y del santo triuunal y el dicho padre comiss.^o tuuo en respuesta mui honrradas correspondençias con todos de que doy fe, con que uuo gl. aplauso

Fr. Alonso de Benauides
comiss.^o (rúbrica)

Fr. P.^o de hortega
not.^o (rúbrica)

A. G. P. M., Inquisición 356, ff. 291-292 v.