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BISHOP TAMARÓN'S VISITATION OF NEW MEXICO, 1760

Edited by ELEANOR B. ADAMS

INTRODUCTION

I

*The claim of the Bishopric of Durango to jurisdiction
over New Mexico.*

IN the autumn of 1759 Dr. Pedro Tamarón y Romeral, sixteenth bishop of Durango, set forth on the first of a series of episcopal visitations, during which he covered a large part of his vast diocese. According to Bishop Tamarón's definition, his see included "the kingdoms of New Vizcaya and New Mexico, with part of New Galicia and the provinces of Sonora, Pimería Alta and Pimería Baja, Ostimuri, Tarahumara Alta and Tarahumara Baja, Chínipas, Sinaloa, Culiacán, the province of Topia and that of Maloya, with the district of the Real¹ del Rosario and the villas of San Sebastián and San Xavier with many towns subordinate to them, all of which comprise what is called Tierra Caliente."²

The bishopric of Durango had been founded in 1620 by a bull of Paul V. By that time new discoveries and settlements were so extensive that it was impossible for the bishop of Guadalajara to exercise effective ecclesiastical jurisdiction.

1. A silver mining town.

2. P. Tamarón y Romeral, *Demostración del vastísimo obispado de la Nueva Vizcaya, 1765. Durango, Sinaloa, Sonora, Arizona, Nuevo México, Chihuahua y porciones de Texas, Coahuila y Zacatecas. Con una introducción bibliográfica y acotaciones por Vito Alessio Robles.* (Biblioteca histórica mexicana de obras inéditas, vol. 7), México, 1937, p. 5.

tion over such a large and undefined area. In a royal cédula dated at Madrid, June 14, 1621, addressed to Lic. Pedro de Otorola, president of the Audiencia of Guadalajara, the King stated that in view of this situation, it was advisable to divide that diocese into two and to establish a cathedral in Durango, the capital of the province of New Vizcaya. Otorola was ordered to draw up a description of the whole diocese of New Galicia and to make a proper division, defining the limits of the two dioceses.

In accordance with the cédula, on February 4, 1622, Otorola set the following limits for the new bishopric:

Let it begin on the south between the province of Aca-
poneta of this kingdom of New Galicia and the province of
Chametla of New Vizcaya, along the river called Las Cañas
from the point where it enters the South Sea. The province of
Culiacán of this New Galicia is to be in the diocese of New
Vizcaya because it lies beyond Chametla. The division and
boundary is to be made along all of the said Río de las Cañas
that can, without turning, conveniently serve the purpose as
far as the Sierra Grande de San Andrés and Huasamota. This
sierra shall also serve as a landmark, drawing a straight line
as far as the Río Grande called the Río de Medina, de Alonso
López de Loiz, and de Urdiñola. The haciendas of Trujillo,
Valparaíso, and Santa Cruz, belonging to the heirs of Diego
de Ibarra, are to remain in the district of and pay tithes to
this diocese of New Galicia. The said Río de Medina shall con-
tinue to mark the boundary between the aforesaid bishoprics
as far as the haciendas of Nieves, belonging to the heirs of
Juan Bautista de Lomas. The latter shall pay tithes to New
Vizcaya, along with all the other places that lie on the other
side of the said Río de Medina toward the city of Durango.
These consist of the jurisdiction of the Villa of Llerena, the
mines of Sombrerete in this kingdom of New Galicia, and the
villa of Nombre de Dios and its district in New Spain. From
the aforesaid haciendas of Nieves the line shall leave the river
and cut straight to the haciendas of Parras and Patos, belong-
ing to the heirs of Francisco de Urdiñola. These and the other
places beyond them in that direction shall pay tithes to New
Vizcaya and be in its jurisdiction. From there the line shall
continue straight to the North Sea. The Villa of Saltillo, which
is in New Vizcaya, and the Nuevo Reino de León, with all their
tithes, shall remain for this diocese of Galicia.³

3. Tamarón (1937), pp. 9-10.

The apparent detail of this statement does not alter the fact that as a definition of the limits of the new diocese of Durango it left the way open for much future controversy. Moreover, from the very beginning the bishopric of Durango, or Guadiana, suffered from the same defect which had led to its division from the older diocese of Guadalajara. It was far too extensive for effective ecclesiastical control by a single bishop. These circumstances were inevitable at a time when geographical knowledge of much of the area involved was still extremely vague. Indeed, nearly 140 years later when Bishop Tamarón was preparing to make his episcopal visitation, parts of it had not yet been fully explored.

This prelate was quite aware of certain inadequacies in the definition of his see, but he refused to admit any doubt of the validity of his claim to jurisdiction over New Mexico. In this he was following the tradition set by his predecessors, beginning with the first bishop of Durango, Fray Gonzalo de Hermosillo.⁴ Nevertheless, the Franciscan Custody of New Mexico had never been entirely willing to submit to the authority of the bishopric of Durango. For many years neither the bishops nor the Franciscans could bring themselves to accept any compromise weakening what they considered their lawful powers. The legal principles involved in this lengthy and bitter controversy over ecclesiastical jurisdiction are far too complicated for discussion here. They were of basic importance, and a final decision in the New Mexico case would necessarily have applied to similar mission areas in charge of religious Orders throughout the Spanish Empire in America. Undoubtedly this was one reason why the Crown avoided making a definitive interpretation of the royal cédulas, papal bulls, and decrees of the

4. *Letter of D. Pedro de Barrientos, Bishop of Durango, to his Majesty, Durango, August 22, 1658.* Archivo General de Indias, Sevilla (hereinafter cited as AGI), Audiencia de Guadalajara, leg. 63. Bishop Barrientos stated that New Mexico belonged to his diocese "because it lies within the limits assigned to it as far as the North Sea." He also pointed out that Bishop Hermosillo "hizo confirmaciones y actos pontificales en los feligreses de ella." Cf. F. V. Scholes, *Troublous Times in New Mexico, 1659-1670*, (New Mexico Historical Society, *Publications in History*, vol. 11. Albuquerque, 1942), pp. 81-82; also in *NEW MEXICO HISTORICAL REVIEW*, vol. 12 (1937).

Church Councils on which the rival ecclesiastical authorities based their claims to jurisdiction.

Missionary activity in New Mexico had been a monopoly of the Franciscan Order from the start. The friars there were under the authority of the Franciscan Province of the Holy Gospel of Mexico. In 1616 or 1617, some years after the Crown had decided to maintain the unproductive frontier province for the sake of the missions, New Mexico became a custody of the Province of the Holy Gospel and continued subordinate to the mother province throughout the colonial period.

To facilitate the work of evangelization in the New World, soon after the Spanish conquest of Mexico papal bulls had conceded a number of extraordinary privileges to the religious Orders. Moreover, in places where there was no bishop within a reasonable distance, the local missionary prelates were authorized to exercise quasi-episcopal jurisdiction in certain specified cases. The friars were very jealous of these privileges and resented any encroachment on them by the bishops. Although the early concessions were modified by later bulls and decrees of the Councils, the tradition of independence remained strong in remote mission areas such as New Mexico and resulted in bitter disputes over jurisdiction.⁵

As has been said, the New Mexico missions did not achieve provincial status within the Franciscan organization. In the hierarchy of the Church as a whole, petitions for the creation of a bishopric in New Mexico failed. The first attempt was made in the 1630's. While the matter was under consideration, there was considerable difference of opinion as to the advisability of such a step. Fray Alonso de Benavides expended considerable effort in 1630-1635 in the hope of attaining this end. The papers he presented in Spain included memorials by Fray Juan de Santander, Commissary General of the Indies, and Fray Francisco de Sosa, Commissary at Court and Secretary General of the Francis-

5. For a detailed discussion of the early ecclesiastical organization in New Mexico, see Scholes, "Problems in the early ecclesiastical history of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, vol. 7 (1932), pp. 32-74.

can Order, supporting the project. The Council of the Indies referred the petition to Don Juan de Solórzano, then fiscal of the Council, for an opinion in 1631. Although Solórzano favored the erection of a bishopric in New Mexico and suggested that the episcopal office should be conferred upon a member of the Franciscan Order, the Council advised the King to make no decision before receiving reports from the Viceroy and the Archbishop of Mexico.⁶

In 1638 Fray Juan de Prada, Commissary General of New Spain, replied to Viceroy Cadereyta's request for information on the state of affairs in New Mexico by offering strong and considered arguments against the erection of a bishopric there. He pointed out the poverty of settlers and Indians alike and the consequent impossibility of supporting the prelate. Father Prada, however, was also opposed to placing the region under the authority of the Bishop of Durango, and he saw little prospect of episcopal visitations in view of the distance between Durango and Santa Fe and the hazards of the journey. "For this reason he [the Bishop of Durango] would only have the title of bishop of New Mexico, and those new Christians would never come to enjoy the spiritual favors of his high office. As a result, having a bishop would be the same as not having one." He did not feel that the lack of a bishop would cause any detriment, "for in those provinces the custodian and prelate of the religious has plenary authority, granted by the apostolic grant, and repeatedly conceded by many briefs of the highest pontiffs. They [the custodians] are able to give absolution and to absolve in all cases in which the señores bishops are privileged to do so, and to administer the sacraments, even to that of the confirmation of the newly converted." According to Prada, *visitadores* sent by the bishops would have less authority than the local Franciscan prelates, and their coming would bring about innumerable difficulties in regard to ecclesiastical jurisdiction. Nevertheless, on February 28, 1639, the viceroy recommended for the second time the es-

6. The royal cédula asking for such reports had been dispatched the previous May. *Consulta of the Council of the Indies, September 16, 1631*. AGI, Aud. de Guadalajara, leg. 63.

establishment of a bishopric in New Mexico. His advice was not heeded.⁷

The opinions expressed by Prada and Cadereyta were probably closely related to a violent quarrel which was taking place in New Mexico at the time. Throughout the seventeenth century, New Mexico was torn by periodic disputes between the civil authorities and the Franciscans who represented the authority of the Church. In 1637 Governor Luis de Rosas, who had been appointed by the viceroy, arrived in the province. His conduct and the extreme opposition he aroused among the clerical party brought the bitter rivalry between the two parties to a climax.⁸ When Cadereyta recommended the establishment of a bishopric in New Mexico, the fact that Rosas was his appointee may have had some influence, but he may also have felt that the introduction of effective episcopal authority in the province might help to solve the conflict between Church and State. Father Prada, on the other hand, was inclined to uphold the jurisdiction of the missionary prelates and their interpretation of their powers.

Meanwhile the second bishop of Durango, Don Alonso Franco y Luna (1633-1639), found time for an occasional troubled glance at the behavior of the Franciscans in New Mexico. In a letter to one Dr. Soltero, apparently an official of the Holy Office, this prelate refers to an earlier communication in which he had charged that the New Mexico friars were exceeding their authority by conferring minor orders and performing the rite of confirmation. It was his belief that such privileges had been revoked by the Council of Trent. The bearer of the letter was a captain from New

7. C. W. Hackett. *Historical Documents relating to New Mexico, Nueva Vizcaya, and approaches thereto, to 1773*. Vol. 3, Washington, 1937. Introduction, pp. 8-14; Expediente relating to the provinces of Sinaloa and New Mexico, 1634-1641, pp. 75-93; Autos which came with letters from the Viceroy, dated February 28, 1639, concerning whether the division of bishoprics in New Mexico and doctrines of Sinaloa would be advisable, pp. 94-127. The quotations from Father Prada's petition are taken from pp. 113 and 114.

8. For a full discussion of this aspect of New Mexico history see F. V. Scholes' illuminating studies. *Church and State in New Mexico, 1610-1650* (New Mexico Historical Society, *Publications in History*, vol. 7 (Albuquerque, 1937)); also in *NEW MEXICO HISTORICAL REVIEW*, vol. 11, 12 (1936 and 1937). *Troublous Times in New Mexico*. . . "The first decade of the Inquisition in New Mexico," *NEW MEXICO HISTORICAL REVIEW*, vol. 10 (1935), pp. 195-241.

Mexico on his way to Mexico City as procurator general to complain of the Franciscans before the viceroy. The bishop asked Dr. Soltero to hear this man and bring the matter to the attention of the Tribunal of the Inquisition.⁹

Obviously Bishop Franco's mind and conscience were not entirely at ease about the state of affairs in New Mexico. Still, he does not appear to have contemplated any direct personal intervention. In 1638 he and the cathedral chapter advised the viceroy that they did not think it would be feasible to found any secular missions there for the time being. With regard to the proposed bishopric, they stated that although New Mexico fell within the district of the bishopric of Durango, "in conformity with the demarcation which was made at the time of its division, which runs as far as the North Sea," the distance was so great that "it would be advisable to place there an abbot for confirming and in order to issue minor orders. He would be supported by the tithes collected in the said province, which, as has been learned from trustworthy persons coming from there, amount to two thousand pesos. These persons say that they are enjoyed and collected today by the religious teachers, but without this chapter having learned or understood by what title they enjoy them."¹⁰

The complaints that the New Mexico Franciscans were exceeding their authority came to the attention of the King, who indicated his disapproval in a communication to his ambassador in Rome in 1642:

. . . In a letter which Don Juan de Palafox y Mendoza, Bishop of Puebla de los Angeles and visitor general of the Audiencia of Mexico, wrote to me on December 18 of last year, 1641, he states that the fathers of the Order of St. Francis who serve in New Mexico in New Spain use the crosier and mitre and perform confirmations and ordinations. . . .

Even though, after consideration in my Royal Council of

9. *Letter of the Bishop of Durango to Dr. Soltero, Durango, March 8, 1637.* Archivo General de la Nación, México (cited hereinafter as AGN), Inquisición, tomo 304. Late in 1636 Governor Francisco Martínez de Baeza had compiled evidence concerning the excommunications pronounced by the friars, and Bishop Franco's informant may have been the messenger who took them to New Spain. At the same period the friars dispatched a collection of letters of complaint against the governor. Scholes, *Church and State*, pp. 106-114.

10. Hackett (1937), p. 116.

the Indies, a letter was written to the bishop telling him to call in any apostolic briefs of this nature there may be in those regions, I have thought it well to advise you of the foregoing so that you may be fully informed about it. And I charge you to use all possible means to prevent these religious from obtaining any brief from his Holiness in contravention of the cédulas that have been issued. And if you should find that they have obtained one, you shall ask for its revocation. I trust in your zeal that you will give this matter the attention that its gravity and importance demand.¹¹

Don Alonso Franco y Luna was succeeded by Fray Francisco de Evia y Valdés, who was bishop of Durango from 1639 to 1654. It is said that he considered making a visitation of New Mexico but was prevented from doing so by more urgent matters.¹² In 1652 and 1653 Bishop Evia and the cathedral chapter of Durango petitioned the King as follows:

. . . that he grant them the favor of ordering the New Kingdom of Mexico to recognize the cathedral church of New Vizcaya and its prelate in all spiritual matters and that it be joined to his jurisdiction. They ask to have the ministers of *doctrinas* receive from the bishop's hand all the dispatches required for the administration of the holy sacraments, stating that because that kingdom is next to and continues from the bishopric of New Vizcaya, the bishop can easily visit it in person, better than the province of Sinaloa. They also ask that the tithes collected in New Mexico be paid to the bishopric, wherewith the prebendaries will have some relief and support.¹³

These communications reminded the authorities in Spain that the question of a bishopric for New Mexico had been raised in the 1630's. A royal cédula of 1656, addressed to the Duke of Albuquerque, Viceroy of New Spain, included the cédula of May 19, 1631, asking for a report on this subject, and the above summary of the letters of the bishop and chapter of Durango. The Viceroy was to fulfill the 1631 cédula by getting detailed information about the advisabil-

11. *Royal cédula to D. Juan Humacero y Carrillo, Cuenca, June 12, 1642.* AGI, Indiferente General, leg. 2873.

12. *Letter of Bishop Barrientos to his Majesty, Durango, August 22, 1653.* AGI, Aud. de Guadalajara, leg. 63.

13. *Royal cédula to the Viceroy of New Spain, Madrid, December 22, 1656.* AGI, Aud. de Guadalajara, leg. 236.

ity of erecting a cathedral in New Mexico. The King desired a complete description of the province:

. . . what its boundaries are and whether it borders on one or more bishoprics and which ones; and the present state of its conversions, how many religious have charge of them, and of what Order, and how much it costs per year; and whether there are any secular priests serving in them, and if so, how many; and about how many converted Indians there are, and to how many settlements they have been reduced and the population of each; what crops are gathered in that New Kingdom; and what is the annual amount of the fees pertaining to the King. And you shall also send a detailed description and map. . . .

In addition to filling this rather large order, the Viceroy was to give his opinion on the claim of the Bishop of New Vizcaya to New Mexico and its tithes.¹⁴ We have not found the viceroy's reply. The next bishop, Don Pedro Barrientos (1656-1658), wrote to the King in 1658, making the usual complaints that the Franciscan religious were usurping his episcopal jurisdiction. He offered to send proofs to induce the Crown to take action to prevent so many illegal acts "in so delicate a matter as the administration of the holy sacraments."¹⁵

The failure of their appeals for definite support from the Crown in dealing with the recalcitrant Custody of New Mexico does not seem to have deterred the Durangan prelates from further attempts to bring the friars to heel. Early in 1668 the Franciscan Commissary General of New Spain, Fray Hernando de la Rúa, said that it had come to his attention that Don Juan de Gorospe y Aguirre, bishop of Durango (1660-1671), had been trying to upset the authority of Fray Juan de Paz, who was custos of New Mexico in 1665-1667, by making various demands and notifications. Recently, upon receipt of a letter from the cabildo of Santa Fe, in which they complained that the friars were in the habit of exceeding their authority, the bishop had instituted proceedings before the governor of New Vizcaya. Although

14. *Ibid.*

15. *Letter of Bishop Barrientos to his Majesty, Durango, August 22, 1658.* AGI, Aud. de Guadalajara, leg. 63.

the bishop claimed that he was doing this in order to refer the matter to the viceroy, there was no indication that he had done so. The Franciscan Commissary-General therefore appealed to the Inquisition and to the viceroy "as patron of the ecclesiastical state in his Majesty's name . . . to whom the government of all the aforesaid Custody and conversion pertains." Rua considered Bishop Gorospe's attempt to subject New Mexico to his jurisdiction a violation of the royal patronage, for, he said, the general decree of the Council of Trent placing territories such as New Mexico under the authority of the nearest bishopric applied only where the royal patronage did not exist. Therefore, the papal privileges on which the Franciscans of New Mexico based their ecclesiastical powers were still in force, and he hotly denied the bishop's right to challenge the authority of the *custos*. The viceroy and *audiencia* of New Spain were impressed by the serious nature of the disagreement, and the bishop was ordered to present his arguments in reply to Fray Hernando's objections.¹⁶ Again no definite action was taken, and the New Mexico friars continued to use ecclesiastical authority in accordance with their interpretation of their rights. In so doing they usually had at least the tacit assent of the highest governmental authorities of New Spain.

Many years later Father Menchero stated that the Franciscans renewed the discussion about a separate bishopric for New Mexico in the 1660's. No supporting evidence has been found, and it is possible that Menchero's date is in error and that he was actually referring to the recommendations made in the 1630's.¹⁷

The next major crisis in the struggle between the New Mexico friars and the bishop of Durango occurred shortly after the Pueblo Revolt of 1680, when the Spanish refugees

16. Biblioteca Nacional, Mexico (hereinafter cited as BNM), leg. 1, nos. 22, 26; *Diligencias contra el guardián de Santa Fe del Nuevo México, Durango, 1667*, in Archivo de la ciudad de Hidalgo del Parral, Chihuahua.

17. ". . . in the year 1666 the holy *custodia* had increased so much that his Majesty was advised on the part of the Order to form it into a bishopric . . . but the matter had not been decided nor the proposal put in effect when, in the year 1680, the Indians of Moqui, with all those of the interior of the kingdom of New Mexico, revolted." *Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744*. Hackett (1937), pp. 396-397.

had settled in the El Paso area. Fray Bartolomé de Escañuela, a Franciscan, had ascended the episcopal throne of Durango in 1676. His interpretation of his claim to jurisdiction over New Mexico as a whole is ambiguous, for he based his intervention in 1681 on the "migration of the faithful Catholics of that Kingdom to the territory, jurisdiction, and limits of this our diocese." Because they had taken up residence "within the certain, well-known, and undeniable jurisdiction and territory of this bishopric," he felt obliged to appoint a parish priest, whom he also made his vicar and ecclesiastical judge of the El Paso jurisdiction and the subordinate churches in the vicinity as far as, but not including, Casas Grandes. Since there were no secular priests at El Paso, the bishop issued this appointment to Fray Juan Alvarez on January 4, 1681.¹⁸

The Provincial and Definitors of the Province of the Holy Gospel received a copy of the Alvarez appointment and lost no time before protesting. Since Escañuela was a member of their Order, they went out of their way to convince him of their profound regard and respect, saying that if he were to be bishop forever, then they would gladly accept his authority. But since he would have successors, they could only point out that he had been misinformed about the episcopal jurisdiction over El Paso. "It never has been, and is not, subject to Vizcaya; neither it nor any other convent of the Custody of New Mexico. No predecessor of your Lordship as lord bishop has performed any act of jurisdiction in person or through his ministers." They trusted that he would realize that they were bound to uphold their convictions in matters of jurisdiction.¹⁹

It should be noted here that a similar dispute over the status of the El Paso area was also going on between the secular authorities of New Mexico and New Vizcaya. In any case, Bishop Escañuela also felt obligated to uphold

18. BNM, leg. 2, no. 2. Apparently this was not the first time that Bishop Escañuela had exercised jurisdiction over El Paso, for he says that he had met Alvarez during a visitation of Casas Grandes. Father Alvarez was then in charge of "the doctrina and mission of the Indians of El Paso and of another new foundation for the erection of which we gave him authority."

19. BNM, leg. 2, nos. 3 and 4.

his convictions in matters of jurisdiction. On July 4, 1681, he replied to his brethren of the Province of the Holy Gospel, citing the decrees of the Council of Trent, apostolic canons, and royal cédulas on which he based his stand. Moreover, according to the demarcation of his diocese, it "runs from the Río Grande de Santa Elena via the haciendas of San Francisco de Patos and Valley of Santa María de Parras to the North Sea." Accordingly he now conferred upon Fray Francisco de Ayeta, "preacher, habitual custos of the said Custody of New Mexico, and at present visitor of it and commissary general of the Holy Office of the Inquisition of New Spain," the titles he had previously given to Alvarez, with some increase in authority. In his absence, the custos was to hold the offices.²⁰ Unfortunately we do not know what response Ayeta or his superiors made to this move. Father Ayeta was then on his way back to El Paso, bearing instructions about the projected reconquest of the interior and confirmation of the New Mexico governor's jurisdiction in El Paso. He had been consulted about the Order's reply to the Alvarez appointment and had mentioned the vicéroy's order to the governor and captain general of New Vizcaya, forbidding him to place officials in the El Paso territory because they might interfere with the expedition against the rebellious Indians.

A later bishop of Durango stated that Escañuela had considered making a visitation of New Mexico. The Custody dissuaded him, alleging that the journey was too long and difficult for one of his delicate health. But the Franciscan bishop made it plain that his failure to go was in no way to serve as a precedent or to prejudice the rights of his successors.²¹ Bishop Escañuela died in 1684.

His successor, Fray Manuel de Herrera (1686-1689), of the Order of the Minims, used Escañuela's appointments of Alvarez and Ayeta as a precedent when he issued a similar title to Custos Fray Francisco de Vargas on October 24, 1688. Bishop Herrera made his conception of the epis-

20. *Ibid.*

21. *Bishop Benito Crespo to Fray Fernando Alonso González, Durango, August 10, 1728.* AGM, Arzobispos, tomo 7. Bishop Crespo based his statements on documents in the episcopal archives of Durango.

copal jurisdiction plain by entitling himself "Bishop of this kingdom of New Vizcaya, its provinces and confines, Río del Norte and New Mexico." In view of the usual Franciscan attitude toward the Durangan prelates, it is difficult to explain the fact that Father Vargas not only received this title in Durango in person, but that he apparently asked for it. He was made "vicar and ecclesiastical judge and chief parish priest of all the Kingdom of the North and of all the doctrinas and reductions now established in it, and of all the parishes of Spaniards, mestizos, negroes, and mulattoes, or any other mixture which there may be in the said Río del Norte, and of all the other settlements or reductions which may be made beyond the Río del Norte." Moreover he was to report any action he might take to the bishop and let him know "the number of conversions, doctrinas, parishes, and ministers in the territory." Bishop Herrera also thought of making a visitation of the missions pertaining to New Mexico. He said that his appointment of Vargas was a temporary expedient until he could judge from his own observation of conditions during his forthcoming visitation what measures would be most conducive to the service of God and the King.²²

In theory, at least, it would seem that by accepting such an appointment Father Vargas ran the risk of seriously undermining the traditional Franciscan claims to independent jurisdiction in New Mexico. It would be interesting to know the opinion of his superiors at this time, but the com-

22. BNM, leg. 3, no. 3. A royal cédula dated at San Lorenzo el Real, July 30, 1721, summarizes earlier legislation regarding the right of the bishops to send *visitadores* and appoint vicars in areas assigned to the regular clergy. A dispatch of September 24, 1688, obtained by Fray Francisco de Ayeta as procurator general of the Indies, applied to the bishops of the provinces of New Spain a cédula of October 15, 1595, to the Archbishop of Lima. This ordered that when the bishops were unable to make visitations of *doctrinas* in charge of the religious Orders in person, they were to send friars of the same Order and not secular priests. Another cédula of October 25, 1694, clarified this further by ordering the archbishops and bishops of the provinces of New Spain and Peru to abstain from appointing outsiders as vicars in the districts of their dioceses and to withdraw any they had placed in the capitals of mission areas. The Franciscan procurator of Lima then complained that not all the bishops were observing the foregoing. After consideration in the Council of the Indies, the preceding cédulas were revoked and recalled by a dispatch dated at Barcelona, October 2, 1701. Now the Archbishop of Mexico charged that the regular clergy's refusal to observe the 1701 cédula was leading to much unrest and litigation. He therefore requested its revalidation. The Crown ordered its fulfillment by the Archbishop of Mexico and his suffragan bishops. AGM, Arzobispos, tomo 7.

plete story of this episode is not known. In fact, we have practically no data about the relations between the Custody of New Mexico and the Bishopric of Durango for the next thirty years. Apparently the bishops managed to obtain some token acknowledgment of their authority, for we are told that the patents of missionaries who traveled to New Mexico via Durango were countersigned there and recorded in the administrative books.²³ Perhaps neither the Bishopric nor the Order saw reason to press their conflicting claims with energy at a period when the whole future of the province was most uncertain. But some years after the reconquest and the reestablishment of Spanish rule in New Mexico, the question was reopened and both parties endeavored to push it to a definite conclusion.

In 1723 Benito Crespo, a former dean of Oaxaca who had taught at Salamanca, became bishop of Durango. He served until 1734, and during these years the controversy between the bishops and the Franciscan Order began in earnest. The case dragged on for many years, and the details are so numerous and complex that even to outline them would require a separate, and lengthy, study. Not only are the legal arguments on which the parties based their conflicting claims to jurisdiction exhaustively presented and considered, but bulky reports on conditions in New Mexico and its missions were made in the interests of the opposing groups. In general, whatever the allegiance of the particular writer, these leave us with a deplorable picture of the state of affairs there in the eighteenth century.²⁴

Bishop Crespo started the ball rolling by including the

23. *Crespo to González, Durango, August 10, 1728.* AGM, Arzobispos, tomo 7.

24. The source material for this suit is voluminous and different parts of it are to be found in a number of archives and collections. I shall not attempt to cite them all in connection with this brief summary. The Archive of the Indies has a comprehensive record of the case up to 1738 in *Escribanía de Cámara*, leg. 207A. It comprises nearly a thousand folios and undoubtedly contains copies of supporting documents dating from earlier times which might throw much light on some of the gaps and inconsistencies in the present attempt to give the general background of the controversy. This is based on such documents as I have been able to see and occasional references to be found in Bancroft and later authors. The *Escribanía de Cámara* record of the suit is not available here, and my knowledge of it consists of a brief account of its contents. In a printed memorial to his Majesty, dated at Madrid on April 7, 1724, Fray Mathias Saenz de San Antonio had again suggested that New Mexico needed a bishop of its own. His description of conditions there in ecclesiastical, civil, and military affairs followed the usual depressing pattern. AGI, Aud. de Guadalajara, leg. 209.

El Paso area in his episcopal visitation in 1725. He had intended to visit interior New Mexico as well, but gave up the idea, so he said, because he had been misinformed about the distance and had made insufficient preparations for the journey. Apparently he was treated with reasonable courtesy on this occasion, and in return he made some conciliatory gestures. He issued a title as vicar and ecclesiastical judge to Fray Salvador López, the vice-custos at El Paso, and his successors *ex officio*, or, failing them, to the guardian of the El Paso mission. He also sent a similar title to the custos, who had left for Santa Fe in haste to avoid meeting the bishop. Undoubtedly the New Mexico Franciscans made no strong protest at this time because the bishop did not insist upon proceeding beyond El Paso. This gave them time to consult their superiors in Mexico City. The latter immediately took up the cause, and in 1728, when Bishop Crespo announced his intention of making a second visitation, to include interior New Mexico, the Commissary General of New Spain, Fray Fernando Alonso González, politely, but very firmly, questioned his right to do so.²⁵ He also sent a petition to the King, begging him to forbid the Bishop of Durango to molest the kingdom of New Mexico by making a visitation. This petition failed, for a royal cédula of December 7, 1729, gave the bishop permission to visit the New Mexican pueblos and others on the borders of his diocese. As a matter of fact Crespo did not receive this cédula until after he had returned from his visitation of 1730.²⁶

If anything, the Franciscan objections strengthened Bishop Crespo's determination to enforce what he considered his rightful episcopal authority. This time, when he arrived in El Paso in July, 1730, he found his Franciscan opponents prepared to show active resistance. The leader of the friars was their custos, Fray Andrés Varo. Both parties stubbornly refused to make any concessions, fearing to prejudice their case in future. So the bishop proceeded to Santa Fe and made the rounds of the mission pueblos, returning to El Paso in September. Father Varo, who had

25. Some of the correspondence between Crespo and González in 1728 can be found in AGM, Arzobispos, tomo 7.

26. AGI, Aud. de Guadalajara, legs. 206, 209.

received orders from the Commissary General of New Spain and the Provincial of the Province of the Holy Gospel not to allow the bishop to exercise jurisdiction, did succeed in preventing Crespo from making a formal visitation of the churches, parish records, etc., or publishing edicts. The bishop performed the rite of confirmation in Santa Fe and most of the missions. He also appointed Don Santiago Roibal, a secular priest, as his vicar and ecclesiastical judge at Santa Fe. Roibal was to hold this office for many years, although the legality of his appointment was long in question.²⁷

Bishop Crespo had already instituted proceedings to force the Order to recognize the episcopal jurisdiction of Durango over New Mexico. Although the final decision was deferred again and again, the tendency of the Crown and the viceregal authorities was to authorize the bishops of Durango to use limited episcopal powers in New Mexico pending the outcome of the suit. A viceregal decree of February 17, 1731, revoked Crespo's appointment of Roibal as vicar. By the autumn of 1732 the Crown had received a number of communications from both parties. Father Varo and Father González again protested that the Bishop of Durango had no legal right to jurisdiction in New Mexico. In addition, they renewed the petition of a century before for the erection of a separate bishopric. Bishop Crespo had also been heard from. A royal *cédula* of October 1, 1732, referred the dispute to the viceroy for a decision. Another of the same date requested the Audiencia of New Spain for information as to whether New Mexico was part of the diocese of Durango. And the Commissary of the Franciscans received orders to provide a sufficient number of competent priests with knowledge of the native languages to serve in the New Mexico missions.²⁸

27. Don Santiago Roibal was a native of Santa Fe who had been educated for the priesthood in Mexico. When the time came for him to be ordained the Archbishop sent him to the Bishop of Durango, as his "legitimate prelate." A chaplaincy had been founded for him in Santa Fe a few years earlier after his ordination. AGM, *Arzobispos*, leg. 7. Cf. note 22, *supra*, and note 33, *infra*. See also Fr. Angélico Chavez, "El Vicario Don Santiago Roybal," *El Palacio*, vol. 55 (1948), pp. 231-252.

28. AGI, Aud. de Guadalajara, leg. 79. The Coronado Collection of the University of New Mexico Library also has a photograph of a printed memorial of 1731 by Fray Fernando Alonso González from the collection of F. Gómez de Orozco.

By a decree of July 24, 1733, the viceroy upheld the right of the bishop to exercise diocesan jurisdiction over New Mexico and ordered the Franciscans to present the bulls and privileges on which they based their claim to exemption so that a final decision could be reached after both parties had been heard.²⁹

Martín de Elizacochea, who served as bishop of Durango from 1736 to 1747, continued the suit initiated by his predecessor. He made a visitation of New Mexico in 1737, but we have no details regarding his reception.³⁰ In December, 1738, the Council of the Indies upheld the viceregal decrees of 1733 permitting the Durangan prelates to make visitations of New Mexico. On the other hand, they ordered the enforcement of the decree of February 17, 1731, which forbade him to leave a vicar and ecclesiastical judge there. The Franciscan Order was to be given every opportunity to present its case to the authorities in New Spain. The viceroy and audiencia were again ordered to report whether New Mexico was included in the demarcation of the Bishopric of Durango or that of any other dioceses in the vicinity. If not, what was their opinion on the question of erecting a new bishopric?³¹ In May, 1739, a royal cédula to the Bishop of Durango informed him that the case had been remitted to the viceroy. It gave him permission to visit New Mexico but revoked his appointment of an ecclesiastical judge.³²

The case against the New Mexico Franciscans had always rested partly upon derogatory opinions of their administration of the missions. Bishop Crespo had found much to deplore in this respect and made serious charges. Following the old tradition, settlers and provincial officials continued to accuse the friars whenever they found an occasion. For their part, the Franciscans covered reams of paper hotly defending themselves against these attacks.

Before the suit over ecclesiastical jurisdiction initiated

29. AGI, Aud. de Guadalajara, leg. 80.

30. The list of the material in AGI, Escribanía de Cámara 207A mentions papers remitted to Spain in the years 1738-1743, and it may be that these could provide some information about Elizacochea's visitation.

31. AGI, Escribanía de Cámara, leg. 960.

32. AGI, Aud. de Guadalajara, leg. 80.

by Bishop Crespo had come to any definite conclusion, the internal conflict between the Franciscans and the civil government reached another violent crisis in 1749. Early in that year Fray Andrés Varo, an old and indefatigable warrior in the Franciscan cause, had made reports concerning New Mexican affairs which were presented to the viceroy.³³ Before coming to a decision about Varo's recommendations, the viceroy decided to send Don Juan Antonio de Ornedal y Maza to New Mexico on an official tour of inspection. His account of the conditions he found was highly unfavorable to the missionaries. His charges and the reforms he recommended drew sizzling replies from Varo and other friars,

33. BNM, leg. 8, no. 57. I have been unable to locate any information about the final disposition of the case. Bishop Tamarón tells us that although he entered New Mexico with some misgivings because of the inflexible opposition of the Franciscan Order to accepting the jurisdiction of the bishops of Durango, he was gratified to find that he "was made free of everything, as if they were secular priests." The legal situation, however, cannot have been completely clarified, for the royal cédula ordering the removal of the secular vicar had never been revoked, even though the bishops had appealed from it. Roibal had apparently retained his dubious title to the vicarship for thirty years. BNM, leg. 9, no. 59. A translation of part of this manuscript follows Tamarón's general description of New Mexico and the Itinerary of his visitation, *infra*. Tamarón's reports and criticisms raised the usual storm of protest, but once more the Crown seems to have made no final decision in the jurisdictional dispute. It may be that the division made when the new Bishopric of Sonora was erected in 1781 left New Vizcaya's claim to jurisdiction over New Mexico beyond further argument. The decision to divide the Bishopric of Durango was probably related to the new administrative organization of the frontier provinces, known as the Provincias Internas. The Bishopric of Sonora was given ecclesiastical jurisdiction over Sonora, Sinaloa, and the Californias. If we are to believe Don Pedro Bautista Pino, New Mexico received the minimum of attention from the bishops of Durango after Bishop Tamarón's visitation in 1760. According to his *Exposición* of 1812, 26 Indian pueblos and 102 Spanish settlements were served by 22 Franciscan missionaries, with secular priests at Santa Fe and one pueblo in the El Paso district. "For more than fifty years no one has known that there was a bishop; nor has a bishop been seen in the province during this time. Consequently, the sovereign provisions and the instructions of ecclesiastical discipline have not been fulfilled. The misfortunes suffered by those settlers are infinite because of the lack of a primate. Persons who have been born during these fifty years have not been confirmed. The poor people who wish, by means of a dispensation, to get married to relatives cannot do so because of the great cost of traveling a distance of more than 400 leagues to Durango. Consequently, many people, compelled by love, live and rear families in adultery. The zeal of the ministers of the church is unable to prevent this and many other abuses which are suffered because of the aforesaid lack of ministers. It is truly grievous that in spite of the fact that from 9,000 to 10,000 duros are paid by that province in tithes, for fifty years the people have not had an opportunity to see the face of their bishop. I, an old man, did not know how bishops dressed until I came to Cádiz." Pino, Barreiro, and Escudero, *Three New Mexico Chronicles*, Tr. by H. B. Carroll and J. Villasana Haggard (*Quivira Soc. Publ.*, vol. 11, Albuquerque, 1942), pp. 50-51.

to say nothing of bitter denunciations of the civil government, whose side had been espoused by Ornedal.³⁴

Within the province the missionary influence often ran counter to the personal profit sought by lay settlers and officials. On the other hand, it would be hard to deny that in some cases the friars were not exerting themselves unduly in promoting the spiritual welfare of their charges. The curious failure of the New Mexico Franciscans to master the native languages is hard to understand in comparison with the brilliant success of their brethren in other parts of the New World in the fields of linguistics and ethnology. It is true that they had to deal with several languages and a number of different tribes within a single area. It is also true that inside the province interests often dictated criticism of the friars, and in the world beyond there was scarcely any real comprehension of the problems they faced and the inadequacy of their numbers and equipment to cope with them. The wonder is that so many of them refused to succumb to discouragement and with selfless fervor made herculean efforts to carry on their evangelical tasks in the face of overwhelming obstacles. Still, some of their own visitors and brethren were forced at times to make criticisms not unlike those of their opponents.

Along with all this, the unhappy kingdom of New Mexico was beset by a multitude of other ills—drought, famine, disease, and increasingly bold and destructive attacks by enemy infidel Indians. The picture was much the same, or worse, a few years later when Bishop Tamarón arrived to make the third episcopal visitation of the province.

II

Bishop Tamarón and his visitation of New Mexico

Pedro Tamarón y Romeral was born in the Villa de la Guardia in the Archdiocese of Toledo about 1695. The available accounts of his life say nothing about his early

34. H. W. Kelley has summarized this dispute in "Franciscan missions of New Mexico, 1740-1760," *NEW MEXICO HISTORICAL REVIEW*, vol. 16 (1941), pp. 148-170. See also Hackett (1937), pp. 36-41.

years and education in Spain. In 1719 he accompanied Bishop Juan José de Escalona y Calatayud to Caracas. He completed his studies there and received the doctorate in canon law from the University of Caracas founded a few years after his arrival in the New World.³⁵ He is sometimes referred to as one of the founders of this university,³⁶ in which he held the chair of canon law. By the end of 1727 he had already taken his degree and was serving as *cura rector* of the cathedral.³⁷ He remained in Caracas for the next thirty years and held many important ecclesiastical posts, including those of precentor and *maestrescuela* of the cathedral, vicar of the diocese, and commissary and censor of the Inquisition. During this time he published two books: *Triunfo glorioso y Carro de Eneas* (Mexico, 1733) and *Triunfos de la Gracia en la Santísima Imagen de María, que con el título del Socorro se venera en la Nueva Valencia del Obispado de Caracas* (Madrid, 1749). He may also have been working on a general history of Caracas, which was still in manuscript at the time of his death.³⁸

Dr. Tamarón became bishop of Durango in 1758 and arrived in his cathedral city on March 29, 1759. A few months later, on October 5, 1759, he announced his intention to begin his general visitation and his reasons for doing so:

And I am about to undertake my general visitation, and
I will leave on the twenty-second of this month via the sierra

35. Bishop Baños y Sotomayor founded and endowed the Seminary of Santa Rosa at Caracas in 1696. By a royal cédula of 1721, which was confirmed by Innocent XIII in 1722, it was elevated to the status of a royal and pontifical university with the same privileges as Salamanca. R. M. Baralt, *Resumen de la historia de Venezuela* (Bruges and Paris, 1939), pp. 435-436; J. T. Lanning, *Academic culture in the Spanish colonies* (London, New York, and Toronto, 1940), pp. 30-31.

36. As in the dedication to him of panegyric sermons preached by José Díaz de Alcántara on the day the high altar of the Durango cathedral was inaugurated, and printed in Mexico in 1760. J. T. Medina, *La Imprenta en México*, vol. 5 (Santiago de Chile, 1910), pp. 393-394. See also Tamarón (1937), p. v.

37. *Relación de los méritos y grados del Doctor en Sagrados Canones Don Pedro Tamarón y Romeral, Cura Rector actual de la Iglesia de la Ciudad de Santiago de León de Caracas en la Provincia de Venezuela, 1727*. Listed by Medina in *Biblioteca Hispano Americana*, vol. 4 (Santiago de Chile, 1901), p. 191.

38. J. M. Beristain de Souza, *Biblioteca Hispano Americana Septentrional*, 3d ed. (Mexico, [1947]); F. A. Lorenzana, *Concilios provinciales primero, y segundo, celebrados en la muy noble, y muy leal ciudad de México* (Mexico, 1769), pp. 374-375; Tamarón (1937), pp. v-vi.

and a very difficult road by which I will traverse little-traveled places in order to take in some pueblos where no bishop has ever been. From there I will go on to the Tierra Caliente, along the coast of the South Sea, and the whole government of Sinaloa and Sonora; I will enter that of New Mexico and go down to Pimería and to Chihuahua where the governor of New Vizcaya resides. According to what they tell me, this journey may be all of 1500 leagues. I have hastened to make this visitation in spite of the lack of revenue, which is three years in arrears, because of the news I receive daily about the incursions the pagan Indians are making in various places, killing people and carrying off the horses and destroying haciendas. And the reason for this is the preceding viceroy's reduction of the presidios. I will talk with the governors and obtain information from intelligent persons, and then I shall be able to cry out to his Majesty for a remedy with the hope of being believed.³⁹

In another place he tells us that he started his visitation before he had even made one of his cathedral "in order to take advantage of the best season of the year for crossing the Sierra Madre and to acquire the knowledge of the vast provinces [in the diocese] necessary for their spiritual government."⁴⁰

Before his departure he issued several edicts, which were sent on ahead by relay to all the places he proposed to visit. One of them, dated July 7, 1759, outlined the duties of the priests and the manner in which they were to perform them. Another of October 12, 1759, included more specific instructions about the necessary preparations for receiving the prelate.⁴¹ Then

I waited until the rains were over, and, before the ice froze or I should encounter heavy snows in the sierra, I began my journey, an undertaking whose magnitude I did not fully appreciate until I was well on my way. Although my family consisted only of three persons in clerical collars, two secular amanuenses, or scribes, the cook, and two negroes, the necessary baggage mounted up to thirty loads of sufficient weight to require triple the number of mules in order to traverse eighty leagues of the sierra over the very rugged

39. *Letter of Bishop Tamarón to his Majesty, Durango, October 5, 1759.* AGI, Aud. de Guadalajara, leg. 208.

40. Tamarón (1937), p. 370.

41. *Ibid.*, pp. 371-74. The edicts will be translated *infra*.

route we took. The same was true of the saddle animals. The muleteers and hostlers, with additional hands, formed a large squadron, which astounded me when I took a look at almost all of them together at a long table like that of a refectory in the house of the priest of the Villa of San Sebastián. I immediately rectified matters, dismissed a large number, and continued with as few as I could.⁴²

Bishop Tamarón was sixty-three when he set forth on this arduous and often perilous journey, which was to take him nearly two years before he again reached the city of Durango on July 15, 1761. In spite of the inevitable hardships and occasional distressing episodes, his account leaves us with the impression that on the whole he enjoyed himself thoroughly. He was one of those inveterate tourists who delight in new scenes and little-frequented places and have a flair for collecting odd bits of interesting information. His statements about the routine business of the visitation are often summary in comparison with the loving way in which he dwells upon local peculiarities or incidents which captured his fancy. This does not imply, however, that he forgot for one moment the importance and dignity of his mission. He took an extremely broad and conscientious view of his responsibility as prelate of an enormous frontier area suffering from a plethora of worldly and spiritual ills. He was aware that the cures for both were to a large degree interdependent. His wide interests and his remarkable powers of observation impelled him to give serious consideration to problems of civil government and military strategy as well as to those of more effective ecclesiastical administration. And he never underestimated the value of seeing for himself before evolving theories about methods for improving matters. His sense of duty had set him an almost impossible task. Whether or not his conclusions were always right, and regardless of the resentment some of them aroused, he did not spare himself in his scrupulous effort to perform it.

We are concerned here only with Bishop Tamarón's visitation of New Mexico in 1760. Although the problems of this unhappy kingdom were but a fraction of the multi-

42. *Ibid.*, p. 374.

tudinous troubles of the Bishopric of Durango and the frontier provinces as a whole, they naturally obscured the broader issues in the minds of most of the local people, both clergy and laymen.

Now that two or three centuries have passed, there is sometimes a tendency to minimize the unpleasant aspects of life and society in New Mexico in the seventeenth and eighteenth centuries. Those who have leafed through the thousands of dusty folios preserved in the archives and libraries of Spain and Mexico cannot feel that romantic idealization of a very human history is either necessary or advisable. The men, religious and laymen, who for one reason or another spent years or all of their lives in a remote and backward frontier province, cut off from the amenities of the civilization of their time, had all the ordinary human failings and many human virtues. The harsh conditions under which they labored were bound to exaggerate both. This was all their world and it was not a kindly one. The living accounts of their daily perils and struggles, and those of their bitter internecine quarrels, are written in blood and vitriol. Time and again New Mexico faced extinction, and time and again the ill-fated little kingdom managed to stay alive, a part, if only the least, of one of the greatest empires ever known. By comparison, the history of its long and terrible battle for existence during the Spanish period almost makes the shorter story of the westward expansion of the United States seem a bedtime tale for children. If life on such a frontier often brought out the worst in men, it could also inspire their best and most unselfish efforts. And it was not impossible for both tendencies to exist in the same individual. We cannot see the whole, or appreciate the good and heroic at its true worth, if we refuse to look at both sides of the medal. New Mexico produced heroes and martyrs, and not in vain. The inspiration of such lives always adds to the sum and value of human endeavor toward the highest goal. But unfortunately its history as a whole during the colonial period is one of failure in both the worldly and evangelical senses. It was too poor, too remote,

and its problems were too little understood to make any other outcome possible.

From the point of view of the Franciscan missionaries, conditions at the time of Bishop Tamarón's arrival had not improved since Ornedal's slanderous report had put them more than ever on the defensive in their dealings with the civil authorities. Perhaps influenced by Ornedal's opinions, the New Mexico governors of the 1750's seem to have been extremely unfriendly toward the local religious. So the friars reported, and at considerable length. Some of them managed to express themselves with reasonable restraint and objectivity. But the feelings of others were so violent that their virulent rhetoric, however justifiable, makes very distressing reading. Father Varo's outburst of 1750 in reply to Ornedal's charges falls into this category. This was intended for presentation to the viceroy in 1751, but Provincial Fray José Ximeno withheld it and rested the Franciscan case for the time being on the refutation he himself had submitted in March, 1750.⁴³ The reasons for this are clear from a statement made by the archivist of the Province of the Holy Gospel, Fray Francisco Antonio de la Rosa Figueroa, ten years later when the viceroy again made a request for information about the state of the Custody.

The prudence of our said Reverend Father Provincial may have had several motives for not presenting this report of the Reverend Father Varo to the Lord Viceroy in the year 1751. Perhaps, because it is very diffuse, he may either have thought that it would be too great an imposition on the Viceroy's attention, or following the same line of thought, that it might delay his decision. Perhaps, because he may have reflected that since over a year had passed since his Reverend Paternity had replied, it might seem untimely and vindictive to add to the incontestable answers of the aforesaid earlier report; and that it would have been necessary to present with it a large number of other original papers which might have been lost. Perhaps because Governor don Tomás Vélez Cachupín [1749-1754] (a declared enemy of the Custody) was related to the Viceroy and the Vicereine and had been their equerry; and since the wicked Ornedal also belonged to

43. Hackett (1937), pp. 438-459.

the Viceroy's family, it might have been ill received or even concealed by the Viceroy lest the iniquities of the two members of his family be revealed.⁴⁴

In a report to Provincial Serrano, Figueroa had already disclosed the fact that Varo's reply to Ornedal was too indiscreet for presentation to the Viceroy in its original form.

. . . the first thing I did was to copy in my hand the very zealous report which the Reverend Father Andrés Varo remitted to our Father Ximeno, who was provincial in the year 1751, . . . against the sacrilegious report which don Juan Antonio Ornedal made to the Lord Viceroy in the year 1749 against the Custody. But I copied it in such a way (as the copy shows) that on the one hand it was necessary to add seventeen leaves in order to incorporate the very special information I had sifted from the archive concerning both the progress and the evangelical labors of missionaries of old and modern times; and, on the other hand, it was necessary to alter a number of passages. These contained various paragraphs of invective inspired by the Reverend Father Varo's sorrow and his zeal to vindicate the honor of the religious against the denigrative report of the calumniators and the cruelties and injustices of the governors, alcaldes, etc. [These had to be amended] lest they should sound like satirical apostrophes against the viceroys. All my changes and additions are indicated in my said copy where there are vertical lines in the margin. So that the inference will be that the report in its present form, under the Reverend Father Varo's name, is just as it came to our Reverend Father Ximeno from the Custody, and in order that it may be presented as the original at any time, I counterfeited the signature and complimentary close, etc. of the Reverend Father Varo.⁴⁵

During the 1750's the governors were able to prevent the friars from sending out many accounts of their side of the never-ending quarrel.⁴⁶ But toward the end of the decade and in the early 1760's we again have letters reca-

44. *Letter of Fray Francisco Antonio de la Rosa Figueroa to Commissary General Fray Manuel de Nájera, October, 1761.* BNM, leg. 9, no. 52. Cf. the report of Provincial Serrano to the Viceroy in 1761, Hackett (1937), pp. 480-482, 496.

45. BNM, leg. 9, no. 49.

46. Fray Juan Sanz de Lezaún, *Noticias Lamentables, 1760.* Translated in Hackett (1937), pp. 468-479, from the Bandelier transcript of the manuscript in AGM, Historia 25. There is another copy in BNM, leg. 9, no. 46. See also Hackett (1937), p. 497.

pitulating their accumulated grievances, as well as reports from religious who had returned to Mexico City. We have already heard that Governor Vélez was "a declared enemy of the Custody." His successor, Don Francisco Marín del Valle (1754-1760), lost no time in establishing the same reputation.

Fray Jacobo de Castro became Custos of New Mexico about 1751 and served as such for the next ten years or more.⁴⁷ Late in June, 1757, he and Governor Marín left El Paso on a tour of the missions. Both of them made formal visitations and returned to El Paso on December 1. In January, 1758, Father Castro sent his report of this unpleasant journey to his provincial, Fray Juan José Moreyra. According to the Custos, the mission fathers leaned over backwards in their attempts to mollify the governor by showing him all honor and respect. With cross and cope they awaited him at the church door, at which an altar with lighted candles had been placed. In response to such courtesy, Governor Marín found fault with the manner in which they conducted the ceremony, or simply left the friar waiting. Father Castro suspected that his insulting behavior was intended to provoke the Franciscans to reply in kind, and he made every effort not to give the governor this satisfaction.

Nothing has sufficed to sooth his restless spirit, the passion, or hatred, with which he has looked upon all of us religious from the time he entered this kingdom, for he has always sought means to lower us in the estimation of the Indians and the settlers and to make us hated by them. This is common knowledge, without our having given him the slightest reason for it, since in doing him honor, all the friars have gone far beyond the customary attentions to his predecessors. Yet we have all found that his visitation has been an extremely rigorous judicial investigation [*residencia*] of the conduct of each friar.⁴⁸

In each pueblo the governor retired to the community

47. Letter of Fray Jacobo de Castro to Governor Manuel Portillo Urrisola, El Paso, August 10, 1761. BNM, leg. 9, no. 47.

48. Letter of Fray Jacobo de Castro to Provincial Fray Juan José Moreyra, El Paso, January 14, 1758. BNM, leg. 9, no. 44.

house with the Indians and interrogated them about the behavior of the missionary. The Spanish *alcaldes* were ordered to watch everything the friars did and send full reports to Governor Marín. Some of them had shown the *Custos* his letters ordering them to do this. "And although I do not know what authority he may have for this, I do know that this has been his practice; and he has ordered the Indians to come to him whenever they have anything against the fathers."

Father Castro said that he was finding it difficult to prevent the religious from leaving the kingdom. In spite of his promises to inform his superiors about what was going on, they replied that "the hostility they suffer from is great, and since there is no remedy, they anxiously yearn to flee to the refuge of their cells." Moreover, "the disorder of this government is such that even the settlers and Indians of this kingdom no longer know what to do. Ten of them found it necessary to flee, with obvious risk to their lives, in order to go to that city [of Mexico] to complain to his Excellency." Castro suggested that the Provincial could obtain from them information which he was unable to put in writing. Nevertheless, the missions were still occupied, and the fathers were doing their best to instruct the Indians in Christian doctrine. The Indians were restive about the excessive demands for service made by the *alcaldes* and the governors. They complained about their lot to the friars, but the latter were in no position to help them.⁴⁹

This was the Franciscan view of the situation in New Mexico when, in April, 1760, Bishop Tamarón arrived at the borders of the province to begin his episcopal visitation. The possible advantages to them of a report by a less biased critic may explain why the friars put few obstacles in his way and even gave him a welcome. As has been said, the progress of the suit over the episcopal jurisdiction after 1738 is obscure. The New Mexico missionaries may well have been too absorbed in defending themselves against lay attacks to worry much about their status in relation to the Bishopric of Durango. Early in 1749, a year before

49. *Ibid.* Cf. Hackett (1937), pp. 470-477, 498.

the storm over Ornedal's report broke, Father Varo had made this statement about the episcopal jurisdiction.

The inconvenience resulting from the distance of more than four hundred leagues between the said missions and Durango, which is the capital where the bishops reside, is no less. To this diocese, as the nearest one, it seems that the new curacies which may be founded should be joined, for in the said Custody there are not the number of ministers necessary for its maintenance and progress. This will be seen in the description to be made of the missions, because most of them have only one minister, even when they extend long distances and have a large population, as is the case at Zuñi and other missions. It would then [if the New Mexico missions were subject to the Bishopric of Durango] be necessary to abandon them for a long time, in order to come for the presentations to and bestowing of the benefices, to suffer the inconveniences, expenses, and delays of such a long journey, along with the other charges which the regular clergy bear as a result of the poor way in which the lords bishop usually carry on their administration, and especially when they get the idea that they are of some use and profit. The suit which the said Custody has carried on for many years with the Mitre of Durango in order not to submit to it, but remain separate and under the government which Apostolic privileges allow them, is constant. [The Custody] has used and enjoys these privileges because it is still in the category of living conversions and it is not yet in a state which permits episcopal jurisdiction there, because more harm than benefit would result from the exercise of it. And the only merit [of the case of the bishopric] is that a lord bishop trod part of those very remote lands, intruding without the consent of our King and lord (God keep him). And without any title to the addition, he has used all his force in his pretensions to make it his own territory, exercising jurisdiction and taking the tithes to himself. They have not allowed his Majesty's decisions to deter them from following their course with determination. The inconveniences involved are insuperable because of the difficulty in making appeals, especially in such serious matters as those of jurisdiction, upon which the spiritual administration and health of so many souls depend.⁵⁰

50. *Informe del estado de la Nueva México a su Majestad según su cédula de 1748.* BNM, leg. 8, no. 57. H. R. Wagner, *The Spanish Southwest, 1542-1794* (Quivira Soc. Publ., vol. 7, Albuquerque, 1937), Part II, pp. 388-389, lists an *Informe* by P. I.

The question of the collection of tithes is not at all clear. In 1760 Fray Juan Sanz de Lezaún said that the governors had been collecting tithes for more than thirty years and forcing the Indians to haul them to Santa Fe at their own expense. Theoretically the Indians were not subject to them, which makes part of his remarks on the subject even more difficult to understand.

For about thirty years the governors have collected the tithes; all the tithes from down the river are collected in the villa of Albuquerque (a Spanish villa), the *alcalde mayor* of which has the duty of receiving them. The Indians haul them gratis, and at the proper time take their own in wagons to the villa of Santa Fe.⁵¹

The bishop tells us that Father Roibal was paid 300 pesos a year from the tithes. As we shall see, Bishop Tamarón found that the missionaries were collecting obventions and first-fruits from the Spanish citizens in their parishes and enjoyed them in addition to the annual amount granted by the Crown for the support of each friar. We learn from other sources that the settlers were rather capricious about meeting such obligations, depending upon their circumstances at the moment and whether the friar was inclined to press for payment.⁵²

The most important evidence that the Bishopric of Durango had continued to keep a foothold in the Custody of New Mexico is the fact that three secular priests were serving there when Tamarón came. There were two in the El Paso area, one of whom held the office of vicar and

Altamirano, the Jesuit representative at court, submitted in a lawsuit with Bishop Pedro Sánchez de Tagle (1749-1757) over visitations of Sinaloa, Sonora, and other mission areas. If there was a decision in favor of the bishop in this case, it might also have applied to the New Mexico Franciscans and explain their changed attitude when Bishop Tamarón came. In any case, it indicates that the matter of the jurisdiction of the Bishopric of Durango over mission areas in charge of the religious Orders was still in the courts in the 1750's.

51. Hackett (1937), p. 470.

52. A distinction must be made between obventions and first-fruits and tithes (*obvenciones*, *primicias*, and *diezmos*). Obventions were the fees for baptisms, marriages, funerals, etc. These were usually levied in accordance with a fixed schedule, with one at a lower rate for the Indians. In the sense used here, first-fruits were an offering from the harvests and herds, and the Indians seldom paid this.

ecclesiastical judge, and Don Santiago Roibal still maintained his precarious title to the same office in Santa Fe.

Whatever their inner feelings about the bishop and their dislike for one another, the secular authorities and the Franciscans joined in receiving the prelate with due solemnity. When he neared El Paso, Don Manuel de San Juan, captain of the presidio and chief magistrate, the Custos, Fray Jacobo de Castro, and the vicar went out to the Río de Santa María to meet him. They even persuaded him to spend an extra night in the dangerous open country so that proper preparations for the ceremonies honoring his entrance to El Paso could be completed. The Custos accompanied the bishop to the interior of New Mexico, where he was also received with every evidence of respect and cooperation. Governor Marín del Valle sent an escort to meet him at Sandía and came out to greet him in person shortly before he reached Santo Domingo. The reception at Santa Fe accorded him full ritual honors as prelate. To establish his jurisdiction on a firmer basis, and in the hope of avoiding future litigation, the bishop gave appointments as his vicar to three Franciscans: to the custos for El Paso, and to the missionaries of Albuquerque and La Cañada for their respective districts. They were pleased to accept and acknowledged the clauses in them reserving the episcopal right to make such appointments at will.

As his itinerary shows, Bishop Tamarón gave himself no time to rest, but carried out his visitation with the utmost dispatch. He reached Tomé, the first settlement of the interior, on May 18. By July 7, when he returned to Tomé, he had visited all the Spanish settlements and missions as far as Taos, except Zuñi and a few other pueblos which he was unable to reach because of adverse traveling conditions. On July 18 he was again at El Paso, ready to continue his journey through other provinces of his diocese for yet another year.

Even in so short a time, it is improbable that the bitter feelings which were agitating all classes of society in New Mexico can have entirely escaped the notice of a man as

observant as Bishop Tamarón, although he did not see fit to discuss them in his official reports of his visitation. He seems to have maintained courteous, if rather distant, relations with the Franciscans and their prelate, whom he never condescends to mention by name. There is no evidence that he was on more intimate terms with Governor Marín del Valle, who was still in office at the time.⁵³ Apparently he leaned more heavily on information and opinions from Father Santiago Roibal, whom he may have considered a comparatively neutral observer, as well as one who was bound by his own interests to be sincere with the Bishop of Durango. Correspondence he quotes shows that he later kept in touch with New Mexico affairs in spite of his many other serious preoccupations. There are letters from the custos, from Don Santiago Roibal, and from the governors. The fact that he was aware of certain defects in civil administration is evident from some severe remarks he made elsewhere about the *alcaldes mayores* in many parts of his diocese, including New Mexico:

. . . some poor men whom the governors install as *alcaldes mayores*, individuals who have not prospered in other office or who have been ruined in trade; or deserters from studies by which they did not profit, who become paper shufflers and swindlers. Such are usually the qualifications of these *alcaldes mayores*, a career aspired to by useless or ruined men. What are individuals of this kind to do except oppress and squeeze the population in order to eat and to obtain and pay the contribution agreed upon to the one who gave them employment?⁵⁴

He devoted most of his criticism and recommendations to two major problems. The first was the fact that the Christianization of the Indians was hardly more than a superficial conformity to a few outward practices which they did not understand or have much interest in. Like

53. The exact date when Marín del Valle left New Mexico is not known. A statement by Bishop Tamarón, *infra*, mentioning a campaign against the Comanches indicates that he could not have left before September, 1760. After his departure Don Mateo Antonio de Mendoza apparently served as governor *ad interim* until early January, 1761. He was succeeded by another interim governor, Don Manuel del Portillo y Urrisola, who held the office until February, 1762.

54. Tamarón (1937), p. 219.

other critics of earlier and later times, he believed that one of the chief reasons for the failure to indoctrinate them was the language difficulty. Only a few of the New Mexico Franciscans had ever had sufficient mastery of the native languages to minister to their flocks without the help of interpreters. And although a number of Indians knew some Spanish, their understanding of it was insufficient for them to grasp abstract religious ideas. The friars resented this criticism from outsiders and made many attempts to refute such charges, but the weight of the evidence is overwhelming that there was much truth in this point of view. Among themselves, the more objective missionaries admitted and deplored this handicap in terms as strong as those of their opponents.

Just why they had never been able to improve this situation in nearly two hundred years remains a question. Part of the answer may lie in the character and strong traditional culture of the Indians with whom they had to deal. It must be remembered how few missionaries there were in proportion to the work they were expected to accomplish, and with little or no aid from the lay Spanish population. This led to a very unnatural way of life which may well have affected the ability of many to deal successfully with their charges—the physical and psychological difficulties confronting a lonely man, cut off from normal intercourse with his equals and expected to guide and teach an alien and indifferent, if not hostile, community.

Bishop Tamarón felt that a more determined effort to solve the language problem would provide the most efficacious solution. The records do not indicate that his fervent commands and exhortations to this end succeeded to any great degree. His criticisms of the spiritual state of the Indians struck at the very foundations of the mission system in New Mexico. Certainly they were nothing new, nor do we find anything new or constructive in the inevitable rebuttals. If his recommendations for solving the linguistic problem had been heeded, perhaps they would have brought about some improvement. Little was done, and some fifteen years later a Franciscan visitor was to

feel the same distress at finding the Indians still neophytes after so many years of Christian teaching.⁵⁵

Bishop Tamarón was rigid in his assumption of the valid right of the Diocese of Durango to jurisdiction in New Mexico. He believed that more effective control by the bishops would help to remedy matters. He therefore recommended that four Spanish parishes—El Paso, Santa Fe, Albuquerque, and La Cañada—be turned over to the bishop. The secular priests appointed would be vicars and would have sufficient income from obventions and first-fruits to support assistants. This was not the first time such a suggestion had been made, and as always it was resented by the Franciscans.⁵⁶ Although the bishops now and again succeeded in introducing secular clergy in a few New Mexico parishes, this innovation seldom lasted long or brought about any real change.⁵⁷

The second major problem which alarmed and disturbed Bishop Tamarón was the ineffective defence against the incursions of hostile Indians. This was a danger which threatened the very life of the frontier provinces as a whole. The bishop had definite ideas about a more successful method of coping with this menace, and in particular he advised greater use of infantry. His suggestions are included among the translations which follow.

A Franciscan copy of the part of Bishop Tamarón's

55. E. B. Adams, "Two colonial New Mexico libraries, 1704, 1776," *NEW MEXICO HISTORICAL REVIEW*, vol. 19 (1944), pp. 141-143. The relevant part of this article was based on letters and reports by Fray Francisco Atanasio Domínguez, who made a visitation of New Mexico in 1776, in *BNM*, leg. 10, nos. 42-49. A translation of the documents concerning Domínguez' visitation is now being prepared for publication.

56. In the same year that Tamarón visited New Mexico, one of the governors, apparently Don Mateo Antonio de Mendoza, tried to impose his own solutions and implement his dislike of the New Mexico Franciscans from the Province of the Holy Gospel. He told Fathers Lezaún and Abadiano that he had decided, as vice-patron, to "turn over the missions of the north to the province of Zacatecas." This was after he "had felt out the minds of the Jesuit fathers in various conversations, with a view to introducing them into these missions." The Jesuit *visitador* had replied "that this could not be, in view of the fact that the Franciscan fathers were in possession and, as he had been credibly informed, had failed in nothing." Hackett (1937), pp. 499-500. As a matter of fact, the Jesuits had similar troubles, more serious in the end than those of the Franciscans, for they were expelled from New Spain in 1767. Bishop Tamarón was chagrined because the Franciscans forestalled him by placing their friars in many of the former Jesuit missions to which he had hoped to send secular clergy. Tamarón (1937), pp. x-xi.

57. Cf. note 33, *supra*.

report to the Crown of 1765 pertaining to the Franciscan missions in his diocese is followed by a few remarks worth noting. They are as good an indication as any of what the friars thought of it.

I reflect that in the discourse and comparisons of this report the Lord [Bishop] Tamarón makes specific statements with regard to the missions where the King gives something to the Province; but where he gives nothing, he makes no note of it, perhaps so that the King may not know of our services. And even when he finds great need of aid, he does not ask for it as he does for the curacies of his secular priests, and even perhaps where there is no need, or at least not the greatest.⁵⁸

Tamarón was bishop of Durango until late in 1768, when he died, active to the end, at Bamoa, Sinaloa, on December 21, at the age of 73. So far as we know, he was the last bishop to enter New Mexico during the colonial period.

The translation of his description of New Mexico and of excerpts from other portions of his *Demostración del vastísimo obispado de la Nueva Vizcaya, 1765* is based on Vito Alessio Robles' edition published in Mexico in 1937. The sources of a few supplementary translations from manuscripts will be given in their place. The Alessio Robles edition was made from a copy in the Biblioteca Nacional, Mexico.⁵⁹ Although the present translation is deliberately rather free in places in order to make it more readable in English, the sense of the original has not been changed.

(To be continued)

58. BNM, leg. 9, no. 59.

59. For further bibliographical information, see Tamarón (1937), pp. xii-xiv.