

Royal Presidio of San Antonio de Bejar, March 15, 1741, presented this petition *was presented:*

Fr. Benito Fernandez de Santa Ana, apostolic preacher and president of the missions for the infidels of San Antonio River in the Province of Tejas, presents himself before your ^{Excellency} Majesty, as is fitting, and ~~says~~ say: I have seen the reply of the two attorneys for the Canary islanders and the dispatch they presented. I am firmly convinced that those attorneys intend to keep the truth of what is happening unknown and thus deceive the higher tribunal of his Excellency. It is certain that all the writings from which they constructed their petition are in their hands. There were three dispatches and three certificates. From the three dispatches they claimed two things: the first one was that the captains should buy corn ^{from} for them at the current price of three pesos, and only ^{from} for them, and ^{from} for no one else ^{should} those captains ~~should retain~~ ^{buy} the corn and other grain; the second one is that in the pueblos of the Indians there ^{should} be no corn fields; and if there are, they ^{should be} are only for the Fathers.

With the first certificate of the Governor they intended to draw upon the royal treasury under the pious pretext of devotion and attendance at divine services. With the other two they wanted the lands of the two Missions of San Antonio and Concepcion to become their own, saying that little land had been ^{sectioned} sorted out for them, and it was sterile, even worse in this section, whereas the Indians of the missions had plenty of water and very fertile land. This is in substance the ^{essence} marrow of the three certificates. As to the three ~~despatches~~ dispatches, there is nothing in them that says that the captains must pay for corn at the price of three pesos, and also that they offer no hindrance so that the pueblos

of the Indians are unable to ~~sell~~ their corn, and much less order the captains not to buy corn and grain ~~from~~ ^{from} these same Indians. So now it remains only to know the contents of the petition they have made, ^{and this} which they refuse to ~~do~~ ^{disclose}. In case you do not have it, I am giving it here to meet this lack, for it is very important that it be seen with its errors that ^{which} totally obscure the face of truth. As to the rest, which I justly and with reason ask for, they may present it. I now say again that it is in their hands, because their petition asks for it, the Senor fiscal is ordered to give it, the Senor Auditor agrees with this opinion and the most Excellent Lord Viceroy commands it. The attorneys do not speak the truth in denying these writings, for they come to rest not in the higher tribunal but in their hands. In their reply they are excused of a crime which I do not impute to them but by that very same ^{fact} they are suspected ^{of} for not presenting the dispatch ~~whcih~~ which they had for a long time in order to consult with their attorney if it should be legalized by the present viceroy before it is presented in the tribunal of this Province. ^{being} About their reasons I ~~do not allow to~~ ^{must} admit a sagacity which is not a little deceitful ^{as they} and trying to deceive the present viceroy with the decrees given by the ^{former} viceroys of the past, which have the same force as the writings they put out. These are supposed ^{to} or do contain little or no truth (as I have stated already) and much more remains to be said.

The reply of these attorneys ends with what you are doing ^{as} in regards ~~to~~ the orders of his Excellency given in the dispatch which they present. And so your doing what the dispatch says results exactly in taking no notice of what it contains, for nothing is certain in what the attorneys say in their petition. In such a case your Excellency advises that nothing ^{be} ~~is~~ done. ~~In such a case~~ when instruction is

lawyers
 wanting, all ~~judges~~ are certainly in agreement. It is clearly stated
 in the second title of rescripts that the decrees of princes carry
 these ^{unfavorable?} ~~invitas~~ phrases, although they do not express them: if it is so,
^{then} ~~if~~ prayers nullify the truth, save ⁱⁿ the right of ^{one} ~~another~~ or without prej-
 udice to the right of ^{the} another. It is clear to you, as in fact it is clear,
 that the profits of the Fathers are nil, and the reason they have ^{refuse} ~~for~~ ^{deny-}
~~ing~~ the Indians is not ~~for~~ their own interest but ^{for} what I shall say in
 number ten and in other numbers. And so it is that you should not put
 into execution what his Excellency the Lord Viceroy orders and ^{decides} ~~resolves~~
 the right in agreement with all lawyers.

A faithful copy, though unsigned, of the petition which the
 attorneys ^{for} of the families of the Canary Islands presented to the higher
 tribunal of his Excellency with the errors I note, ^{which as} ~~and~~ are found at the
 end of this copy.

PETITION

Don ~~Vicente Alvarez~~ ^{Travieso,} the ~~energetic?~~ high constable, Don Juan Leal,
 the magistrate for the cabildo, justice and administration of the
 Villa of San Fernando in the Provinces of Tejas, so that right pre-
 vails, I come before your Excellency and say that the citizens and
 first settlers of this Villa, (error 1) ever ^{since} they left the
 Canary Islands to come to this Kingdom (error 2) by the decree of
 His Majesty have experienced notable discomforts and hardships ex-
 pecially in this new settlement they have formed. Various and mod-
 erate assistance has been given by his Excellency and also by the
 Marqués de Cassa fuerte, as is seen in the three dispatches I present

with all due solemnity; the one was ordered to be issued by his Excellency and the other two by the Marqués de Cassafuerte. But with all this, these most devout measures have not been sufficient to alleviate the miseries and hardships, for the kind influence of his Excellency is some 500 leagues away (error 3). And so they have felt notable hardships in matters spiritual (error 4) and temporal. In order that your Excellency ^{can} ~~could~~ lend assistance, I ask for a better solution for each problem. - The first hardship which these miserable people suffer is the lack of a church in which Mass can be said and divine services held. They must, therefore, attend services in a room of the presidio (error 5) and during the rainy season this cannot be done because of the heavy rains. Mass is then said in the room of the guard, which is an open porch. Both places are unbecoming for the celebration of the august Mystery. Some citizens who want a decent church, have agreed to contribute towards building a church ^{as much as} which their meagre means would allow. This is clear from the testimony given by the Governor of this Province, which I duly present. But they have been unable to contribute what they promised because of their great needs (as will be shown later) . Would your Excellency be so kind as to give orders to proceed with the building of a church and assign from the royal treasury the amount your Excellency would be pleased to grant, and appoint a person to look after the expenses. The citizens (error 6) are ready to help by their personal labor. - Likewise, may I mention to your Excellency that some miserable settlers have no way whatsoever to maintain themselves, because this Province has no trade nor anything where they can work unless it be farming their land which they cultivate by their own hands. Even by this one occupation that they have, (error 7) they cannot find life's sustenance because there is no place to ^{sell} ~~see~~ the corn they harvest (error 8). If they want

these cattle do not enter the territory of these fields; also because their ~~cattle~~ animals and horses are harmed, would your Excellency command Captain Don Joseph Urrutia ^{to} see to it with all care that the citizens suffer no harm in themselves, nor to the fields, nor ~~among~~ ^{to} the cattle and animals. For all that has been here requested, may a penalty be imposed to ensure observance, and the needed dispatch be issued and sent to Captain Urrutia with a penalty attached to enforce it, and the writings which I have presented (error 16) be returned to me, as they are needed by my parties. Therefore, I ask your Excellency that after the presentation of these writings or provisions, ~~you~~ ^{you} would give orders as I have requested and give your decision to the general auditor.

The mirror of truth which shows the errors I checked in the preceding petition.

I confess that some of the errors I noted (they are so because they fail to say the truth) ~~are~~ is not to make a case of defense for the Religious, the Indians and the missions but rather because it seems to me entirely fitting to bring them to ^{your} ~~the~~ attention and to his Excellency's attention so that the allegations are seen to be made to gain their desired ends which are prejudicial to the honor of the missionaries and the liberty of the natives. Also, may your Excellency thus get to know the needs these attorneys mention and decide accordingly what best suits you and is more agreeable to the royal treasurer, who is being petitioned.

The attorneys for the families have not been content to say what the petition expresses but through the certificates have proposed

Excellent Lord the Viceroy.

Error 4

The hardships which the families suffer in matters spiritual and which the benign influence of the Most Excellent Viceroy cannot forestall consists in this, that they have no large church; it is certain, however, that they attend Mass in an adobe church that they found already built. It served and does serve the soldiers, the citizens and other families as a place to assist at divine services (as all the rest do in this country). In matters temporal the flat roofs leak. Not having other spiritual hardships, which cannot be characterized as notable, they cannot ~~be~~ truthfully say that notable hardships are endured in spiritual matters.

Error 5

The room which serves as a church from the very beginning was constructed for a church and never was, nor is now ^{soldier's quarters} a dwelling. The ^{been more than twice} times when Mass was said in a guard-room has not exceeded two times in the long stretch of ten years. It seems, then, that the attorneys for the families do not speak the truth in saying that Mass is said in a guard-room and that it is unbecoming and a ^{is soldier's quarters} dwelling that today serves as a church.

Error 6

If the citizens of the Villa of San Fernando ^{would} worked together to build a new church, whose walls are now almost finished, ^{for} they had more than two years ^{to do this} and the wood ^{was} hewn, without doubt the building now would be complete without asking ^{would} going through all the expense which they ask for from the royal treasury. It is not true to say that they were ready to work together and give personal labor to build their church, for as I said, there is not much more to do to finish it, and the soldiers and citizens are not refusing co-operation in doing what they can in that construction, if only the families ^{would} divided up the work and ^{would} not engage in quibbling and walk-outs that end up

in untruths.

Error 7

The attorneys say that the only work the families have ^{to} by which ~~they~~ maintain their livelihood is farming. If this is true, it ^{then} follows that the Islanders are lazy, for their fields are full of undergrowth. When the King our Lord gave them the land, it was ~~very~~ clean and cleared. Since ^{it} is not just to accuse them of the crime of laziness, for then the purpose of His Majesty in bringing them to this Province from the islands ^{would be} is frustrated with increasing ^{very cost} expenses for the royal treasury, ^{states} it must be added that the families do not have only one kind of work, that of farming, for many of them ^{now} ramble about. In truth, the families of the Canary Islands ^{could} were not ^{not exceed 16} able to go since 1716, and those who are only farmers are least in number. ^{not} It is a fact that one of the attorneys is a farmer and he is the high constable; neither ^{are} ~~is it~~ Senor Francisco Arrocha, Senor Antonio Rodriguez, Dionis, and others. Senor Santos works more at bricklaying ^{than at farming} and he is ~~a farmer~~. The three ^{Leales} loyalists are more merchants than farmers. One of the islanders is a carpenter and four are ^{soldiers} in the military, The breeding of cattle, raising vegetables and fruit and making cheese do not bring exceptional profit in these regions. And so the attorneys do not speak well in saying that the only work of the families is farming their lands.

They say also that in this Province one cannot engage in trade and so it is necessary to be employed in the only work of farming. They ought to cite the case of the deceased Don Miguel Nuñez and of Joseph Antonio Rodriguez, who are citizens, as also Senor high constable, an islander, who maintain themselves quite comfortably by trading, and there are others also who maintain a livelihood by trade alone. And so it is not certain that in the Province there is

no trade nor that one cannot be sustained by this work and all are forced to the hard work of farming.

Error 8

Corn harvested by the islanders is much less than what they could harvest and by not having more, they often lack corn to supply the soldiers and other citizens who have no land, nor has land been given them. Never has it been the case of having no demand for corn, for they could always sell to the captain of the presidio of San Antonio without going to the pueblos of the Indians. It is not certain or true, then, that the farmer islanders have no market to sell their corn nor ~~is it~~ that it is necessary for them to bring it to other Provinces ~~for the~~ as a last resort.

Error 9

There is no decree from his Most Excellent Senor the Marques de Casafuerte that the captains of this Province are to buy from the islanders and from none others at the price of three pesos. It is an error that destroys rectitude and frustrates the regulations of his Excellency the Lord Marques de Casafuerte. The attorneys for the islanders do not speak the truth, when they ^{say they} have such a decree in their favor. Only the captains can impose the obligation on the soldiers (according to regulations) to buy corn at three pesos. They would not be able to compensate for the cost and default in arranging to give rations to the entire company and their families. And so His Excellency never gave such a decree and did not thus obligate the captains.

Error 10

In this country there are no other crops than those planted by some of the other families and by the missions' Indians, who consume the corn and sell what is left over to procure clothing for the Indians and other items needed in civilized life in which they continue to alleviate the needs. One must note here that the condition is not attained whereby what their crops produce is sufficient to meet the expenses which the missionaries make for the Indians. It is necessary to have recourse for

their maintenance to the alms given by the King our Lord to the missionaries for their upkeep and to other alms from devout faithful. The Fathers share in the hardships endured in order to maintain the Indians and direct and exhort and even help the Indians personally in building, planting, drawing water and other activities. The attorneys speak very badly when they say that the apostolic Fathers in these parts of the land profit by the sweat of the Indians. They should say rather that the charity and zeal of holy Faith make the Fathers become carpenters, bricklayers, teamsters and even slaves of the Indians with no temporal reward. It must be made known how contrary ^{the} real conditions are to what is insinuated by the words the attorneys of the families inserted in their petition: The missionaries give them the corn at two pesos since they have no expense in harvesting it, for they force those same Indians of the missions to cultivate and work the soil.

What the attorneys tried to do ^e by those words they inserted in their petition and in what follows: ^{by the following words} The citizens cannot succeed in getting the Indians to work on their farms, not even by paying them, is to deceive the higher tribunal in this that the crops are not sown by the Indians nor for the Indians but for the missionaries and their own interests, and also that because of the interest served by these crops the missionaries do not permit the Indians to go out and work for daily wages and for the islanders on their farms. It is certain that there is no such interest for the missionaries nor for this end do they not allow the Indians to work for others. And so by placing the mirror of truth in the hands of reason, one clearly sees this to be a most unfortunate error, which those lawyers make out for the missionaries and which shows little respect they have in dealing

with the higher tribunal of this vast kingdom by presenting falsehoods in their face and presence. The reason why the missionaries do not allow the Indians to work for outsiders is, as I have said already and noted previously, that on this River of San Antonio in 1716 the King our Lord founded through the service of apostolic Fathers as missionaries, ^{the} Mission of San Antonio on the same site where he gave possession of land to the islanders. His Excellence the Lord Viceroy who then governed this New Spain established in that same year of 1716, or in the following year, the presidio of San Antonio de Bejar next to the mission to guard and defend it from hostile Indians in the vicinity. In the following years, about a league and a half south of the mission and presidio, the missionaries also founded Mission of Senor San Joseph. About this time and during those same years for the greater comfort of the soldiers, the citizens and of the Indians, the missionaries and the captain decided to transfer Mission San Antonio to the opposite side of the river and to the east, and the presidio remained where it was on the west side. In this way, the presidio and citizens could use the water from the arroyo of San Pedro, which is full of water, and the Indians dug another irrigation ditch from San Antonio River. Thus, without the Indians being embarrassed by the Spaniards, two pueblos were formed, one for the Indians, and one for the Spaniards. In March of 1731 on the same east bank of the River of San Antonio and about a league south of Mission San Antonio, the Mission de Nuestra Senora dela Concepcion de Acuña was situated. In that same direction and two leagues away the Mission of San Juan Capistrano was founded. To the west of this mission and on the otherside of the

river Mission de Nuestro Padre San Francisco de la Espada was established. It has a road to the north to Mission of San Joseph which is about a league and a half distant, and from this mission in the same direction and distance is the Presidio of San Antonio. On the River of San Antonio, then, six pueblos have been founded, three on the east side and three on the west side of the river. On the east side are Mission of San Antonio, Mission de Nuestra Senora de la Concepcion, and Mission San Juan Capistrano. On the west side are the Presidio and Villa, which today is called Villa of San Fernando, Mission of San Joseph and Mission of Nuestro Padre Senor Francisco dela Espada. In the same year of 1731 (after these five missions were founded) the families from the Canary Islands came ~~and~~ and were joined to the Presidio of San Antonio and its citizens, and were given possession of land and water, together with the citizens and soldiers, and later the title of Villa de San Fernando. The second point I ought to note is that the King our Lord and his Most Excellent Lord the Viceroy in regard to the spread of ~~the~~ our holy Faith, which is the first goal, wanted in the second place that each mission be a pueblo of Indians, so much the more pleasing to His Majesty and to His Excellency the Lord Viceroy ^{as} when they become more populated, ^{+ better} clean and well established pueblos ^{for} for those ends which always are of importance to the royal Crown. I note in the third place that there ^{is} a notable difference between these new pueblos of Indians and the Villa of San Fernando (the families presumed to be the founders); these men are Christians, brought up on the Canary Islands and educated, trained in work and knowing how to sustain themselves and be clothed, all this achieved by the sweat of their brow. Secondly,

the land they possess, the water they use and the sites on which
 they built their houses, ^{they already} found the land cleared and open and
^{cultivated} worked, and lastly (as already stated), they found homes ^{already built} for shelter
 and a presidio to defend them, and little or nothing of all this
 did the foundations of the Indians find or do have. First, because
 the founding Indians are savage Indians, brought up as wild beasts in
 the hills with no work except hunting whereby they keep alive and
 clothed. Secondly, to convert these savages to the Faith, it was nec-
 essary that these Indians, with the help of the missionaries, clear the
 land and open the fields for planting to get food and to do the hard
 work of digging an irrigation ditch from the San Antonio River. Thus,
 one sees why the missionaries can refuse ^{to let} the Indians ~~for~~ working for
 outsiders. The islanders say that at the expense of the royal treasury
 a church should be built for them in which they can attend ~~the~~ divine
 services. Without such expense, the missionaries want each pueblo and
 every new foundation of the Indians to have a church also, ~~without such~~
~~expense~~, where the Indians Christians attend divine services and the
 gentiles are instructed in Christian doctrine. Also, the Indians should
 have a house to live in, a granary to store their grain, a house for
 the missionaries, and all the rest that is needed for men to live in
 pueblos, in the holy Faith and a civilized life. (Nothing of this can
 be had by diverting the Indians ^{to} from that which the islanders ^{endeavors} claim.)
 The missionaries do not allow the Indians to work for outsiders not
 because of personal interest but for the spiritual and temporal welfare
 of the Indians and to attain the goal set by His Majesty and the Ex-
 cellent Lord the Viceroy. And that goal is that the savage Indians,

p 10

after their conversion to the holy Faith, form a new settlement for the Crown and there the new children and ^{Subjects} ~~vassals~~ live in the greatest convenience they can attain, (This is what our royal monarch desires) and thus win over the gentiles, so that they join the missions, ^{wh} seeing the good treatment and comfort which those already converted enjoy. Book 4, Title 3, Law 1.

The missionaries foresee many inconveniences which the families do not know, either because they do not want to, or because it is important for them. These Indians of the missions (as said before) are born in the forest without ever facing work which civilized life brings with it, as they work in their own pueblos with great moderation, and all this means for themselves great hardship, and some Indians leave the mission for no other reason. If then, these Indians would be obligated to a day's work to keep alive and clothe themselves, it seems certain that they would draw back and revert to the full freedom of the field and live only to hunt and in complete liberty. For this reason His Majesty directs by his laws, Book 6, Title 1, and Law 20 that the Indians are not obliged to work until they have spent some years in the mission.

Every day the missionaries see to it that the Indians of all ages and conditions of life recite the Christian doctrine, and by this ^{gentle} ~~suave~~ influence gain good knowledge, and at the same time the missionaries go on explaining the sacred mysteries. This could not be done if the Indians were day laborers and ^{were} ~~be~~ maintained as they are in the mission and ~~not~~ be hindered from attending catechism instruction. The missionary thinks it best that the Indians forming their pueblo with some leisure and attend catechism and not ^{be} forced ~~them~~ to work daily. Besides, the planting done in the missions and all the work is performed by the community. ^{only} The Indian who is a Christian and is strong enough to

hold time
to conversion
p 10

maintain the old, the infirm and the ^{non Christian} ~~gentile~~ coming in from the hills and unfamiliar with work, ¹⁵ ~~only those in this group~~ are capable of ^{ing a} to become day laborers. Given the case that these become day laborers, they and their wives and children ~~are~~ maintain themselves with difficulty. The others in the mission would necessarily die because those who can work daily are working for the islanders and no planting would be done in the mission. Not only would the Indians suffer hardship, as ~~was~~ said, but also the rest of the Province would be forced to have recourse to the granaries of the islanders and buy food at rising prices, which is the purpose of the ^{petition} ~~memorial~~ presented to the higher tribunal of His Excellency by the attorneys for the families. That this would be so is very evident. In each mission there is only one corn field and only one granary for all the Indians and beyond this there would be no planting done, neither by the missionaries nor by any one else. They would ascribe this, then, to the missionaries and their own interests, and in this way no mission would plant, and products could be sold at the price desired. I spoke to Senor Juan Leal, one of the lawyers, and made the same remark to him. He replied that it was not his intention to hinder the planting by the missions but only that they should be unable to sell corn that is left over at the regular cost of the Indians, though this alone is what they intend in their difficult claim, ^{which} ~~that I hold on to this~~ ^{to be} ~~unjustice~~, ^{as they do} ~~a similarity~~ in the two Spains, for it is completely opposed to natural reason. ^{p11} These Indians are settlers and natives; the islanders are settlers but foreigners. The two pueblos of natives were founded long before the families left the Canary Islands; the other three were founded at the same time and somewhat before the families entered this Province. The King

our Lord wants and commands that the natives live a civilized life and go clothed and walk in our holy Faith. There is no lack of industry whereby the islanders can clothe themselves. It seems to be something beyond any reason whatsoever for these Pueblos of Indians to ~~enter upon an enterprise~~ to give out goods they need for clothing and what is needed to live a civilized life and to establish their pueblos and and it is beyond an irremediable crime to begin to think that the King our Lord brought from the Canary Islands men who had reason to do such injustice to the natives. And so the claim ~~made~~ ^{made} the lawyers that this is offensive to reason is contrary to what our royal Monarch wants and commands.

Error11

The Captains of the Presidio of San Antonio always consumed the corn that the islanders harvested. This past year of 1740 not one family had corn for itself and the deceased Captain Don Joseph de Urrutia was forced to buy corn in the Mission of San Antonio. Though it is certain that Captain Don Gabriel Costales of Bahia paid for corn from the missions to supply the soldiers, it is not true what the lawyers say that the captains did not take their corn because the missionaries sold it at two pesos. What alone is certain is that a captain does not buy from the families because they have no corn to sell or because it is more convenient for him to buy corn in the missions.

Those who can write an order ~~for payment~~ for the great amount ^{of corn} needed by the missions are Captain of the Presidio of San Antonio and the Captain of Bahia. These ^{two} the islanders intend to compel by higher ^{orders} dispatches so that they buy ~~from~~ ^{from} for them and ~~for~~ ^{from} for no others. Then the five pueblos of Indians could neither sell nor find a buyer. It will be necessary then to have recourse to his Excellency so that the royal treasury starts a store where the Indians in establishing their pueblos

and a civilized life, can find plows, hoes, hatchets and other implements; metates (stones for grinding corn), kettles, pots and other domestic utensils; cloth, flannel and wool and the rest for clothing; with some medicine and treatments for the infirm.

Error 12

Neither is it certain that the missionaries hinder all communication between the Indians and the Spaniards as the lawyers say, for one can see at every step, the Indians of the missions among the neighbors, soldiers and the islanders. Although the Fathers see them ~~neither~~ ^{and} in the mission ~~nor~~ outside of it, they say nothing nor do anything whereby they can withdraw from such contact and communication. All the Spaniards who want to, enter the missions without any distinction. What the Fathers do prevent is that some Spaniards of less note and others who have ^{only} the name of a Spaniard do not enter the cabins of the Indians and that they do not buy their domestic utensils given them by the Fathers so that they can live and maintain themselves in the mission. These are metates, kettles, pots, ~~and~~ hoes and other needed items. It is certain that some Spaniards do this, ^{and} ~~so that~~ if it becomes necessary I shall present juridical writings. Because some persons enter the cabins of the Indians, it follows that they are used by them. For this reason and because of other disadvantages which I omit, the Fathers do not want the Spaniards to go from cabin to cabin, except those who because of their office or character or customs are persons from whom trouble is not expected. The Fathers also prevent Indian women ^{from} ~~to~~ go to the presidio and allow all to go about with great care because of troubles experienced ^{in the past,} and which this sort of communication brings with it. Also, the Fathers want the dealings the Spaniards have with the Indians to be had in the presence of the Fathers, because of quarrels that arise when this condition is not observed even though it be trading only for

hides. No one is hindered from trading with the Indians if conditions are observed. Although the certificates (which the lawyers do not present) say just the opposite, what I say is certain and reflects actual events, as can be seen by all in the Province. To say that all communication between the Indians and the Spaniards is completely hindered is a falsehood uttered by these lawyers. I have said already that the planting done in the missions is the work of the Indian community for the Indians, and all the implements and other needed things belong to the community. The Spaniards who trade with an Indian ought to understand that those items which they sell or are used, belong to the community and are stolen items, and the best are unable to be supplied by the users and those most valuable are wasted. Each one receives abundant ration of corn for himself and his family so that they live happily and contentedly in the mission. This ration of corn is often traded by the Indians for things of no value and this robs the community of corn that could purchase clothing and other needed utensils. When ~~this~~ they cannot do ^{this} ~~or~~ the family suffers hunger, or they must flee to the hills for food; nothing is remedied by this, and ~~without distinguishing~~ ^{as} much is bought ^{from} for the Indians as ~~they can sell~~ ^{can be sold}. Therefore the Fathers justly try to avoid such deals because of the bad consequences, and because the Fathers later see that they must ask for alms to maintain the Indians and obtain what is needed for a civilized life.

Error 13

I do not see ^{how} ~~in what~~ the Fathers hinder the Indians from being trained and I am ignorant of the way the families have for training them, for the Fathers used effective means to teach the Indians how to use the axe and clear the lands, and also how to plow and plant and irrigate the fields, how to build houses, become carpenters and tailors, and this they have achieved, and with greater effort, to ^{have taught them} ~~know~~ the mysteries of our

islanders
 holy Faith. The Fathers speak a purer Spanish than the ~~Indians~~ do
 and I find nothing special in which they may train them and much less
 holding meetings
 in the way of making ~~them~~ cabildos or in exercising in some diversion.
 They can train them ^{Indians} in what they desire and in other matters. ^{also} But in
 that case they ^{islanders} are not to curse, swear, blaspheme in their presence and
 much less let them see in the presidio and in the Villa actions which
 teach them how to offend God; thus they can show (which is very difficult)
 the practice of sweet charity.

Error 14

Among the points brought up in the testimonials (which the law-
^{do not}yers resist to present and ^{attesters} which the testimonials should not give) it is
 said that the Fathers (mainly those in Mission San Antonio) live in great
 anxiety lest the Spaniards use the lash. It is certain that those same
 lawyers and most of them in the presidio often enter the mission (when
^{those who live} the Father ^{inform} was the minister whom they accuse) and the inference is that
 some shameful consequence ^{neither} rests on all; but this is not the case, for the
 lawyers nor ~~those~~ who testify speak the truth. Such an individual (and
 there are not three of them) because of the sins of relapse have been
 threatened with the penance of being whipped that they may amend, but
 this threat does not have the desired effect. This medicine was applied
 with great moderation to one servant of a citizen and by this case alone
 the one who testifies says that without distinction the Father wanted
 the Spaniards to make them do penance. This was speaking what he wanted
 and to testify to what he should not have. What the Father always wanted
 to find out was who was entering the homes of the Indians so that he
 knew if the individual was a sheep or a wolf who was entering his fold.
 All the ministers ^{who live} in Mission San Antonio ought to be vigilant,
 because not far from the Presidio and the Villa of San Fernando is a
 place where not infrequently bandits entered, who if they are not inimical

to the royal treasury are opposed to royal service, for it is the great pleasure of the King our Lord to have the new ^{subjects} vassals of His Majesty receive the holy Faith, ~~bet~~trained in pure customs and suffer no harm in their goods and furnishings.

Error 15

They say in their petition that their fields are fenced in and that nevertheless damage is done to them by the cattle of the missions and in the certificates (which they did not present) is added the note that the damage is caused mainly by the cattle of Mission of Concepcion and ~~therefore~~ the Father President ^{ignores it} does not have a case. One of the lawyers, Señor Juan Leal Goraz agreed that in years past the first Alcalde ordered the second Alcalde to be seized; he was Senor Corvelo. He did the same to the high constable, Señor Vicente Travieso (who is the other lawyer) and the secretary, Señor Francisco Arrocha. The main reason for this ? (so great as to be prejudicial) was the fact that they did not want to obey in an act he was forming and made known to the families, that the fields should be enclosed and at the entrance ^{remain} be open. That year all the fields were not separated, with the exception that some were fenced in as the Governor of the Kingdom, Don Joseph Francisco Jauregui y Urrutia had ordered. The others, neither now nor previously, enclosed their fields as had been ordered. Last year at the request of the missionary of Mission San Antonio, because of the havoc wrought among the cattle of the missions by the islanders, ^a lieutenant as interim captain and high magistrate of the Villa and missions went to examine if the islanders had their fields fenced in. He found (as already said) that some sections were enclosed and others were wide open. At the same time, with little distinction, the lawyers said in the higher tribunal that their fields were ^{corn} fenced in, whereas the magistrate of the country saw with his ~~w~~on eyes that they were open, and so the falsehood of the

attorneys could not be indeliberate. The attorney ought to say that the cattle of the missions caused damage in the fields because some of the families of the islanders disobeyed their alcaldes and superiors by not wanting to enclose their fields, as was evident to him when he was alcalde. For this reason the President did not make a case of it. It is not true to say that the Father President ~~has~~ made no case, as they say. ^{From} For Señor Caravajal, a citizen of the Villa of San Fernando, ^{an ox} a yoke of oxen was bought for Mission Concepcion and ^{since it was used to} coming as usual to eat the corn of the islanders, ^{it} they returned from the mission to the old pasture. This was seen by him, as Fr. President ^{indicated the señor} ~~told it~~; he ordered it to be killed and the islanders ^{knew} knowing it. This ^{was one instance of} means and many others which ^{could happen} ~~ought not to do~~ because of the open fields, ^{but this in} the Fr. President ~~used~~. ^{it} It does not seem ^{time} certain that ^{they made a} ~~no case was made~~ of the ^{anxiety that} ~~avisos given~~ by the families. ^{present} What actually happened was that with the fields open, the cattle of those same people came in and ate the corn and also those of Mission Concepcion. For this reason, though they continued to kill and mistreat more of the cattle of Mission Concepcion, they would often kill also the cattle of the islanders and other citizens. Therefore in this past year of 1740, in the presence of the magistrate of the Villa, ~~demanded~~ the Fr President demanded in the name of the Indians the cows that had been killed and defended the cause ^{of the Indians to their} ~~to his~~ satisfaction, as all desired. In all this neither the magistrate tells me, nor did he say if he asked justly or unjustly, nor much less ~~if~~ where such decrees stop. And so the one who attests to the damage done to the corn fields of the islanders, ought to testify also that the fields were not enclosed, as also that they suffered such loss and greater damage among their own cattle because of the stand they took in not wanting to enclose their fields as they had been ordered to do.

p14

this may and

p14

Error 16

This last error takes note to recall to memory what the lawyers retain in their writings and inserted in their petition (according to the information I received from a ~~zealous~~ ^{jealous} man of our Faith. I am certain that the Señor fiscal advised that all the writings be returned. The Senor auditor agrees with this opinion. And so his most Illustrious and Excellent Lord Viceroy commands it, and ~~show~~ not to show the writings I ask for by the lawyers ~~is~~ because they want to keep them secret and not let them out to those who would expose the truth. Zeal for our holy Faith placed in my hands the petition I presented, which is a faithful copy. Besides ~~of~~ the testimonies, there is given only the name of the authors and some points they testify to. And so I cannot reply to all the contents but I ought to say in justice to the Most Excellent Viceroy that none of the testimonies has value because what is said comes from the deceased captain, or ^{is} a supposition, or given by one who is so advanced in age and so broken in health ^{that} ~~that~~ he would not know how much has been affirmed in this testimony. As to the testimony of the pastor, I have no doubt that it is his, since this is not the first time he has testified mainly against the Fr. President. ^{was} Though this is not given by one who knows ^{it is} ~~he~~ said that his testimonies tend to harm others and our holy Faith, which I must defend. Being acquainted and conversant of all that the pastor does without reason, how much evil can come to the religious, since it can be seen in the decrees formed by the Governor of the New Kingdom of Leon, Don Joseph Francisco Jauregui y Urrutia, I must say that it has no value and has no credibility as to what the pastor can certify, whether it be against the religious or against the Indians and their pueblos.

Having seen the errors contained in the petition without mentioning the others which I omit, I must present in all truth what the missionaries are doing in this Province out of charity, which they must have for the Indians, both christian and ^{infidel.} gentile. There were and are some missions in nearby Provinces, and after ^{the} increasing expenses our King the Lord ^{invented through in establishing} made for the ~~stores~~ (warehouses) ~~he~~ established to supply the missions, the results were not too good, because as they received so easily, so they squandered what the King our Lord gave. When the case came up of planting some fields, before or after the harvest, they began to trade, and not having food or clothing, they returned to the free and pagan way of living and ambushed on the way to kill and rob the Spaniards. To ^{obviate do away with} meet these problems the first apostolic missionaries who came from the Province of ^(Coahuila) Quaguila, decided to take over the domestic management of the mission and saw to it that the Indians and everything that the missions had belongs to the community, giving to each one what was needed for sustenance and what was left over to be sold for clothing and what was needed in the mission. This method was followed and the good results were clearly seen in the mission and also the stability of many souls and ⁱⁿ with no expenses made in the ^{supply house?} stores. What those missionaries did in the missions of the River of the North, which belonged to the Province of Quaguila, was also done faithfully by the missionaries of the Province of Texas without ever being criticised by any Governor of this Province and much less by the Brigadier Don Pedro Rivera, the Visitador. They were persons who did not view things according to outward appearances but according to essentials. If one looks at the exterior of what the apostolic missionaries accomplished, one will see what the ignorant say: the missionaries have profits, for they see them ordering the Indians to plant their fields, look after the cattle,

p15

build homes and establish pueblos. But how many see the purpose the missionaries have in tackling such problems ^{does} not even remotely indicate any avarice on the part of the missionaries. Their motive is zeal for the holy Faith which is being planted and takes hold of the Indians by this method. The old Fathers of the Province of the Holy Gospel in planting the Faith among the savages and the many nations of New Mexico decided on this way of acting in the enlightened and very exalted spirit of Ven. Maria de Jesus de Agreda, as can be seen in a copy taken from a letter which Fr. Alonso de Benavides, ^{Indian} custodian of New Mexico, sent to the religious of the Holy Custody of the Mission of San Pablo of the Kingdom, from Madrid in 1631. It was printed in Mexico by Joseph Bernardo de Hoyal in 1730.

^{Since that method achieved}
 Having shown that it was fitting for the ends desired by those Fathers and also the same method the Fathers follow in this Province, it ^{was followed also} will not be, ^{result} as the lawyers for the islanders ^{say in} intend, any cleavage in the religious institute but a way of gaining more results in planting the holy Faith in these vast dominions which the King our Lord has in these parts.

^{is}
 With all this and what I have justified through individuals of the highest character in this country is a sufficient answer to what the families through their lawyers claim. The planting and the sale of corn directed by the missionaries ^{is} are not for themselves or by themselves. Not to allow the Indians to work for others is not for gain ^{for} on the part of the missionaries but for the spiritual and temporal good of the Indians, so that they convert by good will to our holy Faith ^{non-Christian} the gentiles who see and observe the advantages of the converted Indians who live in the missions.

I ask you then, and in justice plead, that what is contained in the despatch they have won be not put into practice because of what I have said, ^{because} and what the lawyers claim is unjust. Only lawsuits will result between the families and the pueblos of the Indians if on both sides there are equal rights to sell their produce. If it pleases the Most Excellent Viceroy, that the captains ^{can} take corn only from the Spaniards and not ^{from} for the Indians. If this advise is not agreeable to His Most Excellent Viceroy because he will say, and with reason, that the ministers in this Province are of very little intelligence, for they ask of him points that without other laws than reason can be defined. Besides by protesting against the obstinacy of the lawyers in the first place the advise can be given to His Excellency so that they live quietly and leave us in peace and we shall do all what the King our Lord desires.

I ask of you also that by deciding if it pleases you, to give me the testimonial of it all or the same decrees for the results that befit the Indians and their pueblos

This is what I ask of you in justice and swear that nothing is of malice.

Fr. Benito Fernandez de S^a Ana - Presidente - Rubric