

Pedro de Perea and the Colonization of Sonora

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In 1640 or somewhat earlier the first non-clerical Spaniards settled in Sonora and in so doing stirred up a conflict with Sonoran Indians over land rights that lasted for nearly two decades, from roughly 1640 through 1658.¹ Jesuit missionaries advised the Indians to take legal action against the settlers. The document that appears in this article portrays the strategy the Indians and their advisors employed to reclaim lands that Spaniards had taken from them. It also reveals the response of Spanish courts to those strategies.

Led by a military captain on a civilian mission, Spanish soldiers and settlers (the two often played the same role) ventured into what is now Sonora, not seeking a military conquest but intent on establishing a colony. Their foray had the full backing of the Crown, and they considered their mission a license to civilize the region, i.e., establish an enclave of Spanish culture, institute European customs and norms to guide the “barbarian” native peoples, and, even more important, extract wealth from the land. If Indians stood in the way of convenient development of human and natural resources, so much the worse for them. In this case, the nondescript Eudeve settlement of Tuape on the Río San Miguel, a minor, ephemeral stream in central Sonora, became the location of a struggle that would be repeated numerous times in northwest New Spain in the following 150 years. It would also symbolize the conflicting currents in Spanish expansionism: evangelizing and pacifying native peoples versus expanding the royal treasury and establishing Spanish colonies in lands claimed by the king. The conflict would set the stage for Sonora’s colonization and outsiders’ eventual appropriation of Indian lands and Indian water. The clash of forces would continue through the expulsion of the Jesuits in 1767 and on through Mexican independence. It

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continues today in the form of the neoliberal drive against cooperatively and communally owned lands in Mexico.

In the Tuape case, the facts clearly favored the Indians, as all parties acknowledged, yet the authorities were reluctant to rule in their favor. With evidence presented by a Jesuit who knew the Indians well, supported by the Indians' intimate knowledge of the land and their stubborn persistence and the demonstrable improbability of the Spaniards' land claims, the Spanish courts were forced to recognize the validity of the Indians' petition. Still, the courts, as far as the documentary record demonstrates, did not rule against the settlers. Instead, they brought pressure on the Spaniards involved to relinquish their holdings without issuing a formal ruling against them.

Prior to 1640 the only Europeans to be found in Sonora,² apart from a smattering of prospectors in search of precious metals, were priests—a couple of dozen Jesuits and a small handful of Franciscans. These resided in newly created mission communities, not on landed estates under private ownership. Indeed, the Crown entrusted Jesuits with “pacifying” the natives, converting them to Catholicism, and shaping them into a new breed of peasantry freed from their “savage” past, humbly, quietly, and piously tilling the land and reaping harvests.

Native uprisings had frustrated the Crown's earlier attempts at colonization in what would come to be called the *Opatería*, roughly corresponding with northeastern Sonora. In 1540 Francisco Vásquez de Coronado attempted to found a settlement at Corazones, probably on the Río Sonora. Coronado left forty soldiers in charge when he departed for the north. After suffering profound mistreatment at the hands of Spaniards, the natives, probably Teguimas, revolted and obliterated the colony, killing all but four of its Spanish settlers. After the Corazones debacle, indigenous Sonorans—Teguimas, Eudeves, Nébomes, Pimas, and Seris (as Spaniards came to call them), seem to have resisted settlement by outsiders. Teguimas and Eudeves became so renowned for the deadly accuracy with which they shot volleys of poisoned arrows at intruders (and perhaps each other), that most expeditions left Sonorans to their own devices.³

By early in the seventeenth century a more systematic Spanish campaign of pacification and conversion of Indians had reached Ostimuri, the land of the Yaquis and Mayos that now makes up southern Sonora south and east of the Río Yaqui. Between 1618 and 1619 Captain Martínez de Hurdaide, based at the presidio at El Fuerte on Sinaloa's

Río Fuerte, led a military/pacification expedition to central and eastern Sonora. This major foray was intended to soften the region for Jesuit evangelists rather than to establish colonies of Spanish yeomen and emerging landed gentry. The goal of the missionaries was to convert the natives to Christianity and to the ethic of individual peasant farming. The Crown granted the Black Robes virtual free reign in the new territory, but gave them only ten years to complete the conversions. When that time had expired, Indians would become normal subjects of the Crown, subject to tithes. Those goals—creation of a peasant class and collection of tithes—were never fulfilled in the 150 years of Jesuit activity in the Mexican Northwest, nor were any tithes collected under the Franciscans, who succeeded the Jesuits.

When Hurdaide withdrew his troops and their numerous Indian allies, only the Jesuit priests remained behind, though military assistance was never far away.⁴ Their vision involved founding communally based, self-sufficient mission enterprises centered first on spiritual, second on economic goals. The development of land and resources for private or even royal enrichment was not a stated part of the Jesuit program. In pursuit of the utopian goal, they began active evangelization in Sonora in the 1620s, arriving in Mátape in 1629. By 1638 (perhaps slightly earlier) they had begun the slow process of converting the Indians of the Río Sonora. Northward progress was slow, however, and no Jesuit priest resided in Arizpe in the northern portion of the valley, until around 1650. Formal evangelization on the Río San Miguel, the next major drainage to the west of the Río Sonora, did not commence until the late 1640s.⁵

At that time, New Spain east of the Sierra Madre, the province called Nueva Vizcaya, was well populated by non-indigenous people and the site of considerable mining activity.⁶ The governor of Nueva Vizcaya ruled over the lands to the west as well. Although Durango in the Guadiana Valley was the official seat of the provincial government, the discovery in the early 1630s of rich silver deposits near San José de Parral, several hundred kilometers to the north, resulted in a silver rush and the rise of a boomtown. While other deposits waned, those of Parral seemed to yield a steady return, and Parral became the largest town in the province. During the late 1630s its importance surpassed that of Durango, and it became the *de facto* seat of the government of Nueva Vizcaya.⁷

Much of what is now Sonora—the northwest of New Spain—including what would come to be called the *Opatería* and the *Pimería Alta*, was still

unknown and undescribed territory for Spaniards. Those lands, which lay to the west of the rugged Sierra Madre, were the last to be colonized in what is now Mexico. The portions that Spaniards had described compared favorably to parts of Spain in climate and topography and proved receptive to European crops and livestock. The Opatería, in particular, contained well-watered valleys with fertile soils and a long history of cultivation.

Sonora remained devoid of private property until the arrival of Pedro de Perea.⁸ Pedro was a small-time conquistador and government-sponsored Andalusian⁹ who obtained the backing of Spanish authorities to help pacify the Northwest and open it up for economic development. In 1626 he succeeded Martínez de Hurdaide, a devout Catholic and very tough soldier, as captain of the presidio of Sinaloa.¹⁰ Perea, perhaps even tougher but, as far as the Jesuits were concerned, clearly lacking in piety, took his job seriously and by 1634 had made forays deep into Sonora, battling Indians along the Río Bavispe. Accompanying him were Jesuits who offered baptism and absolution for those who surrendered to Spanish authority. Along the way Perea developed a reputation for ruthlessness and a willingness to depose any natives who resisted Spanish *entradas* or his whims. Jesuits early on noted his penchant for excessive violence and found him less than enthusiastic about defending priests who were under attack from apostate Indians.¹¹

Perea was too ambitious to remain a mere captain of a presidio. With the blessing of the governor of Nueva Vizcaya, he journeyed to Mexico City and, in 1637, secured from the viceroy of New Spain the authorization to colonize Sonora, which the viceroy agreed, would be called Nueva Andalucía after Pedro's home province. Returning to the Northwest and Parral, he persuaded the governor to name him *alcalde mayor de Sonora*, an imposing but rather empty title for a territory devoid of Spaniards, but one that would endow him with almost unlimited authority. He would become the Crown's chief officer—administrator, commander-in-chief of the militia, chief justice, budget director, and planning czar.¹² The governor authorized him to muster forty soldiers, twenty-five of whom would travel with him to Sonora at his own expense. These twenty-five original soldiers were on loan, and not permanently attached to him. Recruiting the remaining fifteen would be at Pedro's own expense as well, and these soldiers would have to agree to become colonists of the unknown place called Sonora.

In return for endorsing Perea's commission, Governor Cadereita of Nueva Vizcaya instructed him to found a *villa* (town), construct

appropriate fortifications, introduce European agriculture, open mines and refineries, and provide for the propagation of Spanish culture, all in the space of four years. The governor may have granted a two-year extension when Perea had not completed the requirements by 1641 or 1642, but Pedro never fulfilled the terms of his commission.¹³ His subsequent designs on Sonora were somewhat dampened by the restrictions imposed by the viceroy and the governor, who must have sensed that in Pedro they had an intrepid soul, but perhaps a loose cannon as well. Furthermore, Pedro was subject to the proscriptions on the behavior of conquistadores imposed by the Laws of the Indies. He was not to inflict arbitrary violence on Indians. He was to respect their property and women. His expeditions were to be accompanied by priests.

In spite of these limitations, Pedro believed that he had pretty much free rein, apart from gratuitous violence. With his charter in hand, he led his band west across the Sierra Madre. He may have ordered his men to the Río San Miguel as early as late 1637, and may even have accompanied them on the initial entrada. He almost certainly relied on geographical reports of the Jesuits, who had been in the region for several years and perhaps had suggested that he locate in Tuape (rather than in a better location, which they reserved for themselves!). At any rate, he visited the San Miguel Valley but must have soon departed, leaving his men in charge. In 1640 while his soldiers were encamped along the Río San Miguel, he was busy in New Mexico, recruiting men and their families to settle permanently around Tuape and replace the temporary soldiers. In addition to colonizing the unconquered province of Sonora, the men thus recruited were to serve as a local militia and work as miners and farmers.

Once again in Tuape, Pedro selected a ranch site much to his liking and named it Nombre de Dios. In whirlwind fashion he relocated his family, servants, and livestock to Tuape from Basiroa, three hundred kilometers to the south in the Río Fuerte drainage. By 1641, perhaps earlier, Perea had enticed twelve New Mexicans and at least some of their families to Tuape to be permanent *colonos*, or settlers. (Twelve was the minimum number of married *vecinos*, or settlers of Spanish origin, required to establish a villa under the Laws of the Indies.) These would become the original non-indigenous Sonorans, part of the foundation of Sonoran society, traceable to New Mexico, where more than three thousand Spaniards and their offspring were already to be found. Nombre

de Dios was the first secular Spanish settlement in Sonora, and while Pedro de Perea is usually credited with the founding of Sonora, Sonorans seldom mention the genetic descent of the state's founding families from Spanish or mestizo New Mexicans.

Pedro de Perea may have regretted his precipitate selection of Tuape as his first settlement, for it was not long before he found the narrow valley at Tuape inadequate for his designs for a villa, and before two years had passed he had transferred his headquarters to the Río Sonora, settling on a location near Banámichi. Based on the testimony of several witnesses, he appears never to have viewed the Tuape settlement as anything other than a temporary place to house his family while he constructed a villa—a permanent town—elsewhere.

While the legal arguments presented in the following documents do not mention the formal requirements of a villa, they are assumed in the arguments. Creation of a villa brought with it a grant of land from the Crown four leagues (roughly ten miles, or sixteen kilometers) on a side. This was to be measured and divided among the twelve original settlers, so that each of them would have received a handsome tract of land. In addition, a certain quantity of *ejido*, or common, lands would surround the villa and provide extra resources for gathering wood, grazing animals, foraging for wild plants, and such things.¹⁴ The founding of a villa was no simple act.

One of the requirements the governor of Nueva Vizcaya had imposed on Alcalde Mayor Perea was that a priest accompany him. The Jesuit Gerónimo Figueroa joined the Perea party. Father Gerónimo, a native-born priest with Indian ancestry, had experienced many challenges as a missionary among the Tarahumaras. The padre quickly discovered to his dismay that Pedro had little patience for the obstacles created by the presence of natives, and tended simply to push them out of the way and take over their lands, grabbing by force what he could not obtain by peaceful accord. Padre Gerónimo, viewed by his Jesuit contemporaries as a gentle, saintly sort, could not stomach Pedro's barbarian treatment of Indians and withdrew from the entourage.¹⁵ Perea was unfazed by the Jesuit's resignation. He foresaw nothing but obstacles and frustration coming from the Jesuits, and turned instead to Franciscans to fill the mandated position in his retinue. He had become acquainted with the Brown Robes during his recruiting drive in New Mexico, and calculated that as missionaries the friars would be more understanding and accommodating of the necessi-

ties involved in settling the lands over which he had designs. The Franciscans seemed quite willing to accept appointments in what had generally been acknowledged as Jesuit territory. Five of them showed up on the Río Sonora in 1644 (Franciscans had already been present on the eastern reaches of the Río Bavispe, probably since 1636) and quickly established a Franciscan missionary presence on all four of the Opataría's rivers: the Bavispe, the Moctezuma, the Sonora, and the San Miguel. Perea's bold move of thrusting Franciscans directly into the heart of Jesuit territory set off a territorial conflict between the Brown Robes and the Black Robes that give rise to unpriestly antagonisms until an accord was reached in Arizpe in 1651 and the Franciscans retreated eastward.¹⁶

Pedro took sick in 1644, perhaps suffering from wounds or from a stroke he experienced as a result of a rash attack he mounted against the Pimas of Magdalena, in which his forces were roundly defeated.¹⁷ He returned to Tuape to recuperate, appeared to be improving, but then died suddenly in October 1645, apparently from a stroke.¹⁸ He may have expired in Banámichi, and, according to a *relación* of the events of the time, he was honored in death far more than in life.¹⁹ Even though the Jesuits provided Pedro with a solemn and dignified burial, they do not appear to have shed many tears at his demise. The Crown had already ceded Sonora to them, and without Pedro de Perea's sponsorship, the Franciscans had no one to explain or defend their presence in the province. Pedro's expansionist dreams ended unrealized with his death, and while the name Nueva Andalucía appears occasionally in documents (including the present one)²⁰ it barely took hold officially. (Father Pedro de Pantoja was briefly named *padre visitador* to Nueva Andalucía in 1644.)²¹ And though his men remained and multiplied in the region, he never completed construction and population of his required villa.

As the narratives in the following documents reveal, Pedro de Perea appropriated lands around Tuape for himself, his family, his staff of servants and slaves, and his men, but was stymied by legal requirements for demonstrating that the property was his. He became furious when Indians rejected his offer to purchase their lands outright but, controlling his violent urges, he (according to them and their priest) offered them sacks of grain, cloth, trinkets, and crude tools in return for permission to lease the best agricultural lands and springs. Unstated in these negotiations was the threat of military action should they refuse. Pedro had

a force of twenty or so soldier/settlers who possessed arms and horses, as the Indians were well aware.

Once the Spaniards occupied the most desirable lands, they fenced off natural artesian wells, all the while allowing cattle to run free. They ran a canal from the springs directly to Pedro's new house, apparently for his family's convenience and to water an orchard he planted outside his door. (Europeans appear to have viewed the presence of orchards with trees of European origin as a clear symbol of conquest.) Much to the Indians' consternation and anger, the loss of free-flowing irrigation water they had formerly diverted from the springs caused their crops to dry up while the Spaniards' free-ranging livestock destroyed many corn and bean fields. (A single cow can destroy an entire *milpa* [cornfield] in only a few minutes.) The Spaniards' new dams and canals, and their cows, undermined the natives' ability to derive their sustenance from the soil.²²

Even in Pedro's absence his men had been actively prospecting, and by 1640 he or they had announced the first discoveries of silver in Sonora. By the mid-1640s, perhaps slightly earlier, they had founded two important mines in the rough hill country between the Río San Miguel and the Río Sonora: the Real de Santiago (now hardly identifiable) and the Real de San Pedro de los Reyes (now lost). Both were abandoned after a few years of production, but by 1645 the Real de Santiago had become the political center of Sonora and the headquarters of Captain Simón Lazo de la Vega, alcalde mayor of Sonora. By the 1650s the governmental center had shifted to San Pedro de los Reyes. By 1657 or thereabouts it had shifted east to the more important strike and new real at San Juan Bautista in the mountains southwest of Cumpas, on the Río Moctezuma. Even with the decline of the mines near Tuape, Pedro's wife, María de Ibarra; her offspring; and the men who colonized Sonora with Pedro remained in the region and came to form the earliest elements of Sonoran colonial society.

After perhaps two years at his (apparently temporary) residence in Tuape, Perea may have moved his family east to the vicinity of Banámichi on the Río Sonora. Attempting to fulfill his orders from the governor, he appears to have begun construction on an ersatz fort at a location on the Río Sonora near Banámichi, where he remained until he took sick in 1644. Whether or not María de Ibarra moved to the Río Sonora to be with her husband, and whether she accompanied Pedro de Perea back to Nombre de Dios for his hoped-for convalescence, is not clear, as are her whereabouts after his death.²³ The narrative in the documents implies that she continued to live in Tuape until her death and

never abandoned the place. As of 1658 Perea's son, Pedro Jr., was still in residence there.

The decision to relocate from Tuape to the Río Sonora makes sense, but Perea's original choice of Tuape is puzzling, unless, that is, he was following the recommendations of Jesuits. The present site of Tuape, while quite scenic, lies some distance from any farmable acreage. Except for a few quite limited terraces in the floodplain of the Río San Miguel, the land is rolling to mountainous. What appears to have made the site desirable was the presence of one or more *manantiales*, or artesian water sources. The descriptions of water sources in the following narrative are vague. The manantial may have been a *nacimiento*, a spring in the riverbed itself (which in the dry season would often disappear in the sands of the channel), or it could have been a spring located in a side drainage, which would have made it easier to control for irrigation. The latter was probably the case. At any rate, the manantial, which lay less than a league to the north of Tuape, was presumably reliable and thus permitted permanent irrigation of bean fields and cornfields, even in years when summer rains failed. Such a water source would constitute the sole basis for permanent residence in the area. Annual rainfall in the San Miguel drainage is usually insufficient for reliable crop production. In years of heavy summer rainfall, one rainfall-fed crop is possible, but the timing of the rain is critical: if the arrival of the rains is delayed from the normal onset, which is the first week in July, until late July or early August, the corn crop may have insufficient time to mature before the fall drought and the arrival of late fall frosts. In some years the rains fail partially or entirely. Still, the Indians of the region practiced plantings by both means—*de aguas* (irrigated) and *de verano* (rain-fed)—and thus produced reliable harvests.

As the documents explain, when the Jesuit Lorenzo de Cárdenas arrived in the San Miguel Valley, he appears to have ordered the Indians to drain *ciénegas* and swamps in the area in order to plant wheat. The destruction of the wetlands may have caused the springs to dry up, thus endangering the Indians' crops, results that the Indians (or the priest) appear to have blamed on Pedro de Perea and his men, perhaps unjustly. The missionaries demanded their wheat, dismissing corn as an inferior grain, just as the Indians probably wondered why the priests put them through so much work to raise an alien grain with yields significantly lower (as low as one-fifth that of corn) than harvests from milpas while requiring more intense labor.²⁴

Father Cárdenas also reveals that Jesuits created missions with vague boundaries, such as the lands he mentions near Banachari, a site perhaps located well to the southeast. (Cárdenas recalls that it lay a “long league” downstream from Tuape, in other words, more than two and one-half miles.) Banachari was included within the mission of Mátape, but lay at some distance from it, perhaps as far as a contemporary ranch by that name southeast of Ures. The priest oversaw planting wheat there, which could only mean that the mission claimed jurisdiction over the land. When settlers allowed their cattle to graze free on mission lands, they were intruding on what the Jesuits viewed as their property. How the Black Robes kept their cattle (which they raised in considerable numbers) in check is not apparent. Father Marras, Cárdenas’s successor at Mátape, however, did train many Eudeves to be cowboys,²⁵ and priests may have controlled the cows by having the Indians watch them constantly.

Pedro de Perea appropriated the best farmlands at Tuape and at a nearby *ranchería* (now disappeared) called Uparo (or Úparo). As a result, the natives were no longer able to farm. Rather than accept starvation, they migrated, apparently en masse, to the prosperous but distant mission at Mátape or to some lands under the mission’s jurisdiction, at least for the growing season. The Jesuit mission priest Daniel Ángel Marras (referred to as “Daniel Ángel” in the narrative)²⁶ or his predecessor, perhaps Padre Cárdenas himself, provided them with land and even some water for irrigation both there and at the intermediate location of Banachari. The Tuapeños proved themselves successful farmers, drawing the admiration and envy of many local Indian farmers. Still, at least some of the Tuapeños returned to Tuape each year to plant corn during the rainy season in side canyons and valleys that did not require irrigation and lay beyond the choice lands that Pedro de Perea had appropriated. Some of the Indians may have chosen to live at Tuape in the off-season (winter months). They hauled their harvest of corn and beans back and forth with them between Mátape and Tuape, in what must have required enormous physical effort.

The Tuapeños’ choice of emigration to Mátape, more than one hundred kilometers distant from Tuape, is puzzling. Several missions on the Río Sonora lie within fifty kilometers or even closer and undoubtedly offered arable land for farming and, equally important, mountains for hunting and gathering. The narrative makes no mention of additional factors involved in the relocation, but the Indians of Mátape spoke the Eudeve language, not Teguima, the language of the missions on the

Río Sonora,²⁷ and the comfort of speaking with people in one's own language would have been most appealing to Tuapeños. Spaniards later lumped Eudeve and Teguima under the general linguistic classification of Ópata, but they were different languages, for the most part mutually unintelligible.²⁸ For whatever reasons, the Eudeves of Tuape must have found living amongst the Eudeves of distant Mátape preferable to life among the Teguimas of the Río Sonora. The possibility also remains that the priests ordered the Indians to move, with the threat of punitive action if they refused. The Laws of the Indies mandated the reduction, i.e., congregation, of Indians into mission communities, and punishment awaited those who resisted or preferred to continue living beyond the reach of the priests.²⁹ A further possibility is that the mission lands of Mátape were vast and the Tuapeños were allocated lands within the mission but at a site closer to Tuape than Mátape itself.

In the complaint outlined in the following narrative, the natives of Tuape, now residing in Mátape, demand the restitution of the lands they formerly inhabited. Their principal point of contention is that they had agreed with Captain Pedro de Perea that he could use their lands for a short time in return for a payment of trinkets and an amount of corn and beans equal to what they would lose by ceding to him the use of the lands. The Indians are adamant, however, that the agreement was temporary. Pedro had demanded initially that the Indians sell him the land, but such transactions were unknown among Indians and one especially brave native had demurred. He informed Pedro, through an interpreter, that although he himself was old, he had children and grandchildren who would need the land. An angry Perea then offered food as rent and a few trinkets to sweeten the deal. And, according to several witnesses, he assured them that *Nombre de Dios* would be his temporary home only. His permanent residence would be on the Río Sonora, hence he would require the lands for two years only. After that he would not attempt to control lands within two leagues (probably about eight kilometers of Tuape or Uparo).

In 1652, perhaps ten years after Perea had appropriated the Tuape lands, the Indians had reminded the settlers at Tuape—notably, Pedro's widow, daughter, son, and son-in-law, and perhaps other heirs and settlers—of the agreement. Perea's widow, María de Ibarra, acknowledged that Pedro had agreed to those terms. She promised to turn the land back over to the Indians and remove all livestock, but only at the end of an additional two-year period, beginning in 1652. Pedro had perhaps

moved his wife and family east to Banámichi, but at least some of his heirs, and even María herself, chose to remain at Tuape or returned there when Pedro was dying. Especially active in the proceedings were Pedro's son, Pedro Jr., and his son-in-law, Captain Juan Munguía de Villela, who appear to have viewed Tuape as their private fiefdom and refused to recognize the two-year limitation, even though María de Ibarra, their mother and mother-in-law, had agreed to it.

By 1658, the date of the final documents in the folio translated here, at least sixteen years, perhaps as much as twenty, have transpired since the arrival of Pedro de Perea at Tuape. Cattle have significantly multiplied and the Indians are cut off from the water they depend on for irrigation. Through several spokesmen the Tuapeños have requested the magistrate (and future *alcalde mayor*) Francisco Coto to enforce the original agreement and expel the Spaniards from Tuape. A decade earlier Indians had enlisted as an advocate the Jesuit priest Lorenzo de Cárdenas. Cárdenas had arrived at Batuc in 1629 and had served as the first resident priest in Sonora. In addition, he had served at various missions in Sonora and by all accounts was intimately familiar with the geography of the area and with the circumstances under which Pedro de Perea and his entourage came to occupy Tuape.

Father Cárdenas seems more than willing to verify the legitimacy of the Indians' claim. Throughout his testimony one can detect Jesuit distaste for Perea and his estate. The priest, for example, questions why Pedro would have given the name *Nombre de Dios* to an hacienda he knew to be only rented from its rightful owners. He underscores the way the settlers trampled Indian crops and allowed their cattle to lay waste to milpas. He emphasizes the legitimacy of the Indians' claim to Tuape, suggesting that their residence at Mátape is an exile forced upon them by the machinations of Pedro de Perea. Father Cárdenas apparently died a year before the final proceedings reflected in the documents. However, the document he signed, signifying the truth of his deposition, was dated July 1647, more than ten years prior to the final disposition of the case and the filing of the present document. His deposition apparently took place in Movas, a Pima Bajo town on the Río Chico, about 140 kilometers southeast of Mátape. Clearly, Father Cárdenas's testimony relied heavily on impressions and memories from several years earlier, describing as he did the human and natural landscape around Tuape prior to the arrival of the Spaniards. The fact that the Indians sought his testimony establishes that they were actively pursuing the return of the lands by

that time, and were willing to travel to Movas to obtain his support, but implicit in his testimony are the Jesuits' support and even promotion of the Indians' campaign for justice.

After the death of Padre Cárdenas, the *padre provincial* (Jesuit supervisor) designated Father Daniel Ángelo Marras to replace him as Jesuit advocate for the Indians. In addition, the magistrate Francisco Coto, apparently with the consent of the Indians, appointed one Juan Franco Maldonado, of unknown origin but known to be one of Coto's lieutenants,³⁰ to be the Indians' legal advocate. On paper, at least, Maldonado delivers a spirited case for the Indians. What transpired behind the scenes, or whether his activities were all for show, is, of course, not possible to determine. Navarro García describes him as "a good person, very devout, and who prays a good deal, a simple and uncomplicated man who never diverges one iota from the party line of the Company of Jesus . . . and says what Father Daniel Ángelo Marras tells him to."³¹ Franco Maldonado operated a mercantile shop in Mátape, an enterprise that relied entirely upon the approval and permission of the resident Jesuit priest. A careful reading of the documents in the context of Sonora in the 1650s suggests that Franco Maldonado, however eloquent his defense of the Tuapeños, was acting as a proxy for the Jesuits and their economic interests.

In defending themselves against the petition, Pedro's heirs—notably his son, Pedro Jr.; son-in-law, Captain Juan Munguía de Villela (husband of Andrea); and his daughter Josefa—seem to have claimed that the lands where Spaniards had settled were unoccupied at the time of their arrival. (Their pleadings have not turned up in the Parral archives.) According to them, the Indians had abandoned (or never used) the fields and thus turned them into *terrenos baldíos* (unoccupied lands), which under Spanish law, were up for grabs. Father Cárdenas, however, contests their claim. He had routinely visited parishes in the region prior to Perea's arrival and recounts seeing numerous *milpas* and *frijolares* (bean fields) that the Indians regularly maintained, extending from the Río San Miguel across the crest of the intervening mountains to the east, well into the drainages of the Río Sonora, and to the west as well. For at least six years prior to the Spaniards' appropriation of the lands, the Indians had been farming these marginal plots. The same fields, along with those nearer to Tuape and in valleys and canyons to the west of the Río San Miguel, were now abandoned due to the Spaniards' land grab. Father Cárdenas reiterates the suffering the Tuapeños experienced when

they were no longer able to farm and when their supplies of firewood were exhausted due to the presence of Pedro de Perea's family, servants, slaves, livestock, and the accompanying settlers. In vain they struggled to plant their corn along with some wheat for the mission priests, but to no avail, as irrigation water was diverted for the Spaniards' use, and livestock invaded the milpas and fields and destroyed the crops. Pedro de Perea and other settlers ordered cowboys to watch the cattle herds, but their best efforts came to naught. The cattle always sneaked into the fields and undid the work of the farmers. Now, Father Cárdenas asserts, even though the Tuapeños are successful farmers in Mátape, they long for their ancestral lands and have a perfect right to have them returned to them free of others' cattle.

We must bear in mind that only a smattering of Spaniards had visited the Río San Miguel. Mátape was only founded in 1629, and the Río San Miguel lay well to the unchartered northwest, so it is doubtful that any of the Indians (whose ethnic identity is not mentioned in the narrative but who are probably Eudeves) spoke Spanish. In that case, native testimony had to be translated for the scribe through an interpreter. While it is not clear that Padre Cárdenas spoke the Eudeve language, Jesuits of that day were expected to gain fluency in the language of their charges,³² so we can assume that he had some degree of mastery of the language, though it may have been minimal.

Whoever the authorities were who stepped forward to assist the Indians in filing their petition, they had to have been aware that Pedro de Perea, in accepting the office of *alcalde mayor*, was subject to specific duties and severe penalties for violating his contract. He was also under scrutiny by royal authorities. The Laws of the Indies ordered conquistadores and their like to respect Indians' property and women and to avoid abusing them physically.³³ So, instead of simply seizing the Tuape lands for his use, Pedro was forced to offer goods in return for leasing the lands and to limit his tenure to two years. He probably calculated that once he had abandoned the homestead around Tuape and moved on to the Río Sonora, he could wash his hands of any further complications wrought by other Spaniards, including his heirs, who might choose to hang on to the hacienda. On the other hand, the priests, also knowledgeable of the Crown's policy toward Indians, probably noted several violations of regulations and urged the Indians on, guiding them through the process of filing a *demandá*, a legal challenge to the presence of the Spaniards. The priests would have relished their role as advocates for

the Indians out of sympathy with the Tuapeños' plight, but they also almost certainly would have recalled Pedro's earlier abuse of the Company and his importation of the Franciscans, and would have hoped to gain some degree of revenge by helping dislodge Pedro's heirs from lands they were wrongfully occupying. In addition, as priests, they must have been aware of numerous gentile Indians on the Río San Miguel and with evangelists' zeal have envisioned establishing missions there in the near future. The presence of *colono* Spaniards in the area would make their missionizing more difficult, but better there than in the more heavily populated Río Sonora. As far as the Jesuits were concerned, the fewer non-Jesuit outsiders in the region the better.

Even more important, the Jesuits were gradually becoming an economic force in the region. By controlling the regional economy they could control the development of the region and attempt to make Sonora a Jesuit empire. Under the regime of Daniel Ángelo Marras, this nearly became a reality. During Padre Marras's watch, and well into the 1670s, Mátape became Sonora's leading commercial center, marketing grains and other foodstuffs, hides, tallow, and cloth. The mission also owned mines and smelters, worked by African slaves.³⁴

In his testimony Father Cárdenas reveals his staunch allegiance to the Company of Jesus and its role in pacifying the Indians of northwestern New Spain. While he clearly argues for the legitimacy of the Indians' claim to Tuape, he takes pains to point out that the Indians needed the technology and industry of the Jesuits merely to survive. It was their priest (apparently Cárdenas himself) who ordered swamps and ponds to be drained and canals and ditches to be constructed in order to increase agricultural production. Prior to the arrival of the Jesuits, he implies, the Indians were primitive, unsophisticated farmers languishing in the absence of European technology. It turns out, however, that much of that increased production went to planting wheat and orchard trees for the enjoyment of Europeans.

The Indians' case faced another huge impediment: Juan de Munguía (Vilella is his mother's surname). Munguía, son-in-law of Pedro de Perea and a principal defendant in the case, had served as *alcalde mayor*, the chief judge and authority for Sonora, in 1652 and 1653. He was succeeded by Francisco Coto, with perhaps one *alcalde* intervening. Whether the succession was friendly or hostile would have made a huge difference in the lawsuit's outcome. *Alcaldes* usually investigated the actions of their immediate predecessors and sometimes found egregious violations.³⁵

They also appear to have had some personal grudges to settle with previous alcaldes. All Spaniards in the region would have known each other. Nearly all were likely related through marriage as well. In the case of Pedro de Perea, however, it would have been common knowledge that he had been booted from office and ordered out of the province, and only his death saved him from great embarrassment or a tense confrontation with his superiors in Parral and Mexico City. Ruling against one who had fallen into disfavor with the Crown might have gained points for the presiding judicial officer.

By the time of the final determination in Parral, María de Ibarra had died and willed her estate to her daughter Josefa de Ibarra, who apparently vigorously defended her claim to ownership of Nombre de Dios. Why María chose to bestow her goods on Josefa, rather than on her sons Pedro Jr. and Tomás de Perea or her other daughter Andrea de Ibarra, is not made clear, but María must have been a resentful individual indeed to have reneged on her agreement with the Indians and to have cut her other children out of her will. She resented Pedro de Perea's dissipation of her dowry, as we learn in the documents, and may have disliked her son-in-law Juan de Munguía as well.

The documents in this case are lengthy and repetitive and extend over a decade, so I have chosen to present roughly one-half of the pages in the folio. The scribe (equivalent to a notary public) from San Pedro de los Reyes, Ignacio de Barraiersa, who recorded much of the first half of the folio, had decent handwriting. In keeping with customary Spanish writing, however, he did not incorporate punctuation into his transcriptions. The beginning of one sentence and the end of the previous one are usually only implied (leaving the reader to guess), and only context can help establish where one thought ends and the next begins. Nor are thoughts organized into paragraphs. The written text often consists of one sentence many pages long. In the translated narrative, periods are of my insertion and are not found in the original document. In some instances I have also created paragraphs where none appear in the originals.

Although the folio dates from 1658, many of the documents are not the originals. In some cases they are copies transcribed over the years from earlier written testimony, but the copying apparently was always carried out in the presence of witnesses willing to verify the accuracy of the reproductions. The original scribe recorded the testimony of several different witnesses from a variety of locations in Sonora, including Parral in Chihuahua, the mine at Real San Pedro de los Reyes, Mátape, Movas

(on the Río Chico, a tributary of the lower Río Yaqui that enters the Yaqui at Ónavas), and Tónichi, a (probable) Eudeve village on the east bank of the Río Yaqui some twenty kilometers upstream from Ónavas. We can only assume that the scribe either traveled to these distant locations and gathered testimony as part of the ongoing investigation and then made a single copy for Francisco Coto's review, or gathered the material and made copies for presentation to the provincial governor in Parral. The change in geographical setting of the deposition is not reflected by a concomitant change of sentence, paragraph, paper, ink, or handwriting in the document. The testimony ranges over eleven years, from 1647 to 1658.

The document provides an intriguing insight into the geography of the Tuape region. Natives quite naturally set boundaries by landmarks—especially prominent hills, mountains, arroyos, and springs—but locaters in this document also include a grove of cottonwoods, a mesquite bosque, a palm grove, a thick growth of reed grass, and a hot spring, all of which Padre Cárdenas takes pains to enumerate. Unfortunately for us, the topographical landmarks have undergone name changes, and the groves and stands of trees, bosques, thickets, and bushes have long since been eradicated or have otherwise vanished. Still, the witnesses' familiarity with these landmarks is critically important in establishing their aboriginal ownership of the lands in question.

Three factors, then, seem to be central to the Indians' apparently successful argument: the Tuapeños had a continuous history of planting corn and beans that extended over many generations; the Tuapeños possessed an intimate geographical familiarity with the lands in question, a proof of their long possession of the land; and a variety of witnesses agreed that Pedro de Perea obtained a contract with the Tuapeños for two years or at most temporary use of their land, and when he moved to the Río Sonora, he abandoned any claims to the Tuape estate. The Indians' court-appointed lawyer, Juan Franco Maldonado, further argues that any agreement was null and void because Pedro de Perea never fulfilled the requirements stipulated by the Crown for establishing a villa, and thus had no authority to claim the lands at Tuape or anywhere else under his grant from the governor or viceroy.

Also noteworthy is the absence of testimony from Indians themselves. Most documents from northern New Spain during the colonial period reflect only the voices of Spaniards and other Europeans. The Indians themselves seem invisible or nondescript background players. A care-

ful reading of the document, however, reveals that it is they who have brought the action against Pedro de Perea's estate (though urged on by the Jesuits), have educated Padre Lorenzo Cárdenas in the history and geography of the Tuape region, and have persevered in pushing their claims for more than a decade. Hardly passive, hand-wringing bystanders, they stubbornly persist in their demand for justice and the restitution of their traditional lands. They stoically make the arduous journey to distant Parral in pursuit of their patrimony. The depth of the Jesuits' intervention is, of course, an object of speculation.

Although Francisco Coto, the government magistrate, possessed unequivocal arguments for finding in favor of the Tuapeños, he chose rather to wash his hands of the matter and forward the case to the provincial government in Parral. The details of the final decision of Governor Enrique Dávila y Pacheco have not emerged in the documentary record, and we have no reason to believe that the governor ultimately found in favor of the Tuapeños, i.e., we have no record of an *auto* or court finding. Instead, the court and the lawyers brought pressure on Pedro Jr., Josefa de Ibarra, and Juan de Munguía to agree to a final *concordia* ceding the lands back to the Indians and agreeing to remove their cattle. Furthermore they agreed to leave the house and other buildings at the headquarters of Nombre de Dios to the Indians, asking only that the Indians help them construct new buildings at a different (undisclosed) location, to which the Indians heartily agreed. The Perea heirs caved in, according to their words, because legal costs were high, the case had dragged on too long, and they hoped to achieve a friendly compromise with the Indians. In reality, the Pereas had no defense, as several officials reminded them. Better agree to a noble-sounding *concordia* than to suffer the indignity of a written court order. The defendants and the courts had strung the case out for the better part of two decades, and something had to give.

Whether or not Captain Pedro de Perea's heir actually fulfilled the provisions of the new *concordia* is not clear, especially since it was not accompanied by a formal court decree. The continuous history of the settlement, however, suggests that the displaced Tuapeños returned and in one way or another reclaimed their ancestral lands after a prolonged exile. Nicolás La Forá, an engineer and inspector, visited Tuape in 1766 and referred to it as a "little pueblo of Indians" who at the time were suffering from a powerful epidemic of typhus.³⁶ In 1902, nearly two and a half centuries later, anthropologist Aleš Hrdlička made a brief

ethnographic study of Tuape and found that most of indigenous residents still spoke the “Ópata” language.³⁷ Had the legal complaint filed by the Tuapeños in the 1640s been completely unsuccessful, it is doubtful that Tuape would have perpetuated its indigenous tradition.

And so the Tuapeños’ arguments for restitution of their lands appear to have been successful. As the documents demonstrate, nearly two decades passed before they obtained a ruling on whether they could reclaim what was rightfully theirs, and even then no formal ruling emerged, no court document officially finding in favor of the Indians and against the Perea family. The Spanish courts and litigants for the defense dragged the case out as long as they were able. Pedro de Perea founded his initial colony in Tuape sometime around 1640, and the proceedings presented here were not completed until 1658.

In the meantime Perea’s family and his associated settlers began the settlement of Sonora in the Río Sonora Valley. The Spaniards present in northwest Mexico during the 1640s and 1650s were principally miners or merchants dependent upon mining. The gold and silver strikes from mines founded in the 1640s at Santiago and San Pedro de los Reyes had been exhausted by the mid-1650s. However, by 1657 a major strike to the east led to the founding of San Juan Bautista, which then became the regional capital of Sonora.³⁸

As miners, they had the ear of the Crown, which claimed one-fifth of all precious metals. Other Spaniards learned of the mines and arrived in central Sonora in increasing numbers. They brought additional livestock, claimed “unclaimed” lands, and forcibly recruited Indians to labor in the mines. While no records have come to light detailing the settlers’ claims and homesteads, they became farmers, ranchers, and miners, all with increasingly large estates made up of lands formerly belonging to Indians. It seems safe to assume that any productive agricultural land they controlled was obtained at the expense of Indians. From the Indians’ standpoint, the mines proved a most destabilizing institution.

The Jesuits discovered to their dismay that mines proved to be a powerful counterforce to their evangelization efforts as well. Jesuits themselves had introduced cattle, claiming it would be a boon to the Indians, but appear to have controlled their herds and taught the Indians to be cowboys and keep watch over them. Settlers invariably brought their livestock with them and gave them free range. They loosed their cattle on Indian lands, thus unleashing an ecological firestorm the Indians and the priests had no tools to counter, as they point out in

the narrative. Furthermore, the mineworkers who flocked to the area from elsewhere were often a morally loose bunch with low regard for the clergy, the missions, and religion in general. At the same time the arrival of entrepreneurial miners and their mining claims stimulated the demand for private property among new arrivals, who often brought with them the American Dream, the hope of acquiring a landed estate. Spaniards thus imposed the notion of land as a commodity to be bought and sold, an idea contrary to native land tenure and to the communitarian ideals of the Jesuit missions. The clash between these desperately competing ideologies would only be settled to the detriment of the Indians.

In spite of mining's dismal influence, the Jesuits were of two minds concerning the industry. They clearly profited from sales of grain, cloth, beef, tallow, and hides to the miners, and became notorious for undercutting the prices charged by traveling merchants. In this way the missions, especially that of Mátape, accumulated profits and sent shipments of silver off to Mexico City.³⁹ On the other hand, the mines were magnets to a class of people generally unwelcome within the cloistered confines of the missions. The priests loathed them and deplored their negative influence.

Finally, the Indians suffered from the depredations of epidemic diseases, at least some of which can be attributed to the working conditions at mines and the close proximity of so many people living in unsanitary conditions. Decimation of their numbers as a result of waves of pathogens left Indians far more vulnerable to Spanish expansionism and left the priests with dramatically fewer converts than they had anticipated. While the mortality of native populations in the Opatería was vast, the losses were seldom clearly spelled out in the seventeenth century and did not receive prominent consideration in extant documents from that period. Daniel Reff estimates that in the first two centuries after the first contact with Europeans the aboriginal population of the Opatería (the land of the Ópatas, including both Mátape and Tuape) fell from about sixty thousand to just over six thousand, with the most dramatic declines occurring during the first century of occupation.⁴⁰

From Tuape, Pedro de Perea's men spread out, mostly to the east, where the richest mines and the most fertile and well-watered agricultural land lay, rather than to the west, where the desert became drier and hotter and lacking in reliable water sources for irrigation. Mineralization was also spottier west of the Río San Miguel. By the time of

the filing of the Tuapeños' complaint, the mine at Santiago, to the east of Tuape, had already become home to numerous Spaniards, so many that the magistrate and *alcalde mayor* Simón Lazo de la Vega was able to fashion an effective militia from the settlers. These he mobilized into a fighting force. With the recruitment of several hundred Indian allies, he easily suppressed a 1648 rebellion of peoples to the north of Arizpe who were actively resisting Jesuit evangelization, notably by the Jesuit priest Gerónimo de la Canal.⁴¹

Included among Lazo de la Vega's Spanish militia was Juan de Oliva, one of Pedro de Perea's original recruits from New Mexico, also mentioned as an exemplary Spaniard in the following document. Perea left Oliva in charge of constructing his new house in Tuape while he returned to Basiroa to transport his family and estate northward. Under Juan de Oliva's direction, the house was finished in three months. By the time of the 1648 rebellion Oliva had apparently become a successful rancher, combining careers as a cattleman, miner, and soldier. He and other Spaniards were prepared to put down any Indian rebellion, especially those opposing the *entradas* of the Spaniards.⁴² By all appearances Oliva had become a permanent resident of the valley of the Río Sonora, along with at least forty additional settlers who also had become militiamen. These frontiersmen were built of stern stuff and were resolved to brook no insolence from Indians.

Pedro de Perea did not survive to see the fulfillment of the personal fiefdom he hoped to forge out of a territory previously inhabited only by Indians. The orders from Mexico City brought by Father Gerónimo de la Canal included a specific order that Pedro and all his family be expelled from Sonora.⁴³ With his death, however, official displeasure with Pedro diminished and those instructions were never followed. Following the signing of the third (and apparently final) Tuape concordia, however, Juan Munguía de Villela appears to have been ordered out of the Río San Miguel. Even so, he must have done well in the Río Sonora, where his descendents propagated and flourished and Munguía himself became *alcalde mayor* of Sonora. Munguía weathered the review of his period of service⁴⁴ and went on to found the town of Santa Cruz near the Sonora-Arizona border.⁴⁵ One hundred years later the Indian population of the Río Sonora had drastically decreased while the number of *vecinos* had vastly increased. Shortly thereafter *vecinos* would come to outnumber Indians.⁴⁶ The stage was set for the gradual privatization of much of the land of eastern Sonora and the disappearance of the Opatan peoples.

I suggest that the dispute over control of the lands at Tuape reflects the more basic dispute between Jesuits and settlers over communal, church-controlled lands versus private property. To that extent, the Jesuits were using the Indians to achieve their corporate agenda. The priests' eagerness to endorse the Indians' petition, which they in all probability originated, may well reflect the Jesuits' megalomania and their justifiable concern that settlers might undermine their control of the region.

The Tuape dispute was but one of many that occurred in the Northwest. Technically, all lands there were owned by indigenous groups and/or the King of Spain, and in the absence of established procedures, no one else could claim title to them. The Jesuits in their missionizing paid little heed to the legal status of the lands and did not bother with surveys. Since the Crown had authorized the order to missionize the Northwest, the clerics proceeded aggressively in attaching the broadest possible boundaries to their missions,⁴⁷ assuming their right to assimilate to their jurisdictions lands that had traditionally been part of indigenous communities, and expanding at will the boundaries of the missions to engulf all potentially valuable real estate and everything in between. Father Cárdenas seems to have been involved in such an expansion of boundaries when he oversaw the draining of swamps at Tuape and Banachari. As he recalls in the documents, he felt free to order the Indians to plant wheat on land that "belonged to no one."

At the same time, settlers apparently had no qualms about homesteading when and where they pleased, viewing Indian occupation as a nuisance and the Jesuits as an impediment to economic development. They frequently complained that the Jesuits were too powerful, that they tied up the best agricultural land for themselves, and that they used the Indians as personal slaves. Francisco Coto, alcalde mayor in 1660, complained that "in Sonora the only king was the Jesuits."⁴⁸ At the same time, however, settlers, especially miners, could hardly survive without provisions of food, fiber, hides, and tallow from the Jesuit stores, a fact the Jesuits, especially Father Marras of Mátape, took great pains to emphasize. Whenever the Jesuits saw the settlers becoming too vocal in protesting the Jesuits' power, they would threaten to cut off their supplies. Settlers, though they benefited from the low prices the priests charged, came to resent the priests' dominance of local trade, especially given their observation that unpaid Indian labor produced most of the commodities sold by the missions. The settlers often counted among their supporters against the Jesuits the various alcaldes mayores of

Sonora, who often had ties to mercantile interests undercut by Jesuit commerce. One of the *alcaldes*, Gregorio López Dicastillo, dispatched an investigator to enumerate the commercial dealings carried on by the missions. In 1674, based on the report of investigators, *Alcalde* Dicastillo lodged a formal complaint against the Jesuits with the Audiencia of Guadalajara.

But Dicastillo was not alone. Other conflicts between Indians and settlers and complaints about Jesuits, landholdings, and the rights of Indians also reached royal authorities, and the resulting confusion forced the Crown to propose sending out investigators. By 1674 the Audiencia of Guadalajara found so many land disputes in Sinaloa and Sonora that it ordered José García de Salcedo, a knight of Santiago, to investigate the situation and “share and divide among Spaniards and Indians the lands that shall seem necessary to each party according to their merits, always giving consideration to providing the natives with all the [lands] they may justly need.”⁴⁹ The Audiencia hoped also to determine if both miners and Jesuit missionaries were exploiting Indians and treating them cruelly. Part of their interest was perked by the charges that Dicastillo had filed against the Jesuits. If land allocation proposed by the Audiencia were to take place, it would directly affect the plans of the Jesuits, who still hoped to control all the lands and peoples in their realm.

The intent of the Audiencia seems to have been noble enough, but they failed to consider the power and designs of the Jesuits. An advisor to the Audiencia pointed out that the Jesuit Order in fact controlled *all* the lands in question and that neither Indians nor settlers exercised real control; i.e., under the Jesuit mission system, no private lands were up for grabs. The Jesuits piously protested that allegation and voiced vehement opposition to the proposed allocation of land, maintaining that they owned no lands whatsoever and that they were in fact protectors of the Indians against the acquisitive settlers. That claim was true, as far as it went. At the same time they launched a vigorous lobbying campaign with the Audiencia. They portrayed themselves as selfless messengers of God’s word with no interest in earthly holdings. Padre Daniel Ángelo Marras wrote in a tone of deeply offended indignation that he and the Jesuits were the object of “false and malicious reports” lodged by vicious plotters against “my sacred religion and my person in particular.” He labeled the list of charges filed by *Alcalde* Dicastillo as “infamous libel” and “false slanders.”⁵⁰ The Jesuits could foresee only mischief arising from such a pointless investigation.

Bowing to Jesuit pressure from many quarters, the Audiencia cancelled the fact-finding mission and the project to allocate land based on need. As a result, the tension between Indians and settlers was never formally addressed.⁵¹ Such was the influence the Jesuits wielded in the late seventeenth century that they could bring powerful political bodies to their collective knees. Even those settlers bearing *mercedes* (land grants) from the governor were shunted aside at the whim of the priests. The resentments against the missionaries' high-handed tactics produced a lingering desire for vengeance that persisted through the expulsion of the Black Robes in 1767.

In spite of the Jesuits' success in quashing a land survey, they could not conceal the ever-heightening confrontations surrounding land claims. What the saga of the Tuapeños presents in vivid terms is that Spanish settlement of northwest New Spain, whether by missionaries, farmers, or miners, always involved the displacement of native peoples to their ultimate detriment. Notions that Spaniards settled empty or unused lands were distortions of the demographic realities of the pre-Columbian region, as Father Cárdenas takes great pains to emphasize. What he failed to add was that whenever the priests ordered the Indians to cultivate wheat and raise cattle, whenever they forced Indians to labor in mission-owned fields, they were removing potentially arable or useful lands from Indian use. The forcible relocation of Indians into reductions—as exemplified in the transference of the Tuape Eudeves to Mátape—did violence to their traditions and their legal ability to maintain aboriginal land claims. It also left them increasingly vulnerable to infection with epidemic diseases. Spaniards, Jesuits, and settlers alike settled Sonora—and everywhere else in New Spain—only through the use of military force and, ultimately, the eviction of native peoples from their ancestral lands. Certainly the conquest was complex: some indigenous groups (including Opatans) allied themselves with Spaniards in attacking other groups, their ancient foes. Still, with the notable exception of most of Yaqui country, by the end of the seventeenth century settlers could be found in all territory previously controlled by Sonoran indigenous peoples.

The real power players in the Tuape case, then, are the Jesuits and the settlers, and their struggle concerns the strategy for hispanicizing the northwest of New Spain. Would it be along the lines of individual property, laissez faire capitalism, and private investment (with an adequate return to the royal treasury) or along the lines of corporatist, highly centralized religious theocracy? The Indians are the ostensible lead actors in the drama

of this document. In reality they are but shadow forces, proxy fighters in a larger war. The Jesuits clearly and vigorously supported the Tuapeños in their legal claim against the Perea family. They may have won the Tuape battle, at least so far as we know. But it was clear to settlers that Jesuits coveted dominion over the lands and native peoples of the Northwest and possessed a grim determination not to be outdone by their secular rivals. The secular forces ultimately triumphed. The Jesuits were ousted in 1767. The Franciscans who replaced them watched as the mission system was dismantled under orders from the Crown. For all practical purposes, by the early nineteenth century missions no longer existed. All land previously bound up in missions had gone up for grabs.⁵²

As the document opens, the natives of Tuape, destitute and without an advocate, have appeared before the governor of Nueva Vizcaya, don Enrique Dávila de Pacheco, in Parral, Chihuahua, requesting that he appoint them an attorney to defend their interest. The year is 1658 and Parral is a lengthy journey many days distant from tiny Tuape, as the natives are careful to point out. After the introductory documents, the time shifts backwards. I have added to each different narrative the date or approximate date of the deposition or statement to offer the reader a chronological perspective.

In the end, we must conclude that the Spanish justice system, even in the face of overwhelming proof of gross injustice, attempted to nudge the Spaniards rather than openly rule against them. This served to deflect an official record wherein a small band of Indians would be revealed as victorious over a powerful contingent of Spaniards. In the documents available to us, no one contests the Indians' petition. No one denies that the Spaniards broke promises and treated the Indians' land claims with disrespect. The political pressure exerted behind the scenes on and by the magistrates was sufficient to goad the Perea family into signing a third concordia, but in the larger picture it seems to me that the same pressure turned out to be too overwhelming to permit the court to issue a formal finding that would allow "illiterate savages" to triumph over loyal Catholics and men born subjects of the king. Added to the pressure was undoubtedly the Spanish fondness for litigation or as Nancy Farriss described the tactic: "whenever the case appears to be going in favor of the other party, obstruct the proceedings."⁵³ To whatever extent this deep-seated tendency toward litigiousness prolonged the proceedings, in the end the Indians seem to have gotten back their land. Quite possibly, the Jesuits could manipulate the system just as well as colonial Spaniards.

THE TUAPE INDIANS' CASE

July 1658 (?)

(In Parral, Chihuahua) Damian Sidaicavit, native governor of the town of Mátape in the province of Sonora, and Francisco Huduri and Lorenzo Tenorat, residents of said pueblo and natives of the pueblo of Tiape [Tuape]. For ourselves and for the Indian leaders and members of the pueblo, we appear before Your Grace in the best form that our right requires and we state that we have come on foot from our said and faraway towns more than 200 leagues away. We come as miserable, poor men and without any support other than that of Your Grace, requesting justice against the heirs of General Pedro de Perea, now deceased, so that we can tranquilly enjoy our lands, ancient lands by the river that was near our town of Tuape, lands that he has invaded with his livestock for more than twenty years,⁵⁴ and that we be free to use our lands and to have them once again for the reasons and testimony that we present to Your Grace, judging it appropriate for our rights that Your Grace would serve us if Your Grace were to appoint for us a defender, which at this point the natives of this kingdom do not have, so that he can legitimately defend that which we request. We pray that with Your Grace's great Christianity you will do that which we hope. Regarding this we ask and plead that you order that we be provided with a defender and, once that is done, order him to defend us in keeping with our right and the justice that we request and in everything else.

Damián Sidaycavit, governor.

[p. 2]

Parral, July 23, 1658

Order: As presented [in the document below] Alférez Diego de Alarreta will be appointed defender of the natives. If he accepts the appointment, the oath will be administered by don Enrique Dávila y Pacheco, Knight of the Order of Santiago and governor and captain of war of this kingdom of Nueva Vizcaya.

Approved and signed. (signature)

In Parral in the said day, month, and year before the said Senor Governor and War Captain Diego de Galarreta [Alarreta] appeared,

and having been notified through the above document, stated that he accepted and will accept the said task of defender and in his acceptance swore to God our Lord and the sign of the cross in the proper form that he would do everything properly and faithfully following his loyal understanding, with no fraud. He stated that would discern and did discern the assigned task given the power and authority as stated by law, that in every way possible he will represent the case of the said Indians. And he signed as defender. (Signature)

[p. 3]

Presentation of Tuape Indians' case, perhaps by Pedro Talemuche, Indian governor of Mátape, a summary by the scribe.

April 3, 1657

In the real and mines of San Pedro de los Reyes, province of Sonora, third of April 1657, in the presence of Captain Don Francisco Coto, alcalde mayor and war captain of said province for his majesty. The following made a presentation: Pedro Talemuche, governor of the pueblo of Mátape and its settlements of Indians, Ygnacio Cabairu and Lorencho Batorochi, both *topiles*⁵⁵ of the settlements of Tuape and Uparo, representing the remaining natives and descendents of those pueblos of Tuape and Uparo for whom we certify⁵⁶ that they will be and will approve of what we are doing.

We appear before Your Grace and in the best and proper legal form we will make a claim against don Pedro de Perea and Captain Juan de Munguía Villela, husband and his wife, as children and heirs of Captain Pedro and doña María de Ibarra, their rightful parents, and any other children and heirs. In relating the facts, it is the case that the places called Tuape⁵⁷ and Uparo were villages of natives from time immemorial. These villages were populated and settled by us, and our ancestors, [but] we now live in the village of Mátape, where we were forced to relocate, having been removed from lands that were and are ours in the aforementioned villages of Tuape and Uparo. It was thus: we never failed to take advantage of the natural possession of our lands in the summer and the irrigation season, holding them as useful and ideal for summer and irrigated planting, lands quiet and peaceful in our possession. And in this state of tranquil and peaceful property of ours, the said Captain Pedro de Perea,

who was from this province of Sonora and chief justice there, made and attempted with the [approval of] his majesty his intention to found a villa⁵⁸ in that place. In the meantime he planned to establish a site [in Tuape] and a site as well in the Valley of Sonora that would be his permanent home. He requested such a place and terrain in Tuape, a site for a house, lent to him by the Indians who at the time had planted milpas and bean fields. He [demanded] that [land] under the terms of the said pact [with the Indians] and he built his house right on top of a bean field that had already been planted and was greening, all because he was in a big hurry and could not wait until harvest time arrived. He compensated the Indian from whom he had taken the land by offering him two sacks of beans and promised he would provide him with beans for however long he would live there, and he agreed to pay him each year

[p. 4]

for the rest of the time he would be at that site, promising that he would give them a certain portion of the yield while he was moving to the site that he would found in the Valley of Sonora. As part of the pact he also gave the owner of the plot some coarse blue cloth, a knife, and an adze. Involved in all this was the sublieutenant Juan de Oliva, who accompanied Don Pedro de Perea and with whom Perea founded the said house where he lived with his family, the place now called Nombre de Dios, to which place he introduced many cows, donkeys, and horses. He kept them [the livestock] so that the said Indians, as natural owners of the sites and their town and ancient lands, would quit planting their lands, lands that for their convenience and abundant harvests the Indians could call their own when the lands were in their own hands. During the delay Capt. Perea experienced while moving himself and his family into Sonora, the cattle and horses continued multiplying and invading the Indians' lands. [The same happened with] the servants' families and other persons, from whose presence the Indians received many grave damages and annoyances in their fields that had already been sowed [as well as] in their persons. [For these reasons] they requested the said Captain Perea to allow the said fields and lands to return to their free and unencumbered state, and after his death they asked doña María de Ibarra to do the same [i.e., return the land to the Indians]. Pedro de Perea did not agree to that request.

So the Indians were forced to appeal to doña María's sense of justice,⁵⁹ since she was in possession of the said house and site of Nombre de Dios. She acknowledged the rights and civil and natural possessions held by the said Tuapes and Uparos to the said lands and terrains of the said pueblos. As legal guardian and teacher and healer of her children [she has power to decide for her children], she, in her part of the legal action, made an agreement with the Indians on the sixteenth of March of 1652 and with Padre Daniel Ángelo [Marras],⁶⁰ their missionary and minister, that in order to avoid damages, injuries, and annoyances, within the two years from the said date [16 March 1652], she would vacate the land and leave empty her house of all family as well as all the livestock, all the said lands and limits of Tuape and Uparo. She agreed not to settle or found settlements within two leagues of these said boundaries. Although the said concordia [agreement] declares that the said Indians should build a large house and two smaller ones on the location [probably on the Río Sonora] where said doña María de Ibarra or her designate should indicate and could allow cattle insert to wander there, [the Indians did not agree and] were not obliged to fulfill that part of the concordia due to the damage and injury it would cause them. Still, in order

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best to comply with the provisions of the agreement, since that time, we⁶¹ have fulfilled and feel obligated to fulfill every part that pertained to us. The two years mentioned in the agreement have long since passed and doña María de Ybarra died long ago. Upon don Pedro's death, she came to be in charge of said estate of Nombre de Dios. She and her son, during her lifetime, should have fulfilled her part of the said concordia, abandoning the place and removing the said cattle. Maliciously, they [the heirs] have refused to do so. The said cattle are still inflicting grave damages and injuries to the crops that the said Indians have within the said boundaries for which cause they have ceased to plant, much to their grief and the calamities they have suffered as the [heirs] mistreated them as did their slaves and servants in both word and deed. The mistreatment of the Indians has been so great that don Pedro's heirs and servants have lost the respect of our minister, because he defends us and helps us. This great scandal and bad example are just some of the things that we can

allege in our favor, things we [consider] having alleged and expressed [in this document].

To Your Grace we ask and beseech that having accepted our version as the truth concerning the part that is so evident, our ownership and the natural right we have to the said lands and boundaries where the said estate of Nombre de Dios is located, that you put pressure on don Pedro de Perea and his heirs to fulfill the terms of the concordia and execute its terms. If they do not fulfill the terms of the agreement, we ask you to force them to pay for the time that they have occupied the land, because for our part we are ready to meet the terms of the concordia by declaring that the said lands and boundaries are ours, i.e., those of the said pueblos of Tuape and Uparo. If it is necessary, we request compensation for any time that may have passed [beyond the terms of the concordia].

To prove our demand, we present the narrative of Padre Lorenzo de Cárdenas, the late minister and missionary who was from the said pueblo of Mátape and the posts of Tuape and Uparo, in which he declares the right that we have to the said lands and the fact of the said concordia. We request the verification of the concordia through the testimony of the witnesses involved in making it. Of course, we swear by God in the strongest possible terms that our demand is based on the truth and without any ill will. We plead for justice in any way that will prove our cause and

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we implore the office of Your Grace. Not knowing how to sign [the document] we ask that our priest, Daniel Ángelo [Marras], minister and missionary of the said town of Mátape and its *partido* sign it. (signed) Daniel Ángelo.

Certification by the scribe Ignacio de Barraiersa:

I have seen the said señor captain and chief justice and declare that the aforementioned papers were presented [as proof] and that he ordered that the opposing parties each receive a copy and that he summoned them to court to argue the [existence and validity] of the concordia, and once it is presented, witnesses will certify whether it was genuine. And thus I order and sign= Don Francisco Coto=in my presence=Ignacio de Barraiersa=above-named scribe.

In the mining town of San Pedro de los Reies on the sixteenth of April 1657, I, the present scribe, certified and read the petition addressed to don Pedro de Perea [Jr.] and Capt. Juan de Munguía y Villela, and they say that they heard the reading and that they asked to receive the documents so that they might properly respond, and I certify that they signed

—don Pedro de Perea
[Jr.] = Juan de Munguía y
Villela = Ignacio de Barraiceras = above-
named scribe*

July 10, 1647

The narrative of Padre Lorenzo de Cárdenas, priest at Mátape⁶² Named by the father visitor in fulfillment of the obedience which his reverence has placed me as the elder missionary in the Aibino mission⁶³ and the very first minister of that district and the pueblo of Tuape, I declare with emphasis that the lands and the sites belong to the Indians who were residents of the pueblo of Tuape [and still, by right, belong to them.] Although it is true that the said Tuape Indians were relocated to lands of the pueblo of Mátape, it was due to the great injustices they suffered in their ancient homeland of Tuape, including a crippling shortage and drying up of water and disappearance of firewood and for other reasons of advisability and prudence that at the time seemed warranted. The father superior and captain at that time were in charge of the entire province and arranged that the pueblo of Mátape would provide and share with them [the Tuapeños] parcels of irrigable lands where the said Tuapeños in fact managed to plant. Thus they became accustomed to [living and working on] the land they shared with the pueblo of Mátape and were somewhat exempted from part of the work requirement⁶⁴ owing to the fact they still had to transport their corn four leagues, the distance from Mátape to their ancient homelands in Tuape.⁶⁵ When they could

*Author's note: Scribes of the colonial period often incorporated an equal sign (=) to denote the end of a manuscript section and the beginning of another, or to indicate the persons present at the recording of a deposition or statement, witnesses to its veracity or accuracy, or the name of the scribe, along with identifying notations.

have more comfortably carried their corn [perhaps from Banachari to Mátape instead] of the long distance from there to their ancient home in Tuape, even that prudent relocation that finds them well accommodated in Mátape [did not deter them from maintaining their ties to Tuape.] So they cannot be said to have lost the rights to their ancestral lands and possessions that they possessed from the beginning in their old home of Tuape, [including] all the lands that surround and delimit their location in the vicinity of the now-empty pueblo of Tuape. In respect to the town, toward the east their lands and possessions ran through all the valleys that run up to the foot and foothills of the sierra

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on the road to Babuco⁶⁶ and some Indians planted even farther inside the sierra in summer, in the place with a hot spring about two leagues from old Tuape on the left-hand side on the route to Babuco and the rest of the way north. All those lands belonged to the Indians, those located in the canyons and arroyo bottoms that flow out of Sinbicar, even as far as the great stream of [the Río] Sonora in a place then called Bacoache⁶⁷ to which I was called to offer confessions to some sick people and to baptize some young converts. And I saw there [along the way] many milpas planted by Tuapeños who were later baptized after their planting, which they continued to plant each year in that place, even after they had been transferred to the pueblo of Mátape. With respect to Tuape, between the north and the east the Tuapeños lands and possessions run through the valley that begins at the old cattle corral located on a small hill. Through a flat and the location of the corral their lands pass through a mesquite grove and a palm grove until reaching slope of the very high mountains that fall off straight into [Río] Sonora. There I saw for the whole length of the valley a large number of irrigated fields up to where the corral was located, and below which grew a grove of white cottonwoods. On the bank of some artesian wells along the slope upward towards the north with respect to the said corral, from which they drew the water and directed it into their irrigation ditches that watered their summer fields, I observed them over the space of more than six years until the Indians were relocated to Mátape. Just because the Spaniards who now live in that site maintain that they have not seen the fields or the irrigation does mean that it was not true. Many living Indians

who sowed that said place next to the corral and irrigated with the water from those very same artesian wells can verify that what I said is true. With respect to the old Pueblo of Tuape, toward the south their lands and possessions ran a long league all the way up to the ranchería called Banachari. There the Tuapeños planted with irrigation and in summertime⁶⁸ for many years even after their migration to Mátape. There, they lacked fields for sowing a little wheat for their padre,⁶⁹ because Indians there [at Mátape] had already sowed all the available fields

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so when they pointed out the land to the padre that now can be seen in the same site at Banachari, it hadn't been planted. All of that land and pasture was in the middle of a pond and a huge swamp full of very tall and thick carrizo⁷⁰ and sedges and tules, and was fenced in the Mexican [style]. Because that land is in the middle of a hilly area and is fenced⁷¹ all the way around the hill, the runoff of water below the hills and the valley that flows from the north, and another from the south, had [naturally been] dammed and diverted so much that it formed a lake deep enough to reach the cinches, and consequently it was impossible to cross it.⁷² The pathway instead wandered along the hills above the western bank. That was the state of the parcel of land—it was under water and for that reason it didn't belong to anyone; it was without an owner since the Indians could not plant on it. Instead they planted along the banks around the said pond until with the hard work of their priest [Father Cárdenas himself!] they constructed several canals and irrigation ditches that drained all the water, and the pond dried up so that the land could be put to use [for crops]. The priest invested in cattle and brought them to be slaughtered so that the Indians could survive on the meat while they were preparing and planting the fields, just as he had done with wheat in Bacarope and Nácori,⁷³ and where they planted the orchard in Mátape—all those places had been in the middle of swamps overgrown with thick carrizo. At the site of Banachari, after draining it, wheat was planted for more than eight years⁷⁴ while the Indians planted their corn.⁷⁵ Even after moving to Mátape they went back (to Banachari) to plant by irrigation there because it was closer [to Mátape than to Tuape] but afterwards with time and the expansion of the cattle of Capt. don Pedro de Perea (may God guard over him in

heaven) the livestock began to move toward Banachari [from Tuape], where they liked the forage so much that they grew used to it and became comfortable in the area. The constant presence of the cattle around Banachari produced concern and alarm among the owners and managers of the cattle because of the damage that they were doing [to the crops]

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in spite of the care the dark-skinned cowboys exercised while they were driving the cattle up towards the high mountains that look out onto [the Río] Sonora, and in spite of the vigilance of the Indians who were guarding the wheat and their own cornfields. The Indians finally became weary of planting only to have the livestock eat their crops and the priest grew exasperated and irritated trying to settle arguments. Disgusted, the Indians ceased planting at the said site of Banachari.

With respect to the last remaining possessions and lands of the old pueblo of Tuape, they run toward the west, and they begin from the same pueblo, up to the abandoned rancherías that they call Uparo and another one nearby that is located on a high and prominent rise toward the west, whose ruined adobe huts can be seen on that same hill from which runs another draw between the north and west, where the Indians would plant many fields in the summer. But in their most important summer fields and those they planted when they also had abundant irrigation, they made many plantings of corn and beans. These begin from the base and lower slopes of a huge bare and round hill. It is large and high, and according to [the Indians] it is of the same size as the hill they have named Sunucabit—*el cerro de maíz*—or as it is said. They deposit[ed] their corn in a granary since they used to harvest so much out of those lands. The lands begin from the same hill or mountain that is situated toward the southern part of that same hill [Sunucabit] on the other side of the arroyo facing the villa that was to be called Nombre de Dios. The summer fields ran on both sides of that same arroyo, until they joined the fields of the Indians of Tiepe [Tuape], which are downstream on the same arroyo due west. In consequence, because they have such good and sure

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irrigation for the summer harvests the Tuapeños continued to plant on the said arroyo even after having been moved to the pueblo of Mátape.

Toward the east, between Mátape and Bacarope they were provided with summer plots and irrigated land in a variety of places and valleys, principally those at a place called Tanami where in my time they had harvests that were abundant or even better, admired by many and envied by others for the quality of those cultivated lands and crops produced by those very Tuapen Indians. In spite of them having been given those lands, they [the Tuapeños] did not lose their right and the dominion that they exercised over the lands they left in Tuape, since they are entitled to have possessions in an infinite number of locations and distant places. Some of the others [Spaniards] like don Pedro (may he be in heaven) although he left Basiroa⁷⁶ with all his household and family to live in the place called Nombre de Dios, he did not lose his right and dominion that he had over his lands in Basiroa, so the Tuapeños have the same mastery and right over their lands. They include those lands in the very same place and lot where [don Pedro] located and built the flat-roofed house where he lived in the settlement called Nombre de Dios. Don Pedro (may he be in heaven) resolved and settled once and for all to move his family from Basiroa. He came in person, accompanied by his Spanish soldiers, searching all that arroyo downstream [from Tuape] for the purpose of finding some place where he could build his home, not being content with just any place, even the place with the artesian wells, located near what today is the cattle corral. That place was too exposed and lacking in protection. He decided instead to build his house to the north, determined to construct the house in that place, but that house now has guests and only a single convenience—that he was able to channel the water from the irrigation ditch and water right to his kitchen and the patio of his house so that he could plant his orchard without even having to leave his place. On the other hand the prudent *caballero* realized the drawbacks to the place. It was constricted between the hills on the two sides of the arroyo, and was very humid, being close to the stream, and its size was insufficient for the town he hoped to build.

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He found the place he wanted in the Valley of Sonora and gave it a temporary name that he had borrowed from the Valley [unclear]. Using an interpreter, who was Diego Lirro, a vecino of Pueblo de Álamos,⁷⁷ [Pedro de Perea] explained to the Tuape Indians that his [Pedro's] principal intent was not to live and inhabit Tuape perma-

nently, but to build a fort in the Valley of Sonora in the great flat that lies beyond the ranchería called Sonora.⁷⁸ Around the fort would be houses of the villa that he intended to build. And [with that understanding] he solicited the labor to build in Tuape and to make the place come alive. With that [the temporary nature of his stay in Tuape] in mind he hoped to rent a place for his house where he could for a time lodge his family. In light of all this, to cover the expenses for the construction in the Valley of Sonora he hoped to bring from Basiroa all his livestock, and at the same time to prevent his livestock, in his absence, from wandering away with the wild cows of Basiroa. With these explanations he had all his livestock driven to the plains around Tuape where *ad tempus* he established his ranch with the pact, implicit on the part of Capt. don Pedro (may God look after him) and with the tacit assent on the part of the Indians, permitting him temporary [*posuis non rennuendo que ad tempus*] use of their fields and common lands for his cattle. He chose the said lot to build his house at the time that the field [that he chose for a lot] was all planted in a large bean field still in flower, since it was toward the end of the month of September when the crops are not yet ripe. At the same time don Pedro learned that a judge he had summoned [to legalize the arrangement for renting the Tuapeños' land] had arrived at Tuape, but to his misfortune, the judge abruptly shortened his trip to the villa and departed almost immediately from Tuape. [So don Pedro never completed the documents.]

Don Pedro de Perea then traveled to Basiroa, intent upon sending his entire home and family to Tuape, and did so. He greatly hoped that the building of the house would have already begun at the time of his departure [for Basiroa]. So through all these hurried negotiations there was no room for patience and he did not want to hold things up while the said field of beans was maturing and then being harvested. However, the owner of the field and the land around it answered clearly and distinctly that he had no desire to sell, saying that although he was elderly, he had sons and grandsons who would inherit that piece of land to support him with certainty through irrigation, which in it

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he had, and thus seeing the refusal [with which the Indian spoke] the captain, so as to avoid making things worse or attacking the Indian,

agreed with him on two things. First, for the bean field that was green and in flower, he would offer him in dry beans what was growing in the field still unpicked, and so he gave him two full sacks of the beans they call tepary. And because the Indian did not want to sell that land, the least he would do would be to lease the lot for a time so that he could build the house that he hoped to have on that location while over on the Río Sonora he was building another house. Meantime he would rent that site [from the Indian], and he would give the owner a similar quantity of beans every year, and in addition he gave the said Indian two *varas* of coarse blue cloth, a knife, and an adze. To all of this witnesses were present, none so credible as the Lieutenant Juan de Oliva, who in the captain's absence (may he be in heaven) he had named as his lieutenant of justice and war captain and who was present at all the said events and at the clearing of the bean field and the measuring off of the field and the first stones and the foundations of that house which due to the industry, assistance, and energy that he [Juan de Oliva] put into the building of the house, it was finished and occupied in less than three months. And as a person [i.e., Juan de Oliva] of such Christianity and a faithful vassal of your majesty he will confirm the truth of what I have set forth in all of my statement and information being with the obligation I have as a priest and religious leader, even though I am most unworthy to satisfy my conscience and my order of obedience of Your Reverence my father visitor, may God guard him, I beg, from this district of Movas the tenth of July of 1647. Lorenzo de Cárdenas

Statement of María de Ibarra: The Concordia

March 16, 1652

In this town of Mátape on the sixteenth day of the month of March of 1652 Father Daniel Ángelo, religious leader of the company of Jesus and minister of the said district in the name of the Indians of the pueblo of Tuape, and its rancherías, [and representing the other side] doña María de Ybarra, who was wife of Gen. [*sic*]⁷⁹ don Pedro de Perea, deceased. "In my name and in

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the name of all my children as a tutor and nurse of my said children regarding a dispute that is unresolved between the said parties—Indi-

ans and me—concerning the site and territory of what is now called Nombre de Dios. We [i.e., the defendants] state that for the road to peace and to resolve the said disagreements, differences, and grievances, we can manage to convene and harmonize in the following manner, and that is to be assured that the said Indians will not pursue the argument and demand that they initiated, nor do they intend to pursue any other and they will leave the said María de Ybarra and her heirs in the said place according to and in such a manner that up until now they have possessed until the time of two years being the end of February of the year 1654, and I, the said María de Ybarra, [agree that] I am obliged to remove from inside the said lands all my house and all the livestock that I can, leaving free and unoccupied the said lands for the said Indians without it being necessary for the said Indians to make a request before any judge but instead that they shall be enabled to enter and possess all the said lands as their very own. In the case that the said María de Ybarra⁸⁰ within the two years cannot remove all of her livestock, those that remain can be taken by anyone who can care for them at any time. [After the two years are up] she will remove without damage to the said Indians, in accordance with the pact and conditions that the said doña María de Ybarra, or whoever acquired her right, shall not have any livestock nor house within two leagues of the district of Tuape as the Indians shall indicate. About damages the said Indians indicated and that in order to accomplish this, she would abandon and donate the houses she inhabits today, as well as the other ranches, to the said Indians. [On the other hand] the Indians and the said padre [Daniel Ángelo] in the name of the Indians will be obliged to make and build a house with two rooms on the place that she [her ladyship], or whoever carries her office, shall indicate and judge appropriate to which to move her livestock. In order to protect our rights, we ask that a copy of this be given to each of the two parties, so that each party will be obligated to fulfill it.

We sign our names being
witnesses=Father Pedro Bueno⁸¹
and Melchor de Robles and Pedro
González de Betancor=doña
María de Ybarra=Melchor de
Robles=Daniel Ángelo=Pedro
Bueno

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The father superior appoints Padre Daniel Ángelo to be priestly advocate for the Indians.

March 4, 1657

Pedro Gonzales de
Betancor=Juan Antonio de
Almazán, witnesses.

I, Pedro Baltasar de Loaisa, monk and believer of the Company of Jesus superior of this mission of San Francisco de Borja, do bestow authority onto Padre Daniel Ángelo of the same company so that in the name of the Indians who are petitioners in the abovementioned case, in order for their just demand to be ably presented, that he, as priest and father to the Indians, a people abandoned, shall request before any justice the restoration of the place and lands of Tuape that are now called Nombre de Dios by alleging that they [the lands] have been usurped. In order to accomplish that I give to said father Daniel Ángelo full license and authority, dated in this pueblo of Tónichi the fourth of March 1657 and I signed=Baltasar de Loaysa=

The scribe records the appointment of Juan Franco Maldonado as the Indians' public advocate.

April 13, 1657

In the Real de Minas of San Pedro de los Reyes of the province of Sonora on the thirteenth day of April 1657 before Captain don Francisco Coto, chief justice and captain of war of this province of Sonora, for his majesty there appeared Pedro Tasemuchu, governor of the pueblo of Mátape and its congregated partialities=and Lorenzo Batorocho=Ignasio Cabairu=*topiles* of the partiality of the pueblo of Tuape and Uparo=and Lorenzo Taghumunibuce=and Francisco Dochisguari=natives of the said partiality.⁸² And for language the said Francisco Dochisguari belongs to a nation that speaks the Mexican language⁸³ and that in it [that language] he explained to Juan de Loia, a distinguished Spaniard who is able to understand the Mexican language, what the Indians wished to hand over. [Juan de Loia] said that [the Indians] said that they [the present Indians], acting in the name of all the Indians of the aforementioned partiality [Tuape and Uparo], through this legal document grant power of attorney to Juan

Franco Maldonado, citizen of this said Real, especially so that in the name of the Indians he can further the dispute and cause that they have lodged with Alcalde Mayor [Francisco Coto] against don Pedro de Perea [Jr.] and his children and the heirs of Captain don Pedro de Perea and doña María de Ybarra, their parents, concerning the lands and boundaries of the said places of Tuape and Uparo where they had the [previously] referred to ranch of large livestock that they called Nombre de Dios, that they [the children and heirs of Pedro de Perea] should abandon and leave free those lands for the reasons and causes that their demand states and in the said dispute that he [Juan Franco Maldonado] carry out the petitioned requirements, verifications, and information and proofs,

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present witnesses, papers, and written records, make sworn statements, articulate counterarguments, setting aside those that are necessary, request terms, judicial orders, sentences, interlocutories, and definitive conclusions, accepting those in their favor, and appealing and arguing those that may be against them, challenge witnesses for the other side, and make the strongest and most effective judicial and extrajudicial⁸⁴ cases that may be in their favor to the best of his ability at present. In order to [accomplish] everything that has been mentioned and [all that pertains] to it, [the Indians] bestow on him [Juan Franco Maldonado] all legal authority with freedom to do what is necessary to administer the case and further the cause of the Indians.

Being witnesses=Juan Mora=and Matías de Loia=and Lorenzo de Ortega present. I, the present scribe, give faith that I know the [Indians that gave power of attorney], and they stated that they do not know how to sign their names. At their request a witness signed the document in their name and the said interpreter swore that he had interpreted faithfully and he signed [the document]=don Francisco Coto=by his order=Ignacio de Barraiersa=scribe named=Juan de Loia=Lorenzo de Ortega=

Juan Franco Maldonado advocates for the Tuapeños.

April 30, 1657

In the real de minas de San Francisco de los Reyes, province of Sonora and Nueva Andalucía⁸⁵ on the thirtieth day of April 1657, in the pres-

ence of Captain don Francisco Coto, chief justice and war captain of the said province by his majesty. Juan Franco Maldonado presented the following in the name of the governor of the pueblo of Indians of Mátape and its partialities and of the Indians of Tuape and Uparo and by virtue of his power in the dispute against don Pedro de Perea [Jr.] and the Captain Juan de Munguía Billela as the husband of doña Andrea de Ybarra and the rest of the children and heirs of Gen. don Pedro de Perea and doña María de Ybarra, parents and in-laws of the abovementioned, over the site and ranch that they now call Nombre de Dios that is in the possession of said don Pedro de Perea [Jr.]. Responding to the contrary petition the nineteenth of the present month⁸⁶ and year according to what it [the contrary petition] says, I say that Your Grace, as competent and legal judge with knowledge of this cause, should order exactly as it is petitioned [as the Indians request]

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in the demand of my aforementioned clients. Briefly and summarily the case is a simple one, based on the nature of the transaction, the accord that the said doña María de Ybarra made in favor of said Indians. In that document she acknowledges that the natives have populated lands and sites of Tuape and Uparo from time immemorial and that those same natives now residing at the pueblo of Mátape are the plaintiffs and are Tuapeños and descendents of the Tuapeños. Even though they did move and reside there at Mátape, they did not lose their natural right to possession of said lands, nor can their right have expired by any passage of time, even though they may not have planted and enjoyed the use of their land, as they always had in the past.

It is clear [from doña María's point of view]⁸⁷ that the said concordia [to which she agreed] is null and void for the reasons that they [the Indians] allege because doña María de Ybarra at the time when she made it was a widow and the legal guardian of her aforementioned children and their possessions, and she has the greatest interest in the ranch that Gen. don Pedro de Perea left behind, and even if [she had the control] of all [the hacienda] she did not consider it of sufficient value, compared with what she had given him, a large dowry, as everybody knows, including much silver and jewelry. The hacienda did not satisfy her expectations, based upon

the amount that she had given [as a dowry] to don Pedro. She is also dissatisfied with the agreement that don Pedro made with the Indians. She, being informed of all [the transactions] by persons of total honesty, Christianity, and experience, without other persons or their interests interfering, as owner and mistress of her own actions, concluded that as things were, her children and heirs could not even claim the house, though if she had sold it, the ranch, and livestock, they could then have [claimed a share of her estate]. [She could have sold the estate because] she viewed all of these possessions as her personal property.

Further, as it is alleged in the [Indians'] demand, it is obvious that they [don Pedro and heirs] never acquired possession of said sites, since they [don Pedro and family] inhabited them only on the loan basis until he could build in the Valley of Sonora, where he was supposed to found the villa and the dwellings that were never built. Besides, with the authority that the said

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Gen. don Pedro de Perea, chief justice and captain of war of this province of Sonora, without there being anyone opposing him, kept and continued to keep the said livestock ranch in those sites, much to the detriment of the Indians. As subjects of the said general [the Indians] through their ministers reminded him that he was violating their agreement, but he took no action until they, my clients, submitted a demand before the judge, and it was after that that they made the said concordia. The terms of the concordia were defined as has been previously stated. However, up to that time the commission⁸⁸ that [the Crown] had bestowed on don Pedro required him to fulfill [its provisions] in the stated time and to adhere to the protocols, formalities, and proper steps that the ordinances spell out for founding towns and the foundations for establishing cattle haciendas. And even a person who has enough express authority to do so [found the towns, etc], such as a lieutenant of the governor, whatever foundation he may make, it must be established within the time limits of his charter. For that reason the charter that don Pedro and his men brought here is null and void and without effect. It is not pertinent to state that because of the meritorious service performed by said Gen. don Pedro de Perea for your majesty in pacifying and conquering in this

province, that he should be able to own and possess the said places and ranch. Even if your majesty wishes to remunerate him, it should certainly be your will that it not be to the detriment of third parties and, even worse, people utterly powerless and without the ability to defend themselves, as is the case with the Indians and the said cattle ranch. [The ranch buildings] should be maintained there [as payment] for the damages and losses the said native Indians have suffered from them [the Spaniards] where, as everyone knows, they have planted their subsistence crops both for their livestock and for their slaves and servants of the ranch. Having that in mind, and the other things that are favorable to my clients I beg to Your Grace that you order and execute the said concordia, strongly reaffirming its validity, ordering its current occupants and livestock expelled from the said ranch and lands and boundaries, so that the Indians can freely enjoy their traditional lands and that they be turned over free of damage, harassment, and the vexations that they continually receive. I ask you to provide justice and signed documents, in which you certify the necessary orders.=Juan Franco Maldonado=

I have seen in this charter⁸⁹ that what is contained in it is contrary to the [original?] charter

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made by your majesty to don Pedro de Perea, as is stated in its titles by don Juan de Peralta, chief justice and war captain and lieutenant of the governor and former captain of this province [appointed] by your majesty.⁹⁰ I ordered and order that they gather before a competent judge and thus he ordered and signed=don Francisco Coto=before me Ignacio de Barraiersa=scribe named.

May 15, 1657

In the said real de minas the fifteenth day of May, in the said year [1657] I, the present scribe, read [to] and notified Juan Franco Maldonado in the presence of witnesses the above auto in his person, who stated that he heard the reading of the document and would respond as soon as possible for his clients. The witnesses were don Juan de Berdigel and Francisco Roldán, in which I give faith and signed=Juan Franco Maldonado=before me=Ignacio de Barraiersa=scribe named.

June 1, 1658

Finding: In the real de minas of San Pedro de los Reies and Sonora on the first day of June 1658 in the presence of captain and chief justice Andrés Pérez Lora appeared Juan Franco Maldonado with a petition that he presented on behalf of the native Indians of the pueblo of Mátape as solicitor and defender. In the claim that he had submitted against don Pedro de Perea [Jr.], praying as asked in [the] name of the said Indians a judgment in the said dispute, it being convenient for the rights of the party he represents. It was analyzed, admitted, and proven. It was ordered that it be provided as requested. The decree [the judgment] was transcribed and transferred to the letter, and it filled eight sheets minus one-half sheet, and I certify and give faith as a receiving justice [judge pro tem], because the original judge was not present. [The requested document] is correct faithfully and legally derived from the original with neither more nor less words or issues than those mentioned in the original. And in order to certify that this is the truth give faith, being witnesses Bernardo de Lora and Tomás de Mendoza who attended [the proceedings] agree that it is correct -[signed] Andres Pérez Lora, witness, Bernardo de Lora, Thomas de Mendosa who were in attendance.

June 1, 1658.

In the real de minas de San Pedro de los Reyes in Sonora on the first day of June of 1658 Juan Franco Maldonado appeared with a petition that he presented as defender and solicitor for the Indian natives of Mátape and Tuape, requesting as the solicitor that for the rights of his clients it would be useful if the court were to provide him some of the documents that the other side, don Pedro de Perea [Jr.], had presented to the captain and chief justice, who at that time was don Francisco Coto, and having been decreed according and as he requests, it was said Capt. don Francisco Coto whose presence was required in this part [of the proceedings] because the documents of the other side were not turned over to the archive, and he [Coto, after being summoned] responded that he had turned over the originals to the contrary party [who is] don Pedro de Perea [Jr.]. [Coto delivered this document] by petition as is stated and attached to the judgments and titles because they were personal titles to the said lands and other grants made on behalf of his [don Pedro, Jr's] father Gen. don Pedro de Perea, which he [Coto] certifies and declares under oath of and

to the Cross that they turned over [to him] and reside in his possession and in order to certify that it is the truth, I authorize by my hand along with the signature of Capt. Francisco Coto as judge pro tem because [Coto as] the original judge was not present. In the presence of two witnesses, who are Bernardo de Lora and Thomás de Mendoza, citizens of this mining town= Judge: Andrés de Lora, Francisco Coto (retired judge summoned to the case), Bernardo de Lora, Thomás de Mendoza.

Final concordia, September 4, 1658, Parral

In the office of General don Enrique Dávila y Pacheco, governor of Nueva Vizcaya

Don Pedro de Perea [Jr.] as the elder to my brother don Tomás de Perea to whose guardianship I was assigned by the justice of Sonora and by the end and death of my parents, General don Pedro de Perea and doña María de Ybarra and the same in the name and with the legal power of attorney of Captain Juan de Munguía, husband, and with the person of doña Andrea de Perea, my sister, and that of Domingo de Apresta, husband of doña Josefa de Ybarra, my sister, we are all heirs of our said parents, now deceased, through which powers I now present in the proper form.

And I, Diego de Alarreta, as defender of the Indians and natives of the pueblo of Mátape and of the old [sites] of Tuape and Uparo as the place of contention. We appear before Your Grace and I say that the said don Pedro de Perea, for me and for him, that on behalf of the said Indians and natives, there has been a complaint lodged and, in response, that [he states] we will vacate the lands and sites that we have populated with livestock in the province of Sonora that is called Nombre de Dios and in the light of the high cost of adjudication and in order to make things right for the Indians who do so much wish to reclaim their lands. To maintain peace and harmony and attending to a proposal of last year 16[57?], as it was agreed to by the said doña María de Ybarra, now the deceased mother, and on the part of the Indians of Mátape and natives of Tuape that is the place under consideration before Your Grace, on behalf of both parties in the dispute we are in agreement and in concert with the natives and their advocate is in agreement with me in this manner:

I, said Pedro de Perea, for myself and for the said name, will vacate and empty the said place called Nombre de Dios, which is where

at the present time we have built houses of our homestead and the corrals for the livestock that belongs to us. The old place [where the natives lived] was named Tuape and adjacent to it were the lands of Uparo and Vanantian with the arable lands. And we are to depart (leaving to the Indians all harvested crops, houses with all that is built in the said place), vacating up to the final waterhole that is located in a mesquite grove about two leagues more or less from the said place, on the same roadway that leads from the old site of Tuape to the [Río] Sonora. I will remove from the said place all of my livestock and in [another location] the Indians will be required to build us a single house with rooms for living and for our servants. It will be in a place from which and without breaking the agreement we will manage our livestock that have spread all over the range, promising to exercise caution on our part, that the said cows will not enter their fields in the time when they are planted. As for what is required of the said Indians, I, Diego de Alarreta, as their advocate, having communicated with Damián, the governor of the pueblo of Mátape and with Francisco Huduri and Torim Otenoro, residents of said pueblo and natives of Tuape, that seeing how they came from Tuape, I read them the contents [of the concordia] and they were most pleased and after discussing the matter they obligated themselves to construct the said house with rooms as referred to in the place so declared as the home of don Pedro and his people, in return for the houses and other buildings that they graciously leave behind in the site of Tuape and Nombre de Dios, therefore, through the arrangements to which we agree under the law, we, Pedro de Perea for me and in the name of my people and that of the said Diego de Alarreta, as the advocate, and for that which pertains to each [party] in the present [concordia], to settle the said disagreement and in order to bring the blessing of peace, it be enforced and executed, forever precluding the possibility that someone might claim to have been cheated or damaged. And thus we commit ourselves by signature of both parties. . . .

Signed: Diego de
Alarreta==Pedro de Perea ❖

NOTES

I wish to acknowledge the considerable assistance I received from Carlos del Cairo and Rodrigo Rentería in translating and interpreting the documents in the lengthy folio from 1658 that forms the basis of this article.

1. AHP 318, 1658b, leg. 41.

2. In early colonial times Sonora did not include the lands of Mayos and Yaquis or those of other indigenous groups living east of the Río Yaqui and south of the Río Aros, all of which lay in the province of Ostimuri.

3. Obregón 1997: 155

4. AGN Misiones 26 f129v, January 1653, Gerónimo de la Canal to Padre Provincial. But see also AHP 318, 1649A, leg. 14, Relación de alcalde mayor Simón Lazo de la Vega, 1649. Father Gerónimo de la Canal ran into stiff and reasoned resistance to his evangelizing. When all else failed, he called in a military strike. In writing of his experiences he does not mention the huge military backup he required. The military leader involved, Simón Lazo de la Vega, alcalde mayor of Sonora, wrote an extended description of the incident.

5. For a summary of the dates when missions were founded see Spicer 1962 1967; Roca 1967; and Yetman 2010.

6. For a detailed history of Nueva Vizcaya, see Jones 1988.

7. Jones 1988: 85.

8. In addition to the material derived from the AHP 1658B, sources on Pedro de Perea used for this article include the following: Almada 1990; Calderón Valdés 1985; Decorme 1941; Manje 1954; Navarro García 1967; Pérez de Ribas 1999; West 1993; and Zambrano 1961. Further material is contained in the translation of a document purportedly written by Father Pedro Pantoja, perhaps in the late 1660s and translated by Charles Polzer (1972a.) For the Coronado expedition, the source is Flint 2002.

9. Navarro García 1967: 249.

10. Pérez de Ribas 1999: 143; Navarro García describes Martínez de Hurdaide as “piadoso y justiciero” (1967: 248).

11. Pérez de Ribas (1999: 406) suggests that Captain Perea failed to provide protection for a priest threatened by dissident Nébomes. Juan Mateo Manje also describes the exploits of Pedro de Perea in *Luz de tierra incógnita*, 279–82.

12. See Barnes, Naylor, and Polzer 1981.

13. Almada 1990: 176.

14. Jones 1988: 181.

15. Zambrano 1961: 672–78. See also Decorme 1941: 263.

16. See Manje 1954: 280–82; also Polzer 1972a. In this article Polzer translated a *relación*, which he attributed to Padre Pedro Pantoja, *padre visitador* on the Río Sonora during this period. The author attributes the Franciscan entrada to Pedro’s machinations, through which the friars were led to believe that they were being officially invited to evangelize that part of the world. I suspect that the *relación* was a diplomatic attempt to gloss over what must have been some angry exchanges between members of the two orders.

17. Navarro García 1967: 253.

18. Pradeau and Burrus 1961. Navarro García (1967) assigns the October 1645 date of Pedro's death. Almada (1990) maintains that he died in 1644. In the manuscript translated in Polzer (1972a) the author, perhaps Padre Pedro Pantoja, says that he administered last rites to Pedro in 1645. However, his *relación* was written as much as forty years later and contains several important errors.

19. See Polzer 1972a: 271. Polzer believes the *relación* was written by Father Pantoja himself, between 1666 and 1684.

20. See also: Calderón Valdés 1985: map, p. 81.

21. Polzer 1972a: 264.

22. For an extended description of the damage that cattle inflicted on a Sonoran indigenous community see AHP 318 1715b: 125. Complaint of Daniel Januske regarding insubordination.

23. Pantoja (?) in Polzer (1972a: 270) asserts that María de Ibarra died in Banámichi.

24. Reff 1991: 255–57.

25. Polzer 1972b: 168.

26. Daniel Ángelo Marras was priest at Mátape from 1653 until 1681. He was known as an energetic and entrepreneurial priest of doubtful religiosity. See Calderón Valdés 1985: 71, and Navarro García 1967: 217–23.

27. The languages spoken in missions in the Opatería are listed in annual reports (*anuas*) submitted by the Jesuits to their overseers. Only a few were comprehensive, but these were quite specific. One such document was written by Padre Juan Ortiz Zapata in 1678. AHH leg. 26.

28. Pennington 1982.

29. Recopilación Book VI, Title 3, Law 1: 108; Law 11: 113. An instructive example of the stern prohibition on Indians' venturing away from missions can be found in AHP 318: 1707 N12. Father Miguel Guerrero Villaseca, the priest at Badadéhucahi, managed to have a squadron from the presidio at Janos carry out a sweep of Sonora mining locations, forcibly gathering Indians who had abandoned the mission at Bacadéhuachi without the priest's authorization.

30. Almada 1990: 176.

31. Navarro García 1967: 223.

32. Deeds 1981: 22.

33. *Ibid.*, 114–16.

34. Polzer 1972b: 73, 164. Marras sidestepped the Jesuit prohibition on ownership of enterprises (especially mines) by placing all the commercial holdings under the name of the Colegio of Mátape, the school for neophytes. Under the influence of the polemics of Bartolomé de las Casas, the Crown had forbidden Spaniards from enslaving Indians. The embargo did not apply to Africans, however, and the use of African slave labor continued in Mexico and in Sonora well into the nineteenth century. That religious orders might own slaves may seem surprising but it was by no means unusual. Both Carmelite and Benedictine monks maintained establishments for breeding slaves in the state of Rio de Janeiro in colonial Brazil (Carneiro de Cunha 1985: 432). In contrast, Jesuits provided Indians of Paraguayan and Bolivian missions with firearms and training in their use to fend off Portuguese slave raiders.

35. Borrero Silva 2008: 53.
36. La Fora 1939: 136.
37. Hrdlička 1904.
38. AHP 318 1655A G8. Juicio de residencia de Juan Munguía de Villela. The proceedings in this document take place in San Juan Bautista.
39. Navarro García 1967: 217–23.
40. Reff 1991: 226.
41. AGN Misiones 26 f129v, January 1653. Letter from Gerónimo de la Canal. Father Canal in reporting his missionary work in the region made no mention of the military intervention that shored up the Jesuits' flagging and failing evangelization.
42. AHP 318, 1649A, leg. 14.
43. Pantoja (?) in Polzer 1972a: 272.
44. AHP 318, 1655A G8. The actual date of the folio is 1659.
45. Almada 1990: 434.
46. I have calculated this population change from a census reported by Pedro Tamarón y Romeral, bishop of Nueva Vizcaya, who visited the region in 1759–60 and recorded the populations of Indians and vecinos for every settlement in the Opatería (Tamarón y Romeral 1937).
47. Missions were far more than the mere buildings or settlements in which religious rites were carried out. Missions constituted a geographical area over which priests exercised authority. Within those areas they were vested with nearly absolute power.
48. Pradeau and Burrus 1965 under biography of Pedro Bueno.
49. AGI, Patronato, 232, Ramo 3rd. 3e, 2nd part, 1–14 (cited in Navarro García 1967: 204).
50. AHH Temporalidades leg. 325, 67, 69, 70, 71. Daniel Marras's response to charges brought by Spanish settlers and miners. The harshest charges were those of Sonoran alcalde mayor Dicastillo, which Marras goes to great and dubious lengths to refute.
51. Navarro García 1967: 206.
52. For a description of the dismantling of missions see Romero 1991.
53. Farriss 1984: 283.
54. The first page of the folio is undated, but since it refers to the appearance of the Tuapeños and Matapeños in Parral, Nueva Vizcaya, and preceded the findings of the court, the date is probably July 1658. It is questionable whether Pedro de Perea loosed his livestock in Tuape by 1638, so the reference to more than twenty years may be incorrect.
55. A *topile* was a constable appointed by a priest. Topiles also assisted traditional governors in community matters. The term is of Aztec origin.
56. Here and elsewhere in the manuscript, the narrating voice changes from third person to first person plural to reflect the voices of the Indians.
57. The scribe routinely spells the town "Toapa."
58. A *villa* is a town recognized as such by the Crown. Pedro de Perea's orders from the Crown included constructing a villa, though its location was left up to him.
59. Alternately, "seek the services of a justice of the peace."

60. Daniel Ángelo Marras (1629–1689) was priest of the mission of Mátape from 1653 to 1681.

61. Here the narrative switches again from the third person to the first person.

62. Lorenzo de Cárdenas (1596–1656) was mission priest at Mátape beginning in 1630. His deposition occurred at least ten years prior to the findings in this case and appears to have been taken in Movas, on the Río Chico, a tributary on the east bank of the Río Yaqui. The scribe consistently refers to Mátape as Mátapa.

63. *Aibino* refers to the ecclesiastical district in which Mátape, Nácori Grande, and Pueblo de Álamos were located. A pre-Columbian settlement of Aibino was the site of the first conversions to Christianity by Jesuits in the Opatería.

64. Probably a reference to mandatory work on mission lands for the benefit of the mission. Under the mission system Indians were required to work two to three days a week on mission fields or other projects. The priests at their discretion could relieve subjects of the requirement.

65. The geography here is most confused. Mátape lies more than one hundred kilometers to the southeast of Tuape, roughly twenty-five leagues, not sixteen kilometers (= four leagues). It is hard to believe that the Tuapeños would have carried their grain for storage all the way from Mátape to Tuape or vice versa.

66. Babuco does not appear on any current maps of the Río San Miguel. Banachari was apparently the site of a mine located not far from Mátape, perhaps south of the Río Sonora west of Puerta del Sol.

67. The present town of Bacoachi lies on the upper Río Sonora more than seventy kilometers to the northeast of Tuape, so Father Cárdenas was in a good position to see a lot of country and observe human activity during his journey there.

68. Father Cárdenas contrasts (inconsistently) *milpas de aguas* and *milpas de verano*. The former term appears to refer to irrigated fields that can produce two crops a year, or one crop in a dry year; the latter to rain-fed fields that usually produce only in summertime, or not at all during drought.

69. Priests were accustomed to eating bread made of wheat flour. Their hunger for that grain imparted a high priority to raising wheat on mission fields. Priests often justified the sizable Indian labor invested in raising the newly introduced crop by proclaiming wheat an alimentary boon to the Indians.

70. Bamboo-like cane grass (*Phragmites australis*).

71. The fencing would have been of thorny brush woven among wooden stakes, based upon a technique imported from Mesoamerica, hence the reference to “Mexican.” Wire fences were not available for at least two centuries, and barbed wire did not become generally available in Mexico until well into the twentieth century. Prior to the European introduction of livestock, Indians had no reason to build fences except as boundary markers.

72. The dam may have been a natural impoundment, or Spaniards may have dammed the watercourse to form a stock tank. The text does not make this clear.

73. Bacarope does not appear on contemporary maps. Nácori Grande, a few kilometers from Mátape, was a *visita* of Mátape. Father Cárdenas is giving himself and the Jesuits a pat on the back as well as pointing out the claimed advantages that Europeans in general and Jesuits in particular had bestowed upon the peoples of the Northwest by introducing European grains and fruit trees.

74. Under the mission work obligation Indians were required to plant wheat for the priests.

75. Ecologists now would deplore “reclamation” activities such as the priest’s directives for draining the wetlands so that he and his colleagues could have their wheat. Intentionally eliminating swamps, lagoons, and *ciénegas* undoubtedly led to the overall drying up of the region and was probably a contributing factor to later famines that in turn led to rebellions against the Spanish presence. The wetlands and constantly flowing springs were also prime habitat for game. Draining and drying them led to a decrease in huntable food.

76. Basiroa is a Cáhita-speaking location on the Río Cuchujaqui, which drains from near Álamos, Sonora, into the Río Fuerte, Sinaloa.

77. Pueblo de Álamos, roughly twenty kilometers northwest of Mátape, was a *visita* of that mission.

78. This may be the earliest archival reference to a place called Sonora. The valley and river were known by the name far earlier (also by the name “Señora”), but this reference indicates that both may have derived their names from the *ranchería* named here.

79. Throughout much of the document the scribe refers to don Pedro de Perea as “general,” despite his having had only the rank of captain. He uses the title to distinguish don Pedro de Perea the father from don Pedro de Perea the son.

80. The change from the first person to the third appears to be the result of the scribe’s copying of earlier documents and forming one consistent narrative.

81. Pedro Bueno was a Jesuit priest stationed at Mátape, apparently jointly with Daniel Ángelo Marras. Ideally, each mission would house two priests.

82. Such a listing of indigenous (probably Eudeve) names rarely occurs in documents from the colonial era. The first names are uniformly Spanish, in keeping with colonial laws mandating that each native be bestowed with a Spanish name on being baptized.

83. The scribe lumps all native languages under the term “Mexican,” a term usually reserved for Nahuatl, the Aztec language. Eudeve is a Uto-Aztecan language, i.e., distantly related to Nahuatl, which Juan de Loia may have spoken and understood. Just how well he understood Eudeve is not clear.

84. The surprising term *extrajudicial* seems to refer to procedures beyond the normal legal proceedings, such as bribery, extortion, and blackmail. If so, it is an early documentary acknowledgment of the corruption that always plagued the Spanish judicial system.

85. Pedro de Perea had received authorization from the governor of Nueva Vizcaya to call his new territory Nueva Andalucía after Pedro’s birthplace in Spain (Almada 1990: 494). The name never took hold, probably due to Pedro’s early demise and the disfavor into which he fell, and this is a rare case of use of Pedro’s megalomaniac title for Sonora, more than a decade after his death.

86. The document referred to here does not appear in the folio.

87. The most plausible interpretation of this section is that María de Ibarra regretted having made the concordia (accord), since it would leave her with a far smaller estate than what she brought as a dowry to her marriage with Pedro de Perea. Even though she had agreed to vacate Tuape after two years, she now saw the agreement as a commitment made by her husband years earlier that was not to her benefit, and thus null and void. It does not appear plausible that Juan Francisco Maldonado would himself argue that the concordia is null and void, since he calls upon the alcalde mayor to enforce its provisions and expel all of Pedro's heirs and his livestock.

88. This is an apparent reference to the merced that Pedro de Perea obtained from the governor of Nueva Vizcaya naming him alcalde mayor of Sonora, with the provision that he found a villa within four years, etc. The advocate is arguing that because Pedro did not fulfill the requirements, he had no authority to found the villa or to commandeer lands from the Indians, i.e., whatever authority he might have had expired when the four-year requirement for founding a villa expired, somewhere around the mid-1640s.

89. This may be a reference to a second commission, or merced, rescinding the first, removing Pedro de Perea as alcalde mayor due to his misdeeds, and replacing him with Juan de Peralta, who would serve as alcalde mayor from 1645 to 1648. This formal notice appeared in the Opataría in early 1645. Pedro de Perea had died the previous autumn, so never received the notification of his expulsion. While the wording of his discharge appears to be lost, Almada believes that it was issued at least in part due to Pedro's failure to comply with the initial requirements of the commission. Pedro seems to have anticipated his ouster and appointed an interim replacement, who in turn, was ousted when Juan de Peralta was named.

90. Meaning the second merced, which vacated the first.

REFERENCES

- AGI** Archivo General de Indias, Seville
AGN Archivo General de la Nación, Mexico City
AHH Archivo Histórico de Hacienda, Mexico City
AHP Archivo Histórico de Parral, Chihuahua

Almada, Francisco. 1990. *Diccionario de historia, geografía, y biografía sonorenses*. Hermosillo: Gobierno del Estado.

Barnes, Thomas, Thomas Naylor, and Charles Polzer. 1981. *Northern New Spain. A research guide*. Tucson: University of Arizona Press.

- Borrero Silva, María Valle de. 2008. La administración de Sonora: los alcaldes mayores en la primera mitad del siglo XVIII. *Temas Americanistas* 21: 48–65.
- Calderón Valdés, Sergio, ed. 1985. *Historia general de Sonora*, vol. II, pp. 79–89. Hermosillo: Gobierno del Estado de Sonora.
- Carneiro de Cunha, Manuel. 1985. Silences of the law. Customary law and positive law on the manumission of slaves in 19th-century Brazil. *History and Anthropology* 1: 427–43.
- Decorme, Gerard. 1941. *La obra de los jesuitas mexicanos durante la época colonial. 1552–1767*. Vol. 2. Mexico City: José Porrúa e Hijos.
- Deeds, Susan. 1981. Rendering unto Caesar: The secularization of Jesuit missions in mid-eighteenth-century Durango. Ph.D. diss., University of Arizona.
- Farriss, Nancy. 1984. *Maya society under colonial rule: The collective enterprise of survival*. Princeton, N.J.: Princeton University Press.
- Flint, Richard. 2002. *Great cruelties have been reported: The 1544 investigation of the Coronado expedition*. Dallas: Southern Methodist University Press.
- Hrdlička, Aleš. 1904. Notes on Indians of Sonora, Mexico. *American Anthropologist* 6: 51–89.
- Jones, Oakah L. 1988. *Nueva Vizcaya: Heartland of the Spanish frontier*. Albuquerque: University of New Mexico Press.
- La Fora, Nicolás de. 1939. *Relación del viaje que hizo a los presidios internos situados en la frontera de la América septentrional*. Mexico City: Editorial Pedro Robredo.
- Manje, Juan Mateo. 1954. *Luz de tierra incógnita*. Tucson: Arizona Silhouettes.
- Navarro García, Luis. 1967. *Sonora y Sinaloa en el siglo XVII*. Sevilla: Escuela de Estudios Hispano-Americanos.
- Obregón, Baltasar. 1997. *Historia de los descubrimientos de Nueva España*. Sevilla: Ediciones Alfar.
- Pennington, Campbell. 1982. *Cultura de los endeve del noroeste de México*. Noroeste de México 6:9–34. Mexico City: Instituto Nacional de Antropología e Historia, Secretaría de Educación Pública.
- Pérez de Ribas, Andrés. 1999. *History of the triumphs of our holy faith amongst the most barbarous and fierce peoples of the New World*.

- Trans. by D. Reff, M. Ahern, and R. Danford. Tucson: University of Arizona Press.
- Polzer, Charles. 1972a. The Franciscan entrada into Sonora, 1645–1652: A Jesuit chronicle. *Arizona and the West* 14: 253–72
- . 1972b. The evolution of the Jesuit mission system in northwestern New Spain, 1600–1767. Ph.D. diss., University of Arizona.
- Pradeau, Alberto Francisco, and Ernest Burrus. 1965. *Historia de las misiones sonorenses y sus pueblos de visita*. Doc. ined. University of Arizona Library Special Collections.
- Recopilación de Leyes de los Reinos de las Indias of 1681. (The Indian cause in the Spanish laws of the Indies.) S. Lyman Tyler, editor. 1980 Salt Lake City: University of Utah, American West Center.
- Reff, Daniel. 1991. *Disease, depopulation, and culture change in northwestern New Spain, 1518–1764*. Salt Lake City: University of Utah Press.
- Roca, Paul. 1967. *Paths of the padres through Sonora*. Tucson: Arizona Pioneers Historical Society.
- Romero, Saúl Gerónimo. 1991. *De las misiones a los ranchos y haciendas: la privatización de la tenencia de la tierra en Sonora, 1740–1860*. Hermosillo: Gobierno del Estado de Sonora.
- Spicer, Edward. 1962. *Cycles of conquest*. Tucson: University of Arizona Press.
- Tamarón y Romeral, Pedro. 1937. *Demonstración del vastísimo obispado de la Nueva Vizcaya—1765*. Introduction by Vito Alessio Robles. Mexico City: Editores Porrúa e Hijos.
- West, Robert. 1993. *Sonora: Its geographical personality*. Austin: University of Texas Press.
- Yetman, David. 2010. *The Ópatas: In search of a Sonoran people*. Tucson: University of Arizona Press.
- Zambrano, Francisco. 1961. *Diccionario bio-bibliográfico de la Compañía de Jesús en México*. Vol. IV. Mexico City: Editorial Jus.