

Fray Alonso de la Vera Cruz, O. S. A.

(1507-1584)

A Study of His Life and His Contribution to the Religious and Intellectual Affairs of Early Mexico

*(continuation *)*

CHAPTER VI

The Position of Alonso de la Vera Cruz in the Conflict

His leadership among the Religious

In the last chapter we have already seen something of the position of Fray Alonso in the disputes between the religious and the Hierarchy, especially as represented by the Bishops of Mexico City and Michoacán, Alonso de Montúfar and Vasco de Quiroga. In all the conferences held by the religious Vera Cruz was on hand either as major superior or as a competent and trusted advisor ; he was also a member of the commission that went to Spain in 1562. This present chapter will show that Vera Cruz was the chief spokesman of the friars and, along with his friend the Franciscan Juan Focher, he was the authority upon whom the religious relied for the defense of their position ⁴⁰²). Although both men enjoyed an equal prominence

*) See *Augustiniana*, V (1955), 52-124, 241-267, 362-399.

⁴⁰²) EGAÑA, *op. cit.*, p. 93. Both men were learned in theology and canon law, and both wrote around the same time, that is, between 1555 and 1570. Although, in fact, Vera Cruz wrote a few years earlier than Focher, and they were close friends, Fr. Egaña points out that there is no evidence to indicate that Focher depended upon Vera Cruz. And in the question of the theory of the Royal Vicariate, Egaña calls Focher the father of the theory because his works were published, while the writings of Vera Cruz on that subject were not. The reason why they were not published will appear later in this chapter.

On Juan Focher, cf. GARCÍA ICAZBALCETA, *Biografías*, II, 248 ff.

for their writings on the question of privileges, Vera Cruz provided greater leadership by reason of the fact that he twice held the office of major superior (1548-51 and 1557-60) during the development of these disputes, and he was the most outstanding professor at the University of Mexico at that moment. For his share in the business, Fray Alonso especially earned the attention and opposition of Archbishop Montúfar, who, as we shall see, cited him before the Inquisition in Spain.

The widespread influence of Vera Cruz was exercised through his lectures in the University, his published work on the Sacrament of Matrimony, *Speculum Coniugiorum*, and his two unpublished works, *Relectio de decimis* and *Apologia pro religiosis*. The last mentioned, even though never put into print, was widely circulated among the missionaries of Mexico⁴⁰³). These last two works in particular were a complete and unconditional denial of the episcopal authority to interfere in any way in the work of the religious orders. They illustrate the mentality of the religious and explain why the friars were so independent and uncompromising in their relations with the Hierarchy. Another similar, but much later, writing by Vera Cruz is the long letter he sent to Domingo de Salazar, first Bishop of Manila, in 1583. This letter, a reply to one sent by the Bishop, is a defense and explanation of the privileges of the religious. It too enjoyed a wide circulation and can be found incorporated in a number of chronicles⁴⁰⁴). The fact that Bishop Salazar, who was a Dominican, addressed his appeal to Fray Alonso again testifies to the prominent position of Vera Cruz and the confidence placed in his opinions.

He himself tells us, in one of the above works, why he took it upon himself to become engaged in these disputes⁴⁰⁵). He said that, while he did not consider himself an authority, he believed himself

⁴⁰³) GARCÍA ICAZBALCETA, *Bibliografía*, pp. 86-87. He quotes GRIJALVA, fol. 188v.

⁴⁰⁴) JUAN FRANCISCO DE SAN ANTONIO, *Crónicas de la apostolica provincia de S. Gregorio de religiosos descalzos de N. S. P. Francisco en las islas Philipinas, China, Japon, etc.*, Part I (Sampaloc, Manila, 1738), Bk. III, chap. viii, pp. 568-585. He refers to Vera Cruz as « Oráculo de México ». He mentions that this letter can also be found in the chronicles of the Augustinians Gaspar de San Agustín, and Sicardo, and in the Franciscan Juan Bautista. Another copy is to be found in the chronicle of Pablo Beaumont, O. F. M.

⁴⁰⁵) MS iii-K-6 of the Escorial Library. The last part, *Declaratio clementinae religiosi de privilegiis*, fols. 269-269v.

qualified to write about these vexing questions. He did it as a service to his fellow-missionaries, most of whom had not either the time or the means for such studies. In regard to his qualifications, Vera Cruz said that while he was chiefly a professor of theology, he was not « entirely unskilled in canon law »⁴⁰⁶). He mentioned the fact that he had been trained in law at Salamanca, and since that time he had studied canon law diligently. This apology by Fray Alonso was hardly necessary, however, for his ability was universally recognized, even by the bishops, at least until he became engaged in these disputes. We have already seen the disparaging remarks of Bishop Quiroga, a former admirer of Vera Cruz.

Before expounding the principal opinions of Vera Cruz, a few words ought to be said of the writings from which they are taken. The *Speculum Coniugiorum* has already been fully described in chapter three. The other printed source, the long letter, 17 pages in folio, addressed to Bishop Salazar of Manila, was written on Feb. 12, 1583⁴⁰⁷). In his introduction, Vera Cruz spoke of a letter sent to him by the Bishop, asking for advice in the problems he had encountered with the friars. Fray Alonso expressed surprise and regret at the change the mitre had made in a man who was formerly so learned, religious and good-natured. He then set out to explain the various privileges granted to the religious by the Popes over the previous 200 years for the conversion of the infidels. At the end of the letter, after thoroughly expounding the extensive faculties of the religious, Vera Cruz offered the Bishop the small consolation of saying that the Bishop ought to approve the privileges and thus accept the friars as his coadjutors. Fray Alonso also told him that he always had the authority to step in in any extraordinary circumstance where the good of the Gospel might be in danger ; a rather vague authority at best.

Most important of all for this present subject are the two unpublished works of Alonso de la Vera Cruz found in a manuscript of the library of the Escorial monastery⁴⁰⁸). Although both works are found together in the same manuscript, they were not written at the same time. The first part, a treatise on tithes, has the following title : *Relectio de decimis habita in scholis publice in universitate mexicana*

⁴⁰⁶) *Ibid.* « juris pontificii non sum omnino jejunos ».

⁴⁰⁷) *Supra*, note 404.

⁴⁰⁸) Cf. our Introduction.

A magistro F. Alonso ab eodem edita Anno 1555. Judging from this title, it appears that, while Vera Cruz composed this treatise as a complete work in 1555, he had already lectured on this material in the university, perhaps for some years previously. The copy that we have today was edited by Fray Alonso shortly before he sent it to Spain to be published in 1560. This is evident from the fact that in some places, fol 18v, for example, he has scratched out the word « Emperor » and written in « King ». Emperor Charles V had abdicated in 1556, leaving Philip II as King of Spain. The treatise contains twenty-five questions developed in the typical scholastic style. They treat of the nature of tithes, of those who are bound to pay them, and of those who can rightly receive them. Questions 23 and 24 are of special interest because they speak of the obligations and authority of bishops and religious in the Spanish missions ⁴⁰⁹). This work is composed in a much abbreviated Latin with occasional passages in Spanish; the hand is not that of Vera Cruz, but the marginal notes and corrections are his. The introduction is addressed to Philip II and dated Jan. 1, 1560, in Mexico City ⁴¹⁰). Vera Cruz appealed to the King as patron and protector of the Indies to solve the dispute over tithes and protect the interests of the neophyte Indians.

The second part of the Escorial manuscript is titled *Apologia pro religiosis trium ordinum mendicantium, habitantibus in nova hispania*. It contains five parts, the first four of which are a compilation of and commentary on the privileges of religious. Fray Alonso left no stone unturned in his efforts to establish the most extensive faculties; he has listed thirty-four distinct papal privileges, beginning as far back as Pope Gregory IX in the early 13th century. The fifth part, *Declaratio seu expositio clementinae religiosi de privilegiis*, is a commentary on a canon issued by Pope Clement V in the Council of Vienne, 1305 ⁴¹¹). This canon, which imposed severe restrictions

⁴⁰⁹) Question 23: *Utrum episcopi teneantur providere de curatis.*

Question 24: *Utrum religiosi sint curati.*

⁴¹⁰) MS Escorial iii-K-6, fols. vii-ix.

⁴¹¹) The text of the canon can be seen in *Corpus juris canonici*, edited by Aemilius Friedberg (Leipzig, 1879-1881), II, 1186. *Clementinarum*, Lib. V, Tit. VII, *de privilegiis et excessibus privilegistorum*, cap. i.

Another section of the *Apologia* is mentioned by Santiago Vela, *BIA*, VIII, pp. 169-170. The title is: *Questio de commissario faciente testamentum pro defuncto ab intestato*. It is not included in the Escorial MS.

and penalties on religious in the use of privileges for the administration of the sacraments, was a worry to the friars in Mexico and a threat employed by the bishops. A number of times the religious had appealed to the Holy See for an explicit revocation of this canon ⁴¹²). Vera Cruz, in his commentary, claimed that, not only was the canon without force since it antedated most of the privileges, but also it could be interpreted in such a way that there was no conflict between the canon and the use of faculties granted by the Holy See to the missionaries in infidel lands. The canon specifies that religious must have special permission of the pastor of a parish before exercising their privileges. Fray Alonso maintained that the missionaries already had the necessary permission since their faculties came from the Pope, the universal Pastor of the Church.

The *Apologia pro religiosis* was written during the pontificate of Paul IV, « qui nunc primatum et Christi locum in terris tenet », that is, between 1555 and 1559 ⁴¹³). The introduction, however, was added later, in the reign of Pius IV, probably at the time that Vera Cruz edited the whole manuscript for publication, that is, in 1560 ⁴¹⁴). This introduction is addressed to the Council of the Indies and contains an appeal for the approval of all the privileges listed in the *Apologia*. Vera Cruz called upon the Council and the King to confirm the mission of the religious and thus guarantee the continuance of the evangelization of the New World.

At the beginning of the manuscript there are a number of letters which have already been mentioned in our Introduction. They are letters of approval given by various censors to whom the manuscript was submitted previous to publication. The first one is signed by two Benedictines, Rodrigo de Vadillo and Antonio Hurtado, at the priory of San Martín, Madrid, Oct. 19, 1562. Rodrigo was commissioned as censor by the Council of the Indies. His approval is unconditional, saying that « the tracts contained in this folio... are very learned, and very profitable and catholic and may be printed without any scruple » ⁴¹⁵). Of the second letter, by the Augustinian

⁴¹²) E. g., FE 325, fols. 259-259v. Petition submitted to the Pope and the King by the religious of Mexico, circa 1560.

⁴¹³) MS Escorial iii-K-6, fol. 269v.

⁴¹⁴) *Ibid.*, fol. 80v. Pius IV « qui nunc prest (sic) ». Pius IV was Pope from 1559 to 1565.

⁴¹⁵) *Ibid.*, fol. v verso. « los tractados contenidos en esta hoja... son muy doctos, y muy provechosos y catholicos y se pueden imprimir sin escrupulo ».

Pedro de Ibarra, only the conclusion remains in which he said he read the tract *De decimis* and found nothing against faith or orthodoxy, but raised a difficulty about the wording of a minor theological point ⁴¹⁶). The third letter is of interest because it was written by the famous Augustinian literary figure Luis de León, at Salamanca, Nov. 25, 1561. Three pages of the letter are missing, and the two remaining have been scratched out, probably because about ten years later Luis de León was accused before the Inquisition. His letter, addressed to Fray Alonso, mentions that he had read the *De decimis* and was greatly pleased. He rejoiced at having the occasion to write to Vera Cruz and praised him for going to Mexico to bring wisdom to the infidels, and « not to gain something for yourself, such as many others do » ⁴¹⁷). He was happy, he said, to see Vera Cruz writing to combat the evil of pecuniary bishops who seek the goods of this world to the detriment of the people.

At the very beginning of the manuscript there is included the letter of the printer, Andrea de Portonariis, seeking the royal permission to print the tract *De decimis* within ten years. He wrote ad Madrid, Jan. 3, 1562. Although he did not speak of the *Apologia pro religiosis*, it is certain that Vera Cruz intended to publish both works. In the last part of the *Apologia* he has written a marginal note directing the printer to include the full text of the Clementine canon *de privilegiis* ⁴¹⁸). But the fact is that, despite all the evident preparation and the approval of the censors, no part of this manuscript was ever published. Fray Alonso had proposed to publish a *Compendium Privilegiorum* with the first edition of his *Speculum Coniugiorum* in 1556. The *Compendium* is mentioned on the title page, but it is not to be found either in that edition or any other of the *Speculum* ⁴¹⁹).

⁴¹⁶) *Ibid.*, fol. vi. The difficulty, about the powers of man after the Fall, is not pertinent here.

⁴¹⁷) *Ibid.*, fols. ix versus to x. « non ut ipse rem suam augeres, ut pluribus ».

⁴¹⁸) *Ibid.*, fol. 269. Only the beginning of the canon is given in the text as it stands.

⁴¹⁹) The 1556 edition was consulted through the kindness of Dr. C. E. Castañeda of the U. of Texas. The title page can be seen in SANTIAGO VELA, *BIA*, VIII, 166. This *Compendium privilegiorum* is not to be confused with the *Appendix* published with the 1572 edition of the *Speculum*. On this *Appendix*, cf. *supra*, chap. iii.

The 100 folio MS on privileges mentioned by STREIT, *op. cit.*, I, p. 105, is probably nothing other than the first two parts of the *Apologia*. The same thing is given by GARCÍA ICAZBALCETA, *Bibliografía*, pp. 86-87, no. 1. In this case it is

What is the reason why these works were never put into print ? The most likely explanation is that the publication was deferred and finally abandoned because of the explosive nature of these writings ⁴²⁰). When we examine some of the opinions of Fray Alonso, we shall see that they were highly controversial and not without a deep shade of bias. The censors had approved them, but the censors were all religious ; it is not likely that they would have given their approval if they had been members of the diocesan clergy. A further reason why the Escorial manuscript was never published is that after the renewal of the privileges by Pius V in 1567, it would have been useless to throw extra fuel on the fire by publishing such controversial writings.

It remains only to say a few words about the style of this manuscript. We have already noted that the treatise *De decimis* is composed in typical scholastic form with arguments pro and contra, conclusions and corollaries, etc. The same is true of a large part of the *Apologia pro religiosis*. The repetitiousness of these two works is very notable, the same reasons are given over and over again. Some of the arguments are cogent, but others are vague and gratuitous. Throughout all it is quite obvious that Fray Alonso is out to defend the religious on every point, and he does not leave his opponents an inch to stand on.

We shall consider first of all the theory of the « Royal Vicariate » as it appears in the writings that we have just described ⁴²¹). We have seen in the last chapter the many and extensive powers granted by the Popes to the Kings of Spain as Patrons of the Indies. The King of Spain, fulfilling the commission given to him by the Holy See, sent the religious of the mendicant orders to evangelize the newly-discovered lands, and the missionaries were furnished with all the necessary faculties by the Holy See. The King, therefore, was a kind of intermediary between the Pope and the Church in the New World. To him were referred all problems and difficulties, whether of a temporal or spiritual nature. Some of the royal

obvious that Icazbalceta is merely listing the parts of the *Apologia* as separate works. Cf. nos. I, II, III, and VIII.

⁴²⁰) BIA, VIII, 170.

⁴²¹) The theory of the « Royal Vicariate » in the works of Vera Cruz has already been thoroughly studied by Egaña in his work already cited. We shall follow the same lines here, with some additions about the office of bishops, taken from the tract *De decimis*.

powers bordered upon the spiritual sphere. Could it be possible to say that the King enjoyed delegation from the Pope in the strict sense, that is, vicarious spiritual powers? That ultimately was the question that presented itself to the mind of Alonso de la Vera Cruz. If some such delegation could be rightly assigned to the King, reasoned Vera Cruz, then the royal authority would supercede that of the bishops and, once the King had given his approval to the religious orders, the bishops would have neither right nor authority to interfere. Let us see now how Vera Cruz treated this question. We shall give a composite picture of his idea of the « Royal Vicariate » by quoting directly from his writings.

[The Catholic Kings of Spain, the grandparents of Philip II, were commissioned by Pope Alexander VI, and thus] designated as his delegates, so that the care of the workers to be sent [to the New World] was committed to them under precept ⁴²²). [The right of the Pope to do so is based on the fact that he is the universal Pastor of the Church and] just as all the faithful are *actually* subject to him, so the infidels [are his subjects] in *potentia*. [In order, therefore, to realize his authority, the Pope chose the Kings of Spain] as legates and commissaries to convert the new world to the faith. And he had the power to donate to them rule and dominion for that purpose, and thus commission them to have the care of sending worthy ministers and preachers to carry out [the conversion] ⁴²³). And thus it is that such [ministers] are sent immediately by the Supreme Pontiff, or they are sent by the kings themselves, to whom [this obligation] is not only committed immediately, but it is enjoined on them under obedience... And through this manner of concession it is granted to the kings that they can dispose of ministers and of *all other things* which are necessary to the aforementioned work, for to whom the principal is committed the accessory is also committed... Hence the King by virtue of this concession can dispose and declare that only the religious and no others are the ministers of the Indians. And without any scruple he can intrude himself, ordaining that where the religious are living, no other secular clerics may be assigned, and

⁴²²) MS Escorial iii-K-6. *De decimis*, fol. vii. « velut delegati ejusdem declarati quo operariorum missendorum cura sub precepto comissa eis sit ». NB The parts in brackets and the italics are added by the present writer. The same will be true of the subsequent quotations.

⁴²³) *Ibid.*, *Declaratio clementinae*, fol. 285v. « ut actu subsint ei fideles omnes, et potentia infideles... » « in legatos et commissarios pro novo orbe ad fidem convertendo. Atque potuit eis regna et dominia donare ad hunc finem et consequenter eis injungere ut ipsi curam haberent mittendi praedicatores et ministros idoneos ad id peragendum ».

they alone may administer the Sacraments to the newly-converted, and build houses and monasteries for their permanent habitation, or for temporary dwelling, without any other concession, or permission of the bishop, and even if [the bishop] is opposed... The King himself handles or disposes this matter, *as if the Pope himself* were disposing and commanding. Consequently, the King, as well as the Viceroy, who takes the place of the King, does not transgress the limits of his power by giving royal orders to the religious.

Since the Supreme Pontiff places such a great burden on the Kings, as the purpose behind the concession and donation of the kingdoms and dominions of the places above-mentioned, the Kings themselves (who are bound under eternal damnation to carry out [this burden]) are the ones who are obliged to fulfill this duty, and to send industrious men. Whence it is left up to them, and the designating of ministers for the conversion of the natives and for the neophytes is especially and principally the duty of the Kings. The bishops then have only whatever [duty] is assigned to them by the King, unless the Supreme Pontiff (who has delegated the business chiefly to the Kings) should provide otherwise, but as long as the King is in charge, *the bishops are relieved of obligation*. And if it should not be sufficiently cared for by the King, and he should forbid the providing of ministers other than the religious alone, the bishops are without fault ⁴²⁴).

⁴²⁴) *Ibid.*, *Apologia pro religiosis*, fol. 157. « et sic perinde est quod tales mittantur a summo pontifice immediate, vel mittantur ab ipsis regibus, quibus immediate non solum est commissum, sed sub obedientia eis est injunctum...

Et per huius modi concessionem est regibus concessum ut possint disponere de ministris et de omnibus aliis quae sequuntur ad praedictum opus necessaria, nam cui committitur principale et commissum est accessorium... qua propter potest virtute huius concessionis, Rex disponere et declarare ut soli religiosi sint indorum ministri et non alii. Et absque aliquo scrupulo potest se intromittere precipiendo, ne ubi sunt religiosi habitantes, ponantur alii clerici seculares, etque ipsi soli ministrent Sacramenta noviter conversis, etque edificent domos et monasteria pro sua perpetua habitatione, vel ad habitandum ad tempus, sine aliqua alia concessionem, vel licencia episcopi, imo ipso contradicente... ipse rex facit vel disponit circa hoc, perinde est ac si ipse papa disponderet et mandaret. Ex quo talis rex quam prout rex, qui vicem regis gerit, non transgrediuntur limites sue potentie (sic) dando suas litteras regias pro religiosis...

Cum Summus Pontifex tantum onus regibus imponat, ob causam finalem concessionis et donationis regnorum et dominiorum partium super dictarum, ipsi reges (qui tenentur sub damnatione eterna id adimplere) sunt quibus incumbit hanc prestare diligentiam, et tales mittere viros industrios. Quapropter eorum voti hoc relictum est, et praecipue et principaliter ministrorum destinatio pro indigenis convertendis et pro neophitis ad reges spectat. Et ad episcopos tantum quantum tunc ex regia commissione eius fuerit concessum, nisi summus pontifex (qui ipsis regibus negotium praecipue delegavit) aliud provideat, sed tunc quamdiu providet rex,

[The difficulty arises as to how the King, a layman, can be the delegate of the Pope and act in the place of the Pope in sending ministers of the Sacraments. The answer is that the authority comes from the Pope because he is] the first and immediate prelate... In deciding the question it must be noted that when speaking about the power of the King with regard to those things that are spiritual, there is a twofold consideration. The one [views the King] *per se* under the aspect of royal power, the other [regards him] under the aspect of commission or delegation, and can be called *per accidens*. Secondly, it is to be considered that, as regards the disposition of spiritual things, the Supreme Pontiff can hand over legation not only to kings, but to other laymen as well. In this respect they can be called his delegates or vicars [just as a bishop can make a layman his official provisor]⁴²⁵).

[From this it is concluded that the faculties of the religious come from the Pope through the King; the faculties are given to them by the very fact of being sent by the King.] It will be false to declare that the permission of the kings is not sufficient for the administration of the Sacraments, *even excluding every other privilege*⁴²⁶).

From this, as well as from other passages in these writings, one can draw four principal conclusions. 1) The Kings of Spain were given dominion over the lands in the New World by the Pope acting as Vicar of Christ and spiritual head of the world. 2) The purpose behind the grant of dominion was the conversion of infidel peoples, and this duty was imposed on the Kings under penalty of grave sin. 3) The Spanish Kings had chosen the religious as their agents in carrying out the conversion, and in so doing the Kings were acting

episcopi sunt ab onere immunes. Et si non sufficienter sit per regem provisum, et ipsis fuerit interdictum ne provideant de aliis ministris, sed solum de religiosis, episcopi manent sine culpa ».

⁴²⁵) *Ibid.*, *Declaratio clementinae*, fols. 285-285v. « est primus et immediatus praelatus... pro decisione questionis notandum est quod loquentes de regis potestate circa ea quae sunt spiritualia, duplex consideratio est. Una de se ratione regiae potestatis, alia ratione commissionis seu delegationis, et quae de per accidens dici potest... Secundum est considerandum quod quo ad spiritualium dispositionem Summus Pontifex non solum regibus, sed etiam aliis secularibus legationem committere potest. Qui quod ad illa possunt dici ejus delegati aut vicarii [just as a bishop can make a layman his 'provisor official'] ». The provisor is a kind of lawyer who handles marriage cases and other questions of law.

⁴²⁶) *Ibid.*, fol. 286v. « erit falsum negare licentiam non sufficere regum in administrandis sacramentis secluso omni alio privilegio ».

It will be noted here that the double negative (negare... non sufficere) appears to give a positive statement, but it is clear from the context that Vera Cruz intended a negative.

as *per accidens* vicars or delegates of the Pope himself. 4) The ministry of the religious was therefore both valid and licit because of their commission from the Kings, and no further privilege or faculty was necessary for the ordinary administration of the Sacraments. In the mind of Alonso de la Vera Cruz, therefore, the royal appointment of ministers was all-sufficient. Juan Focher, his Franciscan contemporary, however, also emphasized appointment by the religious Provincials for the licit administration of the Sacraments ⁴²⁷).

It is evident from the above teaching of Vera Cruz that he left no place for the bishops and diocesan clergy in the New World. He removed from them all responsibility and considered them as strictly secondary adjuncts to the Spanish missions. This fact is seen even more clearly in the following conclusions taken from his treatise on tithes ⁴²⁸). He gives twelve conclusions, of which the more important are the following :

2) Where the ministers of the Sacraments would be more a burden than a help to the faithful, the bishops are obliged not to appoint them. Vera Cruz had in mind here the secular clergy whom he considered unsuited for the missions because they worked for a specified salary, and generally they could not speak the native languages.

4) Where the bishop has no obligation to choose, present or confirm ministers, he has no obligation to provide them. This is the case in the New World, where the provision of ministers is in the hands of the King and the Pope. The bishop, therefore, is absolved of all responsibility, and of all fault in case of neglect.

5) In such a situation, the bishop is obliged to accept the ministers provided, even though they are not curates, that is to say, even though they are exempt religious, independent of the normal diocesan setup. And where the bishop has a choice between those who work gratis (the religious) and those who work for a salary (secular clergy), he is obliged to prefer the former for the good of the faithful. In conclusion eight Vera Cruz has stated that this obligation is one of justice.

7) If the appointing of a salaried cleric, even though he be otherwise worthy, means removing ministers who serve gratis, the bishop is obliged to leave the gratis ministers in possession. Only when the

⁴²⁷) EGAÑA, *op. cit.*, p. 94.

⁴²⁸) MS Escorial iii-K-6. *De decimis*, question 23, fols. 63v-68.

latter are unworthy may they be replaced, if that can be done without scandal and disturbance.

9) Thus, in the New World, where the religious are already established, the bishop has no obligation to provide clerics. That duty rests solely in the hands of the Pope, and of the King *ratione juris patronatus*. And the religious are to be preferred because they are less burden on the Indians ; they are also more numerous and better qualified. This is the only suitable arrangement in our present time. This reference to « our time » is one of Vera Cruz' favorite points. He was not permanently opposed to the Hierarchy, but he believed that the Church in the New World was not yet ready for regular diocesan organization.

10) and 11) When the religious wish to move into a village, the bishop is obliged to give his permission and even to remove the secular priest, if there is one there. The bishop must do so even if the people are opposed to the religious. In such a case, he must assert his authority for the greater good of the faithful. And if the bishop should oppose the religious, he would be bound to restore to the faithful the salary paid to the cleric whom the religious wished to replace. This is an instance of Vera Cruz' one-sided approach. Whereas all along he has been denying all authority to the bishops, here he calls upon them to employ their authority in favor of the religious.

12) Since the King, in fulfilling his duty, has sent the religious as his ministers, the bishops are bound to accept them and sponsor them. The secular clergy have neither the quantity nor the quality to do the work and they should not be permitted to come to the New World at the present time.

This, then, was Fray Alonso's theory on the far-reaching powers of the King, and the consequences of those powers in the ecclesiastical setup in the New World. His approach is clear and logical, though obviously biased in favor of the religious orders. It was clear to him that the Pope, employing the King of Spain, had established a certain definite arrangement for the conversion of the newly-discovered lands. That arrangement was to perdure until the work was fully completed. The bishops, in the meantime, were obliged to go along with the arrangement even though their authority was thus reduced to the barest minimum and they could not exercise any control whatever over the religious. We notice that Vera Cruz, even though he assigned very extensive powers to the King, was careful

not to assign spiritual jurisdiction in the strict sense to the King as a layman. The King was, in his concept, the agent of the Pope and his « per accidens » vicar or delegate. He possessed his powers, not by reason of any spiritual jurisdiction, but simply as Royal Patron of the New World. The distinction, however, is a fine one, and it is easy to see how later royalist jurists could rather easily step over the line of distinction in developing the theory of the « Royal Viceriate ».

Vera Cruz himself was aware that his theory was somewhat novel and that not everyone would agree in assigning such far-reaching authority to the King in spiritual matters. In 1582 he wrote to the King to ask him to settle a question of jurisdiction in the administration of the Sacraments ⁴²⁹). The diocesan clergy claimed that the faculties of the religious applied only to the Indians and that, after Trent, any marriages contracted by Spanish persons before a religious priest who did not have the permission of the local pastor were invalid. That obviously caused a great problem of conscience for both the religious and the Spanish laity. Fray Alonso asked the King to declare on the basis of the Brief of Pius V that the faculties of the religious were applicable for all marriages. He told His Majesty that, if he had any scruples about making such a declaration on his own authority, he should apply to the Holy See. Such was the extent to which Vera Cruz pushed the powers of Royal Patronage. It is not easy, in this instance, to see the distinction between spiritual jurisdiction and the rights of Royal Patronage. This letter indicates that probably not even the King himself would have been willing to extend his authority so far.

If the King was not willing to push Fray Alonso's theory to its logical extremes, we can easily imagine what the bishops in Mexico thought of his writings. It is no great surprise to find that Archbishop Montúfar submitted some of Vera Cruz' conclusions to the inquisition as heretical, but we shall let that point go for the moment. It is sufficient for the present to see that Fray Alonso had composed an unconditional defense of the rights of the religious by appealing to the royal authority. His theory about the co-relative position of King and religious orders helps to explain why the friars were so certain and uncompromising in their conflicts with the Hierarchy. His approach was, however, strictly one-sided, as we have already

⁴²⁹) CUEVAS, *Historia de la Iglesia*, II, 502-503. Taken from A. G. I., 60-2-21.

indicated. He was willing to appeal to the royal powers to limit the episcopal authority, but he did not allow those same royal powers to interfere in the internal affairs of the religious orders. In 1574, for example, he wrote to the President of the Council of the Indies, Juan de Ovando, to complain of the new regulations requiring approval by the Viceroy for all elections and appointments in the religious orders⁴³⁰). Vera Cruz said that these regulations constituted an unlawful interference in the religious life, and that they would give rise to scandal and disturbance by offering unruly friars an opportunity to appeal to outside authority against the will of their superiors. Such reasons are clearly valid, but at the same time one must admit that Fray Alonso's own theory on the extent of royal authority could be invoked against him here.

We turn now to another of the points of conflict between the Hierarchy and the religious, namely the dispute about the right of the religious to decide matrimonial cases. The influence of Vera Cruz in this question was very great since the most widely-circulated of his published writings was a book on the canon law and moral theology of matrimony, the *Speculum coniugiorum*⁴³¹). He also spoke of this question in his writings on privileges. Fray Alonso believed that the royal permission was sufficient for the ordinary administration of the Sacraments, since the faculties employed in those circumstances were granted by the Pope. But what about those powers which are normally reserved to bishops, such as dispensations for certain impediments to matrimony, and the judging of the validity of marriage already contracted. In order to solve difficulties of that nature Vera Cruz appealed to the privileges granted by the various Popes.

He maintained that the religious, even after the Council of Trent, had greater powers than pastors. By reason of the confirmation given by Pius V in 1567, they enjoyed the same powers that they had possessed before Trent. « The religious in the New World have by virtue of privilege something more than pastors to whom power is committed by the ordinaries (bishops)⁴³²). As an example

⁴³⁰) Oct. 20, 1574, in Mexico City. CUEVAS, *Documentos inéditos*, 304-307. Taken from A. G. I., Mexico 282.

⁴³¹) Cf. the description of the *Speculum coniugiorum*, *supra*, chap. iii.

⁴³²) *Speculum coniugiorum*, *Appendix*, p. 54. « Habent religiosi in novo orbe virtute privilegii aliquid ultra ministros Parochos, quibus ab ordinariis comissa potestas est ».

of the greater faculties of the friars, Fray Alonso mentioned that according to Trent, the pastor of a place needed permission of the bishop to perform a marriage for transient persons. The religious, however, already had faculties for such cases from Popes Leo X and Adrian VI, and they were confirmed by Pius V, saying that the « permission of the ordinary or of anyone else (is) in no way required » ⁴³³).

As for judging marriage cases, Vera Cruz stated that, by virtue of the privilege granted by Adrian VI, the religious had power in both fora, as confessors in the internal forum and judges in the external. He summarized under eight conclusions the cases that could be validly and licitly handled by the friars ⁴³⁴).

1) Religious who have their faculties from their major superiors can lawfully handle all cases of the neophyte Indians, determining the status of their marriages and judging which is the lawful husband and wife.

2) They can admonish and correct persons living in concubinage.

3) In cases of concubinage they can lawfully separate such persons or, if possible, correct the marriage.

4) and 5) The religious can pass judgment on the validity of marriages not performed according to the law of the Church.

6) In the case of marriages performed according to the law of the Church, the religious can pass judgment on the validity, if they have the permission of the bishop and if there is no ecclesiastical judge in the place. This, added Vera Cruz, would be the normal arrangement, but in view of the « omnimoda » of Adrian VI, they have far more extensive powers. The religious missionaries have, claimed Vera Cruz, the same powers as the bishops themselves for handling marriage cases. They can, therefore, judge all cases when they are in a place far from an ecclesiastical tribunal. And even if there is a tribunal nearby, they can judge the cases themselves, if there are too many for the tribunal to take care of. The privilege of Adrian VI had specified that the religious minister must be forty miles from an episcopal seat before he can use faculties which are normally reserved to a bishop, but Pius V, in his renewal of former privileges, made no specifications about distance.

⁴³³) *Ibid.*, « ordinarii, vel cuiusque alterius licentia minime requisita ». These are not exactly the words of the Brief of Pius V, but the sense is the same.

⁴³⁴) *Speculum*, Part III, chap. xi, pp. 327-334.

7) Where the religious have the permission of the bishop to exercise their privileges in the diocese, they can handle all cases without any reservation.

8) Religious who have the office of ecclesiastical judge by episcopal appointment are not required to use a notary, oath-taking and other solemnities of a tribunal so long as the truth is safeguarded. The reason is to avoid expense for poor Indians.

With regard to matrimonial impediments, Fray Alonso maintained in his letter to Bishop Salazar that the major superiors of the religious orders and their delegates could dispense from all degrees of affinity and consanguinity that are not prohibited by divine or natural law⁴³⁵). He also stated that the same superiors could dispense from the perpetual vow of chastity⁴³⁶).

Such then were the extensive faculties of the religious for the Sacrament of matrimony. It is interesting to note too that, with regard to other special faculties, Vera Cruz cited the privilege of Leo X which gave religious superiors the power to ordain to minor orders, confirm, and consecrate altars and chalices in places where there was no bishop. Fray Alonso maintained further that such faculties could be employed even within a diocese if the bishop were absent⁴³⁷).

Most vexing of all in this conflict between the Hierarchy and the religious orders was the question of tithes. It became a kind of focal point in which all the other disputes converged. The bishops were of the opinion that, if tithes were collected, they would provide the means for overcoming many difficulties. The religious, on the other hand, who had no need of tithes, regarded them as an unmitigated evil. Actually, none of the ecclesiastics in Mexico had the authority to demand or collect tithes because that right had been given over to the Spanish King by the Holy See. Although there was an established system for dividing the tithes among the various beneficiaries, the fact was that tithes had never been collected in the New World, except sporadically and in limited areas⁴³⁸). It had not been

⁴³⁵) Vera Cruz to Salazar, given by JUAN FRANCISCO DE SAN ANTONIO, *op. cit.*, Bk. III, chap. viii, p. 569. Vera Cruz based this on a general privilege granted by Innocent IV to the Dominicans, contained in the Dominican *Mare Magnum* edited at Rome, 1556.

⁴³⁶) *Ibid.*, p. 572. This he based on the Bull of Adrian VI.

⁴³⁷) *Ibid.*, p. 571.

⁴³⁸) LETURIA, *Felipe II y el Pontificado*, p. 49. The original system of division,

possible to collect them in the beginning, and later on, because it had been customary for the royal treasury to pay ecclesiastical expenses out of the tributes collected, and because the Indians were poor, the King had never pressed the collecting of tithes. But the bishops were not content with that arrangement for a number of reasons and they began to insist upon the need of tithes.

The King at first refused to accede to their wishes. In the beginning of the sixteenth century, the royal orders always specified that the cost of building churches was to be taken out of the tributes and, if more money should be needed to pay the salaries of ecclesiastics, it was to be covered by a raise in tributes ⁴³⁹). As the expenses of the Church in the New World began to rise, the King of Spain began to consider the possibility of collecting tithes from the increasing number of Christian Indians ⁴⁴⁰). Finally, in 1544, Prince Philip issued an order saying that the bishops were authorized to exact tithes from the Indians on cattle, wheat and silk ⁴⁴¹). The religious, however, were immediately opposed and they made known their opposition to Zumárraga, then Bishop of Mexico City. So determined was their opposition that they even preached to the Indians that they had no obligation to pay tithes since they were already supporting the religious who ministered to them. In that way there began the long and sometimes bitter litigation over the question of tithes.

Juan de Zumárraga, who was a gentle and prudent man, had not pushed the royal order in view of the opposition of the religious. But when Alonso de Montúfar, his successor, came on the scene, he decided to assert his rights in spite of the opinion of the religious. One of the orders issued after the first provincial synod in 1555 commanded the collecting of tithes in the full sense from both Spanish colonists and Indians ⁴⁴²). The Archbishop laid an « ipso facto » cen-

established in 1512, gave the bishop and cathedral chapter one-fourth each. A later system, established in 1568 (cf. p. 50), reduced their share to only one-sixth each.

⁴³⁹) For example, cf. the order sent by the Emperor to the royal audiencia, Aug. 2, 1533, from Monzon. Puga, *Provisiones, etc. para el gobierno de la Nueva España* (Mexico, 1563; facsimile edition, Madrid, 1945), fols. 88-88v.

⁴⁴⁰) *Ibid.*, fol. 92v. Provisionary order sent by the Emperor from Toledo, Feb. 20, 1534, instructing the audiencia to institute tithes if it can be conveniently done.

⁴⁴¹) *Ibid.*, fol. 149. Prince Philip to the audiencia, Aug. 8, 1544, from Valladolid.

⁴⁴²) GRIJALVA, *op. cit.*, Edad II, chap. xviii, p. 96.

sure of excommunication on all who opposed the collecting of tithes. That, however, was going beyond even the royal order of 1544, and it met with disapproval from the King. Another royal order was dispatched in 1557 to the Audiencia suspending the move made by Montúfar ⁴⁴³). In view of the conflict that had arisen, the King called for a complete report from all interested parties about the effect of the original order of 1544. In the meantime, the procedure was to remain the same as it had been in the time of Archbishop Zumárraga.

Some years previously, in 1554, Montúfar had written to the Council of the Indies to state his opinion ⁴⁴⁴). He said that the system whereby tithes were made up for by payments out of the tributes was not adequate. The tithes were absolutely necessary to make it possible to establish seminaries in Mexico, to subsidize the University, build hospitals and support the cathedral. The religious, said Montúfar, were opposed because they envisioned the ultimate destruction of their exclusive empire in the New World.

The religious, of course, made known their opinion as well. In reply to the King's request for a report, the three orders sent a long letter in 1557, giving their arguments against the collecting of tithes ⁴⁴⁵). The principal objection, and one that was repeated many times in various letters and reports by religious, was that the tithes would be a grave scandal to the new Christians. The friars explained that they had always preached that the missionaries were interested only in the spiritual welfare of the Indians and they were not seeking any material gain. If the collecting of tithes were begun, it would give the lie to their preaching and make the Indians feel that they were being exploited on religious grounds. The religious had taught the natives that by paying the royal tributes they were fulfilling their obligation to both State and Church. If they were to begin to preach also the obligation of paying tithes, the friars would appear deceptive and mercenary in the eyes of the Indians. Furthermore, the natives, in contributing to the support of the religious who serve them, have already fulfilled their obligation to support the Church and her ministers. No other contribution could be justly demanded. Another

⁴⁴³) PUGA, *op. cit.*, fols. 194v-195. Royal order of April 10, 1557, from Valladolid.

⁴⁴⁴) RICARD, *Etudes et documents*, pp. 78-88.

⁴⁴⁵) GARCÍA ICAZBALCETA, *Nueva colección de documentos*, IV, 1-18. This letter is unsigned.

of the principal arguments of the religious was that the Indians were too poor to give tithes ; they simply did not have the means to pay. Such were the chief opinions of the friars, and just as Montúfar had questioned the sincerity of their arguments, so they too attributed bad motives to the bishops, saying that the Hierarchy were seeking their own gain and that of their clergy.

In general the civil authorities agreed with the religious, employing much the same arguments ⁴⁴⁶). The collecting of tithes, it was said, was sought by the bishops who envied the religious their high position in the eyes of the natives, and by the encomenderos who were obliged to hand over one-fourth of their rents for ecclesiastical expenses.

That was the background against which Alonso de la Vera Cruz wrote his treatise *De decimis*. In twenty-six questions he reviewed every aspect of the subject and pronounced very strongly against any effort at the collecting of tithes. His treatment of this matter was directly related to the opinions on royal authority. His ideas on tithes flow from his idea of the whole mission organization in the New World. Since the sponsoring of the Church was committed by the Popes to the Kings of Spain, and since the Kings had chosen the religious as their ministers, the natives were only obliged to support the religious. The tithes would only benefit the bishops and their clergy, but the Indians had no obligation to the secular clergy who were not the ones who were doing the evangelizing. Therefore, there was no need for tithes and the Indians could not be obliged to pay them. Furthermore, the contention of the bishops that they needed extra funds to educate more priests was not *ad rem* because the bishops had no obligation to provide clergy. That duty lay in the hands of the King alone. The secular clergy would serve no purpose anyway, contended Vera Cruz, because they were not qualified to do the work. He also employed the arguments that the tithes would be a scandal to the Indians, and that they were too poor to bear any further burdens. A further argument was that a lawful custom had been built up for more than 30 years against the collecting of tithes.

In view of Fray Alonso's position of leadership, his tract *De decimis* doubtless wielded a great influence. Archbishop

⁴⁴⁶) FE 325, fols. 340-341v and 342-345v. Two testimonials by the local civil authorities speaking in the name of the Indians. They are undated and were probably written between 1555 and 1560.

Montúfar singled it out as a special object of criticism and condemnation. On Jan. 31, 1558, he selected eighty-four conclusions from this work and submitted them to the inquisition in Spain as worthy of condemnation; some of them he labeled as heresy⁴⁴⁷). In his introductory letter Montúfar described Vera Cruz' work as « a book which might better be called a defamatory tract against the Prelates and Clergy of this new world and of the whole Church »⁴⁴⁸). Fray Alonso, he charged, ignored the Scripture and the canons of the Church, making up laws out of his own head. The Archbishop said he had submitted the eighty-four conclusions to be studied by a capable Dominican, Bartolomé de Ledesma, who assisted in drawing up the accompanying criticisms⁴⁴⁹). Both he and Montúfar submitted the heretical and scandalous teachings of Vera Cruz to be condemned by the Inquisition.

Most of the controversial questions singled out by Montúfar have already been discussed, but it will be of interest to see exactly what points he considered heretical. It is not hard to imagine which opinions of Vera Cruz the Archbishop found fault with, but in this controversy too there are some signs of that pettiness and party spirit that we have seen before. In one instance, for example, the argument turns upon the interpretation of an insignificant word⁴⁵⁰). In speaking of the poverty of the Indians, Vera Cruz had said that they hardly had enough for the necessities of life, and he used the term « poverty of state ». Montúfar ridiculed the idea, saying that none of the Indians, except the chieftains, had any « state » to live

⁴⁴⁷) Archivo Nacional de Madrid. Papeles de inquisición, Leg. 4437, no. 5. Fols. 1-2v contain the introductory letter of Montúfar. Fols. 3-19 contain the conclusions and criticisms. The manuscript is signed by Montúfar, Ledesma, and Francisco de Zárate, notary apostolic.

⁴⁴⁸) « un libro que mejor se puede llamar libello y infamatorio contra los Prelados y Cleregía de este nuevo mundo y de toda la Iglesia ».

⁴⁴⁹) Bartolomé de Ledesma was born at Nieva near Ledesma and entered the Dominican Order at San Esteban in Salamanca, March 9, 1543. He was brought to Mexico by Montúfar and was his assistant in the Archdiocese for twelve years. He held the first Chair of Theology in the University from 1567 to 1572. He went later to Peru and occupied the same chair at the University of San Marcos. After refusing the mitre of Panama, he accepted that of Oaxaca in Mexico in 1583. He died in very high esteem in 1604, and is known as the author of a famous treatise *De justicia et jure*. Cf. GARCÍA ICAZBALCETA, *Biografías*, I, 425-427.

⁴⁵⁰) Archivo Nacional, Madrid. Papeles de inquisición. Leg. 4427, no. 5. Cf. the criticism under conclusions 3, 4 and 5. The word in question is « estado ».

up to. But the criticism itself is ridiculous for it is clear that Vera Cruz meant to speak only of the normal costs of living, and not of the expenses of a high station. In this same criticism, Montúfar claimed that it was the bishops who were too poor to live according to their state in life, and, as a result, they were « dying of hunger ». Such obvious exaggerations tend to reduce the whole controversy to the point of absurdity.

Let us take a glance at some of the specific criticisms made by Montúfar and Ledesma. The criticisms are based on the eighty-four conclusions drawn from Vera Cruz' work. These conclusions usually are not taken verbatim from the *De decimis*, but nevertheless they accurately represent the opinions of Fray Alonso ⁴⁵¹).

In conclusion six Vera Cruz claimed that an ecclesiastic who is already wealthy by the income of his benefice has no right to tithes even though those from whom he seeks them are not in need of the necessities of life. Scandal, however, must be avoided in withholding the tithes. This, said Montúfar, is heretical because it is opposed to both natural and pontifical law. As proof, he cited the passages of the New Testament which state an ecclesiastic's right to support in return for his ministry. Similarly, Vera Cruz maintained, in conclusions seven and eight, that a callous ecclesiastic who has no care for the poor loses his right to tithes. His parishioners are entitled to retain the tithes which in this case are really owed to the poor. This too is labeled as heresy for the same reasons as above and because it would be an injustice to the other charitable works which depend on the payment of tithes.

Conclusions twenty-two to twenty-seven concern various aspects of Vera Cruz' opinions about the authority and obligations of King and bishops. He believed that the King of Spain as Patron of the New World had the obligation of looking after the evangelization of the Indians, providing ministers and supporting the Church. He maintained that the King was bound to give that support even if ecclesiastical expenses were not intended to be included in the tributes exacted from the natives. This, said Montúfar, was heresy because it placed a gratis burden on the King. His obligation as Patron of the Indies did not require him to pay all the expenses of

⁴⁵¹) *Ibid.* At the end of each conclusion, the critics have cited the place in the *De decimis* from which the conclusion comes. Upon consulting the original text, one finds that sometimes the citations are not completely correct.

churches and clergy, and therefore, the bishops still had their right to collect tithes. The Archbishop also denied Vera Cruz' contention that the bishops had no obligation to supply clergy and appoint pastors. Such a responsibility, said Montúfar, could not fairly be placed on the royal shoulders, and the opinion of Fray Alonso was contrary to the nature and authority of the episcopal office.

Vera Cruz also denied, in conclusions thirty to thirty-eight, that the Indians were bound to support the canons and contribute to the cathedral church. Such expenses must come from the rents possessed by the cathedral, and no extra tribute may be justly exacted from the Indians. Montúfar replied that the cathedral pertains to divine worship as much as the local churches do. He was understandably angered that the religious felt free to expend enormous sums in the construction of beautiful churches, and yet denied the same liberty to the bishop.

In attacking the right of the secular clergy to receive tithes, Fray Alonso held the unique opinion that only those ministers who were truly apostolic, that is, holy, poverty-loving and energetic, could claim tithes. This he said in conclusions thirty-nine to forty-one. Montúfar labeled the above opinion as heretical, charging that it smacked of Wyclif and Luther. Better, he said, to have poor, even scandalous clergy, than none at all. Vera Cruz, however, was not unconditionally opposed to all the secular clergy. We see, for example, in conclusions forty-eight to fifty-two, that he defended the right of any minister to receive an adequate return for his labor. He even allowed the collecting of tithes in a particular case where a cleric had no other means of support. But he denied the need and even the justice of a general law of tithes which would benefit persons who did not serve the faithful from whom the tithes would be collected. He even maintained that tithes could not be exacted for the Pope, because, as Vera Cruz said, the Pope at that time had adequate means. It is to be remembered, of course, that he is speaking here of the obligations of the newly-converted Indians.

In conclusions fifty-eight to sixty-four we find Fray Alonso's theory about the obligation of the religious to minister to the Indians. It was an obligation of charity, not of justice, that is, the religious did not hold the office of curates in the strict sense; they were simply temporary ministers sent to fulfill the obligation of the royal conscience. And neither were the diocesan clergy official curates since they were not sent by the King, and the bishops had no au-

thority either to designate or to fill any offices whatever. All of that pertained to the royal authority. If the religious opposed the placing of secular clergy, they were guilty of no injustice, but simply put themselves under greater obligation to care for the people. Montúfar replied that the religious, in resisting the secular clergy appointed by the bishop, not only committed a grave injustice, but also fell under the censure of excommunication. Furthermore, the religious could not exercise their ministry except with episcopal approval and in circumstances of extreme necessity. That, said Montúfar, was the intent of the Papal Bulls.

The whole idea behind Vera Cruz' theory was that the religious, and they alone, were qualified to evangelize the New World, both because they had been given the royal commission and because they, by their training and greater numbers, were more capable of doing the work. They were to be given priority over the secular clergy in every instance, even if they employed fraud to remove a diocesan cleric from any given village, provided that they made up for the loss through their own ministry. But they were in no sense official curates, and the bishop, therefore, had no authority over them.

Summing up this dispute between Vera Cruz and Montúfar, one finds it easy to sympathize with the Archbishop whose episcopal office was thus humiliated and all but ignored in Fray Alonso's devastating theories. To Montúfar they appeared the product of « tyrannical passion and heresy. » As for the heresy, it is true that Vera Cruz was defending condemned opinions where he denied the right of the clergy to tithes and where he claimed that unworthy clergy forfeited their rights to tithes ⁴⁵²). If he had contented himself with his arguments about the prudence and feasibility of demanding tithes under the circumstances then prevailing in the New World, and not gone to the extent of attacking the diocesan clergy, his position would have been reasonable and defensible. Vera Cruz' logic, proceeding from his premises about the nature of the mission of the king of Spain and the religious orders, carried him to unlawful conclusions. His extreme position regarding the lack of authority and jurisdiction of the Hierarchy in Mexico is not orthodox. Carried to their logical extremes his arguments would deny the nature of the episcopate as established in divine and common law. That is the

⁴⁵²) H. DENZINGER, *Enchiridion symbolorum*, 30th edition (Barcelona, 1955), Nos. 427 and 598.

basic and dangerous error contained in the notion of the « Royal Vicariate » ; it would have the king of Spain assuming a spiritual jurisdiction which cannot be delegated to a layman. Vera Cruz, in his eagerness to defend the religious at all costs, apparently failed to take into account the possibility that an over-emphasis of the authority of the king could be as easily employed against the religious themselves as against the bishops. He was unwittingly preparing the way for royal interference in all the affairs of the Church. Before his death Fray Alonso was to see this possibility become a fact and he reacted strongly against it, but too late.

In defense of Alonso de la Vera Cruz, however, we must recall what was said in the conclusion to chapter five, that is, the difficulty of deciding when and where the extraordinary system of privileges enjoyed by the religious had ceased to serve its purpose. Vera Cruz was wrong in opposing the authority of the bishops once that authority had been lawfully established in the swiftly-growing centers of civilization, but he was right in defending the friars who were still bearing the far greater part of the burden of the mission work in the Americas. Putting aside the elements of heretical or unlawful opinions and the elements of evident self-interest which to some degree motivated both parties, the arguments of the friars appear to be more in conformity with the circumstances of the time. As for the question of tithes, it is doubtful whether the collecting of tithes would have provided a solution for the many difficulties, as the bishops claimed it would. Certainly the burden on the Indians was already very heavy, and the friars' opposition to tithes was praiseworthy at least to the extent that it protected the Indians from further taxation. No doubt the religious were also motivated by the fear of encroachment by the secular clergy, but in view of the relatively small number of diocesan clergy at the time it would not have been fair to impose a general law of tithes on all the natives.

Archbishop Montúfar continued to press his case against Alonso de la Vera Cruz before the Inquisition. On June 20, 1558, he addressed a letter to Philip II, saying that he had sent his criticisms of the heretical, erroneous, scandalous and false teachings of Vera Cruz, teachings which were being followed by many religious⁴⁵³). Montúfar wrote again on the following August 15th to repeat his message, and this time he referred to the *De decimis* as a book by

⁴⁵³) RICARD, *Etudes et documents*, pp. 92-102, esp. p. 92.

which the author « attempts to found a new church ⁴⁵⁴). His charges were seconded two years later in a letter sent to the Inquisitor General by a priest of the archdiocese of Mexico, writing in the name of the Archbishop ⁴⁵⁵). He requested that action be taken against religious who keep forbidden books, doubtless referring, among others, to the writings of Fray Alonso. Secondly, he requested a specific prohibition against the books of Vera Cruz, which were, he said, a scandal in Mexico. These repeated accusations were bound to have an effect, and we shall see now what it was.

The Recall of Vera Cruz to Spain

In the last chapter we saw that in 1562 the major superiors of the three orders decided that the only adequate remedy to their troubles with the Hierarchy was to go themselves to Spain to inform the authorities of the state of affairs in Mexico. The three superiors were Francisco de Bustamante, O. F. M., Pedro de la Peña, O. P., and Agustín de Coruña, O. S. A. It was further decided that Alonso de la Vera Cruz should go with them in the capacity of advisor and assistant, as is reported by Grijalva ⁴⁵⁶). There was, however, a more urgent reason for Fray Alonso's going to Spain, as Grijalva also indicates in another place where he says that Philip II ordered Vera Cruz to appear at court immediately about matters concerning the service of the King. Grijalva gives a copy of the royal order sent to the Viceroy from Madrid, August 4, 1561 ⁴⁵⁷).

Although it is doubtless true that the major superiors were happy to have the company and assistance of Vera Cruz in their

⁴⁵⁴) *Ibid.*, pp. 103-111, esp. p. 111. « por el qual pretende fundar una nueva iglesia ». Montúfar does not speak of Vera Cruz by name, but the reference is obvious.

⁴⁵⁵) Archivo Nacional, Madrid. Papeles de inquisición, Leg. 4442, no. 41. G. (Gonzalo ?) de Alarcón to the Archbishop of Seville and Inquisitor General, Mexico City, 1560.

⁴⁵⁶) *Supra*, chap. v, note 381.

⁴⁵⁷) GRIJALVA, *op. cit.*, Edad II, chap. xviii, p. 95. There is confusion in the dates given by Grijalva. Here he says Vera Cruz left Mexico in May, 1561 (in other places he has 1562). Then he says that the royal order arrived the following August, but since it was dated Aug. 4 in Madrid, it could not have reached Mexico before November. It appears that Grijalva wished to give the impression that Vera Cruz had gone to Spain of his own will and not under coercion. The circumstances indicate the opposite. Cf. also Edad IV, chap. xi, p. 593 (2nd print.).

projected negotiations in Spain, the principal reason for his trip must have been the King's order. It appears that as late as 1560 he had no intention of going to Spain. In that year he had sent a copy of his *De decimis* and *Apologia pro religiosis* to the publisher in Madrid, and he had added to each an introduction which should have been sufficient to introduce his works to the Council of the Indies without having to appear in person.

In recalling Vera Cruz to Spain the King wished to investigate the charges of heresy and Montúfar's accusation about Fray Alonso's attempt to found a new church. These reports must have caused considerable anxiety in official circles. The fact that Vera Cruz' journey to Spain was clouded by the suspicion of heresy is confirmed by a letter sent from Mexico about the time of his departure. It is a sworn testimonial in defense of the life, character and works of Alonso de la Vera Cruz. The letter was composed in the name of the Augustinian Provincial by Juan de Benavente and sent to Philip II on April 6, 1562⁴⁵⁸). It is signed by five other persons, of whom two were secular priests, and two others laymen. Juan de Benavente said that he had heard of the royal order transferred by the Viceroy, and he wished to tell His Majesty that the presence of Vera Cruz in Mexico was necessary to both the Church and the Crown. If he must go to Spain, said Fray Juan, then let the King be certain to send him back.

There follows the testimony of the undersigned parties, drawn up in the form of a sworn document. They declared that Fray Alonso had lived a holy and religious life in Mexico for twenty-six years, providing Christian teaching and good example to Spanish and Indians alike. So great was his fame as a theologian and canonist that persons of all stations and from every part of New Spain had come to him for guidance and advice which was always expertly rendered. His ability was publicly recognized when he was given the first Chair of Theology at the University, and his students both in the University and in the Augustinian Order are a credit to him and to the Church. He has published works on philosophy and on the Sacrament of marriage, and the latter work has been approved by

⁴⁵⁸) BOLAÑO E ISLA, *op. cit.*, appendix, pp. 130-134. The source is A. G. I., 59-6-13. The signers are Juan de Benabente; Pedro de Requeña; don Diego Ramírez, dean of the cathedral of Michoacán; Cristóbal Escudero; Juan Benegas, clérigo; Gonzalo Gómez.

the King for publication in Spain. Vera Cruz, they continued, has worked with diligence, affectionate care, and vigilance in the conversion and indoctrination of the natives, using especially the language of Michoacán, and preaching solid doctrine in both Spanish and Latin. His merits have been acknowledged by the Emperor when he appointed Fray Alonso Bishop of Nicaragua, and by his confreres who have chosen him three times to fill the office of Provincial. His presence in Mexico was a comfort to all the faithful, and his absence will be lamented, especially for the harm that will be done to education and studies. The viceroys have made constant use of his advice, often taking him along on visitations throughout New Spain. He has thus given notable service to both God and the King, lending his help wherever it was needed.

This complete appraisal of the worth of Alonso de la Vera Cruz was prompted not only by the widely felt dismay at his leaving Mexico, but also by the fear that his examiners in Spain, not fully appreciating the scene in the New World and unable to evaluate truly the controversial writings of Vera Cruz, might condemn him and prevent his return. Santiago Vela believes that the above testimonial was requested by the Augustinian superiors in Spain because of the fear of misunderstanding ⁴⁵⁹).

The exact date of departure of Fray Alonso and the three major superiors is not known, but it was probably around the middle of 1562. The above letter of Juan de Benavente implies that Vera Cruz was still in Mexico in April, and it is known that he attended a meeting of the university council on Feb. 7 of that year ⁴⁶⁰). Such being the case, he must have arrived in Spain in the fall of 1562.

Unfortunately we do not know what occurred upon his arrival. That he was exonerated is certain, but just how or when is not known. We have not been able to find any record of a formal process in the Inquisition and it is presumed that no process was initiated. According to the Augustinian chroniclers, Vera Cruz appeared before the King himself to make his defense, and he did so success-

⁴⁵⁹) SANTIAGO VELA, *AHHA*, XIII (March-April, 1920), pp. 193-194, says that this letter was requested by the superiors in Spain who feared that the examiners of Vera Cruz may not know that his teachings were common in Mexico. He does not indicate any source for this statement.

⁴⁶⁰) BOLAÑO E ISLA, *op. cit.*, p. 30, note 2. He cites Archivo General de la Nación, *Universidad*, libro 2, fols. 47-47v. On page 35, Bolaño indicates the error made by García Icazbalceta.

fully ⁴⁶¹). It is likely that, in view of Alonso's unqualified defense of the royal authority in the New World, Philip II not only dismissed the charges against him, but also gained a high respect for him, recognizing his ability and value to the Crown. In chapter five we saw that Philip II, in 1571, asked the Augustinian General to appoint Fray Alonso as commissary general at the royal court; this request may have been the outcome of the personal encounter between the King and Vera Cruz.

Once relieved of the weight of suspicion, Fray Alonso was able to devote himself to the business for which the three major superiors had come to Spain. He soon found himself alone, however, for all three superiors were quickly removed from the scene, on by death, and the other two by the attraction of the episcopal dignity. Francisco de Bustamante died within six months of his arrival in Spain ⁴⁶²). At about the same time Pedro de la Peña accepted the mitre of Quito in Ecuador, and Agustín de Coruña, that of Popayán in New Granada (Columbia) ⁴⁶³).

The purposes which the major superiors had in mind when they undertook their journey are seen in a memorandum found in the papers of Vera Cruz ⁴⁶⁴). After a long protestation of loyalty to God and the King, recounting the work that the religious had done both for the Church and the Crown, they said they had been rewarded by calumny before the Council of the Indies. In order to guarantee the preservation of their work, they sought a re-newal of their privileges and protection against episcopal interference. They also requested the continued assistance of the King and a more sympathetic attitude on the part of the Mexican viceroy and audiencia.

⁴⁶¹) GRIJALVA, *op. cit.*, Edad II, chap. xviii, p. 95. BASALENQUE, *op. cit.*, Bk. I, chap. viii, p. 186. ESCOBAR, *op. cit.*, chap. xxviii, pp. 330-331.

⁴⁶²) *Supra*, chap. v, note 380.

⁴⁶³) *Ibid.*, note 374, and chap. ii, note 50.

⁴⁶⁴) FE 325, fols. 244-244v. Memorandum to be presented to the King by the three Provincials, Francisco de Bustamante, Pedro de la Peña and Agustín de Coruña. There is neither date nor provenience, but it was probably composed at the meeting in Mexico, Jan., 1562, and brought to Spain by the superiors themselves.

GARCÍA ICAZBALCETA, *Colección de documentos*, II, pp. lviii-lxi. He says the chief purpose of the commission to Spain was to ask revocation of the royal order requiring the Viceroy to consult the Audiencia in all business, because it worked against the religious. While this may have been one of their purposes, it could hardly have been the most important one.

The chief task that Vera Cruz had to undertake, therefore, was the obtaining of approval of the privileges of the religious missionaries in order to put an end to the numerous conflicts with the bishops in the New World. This approval was all the more necessary because the Council of Trent had tightened the episcopal control of jurisdiction for the administration of the Sacraments. Fray Alonso's mission became even more urgent when, in 1564, Pope Pius IV issued a Bull revoking all privileges opposed to the decrees of the Council ⁴⁶⁵). It was necessary then to open negotiations with the Holy See in order to obtain special legislation for the missionlands.

We do not know exactly what steps Vera Cruz took to accomplish his purpose, except that he worked through the Council of the Indies ⁴⁶⁶). His work had really begun a few years previously when, in 1560, he had sent from Mexico his *Apologia pro religiosis* containing a complete account of all the privileges enjoyed by the religious. He had written at that time an introduction addressed to the Council of the Indies ⁴⁶⁷). After recounting the work that the religious had accomplished by means of the papal privileges, he appealed for a renewed sanction of those privileges for the good of all the faithful in the New World. At the time that he wrote this appeal, it seems that he had no intention of leaving Mexico. He had hoped to accomplish his purpose simply by sending his writings to the Council. But now that he had arrived in Spain, he was able to take up the business in person and advocate an appeal to the Holy See in the name of the King.

His efforts were rewarded on March 24, 1567, when Pius V issued a Brief restoring the privileges as they had been before ⁴⁶⁸). Acting upon the advice of the King of Spain, wrote the Holy Father, he saw fit to grant to the missionaries in the New World the same faculties as those of a pastor of souls for the administration of the Sacraments, and without the need of any permission from the bishops. All previous law to the contrary was expressly derogated. This was a decided victory for Vera Cruz and a consolation for all

⁴⁶⁵) In *Principis Apostolorum Sede*, Feb. 17, 1564. Cf. LETURIA, *El regio vicariato de Indias*, p. 153.

⁴⁶⁶) GRIJALVA, *op cit.*, Edad III, chap. xxvi.

⁴⁶⁷) MS Escorial iii-K-6, fols. 79v-81.

⁴⁶⁸) *Exponi nobis nuper*, given at Rome, March 24, 1567. GRIJALVA, *op. cit.*, Edad III, chap. xxvi, p. 146, gives a copy of this Brief. It can also be found in the *Bullarium Romanum*, VII, 558-560.

the time and trouble he had put into his conflicts with the Hierarchy. It made his trip to Spain a triumph, instead of the sad failure that it had threatened to be when he was called back from Mexico under the suspicion of heresy.

Although all writers on the subject credit Alonso de la Vera Cruz with the obtaining of this important Brief, he himself never spoke of the role he played, even when he had occasion to do so ⁴⁶⁹). His work had been done behind the scenes, and it seems he was content to leave it that way. Three months later, June 15, 1567, Pope Pius V issued a *motu proprio* confirming his grant of privileges. Vera Cruz had this confirmation printed in Seville in 1568 ⁴⁷⁰). He sent this and copies of the original Brief to Mexico along with a royal order, given on Jan. 15, 1568, commanding publication of the Brief ⁴⁷¹). The papal decrees were then printed in Mexico City and widely distributed. The Mexican edition contained also a list of the privileges granted ⁴⁷²). The whole publication was probably assembled and published by Fray Alonso in Spain before he sent it to the New World ⁴⁷³). This fact is indicated by the note at the end of the

⁴⁶⁹) Vera Cruz in his letter to Bishop Salazar, 1583 (published by JUAN FRANCISCO DE S. ANTONIO, *op. cit.*, Part I, Bk. III, chap. viii, p. 577), speaks of the Brief of Pius V, and says simply that it was granted at the urging of the King.

The credit is given to Vera Cruz by GRIJALVA, *op. cit.*, Edad III, chap. xxvi; also by GARCÍA ICAZBALCETA, *Nueva colección de documentos*, II, xxii; as well as others. The earliest testimony is that of Alonso de Noreña, O. P., author of *Tractatus super administratione et regimine spirituali fidelium in Indiis* (cf. STREIT, *op. cit.*, I, 105). He was a contemporary of Vera Cruz, and the latter once referred to the above *Tractatus*. Cf. the letter to Bishop Salazar, page 574, just mentioned above. Noreña died in 1590 (cf. QUÉTIF-ECHARD, *Scriptores ordinis praedicatorum*, II, 295-296). Vera Cruz called him Alonso de Norueña.

⁴⁷⁰) *Etsi mendicantium ordines*. To be seen in the Biblioteca Nacional, Madrid, c. 51-108. Printed in Seville by Juan Gutiérrez, 1568. According to the description by Santiago Vela, *BIA*, VIII, 173, the last page has the following notice: «*exemplar auctenticum missum a Roma exhibuit R. P. Magister Alphonsus a veracruz, o. h. S. A.*». The extant copy, however, lacks this last page, but the rest of the description fits the copy as seen in the Biblioteca Nacional. Note the similarity in note 474, *infra*.

⁴⁷¹) A copy of the royal order given at Galapagar is seen in GRIJALVA, *op. cit.*, Edad III, chap. xxvi, p. 147, who says that Vera Cruz sent it to Mexico.

⁴⁷²) *Tabula privilegiorum quae Ss. Papa Pius V concessit* (Mexico, 1568). Cf. WAGNER, *op. cit.*, p. 237.

⁴⁷³) GARCÍA ICAZBALCETA, *Biografías*, I, 60, indicates that the documents were first published in Spain and Vera Cruz then sent «*thousands*» of copies to

Mexican edition attributing the authentic copy of the papal Brief to Alonso de la Vera Cruz ⁴⁷⁴).

The accomplishing of this business occupied nearly six of the ten years that Vera Cruz spent in Spain, but it was well worth the time and effort for the peace it would bring to the consciences of the religious missionaries, even though it did not provide a permanent solution to the conflict ⁴⁷⁵). In the meantime, however, Fray Alonso was also engaged in other activities, and most of them concerned Mexico. His work there never left his mind, and one can surmise that he was anxious to return to that land where he had already spent nearly thirty years of his life.

In 1565 he sent the Maestrescuela of the University of Mexico a copy of the statutes of the University of Salamanca to provide a norm and an ideal for developing studies in the New World ⁴⁷⁶). In the following year he performed another service for Mexico which indicates that his opinions were respected in official circles. He wrote a long paper of orientation for the new Viceroy to Mexico, Gastón de Peralta, Marqués de Falces, to explain to him some of the problems to be dealt with in New Spain ⁴⁷⁷). Vera Cruz spoke

America. This is probably true, but only the printed copy of the *motu proprio* is extant in Spain today. Cf. *supra*, note 470.

⁴⁷⁴) *Bulla confirmationis et novae concessionis, etc.* (Mexico, 1568). It contains the Brief of March 24, 1567; the *motu proprio* of June 15, 1567, and a royal order of Sept. 21, 1567, El Escorial. At the end: «Exemplar autenticum... exhibit R. P. M. Al. a veracruz». Cf. WAGNER, *op. cit.*, pp. 234-235, and Santiago Vela, *BIA*, VIII, 171. It is found with the above *Tabula privilegiorum*, *supra*, note 472. The connection with Vera Cruz is further indicated by the fact that the reverse side of the title page of the *Bulla confirmationis* bears the image of St. Augustine. Cf. WAGNER, *loc. cit.*

⁴⁷⁵) The Brief of Pius V did not bring a permanent settlement in the conflict. The decree of Pius V was reversed by Gregory XIII in 1573, and then re-established by Gregory XIV and Clement VIII in 1591 and 1592. Cf. LETURIA, *El regio vicariato de Indias*, p. 154. The religious, however, in the intervening period, continued to exercise their privileges. Vera Cruz, in his letter to Bishop Salazar in 1583 (cf. JUAN FRANCISCO DE S. ANTONIO, *op. cit.*, pp. 568-585), maintained that the revocation by Gregory XIII had no effect. He said (p. 580) that the Brief was not validly published, and that Gregory XIII later confirmed the privileges for the Franciscan General Cristóbal de Capite Fontium.

⁴⁷⁶) SANTIAGO VELA, *AHHA*, XIV (Nov.-Dec., 1920), p. 302. Taken from the notes of Sicardo, MS 4349, Archivo Nacional, Madrid.

⁴⁷⁷) FE 325, fols. 318-322. This manuscript is written in the hand of Vera Cruz, perhaps it is his original draft. He gave the paper to the new Viceroy at Madrid. There is no date, but another copy of this manuscript, found in the library of

especially about the need to protect the Indians from certain abuses and evils. He also mentioned the fraudulent practices used by some mine owners to avoid taxes, the scandal given to the natives by the lives of some of the Spaniards, and the help that the civil officials might get from the friars in handling Indian affairs.

Fray Alonso was also on very close terms with one of the leading figures in the civil administration at that time, Juan de Ovando. The chronicler Basalenque reports that Vera Cruz was Ovando's confessor⁴⁷⁸). Juan de Ovando became President of the Council of the Indies in 1572; before that he had been the royal visitor to the Council, and it was he who called the important junta of 1568⁴⁷⁹). It was in that meeting that the already-mentioned plans for the formation of a Patriarchate of the Indies were organized. Ovando also presented a unique solution for the difficulties in the mission-lands by suggesting that dioceses be set up in which one of the religious orders would hold all the offices from Bishop to curates⁴⁸⁰). Benefices would be held in common, instead of by individuals, in order not to disturb the constitutions of the religious orders. This plan would have worked to the advantage of the orders, and to the Crown as well. Since the religious lived in common and held no personal property, their expenses of maintenance were less. If a whole diocese were in the hands of a religious order, it would have meant a saving for the royal treasury. Neither this plan of Ovando nor the Patriarchate was ever realized, however. We have seen that neither the Holy See nor the generals of the orders were sympathetic to these revolutionary ideas. Also included in the junta of 1568 was a plan to re-organize and systematize the collecting and distribution of tithes, but because of the papal opposition to the Patriarchate, no action was taken toward solving the disputes over tithes⁴⁸¹). Vera Cruz, therefore, did not live to see the end of that vexing problem.

Unfortunately we do not know what part Fray Alonso may have had in the project. The manuscript in the University of Texas, bears the year 1566. Cf. CASTAÑEDA and DABBS, *Guide to Latin-American Manuscripts in the U. of Texas Library* (Cambridge, Mass., 1939).

⁴⁷⁸) BASELENQUE, *op. cit.*, Bk. I, chap. viii, p. 187.

⁴⁷⁹) PEÑA CAMARA, *Las redacciones del libro de la gobernación espiritual — Ovando y la Junta de Indias de 1568*, in *Revista de Indias*, no. 5 (June-Sept., 1941), pp. 93-115. From this junta resulted Ovando's work *De la gobernación espiritual*.

⁴⁸⁰) *Ibid.*, pp. 111-115.

⁴⁸¹) LETURIA, *Felipe II y el Pontificado*, pp. 64-77.

played in the discussion of these various plans in the junta of 1568. He must have been of help to Juan de Ovando as an advisor, for when Vera Cruz was planning to return to Mexico Ovando wished to honor him with the mitre. He offered Fray Alonso the see of Michoacán which had recently been vacated by Antonio Ruiz Morales who was moving up to the see of Tlaxcala-Puebla⁴⁸²). When Vera Cruz refused, Ovando was embarrassed, thinking that perhaps Alonso felt slighted because he had not been offered the more important see of Tlaxcala-Puebla. Juan de Ovando explained that he had suggested Michoacán because that was the place closest to the heart of Vera Cruz. But, he continued, if Alonso preferred Tlaxcala-Puebla, he was free to take it. Vera Cruz, however, adhered to the resolve he had taken many years before when offered the see of León in Nicaragua. He explained that he had no wish to leave the religious life and the episcopal office had no attraction for him. He suggested rather that his confrere and fellow-missionary Diego de Chávez be appointed in the see of Michoacán, since he was a worthy man and a credit to both God and the Crown⁴⁸³). The suggestion was accepted, but Fray Diego died before being consecrated.

Fray Alonso's fellow-Augustinians in Spain also paid tribute to his ability. At the provincial chapter at Dueñas in 1569, when his philosophical works were recommended for use in all Augustinian schools, Vera Cruz was asked to choose which priorship he preferred, that of Salamanca or that of Seville. Both of them were honored positions, but Alonso refused to choose either because he wished to be free to occupy himself in the interests of Mexico⁴⁸⁴). Some time later, however, he was appointed Prior of San Felipe Real in Madrid. He held that office at the time that Philip II sought to make him commissary general at court⁴⁸⁵).

Alonso de la Vera Cruz had by that time been ten years away from Mexico, and his absence was felt in the New World. Juan de San Román, writing to Ovando in 1571, requested that Fray Alonso be sent back to Mexico. He had made this request before, he said,

⁴⁸²) GRIJALVA, *op. cit.*, Edad III, chap. xxvii. BASALENQUE, *op. cit.*, Bk. I, chap. viii, p. 187.

⁴⁸³) *Ibid.*

⁴⁸⁴) SANTIAGO VELA, *AHHA*, XIV (Nov.-Dec., 1920), p. 302. Taken from the notes of Sicardo, MS 4349, Archivo Nacional, Madrid.

⁴⁸⁵) A. G. I., Indiferente general, Leg. 2869, Vol. I, fols. 23 and 23v. Also GRIJALVA, *op. cit.*, Edad III, chap. xxvii.

and all the friars wished the speedy return of Vera Cruz who « was so unjustly withdrawn from this land to which God had called him and where he had done so much good » ⁴⁸⁶). Such appeals as this, as well as Vera Cruz' own desire to return to Mexico, must have made him anxious to be on his way. His work in Spain completed, and permission from the King obtained, he finally set sail from Seville in 1573 ⁴⁸⁷). With him were sixteen new recruits for the missions ⁴⁸⁸). It was Fray Alonso's third and last voyage across the Atlantic. He arrived in Mexico City on Oct. 3, 1573, after an eleven years absence from his adopted land ⁴⁸⁹).

CHAPTER VII

The Return of Alonso de la Vera Cruz to Mexico

Continuation of His Leadership in Education and Ecclesiastical Affairs

When Vera Cruz arrived in Mexico toward the end of 1573, he was approaching his sixty-sixth birthday. The long and arduous journey was too much for him and he fell ill. When he reached Mexico he went to Tiripetío in Michoacán to rest and recuperate. As late as the following February he was still too weak to write his own letters, as he explained in a message to Juan de Ovando. This letter, dated Feb. 20, 1574, was written by someone else and signed by Vera Cruz ⁴⁹⁰). He was not totally inactive, however, for he was helping out in hearing confessions, and even preaching, at Tiripetío. Not until October do we find Fray Alonso penning his own letters.

⁴⁸⁶) GARCÍA ICAZBALCETA, *Nueva colección de documentos*, I, 105-107. Michoacán, March 16, 1571. « ... tan injustamente fué sacado de esta tierra adonde Dios le llamó y tanto provecho hizo ».

⁴⁸⁷) GRIJALVA, *op. cit.*, Edad III, chap. xxvii, p. 147.

⁴⁸⁸) A. G. I., Indiferente general, Leg. 2869, Vol. I, fol. 31. Philip II gave permission for Vera Cruz and sixteen religious plus two servants to go to Mexico, Feb. 10, 1572. They were to be provided with all the necessities for the voyage, as usual.

⁴⁸⁹) GRIJALVA, *op. cit.*, Edad III, chap. xxvii, p. 147.

⁴⁹⁰) A. G. I., Mexico 282. Another similar letter was that of March 1, 1574, also from Tiripetío, in which Vera Cruz sent a recommendation for the Treasurer of the cathedral of Michoacán, Pedro de Inepes. *Ibid.*

Writing again to Ovando, he said that he had recovered from his illness, but his shaky handwriting shows definite signs of weakness, and approaching old age ⁴⁹¹).

Despite his poor health, however, Vera Cruz had taken part in a grand reception organized in his honor when he reached Mexico City. He was welcomed especially by the friars of all the orders; they looked upon him as their champion ⁴⁹²). On the feast of Sts. Simon and Jude, Oct. 28, a great procession assembled to receive Fray Alonso and the relics he was bringing back with him ⁴⁹³). Among the relics there was one of the True Cross which Diego de Salamanca had received from the Pope personally. The procession, including the new Archbishop of Mexico City, Pedro Moya de Contreras, went to the church of San Agustín where the Archbishop celebrated Mass. The sermon was delivered by Antonio de Morales, Bishop of Tlaxcala-Puebla. Afterward, when the Archbishop requested one of the relics for the Cathedral, Vera Cruz generously gave him the relic of the True Cross plus those of Sts. Peter and Paul ⁴⁹⁴). Since Fray Alonso had the reputation of being an opponent of the bishops, he no doubt welcomed this opportunity to make a gesture of respect and friendliness to the new Archbishop.

Vera Cruz also brought with him a commission from the Augustinian General, Thadaeus of Perugia, to be visitator of all the western Indies, that is, the missions of America and the Philippines. When the General was at Pamplona on Jan. 24, 1573, he sent an urgent note to Fray Alonso to await him at Madrid before setting out for Mexico ⁴⁹⁵). A little more than a month later, March 2, at Madrid, he gave Alonso his commission as visitator, along with a list of directives and favors for the friars in the New World ⁴⁹⁶). The chronicler Grijalva reports that Vera Cruz did not make use of his

⁴⁹¹) CUEVAS, *Documentos inéditos*, pp. 304-307. Oct. 20, 1574. The source is A. G. I., Mexico 282; the original has been consulted by the present writer.

⁴⁹²) BASALENQUE, *op. cit.*, Bk. I, p. 189.

⁴⁹³) GRIJALVA, *op. cit.*, Edad III, chap. xxvii, p. 147.

⁴⁹⁴) *Ibid.*, p. 148.

Pedro Moya de Contreras was a native of Cordova and a doctor of canon law at Salamanca. He became Archbishop of Mexico City on July 15, 1573. He had founded the Inquisition in Mexico in 1570, and was made Viceroy in 1584. At the time of his death in Madrid, 1591, he was President of the Council of the Indies. Cf. CUEVAS, *Documentos inéditos*, p. xxii.

⁴⁹⁵) *Dd* 34, fol. 27v.

⁴⁹⁶) *Dd* 34, fols. 35v-36. Cf. also *Dd* 36, fol. 39.

faculties because he found the provinces in good order ⁴⁹⁷). He had seen enough of the troubles stirred up by visitations and did not wish to cause any himself.

That the Augustinians were truly happy to have Alonso de la Vera Cruz back with them is evidenced by the fact that at the next chapter, 1575, they elected him Vicar-Provincial to serve his third full-term in that office ⁴⁹⁸). Shortly afterward, on May 31, he wrote to his friend Juan de Ovando, President of the Council of the Indies, to report the outcome of the chapter ⁴⁹⁹). The chapter was conducted in very orderly fashion, he said, and he was elected on the first ballot. New courses of studies in philosophy, theology and Latin were instituted to train more seminarians, and full care was taken to see that in all the villages served by the Augustinians there were friars who could speak the local tongues and administer confession and the other Sacraments ⁵⁰⁰). Vera Cruz requested that Ovando see to it that more friars are sent to fill the need both in Mexico and in the Philippines. He also asked for an additional grant to complete the church of San Agustín. The election of Fray Alonso was approved by the General, Thadaeus of Perugia, who wrote later that same year, December 25 ⁵⁰¹).

As before, so also this time, Vera Cruz as Vicar-Provincial sponsored the expansion of the Mexican Province. Again the majority of foundations were made in Michoacán, the area that Alonso loved the most ⁵⁰²). In the city of Zacatecas he founded a prosperous monastery. Another was Santa Ana at Tzirosto a region fertile for expansion where in later years five more monasteries

⁴⁹⁷) GRIJALVA, *op. cit.*, Edad III, chap. xxvii, p. 147. Grijalva, in this place, and HERRERA, *Alphabetum Augustinianum*, I, 24, both report that the General also declared Vera Cruz his vicar. Herrera also says that Alonso was «Legatus Ordinum Mendicantium... ad Philippum Regem Catholicum circa annum 1566». This must refer to Vera Cruz' work in obtaining the Brief of Pius V.

⁴⁹⁸) GRIJALVA, *op. cit.*, Edad III, chap. xxxii.

⁴⁹⁹) A. G. I., Mexico 283. May 31, 1575.

⁵⁰⁰) The founding of new studies is reported by Sicardo in his notes taken from the capitular acts (MS 4349, Archivo Nacional, Madrid). They are published by SANTIAGO VELA, *AHHA*, XIV (Nov.-Dec., 1920), pp. 111-113. Philosophy was established at Yuriria, and philosophy and theology at Atozpan.

⁵⁰¹) *Dd* 36, fol. 131v. Thadaeus of Perugia to Vera Cruz, Provincial. Rome, Dec. 25, 1575.

⁵⁰²) GRIJALVA, *op. cit.*, Edad III, chap. xxxiii, p. 157. ESCOBAR, *op. cit.*, chap. xxix, pp. 344-346.

sprang up. Foundations were also made at Chucándiro, Pátzcuaro, Parangaricutiro, Tingambato and Taretan. To the south of Mexico City a monastery was established at Alcózauhcan near Tlapa.

Most important of all the houses founded by Vera Cruz in this period was the Colegio San Pablo in Mexico City. This was to be his masterpiece of scholastic organization and achievement. He had begun his plans for this school when he was still in Spain. When he set out for Mexico he brought with him sixty cases of books which he turned over to the library of San Pablo ⁵⁰³). He made an effort to obtain all the latest equipment in such things as maps, globes, and the scientific instruments known to that age. As a result the Colegio San Pablo possessed one of Mexico's finest and most complete libraries ⁵⁰⁴).

Fray Alonso began this project in 1575, soon after his election to the office of vicar-provincial. He obtained by royal grant the church of San Pablo and the care of the Indians in that section of the city, pending approval by the Viceroy and the Archbishop ⁵⁰⁵). The latter at first opposed, reluctant to see the friars gain a new foothold in the diocese. But the Viceroy and the Council of the Indies supported the project, and the Archbishop finally gave his consent. Then came the question of finances. Vera Cruz first attempted to get a grant from the royal treasury. The officials in Mexico sent a favorable recommendation to Spain, but, according to Grijalva, the petition became involved in some kind of red tape, and no grant was forthcoming ⁵⁰⁶). Vera Cruz pushed ahead just the same. He sought private donors and obtained enough contributions to buy up extra property and begin construction. It was a unique case of a foundation being made without the help of rents or a sustaining patron ⁵⁰⁷). In 1577 the provincial difinitory made an allotment of funds from the provincial account. Two years later they turned over to San Pablo a quarry to provide building materials; it was a gift from one Antonio de Mendoza ⁵⁰⁸).

⁵⁰³) GRIJALVA, *op. cit.*, Edad III, chap. xxxii.

⁵⁰⁴) EGUIARA Y EGUREN, *op. cit.*, paragraph 152. He wrote in 1755.

⁵⁰⁵) GRIJALVA, *op. cit.*, Edad III, chap. xxxii.

⁵⁰⁶) *Ibid.*

⁵⁰⁷) *Ibid.*

⁵⁰⁸) SANTIAGO VELA, *AHHA*, XIII (March-April, 1920), pp. 198-200. Notes from Sicardo, MS 4349, Archivo Nacional, Madrid. The quarry was located in « los terminos de Tacuba ».

Fray Alonso first accommodated an older building alongside the church of San Pablo to house the students and professors, and priests to serve the church. On the other side of the church a larger and more commodious building was constructed ⁵⁰⁹). In the provincial chapter of April 26, 1578, Vera Cruz was officially appointed Rector of the Colegio with Pedro de Agurto as his assistant ⁵¹⁰). Juan de Santa Catalina became pastor of the church to be assisted by Cristóbal de Agurto and Marcos Millán ⁵¹¹). The first professorial post, in theology, was given to Juan Valdés. At this chapter the Colegio San Pablo was declared a provincial house to be supported by provincial funds.

The purpose of the school was to provide a first-class major seminary for Augustinian students. Courses were provided chiefly in philosophy, theology and languages. Around the close of the century there were thirty students in San Pablo ⁵¹²). That the Colegio was successful as a school of the highest quality is well-known. Eguiara y Eguren, writing nearly two centuries later, in 1755, said that the Colegio San Pablo was famed for its sound education, and that it

⁵⁰⁹) GRIJALVA, *op. cit.*, Edad III, chap. xxxii.

⁵¹⁰) SANTIAGO VELA, *loc. cit.*, p. 198, note 1. GRIJALVA, *loc. cit.*, says that Vera Cruz had appointed Pedro de Agurto Rector. Perhaps that was previous to 1578, while Fray Alonso was still Vicar-Provincial.

Pedro de Agurto (de Santiago) was born in Mexico and professed in the Augustinian Order in 1549. He was elected vicar-provincial in 1584 and was a consulting theologian at the third Mexican synod the following year. He spoke both Mexican and Tarascan, was a famed canonist, and professor of Sacred Scripture at the University. In 1595 he was appointed first Bishop of Cebú in the Philippines. His death occurred on Oct. 14, 1608. He had published in 1573 a tract on the Eucharist and Extreme Unction. Cf. GARCÍA ICAZBALCETA, *Biografías*, I, 428-429. RICARD, *Etudes et documents*, pp. 135-151, no. 81.

⁵¹¹) Juan de Santa Catalina was born in Mexico and made his profession in the Augustinian Order in 1549. He died Dec. 8, 1604. He spoke both Mexican and Otomí. Cf. RICARD, *Etudes et documents*, pp. 135-151, no. 63.

Cristóbal de Agurto. He was the brother of Pedro de Agurto. Nothing more is known of him. *Ibid.*, no. 22.

⁵¹²) MS 958, Angelica Library, Rome, fol. 106.

The question comes to mind as to whether or not Indian students were admitted to the Colegio San Pablo, as in other Augustinian schools of that period. The only information we have comes from a petition to the King by Diego de Soria, Nov. 7, 1581 (A. G. I., Mexico 285). He requested a subsidy to assist four religious working with the natives at San Pablo. We do not know whether this work was educational or parochial.

had produced many excellent scholars ⁵¹³). That was still true at the time of his writing, he said. Grijalva tells us that the students from San Pablo were not subject to examination when entering the University of Mexico, and Bishop Diego Romano of Tlaxcala, who was very strict in examining religious presented for ordination, used to exempt the students of the Colegio. So great was Grijalva's admiration of the school that he claimed that because of the scholars trained there the Mexican Province was richer in letters than any other province in the Augustinian Order ⁵¹⁴). While one can admire his loyal enthusiasm, it would be difficult to prove such a sweeping statement.

The success of the Colegio is based on two principal elements. There was, first of all, the high grade pedagogy and excellent facilities for study organized by Alonso de la Vera Cruz. Secondly, there was the element of strict discipline. The constitutions for the guidance of students, drawn up by Martín de Perea, one of the professors of theology, are remarkable both for their wisdom and their severity ⁵¹⁵). They provide an ideal framework suitable to the times, and reflect the seriousness and sincerity of these sixteenth century Augustinian missionaries. The fifteen articles, in brief form, are as follows :

In the introduction it was stated that true wisdom is the fear of God and a virtuous life. In the Augustinian Order there is not

⁵¹³) EGUIARA Y EGUREN, *op. cit.*, paragraph 152. San Pablo was confiscated in 1861 and became the Hospital Juárez, according to SCHLARMAN, *Mexico a Land of Volcanoes*, p. 135, note 32.

⁵¹⁴) GRIJALVA, *op. cit.*, Edad III, chap. xxxiii, p. 157.

⁵¹⁵) *Ibid.*, chap. xxxii, pp. 154-155. Grijalva gives a copy of the constitutions and attributes them to Vera Cruz. SANTIAGO VELA, *AHHA*, XIII (March-April, 1920), 198-200, corrects this on the basis of the notes of Sicardo, MS 4349, Archivo Nacional, Madrid. Sicardo says that Martín de Perea was commissioned to write the constitutions at the chapter of 1578. He also became Provincial at that time. Cf. also, *infra*, note 516.

Martín de Perea was a native of Badajoz and was professed at Salamanca, July 20, 1550, where he had studied law in the University. Sometime before 1563 he went to Mexico, became a doctor at the University, and held the first Chair of Theology in 1570. In 1578 he was elected Vicar-Provincial; afterward he was Prior at San Agustín until his return to Spain in 1583. He became Provincial of Andalusia in 1589, and died a few months later on August 18 of the same year at Castillo de Garcí-Muñoz. The General, Gregorio Petrocchini, who was present at his death, praised him very highly. Cf. *BIA*, VI, 246-249.

only contemplation and mortification, but also the ministry of souls. The Colegio San Pablo was to serve both purposes.

Article I. The full discipline of the Order will prevail at the Colegio. There will be three days of fast each week, and the usual customs of mortification and silence will be observed. Sanctity and religious observance are to be placed before learning.

Article II. The Office will be recited in choir every day, and on the greater feasts Matins and Lauds will be said in the early hours of the morning.

Article III. Only the best qualified youths are to be sent to the Colegio in order to maintain a high standard.

Article IV. Students wishing to enter theology must be well grounded in philosophy. Those wishing to enter philosophy must be well versed in Latin.

Article V. After class hours the students are to be guided in conducting reviews and discussions among themselves.

Article VI. Each week disputations are to be held in both theology and philosophy.

Article VII. On Sundays and other feasts the more important disputations will be held and the theological students of the other religious orders will be invited to participate.

Article VIII. In order to avoid useless conversation and involvements of any kind, it is commanded, under obedience and penalty of excommunication, that no one, neither ecclesiastic nor secular, shall be invited to dine in the Colegio at any time. Nor shall they spend the night in the Colegio.

Article IX. In order to remove any other distraction to study and contemplation, it is forbidden, under the same penalty, for anyone to walk about the city or visit any house whatsoever, except for reasons of study.

Article X. The students may be permitted to go out to take part in processions.

Article XI. The students may go to San Agustín on feastdays to take part in the divine services.

Article XII. They may also be permitted to go out to hear sermons or attend academic meetings.

Article XIII. When permitted to go out, the students are commanded, under obedience and penalty of excommunication, to go and return by the most direct route.

Article XIV. The doors of the Colegio are not to be opened before

five in the morning and must be closed at eight in the evening. After that hour only those going to administer the Sacraments will be permitted to go out.

Article XV. Since the purpose of the Colegio is to train priests, those students who are qualified in the Indian languages may preach and administer the Sacraments outside of study hours.

Such was the rigorous program laid out by Martín de Perea. The penalty of excommunication appears to be over-severe in relation to the relatively minor faults for which it was imposed. And, in fact, it must have been the cause of some difficulties, because twenty years later, in the provincial chapter of 1596, the penalty of excommunication was commuted to less severe disciplinary measures⁵¹⁶).

Alonso de la Vera Cruz, as Vicar-Provincial and General Visitor of all the Indies, was also concerned in sponsoring the new missions to the Philippine Islands⁵¹⁷). It was solely an Augustinian venture up until 1577, when the Franciscans arrived. A few years later the Jesuits and Dominicans also lent their assistance in that vast new field. Grijalva claims that Vera Cruz was responsible for the arrival of the other religious orders⁵¹⁸). Santiago Vela, criticizing Grijalva's claim, points out that no historian of the Philippines has attributed such intervention to Fray Alonso. It was rather through the efforts of another Augustinian, Diego de Herrera, that the participation of the other orders was obtained⁵¹⁹). There is evidence, however, that Vera Cruz had some influence in the task. He had assisted Diego de Herrera when the latter was on his way to Spain

⁵¹⁶) BIA, VII, 248. Santiago Vela employs the notes of Sicardo, MS 4349, Archivo Nacional, Madrid. May 4, 1596, libro de Provincia, fol. 121v: « Item mandamos que en nuestro Collegio de San Pablo se guarden las Constituciones inviolablemente, que hizo el P. M. o Fr. Martín de Perea, Provincial que fué desta Provincia, excepto las descomuniones, las quales se commutan en obediencias ». Cf. also Santiago's discussion about the publication of these constitutions apart from the text of Grijalva.

⁵¹⁷) Note error in LANTERI, *Postrema saecula sex in quibus recensentur illustriores viri Augustinenses* (3 Vol., Tolentine, 1858-1859; Rome, 1860), II, 221. He says that Vera Cruz had gone to the Philippines with the first group of missionaries. Zarco Cuevas, BIA, VIII, 159, note 1, speaks of this and other errors by Lanteri. He also mentions a similar error by Crusenius.

The first successful mission in the Philippines began at Cebú in 1565.

⁵¹⁸) GRIJALVA, *op. cit.*, Edad III, chap. xxxv, p. 159.

⁵¹⁹) BIA, VIII, 160, note 1.

to report on the Philippine missions. In a letter to Juan de Ovando, in 1574, Fray Alonso recommended Herrera to the President of the Council of the Indies, saying that his report and suggestions were worthy of full consideration ⁵²⁰). Then in 1577, Vera Cruz wrote to the King to say that the arrival of the Franciscans in the Philippines was a great help, but that all three orders in Mexico must participate because of the vastness of the mission work ⁵²¹). In the same letter Alonso mentioned a previous report he had sent to the King about the Philippines. Presumably, therefore, he had recommended the participation of the other orders earlier than 1577. Vera Cruz, accordingly, must be given at least some credit for the arrival of other missionaries in that Far East mission.

Many of the friars in the Philippine Islands had occasion to write to Vera Cruz to report their adventures and to seek his advice in the difficulties they met. There are, for example, two extant letters of Martín de Rada, an energetic missionary and student of the physical sciences. On one occasion he wrote from Manila to speak of the difficulties encountered in trying to organize his second trip to China ⁵²²). He also said he had written several books on mathematics, geometry, hydrography, astrology and clockmaking. Some of these he had composed at the request of Fray Alonso. Two years later, 1578, Martín de Rada wrote from Borneo where he had gone with an expedition ⁵²³). He described his adventures and spoke of great mission possibilities in China. In the chapter of 1578, in the Philippines, a report was sent to Alonso de la Vera Cruz, « the oracle of those times, » about difficulties encountered with the bishops, similar to the troubles in Mexico, and about certain abuses

⁵²⁰) A. G. I., Mexico 282. Tiripetío, Feb. 20, 1574. On Diego de Herrera, cf. *BIA*, III, 567-574.

⁵²¹) A. G. I., Mexico 283. October 15, 1577. In this same letter Vera Cruz noted the King's order to promote the new Bulla de Santa Cruzada. Alonso said he had done so. There is record of a directive sent by him as Vicar-Provincial, probably in 1575 or 1576, urging the friars to preach the Bulla. Cf. FE 325, fols. 329-329v.

⁵²²) FE 325, fols. 31-46v, a group of five letters by Martín de Rada. The one of Manila, June 3, 1576, is published in *Revista Agustiniana* (now *Ciudad de Dios*), I (1881), 55-56.

On Martín de Rada, cf. *BIA*, VI, 444-460.

⁵²³) FE 325, fols. 33-34. Burney (Brunei), April 25, 1578. Edited by DE LA PINTA LLORENTE, *Archivo Agustiniano*, XLV (May-Aug., 1951), 254-256.

against the natives ⁵²⁴). We have already seen in the last chapter the directive sent by Fray Alonso to the Bishop of Manila about the privileges of religious. The Bishop himself had written to seek Alonso's advice.

Another question which arose during Vera Cruz' provincialate concerned some new regulations established by Philip II for the governing of the Church in the Spanish Empire. The ecclesiastical reforms projected by the junta of 1568 had not gone through, but Philip II did not thereby abandon all efforts at re-organizing the Church in the New World. If the plans for a patriarch and commissaries general at court had been adopted, ecclesiastical affairs would have remained more within the hands of churchmen. Instead, as events turned out, the control of the civil authorities over church affairs became tighter and lay interference increased. The new regulations were issued at the Escorial, July 3, 1573. They became known in Mexico shortly afterward, but two years later, when Vera Cruz was Vicar-Provincial, the Viceroy Martín Enríquez submitted a copy of the new orders to the Augustinian superiors ⁵²⁵). They were very comprehensive and were intended to increase the control, not only of the civil authorities, but also of the bishops, over the religious orders.

These orders can be summarized under five general headings. The major superiors were ordered to make out a complete report on all their foundations and all the places that they served in any capacity whatever. This was to be submitted to the King in order that «we as sole patron in everything spiritual, ecclesiastical and temporal in the Indies can have a full and clear record of the whole ecclesiastical situation » ⁵²⁶). Secondly, they were to make out a

⁵²⁴) SANTIAGO VELA, *AHHA*, X (July, 1918), 50, quoting from GASPAR DE AGUSTÍN, *Conquistas de las Islas Philipinas*, Part I (Madrid, 1698). San Agustín refers to Vera Cruz as « oráculo de aquellos tiempos » and as vicar-general of the Indies.

⁵²⁵) FE 325, fols. 113-120. Extracts from the royal order issued at San Lorenzo (El Escorial), July 3, 1573, sent to the Augustinian Provincial and Priors by the Viceroy. Autographed by Martín Enríquez.

Martín Enríquez de Almanza was Viceroy in Mexico from Nov. 5, 1568 to Oct. 4, 1580. He was noted for his prudent government and goodness to the Indians. In 1580 he was transferred to Peru. Cf. CUEVAS, *Documentos inéditos*, p. xvii.

⁵²⁶) *Ibid.*, first regulation. « nos como patron unico que somos en todo lo

complete history of all the Indians they served with full details about their culture, religion, customs, government, property, etc. Thirdly, the superiors were to give an account of the constitutions, privileges, income and property of the order. Fourthly, they were to submit a report on their mission work, indicating the number of persons to whom they ministered, with a full account of the administration of the Sacraments. This report was to be made yearly and handed over to the bishop, who, in turn, would submit a diocesan report to the Viceroy. Lastly, the major superior was to hand in a report after each provincial chapter, indicating all changes and appointments made. These appointments could not take effect until approved by the civil authorities, and any subsequent changes to be made in offices with the care of souls must first be approved. The Viceroy was to keep the local bishop informed of these matters ⁵²⁷).

The new regulations naturally caused great dismay among the friars. It appeared to them that, instead of being protected by the King, they were being hemmed in and gradually placed under the authority of the bishops. Already, in 1574, when Vera Cruz first learned of the new orders, he wrote to complain to Juan de Ovando ⁵²⁸). He said the King's orders constituted an unlawful interference in the internal affairs of the order, and left the way open for disobedient religious to appeal to outside authority. Furthermore, the necessity of getting approval before moving a friar out of office might mean revealing matters of conscience. Vera Cruz especially lamented the tendency to place the religious under the bishops and thus make them pastors of souls in the strict sense. He said they could work better as they were, and they were not interested in the salaries and benefices of pastors. Such regulations also gave the bishop the right to send in his visitators, and that was an infringement upon the authority of the major superior. Fray Alonso protested that he had talked these things over with Juan de Ovando in Spain, and thought that Ovando had been in agreement.

espiritual eclesiastico y tenporal de las indias podamos tener entera y distinta noticia de todo el estado eclesiastico ».

⁵²⁷) These last two stipulations are added by GRIJALVA, *op. cit.*, Edad III, chap. xxviii. They are also mentioned by Vera Cruz. Cf. *infra*, note 528.

⁵²⁸) Oct. 20, 1574. CUEVAS, *Documentos inéditos*, pp. 304-307. Taken from A. G. I., Mexico 282.

Vera Cruz wrote again the following year to repeat his criticism ⁵²⁹). He said the new regulations would destroy religious discipline and, consequently, ruin the work of evangelization. He declared that Ovando was obliged in justice to take the part of the religious orders, because of the service they had already given. The provincials of the orders will come to Spain to seek a solution, he said, and in the meantime the new orders should be suspended ⁵³⁰). Cuevas, commenting upon this letter, refers to Fray Alonso as « the light and torch of all the mendicant orders, » because of the leadership he provided ⁵³¹). According to Grijalva, the King decided, in view of the complaints, to suspend the new regulations ⁵³²). That was in 1575, and it must have been toward the end of the year, since the Viceroy had sent the notice about the new orders to the Augustinians as late as July of 1575.

Vera Cruz, at the age of seventy-one, came to the end of his term as major superior in 1578; Martín de Perea, his collaborator in the formation of the Colegio San Pablo, was elected his successor. But it was not the last time that Fray Alonso held the highest position among the Augustinians in Mexico. Three years later, 1581, the newly-elected Vicar-Provincial, Antonio de Mendoza, died shortly after taking office. By universal choice Vera Cruz was asked to take his place ⁵³³). He thus became major superior for the fifth time, including three regular three-year periods and two interim terms. He convoked a new chapter in September, 1581, and Pedro Suárez de Escobar was elected Vicar-Provincial ⁵³⁴).

⁵²⁹) March 15, 1575, from Mexico City, A. G. I., Mexico 283. Published by CUEVAS, *Historia de la Iglesia*, II, 159.

⁵³⁰) Whatever may have been Vera Cruz' intention here, he himself never went to Spain.

The ideas expressed in these two letters are found in somewhat greater detail in an undated and unsigned manuscript which may be the work of Vera Cruz, although it is not written in his hand. Cf. FE 325, fols. 290-294v.

⁵³¹) CUEVAS, *Historia de la Iglesia*, II, 173, note 20.

⁵³²) GRIJALVA, *op. cit.*, Edad III, chap. xxviii, p. 149. The question did not end there. It was still going on after the death of Vera Cruz in 1584.

⁵³³) *Ibid.*, Edad IV, chap. iii, p. 534.

⁵³⁴) *Ibid.*

The Death of Vera Cruz

Alonso de la Vera Cruz was then approaching the end of a very active life, filled with cares, responsibilities and works of many kinds. But his energy was not yet depleted; he was appointed Prior of Tacámbaro in his beloved Michoacán⁵³⁵). Thus in his declining years he returned to the scene of his first mission labors; he was once more in Tierra Caliente where he had preached and administered the Sacraments as a young priest. Not long afterward, however, his health broke down, and it appears that he was moved to San Agustín in Mexico City⁵³⁶).

For two years he suffered much from some urinary disorder, but despite his pains, he preserved the same patience and gentleness which had always characterized his life. As he saw the end drawing near, he composed a letter to all the members of his province, recalling that he had served them as teacher or superior, or in other capacities, and requesting that they commend his soul to God and offer for him a few Masses beyond the suffrages required by the constitutions of the order. When at last he was told by his doctor: « Tonight you will dine with God in heaven, » Vera Cruz replied: « Et ibi non erit nox »⁵³⁷). He received the last Sacraments at the hand of the Prior Juan Adriano. As the sacred Host was held up before him, he asked his Divine Lord to receive all the works of his life accomplished by the grace of God, and to supply for all his faults and failings. Fray Alonso declared that he was not conscious of any grave sin in all the forty-eight years of his religious life, and that as superior he tried his best to love and serve all.

The end came in July, 1584, when Vera Cruz was nearly seventy-seven years old⁵³⁸). He was buried in the middle of the

⁵³⁵) BASALENQUE, *op. cit.*, Bk. I, chap. viii, p. 177.

⁵³⁶) *Ibid.* Basalenque says Vera Cruz was at Tacámbaro when he died, but the account given by Grijalva indicates that his death occurred at San Agustín. Cf. *Edad IV*, chap. xi, pp. 595-596 (2nd print.). The following account of his death comes from Grijalva.

⁵³⁷) GRIJALVA, *loc. cit.*

⁵³⁸) *Ibid.* Grijalva says he was eighty, but his exact age was seventy-six. Vera Cruz himself had written on Dec. 23, 1565, that he was then approaching his fifty-eighth birthday. Cf. SANTIAGO VELA, *AHHA*, XIV (Nov.-Dec., 1920), 302.

main chapel of San Agustín. Present at the funeral was the Archbishop Pedro Moya de Contreras who was also Viceroy, the members of the royal audiencia, the cathedral chapter, the members of the University faculties, and representatives of all the religious orders. The funeral oration was delivered by the Franciscan Commissary General, Pedro de Oroz. It was an honorable and fitting farewell to one of the most outstanding figures in Spanish America in the sixteenth century.

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