

[Cross]

In the royal presidio of San Antonio de Véjar, jurisdiction of the province of the Tejas and New Philippines, I Don Thoribio de Vrrutia, captain with tenure for life of the same by order of His Majesty (may God guard him), received a letter from the captain of San Xavier, Don Phelipe de Rábago y Therán, dated the thirteenth of May of this present year of one thousand seven hundred fifty-two, in which he informed me that in one of the missions under his command, the Cocos Indians had killed the Reverend Father Friar Joseph Ganzábal and, with him, Juan Joseph Saenz de Zevallos. I received this letter the sixteenth day of the said month of May between nine and ten in the morning. It was brought by the Reverend Father Friar Joseph Pinilla, a missionary of the said missions of San Xavier. He came alone because none of the Indians in his party arrived until one o'clock. The news of the murders was received about eleven in the morning; and I was informed that in the missions of San Francisco de la Espada and San Juan Capistrano, in this jurisdiction, the news of these murders was circulating and being related with minute details among the Indians quite early the same day. When I tried to ascertain where the report had originated, I was informed that on the night of the fifteenth a bilingual Indian of the Saiopín Nation called Andrés had arrived at the Mission of San Juan Capristano and that the said

Indian with his wife had fled from the very mission where the murders had occurred; and that this escape had taken place two days before the occurrence of the mur^{lv}//ders.

Having been strongly impressed by [the circumstance] that the Indian should have known about them [the murders] when he had left two days previously and that none of the persons who had come had communicated with him, as I managed to ascertain, I was fearful lest the said Indian Andrés might have had a hand in them or might have his nation convoked along with that of the Cocos and the other deserters.

If this were to take place, this jurisdiction under my command would experience great injury. Consequently, I consider it advisable, by reason of my position and for the efficient discharge of my duty, to go in person to the mission of San Juan Capristano to hold an investigation, to summon before me in the presence of my attendant witnesses, the aforesaid Indian Andrés to take his deposition, in order that by virtue of the findings of the same, I could impose the most effective measures for the peace of these pueblos. Thus did I decree, order, and sign this in this aforesaid presidio of San Antonio de Véjar on the twenty-third day of the month of May of the year one thousand seven hundred fifty-two, acting before myself and my attendant witnesses, with whom I am acting as juez receptor because there is no royal notary. I certify.

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D. Thoribio de Vrrutia

Attendant witnesses:

Baltasar Peres and

Andrés de Yglesias

On the said day, month, and year, I, the said juez receptor, with my subalterns and my attendant witnesses, went to the pueblo of San Juan Capristano, one of the [pueblos], situated on the San Antonio River and under my command. While there, I went to the residence of Fran.^{co} Xavier Talamantes, mayordomo of the said pueblo, where I summoned to appear before me, in the presence of the above-said [witnesses], Andrés of the Saiopín Nation, a prominent Christian bilingual //²Indian, and one of the founders of the said mission. When he had appeared, I administered to him the oath, which he took in the name of our Lord God and the sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew the significance of the oath, he replied that as a Christian he knew it was his duty to tell the truth. When I asked him about and charged him with the rumor he had spread in the two pueblos, he said that he had killed the father with an arrow and that Martín Gutiérrez,

a soldier of the presidio of San Xavier had killed Zaballos with a trabuco. When asked what had been his motive for killing the said father, he said that the said Martín Gutiérrez had told him that they would kill the father and Zaballos because the said Gutiérrez had committed a lewd act with the present deponent's wife; that twice the said Gutiérrez had pressed him to go kill them and had promised him a horse, and that the said deponent had replied that he would not. When asked where the said deceased father was, he [the deponent] replied that he was in the Mission of la Candelaria, seated with the said Zaballos, and that the said Martín Gutiérrez first shot Zaballos with a trabuco loaded with two bullets that he carried, that then the father got up to go to the door and when he raised his arm he [the deponent] released the arrow which hit him on the left side. When asked whether he knew of any other person who wished to kill the father and Zaballos, he replied that a soldier called Carrillo, another, Thomás, and another called Juan Joseph Morín; and [he said] that the said Carrillo had fired another shot just ^{2v}//inside. When asked where he had seen these men, [he replied] that the said soldiers came after him and found him on the other side of the Arroyo de las Ánimas where he was killing turkeys; that they had come from the other side of San Ydiphoso [sic] where they had been spying on Father Fr. Jph. Pi-

nilla on the loma at the place where there is a holm-oak grove on the Camino de Santa Rosa, as it is called; that the father had not come because the said Father Pinillo had gone to work, and that the said soldiers had told him to go to the Mission of la Candelaria to kill Zeballos. And [he said] that near the San Xavier River they dismounted, took off their clothes, and dressed in buffalo and deer skins; that they continued on foot [one] carrying a shotgun, another a pike, and the other a bow and arrows; that they sent Martín Gutiérrez as a spy to see what the fathers were doing; that they [the fathers] were at supper and it was a good time to kill them. When asked if he knew whether any other person had sent them or advised them, he said that he did not know whether any other person had sent them. [He said] that they only told him that they wanted to kill Father Ganzábal because he persisted in giving orders to the said soldiers and in driving them away from the mission because their object in coming was to cause trouble and to sleep and not to watch the stock and take care of it. When asked whether he knew anything else, he said that he had gone to the presidio to the house of the captain of San Xabier, who asked him where he was from, and that this deponent had replied that he was from the Mission of San Juan Capristano; that the said captain had asked him what he was doing and this deponent replied that he was taking a walk. [He said] that he [the captain] gave him two piloncillos and about an embozada (as he indicated

by signs) of tobacco and that the said captain told this deponent to come to him whenever he wanted something from ³ //the fathers because the fathers were paupers who had nothing to give away while he had many troops and a large company of soldiers; and that this was what he said to the bilingual Indians. When asked who these Indians were and of, what nation, he said that one was called Esteban, of the Pajalache Nation, the other was called Rafael, of the Orejana Nation, and another Pajalache, called Joaquín; that the said captain had told them to come to his house if the fathers wanted to whip them and that he would defend them; and to come to him whenever they needed any clothes, powder, bullets or knives and he would give them some for he had much powder and bullets. When asked whether he knew for what purpose the said captain was offering them powder, bullets and the rest, he said that he did not know why he had made them this offer two days before the murders had occurred. When asked if he knew whether the Cocos had been in the mission or the presidio, he said that he had neither heard nor seen whether the Cocos Indians had come by day or by night to the mission or the presidio. When asked if he knew whether after the Cocos Indians had fled from the Mission of la Candelaria they had come back to spy on it, he said that he had neither heard nor seen whether the Cocos Indians, after they had rebelled, had

come to the Mission of la Candelaria by night or by day. When asked whether he knew who had given the bow and arrows to the Spaniard, he said that when the Cocos Indians had rebelled in the Mission of la Candelaria, the Spaniards had taken the arms from the said Cocos and this was the source of the bow and arrows that the above-said Spaniard carried. When asked whether he knew anything else, he said he did not because all he had seen, done and heard was exactly ^{3v} what he had deposed // and that he had not been pressed, coerced, or unduly influenced to do so. And he said that it was, the truth under penalty of the oath he had made. When this his deposition had been read to him he affirmed and ratified it and declared that he was twenty-two years old, more or less. He did not sign because he said he did not know how. I, the said juez receptor signed with my subalterns and my attendant witnesses, with whom I am acting for the receptoría as stated above.

I certify.

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D. Thoribio de Vrrutia

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D. Juan Galbán

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D. Juan Cortinas

Attendant witnesses:

Baltasar Peres and

Andrés de Yglesias

In the said royal presidio of San Antonio de Véjar, on the twenty-fifth day of the month of May of the year one thousand seven hundred fifty-two, I, the said juez receptor, with my subalterns and my attendant witnesses, for the purpose of obtaining the ratification of the Indian Andrés of the Saiopín Nation, went to the guardhouse, where I have him under arrest. When he had appeared, I administered to him the oath, which he took in the name of our Lord God and the sign of the holy cross, under penalty of which he promised to tell the truth. When his confession had been read to him berbo ad berbo, he said that although he had asserted in his confession that he had left the mission two days before the murders occurred, he did so because the aforesaid Martín Gutiérrez had advised him to do, it in order that they should come together from their hiding places in the monte. He also added that the said Martín Gutiérrez had come at sunset to spy on the mission and that the said Indian Andrés together with Carrillo and Thomás remained in hiding in an arroyo which flows near the said mission at a distance of a gunshot; that after the said Gutiérrez had spied on the mission very carefully, he came at about eight at night to notify them to come; he also added that an Indian called ⁴//Mariano was lying in front of the door and that Father Ganzábal told him to get away from there and go where

the soldiers were lest he be struck with an arrow; and he also added that he had heard what the said Father Ganzábal was saying and that the three soldiers, Gutiérrez, Carrillo, and Thomás were with him behind a henhouse and that Marín was in a jacalito that was there in which corn was kept. He also added that Zeballos was seated by the door, Father Ganzábal to his right and Father Fr. Miguel opposite the two; and that when Zeballos was shot with the tñabuco, he fell to the right under the table; and he added that after they had committed the murders, the soldiers went to the place where they were hiding and that this deponent went where his wife was. And he added that Martín Gutiérrez was the worst scoundrel because he had told this deponent that the fathers were unos cojonudos, that the said Gutiérrez was very brave and was equal to the entire company; and that this was the truth about what he knew. When this his ratification had been read to him berbo ad berbum, he said that he affirmed and ratified it one, two, and three times, and as many [times]; was he was permitted by law. He did not sign because he said he did not know how. I, the said juez receptor, signed this with my subalterns and my attendant [witnesses], as stated above. I certify.

Thoribio de Vrrutia Juan Galbán Juan Cortinas

Witness:

Attendant [witness]:

Pedro de Ocón y Trillo Andrés de Yglesias

In the royal presidio of San Antonio de Véjar, jurisdiction of the province of Tejas, while I, Don Thoribio de Vrrutia, captain with tenure for life by order of His Majesty (may God guard him), was attending to the foregoing proceedings, the Reverend Father Fr. Miguel Pinilla^{4v} //arrived at this presidio about eleven in the morning. When asked where he had come from, he replied that he had come, from the royal presidio of San Xavier, and that on the way he had learned that a soldier of the said presidio of San Xavier wanted to kill him, for which reason the said reverend father had come to appear before me to let me know that he was safe and sound and in order that I should certify that he brought with him the soldiers Gerónimo Rodríguez, Joseph Man.¹ Martínez, alias Marzelino, and Manuel Carrillo. And the last, named, as may be seen from the confession of the Indian Andrés, notwithstanding my having issued an exhorto to the Captain of San Xavier, Don Phelipe de Rábago y Therán, to arrest the men, mentioned in the said confession of the aforesaid Indian Andrés, was included in the coalition formed by those mentioned in the said confession for the purpose of killing the said Reverend Father Ganzábal and Zaballos. And since the aforesaid Carrillo had come in the company of the said Reverend Father Pinilla, because it was according to law, I ordered that he be arrested and secured with

shackles and handcuffs in order to follow the due course of law in view of the gravity of the case. Thus did I decree, order, and sign this before myself and attendant witnesses, as juez receptor, as stated above. I certify.

Thoribio de Vrrutia

Witness

Pedro de Ocón y Trillo

Attendant [witness]:

Andrés de Yglesias

In the said royal presidio of San Antonio de Véjar, on the twenty-seventh day of the said month and year, I, the said juez receptor and my attendant witnesses in view of the findings from the confession of the Indian Andrés and his ratification should order and do order that the governor of this ⁵//province, Don Jazinto de Barrios Y Jáuregui, be notified, by forwarding to His Lordship the original proceedings which I have held, retaining in my possession a certified copy of the same; and that Manuel Carrillo be kept in prison until His Lordship shall determine whatever he considers advisable. Thus did I decree, order, and sign this before myself and my attendant witnesses, with whom I am acting for the receptoría as stated above. I certify.

Thoribio de Vrrutia

Witness:

Pedro de Ocón y Trillo

Attendant [witness]:

Andrés de Yglesias

Don Thoribio de Guebara, having sufficient power which with due solemnity I am presenting and asking, that it be returned to me for whatever purposes I may need it, in the name of the officers and the soldiers of the company of the royal presidio of San Francisco Xavier de Gigedo, appear before Your Lordship in the best manner according to law without confusing the rights, to which my clients are entitled, to state that the captain of San Antonio de Véjar, Don Thoribio de Vrrutia has one of my clients, namely Manuel Carrillo, under arrest unjustly because of the simple deposition of an Indian who has accused him of having cooperated in two murders which the Cocos Indians committed in the Mission of Nuestra Señora de la Candelaria, as is well known in the said presidio and of which my client is innocent. This fact demonstrated the blind passion with which the said captain proceeded in this cause; for, as I have been informed and as is publicly and generally known in the said San Antonio de Véjar, in his deposition, the aforesaid Indian has declared himself guilty of one of the murders. Since the latter has confessed, the above-mentioned captain should have him imprisoned under bond with the necessary precautions for the security of his person instead of leaving him at liberty unimprisoned in the guardhouse in order that he may not become exasperated while he has my client with two pairs of ^{5v}//shackles

and handcuffs and in stocks for the head although he has not taken his deposition as he should have done at once. I am ready to prove both ,statements, if necessary even by the soldiers from San Antonio who are now in this presidio. I shall also,prove, in due time that my client was doing guard duty at the camp of the horseherd at the very time that the murders occurred. For these reasons and because the said captain has proved to be an incompetent judge for the said cause because he gave up or resigned before Your Lordship the jurisdiction of justicia mayor and his resignation was accepted as is of record in the books of the Cabildo of the villa of San Fernando, having therefore de facto no jurisdiction, he absolutely could not and should not have tried this criminal cause or even any civil cause for he can only try mere military causes. And since the passion with which he has proceeded in this event is so obvious and so seriously prejudicial to my client, I recuse him before Your Lordship in due form according to law one, two, and three times, and as many ,times, as may be necessary, protesting as I do hereby protest that I shall in due course bring charges against the said captain demanding of him the losses and injuries which my client has suffered thereby and which he may

suffer subsequently and also the errors which he, the captain, has committed in these proceedings. In view of the foregoing, I appeal to the well known uprightness of Your Lordship in order that, as governor and captain general of this province. you may see fit to order that the recusation be admitted for the reasons I have stated; that, in the event of its being impossible, because of your duties, for Your Lordship to go to the said presidio to execute the necessary proceedings. you will appoint in due form as a deputy a competent person of your choice; that, upon your order, the said captain be notified to exhibit without delay at the time of the averment of notice the defendants and the cause; ⁶//and that the said cause, be tried by the deputy to the point of sentence at the place which he may consider advisable other than the presidio of San Antonio de Véjar. When he shall have done this, he shall notify Your Lordship with the proceedings of this cause in order that, in view thereof, you may proceed with your customary Christian zeal. Because of your unbending justice, Your Lordship will also please demand with the greatest amplitud that the captains of San Antonio de Véjar, San Xavier, Bahía del Espíritu Santo, and the Cabildo of San Fernando shall provide the deputy, whoever he may be, with all the guards and the vecinos he may need not only as a guard and custody for the

defendants but also for the complete defense of this cause, and that they shall not present any excuse or impediment whatever thereto.

I ask and entreat Your Lordship to so order because it is just. I swear in due form, on behalf of my clients, that this is not motivated by malice. I protest, costs, and whatever is necessary, etc.

Moreover, will Your Lordship also please order that this petition be admitted on the present common paper because there is no stamped paper in this province.

Thoribio de Guebara

In the royal presidio of Nuestra Señora del Pilar de los Adais, on the tenth day of the month of June of the year one thousand seven hundred fifty-two, before me, Don Jazinto de Barrios y Jáuregui, lieutenant colonel in the cavalry of the royal armies, governor, and captain general of this province of Texas, New Philippines, the following sic petition was presented. I accepted it as presented and in view of the representation made by this party in his allegation, I should order and I do order that it be annexed to the proceedings of the case which were placed in my hands by Joaquín de Vrrutia sergeant of the company of the royal presidio of San Antonio de Véjar the sixth

day of the said month of June. When this shall have been done they [the said proceedings] shall be examined to determine whatever is advisable according to law. First, a ^{6v}//literal copy shall be made of the power enclosed with this petition and the original shall be returned to the said party for whatever purpose he may need it. Thus did I decree, order, and sign this before myself and my attendant witnesses, with whom I am acting in the absence of a notary because there is none within the limits provided by law, and on this common paper because there is no stamped paper whatever in this province. I certify.

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D. Jazinto de Bañrios y Jáuregui

Witness:

Juan Antonio de Amorín

Attendant witness:

Manuel Antonio de Soto Bermúdez

In the royal presidio of San Francisco Xavier de Giledo, jurisdiction of the province of Texas, on the twenty-first day of the month of February of the year one thousand seven hundred fifty-two, before me, Don Phelipe de Rábago y Therán, captain by order of His Majesty (may God guard him) of the said royal presidio, and the witnesses I am using, with whom I am acting as juez receptor in the absence of a notary public and royal notary, because there is none in this jurisdiction or within the limits [pres-

cribed, by law, appeared in person Lieutenant Don Manuel de Cos, Sergeant Jph. Miguel de Sosa, Santiago Hernández, Juan Víctor Rodríguez, Nicolás Carbajal, Antonio Flores, corporals of this company, and the complement of this royal presidio, whom I certify I know, and they said that they unanimously, by common consent, jointly and severally, did grant and give such power as may be necessary and required by law to Don Thoribio de Guebara, also a soldier of this company, in order that in our sic name, representing our own persons, rights, and actions, professional and personal, direct and executive, he may appear and he shall appear for each one individually and for all before the Most Excellent Señor Viceroy, Governor and Captain General of this New Spain, or whoever may succeed him, the royal audiencia of Mexico, //and before all the judges and justices of His Majesty, ecclesiastical and secular, that may be necessary, generally for all their sic interests, suits, causes, civil and criminal, now pending or which may be instituted hereafter, with any persons whatever. When instituting proceedings as well as when defending them, he shall appear before the said Most Excellent Señor, the royal audiencia, and the other tribunals, higher and lower, and the judges and justices of the same, ecclesiastical or secular, that may be necessary. He shall enter charges and reply to the charges, of the opposition.

He shall present petitions, requisitions, summons, protests, oaths, allegations, objections, complaints, accusations, recusations, swear to oaths, sell at auction such effects as he shall obtain possession of. He shall prosecute and defend claims, present witnesses, petitions, proofs, affidavits, and other pertinent papers and documents, endorse them, challenge and impugn those presented by the opposition by civil or criminal procedure, as he may think best. He shall hear decrees and sentences, interlocutory and definitive, acquiescing when favorable and when unfavorable appealing and applying for a new trial, and carrying it on to completion. He shall obtain writs, royal decrees, letters of equity and other dispatches, presenting them where necessary and asking that they be obeyed and executed. For all the foregoing and for all accessory and relevant actions, we give this said power to the aforesaid Don Thoribio de Guebara with complete power and authority to appoint one, two, or three substitutes, or as many as may be necessary without any restrictions whatever, to institute proceedings, and swear to oaths in every case. In the interest of whatever may be done by virtue of this power, we bind our persons and our present and future assets. We submit to the fuero and jurisdiction of the justices of His Majesty who may and should be competent to try our causes, especially to those justices, before

whom the said attorney may appear, in order that they shall compel us to comply therewith as if it were a sentence passed in a case that had been tried at court by a competent judge. We renounce our domicile, community, and any other fuero whatever which we may regain, the law of Si combenerit de iurisdictione omnium iudicium, the general laws in due form, and any other laws that may be in our favor. In witness whereof, they did thus grant this, and, those who knew how to write, signed it with me the said captain, and, at the request of those who did not know how to write, their lieutenant signed for them. The witnesses present were Juan de la Cruz Balle, Francisco Mariano de Esquibel, and Joseph de Salinas, vecinos of this said royal presidio. Done on the present paper because there is none of the requisite stamped paper, in this jurisdiction. I certify.

ⁿ D. Phelipe de Rábago y Therán	ⁿ D. Manuel de Cos
Jph. Thoribio de Therán	Juan Víctor Rodríguez
Thomás de Yruegas	Joaquín Garzía
^{co} Fran. Xavier de Zúñiga, Joaquín Balle, Jph. Antonio de Estrada	
^{co} Franc de Yruegas	Nicolás Carbajal
Joachín Pérez Saracho	

For those who did not know how to write and at their request, I, their lieutenant signed:

Manuel de Cos

Attendant [witness]:

Santiago de la Maza Claramonte
y Santa Rita

Attendant [witness]:

Carlos Ygnacio de Vrraga

A true copy of the original. It was accurately and faithfully copied, proofread, and corrected, and because the attorney left his [copy] in the superior government of the Most Excellent Señor Viceroy of this kingdom with the proceedings which he presented in favor of his clients and in order that he may exe⁸cute other [proceedings], this second certified copy was made on petition of the parties. This was given on the second of June of the year one thousand seven hundred fifty-two. I signed this with my attendant witnesses, with whom I am acting as juez receptor in the absence of a notary because there is none within the limits prescribed by law. It is written on three valid folios and on the present common paper because there is none of the requisite [stamped paper]. I certify.

Phelipe de Rábago y Therán

Attendant [witness]:

Thomás Gonzales de Cosio

Attendant [witness]:

Jph. de Salinas

In the royal presidio of Nuestra Señora del Pilar de los Adaes, on the fourteenth day of the month of June of the year one thousand seven hundred fifty-two, I, Don Jazinto de Barrios y Jáuregui, lieutenant colonel in the cavalry of the royal armies of His Majesty, governor and captain general of this province of Texas, New Philippines, having examined, with ^{the} careful attention called for by a matter of such gravity, these proceedings executed by Don Thoribio de Vrrutia, captain of the royal presidio of San Antonio de Véxar, for the investigation of two murders committed in one of the missions on the banks of the San Xavier River, in consequence of the findings therefrom, consider it advisable to order, as I do hereby, the said captain to abstain completely from exercising jurisdiction in this cause. And in view of this my decree, he shall do so immediatly without the slightest objection under penalty of incurring the fine of one thousand pesos which he shall be made to pay first and foremost and irremissibly for the royal treasury of His Majesty and court costs. Bearing in mind that in view of what has happened it is necessary to take effective measures to remedy the injuries and fatal consequences which may result if the [persons] found guilty ^{8v} // of so grave a crime are not duly punished, and since it is advisable that the person who shall have juris-

diction over this cause shall be capable, impartial, possessing Christian zeal and energy and since these traits are found in Don Manuel Ramírez de la Pizcina, captain of the royal presidio of la Bahía del Espíritu Santo, I consider it advisable to entrust this matter to him by appointing him as I do hereby appoint him judge of this cause. By virtue of the foregoing, I order the said Don Manuel Ramírez de la Pizcina, without the loss of a moment because it is of so much importance to the service of both majesties, and with his customary careful attention and vigilance, to go to the presidio of San Antonio de Vexar to take charge of the defendants named in these proceedings, and at the place which he may consider most suitable to proceed with the trial of this case to the point of sentence. The said captain shall enact the most effective and perfect measures for the prompt execution of the foregoing for the purpose of ascertaining the culprits of the said crime. For all the foregoing and for all accessory and relevant actions, and for the execution of any and all the proceedings necessary I give him such power and authority as is required by law. By this my decree, which shall serve as dispatch, I order all the captains in my district and the other justices to give without any delay to the aforesaid Don Manuel Ramírez de la Pizcina such coöperation and help as he may need for the aforesaid purpose with the understand-

ing that if any of the proceedings miscarry through the failure of any of the aforesaid captains or judges, to provide help, charges shall be brought against them to the full force of the law and they shall first of all be required to pay a fine of one thousand dollars, half of which //I apply hereby to the royal treasury of His Majesty and half, to court costs. And as soon as the said Don Manuel Ramírez de la Pizcina shall have concluded and definitely tried this cause, he shall report by means of the same to the Most Excellent Señor Viceroy, Governor, and Captain General of all this New Spain, in order that in view thereof, His Excellency may arrive at the decision which his superior judgement may deem best, and which, as usual, will be the wisest decision. The said captain shall notify me of having executed the foregoing, retaining a certified copy of all the proceedings, because of the accidents that may occur. An authenticated copy of all these proceedings shall be kept in this archive and the originals shall be remitted to the said Don Manuel Ramírez de la Pizcina for the aforesaid purposes. And by this my decree I did so decree, order, and sign this before myself and my attendant witnesses as stated above. I certify.

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D. Jazinto de Barrios y Jáuregui

Witness:

Attendant Witness:

Juan Antonio de Amorín

Manuel Antonio de Soto Bermúdez

In the royal presidio of Nuestra Señora de Loreto and Bahía del Espíritu Santo, in this jurisdiction of the province of Texas, New Philippines, on the twenty-eighth day of the month of June of the year one thousand seven hundred fifty-two, I, Don Manuel Ramírez de la Pizcina, captain by order of His Majesty, and justicia mayor of this said presidio, having seen the foregoing proceedings and the decree which serves as a dispatch from Señor General Don Jazinto de Barrios y Jáuregui, lieutenant colonel of the royal armies, governor and captain general of this province, with which he saw fit to appoint me as commission ^{9v} [judge] for the trial of the said [cause] //in view of the fact that I am seriously ill and it is impossible for me to mount a horse without endangering my life, as is publicly and generally known, I do for these reasons return them [the said proceedings] to the said señor governor in order that in view thereof, he may enact the measures deemed necessary. I signed this with my attendant witnesses, with whom I am acting as juez receptor because there is no notary public or royal [notary] in this presidio nor within the limits [prescribed] by law.

¹
Man. Ramírez de la Pizcina

Witness:

Manuel Delgado

Witness:

Bartolomé de Villaseñor

Fincapie

In the royal presidio of Nuestra Señora del Pilar de los Adaes, on the seventeenth day of the month of July of the year one thousand seven hundred fifty-two, I, Don Jazinto de Barrios y Jáuregui, lieutenant colonel in the cavalry of the royal armies, governor and captain general of this province of Texas, New Philippines, its presidio, conversions, and frontiers, and military commandant of the provinces of Coaguila and Panzacola, having seen the foregoing official act of Don Manuel Ramírez de la Pizcina, in which he states that because of his illness he is unable to hold the investigation of the persons accused of the murders described in these proceedings, bearing in mind the urgency of the aforesaid measure and realizing that matters of such gravity cannot suffer delay, I have decided to appoint, as I do by these presents appoint, as judge of this cause Don Marmel Antonio de Soto Bermúdez, deputy captain general of this province, upon whom for this purpose I confer the commission in due form with such authority as I can and as is necessary and required by law. By virtue thereof and in order that the aforesaid provisions of my decree issued on the fourteenth of June ¹⁰ // of the above-said year may be promptly executed, I order the said Don Manuel Antonio de Soto Bermúdez to proceed immediately to perform the said commission. And by these presents I do so decree, order, and sign this with my

attendant witnesses because there is no notary public or royal [notary], as stated above. I certify.

D.ⁿ Jazinto de Barrios y Jáuregui

Witness:

Juan Antonio de Amorín

Witness:

Man.ⁱ Antonio Losoya

In the villa of San Fernando, the capital of the province of Texas and New Philippines, on the fourth day of the month of August of this present year of one thousand seven hundred fifty-two, Señor Don Manuel Antonio Soto Bermúdez, deputy [captain] general of the said province, said that in view of the fact that he had come by order of the governor and captain general of this province, Señor Don Jazinto de Barrios y Jáuregui, to be in charge of the foregoing proceedings, in order that he might proceed therewith according to law and in view of the fact that the Indian Andrés and the soldier Manuel Carrillo who were involved in the said proceedings were imprisoned in the guardhouse of the royal presidio of San Antonio de Vexas under the command of Captain Don Theribio de Vrrutia, he [Soto Bermúdez], ordered the present notary to go to the residence of the said captain where he shall notify him of the contents of the two decrees issued by the said señor governor and captain general of this province, the

first on the fourteenth of June of this aforesaid year and the second on the seventeenth day of July of the said year, to the end that when he shall have been informed of the commission that has been conferred upon his honor [the said Soto Bermúdez, for trying this cause, as soon as he shall be notified of this decree, the said captain shall deliver to the court of justice of the said señor [deputy captain, general ~~the~~ aforesaid prisoners under the custody of such guard as he may consider advisable for their security with the understanding that if an escape should occur through the lack of this requisite, charges shall be brought against the person liable thereto according to //^{10v}law. Thus did the said señor [deputy captain, general and judge of this cause decree, order, and sign this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

Fran. ^{co} Joseph de Arocha

Notary Public and [Notary, of the Cabildo

In the royal presidio of San Antonio de Véjar, on the above-said day, month, and year, by virtue of the [foregoing, order, I, the present notary, notified Señor Captain Don Thoribio de Vrrutia in person of the said decrees.

When he had been thoroughly informed thereof, he said that he would obey them and that he would deliver the said prisoners safeguarded by two pairs of shackles each and under guard of the lieutenant of this royal presidio and six soldiers and that he was thus free from any charge of escape that might be made against him. This he gave for his answer, which he signed with me the said notary. I certify.

Thoribio de Vrrutia

Before me:

co

Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, immediately on the said day, month and year, his honor the said señor [deputy captain, general and judge of this cause, Don Manuel Antonio de Soto Bermúdez, said that inasmuch as Don Thoribio de Vrrutia, captain of the royal presidio of San Antonio de Véxar, had delivered to this court of justice the prisoners who were in his charge, as is of record in the foregoing official action, and because his honor considered the prison in which they were very insecure, in order to avoid any consequent difficulties and because it was in the interest of the proper administration of justice, he ordered that the said prisoners be safeguarded separately

in the public jail of this villa in the custody of the guard that may be considered necessary, with the understanding that the guards shall by no means permit them to communicate with any person whatever and the present notary shall make this known to those who shall be in charge of the said guard and custody. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

ll
Manuel //Antonio de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and [Notary], of the Cabildo

Immediately thereafter, I, the said notary, for the execution of the foregoing decree, went to the jail where the prisoners recorded herein are, and I made known the foregoing decree to those in charge of their guard and custody. In order that this might be of record, I wrote it down as an official act. I certify.

co
Manuel-A Fran. Joseph de Arocha

Notary Public and [Notary], of the Cabildo

Witness and by request:

Xptóbal de Córdoba

José Antonio de Estrada

I, Fran.^{co} Joseph de Arocha, notary public and [notary] of the Cabildo of this villa of San Fernando by order of the King our Lord (may God guard him), certify that today, the sixth of the present month of August, of this present year of one thousand seven hundred fifty-two, about seven in the morning, more or less before mass, Corporal Joseph Antonio de Estrada arrived at the house where Señor [Deputy Captain] General Don Manuel Antonio de Soto Bermúdez is staying, with a message from the Indian Andrés who is under arrest begging the said señor to please come to the jail because he had some things to communicate to him. The said señor replied that he would do so as soon as he had heard mass. And he did so accompanied by me, the present notary. Upon his arrival, the above-said señor deputy [captain general] asked him what he wanted; and the aforesaid Indian told him to release from prison Manuel Carrillo because he and the other soldiers for whose imprisonment he was responsible were suffering unjustly since neither he nor any of the above-said [soldiers] had been present at the murders to which he had confessed before Captain Don Thoribio de Vrrutia and that he did hereby declare entirely null the said deposition because nothing that he had said therein was true, for he had been influenced, frightened, and intimidated to make it, as his honor would realize if he listened to him. The said señor // ^{llv} judge told him that

he would suspend [action], until the following day when he would take his confession. I am giving this certification by order of the said señor judge on the said day, month, and year because it is true. I certify.

co
Fran. Joseph de Arocha

Notary Public and [Notary], of the Cabildo

Confession of
the Indian An-
drés, defen-
dant in this
cause

In the said villa of San Fernando, on the seventh day of the month of August of this present year of one thousand seven hundred fifty-two, his honor the deputy [captain], general and judge of this cause, Don Manuel Antonio de Soto Bermúdez, said that in view of the foregoing certification and of the findings from these proceedings, in order to continue this cause and for the execution of his duty, he went to the public jail of this villa, where the Indian mentioned therein is imprisoned. When he [the said Indian], had appeared, his honor, the said señor judge, administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked his name and why he was imprisoned, he replied that

in the Castilian language, which he spoke well, his name was Andrés, that he was a bilingual Indian of the Sayopín Nation from the pueblo of San Juan Capistrano and that he was imprisoned by virtue of a deposition that he had made before Señor Captain Don Thoribio de Vrrutia and that he had been influenced and coerced, to make, it by several individuals who by intimidating him with threats had made him pretend that he had killed Father Fr. Joseph Ganzábal with an arrow while he was with Juan Joseph Marín, a soldier of the presidio of San Xavier, another named Thomás, another Carrillo, and another Martín Gutiérrez, whom he said he had accused of the murder of Juan Joseph Zevallos as he had also been influenced to do; and that nothing that he had deposed before the said señor captain was true; for which reason the confesante said that he did hereby declare as null the aforesaid deposition and that he wanted whatever he might confess before the said señor deputy captain, general ¹² // to be effective and valid because it was the unadulterated truth which as a Christian who must give an accounting to God he was obligated to tell as he did hereby by saying that during the month of May of the present year, he was with his wife of the Orejana Nation, whose name is Luisa, in the Mission of la Candelaria, one of the missions, on the San Xavier River, serving as cook for the reverend missionary fathers of that mission, Fr.

Joseph and Fr. Miguel Pinilla. And he said, that at this time there came to the above-said mission an Indian of the Orejana Nation, whose name was Matías, from the mission of San Juan Capistrano. And he said, that when he the deponent, asked him about the health of the fathers of the said mission of San Juan, he replied that they were well when he left and that one of them, namely Father Arzebita was preparing to leave for the seminary. And the confesante said that he the said father, had promised to take him along when he left, and that because of this news and the unpleasantness which he could experience from the act of lewdness which the Indian named Rafaela from the said mission of San Juan Capistrano had told him that the soldier Martín Gutierres who took care of the stock of the aforesaid mission had committed with the confesante's wife, if Father Fr. Ganzábal should learn of it, as he had in fact learned of it because ^{he had} been told by the taylor Moreno, who lived in the same mission, that the confesante had sold his wife to the said Gutiérrez for a horse, he decided to flee with his wife from the said Mission to that of San Juan Capistrano, which is one of the missions, on the River of San Antonio de Véjar, and that he had done so on Tuesday the ninth of the said month of May, in the afternoon after he had given chocolate to the fathers, leaving on foot with his wife penetrating the monte of the Arroyo

de las Ánimas making his way the rest of the day and part of the night through the monte until he reached the San Xavier River above the pass called of the Apaches at a bend of the said river, where he said ~~de~~ slept. On Wednesday ^{12v} //morning he set out following the river upstream and arrived at a place called Santa Rosa in search of a horse which he said he had loaned to an Indian of the above-said Mission of San Juan Capistrano named Joaquín who was working there with other [Indians]. He caught it without being heard by anyone because it was tied with a coyunda and at the same time he took another one also tied with a halter, a pinto belonging to the Mission of San Joseph that had been taken there by an Indian from the said mission who had run away. As they were on their way, he mounted his wife on this horse, which was dark, and the confesante [mounted] his; and continuing on the way he stopped for the night at a place named La Guitarra, which he left Thursday very early in the morning. He continued winding his way along the San Antonio road and before reaching the site of las Ánimas, caught sight of three soldiers on horseback who seemed to be going toward San Xavier, but he did not recognize them because he left the road fearing lest they send him back. When they had passed, he took to the road again, and after passing the site of las Ánimas, he found the fire by which the three soldiers had slept and [he found] hanging from a

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tree a Spanish saddle, which he took for his own use because he was riding bareback. This same day he stopped to sleep at an arroyo this side of the place called Garapatas. When his honor asked him how far it was from this arroyo to the Mission of la Candelaria, he said that it was more than four-days' march by pack train. When asked how far it might be from the place where he found the fire and the saddle to the said Mission of la Candelaria, he said that it was more than two-days' march by mule pack. When asked what day did he leave the arroyo where he said he had slept, he replied that he left the following day, Friday, in the morning after sunrise and that on that day he stopped to sleep at the place called Peñitas, which he left on Saturday when the sun was high because he had taken time to look for meat to eat and had killed a turkey ¹³//here. He stopped to sleep this side of the Guadalupe. He left this place Sunday at sunrise and slept this side of the Síbolo and had been unable to go on because the path he followed when he got off the road was bad and the horses had been maimed. On Monday after looking for his horse, which was lost that night and which he did not find, he left the said place on foot very late and arrived at the Mission of San Juan Capristano after the fathers had had supper. As soon as he arrived, he went to the house of the governor and of the alcaldes of the pueblo to have them go with

him to see the fathers. They did so, and when he entered the cell of Father Arrecibita, who was already in bed, the father ordered his servant, an Apache Indian boy, to light a lamp. He [the deponent], told him he had run away and the reason for his having done so. When the said father asked him about the health of all the fathers of San Xavier, he told him that they were all well. The abovesaid father ordered the governor to give the confesante some tortillas, which he took from a footstool and gave to him. Then upon being ordered by the aforesaid father to leave, they did so. Having gone to the house of his parents with the governor and the alcaldes, he told about the uprising of the Cocos Indians in the Mission of la Candelaria, and how they had killed one of their own Indians by choking him with a cloth merely because he had allowed himself to be wounded by a trabuco shot which the taylor Juan Joseph Zevallos fired at one of his legs, and that that night all the Cocos left dragging the dead [Indian] away. His narrative was also heard by many Indians of the pueblo who had come to see the deponent. And when he got up on ^{13v}//Tuesday, after attending prayers along with the people of the pueblo, he went to greet the father lector, whom he had not seen the night before, When he also asked him about the health of the fathers he made the same reply, that [he had made] to the other [father]. Then he again went to see the said

Reverend Father Fr. Juan José Ganzábal
and
Juan José Zeballos de Zavallos

Father Arrezibita, who ordered him to catch his roan horse
and he did so. After he had ^{cut} him off before him, the father,
and the mayordomo, Talamantes, the aforesaid father told
him to set him loose with the other horses. He took the
halter to the cell of the aforesaid father, who gave him
an iron instrument with which to perforate a hide to make
a sieve for taking the corn off the cobs. He did so and about
noon while he was engaged in this task, a mozo named Vi-
zente, who was a servant of Father Gazábal arrived at the
mission and entered the cell of Father Arrezibita. Much
later, the said young Apache came out of the said cell and
told the confesante that Father Arrezibita had said that
the Cocos had killed Father Ganzábal with an arrow, which
hit him, on the left side and the aforesaid Zeballos with a
bullet. This was the same report heard by the Indians
who were in the workshop and others who were thereabouts,
and among them the fiscal. While the confesante was in the
kitchen, after the fathers finished eating, Father Arre-
cibita called him to his cell and said to him "Hombre, when
you came away Father Ganzábal and Zeballos were sick,"
and the confesante replied, "No, Father, they were well
when I left." When the said father again asked him where
Father Ganzábal and Zeballos were in the habit of going or
walking in San Xavier, he, the deponent, said that he
replied that when they had nothing to do //they went fishing

a few days later

in the pools in the river. And [he said] that then, the father gave him tortillas and ordered him to go to the kitchen to eat and he did so. After eating, he again began to perforate the hide and in the afternoon a father from la Espada and Father Arrecibita came on horseback to the Mission of San Antonio. And he said that later the father lector called him and ordered him to catch his red horse, to saddle it and go with him to the Mission of San Joseph. He did so and a while later in the said Mission of San Joseph, the father lector dismounted with Father Fr. Miguel at the porter's box and while the soldier Luis Pérez was there, they began to ask how was it possible for the father and Zaballos to have been killed in the cell, and the deponent replied that they could not have been killed in the cell, that they must have been fishing, as was their habit, on the banks of the river or walking in the outskirts of the missions. And he returned to his mission with the said father lector. The next day, the mayordomo put him in the labor piling up and burning cane. He continued doing this Thursday and Friday, and Saturday morning, after prayers, when he and his companions were waiting in the usual manner for the assignment of work, the said mayordomo Talamantes told him to leave the line because Father Arrecibita, who was present, had need of him. The latter ordered him to ask the aforesaid mayordomo for a horse and

to saddle it. When he had done so and had mounted, after he had chased an ox that had left the corral while it was being yoked, the said father gave him a small piece of paper, folded, and a chalked board for the father president.

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 //And when he arrived at the Mission of San Antonio, he found the said father president at the porter's box talking with Father Fr. Juan de los Angeles and gave him the board and the paper, and the said father told him to dismount, go upstairs and wait for him there. He did so and after a long while, the said father president came up and told him to wait for he had to take a few things to Father Arrecibita, and giving him a little tobacco, he took him in his cell. A short time later, Father Fr. Joseph Pinilla, who had arrived from the missions, entered the cell of the father president. When all had entered they ordered him to close the door and when he had done so, the father president and the said Father Pinilla in the presence of Father Fr. Diego, told him that they would forgive him for having run away from San Xavier if he would tell them who had killed Father Ganzábal and Zeballos. He replied that according to the report that circulated in his mission after the arrival of Vizente, the mozo of Father Ganzábal, he learned that the Cocos had killed Father Ganzábal with an arrow and Zeballos with a bullet and that this was what Father Arrecibita's little Apache told him and other muchachos of

the pueblo. And after they had asked him many questions for the same purpose he adhered to this [reply]. To the retort of the said Father Pinilla that this could not be [true] because he knew that Martín Gutiérrez had been in las Ánimas with the confesante, he replied that he had not been with anyone from the day that he ran away from San Xavier, [and] that he had run away before the murders. Then the father president said to him, "Hombre, if you say that you killed the father and Zeballos you will return free to your mission and we will dig a hole in the earth and cover it up with dirt so that no one may know //it. To this he replied that he could not confess to what he had not done. Then the father president and Father Pinilla became angry and told him that if he did not say that he had killed the father, they would call the captain and the soldiers and they would hang him. And to this he made the same reply that he had before. Whereupon, the father president very angrily said to a muchacho who served him, "Go call Governor Roque." He gave the said governor, upon his arrival, a little tobacco and told him to retire. The said governor did so. Then turning to him with great anger, the said fathers told him, "Indian say that you killed the father because if [you do] not we shall turn you over to the governor for the purpose of taking you to the captain and the soldiers who will tear you to shreds. Thus frightened and intimidated

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and wishing to be free, he did say that he had killed him. Immediately the said two fathers told him, "Well hombre, we assume that you could not have committed the two murders alone especially since one was with an arrow and the other with a bullet. By the way, you don't know all the soldiers of San Xavier, name whomever you wish." And at the same time they spoke of a Vicente, a Jerónimo, and others. "Say it without fear" and this they repeated two or three times. Annoyed in this manner, he said the first names that came to his head, namely one Thomás, Martín Gutiérrez, one Marín, one Carrillo. He had never known the last-named except by sight because he had heard that that was his name, but he did know the first three because they had been at the mission as missionaries while he was there. And in the deposition he made before the captain, he had said that Gutiérrez had killed Zaballos ^{15v} //and everything else that he had deposed therein because the said father president and Father Pinilla had advised him to do so telling him at the same time, "Hombre think nothing of it, don't be afraid because we are here to defend you." And saying this, they ordered him to enter the other cell where the Spaniard named Vicente was, with whom he remained for a long time until Father Acisclo, who had been sent for by the father president, arrived. When he came in the cell, he ordered the said Vicente to leave and when they were

alone, he said, "Hombre, the fathers don't know how to remedy this difficulty, but I do. See here! say that before the news of the murders was known, you had already told it in your mission to an Indian who _;told_; it to another _;Indian_; from la Espada, from where the news spread to my mission." Saying this, the father went out. Shortly after he had gone, he was summoned to the cell of the father president, and Father Pinilla and the other fathers except Father Fr. Diego, who never said anything to him _;said_; , "Have no fear, think nothing of it, the father president gives the orders here and he will not punish you! And they kept repeating this to him many times and because it was late at night they told him not to leave that he could go the following day with Father Arrecibita, who was also in the junta. The next day before he left, the father president, Father Arrecibita, and Father Pinilla told him not to tell any one anything about what had taken place there because if he told it and it was found out, the soldiers would kill him. And they repeated this to him many times. And he went to his mission accompanied by Father Arrecibita and Father Acisclos. And the following day, which was Monday, they put him to cleaning cane, the second _;day_; as an oxherd, and on the third _;day_; ¹⁶//after mass, the captain came with the Alférez, a squad of soldiers, and his cashier, and leaving the said _;soldiers_; at the

bridge, he entered the house of the mayordomo Talamantes with the Alférez and the said cashier leaving a soldier on guard on horseback at the gate. While the confesante was back of the corral engaged in an indispensable function near the river, the said mayordomo arrived on horseback running with one of his sons and asked him with dissimulation who had passed by there. He replied that he had come there alone. Then the mayordomo said to him, "Let's go over there." And when they were near the house he told him that the captain was calling him. When he had entered with the confesante, the said captain ordered him to sit down and he did so at once, the Alférez stood at the door. At this time, the said cashier, Don Andrés de Yglesias, took out of his bag a written paper which he read in a loud voice, and which he said that this Indian had reported as soon as he arrived at the mission that he knew who had killed the father and Zeballos, and other things. The captain said to him, "You killed the father, that is what this paper says," and he replied that he had. After assuring him that he was not going to kill him, the said captain told him, not to worry or be afraid that they would have to kill him before doing injury to the deponent and that those who were there would not say anything about what they had heard. And after asking him who had killed Zeballos, the captain himself replied by saying, "Martín, wasn't it?" And when this had

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The said captain assured him, while the two were alone, that he should not be afraid for he would wager his head that he would not be harmed. When the said father lector came in that afternoon, on seeing the confesante, he gave him two piloncillos, a little tobacco, and told him that he had not known anything until the deponent's father had told him the night before, for if he had known it he would have given him two horses with which to escape. And when the confesante told him that he wanted to clear his soul, the said father told him to make the sign of the cross. He did this and then he began to tell the father that he had called him to ¹⁷//tell the truth, namely that he had not killed the father neither [had; Martín Gutiérrez [killed; Zeballos; that he had known nothing about the murders but had deposed as he did before captain Don Thoribio de Vrrutia because the fathers had advised him to do so with ²may threats. [He said; that he was confessing this to the said father lector in order that neither he [Gutiérrez; nor the others whom he had calumniated should suffer through his fault. Thereupon the said father lector told him that since this was a confession, it would be made public only with his consent. When he consented, however, the said father refused to make it public telling the confesante that the fathers could not lie and that if this [confession; were made known the said fathers would punish

the confesante severely. The deponent said that he replied that it did not matter because he did not want to be condemned to hell fire through anybody's fault. While insisting that it could not be done, the said father gave him absolution and on leaving told him that he knew where his mission was in case he wanted anything. And the next day he was given the sacrament of the Eucharist. Seeing that nothing had resulted from the confession he had made to the said father lector, at the end of about a week, more or less, the deponent resolved to tell Captain Don Thoribio de Vrrutia everything that he has deposed before the said señor judge and which is of record in the same deposition, in order to remedy by this means the injury done. For this purpose the deponent told the lieutenant of the presidio, Don Juan Galbán, to call the captain for him. When he had come and he the deponent, had told him all that he has stated in this his confession thus far, he the captain, did not believe him. The following morning the said captain ordered that he be brought to his house. When he had come before him the said captain asked him whether everything that he had stated or said the preceding ^{17v} //afternoon was true. He replied that it was and that he would always adhere to that same statement because he was a Christian and did not wish to go to hell through the fault of others. Whereupon, the captain said, "Hombre,

if you tell that, you will ruin the fathers and me; now I cannot free you from the prison in which the fathers ordered me to put you. The thing for you to do is to try to escape, take your wife and leave the missions of this province and go to other missions, where you are not known." When he had said this, he ordered that he be taken to his prison. When asked whether he had anything else to confess, he said that he did not, that what he had said was the truth under penalty of the oath he had made which he affirmed and ratified; and that the general provisions of the law did not apply to him with regard to any of the persons, included in this confession, which was read to him Verbo ad verbum. When he had been informed of all of it, he said that it was exactly what he had confessed, under penalty of his oath, and that he was twenty-two years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me, the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

co

Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the eighth day of the month of August of the said year, the señor judge of this cause, having seen the foregoing confession, and the findings thereof with regard to what the Indian Andrés had told Captain Don Thoribio de Vrrutia, the said señor judge summoned the said señor captain for an inquiry on the statement of the aforesaid Indian. When the said señor captain had appeared, the said señor judge administered to him the oath, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked about what the aforesaid Indian had told him on the two occasions mentioned in his confession, the deponent said that //¹⁸it was true that the Indian had told him on the two occasions that he and the persons, he had acalumniated before the deponent were innocent of the murders related in these proceedings, because he had made his confession at the instigation, compulsion and threats of the father president and Father Fr. Joseph Pinilla; and that he was making this known to him in order that he should remove his shackles and declare him free and in order, that the others should not suffer on his account. To this the deponent replied by saying, that he could not do it and telling him, to await the arrival of the señor governor and to make the same statement to His Lordship in order that in view thereof he should enact what-

ever measure he deemed advisable. And [he said, that this was the truth about everything he had been asked and [all, he had to say, under penalty of the oath he had made, which he affirmed and ratified, and that the general provisions of the law did not apply to him with regard to any of the [persons, involved; and that he was forty years old, more or less. And he signed this with the said señor judge before me, the notary. I certify.

Man. ^l Antonio de Soto Bermúdez Thoribio de Vrrutia

Before me:

^{co} Fran. Jph. de Arocha

Notary Public and [Notary, of the Cabildo

In the said villa, on the said day, month and year, the señor judge of this cause, in view of the testimony given by the Indian Andrés in the deposition he made before his honor, that on Thursday the eleventh of May of the aforesaid year, which is the same [day, on which the murders occurred, before arriving at the place of las Ánimas, he sighted three soldiers, that it seemed to him that they were going to San Xavier, and that a short distance beyond the said place, he saw the fire which apparently the aforesaid [soldiers, had made and, hanging from a tree, a saddle which he took for his own use because he was riding bare-

back, And since his honor was informed that one of the
three afore//said ^{18v} soldiers, was the corporal of the royal
presidio of San Antonio de V́exar, named Joseph Antonio
Flores, for the investigation of this occurrence, his
honor the said señor deputy captain, general summoned
before him the above-said corporal. When he had appeared,
he administered to him the oath, which he took in the name
of our Lord God and a sign of the holy cross, according
to law, under penalty of which he promised to tell the
truth in so far as he knew and might be questioned. When
asked what day had he gone from las Ánimas to San Xavier
during the time when the murders in the Mission of la
Candelaria occurred, he said that on the eleventh of May,
the day of the Ascension, he left the place of las Ánimas
about two hours after sunrise with the soldier Antonio
Gallardo and Pedro Ximenes for a place called los Palos
Blancos. When asked whether at this place he saw or heard
some person or persons going to the Missions of San Xavier
or to the presidio of this name or to this presidio, of
San Antonio, he replied that he neither saw nor heard any
person going on the said road from the time he reached
the place until he left it. When asked whether from the time
he left this place for San Xavier he saw any fresh tracks,
he replied that he had found no tracks whatever. When asked
whether in the said place of las Ánimas he and his companions

made a fire and whether he saw a Spanish saddle hanging on a tree, or whether any of his companions left it, the deponent said that they made a fire at the said place which was burning when they departed and that the arriero Manuel [who] was with him left on a tree a Spanish saddle which he was using because it was making sore on his horse's back. //When asked what day he arrived at the presidio of San Xavier, he said that [he arrived] on Friday in the morning at the time that the Reverend Father Ganzábal and Juan Jph. Zeballos were being buried. When asked whether he knew or had heard who had committed the two aforesaid murders, he replied that by common report he heard everyone say that the Cocos Indians had committed them and that a few days previously they had risen in rebellion against the said mission. When asked whether he knew anything else or had anything else to say, he replied that he did not. When his deposition had been read to him, he said that it was the same that he had made and that he affirmed and ratified it one, two, and three times, that the general provisions of the law did not apply to him with regard to anyone; and that he was forty-nine years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me, the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge, for the execution of the proceedings he is holding, summoned before him Don Antonio Gallardo, a native of the kingdoms of Castille referred to by Corporal Joseph Antonio Flores in his deposition. When he had appeared, he administered to him the oath, which he took in the name of our Lord God and the sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked on what day he had arrived at the place of las Ánimas with Corporal Jph. Antonio Flores and Pedro Ximenes, he said that on the tenth day of the month of May of this said year they slept in the place of las Ánimas with the ^{19v} arrie//ro ^{co} Fran. de Vrrutia, Juan Diego, a native Indian, Jph. de Montemayor, one of his sons, and Juan Diego de la Garza, who were going with the pack train that carries corn to those missions, and that on the eleventh they left the said place for that of Palo Blanco, where they arrived in the afternoon, and that before they left the place of las Ánimas, Jph. de Montemaior, one of his

sons, and Juan Diego de la Garza left ahead of them for San Xavier. When asked whether the deponent or any of those he had named had left, a Spanish saddle on a tree, the deponent replied that one of the arrieros left a saddle in a tree in the place of las Ánimas, and that near there they made a fire which they left when they departed. When asked whether on the day they arrived at los Palos Blancos they heard any footsteps or horses in this direction or toward San Xavier, he replied that they did not hear any sound in either direction neither did he find any tracks. When asked whether as soon as he arrived in San Xavier, he heard what person or persons had killed Father Ganzábal and Zeballos, the deponent replied that it was generally rumored in the said presidio and missions that Father Ganzábal and Zeballos had been killed in the Mission of la Candelaria by the Cocos Indians of the same mission who had rebelled a few days previously. When asked whether he knew anything else or had more to say, he replied that he did not. When this his deposition had been read to him, he said that it was the same that he had made, which he affirmed and ratified under the oath he had made, and that the general provisions of the law did not apply to him. He said that he was twenty-five years old, more or less. And he signed this with the said señor judge before me, the notary. I certify.

Man. ¹ Antonio de Soto Bermúdez Antonio Gallardo

Before me:

^{co}
 Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

²⁰
 //On the said day, month, and year, the señor judge of this cause, Don Manuel Antonio de Soto Bermúdez, in order to continue with these proceedings, summoned before him Joseph Montemaior, a vecino of this villa referred to in the deposition by Don Antonio Gallardo. When he had appeared, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked what day he arrived with Corporal Joseph Antonio Flores, Antonio Gallardo, and the others who were going with the pack train at the place of las Ánimas during the past month of May of this year of one thousand seven hundred fifty-two, he said that the tenth of the said [month of] May he arrived at the place of las Ánimas with the aforesaid and with Juan Diego de la Garza and a son of his and two Indians and Fran. ^{co} de Vrrutia, an arriero, and on the following day, the eleventh, the day of the Ascension, he left the said place ahead of the others in

the company of his son and the said Juan Diego de la Garza for the presidio of San Xavier, where they arrived about eleven in the morning, more or less, without having met anyone along the road. When asked whether at the time of his departure from the said place a fire had been left and a saddle hanging from a tree, the deponent replied that he left a fire which the arrieros were fanning to make some breakfast and that he did not see the saddle because he had left ahead of the others, very early in the morning. When asked how far it was from the said place to San Xavier, the deponent replied that it was a long two-days' march by mules. When asked whether he was in the presidio when the murders occurred in the Mission of la Candelaria, the deponent replied that he was in the presidio and that he heard a shot ^{20v} //between eight and nine at night and that at this same hour the soldier Marín arrived at the said presidio with the news for the captain of the said presidio from Father Fr. Miguel Pinilla that the Cocos Indians had killed Father Ganzábal with an arrow and Juan Jph. Zaballos with a bullet, and that at that moment the aforesaid captain went to the said mission with soldiers from his company, and that about two hours later the said captain returned to his presidio and the same news was spread that the Cocos Indians had committed the above-said murders. When asked whether he had more to say or knew anything

else, he said he did not. When this his deposition had been read to him, he said that it was the same that he had made and which he affirmed and ratified under penalty of his oath, that the general provisions of the law did not apply to him, and that he was fifty-four years old, more or less. And he did not sign because he said he did not know how. The said señor judge signed before me, the notary.

I certify.

to
Manuel An. de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the ninth day of the month of August of the said year, his honor the señor deputy [captain] general and judge of this cause, Don Manuel Antonio de-Soto Bermúdez, said that inasmuch as the Indian Andrés had stated in his deposition that his wife had accompanied him from the day of his escape from the Mission of la Candelaria until the [day] in which he entered in the [Mission] of San Juan Capistrano, where he also says that nothing was known about the murders which occurred in the Mission of la Candelaria until the arrival of a Spaniard, a former servant of Father Ganzábal named

te
 Viz. , it was in the interest of the good administration
 of justice to summon as he did summon to appear before
 his honor the said Indian, governor, alcalde, ²¹ //fiscal,
 interpreter of the said pueblo. Thus did the said señor
 judge decree, order, and sign this before me, the notary.
 I certify.

Manuel Antonio de Soto Bermúdez

Before me:

co
 Fran. Joseph de Arocha

Notary Public and ^{Secretary} Notary, of the Cabildo

On the said day, month, and year, in the said villa,
 the señor judge of this cause said that in view of the
 fact that the Indian Thomás, an interpreter of the Orejo-
 na language, had appeared before him for the purpose of
 taking the deposition of the Indian wife of the Indian
 Andrés and the other [Indians] of this nation, his honor
 appointed him in these proceedings as interpreter of the
 said language in order that, understanding the replies and
 depositions made in his presence by the persons examined,
 in reply to the questions asked of them, he shall repeat
 the same without adding or omitting any words or without
 changing the meaning of the statements. The said [inter-
 preter] shall be notified to accept the appointment and

to make bond for the foregoing and to observe secrecy.
 Thus did the said señor judge decree, order, and sign this
 before me, the notary. I certify.

¹
 Man. Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and
 year, I, the notary for the execution of the foregoing
 decree, gave notice of the said decree to the Indian Tho-
 más of the pueblo of San Juan Capistrano, the interpreter
 appointed in these proceedings. He said that he accepted
 the appointment made therein and swore in the name of God
 and a sign of the cross, according to law, that he would
 observe and execute everything contained therein and would
 execute well and faithfully his office as stated therein.
 The witnesses were Pedro Granados and Xptóbal de Córdoba.
 He did not sign because he said he did not know how. I
 and the above-said witnesses signed this. I certify.

^{co}
 Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Pedro Granados

Xptóbal de Córdoba

21v

//On the said day, month, and year, when the Indian Thomás, the interpreter appointed in these proceedings and the Indian wife of the Indian Andrés had appeared, before me the notary, the señor judge of this cause, while he was in his residence, administered to the said interpreter the oath in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to perform well and faithfully his office as was his duty and to tell the truth about what the said Indian might say. When this had been done, he was ordered to administer the oath to her in her language. When he had gone through the motions speaking the same, the interpreter said that when he administered to her the oath, she said that she swore in the name of our Lord God and a sign of the holy cross, because she was a Christian, to tell the truth in so far as she knew and might be questioned. When asked by the interpreter her name, her age, her place of residence, and whether she was the wife of the aforesaid Indian Andrés, the interpreter said that when he had asked her the question, she replied that her name was Luisa, that she belonged to the Orejona Nation, was past twenty years old, that she was from the pueblo of San Juan Capistrano, and that she was the wife of the Indian Andrés named in these proceedings. When asked by the said interpreter whether she was living with her husband in the Mission

of la Candelaria when Father Fr. Ganzábal and the tailor Zeballos were killed, the interpreter said that when he had asked the question, she said, she was, not because when she ran away with her husband they were well, sound, and alive. When asked by the interpreter what day had she run away from the mission with her husband, at what hour and with what horses, the interpreter said that when he had asked her the question, she replied that on a Tuesday after the fathers had eaten and drunk chocolate she ran away from the said mission with her husband, both of them on foot without any horses, and that that day and part of the night they remained in hiding within a monte and slept at a bend of//²² the San Xavier River. When asked by the interpreter what she did there on the following day with her husband, whether they remained in this place or went on, the interpreter said that when he had asked her the question, she replied that on the following day she went away, still with her husband, who, at a place where there were other Indians working, took two horses that were tied, one of which was his, and the other of the Mission of San Joseph on which her husband mounted her, and they came through the brush to a place on the San Antonio Road, where they slept. When asked by the interpreter whether they stopped there the following day or what they did, the interpreter said that when he had asked her the question,

she replied that this day very early in the morning they left that place and continued traveling along the San Antonio Road and that before they arrived at a place where there was a fire, and, hanging from a tree, a saddle, which her husband took, they saw on the road three men on horseback who seemed to be going to San Xavier, that in order not to be recognized by them and fearing that they would send them back, they left the road and went into the monte until they had gone. When asked by the interpreter what was the name of the place where they found the fire and the saddle and whether they remained to sleep there, the interpreter said that when he had asked her the question she replied that she did not know the name of the place and that they did not stay to sleep there because it was still early when they arrived; they kept on and on, passed a large river, and they slept by another arroyo this side of a place that she knows is called Garapatas. When asked by the said interpreter whether she was aware that her husband had left her alone any part of the night, the interpreter said that when he had asked her the question she said that he did not, that they slept together there and that he did not get up until the next day when they left for this place. When ask^{22v}/ed by the said interpreter where they stopped for the night on the day they left this arroyo, the aforesaid interpreter said that

ojo

when he had asked the question, she replied that after they had passed a large river they stopped to sleep at a place whose name she did not know. When asked by the interpreter whether the [next] day when they woke at that place they went on or remained there, the interpreter said that when he had asked the question, she replied that they remained there until very late because her husband had gone looking for meat to eat because they were hungry and that he only found a turkey, part of which they ate there, and that they set out very late and stopped to sleep this side of the river which she knows is called the Guadalupe. When asked by the interpreter how many days they remained there, the interpreter said that when he had asked the question, she replied not any because the next day early they set out to sleep on this side of the Cíbolo that they did not make more headway because the horses were beginning to get tired. When asked by the said interpreter at what time they left this place or whether they remained there, the interpreter said that when he had asked the question, she replied that they left there very late because her husband lost his horse and kept looking [for it] for a long time and because he did not find it he came on foot to the pueblo at which both of them arrived that night. When asked by the interpreter whether that night or previously she knew or heard that Father Ganzábal and the tailor Zeballos

had been killed, the interpreter said that when he had asked her the question, she replied that she did not know such a thing either that night or previously, and that she recalled only that the next day the news was spread in the pueblo that the Cocos had killed the said father with an arrow²³ and Zeballos with a bullet. When asked by the interpreter who reported the news in the pueblo, the said interpreter said that when he had asked her the question she replied that that day before dinner the news was brought by a Spaniard called Viz. ^{te} and Father Arrecibita told it to the people of the pueblo. When asked by the interpreter whether or not she had failed to tell the truth about what she knew and had been asked by the said interpreter, the latter said that when he had asked her the question she replied that she had spoken honestly and had not failed to tell the truth about what she had been asked. When asked by the interpreter whether she had talked with her husband since he had been imprisoned or whether she had been counselled by any person to say exactly what she had said, the interpreter said that when he had asked her the question she replied that she had not seen or spoken with her husband since he had been imprisoned, neither had she been counselled in any way by anyone. When all her deposition had been read little by little to the interpreter in order that he should explain it to her in her language

and she should say whether it was exactly what she had said, the said interpreter said that having heard all the deposition he told it all without any mistakes to the said Indian and that she replied that everything was exactly what she had deposed and that she had not failed to tell the truth in any instance, under penalty of her oath. When asked by the interpreter whether she knew how to write her name, he said that when he had asked her the question she said that she did not know how; and when the interpreter also had been asked, he said that he did not know how as he had stated in the foregoing official act. The said señor judge of this cause, Don Manuel Antonio de Soto Bermúdez, signed this before me, the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and ^{Secretary} [Notary] of the Cabildo

On the said day, month, and year, his honor the señor judge of this cause said that in view of the fact that it was publicly known, in this villa that Fran. ^{co} Moreno, a tailor by trade, was in the mission of la Candelaria at the time that the murders related in these proceedings ^{23v} //occurred, it was in the interest of the good administra-

tion of justice because of the findings that might result there-
 from to secure the said Moreno as shall be done by the alguacil
mayor of this villa by imprisoning him in the public jail of the
villa. Thus did the said señor judge decree, order, and sign
 this before me, the notary. I certify.

¹
 Man. Antonio de Soto Bermúdez

Before me: Fran. ^{co} Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, I, the notary made known the
 foregoing decree to the alguacil mayor, Don Vizente Ál-
 barez Travieso. When he had been informed of the same
 in person, he imprisoned the said Moreno. I certify.

Arocha

In the villa of San Fernando, on the eleventh day
 of the month of August of the year one thousand seven
 hundred fifty-two, his honor the said señor judge, while
 he was in his residence, before me the notary and in
 the presence of the interpreter appointed in these pro-
 ceedings, summoned before him Joseph Migueñ of the Benado
 Nation, the present governor of the pueblo of San Juan
 de Capistrano, when [all] were together, he administered
 to the interpreter the oath in the name of our Lord God
 and a sign of the holy cross, according to law, to the
 effect that he would execute well and faithfully his

office as was his duty. When this had been done and he had promised to tell the truth and what the said governor might say, he was ordered to administer the oath to him in his language; after he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath he said that he swore in the name of our Lord God, according to law, to tell the truth because he was a Christian in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés who was imprisoned in this villa and whether he knew why he was imprisoned, the said interpreter said that when he had asked him the question he replied that he did know him but that he did not know the reason for his having been imprisoned. When asked by the said interpreter whether he recalled the day and hour when the said Indian Andrés arrived with his wife at the pueblo of San Juan Capistrano, the interpreter said that when he had asked him the question he replied that // ²⁴ he recalled that one day following Sunday he arrived at the said pueblo with his wife after the fathers had had supper and that at that hour he took him with the alcalde and Pedro Joseph to see Father Arrecibita, and the latter asked him, after the Indian had given him an account of his escape, about all the fathers of the Missions of San Xavier, and that the said Andrés replied that they were all well; that the said father who was already in bed ordered that some tortillas be

be given to him and that he himself gave them to Andrés and they went to the house of the father of Andrés to talk, and there he told that the Cocos of the Mission of La Candelaria had rebelled and had killed one of his companions and carried him off dragging. When asked by the interpreter whether the Indian Andrés told them that night about the murder of Father Ganzabal and a Spaniard, the interpreter said that when he had asked him the question he replied that he did not hear him say anything about the said murders neither had he heard of his having told about them in the pueblo. When asked by the interpreter what day and at what hour they learned of the murders in the said pueblo, the interpreter said that when he had asked him the question he replied that the next day before dinner a Spaniard named Vizente arrived at the pueblo with a note for Father Arrecibita and that immediately thereafter the news spread over the entire pueblo to the effect that the Cocos Indians had killed Father Ganzabal with an arrow and a Spaniard with a bullet, and that the said news had not been known until then. When asked by the interpreter who spread the news in the said pueblo the aforesaid interpreter replied that when he had asked him the question he said that the news had been spread by the Spaniard Viz. ^{te} Vizente, Father Arrecibita, and his Indian boy. When asked by the interpreter whether he had been counseled by any person to say what he had

deposed or whether he had
 /been with and had talked with the said Indian after the
 captain // ^{24v} arrested him, he replied that when he had
 asked him the question he said that he had not been
 counseled by any person whatever, much less had he seen
 or spoken with the Indian Andrés since he had been brought
 from the pueblo. When asked by the said interpreter
 whether he had told the truth to all he had been asked,
 the interpreter said that when he had asked him the ques-
 tion he replied that he had said nothing that was not
 true. When all his deposition had been made known to
 him by the interpreter to whom it had been read little
 by little, the interpreter said that when he had informed
 him of it, he replied that everything stated therein was
 exactly what he had said and deposed, under penalty of
 the oath he had made, which he affirmed and ratified.
 When asked by the interpreter how old he was, the in-
 terpreter said that when he had asked him the question,
 he said that he did not know how old he was but that he
 was now old. Neither the deponent nor the interpreter
 signed because they did not know how. The señor judge
 signed before me, the notary. I certify.

¹
 Man. Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Joseph de Arocha

Notary Public and ^{Secretary} [Notary] of the Cabildo

Immediately thereafter in order to continue with these proceedings, before me, the notary, and in the presence of the Indian Thomás, the interpreter appointed for this cause, the said señor judge, while he was in his residence, summoned before him Miguel de los Santos of the Sayopín Nation, the present alcalde of the pueblo of San Juan Capistrano. When all were together, he administered the oath to the interpreter in the name of our Lord God and a sign of the holy cross, according to law to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth and what the deponent should say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath he said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew Andrés of the Chaiopín Nation and whether he knew why he was imprisoned, the said interpreter replied that when he had asked him the question he replied that he did know him very well and that he knew that the captain of the presidio had imprisoned him but that the deponent did not know neither was it known in the pueblo to this day why he was impris-

oned. When asked by the interpreter whether he recalled at what hour he had arrived //at²⁵ the pueblo with his wife, after he had, fled from the Mission of la Candelaria and on what day, the said interpreter said that when he had asked him the question he replied that he knew, because he had seen it, that on a day following Sunday at night after the fathers had had supper, the said Andrés and his wife arrived at the pueblo, and that at that hour he went with the governor, the deponent, and Pedro Joseph to give an account to Father Arrecibita of his escape. The said father asked him how had he left all the fathers of the mission of San Xavier and the said Andrés replied that they were all well when he left. The said father ordered that some tortillas be given to him and he received them from the hands of the governor. Then, they went to the house of the father of Andrés, who told them there that the Cocos Indians had rebelled in the Mission of la Candelaria and that they had killed one of their men, and had dragged him away because he had let himself be wounded on the leg by a trabuco shot fired by a Spaniard called Zaballos, who was in the mission. When asked by the interpreter whether on the night Andrés arrived or later he heard him say that he knew who had killed Father Ganzábal and the Spaniard Zaballos, the interpreter said that when he had asked

him the question he replied that neither that night nor later did the said Andrés say such a thing neither did he know whether he had told it. When asked by the interpreter what day had the news of the murder of Father Ganzábal and that of Zeballos been known in the pueblo the interpreter said that when he had asked him the question, he replied that the day after the arrival of Andrés before noon, a Spaniard named Vizente arrived with a note for Father Arrecibita and shortly afterward Father Arrecibita told the people of the pueblo the Cocos Indians had killed Father Ganzábal with an arrow and Zeballos with a bullet and from that time this news had spread in the pueblo. When asked whether he had been counseled by any person or persons to say what he had deposed and whether he had told the truth about what he had been asked, the interpreter said that when he had asked him the question he replied that he had not been counseled by anyone and that everything he had said and had been asked was the truth and that he had not departed from it in any way. When this deposition had been read little by little to the interpreter in order that he should inform the deponent of it in his language, after going through the motions of doing it, the interpreter said that when he had told him all the contents of the same, he replied that it was exactly what he had deposed and that it was the ^{25v}//truth, under penalty of his oath,

which he affirmed and ratified. When asked by the interpreter how old he was, the said interpreter replied that when he had asked him the question he replied that he did not know how old he was but that he was one of the founders of the pueblo of San Juan Capistrano and that he was a grown man when he came there. Neither he nor the interpreter signed because they said they did not know how. The said señor judge signed this. I, the notary, certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, before me, and in the presence of the Indian Thomás, the interpreter appointed in these proceedings, while he was in his residence, the said señor judge of this cause summoned before him Juan Gregorio of the Chalopín Nation. When [all] were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done, and he had promised to tell the truth about what the deponent knew, he was ordered to administer the oath to

him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why he was imprisoned, the interpreter said that when he had asked him the question, he replied that he did know the Indian Andrés because he was from his pueblo but that he did not know neither was it known in his pueblo, why the captain had arrested him. When asked by the interpreter whether he knew what day he arrived with his wife at the said pueblo and where he came from, the interpreter replied that when he had asked him the question, he said that he knew for a fact that Andrés came with his wife, [having] fled from the Mission of la Candelaria, and that he arrived at the pueblo one night following Sunday. When asked whether he went to see him the night on which he arrived, the interpreter said that when he had asked him the question, he replied that he did not go to see him. When asked by the interpreter whether that night or later the murders of Father Ganzábal and of Zeballos became known in the pueblo, or if he had been informed whether the Indian Andrés had said that he knew who had committed them, the interpreter said that

when he had asked him the question, he replied that they did not learn in the pueblo of the said murders that night nor the following morning, that near noon when Father Pinilla ²⁶ //arrived at the Mission of San Antonio, from where the news was brought to his pueblo in a note which a Spaniard named Vizente brought to Father Arrecibita, who told the news in the said pueblo that the Cocos had killed Father Ganzábal with an arrow and the Spaniard Zeballos with a bullet; and that he neither knew nor had heard that the said Indian Andrés had said anything in the pueblo about the murders. When asked by the interpreter whether he had been counseled by any persons to say what he had deposed or whether he had spoken untruthfully, the interpreter said that when he had asked him the question, he replied that he had not been counseled by any person whatever to make his deposition much less had he failed to tell the truth about what he had said because he knew as a Christian that it was his duty to tell it the truth. When this deposition had been read little by little to the interpreter in order that he should tell the deponent about it, the interpreter said that when he had informed him of it as he had gone through the motions, he replied that the ojo contents of the same was exactly what he had said and the truth under penalty of the oath he had made, ~~which~~ which he affirmed and ratified. When asked by the

interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he did not know but that he did recall that he was [one] of the founders of the pueblo and that when he came here he was grown. They did not sign because they did not know how; his honor signed before me. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{CO}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, before me, the notary, and in the presence of Thomás, the interpreter appointed, the said judge of this cause, while still in his residence, summoned before him the Indian Bartolomé of the Chaio-pin Nation, former governor and alcalde of the pueblo of San Juan Capistrano. When [all] were together he administered the oath to the interpreter in the name of our Lord God and a sign of the cross, according to law, to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath in his language to him. When he had gone through the motions speaking the same, the

interpreter said that when he had administered to him the oath, he said that he swore ^{26v} //in the name of our Lord God and a sign of the most holy cross, according to law, to tell the truth in so far as he knew and might be questioned.

When asked by the said interpreter whether he knew the Indian Andrés and whether he knew why the captain had arrested him, the interpreter said that when he had asked him the question, he replied that he did know him well because he was from his pueblo, and that he neither knew nor had heard in his pueblo why he was arrested. When asked what day and hour he arrived with his wife at the pueblo and where he came from, the interpreter said that when he had asked him the question he replied that on the day following Sunday, [a week ago] today, late at night, he arrived with his wife at the pueblo where it was rumored that he had fled from the mission of la Candelaria with his wife.

When asked by the interpreter whether he learned or heard that night of the murders which occurred in the said mission of la Candelaria, the interpreter said that when he had asked him the question, he replied that neither that night nor previously was such news known in the pueblo much less had he known or heard in his pueblo that the Indian Andrés had told it. When asked by the interpreter whether these murders were known in the pueblo, the said interpreter said that when he had asked him the

question, he replied that they were known in the pueblo because on the day after the Indian Andrés arrived, it was reported by Father Arrecibita, who said that the Co-cos Indians had killed Father Ganzábal with an arrow and a Spaniard with a bullet in the mission of la Candelaria. When asked by the interpreter whether he knew from whom the said Reverend Father Arrecibita had learned it, the interpreter said that when he had asked him the question, he replied, that he had learned it, from a note which a Spaniard had brought him the day Father Pinilla, who brought the news, came from San Xavier. When asked by the interpreter whether he had been counseled by any person or persons to say what he had deposed, the interpreter said that when he had asked him the question he replied that he had not been counseled by anyone. When all this deposition had been read to the interpreter in order that ²⁷ /he should inform the deponent of it in his language and he should say whether it was exactly what he had said, after going through the motions of doing it, the interpreter said that when he had informed him of it, he said that it was all exactly what he had deposed and that he had not failed to tell the truth in any respect because, being a Christian, he knew that it was his duty to tell it. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied

that he did not know but that he remembered he was a founder of the pueblo and that he was a grown man when he came there. They did not sign because they did not know how. The said señor judge of this cause signed this. I the notary certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, before me the notary, and in the presence of Thomás, the interpreter appointed in these proceedings, while still in his residence the señor judge of this cause summoned before him Pedro Joseph of the Orejona Nation, a Christian and former fiscal of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth with regard to what the deponent might say, he was ordered to administer the oath to him in his own language. After going through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in

the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés, and whether he knew why he was under arrest, the interpreter said that when he had asked him the question, he replied that he did know him but that so far he did not know why the captain had arrested him. When asked by the said interpreter whether he knew what day the Indian Andrés had arrived at the pueblo of San Juan Capistrano with his wife after they had fled from the Mission of la Candelaria, the interpreter said that when he had asked him the question, ^{27v} //he replied that the Indian Andrés and his wife had arrived at the said pueblo on a Monday night and that at that time, the deponent had gone with him the governor, and the alcalde to see the Reverend Father Fr. Juan Arrecibita, whom they found in bed and to whom Andrés gave an account of his escape; that the said father then asked him about the health of all the fathers of the missions of San Xavier, and Andrés replied that all were well when he left; that the said father ordered that he be given some tortillas, which the governor took from a stool there and gave to him; and that all of them went with him to the house of Andrés' father. When asked by the interpreter whether that night or later the Indian Andrés had said anything about the murders of Father Gan-

zábal and Zeballos, the interpreter said that when he had asked him the question, he replied that he had not spoken of that matter but that he did tell them that the Cocos Indians of the Mission of la Candelaria had rebelled and that they themselves had killed one of their [numbers] because he had allowed himself to be wounded on a leg by a shot from a trabuco fired by a Spaniard named Zeballos, who was there. When asked by the interpreter whether Andrés had spread [the report] in the pueblo that he knew who had killed Father Ganzábal or whether he knew if he had told it secretly [to] anyone, the interpreter said that when he had asked him the question, he replied that he had not heard whether the Indian had told such a thing in the pueblo either publicly or secretly. When asked by the interpreter whether these murders became known in the pueblo, the said interpreter said that when he had asked him the question, he replied that the day after the arrival of Andrés before dinner they learned it from the Reverend Father Fr. Juan de Arrecibita, who said that the Cocos had killed Father Ganzábal with an arrow and Zeballos with a bullet; and that this news was brought by a Spaniard, Viz. ^{te}, the day on which the Reverend Father Fr. Joseph Pinilla arrived in San Antonio. When asked by the interpreter whether he had been counseled by any person to make his deposition, the interpreter said that when he had asked him the question, he replied that he was not counseled

by anyone. When this deposition had been read to the interpreter in order that he should explain it in his language to the deponent as he went through the motions [of doing], the interpreter said that when he had ²⁸ //informed him of it, he replied that everything that was related therein was exactly what he had said, and that, under penalty of his oath, he had not failed [to tell] the truth in any instance. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he was thirty-four years old, more or less. They did not sign because they said they did not know how. The said señor judge signed this before me.

I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, before me the notary and in the presence of the said appointed interpreter, while still in his residence, the said señor judge of this cause summoned before him Gregorio de la Cruz, a Christian of the Chaipín Nation, a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered the

oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the most holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why the captain had arrested him, the interpreter said that when he had asked him the question, he replied that he did know him because he was from his pueblo but that he neither knew nor had heard in his pueblo why he was under arrest. When asked by the interpreter whether he knew what day and at what hour the Indian Andrés arrived at the pueblo of San Juan Capistrano when he came fleeing from San Xavier, the interpreter said that when he had asked him the question, he replied that the day following Sunday a week ago today, at night, Andrés had arrived with his
28v
//wife, and that he knew this because he went to see him. When asked by the interpreter if he knew whether the Indian Andrés had told that night or later about the murders of

Father Ganzábal or if he had heard whether Andrés had said that he knew who had committed the murders, the interpreter said that when he had asked him the question, he replied that neither that night nor later did the Indian Andrés tell about the said murders, neither did he know of the said Andrés' having said to him or in the pueblo any such thing as that he knew who had committed the murders; but that what he did tell on the night of his arrival was that the Cocos of the Mission of la Candelaria had rebelled. When asked by the interpreter whether they knew about these said murders in the pueblo, the interpreter said that when he had asked him the question, he replied that they did know about them because the day after Andrés came, before dinner, Father Arrecibita told the people of the pueblo that the Cocos in San Xavier had killed Father Ganzábal and a Spaniard and that Father Fr. Joseph Pinilla had come to the Mission of San Antonio and had brought the news, which had not been known until then. When asked by the interpreter whether he had been counseled by any persons to make this deposition, the interpreter said that when he had asked him the question, he replied that he had not. When this deposition had been read, little by little, to the interpreter in order that he should explain it to the deponent in his language and that he should say whether it was exactly what he had said, when he had gone through

the motions of [doing] this, the interpreter said that when he had informed him of it, he replied that it was the same [deposition] that he had made and that he had not failed [to tell] the truth in any respect, under penalty of his oath. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question he replied that he did not know but that he was a founder of the mission and that he was grown when he came there. They did not sign because they did not know how. The said señor judge signed this before me, the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

²⁹ //On the said day, month, and year, Señor Don Man. ¹
Antonio Soto Bermúdez, judge of this cause, while he was in his residence, before me the notary and in the presence of the appointed interpreter, summoned before him Santiago of the Orejona Nation, former fiscal, alcalde, and governor of the pueblo of San Juan Capistrano. When all were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to

the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross because he was a Christian, according to law, to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why the captain had arrested him, the interpreter said that when he had asked him the question, he replied that he did know him very well because he was from his pueblo but that he did not know why he was under arrest. When asked by the interpreter whether he remembered what day Andrés arrived at his pueblo when he came with his wife fleeing from San Xavier and at what time, the interpreter said that when he had asked him the question, he replied that the Indian Andrés and his wife arrived at the pueblo on a day following the fiesta late at night. When asked by the interpreter whether he, the deponent, had heard about the murders of Father Ganzábal and Zeballos on the night on which Andrés arrived in the pueblo or whether later he had heard that Andrés had said that

he knew who had killed the father and Zeballos, the interpreter said that when he had asked him the question, he replied that on the night when Andrés came nothing was known in the pueblo about the said murders much less had he heard whether Andrés had said in the pueblo that he knew who had killed Father Ganzábal and Zeballos. When asked on what ^{29v} //day and at what time the news of the murders had reached the pueblo, the interpreter said that when he had asked him the question, he replied that the day after Andrés arrived before dinner Father Arrecibita told the muchachos of the pueblo that the Cocos had killed Father Ganzábal with an arrow and Zeballos with a bullet, and that this news had been brought to the said father by a Spaniard named Viz. ^{te} upon the arrival of Father Fr. Jph. Pinilla from San Xavier who reached the Mission of San Antonio on that day. When asked whether he had been counseled by any persons to make this deposition, the interpreter said that when he had asked him the question, he replied that he had not been counseled, by any person whatever. When this deposition had been read to the interpreter in order that he should explain it to the deponent in his language and should ask him whether it was exactly what he had said, after going through the motions of doing this, the interpreter said that when he had informed him of it, he replied that it was exactly what he had deposed and that he had in no way departed

from the truth, under penalty of the oath he had made. When asked by the interpreter how old he was, the interpreter said that when he had asked him the question he replied that he did not know and that all he could say was that he was a founder of the pueblo and that he was grown when he came there. When asked by the interpreter whether he was related in any way to Andrés and his wife, the interpreter said that when he had asked him the question he replied that he was not a relative of either of the two. They did not sign because they did not know how. The said señor judge signed before me, the notary. I certify.

Man. An. ^l to de Soto Bermúdez

Before me:

co
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge, before me the notary while the said appointed interpreter was present, summoned before him Jph. the mason, a Christian of the Chaipín Nation and an important Indian of the Mission of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign ³⁰ [of the] //cross, according to law, to the interpreter to the effect that he would perform faithfully and

well his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why the captain arrested him, the said interpreter said that when he had asked him the question he replied that he did know him because he was from his own pueblo and that he did not know why he was arrested. When asked by the said interpreter whether he remembered on what day Andrés arrived at the pueblo with his wife, whether he knew that he had run away from the missions of San Xavier and at what hour and on what day he came, the said interpreter said that when he had asked him the question he replied that he knew, because Andrés told him, that he and his wife had run away from the missions of San Xavier; and that he arrived at the pueblo the day following Sunday late at night-- [this is, what the said interpreter said he replied when he had asked him the question. When asked by the aforesaid interpreter whether he went to see him on the same night he arrived and

whether he heard him tell that he knew who had killed Father Ganzábal and the Spaniard Zeballos, the interpreter said that when he had asked him the question he replied that he did go to see him but that he did not tell of the murders neither did the said murders become known in the pueblo that night; that the next day at noon shortly before the fathers ate dinner, a Spaniard named Vizente, who was in the Mission of San Antonio arrived at the pueblo bringing a ^{30v} //note to Father Arrecibita; that after he came, Father Arrecibita told that the Cocos had killed Father Ganzábal and a Spaniard in la Candelaria [Mission], and said that the father had come from San Xavier and had written this to him; and that this was the source from which all the people learned the news. When asked by the interpreter whether he had heard before the arrival of Andrés or afterward, a report in the pueblo that Andrés had said that he knew who had killed Father Ganzábal and the Spaniard, the interpreter said that when he had asked him the question he replied that he had heard nothing of the sort either when Andrés arrived or after or to this day; that what he had always heard was that the Cocos had killed them. When this deposition had been read to the interpreter little by little in order that he should explain it to the deponent in his language and that he should say whether it was exactly what he had said, after going through the motions

the interpreter said that when he had informed him of it, he replied that it was exactly what he had said and that he had not failed to tell the truth in any way. When asked by the said interpreter whether he had been counseled by any person to make this deposition the said interpreter said that when he had asked him the question, he said that he had not been counseled by anyone. When asked by the said interpreter how old he was, the aforesaid interpreter said that when he had asked him the question he replied that he did not know but that he did know that he came with the people to found the pueblo of San Juan and that he was a grown mozo. Neither he nor the interpreter signed. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio Soto Bermúdez

Before me:

^{co}
Fran. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the twelfth day of
³¹
the month of the said year, //before me the notary, and
in the presence of the Indian Thomás, the interpreter
appointed by his honor for this investigation, for the
execution of these proceedings which he is holding, while

he was in his residence, Don Man.¹ Antonio de Soto Bermúdez, the judge of this cause, summoned before him Francisco Xavier of the Orejona Nation, a leading Indian of the pueblo of San Juan Capistrano where he has held the offices of governor, alcalde and fiscal. When all were together, he administered the oath in the name of our Lord God and a sign of the most holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why he was imprisoned, the interpreter said that when he had asked him the question, he replied that he did know him because he was a vecino of his pueblo and that to this day he neither knew nor had heard why Captain Don Thoribio de Vrrutia arrested him. When asked by the said interpreter whether he knew or remembered on what day the Indian Andrés arrived in the pueblo of San Juan with his wife when he

ran away from the missions of San Xavier and ^{at} what time, the interpreter said that when he had asked him the question, he replied that he well remembered that they arrived at the pueblo on a Monday rather late. When asked by the interpreter whether he went to see him when he arrived and whether he learned of the murders which occurred in San Xavier, whether he or another resident of the pueblo told him of it that night and to tell what he knew, the interpreter said that when he had asked him the question he replied that that night he did not go to see him neither did he learn or hear anything other than that, as he has said, Andrés and his wife had come. And he said, that the next day when he came from work, to ^{31v} //which he had gone early in the morning, he heard in the pueblo that Father Fr. Jph. Pinilla had come from San Xavier and that Father Arrecibita had received a letter through the conduct of a Spanish mozo named Viz. ^{te} [saying, that the Cocos Indians had killed Father Ganzábal and a Spaniard in the Mission of la Candelaria and that the father was killed by an arrow and the Spaniard by a bullet. When asked by the said interpreter whether, after this occurrence he had heard in the pueblo or elsewhere that the Indian Andrés had said that he knew who had killed the Reverend Father Fr. Jph. Ganzábal and the Spaniard, the interpreter said that when he had asked him the question, he replied that he had never

heard anything of the sort, that it was always said in the pueblo that the Cocos had killed them. When this deposition had been read to the interpreter little by little in order that he should explain it to the deponent in his language and he should state whether it was exactly what he had said, when the interpreter had gone through the motions of [doing] this, the said interpreter said that when he had informed him of it, he replied that it was exactly what he had deposed and that he had not failed to tell the truth in any way, under penalty of the oath he had made and that he affirmed what he had said. When asked by the interpreter whether he had been influenced, counseled or intimidated to make this deposition, the interpreter said that when he had asked him the question, he replied that he had not been intimidated or counseled by anyone, but that he had told the truth about what he had been asked. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he did not know; that he knew that he came as a grown man when the mission was established. Neither he nor the interpreter signed because they said they did not know how. The señor judge of this cause signed this before me, the undersigned notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

co
 Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

32

//Immediately thereafter the said señor judge while he was in his residence, before me the notary and in the presence of the appointed interpreter, summoned before him Joseph of the Chalopín Nation, a Christian, former alguacil of the pueblo of San Juan Capistrano, and a vecino of the same. When [all] were together he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth as to what the deponent might say he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why he was imprisoned, the interpreter said that when he had asked him the question, he replied that he did know the Indian Andrés because he was a vecino of his pueblo

and that he knew that Captain Don Thoribio de Vrrutia had arrested him but that to this day he did not know why he was under arrest. When asked by the interpreter whether he knew or remembered the day and the hour when the said Andrés arrived in the pueblo of San Juan when he ran away from the missions of San Xavier, the interpreter said that when he had asked him the question, he replied that he did remember that the Indian Andrés and his wife arrived at the pueblo of San Juan Capistrano late one night on a day following the fiesta; and that he went to see him when he arrived. When asked by the interpreter whether the Indian Andrés told that night or later about the murders of Father Ganzábal and Zeballos; or whether the said Andrés said in the pueblo that he knew who had committed the murders, the interpreter said that when he had asked him the question, he replied that neither that night nor later did he learn anything about the said murders; neither did he know whether the said Andrés had made such a statement in the pueblo; and he remembered that he did tell that night that the Cocos of the Mission of la Candelaria had rebelled. And he said, that he knew this because he was present. When asked by the said interpreter on what day the said murders were known in the pueblo and who brought the news there, the interpreter ^{32v} //said that when he had asked him the question, he replied that the day after the arrival of

Andrés when the fathers were about to eat dinner, it was learned in the pueblo that the Cocos had killed Father Ganzábal with an arrow and a Spaniard who was in the mission with a bullet, and that he knew this because it was told by Father Arrecibita after the arrival at the said pueblo of a Spaniard named Viz. ^{te}, who brought the news of the murders that had taken place. When asked by the interpreter whether he had been counseled by any persons to make this deposition and whether he was related in any way to the Indian Andrés, the interpreter said that when he had asked him the question, he replied that no one had counseled him to make this deposition and that he was not related in any way to the aforesaid Andrés. When this deposition had been read to the interpreter in order that he should explain it in his language to the deponent and that he should tell whether it was exactly what he had said, after he had gone through the motions, the interpreter said that when he had informed him of all of it, he replied that everything contained therein was exactly what he had deposed and that he had not failed to tell the truth in any way, under penalty of the oath he had made, which he affirmed. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

Fran.^{co} Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the said appointed interpreter, summoned before him Joseph María, a Christian of the Chaiopin Nation, a former governor of the pueblo of San Juan Capistrano and at present a vecino of the same. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and the sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why the captain imprisoned him, the interpreter said that when he had asked him the question//³³ he replied that he did

know the Indian Andrés very well because he was from his pueblo and that to the present time he did not know why he was imprisoned. When asked by the said interpreter whether he knew what day and hour the Indian Andrés arrived at the pueblo of San Juan Capistrano with his wife, the interpreter said that when he had asked him the question, he replied that he knew that the Indian Andrés arrived at the said pueblo on a day following Sunday late at night. When asked by the interpreter whether he heard in the pueblo that the Indian Andrés had told in the above-said pueblo, on the night that he arrived or later, about the murders of Father Ganzábal and the Spaniard Zeballos or that he knew who had committed the aforesaid murders, the interpreter said that when he had asked him the question, he replied that he had not heard anything about what he was being asked and that they did learn of the murders in the pueblo through Father Arrecibita who said, on the day after Andrés arrived, that the Cocos had killed Father Ganzábal with an arrow and the Spaniard Zeballos with a bullet; and this news was brought to the pueblo by a Spaniard named Viz. ^{te} upon the arrival of Father Fr. Jph. Pinilla at the Mission of San Antonio. When asked by the interpreter whether he had been counseled by any persons to make this deposition and whether he was related in any way to the Indian Andrés, the interpreter said that when he had

asked him the question, he replied that he had not been counseled by anyone and that he was not related to Andrés in any way. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he was a grown man when he came as a founder of the mission but that he did not know how old he was. When this deposition had been read little by little to the interpreter in order that he should tell it to him, and he should say whether it was exactly what he had said, when the interpreter had gone through the motions, he said that when he had informed him of it in his language, he replied that everything that was recorded therein was exactly what he had deposed and that he had not failed to tell the truth in any way because, being a Christian, he knew it was his duty to tell it [the truth]. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Man. An. ¹ to de Soto Bermúdez

Before me:

Fran. ^{co} Jph. de Arocha

Notary Public and [Notary] of the Cabildo

^{33v}
 //Immediately thereafter, the said señor judge while he was in his residence, before me the notary and

ojo in the presence of the interpreter appointed in these proceedings, summoned before him Gaetano, a Christian of the Orejón Nation, a vecino of the pueblo of San Juan Capistrano and one of the founders of the same.

When all were together he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done, he promised to tell the truth about what the deponent might say, and he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth in so far as he knew and might be questioned. When asked whether he knew the Indian Andrés and whether he knew why the captain had arrested him, the interpreter said that when he had asked him the question, he replied that he did know the said Andrés but that to this day he did not know why he was arrested. When asked by the said interpreter what day and at what hour the aforesaid Andrés arrived at the pueblo with his wife when he ran away from the missions of San Xavier, the said interpreter said that when he had asked him the question, he replied that the Indian

Andrés and his wife arrived in the said pueblo on a day following the fiesta late at night and that he knew this because he saw it. When asked by the interpreter whether the Indian Andrés, on the night he arrived or later, told of the murder of Father Ganzábal and Zaballos or if he knew whether he had said that he knew who had committed them, the interpreter said that when he had asked him the question, he replied that neither that night nor later did he hear or learn whether the Indian Andrés had told of the said murders; neither did he know whether Andrés had said that he knew who had committed them; and that he did know,

ejo

because Andrés had told him on the night he arrived,
³⁴
 //that the Cocos of the Mission of la Candelaria

had rebelled and that they had killed one of their own and had dragged him away because he had let himself be wounded by the Spaniard Zaballos. When asked by the interpreter whether he knew who had brought the news of the murders, the interpreter said that when he had asked him the question he replied that he knew that a Spaniard named Viz. ^{te} had brought the news of the murders to the pueblo on the day after the arrival of Andrés, before dinner, and that shortly after his arrival, Father Arrecibita told the [people] of the pueblo that the Cocos had killed Father Ganzábal with an arrow and the Spaniard Zaballos with a bullet. When asked by the interpreter whether he had been counseled by

any persons to make this deposition and whether he was related in any way to Andrés, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone to make it and that he was related to Andrés, but distantly. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he only knew that when he came to the mission he was a muchacho. When this his deposition had been read to the interpreter in order that he should explain it in his language to the deponent and he should state whether it was exactly what he had said, after going through the motions, the interpreter said that when he had informed him of it, he replied that everything contained therein was exactly what he had said and that he had not failed to tell the truth in any way under penalty of the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the fourteenth day
of the month ^{34v} //of August of the said year, while he was in
his residence, the said señor judge of this cause in order
to continue with these proceedings which he was holding,
before me the notary and in the presence of the interpreter
appointed, summoned before him Martín of the Orejón Nation,
a Christian and a leading Indian and former alcalde of the
pueblo of San Juan Capistrano and at the present time a
vecino of the same. When [all] were together, he adminis-
tered to him the oath in the name of our Lord God and a
sign of the holy cross, according to law, to the effect
that he would perform well and faithfully his office as
was his duty. When this had been done and he had promised
to tell the truth about what the deponent might say, he was
ordered to administer to him the oath in his language. When
he had gone through the motions speaking the same, the in-
terpreter ~~said~~ that when he had administered to him the
oath, he said that he swore in the name of our Lord God
and a sign of the holy cross to tell the truth in so far
as he knew and might be questioned. When asked by the inter-
preter whether he knew the Indian Andrés and whether he
knew why the captain had arrested him, the interpreter re-
plied that when he had asked him the question he replied
that he did know him because he was from his pueblo, and
that a short time back he had heard in the pueblo that

the captain had arrested him because it was said that he had killed Father Ganzábal. When asked by the interpreter whether he knew what day and at what hour Andrés arrived in the pueblo with his wife, the interpreter said that when he had asked him the question, he replied that the Indian Andrés and his wife arrived in the pueblo of San Juan Capistrano late at night on a day following the fiesta. When asked by the interpreter whether the news of the murders was learned on the night Andrés arrived in the pueblo or if afterward, he had heard whether the Indian Andrés had said that he knew who had killed Father Ganzábal and Zeballos, the interpreter replied that when he had asked him the question, he said that he had not heard anything about the aforesaid murders on the night that Andrés arrived in the said pueblo neither had he heard

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//afterward or to this day whether Andrés had said that he knew who had committed them. When asked by the interpreter who had spread the news of the said murders in the pueblo and in what manner it had been told, the interpreter said that when he had asked him the question, he replied that on the day after the arrival of Andrés before dinner, Father Arrecibita told the people of the pueblo that the Cocos had killed Father Ganzábal with an arrow and the Spaniard Zeballos with a bullet, and that this news had been brought to the pueblo by a Spaniard Viz. ^{te} after the

arrival of Father Pinilla at the Mission of San Antonio.

When asked by the interpreter whether he had been counseled by anyone to make this deposition and whether he was related in any way to the said Andrés, the intérpreter said that when he had asked him the question, he replied that he had not been counseled by any person and that he was not related in any way to Andrés. When this deposition had been read little by little to the interppreter in order that he should explain it in his language to him and he should state whether it was exactly what he had said, the interpreter said that when he had explained it to him, as he went through the motions [of doing,] he replied that everything contained therein was exactly what he had said and that he had not failed to tell the truth in any way, under penalty of the oath he had made. When asked by the interpreter how old he was, the interpreter said that when he had asked him the question, he replied that he did not know but that he did remember that he was grown when he came as a founder of the pueblo. They did not sign because they said they did not know how. The said señor judge signed this before me, the notary. I certify.

1
Man. Antonio Soto Bermúdez

Before me:

co Jph.
Fran. /de Arocha

Notary Public and [Notary,] of the Cabildo

Immediately thereafter on the said day, month and year, the said señor judge of this cause while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Juan Nepomuceno of the Chaio^{35v}pín Nation, a leading Indian of the Mission of San //Juan Capistrano, a former alcalde and governor of the said pueblo and at the present time a vecino of the same. When all were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the said interpreter whether he knew the Indian Andrés and the reason for his knowing him and whether he knew why Captain Don Thoribio had arrested him, the interpreter said that when he had asked him the question, he replied that he knew him because he was a vecino of his pueblo but that he did not know why the captain had arrested him. When asked by the

Interpreter what day and at what hour Andrés and his wife arrived in the pueblo when they ran away from San Xavier and whether he went to see him on the night of his arrival, the interpreter said that when he had asked him the question, he replied that on a day following the fiesta, late at night, Andrés arrived in the pueblo of San Juan Capistrano with his wife, and that he went to see him at that time. When asked by the interpreter whether on the night of the arrival of the said Andrés at the mission, he told him of the murders of Father Ganzábal and Zeballos and the uprising of the Cocos, the interpreter said that when he had asked him the question, he replied that he had not said anything about the said murders then or later, that he told him and everybody that the Cocos had rebelled in the mission of la Candelaria and that they had killed one of their own [men] because he had permitted himself to be hit with a bullet by a taylor Zeballos, who was there, and that this Indian was dragged away by his companions when they rose in rebellion. When asked by the interpreter on what day did they learn in the pueblo about //the said murders and who reported them, the interpreter said that when he had asked him the question, he replied that on the day after Andrés arrived in the pueblo about noon, Father Arrecibita told the [people] of the pueblo that the Cocos had killed Father Ganzábal with an arrow and Zeballos with a bullet,

and that this happened shortly after the arrival in the pueblo of a Spaniard Vizente, who brought the news. When asked by the interpreter whether he had been counseled by anyone to make this deposition and whether he was related in any way to the said Andrés, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone and that he was a distant relative of Andrés. When this deposition had been read little by little to the interpreter in order that he should inform him of it in his language and he should state whether it was what he had deposed, after going through the motions of having explained it to him, the said interpreter said that he replied that everything recorded therein was exactly what he had deposed and that he had not failed to tell the truth in any way, under penalty of the oath he had made, which he affirmed and ratified. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he did not know how old he was, that when he came as a founder of the said mission he was grown. He did not sign because he said he did not know how, neither did the interpreter. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary, of the Cabildo

On the said day, month, and year, the said señor judge while he was in his residence, before me the notary, administered the oath to the Indian Thomás, the interpreter, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew the Indian Andrés and whether he knew on what day he and his wife arrived at the mission when they ran away from the missions of San Xavier, the deponent said that he knew the Indian ^{36v} //Andrés because he was from his pueblo and that he remembered that on a Monday night he arrived at the pueblo of San Juan with his wife. When asked whether on the night of his arrival or afterwardk he had heard in the pueblo the report that Andrés had said that he knew who had killed Father Ganzábal and Zeballos, the deponent replied that he had not heard it neither had such a report been made in the pueblo. When asked how the news of the murders became known in the said pueblo, the deponent said that on the day following the arrival of Andrés shortly before noon, a mozo named Viz. ^{te}, who was a servant of Father Ganzábal, arrived at the mission with a note which he gave to Father Arrecibita, and a little later the said father told the [people] of the pueblo that the Cocos had killed Father Ganzábal with an arrow and Zeballos with a

bullet; and he said, that he knew that this news was brought from San Xavier by the Reverend Father Fr. Joseph Pinilla, who arrived on the morning of that day at the Mission of San Antonio. When asked whether he knew why Captain Don Thoribio had arrested the Indian Andrés, the deponent said that he did not know. When asked whether he had been influenced by anyone to make this deposition, the deponent said that no one had influenced him much less counseled him to make his deposition. When this his deposition had been read to him, he said that it was the same that he had made and that he affirmed and ratified it because it was the truth, under penalty of the oath he had made. He said he was twenty-two years old, more or less, and that the general provisions of the law did not apply to him, He did not sign because he said he did not know how. His Honor the said señor judge signed. I, the notary, certify.

Manuel Antonio de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

In the villa of San Fernando on the sixteenth day of the month of August of the said year Señor Don Manuel

Antonio de Soto Bermúdez, judge of this cause, in view of the fact that the Indian Andrés in the deposition he made in these proceedings, on folio twenty of the same, referred to the mayordomo Talamantes, his honor, for the good administration of justice, //summoned before him Fran.³⁷_{co} de Talamantes. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned, When asked whether he knew the Indian Andrés and whether he knew why Captain Don Thoribio de Vrrutia had arrested him, the deponent said that he had known the Indian Andrés since he ,the deponent, came to the Mission of San Juan Capistrano as mayordomo and that he knew that the captain had arrested the said Indian because he heard the report that he had killed Father Ganzábal. When asked from whom he had heard the report that the Indian had killed Father Ganzábal, the deponent replied that he had heard the report from Father Fr. Juan de Arrecibita in the pueblo two days after the arrival of the Indian Andrés who, as he had also heard from the said father, arrived at the said pueblo on a Monday night during the first watch; and that this was the first news he had had of the murders of Father Gan-

zábal and of Zeballos. When asked whether he had heard the report that the Indian had said that he knew who had killed Father Ganzábal and Zeballos the deponent replied that he did not know anything about the contents of the question. When asked whether, before the arrest of the Indian, he had heard the report that he had committed the murders in the Mission of la Candelaria, the deponent said that before the arrest of the Indian, it was rumored in the pueblo that the Cocos had killed Father Ganzábal and Zeballos, and ojo that he heard this upon the arrival of Father Fr. Joseph Pinilla at the Mission of San Antonio.

When asked in what house the said captain had arrested the aforesaid Indian and who had entered it, the deponent replied that the Indian ^{was} arrested by the said captain in his [the deponent's] house and that those who entered it were Alférez Cortinas, Don Andrés de Yglesias, and the aforesaid captain with the deponent, and that one [man] on horseback was left on guard at the corner of the kitchen and the other soldiers who were with him [were left] on the bridge. When asked where the Indian Andrés was when the said captain entered the aforesaid //house, the deponent replied that the aforesaid Indian was between two corrals near the river with his trousers loose; that the deponent and his son found him there and brought him by order of the captain to the aforesaid house; that as soon

as the said Indian came in, the captain ordered him to sit down telling him at the same time not to fear or worry for he was not going to kill him neither would any harm be done him. Giving the Indian a cigar to suck the aforesaid captain ordered him to make [a sign of] the cross, this done he asked him who had killed Father Ganzábal, and the Indian replied that he [had]. The said captain also asked him who had killed Zeballos, but the deponent did not hear what the Indian replied, and the replies given by the Indian were written down by Don Andrés de Yglesias. When asked whether Don Andrés de Yglesias had taken out of his bag a written paper and had read it aloud, the deponent replied that he had not seen the said Yglesias take a paper out of his bag and that the only written paper he saw was the one written there. When asked whether he had acted as a witness in the proceedings held there, the deponent replied that he had because they called him to sign but he did not [sign] because he did not know how. When asked whether others signed the said proceedings, the deponent said that he did not see anyone other than the aforesaid Yglesias sign or take the pen in hand. When asked what the captain did after the conclusion of these proceedings, the deponent replied that he went to see Father Arrecibita at his cell and when he came out, he ordered the soldiers to tie up the Indian; and they took him as a prisoner to the

presidio, but prior to this, by order of the captain, the number of ³⁸//paces from the church to the deponent's house was ascertained. When asked whether he knew anything else or had more to say on this subject, the deponent replied that he did not, and that what he had deposed was the truth, under penalty of the oath he had made, which he affirmed and ratified. When this his deposition had been read to him, he said that it was the same that he had made. He said that he was fifty years old, more or less, that at the present time he happened to be a vecino of this villa, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Man. ¹ Antonio Soto Bermúdez

Before me:

Fran. ^{co} Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge of this cause, in view of the fact that in the foregoing deposition it is of record that in the deposition which Captain Don Thoribio de Vrrutia took of the Indian Andrés in the house of the mayordomo Talamantes, which is in the pueblo of

San Juan Capistrano, Baltasar Peres, a soldier of the company of the royal presidio of San Antonio de Véxar, was not present, although the signature of the aforesaid soldier appears in the said proceedings in which it is a ground of action, for the investigation of this point at issue, the said señor judge summoned before him the above-said Baltasar Peres. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he was present at the time that Captain Don Thoribio de Vrrutia took the deposition of the Indian Andrés included in these proceedings in the pueblo of San Juan Capistrano, the deponent said that he had not accompanied the said captain when he went to the pueblo of San Juan Capistrano/^{because} at the time he was on guard [duty]. When asked how, although he had not gone to the pueblo of San Juan Capistrano, his signature as a witness appears in the said deposition, the deponent ^{38v}//replied that it was at the residence of the said captain that he signed the deposition in the presence of the above-said captain, the lieutenant of the company, Don Juan Galbán, the alférez of the same, Don Juan Cortinas, and Don Andrés de Yglesias. When asked whether, at the time that the deponent signed,

the Indian Andrés was present at the residence of the said captain and whether the deposition which he signed was taken there, the deponent replied that the aforesaid Indian was present in the said house where his deposition was taken and written down and signed by the deponent. When asked whether he had signed as a witness in any other proceedings prior to the present one, the deponent said that he had not signed anything besides the deposition he has said. When asked how there were two signatures in these proceedings although he had made only one, the deponent replied that there could not be in them more than one, namely the one he had stated. When the two signatures had been shown to him in order that he should acknowledge them as his, he said that he acknowledged only the one that he had stated above because it was the only signature he had made, namely the one which appears in the aforesaid deposition; and he said that he did not remember having written the signature which preceded it, much less did he remember having attended as a witness any other proceedings of the aforesaid Indian. And he said that for these reasons and because the first signature appearing in these proceedings was altogether different from his usual signatures, he would not acknowledge it as his own. When this his deposition had been read to him, he said it was the same that he had made, which he affirmed and ratified

because it was the truth [under penalty, of the oath he had made; and that the general provisions of the law did not apply to him, He said he was thirty-four years old, more or less; and he signed this with his honor. I certify.

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 Man. An. de Soto Bermúdez Baltasar Pérez
 ojo
 Before me:
 co
 Fran. Joseph de Arocha

Notary Public and [Notary, of the Cabildo

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 //On the said day, month, and year, the said señor judge of this cause said that by virtue of its being of record in the deposition on folio thirteen verso which the Indian Andrés made before his honor [and, in the answer given by Fran. ^{co} Xavier Talamante^s in his deposition on folio forty-six verso that Lieutenant Don Juan Galbán was not present with Captain Don Thoribio de Vrrutia when he took his [Andrés's, deposition in the pueblo of San Juan Capistrano, and since it seems that his [Galván's, signature appears thereon, in order to ascertain the truth, his honor summoned before him Lieutenant Don Juan Galbán. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law,

under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had attended with Captain Don Thoribio de Vrrutia the deposition which the said captain took from the Indian Andrés in the pueblo of San Juan Capistrano, the deponent said that [he had] not, much less had he helped him with the imprisonment of the said Indian for which, when from the Mission of San Antonio he asked him for soldiers, he sent him five. When asked how, although he had not attended this deposition, he had signed it as a subaltern and a witness, the deponent said that his signature could not appear on the aforesaid deposition but only on the [deposition] which the said captain took from the above-said Indian two days after his imprisonment in the residence of the said captain for which purpose the said Indian was taken from the guard-house where he was imprisoned with shackles, which [deposition] was attended by Alférez Don Juan Cortinas, Don Andrés de Yglesias, and Baltasar Pérez, the aforesaid captain, the said Indian, and the deponent; and that this was the truth, under penalty of the oath he had made. When this his deposition had been read to him berbo ad berbum, he said it was the same that he had made, which he affirmed and ratified because it was the truth. He said he was fifty-seven //^{39v} years old, more or less, and that the general provisions of the law did not apply to him. He

signed this with the said señor judge before me the undersigned notary. I certify.

Manuel Antonio de Soto Bermúdez Juan Galbán

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause, for the execution of the business in hand of these proceedings which he is holding, summoned before him Don Juan Cortinas, alférez of the company of the royal presidio of San Antonio de Vexar, contiguous to this villa. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had gone with Captain Don Thoribio de Vrrutiá to the pueblo of San Juan Capistrano and where ^{had} he joined him to go to the said pueblo for the imprisonment of the aforesaid Indian, the deponent said that he had attended the imprisonment of the said Indian and the deposition which he made in the house of the mayordomo, Talamantes, located in the pueblo of San Juan

Capistrano, and that, for this purpose, he went with the said captain, who was at the Mission of San Antonio, from where he, the deponent, was called. When asked what persons were in the house of the said mayordomo at the time of the imprisonment and the deposition of the aforesaid Indian, the deponent said that those present were the aforesaid captain, Don Andrés de Yglesias, the aforesaid Indian, and that he believed the mayordomo, Talamantes was also present. When asked whether he knew or saw where the Indian ojo was when he was called by the captain and who called him, the deponent said that the said Indian was near a gallery of the convent, that the said mayordomo went to call him and brought him before the captain. When asked whether Don Andrés de Yglesias took a written paper out of his bag and read it aloud, the deponent said that he did not remember about such a ⁴⁰//paper or about its having been read in the manner stated in the question. When asked what proceedings were held in the said house involving the Indian, he replied that, in the presence of the aforesaid men, the captain took the Indian's deposition, in which he said that he had killed Father Ganzábal and Martín Gutiérrez, had killed, Zeballos, and some other things which he did not remember. When asked whether he signed the said deposition in the said pueblo, the deponent said that he did, as may be seen in the said deposition. When asked

whether, at the conclusion of the said deposition, the said captain went to see Father Arrecibita, the deponent said that he did and that upon his return he ordered the Indian to be tied and brought to the prison, and that as soon as he arrived, he was put in a room of the guardhouse with two pairs of shackles. When asked how many days after the imprisonment of the Indian was he called to the house of the captain, the deponent said that on the following day about ten in the morning. When asked what happened there to the aforesaid Indian, the deponent said that his deposition was taken and that those present were Lieutenant Don Juan Galbán, Don Andrés de Yglesias, Baltasar Pérez, the said Indian, who was brought from the guardhouse with shackles, the aforesaid captain, and the deponent. When asked whether he had been called by the captain for any other proceedings, the said deponent said that he was called by the captain for the ratification of the Indian which was taken in the guardhouse, where he signed it. When asked whether he had anything else to say, he replied that, as well as the deponent could remember, three days after his imprisonment, the Indian sent a message to the captain saying that he had to talk to him, and that then the captain ordered that the said Indian be taken to his house, and the deponent was present, and as soon as the Indian entered, the aforesaid captain ordered everybody to leave.

He, the Indian, remained alone //^{40v}with the aforesaid captain and the deponent and the others left. When asked whether he had heard a report of anything that the Indian said to the captain, the deponent replied that he had not heard any report neither did he know what he said to him. When asked whether, prior to the imprisonment of the Indian, he had heard a report of the murders of Father Ganzábal and Zeballos, the deponent replied that some days before the said imprisonment it was publicly rumored that the Cocos had killed Father Ganzábal and Zeballos. When asked whether he had anything else to say on this subject, he said that he did not, and that what he had said and deposed was the truth in so far as he knew. When this his deposition had been read to him berbo ad verbum he said that everything recorded therein was the truth under penalty of the oath he had made, which he affirmed and ratified, and that the general provisions of the law did not apply to him. He said he was fifty years old, more or less, and he signed this with the said señor judge. I certify.

Manuel Antonio Soto Bermúdez

Juan Cortinas

Before me:

co

Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, in order to continue these proceedings, summoned before him Don Andrés de Yglesias, cited in the foregoing depositions. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had attended the proceedings held by Captain Don Thoribio de Vrrutia in the pueblo of San Juan Capistrano against the Indian Andrés, involved in these proceedings, and whether he had gone from the presidio to the said pueblo with the aforesaid captain and at what time had they left, the deponent said that he had assisted the aforesaid captain in the proceedings which he held against the Indian Andrés in the pueblo of San Juan Capistrano in the house of the ⁴¹//mayordomo, Talamantes; that the deponent did not leave the presidio with the aforesaid captain for the execution of the said proceedings because at the time the said captain was at the Mission of San Antonio, from where he sent a message to the deponent by a soldier advising him to take ink and paper. The deponent did this and rode on the haunches of the same horse with the said soldier across the river, where he found a saddled horse that had been brought for the deponent,

mounted it and went to the Mission of San Antonio, at whose gate he found the said captain talking with Father Fr. Diego Martín García. After the deponent joined the said captain and three or four other soldiers whose names he did not recall, they proceeded to the pueblo of San Juan Capistrano. The said captain, with Alférez Cortinas and the deponent, entered the house of the aforesaid Talamantes, and asked him for the Indian Andrés. The said mayor-domo told him that he was there and that he had just gone out. And [he said,] that the said captain ordered Talamantes to look for him. Soon he brought him and both of them and the afore-mentioned [men,] went inside where the aforesaid captain was. When asked what proceedings the said captain executed in the aforesaid house concerning the above-mentioned Indian, the deponent replied that he took his deposition, in which was recorded that he had killed Father Ganzábal and Martín Gutiérrez [had killed,] Zeballos; but the Indian refused to depose to that effect telling the captain to go inside where he would make his statement [before him,] alone. The captain did not consent but said that it had to be made before the Spaniards who were there. When asked whether he had taken a written paper out of his bag and had read it aloud, the deponent said that he had not taken out such a paper that he brought only blank paper on which the said deposition was recorded. The deponent

said that before leaving the presidio, he knew nothing about the purpose for which he was going to the said pueblo; neither did he know whether any previous proceedings had been held on the subject much less whether the captain had held any. When asked whether, after ^{41v}//the conclusion of the deposition, the said captain had gone to see Father Arrecibita at his cell and whether, on his return he had ordered the Indian arrested and taken to the presidio, the deponent replied that he did not recall whether after the conclusion of the deposition which was all that was done there, the said captain had gone to see Father Arrecibita; that what he did remember was that, at the conclusion of the said proceedings, which the captain, the alférez, and the deponent signed, he ~~at~~ the captain, ordered that he be tied and taken to the presidio, where, upon his arrival, he was placed in a room of the guardhouse with two pairs of shackles; and that a few days ~~late~~, probably two or three days after his imprisonment, the deponent had seen the aforesaid Indian in the house of the said captain where he had gone because he had notified the captain that he had something to tell him; and that he told him ⁱⁿ the presence of the deponent and the alférez that he could not rest, that he seemed to be frightened, that he had attacks of trembling, that his food was not satisfying because he could not enjoy it, and that

he wanted to confess; and that he did confess in the afternoon of the same day. When asked whether he had anything else to say on this subject, the deponent replied that he did not and that what he had deposed and said was the truth. When this his deposition had been read to him berbo ad verbum, the deponent said that everything recorded therein was what he had said and deposed and the truth, under the oath he had made, which he affirmed and ratified; and that the general provision of the law did not apply to him. He said he was thirty-eight years old, more or less. And he signed this with his honor the said señor judge. I the notary certify.

Man. ¹ Antonio Soto Bermúdez Andrés de Yglesias

Before Me;

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the seventeenth day of the month of ~~August~~ ¹ of the said year, his honor the judge of this cause, Lieutenant General Don Man. Antonio de Soto Bermúdez, said that by virtue of the fact that in his deposition the Indian Andrés had cited the governor of the pueblo of San Antonio de Valero and that it was

in the interest of the ⁴²//good administration of justice that the said governor should depose with regard to the citation which the aforesaid Andrés made of him, and since the said governor was suffering from habitual indisposition which made it impossible for him to appear in the said villa, his honor considered it advisable to go to the above-said pueblo of San Antonio for the aforesaid proceedings; and in order that it might be of record, the said señor judge ordered that this be written down as an official act, which he signed before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

Francisco Joseph de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause, by virtue of the foregoing proceedings, went to the pueblo of San Antonio de Valero. While he was there, in the residence of the Indian Roque of the Charame Nation, the present governor of the said pueblo, before me the notary, administered to him in the Spanish language which he speaks well, the oath which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which

he promised to tell the truth in so far as he knew and might be questioned. When asked about the statement made by the Indian Andrés in these proceedings on folio eighteen verso of the same, to the effect that while the aforesaid Andrés was in the cell of the father president in the presence of other fathers, the deponent was called by a muchacho who was a servant of the said father president, and when the deponent came in, the said father president gave him a little tobacco telling him to leave, the deponent said that he knew, because he had been told, that that Indian, whom he knew by name but not by sight, was under arrest but that he remembered that everything contained in the statement was exactly what had happened in the manner stated. For the deponent recalled that one day the father president called him to his cell by a muchacho and that when he had entered, he found there the father president, Father Fr. Joseph Pinilla, ^{42v}//Father Fr. Juan de Arrecibita, and Fr. Diego Martín Garzía, and that the father president told him to take some tobacco and leave until he was called later.

ojo The deponent did this. At this point in the proceedings, the Reverend Fathers Fr. Diego Martín Garzía and Fr. Joseph Pinilla came to this house and told me in loud voices to leave because I was disturbing the pueblo, and that what he [the judge] was doing with the aforesaid governor had nothing to do with the cause which he was trying. When

he begged the said reverend fathers to leave until he finished the proceedings he was holding, because it was in the interest of the good administration of justice, and to wait until the conclusion of the same if they had something to tell me, they replied in the said manner that he was not acting according to law. The aforesaid reverend fathers refused to leave the door of the said governor's house until the recording of this statement was begun, for at the beginning of the same, Father Fr. Joseph Pinilla left with angry words and the Reverend Father Fr. Diego Martín Garzía remained in the same spot, now standing, now sitting. For this reason since it was impossible to continue in due course, the proceedings which he was holding with the the said governor, his honor suspended them and ordered that this be written down as an official act for whatever purposes it might be needed. The said señor judge did so order and sign this while in the said house in the presence of the said Father Fr. Diego Garzía, Xptóbal de Córdoba from the garrison of the royal presidio of los Adaes, and the aforesaid governor, before me, the notary. I certify.

Manuel Antonio de Soto Bermúdez Xptóbal de Córdoba

Before me:

^{co}
 Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the said day, month, and year, his honor Lieutenant General Don Manuel Antonio de Soto Bermúdez, judge of this cause said that whereas in the foregoing proceedings there is not a record of all that was said by the Reverend Fathers Fr. Diego Martín Garzía and Fr. Joseph Pinilla, ministers of the pueblo of S. ^{n 43} //Antonio de Valero and of the Mission of la Candelaria, respectively, because of the well-founded fear which his honor felt lest the angry discordant words of the fathers might cause serious trouble among the natives of the aforesaid pueblo, and because it was necessary to have a record of all that had happened in the aforesaid incident for whatever purposes ^{it might} be needed in the proceedings he was holding, his honor ordered the present notary to certify to all that was omitted from the foregoing statement. Thus did his honor decree, order, and sign this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

^{co}
I Fran. Joseph de Arocha, notary public and notary of the Cabildo of this villa of San Fernando by order of

the King our Lord (may God guard him), certify in due
ojo form according to law that while I was in the pue-
 blo of San Antonio de Valero in the residence of
 the governor of the same assistingⁱⁿ/the said capacity of
 notary, Lieutenant General Don Manuel Antonio de Soto Ber-
 múdez, the judge who is trying this cause or summary pro-
 ceedings, while we were taking the foregoing deposition of
 the said governor, the Reverend Father Fr. Diego Martín
 Garzía and Fr. Joseph Pinilla, after saying in very proud
 and angry voices all that is recorded in the aforesaid de-
 position, burst out saying that, since the said señor
 judge was not acting according to law because the said
 fathers knew that he had come for the purpose of asking the
 said governor about the couriers which the aforesaid fathers
 sent to San Xavier and elsewhere, his honor should there-
 fore leave the pueblo. He [his honor, did this, as is of
 record in the said deposition for the reasons stated in
 the foregoing decree. In order that this might be of re-
 cord, by order of his honor I am making the present cer-
 tified statement, in the said villa, on the said day, month
 and year, in the presence of the soldier Xptóbal de Cór-
 doba, who witnessed every^{43v}//thing stated above. I certify.

co
 Fran. Joseph de Arocha

Notary Public and [Notary, of the Cabildo

On the said day, month, and year, the said señor judge of this cause, in order to continue the investigation he is holding without interrupting the course of the good administration of justice, summoned before him Luis Pérez, a soldier of the royal presidio of San Antonio de Vexas. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked, with reference ^{to} the mention made of him by the Indian Andrés mentioned in these proceedings in his deposition on folio seventeen of the same, whether he was present at the porter's lodge of the Mission of San Joseph while the Reverend Fathers Fr. Miguel Núñez Morillo, a minister of that mission, and Fr. Joseph Prados, of the Mission of San Juan Capistrano, were there, at the time that the said fathers were talking about the murders of the Reverend Father Ganzabal and Zeballos saying how was it possible for them to have been killed inside the cell; and whether the aforesaid Indian Andrés told the said reverend fathers that it was not possible for them to have been killed inside the cell, that they must have been walking in the environs of the mission or fishing on the banks of the river as was their habit, the deponent said that he witnessed every-

thing stated in the question because he had just arrived from the presidio of San Antonio bringing the same news that the Cocos had killed Father Fr. Joseph Ganzábal with an arrow and Zeballos with a bullet. When he told this to the said fathers, Father Fr. Miguel said that he already knew it through the Mission of San Antonio and that that was the subject of the argument they were having as was of record in the referece made to the deponent, who said that everything stated in the question was true ⁴⁴//because, as he had said, he had witnessed everything stated in the citation; and that this was the truth, under penalty of the oath he had made. When this his deposition had been read to him berbo ad verbum, he said it was exactly what he had said, as he affirmed and ratified; and that the general provisions of the law did not apply to him with reference to the aforesaid Indian. He said he was thirty years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me, the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary, of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, while in the Casas Reales of the said villa, summoned before him Francisco Moreno, a tailor by profession, who was imprisoned in the jail of the said villa because he was at the Mission of la Candelaria at the time that the murders of the Reverend Father Fr. Joseph Ganzábal and of Juan Joseph Zaballos occurred. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he was at the Mission of la Candelaria at the time that Father Fr. Joseph Ganzábal and Juan Joseph Zaballos were killed, the deponent said that he was in the said Mission of la Candelaria at the time alluded to in the question. When asked the reason for his having been at the said mission, the deponent replied that he was working at his profession with Juan Jph. Zaballos, to whom he owed a little money which he was paying with his work. When asked at what time and on what day the aforesaid murders occurred in the said mission, the deponent said that on the eleventh of May, which was Ascension Day, about ten at night, more or less, the murders about which he was being ^{44v}//questioned occurred. When asked what persons were

in the said mission at the time the murders occurred, the deponent said that the soldier Phelipe de Neri, the soldier Marín and his wife, the deponent, and Father Fr. Miguel Pinilla. When asked who killed the aforesaid Father Ganzábal and Zeballos, the deponent replied that the Cocos Indians killed them. When asked how he knew it, the deponent replied that he knew it because he had asked the Reverend Father Fr. Joseph Ganzábal before he died and he had told him in his sound voice, and that he knew that Phelipe de Neri had heard this also because he was present. When asked at what place had he heard the said Reverend Father Ganzábal say that the Indians had killed him, the deponent replied that he did not recall what place it was but that he remembered having said it in another deposition which he made on this subject before the alcalde of this villa, Don Fran.^{co} Delgado in the presence of the present notary, and because he did not recall the details of everything that happened because many days had passed since they happened, he referred wholly to what he said in the said deposition, which he affirmed and ratified one, two, and three times, and as many times, as necessary according to law; and that what he had stated in the former and in the present depositions, was the truth under the oath he had made. When his deposition had been read to him verbo ad verbum, he affirmed and ratified it. He said he

was twenty-six years old, more or less, He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa of San Fernando, on the eighteenth day of the month of August of the year one thousand seven hundred fifty-two, after seeing these proceedings, the ~~sate~~ they were in, and the findings against Martín Gutiérrez, Juan Joseph Marín, one Thomás, and Manuel Carrillo, soldiers of the royal presidio of San Francisco Xavier, from the deposition made before the Captain Don ⁴⁵//Thoribio de Vrrutia by the Indian Andrés, involved in these proceedings, whose deposition begins on the first folio verso of the same, his honor Señor Don Man. ¹ Ant. ^o de Soto Bermúdez, deputy [captain] general of this province of Texas and judge of this cause, ordered that their confession be taken. In view of the fact that the only one who was in this villa was Manuel Carrillo, who, by reason of the findings against him is imprisoned in the jail of the same, his honor went to the Casas Reales for the purpose of taking his confession.

1

While here, he summoned before him Man. Carrillo, to whom, before me the notary, he administered the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth in so far as he knew and might be questioned. When asked what was his name, his age, and his profession, the confesante replied that his name was Manuel Carrillo, thirty-one years old, more or less, and that he was a soldier of the royal presidio of San Xavier. When asked why he was under arrest and by whose order, the confesante said that he knew that he was arrested by the said Captain Don Thoribio de Vrrutia; and that about fifteen or twenty days after his imprisonment, he called the said captain. When he had come, he told him to relieve him of the fetters that were on him. On being ordered to do this, Jph. Antonio Flores took off his handcuffs. The captain remained with the confesante, who asked him why he kept him imprisoned. The said captain

ojo replied that he had arrested him by order of the father president, Fr. Fran. ^{co} Marano sic, de los Dolores, who said he had concurred with the Indian Andrés, Martín Gutiérrez, and Marín, and Thomás in the murders which occurred in the Mission of la Candelaria; and he said, that up to that time he did not know the reason for his imprisonment although he did know that the captain wanted to arrest him. When asked how he knew that he wanted

to arrest him, the confesante replied that he knew it because before he got off his horse a soldier from the presidio of San Xavier named Jacobo Hernández and a ^{45v} // comadre of the confesante's named Quiteria Cai Muzquez, a vecina of the presidio of San Antonio, had told him so. When asked whether he knew about the murders which occurred in the Mission of la Candelaria, the confesante replied that he did know about them. When asked how he had learned it and where he was, the confesante said that on the morning of the twelfth of May a soldier from the presidio of San Xavier named Joaquín García, came to the camp of the horseherd of the said presidio, which was at the place called el Paso de los Apaches. He came by order of the captain of the presidio for the purpose of having the horses taken to the said presidio in order to pursue the Cocos Indians, who, the night before about the middle of the first watch, had killed Father Ganzábal with an arrow and Juan Joseph Zeballos with a bullet; and this was when he learned it. When asked who was with the confesante at the camp of the horseherd the night of the aforesaid murders, the confesante said that Jph. Antonio de Estrada was the corporal of the same; for the first watch Jph. de Torres [was] at the camp and Martín Gutiérrez and Miguel de Arucha [were] at the horseherd that was near the camp; for the second watch, the confesante [was] at the camp and Carlos de

Vraga and Joaquín de Neri [were] at the horseherd; and for the third watch, Fran. ^{co} Yrruegas [was] at the camp and Marcos Méndez and Bernardo Zerbantes [were] at the horseherd; that the total number at the said camp was ten.

When asked what he was doing at the time that the aforesaid murders occurred, the confesante replied that, in view of the time that Joaquín García said the murders occurred, he judged that he must have been sleeping as could be verified by the aforesaid Torres who was on guard by him in order ⁴⁶ //to be relieved by him for the second watch.

When asked whether he knew or had heard what motives the Cocos had had for killing Father Ganzábal and Zeballos, the confesante said that he did not know what motives the Indians had had for committing the murders, unless they had their origin in the uprising of the said Indians in the aforesaid Mission of la Candelaria a few days prior to their flight during which, as the confesante heard, Zeballos wounded a Coco Indian on a leg with a trabuco shot. When asked whether he had heard what motive the Indians had had for rebelling, the confesante replied that he did not know the answer to the question. When asked whether he knew an Indian of the Chalopín Nation named Andrés, who was a servant at the mission of San Xavier, the confesante said that he neither knew him nor had ever seen him. When confronted with the aforesaid Indian, the

confesante said that he adhered to what he had said in the preceding question because he had not seen him in the said missions. When asked whether he had come with Father Fr. Miguel Pinilla to this presidio of San Antonio from the presidio of San Xavier, the confesante said that he did come with him and that that was the time when the said captain had arrested him. When asked who else had come with the said Father Pinilla, the confesante replied that Jerónimo Rodríguez, Joseph Marzelino, soldiers of San Xavier, Fran. ^{co} Moreno and Fran. ^{co} de Vrrutia, a servant of the said Father Pinilla. When asked whether he had heard the said Father Pinilla say on the way that a soldier wanted to kill him, the confesante replied that at the Encadenado the said Father Pinilla had met four Indians of the Mission of San Antonio who were going to San Xavier and that, when they met, one of the said Indians, named Miguelillo [sic], handed a big letter ^{46v} //to the aforesaid Father Pinilla, who opened it then closed it and returned it to the said Indian Miguel telling him to take and deliver it to Father Mariano de Anda. Another of the said Indians handed a small letter to the said father, who opened it and, after reading it, showed it to all and asked the confesante whether he knew that writing. The confesante replied that he did not and he said that, he recalled that it was not signed. Then the said Father Pinilla said

that he did not know who had sent that letter but that it said that he should not leave San Xavier because the soldiers would kill him on the way. He said this crying, put up the letter, and brought it with him. When asked what was the date and the time of the aforesaid meeting with the Indians, the confesante replied that it was on a Tuesday, the twenty-third of May about three in the afternoon, more or less. When asked on what day had he left San Xavier with the said father, the confesante replied that on the same day of the meeting, after mass, they had left the said presidio. When asked who had said mass in the said presidio, the confesante replied that the said Father Pinilla had said it, and that he had gone to San Antonio on the same honey-colored horse on which he went to say mass. When asked what day did he arrive with the said father at the presidio, the confesante said that [he arrived] on Thursday the twenty-fifth of the aforesaid month of May, in the morning, and that the said Father Pinilla had first gone to the Mission of San Antonio; and that what he had said and deposed was the truth. When his deposition had been read to him, he said that it was exactly what he had confessed and that he affirmed and ratified it because it was the truth, under penalty of the oath he had made. He signed this with the said señor judge, before me the notary. I certify.

Man. ¹ Antonio de Soto Bermúdez Manuel Carrillo

Before me:

^{co} Fran. Joseph de Arocha

 Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, having seen the foregoing deposition and the findings therefrom, while he was in the Casas Reales of this villa, the said ⁴⁷ señor judge of this // cause summoned before him Fran. ^{co} Moreno referred to in the said confession. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the most holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he was with Father Fr. Miguel Pinilla when he came from San Xavier to the presidio of San Antonio the deponent said that he did come with the said father. When asked what other persons were with the said father, the deponent ¹ said that Gerónimo Rodríguez, Joseph Marzelino, Man. Carrillo, Fran. ^{co} de Vrrutia, a servant of the said father, and the deponent came with the said father from San Xavier. When asked what day and at what time did they leave the said presidio, the deponent replied that he did not recall what day they left the said presidio but that he believed

it was on a fiesta day after mass, which the deponent did not hear [there], nor at the mission because he was looking for some horses, but that he did remember that he had heard it [mass], the day before in the Mission of San Xavier because it was a fiesta day. When asked on what day, place, and time did they meet four Indians who were going to San Xavier, the deponent said that in the afternoon of the same day of departure, they met the said Indians before [reaching], the Colorado River, but he did not know the name of the place. When asked what the said Indians did at the aforesaid meeting, the deponent said that one of them gave a big letter to the said Father Pinilla, who, after reading it, returned it to the same Indian to take it to Father Mariano de Anda. The reading of another small letter which another of the Indians gave him left him confused, and turning to the soldiers from San // ^{47v} Xavier, he told them that that letter said that they wanted to kill him. In reply to this Manuel Carrillo told him not to think anything of the sort for, being ^{ans!}Christians, they had come for no such purpose neither would they think of killing a holy friar. After a few steps, the said Father Pinilla showed the letter to the said Carrillo telling him he had forgotten what it was about. When asked whether the soldiers had made any move before or after to kill the father, the deponent replied that [they had], not but, on the contrary,

he knew that they had been very gay and happy and, firing many shots, they entered the Mission of San Antonio, from where they came to this presidio. When asked what were the names of the Indians they met, from what mission they were, and who had sent them, the deponent replied that he did not know any of them neither did he hear their names there, and they had been dispatched from the Mission of San Antonio, he presumed by the reverend father president, to the [missions], of San Xavier; and that what he had said and deposed was the truth under penalty of his oath. When his deposition had been read to him, he affirmed and ratified it. He said he was twenty-six years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

Fran. ^{co} Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said Casas Reales, on the said day, month, and year, the said señor judge of this cause, in order to continue with the same, summoned before him Jerónimo Rodríguez, a soldier of the royal presidio of San Xavier. When

he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had come as an escort to Father Fr. Miguel Pinilla when he left San Xavier for this presidio of San Antonio, and what persons //had come with him, the deponent replied that he had come as a corporal escorting the said father and that the persons who came [with him, were Manuel Carrillo, Joseph Marzelino, Fran. ^{co} Moreno, and a mozo of the father's named Fran. ^{co} de Vrrutia. When asked what public or private orders he had received from his captain when he was sent to escort the father, the deponent replied that his captain had given him no private orders, that those that he gave him before all who came with him were public, namely to bring the said father safely to the Mission of San Antonio; that the deponent and his companions had done so and had complied with and obeyed promptly all the orders the said father gave them during the trip. When asked on what day and at what hour they had left San Xavier, the deponent replied that on a Tuesday after mass, which Father Pinilla himself read because it was a fiesta day, they had left the said presidio. When asked whether they had met any Indians on the way, on what day, [at what, place and

hour, the deponent replied that on the same day of departure between el Encadenado at las Ánimas, about three in the afternoon, they met four Indians who were going to San Xavier, whom he did not know. One of them, while both parties, were on horseback, gave a big letter to the said Father Pinilla, who after reading it, returned it to the same Indian telling him to take it to Father Anda. Another of the aforesaid Indians gave a small letter to the said father, who opened it and read it; then, turning to the soldiers, the said father said to all who were there that he had received that letter without signature or date, that he did not know who had sent it to him, and that it said that the soldiers of San Xabier were going to kill him, and told him; not to leave the mission. He showed the said letter to Manuel Carrillo asking him whether he recognized that writing and the said Carrillo replied that he did not. When asked whether he knew where those ^{48v}//Indians were from and who had sent them, the deponent said that he heard the Indians say they came from the Mission of San Antonio, that they were going to the Mission, of San Xavier, and had been, sent by the father president. When asked whether in the course of the trip he had seen any of his companions make any indications of offending the said father, the deponent said that he had not seen any; that all along the way and upon arriving at San Antonio,

they were happy and made their entrance as usual firing many shots; and that before they arrived at the said Mission of San Antonio, the deponent begged the said father to go with him to the presidio for the purpose of letting the captain of the same know that he had arrived safe and sound. The said father did this. The deponent did it because of what had taken place on the way. [He said, that everything he had said and deposed was the truth under penalty of the oath he had made. When his deposition had been read to him, he said it was exactly what he had deposed and that he affirmed and ratified it. He said he was twenty-six years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary, of the Cabildo

On the said day, month, and year, the said señor judge of this cause, in order to continue with these proceedings, summoned before him Quiteria Cai Musquis, a vecina of the royal presidio of San Antonio de Vexas, referred to by Manuel Carrillo. When she had appeared,

before me the notary, he administered to her the oath, which she took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which she promised to tell the truth in so far as she knew and might be questioned. When asked whether she had told Manuel Carrillo, on the twenty-fifth of May while he was at her door on horseback, to flee because she knew that the captain wanted to arrest him telling him that being on horseback he could easily go to a place of refuge, the ⁴⁹//deponent replied that the statements made in the question were true and had occurred as stated therein; and that the said Carrillo had replied that he had no reason for fleeing because he had not committed any crime for which he could be arrested. She said, that this was the truth about all that had happened, and that although she was a comadre of the aforesaid Carrillo, she had not for that reason failed to keep the oath. When her deposition had been read to her berbo ad verbum and she had been wholly informed of the contents of the same, she said that it was exactly what she had said and that she affirmed and ratified it, and that she was thirty-two years old, more or less. She did not sign because she said she did not know how. His honor signed this before me. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

co
Fran. Jph. de Atocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter; the said señor judge of this cause, in order to continue with the same, summoned before him Joseph Antonio Flores, a corporal of the royal presidio of San Antonio de Vexar, referred to by Man.¹ Carrillo on folio fifty-seven of these proceedings. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether a few days after his imprisonment, Manuel Carrillo had called Captain Don Thoribio de Vrrutia and whether when the said captain had gone there, the said Carrillo had told him to relieve him of his fetters because he could not bear them, the deponent said that [he knew that] the statement made in the question was true because he was present; then the said captain ordered the deponent to remove the handcuffs and he did so. When asked whether as soon as he had removed the handcuffs he had left the aforesaid prison and the aforesaid captain [had left, with him, the deponent said that as soon as he had executed his order, he left but that the

captain remained with the aforesaid Carrillo and talked with him alone for a long time. When asked whether he knew or heard anything that was said by them, the deponent replied that he did not hear anything ^{49v} //because he had left at once as he has said; and that what he had deposed was the truth about what he had been asked. When his deposition had been read to him, he said that it was exactly what he had stated and that he affirmed and ratified it, under penalty of the oath he had made; and that the general provisions of the law did not apply to him. He said he was forty-nine years old, more or less. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

1 to
Man. An. de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the nineteenth day of the month of August of this present year of one thousand seven hundred fifty-two, having examined these proceedings and observed that it is of record therein that the proceedings which it was considered necessary should be held in this villa, [this] community, and [these] missions have

been completed and since in order to continue with this cause it was necessary to go to the royal presidio of San Fran.^{co} Xavier, where the remaining suspects and witnesses referred to in the aforesaid proceedings are, his honor the señor judge of this cause considered it advisable for the good administration of justice to order that all the depositions made therein be ratified before his departure. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, by virtue of the foregoing decree, for the purpose of ratifying the confession of the Indian Andrés, imprisoned by reason of the findings of these proceedings, the said señor judge of this cause went to the public jail of this villa. While there when the Indian had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When his confession which is recorded on folios thirteen verso to twenty-⁵⁰//two, inclusive, of these proceedings, had been

read to him berbo ad verbum, he said that everything that was written therein was exactly what he had said and confessed and that he ratified the same one, two, and three times, and as many [times], as was necessary according to law. And he added that on the day on which he went to the cell of the father president, Fr. Mariano Fran.^{co} de los Dolores, seeing the confesante so confused, he told them in the presence of the reverend father he had mentioned in the aforesaid confession, "Hombre there is no need for you to fear because here am I [to help you], and the purpose of what we are doing is to remove the bad men from San Xavier; and that at the same time, he advised him to speak ill of the captain of San Xavier and he would do much for him. And he asked that what he had added now anew and everything that he had confessed be considered as one and the same deposition because it was all true under the oath he had made, which he affirmed and ratified. He said he was twenty-two years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, in order to continue these proceedings and for the purpose stated in the foregoing decree, the said señor judge of this cause went to the residence of Captain Don Thoribio de Vrrutia. While there, when the said captain had appeared, before me the notary he administered to him the oath, according to law, which he took in the name of our Lord God and a sign of the holy cross. When the deposition on folio twenty-two of these proceedings, which he has made, had been read to him, he said that everything contained therein was exactly what he had deposed and the truth under the oath he had made, which he affirmed and ratified one, two, and three times, and as many times, as was necessary according to law; and that he had nothing to add or to retract. He said he was forty years old, ^{50v} //more or less, and he signed this with the said señor judge, before me the notary.

I certify.

ojo

Man. ¹ Antonio de Soto Bermúdez Thoribio de Vrrutia

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, for the execution of these proceedings, the said señor judge of this cause summoned

before him Joseph An. ^{to} Flores, a corporal of the company of the royal presidio of San Antonio de V́exar. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When this had been duly done, and the two depositions that he has made in these proceedings, the first on folio twenty-two verso and the second on folio sixty-three, had been read to him berbo ad verbum, he said that he had said and deposed everything contained therein as written therein, that he ratified the same and, if necessary, he would say it again in this plenary cause one, two, and three times and as many times, as was necessary according to law; that to his first deposition he added that on the eleventh day of May, the day of the Ascension of the Lord, Jph. Montemaior, one of his sons, and Juan Diego de la Garza left the place of las Ánimas for the presidio of San Xavier ahead of the others, and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said he was forty-nine years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me the undersigned notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, while in his residence, the said judge of this cause, for the execution of the same, summoned before him Jph, Montemaior, a vecino of this villa. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When the deposition on folio twenty-four verso of these proceedings, which he has made had been read to him and he had been informed of all ⁵¹//the contents of the same, he replied that he had said and deposed everything stated therein as recorded therein; that he ratified it and if necessary, he would say it again in this plenary trial one, two, and three times, and as many [times] as was necessary according to law; and that he had nothing to add or to retract; and that what he had said was the truth under the oath he had made, which he affirmed and ratified. He said he was fifty-four years old, more or less. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, while he was in his residence, the said señor judge of this cause in order to continue with the same, before me the notary and in the presence of the Indian Thomás, the interpreter appointed in these proceedings and of the Indian wife of the Indian Andrés, who was, arrested by reason of the findings of the same, administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the aforesaid Indian woman might say, he was ordered to administer the oath to her in her language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to her the oath, she said that she swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the aforesaid deposition beginning on folio twenty-six verso of these proceedings, had been read to the interpreter berbo ad verbum and slowly in order that he should explain it to the aforesaid Indian woman in her language and should ask her whether she had anything to add or to retract, the interpreter said that when he had informed her of it in the manner he had been ordered and had asked her the prescribed question, she said that she had said and deposed

everything contained therein as written therein, that she affirmed and ratified the same, and if necessary, she would say it again onw, two, and three times and as many times, as was necessary according to law. She said, that she had nothing to add or to retract protesting that although she was the wife ^{5lv} //of the said Indian Andrés, she had not failed in any way to abide by the oath; and that what she had said was the truth under the oath she had made, which she affirmed and ratified. She said she was over twenty-two years old. They did not sign because they said they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge, while he was in his residence, for the purpose of the ratification, before me the notary, summoned before him Joseph Miguel of the Benado Nation, the present governor of the pueblo of San Juan Capistrano. When he had appeared, and the aforesaid interpreter was present, he administered the oath in the name of our

Lord God and a sign of the holy cross, according to law, to the said interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth. When the deposition beginning on folio twenty-eight verso that the deponent has made in these proceedings had been read berbo ad verbum and slowly to the interpreter, in order that he should inform him of it in his language and he should tell whether it was the same that he had made or whether he had anything to add or to retract, the said interpreter said that when he had informed him of it in the manner prescribed, he replied that everything contained therein was exactly what he had deposed and the truth under penalty of the oath he had made, which he affirmed and ratified, and if it were necessary he would say it again one, two, or three times, and as many times, as was necessary according to law. He said, that he had nothing to add or to retract and that although he was an uncle of the Indian Andrés, he had not for that reason failed to abide by the oath,

which he affirmed and ratified. He said that he did not know how old he was but that he was old as was apparent. They did not sign because they said they did not know how. The //said ⁵² señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, the said señor judge of this cause, in order to continue with the same, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Miguel de los Santos of the Chayopía Nation and the present alcalde of the pueblo of San Juan Capistrano. When [all] were together he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking

the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth. When the deposition beginning on folio thirty that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter, in order that he should read it in his language to the deponent and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it, he replied that he had said and deposed everything contained therein as recorded therein; that he ratified the same and, if necessary, he would say it again one, two, and three times, and as many times, as was necessary according to law; that he had nothing to add or to retract, and that what he had said was the truth under the oath he had made, which he affirmed and ratified, and that although he was a brother-in-law of the Indian Andrés, he had not for that reason failed to abide therewith; that he did not know how old he was but that he did know that he was a founder of the said pueblo. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

52v

//Before me:

co

Fran. Joseph de Archa

Notary Public and ,Notary, of the Cabildo

Immediately thereafter, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Juan Gregorio of the Chaio-pin Nation, a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God, according to law, to the interpreter to the effect that he would execute well and faithfully his office. When this had been done and he had promised to tell the truth about what the deponent might say, when he had gone through the motions and had administered to him the oath in his language as he had been ordered, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth. When the deposition on folio thirty-one verso that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform the deponent of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it, he replied that everything written therein was exactly what he had said, that he ratified it and, if necessary, he would say it again one, two, and three times, and as many [times] as

was necessary according to law; that he had nothing to add or to retract, and that although he was an uncle of the Indian Andrés he had not for that reason failed to abide by the oath as a Christian; that everything that he had said was the truth under the oath he had made, which he affirmed and ratified. He said he did not know how old he was but that he was one of the founders of the said pueblo and that he was grown when he came to it. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

⁵³
//In the said villa, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Bartolomé of the Chaipín Nation, former governor and alcalde of the pueblo of San Juan Capistrano. When [all] were together he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would

execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross, according to law. When the deposition beginning on folio thirty-one verso of these proceedings that the deponent had made had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should say whether it was the same [deposition] that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of all of it and of what he had been ordered, he replied that everything recorded therein was exactly what he had deposed, that he ratified it, and that, if necessary, he would say it again one, two, and three times, and as many [times] as was necessary according to law; that he had nothing to add or to retract; and that although he was an uncle of the Indian Andrés, he had not for that reason failed to abide by the oath; and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified; and that he did not know how old he was but that he recalled that he was a

founder of the pueblo. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

CO
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge of this cause, while he was in his residence, before me the notary in the presence //^{53v} of the Indian interpreter appointed in these proceedings, summoned before him Pedro Joseph of the Orejona Nation, former fiscal of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell

the truth. When the deposition beginning on folio thirty-two verso that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should say whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of all of it and had asked him the question, he replied that everything contained therein was exactly what he had deposed, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times], as was necessary according to law; and that he had nothing to add or to retract, and that what he had said was the truth under the oath he had made, which he affirmed and ratified; that he was thirty-four years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the Indian interpreter appointed in these ⁵⁴//proceedings, summoned before him Gregorio de la Cruz of the Chalopim Nation, a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of his holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the deposition beginning on folio thirty-four that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the question, he replied that everything stated therein was exactly what he had deposed,

that he ratified it and, if necessary, he would say it again one, two, and three times, and as many [times] as was necessary according to law; that he had nothing to add or to retract; and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he did not know how old he was but that he was a founder of the said pueblo and that he was grown when he came there; that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{CO}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the twenty-first day of the month of August of the year one thousand seven hundred fifty-two, the said señor judge of this cause in order to continue with the proceedings he was holding, while he was in ^{54v} //his residence, before me the notary and in the presence of the interpreter appointed in the said [proceedings], summoned before him Santiago of the Orejona Nation, former fiscal, alcalde, and governor of the pueblo

of San Juan Capistrano. When, all, were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the deposition beginning on folio thirty-five verso that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of all of it and had asked him the question, he replied that everything contained therein was exactly what he had deposed, that he ratified it, and, if necessary, he would again say it one, two, and three times, and as many [times] as was necessary according to law; that he had nothing to add or to retract, and that although he was the father-in-law of the Indian Andrés, he had not for that reason

failed to abide by the oath; that what he had said was the truth under the oath he had made, which he affirmed and ratified. He said he did not know how old he was but that he remembered that he was a founder of the pueblo of San Juan and that he was grown when he came there. He added that in his deposition he had said that the general provisions of the law did not apply to him because he had not understood the question the interpreter asked him. They did not sign because they did not know how. His honor signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

55

//Immediately thereafter, the said señor judge of this cause, while he was still in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him the Indian Joseph of the Chaioín Nation, a mason and a vecino of the said pueblo of San Juan. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross to the interpreter to the effect that he would execute well and faithfully his office as

was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the most holy cross to tell the truth. When the deposition beginning on folio thirty-six verso that the deponent has made in these proceedings had been read berbo ad verbum to him [the interpreter, in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the question, he replied that everything contained therein was exactly what he had deposed, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times, as was necessary according to law, that he had nothing to add or to retract and that the general provisions of the law did not apply to him; that he did not know how old he was but that he did remember that he was a founder of the pueblo. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Man. ¹ Antonio de Soto Bermúdez

Before me:

Fran. ^{co} Joseph de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Fran,^{co} Xavier of the Orejona Nation, former fiscal, alcalde and governor of the pueblo of San Juan Capistrano. When ^{55v} [all] were together, //he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the deposition beginning on folio thirty-seven verso that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and that he should state whether it was the same that he had made and whether he had anything to add or to retract, the inter-

preter said that when he had informed him of it and had asked him the question, he replied that everything recorded therein was exactly what he had deposed, that he ratified it, and, if necessary he would say it again one, two, and three times and as many [times] as was necessary according to law, that he had nothing to add or to retract, that the general provisions of the law did not apply to him; and that he did not know how old he was but that he remembered that he was a grown man when he came to found the mission; and that what he had said was the truth under the oath he had made; which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed this before me the notary.

I certify.

Manuel Antonio de Soto Bermúdez

Before me;
co

Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him the Indian Joseph of the Chaipín Nation, former alguazil of the pueblo of

San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as ⁵⁶//was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross to tell the truth. When the deposition beginning on folio thirty-nine verso that the deponent has made in these proceedings had been read to him [the interpreter, berbo ad verbum in order that he should inform him of it in his language and that he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the question, he replied that everything stated therein was exactly what he had deposed, that he ratified it one, two, and three, times and as many [times, as was necessary according to law, that he had nothing to add or to retract, that the general provisions of the law did not apply to him, and that he did not know how old he was but that he was one

of the founders of the mission and that when he came he was a grown man. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Man. ¹ Antonio de Soto Bermúdez

Before me:

Fran. ^{co} Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, the said señor judge while he was in his residence, before me the notary and in the presence of the Indian interpreter, summoned before him Joseph María, former governor of the pueblo of San Juan Capistrano. When [all] were together, he administered [to the interpreter] the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross,

according to law, to tell the truth. When the deposition beginning on folio forty- verso that the deponent has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it, he replied that everything written therein was exactly what ^{56v} // he had deposed, that he ratified it, and that he said it again one, two, and three times, and as many [times], as was necessary according to law, and that what he had to add ~~and~~ ojo retract was that in the aforesaid deposition he had said that the general provisions of the law did not apply to him because he had not understood the interpreter's question and that since he did understand it now, he said that he was a brother-in-law of the Indian Andrés but that he had not for that reason failed to abide by the oath; and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said that he did not know how old he was but that he did recall that when he came as a founder of the pueblo he was grown. They did not sign because they said they did not know how; the said señor judge signed this before me the notary. I certify.

1
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of Indian interpreter, summoned before him Caletano of the Orejón Nation, a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered to him [the interpreter] the oath, which he took in the name of our Lord God and the sign of the most holy cross, according to law. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the most holy cross, according to law, to tell the truth. When the deposition beginning on folio forty-two that he [the deponent] has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should say whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the

question, he replied that everything recorded therein was exactly what he had said and the truth; that he ratified it and said it again one, two, and three times and as many times, as was necessary according to law; that he had nothing to add and that he had only to retract that although he had said in his deposition that he was related to the Indian Andrés, having refreshed his mem⁵⁷ory, he now said that the general provisions of the law did not apply to him; and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He did not know how old he was but he recalled that he was a grown muchacho when he came as a founder of the mission. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

co

Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him the Indian Martín of the Orejón Nation, former alcalde of the Pueblo of

San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and the sign of the cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the deposition beginning on folio forty-three that the deponent has made in these proceedings had been read to the interpreter berbo ad berbum in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it, he replied that everything stated and recorded therein was exactly what he had deposed and the truth; that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times], as was required by law; and that he had nothing to add or to retract. He said he did not know how [old] he was but that he did remember that he was a grown man when he came as a founder of the said pueblo; that the general provisions of the law did not apply to him with regard to the Indian Andrés; and that what he had said was the truth under

the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

57v 1
// Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, the said señor judge of this cause, in his residence, before me the notary and in the presence of the Indian interpreter appointed in these proceedings, summoned before him Juan Nepomuceno of the Chapión Nation, former alcalde and governor of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the cross, according to law, to tell the truth. When the deposition beginning on folio forty-four verso that the deponent

has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should state whether it was the same that he had made or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the question, he replied that everything contained therein was exactly what he had said, that he ratified it and said it again; that he had nothing to add or to retract; and that although he had said in his deposition that he was somewhat related to the Indian Andrés, having refreshed his memory, he now said that the general provisions of the law did not apply to him; that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said he did not know how old he was but that he remembered that when he came as a founder of the mission he was a grown man. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bernudes

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, before me the notary and //⁵⁸ in the presence of the Indian

Thomás, the interpreter appointed in these proceedings, administered to the said Thomás the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When the deposition on folio forty-six that he has made in these proceedings had been read to him berbo ad verbum, he said that he had said and deposed everything contained therein as stated therein because it was the truth about what he had been asked; that he ratified it one, two, and three times, and as many times as was necessary according to law; and that he had nothing to add or to retract. He said he was twenty-two years old, more or less, and that the general provisions of the law did not apply to him with regard to the Indian Andrés; and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He did not sign because he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge of this cause, while he was in his residence, for the execution of

the proceedings he was holding, summoned before him Fran.^{co} Xavier Talamantes, a vecino of this said villa and former mayordomo of the pueblo of San Juan Capistrano. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When the deposition beginning on folio forty-six verso that he has made in these proceedings had been read to him berbo ad berbum and he had been informed of the entire contents of the same, he replied that he had said and deposed everything contained therein as stated therein; that he ratified it and, if necessary, he would say it again; and that what he had said was the truth //^{58v} under the oath he had made, which he affirmed and ratified. He said he was fifty years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. His honor signed before me the notary. I certify.

^l
Man. Ant. de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, the said señor judge

of this cause, for the purpose of continuing these proceedings, summoned before him Baltasar Pérez, a corporal of the company of the royal presidio of San Antonio de Vexas. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When his deposition recorded on folio forty-eight of these proceedings had been read to him berbo ad verbum and he had been informed of the contents of the same, he replied that he had said and deposed everything contained therein as written therein, that it was the truth, that he ratified and affirmed it and, if necessary, he would say it again one, two, and three times, and as many [times] as was necessary according to law, that he had nothing to add or to retract, and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said he was thirty-four years old, more or less, and that the general provisions of the law did not apply to him. He signed this with the said señor judge before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Baltasar Pérez

Before me:

^{co}
Fran. Jph. de Archa

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the

said señor judge of this cause, in order to continue with the same, summoned before him Don Juan Galbán, lieutenant of the company of the royal presidio of San Antonio de Véxar. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When his deposition recorded on folio ⁵⁹ //forty-nine of these proceedings had been read to him berbo ad verbum, he replied that he had stated and deposed everything contained therein in the manner written therein, that it was the truth, that he ratified it, and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law; that he had nothing to add or to retract; and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was fifty-seven years old, more or less, and that the general provisions of the law did not apply to him. He signed this with his honor before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez Juan Galbán

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, the said señor judge of this

cause, while he was in his residence, before me the notary, summoned before him Don Juan Cortinas, Alférez of the company of the royal presidio of San Antonio de Vexas. When he had appeared, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When his deposition beginning on folio fifty of these proceedings had been read to him berbo ad verbum and he had been informed of all the contents of the same, he replied that everything contained therein was exactly what he had deposed and the truth, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law; that he had nothing to add or to retract; that what he has said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was fifty years old, more or less, and that the general provisions of the law did not apply to him. He signed this with his honor before me the notary. I certify.

1 to
Man. An. de Soto Bermúdez

Juan Cortinas

Before me:

co
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, jurisdiction of the province of the Texas and New Philippines, on the twenty-second

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//day of the month of August of the said year, the señor judge of this cause, while he was in his residence, in order to continue with these proceedings, summoned before him Don Andrés de Yglesias. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law. When his deposition beginning on folio fifty-one of these proceedings had been read to him berbo ad verbum and he had been informed of all of it, he replied, that everything recorded therein was exactly what he had said and the truth, that he ratified it and, if necessary, he would say it again one, two, and three times, and as many times, as was necessary according to law. The deponent added that the paper referred to, which he is said to have read aloud in the house of the mayordomo Talamantes was the confession made by the Indian Andrés and included in these proceedings; that upon its conclusion, the deponent read it aloud in order that, when he had been informed of it, the aforesaid Indian should say whether the contents of the same was exactly what he had said; and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said he was thirty-eight years old, more or less, and that the general provisions of the law did not apply to him. He signed this with his honor the said señor judge before me the notary. I certify.

to
Manuel An. de Soto Bermúdez Andrés de Yglesias

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, in view of the fact that the ratification which should be held next in these proceedings was the one that should have been made by the governor of the pueblo of San Antonio, his honor the said señor judge of this cause said that by reason of the contents of his deposition beginning on folio fifty-three of these proceedings, it [his ratification] should be omitted, and he should order that the ratification of the [depositions] that follow it be held. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co 60}
Fran. //Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, in compliance with what he had ordered in the foregoing

decree, summoned before him Luis Pérez, a soldier of the royal presidio of San Antonio de Vexas. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When his deposition recorded on folio fifty-four verso of these proceedings had been read to him and he had been entirely informed of its contents, he said that everything contained therein was exactly what he had said and the truth, that he ratified it and, if necessary, he would say it again one, two, and three times, and as many [times], as was necessary according to law, and that he had nothing to add or to retract. He said he was thirty years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary], of the Cabildo

On the said day, month, and year, the said señor judge of this cause, in order to continue with these proceedings,

went to the jail of this said villa. While he was there, he summoned before him Fran. ^{co} Moreno, to whom, before me, he administered the oath, which he took in the name of our Lord God and a sign of the most holy cross, according to law. When the two depositions that he has made in these proceedings, the first beginning on folio fifty-five verso and the second, on folio fifty-nine verso, had been read to him, he said that everything recorded in each of them was exactly what he had deposed and the truth, that he ratified the same one, two, and three times, and as many times, as was necessary according to law, that he had nothing to add or to retract in either of them, and that what he had said in each was the truth under the oath ^{60v} //he had made, which he affirmed and ratified. He said he was twenty-six years old, more or less. He did not sign because he said he did not know how. The said señor judge signed this before me, the present notary public and notary, of the Cabildo. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

Fran. ^{co} Jph, de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, the said señor judge of this

cause, while he was in the Casas Reales of this villa,
 summoned before him Man. Carrillo, a prisoner therein.
 When he had appeared, before me the notary, he adminis-
 tered to him the oath, which he took in the name of our
 Lord God and a sign of the holy cross, according to law.
 When the confession beginning on folio fifty-six verso
 that he has made in these proceedings had been read to him
berbo ad berbum, he said that everything written therein
 was exactly what he had confessed and the truth, that he
 ratified it and, if necessary, he would again say it one,
 two, and three times, and as many [times] as was necessary
 according to law, that he had nothing to add or to retract,
 and that what he has said was the truth under the oath he
 had made, which he affirmed and ratified. He said he was
 thirty-one years old, more or less. He signed this with
 the said señor judge before me the notary. I certify.

Man. ¹ Antonio de Soto Bermúdez Manuel Carrillo

Before me:

co
 Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, while he was in the
Casas Reales of this villa, the said señor judge of this
 cause summoned before him Gerónimo Rodríguez, a soldier

of the royal presidio of San Xavier. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the most holy cross, according to law. When his deposition ⁶¹ //beginning on folio sixty verso of these proceedings had been read to him berbo ad verbum, he said that he had said and deposed everything written therein as stated therein and that it was, the truth, that he ratified it and, if necessary, he would say it again one, two, and three times and as many times, as was necessary according to law; that he had nothing to add or to retract, and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-six years old, more or less and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause, while he was in his residence, summoned before him Quiteria Cay Musques, a

vecina of the royal presidio of San Antonio de Véxar. When she had appeared, before me the notary, he administered to her the oath, which she took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which she promised to tell the truth in so far as she knew and might be questioned. When her deposition recorded in these proceedings on folio sixty-two verso had been read to her berbo ad verbum and she had been informed of all its contents, she said that everything written therein was exactly what she had said and the truth, that she ratified it and; if necessary she would say it again; that she had nothing to add or to retract, and that what she has said was the truth under penalty of the oath she had made, which she affirmed and ratified; and that although ¹Man. Carrillo was her compadre, she had not for that reason failed to abide by her oath. She did not sign because she said she did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

61v
//In the said villa, on the said day, month, and year,

in view of the fact that because Don Antonio Gallardo was in the royal presidio of San Fran.^{co} Xavier, his ratification needed for the conclusion of the proceedings stated in the decree on folio sixty-three verso of these proceedings was still lacking, his honor the said señor judge of this cause said that in order that his absence might be of record, he ordered that this be written down as an official act. Thus did the said señor deputy [captain] general and judge of this cause decree, order, and sign this before me the undersigned notary public and [notary] of the Cabildo.
I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, his honor Señor Don Manuel Antonio de Soto Bermúdez, deputy [captain] general of this province of the Texas and New Philippines and judge of this cause, said that in as much as the proceedings ordered to be held by the decree on folio sixty-three verso had been concluded and that from them it had been found that some of the Indians examined were close relatives of the Indian Andrés involved

in this cause, for future contingencies and for the better administration of justice, he ordered that six other leading Indians of the pueblo of San Juan Capistrano who were not related in any way to the aforesaid Andrés be examined. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Joseph de Arocha

Notary Public and [Notary] of the Ābildo

Immediately thereafter, on the said day, month, and year, by virtue of the order given in the foregoing decree, before me the notary and in the presence of the Indian Thomas, the interpreter appointed in this cause, the said señor judge of this cause, while he was in his residence, summoned before him Jph. Fran. ^{co} of the Chaipín Nation, former fiscal of the pueblo of San Juan Capistrano. When [all] had assembled, he administered the oath in the name of our Lord God and a sign of the ⁶²//cross, according to law to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer

the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter on what day did the Indian Andrés arrive at the pueblo of San Juan Capistrano with his wife when they ran away from San Xavier, the interpreter said that when he had asked him the question, he replied that on a day following the fiesta the said Andrés arrived at the aforesaid pueblo with his wife late at night. When asked by the interpreter whether on the night Andrés arrived or the following day, he told of the murders of Father Ganzábal and Zeballos, the interpreter said that when he had asked him the question, he replied that he neither knew nor had heard in the pueblo whether Andrés had told about the said murders on the night of his arrival or the following day. When asked by the interpreter on what day did he learn of the said murders and from whom, the interpreter said that when he had asked him the question, he replied that on the day after the arrival of Andrés before dinner a Spaniard arrived at the said pueblo with a note from the Mission of San Antonio for Father Arrecibita and that after he read it, the said father told the people of the pueblo that the Cocos had

killed Father Ganzábal with an arrow and Zeballos with a bullet. When asked by the interpreter whether after the murders became known in the pueblo he knew or heard whether Andrés had said that he knew who had committed the said murders, the interpreter said that when he had asked him the question, he replied that he had not heard in the pueblo anything about what he was being asked either before or after the ^{62v}//murders became known. When asked by the said interpreter whether he had been counseled by any persons to make this deposition or whether he had anything else to say about what he had been asked, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone and that he had nothing more to say on the subject in question. When asked by the interpreter whether he was related to Andrés in any way and how old he was, the interpreter said that when he had asked him the question, he replied that he was not related to Andrés in any way and that he believed he must be thirty-two years old, more or less. When this deposition had been read to the interpreter in order that he should inform him of it little by little in his language and he should say whether it was exactly what he had said, the interpreter said that when he had informed him of all of it as he was ordered, he replied that everything recorded therein was exactly what he had

deposed and the truth under the oath he had made, which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, before me the notary and in the presence of the interpreter appointed in these proceedings, while he was in his residence, the said señor judge of this cause in order to continue with the same, summoned before him Joseph Xabier of the Chaiofin Nation, a prominent Indian and a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of his holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. ⁶³ //When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he

said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew what day he arrived at the pueblo of San Juan Capistrano with his wife, when they ran away from the missions of San Xavier, the interpreter said that when he had asked him the question, he replied that he did know the Indian Andrés because he was from his pueblo and that he knew that he and his wife arrived at the pueblo on a day following Sunday late at night. When asked by the interpreter whether, on the night of his arrival or later, the Indian Andrés had told the people of the pueblo or the deponent about the murders of Father Ganzábal and Zeballos, the interpreter said that when he had asked him the question, he replied that the said Andrés had not told about the said murders either in the pueblo or to the deponent. When asked by the interpreter on what day did these murders become known in the pueblo and from whom, the interpreter said that when he had asked him the question, he replied that the day after the arrival of Andrés before dinner, a Spaniard named Vizente arrived at the pueblo with a note for Father Arrecibita, who, after reading it told the muchachos of the pueblo that the Cocos had killed Father Ganzábal with an arrow and a Spaniard with an arrow, I mean, a bullet. When asked by the interpreter whether, after this news reached the pueblo, he had heard

there whether Andrés had said that he knew who had committed the aforesaid murders, the interpreter said that when he had asked him the question, he replied that he had not heard whether the Indian Andrés had said anything of the sort. When asked by the said interpreter ^{63v}//whether he knew why the captain had arrested the Indian Andrés, the interpreter said that when he had asked him the question, he replied that he had heard in the pueblo that he was arrested because he ran away from San Xavier. When asked by the said interpreter whether he was counseled by any persons to make this deposition and whether he was related in any way to the Indian Andrés, the interpreter said that when he had asked him the question, he replied that he was not counseled by any person whatever and that he was not related to Andrés. When asked by the interpreter whether he had more to say about this, and how old he was, the interpreter said that when he had asked him the question, he replied that he had nothing more to say about this, and that he did not know how old he was but that he believed he must be over thirty. When this deposition had been read little by little to the interpreter in order that he should tell it to him in his language and he should state whether it was exactly what he had deposed, the interpreter said that when he had informed him of all of it, he replied that everything recorded therein was exactly what he had said and the truth under the oath he had made, which he affirmed

and ratified. They did not sign because they said they did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause for the execution of the same, while he was in his residence, before me the notary and in the presence of the appointed interpreter, summoned before him Antonio Joseph of the Benado Nation, former fiscal of the pueblo of San Juan Capistrano, a leading Indian and a vecino of the same. When all were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ⁶⁴//ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross

to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why the captain arrested him, the interpreter said that when he had asked him the question, he replied that he knew the Indian Andrés because he was from his pueblo, where he heard that the captain had arrested him because he ran away from the missions of San Xavier. When asked by the interpreter whether when Andrés arrived at the pueblo with his wife, he told of the murders of Father Ganzábal and the Spaniard or whether he was the source from which they learned about them in the pueblo, the interpreter said that when he had asked him the question, he replied that the said murders were not made known by Andrés either when he arrived at the pueblo or afterward. When asked by the interpreter how the said murders became known in the pueblo, the interpreter said that when he had asked him the question, he replied that on the day after the arrival of Andrés, a Spaniard named Vizente arrived at the pueblo with a note from the Mission of San Antonio for Father Arrecibita; and that after the latter had read it, he told the people of the pueblo that the Cocos had killed Father Ganzábal with an arrow and a Spaniard Zeballos with a bullet. When asked by the interpreter whether, after the aforesaid murders became known in the pueblo, he had heard whether Andrés had said that he knew who had committed the above-said murders, the interpreter said that when he had asked him the question, he replied

that he had not heard anything whatever about this question either from the Indian Andrés or in the pueblo. When asked by the said interpreter whether he was counseled by any persons to make this deposition and whether he was related in any way to the Indian Andrés, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone neither was he a relative of the said Andrés. When asked whether he had any^{64v}//thing else to say and how old he was, the interpreter said that when he had asked him the question, he replied that he had nothing more to say on the subject, that he did not know how old he was but that he believed he was probably twenty-nine years old, more or less. When this deposition had been read to the interpreter in order that he should explain it to him little by little in his language and he should say whether it was exactly what he had said, the interpreter said that when he had informed him of it, he replied that everything stated therein was exactly what he had said and the truth under the oath he had made, which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Andrés Bernardino of the Chalopin Nation, former fiscal and alcalde of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why he was under arrest, the interpreter said that when he had asked him the question, he replied that he did know the Indian Andrés and that he had heard in the pueblo that the captain arrested him because he ran away from San Xavier. When asked by the interpreter whether on the night of his arrival at the pueblo after he had run away with his wife, he told of the murders of Father Ganzábal and the Spaniard //Ze⁶⁵-ballos, or whether they became known later through him, the

interpreter said that when he had asked him the question, he replied that Andrés did not tell of the aforesaid murders to the deponent, much less, to anyone else in the said pueblo either on the night of his arrival or afterward. When asked by the said interpreter on what day they had learned of the aforesaid murders in the pueblo and from whom, the interpreter said that when he had asked him the question he replied that on the day after the arrival of Andrés, a Spaniard named Viz. ^{te} arrived at the pueblo with a note from the Mission of San Antonio for Father Arrecibita, and that the said father, after he had read it, told the people of the pueblo that the Cocos Indians had killed Father Ganzábal with an arrow and a Spaniard Zeballos with a bullet in the missions of San Xavier. When asked by the interpreter whether, after the murders became known in the pueblo, he had heard that the Indian Andrés had said that he knew who had committed the said murders, the interpreter said that when he had asked him the question, he replied that he neither knew nor had heard whether Andrés had said anything of the sort in the pueblo or elsewhere. When asked by the interpreter whether he had been influenced by any persons to make this deposition and whether he was related in any way to the Indian Andrés, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone and that he was not related to Andrés. When asked by the interpreter

whether he had anything else to say and how old he was, the interpreter said that when he had asked him the question, he replied that he had nothing else to say about what he was being questioned and that he believed he was thirty-one years old, more or less. When this deposition had been read to the interpreter in order that he should explain it to him in his language and he should say whether it was the same deposition, that he had made, the inter/^{65v}preter said that when he had informed him of it, he replied that everything

ojo contained therein was exactly what he had said and the truth under penalty of the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed this before me the notary.

I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, while he was in his residence, the said señor judge of this cause, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Damián of the Talojuay Nation, a leading Indian of the pueblo of San Juan Capistrano. When

all, were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why Captain Don Thoribio de Vrrutia had arrested him, the interpreter said that when he had asked him the question, he replied that he did know the Indian Andrés because he was from his pueblo and that he heard in the pueblo that the captain had arrested him because he had run away from San Xavier. When asked by the interpreter whether on the night that Andrés arrived at the pueblo with his wife, he told of the murders that occurred in San Xavier, the interpreter said that when he had asked him the question, he replied that he did not hear the said Andrés tell about the said ⁶⁶murders on the night that he arrived or afterward, much less did he know whether he had told it in the pueblo because the deponent

had not heard it in the said pueblo. When asked by the said interpreter on what day had they learned about the murders and who had reported them, the interpreter said that when he had asked him the question, he replied that on the day after Andrés arrived, before dinner, a Spaniard named Viz. ^{te} arrived at the mission with a note for Father Arrecibita which was sent from the Mission of San Antonio. As soon as the said father read it, he told the people of the pueblo that the Cocos Indians had killed in the missions of San Xav. ^r Father Ganzábal with an arrow and a Spaniard named Zeballos with a bullet. When asked by the interpreter whether, after these murders became known in the pueblo, he heard there whether Andrés had said that he knew who had killed Father Ganzábal and Zeballos, the interpreter said that when he had asked him the question, he replied that he had not heard anything about this question in the pueblo. When asked by the interpreter whether he was counseled by any persons to make this deposition or whether he was related in any way to the said Indian Andrés, the interpreter replied that when he had asked him the question, he replied that he was not counseled by anyone and that he was not related in any way to the Indian Andrés. When asked by the interpreter whether he had anything else to say about what he had been asked and what was his age, the interpreter replied that when he had

asked him the question, he said that he had nothing else to say on this subject and that he thought he was probably twenty-eight years old, more or less, When this deposition had been read to the interpreter little by little in order that he should inform him of it in his language and he should tell whether it was exactly what he had deposed, the interpreter said that when he ^{66v}//had informed him of the deposition as he was ordered, he said that everything contained therein was exactly what he had said and the truth under penalty of the oath he had made, which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed before me the notary public and [notary] of the Cabildo.
I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause in order to continued with these proceedings, before me the notary and in the presence of the Indian interpreter, summoned before him Domingo Luis of the Talojuay Nation,

former governor and alcalde of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he knew the Indian Andrés and whether he knew why he was imprisoned, the interpreter said that when he had asked him the question, he replied that he knew the Indian Andrés because he was from his pueblo and that he had heard there that the captain of San Antonio had arrested him because he ran away from the Mission of San Xavier. When asked by the interpreter whether on the night that Andrés arrived at the pueblo with his wife, he told of the murders of Father Ganzábal and Zeballos or whether they became known afterward through him, the interpreter said that when he had asked him the question, he replied that on the night Andrés arrived at the pueblo he did

not tell of the murders about which he [the deponent] was being questioned neither did they [the murders] become known afterward through him. When asked by the interpreter on ⁶⁷ //what day did the aforesaid murders become known in the pueblo and who reported them, the interpreter said that when he had asked him the question, he replied that the day after Andrés arrived, a Spaniard named Viz. ^{te} came to the pueblo with a note from the Mission of San Antonio for Father Arrecibita, who, after reading it, told the men of the pueblo that the Cocos had killed Father Ganzábal with an arrow and Zaballos with a bullet. When asked by the interpreter whether after these murders became known in the pueblo, he heard there that Andrés had said he knew who had committed the aforesaid murders, the interpreter said that when he had asked him the question, he replied that neither before the murders became known nor afterward did he hear anything about what he was being asked. When asked by the interpreter whether he was counseled by any person to make this deposition and whether he was related in any way to Andrés, the interpreter said that when he had asked him the question, he replied that he was not counseled by anyone and that he was not related in any way to Andrés. When asked by the interpreter whether he had anything else to say about what he had been questioned, the interpreter said that when he had asked him the question

he said that he had nothing more to say about what he had been asked and that he believed he was thirty-two years old, more or less. When this deposition had been read to the interpreter in order that he should explain it to the deponent in his language and he should say whether it was exactly what he had deposed, the said interpreter said that when he had informed him of it, he replied that everything contained therein was exactly what he had said and deposed, and the truth under the oath he had made, which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

67v co
//Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the twenty-third day of the month of August of the said year, his honor the deputy [captain] general and judge of this cause, Don Man. Antonio de Soto Bermúdez, said that in view of the fact that the six Indians stated in the decree on folio eighty-three had been examined, his honor ordered that they ratify their deposition in order to determine, in view there-¹

of, whatever was advisable according to law. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, for the execution of the order given in the foregoing decree, before me the notary and in the presence of the interpreter appointed in these proceedings, the said señor judge of this cause, while he was in his residence, summoned before him Joseph Fran. ^{co} of the Chalopín Nation, former fiscal of the pueblo of San Juan Capistrano and at the present time a leading Indian of the same. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name

of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio eighty-three of these proceedings that the deponent has made had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should state whether what was recorded therein was exactly what he ⁶⁸//had said, the interpreter said that when he had informed him of it as he was ordered, he replied that everything stated in the said deposition was exactly what he had deposed and the truth under the oath he had made. When asked by the interpreter whether he had anything to add or to retract, the said interpreter said that when he had asked him the question, he replied that he had nothing to add or to retract. When asked whether on the night on which the Indian Andrés and his wife arrived at the pueblo of San Juan Capistrano or on the following day, some Indians or other persons from the Mission of San Fran. ^{co} de la Espada were there, the interpreter said that when he had asked him the question, he replied that he neither knew nor saw whether on the night the Indian Andrés arrived at the pueblo or on the following day, any Indians or any persons whatever from the pueblo of San Fran. ^{co} de la Espada were there, and that what he had said and deposed was the truth under the oath he had made, which he affirmed and ratified, and, if necessary, he would say it again one, two, and three times and as many

times, as was necessary according to law. When asked by the interpreter how old he was and whether he was related in any way to the Indian Andrés, the interpreter said that when he had asked him the question, he replied that he believed he was probably thirty-two years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause in order to continue with these proceedings, in the presence of the interpreter appointed for the same, summoned before him Antonio Joseph of the Benado Nation, former fiscal of the pueblo of San Juan Capistrano and at the present time a vecino of the same. When they were together, before me the notary, he administered the oath //in^{68v} the name of our Lord God and a sign of the holy cross, according to law to the interpreter, to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about

what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the cross to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio eighty-six of these proceedings that the deponent has made had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should state whether what was recorded therein was exactly what he had deposed or whether he had anything to add or to retract, the interpreter said that when he had informed him of it and had asked him the question he replied that everything recorded therein was exactly what he had said and that he had nothing to add or to retract. When asked by the interpreter whether on the night on which the Indian Andrés and his wife arrived at the pueblo of San Juan Capistrano or on the following day some Indians or other persons from the Mission of San Fran. ^{co} de la Espada were in the aforesaid pueblo, the interpreter said that when he had asked him the question, he replied that neither on the above-said night nor on the day following the arrival of Andrés did any Indians from the Mission of la Espada arrive at the pueblo of San Juan Capistrano neither were any of them there. When asked by the interpreter how old he was and whether he was related

in any way to the said Indian Andrés, the interpreter said that when he had asked him the question, he replied that he did not remember how old he was but that he believed he was twenty-nine years old, more or less, and that the general provisions of the law did not apply to him, and that what he had said and deposed was the truth under the oath he had made, which he affirmed and ratified, and, if necessary, he would say //it⁶⁹ again one, two, and three times, and as many [times] as was necessary according to law. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

co
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, before me the notary and in the presence of the Indian interpreter appointed in this cause, summoned before him Andrés Bernardino of the Chalopín Nation, former fiscal and alcalde of the pueblo of San Juan Capistrano and at the present time a vecino of the same. When [all] were together, he administered the oath in the name of our Lord God and a sign of the cross, according to law, to the interpreter to the effect that he would perform

well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio eighty-seven verso of these proceedings that the deponent has made had been read to the interpreter in order that he should inform him of it in his language and ^{he} should state whether what was contained therein was exactly what he had deposed, and whether he had anything to add or to retract, the said interpreter said that when he had informed him of it and had asked him the question as he had been ordered, he replied that everything written therein was exactly what he had deposed and the truth, that he ratified it, and that he had nothing to add or to retract. When asked by the interpreter whether on the night on which the Indian Andrés involved in these proceedings arrived at the pueblo of San Juan Capistrano with his wife there were ^{69v} // in the same some Indians or other persons from the Mission of San Fran. ^{co} de la Espada or whether on the following day anyone from this mission, went to the said pueblo of San Juan Capistrano, the interpreter said that when he had asked him

the question, he replied that neither on the night on which the Indian Andrés arrived at the said pueblo nor on the following day did he see or learn whether any person whatever from the said Mission of la Espada had been in the said pueblo, much less did he know whether [anyone] from his pueblo had gone to the said mission, and that everything that he had said and deposed was the truth under the oath he had made, which he affirmed and ratified and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law. He said he believed he was thirty-one years old and that he was not related to the Indian Andrés. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, the said señor judge of this cause while he was in his residence, in order to continue with these proceedings, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Damián of the

Talojuay Nation, a leading Indian and a vecino of the pueblo of San Juan Capistrano. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio eighty-nine that the deponent ⁷⁰ //has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should say whether what was stated therein was exactly what he had said and whether he had anything to add or to retract, the interpreter said that when he had informed him of all of it, he replied that everything recorded in his deposition was exactly what he had said and the truth, that he ratified it, and that he had nothing to add or to retract. When asked by the said interpreter whether on the night on which Andrés and his wife arrived at the pueblo of San Juan Capistrano or on the day after his arrival there were any Indians or other persons from the Mission

of la Espada in the said pueblo of San Juan Capistrano or whether [anyone] from the latter [pueblo] went to the former, the interpreter said that when he had asked him the question, he replied that neither on the night stated in the question nor on the following day did any Indians from his pueblo go to the said mission, much less [did any Indians] from the latter [mission go] to the former; and that everything he had said and deposed was the truth under the oath he had made, which he affirmed and ratified; and if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law; that the general provisions of the law did not apply to him with regard to the Indian Andrés; and that he believed that he was probably twenty-eight years old, more or less. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause while he was in his residence, before me the notary and in the presence of the interpreter

appointed in these proceedings, summoned before him Domingo Luis of the Talojay Nation, former alcalde and governor of the pueblo of San Juan Capistrano and at present a vecino of the same. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to ^{70v}//law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him he said that he swore in the name of our Lord God and a sign of the most holy cross, according to law, to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio ninety verso that the deponent has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should say whether what was recorded therein was exactly what he had deposed and whether he had anything to add or to retract, the interpreter said that when he had informed him of all the deposition, he replied that everything stated therein was exactly what he had said and the truth, that he ratified it, and that he had nothing to add or to retract. When asked by the interpreter whether on the night on which the Indian Andrés arrived at the

pueblo of San Juan Capistrano with his wife or on the following day any Indians or other persons from the Mission of la Espada were there or came there or if he knew whether from the said pueblo of San Juan Capistrano any Indians had gone to the said mission, the interpreter said that when he had asked him the question, he replied that on the night of the arrival of Andrés there were no people from the Mission of la Espada in the pueblo of San Juan Capistrano much less did he know or hear whether any Indians from the latter had gone to the former; and that everything that he had said and deposed was the truth under the oath he had made, which he affirmed and ratified, and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law. He said he believed he was probably thirty-two years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed this ⁷¹//before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year,

his honor the said señor judge of this cause said that in view of the fact that for the execution of the decree on folio ninety-two, it was necessary to have the ratification of Joseph Xavier, an Indian of the pueblo of San Juan Capistrano, who has been unable to appear because of illness, he did hereby order that this be written down as an official act, which he signed before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary of the Cabildo

In the villa of San Fernando, on the twenty-fifth day of the month of August of the said year, his honor the deputy captain general of this province and judge of this cause, Señor Don Man. Antonio de Soto Bermúdez, said that in view of the fact that in the decree on the first folio issued by Don Thoribio de Vrrutia, captain of the royal presidio of San Antonio de Véxar, it was of record that when the Reverend Father Fr. Jph. Pinilla arrived there, namely between nine and ten in the morning of the sixteenth of last May, with the news of the murders committed by the Cocos Indians in the Mission of la Candelaria, the report of the said murders had spread among the Indians of the Mission of San Fran. ^{co} de la

Espada quite early, and in view of the fact that these [In-
 dians, had not been summoned for the investigation of this
 occurrence because some were exceedingly busy with the irri-
 gation of their milpas and others were suffering from serious
 illness as has been reported by the Reverend Father Fr. Bar-
 tolo mé Garzía, a minister of the said pueblo, and since he
 [the said judge, has been informed that the illness had abated
 and that it was not necessary to irrigate because of the heavy
 rains that had fallen, and since the investigation of the
 aforesaid report was necessary and indispensable, he should
 order and he did order that before his projected departure
 from this villa for the ^{71v}//royal presidio of San Fran. ^{co} de
 Xavier, the investigation of the same be held, that the most
 important Indians of the aforesaid pueblo be summoned for
 that purpose and that the Indian Thomás appointed in this
 cause serve as interpreter for the same. Thus did the said
señor judge decree, order, and sign this before me the notary.
 I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
 Fran. Joseph de Arocha

Notary Public and [Notary, of the Cabildo

Immediately thereafter, on the said day, month, and year,

in order to continue with the investigation ordered in the foregoing decree, the said señor judge of this cause while he was in his residence, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Fran. Pablo of the Pacao Nation, the present governor of the pueblo of San Fran. de la Espada. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he had heard in his pueblo about the murders of Father Ganzabal and Zaballos, the interpreter said that when he had asked him the question, he replied that he had. When asked by the interpreter from whom had he heard about them in the said pueblo, the interpreter said that when he had asked ^{him} the question, he replied that one day after dinner while he was at work, the mayordomo of his pueblo came and told the deponent and the others who were

there that the fathers had received a note from the Mission of San Antonio saying that the Cocos ⁷²//Indians had killed Father Ganzábal with an arrow and a Spaniard named Zeballos with a bullet. When asked by the interpreter whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew why he was under arrest, the interpreter said that when he had asked him the question, he replied that he did know him and that after the captain took him under arrest to his presidio, he heard in the pueblo that this was done because he had killed Father Ganzábal. When asked by the interpreter whether he had been counseled by any person whatever to make this deposition and how old he was, the interpreter said that when he had asked him the question, he replied that he was not counseled by anyone and that he believed he was probably forty-eight years old, more or less, and that he was not related to Andrés. When this deposition had been read to the interpreter in order that he should inform him of it in his language and he should state whether what was recorded therein was exactly what he had said, the interpreter said that when he had informed him of it as he was ordered, he replied that everything recorded therein was exactly what he had said and the truth under penalty of the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause in order to continue with the same, before me the notary and in the presence of the interpreter appointed for the same [cause], summoned before him Pedro Joseph of the Pacao Nation, the present alcalde of the pueblo of San Fran. ^{co} de la Espada. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had prom^{72v}//ised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether they knew of the murders of Father Ganzábal and Zaballos in

his pueblo, the interpreter said that when he had asked him the question, he replied that they did because he had heard about them there. When asked by the said interpreter when and from whom did they learn of the aforesaid murders, the interpreter said that when he had asked him the question, he replied that one day after dinner while he was at the Labor, a muchacho from his pueblo arrived from the mission and told him that the fathers had received a note from the Mission of San Antonio saying that the Cocos Indians had killed Father Ganzábal and a Spaniard named Zeballos. When asked by the interpreter whether he knew the Indian Andrés from San Juan Capistrano and whether he knew why he was under arrest, the interpreter said that when he had asked him the question, he replied that he did know the said Indian and that after he was arrested, he heard in the pueblo that he was arrested because it was said that he had killed Father Ganzábal. When asked by the said interpreter whether he was counseled by any persons to make this deposition or whether he had anything else to say, the interpreter said that when he had asked him the question, he replied that he had not been counseled by anyone and that he had nothing else to say about what he had been asked. When asked by the said interpreter how old he was and whether he was related in any way to the said Andrés, the interpreter said that when he had asked him

the question, he replied that he believed he was probably thirty-six years old, ⁷³//more or less, and that the general provisions of the law did not apply to him, and that everything he had said and deposed was the truth under penalty of the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, in order to continue with the proceedings of the same, the said señor judge of this cause, before me the notary and in the presence of the interpreter appointed in these proceedings, summoned before him Andrés ^{co} of the Pacao Nation, a vecino of the pueblo of San Fran. de la Espada. When all were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer to him the oath in his language. When he had gone through the motions, speaking

the same, the interpreter said that when he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and might be questioned. When asked by the interpreter whether he had heard in his pueblo about the murders of Father Ganzábal and Zeballos, the interpreter said that when he had asked him the question, he replied that he did hear about them. When asked by the interpreter from whom had he heard about the aforesaid murders, the interpreter said that when he had asked him the question, he replied that one day after dinner while he was plowing, the mayordomo of his pueblo came there and told him that the fathers had received a note from the Mission of San Antonio informing them that the Cocos had killed Father Ganzábal and a Spaniard Zeballos. When asked by the interpreter whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew why he was under arrest, the interpreter said that when he had asked him the question he replied that he did not //know the said Andrés and that some days past, he had heard in his pueblo that the captain had arrested an Indian from San Juan Capistrano because it was said that he had killed Father Ganzábal. When asked by the interpreter whether he was counseled by any persons to make this deposition or whether he had anything else to say about what he had been asked, the interpreter said

that when he had asked him the question, he replied that he had not been counseled by anyone and that he had nothing else to say. When asked by the interpreter how old he was, the said interpreter said that when he had asked him the question, he replied that he believed he was probably twenty-eight years old, more or less, and that the general provisions of the law did not apply to him; and that what he had deposed was the truth under the oath he had made, which he affirmed and ratified. They did not sign because they said they did not know how. The said señor judge signed this before me the notary. I certify!

Manuel Antonio de Soto Bermúdez

Before me:

Francisco Joseph de Arocha

Notary Public and [Notary], of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause for the execution of the [proceedings], of the same which he is now holding, before me the notary and in the presence of the interpreter appointed, summoned before him Luis of the Pacao Nation, former alcalde and governor of the pueblo of San Fran. ^{co} de la Espada, and at present a vecino of the same. When [all], were together, he administered the oath in the name of Our Lord God and

a sign of the holy cross, according to law, to the interpreter to the effect that he would execute well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth in so far as he knew and //⁷⁴might be questioned. When asked by the interpreter whether he had heard about the murders of Father Ganzábal and Zeballos, the interpreter said that when he had asked him the question, he replied that he had heard about them. When asked by the interpreter how and from whom he heard about them, the interpreter said that when he had asked him the question, he replied that one day after dinner while he was in the labor plowing, the mayordomo of his pueblo came where he was and told him that the fathers had received a note from the Mission of San Antonio telling them that the Cocos Indians had killed Father Ganzábal and a Spaniard named Zeballos. When asked by the interpreter whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew that he was under arrest and why, the interpreter said that when he had asked him the question, he replied that he did know the said Andrés and that he had also

heard that the captain had arrested him because he said that he had killed Father Ganzábal and the Spaniard Zeballos. When asked by the interpreter whether he was counseled by any persons to make this deposition and whether he had anything else to say about what he had been asked, the interpreter said that when he had asked him the question, he replied that he was not counseled by anyone and that he had nothing more to say about the subject in question. When asked by the interpreter how old he was and whether he was related to Andrés in any way, the interpreter said that when he had asked him the question, he replied that he believed he was probably twenty-six years old, more or less, and that the general provisions of the law did not apply to him with regard to the Indian Andrés, and that what he had deposed was the truth under the oath he had made, which he affirmed and ratified. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

co 74v
Fran. // Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge of this

cause in order to continue with the [proceedings] of the same, before me the notary, summoned before him Joseph Antonio, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran.^{co} de la Espada. When he had appeared, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of Father Ganzábal and Zeballos which occurred in San Xabier, the deponent replied that he had heard about them. When asked how he had learned about them, the deponent said that one afternoon after dinner while he was taking care of the stock, an Indian herdsman from his pueblo came with a supply of provisions and told the deponent that the fathers had received a note from the Mission of San Antonio notifying them that the Cocos Indians had killed Father Ganzábal and Zeballos. When asked whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he had heard why he was under arrest, the deponent said that he did know the said Andrés and that many days after his imprisonment, he heard that the captain had arrested him because it was said that he had killed Father Ganzábal. When asked whether he was influenced by any persons to make this deposition, the deponent said that he was not, and that everything he had said and deposed therein was the truth under

penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-five years old, more or less, and that the general provisions of the law did not apply to him with regard to the Indian Andrés. He did not sign because he said he did not know how. The said señor ⁷⁵//Judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, the said señor judge of this cause, while he was holding these proceedings, summoned before him Joaquín, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had heard about the murders of Father Ganzábal and Zeballos which occurred in the Mission of la Candelaria, the deponent said that he had heard about them. When asked how and when he heard it, the deponent said that one day after dinner

while he was plowing a muchacho [who was a] cook came and told the deponent that the fathers were sad because from the Mission of San Antonio they had written them that the Cocos had killed Father Ganzábal and Zeballos. When asked whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew why he was under arrest, the deponent said that he did know the said Andrés and that a few days ago he learned that the captain had arrested him because he had killed Father Ganzábal and Zeballos. When asked whether he had been counseled by any person to make this deposition or whether he had anything else to say about what he had been asked, he said that he had not been influenced by any person and that he did not have anything else to say on the subject in question, and that what he had said and deposed was the truth under penalty of the oath he had made, which he affirmed and ratified; that he was probably twenty-six years old, more or less, and that the ^{75v}//general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge, in order to continue with these proceedings, summoned before him Fermín, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran.^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had heard about the murders of Father Ganzábal and Zeballos, which had occurred in the Mission of la Candelaria, he replied that he had heard about them. When asked how and from whom had he learned about them, the deponent replied that while he was in the labor plowing one day after dinner, the mayordomo, who was coming from the mission, arrived and told the deponent and others who were there that he had left the fathers very sad because they had received a note from the Mission of San Antonio saying that the Cocos Indians had killed Father Ganzábal and Zeballos. When asked whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew why he was under arrest, the deponent replied that he did not know the said Andrés but that some days ago he had heard in the pueblo that the captain had arrested him because he was saying that he had killed Father Ganzábal. When asked whether he was counseled

by any persons to make this deposition, he replied that he had not been influenced by anyone. When asked whether he had anything else to say about what he had been asked ⁷⁶//and whether he was related in any way to the Indian Andrés, the deponent replied that he had nothing else to say about the subject and that the general provisions of the law did not apply to him, and that everything that he had said and deposed was the truth under the oath he had made, which he affirmed and ratified. When this his deposition had been read to him berbo ad berbum, he said it was the same he had made which he affirmed and ratified. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary; of the Cabildo

Immediately thereafter, the said señor judge of this cause, while he was in his residence, summoned before him Joseph Antonio, alias Grande, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me, the notary, he administered to him the oath, which he took in the name of our Lord God

and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had learned of the murders of Father Ganzábal and Zeballos which occurred in the Mission of la Candelaria, the deponent said that he had heard about the aforesaid murders. When asked how and from whom he heard it, the deponent said that one day after dinner while he was in the labor plowing, the mayordomo told him that the fathers had received a note from the Mission of San Antonio telling them that the Cocos Indians had killed Father Ganzábal and Zeballos and that Father Fr. Pinilla had brought this news from San Xavier. When asked whether he knew the Indian Andrés from the pueblo of San Juan Capistrano and whether he knew why he was under arrest, the deponent replied that he did know the said Andrés and that some days ago, he had heard in the pueblo that the captain had arrested him because he was saying that he had killed ^{76v}//Father Ganzábal and Zeballos. When asked whether he was influenced by any persons to make this deposition and whether he had anything else to say about what he had been asked, he replied that he had not been counseled by anyone and that he had nothing to say besides what he had said and that it was the truth under penalty of the oath he had made, which he affirmed and ratified. He said, that he was probably twenty-six years old, more or less and that the general provisions

of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

^l to
Man. An. de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause, in order to continue with the proceedings, in question, summoned before him Pedro, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me, the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of Father Ganzábal and Zeballos which occurred in the mission of la Candelaria, the deponent said that one day after dinner while he was in the labor plowing, the mayordomo came where the deponent and others were and told them, that the fathers were sad because they had received a note from the Mission of San Antonio telling them

that the Cocos Indians had killed Father Ganzábal and Zeballos in the Mission of la Candelaria and that this news had been brought by Father Fr. Jph. Pinilla, who had come that day from San Xavier. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, the deponent replied //⁷⁷that he did know the said Andrés, who was from the pueblo of San Juan Capistrano, and that he had heard that the captain arrested him because it was said that he had killed Father Ganzábal and Zeballos. When asked whether he was influenced by any persons to make this deposition and whether he had anything else to say about what he had been asked, the deponent replied that he had not been counseled by anyone and that he had nothing else to say about what he had been asked; that what he had deposed was the truth under the oath he had made, which he affirmed and ratified; and that he was probably twenty-five years old, more or less. When asked whether he was related in any way to the Indian Andrés who was under arrest, the deponent replied that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Manuel Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary, of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge, in order to continue with these proceedings he was holding, summoned before him Salvador, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran.^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he had heard of the murders of Father Ganzábal and Zeballos, which occurred in the Mission of la Candelaria, he replied that he had heard about them. When asked how and from whom he heard it, the deponent replied that one day when he was plowing, he left his work after the noon hour and came to the mission to eat, and the cook of the same told him that as ^{77v}//the fathers were about to finish dinner, a Spaniard arrived with a note from the Mission of San Antonio informing them that the Cocos had killed Father Ganzábal and Zeballos, and that this news had been brought from San Xavier by the Reverend Father Fr. Joseph Pinilla; and that up to this time nothing had been known about the said murders in the pueblo. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, he replied that he did know the aforesaid Andrés, and that he had heard a few days ago that the captain arrested him because

it was said that he had killed Father Ganzábal and Zeballos. When asked whether he was counseled by any persons to make this deposition and whether he had anything else to say about what he had been asked, the deponent replied that he had not been influenced by anyone and that he had nothing more to say; and that what he had said, was the truth, under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-two years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said ^{señor} judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and ^{co}Notary, of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause by virtue of the proceedings he was holding, summoned before him Benito, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of

which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of Father Ganzábal and Zeballos, which occurred in the Mission of la ⁷⁸//Candelaria, the deponent replied that he did know about them because he had heard it. When asked how and from whom had he heard it, the deponent replied that one afternoon the mayordomo of the mission came where the deponent and others were plowing and told him that the fathers had received a note from the Mission of San Antonio telling them that the Cocos had killed Father Ganzábal and Zeballos and that the same mayordomo said that this news had been brought from San Xavier by the Reverend Father Fr. Joseph Pinilla, and that up to this time they had not known about the said murders in the pueblo. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, the deponent replied that he did know the said Andrés, who was from the pueblo of San Juan Capistrano; and that he had heard in the pueblo some days ago that the captain had him under arrest because he said that he had killed Father Ganzábal. When asked whether he was influenced by any persons to make this deposition and whether he had anything else to say about what he had been asked, the deponent replied that he had not been influenced by anyone; that he had nothing to say about the subject in question besides what he had deposed; and that it was the truth under penalty of the oath he had made, which he affirmed

and ratified. He said he was twenty years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how.

The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in ^{78v}//his residence, the said señor judge of this cause, in order to continue with these proceedings, summoned before him Juan Rico, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of Father Ganzábal and Zeballos, which occurred in the mission of la Candelaria, the deponent replied that he had heard about the said murders. When asked how and from whom had he heard about them, the deponent replied that one afternoon a friend of the deponent's who had gone to the

mission for dinner came to where the deponent was plowing and told him that the fathers had received a note from the Mission of San Antonio telling them that the Cocos had killed Father Ganzábal and Zeballos and that Father Fr. Joseph Pinilla had brought this news from San Xavier; and that this was when he learned about the said murders because before then nothing was known about them in the pueblo. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, the deponent replied that he did know the said Andrés, who was from the pueblo of San Juan Capistrano, and that a few days ago he had learned that the captain had him under arrest because he said that he had killed Father Ganzábal and Zeballos. When asked whether he had been counseled by any persons to make this deposition and whether he had anything else to say about the questions he had been asked, the deponent replied that he had not been influenced by anyone and that he had nothing to say other than what he had said; and that all he had deposed was the truth under the ⁷⁹//oath he had made, which he affirmed and ratified. He said he was twenty-four years old, more or less and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence the said señor judge, in order to continue with these proceedings, summoned before him Joseph Joaquín, a bilingual Indian of the 'Pacao Nation, former alcalde and fiscal of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of the Reverend Father Fr. Jph. Ganzábal and Zezeballos [sic], which occurred in the Mission of Nuestra Señora de la Candelaria, the deponent replied that he did know about them because he had been told about them. When asked who had told him about them and how, the deponent replied that one day after dinner while he was at the labor plowing with others from his pueblo, the mayordomo came and told them that the fathers were sad because they had received a note from the Mission of San Antonio telling them that the Cocos had killed Father Ganzábal and Zeballos; that Father Fr. Joseph Pinilla had brought this news from San Xavier, and that

up to this time they had not known about the said murders in the pueblo. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, the deponent replied that he did know the Indian Andrés, who was from the pueblo of San Juan Capistrano, and that a few days ago he learned that the captain had arrest^{79v}//ed him because he said that he had killed Father Ganzábal. When asked whether he had been counseled by any persons to make this deposition and whether he had anything else to say about what he was being questioned, the deponent replied that he had not been influenced by anyone and that he had nothing more to say about the questions he had been asked, and that what he had said and deposed was the truth under penalty of the oath he had made, which he affirmed and ratified; that he was thirty-one years old, more or less; and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary.

I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year,

while he was in his residence, the said señor judge summoned before him Santiago, a bilingual Indian of the Pamaqui Nation and a cook in the Mission of San Fran.^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked whether he knew about the murders of Father Ganzábal and Zeballos, which occurred in the Mission of la Candelaria, the deponent replied that he did know about them. When asked how and from whom he knew it, the deponent replied that one day as the fathers were finishing dinner, a Spaniard whom he did not know came to the mission with a note from the Mission, of San Antonio and that as soon as the fathers read it, they ordered the deponent to toll the bell for the soul of Father Ganzábal, who had been killed by the Cocos Indians in the Mission of la Candelaria; and that he heard the fathers tell that this news had been brought from San Xavier by Father Fr. Jph. Pinnilla, who had gone to the Mission of San Antonio, and that this was the //⁸⁰first time that the aforesaid murders became known in the pueblo. When asked whether he knew the Indian Andrés and whether he knew why he was under arrest, the deponent said that he did not know him but that he had heard that the captain had arrested an Indian because he had said

that he had killed Father Ganzábal. When asked whether he had been counseled by any persons to make this deposition or whether he had anything else to say about the questions he had been asked, the deponent replied that he had not been counseled by anyone and that he had nothing to say other than what he had said; and that everything he had deposed was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was nineteen years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the twenty-sixth day of the month of August of the present year of one thousand seven hundred fifty-two, after he had seen the información taken relative to the contents of the decree on folio ninety-seven verso and had declared it to be sufficient, his honor the deputy [captain] general and judge of this cause ordered that the witnesses examined therein ratify their depositions in order to determine, in view thereof, whatever was advisable accord-

ing to law. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, for the execution of the order given in the foregoing decree, while he was in his residence, the said señor judge of this cause, before me the notary and in the presence of the interpreter appointed in this cause, summoned before him Fran.^{co} Pablo, the present governor of the pueblo of San Fran.^{co} de la Espa//^{80v}da. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered to him the oath, he said that he swore in the name of our Lord God and a sign of the holy cross to tell the truth. When the deposition on folio ninety-eight

that the deponent has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should tell whether what was recorded therein was exactly what he had deposed and whether he had anything to add or to retract, the interpreter said that when he had informed him of all of it and had asked him the question, he said that everything recorded therein was exactly what he had deposed and the truth, that he ratified it and that he had nothing to add or to retract, and that everything that he had said and deposed was the truth under penalty of the oath he had made, which he affirmed and ratified one, two, and three times, and as many [times], as was necessary according to law. He said he was probably forty-eight years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge, before

me the notary and in the presence of the Indian interpreter summoned before him Pedro Joseph of the Pacao Nation, alcalde of the pueblo of San Fran.^{co} de la Espada. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. ⁸¹ //When he had gone through the motions speaking the same, he said that when he had administered to him the oath, he replied that he swore in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth. When the deposition beginning on folio ninety-nine that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it little by little in his language and he should state whether what was recorded therein was exactly what he had deposed or whether he had anything to add or to retract, the interpreter said that when he had informed him of it, he said that everything that was written therein was exactly what he had deposed and the truth, that he affirmed and ratified it, that he had nothing to add or to retract, and that what he had said therein was the truth under the oath he had made, which he affirmed and ratified

and, if necessary, he would say it again one, two, and three times and as many [times], as was necessary according to law. He said he was thirty-six years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary], of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge, before me the notary and in the presence of the interpreter appointed in this cause, summoned before him Andrés, a leading Indian of the pueblo of San Fran. ^{co} de la Espada and of the Pacao Nation. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when

he had administered the oath to him, he said that he swore in the name of our Lord God and a sign of the holy cross, according to law, to ^{81v}//tell the truth. When the deposition beginning on folio one hundred that the deponent has made in these proceedings had been read to the interpreter in order that he should inform him of it in his language and he should say whether what was recorded therein was exactly what he had said and whether he had anything to add or to retract, the interpreter said that when he had informed him of it as ordered and had asked him the question, he replied that he had said and deposed everything contained therein as written therein, that he ratified it and, if necessary, he would say it again one, two, and three times and as many _{times}, as was necessary according to law, and that he had nothing to add or to retract. He said he was twenty-eight years old, more or less, and that the general provisions of the law did not apply to him, and that what he has said was the truth under the oath he had made, which he affirmed and ratified. He said he did not know how to sign. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and _{Notary}, of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge of this cause in order to continue with these proceedings, before me the notary and in the presence of the interpreter appointed in this cause, summoned before him Luis of the Pacao Nation, former alcalde and governor of the pueblo of San Fran.^{co} de la Espada and at present a vecino of the same. When [all] were together, he administered the oath in the name of our Lord God and a sign of the holy cross, according to law, to the interpreter to the effect that he would perform well and faithfully his office as was his duty. When this had been done and he had promised to tell the truth about what the deponent might say, he was ordered to administer the oath to him in his language. When he had gone through the motions speaking the same, the interpreter said that when he had administered the oath to him ⁸² // he said that he swore in the name of our Lord God and a sign of the holy cross, according to law, to tell the truth. When the deposition beginning on folio one hundred one that the deponent has made in these proceedings had been read berbo ad verbum to the interpreter in order that he should inform him of it in his language and he should say whether it was exactly what he had said or whether he had anything to add or to retract, the interpreter said that when he had informed him of all the deposition, he said that it was the same that he had made, that he ratified it

and, if necessary, he would say it again one, two, or three times and as many [times], as was necessary according to law, and that he had nothing to add or to retract, and that it was the truth under the oath he had made which he affirmed and ratified. He said he was twenty-six years old, more or less, and that the general provisions of the law did not apply to him. They did not sign because they did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary], of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge of this cause in order to continue with the same, before me the notary, summoned before him Jph. Antonio, alias Chiquito, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran.^{co} de la Espada. When he had appeared, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When the deposition beginning on folio one hundred two that he has made in these proceedings had been read to him berbo ad verbum, he

said that he had said and deposed everything contained therein as written therein, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law, and that he had nothing to add or to retract, and that what he had said was the truth under the oath he had made, which he affirmed and ratified. He said he was twenty-^{82v} five //years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

On the said day, month, and year, while he was in his residence, the said señor judge summoned before him Joaquín, a bilingual Indian of the Pacao Nation and a vecino of the pueblo of San Fran.^{co} de la Espada, a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the cross, according to law. When the deposition beginning on folio

one hundred three that he has made in these proceedings had been read to him berbo ad verbum, he said that he had heard and understood it and that he had said and deposed everything contained therein as written therein, that he ratified it and, if necessary, he would say it again one, two, and three times and as [many] times as was necessary according to law, and that he had nothing to add or to retract, and that everything he had said was the truth under penalty of the oath he had made. He said he was twenty-six years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge, in order to continue with these proceedings, summoned before him Fermín, a bilingual Indian of the Pacao Nation, a vecino of the pueblo of San Fran. ^{co} de la Espada and a witness examined in this cause. When he had appeared,

he administered to him the oath, before me the notary, which he took in the name of our Lord God and a sign of the holy cross, according to law. When the deposition beginning on folio one hundred three verso that he has made in these proceedings had been read to him berbo ad⁸³berbum, he said that he had heard and understood //it, and that he had said and deposed everything contained therein as written therein, that he ratified it, and, if necessary, he would say it again one, two, and three times and as many times, as was necessary according to law. When asked whether he had anything to add or to retract, the deponent said that he had nothing to add or to retract and that what he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-four years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

Man.¹ Antonio de Soto Bermúdez

Before me:

Fran.^{co} Joseph de Arocha

Notary Public and Notary of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge of this cause, in order to continue with these proceedings, summoned before him Jph. Antonio, alias Grande, of the Pacao Nation, a bilingual Indian and a vecino of the pueblo of San Fran.^{co} de la Espada, a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When the deposition beginning on folio one hundred four verso that he had made in these proceedings had been read to him berbo ad verbum, he said that he had heard and understood it and that he had said and deposed everything contained therein as written therein; that he ratified it and, if necessary, he would say it again one, two, and three times, and as many [times], as was necessary according to law. When asked whether he had anything to add or to retract, the deponent replied that he did not, and that everything he had said was the truth under the oath he had made, which he affirmed and ratified. He said he was twenty-six years old, more or less, and that the general provisions of the law did not apply to him.. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I

certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co} Fran. ^{83v} Jph. // de Arocha

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor Judge of this cause, summoned before him Pedro, a bilingual Indian of the Pacao Nation, a vecino of the pueblo of San Fran.^{co} de la Espada, a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio one hundred five that he has made in these proceedings had been read to him berbo ad verbum and he had been informed of all the contents of the same, he said that he had said and deposed everything contained therein as written therein, that he ratified it, and, if necessary, he would say it again one, two, and three times and as many times as was necessary according to law. When asked whether he had anything to add or to retract, the deponent replied that he

did not and that everything he had said was the truth under the oath he had made, which he affirmed and ratified. He said he was twenty-five years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he did not know how. The said señor judge signed before me the notary. I certify.

1 to
Man. An. de Soto Bermúdez

Before me:

co
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, while he was in his residence, the said señor judge, in order to continue with these proceedings, summoned before him Salbador, a bilingual Indian, a vecino of the pueblo of San Fran.^{co} de la Espada, and a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When his deposition beginning on folio one hundred six that he has made in these proceedings had been read to him berbo ad verbum, he said that he had heard and understood it and that he had said and deposed everything contained therein as written therein, that

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he ratified it and if nec//essary, he would say it again one, two, and three times and as many [times], as was necessary according to law. When asked whether he had anything to add or to retract, he replied that he did not and that everything he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-two years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

1
Man. Antonio de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and [Notary], of the Cabildo

Immediately thereafter, on the said day, month, and year, while he was in his residence, the said señor judge, in order to continue with the proceedings of this cause he is holding, summoned before him Benito, a bilingual Indian of the Pacao Nation, a vecino of the pueblo of San Fran. ^{co} de la Espada, and a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised

to tell the truth. When the deposition beginning on folio one hundred six verso that he has made in these proceedings had been read to him berbo ad verbum and he had been informed of the contents of the same, he said that he had said and deposed everything contained therein as written therein, that he affirmed it and, if necessary, he would say it again one, two, and three times and as many [times], as was necessary according to law. When asked whether he had anything to add or to retract, the deponent replied that he did not and that everything he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

l to
Man. An. de Soto Bermúdez

Before me:

co
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, in order to continue with this cause he is trying, the said señor judge summoned before him Juan Rico, a bilingual Indian of the Pacao nation, a vecino of the pueblo of San Fran. ^{co} de

la Espada, and a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty ^{84v} //of which he promised to tell the truth. When the deposition beginning on folio one hundred seven verso that he has made in these proceedings had been read to him berbo ad verbum and he had been informed of the contents of the same, he said that everything written therein was exactly what he had deposed, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times] as was necessary according to law. When asked whether he had anything to add or to retract, the deponent said that he did not and that everything he had said was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-four years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

Immediately thereafter, on the said day, month, and year, in order to continue with these proceedings he is holding, while he was in his residence, the said señor judge of this cause summoned before him Joseph Joaquín of the Pacao Nation, former fiscal and alcalde of the pueblo of San Fran. ^{co} de la Espada, a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth. When the deposition beginning on folio one hundred eight that he has made in these proceeding had been read to him berbo ad verbum and he had been informed of the contents of the same, he said that he had said and deposed everything contained therein as written therein, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times], as was necessary according to law. When asked whether he had anything to add or to retract, the deponent replied that he did not and that what he had said was the truth under the oath he had made, which he affirmed and ratified. He said he was thirty-one years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

85
//Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the said villa, on the said day, month, and year, in order to continue with this cause he is holding, while he was in his residence, the said señor judge summoned before him Santiago of the Pamaqui Nation, a bilingual Indian, a cook from the pueblo of San Fran. ^{co} de la Espada, a witness from the pueblo of San Fran. ^{co} de la Espada examined [sic], a witness examined in this cause. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When the deposition beginning on folio one hundred nine that he has made in these proceedings had been read to him berbo ad berbum and he had been informed of the contents of the same, he said that he had said and deposed everything contained therein as written therein, that he ratified it and, if necessary, he would say it again one, two, and three times and as many [times], as was necessary according to law. When asked whether he had anything to add or to retract, the deponent replied that he did not, that what he had said was the truth under

penalty of the oath he had made, which he affirmed and ratified. He said, he was nineteen years old, more or less, and that the general provisions of the law did not apply to him. He did not sign because he said he did not know how. The said señor judge signed before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and Notary, of the Cabildo

In the said villa, on the said day, month, and year, in view of the fact that all the proceedings with the Indians of the pueblo of San Fran. ^{co} de la Espada that had been ordered had been concluded and in view of the fact, that the finding therefrom was that it was the mayordomo of the said pueblo who told the governor and others examined in the said proceedings who were in the labor at the time that the fathers of the said pueblo had received a note from the Mission of San Antonio inform//^{85v}ing them of the murders of Father Ganzábal and Zeballos, which occurred in the Mission of la Candelaria, his honor the said señor judge of this cause said and ordered that the aforesaid mayordomo be summoned for the purpose of proving this point at issue. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

1
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Joseph de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the twenty-seventh day of the month of August of the said year, by virtue of the foregoing decree, the said señor judge summoned before him the mayordomo of the pueblo of San Fran. ^{co} de la Espada. When he had appeared, before me the notary, he administered to him the oath, which he took in the name of our Lord God and a sign of the holy cross, according to law, under penalty of which he promised to tell the truth in so far as he knew and might be questioned. When asked what was his age and profession, where he was from and what was his name, he said that his name was Miguel de Bergara, that he was a barber by profession, that he was twenty-eight years old, more or less, [that he was] a vecino of the villa of San Fernando and a native of the city of Guadalajara, and at present mayordomo of the Mission of San Fran. ^{co} de la Espada. When asked whether one day after dinner at the labor of the said pueblo, he had told the governor and the other Indians who were there plowing with him that the fathers had received a note ojo from the Mission of San Antonio notifying them of the

murders of Father Ganzábal and Zeballos, the deponent said that he remembered that one day after dinner he went to the said labor and told those who were plowing there everything stated in the question, but that he had not told it to the governor because he had not gone to the labor to work that day, but that he did remember that among those who were there, one was called Salvador, another Benito, and that he did not recall the names of the others. When asked how he knew that the said fathers had received the note, the deponent replied that on the same aforesaid day he left the labor⁸⁶ //where he was working and came for dinner to the mission, where he arrived after twelve, and that Father Fr. Acisclo Valverde told the deponent that he had just received a note saying that Father Ganzábal and Zeballos had been killed, and asked him to commend him to God. When asked whether he knew who had brought this news of the murders which occurred in la Candelaria, the deponent replied that Reverend Father Fr. Joseph Pinilla had brought it on the same day that the note came to the mission. When asked whether he had known anything about the murders before this announcement, the deponent replied that he had not for this was the first time that he had heard of them, and that everything that he had said and deposed was the truth under the oath he had made. When his deposition had been read to him berbo ad verbum, he affirmed and ratified it because it was the truth. And he

them of the murders that had occurred; and that everything that he had deposed was the truth under penalty of the oath he had made, which he affirmed and ratified. He said he was twenty-eight years old, more or less, and that the general provisions of the law did not apply to him. And he signed this with his honor before me the notary. I certify.

Man. Antonio de Soto Bermúdez Miguel de Bergara

Before me:

co
Fran. Jph. de Arocha

Notary Public and [Notary] of the Cabildo

In the villa of San Fernando, on the thirty-first day of the month of August of this year of one thousand seven hundred fifty-two, his honor Señor Don Manuel Antonio de Soto Bermúdez, deputy [captain] general and judge of this cause, said that in view of the fact that he was ready to leave tomorrow for the presidio of San Fran. ^{co} Xavier de Ggedo in order to continue with the trial he was holding, he considered it advisable to order the removal of Manuel Carrillo and the Indian Andrés involved in these proceedings from the jail of this villa where they are under arrest to the said royal presidio of San Xavier. And in order that their persons may be duly safeguarded, the said señor judge ordered that they be placed in charge of Corporal Nicolás Carabajal, who shall take them to the said royal

presidio under proper guard and custody and shall give the requisite receipt for them. Thus did the said señor judge decree, order, and sign this before me the notary. I certify.

¹
Man. Antonio de Soto Bermúdez

Before me:

^{co}
Fran. Jph. de Arocha

Notary Public and Notary of the Cabildo

In the royal presidio of San Fran.^{co} Xavier de Gigedo, on the fourth day of the month of September of the present year of one thousand seven hundred fifty-two, I, Don Manuel Antonio de Soto Bermúdez, deputy captain, general of this province of Tejas, New Philippines, by virtue of my having come to this above-said presidio // ⁸⁷ for the purpose of continuing therein the proceedings which I am holding by order of the señor governor and captain general of the said province to ascertain the culprits of the two murders recorded in these proceedings, state that since by reason of the proceedings held on this question by Don Thoribio de Vrrutia, captain by order of His Majesty (may God guard him) of the royal presidio of San Antonio de Véxar, among those implicated therein are Martín Gutiérrez, Thomás de Yruegas, and Juan Joseph Sánchez, alias Marín, who I understand, on his Vrrutia's, petition are being held in the guardhouse of this said presidio

by Don Phelipe de Rábago y Therán, captain of the same by order of His Majesty; and since it is advisable that the above-said defendants be at my disposal and that all the officers and the soldiers of the garrison of this aforesaid presidio be available for the proceedings that may be held in the course of this trial, I should order and I do hereby order that the above-said Don Phelipe de Rábago y Therán be notified of the contents of this decree in order that when he shall have been informed thereof and of the two decrees, on folios ten and eleven verso issued by the said señor governor, he shall comply with the contents of the same by giving the aid that may be considered necessary. Thus did I decree, order, and sign this before myself and the attendant witnesses with whom I am acting in the absence of a notary public or royal notary because there is none within the limits prescribed by law. I certify.

1

Man. Antonio de Soto Bermúdez

Attendant witnesses:

Pedro Granados

Xptóbal de Córdoba

Immediately thereafter, I the said deputy governor and captain, general of this province of Texas, in order to execute the duties of my office went with the attendant witnesses

to the residence of Don Phelipe de Rábago y Therán, captain by order of His Majesty (may God guard him) of this presidio of San Fran.^{co} Xavier de Gigeo, whom I certify I //know,^{87v} and informed him in person of the contents of the foregoing decree and of the two ,decrees, mentioned therein. When he had heard and understood the same, he said that he obeyed. In compliance therewith, he went to the guardhouse of this above-said presidio, where he turned over to me in person Martín Gutiérrez, Thomás de Yruegas, Juan Joseph Sánchez, alias Marín, defendants in these proceedings. I the said deputy declare that they have been placed in my charge. He signed this with me and the attendant witnesses with whom I am acting as stated above. I certify.

Manuel Antonio de Soto Bermúdez Phelipe de Rábago y Therán

Attendant witnesses:

Pedro Granados

Xptóbal de Córdoba

In the said presidio, on the said day, month, and year, I the said deputy ,captain, general having examined these proceedings and bearing in mind that Fran.^{co} Moreno, a tailor by trade, in his deposition on folio fifty-five verso has referred to another ,deposition, that he has made on the same subject on petition of Don Phelipe de Rábago y Therán, captain

by order of His Majesty of this above-said presidio, before Ordinary Alcalde Don Fran.^{co} Delgado, and since it is advisable that this [deposition] be recorded in these proceedings for whatever purposes it may be needed, and since I have been informed that it is in the possession of the above-said captain, in order to annex it thereto I should decree and I did decree that the aforesaid captain be petitioned for it. Thus did I the said deputy [captain] general decree, order, and sign this with my attendant witnesses with whom I am acting in the absence of a public notary or royal notary, because there is none within the limits prescribed by law. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant, witness:

Pedro Granados

Immediately thereafter, I the said deputy [captain] general by virtue of the decision made in the foregoing decree, went with the attendant witnesses to the residence of Don Phelipe de Rábago y Therán, captain by order of His Majesty (may God guard him) of this presidio of San Xavier, whom I certify I know, and informed him in person of the said decree enacted by me. When he had heard it, he said that he could not exhibit the deposition for which he was being asked because he had annexed it to some proceedings

what you have said in that presidio of San Xavier and of what you have done in this [presidio] of San Antonio, the rumor has spread that you have come with a commission from the señor governor to hold the proceedings for the special investigation of the treacherous and sacrilegious homicides committed at the Mission of la Candelaria the night of the eleventh of last May when the preacher Father Fr. Joseph Fran. ^{co} de Ganzábal and Juan Joseph Sáenz de Zaballos, a Spaniard who had taken refuge in the said mission where he was enjoying immunity of asylum for his person, were murdered. Violating the said immunity, Captain Don Phelipe de Rábago y Therán came for him, took him away contrary to law, and inflicted upon him the most cruel and unusual forms of punishment. Fearing, for the grave and legitimate reasons duly expressed according to law, that the findings of the proceedings that you have held in San Antonio and of those which you may hold in that [presidio] of San Xavier, instead of being the veridical solution of the said sacrilegious homicides, will, as has already occurred, result in the most serious detriment to the reputation, esteem, and honor of the sa-

cerdotal and religious profession and to the es-
 tablished law, conduct, and zeal of the apostolic
 missionaries as well as ^{88v}//to the promulgation
 of the Holy Gospel, the highly spiritual objec-
 tive of our Catholic Monarch, and [to] the con-
 version to our holy faith of the Indians, part-
 icularly of the neophytes and the catechumes of
 the Cocos Nation, who have been calumniated un-
 justly and with notorious impostures by being
 accused of the said homicides, I recuse once, and
 as many times as is necessary according to law,
 both you and the notary Fran. ^{co} de Arocha, with
 whom you are acting in all the decrees, official
 acts, informaciones, and proceedings in this
 cause, and the legitimate investigation of the
 same, as [being] suspicious and gravely interes-
 ted in confusing, tergiversating, and departing
 from the truth which is so important to the said
 parties. This recusation is legitimate for the
 reason stated in the canonical law in the second
 chapter provision 425, final inscription concerning
 appeals. Consequently, according to the prin-
 cipal purpose of the same, you and the said no-
 tary should suspend the proceedings and have
 nothing more to do with this cause. Ipsa non

que ratio dictat quod suspecti et inimici iudices esse non debent. The exceptions of this type applicable to you and the said notary are legitimate and apparent as is evident in your public causes. The first [recusation] with respect to you is the declared passion with which you have shown an interest in the irregular cunning and the schemes with which the said captain pretends to disapprove the circumstantial or quasi evidence which manifests his affected innocence in the particular complaint in this cause--notwithstanding the fact that when you came to that [presidio] of San Xavier, you found it with only one officer and a few soldiers because the captain had left it in order to go to the source of the San Marcos River in order to confer with the [captain] of San Antonio, Don Thoribio de Vrruttia, the secret and private alliance they had agreed upon in order to conceal the truth and to bring discredit on the missionaries. But this [alliance] was made impossible by your arrival because each of the captains was called back from the environs of the said river; and both gave abundant cause for laughter, gossip, and scandal when their frustrated trip which they

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thought //was not known to anyone became known
in that presidio and in this presidio, and in
the villa of San Fernando. You were the only
one who winked at it, and instead of preventing
the said evil intent and purpose, you have on
the contrary promoted it with complete publicity
to the notorious injury and universal discredit
of the religious. The actual facts and events
have proved this to be true, for every proceeding
you have held has been governed by such principles.
For this reason while it was made to appear that
the sergeant of that company, Joseph Migue^l,
de Sosa, and the cashier, attorney, and courier
of that captain, Thoribio de Guebara, would not
leave, they left that presidio with you at mid-
night and came to this presidio of San Antonio
not only for the purpose of achieving the objec-
tive in which their captain failed because of
your arrival, but also in order to have the said
soldier Guebara near you to direct, instruct,
and influence you in every proceeding you have
held, as he has done. Thus it happened that in
consequence of the petition of the said captain
made by a public exhorto presented some days ago
to the Cabildo of the villa, you ordered that

the Indian and the soldier Carrillo be taken from the guardhouse, where they had been kept under arrest, to the jail of the villa in order that less conspicuously--although such was not the case--the said sergeant Sosa and the soldier Guebara could suggest to them what they were to depose, as they did de facto and with the help of the notary to their entire satisfaction and caprice. And, in order to better assure the objective of the said influence, namely the retraction of what the Indian had confessed, you ordered that one of the two pairs of shackles on Carrillo be removed and placed on the Indian in addition to the other two that he had, and that the soldiers of the guard should take good care that he did not talk with anyone; while, at the same time, the said Carrillo remained seated at the door talking with everybody. Not content with vexing the Indian in the said manner for the greater suc^{89v}cess of the said retraction, you made it possible, by going on the sly to the Mission of la Concepción on the sixth of August, for the said Sergeant Sosa and the soldier Guebara without violating your orders to go that afternoon, after reaching an agreement with the notary, from his house to the jail where they remained locked up for a long time with the Indian instructing

him on the deposition which you took on the following day, the seventh. And it was published with everyone saying that everything that the Indian had previously confessed was a lie and that he had been counseled to say it by three missionary fathers. You admitted it with such unwise and ready compliance that not only was it divulged through the villa and presidio of San Antonio, to the general discredit, contemn, and dishonor of the missionaries, but also within twenty-four hours the news was taken by a soldier who was employed as a courier--which is not unusual since this is the only service they perform--to that presidio of San Xavier, where it was celebrated with special demonstrations by the interested parties. These violations and provisions prove by presumption the suspicion and motive for this recusation since it is evident from them themselves that you arbitrarily ignored the status of the cause and the proofs and evidence showing that the confession of the Indian was without error and legitimate, for the sole purpose of obtaining through the influence of the said soldier Guebara the retraction of the said confession, without omitting the void and illegal informaciones which you have held with Indians as if

they were capable of deposing in the proceedings you have held or you were ,capable, of understanding what they said, particularly in a case in which because of its gravity, its nature, and other powerful influences it was necessary for them to deny even what was evident that they knew for a fact-- as cannot be denied except through ignorance of how the Indians act under such circumstances. By means of the said admission ,of the Indian's retraction, the said cause was confirmed as proved and legitimate, primarily because of the passion and facility for inventing calumnies against the //religious, admitting proofs favorable to their adversaries without heeding the pleas manifesting the truth about such false and execrable testimonies. For ignoring that a judicial confession characterized as is that of the Indian by circumstantial evidence and contradictory detail can be revoked only immediately or by proving conclusively how he had been at fault therein and by replying adequately to all the evidence that proved it, you have been unwilling to ascertain any ,evidence, except that which suited your purpose; and you have had such high regard for the revocation of the confession of the Indian that not only have you published it to the

universal discredit of the religious missionaries, but also in order to besmirch their religious behavior and procedure you have exceeded your authority by treating it, the said revocation, as the root and basis for your entire arbitrary proceedings without taking into account that it is publicly and generally known that the said revocation was extorted from the Indian by means of unwise and evident insinuations, not only recently and by the said soldier Guebara and Sergeant Sosa, but, also, some time previously by Don Thomás Cosío, the cashier of the said captain of this presidio of San Antonio and other individuals who kept instructing and intimidating the Indian in the guardhouse in order to have him revoke what he had previously confessed. Furthermore you have failed to consider that in every proceeding you have held you were guided by your judgment rather than by the dictates of the law, for you have not yet examined the body and substance of the crime which should have been the basis for the proceedings, neither have you summoned the party by whose request and petition the señor governor provided for the special investigation of the aggressors in the sacrilegious homicides. For if the said party had produced the

evidence needed for the //^{90v}proof of the said ,homicides;, you would not have proceeded with such staunch injustice, and the presumptions against those who have been legitimately suspected and accused of the said sacrilegious homicides would be proved. This atrocious delict has been persistently combated with such manifest injustice because of the widespread erroneous belief that the missionaries cannot file charges in this cause, which has been dogmatically called ,a; criminal ,cause;, as if there were no opportune remedies in the sacred canons to combat the lawlessness with which the said erroneous belief permits the violation of the respect due to their ,the missionaries'; persons and ,to permit the missionaries; to file charges before the superior tribunals, as they shall do in the present cause. And with the protest prescribed by the said canons, ,they shall protest; the latest proof of the truth of this cause and of the others which have been instituted against the said captain and which make this recusation legitimate for the personal indemnity and for the civil vindication of such unmerited injuries concocted not only for the purpose of weakening the validity and force of the pleas with which appeals to His Excellency

should be made but also in order to conspire for the latter purpose ,to win over, the imprudent thoughtlessness of the common people by means of the irreparable bribery of power, which is used to intimidate them and to facilitate extorting from them however many false oaths are needed by emulation in order to discredit and to injure the esteem, veneration, and reputation of the priests and the religious. All the foregoing can be proved by the proceedings which you have held in conformity with the wish of the said captain ,and the, soldier Guebara in your arbitrary trial, for the purpose of all of them ,the said proceedings, is to defame the missionaries and to conceal a delict which the self-same proceedings can prove. For if this were not true, in order to prove their innocence they would not need ,to resort to, such grave calumnies and irregular means as malice has dictated. For the proof of the foregoing, according to natural law, they ask in due form that you give their party a copy of all the proceedings you have held against
⁹¹
 //the same.

The second recusation with respect to the notary Arocha is justified not only for the reason already stated--since he merits the same suspicion of passion

and interest which you have shown in the cause because it was from his house that the said soldier Guebara and Sergeant Sosa went to influence the Indian the afternoon before you took his deposition-- but also and primarily because in the captaincy general of His Excellency the said notary has been convicted of several impostures in a contradictory judgment which he and his companions imputed against the missionary fathers in times past; and thus it may be presumed, according to several common laws among jurists, that in consequence of that ancient enmity he may again allege other similar calumnies.

In view of all the foregoing since all the laws concur in denying jurisdiction to suspicious and interested judges, in the best form according to the said laws; and for the said reasons and others which have been withheld for the superior tribunal of His Excellency, I, recuse you and the said notary as judges of this cause and for all the proceedings of the same. Consequently, if notwithstanding the legitimate, public, and true reasons alleged which justify the said recusation you should attempt to take action in this cause contrary to the form provided by law, from this time forward I, protest the nullity of all the proceed-

ings that you have held and which you may hold in any form whatever because ,I am, appealing this cause and the special investigation petitioned by my party before the governor of this province before to the superior tribunal of His Excellency. To that end, I petition that you annex this recusation and appeal to the proceedings on the case and that a due memorial of all that has been acted upon be made promptly to His Excellency, since the missions have suffered great injury from the importunate motive ^{9lv} //which you gave for coming from that presidio of San Xavier where you should have held the proceedings for which you were commissioned to this ,presidio, of San Antonio where you have executed whatever you wished. And greater injuries will result because although you said that you were going to be in San Antonio only two days in order to publish here your title of deputy ,captain, general, which is unheard of in this province, you have pretracted the said two days to one whole month; this, together with the other two months that the señor governor delayed in issuing the order for you to come as judge of this cause because the captain of la Bahía had turned down the commission for that purpose, is causing a notable delay in ,the

execution of, the superior orders of His Excellency. And it appears that these orders, have been intentionally delayed by such premeditated motives, as those which you have given for the delays in the proceedings which you should have executed with the greatest solicitude because this case is as serious as it is important and because not only are the spiritual well-being of the Indians and the reputation of the apostolic missionaries dependent upon it but also the wise expenditure of His Majesty's funds which are being used contrary to his royal intention and without any fruits or advantages whatever. Because of your neglect and other offences, you will have to answer these charges if the grandeur of His Excellency and his captaincy general should deem it advisable, for the president of the missions has already done his duty by making in due time the regular and proper efforts to prevent the said neglect and offences.

But the steps that you have taken to prevent the efficacy of the said efforts, were more irregular, for when the captain of San Xavier was made attorney, having admittedly and publicly determined to conceal the charges and the proofs of this cause you examined the witnesses imposing on them various

and unreasonable capitulos with which to intimidate them; and, behind their backs, you drew the conjectures that you wished in order to distort the truth recording them as if they were the depositions that they had made, leaving out the ⁹²//truth that was told. Consequently, among all the depositions by Indians and Spaniards you have taken, there is none without this defect of fraud for there is none candidly and faithfully written as will be apparent to anyone hearing the said depositions according to law, and as is also proved by the offences you have committed. For ignoring the public ridicule and scandal occasioned in this villa and presidio by the spectacle of having them, the said proceedings, executed as if this cause were a child's play--for as such it has been treated--day after day you pretended that you were going to San Xavier, and when there was reason for believing that you were on the way, the fact was that on the slightest pretext you were keeping the road full of couriers who were exposed to the danger of going alone at night, unarmed, since neither you nor your favored captain remembered that this was the land of the enemy and of the publicized war of the Cocos. But you probably were confident that it, the said war, was as fictitious as it was,

famous; and for this very reason on the thirty-first of August you ordered seven soldiers to go to San Xavier to bring to you the ,soldiers, who were due to be under arrest in San Xavier as accomplices in the sacrilegious homicides, in order to continue in San Antonio the pseudo-información or proceedings which you had held with the other ,suspects,. And you deceived the president of the missions who was expecting you in San Xavier, for the purpose of concluding your distorted and ill advised trial without his plea or opposition from his party. But since from the inconsistencies of the said ,trial, grave injuries were beginning to be felt, he decided to come to San Antonio. And when you learned that he was in the environs of the same from a courier who arrived at ten at night, sent by the captain of San Xavier, immediately you sent another ,courier, by another route to countermand the order to the said seven soldiers. With another squad you then got the Indian prisoner, and taking along the suspect Carrillo free and fully armed as any other soldier, you set out along the montes rather than along the highway. In short, such disorderliness has ^{92v}//never been seen in the land; and the spectacle of seeing you leave on the run with the soldiers in disorder,

some of them lost and unable to find each other because you were not traveling on the Camino Real, has inspired both contempt and ridicule.

From such ridiculous doings and abominable principles can be inferred the errors and violations with which you must be proceeding in your informal and irregular cause. But of all the charges made against you, the most objectionable is that when you took the Indian with you to turn him over to the captain of San Xavier to do with as he wished, you did not give security for his life as you should have done. For on the day after he had committed the homicides, while he and his wife were fleeing, on coming through the monte of las Animas, they saw three soldiers; and thinking they had come to kill them--which was not a farfetched supposition since it was based on his having committed so horrible an atrocity the night before and he could well fear lest they take his life in order that he should not be able to confess it--they managed to hide. But they could have escaped detection only by special dispensation or if the said or if the said sic, three soldiers had not been sent by anyone to look for them. And today there is greater reason for considering this presumption well-founded

since you and the perpetrators of such execrable wickedness are justified in fearing lest the truth which you are so carefully hiding be made known ultimately, for my party shall not rest until the impostures and false testimonies and the discrediting of the missionaries effected for that purpose by their machinations have been proved.

Furthermore [I] petition that you consider this recusation and appeal as presented and [I] swear that it is without malice and whatever is necessary, etc.

co
Fr. María Anó Fran. de los Dolores

President of the Missions

When I had seen the foregoing petition, in order to proceed with the proof necessary according to law I ordered, as was my duty, that a copy of the same be given to Don Thoribio de Guebara, the attorney for the defendants in the proceedings that I am holding, in order that in view thereof he may make whatever allegation he considers advisable thus did I do for the ⁹³//rights of his clients. Thus did I decree, order, and sign this before myself and the attendant witnesses with whom I am acting as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant, witness:

Pedro Granados

Immediately thereafter, I, the said deputy [captain, general, by virtue of the order given in the foregoing decree, made known the contents of the same to Don Thoribio de Guebara. When he had understood its meaning, he said that he had heard it and [he asked, that it be given to him in order that he may reply as he may consider advisable. This is the reply he gave. And he signed this with me and the attendant witnesses [with whom I am acting, as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

Thoribio de Guebara

[Attendant, witness:

Pedro Granados

In the royal presidio of San Fran.^{co} Xavier de Gigeño, on the seventh day of the month of September of the year one thousand seven hundred fifty-two, before me Don Manuel Antonio de Soto Bermúdez, deputy governor [and captain, general of this province of Texas, New Philippines, by order of the governor and captain general of the same, the following petition was presented:

I, Don Thoribio de Guebara, in the name of Manuel Carrillo, Thomás de Yruegas, Martín Gutiérrez, and Juan Joseph Sánchez, alias Marín, appear before you in the best manner according to law and in the interest of my clients to state that in the petition presented before you by the Reverend Father President Fr. Mariano Fran. ^{co} de los Dolores, of which you have given me a copy and in which he has recused you and the notary, Don Fran. ^{co} de Arocha, and has appealed to the superior government and captaincy general, he, the said father, has produced several suppositions such as that I with other confederates influenced the Indian Andrés to depose before you. This is a sinister supposition, since it is publicly and generally known in the ^{93v} //royal presidio of San Antonio de Vexar and the villa of San Fernando that after the Indian had been arrested by Captain Don Thoribio de Vrrutia and had made his first deposition, he called the said captain and told him that what he had deposed before him was false; that it was not true, that either he or my clients had coöperated in the murders but that he had said so because he had been persuaded and threatened by the said father president, to say it; and that he was making this declaration in order to relieve his

conscience. It is thus evident that the said point is sinister as is further proved by the fact that I was not in this province at the time but on the road to Mexico, and it is therefore evident that everything alleged in the said petition is null and that its sole purpose is to obscure and delay justice for my clients. In view of the said impostures, which should not be heeded, because of your well-known uprightness, will you please order that the said petition shall by no means be admitted, for I do not by any means consider the said father president a legitimate party; and will you continue the trial of this cause without the slightest delay until it shall be brought to the point of sentence as I have petitioned, for I shall thereby receive mercy with justice. I ask and beg you to so order because it is just. I swear in due form in the name of my clients that they have not been motivated by malice and whatever is necessary, etc. Moreover, because of the aforesaid well-known uprightness, will you please order that it [this petition] be admitted on the present paper because there is none of the requisite [stamped paper] in this jurisdiction.

Thoribio de Guebara

When I had seen [the foregoing petition], I admitted it as presented with the petition enclosed therein, and in view of the dearth in this province of learned persons who could give me a correct opinion according to law, I should order and I did order that they be annexed ⁹⁴//to the proceedings of the case, that a certified copy be made of the same and the originals be forwarded to His Excellency in order that in view thereof he may take such action on the matter as he deems advisable. But this [order] shall not be interpreted as meaning that I consider myself recused in any manner whatever in this cause and the party shall be notified to that effect in order that he shall have recourse to plead whatever he may consider in the interest of his rights. Thus did I decree, order, and sign this before myself and the attendant witnesses with whom I am acting as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant, witness:

Pedro Granados

Immediately thereafter, for the execution of the order given in the foregoing decree, I, the said deputy [captain] general, summoned before me Don Thoribio de Guebara, whom I certify I know, and informed him in person of the contents of the same. When he had been informed of the contents of

the same, he said that he had heard it and that he would reply in writing. This he gave for his answer, which he signed with me and the attendant witnesses [with whom I am acting, as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

Thoribio de Guebara

[Attendant, witness:

Pedro Granados

In the royal presidio of San Fran.^{co} Xavier de Gigeo on the ninth day of the month of September of the year one thousand seven hundred fifty-two, before me, Don Manuel Antonio de Soto Bermúdez, deputy captain general of this province, the following petition was presented, etc.:

I, Don Thoribio de Guebara, in the name of Manuel Carrillo, Thomás de Yruegas, Martín Gutiérrez, and Juan Joseph Sánchez, alias Marín, appear before you in the best manner according to law and in the interest of my clients to state that having been informed by you of the decree for forwarding the proceedings which you are holding to the superior government and captaincy general of the Most Excellent Señor Viceroy of this kingdom, //notwithstanding the fact that you should not have stopped their course in view of the fact that the Reverend Father

Fr. Mano Fran.^{co} de los Dolores is not a legitimate party in this case for the recusation since he bases it and his appeal to the said captaincy general on suppositions, I consider myself authorized to plead in the interest of the rights of my clients. The only purpose of the said recusation is to obscure and delay justice for my clients; this delay has not only caused them grave injuries and hardships but also to be kept, though innocent, in prison where they are unable to execute their duties in the royal service although they are de facto innocent of having cooperated in the homicide of which they have been falsely accused. And since this presidio is badly in need of soldiers and is in danger of being invaded by the enemy by whom it is surrounded, will you please order, because of your well-known uprightness, that my said clients be released when they have given the requisite bond which must be provided by the presidial men of this presidio where there is no civil community, and for which purpose I have a license from the señor captain which I am presenting with due solemnity. In view of the foregoing, I ask and beg you to please order what I have petitioned because it is just. I swear in due form on behalf of my clients that this

is without malice and whatever is necessary, etc.

Thoribio de Guebara

When I had seen [the foregoing petition], I admitted it as presented and in view of what is stated therein, I have considered it just to order as I do hereby order that when the party shall have granted the bond promised, the defendants contained therein shall be released with the condition that they shall perform the ⁹⁵//royal service in this presidio and that they shall never get farther away from it than the customary distance for the camp of the horse herd of the same. As for the Indian Andrés, he shall be kept under arrest in the guardhouse of this above-said presidio until His Excellency the Most Excellent Señor Viceroy shall have rendered the decision he considers advisable concerning him. All the foregoing shall be made known by letter requisitorial to Don Phelipe de Rábago y Therán, captain by order of His Majesty (may God guard him) of the above-said presidio, in order that when he shall have been informed of this decision, he shall make provision for keeping the said Andrés under the necessary guard and custody. Thus did I decree, order, and sign this with my attendant witnesses with whom I am acting as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant, witness:

Pedro Granados

Señor Captain Don Phelipe de Rábago y Therán:

I, Don Thoribio de Guebara, in the name of Manuel Carrillo, Martín Gutiérrez, Tomás de Yruegas, and Juan Joseph Sánchez, appear before you in the best manner according to law to state that in view of the fact that my clients are under arrest in the guardhouse and in order that they may be released to execute the royal service, bail must be supplied; and that since there are no civilians in this presidio, the soldiers of the same must necessarily give it. In view of the foregoing, will you please grant your license for the said bail, and I shall receive mercy therefrom.

I beg you to so order because it is just, and whatever is necessary etc.

Thoribio de Guebara

I hereby grant the license petitioned by this party in order that he may make the above-stated bail. In order that this [decree] might be of record, I signed it in the royal presidio of San Fran. ^{co} Xavier de Ggedo, on the ninth of September of the year one thousand seven hundred fifty-two.

Phelip de Rábago ^{95v} //y Therán

In the royal presidio of San Fran.^{co} Xavier de Ggedo, on the ninth day of the month of September of the year one thousand seven hundred fifty-two, before me, Don Manuel Antonio de Soto Bermúdez, deputy [captain] general of this province of Texas, New Philippines, and my attendant witnesses with whom I am acting in the absence of a notary public or royal notary because there is none within the limits provided by law, appeared in person Don Diego Ramón de Burgos, alférez of the company of this said presidio, Sergeant Joseph Miguel de Sosa, Corporal Antonio Flores, Carlos Ynacio de Vraga, Antonio Gallardo, Vizente Ferrer Montalbo, and Xptóbal Bela, whom I certify I know, soldiers of the said [company], and all of them presidial men of the above-said presidio; and all of them together jointly and severally said that they received on bail in the capacity of deputy alguaciles, as they hereby constitute themselves, Manuel Carrillo, Thomás de Yruegas, Martín Gutiérrez, and Juan Joseph Sánchez, alias Marín, who are under arrest in this guardhouse in consequence of the murders which took place on the night of the eleventh of May in the Mission of la Candelaria, one of the group on the banks of the San Xavier River. They declare themselves to be in charge of them voluntarily, wherefore they renounce the laws of delivery and proof. They bind themselves to return them to the state of arrest in which they have received them whenever they shall be asked ordered to do so by a competent judge.

And if they do not return them, they will pay the penalties that may be imposed by the judge who may have jurisdiction in this cause. In this event, they hereby declare themselves as convicted without further avowal. They shall be responsible, for them de jure; they shall institute proceedings, and shall pay all ⁹⁶//judgments and sentences rendered by all the courts. To that end they constitute the cause of others as their own. They bind their persons and their present and future assets. They submit to the fuero and authority of the justice of His Majesty who may have jurisdiction over their causes and especially of the judge having jurisdiction over this cause, in order that they may compel them to comply, therewith to the full force of the law as if it were a sentence given in a case that had been tried. They renounce their fuero, domicile, and community, the law of si combenirit de yurisdicione obnium yudicum, the general laws in due form, and all the other laws that may be in their favor, and any other fueros which they may enjoy, and the law Sancimus de liber homo--the meaning of which has been made known to them. In witness whereof, they did so grant this, and those who knew how to write, signed with me the said deputy captain, general and my attendant for those who did not know how to write, and at their request, the lieutenant of this company, Don Manuel de Cos, signed. Those present and witnesses were Juan de Lara, Xptóbal de Córdoba, and Joseph Salinas, and my attendant wit-

nesses [with whom I am acting, as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Diego Ramón

Carlos Ygnacio de Vraga

Antonio Gallardo

At the request of those who did not know how [to write]:

Manuel de Cos

Attendant [witness]:

[Attendant, witness;

Bernardo de Miranda

Pedro Granados

On the said day, month, and year, I, the said deputy [captain, general, by virtue of the foregoing proceeding should order and do hereby order that it be annexed to the proceedings of the case. And by this decree I did so decree, order and sign this with my attendant witnesses [with whom I am acting, as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

[Attendant, witness:

Bernardo de Miranda

Pedro Granados

I, Don Manuel Antonio de Soto Bermúdez, deputy ^{96v}//governor [and captain, general of this province of Texas, New Philip- pines, appointed by Señor Don Jacinto de Barrios y Jáuregui, lieutenant colonel in the cavalry of the royal armies, govern- or and captain general of the same by order of His Majesty,

etc., notify you, Don Phelipe de Rábago y Therán, captain of this royal presidio of San Fran.^{co} Xavier de Gígedo, by order of His Majesty, that by a decree which I have issued this day, I have decided that the Indian Andrés, the defendant in the proceedings which I have been holding by order of the said señor governor, be kept under arrest in the guardhouse of this above-said presidio under the necessary guard and custody until His Excellency the Most Excellent Señor Viceroy, Governor, and Captain General of this New Spain shall dispose of his person as he considers advisable. And in order that this

ojo my decision may be promptly and duly executed, I resolved to issue the present letter requisitorial, by means of which on behalf of His Majesty (may God guard him) and of the royal justice which I am administering in his name, I exhort and request you the said señor captain, and on my own behalf I request and ask that as soon as you shall see this my letter requisitorial, you shall order that it be fully executed for I shall always do the same with those which you may present before me; and you shall return the original to me with your answer appended thereto for whatever purposes it may be needed. This was issued in this presidio of San Fran.^{co} Xavier de Gígedo, on the ninth day of the month of September of the year one thousand seven hundred fifty-two, I, acting with attendant witnesses in the absence of a notary public or royal notary because there is none within the limits provided

by law. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant, witness:

Pedro Granados

In the royal presidio of San Fran.^{co} Xavier de Ggedo on the ninth day of the month of September of the year one thousand seven hundred fifty-two, having seen the foregoing //let-⁹⁷ter requisitorial from the señor deputy [captain, general of this province, Don Manuel Antonio de Soto Bermúdez, and the delivery of the Indian Andrés, who is under arrest in the guardhouse in my charge, I, Don Phelipe de Rábago y Therán, captain and justicia mayor of this said royal presidio by order of His Majesty (may God guard him), receive him in the said prison, where I shall keep him with the necessary guard and custody until the Most Excellent Señor Viceroy of this kingdom shall decide whatever he considers advisable. And in the event that any invasion by unfriendly Indians shall occur here, I shall in that case set him free for his own defense without being held accountable. And this letter requisitorial shall be returned to him [the said deputy captain general, for whatever purposes he may need it. Thus did I decree, order, and sign this, acting before myself as juez receptor with the witnesses I am using because there is no notary. I certify.

GLOSSARY

NOTE: This list does not include the definition of those words which are adequately defined in the unabridged Webster's New International Dictionary of the English Language (Springfield, Massachusetts: G. & C. Merriam Company, 1936).

- alférez: The corporal or officer who is the standard-bearer in his company and marches in the center of the same. The word is derived from the Arabic term Firiz, meaning a nobleman. In the eighteenth century the alférez mayor was the person who raised the royal flag whenever the king was acclaimed. He had the right to vote in the cabildos and ayuntamientos, and was given seating preference over the councilmen. He had the privilege of wearing his sword into the cabildo.
- berbo ad verbum: Verbo ad verbum. Ad verbum.
- capítulo: The charge made against a public official concerning the execution of the duties of his office.
- Casas Reales: Casas de ayuntamiento. The city hall.
- comadre: The relationship between the godmother and the parents of a child.
- compadre: The relationship between the godfather and the parents of a child.
- confesante: A person who has confessed before a judge.
- consulta: The report or opinion sent to the superior government by a tribunal or individual on the problem or matter on which he has been consulted.
- coyunda: A strap for yoking oxen.
- embozada: Probably used for emboza: inequalities in the bottom of barrels.
- exhorto: The request made by one judge to another, his equal, for the execution of something within the jurisdiction of the judge to whom the request is addressed; also, the dispatch issued for the purpose. Letters requisitorial.

Phelipe de Rábago Y Therán

Attendant [witness]:

Carlos Ynacio de Braga

Attendant [witness]:

Antonio Gallardo

In the royal presidio of San Fran.^{co} Xavier de Gígedo on the thirtieth day of the month of September of the year one thousand seven hundred fifty-two, I, Don Man. Antonio de Soto Bermúdez, deputy [captain], general of this province of Texas, New Philippines, state that whereas a certified copy of these proceedings has been made as I have ordered on folio one hundred twenty-seven verso of the same, I should order and I do hereby order that the originals, which are written on one hundred thirty-four valid folios, be forwarded to His Excellency the Most Excellent Señor Viceroy, Governor, and Captain General of this New Spain. Enclosed with them is the consulta which serves as the beginning of the same. The aforesaid certified copy shall remain in the Archive of this jurisdiction. Thus did I decree, order, and sign this with my attendant witnesses as stated above. I certify.

Manuel Antonio de Soto Bermúdez

Attendant [witness]:

Bernardo de Miranda

[Attendant], witness:

Pedro Granados

Because the captain of la Bahía, Don Manuel Ramírez de

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la //Pizcina, was excused, from serving, I went by order of the señor governor of this province to hold the proceedings instituted by the captain, of San Antonio, Don Thoribio de Vrrutia, for the investigation of the aggressors of two murders which occurred on the night of the eleventh of May of this present year in the Mission of la Candelaria, one of the missions, located on the banks of the San Xavier River. The progress of the same proceedings, was hindered by the Reverend Father President Fr. Mariano Francisco de los Dolores with a petition equally diffuse and abusive which he presented as a recusation and appeal before Your Excellency. And although the points which he expounded therein for that purpose are sinister as will be shown by the inability of the said reverend father to give any proof for them, since my sole desire in a matter of such gravity as this is the right solution, in order to assure this, I have decided to close the proceedings by ordering that the original records, of the case be forwarded to Your Excellency in order that in view thereof Your Excellency may render the decision that you may consider advisable on the case. I am well aware that because of the countless errors due to my limited capacity, there is much in these records, which I trust Your Excellency will overlook; and since these errors, are the natural consequence of my great and incomparable ignorance, I hope that they will merit Your Excellency's sovereign pity. Be-

cause of my limited talent I cannot explain to Your Excellency with the efficacious perspicacity and energy needed to prove individually and convincingly each of the points and statements contained in the above-said petition. But since I am of necessity obligated to give some proof of the disinterested zeal and rectitude with which I acted in so important a matter, I cannot avoid annoying Your Excellency by calling to your attention in my crude style the following remarks:

By opening his petition with the introductory remark that I spread the report that I had come to hold the trial for the investigation of the aggressors of the ⁹⁸//sacrilegious homicides committed in the Mission of la Candelaria, the said reverend father by means of this preamble implies that this was the first report that he had had of this commission, although he knows that he was informed of it by the said señor governor. But what is the use of pretending to be ignorant of it and of covering up by his manner of speaking what I told him before my departure for San Antonio--notwithstanding his having said that I willfully gave as a pretext for my delay, [the need, to go to publish my title, which he says is, unheard of, as if the publication of it were not an indispensable requisite according to law

--for even if he had not confessed later that he knew it by saying that I had assured him that I would stay there two days but that I willfully protracted [my stay] for a whole month--without taking into due account that he was responsible for the occurrence which made necessary [the protraction of] the proceedings that were held, as is actually proved by the voluminous proceedings--he would have neutralized the truth of this fact. Since from the foregoing the fact is evident that the said reverend father knew of my coming, there was no need of his alleging ignorance as the reason for his not having appeared in the cause as an interested party as he so much wished [to do]; for [the method that he used] was the only means by which he could have been involved in the cause because of the despicable and sinister nature of the statement which he took the liberty to make to the effect that I should have summoned him since at his request and petition the said señor governor had made provision for the aforesaid información. There is, however, no record of this decision in the proceedings of the case nor of the two months which he [the said father] assumes that the said señor governor delayed in issuing his decision. And

aside from the fact that the delay should be reckoned from the day the proceedings were received until the [day] of the decision, inclusive, and that the total [delay] for the two occasions on which the said señor governor decided to appoint a judge is barely twenty days, even if the day on which the proceedings were forwarded to him [the governor], namely the twenty-seventh of May as is of record on folio five, and the day on which I arrived at this presidio, namely the twenty-sixth of July, are included, [the total delay] is still one day short of two months as is evident. And since ^{98v}//the aforesaid decision has not yet appeared de facto, obviously I did not act contrary to law by not having summoned the said reverend father for the prosecution of the cause.

I do not understand, Most Excellent Señor, what reasons the said reverend father has had for saying that in the proceedings I have held my only purpose has been to injure and defame the esteem and reputation of the missionary fathers, since in the entire [proceedings] there is not a single instance in which I was guided by any such motives--unless the said reverend father has based his assumption, as must doubtless be the case, on the allegation made

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voluntarily by the Indian Andrés in his second deposition, which, according to the said father, I imprudently and readily admitted without realizing that it could be revoked only immediately. If I am guilty of the first charge, my very ignorance is my excuse; for in view of the fact that I did not have any legal rules to guide me, my ignorance of the rule, that I should have known in order to omit from the said deposition whatever could be damaging to the said reverend father is not surprising. And if I am guilty of the second charge, I am exonerated by the proceedings themselves in which is recorded on folio twenty-one

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and twenty-one, verso the revocation sought by the Indian. These circumstances show very clearly that by his the Indian's move, recorded on folio fifty-two, of calling aside the aforesaid Captain Don Thoribio, the revocation was made immediately and so immediately that we can say that he the Indian, had revoked it his deposition, even before he had made it. The purpose of the said move, was probably to inform him the captain, of what really had happened. However, because his the Indian's, words were not heeded, that truth, which would probably be taken into ac-

count today, was then buried in the sepulcher of oblivion.

A less effective means for making it [the said revocation, void is the artificial sinister allegation of the said reverend father to the effect that on the afternoon of the sixth of August with the consent of the notary, Don Thoribio de Guebara and Sergeant Sosa influenced the Indian to make his confession, and that for this purpose I transferred the defendants to the ⁹⁹//jail of the villa and coerced the former [the Indian, by means of an additional pair of shackles that was removed from Carrillo for this purpose. [These, words [are, truly unworthy of being uttered by a person of such lofty character and with presumptions of learning. Since on the morning of the said sixth of August the Indian called me to the jail where he told me before the notary, as is of record on folio thirteen verso, exactly what he confessed to me on the following day, what is the object of saying that the above-said [Guebara and Sosa, shut themselves up with him that afternoon in order to instruct him to depose what he had already poured out that morning? And even granting that this was not true, what was the advantage of [holding, the proceeding if nothing

was to result from it other than what the Indian had previously told? Since a week after his imprisonment the Indian called the said Captain Don Thoribio to retract what he had deposed before him, as is of record in his deposition on folio twenty-two verso, what is the use of crying out that I transferred him to the jail for the purpose of obtaining the retraction that he had previously made before the aforesaid captain voluntarily and without the unheard of method of the Indian's being punished with an additional pair of shackles. For there is no one who could depose to that effect or who could say that the above-said Guebara and Sosa spoke to him in the jail. But it is true, that it the pair of shackles, was removed from Carrillo because I considered it just and my duty to differentiate between a defendant who was, under suspicion and one who was, a confessed delinquent; it is not true, that this was done in order to bring about the retraction. And since from the deduction made concerning this point nothing is apparent other than pure willfulness on the part of the Indian to retract what he had said, what would have been the object of using, this supposed superfluous punishment if no other different effect than

the aforesaid could result from it?

I shall not take time to reply to what the
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//said reverend father said to the effect that I
made the captain of San Xavier attorney, that I
determined, to distort the truth, that I examined
the witnesses by confronting them with various and
unreasonable capítulos with which to intimidate
them, and that I recorded in the depositions what
they had not said, because the very inconsistency
of the said reverend father in the manner of ex-
pressing himself is a sufficient reply. For what
can his saying that I intimidated the witnesses to
depose, and that I recorded in the depositions what
they did not say be called but an evident contradic-
tion? For we must concede either that what is re-
corded in their depositions is exactly what they
had deposed and that they were intimidated for this
purpose, or that they were not intimidated because
what is recorded in their depositions is not what
they deposed. Furthermore, the freedom with which
the witnesses deposed is revealed by the depositions
themselves, for their having said more than they
were asked ⁱⁿ/them is sufficient evidence of the free-
dom with which they deposed.

Implacable in calumniating me, the said reverend

father continues saying that the informaciones I held with the Indians are irregular because they, the Indians, were incapable of deposing in the proceedings I held, and that I was, incapable, of understanding what they said, which in the vernacular is equivalent to saying that the depositions are irregular either because of the inability of the Indians to depose or because, not knowing their language, I could not understand what they deposed. I am convinced that, the said informaciones, cannot be irregular for the second, reason, because the law provides that an interpreter shall be appointed whenever necessary, and since I complied with this requirement when such a case occurred, as is of record in the proceedings on folio twenty-six, it is evident that by means of the interpreter I was able to understand what the Indians said. Returning to the first, point, I, wish to, state that from all the allegations made by the said reverend father in his petition, nothing is evident but ¹⁰⁰ //a fervent effective determination to keep the first deposition of the Indian Andrés valid as is proved by the statement that it could not be revoked except immediately, which words indicate that the Indian was competent to depose as he had deposed. And since

he was competent, as has been asserted by the said reverend father, consequently by undeniable inference the Indians examined by me were also competent, to depose in the proceedings, I have held and with greater justification because the majority of them have distinguished themselves in their pueblo by the offices and positions they have held. Moreover, since the said father has conceded that the Indian Andrés was competent, to depose, he is manifestly contradicting himself by saying now that the said Indians were not competent to depose in the proceedings, I have held. For we must either concede that their depositions are valid because they were competent to depose in the proceedings I have held, or that all the proceedings of the cause that have been held are null and void because they are derived from an Indian who should not have been believed because he was incompetent.

With regard to the allegation, that my departure from the villa of San Fernando caused laughter because I set out with only one soldier and through the montes, it is true that that is how I did it. And I did so, fearing the verification of the report circulated in the villa and presidio of San Antonio to the effect that on the highway I was to

be confronted by troops either for the purpose of taking the Indian from me or of relieving me of the proceedings. And since this report, was verified in a manner, as is publicly reported in the said localities, by the move made by the Reverend Father Fr. Joseph Pinilla when he set out with a large number of Indians at the very moment of my departure and in the same direction, my decision does not appear to have been unwise. Moreover, there is reason to believe that this unexpected move gave abundant motive to those who were taking //to those who were taking ^{100v} sic, the defendants for leaving the highway also. In addition to what has been stated, the wisdom of this decision, is proved by the effrontery with which the said Father Pinilla and the Reverend Fr. Diego Martín García behaved toward me in the Mission of San Antonio in the house of the governor at the time that I was taking the latter's deposition, when, unmindful of the seriousness and circumspection of such an act as this and of the contempt of royal justice, they made me suspend the proceedings, as is of record on folio fifty-three verso of the proceedings.

Everything I have alleged here, Most Excellent Señor, is the complete reply to everything stated

by the reverend father president in his petition. Notwithstanding the fact that his trivial allegation has been proved false therein, since it is my duty to insist that the said reverend father give proof of the same, I cannot fail to ask very humbly of Your Excellency, as I do hereby, to please order that this be done first and foremost and that he present bail for that purpose by means of a lay person, who is, frank, sincere, and reliable. And although I am certain that the said reverend father cannot possibly give even the semblance of the proof needed, to deprive me of jurisdiction over the cause, I trust I shall merit from the innate kindness of Your Excellency my release from the prosecution of the said cause, and your order for the payment of my salary, which shall be, commensurate with the inconveniences and mishaps experienced in the round trip of more than four hundred leagues between los Adaes and the villa of San Fernando, which journey can by no means be executed without the loss of horses and mules because the region is so sparsely settled; and also, the cost of, making the certified copy of the proceedings, and the salaries of the notary and the clerk who attended to the same.

I pray God may keep Your Excellency many years
in the greatest splendor.

Royal presidio of San Fran.^{co} Xavier de Gagedo,
September thirty, one thousand seven hundred fifty-
two.

Most Excellent Señor

Señor

At Your Excellency's feet

¹
Man. Antonio de Soto Bermúdez

Most Excellent Count of Rebillá Gagedo

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//Corrected: m; s; [pro]ceeded; Ber[m]údez; at an; he
had; m; of ...; no; or; and be[fore]; decree; [k]now; [h]eard;
your well-[known]; letter requisitorial--Valid.

Interlined: Soto; [ano]ther; him; Baltasar Pérez; was;
Thoribio de Vrrutia; [An]drés; duly; by his manner of speak-
ing; second; verso--Valid.

Deleted: Manuel; or retract; had asked; religious; asked;
my attendant--Void.

A true copy of the original which was forwarded on one
hundred thirty-four valid folios to the Most Excellent Señor
Viceroy, Governor, and Captain General of this New Spain. It

was faithfully copied, proofread, and corrected on one hundred one valid folios and on the present paper because there was none of the requisite [stamped paper], in this province. The witnesses present to see it copied were Juan de Lara, Xptóbal de Córdoba, and Joseph de la Garza, [members], of the garrison of the royal presidio of los Adaes. And I signed this with my attendant witnesses with whom I am acting as juez receptor in the absence of a notary public or royal [notary], because there is none in this jurisdiction or within the limits prescribed by law. Today the thirtieth of September of this present year of one thousand seven hundred fifty-two. In this royal presidio of San Fran.^{co} Xavier de Ggedo. I certify.

Signed:

^l M. Ant. ^o de Soto Berm. ^{ez}

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Attendant [witness]:

^{do} Bern. de Miranda

[Rubric]

[Attendant] witness:

Pedro Granados

[Rubric]

[C.C., February 21--September 30, 1752]