

AN ABSTRACT OF THE THESIS OF

Crystal N. Vandetta for the degree of Honors Baccalaureate of Arts in English presented on May 30, 2014. Title: Recreating the Past: A Look at Colonial Latin America.

Abstract approved: \_\_\_\_\_

Nicole von Germeten

Court cases, wills, and letters are common examples of surviving primary texts from colonial Latin America. These documents are important to historians because they provide a unique glimpse into the lives of ordinary people who lived hundreds of years ago. This thesis is a recreation of these types of primary documents. The examples presented are completely fictional, but all of the themes, motifs, and details have been extensively researched by reading primary texts and translations. Woven within these fictional documents is a narrative that represents the real struggles and issues that colonial Latin Americans faced in their lives. Themes present in these documents will include honor, love, marriage, piety and more. The goal of this thesis is to create an accurate picture of life and death in colonial Latin America, while also exploring some aspects of human nature that will always be relevant.

Key Words: Colonial Latin America, honor, wills

Corresponding e-mail address: [crystalvandetta@gmail.com](mailto:crystalvandetta@gmail.com)

©Copyright by Crystal N. Vandetta  
May 30, 2014  
All Rights Reserved

Recreating the Past:  
A Look at Colonial Latin America

by  
Crystal N. Vandetta

A PROJECT  
submitted to  
Oregon State University  
University Honors College

in partial fulfillment of  
the requirements for the  
degree of

Honors Baccalaureate of Arts in English (Honors Scholar)

Presented May 30, 2014  
Commencement June 2014

Honors Baccalaureate of Arts in English project of Crystal N. Vandetta presented on May 30, 2014.

APPROVED:

---

Mentor: Nicole von Germeten, representing History, Philosophy, and Religion

---

Committee Member: Robert Nye, representing History, Philosophy, and Religion

---

Committee Member: Eric Hill, representing University Honors College

---

Dean, University Honors College

I understand that my project will become part of the permanent collection of Oregon State University, University Honors College. My signature below authorizes release of my project to any reader upon request.

---

Crystal N. Vandetta

## ACKNOWLEDGEMENTS

I would first like to thank my thesis mentor, Dr. Nicole von Germeten, for helping me put together this project. Her patience, dedication, knowledge, and support have been invaluable during this thesis process. Words cannot describe how much her enthusiasm and commitment meant to me. Thank you so much, Dr. von Germeten, for everything you have done for me this year. You have been a huge inspiration and I will never forget this experience.

Secondly, I would like to personally thank Dr. Robert Nye, who served on my committee and always came to the table with new and fresh ideas. Your passion for history helped me stay focused and inspired.

Thirdly, I would also like to thank Senior Instructor Eric Hill, who served as my third committee member. You brought a really good perspective to this project, and helped me immensely with the structure of this project. I appreciated your humor as well, as it kept me from over-stressing.

Last I would like to thank my parents, my family and friends, and most importantly, my husband, for their support and patience during not only this project but also my entire academic career. Thank you all so very much.

## TABLE OF CONTENTS

	<u>Page</u>
Foreword.....	1
Don Diego Joseph de Ortega Protests the Marriage of his Daughter to Juan Joseph Gomez.....	3
Introduction to Colonial Wills.....	15
The Last Will and Testament of Diego Manuel, Indigenous Male.....	18
The Last Will and Testament of don Jose Félix de Santana.....	23
Selected Bibliography.....	31

## Recreating the Past: A Look at Colonial Latin America

### Foreword

The following documents were discovered several years ago in the rubble of an old court building in Mexico City. They have been translated and bound together creating a unique documentation of life in colonial Latin America. The first document is a court case documenting the disputed engagement of a mixed-race man and the daughter of a nobleman. Although there is no record of the ruling decision, the following wills can offer insight into the outcome of the dispute.

Not only do the following documents, both last wills and testaments, offer some small resolution to the marriage dispute, they also show the stark contrast in the daily lives of nobleman and indigenous peoples. By looking at these documents as a narrative collection, we can trace part of the life of a young, mixed-race man, Juan Joseph Gomez, as he fights for the rights to marry the woman he wants. We can also see examples of racial tension, familial and personal honor, and societal status through these documentations of ordinary people and their ordinary lives.

One of the most important things to remember when studying these documents is that honor was extremely important to the people of colonial Latin America, and it was only available if it was inherited. There was no such thing as doing good, charitable deeds in order to be seen as an honorable person by your peers. Your honor came from your noble ancestors, and could be lost if your reputation was less than favorable. However, even if you were a person who was not born with honor, you could use your

various achievements and earned statuses to claim some honor amongst fellow plebeians. There was also honor found in serving in the militia, which many mixed-raced men did.

The following documents were created after the Spanish Conquest of New Spain and Peru, which resulted in a very large Catholic population. Prior to 1776, the Catholic Church held complete power over the institution of marriage and encouraged marriage in nearly every situation. In order to reclaim some power, the Spanish Crown passed the Royal Pragmatic in 1776, attempting to weaken the Church's power over marriage. The Royal Pragmatic allowed families to dispute marriage proposals if the marriage would be a slight against their honor because of perceived social inequalities. These events set the stage for our first document, a dispute against such a marriage. They are also extremely influential in the following wills, although we can see based on the few pious bequests in the wills that Catholicism was not extremely important to everyone.

Crystal N. Vandetta

Oregon State University



**Don Diego Joseph de Ortega Protests the Marriage of his Daughter to Juan Joseph Gomez**

May 23, 1792<sup>1</sup>

I, don Diego Joseph de Ortega, come before you to present witnesses against Juan Joseph Gomez, a servant in the house of don Manuel.<sup>2</sup> Juan Joseph has declared his desire to marry my daughter, doña Maria to which I adamantly object.<sup>3</sup> Witnesses I have brought with me are the admirable don Manuel, in whose house Juan Joseph serves, Diego Joseph, another servant in the house of don Manuel, and don Juan, respected merchant and neighbor to don Manuel and myself.<sup>4</sup> It is my wish that you question these men and myself to find out the truth of Juan Joseph's lack of honor and his ineligibility to marry my daughter.

Don Diego

May 24, 1792

I, don Joseph, notary public and civil servant certify that I have questioned the witnesses brought forth by don Diego in the matter of don Diego vs. Juan Joseph, and Juan Joseph himself. I asked the witnesses several questions each about the honor of Juan Joseph and doña Maria and whether or not they would have a suitable marriage. Each witness

---

<sup>1</sup> History 350H, 3/3/2014, theme of "Marriage Laws After the Real Pragmatica."

<sup>2</sup> History 350H, 2/17/2014, theme of "Witness Statements as Investigative Procedure."

<sup>3</sup> Christian Büschges, "Don Manuel Valdivieso y Carrión Protests the Marriage of His Daughter to Don Teodoro Jaramillo, a Person of Lower Social Standing," *Colonial Lives: Documents on Latin American History*, 226.

<sup>4</sup> History 350H Class, 2/12/2014, theme of "Honorable Men over 25 Make Good Witnesses."

testified under oath and has certified that all facts he presents are true to the best of his knowledge. I have also sent a request for the questioning of Juan Joseph, so that he may have the opportunity to testify for his honor in front of the court. These things are true and accurate. I certify.

Don Joseph

On this same day and same year, don Diego was brought forth as voluntary witness against the honor of Juan Joseph. He answered all questions in front of myself, don Joseph, notary, and has taken an oath that all he claims is true and accurate.

When asked if Juan Joseph had publicly declared his intentions to marry doña Maria, don Diego said that Juan Joseph had told his neighbor, don Juan, that he wished to marry doña Maria.<sup>5</sup>

When asked if don Diego had any knowledge of the honor of Juan Joseph, don Diego said that Juan Joseph had been a servant for eight years in the house of don Manuel, and prior to that servitude, he does not know what Juan Joseph did for a living. He said that Juan Joseph is a man without honor because he has no noble relatives and he is working as a free servant, not an honorable trade. Don Diego said that it would be a great insult to his own honor if Juan Joseph were permitted to marry doña Maria without don Diego's consent.<sup>6</sup>

When asked how Juan Joseph and doña Maria were acquainted, don Diego said that Juan Joseph would harass doña Maria while she was walking home with her cousins, doña

---

<sup>5</sup> History 350H, 2/12/2014, theme of "Announcing an Engagement in Public was the First Step Towards Marriage."

<sup>6</sup> History 350H, 2/17/2014, theme of "Honor as Protecting Household."

Ana and doña Manuela. Don Diego said that doña Maria would have never been permitted to be alone with Juan Joseph, and therefore could not possibly reciprocate his feelings. He claims that there is no way she could have consented to marry Juan Joseph.<sup>7</sup> When asked if don Diego had ever publicly accosted Juan Joseph about the promised engagement, don Diego said that approximately three nights ago, he saw Juan Joseph outside of don Manuel's house emptying some chamber pots after don Diego had heard from don Juan about Juan Joseph's intentions. Angered, he shook the man forcefully by the shoulder but did not draw weapons against him. Don Diego said that his anger was fueled by a desire to protect his honor and the honor of his young daughter, doña Maria.<sup>8</sup> When asked about the honor and status of his own family, don Diego said that they were originally from Spain and of noble ancestry. He says that his ancestors were of distinguished nobility.<sup>9</sup> He also says that his daughter spends all of her time at home or at Church with her cousins, and that her reputation is indisputable. He swears by God our Lord and the sign of the holy cross according to the law that what he has testified is accurate and true.<sup>10</sup> And he signed with me. I certify.

Don Joseph

Don Diego

---

<sup>7</sup> *Colonial Latin America: A Documentary History*, 372.

<sup>8</sup> History 350H, 2/17/2014, theme of "Righteous Anger."

<sup>9</sup> Christian Büschges, "Don Manuel Valdivieso y Carrión Protests the Marriage of His Daughter to Don Teodoro Jaramillo, a Person of Lower Social Standing," *Colonial Lives: Documents on Latin American History*, 226.

<sup>10</sup> Susan Migden Socolow, "Permission to Marry: Eighteenth-Century Matrimonial Files," 239.

On this same day and same year, don Manuel was brought before me to testify about the honor of his servant, Juan Joseph, whom don Diego claims has improperly been engaged to be to be married to his daughter, doña Maria. He was also asked about the honor of don Diego's family and daughter, doña Maria. He answered all questions in front of myself, don Joseph, notary, and has taken oath that all he claims is true and accurate.

When asked if Juan Joseph had publicly declared his intentions to marry doña Maria, don Manuel said that don Juan had told him that Juan Joseph had been overheard discussing his intentions to marry doña Maria without the consent of her father.

When asked if don Manuel had any knowledge of the honor of Juan Joseph, don Manuel said that Juan Joseph had been living as a servant in his household for eight years.

Before that, he had come to the town as a young orphan. That was all don Manuel knew about Juan Joseph's past, but he also said that during his eight years as a servant in his household, Juan Joseph had elicited several complaints among the female servants. Don Manuel says that two years ago a female servant by the name of Maria Josefa had left his household after Juan Joseph promised to marry her and then withdrew his proposal.<sup>11</sup>

Don Manuel said the scandal cost him a servant and proved that Juan Joseph was a man without honor, and that he worries that Juan Joseph is not sincere about his wishes to marry doña Maria. He also says that Juan Joseph is a mestizo, and that it would be an insult to don Diego's honor if his daughter were to marry Juan Joseph because Juan Joseph was not of noble blood and his position in don Manuel's house as a servant was without honor.

---

<sup>11</sup> Richard Boyer, "Catarina Maria Complains That Juan Teioa Forcibly Deflowered Her," 156.

When asked how Juan Joseph and doña Maria were acquainted, don Manuel said he had no knowledge of their acquaintance and did not know how they would have met. He said that Juan Joseph was allowed to leave the household when he was not working, and that some of his duties also included him leaving the household but that he was sure that doña Maria would not be in any place where Juan Joseph spent his free time.

When asked about the honor and nobility of don Diego and his family, don Manuel says that don Diego's ancestors enjoyed nobility and were of high status.

When asked about the public altercation between don Diego and Juan Joseph, don Manuel said that he had been away on business when the event had transpired. He said that don Diego was a man of calmness and charitable nature, and would have not attacked anyone unprovoked.

He swears by God our Lord and the sign of the holy cross according to the law that what he has testified is accurate and true. And he signed with me. I certify.

Don Joseph

Don Manuel

On the same day and same year, Diego Joseph, another servant in the household of don Manuel, was brought before me to testify about the honor of Juan Joseph. He answered all questions in front of myself, don Joseph, notary, and has taken oath that all he claims is true and accurate.

When asked if Juan Joseph had ever publicly announced his intentions to marry doña Maria, Diego Joseph said that Juan Joseph had told him numerous times that he had planned to marry doña Maria. Each time Juan Joseph had told him this, Diego Joseph

says that they were alone in the household and that it was not publicly announced. He also said that Juan Joseph had presented doña Maria with a token as a sign of his intentions to marry her. Diego Joseph said that Juan Joseph gave doña Maria a red handkerchief with green flowers embroidered on it, and that it was the most valuable possession that Juan Joseph owned, as it was given to him by his mother before she died several years ago.

When asked about the honor of Juan Joseph, Diego Joseph said that he had worked with Juan Joseph for the last seven years in the house of don Manuel, because he had come to work for don Manuel a year after Juan Joseph came. He said that once a servant girl had left the household because she claimed that Juan Joseph had deflowered her after promising that he would marry her. Don Manuel said that he did not know if Juan Joseph was planning on breaking his promise to the servant girl before he deflowered her, but he did know that Juan Joseph was not too upset at the departure of the servant girl.

When asked how Juan Joseph and doña Maria were acquainted, Diego Joseph said that he had seen doña Maria and Juan Joseph speaking to one another from different sides of don Manuel's fence. He said that when doña Maria and her cousins returned from outings, they often stopped to talk with Juan Joseph and the other servants who were working outside. He said that he did not feel it was necessary to inform his master because there were several witnesses and it was a public location as doña Maria always stayed on the street.<sup>12</sup> On one occasion, doña Maria and Juan Joseph went on a walk with doña Maria's cousins and Diego Joseph as chaperone, but that don Diego was unaware of this outing. Diego Joseph said that doña Maria had made her cousins and him swear secrecy because

---

<sup>12</sup> Büschges, "Don Manuel Valdivieso y Carrión Protests the Marriage of His Daughter to Don Teodoro Jaramillo, a Person of Lower Social Standing," 228.

she knew her father would be angry if he found out that doña Maria was acquainted with the two men. Diego Joseph says that doña Maria often requested that her excursions and conversations with Juan Joseph be kept secret from her father as well as don Manuel. When asked if there had been a public altercation between don Diego and Juan Joseph, he said that he heard shouts but was inside, and therefore did not see what happened. He said that another servant in don Manuel's household told him that don Diego was yelling curses and Juan Joseph. He says that even though Juan Joseph is of lower standing than don Diego, he did not think that Juan Joseph would be involved in an altercation on the streets without good reason. He says that although he believes Juan Joseph did intend to marry doña Maria, Juan Joseph would not offend the honor of don Diego by fighting him in public.

He swears by God our Lord and the sign of the holy cross according to the law that what he has testified is accurate and true. He did not sign because he does not know how.<sup>13</sup> I certify.

Don Joseph

On this same day and same year, don Juan, honorable merchant and neighbor to don Manuel and don Diego, was brought forth as witness against Juan Joseph and for the honor of don Diego and his daughter doña Maria. He answered all questions in front of myself, don Joseph, notary, and has taken oath that all he claims is true and accurate. When asked if Juan Joseph had publicly announced his intention to marry doña Maria, don Juan said that Juan Joseph had told him one night after drinking heavily that he and

---

<sup>13</sup> Sonya Lipsett-Rivera, "Scandal at the Church," 221.

doña Maria were planning on running away and getting married without the consent of her father. He said that Juan Joseph often told him things after drinking.<sup>14</sup> Don Juan also said that Juan Joseph showed him the handkerchief that he intended to present to doña Maria, but that don Juan did not know whether or not doña Maria received the token. Because of his drinking and his desire to marry without consent of don Diego, don Juan believes that Juan Joseph is a man without honor, which he offered as an answer before being asked.

When he was asked about the honor of don Diego, don Juan said that don Diego's ancestors were from Spain and of the nobility. He also said that don Diego held great pride in his family. Don Juan also said that his own servants had often spoken about doña Maria being spotted in public with two men that worked for don Manuel. He also said that he did not ask don Diego about these rumors, because he was afraid that don Diego would become angry and that he would lose control of his temper.

When he was asked if Juan Joseph was a man of honor, don Juan said that he did not know how long Juan Joseph had been a servant, but that he did not live with honor anyway. He said that the mestizo was prone to drinking and yelling, and often flirted with don Juan's female servants. He said that Juan Joseph had admitted to purposefully breaching promise with Maria Josefa in order to deflower her.<sup>15</sup> He said that Juan Joseph was certainly a man without honor.

When asked if he had known of an altercation between don Diego and Juan Joseph he said that he didn't hear or see anything, but knows that don Diego was very angry about the engagement between his daughter and Juan Joseph.

---

<sup>14</sup> Ann Twinam, "Drinking, Gambling, and Death on a Colonial Hacienda," 194.

<sup>15</sup> Nicole von Germeten, *Violent Delights, Violent Ends*, 4.



When asked how Juan Joseph and doña Maria were acquainted, he also said that he did not know because he knew that don Diego kept his family's honor very protected and it therefore seemed unlikely that they would know each other well. He did say, however, that his servants often knew details about doña Maria that were of personal nature.

Although he is sure that her honor is still intact, he says that doña Maria has been reputed to leave her house without being truthful about her whereabouts, and that she has been seen talking to Juan Joseph without her father's knowledge. He says that his servants have brought this to his attention.

He swears by God our Lord and the sign of the holy cross according to the law that what he has testified is accurate and true. And he signed with me. I certify.

Don Joseph

Don Juan

On this same day and same year, we called forth to present his own witnesses to his honor, Juan Joseph. Juan Joseph did not bring any witnesses to his own honor, because they all feared retribution from don Diego and their employers. He answered all questions in front of myself, don Joseph, notary, and has taken oath that all he claims is true and accurate.

When asked if he intended to marry doña Maria without don Diego's permission, he said that he did intend to marry her, but that he was only planning on marrying her without permission if don Diego withheld it. He says that his intentions were to receive permission first, but then it became apparent that don Diego would not give it. He says that the altercation between don Diego and himself, in which don Diego attacked him,

proved that he would not give permission for his daughter to marry, and therefore Juan Joseph wished to proceed with the marriage anyway. He said that he presented her with his mother's red handkerchief, as a token and promise that he would marry her. He said that she accepted it and kept it hidden in her room, where her father would not see it and grow suspicious.

When asked how he knew doña Maria, he said that they often spent evenings speaking to one another from the street. He said that doña Maria approached him first while he was cleaning some of don Manuel's laundry in the yard. Juan Joseph said that doña Maria and her cousins, as well as another servant from don Manuel's household, had once gone on a public walk and that was when he and doña Maria had decided to marry. Two days after that walk he presented doña Maria with the red handkerchief. He says that don Diego was not always aware about his relationship with doña Maria. He says that he understands that this may have been the reason why don Diego withheld his permission for doña Maria and himself to be married, but that he thinks that should be the only reason. He says that even though he is not noble, he can provide a happy and honorable life for doña Maria and that don Diego should be grateful for the opportunity for his daughter to marry. He says that he plans on leaving don Manuel's house and joining the militia.

When asked about the altercation between himself and don Diego, Juan Joseph said that he was doing work in the yard when don Diego approached him, visibly upset. He says that don Diego yelled that "no mestizo shall marry my daughter" and other insults. Juan Joseph said that he told don Diego to go with God, which he believed to be the honorable

response, but that don Diego was still upset and physically pushed him.<sup>16</sup> He says that when neighbors started to watch them from their homes, don Diego left without a fight starting. He said that don Diego was clearly worried about gossip about his honor.

When asked about the honor of doña Maria, Juan Joseph says that she is an honorable woman, but not so honorable that it would be an insult to her family if she were to marry him. He admits that he was planning on marrying doña Maria without permission from her father, but that he had not deflowered her. He also says that doña Maria often left her household without the permission of her father, and that don Diego did not have the control that he believed over his household.

He swears by God our Lord and the sign of the holy cross according to the law that what he has testified is accurate and true. And he signed with me. I certify.

Don Joseph

Juan Joseph

May 24, 1792

I, don Joseph, notary public and civil servant certify that I have questioned the witnesses brought forth by don Diego in the matter of don Diego Joseph de Ortega vs. Juan Joseph Gomez, and Juan Joseph himself. I have recorded all of the responses to the best of my ability and I am now forwarding them on to the *audiencia* with the following notes:

Item. Don Diego had several witnesses confirm that his ancestors were of noble standing and that his honor is true, however more than one person claimed that he is often angry and not in control of his temper.

---

<sup>16</sup> History 350H, 2/17/2014, theme of “Righteous Anger.”

Item. Juan Joseph not of noble ancestry, but it is unclear to me if he is completely without honor. He did wish to marry doña Maria without the consent of her father, but he also proved that he had not yet taken her honor. Although he works as a servant in the household of don Manuel, he is planning on joining the militia.

Item. The Royal Pragmatic does not require equality between spouses, but only requires consent of the family when the proposed marriage would seriously offend the honor of the families involved.<sup>17</sup>

Item. Doña Maria is the daughter of a noble man with honor, but many witnesses say that she has been seen disobeying the will of her father.

I certify.

Don Joseph

---

<sup>17</sup> Büschges, “Don Manuel Valdivieso y Carrión Protests the Marriage of His Daughter to Don Teodoro Jaramillo, a Person of Lower Social Standing,” 232.

## Introduction to Colonial Wills

Wills were very important to the people of Colonial Latin America. Not only were they created to ensure the passing of belongings to rightful heirs, they were also important to the piety of the dying. Wills were important because “making a final testament was linked to making a final confession” as decreed by the Catholic Church.<sup>18</sup> Because of this importance, piety was often a strong theme in the last wills and testaments of the men and women of the era. Wills also followed a standard form, yet the personal voice of testators was often strong enough to paint a picture of their lives.<sup>19</sup> In some cases, property automatically was passed to “forced heirs,” such as living children and spouses. When a forced heir was unavailable, the testator would have freedom in choosing who received their belongings.<sup>20</sup>

Because Catholicism valued a proper burial in order to ensure eternal salvation, many people chose to sell their belongings and property in order to cover funeral expenses. Requesting Masses to be said for a deceased soul was a common, but costly practice. Poor indigenous people often didn’t have enough money in their estate to cover funeral expenses without selling some property or belongings.<sup>21</sup>

---

<sup>18</sup> Sarah L. Cline, *Colonial Culhuacan, 1580-1600: A Social History of an Aztec Town* (ACLS History E-Book Project, 2008) 14.

<sup>19</sup> Hendrik Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," *Colonial Lives: Documents on Latin American History, 1550-1850* (New York: Oxford University Press, USA, 1999) 279.

<sup>20</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 279.

<sup>21</sup> Cline, *Colonial Culhuacan, 1580-1600*, 22.

Wills were mostly commonly written when the testator was near death. Since disease often resulted in death, time was important in the making of wills, as was location.<sup>22</sup> People often frequently summoned a notary to their home and created their wills there when they believed they were on their deathbeds.

Most wills followed very similar formats, with phrases and certain pious bequests often being repeated from one will to another. These repetitions and formulas could become boring to the notaries who had to write them over and over.<sup>23</sup> The most commonly repeated phrases were ones of piety and salvation, most likely because the testators were very concerned with ensuring their afterlives were pleasant.

Wills also varied greatly depending on who was the testator. For example, a poorer indigenous person would probably not have been able to leave much for his or her heirs. They may also not be as interested in creating an entire inventory of their belongings, because they wouldn't be of much value. A rich nobleman or woman, however, might have an extensive inventory and quite a bit of money and land to leave to his or her heirs.

In order for a will to be valid, it must be witnessed by a minimum number of people. In 1505, the Laws of Toro reduced the minimum witnesses from seven to five.<sup>24</sup> Witnesses could be male or female, and at least one of them needed to be a notary. In some special cases, relatives acted as witnesses even if they were not bequeathed anything in the will. This was to ensure that they could not dispute the will at a later time,

---

<sup>22</sup> Cline, *Colonial Culhuacan, 1580-1600*, 20.

<sup>23</sup> Cline, *Colonial Culhuacan, 1580-1600*, 19.

<sup>24</sup> Cline, *Colonial Culhuacan, 1580-1600*, 29.

after the death of the testator, because they had already signed and attested to the validity of the will.<sup>25</sup>

The following wills show the differences in priorities and possessions of value between two different men, one of the nobility and one of indigenous birth. These men were neighbors, as evidenced by the references to one another in each last will and testament. Their connection, a man by the name of Juan Joseph Gomez, is most likely to be the same man who wished to marry doña Maria against her father, don Diego's, wishes.

---

<sup>25</sup> Cline, *Colonial Culhuacan, 1580-1600*, 29.

### **The Last Will and Testament of Diego Manuel, Indigenous Male**

In the name of God, amen.<sup>26</sup> This document testifies that I, Diego Manuel, Indian and resident of Mexico City, on this first day of November, in the year of Our Lord Jesus Christ one thousand seven hundred and ninety-nine, am a Christian and believer of the Most Holy Trinity and the Mother of the Holy Roman Catholic Church and all it preaches. Knowing that I am reaching an old age and being in declining health, I do offer this last will and testament.<sup>27</sup>

First, I give my soul to the Holy Trinity, without whom I would not exist, and pray that he receives it as I have received Him.<sup>28</sup>

I order that when I shall die, my body be buried in the Church where I am a parishioner. My body shall be accompanied by members of my Brotherhood and, Lord willing, a Mass be said for me in the presence of my body. If I die in my home, I request that three members of my Brotherhood retrieve my body, and that they shall be paid a small amount for bringing my body to the Church.<sup>29</sup>

I order that four Masses be said for my soul, which shall be paid for from my property. I order that another Mass be said for my late wife, Juana Maria at the expense of my property.

---

<sup>26</sup> Nicole von Germeten, "Juan Roque's Donation of a House to the *Zape* Confraternity, Mexico City, 1623," *Afro-Latino Voices: Narratives from the Early Modern Ibero-Atlantic World, 1550-1812* (Hackett Publishing Co., 2009) 2612.

<sup>27</sup> von Germeten, "Juan Roque's Donation of a House to the *Zape* Confraternity, Mexico City, 1623," 2612.

<sup>28</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 281.

<sup>29</sup> Cline, *Colonial Culhuacan, 1580-1600*, 22.



Second I order that my children, Jose Manuel and Ana Maria, whose mother has already gone to Heaven, be the heirs and executors of my last will and testament. If that is not convenient, I order that the Brotherhood of which I am a member shall divide my estate and see that my property is divided amongst my children and my Church.

I declare that I married Juana Maria, and from this matrimony we had two children, Jose Manuel and Ana Maria.

I declare that of the 90 pesos she brought to our marriage, I used 5 to pay off debts that we had collected. I used the remaining pesos plus my own to purchase a small house, which was sold to me by don Jose Félix de Santana, a member of the Church and the deed is in my possession.<sup>30</sup>

I declare that my first possession is my home, purchased by my wife and myself twenty-two years ago from don Felix, member of our Church.<sup>31</sup> Because my children have both moved from Mexico City, I declare that my house shall be sold and the money divided equally between my two children and my funeral costs. If one of my children wishes to move back to Mexico City and live in my house, then I declare that the value of the house be deducted from their share of inheritance and other possessions shall be sold to pay for my burial.<sup>32</sup> Should they both wish to move back to my house, I declare that my son, Jose Manuel, inherit my home.

I declare that in order to afford my house and my debts, I have allowed Juan Joseph Gomez, free servant and former member of the militia, of Mexico City, to pay rent to me in the order of 5 pesos a month and live in a room I have provided for him. Upon my

---

<sup>30</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 284.

<sup>31</sup> Cline, *Colonial Culhuacan, 1580-1600*, 25.

<sup>32</sup> Cline, *Colonial Culhuacan, 1580-1600*, 22.

death, he shall be given fifteen days to find new housing and remove his belongings from my property. In his possession are a few items of clothing as well as an embroidered handkerchief that belonged to his mother, then his deceased wife, and now remains with him. I declare that he shall pay 2 pesos for the fifteen days, which can be paid towards Masses for my soul.<sup>33</sup>

I declare that I have possessions of value that shall be inventoried.

I declare that to our marriage my wife brought three pieces of gold jewelry, which at the time of writing this will are still in my possession.<sup>34</sup> She also brought a small wooden table, an old box for her personal use, and an old bed. These items shall be given to my daughter, Ana Maria, and to her family.

I declare that I own an image of our Lady of Conception, and a wooden cross. These items shall be given to the Church of which I am a parishioner, as overseen by my executors or the Brotherhood.

I declare that I own two religious books, a minor book of hours and a book of doctrine.<sup>35</sup> Because my daughter Ana Maria has a family to be raised in the Catholic Church, I order that these books be given to her and her family.

I declare that I own a small writing desk, a chair, and a small lamp, used for my work as a notary. These items are to be given to my son, Jose Manuel. If he cannot use these items

---

<sup>33</sup> von Germeten, "Juan Roque's Donation of a House to the *Zape* Confraternity, Mexico City, 1623," 2645.

<sup>34</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 283.

<sup>35</sup> Cline, *Colonial Culhuacan, 1580-1600*, 28.

in the small apartment in which he lives, then I declare that he may sell these items or give them to the Church.<sup>36</sup>

I declare that I own an embroidered cloak, which I wore for special occasions that shall be sold. The money from the sale shall buy a plain, white linen which shall be used to shroud my body for burial.<sup>37</sup> If there is still money left from the cloak's sale, then I request that it be used to purchase candles for the Masses that shall be said for my soul.

I declare that I own one bowl, one cup, two utensils for eating, and a hand woven basket. These items shall either be sold or donated directly to members of the Church who cannot afford these things for themselves.<sup>38</sup> It is my wish that my death brings some comfort to the poor people of my community.

I declare that before my wife died, she had a small collection of yarn with which she planned to weave into cloth. I declare that this shall also be donated to the charity run by my Church. They may choose whether or not to use the cloth and yarn in the Church or to give it to members who may need it.

I declare that I have two outstanding debts, both of which shall be paid for by my property. The first is in the sum of fifteen pesos, which I owe to my neighbor, don Jose Félix. I declare that he loaned the fifteen pesos to me so that I could afford Masses to be said for my late wife. The second debt that I owe is to the vicar of the Church for two candlesticks that were used during Juana Maria's burial. As I do not know the total sum for these candlesticks, I order that my executors replace them from the money in my property.

---

<sup>36</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 291.

<sup>37</sup> Cline, *Colonial Culhuacan, 1580-1600*, 23.

<sup>38</sup> Cline, *Colonial Culhuacan, 1580-1600*, 26.

I declare that after my funeral is paid for and my debts satisfied I name my children, Jose Manuel and Ana Maria as the heirs of my estate.

Finally, having concluded this my last will and testament, I again request that my children, Jose Manuel and Ana Maria, shall act as executors for myself, accepting this as service to God and me. To each one I concede all my powers, which by my right I can do, and I give them full dominion over my property to act in my benefit and carry out all that is contained in this will.<sup>39</sup> If this will is incomplete because of missing words or clauses, I hereby consider them expressed as if fully written and for this I beseech the justices of His Royal Majesty, whom God keep, in this and other jurisdictions, to thus carry it out and protect it the way it is written.<sup>40</sup> To establish that all this is true, I asked don Joseph, public notary and civil servant to write this will for me and sign it as a witness, for I have had him read this to me, and finding it to my satisfaction, I consider it approved in Mexico City.

Witnesses: don Joseph, don Jose Felix, doña Maria and Alberto Diego, Juan Joseph Gomez.

---

<sup>39</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 289.

<sup>40</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Felix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceicao," 289.

### The Last Will and Testament of don Jose Félix de Santana

In the name of the Holy Trinity, be it known to all who look upon this document that on the twenty-third of September, in the year of Our Lord Jesus Christ one thousand eight hundred and three, being of sound mind and judgment, I make this will in the following way.<sup>41</sup>

I, Jose Félix de Santana, being sick and near death but with clear sense and understanding, order this my last will and testament in the following form and manner:<sup>42</sup>

First I commit my soul to the Holy Father, which He first gave me. I commend my soul to My Lord Jesus Christ, saved by His sacrifice and purified by His blood. I solemnly affirm that I have lived and shall die in the law and faith of the Holy Roman Catholic Church.<sup>43</sup>

I beseech first my wife, doña Juana de Santana, second my son, don Joseph Félix de Santana, and in third place the president of my Brotherhood, don Diego, as my executors, taking care of all of my goods; receiving, paying and collecting all my debts.<sup>44</sup>

---

<sup>41</sup> Kenneth Mills, William B. Taylor, and Sandra Lauderdale Graham, "Two Brazillian wills," *Colonial Latin America: A Documentary History* (Rowman & Littlefield Publishers, 2002) 8866.

<sup>42</sup> Hendrik Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," *Colonial Lives: Documents on Latin American History, 1550-1850* (New York: Oxford University Press, USA, 1999) 281.

<sup>43</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 281.

<sup>44</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 282.

I declare that on my death, I wish to be shrouded in my white, embroidered cloak and taken to the Church of Our Lady where forty Masses shall be said over my body, paid for from my property.

I declare that I am a member of the Brotherhood of Our Lady. Upon my death, other members of the Brotherhood of Our Lady shall accompany my body to the grave and say prayers for my soul.<sup>45</sup>

I declare that 2,000 pesos shall be given in alms to the poor that accompany my funeral.<sup>46</sup>

I declare that I am married to doña Juana de Santana, and we have a son, don Joseph de Santana, who is thirty years old and unmarried.

I declare that my wife brought to our marriage a sum of 300,000 pesos in money, two slaves by the names of Maria and Josepha, who are still working in our household.<sup>47</sup>

I declare that to our marriage my wife brought three pounds of jewelry, seven gold chains and two silver chains, which at the time of writing this will are still in our possession, without me having used them. She also brought to our marriage ten dresses, eight chairs and a table, and a bed. She also brought a painted image of Our Lady, and a golden cross less than one palm length.

I declare that of the 300,000 she brought to our marriage, I used 140,000 to purchase for her another slave, Juana Maria. With the 160,000 that remained, and a sum of 340,000 of my own, I bought this house for a total sum of 500,000.

---

<sup>45</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 282.

<sup>46</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 290.

<sup>47</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 285.

I declare that the deed to my home is in my possession.<sup>48</sup> I also own a field outside of Mexico City that is seventy-five braças in length and one hundred braças in width, of which the deed is in my possession.<sup>49</sup> Upon my death I order that this field not be sold, but rented annually, and the money from the rent shall be used to pay for Masses for my soul every year.<sup>50</sup> When my wife dies, I order that the money from the rent also be put towards Masses given for her soul.

I declare that I also own a small house in Mexico City, which I have rented to a member of my Church, Joseph Manuel. I order that he is to continue to pay rent to my living wife as long as she is able to manage the property. If he wishes to move out, I order that he pay for thirty days of rent before leaving the house.

I declare that with don Diego, executor of my will, I own a small row of houses in Mexico City that are being rented to several families.<sup>51</sup> I order that don Diego shall have the opportunity to pay half of their value to my property and he may own all of the houses by himself. If he does not wish to purchase my portion of the houses, then I shall have the ownership passed on to the Church of Our Lady.

I declare that the items in my possession acquired by me are the following:

---

<sup>48</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa maria da Conceição," 284.

<sup>49</sup> Mills, Taylor, and Graham, "Two Brazillian wills," *Colonial Latin America: A Documentary History* (Rowman & Littlefield Publishers, 2002) 8898.

<sup>50</sup> Sarah L. Cline, *Colonial Culhuacan, 1580-1600: A Social History of an Aztec Town* (ACLS History E-Book Project, 2008) 26.

<sup>51</sup> Mills, Taylor, and Graham, "Two Brazillian wills," *Colonial Latin America: A Documentary History* (Rowman & Littlefield Publishers, 2002) 8889.

A holy image of our Lord Jesus Christ framed in silver, two images of Our Lady of Conception, one made from marble and the other framed in silver, a rosary of thick gold, and a large wooden cross.<sup>52</sup>

I also own a large bed with bedding; a smaller bed with no bedding; a commode; a writing desk; two small tables; a mahogany chest with linens and embroidered cloaks inside of it; another smaller chest which at the time of writing this will is empty; eight chairs of leather; a large mahogany table; four wicker stools; a large copper basin for washing; a smaller copper basin for washing hands; a set of mortar-and-pestles; one bronze basin for shaving; ten linen towels for shaving; three copper kettle drums; five lamps, two of which are large and three of which are small; two large tubs for taking baths; three kettles; three carved wooden benches of various sizes; a set of six copper pans; four porcelain bowls; two sets of teacups and plates; four dozen plates, some of which are chipped but all usable; ten cups; three flasks; ten bottles of various sizes and purposes; three blankets for bedding; three table clothes, one larger for the mahogany table; six pairs of shoe buckles, four made of gold and two made of silver; five belt buckles, two large and silver, two smaller and stone; forty pairs of white socks; ten silver candlesticks; seven silver trays for serving; a set of a dozen spoons, forks and knives, all of silver; a gold pocket watch with a gold chain; three pairs of gold cuff links; one pair of silver cuff links; four heavy coats; one blue suit; one black suit; six pairs of pants; four silk jackets, one white, two blue and one of black silk.<sup>53</sup>

---

<sup>52</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 284.

<sup>53</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 284-285.



I declare that I also own six mules and three cows with their calves.<sup>54</sup>

I declare that I have in the possession of the Reverend Father of the Church of Our Lady a certain amount of money for him to distribute as well as holy books that shall be used to spread the word of Our Lord Jesus Christ.

I declare that I also own the following slaves, Maria and Josepha, Diego, Juan, Alberto and Rosa.<sup>55</sup>

I declare that I have freed the slaves listed here by name:

Josepha, Diego, Juan, and Rosa, whom I have freed of my own will and the will of my wife, without payment. I have granted them letters of manumission that they shall receive after having made a donation towards a Mass for my soul after my death.<sup>56</sup>

I declare that Maria and Alberto shall remain in my household and work for my wife until her death, or until she decides to grant them letters of manumission. I declare that they may also purchase their freedom, which I have valued at 20,000 pesos.

I declare that I have in my possession four leather back chairs and a small chest, which belong to my neighbor, don Felix. When he was unable to pay his debt of 6,000 pesos, I paid it for him and took the chairs and chest as collateral.<sup>57</sup> They are still in my possession at the time of writing this will, and shall remain in the possession of my property until don Felix has paid the remainder of the debt he owes me.

---

<sup>54</sup> Mills, Taylor, and Graham, "Two Brazillian wills," *Colonial Latin America: A Documentary History* (Rowman & Littlefield Publishers, 2002) 8916.

<sup>55</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 285.

<sup>56</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 286.

<sup>57</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 285.

I declare that I have in my possession two images of Our Lady of Conception that belong to my sister, doña Maria, who was faced with confiscation when she could not pay her 500 peso debt. I declare that she still owes 100 pesos, but that it shall be forgiven upon my death and the images of Our Lady of Conception shall be returned to her.

I declare that I am owed a debt of 10,000 pesos from don Juan, who owns the field next to mine in Mexico City. The money was loaned to him so that he could harvest his own field, for he did not have the proper equipment. I declare that my executors shall receive this in full and half shall be given to my wife, doña Juana de Santana. The remaining 5,000 pesos shall be split equally between the Church of Our Lady and my son, don Joseph Félix de Santana.

I declare that four years ago, a neighbor by the name of Diego Manuel owed a debt to me of fifteen pesos, which were loaned to him to pay for Masses for his deceased wife. The fifteen pesos were paid to me from his property after his death. I declare that the sum shall be tripled, and forty-five pesos shall be used to pay for Masses spoken for his soul.

I declare that after the death of Diego Manuel, his renter, Juan Joseph Gomez was in need of a room. I allowed Juan Joseph Gomez to live in my home for two weeks, after which I took as payment a red handkerchief with green embroidery. I declare that Juan Joseph is to be found and the handkerchief returned to him. If he is unable to be found, or is found to have died, I order that the handkerchief be sold and the money used to purchase spoken Masses for his soul.

I declare that I do not remember owing signed debts to anyone. In the event that I do owe any, as proved by written notes, they shall be paid, without legal wrangling in the same way that the debts owed to me shall be collected, from my property.<sup>58</sup>

I declare that I leave as a bequest to the Church of Our Lady my silver framed image of our Lord Jesus Christ, both images of Our Lady of Conception, and my large wooden cross. I declare that I also leave as a bequest to the Church of Our Lady the sum of 50,000 pesos, which shall help pay for the Masses of parishioners who cannot afford them after their deaths.

I declare that I leave as a bequest to my son, don Joseph de Santana, all of my clothing, belt buckles, shoe buckles and cuff links, except for the white, embroidered cloak in which I shall be buried and shrouded.

I declare that I leave as a bequest to the charity run by the Church of Our Lady two of my blankets so that the poorer parishioners may have proper bedding during the colder nights. I also leave as a bequest to the charity my writing desk and a small table, which can be given to other members of the Church of Our Lady or used by in the Church.

I leave as a bequest to my wife, doña Juana de Santana all that remains in my household to do with as she pleases. She may sell whatever chests, chairs and basins she doesn't need, or she may keep them as they are. I order that should she sell these belongings, one third of the profits received go to our son, don Joseph de Santana, and the other third be used to pay for Masses said for my soul, and hers after her death. She may keep the remaining one third and do with it as she wishes.

I leave as a bequest to my son, don Joseph de Santana a sum of 500,000 pesos.

---

<sup>58</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 287.

Finally, having concluded this my last will and testament, I again request that my wife, doña Juana de Santana, and my son, don Joseph de Santana, and member of my Brotherhood, don Diego, shall act as executors for myself, accepting this as service to God and me. To each one I concede all my powers, which by my right I can do, and I give them full dominion over my property to act in my benefit and carry out all that is contained in this will.<sup>59</sup> If this will is incomplete because of missing words or clauses, I hereby consider them expressed as if fully written and for this I beseech the justices of His Royal Majesty, whom God keep, in this and other jurisdictions, to thus carry it out and protect it the way it is written.<sup>60</sup> To establish that all this is true, I asked don Joseph, public notary and civil servant to write this will for me and sign it as a witness, for I have had him read this to me, and finding it to my satisfaction, I consider it approved in Mexico City.

Witnesses: doña Juana de Santana, don Joseph de Santana, don Diego, and don Joseph, notary.

---

<sup>59</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 287.

<sup>60</sup> Kraay, "Urban Slavery in Salvador, Bahia, Brazil: The Wills of Captain Joaquim Félix de Santana, Colonel Manoel Pereira da Silva, and Rosa Maria da Conceição," 287.

### Selected Bibliography

- Arrom, Silvia Marina. *The Women of Mexico City, 1790-1857*. Stanford University Press, 1985.
- Boyer, Richard, and Geoffrey Spurling. *Colonial Lives: Documents on Latin American History, 1550-1850*. New York: Oxford University Press, USA, 1999.
- Cline, Sarah L. *Colonial Culhuacan, 1580-1600: A Social History of an Aztec Town*. ACLS History E-Book Project, 2008.
- Eire, Carlos M. N. *From Madrid to Purgatory: The Art and Craft of Dying in Sixteenth-Century Spain*. Cambridge University Press, 2002.
- Kellogg, Susan, and MATTHEW RESTALL. *Dead Giveaways: Indigenous Testaments of Colonial Mesoamerica and the Andes*. University of Utah Press, 1998.
- Lavrin, Asunción. *Sexuality and Marriage in Colonial Latin America*. U of Nebraska Press, 1992.
- McKnight, Kathryn Joy, Leo J. Garofalo, Kathryn Joy McKnight, and Leo J. Garofalo. *Afro-Latino Voices: Narratives from the Early Modern Ibero-Atlantic World, 1550-1812*. Hackett Publishing Co., 2009.
- Mills, Kenneth, William B. Taylor, and Sandra Lauderdale Graham. *Colonial Latin America: A Documentary History*. Rowman & Littlefield Publishers, 2002.
- Restall, Matthew. *Seven Myths of the Spanish Conquest*. New Ed edition. New York: Oxford University Press, 2004.
- “The Life Within: Local Indigenous Society in Mexico’s Toluca Valley, 1650-1...” (n.d.).
- To Love, Honor, and Obey in Colonial Mexico: Conflicts Over Marriage Choice, 1574-1821*. Stanford University Press, 1992.
- von Germeten, Nicole. *Violent Delights, Violent Ends: Sex, Race, and Honor in Colonial Cartagena De Indias*. UNM Press, 2013.

