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# CHAPTER

## 3



# The Telling of Tales: A Spanish Priest and His Maya Parishioners

(Yucatán, 1573–90)

Matthew Restall

## INTRODUCTION

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In the late sixteenth century the Spanish colony of Yucatán, a province of the Viceroyalty of New Spain, was populated by a small group of settlers concentrated in one modest city, Mérida. These Europeans and their African slaves were outnumbered many times over by the indigenous Maya population, whose subjugation had taken more than three decades and who had only been “pacified” in this colonial corner of the peninsula since the mid-1540s. Yet by the 1570s, when the story below begins, the bureaucracy of colonial rule was sufficiently established for officers of the Inquisition in Mérida to initiate full investigatory proceedings against Andrés Mexía, a secular parish priest accused of various abuses and misdeeds.<sup>1</sup> The legal proceedings, eventually united into a single, lengthy case file, included three petitions written in Yucatec Maya by Maya notaries and authored by the ruling councils of half a dozen indigenous communities (documents 3.1 to 3.3), as well as witness testimony and defense arguments recorded in Spanish as part of the Inquisition’s investigation (of which documents 3.4 and 3.5 are examples).<sup>2</sup>

### *The Maya World*

The existence of texts like documents 3.1 to 3.3 reflects the rapid adoption by late sixteenth-century Maya communities of Spanish legal forms such as the Roman alphabet and Spanish document genres, enabling the Mayas to engage the colonial legal system in their own interests. These samples represent not only dozens of Maya-language petitions written in the colonial period to protest the deeds of individual Spaniards, priests, or officials, but also a larger body of thousands of documents recording the last wills and testaments, land transactions, political elections, and other legal business of Maya community members. This material

offers us a window onto the Maya world in colonial Yucatán, revealing aspects of political activity, religious behavior, family interaction, economic endeavor, and cultural adaptation to colonial circumstances.

The focus and locus of most of Maya life during the colonial period was the self-governing municipal community, called a *cah* in Yucatec Maya. There were some two hundred *cahob* (plural of *cah*) in colonial Yucatán, all of which boasted their own ruling councils (*cabildos*) that included a notary empowered to write legal records such as those featured here—records that were by nature corporate products, authored and signed by the prominent Maya men of the *cabildo*.

These men represented not just the *cabildo* or the interests of its officers, but also the extended families that comprised the entire community; this structure of representation might serve the specific needs of the *cah* as a whole (as is apparently the case in document 3.1), of a dominant faction within the *cabildo* (as may be the case in document 3.2), or of a particular group within the community (as in document 3.3). Whatever the circumstances, written records reflected the centrality of the *cah* to Maya identity, as well as to political pursuits, economic subsistence, cultural persistence, and religious practice.

### *Priests and Parishioners*

What was to the Mayas a *cah* was to the Spanish colonists a *pueblo* and a *visita*, a constituent element in the civil and ecclesiastical structure of provincial administration.<sup>3</sup> A collection of *visitas* made up a parish—one of which, at the southeast end of the colony of Yucatán, had as its late sixteenth-century pastor one Andrés Mexía (Mejía in modern orthography). Document 3.5 is one of several statements of defense made by this priest in response to various accusations levied against him by his Maya parishioners.

Mexía's parish included the six communities mentioned in the documents below (Oxtzucon, Tahdziu, Tetzal, Tixmeuac, Xecpedz, and Yalcon), as well as a number of others, all covering an area of well over one hundred square miles. The size of this jurisdiction was not unusual; judging from a letter of 1580 by fray Hernando de Sopena, the provincial (the Franciscan in charge of the province) to whom the petitioners appeal in document 3.3 below, there was an average of eight Maya communities in each parish.<sup>4</sup> This figure was higher in the *curatos* (curacies or secular parishes) and on the southern and eastern fringes of the colony, where a year might pass between a priest's visits. As a general rule, Spaniards preferred to live in the cities and towns they founded in the colonies, and priests were seldom the exception; making the rounds along scrub-forest paths must have been arduous work, especially in the high humidity of the Yucatec summer. Although Mexía refers in document 3.5 to "the *pueblo* where I most reside," it is clear from his case records that he primarily lived in the only Spanish city in the colony, Mérida.<sup>5</sup>

The documents presented below show that clerical absenteeism was a concern of the Mayas early in the colonial period. Although we are given no clues as to the meaning they ascribed to Spanish priestly ritual, Maya parishioners certainly appear to have valued it, denied as they were the public religious rituals



of their prechristian past; just sixteen years before Mexía's arrest, in the brutal summer of 1562, the provincial fray Diego de Landa (who became bishop in the 1570s) had presided over the arrest and torture of over four thousand Mayas (two hundred to death) in a campaign against "idolatry." The Mayas seem to have had specific notions (albeit not fully articulated here) as to the exercise of Christian ritual, as well as expectations regarding the economic role and moral behavior of Spanish priests. In short, a priest who took (whether it be food, as in the first document, or liberties with local women, as in the third) more than he gave (in religious service and economic usefulness) aroused active resentment.<sup>6</sup>

As much as the Mexía case illuminates many aspects of life in late sixteenth-century Yucatán, it is but a single case that should not be taken as an indictment of the entire colonial clergy. To be sure, Mexía was not unique. The priestly abuse of the sacrament of confession, especially through sexual molestation (see documents 3.3 and 3.4), was something of a problem throughout the Catholic world and helped lead to the creation of the confessional box. Indeed the year before Mexía's 1578 arrest seven Franciscans in Yucatán petitioned the ecclesiastical authorities to ban confession from taking place in clergymen's houses or anywhere else other than a church. Furthermore, there are several dozen recorded cases of accusations against Spanish priests in Yucatán by colonists and Maya communities alike. About three-quarters of Spanish, and all Maya, complaints allege specific sacramental malpractices (almost all to do with mass, last rites, and confession); about a third of all cases include accusations of sexual solicitation of Spanish or Maya women or Maya boys, mostly through the contact of confession, and half of these also include allegations of improper relations between priests and their housekeepers.

Despite this evidence, and the fact that we cannot know how many other cases have not survived or were never reported, we must assume that in a colony such as Yucatán most priests carried out their duties most of the time in good faith, committing crimes no worse than those of mediocrity or modest participation in the colonial system of economic exploitation. For their part, the Mayas did their best to control or circumvent the Spanish monopoly on priesthood and sacramental performance, by campaigning for a priest's removal (see documents 3.1 and 3.3), by seeking to improve relations with a priest (see document 3.2), or by engaging in a variety of other (mostly legal) religious activities such as those of religious brotherhoods. In this sense, the Maya relationship to the colonial church was similar to the broader Maya-Spanish relationship, which was characterized by negotiation and adaptation under circumstances of fundamental inequality and occasional overt hostility. Not surprisingly, Spanish plaintiffs (usually individuals) fared better in the colonial judicial system than Mayas (usually communities), but *cahob* could prevail, even if (as in the Mexía case) it took the influence of a Spanish ally to win mere temporary relief.

### *A Priest's Story*

Although the Mayas who sent complaints against Mexía to the provincial capital of Mérida provide fewer details than we might like, the Inquisition's investigation is lengthy and suggests just how the pastor went about offending his indigenous

parishioners, particularly with respect to the sexual accusations of documents 3.3 and 3.4.<sup>7</sup> For example, it was Mexía's sexual abuse of a fifteen-year-old Maya girl in Mérida that first provoked inquisitorial attention. One Sunday early in May 1578 the girl, María May, went to the cathedral with two fifty-year-old Maya women who worked with her as maids for a local Spaniard. Seeking confession, the women encountered Andrés Mexía, who persuaded them to come to his house, where he took María into his bedroom and sat her on his bed beside him. She was halfway through her confession when Mexía "placed his hands upon her breasts," and while "fondling them" he commented on "how pretty she was and how firm and fine were her breasts" (which Mexía said appeared to be "full of milk," according to the version of the story told by María's two friends).<sup>8</sup> The priest also told the girl that he would give her absolution if she returned to his house on other occasions; she would only have to sweep his bedroom and she would be "well fed."

Unfortunately for Mexía, as soon as María left the room she burst into tears and proceeded to tell the story not only to her two friends but also to another Maya woman working in the priest's kitchen; her friends then persuaded her to expose Mexía to their master (*amo*), who denounced him to the bishop's office. Bishop Landa was shocked but probably not surprised; four years earlier he had removed Mexía from office after discovering that he had committed "a very grave crime" and "carnal sin" (in Landa's words) with a woman while confessing her, but the Archbishop in Mexico City had reinstated the pastor. Now Landa immediately and personally initiated an investigation, taking statements from María May and four other witnesses;<sup>9</sup> also notarized were complaints from two Spaniards of the *conquistador* families of Vela and Montejo, who testified not to the María May incident but to Mexía's suspicious behavior and scandalous character. By the end of the month (May 1578) Mexía was incarcerated in a room in the bishop's palace, his legs in irons.<sup>10</sup>

With characteristic zeal, and no doubt motivated in part by personal disappointment,<sup>11</sup> Landa waited until he had built a solid case against the licentious pastor before dispatching in July the file (or *proceso*) to the Tribunal of the Holy Office (the newly founded [1571] Inquisition) in Mexico City, where Mexía himself would be sent later that same month. Working with local Inquisition officials, including the dean of the cathedral, Landa's aim seems to have been to demonstrate a pattern of behavior in order to show that the pastor "was accustomed to committing similar excesses and crimes." He did not have to wait long.

Mexía had been under arrest only three days when Landa received word from a fellow Franciscan of a complaint made five years earlier against Mexía by two Maya women from Yalcon (a *cah* in the Valladolid area to the east), Catalina Hau and her mother, María Tui. Catalina's testimony (see document 3.4) detailed her rape by Mexía in the sacristy of the Yalcon church, a story largely substantiated by her mother and another Maya witness. The women had immediately complained to the *cah* governor (*batab*) and *cabildo*, who took the matter to Valladolid's colonial authorities; whereas Mayas such as María May, who lived as domestic servants in Mérida, depended upon the goodwill of their masters, women such as Catalina Hau, who were members of a *cah*, enjoyed the protection of the community authorities, who had access to the colonial legal system (also see document 3.3).

As Catalina Hau recounted (see document 3.4), just days after the Yalcon complaint was made in Valladolid, she was again raped by Mexía. When her mother (according to her mother's own testimony) protested that "she was appalled by such an indecent thing," the priest "whipped her two or three times with his horse's reins" and threatened to beat her again if she said a word to anyone. These were not idle words of violence between equals, but threats from a male colonial official against a subject female in a society structured by hierarchies of gender and race—and, moreover, threats from an official who had brutally demonstrated his ability to carry out his intentions with impunity.

Although Catalina Hau and her mother may have taken these threats seriously for a while, they cooperated with officials the following year, and again in July 1578 when Landa's investigators toured the parishes where Mexía had worked. Officials not only received confirmation of the Yalcon story, but found dozens of other Maya parishioners willing to testify to Mexía's predilection for sexual violence and his generally scandalous lifestyle. Thus, in addition to re-compiling a collection of complaints from 1573 (including documents 3.1 and 3.4), Landa was able to gather extensive evidence that the official reprimand given Mexía that year had done little to alter his behavior. The resulting list of charges consisted of 110 individual items contributed by seventeen communities.

The charges clustered around four central allegations. First, in several *cahob*, Mexía lived with, and slept nightly in the same bed with, a mistress (*manceba*) who was a married woman, and he made no attempt to hide this fact. Second, he behaved in an openly licentious and sexually abusive manner toward his female parishioners, and was often physically abusive toward the councilmen of the *cabildo*. Third, he played cards a great deal more often than he performed his clerical duties, which was almost never. And fourth, he violated the moral economy of the *cah* (what the Mayas perceived as the norms and acceptable limits of economic relations) by demanding excess fees for the performance of sacraments such as marriage, by employing without pay dozens of men and women in each *cah* as his personal servants, by demanding large quantities of candles, maize, honey, fowl, and pigs as fee and tithe payments and grossly underpaying the men he obliged to transport the goods to Mérida, and by taking economic advantage of his position as a Spaniard and a priest in a dozen other ways.

It is significant that these economic matters were the focus of most of the complaints and accusations. Thus, while questions of sexual abuse occupy most of the pages of the seventeen-year series of investigations into Mexía, these offenses may not have been what primarily concerned the all-male community councils; Mexía's abuse of women may have been limited to sporadic and isolated incidents that, however horrific for those involved, lacked the broader impact of his systematic economic exploitation of his parishioners. However, Maya *cabildos* seem to have realized that sexual misconduct was the red flag that caught the attention of senior church officials, and while they were no doubt genuinely outraged by Mexía's sexual abuses, they may have made strategic use of such behavior in their campaign to rid themselves of a priest who took much in worldly goods and gave little in spiritual satisfaction.

One might imagine that in the summer of 1578 Landa was both pleased at having quickly amassed enough evidence to be rid of Mexía and dismayed by the

degree to which the pastor had been living for years a life so far from the bishop's vision of clerical propriety. The charges were damning enough to justify sending the captive Mexía to Mexico City to face the Inquisition's judges, who interrogated him within a week of his arrival. The pastor protested his innocence and the conditions of his incarceration; his alleged mistresses were his maids, and his absenteeism was due to illness, aggravated by his treatment at the hands of Yucatán's Franciscans. Mexía's pleas bought him some time, and fate then bought him an even longer reprieve. Having moved the case along swiftly in his own province, Landa found that he had far less influence from afar. Then, shortly afterwards, Landa died, and, once again using his powerful connections in Mexico City,<sup>12</sup> Mexía succeeded in having his file closed and himself released.

Mexía had lost his curacy when Landa had arrested him in 1578, and he had still not regained it by the mid-1580s. But he did return to Yucatán, and, in the late 1580s, to his former parishes. He also returned to his old habits of pastoral practice—judging from testimonies of 1589, when fray Hernando de Sopena (Landa's protégé and now provincial of the local Franciscans) revived the Mexía case (see document 3.3). This was at least the fourth high-level inquiry into alleged wrongdoings by Mexía over the previous sixteen years, and yet he remained a priest, continued to abuse his parishioners, and still showed a capacity for effective defense (as demonstrated by Tetzal's attempt earlier in 1589 to avoid Mexía's wrath and make amends; see document 3.2). Nevertheless, drawing upon the records compiled by Landa, as well as a smaller number of more recent testimonies, Sopena convinced the Inquisition in Mexico City to again summon Mexía.

Appearing before the tribunal in 1590, the pastor made the same plea as he had in 1579; the case against him, insisted Mexía (see document 3.5), consisted of lies by simple Indians, fabrications by women manipulated by their malicious husbands. He also appealed for sympathy for a fellow clergyman, claiming that the past year of travelling from Yucatán and awaiting inquisitorial verdict in Mexico City had left him sickly and destitute, having narrowly escaped death at sea. One cannot easily judge the impact of Mexía's appeal. It seems weak beside the stack of detailed accusations. But when later that month (July 1590) Inquisition officials in Mexico City voted to condemn Mexía, he was neither imprisoned nor expelled from the church, but merely exiled for two years from Yucatán, fined two hundred pesos to defray Inquisition expenses, and banned for good from hearing the confessions of women. When his sentence of exile was completed in 1592, Mexía returned to his curacy once again, also being appointed to the bishop's staff in Mérida. He held both positions until at least 1594. And there his story ends.

Plumich

### *Reading the Documents*

In reading the documents presented below, note in particular the differences in terminology, style, genre, authorship, and argumentative strategy between the three texts translated from Yucatec Maya (documents 3.1 to 3.3) and the two translated from Spanish (documents 3.4 and 3.5). For example, reverential speech, a

central component of formal discourse in Mesoamerica before and after the Spanish Conquest, can be seen in all three Maya texts (most obviously in document 3.3). Consider too the contrasts between a Maya statement of complaint and one of reconciliation, between Maya testimony expressed via *cah* channels and that given in the format of inquisitorial interrogation, between individual and corporate communication, between formulaic phrases and personal expression, and between the text (what is apparently said) and subtext (what may be the underlying meaning, concern, or intent). Each genre in its own way allowed for the presentation of particular perspectives while also circumscribing open expression, just as opportunities and limitations were rooted in the relationships of the authors to the colony's political and social structures and cultures.

## THE DOCUMENTS<sup>13</sup>

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### 3.1 *Petition by the Cabildo of Xecpedz, Yucatán, 1573*

I who am the governor (*batab*),<sup>14</sup> don Gaspar Cupul, with the *ah cuch cab*<sup>15</sup> Canche and the *ah cuch cab* Poot and the *ah cuch cab* Tzuc, and the principal men, make our declaration regarding our lord (*yum*)<sup>16</sup> the padre Andrés Mexía: He is not in the habit of giving us what is owed;<sup>17</sup> neither have we sold to him here in Xecpedz; nor does he send a man from Tihó.<sup>18</sup> Why? We ask nothing of him. As our lord the padre is good so he does well by us; yet because he says mass here in a twisted fashion,<sup>19</sup> once again his children are left high and dry.<sup>20</sup> What do you say to that? As to the question of eating: he also doesn't come because of that. In other words, there's nobody here in the *cah* because there's no food.<sup>21</sup> This is the reason why the priest<sup>22</sup> does not come here; it is because we have no food, nor will we give him any. Our father the padre, he doesn't remember us, although we lead good lives. This is the reason that I, along with the principal men, have written, so that the goodness of our hearts regarding our father the padre be known. That's all. Here we write on the day of Saint Lawrence the tenth day of August.

This is my statement, I, don Gaspar Cupul.

Don Gaspar Cupul;<sup>23</sup> Gonzalo Uayu;  
Francisco Poot; Francisco Hol, notary;  
Martin Tzuc; Alonso Cupul; Juan  
Canche; Francisco Nahuat, *maestro*.<sup>24</sup>

### 3.2 *Statement Made by the Cabildo of Tetzal, Yucatán, 1589*

Here on the 9th of March of the year '89, we are gathered together in the *cah* of Tetzal, I who am don Pedro Pol, the governor, with the *alcalde* Juan Hau, and the *regidores* Juan Ek and Pedro Cach.<sup>25</sup> We assert the truth of the word of all our elders and their names. We truly declare our hearts. Our lord, padre Andrés Mexía, we reconcile ourselves to him and he likewise reconciles himself to us. For there



was formerly bad feeling on our part because of women's talk<sup>26</sup> and the telling of tales, for which reason he reprimanded us. For this reason we wrote a letter to the governor (*halach uinic*)<sup>27</sup> in Tihó. Through a messenger we explained that telling tales about priests is a bad thing, when their truthfulness is not clear. It is because of the telling of tales that previously we went to Tihó and returned here to the *cah*, and that our lord the principal official (*kuluinicil*)<sup>28</sup> spoke of it with the padre, and we attested to it. But because of our Christianity we gave up our anger with the padre and that which we had said earlier about him. We neither request anything of him, nor do we have anything else to say about it, because it's all in the past. We are telling the truth. Nothing is going to be remembered by us a second time, because we know nothing about it—just tale-telling and women's talk. All our elders affirm that this is true. Thus we write our names together, our lord the *kuluinicil* and the other principal men and witnesses:

Don Pedro Pol, governor; Juan Hau,  
*alcalde*; Juan Ek, Pedro Cach, *regidores*;  
Diego Mo, notary.

### 3.3 Petition by the Cabildos of Oxtzucon, Peto, Tahdziu, Tetzal, and Tixmeuac, Yucatán, 1589

God keep you on this the last day [of the month]. You, our father, know we come to Tixmeuac with the nobles. When don Pedro Xiu, governor here in the *cah*, told us of your greetings, of the happy tidings you gave him, we were persuaded that your words were good. God be blessed,<sup>29</sup> you know how you protect us. Regarding the statement you made to the nobleman [don Pedro Xiu]: He told us all that you arranged for him here. We are asking you, for God's sake, will you protect us, as you say you will, so that we can carry out our desire to tell the truth about the deeds of the padre Mexía and what he does in the *cah*. So that you will thus hear the story of it, we write this letter to the lord padre, fray Hernando de Sopena.<sup>30</sup> If he takes into account what we now say about this padre, extracting all that is true, then, as you said in your letter, a judge, who is a friar,<sup>31</sup> should come to investigate. For here is our statement to you, lord. As you write in your letter to us, when those of Tixmeuac first heard mass here, it was you who first received us into Christianity.<sup>32</sup> This is the reason that we place ourselves before you, so that you, lord, will satisfy our wish. We who are here in Tixmeuac, we are coming from Oxtzucon, Peto, Tahdziu and Tetzal, we who are here with our principal men. Thus we wrote to you at dusk on Sunday. Give us your written word, lord, to the men we are sending there to Tihó. We will wait here. You write the truth. We will hear your word.

This is the truth. When he hears the confession of women, he then says, "If you don't give yourself to me, I won't confess you." This is how he abuses the women: he does not hear a woman's confession unless she comes to him; until they recompense him with their sins,<sup>33</sup> he does not hear the women's confession.

That is the whole truth of how the women are made to prostitute themselves. May God Eternal<sup>34</sup> keep you, our lord.

We who are your children:

Don Juan Cool, governor of Peto; don Francisco Utz, governor of Tahdziu; all the *alcaldes*.

### 3.4 Testimony of Catalina Hau Given to Inquisition Officials, Valladolid, Yucatán, 1573

Then there appeared in the town of Valladolid on December 2, [1573], Catalina Hau, native and resident of the *pueblo* of Yalcon, married to Cristóbal May, resident of the *pueblo*, before the lord inspectors (*señores visitadores*), having been sworn in before God and Holy Mary his mother by making the sign of the cross with her hand and by promising to say the truth and by saying "I swear" and "Amen." And questioned in her language by fray Gaspar de Naxera with respect to each item,<sup>35</sup> she said the following:

To the first item the witness said that she knows padre Andrés Mexía as pastor in town, and she has seen him performing his duties and visiting her native *pueblo* of Yalcon; and thus the witness responded to the item.

To the fourth item she<sup>36</sup> declared that one day in April this year padre Andrés Mexía was visiting her *pueblo*, and that after attending mass she was waiting among the congregation to see if anyone came to confess, and that being moved by the pain of her sins the witness herself came to confess to the padre, and that she came with her mother, María Tui. And the witness asked the padre Andrés Mexía to hear her confession for the love of God, and he told her to sit on a seat by the main altar of the church where the gospel is said, and that having importuned her to get down on her knees, the padre ordered her to say the first part of the catechism and the Ave María. And after the witness said the Ave María, he put his hand on her stomach and asked her if she was pregnant and she replied "no," and the padre said, "Tell me the truth! I know that you have slept (*as hechado*) with three Spaniards," and she replied that such a thing did not occur, that it was not true. And then he told the witness to go into the school room, and she refused to go into the room, and he threatened her in a loud voice, and in fear she sat at the door to the room. And meanwhile he called to her mother to confess, and while her mother was confessing, the witness heard the padre say to her mother, "I must speak to your daughter to explain to her how to be obedient." And after confessing her mother, he left her where she had been confessing and called the witness to come with him, and she went with him out of fear and not wishing to cause a scene. And he forcibly pushed her into the sacristy of the church, and he had carnal relations (*acceso carnal*) with her against her will in the sacristy, and the witness ~~did not~~ fight back out of fear of the padre. And after this happened she left the sacristy in tears and went straight to her house with her mother, and the witness told the *cacique*<sup>37</sup> what had happened, and the *cacique* told her to come and complain to the magistrates of this town [i.e., to the Spanish officials in Valladolid], and this the witness did. And a few days after the wit-

ness appeared [to complain]—this was in the month of July—she and her mother were going to their *pueblo*, having heard mass in this town, and on the road they encountered the padre, coming with his servants before him from the *fiesta* of Saint Peter in the *pueblo* of Tikuch. And he said to the witness's mother, "Old woman, why have you accused me of sleeping (*que me heche*) with your daughter?" And she replied that she had not accused him but that it was true what she had said to the *batab*. And the padre ordered them to return to this town so that he could deal with them; and having gone a little way, he dismounted from his horse and ordered the witness's mother to hold the horse's reins, and the padre Andrés Mexía took the witness by the arm and pulled her into the bushes, saying he wanted to talk to her. And there he had carnal relations with her, and this was against her will. And before the lord officials she lamented and expressed her outrage (*se querella e agravia*) over the brutalities and offenses (*las fuerças e agravios*) committed by the padre Andrés Mexía; and thus the witness responded to the item.

And she said that she knew nothing with respect to all the other items. And she said that it was true that she was twenty years old, more or less, and that her testimony was made in the language of the land [Yucatec], and that it was a true statement of what had happened. And having [her statement] read back to her, she affirmed and ratified it. And she was not able to sign, [but] the lord officials signed:

Alonso Muñoz Çapata;  
 fray Gaspar de Naxera; before me,  
 Diego Cansino, notary.

### 3.5 Petition by the Priest Andrés Mexía to the Inquisitor Judging His Case, Mexico City, 1590

Presented in Mexico on July 7, 1590, before the Lord Inquisitor *licenciado* Sanctos García.<sup>38</sup>

I, Andrés Mexía, clergyman and ordained priest (*clerigo presbítero*), state that at the order of Your Most Illustrious Lordship, I have come to this court from over three hundred leagues from here;<sup>39</sup> and that on the journey I endured much hardship from roads, rivers, and marshes, and from the sea—for the ship in which I came overturned and was lost, and I escaped half drowned. I also lost the meager possessions I was carrying, leaving me with no more than the clothes on my back. And in this city I have suffered much illness and poverty and privation; after the year that has passed since I left home, I have had many expenses and losses, having another just the other day, when a *negro* that I had left in my benefice died on me. Due to all of which:

I entreat Your Most Illustrious Lordship, for God's sake, may it please you to look upon my case with eyes of compassion and mercy, as the Holy Office is always accustomed to doing, taking into consideration the aforementioned hardships which I have endured. All of these, together with the suspension of my orders<sup>40</sup> and my lengthy imprisonment, are surely applicable to my punishment for the guilt that may now result against me. Furthermore, the people who have tes-



tified against me are Indians induced by my enemies<sup>41</sup> and moved more by passion and vengeance than by Christianity. This is clearly evident from the fact that, after making accusations against me, they gave me an apology, in writing, before four Spaniards, saying that they had made the complaint against me in anger; and they excused themselves more profusely than in the apology, whose testimony is in my case file (*el proceso de mi causa*).<sup>42</sup> Thus Your Lordship will find in the case proceedings (*proçesso*) my presentation of sufficient grounds for the enmity in which I am held by the three Indians<sup>43</sup> whose wives, sisters-in-law, and women friends have sworn against me; for only those three Indians from one *pueblo* are involved in this business, and the other six *pueblos* that I have in my benefice have never acted thus against me, not even in the *pueblo* where I most reside. And while Bishop Montalvo visited me three times, the aforementioned three Indians never then petitioned against me, although what they say now leads one to understand that the malice and enmity with which they view me goes back three or four years.<sup>44</sup> Due to all of this, as well as to the rest of my defense and the favorable arguments I have made, I entreat Your Lordship, for God's sake, to be merciful towards me, and I make this request in humility.

I also acknowledge notice of the final conclusion of these proceedings (*autos*).

Andrés Mexía

## NOTES

**ACKNOWLEDGMENTS** I am grateful to Geoffrey Spurling, John Chuchiak, and Francis Dutra for their comments on this chapter.

1. Priests in Yucatán were either Franciscan friars or secular clergy such as Mexía; there was a certain amount of rivalry between the two groups.
2. Matthew Restall's *The Maya World: Yucatec Culture and Society, 1550–1850* (Stanford, 1997) and "He Wished It in Vain': Subordination and Resistance among Maya Women in Post-Conquest Yucatan," *Ethnohistory* 42: 4 (1995) provide the most immediate context to the documents presented here, as they not only analyze colonial-era Maya society using a variety of indigenous-language sources but specifically discuss the above documents. A complementary study using different sources and placing far more emphasis on religion is *Maya Society under Colonial Rule: The Collective Enterprise of Survival* (Princeton, 1984) by Nancy M. Farriss.
3. In Yucatán and the rest of New Spain, the term *visita* could refer both to an inspection and to the district subject to it.
4. At the time of Mexía's arrest by the Inquisition, Yucatán was divided into twenty-two *doctrinas* (groups of parishes or *visitas* under the control of the Franciscans, who had thirty-eight friars in the colony) and four *curatos* (manned by seventeen secular priests, most of whom, like Mexía, were attached to the cathedral in Mérida).
5. While periodically occupying various rural curacies from the late 1560s to the 1590s, Mexía also held a number of positions on the staff of the cathedral and bishop in Mérida. I am grateful to John Chuchiak for providing biographical information on Mexía based on sources in the Archivo General de Indias, in Seville, Spain.
6. Inga Clendinnen's *Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517–1570* (Cambridge, 1987) and Matthew Restall's *Maya Conquistador* (Boston, 1998) offer contextual material on both the Spanish Conquest and early inquisitional activity in the colony. John Chuchiak focuses on Yucatán's Christianization campaigns in "The Indian Inquisition and the Extirpation of Idolatry: The Process of Punishment in the Ecclesiastical Courts of the *Provisorato de Indios* in Yucatán, 1563–1812" (Ph.D. dissertation, Tulane, 1999). The relationship between Spanish priests and their indigenous parishioners in central Mexico is dis-

- cussed by William Taylor (*Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico* [Stanford, 1996]) and by Robert Haskett ("Not a Pastor, But a Wolf: Indigenous-Clergy Relations in Early Cuernavaca and Taxco," *The Americas* 50: 3 [1994]).
7. Richard Boyer's *Lives of the Bigamists: Marriage, Family, and Community in Colonial Mexico* (Albuquerque, 1995) provides a fine introduction to how the Inquisition functioned in colonial Mexico.
  8. The previous quotes are from María's own testimony but are corroborated in the statements made by her two friends.
  9. The format was similar to that of document 3.4, only in this case the translation and writing down was done by the interpreter general and Maya nobleman Gaspar Antonio Chi, best known for working with Landa during the 1562 "idolatry" trials and for being one of the Maya informants for Landa's pioneering ethnography, the *Relación de las cosas de Yucatán*.
  10. There is a further twist to the personal politics at work here. María May's master was Francisco Hernández, the son or nephew of a *conquistador* of the same name who had been relentlessly persecuted and ruined by Diego de Landa twenty years earlier, when Landa was custodian of the Franciscans in Yucatán; the elder Hernández had confessed his crimes and blasphemies, which amounted to strong criticisms of clerical activities in the colony, shortly before a premature death caused in part by the stress of the conflict and prison conditions. No doubt this helps to explain why the younger Hernández was so quick to denounce an abusive priest, but it is certainly ironic that it was Landa himself, now bishop, who zealously took up the case (the key to the irony lies in Landa's character; his campaign against Hernández the elder was motivated not by personal vindictiveness but by a fanatical devotion to the authority and reputation of the church).
  11. Since Mexía's reinstatement four years earlier, Landa had appointed him to several positions, including the privileged one of the bishop's own confessor.
  12. Mexía was born in Mexico City around 1540 and lived there until he was twelve; his father, Alonso de Castro, was one of Yucatán's conquistadors.
  13. The 350 pages of the Mexía case file are preserved in Mexico City's Archivo General de la Nación, under *Inquisición, legajo 69, expediente 5, folios 154–329*. The three documents that I have translated from Yucatec Maya (3.1 to 3.3) are folios 199, 275, and 277; the two translated from Spanish (3.4 and 3.5) are folios 170–72, and 324.
  14. The *batab* was the ruler of the *cah* both before and during the colonial period (he was not technically a *cabildo* member, but in effect he presided over it). Indigenous rulers in colonial Mexico were supposed to be elected annually, but in fact local variants were practiced throughout New Spain; in Yucatán, some *batabob* ruled as long as factional politics allowed, some held twenty-year terms of office, and some sat in the *batab*-ship for life, even passing the position on to a son. Similarly, although the *cabildo* was an institution imposed by the Spaniards, indigenous communities in colonial Mexico interpreted its structure and function according to local political traditions.
  15. The *ah cuch cab* was, like the *batab*, an office that was carried over from prequest times, with the difference that the Spanish authorities recognized the *batab* as the community governor (referring to him as *gobernador* or *cacique*), whereas *ah cuch cab* became an "unofficial" position which some communities used as a post outside the *cabildo*, while others (as seems to be the case here) treated it as equivalent to the *cabildo* positions of *alcalde* or *regidor*.
  16. The Maya term *yum* means both "father" and "lord," the two often being mutually inclusive, as is the case here.
  17. The phrase "what is owed" could also be glossed as "our music" (the Maya text does not clearly indicate whether *pax* or *p'ax* is meant), which would make sense as the petitioners later object to the way Mexía says mass. The immediate context, however, appears to be economic. In early colonial times communities like Xecpedz that were far from Mérida (referred to here with its precolonial and colonial Maya name, Tihó) seldom saw Spaniards and thus viewed visiting priests as useful economic contacts; priests in turn engaged in economic enterprise to supplement income through tithes, fees, and tribute in the form of local produce (to which the petition also refers). Priests sometimes abused this relationship; in the list of charges made by seventeen *cahob* later in the year (discussed in the introduction above), Xecpedz asserted that Mexía visited them only twice, each time demanding goods for which he failed to pay.
  18. That is, Mexía has not sent a subordinate priest to give the Mayas of Xecpedz what they feel they are owed, either in payment for goods provided or in sacramental performance.

19. This is presumably a reference to language: Mexía probably said *mass* in Latin, and/or his grasp of Yucatec was inadequate from the Mayas' viewpoint. Although we know from elsewhere in the case file that he spoke some Maya (and also, supposedly, Nahuatl), there were also complaints from other *cahob* that this pastor would neither preach nor hear confession in the tongue of his parishioners. Furthermore, in September 1573 (forty days after Xecpedz wrote up their complaint), Mexía was reprimanded by the civil authorities in Valladolid for not preaching or hearing confession in Maya (and thereby interfering with colonial relations by upsetting the subject peoples). Maya communities continued to complain, even as late as the 1830s, that the priests assigned to their parishes spoke Maya poorly. The colonial Church, of course, very rarely ordained non-Spaniards.
20. The literal translation of this phrase would be "a second time, dry (or cold), his children." The Maya petitioners refer to themselves as Mexía's children not only because he is their "father" (*yum* and *padre*), but also in accordance with the stylistic devices of Mesoamerican reverential speech.
21. The Maya population suffered greatly in a series of famines and epidemics in the 1560s and 1570s that contributed to a demographic decline of up to 50 percent between the censuses of 1549 and 1580–86. In stating "there's nobody here" the petitioners are probably referring to population loss through flight as well as mortality; there is evidence that in times of crisis the unconquered parts of the peninsula to the south and east offered refuge and alternative sources of food for Mayas from the colony.
22. I have taken the Maya term *u tibon* as a variant on *tibol* or *tibob*, a relatively rare term for "priest"; note, however, that an alternative reading might simply be "to us," rendering the sentence "This is the reason why he does not come to us here."
23. This and the following names are written as signatures, as are the names at the feet of the other two documents.
24. The *maestro* was a Spanish-imposed position, whose various duties included schoolmaster and choirmaster, to which the Mayas gave considerable importance, as reflected here in the placing of the Xecpedz *maestro* among the senior *cabildo* members.
25. The core *cabildo* posts of *alcalde* and *regidor*, which we might translate as "judge" and "councilman," were treated by the Maya as rungs on the career ladder to which community notables might aspire. Unlike Spanish *cabildos*, the numbers of *alcaldes* and *regidores* varied from *cah* to *cah*.
26. Indicative of the nature of ethnic and gender structures in colonial Mexico is the fact that the Spanish version replaces "women's talk and the telling of tales (*canxectzil y[etel] chupul-chi*)" with "Indian gossip (*algunos chismes de indios*)" (this is the only one of the three documents that was translated at the time—by Gaspar Antonio Chi on April 12, 1589).
27. Before the Conquest the *halach uinic* was the supreme political officer, or territorial ruler, of a province; as Tihó (Mérida) was the colonial provincial capital, the reference here is to the Spanish governor of Yucatán.
28. *Kuluinicil* is a Maya title meaning "principal man" (i.e., the *batab* or governor of the *cah*); it is also used below in the plural, *kuluinicob*, to mean "the principal men" (i.e., the *cabildo* officers and other community notables).
29. The literal sense of this phrase is "good words will be said about God (*dios*)."
30. Sopena was in charge of this second phase of the Inquisition investigation into Mexía; the addressee of the petition appears to be the head Franciscan in the nearby *cabecera* [regional head-town] of Tekax, clearly a friar perceived by the Maya notables of the region as sympathetic to them.
31. In early colonial Yucatán, this means a Franciscan friar. The relative unpopularity among the Mayas of secular priests, as opposed to Franciscans, as reflected in the disproportionate number of Maya complaints against seculars, played into secular Franciscan politics. The Maya nobles authoring this petition realized that because Sopena was a Franciscan and Mexía was not, they stood a much better chance with a judge who was a friar.
32. I have added some emphasis to clarify what I take to be the meaning; the literal sense is "that those of Tixmeuac (*tixmiuace*) here heard mass you received us (*uahmaatex*) we first enter into Christianity here."
33. An alternative (or, rather, parallel) translation is, "fornicate with him"; the matter hinges on how one pronounces the phrase *pak keban*, an ambiguity made possible by the diacritics of written colonial Maya.
34. Literally, "no end of his days" (*ma xul u kinil*).

35. According to Spanish practice, a set of items or questions (here termed *capítulos*) were drawn up in advance by the investigators and put to each witness. The opening questions were typically formulas on such matters as the witness's identity, age, understanding of the procedure, and acquaintance with the accused; note that here either the interrogator or the notary skipped the formulaic second and third items. In translating the testimony under the fourth item I have reduced some of the repetition while still preserving the orality of the text; Catalina Hau is of course speaking in Maya, while fray Gaspar de Naxera dictates his translation of her words to the notary, who writes them down in the third person.
36. "esta que declara" in the document.
37. A term of Arawak origin brought by the Spaniards from the Caribbean and used by them to refer to the chief or governor of any indigenous community; "cacique" would have been Naxera's translation of "batab."
38. This heading is written in abbreviated form by a notary; the rest of the document is written and signed by Mexía himself.
39. Mexía is referring to his trip from Yucatán to Mexico City, which would have required journeying by land to the Yucatec port of Campeche, then by sea across the Gulf of Mexico to Veracruz, and finally by land again up to the Valley of Mexico.
40. His rights as an ordained priest to perform the sacraments.
41. This appears to be a reference to Spanish enemies, who remain unnamed in Mexía's records of defense; note, however, that the claim to being a victim of one's enemies was a common element in the Spanish legal discourse of defense.
42. This apology is presumably the statement included here as document 3.2.
43. These "sufficient grounds" consist of statements similar to this one (document 3.5), with Mexía denouncing his accusers as malicious liars.
44. The phrase "malice and enmity" is intended to cast aspersions on the motives of Mexía's accusers and the veracity of their allegations; the "Indians" failed to complain three or four years ago, Mexía is suggesting, because they only recently invented their accusations. In fact, more than three Mayas and more than one *cah* testified against the priest, while the Maya willingness to express resentment towards him went back at least seventeen years in at least one community—as evidenced by documents 3.1 and 3.3, and in the many other pages of testimony in the Mexía case files.

## DOCUMENT THEMES

Crime; Cultural Contact/Ethnogenesis/Resistance; Economy and Work; Ethnicity; European-Mestizo Peoples; Gender; Governance, Indigenous; Indigenous Peoples; Inquisition; Religion; Rural Life; Sexuality; Violence; Women.

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# COLONIAL LIVES

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*EDITED BY*

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