

# Laboring above Ground: Indigenous Women in New Spain's Silver Mining District, Zacatecas, Mexico, 1620–1770

Dana Velasco Murillo

To borrow loosely from Jane Austen, it was a truth universally acknowledged that a Spaniard in possession of a silver mine must be in want of several indigenous male laborers. What has not been commonly considered in the historiography of New Spain's silver mining district is that the establishment of communities of indigenous laborers necessarily entailed the substantial presence of Indian women.<sup>1</sup> Thus, when Pedro de Aguilar, a Franciscan brother in the silver mining town of Zacatecas, Mexico, conducted a *padrón* (an ecclesiastical census) of his indigenous parishioners in 1622, he found that 804 men and women lived in Tlacuitlapan, one of the city's four adjacent indigenous towns, and at several neighboring *haciendas de minas* (silver refining plants). The count did not include children, but Aguilar's description of the "newly baptized" as "innumerable"

Sections of this paper were presented at the meetings of the American Society for Ethnohistory (2009) and the American Historical Association (2010) and benefited from the commentary of Leslie Offutt and Yanna Yannakakis, respectively. I offer my thanks to Kevin Terraciano, Susan Schroeder, Susan Kellogg, Rachel O'Toole, and Richard Conway for reading drafts of this paper and providing invaluable feedback. I am also grateful for the comments and suggestions of Bradley Benton, Kevin Goldberg, and Margarita Ochoa. A UC President's Postdoctoral Fellowship supported research for this article.

1. On occasion, I will use the word *Indian* (*indio*) in this essay, as it is the term that predominates in the Spanish documents in Zacatecas. However, I am well aware that it is a colonial construction that homogenized the many distinct ethnic groups that populated Mesoamerica and Andean South America into one generic category. In Zacatecas, the use of the term *Indian* by colonial officials reflects their lack of interest in distinguishing the specific ethnic identities of the city's diverse indigenous population. In turn, as ancestral ethnicities began to fade in Zacatecas, indigenous peoples adopted the term as a strategy for forming a broad corporate identity against non-Indians. Specific ethnic identities will be noted as the sources allow, but these references are scarce.

suggests not only their sizeable presence but also a large population of indigenous mothers and caregivers in the community.<sup>2</sup> He also noted that indigenous women constituted close to half (42 percent) the workforce at 14 adjacent mining haciendas.<sup>3</sup> Although neither this census nor any other records indicate that women worked in the mines themselves, indigenous women were clearly not strangers to the mining complex.

Throughout the colonial period, mining towns and camps like Zacatecas were a ubiquitous feature of almost every region of Latin America and often the primary impetus behind the settlement of fringe or borderland areas.<sup>4</sup> Gold fields, for example, led to the establishment of several towns in Brazil and in New Granada (Colombia). An abundance of silver veins led to the creation of towns and cities throughout Spanish America from northern Mexico to Argentina, with large mining zones in the central Andes (southern Peru and western Bolivia) and in central and northwestern Mexico. While many sites were small mining camps or towns (*reales de minas*) that waxed and waned in relatively short periods, others, like Zacatecas and the Andean metropolis Potosí, developed populations, infrastructures, and economies that rivaled other cities. Within these mining centers, the need for labor (both coerced and free) and the opportunities of the money economy drew individuals from every element of colonial society, including a large number of women of diverse ethnic backgrounds. Yet little is known about the experiences of women in these numerous and important silver mining centers. This article explores the lives and roles of women, specifically indigenous women, in the silver mining town of Zacatecas.<sup>5</sup>

2. Biblioteca Nacional de México, Archivo del Fondo Franciscano (hereafter BNM, AFF), box 58, folder 1160, no. 2, ff. 1–2, 1623. Peter Bakewell's work brought this document to my attention; see *Silver Mining and Society in Colonial Mexico: Zacatecas, 1546–1700* (Cambridge: Cambridge Univ. Press, 1971), 127.

3. BNM, AFF, box 58, folder 1160, no. 5, ff. 1–2, 1623.

4. For an overview of mining in Latin America see Peter Bakewell, ed., *Mines of Silver and Gold in the Americas* (Brookfield, VT: Variorum, 1997).

5. For scholarship on indigenous women see Anna Miriam Gallagher, "The Indian Nuns of Mexico City's Monasterio of Corpus Christi, 1724–1821," in *Latin American Women: Historical Perspectives*, ed. Asunción Lavrin (Westport, CT: Greenwood Press, 1978): 150–72; Irene Silverblatt, *Moon, Sun, and Witches: Gender Ideologies and Class in Inca and Colonial Peru* (Princeton, NJ: Princeton Univ. Press, 1987); Frank Salomon, "Indian Women of Early Colonial Quito as Seen Through Their Testaments," *The Americas* 44, no. 3 (1988): 325–41; Ann Zulawski, "Social Differentiation, Gender, and Ethnicity: Urban Indian Women in Colonial Bolivia, 1640–1725," *Latin American Research Review* 25, no. 2 (1990): 93–114; Susan Schroeder, Stephanie Wood, and Robert Haskett, eds., *Indian Women of Early Mexico* (Norman: Univ. of Oklahoma Press, 1997); Lisa Mary Sousa, "Women in

Here, Zacatecas (currently the capital city of the state of the same name) refers to the city proper, the four indigenous towns that flanked its borders, and two smaller mining communities (Veta Grande and Pánuco). The discovery of prominent silver veins in 1546 led to the founding of Zacatecas in an area occupied by the Zacatecos, a small band of nonsedentary Indians, most of whom left the immediate vicinity with the arrival of the Spaniards. In their absence, native peoples from disparate regions of New Spain, particularly central and western Mexico, migrated in large numbers to the mining region, attracted by the opportunities of wage labor at the city's mines and refining haciendas, and freedom from tribute and labor drafts to which they were subjected in their home communities.<sup>6</sup> Encouraged by repeated discoveries of large silver veins, Spaniards and native peoples soon established permanent settlements in a valley several miles from the first camps. A small group of communities, which supplied the city with agricultural products and resources, subsequently developed in its hinterland.

The fledgling mining camp rose to become a significant administrative and population center (42,000 at its apex in 1732) and the economic hub between Mexico City (over 350 miles away) and the northern frontier.<sup>7</sup> By the end of the sixteenth century, Zacatecas had received city status (1586) and was the largest settlement of Spaniards north of Mexico City, possessing the governmental, civic, and religious infrastructure of a large urban center. The city's population and prosperity rose and fell according to the level of silver production, with particularly protracted booms from 1590 to 1630, 1690 to 1732, and 1770 to

---

Native Societies and Cultures of Colonial Mexico" (PhD diss., University of California, Los Angeles, 1998); Asunción Lavrin, "Indian Brides of Christ: Creating New Space for Indigenous Women in New Spain," *Mexican Studies/Estudios Mexicanos* 15, no. 2 (1999): 225–60; Kimberly Gauderman, *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America* (Austin: Univ. of Texas Press, 2003); Susan Kellogg, *Weaving the Past: A History of Latin America's Indigenous Women from the Prehispanic Period to the Present* (New York: Oxford Univ. Press, 2005); Camilla Townsend, *Malintzin's Choices: An Indian Woman in the Conquest of Mexico* (Albuquerque: Univ. of New Mexico Press, 2006); Karen B. Graubart, *With Our Labor and Sweat: Indigenous Women and the Formation of Colonial Society, Peru 1550–1700* (Stanford, CA: Stanford Univ. Press, 2007); and Jonathan Truitt, "Courting Catholicism: Nahuatl Women and the Catholic Church in Colonial Mexico City," *Ethnohistory* 57, no. 3 (2010): 415–44.

6. For Indians in Zacatecas see Dana Velasco Murillo, "Urban Indians in a Colonial Silver City, Zacatecas, Mexico, 1546–1806" (PhD diss., University of California, Los Angeles, 2009).

7. José de Rivera Bernárdez, *Descripción breve de la muy noble y leal ciudad de Zacatecas* (Mexico City: Imprensa por Joseph Bernando Hogal, 1732), 48.

1810. Zacatecas would remain the most important center of silver production in Mexico until 1685, turning an initially small mining camp into the unofficial capital of the northern province of New Galicia and the engine of New Spain's markets in the Atlantic and the Pacific.

Several indigenous communities of ethnically heterogeneous migrants who received land grants or settled in unoccupied spaces developed alongside this thriving Spanish urban center. These indigenous spaces remained under direct control of Spanish authorities until 1609, when native peoples converted their settlements into formal sociopolitical entities by establishing two towns (pueblos) and adopting a system of representation based on the Spanish municipal council. The towns, which eventually splintered into four, were juridically autonomous from the Spanish city. They had leaders, municipal councils and lay confraternities, and existed into the national period. The oldest, Tlacuitlapan, evolved on the northern edge of the city. Three native pueblos, Tonalá Chepinque, El Niño, and San Josef, developed to the south of the city center.<sup>8</sup> Residents or *vecinos* (property-owning individuals with rights within a town) were subject to the jurisdictions of the native pueblos rather than those of the city of Zacatecas.

Little is known about the indigenous women that lived in Zacatecas and its Indian towns. The historiography of New Spain's silver mining district has ignored women in favor of the male population of mine owners, merchants, and the occasional laborer.<sup>9</sup> This trend, while reflecting the initial marginalization of women within Latin American scholarship, also results from a mining

8. For the evolution of these towns see Dana Velasco Murillo, "The Creation of Indigenous Leadership in a Spanish Town, Zacatecas, 1609–1752," *Ethnohistory* 56, no. 4 (2009): 669–98.

9. For scholarship on mining towns in Spanish America see Robert C. West, *The Mining Community in Northern New Spain: The Parral Mining District* (Berkeley: Univ. of California Press, 1949); Richard L. Garner, "Zacatecas, 1750–1821: The Study of a Late Colonial Mexican City" (PhD diss., University of Michigan, 1970); Bakewell, *Silver Mining and Society*; David Brading, *Miners and Merchants in Bourbon Mexico, 1763–1810* (New York: Cambridge Univ. Press, 1971); Robert Haskett, "'Our Suffering with the Taxco Tribute': Involuntary Mine Labor and Indigenous Society in Central New Spain," *Hispanic American Historical Review* 71, no. 3 (1991): 447–75; Peter Bakewell, *Miners of the Red Mountain: Indian Labor in Potosí, 1545–1650* (Albuquerque: Univ. of New Mexico Press, 1984); Enrique Tandeter, *Coercion and Market: Silver Mining in Colonial Potosí, 1692–1826* (Albuquerque: Univ. of New Mexico Press, 1993); Frédérique Langue, *Los señores de Zacatecas: Una aristocracia minera del siglo XVIII novohispano* (Mexico City: Fondo de Cultura Económica, 1999); and Jane E. Mangan, *Trading Roles: Gender, Ethnicity, and the Urban Economy in Colonial Potosí* (Durham, NC: Duke Univ. Press, 2005).

historiography, particularly for New Spain, focused on production, particularly the work of men below ground in the mines.<sup>10</sup> Women have been relegated to the background and considered peripheral figures in the labor force and the production of silver. In contrast, this article argues for a broader understanding of the labor involved in silver production to include activities performed outside the mines by women. Studies of the Andean mining industry, for example, illustrate the importance of women's market activities to the daily operations of silver production.<sup>11</sup> In Zacatecas, women of all ethnic backgrounds participated in a variety of jobs that paralleled the activities of their male counterparts. While this essay focuses on indigenous women, Spanish and *casta* (individuals of diverse ethnic ancestry) women were also present in Zacatecas, running stores, owning stakes in mines and labor teams, and working as domestic servants.

In Zacatecas, native women assumed important tasks usually not considered in discussions of mining production. Some of this work involved the

10. For scholarship on women in Spanish America see Lavrin, *Latin American Women*; Patricia Seed, *To Love, Honor, and Obey in Colonial Mexico: Conflicts over Marriage Choice, 1574–1821* (Stanford, CA: Stanford Univ. Press, 1988); Asunción Lavrin, ed., *Sexuality and Marriage in Colonial Latin America* (Lincoln: Univ. of Nebraska Press, 1989); Silvia Marina Arrom, *The Women of Mexico City, 1790–1857* (Stanford, CA: Stanford Univ. Press, 1994); Steve J. Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico* (Chapel Hill: Univ. of North Carolina Press, 1995); Kathryn Burns, *Colonial Habits: Convents and the Spiritual Economy of Cuzco, Peru* (Durham, NC: Duke Univ. Press, 1999); Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America* (Stanford, CA: Stanford Univ. Press, 1999); Susan Migden Socolow, *The Women of Colonial Latin America* (New York: Cambridge Univ. Press, 2000); Martha Few, *Women Who Live Evil Lives: Gender, Religion, and the Politics of Power in Colonial Guatemala* (Austin: Univ. of Texas Press, 2002); Kathleen Ann Myers, *Neither Saints Nor Sinners: Writing the Lives of Women in Spanish America* (New York: Oxford Univ. Press, 2003); Karen Vieira Powers, *Women in the Crucible of Conquest: The Gendered Genesis of Spanish American Society, 1500–1600* (Albuquerque: Univ. of New Mexico Press, 2005); and Asunción Lavrin, *Brides of Christ: Conventual Life in Colonial Mexico* (Stanford, CA: Stanford Univ. Press, 2008).

11. In particular, Mangan highlighted the indispensable role of women, including native women, in small-scale trade in seventeenth-century Potosí. See *Trading Roles*. See also Elinor C. Burkett, "Indian Women and White Society: The Case of Sixteenth-Century Peru," in Lavrin, *Latin American Women*, 113; Steve J. Stern, *Peru's Indian Peoples and the Challenge of Spanish Conquest: Huamanga to 1640* (Madison: Univ. of Wisconsin Press, 1982), 165–69; Brooke Larson, "Producción doméstica y trabajo femenino en la formación de una economía mercantil colonial," *Historia Boliviana* 3, no. 2 (1983): 173–88; and Zulawski, "Social Differentiation, Gender, and Ethnicity." Outside of Spanish America, Kathleen J. Higgins discusses the experiences of enslaved women in Brazil. See "Licentious Liberty" in a Brazilian Gold-Mining Region: *Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais* (University Park: Pennsylvania State Univ. Press, 1999).

preparation and distribution of goods and foodstuffs, domestic service, and the management of properties. They also engaged in a variety of activities that were crucial to family and community organization. By living in large numbers in indigenous towns and neighborhoods and marrying native men, Indian women contributed to the persistence of indigenous society and the vitality of Zacatecas through the late colonial period. Within these communities, and perhaps more than in other areas of New Spain, episodes of high male absenteeism often gave Indian women the important family role of caring for their offspring. As primary caretakers, indigenous women frequently served as legal advocates for their children, who were often considered sources of labor to be exploited in silver mining towns and were vulnerable to abuse.

This article examines the activities of indigenous women through a small but varied corpus. Fragments and references in archival documents indicate that native peoples in Zacatecas used Nahuatl, the indigenous language of central Mexico, as their lingua franca. However, this native language corpus has disappeared.<sup>12</sup> In its absence, this essay uses Spanish records from archives in Mexico and Spain to analyze indigenous women's work and familial labor. In order to illustrate the broad range of their experiences, a wide variety of sources were used from the mid- to late colonial period. This approach allows for a maximum exploitation of the sparse and unevenly distributed written record. Quantitative sources such as marriage petitions and ecclesiastical censuses reveal the significant number of women of all ages and civil statuses who lived in mining towns. The variety of mundane documents in which women appear, including wills, civil and criminal suits, custody petitions, and municipal council minutes, illustrate their presence and involvement in all aspects of colonial life. These diverse sources join a small but important corpus that illustrates the vital contributions of indigenous women as laborers, leaders, and conflict mediators in northern Mexico.<sup>13</sup> Ultimately, I argue that indigenous women's roles

12. Spanish records refer to copious documents written in Nahuatl. To date, I have found only a few fragments.

13. Susan Deeds, Cynthia Radding, and Leslie Offutt discuss some of the material and societal challenges native women encountered in missions and frontier settlements. Farther north, Juliana Barr's work on indigenous women in Texas highlights their important role as mediators in conflict resolution. See Deeds, "Double Jeopardy: Indigenous Women in Jesuit Missions of Nueva Vizcaya," in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 255–72; Offutt, "Women's Voices from the Frontier: San Esteban de Nueva Tlaxcala in the Late Eighteenth Century," in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 273–89; Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwest Mexico, 1700–1850* (Durham, NC: Duke Univ. Press, 1997); and Barr, *Peace*

above ground were as important as those performed by their silver-extracting counterparts below ground.

### Women's Labor in the Silver Mining Money Economy

Within northern Mexico, the labor opportunities engendered by the money economy, along with the lack of tribute obligations, made Zacatecas a desirable place for indigenous women to migrate and settle. An examination of their labors and activities in the city illustrates their varied roles in the urban economy and the range of material conditions, from prosperity to hardship, which indigenous women experienced in silver mining towns.<sup>14</sup>

As the most prominent and pervasive institution in the city, the hacienda de minas offered the greatest opportunity to earn wages. Owners often established haciendas next to mines or adjacent to streams and rivers, water being a crucial element in the refining process. These properties varied in size, function, and condition from large stone buildings to small, decaying adobe structures. A typical hacienda de minas was a complex of buildings on a large tract of land enclosed by stone walls and included the house of the owner, sleeping quarters for laborers and their families, stables for horses and mules, and warehouses and sheds to store equipment and machinery used in the refining process.<sup>15</sup> There would also be a large outdoor area where workers processed metals. Some haciendas had a chapel and an orchard.

Depending on their skill and expertise, indigenous men labored at mines as ore cutters (*barreteros*) or carriers (*tenateros*) or in the refining process as millers, blenders, and washers.<sup>16</sup> Throughout the colonial period, censuses indicate that a large number of women labored with men at these sites. For example, a count from 1656 of the composition of the workforce of several sites in Zacatecas indicates that native women constituted 39 percent of the total indigenous labor

---

*Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: Univ. of North Carolina Press, 2007). See also Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford, CA: Stanford Univ. Press, 1991).

14. The predominance of women in the urban economy has been documented for other cities, especially in the Andes. See Mangan, *Trading Roles*; Gauderman, *Women's Lives in Colonial Quito*, 92-123; Burkett, "Indian Women and White Society," 111-14; and Graubart, *With Our Labor and Sweat*.

15. Bakewell, *Silver Mining and Society*, 126.

16. For the activities of male laborers at mining complexes see Bakewell, *Silver Mining and Society*, 134-49.

Table 1. Indigenous laborers on haciendas, ranches, and labor gangs, Zacatecas, 1656

<i>Site</i>	<i>Women</i>	<i>Men</i>
Hacienda		
Pedro Ruiz de Quiroga	6	2
Cristóbal Ramírez	13	10
Don Juan de Lescaro	4	10
Luís de Artiaga	7	15
Labor team		
Corregidor	4	13
Vicente de Zaldívar	1	6
Huerta de Pedro Bravo	2	3
Total	37	59
Percentage of labor force	39	61

Source: Archivo del Arzobispado de Guadalajara, Padrones.

force (see table 1).<sup>17</sup> Although male workers predominated, especially in the labor teams, women were present at every site and at two haciendas even outnumbered their male counterparts. It is unclear what functions they performed in mining production, as there is no evidence yet to indicate they participated in the actual extraction and reduction of silver. At mining sites in Potosí, indigenous women washed ore and also refined it in *guayras*, or small furnaces.<sup>18</sup> Along with children, they strained pounded metals and searched for any leftover pieces of ore near mine entrances.<sup>19</sup> Indigenous women and children probably engaged in similar activities in Zacatecas. Peter Bakewell argues that the majority of women worked in domestic service.<sup>20</sup> Mining haciendas in the mid-seventeenth century employed from a handful to over 30 workers, while some sites in the late eighteenth century, such as the Hacienda Chica, had over 200 laborers.<sup>21</sup> Clearly, a corresponding, albeit smaller, number of women was necessary just to

17. This number reflects only the indigenous labor force and not the total population at these sites. See Archivo del Arzobispado de Guadalajara (hereafter AAG), Padrones, 1656.

18. See Burkett, "Indian Women and White Society," 113; and Bakewell, *Miners of the Red Mountain*, 104.

19. Bakewell, *Miners of the Red Mountain*, 141.

20. Bakewell, *Silver Mining and Society*, 127.

21. The Hacienda Chica had 244 male laborers in 1781, a figure that did not account for the large number of women that were certainly at this site as well. For an inventory of mining hacienda workers in the mid-seventeenth century see AAG, Padrones, 1655; for the late colonial period see Archivo Histórico del Estado de Zacatecas (hereafter AHEZ), Padrones y Censos, 1781.



feed these male laborers and perform basic housekeeping activities in the working and sleeping quarters of the hacienda.

Often women were not just providing support for fellow laborers but tending to husbands and children as well. Just as women accompanied fathers and husbands on their draft labor assignments in other areas of New Spain, many families traveled and settled together at the city's mining haciendas.<sup>22</sup> Husband and wife teams were fairly common. In a 1656 inventory of mine laborers in six haciendas in Zacatecas, for example, married couples such as Juana and Francisco de la Cruz constituted 41 percent (36 out of 88) of the total indigenous population.<sup>23</sup> Five couples lived on the hacienda with their children. Juana and Francisco probably lived at the hacienda because they did not possess the resources to own or rent a place in the city, which was a common situation for many families, particularly recent migrants. The settlement of entire indigenous families at mining haciendas continued through the eighteenth century. In 1711, for example, Juan de la Cruz lived with his wife and eight children at the Hacienda del Fuego, where he served as a laborer.<sup>24</sup> Of course, families could have been tied to the haciendas by coercion, advanced wages, and other, more insidious circumstances. A petition from 1661 from the indigenous pueblo of San Josef, for instance, claimed that mine owners forced workers to bring their wives and children with them to their job sites.<sup>25</sup> Since the distance between the haciendas and the native town did not necessarily require relocation, it seems likely that family members were being forcibly recruited into the workforce. Regardless of how and why they arrived at the hacienda, indigenous women such as Juan de la Cruz's unnamed wife dealt with sickness, making and washing clothing, and the feeding and care of children, in addition to other duties at the hacienda.<sup>26</sup>

Remarkably, some indigenous women found more lucrative opportunities than domestic service and invested in silver mining ventures. Ignacia de la Cruz, along with her husband Joseph de la Cruz, was one of four owners of the silver mine Los Remedios, located in the hillsides above the city. Together,

22. See also Peter Bakewell, "Zacatecas: An Economic and Social Outline of a Silver-Mining District, 1547-1700," in *Provinces of Early Mexico*, ed. Ida Altman and James Lockhart (Los Angeles: UCLA Latin American Center Publications, 1976), 217.

23. AAG, Padrones, 1656.

24. AHEZ, Criminales, box 5, exp. 8, ff. 1-2v, 1711.

25. Archivo Parroquial de Zacatecas (hereafter APZ), Mandatos, box 187, carpeta 16, 1661.

26. For the importance of household work in the precontact period see Louise M. Burkhart, "Mexica Women on the Home Front: Housework and Religion in Aztec Mexico," in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 25-54.

they possessed the largest stake in the mine.<sup>27</sup> But for the vast majority, silver production generated other, less profitable opportunities. Indigenous women, for example, frequently sold food at mining sites or other products necessary for production, such as candles.<sup>28</sup> Although indigenous women rarely benefited to any great extent from the wealth generated by silver production, the economic opportunities afforded by the mining economy did provide some women with a viable livelihood.<sup>29</sup>

Outside of the mining complex, a bustling city provided many occasions for native men and women to engage in profitable activity. Indigenous men carried out a variety of jobs such as tailor, shoemaker, carpenter, and blacksmith.<sup>30</sup> They also engaged in trade, often working and selling merchandise in stores owned by Spaniards.<sup>31</sup> In regard to indigenous women, extant documents only hint at some of their activities. The city's dependence on procuring its foodstuffs and natural resources from the hinterlands, for example, provided some native women with the opportunity to engage in small-scale trade and market activity. Trafficking in contraband items or engaging in resale trade without declaring items to city officials, though strictly forbidden, occurred frequently in the city and perhaps was done more prominently by indigenous women, who could trade with less scrutiny in the public marketplace. A rare example of market activity from 1567, for example, suggests that Inés García, a migrant from Mexico City, engaged in the resale of grain in the city center.<sup>32</sup> Married to a tailor, Inés surely provided her family with essential or supplemental income through her extralegal commercial activities.

27. Ignacia and her husband owned 12 *varas* (around 33 inches), in this case, half of the land being exploited. Two Spaniards possessed between them the remaining share of the mine. See AHEZ, Bienes y Difuntos, box 25, exp. 343, ff. 1–27, 1730.

28. See AHEZ, Criminales, box 10, exp. 5, f. 16, 1621; and box 2, exp. 7, f. 4v, 1649.

29. The money economy generated by mining production certainly assisted women in other areas. Higgins argues that in the Brazilian gold mining town of Sabará, Minas Gerais, enslaved women who participated in the local economy often saved funds to free themselves and their children. In Potosí, women dominated local trade and became important sources of loans. See Higgins on enslaved women, “*Licentious Liberty*”; on loans, see Mangan, *Trading Roles*.

30. Alonso de la Mota y Escobar, *Descripción geográfica de los reinos de Nueva Galicia, Nueva Vizcaya y Nuevo León* (Mexico City: P. Robredo, 1940), 146.

31. AHEZ, Libro de Cabildo, 2, f. 60v, 1620.

32. Biblioteca Pública del Estado de Jalisco (hereafter BPEJ), box 1, exp. 4, ff. 1–14, 1567. A proclamation from 1621 strictly prohibiting the sale of wine to indigenous women in the city suggests that they were drinking in public places in large numbers or reselling alcohol to men. See AHEZ, Criminales, box 1, exp. 15, f. 6v, 1620.

Many of these economic transactions took place along the streets and plazas of the indigenous towns. Situated in the foothills, each town was composed of several small barrios with a number of shops and markets, which were patronized by local residents and non-Indians. Within these towns, houses were also popular sites in which to conduct business activities, legal or illicit. Indigenous healers, for example, often consulted with clients in the privacy of their homes. In 1627, Ana Tizil, a migrant Indian from Tlaltenango in the southern hinterlands, dispensed herbs and the hallucinogenic drug peyote, practiced divination, and offered advice from her home.<sup>33</sup> Her business was so popular that the local curate insisted that the entire city was “infected” by her products; yet no one would testify against her in his quest to stop her practice. Houses served not only as business sites but also as sources of income. The strong migratory flows that occurred during boom times most likely generated a higher demand for rental housing in mining towns. Some landlords were indigenous women. For example, in 1633, Mariana, an Indian woman, owned two plots of land in the barrio of El Pedregoso, a multiethnic neighborhood just west of the Spanish center and north of the indigenous town of Tonalá Chepinque.<sup>34</sup> Mariana resided in one house and rented the second property to a Spanish merchant. These examples are too few to offer more than a tantalizing glimpse of the varied ways that indigenous women participated in the urban economy. The ability of indigenous women to support themselves in Zacatecas was particularly critical because families could suffer shortfalls from the temporary migrations of their spouses and male kin, leaving them as the most important provider for the family.<sup>35</sup>

33. *Tizil*, a Spanish corruption of the Nahuatl *ticitl*, “healer,” is clearly a reference to Ana’s occupation. The curate’s attempts to secure assistance from Inquisition officials to stop Ana’s activities proved equally futile. The Holy Office did not have jurisdiction over Indians. See Archivo General de la Nación (hereafter AGN), Inquisición, v. 360, exp. 12, ff. 31–32v, 1627.

34. AHEZ, Libro de Cabildo, 3, ff. 262v–65v, 1633.

35. Providing for their families in situations of high male absenteeism was and continues to be a familiar practice to indigenous women. Kellogg argues that women in the preconquest period frequently assumed responsibility for their households during their spouse’s military sojourns. See “From Parallel and Equivalent to Separate but Unequal: Tenochca Mexica Women, 1500–1700,” in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 129. Haskett and Wood maintain that women in central Mexico took a more aggressive role in protecting their communities from outsiders when their men were away at draft labor. See “Concluding Remarks,” in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 321. Currently, Kellogg notes how frequent out-migration by men “may intensify aspects of traditional female productive roles.” See *Weaving the Past*, 9.

Some indigenous men and women, through a combination of labor and inheritance, amassed enough wealth for a very comfortable lifestyle. The money economy generated by the silver mines presented opportunities for social mobility that were generally unavailable in more rural communities. For example, at the writing of his will in 1673, Melchor de los Reyes possessed 5 carts, 120 oxen, over 200 head of cattle, 30 horses, 3 mules, and numerous other items.<sup>36</sup> These goods were valued at over 1,500 pesos, and he bequeathed everything to his wife, Petrona de los Reyes, upon his death. Needless to say, she would become a wealthy woman. While no indigenous woman appears to have independently amassed anything equal to Melchor's legacy, the will of a different Petrona provides some insight into the material conditions of another fairly well-to-do indigenous woman in the mid-seventeenth century.<sup>37</sup> Petrona López was a twice-married Spanish-speaking Indian who owned several properties in the barrio of El Pedregoso. In her will Petrona stated that she owned two houses, possessed a 50 percent interest in two other dwellings, and had sufficient funds to be buried in the city's parochial church and to have 50 masses said on her and her parents' behalf. Petrona makes it clear in her will that she did not accumulate any joint property with either of her husbands but inherited one house from her mother and purchased the others by her own means. Part of her wealth derived from moneylending.<sup>38</sup> She was also a landlord, receiving revenue from property rentals. Childless at her death, Petrona distributed her wealth among several indigenous women. Both Petrona's relative prosperity, built on that of her mother and on her own labor, and Melchor's accumulation of property illustrate the ability of some Indians to successfully conduct business within the Spanish city.

Of course, few indigenous women achieved the prosperity of Petrona de los Reyes or Petrona López. More typical are the material circumstances revealed by a property transaction in 1656 between Ana María, a widow and resident of the barrio of El Niño, and a Spanish mine owner.<sup>39</sup> In the notarized bill of sale Ana described the property in question as an orchard with quince, pear, and apple trees and two wells, enclosed by earthen walls. Most indigenous properties in Zacatecas in this period consisted of a single-story dwelling with a small lot attached for planting. In this case, the orchard was not contiguous to Ana María's house and was probably a second plot that she had acquired. The rea-

36. AHEZ, Notarías, Felipe Espinoza (hereafter FE), box 2, ff. 99–100, 1673.

37. AHEZ, Notarías, FE, box 2, ff. 1–2, 1656.

38. Petrona's will indicates that several individuals owed her small sums of money. See AHEZ, Notarías, FE, box 2, f. 1v, 1656.

39. AHEZ, Notarías, FE, box 2, exp. 25, f. 85v, 1656.

sons for the sale are not noted. It is possible that she needed money in a period of a decline in silver production or could no longer care for two properties. Regardless of her motives, she had purchased this plot on the outskirts of the native town, which allowed her to sell the property to whomever she pleased, especially to non-Indians, without the approval of the indigenous *cabildo* (town council). The *cabildo* was known for vehemently opposing the alienation of land from the pueblo. Ana's ownership of multiple properties once again illustrates the relative prosperity of some indigenous women and the vital role that the sale and rental of property played in the urban economy.

It is unclear how many indigenous women living in the silver mining district achieved Ana María's moderate prosperity. There are signs of strain and hardship in the female and greater indigenous populations, especially in the period after the great mining boom of 1710 to 1732. The same cycles that brought women a degree of economic prosperity in boom phases could also leave them without resources during a decline in silver production. Indigenous women doubtless were harder hit by busts in the economic cycle, which could not only destroy a spouse's wages but led to depressed demand for the goods and services they offered.

In addition, the migrant base of the community meant that some women had no extended families or only small kinship networks to count on for support or assistance. Marriage petitions from the eighteenth century indicate a slight increase in the number of single women working as domestic servants at mining haciendas, a pattern distinct from the seventeenth century, when the majority of indigenous women at these sites were married. In the period from 1761 to 1770, for example, close to 10 percent of indigenous women petitioning for marriage claimed residence at a hacienda (25 out of 220).<sup>40</sup> While all these women were not necessarily struggling financially, the burden of making one's way alone in the city could take its toll. In a case that will be examined below, María Magdalena Flores, an indigenous woman from the native town of San Josef, petitioned the Spanish *corregidor* (the highest-ranking Spanish official in the city) in 1761 to support her decision to "donate" one of her children, four-year-old Tiburicio Abad, to a Spanish couple, because she could not count on her estranged parents to help her raise or educate him.<sup>41</sup> While she insisted that the Spanish couple

40. I offer my thanks to Judith Medina Reynosa for providing me with access to transcribed marriage petitions. See APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1761–70. The number of indigenous men petitioning for marriage who resided at mining haciendas (25 out of 223) was comparable, suggesting that these relationships formed at the site.

41. AHEZ, Poder Judicial Civil (hereafter PJC), box 37, exp. 4, ff. 1–2v, 1761.

would raise her son as if he were their own, her statement that his new parents should place him to work in “whatever kind of trade or task they prefer” suggests a labor contract rather than a familial adoption.<sup>42</sup> Clearly, women who had wage-earning spouses or kin probably experienced better financial circumstances than their single counterparts, even during mining declines.

The resurgence in mining production in the late colonial period (ca. 1770 to 1810) did not necessarily improve economic circumstances. The growth in the labor pool of migrant Indians and castas, along with changes in compensation practices at mining sites in both wages and kind, led to declines in salaries and narrowed the field of work opportunities for indigenous men and women by the late eighteenth century. Before the mining decline, mine workers had received monetary wages and the right to keep up to 25 percent of the silver tailings, or *pepena*, they collected.<sup>43</sup> By the 1770s, some mine owners had taken advantage of the unemployment caused by the depressed economy to reduce workers’ wages and limit their share of the *pepena*.<sup>44</sup>

These conditions led to difficult economic times and made it even more challenging for indigenous women and men, single or married, to meet their basic needs. Native women not only experienced a decrease in their wages but also suffered from the ripple effects of the general decline in salaries among the indigenous population. Without the benefit of large kinship networks or community resources, many women were particularly vulnerable to poverty and exploitation, particularly when male kin were absent for extended periods. Such hardships may explain why in 1801, in the tributary town of San Juan de la Isla, Juana Cosme, like María Magdalena Flores above, gave her children away to Spanish labor gangs, claiming she was unable to feed them.<sup>45</sup> In the document Juana makes no reference to a spouse, kin, or any other community members; she appears to be alone in her struggles to care for her family. In the case of both María Magdalena and Juana, their limited means had serious repercussions on the fate of their children.

In between the extremes represented by Petrona López and Juana Cosme existed a large population of native women whose daily labors provided them with enough income, when combined with other familial contributions, to make a life for themselves and their families. The lack of information on compensa-

42. AHEZ, PJC, box 37, exp. 4, f. 2, 1761.

43. For the *pepena* see Bakewell, *Silver Mining and Society*, 125.

44. See David Brading, “Mexican Silver Mining in the Eighteenth Century: The Revival of Zacatecas,” in Bakewell, *Mines of Silver and Gold in the Americas*, 311.

45. AHEZ, PJC, box 53, exp. 25, ff. 1–2, 1801.

tion makes it difficult to determine whether indigenous women in silver mining towns experienced better living conditions than their counterparts in other cities in New Spain. While Zacatecas could not compete with the variety of trades and markets available in larger urban centers such as Mexico City or Potosí, as the economic hub of northern Mexico it presented greater opportunities to participate in the money economy than smaller mining towns in the region or even Guadalajara, a smaller city in this period surrounded by a predominately agricultural hinterland.<sup>46</sup> The absence of tribute obligations also removed a substantial economic burden. Migration patterns from the eighteenth century indicate that women arrived to Zacatecas, even during periods of economic decline, from areas in northern and western Mexico where they had fewer financial and labor options. For these women, the aboveground labor activities of Zacatecas represented the best opportunities north of Mexico City to earn a living.

### Migration and Settlement Patterns among Indian Women in Zacatecas

The indigenous women who worked in the city's houses, mining haciendas, and markets were of various ages, civil statuses, and ethnic groups, coming from a large *criollo*, locally born, and migrant population.<sup>47</sup> While the size of the female indigenous population in the city's early years is unknown, censuses and parish records reveal women's growing numbers and stable presence in the seventeenth and eighteenth centuries. One of the earliest known censuses to record gender comes from the indigenous pueblo of San Josef in 1671. According to this count of the 132 vecinos, women and children constituted 58 percent of the population (77:132); close to a third of the women (29 percent) were widows.<sup>48</sup> The proportion of indigenous vecinas to vecinos in the native towns remained stable over a hundred years later. In an ecclesiastical padrón from 1772, women constituted 55 percent of the combined population of the indigenous town of Tlacuitlapan and its adjacent barrios (428:782).<sup>49</sup> The padrón recorded 109 women to 81 men

46. See Eric Van Young, *Hacienda and Market in Eighteenth-Century Mexico: The Rural Economy of the Guadalajara Region, 1675–1820* (Berkeley: Univ. of California Press, 1981).

47. Marriage petitions indicate the presence of women from the ages of 14 to 59. See APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681–1780. The literature commonly uses *criollo* to refer to an individual of Spanish descent born in the Americas. In Zacatecas, locally-born Indians, perhaps in an attempt to distinguish themselves from the city's large migrant indigenous population, also adopted the term.

48. AAG, Padrones, exp. 7, 1671.

49. Archivo General de las Indias (hereafter AGI), Guadalajara, exp. 348, no. 4, ff. 1033–40, 1772.

in Tlacuitlapan, and in the adjacent barrios there were 319 women to 273 men. A small percentage of these households (11 percent) were headed by women.<sup>50</sup> This census was taken at the beginning of a resurgence of mining production, yet inexplicably there were more women in a community near several mining haciendas, sites traditionally associated with larger male populations, especially during boom periods. The continued presence of numerous native women in these censuses speaks to their important role in populating and settling mining towns and in maintaining the integrity of the city's indigenous communities.

Marriage petitions from 1681 to 1690 and from 1761 to 1770 corroborate the growing number of indigenous women from within the non-Spanish population, particularly during two distinct periods of production decline.<sup>51</sup> For the decade from 1681 to 1690, indigenous women constituted 30 percent (67:222) of all non-Spanish petitioners (see table 2). In the same period, the number of native men in the petitioner pool was only slightly higher (36 percent).<sup>52</sup> Nearly a hundred years later, marriage petitions from 1761 to 1770 illustrate that indigenous women and men continued to settle in the area, despite a citywide population decline generated by another period of decreased mining production (ca. 1732 to 1770). The growth in the number of indigenous petitioners was the product of the earlier mining boom of 1690 to 1730, which drew many migrant Indians to Zacatecas. Many of these individuals remained in the city during the economic downturn, a trend that is evident in the large presence of indigenous women and men from among the petitioner population (220:467 and 223:447).<sup>53</sup> The petitions clearly indicate that indigenous women as a demographic group were keeping pace with their male counterparts. A great majority of these

50. Female-headed households contained women and children or groups of single women. One home had 2 men and 13 children. See AGI, Guadalajara, exp. 348, no. 4, f. 1038, 1772.

51. For the use of parish records to illustrate demographic trends in northern New Spain see Marcello Carmagnani, "Demografía y sociedad: La estructura de los centros mineros del norte de México, 1600-1720," *Historia Mexicana* 21, no. 2 (1972): 419-59; David Brading and Celia Wu, "Population Growth and Crisis: León, 1720-1860," *Journal of Latin American Studies* 5, no. 2 (1973): 1-36; Thomas Calvo, "The Warmth of the Hearth: Seventeenth-Century Guadalajara Families," in Lavrin, *Sexuality and Marriage in Colonial Latin America*, 287-312; Robert McCaa, "Marriage, Migration, and Settling Down: Parral (Nueva Vizcaya), 1770-1788," in *Migration in Colonial Spanish America*, ed. David J. Robinson (Cambridge: Cambridge Univ. Press, 1990), 212-37; and Michael M. Swann, "Migration, Mobility, and the Mining Towns of Northern Mexico," in Robinson, *Migration in Colonial Spanish America*, 143-81.

52. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681-90.

53. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1761-70.



Table 2. Percentage of non-Spanish female and male marriage petitioners

	1681-90		1761-70	
	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>
Indians	30	36	47	47
Blacks	1	2	0	0
Castas	65	57	52	52
Unmarked	4	5	1	1

*Source:* Archivo Parroquial de Zacatecas, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681-90 and 1761-70.

*Note:* The small number of blacks in both periods obscures the city's large population of individuals of African descent, which constituted around 60 percent of the casta population.

women (83 percent) were not migrants but locally born, offering further proof that the base of the indigenous population was multigenerational. These long-term indigenous vecinos established roots in the city in spite of the faltering economy, a factor in the continued vitality of the city and its indigenous communities through the mid-eighteenth century.

The large community of indigenous women was composed of a sizeable criollo (native-born) population; however, a steady stream of female migrants also contributed to the population base. While in- and out-migration was common in all areas of New Spain, the movement of peoples had a particularly significant impact on community formation in northern Mexico. Several push/pull factors related to wage opportunities, community obligations, and exploitation generated frequent movements on the parts of individuals and families, with mining towns often serving as destinations for both men and women. According to marriage petitions, between 1681 and 1690 about a third of the female petitioners (23:67) cited a place of origin distinct from their place of residence.<sup>54</sup> Although several indigenous migrants, both men and women, hailed from the city's hinterlands, a great many were also from communities in the Michoacán and San Luis Potosí regions. During the mining decline of 1761 to 1770, as the city's overall population decreased, indigenous women still migrated to the city but in smaller numbers than in previous periods. Migrant indigenous women

54. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681-90. Among this petitioner pool, 23 indigenous women cited a distinct origin from their place of residence, 28 were native to their place of residence, 15 women did not have either their origin or vecino status listed, and I could not identify the geographic location of the origin of 1 petitioner.

constituted only 14 percent (30:220) of the petitioner population.<sup>55</sup> Only 2 of a total of 20 women cited the same birthplace as that of their betrothed in the period of 1681 to 1690, suggesting that the majority of these female petitioners did not migrate to the city with their prospective spouses.<sup>56</sup> Similarly, only 2 of 30 women originated from the same area as their fiancés from 1761 to 1770.<sup>57</sup> While it is possible that some of these couples met prior to their arrival in Zacatecas, the fact that the majority of couples claimed vecino status in the same place suggests that these relationships originated in the city.<sup>58</sup> A large number of women apparently traveled to the city alone or with family members; this may imply that the same factors that motivated men to migrate to Zacatecas—the possibility of wage labor, freedom from tribute and labor drafts, reconnecting with extended kin—also drew women.

Both migrant and criollo petitioners settled in the city, the indigenous pueblos, and adjacent neighborhoods. From 1681 to 1690, a large number of women and men (30 percent and 34 percent) lived at ranches, haciendas, and communities in the city's hinterlands (see table 3).<sup>59</sup> Perhaps this reflects a migration pattern to these areas during periods of labor scarcity due to decreased silver production. A slightly larger number of Indian women (39 percent) claimed vecino status (place of residence) in Zacatecas and the nearby mining communities of Veta Grande and Pánuco. Eight women (12 percent) identified the native towns as their place of residence. Vecino status was not indicated for 13 women (19 percent). Residence patterns among indigenous women changed dramatically in the eighteenth century. In the decade of 1761 to 1770, Indian women lived in indigenous communities in much greater numbers (42 percent compared to 12 percent) than in the previous period. The indigenous towns became the primary place of residence for native women and men by a slight margin; a few more women than men cited vecino status in the city. Another large segment of the population was clustered in native barrios and in multiethnic neighborhoods between the Spanish center and the Indian towns. While some women surely

55. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1761–70. For this period, 183 indigenous women were native to the city, 30 were migrants, 3 were out-migrants, one had an unmarked place of origin, 2 did not indicate their vecino status, and I could not identify the geographic location of the origin of 1 petitioner.

56. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681–90.

57. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1761–70.

58. Robert McCaa found a similar pattern for the mining town of Parral, Nueva Vizcaya, from 1770 to 1778. There, two-thirds of the marriage petitioners did not share the same place of origin. See "Marriage, Migration, and Settling Down," 230–31.

59. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681–90.

Table 3. Vecino status of indigenous women and men, Zacatecas

	1681-90		1761-70	
	Women	Men	Women	Men
Indigenous towns	8	7	93	104
Zacatecas	13	19	87	79
Veta Grande and Pánuco	13	15	1	2
Adjacent neighborhoods	0	0	33	30
Hinterlands	20	24	4	5
Unmarked	13	6	2	1
Total	67	71	220	221

Source: Archivo Parroquial de Zacatecas, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681-90 and 1761-70.

migrated to other sites at a later date, these residence statistics nonetheless point to Indians' continued attraction to native communities, sites that had remained predominately indigenous.

Indigenous women were not just living in large numbers in native communities; they also frequently married native men (see table 4). An analysis of the spousal selection patterns of indigenous women indicates an endogamy rate within the broader indigenous community (of the city and its hinterlands) of 84 percent for the late seventeenth century (1681-90).<sup>60</sup> The preference for indigenous men as potential spouses continued through the late colonial period, with only a slight decrease to 76 percent from 1761 to 1770.<sup>61</sup> While the petitions do not account for informal relationships, indigenous women in both periods married within the larger indigenous community at slightly higher rates than men. The fact that in the late colonial period three-fourths of indigenous women continued to marry indigenous men indicates that the multiethnic composition of the city did not have a dramatic effect on traditional spousal selection patterns.<sup>62</sup>

In sum, from the end of the seventeenth century until the late eighteenth century, censuses and marriage petitions indicate that native women composed

60. Ibid.

61. APZ, Matrimonios, Informaciones, Indios, Negros, y Castas, 1761-70.

62. Burkett found that in late sixteenth-century Peru, most indigenous women, particularly nonelites, continued to marry indigenous men. See "Indian Women and White Society," 116. Pedro Carrasco makes similar claims for marriage patterns between Nahuas and Spaniards in sixteenth-century Mexico. See "Indian-Spanish Marriages in the First Century of the Colony," in Schroeder, Wood, and Haskett, *Indian Women of Early Mexico*, 87-103.

Table 4. Spousal selection of female and male indigenous petitioners, Zacatecas

	1681-90		1761-70	
	Women	Men	Women	Men
Indians	84	79	76	75
Spaniards	1.5	0	1	3
Blacks	1.5	0	0	0
Castas	13	21	22	22

Source: Archivo Parroquial de Zacatecas, Matrimonios, Informaciones, Indios, Negros, y Castas, 1681-90 and 1761-70.

around 50 percent of the indigenous population, lived in growing numbers in Indian communities, and formed formal unions with native men.<sup>63</sup> The fact that there were fewer indigenous migrants among the petitioner population in the late eighteenth century (in part a product of the decline in mining production) speaks to the presence of a large, multigenerational group of women in the community. Seen as a whole, the demographic evidence on residential and spousal selection patterns indicates that in Zacatecas native women and men did not relinquish an indigenous identity, in spite of their participation in the labor systems and markets of the mining economy. In addition, marriages between native peoples of distinct ethnic groups contributed to the ethnic vitality and durability of the greater corporate community insofar as endogamous unions preserved a sense of separate Indian identity. Indian women, then, played a prominent role in the formation and persistence of the city's indigenous communities through the late colonial period.

### Women as Caretakers of Children

In Zacatecas, the absence of native-language documents limits our ability to elaborate upon the activities of indigenous women in their households; however, there is still substantial evidence in Spanish records of their important role in caring for children.<sup>64</sup> Legally, most children were under the guardianship of

63. Burkett argues that in Peru, segregation in labor activities, particularly at mining sites and residences in the urban sphere, strained relationships between native men and women. See "Indian Women and White Society," 121.

64. For children in New Spain see Ondina E. González and Bianca Premo, eds., *Raising an Empire: Children in Early Modern Iberia and Colonial Latin America* (Albuquerque: Univ. of New Mexico, 2007). See also Bianca Premo, *Children of the Father King: Youth, Authority and Legal Minority in Colonial Lima* (Chapel Hill: Univ. of North Carolina Press,

men, with women assuming that role only under certain conditions.<sup>65</sup> Typically though, it was the female caregivers who were responsible for a child's upbringing, religious education, and determining where and at what age they would begin working, or whether their adulthood, particularly for orphans, would be made easier by a bequest of property or goods. While the following duties and responsibilities could be applied to most female caretakers of any ethnicity in New Spain, it was particularly evident in the silver mining district, where short-term relocations and interim migrations often left women in charge of the household, and where "wanton living" resulted in a large group of orphans and displaced children.<sup>66</sup> Of necessity, native men and women often left the city for short periods of time to work at other mining sites. During these absences, children were left in the care of mothers, relatives, or servants. Indigenous women had to be especially vigilant over their children in mining zones. It was common in the city and its hinterlands to exploit boys, beginning around the age of seven, for labor in mines, hacienda, and ranches, and indigenous women could not expect protection from local officials, who were often negligent in their duties or had a vested interest in ignoring abusive labor practices.

Several cases indicate that native women employed the legal system as an avenue of redress for familial concerns.<sup>67</sup> Indigenous vecinos of the native towns

---

2005). On family structure in Zacatecas see Francisco García González, *Familia y sociedad en Zacatecas: La vida de un microcosmos minero novohispano, 1750–1830* (Mexico City: El Colegio de México; Zacatecas: Universidad Autónoma de Zacatecas, 2000). González's analysis focuses on a census from 1823. For family composition and female-headed households in New Spain see Edith Couturier, "Women in a Noble Family: The Mexican Counts of Regla, 1750–1830," in Lavrin, *Latin American Women*, 129–49; Arrom, *The Women of Mexico City*; Pilar Gonzalbo Aizpuro, *Familia y orden colonial* (Mexico City: El Colegio de México, 1998); and Deborah E. Kanter, *Hijos del Pueblo: Gender, Family, and Community in Rural Mexico, 1730–1850* (Austin: Univ. of Texas Press, 2008). For Brazil, see Elizabeth Anne Kuznesof, *Household Economy and Urban Development: São Paulo, 1735 to 1836* (Boulder, CO: Westview Press, 1986); Linda Lewin, *Surprise Heirs*, vol. 1, *Illegitimacy, Patrimonial Rights, and Legal Nationalism in Luso-Brazilian Inheritance, 1750–1821* (Stanford, CA: Stanford Univ. Press, 2003); and Alida C. Metcalf, *Family and Frontier in Colonial Brazil: Santana de Parnaíba, 1580–1822* (Austin: Univ. of Texas Press, 2005).

65. Women could serve as legal guardians of children or grandchildren in lawsuits; however, Kellogg argues that they did so less frequently in central Mexico by the mid-seventeenth century. See Susan Kellogg, *Law and the Transformation of Aztec Culture, 1500–1700* (Norman: Univ. of Oklahoma Press, 1995), 111, and *Weaving the Past*, 82.

66. Thomas Calvo characterizes mining towns in northern New Spain as sites of "wanton living." See "The Warmth of the Hearth," 304.

67. For a general discussion of Indians and the Spanish legal system see Brian P. Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford, CA: Stanford Univ. Press, 2008).

could bring their grievances before the native cabildo, which had a modicum of juridical autonomy from the Spanish municipal council. However, indigenous women also appealed to local authorities in the city or to the Audiencia, the high court of New Galicia in Guadalajara. The extant cases brought before Spanish officials reflect the general concerns that were important to indigenous women in New Spain: appeals for justice in the death of a family member, motions regarding the custody of children, petitions over property disputes, and quarrels over debts and contracts. It is noteworthy that petitions by native people in Zacatecas indicate disproportionately more female than male petitioners, a tendency that continued through the late colonial period.<sup>68</sup>

Two cases highlight the important role women played in defending children and underscore how knowledge of the legal system could affect the outcome of a petition. In 1666, two indigenous women from Tlacuitlapan, Magdalena de la Cruz and her niece María, made separate appeals to Don García de Vargas Manríquez, the corregidor, for the return of Magdalena's son, Josepe. The boy had been kidnapped from his uncle's home during the two years she and her husband had been absent from the city.<sup>69</sup> Josepe, five or six years old at the time of the abduction, had been forced to work at various haciendas in the city. The first efforts to recover Josepe had been undertaken earlier by his cousin María, who was to have cared for the child. María rallied the vecinos of Tlacuitlapan to petition the corregidor to return the boy to the pueblo. He initially acceded to her request, but then sent Josepe to labor at another hacienda on the grounds that María was not his mother. Magdalena, returned from her travels, led the second appeal to free her son because her husband, she declared, was too ill to make the petition himself.<sup>70</sup> As a result of her efforts, Manríquez ordered an investigation. While the outcome of this petition is unknown, it is worth noting

68. Of the 20 extant petitions to date, women were the primary petitioners in 15 cases (75 percent). The large number of female petitioners reflects a similar trend in central Mexico. Kellogg found that during the sixteenth century, Tenochca women were very active in the legal system, although their involvement as primary litigants decreased substantially in the seventeenth century. Kellogg argues that this high participation rate was based on preconquest customs (which gave indigenous women adult status and property rights), imbalanced sex ratios, and a high number of property disputes. See *Law and the Transformation of Aztec Culture*, 85, 87. The continued presence of women as litigants in eighteenth-century Zacatecas probably reflects high male absenteeism.

69. See AHEZ, PJC, box 1, exp. 57, ff. 1–1v, 1666.

70. Under Spanish law, women could initiate litigation without their spouse's consent. For indigenous women's legal rights and limitations in postconquest central Mexico, see Kellogg, *Law and the Transformation of Aztec Culture*, 104–11; for a general discussion, see Arrom, *The Women of Mexico City*, 53–97.

that it was not the men of the household (the father or the uncle) but two women who acted to recover the boy from his Spanish overseer.

In another complaint of labor abduction from the same year, it was once again an indigenous woman, a widow at the time of the petition, who led the fight to protect her son. Ana María's seven-year-old son Juan had also been abducted from Tlacuitlapan.<sup>71</sup> For seven years Juan had worked in miserable conditions and without pay on the ranch of Juan Pérez de Rivera in the nearby mining town of Fresnillo. Juan had managed to reunite with his family, but was now being pursued by workers of Rivera intent on returning him to the ranch. In this case, Ana María took a series of legal measures that led to her son's freedom and the delivery of his wages. Perhaps sensing the tardy or unreceptive attitude of local authorities in Zacatecas, Ana María appealed her case to royal officials in Guadalajara. There she sought the assistance of a *protector de indios*, a Spanish official enjoined to safeguard and defend indigenous interests, who petitioned the Audiencia on her behalf. The court subsequently ordered Manríquez to hear her case and also to forbid Rivera from harassing her son. Ana María then presented a second petition, this one addressed to Manríquez, in which she clarified that she had appealed to royal authorities at the prompting of the protector de indios of Guadalajara. The purpose of the second letter was twofold: to restate her grievances and perhaps to mollify Manríquez, who would not have appreciated her appeal to outside authorities. Ana María's legal machinations clearly were aimed at protecting her son by exploiting rivalries and chronic animosity over jurisdiction and seniority between officials in Zacatecas and Guadalajara. She procured the services of another indigenous protector in Zacatecas to ensure the recovery of her son's wages.

Both cases illustrate the important roles women played in caring for children and their need for knowledge of the legal system, particularly in the silver mining district where the lackadaisical nature of law and order and the labor demands associated with mining production frequently made children vulnerable to abuse and exploitation, and where many women might have been widows, figuratively (their husbands away at mining sites) or literally. In the petition of Magdalena de la Cruz, the corregidor was probably less motivated to resolve the case in her favor as the boy in question had been forced into service by one of the *regidores* (aldermen) of the city, an individual to whom he was surely socially and financially connected. However, there can be little doubt that Ana María's exploitation of various avenues of the legal system helped obtain her son's freedom.

Indigenous women not only protected their children from unscrupulous

71. AHEZ, PJC, box 1, exp. 56, ff. 1-2v, 1666.

Spaniards, but they also intervened on behalf of family members. In 1709, for example, Andrea de la Cruz, an indigenous vecina and important community member (*principal*), entered a petition against her father, Joseph de la Cruz, over a house in the pueblo of San Josef.<sup>72</sup> According to Andrea, the house in question had been first willed to her mother, Elena de la Cruz, who then bequeathed the home to her children. Andrea wanted the house so she could have a place to raise her young siblings and other “orphans” (extended kin), who she claimed were not being looked after properly by her father and stepmother. The “mala vida” (bad life) that she and her siblings had suffered under her stepmother “was public and notorious” in the pueblo.<sup>73</sup> Her older brother, for example, had been thrown out of the house in order to accommodate her stepmother’s brother. At the time of the petition, Andrea was particularly concerned for the state of the “mujercitas,” her younger sisters. She insisted that her stepmother forced them to work and serve her, did not educate them in Christian doctrine, and punished them cruelly in her father’s absences.

In turn, Andrea’s father portrayed her as a selfish and disobedient daughter who sought to appropriate the property for herself. While it is clear that Andrea had economic motives for acquiring the property and also a compelling legal claim (her father could not produce any paperwork legitimizing his right to the house), she also showed a concern for the well-being of her brothers and sisters. Nowhere in the petition does Andrea argue for the removal of her siblings from the house but rather insists that they would remain with her and her husband. She also supported the idea that officials divide the property and all other possessions and allocate an appropriate share to each sibling. In a show of goodwill, Andrea even offered to allow her father to build a house for himself and his wife on the property.

It is not known whether Andrea received possession of the house. The petition focuses more on issues of custodianship and the treatment of children than property rights. In the absence of their mother, Andrea assumed the responsibility of looking after the material well-being of her brothers and sisters. Joseph tried to dismiss the case against him by arguing that Andrea’s petition to remove his children from his care was a violation of “*patria potestas*,” his rights as a father.<sup>74</sup> He then asked the corregidor to punish Andrea for being a disobe-

72. As a married adult, Andrea could legally bring a petition against her father. In this action she was supported by her husband; however, he appears only briefly in the documentation. See AHEZ, Bienes y Difuntos, box 10, exp. 161, ff. 1–5, 1709.

73. AHEZ, Bienes y Difuntos, box 10, exp. 161, f. 1, 1709.

74. AHEZ, Bienes y Difuntos, box 10, exp. 161, f. 2v, 1709. In theory, *patria potestas* designated the father as the primary guardian of his children and accorded him power over their education, property, legal dealings, civil status, and marriage petitions. Fathers



ent daughter who questioned and inconvenienced her father. It was, he argued, entirely his decision whether his children would be treated well or educated in Christian doctrine. These rights, he continued, could be nullified only if he died or did not feed his children. Andrea responded to her father's assault by turning the concept of *patria potestas* on its head, pointing out the corresponding responsibilities that these rights also conferred. She asked the *corregidor* to order her father, under penalty of punishment, to educate his daughters in religious doctrine and to insist that his wife treat them with basic Christian piety. She believed that the urgent need to provide "protection" (*amparo*) to minors justified her challenge of her father's authority.<sup>75</sup> Her actions on behalf of her siblings illustrate once again the important role women had in protecting members of the family, particularly younger girls who generally had fewer resources or individuals to advocate on their behalf.

While some indigenous women utilized the legal system to protect children and minors, a petition from 1761 illustrates how one native woman attempted to use the law to give away her child, who may have been the product of a rape or a relationship with an itinerant laborer. Recall the case of María Magdalena Flores, an indigenous *vecina* of San Josef, who claimed she could not care for her son and wanted to donate him to a Spanish couple.<sup>76</sup> On hearing of her proposed course of action, her parents enlisted the assistance of the native town council, which had jurisdiction over its residents, to bring suit against her. When the *cabildo* declined to hear the case, claiming it was better suited to the judgment of ecclesiastical authorities, her parents proceeded to voice their opposition to city officials.<sup>77</sup> In response to their attempts, María Magdalena argued that in this particular situation she had the right to decide the boy's fate. The child's father was unknown and, as for her parents, they had forfeited their rights to interfere when they abandoned her on the discovery of her pregnancy. She then crafted a petition that would appeal to Spanish authorities. She identified herself as an *India ladina*, a Hispanized Indian, who spoke Castilian and was "raised, educated, native to, and a *vecina* of Zacatecas."<sup>78</sup> More than likely, María Magdalena was a subject of the indigenous town of San Josef, but by situating herself

---

could use both legal measures and corporal punishment to enforce their will. For a general discussion of the concept see Arrom, *The Women of Mexico City*, 68–70. Of course, in custody cases, women could use a variety of strategies to keep children under their influence and care.

75. AHEZ, Bienes y Difuntos, box 10, exp. 161, f. 4v, 1709. On "amparo" see Owensby, *Empire of Law*, 49–89.

76. AHEZ, PJC, box 37, exp. 4, ff. 1–2v, 1761.

77. AHEZ, PJC, box 37, exp. 4, f. 1v, 1761.

78. AHEZ, PJC, box 37, exp. 4, f. 1, 1761.

as a *vecina* of the Spanish city she distanced herself from both her parents and the jurisdiction of the native *cabildo* and bolstered her claim that Spanish officials should have final say in the matter. Her petition also appealed to prevailing social norms, justifying her decision on the basis of Christian and maternal sensibilities. She argued that she was without the resources to provide her son even the most basic necessities and insisted that his new parents would raise him, educate him, and teach him Christian doctrine “as if he were their own child.”<sup>79</sup> There is no information as to whether her parents pursued their complaint. Without the support of a partner, her parents, or her community, it is possible that María Magdalena felt that she had no other recourse than to resort to the law to secure her right to give her child away.

Indigenous women not only had significant influence over their children and siblings but actively engaged in raising the city’s large orphan population. Although their numbers are not known, orphans, indigenous or otherwise, appear frequently in extant documents. Their large number in Zacatecas may reflect general trends for other Spanish cities or speak to specific conditions generated by silver production.<sup>80</sup> As mentioned earlier, frequent migrations to and from the city along with a violent and lax social environment combined to produce a large number of displaced children. Many of these orphans were adopted by or left in the care of indigenous women, who gained significant power over the children under their supervision.

A variety of circumstances brought these parentless children into the lives of indigenous women. Illicit sexual relations certainly created a large group of “orphans” who were subsequently “adopted.”<sup>81</sup> Under these conditions, not all orphans may have been welcomed with enthusiasm by indigenous wives or mothers. For example, in a will from 1673, Melchor de los Reyes, himself an orphan raised by Spanish cartwrights, pleaded with his wife to care for their adopted child, Manuel Ríos, whom they had raised from the age of seven.<sup>82</sup> In order to provide for the child, Melchor bequeathed an allowance of 100 pesos to Manuel to be held in trust by his wife until he came of age. Melchor hoped that with these resources the boy could secure a livelihood and in the interim he asked his wife to continue “feeding” Manuel. Meeting these requests would

79. AHEZ, PJC, box 37, exp. 4, f. 2, 1761.

80. Zulawski, citing a study by Luis Miguel Glave, notes the high presence of indigenous female orphans in La Paz in a 1684 census of domestic servants. See “Social Differentiation, Gender, and Ethnicity,” 94–95.

81. Calvo argues that extramarital affairs were common among migrant populations in mining towns. For Zacatecas, this trend is largely anecdotal. See “The Warmth of the Hearth,” 304.

82. AHEZ, Notarías, FE, box 2, ff. 99–100, 1673.

have been no financial hardship for Pascuala, whom Melchor named as the sole recipient of his large fortune.<sup>83</sup> Her reluctance to comply with her husband's request is apparent in his language, as he "asks and begs" her to continue caring for the child after his death. In this case, Manuel's basic necessities and future livelihood depended on the actions of his adopted mother.

In addition, provisional female caregivers often had the power to decide where a child lived or if he or she was returned to a natural parent. It was not uncommon for parents and relatives, seeking to retrieve their children when they came of working age (between 7 and 12, in Zacatecas), to encounter stiff resistance from indigenous women unwilling to return children they had spent years raising.<sup>84</sup> In 1736, for example, Cayetano Santiago, an indigenous vecino of the city, petitioned for custody of his seven-year-old son Eusebio Santiago.<sup>85</sup> Eusebio had been living with his aunt, Lucía de la Rosa, since the death of his mother, Ignacia de San Juan. Cayetano asserted that he was the natural father of Eusebio, a claim that appears to have been substantiated by the aunt at one point in time. Cayetano already was raising two of Eusebio's siblings that Lucía had "sent" him in his home. He also sent food to Lucía's house to help support two other daughters of the deceased Ignacia who lived with her. The corregidor initially supported Cayetano's claim and ordered that the child be returned to his father. Lucía, however, challenged the request, arguing her case on moral and biological grounds. At the time of Eusebio's birth, her sister, she claimed, had been married to another man, and therefore Eusebio could not be Cayetano's child. While there were flaws in Lucía's argument, when pressed by local authorities, Cayetano could not offer sufficient proof of his paternity and was denied custody. This case illustrates how possession and prevailing notions of family norms (Cayetano's union with Ignacia was consensual, not official) allowed Lucía precedence over the rights of the natural parent, and highlights the influence that indigenous women had over the children in their care.

Women cared for their families while they were alive and provided for them at their death. Unfortunately, there are not a sufficient number of indigenous wills to make general arguments about patterns of inheritance transmission among the Indian population.<sup>86</sup> However, the will of the previously mentioned Petrona López illustrates how female inheritance transmission in

83. Petrona de los Reyes stood to inherit goods valued at over 1,500 pesos.

84. Disputes over children could cross ethnic lines. In a case from 1702 an indigenous woman, Andrea Rodríguez, fought to maintain custody over two Spanish children she had raised since infancy. See AHEZ, PJC, box, 4, exp. 4, ff. 1-49v, 1702.

85. AHEZ, PJC, box 26, exp. 8, ff. 1-2v, 1736.

86. Only five indigenous wills have been found to date for the entirety of the colonial period.

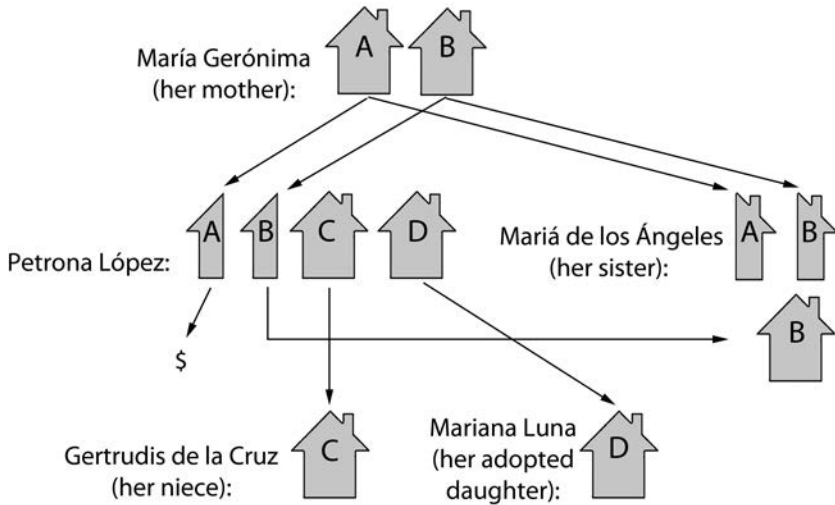


Figure 1. Bequeathal of property, will of Petrona López, Zacatecas, 1656. Based on data from Archivo Histórico del Estado de Zacatecas, Notarías, Felipe Espinoza, exp. 162, ff. 1–2.

one multigenerational family provided several indigenous women with access to goods and property (see figure 1).<sup>87</sup> The accumulation of property began with Petrona's mother, María Gerónima. She bequeathed two houses in the barrio of El Pedregoso to her two daughters, Petrona and María de los Angeles (A and B in figure 1). The sisters rented the properties and divided the income. During her lifetime Petrona acquired two more houses (C and D) in the same barrio, leaving her with an interest in four properties. In her will, she left a house (C) to her niece Gertrudis de la Cruz and a small dwelling with a garden (D) to Mariana Luna, a 12-year-old orphan that she "had raised like a daughter."<sup>88</sup> Petrona ordered the sale of her interest in one of the houses she inherited (A) to pay for her burial expenses. She then bequeathed the share of the other home (B) and her remaining possessions to her sister María. At her sister's death, María became owner or part-owner of two properties (B and half of A).

Petrona had no children from her marriage and bequeathed none of her wealth to her husband, an oxcart owner, but instead to her female kin, two of whom would have been very vulnerable to financial hardship. Her adopted daughter Gertrudis, for example, probably could not rely on a large support network. As for her sister, Petrona explained that she bequeathed María a

87. AHEZ, Notarías, FE, box 2, exp. 162, ff. 1–2, 1656.

88. AHEZ, Notarías, FE, box 2, exp. 162, f. 1v, 1656.

large share of her property and possessions because she “has many children and grandchildren and is without the wealth for so many obligations.”<sup>89</sup> At her death, Petrona’s resources provided some financial security for three women and their dependents in much the same way that her mother’s property had facilitated her livelihood. Her decision to bequeath her wealth to female relatives illustrates the important role of women in providing financial security to one another in a society where they were often the heads of households.

Native women had a significant responsibility for caring for the family in Zacatecas, particularly their children and those of the greater community. The sources indicate that their motives for assuming this important role varied from affection to assisting family and community members. Economic interests should also not be discounted. It is probably not coincidental that women were the predominant supplicants in legal petitions concerning children. Many of the petitions discussed in this article were brought before Spanish authorities by indigenous women because of the absence of their male counterparts, suggesting that more than in other areas, episodes of high male absenteeism or death and illness generated by the economic and social conditions of the silver mining district left indigenous women responsible for protecting themselves and their children.<sup>90</sup> The labor involved in caring for children and households is not usually considered when discussing silver production. However, in taking care of family matters above ground, native women freed men to work in the mines and facilitated their interim migration to other production sites.

## Conclusion

While much remains to be known about the contributions of women to colonial Latin America’s numerous mining centers, this essay has highlighted some of the roles, conditions, and experiences of indigenous women in the Spanish silver mining city of Zacatecas, Mexico, from the early seventeenth century through the late colonial period.<sup>91</sup> While these women did not work directly in

89. Ibid.

90. This is not to suggest that indigenous women were active in the legal system only because or when their spouses or kin were absent or deceased. While high rates of male absenteeism could create challenging financial and familial situations for the women who remained at home, Alida C. Metcalf argues that in the Brazilian frontier town of Parnaíba, the departure of men to the interior provided women with an unparalleled opportunity to control their family’s assets. See “Women and Means: Women and Family Property in Colonial Brazil,” *Journal of Social History* 24, no. 2 (1990): 280.

91. Given the distinct conditions of silver mining towns, it would be of interest to see what impact these environments had on gender roles; however, that discussion is outside the scope of this paper, mainly because of limitations in the source base.

the mines, their role in the formation of this silver mining society was no less important.<sup>92</sup> The presence and participation of a significant number of indigenous women in both public and private aspects of urban life provided the collateral support without which silver could not have been produced. Furthermore, whether because their husbands and sons were away at other mining sites, or because they were widows or single women on their own, native women played a vital role in settling the city and in maintaining the integrity of the city's indigenous communities. From 1681 to 1770 the number of native women in the city not only grew but surpassed the male population in some indigenous communities. Broadly speaking, the case of Zacatecas illustrates the vital economic and social roles that women played in New Spain's silver cities. Mining towns and other communities that developed in northern Mexico, and in other unsettled areas of Latin America, could not have formed, persisted, or prospered without the presence and labor of women of all ages and ethnicities.

92. Wood and Haskett point out how indigenous women in New Spain had a prominent role in "[forming] new indigenous societies." See "Concluding Remarks," 314.