



GOOD FAITH AND TRUTHFUL IGNORANCE

A
Case of
Transatlantic
Bigamy

Alexandra Parma Cook
and
Noble David Cook

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to doña Beatriz

*I think it's a good thing that important events which quite accidentally have never seen the light of day, should be made public and not buried in the grave of oblivion. It's possible that somebody may read them and find something he likes and others may find pleasure in just a casual glance; and as a matter of fact, Pliny says there is no book, however bad it may be, that doesn't have something good about it, especially as tastes vary and one man's meat is another man's poison. I say this because I think that nothing should be thrown away or given up completely so long as it's not really disgusting.—Prologue to *Lazarillo de Tormes* (anonymous, 1554)*

Contents



List of Illustrations and Maps	ix
Preface	xi
Acknowledgments	xv
Prologue. Justice Be Fulfilled	i

THE INDIES

I. She Who Died	7
II. Hardship and Risk	9
III. Neither Rectitude nor Tranquility	14
IV. The Healthiest in Peru	18
V. This City Is Traitorous	21
VI. This Is the Head	28
VII. Such Little Penitence	29
VIII. Kissed Her on the Cheek	32
IX. The Crown Jewel	36
X. They Would Kill Me	37
XI. Silver Common as Copper	41
XII. On the First Ship	43
XIII. I Promise You	44
XIV. Relieve My Conscience	50
XV. Used Force	53
XVI. Justice Will Not Be Lost	57
XVII. She Should Receive	62
XVIII. No Case Is So Expensive	64
XIX. In Truthful Ignorance	67

THE TRIAL

XX. He Should Be Jailed	71
XXI. In Search of the Fugitive	73
XXII. I Have Presented Myself	76
XXIII. Are You Married?	77
XXIV. This Claim	80
XXV. Foul Odors and Vapors	83
XXVI. I Consent	84

xxvii. No Hope of Survival	88
xxviii. Give Me the City	90
xxix. A Wise Man	91
xxx. Shock and Great Sadness	97
xxxi. Never Forgive the Nuns	102
xxxii. He and She Knowing	104
xxxiii. Married Life Together	107
xxxiv. Compel and Force	108
xxxv. Leave the House	111
xxxvi. Contrary to the Truth	112
xxxvii. Shall Not Meet	115
xxxviii. Carnal Intercourse	116
xxxix. To Sin Mortally	119

FATEFUL DECISIONS

xl. The Principal Houses	123
xli. I Am Despoiled	127
xlII. And Gave Freedom	129
xlIII. Perpetual Memory	133
xlIV. Carry the Name	136
xlV. Interred in My Chapel	138
xlVI. From the Estate	141
xlVII. He Had Consummated	142
xlVIII. Has Not Fulfilled	145
xlIX. As Good Brothers	146
Epilogue. Treasures Upon Earth	151
Glossary	155
Currency and Measures	160
Chronology	161
Notes	165
Bibliography	191
Index	199

List of Illustrations and Maps



The Indies. Cadiz, 1565. Detail of Georgius Hoefnagle plate, from Georg Braun (1542–1622), 5 vols. *Civitatis orbis terrarum*, Coloniae Agrippinae, 1572–1618. Beinecke Rare Book and Manuscript Library, Yale University. 5

The Trial. Detail of Valladolid. Hoefnagle, in Braun, *Civitatis orbis terrarum*. Beinecke Rare Book and Manuscript Library, Yale University. 69

Fateful Decisions. Detail from plate of Jerez. Hoefnagle, in Braun, *Civitatis orbis terrarum*. Beinecke Rare Book and Manuscript Library, Yale University. 121

Epilogue. “Así sucedió.” Francisco de Goya, *Disasters of War*. The Metropolitan Museum of Art, Purchase, Rogers Fund and Jacob H. Schiff Bequest, 1922. [22.60.25 (47)]. 149

Peru in the Era of the Conquest 157

Diego de Almagro’s Chilean Expedition 158

Spain in the Sixteenth Century 159

Preface



We did not set out to write biographical narrative as we began research in the General Archive of the Indies in Seville in the early months of 1985. Our subject was the history of an entire people, the native inhabitants of the Colca valley of Peru, from the time of the European conquest in the 1530s. During the course of research we came across a bundle of documents relating to first one, then more, legal claims against one of the settlers of the valley. We found no good information to complete the intended ethnohistory in these *legajos*, but we did become more and more engrossed by the court case that daily unfolded before our eyes. As we read, we became slowly convinced that the story of the protagonists deserved a hearing.

The rise of Spain, beginning with the marriage of Ferdinand of Aragon and Isabella of Castile in 1469 to the death of Philip II in 1598, is stunning. Many important events took place in that span of time, but perhaps the most significant was the discovery of a new continent in 1492 by Christopher Columbus. The exploration and conquest of that distant and vast territory, and the hitherto unimaginable quantities of silver and gold found there, helped support Spain's pretensions to European hegemony. During the sixteenth century thousands of young men from all sectors of Iberian society, often born far from the sea-coast, took to the waters of the Atlantic. With the exception of the major conquistadores, men such as Cortés, Ponce de León, de Soto, Orellana, the Pizarros—the leaders whose exploits were described meticulously by contemporary chroniclers—we know precious little of the less illustrious men and women who settled in the colonies.

Why did so many break roots in Spain, leave their homes, their mothers and fathers, their sisters and brothers, and risk the voyage to the unknown lands in the west? The promise of riches was often one of the reasons, but there were other, more complex, and at times personal motives. How did they pay for the passage, who did they associate with, and how did they establish themselves in the New World? What of the women, generally ignored in the primary accounts of the events of discovery and conquest? We know that although many remained in Spain, there were enough courageous women who ventured to the Indies in the early expeditions to leave an indelible mark on colonial

Hispanic society. How did the men who succeeded overseas invest their wealth, and how did those who returned to Europe early, the men known in Spain as *indianos*, fare in the land of their birth?

Francisco Noguerol's story provides tantalizing answers to many of these questions, and much more. We hope that through him and his wives, doña Beatriz de Villasur and doña Catalina de Vergara, as well as the men and women who surround them, we can understand the mentality and ambitions of sixteenth-century Spaniards, especially those who embarked on the exploration, conquest, and settlement of the New World. The book is written from the point of view of the conquerors, not those vanquished in the brutal clash of two hitherto separate worlds. Here we have tried to see events through the eyes of the Europeans, not the people who inhabited the Americas and whose sometimes ruthless exploitation and decimation is a theme of past and future inquiry.

This book tells the tale of a man and his two wives, and of the labyrinthine legal world that ultimately entrapped a successful conqueror. The case, argued before the august Council of the Indies, has special appeal and takes on a life of its own. Fortunately for historians, every action and reaction, numerous questionnaires prepared by all parties in the lawsuit and conscientiously answered by many witnesses, in short, every minute detail was recorded by the busy scribes of the court and survive as a testament of not only the lawsuit itself but also as a window into the operation of the sixteenth-century legal system. The day-by-day maneuvers of the lawyers, and the charges and countercharges of the litigants, all come to life, and we have attempted to recreate the excitement, the slow building of tensions, as the lawsuit progressed. As we followed the daily litigation in the records, reviewing hundreds of pages, the protagonists and their lives took on reality from the dust and fading ink of the deteriorating papers. Litigations often took years, and they did not always proceed in a logical sequence, making a modern reader puzzled over certain actions and perhaps impatient with the questions and answers of the witnesses. We have included only a fraction of the multitude of details, yet we feel that in order to illustrate the complexity, slowness, and repetition involved, it is necessary to let the readers get a small taste of the surviving documents.

The story of Francisco Noguerol de Ulloa and his two wives is intended to be a mirror of a segment of Spanish society in the sixteenth century, the middle class and minor nobility. Francisco dominates the book, but through him and his interaction with others the general

milieu of the period, on a familial rather than global level, springs into view. As Noguerol's adventures and tribulations unfold, we can glimpse the world he lived in: the religious and moral values of the period, and the surprising degree of freedom and openness that existed in spite of the highly structured and hierarchical society under the shadow of the Inquisition.

It is difficult enough to piece together the lives of the sixteenth-century elite, the monarchs, members of the aristocracy, the major military and clerical leaders. It is doubly arduous to reconstruct the careers of those of the lower rungs of the social order. The *legajos* of litigation assisted us in the quest for the personalities of our figures. The court cases involving Noguerol filled much of the middle block of our history, and part of the first as well. But for the initial activities in the Indies, we were forced to review the published materials on the conquest of Andean America, then go to the service report filed by the man as he petitioned for royal favors. The search resembled a detective's slow and methodical investigation. We were surprised often by new twists, some with unexpected resolutions. At times working as genealogists, we consulted the parish registers, unfortunately with less than hoped-for success, for the years of our protagonists were missing from the record. But we were able to trace descendants into the seventeenth century. In contrast to the church rolls, the notarial information abounds. But anyone who has used these documents for tracing individuals knows well the pitfalls of such research. The scribal script is often the most difficult of all for even the most adept paleographer. Thousands of pages of transactions, contracts, or wills, for example, might be included in a notarial bundle for a single year, especially in a major city, and there are usually no indexes. Notarial research is monotonous; a clue may be followed by hundreds of pages of irrelevant entries. By educated guesses, and often just luck, we were able to finally locate the key materials to complete the puzzle of the later years of the lives of our principals.

Professor Woodrow Borah, kindly commenting on an early version of our manuscript, pointed out its striking similarity with Spanish picaresque novels of the period. That is true. The novelists created parallels to the real world that surrounded them. But we are not novelists. We have not strayed from what we can prove or reasonably assume on the basis of the documentary evidence. If we describe the seasickness of the protagonist, for example, it is because he more than once complained of its agonies.

We not only followed Francisco Noguerol de Ulloa through the

extant documentation, but we also visited all the places, with the exception of Chile, that our often infamous conquistador trod. We contemplated the same countryside and surveyed the vestiges of the sixteenth century in the villages and cities that figure in the narrative. More often than not, however, we were forced to use our imagination as we tried to visualize the sites as Noguerol and his two wives saw them. The present work, however, is not the product of imagination; rather, it is a tribute to the Spanish record keepers who made it possible to reconstruct the lives of ordinary people who lived in an extraordinary age. Francisco Noguerol and doña Catalina de Vergara attempted in manifold sixteenth-century ways to assure a legacy of remembrance. But a fatal series of events effaced that memory. In these pages we hope, assisted by doña Beatriz de Villasur's search for justice, to resurrect the couple from the abyss of oblivion to which they have been assigned.

Acknowledgments



Many people and institutions have helped us during our research and writing. To name all who have contributed in one way or another would require a small monograph. We simply wish to say “thank you for your patience” to all who have been, over the past five years, subjected to our enthusiastic recounting of details on the latest developments of the “Noguerol Saga.”

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The Archivo General de Indias, in Seville, under the direction of Rosario Parra, is a wonderful place to work, in large part because of the courtesy and warmth of the staff. We appreciate the efficiency and speed of the personnel of the Archivo Provincial de Valladolid, given the limited time at our disposal, and we especially thank director María Jesús Urquijo Urquijo and her assistant Raquel García González. Above all, we are truly grateful to María Consuelo Sendino González, the Head of the Municipal Library of Medina del Campo, where the town papers were temporarily housed. She and her husband, José Luis Núñez Baticón, postponed their August vacation to allow us to finish examining the documents. We also thank the directors and personnel of the following depositories, whose courtesy and helpfulness made our research easier and quicker: in Spain, the Archivo General de Simancas, the Archivo Provincial de Salamanca, the Archivo Diocesano de Valladolid, the Biblioteca Nacional, the Biblioteca del Palacio, and the Royal Academy of History; in Peru, the Archivo Nacional del Perú, the Biblioteca Nacional, the Archivo Histórico Provincial of Arequipa, and the Archivo Parroquial of Yanque. We thank also the staff of the Inter-Library Loan Department of the University of Bridgeport, and the

History Department of Yale University. Appointment as a Visiting Fellow and then Visiting Professor at Yale provided easy access to the excellent holdings of their collections.

We would like to express our gratitude to several scholars who took time from their own work and read and commented on the manuscript: Woodrow Borah, George Lovell, Franklin Pease, Nicolás Sánchez-Albornoz, and John TePaske. Jonathan Spence's request to be kept posted on "the case of the transatlantic bigamy" inspired the title. We are indebted to John Lynch for his kind encouragement and timely counsel. We owe a clear intellectual debt to several others whose work influenced the direction of our approach: Emmanuel Le Roy Ladurie, Carlo Ginzburg, Natalie Zemon Davis, Judith C. Brown, and James Lockhart.

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Prologue

Justice Be Fulfilled

Let justice be fulfilled.—Doña Costanza de Espinosa



The story of Francisco Noguerol de Ulloa begins not at the time of his birth, but rather a few years later, when an incident took place that changed the circumstances of his family. It was the first in a chain reaction of events that marked his life.

Francisco's father, Mendo Noguerol, was posted as *alcaide* (governor) at the royal fortress of Simancas. We find him there in 1520 during the revolt of the *comuneros* against the young Emperor Charles V. The uprising, though widespread and passionate, was crushed within a year, and its leaders, Juan Padilla and Juan Bravo, were executed. One of the defeated insurgents, don Antonio de Acuña, bishop of Zamora, was captured while attempting to flee to France. Bishop Acuña posed a dilemma for the victorious Charles. As a churchman, he was protected by ecclesiastical immunity, yet his role during the rebellion was too crucial to let him go unpunished. Thus, while the emperor and the pope were negotiating an appropriate treatment of the renegade bishop, Acuña himself was locked up in a small cell of Simancas. The emperor commanded Mendo Noguerol to keep the controversial inmate well guarded and not to permit any visitors, except a priest and a royal interrogator. Furthermore, he instructed Mendo always to be present during such meetings.¹

The energetic clergyman, one of the last warrior bishops of the Middle Ages, was not resigned to languish in prison, and he schemed to escape. It was Sunday, 26 February 1526, about ten o'clock in the morning. The townspeople and some of the soldiers in the fortress were attending Mass in the cloister of the church of El Salvador, because the temple itself had recently collapsed and was being rebuilt. The bishop, normally an early riser, did not appear as usual, and Mendo Noguerol, wondering if something was amiss, went to see the prisoner.

Acuña was waiting for his jailer. Following a brief conversation, he suddenly hurled a leather pouch containing a heavy stone at Mendo, striking him in the face. The unfortunate man, stunned by the impact, had no time to recover, for the clergyman stabbed him, with several

sharp thrusts in the throat, using a makeshift spear. Mendo Nogueroles fell dead, and the bishop rushed from the cell. The illustrious inmate, however, did not escape. One of Mendo's sons, alerted by the commotion, shut the main gate, and Acuña, realizing his only chance to flee was to jump from the high ramparts of the fortress, a feat that would have meant a severe injury if not death, surrendered.

A thorough investigation followed, and an intricate plot involving a chaplain, a muleteer, and Mendo's slave girl, Juana, was uncovered. All, with the exception of the muleteer who was never found, were tortured and punished. Antonio de Acuña was garroted in the courtyard of Simancas castle on 23 March 1526, with the emperor's authorization. The cold-blooded murder of a royal official provided the needed pretext to be rid of the bellicose bishop. Nevertheless, Charles V abstained from Holy Communion until he received papal absolution. The papal nuncio at the imperial court and later author of *The Book of the Courtier*, Baldassare Castiglione, commended the emperor's piety and excused his unusual action against a churchman because Acuña was "so wicked a man, who so often and with such extreme criminal acts made himself unworthy of enjoying the privileges and favors that are granted to bishops."²

Mendo Nogueroles's death marked the beginning of Francisco Nogueroles's recorded life. Francisco was sixteen years old when his father was assassinated. He was shocked and saddened by the murder, and must have echoed his mother's reputed cry, "let justice be fulfilled."³ Until he reached majority of age, at twenty-five, Francisco's fate would be directed by his mother, doña Costanza de Espinosa, a strong-minded and forceful woman who took charge of property and her children's lives.

Following Mendo's death, doña Costanza made a claim on the sparse estate of the bishop of Zamora. The family also expected compensation from the monarch; after all, Mendo perished in His Majesty's service. The royal secretary, Francisco de los Cobos, promised in the king's name that "with regard to the children of Nogueroles, when the time comes, and when there is an appropriate occasion, that which is called for will be done."⁴

Mendo Nogueroles, a native of Galicia and an *hidalgo* of "buena sangre," did not leave his family without resources, and his widow commanded a modest fortune. Mendo's brother served as paymaster general to the king, and doña Costanza as well as the siblings fully exploited such connection. Two daughters, Ynés and Francisca, had

entered the Benedictine order in 1522 while their father was still alive, and they were well provided for. The children who were still under their mother's tutelage, however, needed to be settled. Doña Costanza strove to arrange suitable marriages for them, and her intransigence in her choice of bride for Francisco shaped the future of her oldest son.⁵

THE INDIES



