

ILLEGAL THERAPIES AND REPRESSION IN 19TH CENTURY ESPÍRITO SANTO: THE CASES OF TREM AND OLEGÁRIO

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ABSTRACT

This article seeks to discuss the illegal therapeutic practices of two healers who worked in the state of Espírito Santo in the 19th century: Trem and Olegário dos Santos. The criminal proceedings that present the repression to their practices will be analyzed considering some key points: the way official medicine's coercion mechanisms functioned during the final years of the Empire of Brazil and at the beginning of the Republic; we will also consider what sort of therapeutic practices (analyzed considering a morphological perspective) and what cultural matrices can be identified in the healers' actions, as well as what kinds of sociability relations lie behind their therapy practices.

KEYWORDS

therapy practices – Imperial medicine – Espírito Santo – 19th century.

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CURAS ILEGAIS E REPRESSÃO NO OITOCENTOS ESPIRITO SANTENSE: OS CASOS DE TREM E OLEGÁRIO

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RESUMO

O presente artigo objetiva tratar das práticas terapêuticas ilegais de dois curadores que atuaram no Espírito Santo do século XIX: Antônio Damazio Camilo, conhecido como “o Trem”, e Olegário dos Santos. Os processos-crime que atestam a repressão de suas práticas serão analisados a partir de alguns vetores fundamentais: como se davam os mecanismos de coerção e de afirmação da medicina douta no Império e no começo da República; que tipo de práticas terapêuticas (analisadas em perspectiva morfológica) e matrizes culturais podemos identificar nas ações dos curadores e que tipo de relações de sociabilidade estariam por trás de suas ações de cura.

PALAVRAS-CHAVE

Práticas de cura – medicina imperial – Espírito Santo – século XIX.

Medical practices and knowledge were assigned new contours with the arrival of the Portuguese Royal family to Brazil in 1808. An important step taken by prince regent D. João in Brazilian lands was the creation of Medicine courses in Rio de Janeiro and Bahia. The creation of these “schools” led to an increase in the number of medics who started to work in Brazil, especially in the more densely populated areas.

However, the creation of these courses did not mean that from then on medical knowledge would be spread within the population and that therapy practices that were not supported by trained professionals simply disappeared.

The growing number of medics and the presence of large epidemics that plagued Brazil during the second half of the 19th century led to the onset of a dispute over medical knowledge; all knowledge that was not from professionals trained by medical schools were rejected and disregarded⁵. Obviously, such denial of any medical knowledge that did not come from trained professionals was not an easy struggle. These professionals managed to assert their scientific authority after several hardships. To achieve this objective they imposed themselves on two aspects: technical skill and social power, as Pierre Bourdieu states⁶. According to Keila Carvalho, such authority occurred in Brazil because these professionals are attributed the social possibility of “[...] speaking and acting legitimately, in an authorized and, often, authoritarian way, on scientific matters”⁷.

5 KODAMA, Kaori et al. Mortalidade escrava durante a epidemia de cólera no Rio de Janeiro (1855-1856): uma análise preliminar. *História, Ciências, Saúde: Manguinhos*, Rio de Janeiro, v. 19, p. 59-79, 2012. Suplemento 1.; FRANCO, Sebastião Pimentel. *O terrívelíssimo mal do Oriente: o cólera na província do Espírito Santo (1855-1856)*. Vitória: Edufes, 2015; BELTRÃO, Jane Felipe. A arte de curar dos profissionais de saúde popular em tempo de cólera: Grão-Pará do século XIX. *História, Ciências, Saúde: Manguinhos*, Rio de Janeiro, n. 6, p. 833-866, set. 2000.

6 BOURDIEU, Pierre. The specificity of the scientific field and the social conditions of the progress of reason. *Social Science Information*, v. 14, n. 6, p. 19-47, 1975.

7 CARVALHO, Keila. *A saúde pelo progresso: a regulamentação do trabalho médico no governo Vargas (Minas Gerais, 1930-1940)*. Rio de Janeiro: Multifoco, 2015. p. 15

When referring to this situation, we are corroborating the thinking of a novel Brazilian historiography that, contrary to Roberto Machado⁸, follower of Foucauldian thought, who asserted that medics would have radically changed the conduct and values of Brazilian society regarding the condemnation of popular medical knowledge. Therefore, we corroborate with historians who seek different interpretations from the Foucauldian framework, such as Gilberto Hochman and Diego Armus, conceiving that “[...] the dimensions of caring, controlling, providing therapy [...] cannot be understood as composed only of unidirectional, immutable and vertical power relationships established as successive pairs of hierarchical subordination”⁹. Therefore, as most of the Brazilian population, those who lived in Espírito Santo, when facing illnesses – especially the epidemics that devastated the province from the 18th century onward –, resorted to formal medical practices, without, however, ceasing to use medical knowledge they learned from their ancestors, or even from traditional healers such as Antonio Damazio Camillo (commonly known as Trem) and Olegário Lima dos Santos, who worked in the region of Vitória, hoping to solve the issues that afflicted this region. The search for therapy practices different from those encouraged by trained medics shows that the population, as Hochman and Armus point out, rebelled and disputed official knowledge¹⁰.

In this sense, a questioning serves as a starting point for our investigations: why were there spaces for the population’s challenges to “medical-scientific knowledge”? Trying to answer this question, we

8 MACHADO, Roberto *et. all.* *Danação da norma*. Medicina social e construção da Psiquiatria no Brasil. Rio de Janeiro: Graal, 1978.

9 HOCHMAN, Gilberto; ARMUS, Diego (org.). *Cuidar, controlar, curar em perspectiva histórica: uma introdução: ensaios históricos sobre saúde e doença na América Latina e Caribe*. Rio de Janeiro: Editora Fiocruz, 2004. For an analogous perception and a very convincing criticism of the Foucauldian concept of “medicalization of Society”; refer to FERREIRA, Luís O. *Medicina popular: ciência médica e medicina popular nas páginas dos periódicos científicos (1830-1840)*. In: CHALHOUB, Sidney et al. (org.). *Artes e ofícios de curar no Brasil: capítulos de história social*. Campinas: Editora Unicamp, 2003. p. 101-122.

10 HOCHMAN, Gilberto e ARMUS, Diego. Op. Cit. p. 48.

argue that when the great epidemics of the 19th arose “[...] the medics who worked in Brazil defended different positions, which had a direct connection with their training. Those who supported allopathic and homeopathic medicine were supporting antagonistic positions regarding indications of treatment of the illness”¹¹.

In addition to clashes with homeopathic medicine supporters, as supporters of allopathic medicine became closer to the government, they started to wage war against those who had no official medical training. Persecutions became a common practice to keep the population from resorting to healers who were depreciatingly called charlatans¹². According to the representatives of academic medicine, these would be all individuals who provided care “illegitimately”, usually having no diplomas or licenses. Given this context, our view aligns with that of other authors in the perception that there were “several/different types of medicine” – both legal and illegal – available to ill persons searching for therapy during the Brazilian Imperial period¹³.

In this article, we seek to present the coexistence between popular medical knowledge and official medicine, mainly seen when patients resorted to non-trained healers to alleviate the evils that afflicted them daily. To better comprehend the disseminated practice of the use of such therapists by the population of Espírito Santo in the 19th century, as we have already stated, we used two criminal proceedings from healers who were taken “to justice” due to illegally engaging in medical practice since they did not possess the “scientific knowledge”. Such situation certainly occurred because, at the

11 *Ibidem*, p. 15.

12 Regarding the way in which doctors manipulated and defined the category “charlatan”, we recommend referring to the medic Imbert (1857), doctor of Medicine at the University of Montpellier, whose degree was recognized by the School of Medicine of Rio de Janeiro.

13 Refer to XAVIER, Regina. *Dos males e suas curas. Práticas médicas na Campinas oitocentista*. In: CHALHOUB, Sidney et al. *Op Cit.* p. 331-354; EDLER, Flávio C. *Medicina no Brasil imperial: clima, parasitas e patologia tropical*. Rio de Janeiro: FIOCRUZ, 2011; SAMPAIO, Gabriela. *Nas Trincheiras da Cura. As diferentes medicinas no Rio de Janeiro Imperial*. São Paulo: Editora da Unicamp, 2001.

time, such “scientific knowledge” had already been established as the single possibility when providing therapy. Thus, we will also discuss the clash happening within the country at that time about who could practice and provide therapy. Finally, we intend to verify how these healers worked and how they managed to move around and attract a significant number of people under their orbit of influence.

Initially we will promote a theoretical discussion about the use of crime files as a source to present daily practices, then we shall trace a brief radiography of the Comarca of Vitória – the place where the analyzed characters performed – in the 19th century.

Criminal proceedings as a historical source

Since the 1980s and 1990s, Brazilian historians such as Leila Mezan Algranti, Rachel Soihet, Sidney Challob, Celeste Zenha, Hebe Maria Mattos¹⁴, among others, have been investigating criminal proceedings to uncover and to comprehend how certain social segments behaved in their daily life, since these sources allow researchers to see details of the intimate life of the population by penetrating the daily lives of the characters found in the files, revealing their intimacies, their family and love bonds, “registering the commonplace of their existences, their moral and ethical values, their beliefs”¹⁵, seeking to observe social behaviors and ways to build order.

14 ALGRANTI, Leila Mezan. *O feitor ausente: estudos sobre a escravidão urbana no Rio de Janeiro (1808- 1822)*. Rio de Janeiro: Vozes, 1988; CHALLOUB, Sidney. *Trabalho, lar e botequim: o cotidiano dos trabalhadores do Rio de Janeiro da Belle Époque*. 2. ed. Campinas/São Paulo: Editora da Unicamp, 1986; SOIHET, Rachel. *Vivências e formas de violência: mulheres pobres e ordem urbana (1890-1920)*. Rio de Janeiro: Forense Universitária, 1989; MATTOS, Hebe Maria de Castro. *Das cores do silêncio: os significados da liberdade no sudeste escravista-Brasil, século XIX*. 2. ed. Rio de Janeiro: Nova Fronteira, 1998; ZENHA, Celeste. *As práticas da justiça no cotidiano da pobreza*. *Revista Brasileira de História*. São Paulo, v. 5, n. 10, p. 123-146, mar.ago. 1995.

15 SOUZA, Alinaldo Faria de. *Entre a reclusão e o enfrentamento: a realidade da condição feminina no Espírito Santo a partir de autos criminais (1845-1870)- desmistificando estereótipos*. 2007. 143 f. Dissertação. Centro de Ciências Humanas e Naturais. Universidade Federal do Espírito Santo, Vitória/Espírito Santo, 2007. p. 19.

For Maria Cristina Martinez Sato, although criminal proceedings are versions of the facts, they allow us to see what they have experienced since it does not matter if the version presented sought to incriminate or absolve the person being accused, because

[...] although these sources are not completely reliable, they are meaningful and capable of explaining the acts involved. Thus, these formulations gain importance as they carry cultural values. Through the investigation of the circumstances and motivations of the crimes and the analysis of the different versions about them, we can approach the existing cultural ties between individuals¹⁶.

Although we cannot deny that criminal files allow us to perceive, in the words of Joana Maria Pedro, the weaving of social relations, “[...] the concreteness of daily life, [perceiving] the fabric of relationships being established [...]” we cannot forget, as she says, that us, historians, must comprehend the mishaps that this type of source can present to us since the statements in the records, whether of witnesses, defendants or victims, were filtered by the clerk. “Those being accused told those who were part of the legal apparatus what they wanted to hear, thus trying to escape the incrimination. How to believe their testimonials? How to see in them the concreteness of daily life”¹⁷. Celeste Zenha also considers this issue when stating that this type of source presents different versions, making it difficult to get to the facts as they would have actually happened¹⁸.

The use of this type of source to show us the daily life of the population of Espírito Santo in the 19th century is recent in the historiography of the state; thus, we must note that the existing works refer to the lives enslaved people such as the one by Campos & Merlo, Mergár

16 SATO, Maria Cristina Martinez. *Pobreza e conflito (1860-1935)*. São Paulo: Annablume, 2001. p. 28

17 PEDRO, Joana Maria. Processo judiciais como fonte histórica: a concretude e o uso. In: SIMPÓSIO NACIONAL DE HISTÓRIA, 26., 2011, São Paulo. Anais do XXVI Simpósio Nacional da Associação Nacional de História São Paulo: ANPUH, 2011. p. 31.

18 ZENHA. Op. cit. p. 135.

& Souza, referring to the condition of women and the one by Câmara, on violence¹⁹.

Daily life, the performance scenery of those who were prosecuted

The criminal proceedings under study occurred in different places. One occurs in the capital, Vitória and the other in Viana. However, both localities were part of the Comarca de Vitória. The distance – about 30 kilometers – between these two locations was quite reasonable at the time given that there were no roads between them.

Being the capital, first of the province and later of the state of Espírito Santo, Vitória had the largest population number, which varied over the 19th century. Examining reports by the President of the Province and State such matter can be highlighted. In 1856, for example, Vitória had 14,643 inhabitants, while Viana had 3,502 in total²⁰. Fifteen years later, in 1871, the population of Vitória was 17,700 souls and Viana, 4,996 inhabitants.

In Vitória, most of the population lived in the urbanized areas, and a smaller number lived in the rural areas of the capital. On the other hand, Viana presented the opposite situation, most of the

19 MERLO, Patrícia Maria da Silva. *O nó e o ninho*: estudo sobre a família escrava em Vitória, Espírito Santo, 1900-1871. 2008. Tese (Doutorado em História). Instituto de História. Universidade Federal do Rio de Janeiro. Rio de Janeiro, 2008; CAMPOS, Adriana Pereira. *Nas barras dos tribunais*: Direito e escravidão no Espírito Santo do século XIX. Tese (Doutorado em História). Instituto de História. Universidade Federal do Rio de Janeiro. Rio de Janeiro, 2003; CÂMARA, Raphael Americano. *Cotidiano, violência e criminalidade na comarca de Vitória/ES, a partir dos autos criminais (1841-1871)*. 2013. 170 f. Dissertação (Mestrado em História). Centro de Ciências Humanas e Naturais. Universidade Federal do Espírito Santo, Vitória/ES, 2013; MERGÁR, Arion. *A representação do gênero feminino nos autos criminais na Província do Espírito Santo (1853-1870)*. 2006. 160 f. Dissertação (Mestrado em História). Centro de Ciências Humanas e Naturais Universidade Federal do Espírito Santo, Vitória/ES, 2006; SOUZA, Alinaldo Faria de. Op. cit.

20 RELATÓRIO com que o Barão do Itapemirim primeiro vice-presidente da Província do Espírito Santo apresentou na abertura da Assembleia Legislativa Provincial no dia 23 de maio de 1857. Victoria: Typographia Capitaniense de P. A. d'Azeredo, 1857.

population lived in small farms, caring for their small plot, making their living from what they planted and harvested, in addition to raising animals such as chicken, pigs and cattle. Some also performed fishing activities to complement their daily sustenance.

Most inhabitants of both locations were simple people, living impoverished lives and ensuring their survival through daily labor. There was a small percentage of wealthier people in the capital, who lived from their trade, from their work in administrative functions of the State, or from work as liberal professionals (doctors, lawyers, engineers), and from being landlords or from money borrowed at interest rates.

Of the characters present in the crimes proceedings analyzed in this study, 20 were farmers, two were day laborers and one who self-identified as a healer.

Most of the population of both locations was illiterate. We must highlight that the number of schools was restricted during the 19th century in Espírito Santo, and that such contingent was even smaller for women²¹. In studies conducted using criminal records from the 19th century in the Province of Espírito Santo, Arion Mergár, Souza and Raphael Americano Câmara, have already indicated that the characters found in the sources used were mostly illiterate. When considering the records under analysis in this study, we find that, of the 23 characters present (defendants, witnesses), 20 were illiterate²².

21 Although over the course of the 19th century discussions favoring formal education became more common, empirical evidence shows that most of the population was illiterate. We cannot forget that during the 19th century, women and enslaved people had no access to schooling. Regarding women, the first female-only school was created in 1845, although the law established that this school was created in 1835. Regarding the schooling process in Espírito Santo in the 19th century, refer to the following works: FRANCO, Sebastião Pimentel. *A instrução feminina na visão dos presidentes da província do Espírito Santo (1845-1888)*. In: _____; SÁ, Nicanor Palhares (org.). *Gênero, etnia e movimentos sociais na história da educação*. Vitória: Edufes, 2011, p. 85-122. FRANCO, Sebastião Pimentel. *Do privado ao público: o papel da escolarização na ampliação de espaços para a mulher na Primeira República*. 2001. 295 f. Tese (Doutorado em História Social). Faculdade de Filosofia, Letras e Ciências Humanas. Universidade de São Paulo, São Paulo, 2001.

22 MERGAR. *Op. cit.* p. 88 e seguintes.; SOUZA. *Op. cit.* p. 45; CÂMARA. *Op. cit.* p. 52 e seguintes.

Most inhabitants of these localities were probably single²³, although we have found a greater number of married people in the analyzed criminal records, of 23 people 12 were married and 11 single. In the already cited studies, Mergár, Souza and Câmara, data presented shows that most of the population from the 19th century was not married.

Antônio Damasio and Olegário Lima dos Santos, healers in the meshes of Law

From now on we shall discuss the therapy procedures performed by Antônio Damasio, also known as Trem, and Olegário Lima dos Santos, describing them from the morphological point of view and emphasizing certain similarities between them. Furthermore, we shall reflect on the meanings and beliefs triggered by these healers. We can identify the presence of the Catholic religion in these procedures, which was not always lived as preached by orthodoxy, being filled by novelty and an intense Creole influence with cultural elements from African matrices²⁴.

From the witnesses' speeches an intense network of sociability between the two healers and the communities where they worked can be identified. Ambiguous feelings such as hatred, admiration and disbelief can be noted in the speeches of those who knew or even

23 Regarding this topic, Eni Mesquita Samara and Maria Beatriz Nizza da Silva state that, in general, most of the Brazilian population was under celibate, although they lived in concubinage, and often in stable and consensual relationships. Refer to: SAMARA, Eni Mesquita. *A família brasileira*. 2. ed. São Paulo: Brasiliense, 1986; SILVA, Maria Beatriz Nizza da. *Sistema de casamento no Brasil colonial*. São Paulo: Edusp, 1984.

24 Considering the physical limitations of an article, a detailed explanation of the theoretical-methodological framework that was used when reading and analysis of the sources is not possible. However, we must emphasize that we have used the concept of "Creolization" based, among other authors, on readings of FERREIRA, Roquinaldo. "Ilhas crioulas": o significado plural da mestiçagem cultural na África atlântica. *Revista de História*, São Paulo, N.155, 2º, pp. 17-41, 2006. PARÉS, Luís N. O Processo de criouliização no Recôncavo baiano. *Afro-Ásia*, Salvador, n. 33, pp. 87-132, 2005.

had resorted to the services of Antônio and Olegário. Knowing how to heal and get in touch with the “other world” provided visibility and material goods for them. They also seemed to freely circulate among the different social strata, indifferently attending both wealthy individuals and the common folk who believed in their therapies.

Twenty years passed between the two proceedings. In fact, these were times of intense change in Brazil. Between 1879 and 1899 events like the end of slavery and the proclamation of the Republic brought changes to the country. One of these, which touches on the theme of this article more directly, was the approval of a new Criminal Code in 1890. The new Code was marked by the intensification of persecution against several therapeutic practices and, not infrequently, to the religious manifestations linked to them, which according to the considerations of republican authorities would be liable to coercion due to not fitting into what would be considered as a true and legitimate religion²⁵. Corroborating this type of perception, Gabriela Sampaio – who used newspapers as her main source –, highlights the existence of several articles in different newspapers that supported such coercive practices in the name of extirpating, as defended by editors and collaborators of the publishers, such “barbaric and backward superstitions”²⁶.

Thus, the 1890 Criminal Code had three specific articles to deal with this type of crime:

Art. 156 – To practice medicine in any of its branches and the dental art or pharmacy: to practice homeopathy, dosimetry, hypnotism or animal magnetism, without being qualified according to the laws and regulations.

25 ORO, Ari Pedro. Considerações sobre a liberdade religiosa no Brasil. *Ciências & Letras* n.37 p.433-447, 2006. p. 450 e seguintes.

26 SAMPAIO, Gabriela. “Curandeiros e Charlatães”: reflexões sobre medicina, crença e cura na primeira década republicana. *mneme – revista de humanidades*. Caicó, v. 15, n. 34, p. 37-53, jan./jun. 2014. p. 38.

Art. 157 – To practice spiritism, magic and its charms, to use talismans and cartomancy to arouse feelings of hatred and love, to inculcate the healing of curable or incurable illnesses, in order to facilitate and subjugate public credulity.

Art. 158 – To minister, or simply prescribe, as curative means for internal or external use and in any prepared form, substances of any of the kingdoms of nature, by doing, or performing in this way, the so-called healer’s practice (BRASIL, 1890)²⁷.

As can be seen from the text of the articles, the repression imposed on “spiritism” – which is used as an umbrella term in the Criminal Code – ended up being based on the idea that such practices involved the illegal practice of medicine. More precisely, with regard to African-based religious and healing practices, as Mario Sá Jr argues, the text of the law guaranteed the criminalization of what the author calls “the basic tripod of macumba”: traditional therapy, magic and witchcraft²⁸.

Although this theme is not the focus of this article, we must highlight that a key part of the adoption of a Criminal Code with the characteristics cited above, as well as other actions to assert the Republic as the regime of what was “new” and of “progress”, were part of a broader nation project that was already underway in the last few decades of the 19th century. Among other aspects, this project was strongly marked by the translation and reinterpretation of racial theories, which were popular in Europe at the time, by several agents and scientific institutions in Brazil, whom were eager to overcome

27 COLEÇÃO de Leis do Brasil. Decreto N. 847, de 11 de outubro de 1890. Available from: <http://www2.camara.leg.br/legin/fed/decret/1991/decreto-11-18-janeiro-1991-342571-publicacaooriginal-1-pe.html>. Accessed on: March 18, 2018. 2018. We chose to update the spelling of the studied documentation.

28 SÁ JR. Mário. Fé cega justiça amolada. O controle do Judiciário sobre as práticas religiosas afro-brasileiras no nascimento da República (1891-1946). *Revista Brasileira de História das Religiões*. Maringá. v. III, n.9, p. 1-9, jan/2011. Available from: <http://www.dhi.uem.br/gtreligiao/pub.html>. Accessed on: March 20, 2018.

the “barbarism” of slavery, of miscegenation, and the widespread presence of cultural African characteristics²⁹.

“He claimed to be a healer”

This is how Fonseca, the clerk, registered the response of Antônio Damasio Camillo, Trem, to the police chief’s question about his occupation. At the time of the process, Trem was 38 years old and lived in the capital of the Province, Vitória, being born in the region of Valença, in Rio de Janeiro. Unfortunately, Antonio Damasio’s legal status is not mentioned in the process. The fact is that he came from an area with large farms for coffee production for exportation and with high rates of African populations. The most likely scenario is that Trem was never enslaved or was a freedman given his mobility, in addition to the fact that there was no direct mention of being under captive condition in his process, something that is commonly found in this type of documentation. As Hebe Mattos argues, the greater possibility of movement was a very visible and valued differential in the differentiation between those who lived in the world of captivity and later sought to affirm their new condition as freedmen and women³⁰. On the other hand, when studying the slavery and freeing dynamics in Espírito Santo during the final decades of legal slavery, Geraldo Soares shows us that many of those who were enslaved in the Province had a very significant freedom of movement³¹. Unfortunately, the lack of documentation in the healer’s case does not allow us to make a final assertion about his legal status.

The attitude of claiming to be a healer (which, of course, would indicate his “livelihood”) was very rare among individuals who were to be persecuted. For elementary reasons, denying such actions was

29 SCHWARCZ, Lilia. *Espetáculo das raças; cientistas, instituições e questão racial no Brasil (1870-1930)*. São Paulo: Cia das Letras, 1993.

30 MATTOS. *Op. cit.* p. 56 e seguintes.

31 SOARES, Geraldo. Esperanças e desventuras de escravos e libertos em Vitória e seus arredores ao final do século XIX. *Revista Brasileira de História*, v. 26, p. 79-114, 2006. p. 82 e segs.

far more common, or at least to present them as subsidiaries to other forms of livelihood. However, at some point during his interrogation, Trem tried to strategically reduce the weight of his practices by claiming that he “only” had taught the woman Urbana a recipe for her to be freed from spells that the healer claimed to have been cast by a Creole woman named Angélica, arguing that he did nothing more than “providing heals” through prayers directed to Santo Antônio Pequeno (Saint Anthony)³². Trem was inquired by the deputy if he “knew how to cast spells”, to which he replied negatively, adding once again that he only knew how to heal and only through prayers. Therefore, in addition to (as we shall discuss further on the article) the weight of prayers and of the Catholic ritual part in many of these therapy actions, it is not hard to imagine that Damasio could have mentioned “only” resorting to prayers as a means of minimizing the illegality of his guilty given the weight of Catholic votive practices for the entire population of the Empire. In fact, as Reis argues³³, that population was quite accustomed to devotions externalized to saints, with processions and public prayers, among other votive manifestations. Thus, making their therapy practices become more familiar given that the Legal System considered them as an element of transgression.

One of Trem’s practices that was referred to the most by witnesses was the discovery of spells and the extraction of objects such as needles, pieces of glass, nails, bones and hairs that, according to the healer, would be the material proof of their existence. However, the testimony of the witnesses revealed a broader set of actions than the mere “prayers” he had mentioned during his interrogation.

Benedito, a slave owned by D. Josefina, was called to speak about what he knew, mentioning an “incurable wound that he had in his

32 Arquivo Público do Estado do Espírito Santo (APEES). Processo 527. Caixa 688. 1879. The pages of the files were not numbered.

33 REIS, João J. *A morte é uma festa*. Ritos fúnebres e revolta popular no Brasil do século XIX. São Paulo: Cia das Letras, 1999.

leg”. Upon examining it, Antônio Damasio asserted that it was “loaded with spells”, then performing the following therapy ritual:

[...] he asked me to buy a glass, *aguardente* and two eggs, which I did, then, he poured *aguardente* in the glass and boiled the eggs, he told me to break them and there was nothing inside. The healer made a ten reis coin appear, something the witness knew to be a trick.³⁴

In José das Neves Xavier’s testimony, he repeats, practically unchanged, the therapy of the supposed spells he suffered using boiled eggs in *aguardente* that led to the spells being removed, in his case, a “thumbnail and a piece of garlic”. Further adding that Trem had given him “two beer bottles with some herbs inside”. Such information was refuted by Damasio, who claimed that the bottles were “sealed as they came from the factory”. Another variation of his therapeutic practices denied by the defendant was narrated by Angélica Maria da Conceição, the woman accused of having cast spells against Urbana. Being called to testify as a witness, she told the court that the accusation that she would have cast a spell on Urbana was due to her image appearing “in a pot of water dressed in a green dress and having braided hair”, in an allusion to a divination ritual engendered by the healer.

As can be seen, the main therapeutic actions waged by Trem consisted in discovering spells through prayers and a ritual of breaking boiled eggs in *aguardente* so the supposed spells would be expelled from the diseased bodies. However, considering the witnesses’ testimony – which were all denied by the healer –, it seems that his practices had more variations. We can assume that, by denying them, Trem sought to minimize his guilt, as he had already done in court by claiming that he only provided therapy through prayers to St. Anthony.

Some of these conceptions of sickness and therapy would last for a long time and, at certain moments, they present proximity to the

34 Arquivo Público do Estado do Espírito Santo. Processo 527. Caixa 688. 1879.

studies related to witchcraft and healing arts during the colonial period in Brazil³⁵. Thus, the belief in the materiality of spells and in the possibility of extracting them by the skill and power of healers was well crystallized in the second half of the 19th century and beginning of the 20th century. In their studies on magism and therapy practices in Rio Grande do Sul during the early years of the Republic, Witter & Moreira, for example, found a situation that resembled the one in Espírito Santo at the time, in which healers, often of African origin or Afro-descendants, carried hair, insects, and pieces of glass as “proof” of the successful healing of spells³⁶.

Eggs and *aguardente*, which indisputably appear as the most central and remembered elements of the therapy procedures conducted by Antônio Damasio, were also known for a long time in the therapeutic practices of those who healed without having official certification.

Additionally, the use of *aguardente* for therapeutic purposes was also quite common in the colonial period, being frequently found both in illegal therapy practices and in medical treatises. Despite the institutionalization process of official medicine and the affirmation of its action protocols, as already discussed above, this reality was still present in the therapy practices of the Empire. Thus, in “medical guides” written for wider audiences, *aguardente* was used in several recipes. In the *Dicionário de medicina popular...* (Popular medicine guide), written by the Polish medic Napoleão Chernoviz, for example, we find it being used for internal therapies in a recipe for fatigue, under the name of food elixir Ducro (*aguardente* composed of meat and

35 SOUZA, Laura de Mello e. *O diabo e a Terra de Santa Cruz: feitiçaria e religiosidade popular no Brasil colonial*. São Paulo: Cia das Letras, 1995; NOGUEIRA, André Luís Lima. *Entre cirurgões, tambores e ervas: calunzeiros e curadores ilegais em ação nas Minas Gerais (século XVIII)*. Rio de Janeiro: Garamond Universitária, 2016; SÁ JR., Mário. *Malungos do sertão*. Cotidiano, práticas mágicas e feitiçaria no Mato-Grosso setecentista. Tese (Doutorado e História). Faculdade de Ciências e Letras de Assis: Universidade estadual Paulista, 2008.

36 WITTER, Nikelen A e MOREIRA, In: DILLMANN, Mauro (org.). *Religiões e religiosidades no Rio Grande. do Sul, matriz afro-brasileira*, vol.4 São Paulo: ANPUH, 2016, pp. 21-48. p. 22.

orange peels), and external therapies – to wash abscesses –, among many other applications found in this medical treatise.³⁷

Not to lose the focus of this article, which are Trem's therapy procedures for spells, *aguardente* presented a flagrantly ritual function.

In 18th century Minas Gerais, in a report to the justice of the bishopric of Mariana against African-born Hyvo and his wife for performing certain collective rituals, it is possible to find significant analogies with the therapies conducted in the province of Espírito Santo. The Calunduzeiros of Minas Gerais also used eggs in contact with the diseased bodies, in this case, broken in the “crown of the head” to expel the spells of those who contacted them³⁸.

As already stated, Trem was from the region of Valença, which had a large population concentration of Africans and Afro-descendants, and his legal status and skin color were not described in the files, the use eggs for discovering spells indicates, to us, his relationship with cultural African characteristics. Within a vast geographical arc (or, as Chevalier & Gheerbrant prefer, “throughout black Africa”), hens and cocks are known as mediators between “this” and “other” world, which explains their diversified use in providentialist rites of divination and healing. In addition to sacrificing the animal,

37 CHERNOVIZ, Napoleão.. *Dicionário de medicina popular...* Paris: A. Roger e F. Chernoviz, 1890. P.6 e 9. Regarding doctor Chernoviz's medical guides and their extraordinary diffusion, refer to EDLER, Flávio e GUIMARÃES, Maria Regina C. Chernoviz e a medicina no Império. *Insight Inteligência (Rio de Janeiro)*, Rio de Janeiro, n.23, p. 128-146, 2003; FIGUEIREDO, Betânia Gonçalves. *A arte de curar. Cirurgiões, médicos, boticários e curandeiros no século XIX em Minas Gerais*. Rio de Janeiro: Vício de Leitura, 2002.

38 NOGUEIRA, André Luís Lima. Op. cit. p. 243.

these rites frequently included the use of their feathers and eggs³⁹, as the Vitória healer and the African couple of Minas Gerais knew well.

“I believe I am a good healer”

Olegário Lima dos Santos was formally prosecuted in 1899, when the new republican Criminal Code was already in force, being arrested and entangled in articles 157 and 158 (transcribed above). In addition, his wife Bárbara, Antônio Albino, Manuel Simões and Antônio Teodório, were also implicated in article 21 (which referred to complicity in crimes). Thus, the Legal system classified Olegário and his collaborators' therapy practices as: “Making [people] believe that he cures incurable diseases, at times using magic, at times prescribing substances from the vegetable kingdom, thus performing as a healer”⁴⁰.

Olegário was born in Itapemirim, Espírito Santo, and answered that he was a journalist by profession, thus moving away from therapy actions as his way of living. He was the son of an enslaved woman named Felicidade and, like several children of enslaved people, he was unable to mention his father's name. At the time of his arrest he was thirty-six years old, making him someone who probably lived under slavery conditions. When he was arrested, he named seven people whom he performed therapy on, claiming that they were conducted “only” with medicinal plants such as “mil homens” (a thousand men – Aristolochiaceae plants), “pico de Nossa Senhora” (Job's tears – Poaceae plants) and other “herbals and plants”. Such attitude is analogous to Trem's attitude when he was arrested, an effort to attribute less weight to their actions – not considering Trem's claim to “be a healer”. However, witnesses would have more to say about Olegário's therapies.

39 CHEVALIER, Jean e GHEERBRANT, Alain. *Dicionário de símbolos*. Rio de Janeiro: José Olympio, 1998. p. 457-458; SWEET, James H. *Recrutar África*. Cultura, parentesco e religião no mundo afro-português (1441-1770). Lisboa: Ed. 70, 2007. p. 188.

40 Arquivo Público do Estado do Espírito Santo. Processo 1.466. Caixa 745. 1899.

Like Trem and many others, Viana's healer performed his therapies by removing animals and other "filth" – as is commonly described in the repression files – from his clients on the grounds that they were spells. However, Olegário performed collective rituals "setting the table" in different places, mainly in the house of his patients. In the report made by the district attorney who started the prosecution, such rituals are described as follows:

He presents himself with his accomplices in the house where there is a ill person, and there he places a table, on which he places wine, candles and herbs, following, after a sort of macabre dance to which he and his companions indulge in, then he distributes the wine his attendants, claiming to be the blood of Jesus Christ; he infuses the herbs and gives them to the ill person, whose body, by an [illeg.] or magic, makes believe that he extracted a bone, [illeg.] from all evil; other times it is a cricket or another animal that he pulls out of the patient's body, as he did a few days ago at some Fernando's home.⁴¹

When asked to testify, Gervásio Corrêa dos Passos presented new information from the questions asked by the police chief. The witness claimed to have watched the therapy ceremonies performed by Olegario on one occasion, when the healer "set the table" he discovered spells with a wood stick and that he made the patient expel a bone – other witnesses stated that it was a "pig's tooth" – and then Olegio threw it on the ground and, with the help of his wife, "threw different types of dust" on the bone to "kill" the spell. Gervasio narrates the ritual as an eyewitness:

41 Ibidem.

The witness answered that he sang and that the people would accompany by clapping their hands and he would jump with his feet on a stick, claiming that he was supported by angels who were carrying him; his companions called him not to go to heaven; and after he returned and the mass had ended, Olegário ordered that Antonio Albino and Barbara [his wife] to give said wine to the people, asking them and himself to drink the blood of Christ⁴².

The witness added that he had seen Olegário “setting the table” to heal a woman named Vitória and that he also had “put some powders in the palm of his hand and blew it on her sides, telling her to go to the sea.” However, the therapy was unsuccessful, and Vitoria died that very night, further aggravating the healer’s situation in face of the Legal system.

Considering the witnesses’ testimony, the ceremonies performed by Olegário, defined as “setting the table” for the ill, were centered around dances and chants cadenced by claps. Some parts of these chants presented unintelligible words to the witnesses, as mentioned by Antônio Ferreira da Conceição in his testimony, who claimed that Olegário would use “unknown language”. The healer would then enter a trance, as we can infer given the mentions of his “gestures”, such as “pretending to become senseless” and “shaking and becoming possessed”, as several of the people who witnessed his rituals reported. Once in trance, “he would say the name of the angels that were within him”. It was when he administered his wine and herb-based beverages to his patients, claiming that it was the blood of Christ, to expel from them the supposed spells that were causing their illness, also performing – like Trem – scrubs on the skin to remove the supposed spells and administering internal herbal medicine. Equally recurring in the testimony of witnesses is the information that the arrangement of the “table” consisted of drinks infused with herbs (mainly wine, but there is also mention of a *aguardente* bottle), lit candles,

42 Ibidem.

“pictures of saints” and “leaves and herbs”, which apparently were not used directly in infusions and medicine, but that functioned as worship instruments given their arrangement on the altar.

We cannot forget that Olegário, the son of an enslaved woman, was born (around 1863) in a region that had undergone a strong agricultural expansion and the assembly of large productive properties, mainly of coffee; thus, having a large concentration of enslaved population. Slavery in the province of Espírito Santo was quite peculiar, with extremely high rates of endogenous reproduction of its plantations and a strong process of Creolization, even before the 1850 Law⁴³. However, the significant presence of Central Africans must be noted. They came from the Rio de Janeiro port between 1790 and 1821, in fact, representing more than 90% of the African captives of the place. Despite the lowering in Africanness levels, this reality would continue on for the following decades, thus contributing to the occurrence of exchanges and new learning, causing the “reaffricanization” of beliefs and daily activities. Using Slenes’ words and studies, such experience allowed the constant “rediscovery of Africa in Brazil”.⁴⁴

Considering this idea, we find in Olegário’s “macabre dance”, as it appears (un)qualified in the Legal system files, fragments of cosmologies and religious beliefs from Central Africa. However, such fragments were dynamically and creatively modified, mostly based on Catholic practices experienced by the empire population. Fundamentally, we corroborate with Gabriela Sampaio in this regard: “thus, to look for origins in other contexts does not mean to look for some kind of “purity”, as if a permanent and immutable cultural

⁴³ Known as the 1850 Law, the Eusébio de Queirós Law was approved in September 4, 1850 and prohibited African slaves from entering the country via ships crossing the Atlantic ocean. MERLO, Patrícia Maria da Silva. Op cit; CAMPOS, Adriana P. *Escravidão e Creolização: a capitania do Espírito Santo (1790-1815)*. In: FRAGOSO, João et al. *Nas Rotas do Império*. Vitória: EDUFES, 2014 pp.529-562. p. 535.

⁴⁴ SLENES, Robert Slenes. “Malungo, ngoma vem!”: África coberta e descoberta do Brasil”. *Revista da USP*. São Paulo, pp.48-67, 1992. p. 49.

form could exist [...] the objective is to look for references from which cultural practices are transformed”⁴⁵.

In this perspective, a shared belief among several groups in Central Africa about the existence of a common religious complex based on *fortune/misfortune*. Shortly, they believed in a good and harmonious universe, which provides health, prosperity and fecundity; such characteristics are guaranteed via several rituals, offerings and the worship to different guardian spirits (called bisimbi in Kongo cosmology), among other forms of contacting the “other world”. However, such “fortune” could be constantly affected by the actions of malicious individuals and the manipulation of malevolent forces that caused unbalance and hardship, in other words, “misfortune”. The mediation was performed by individuals who had contact with the “other world”, usually priests, whom were very charismatic and highly persuasive in their communities. Olegário had these traits. Several of his witnesses underlined the credit that people gave to his “tables”. Terms like “the famous Olegário” and “a good healer” can be found in the records. There were also people who defended him at times when he was criticized or warned that his practices incurred in errors and crimes. Another striking characteristic of this religious complex is the relevance of collective rituals, which are usually marked by the existence of songs and dances that induced trance and contact with the “other world”⁴⁶.

We believe that this analysis framework is reinforced in the case analyzed in this article. Considering the testimony that in his ceremonies, during trance he seemed to come into contact with the “other world” from the invocation of Tata Jamby, Santa Maria and Marietta and that his auxiliaries (accomplices, in the police language)

45 SAMPAIO, Gabriela. Pai Quibombo, o chefe das macumbas do Rio de Janeiro imperial. *Revista Tempo*. Niterói. Universidade Federal Fluminense. n.11, pp. 157-169, jul. 2001. p. 166.

46 SLENES. Op. cit. p. 58; SLENES, Robert. A árvore de *Nsanda* transplantada: cultos *kongo* de aflição e identidade escrava no Sudeste brasileiro (século XIX). In: LIBBY, Douglas e FURTADO, Junia. *Trabalho livre trabalho escravo. Brasil e Europa, séculos XVIII e XIX*. São Paulo: Annablume, 2006. p. 287; THOMPSON, Robert Farris. *Flash of the spirit*. New York: Vintage Books, 1984. P.88-92.

were called cambones⁴⁷, terms from the “Bantu language”. “Jamby”, a name reported by the witnesses, might have been a reference to *Zambi* (or *Nzambi*). According to Ramos, this was name of the supreme and creator deity in Angola, and that was worshiped by an expressive part of the “Bantu” and that could have anthropomorphic representations⁴⁸. However, the witnesses’ testimonies do not provide enough elements for more conclusive explanations.

Olegário’s invocations of names like “Marietta”, “Tata-Mano Ouro”, “Tata-Cambone”, when in trance, refers us to the worship of tutelary and ancestral spirits that mediated earthly actions; thus, having to be the targets of several devotions and ceremonies to ensure the health and prosperity of the community. These practices were common in Central Africa and in other parts of the Continent⁴⁹. According to Slenes, the term “tata” – which has very close variants for different languages of the Congo-Angola region and a large semantic reach –, could mean “father”, but also referred to the idea of “leadership”⁵⁰. Thus, from what it seems, our Viana healer also used the evocation of these spirits to free those who sought them from the supposed spells.

Another aspect to be emphasized and that appears recurrently in the witnesses’ reports about the healer’s actions is the manipulation of “plants” and “herbs”, both in the production of his beverages and when he was “setting the tables”. Apparently, these “herbs” were arranged on his altar as another element of worship. Thus, the close relationship between nature and religious practices, which among other goals, sought to provide therapy for the illnesses affecting the

47 This word (or cambono) is still used nowadays in Umbanda rituals to define the “helpers” of the terreiros, those who serve the entities when incorporated, among other functions.

48 RIBAS, Oscar. *Usos e costumes angolanos*. Salvador: Universidade da Bahia, 1964. p. 49-50; RAMOS, Artur. *As culturas negras*. Rio de Janeiro: Casa do Estudante do Brasil, 1943. p. 164-165 e 184.

49 SLENES, Robert. *A árvore...* Op. cit. p. 286; RAMOS, Artur. Op. cit. p.168; THORTHON, John. *A África e os africanos na formação do mundo Atlântico (1400-1800)*. Rio de Janeiro: Campus, 2004. p. 196-198.

50 SLENES. *Malungu...* Op. cit. p.61.

body and spirit, of Central Africans is also considered in Thompson's studies. The author states that within the Kongo worldview, the guarantee of harmony and "fortune" was linked to the rule of "roots" and "herbs" by the priests, whom protected and healed individuals and societies⁵¹. However, we cannot disregard that for inhabitants of other regions of Africa, such as the "Minas" and "Jejes" from West Africa, whom were equally trafficked to Brazil over the 19th century, the manipulation of "plants" and "herbs" was equally sacred⁵².

Similarly, the relevance of Catholicism and its multifaceted experiences was also found in the spell discovery practices and therapies discussed in this article. Furthermore, many of these are marked by reinterpretations and differences of looks and doings when compared to the ones prescribed by Roman orthodoxy⁵³.

Olegário claimed that the "angels seized his body", giving him the power to "do everything he wanted"; thus, mixing the dances, songs and trance with Catholic beliefs. To us, it does not seem absurd to suppose that over the Creolization process with Catholic elements, the worship of tutelary spirits might have been associated to the remembrance of the intercession of angels. Furthermore, some witnesses, such as Argemiro Pereira Ramos, who claimed to be friends with Olegário, reported that traditional Catholic prayers such as the Lord's Prayer and the Hail Mary (which also appear in the reports of witnesses as prayers), as well as the existence of "paintings of saints" – unfortunately, without any specific mention of them – among the objects he used when "setting the table". Another *sui generis* perception of Catholicism, which appears almost unanimously in the witnesses'

51 THOMPSON, Robert Farris. Op. cit. p. 107-108.

52 VERGER, Pierre. *Notas sobre os cultos aos Orixás e Voduns na Bahia de Todos Santos, no Brasil, e na Antiga Costa dos Escravos, na África*. São Paulo: Edusp, 2000. p. 87 e 227-230; PRANDI, Reinaldo. *Segredos guardados*. Os orixás na alma brasileira. São Paulo: Cia das Letras, 2005. p. 125-155; PA-RÊS, Luis Nicolau. *A Formação do Candomblé: História e ritual da nação jeje na Bahia*. Campinas: Editora da Unicamp, 2006. cap. 4 e 7.

53 REIS. Op. cit. cap. 4. ABREU, Martha. *O Império do Divino – Festas religiosas e cultura popular no Rio de Janeiro (1830-1900)*. Rio de Janeiro, Nova Fronteira, 2000. p. 35.

reports, is the drinking of Olegário's wine (and sometimes cachaça) and herbs blends that were used to expel the spells of his clients as the "blood of Christ".

Shortly, despite us finding ritual elements in the therapeutic practices of Viana's healer that refer us to the beliefs and actions performed in Central Africa, we cannot corroborate the analyses of authors like Gabriela Sampaio, who considers that these beliefs and actions were transplanted (an expression used by Sweet) from several regions of Africa(s) in a "pure" form, as if by mere atavism such beliefs and deeds could be found intact from one place or period to another and remain immaculate when surrounded by historical processes as striking as the experience of captivity. A pulsating Creolization with several Catholic elements is evident in the studied case; Catholicism in Brazil commonly faced different and original experiences that were communed by different social strata. Furthermore, a complex set of translations, choices and changes existed, sometimes presenting comprehension difficulties for contemporary researchers, thus, marking the greater or lesser – or even the erasure – presence of certain characteristics of these beliefs and practices.

Customers, gains, validations and enemies

As shown in several other studies on the performance of those who provided therapy without the proper credentials of official medicine, during the second half of the 19th century in Espírito Santo, Trem and Olegário also used their therapeutic knowledge to garner respect, visibility, money and goods that guaranteed their livelihood.

In Trem's files, the witnesses' testimonies mention some of the values paid to the healer. To provide therapy to "a girl" who was owned by some Mr. Cabral, Trem would have charged nine thousand reis, which was value duly paid by the slave owner. He charged two thousand réis to heal Benedito's "incurable leg wound"⁵⁴. Similarly,

54 Arquivo Público do Estado do Espírito Santo. Processo 527. Caixa 688. 1879

Olegário also gained money and goods to “put the table” for his patients. Thus, he was paid with “jewelry made of gold” when he removed spells from Quintino Lira dos Santos, in addition to charging sixty thousand réis in another occasion for healing Bernardo João dos Passos, who refused to pay and then agreed to five thousand réis to be paid “to the angels”.

Furthermore, Olegário’s case is remarkable due to his extraordinary spatial mobility when offering his “tables” to heal spells. Residing in Viana, he provided therapy in the Capital – which is distant by contemporary standards, approximately thirty kilometers –, in Santa Isabel, approximately twenty-three kilometers away, among other places. This reality also implies in the existence of networks of sociability and companionship, which undoubtedly involved the provision of stay, food and shelter for these healers. In some cases, Olegário stayed in the very home of those he was providing therapy.

As can be seen from the information above, the healers’ clientele was quite diverse. Their services were sought by enslaved people, poor mixed men and women, but equally wealthy individuals, who, from the testimonies, seemed to have prominent spots in the social spaces where they lived, and who resorted to the spell removals as therapy for their family and slaves.

On the other hand, the healing of spells usually meant pointing out supposed sorcerers, which eventually generated social tensions among the people of a community. In Trem’s process, this can be found in the testimony of the Creole Angélica who denies the healer’s story that she would have cast spells to undermine Urbana. Similarly, Olegário’s practices probably arose hatred and enmity by pointing out supposed sorcerers. Thus, he claimed that Lourenço Pinto da Vitória would have cast spells against his wife. Called in court as a witness, in addition to denying the healer’s statements, Lourenço also accuses him of having killed his wife because of his therapies – a crime that also weighed against Olegário in his prosecution process – and for having entered his house seeking to “seduce his daughter, as indeed he seduced, taking her from her husband’s home and carrying her into the woods”. The girl’s husband was also called in court as a

witness against the healer and confirmed the story. This part of the process shows us, yet again, the charisma and probable fascination that encompassed his image.

In short, the cases analyzed in this study from Espírito Santo, corroborate a reality that has been discussed by the historiography that focuses on therapy practices for a long time: the question of choosing healers was often accompanied by an eventual “lack of trained medics”⁵⁵. However, the choice was primarily related to the belief in the efficacy that many of these individuals garnered by treating illnesses and ill people, being considered by their communities as close people and who had a close relationship with its inhabitants (although such experiences were also permeated by conflicts). Such reality would often not be applied to trained medics since they were considered “outsiders” – it was not uncommon for trained medical to offer their services in a more or less itinerant way – who had different explanations for the diseases and their therapy possibilities and that “charged a lot” for their therapy. Thus, for many of these people, regardless of their financial condition and/or social position, the option for an unlicensed healer would be a voluntary choice and, as it was believed, a more effective option than that of the “trained medic”. Thus, we agree with Witter’s view that apart from chancellery and diplomas, what the author called “good reputation” was as critical element when choosing these therapists – whether they were representatives of official medicine or illegal healers – by those who were ill⁵⁶.

55 Among other studies, refer to NOGUEIRA, André Luís Lima Op. cit.; CHALHOUB, Sidney. *Cidade Febril: cortiços e epidemias na Corte Imperial*. São Paulo: Companhia das Letras, 1996.; WITTER, Nikelen Acosta. *Males e Epidemias: sofredores, governantes e curadores no sul do Brasil* (Rio Grande do Sul, século XIX). Tese (Doutorado em História Social). Universidade Federal Fluminense, 2007; WEBER, Beatriz Teixeira. *As Artes de Curar - Medicina, Religião, Magia e Positivismo na República Rio-Grandense - 1889 - 1928*. Santa Maria: Ed. da UFSM; Bauru: EDUSC - Editora da Universidade do Sagrado Coração, 1999.

56 WITTER, Nikelen Acosta. *Dizem que foi Feitiço: As práticas de Cura no Sul do Brasil. 1840-1880*. Porto Alegre: EDIPUCRS, 2000. p. 99.

Moreover, according to Chalhoub's⁵⁷ arguments on "African comprehensions" about smallpox, it was not uncommon for certain conceptions about this disease and its therapy possibilities to be closer to the beliefs and explanations of illegal healers, which were usually shared by the different inhabitants of the communities where they performed and where the miasma theory was in force in Schools of Medicine, in medical journals and in other spaces and speeches coming from official medical knowledge. Such reality aids us in understanding these preferences, despite the intense institutionalization process of academic medicine and the persecution of individuals like Trem and Olegário.

Unfortunately, neither of these files presents the sentences handed down against the defendants. We must highlight that in Olegário's case, in addition to the punishments foreseen in Articles 157 and 158 of the Criminal Code, the murder of Lourenço's wife due to his therapies was also weighing against him. The body of Article 158 stated that if the illegal prescription of drugs resulted in deaths, the imprisonment sentence could vary from six to twenty-four years. On the other hand, the testimonies of several of the witnesses constructed versions of the facts that validated the healer's practices, as well as their importance within the communities where they performed with quite resourcefulness and spatial circulation. Even if republican authorities and academic medicine have conducted an actual crusade against "spiritists" and "charlatans" after the Proclamation of the Republic of Brazil, we cannot emphatically affirm that offenders faced the harshest possible sentences foreseen in the Criminal code articles considering the empirical sources available.

Regardless, we believe that the two criminal processes analyzed in this study shall stimulate the debate and academic production in this area, considering the novelty of the sources and the practically

57 CHALHOUB, Sidney. *Cidade...Op. cit.* p. 120-128.

nonexistent literature on the topic of illegal therapeutic practices in the Province and state of Espírito Santo.

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