

Black Women and Mothers: social mobility and inheritance strategies in Minas Gerais during the second half of the eighteenth century

DOI

<http://dx.doi.org/10.1590/2236-463320161206>

Mulheres e Mães Negras:
mobilidade social e estratégias
sucessórias em Minas Gerais na
segunda metade do século XVIII

Mariana L. R. Dantas
Ohio University, Ohio – EUA.
dantas@ohio.edu

Abstract

Through a critical examination of the possibilities of social improvement available to black women and their descendants, this article discusses social mobility among Afro-descending people in the town and precincts of Sabará, Minas Gerais, in the eighteenth century. Using various notarial documents (inventories, wills, deeds of sale, etc.) and papers from the municipal council of Sabará, this study investigates the types of economic success enjoyed by women of Afro-descent and the limits to their social mobility; the impact of inheritance procedures on the transfer of socio-economic resources from one generation to the next; and the strategies black women employed to ensure that transmission of their property to their children would translate into social advantages.

Resumo

Este artigo examina a mobilidade social de pessoas de ascendência africana na vila e termo de Sabará, Minas Gerais, no século XVIII, a partir do questionamento da possibilidade de ascensão social disponíveis a mulheres negras e seus descendentes. Através da análise de documentos cartoriais (inventários, testamentos, escrituras de venda, etc.) e documentos da Câmara Municipal de Sabará, esse estudo investiga as oportunidades de sucesso econômico disponíveis às mulheres de cores e os limites da mobilidade social; os efeitos do processo sucessório na transferência de vantagens sócio-econômicas de uma geração para outra; e as estratégias usadas por mulheres negras para garantir que a sucessão de bens pudesse se traduzir em vantagens (e ascensão) sociais para seus filhos.

Keywords

Black Women; Afro-Descendants; Social Mobility; Transmission of Property; Sabará, Minas Gerais; Eighteenth Century

Palavras-chave

Mulheres Negras; Afro-descendentes; Mobilidade Social; Sucessão de Bens; Sabará, Minas Gerais; Século XVIII

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REIS, Liana Maria. *Mulheres do ouro: as negras de tabuleiro nas Minas Gerais do século XVIII*. Revista do Departamento de História, Belo Horizonte, v. 8, p. 72-85, 1989. FIGUEIREDO, Luciano RaposodeAlmeida. *Oavessodamemória: cotidiano e trabalho da mulher em Minas Gerais no século XVIII*. Rio de Janeiro: Editora J. Olympio, 1993. HIGGINS, Kathleen. "Licentious Liberty" in a Brazilian Gold-Mining Region: Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais. University Park: Pennsylvania State University Press, 1999. PAIVA, Eduardo França. *Escravidão e universo cultural na colônia: Minas Gerais, 1716-1789*. Belo Horizonte: Editora Universidade Federal de Minas Gerais, 2006.

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See FURTADO, Júnia. *Pérolas Negras: mulheres livres de cor no distrito Diamantino*. In FURTADO, Júnia (org.) *Diálogos Oceânicos: Minas Gerais e as novas abordagens para uma história do Império Ultramarino Português*. Belo Horizonte: Editora da Universidade Federal de Minas Gerais, 2001. p. 81-121. FARIA, Sheila de Castro. *Sinhás pretas: acumulação de pecúlio e transmissão de bens de mulheres forras no sudeste escravista (séculos XVIII e XIX)*. In SILVA, Francisco C. T. Da; MATTOS, Hebe Maria de; FRAGOSO, João (orgs.) *Escritos sobre a História da Educação: Homenagem à Maria Yedda Leita Linhares*. Rio de Janeiro: Mauad/Faperj, 2001. p. 289-329. XAVIER, Giovana; FARIAS, Juliana Barreto; GOMES, Flávio (orgs.) *Mulheres Negras no Brasil Escravista e do Pós-Emancipação*. São Paulo: Selo Negro, 2012.

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FURTADO, Júnia Ferreira. *Chica da Silva e o contratador dos diamantes: o outro lado do mito*. São Paulo, Companhia das Letras, 2003

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FURTADO, Chica da Silva, 58-63, 188-198, 246-264.

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BUSH, Barbara. *Slave Women in Caribbean Society, 1650-1838*. Bloomington: Indiana University Press, 1989; MORGAN, Jennifer. *Laboring Women: Reproduction and Gender in New World Slavery*. Philadelphia: University of Pennsylvania Press, 2004.

Since the late 1980s the work of historians Liana Maria Reis, Luciano Figueiredo, Eduardo França Paiva, Kathleen Higgins has emphasized the distinct reality women of African descent experienced in eighteenth-century Minas Gerais and their relevance to the economic, social, and cultural life of that captaincy.¹ These and other studies on the same subject have highlighted the presence and involvement of black women in slave labor; in the formation of a free black population; in shaping various opportunities for the socio-economic insertion of freed slaves and their free descendants; and in forming familial and social relationships among slaves and freed persons.² This scholarship has therefore helped to secure for women of African descent a firm place within the historical narrative about the development of colonial and post-colonial Brazilian society.

The work of Júnia Ferreira in particular offers an important contribution to the scholarship on slave and freed black women in colonial Brazil. In her study of the life and family of Chica da Silva, Furtado highlights these women's relevance to the formation of families, networks of sociability, and new generations of free Afro-descending people. Furtado also pays close attention to the constraints and contradictions that marked these women's lives and defined the limits of their socio-economic standing, as well as the strategies they used to push beyond existing obstacles to their socio-economic mobility. As demonstrated in Furtado's book, Chica da Silva was neither the shrewd black woman who seduced and controlled the powerful diamond contractor João Fernandes de Oliveira, nor the light-colored mulata who benefited from a lax socio-racial hierarchy to claim a position of privilege within the society of Serro Frio. Through a more complex and complete analysis of the life and world of Chica da Silva, Furtado illustrates how racial and male domination affected the experiences of the slave and later free woman Chica was, and she clarifies how Chica's experiences were representative of those of other Afro-descending women.³ Furtado's Chica da Silva thus reveals the tortuous path these women treaded as they sought freedom and property ownership. She reveals, moreover, the challenges they faced when attempting to provide their children with a socio-economic condition that was better than their own. For, as Furtado shows, the process of transmission of property in colonial Minas Gerais and the weight of one's African descendant could prevent the children of freed black women from benefitting from the socio-economic success of their mothers.⁴

The experiences of black women in colonial Brazil hold important similarities to those in the British Caribbean and mainland North American colonies, as discussed by historians such as Barbara Bush-Slimani and Jennifer Morgan. According to these scholars, black women and slaves in those regions were subjected to the domination of both whites and men; additionally, they suffered a double exploitation, both of their labor and of their reproductive power.⁵ And yet, despite their social, political, and economic disadvantages they still developed strategies to minimize, or at least navigate, the implications their color and gender had to their opportunities for social mobility or to the future social status of their children and other descendants.

In the context of colonial Minas Gerais, black women cultivated a niche within the local economy through their activities as street vendors or peddlers. They accumulated the price of their freedom and negotiated their manumission through the practice of *coartação*, the purchase of a slave replacement, or the full payment of their market value. They invested in slaves to enjoy access to the product of slave labor, as well as in mate-

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See PAIVA, Eduardo França. Bateias, Carumbés, Tabuleiros: mineração africana e mestiçagem no mundo novo. In PAIVA, Eduardo França; ANASTASIA, Carla Maria Junho. *O Trabalho Mestiço: Maneiras de Pensar e Formas de Viver, séculos XVI a XIX*. São Paulo: Annablume, 2002. GOMES, Flávio dos Santos; SOARES, Carlos Eugênio Líbano. 'Dizem as Quitandeiras...': ocupações urbanas e identidades étnicas em uma cidade escravista: Rio de Janeiro, século XIX. *Acervo—Revista do Arquivo Nacional*, Rio de Janeiro, v. 15, n. 2, p. 3-16, 2002. QUINTÃO, Antonia Aparecida. *Lá Vem o Meu Parente: as irmandades de pretos e pardos no Rio de Janeiro e em Pernambuco (século XVIII)*. São Paulo: Annablume, 2002.

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In a recently published article, I explore further the practice of slaves of *meação* observed in the judicial district of the Rio das Velhas, Minas Gerais. DANTAS, Mariana. *Succession of Property, Sales of Meação, and the Economic Empowerment of Widows of African Descent in Colonial Minas Gerais, Brazil*. *Journal of Family History*, Los Angeles, v. 39, n. 3, p. 222-238, July 2014. Examples of studies of female succession strategies in other geographical and chronological contexts include CAVALLO, Sandra; WARNER, Lyndan. *Widowhood in Medieval and Early Modern Europe*. New York: Pearson Education Ltd., 1999. p. 193-219. GAUDERMAN, Kimberly. *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America*. Austin: University of Texas Press, 2003. p. 30-47. MANGAN, Jane. *Trading Roles: Gender, Ethnicity, and the Urban Economy in Colonial Potosí*. Durham, NC: Duke University Press, 2005. p. 147-49. CONGER, Vivian Bruce. *The Widows' Might: Widowhood and Gender in Early British America*. New York: New York University Press, 2009. p. 49-78.

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JORDAN, William. *Women and Credit in Pre-Industrial and Developing Societies*. Philadelphia: University of Pennsylvania Press, 1993.

rial possessions that could distinguish their own social condition from that of their slaves. They pursued social and business relationships with white men that could serve their interests. They built networks of social connections in which they stood as patrons and benefactresses to others. They became members of brotherhoods and thus shared in a corporate identity that helped to define them as more than simply black women and ensured theirs would be a more dignified death.⁶ Finally, like Chica da Silva, they invested in the future of their children by attempting to provide their daughters with an upbringing that matched expectations of female honor, while facilitating their sons' access to the economic and social resources that would help them claim social quality and distinction.

This last aspect of the strategies of survival and social mobility employed by black women (their efforts to secure their children's access to certain resources and privileges) deserves more scholarly attention. Notarial document, wills and inventories in particular, hold innumerable examples of succession or generational strategies employed by freed women that, in many cases, have yet to be systematically investigated by historians.⁷ Such a study would contribute to a more balanced understanding of the challenges and achievements freed and free Afro-descendants experienced in colonial Brazil, avoiding in this manner a distorted perception of the phenomenon of social mobility or of racial tolerance in that society. Indeed, as historian William Jordan has claimed in his study of women and credit in African and African diasporic societies, the success some women achieved in their commercial and economic activities should not be mistaken for social mobility. That success, according to Jordan, was the product of an existing gender division of labor and, consequently, did not challenge necessarily the economic, social, or political domination of male groups.⁸

Jordan's argument invites us to adopt certain caution when celebrating black women who, in colonial Minas Gerais, attained their manumission, a profitable economic position within the local economy, and the status of property owner. These women rarely competed economically with the men in their society (particularly white men), nor did they threaten their dominant position. Moreover, as street vendors and, in some cases, the illegitimate sexual partners of white men, these women did not enjoy a socio-economic position that allowed them to claim the social prominence normally reserved to white women. Once considered under the light of Jordan's logic, the individual success of women like Chica da Silva did not promote the collective social mobility of black women in colonial Minas Gerais.

On the other hand, documents relative to the process of transmission of property reveal patterns in the behavior of black women that indicate ways in which this group negotiated and attempted to influence their treatment by society in colonial Minas Gerais. These sources allow a glimpse into these women's ideas about how best to pass on their property to their descendants after their death; or about their children's rights to their estate and to a future less marked by manual labor; or, yet, to their daughters' right to claim female honor and society's protection of their reputation.

Therefore, without losing sight of the socio-economic and racial hierarchy that prevailed in colonial Minas Gerais, I propose to explore how black women created a space for themselves from where they were able to appropriate certain practices and behavioral norms that normally benefited

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The research that informs this article has relied on 350 inventories, as well as deeds and wills recorded in 15 notary books produced between 1750 e 1799 in the judicial district of Rio da Velhas. Cartório do Primeiro Ofício e Cartório de Segundo Ofício, Instituto Brasileiro de Museus—Museu do Ouro de Sabará/Arquivo Casa Borba Gato [MOS/ACBG]. For a discussion of the black population of the judicial district of Rio da Velhas, see DANTAS, Mariana. *Black Townsmen: Urban Slavery and Freedom in the Eighteenth-Century Americas*. New York: Palgrave Macmillan, 2008.

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Works that illustrate the realities experienced by Afro-descending women include SCARANO, Julita. *Cotidiano e Solidariedade: vida diária da gente de cor nas Minas Gerais, século XVIII*. São Paulo: Editora Brasiliense, 1994. FIGUEIREDO, Luciano R. A. *Figueiredo. Barrocas Famílias: vida familiar em Minas Gerais no século XVIII*. São Paulo: HUCITEC, 1997. PAIVA, Eduardo França. *Escravos e libertos nas Minas Gerais do século XVIII: estratégias de resistência através dos testamentos*. São Paulo: Editora Annablume, 2000. FARIA, Sheila de Castro. "Mulheres Forra: Riqueza e estigma social." *Tempo*, Rio de Janeiro, v. 5, n. 9, July 2000, p. 65-92.

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Inventário de Antônia Rangel de Abreu, Sabará, May 14, 1756, CSO, cx. 18, doc. 07, MOS/ACBG. In 1756, 113\$000 (one hundred and thirteen thousand) réis was a large enough amount to buy a productive slave. See BERGAD, Laird. *Slavery and the Demographic and Economic History of Minas Gerais, Brazil, 1720-1888*. New York: Cambridge University Press, 2000. p. 180.

12 For a definition and discussion of the importance of vendas, or small commercial businesses, see CHAVES, Cláudia Maria das Graças. *Perfeitos negociantes: mercadores das Minas setecentistas*. São Paulo: Annablume, 1999. p. 59-61. FURTADO, Júnia Ferreira. *Homens de negócio: A interiorização da metrópole e do comércio nas Minas setecentistas*. São Paulo: Hucitec, 1999. p. 230-72. PANTOJA, Selma. *A Dimensão Atlântica das Quitandeiras*. In FURTADO, Júnia (org.). *Diálogos Oceânicos: Minas Gerais e as novas abordagens para uma história do Império Ultramarino Português*. Belo Horizonte: Editora da Universidade Federal de Minas Gerais, 2001. p. 45-67. SILVA, Flávio Marcus da. *Subsistência e poder: a política do abastecimento alimentar nas Minas setecentistas*. Belo Horizonte: Editora UFMG, 2008. p. 156-163.

white and dominant members of society. By doing so, their efforts helped to reinforce the importance and dominance of certain practices and norms while also naturalizing the participation of Afro-descendants in those same patterns of behavior. This study relies on the analysis of notarial documents, particularly inventories, wills, and deeds of sale from the town and precinct of Sabará, in the judicial district of Rio das Velhas. The time period under focus is the second half of the eighteenth century, a time when the Afro-descending population of the Rio das Velhas was more numerous and grew at a higher rate than any other in the captaincy of Minas Gerais.⁹ The article is organized around three points: the economic opportunities available to black women and the limits to their social mobility; the impact of the process of succession of property on the transfer of socio-economic resources from one generation to the next; and the strategies used by black women to ensure that inheritance would be translated into social advantages and mobility for their children.

Socio-Economic Mobility: opportunities and limitations

The story of Antônia Rangel de Abreu, a parda (mixed-race) woman born a slave in Rio de Janeiro, captures well the difficulties women of Afro-descent faced in colonial Minas Gerais as they strove to secure economic opportunities and social mobility.¹⁰ I have not been able to determine when Antônia was manumitted; she was identified in her inventory as freed, but details about her manumission were not included. It is also not possible to determine when she moved from Rio de Janeiro to the mining district (or if she had been taken there by a former master). But it is known that, once in Sabará, she worked as a food peddler, the tray that was the instrument of her trade having been listed in her inventory. Antônia also became the owner of a slave woman, on whom she was able to rely for income as well as to grow her estate (Antônia also owned her slave's three children). Finally, we learn from Antônia's inventory that throughout her life she accumulated a few objects of value: a silk cloak, silver shoe buckles, and a silver medallion. Antônia lived in Sabará with her only son, who, after his mother's death, and once her debts had been settled, inherited property in the value of 113\$000 réis.¹¹

The freed slave Antônia found in street vending a means of supporting herself and her dependents. If she had any type of involvement with a white man (whether her father or a partner), he did not offer her the opportunity to integrate a more privileged social group through a recognition of paternity or marriage. Her own economic endeavors, on the other hand, did not provide her with more than what she needed to survive. Still, Antônia represented a fairly visible and economically relevant social group in colonial Minas Gerais: female peddlers who contributed to sustain commercial exchanges and the distribution of credit and monies within the local economy.¹² Nevertheless, the limited economic opportunities available to these women and the negative connotation of street work, which was perceived as a marker of their lack of female honor, condemned these women to an inferior and vulnerable social position and the constant threat of abuse and mistreatment in the hands of white men.¹³

Antônia was thus one among several black women who sought economic insertion within the colonial society of Minas Gerais through participation in local commerce. In his 1711 description of the mining dis-

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The connection between street work and female honor has been well-explored in the literature regarding colonial Spanish America. See SOCOLOW, Susan M. *The Women of Colonial Latin America*. Cambridge: Cambridge University Press, 2000. p. 112-29. GAUDERMAN. *Women's Lives in Colonial Quito*. MANGAN, Trading Roles. p. 134-60.

14

ANTONIL, André João. *Cultura e opulência do Brasil*. Belo Horizonte: Editora Itatiaia, 1982. p. 169-73.

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For more about networks of supply in the captaincy of Minas Gerais, see ZEMELLA, Mafalda P. *O abastecimento da capitania das Minas Gerais no século XVIII*. São Paulo: Hucitec, 1990. MENESES, José Newton Coelho. *O continente rústico: abastecimento alimentar nas Minas Gerais setecentistas*. Diamantina: Editora Maria Fumaça, 2000. CARRARA, Angelo Alves. *Minas e currais: produção rural e mercado interno de Minas Gerais, 1674-1807*. Juiz de Fora: Editora da Universidade Federal de Juiz de Fora, 2007. SILVA. *Subsistência e poder*.

16

"Relação dos homens abastados das Comarcas de Minas, capitania de Minas Gerais," July 24, 1756, Coleção Arquivo Histórico Ultramarino [AHU], cx. 70, doc. 40, Arquivo Público Mineiro.

17

BARBOSA, Waldemar de Almeida. *Dicionário da terra e da gente de Minas*. Belo Horizonte: Publicações do Arquivo Público Mineiro, 1985. p. 84-85. "Mapa geral da capitação do governo de Minas Gerais, capitania de Minas Gerais, 1750, AHU cx. 60, doc. 52, Arquivo Público Mineiro.

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"Aferições de balanças, pesos e medidas", Sabará, 1745-1756, Fundo Câmara Municipal de Sabará, código 16^a, Arquivo Público Mineiro. "Registro de lojas e vendas", Sabará, 1788-1795, Fundo Câmara Municipal de Sabará, código 82, Arquivo Público Mineiro. "Lançamento da receita do contrato das afileções e cabeças", Sabará, 1806, Fundo Câmara Municipal de Sabará, código 128, Arquivo Público Mineiro.

trict, the jesuit priest Antonil already noticed the presence of these female vendors who, according to him, were employed by their owners to encourage slaves working in the mines to spend their findings on the purchase of drinks and food.¹⁴ While Antonil's comments contained a strong criticism of this practice, which he viewed as detrimental to the productivity of the gold mines, the reality was that these women's activities were borne out of necessity and not simply some slave owners' use of subterfuges to access gold. These female slave vendors fulfilled an important and real economic demand in the region as they organized the distribution of staples and foodstuff and mediated exchanges between producers and consumers of cachaça, manioc flower, sugar, bacon, among other products.

Commerce quickly became one of the most common economic activities in Minas Gerais, where the prominence of the mining industry led to the rise of a avid consumer market for all types of products necessary to the daily survival of workers and investors, as well as the professional needs of miners.¹⁵ Indeed, already by the mid-eighteenth century the majority of captaincy's elite – listed in a roster of men of means produced for the Overseas Council in 1756 – were primarily involved in commerce instead of gold mining.¹⁶ The fast development of local commerce is also evident in the tax records from the first half of the eighteenth century. In the case of the town of Sabará, where Antônia Rangel de Abreu lived, the number of stores and market stalls taxed during that period doubled between 1729 and 1750. In the captaincy as a whole, the number of such businesses rose from 671 in 1729 to 1,566 in 1750. In comparison, the size of the slave property taxed during that same interval rose from 52,348 individuals in 1729 to 88,251 individuals in 1750. If the growth of the slave population revealed in the tax records is any indication of the growth experienced by the general population in the captaincy, it would seem that commercial businesses in the region increased at a rate twice as high as that of the regional population.¹⁷ These numbers suggest, therefore, that during the first half of the eighteenth century there was a constant and rising demand for the services provided by these economic agents.

If women like Antônia Rangel de Abreu were to a large extent responsible for the emergence of local commerce – as Antonil's account suggests – they were also crucial to the expansion of such businesses. In the case of the town of Sabará it is worth noting that while the overall number of taxed market stalls increased 108 percent between 1750 and 1790, the number of such businesses owned by slave women increased 130 percent; slave women became stall operators with greater frequency than any other sector of the regional population. Additionally, among the licensed slave vendors, women represented three-fourths of the members within that group. The employment of slaves within commercial activities thus affected slave women at a rate that was disproportional to their numbers within the broader population.

As the nineteenth century drew nearer, however, slave women lost their dominant position among stall operators and vendors in Sabará to free black women. The latter represented 80 percent of all black women involved in commercial activities in Sabará according to a 1806 tax list prepared by the municipal council, a sharp rise from two decades earlier, when they represented one-third of the taxed black female vendors.¹⁸ Like Antônia, other black women, freed or free-born, took advantage of the uninterrupted local demand for foodstuff and other products to carve

for themselves an economic role within local commerce that would allow them to sustain themselves financially.

Participation in local commerce was not free of stigma for Afro-descending women like Antônia, however, and they often had to deal with the negative consequences of being exposed to street work and to commercial partners who enjoyed both a social and economical dominance over them. As demonstrated by Luciano Figueiredo in his book *O Avesso da Memória*, black women who worked as stall operators and street vendors were often suspected of resorting to prostitution to generate the income their owners demanded of them or that they required to survive. The suspicion that they also promoted gatherings among slaves, which according to local government officials caused disorder and scandal, strengthened the perception that they themselves were predisposed to engage in disorderly and scandalous behavior.¹⁹

The association between street work and lack of female honor is made evident in the probate records of Sabará. Several of these documents include declarations by guardians of orphans in which they are careful to note the type of care they were providing to the underage heirs under their care. Inevitably, these declaration mention their precaution to keep girls and unmarried women secluded at home, learning the trades of their sex (spinning, weaving, and sowing). The probate record of José de Freitas Costa, a white man of limited financial means who died in the town of Sabará in 1778, is particularly revealing. When the judge of the Orphans Court determined that Costa's two underage daughters be apprenticed out to earn their keep, their guardian disputed the order by observing that in that colony domestic servants were often employed in all type of house and street work. Consequently, he claimed, their honor would be put at risk. He finalized his plea by stating that being white and entitled to some property through their inheritance, the girls should not be exposed to the streets, "which would only facilitate the loss of their honor, the most precious jewel of the female sex."²⁰

The negative connotation of street work not only prevented black women who participated in commerce from claiming female honor but also justified their abusive treatment by white men. Indeed, when the "crioulo, black, and mestizo men and women of Minas Gerais" presented a petition to the crown in 1755 requesting the appointment of a "public prosecutor who could defend them from the violence they suffered," they listed the abuse black women endured in the hands of white commercial partners and clients. They illustrated their claims with the case of Maria de Assumpção, a freed black inhabitant of Sabará who was mistakenly accused of dishonesty by a revengeful suitor and, consequently, condemned to a public flogging.²¹ Another example was that of Izabel Gouvea, also unjustly accused and also violently punished for refusing sexual access to her daughters to a powerful local. Women like Maria and Izabel, and their daughters by association, suffered these treatments because their African descent, skin color, and economic activity prevented them from claiming the protection that society, heavily marked by patriarchal notions and racial understanding of privilege, reserved to white women. A final example of abuse, that suffered by Maria Cardim, who was described in the document as an honest and rich black woman, indicates further that economic success did not ensure that black women would be treated equally to white women. Her inability to count on colonial institutions to protect her

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FIGUEIREDO, *O Avesso da Memória*, Appendix 1, p. 205-14. Maria Odila Silva Dias has also found evidence that similar suspicions and complaints affected the lives of market women in São Paulo during the eighteen and nineteen centuries. DIAS, Maria Odila Silva. *Quotidiano e Poder em São Paulo no século XIX*. São Paulo: Editora Brasiliense, 1995. p. 70-85.

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Inventário de José de Freitas Costa, Sabará, June 11, 1778, CSO cx. 46, doc. 06, MOS/ACBG.

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Crioulo(a) was a term used in colonial Minas Gerais to refer to persons of sole African descent but born in the colony. For a discussion of terms denoting racial and ethnic origin, see LIBBY, Douglas. *A empiria e as cores: representações identitárias nas Minas Gerais dos séculos XVIII e XIX*. In PAIVA, Eduardo França; Isnara Pereira Ivo; Ilton Cesar Martins (org). *Escravidão, mestiçagens, população e identidades culturais*. São Paulo: Annablume, 2010. p. 41-62.

22

“Requerimento dos crioulos pretos das minas da Vila Real de Sabará, Vila Rica, Serro do Frio, São José e São João pedindo que se lhes nomeie um procurador para os defender das violências de que são vítimas, capitania de Minas Gerais”, October 14, 1755, AHU, cx. 68, doc. 66, Arquivo Público Mineiro.

23

Inventário de Ana Pereira, Sabará, October 5, 1774, CSO, cx. 38, doc. 07, MOS/ACBG.

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According to property and succession laws in the Portuguese empire, the direct descendants of the deceased were his or her necessary heirs. If absent, those would be the direct ancestors of the deceased. Código Philippino, ou Ordenações e Leis do Reino de Portugal. Livro 1, título LXXXVIII. Rio de Janeiro: Cândido Mendes de Almeida, 1870; Lisboa: Fundação Calouste Gulbenkian, 1985. p. 206–15. For a discussion of succession practices in colonial Brazil see METCALF, Alida. *Family and Frontier in Colonial Brazil: Santana do Paraíba, 1580-1822*. Berkeley: University of California Press, 1992. p. 95–100; SILVA, Maria Beatriz Nizza da. *História da Família no Brasil Colonial*. Rio de Janeiro: Editora Nova Fronteira, 1998. LEWIN, Linda. *Surprise Heirs I: Illegitimacy, Patrimonial Rights, and Legal Nationalism in Luso-Brazilian Inheritance, 1750-1821*. Stanford, CA: Stanford University Press, 2003. p. 19–39.

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Until 1769, testators had the option of leaving their soul as their heir, a decision that effectively resulted in large bequests to the Church. The Pombaline reforms put an end to this practice in 1769, authorizing the state to keep or auction off the estate of deceased persons without necessary or named heirs. Código Philippino. Livro 4, Lei de 9 de Setembro de 1769, p. 1057–61. Ver também LEWIN. *Surprise Heirs*. p. 34–37.

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I explore in greater details the challenges Afro-descending families faced during the succession practice in other works. See DANTAS, Mariana L. R. *Inheritance Practices among Individuals of African Origin and Descent in Eighteenth-Century Minas Gerais, Brazil*. In KLEIJWEGT, Marc (org.) *The Faces of Freedom: The Manumission and Emancipation of Slaves in Old World and New World Slavery*. Leiden: Brill, 2006. p. 153–81; DANTAS. *Succession of Property*, ²²²⁻²³⁸.

rights to person and property highlights the limits that society imposed on black women's ability to attain upward social mobility.²²

Transmission of property and generational social mobility

Colonial realities and the limitations imposed on female black social mobility inspired some Afro-descending women to attempt to at least secure an improved socio-economic status to subsequent generations through the transmission of property and negotiations with the Orphans Court. The efforts Ana Pereira, a freed African, and her slave Maria Pereira made to improve the standing of Ana – Maria's daughter and Ana Pereira's goddaughter – illustrate that very strategy. As with the case of Antônia Rangel, discussed above, Ana Pereira likely made a living as a vendor: the 43 pans and 12 skillets that were listed in her inventory suggest she may have produced and peddled cooked food.²³ Unlike Antônia, however, Ana Pereira died without children who might have inherited her estate, a pattern not uncommon among African women in colonial Brazil.²⁴ In the absence of a necessary heir, and legally unable to leave her estate to her soul, as many like her had done before 1774, when it was banned by the crown, Ana Pereira faced the choice of either allowing the state to appropriate her possessions or naming an heir in her will.²⁵ She opted to name Ana, daughter of her slave Maria, as her universal heir, bequeathing the girl her freedom and an estate valued at over 500\$000 réis.

Ana Pereira's decision enabled the slave girl Ana to change her legal status from that of a slave to that of a freed person and property owner. But her transition to a more privileged socio-economic position was not without challenges. Following a pattern common to a few succession cases involving freed people, the interests of heirs was threatened by their inability to count on free family members in a position of social privilege who could carry out the wishes of the deceased.²⁶ Ana, for instance, found herself under the care of a guardian who, according to the girl's mother, not only managed poorly her inheritance but also kept her in the same house in which he lived illicitly with a concubine. By appealing to the Orphans Court judge and requesting that another guardian be assigned to her daughter, Maria hoped to protect Ana's recently improved economic standing. She also hoped to prevent Ana from losing the reputation of honorable and, consequently, the opportunity to contract a good marriage through which to solidify her new social status. Ultimately, Maria feared that the guardian's irresponsible and scandalous behavior would threaten the opportunity that had been given to her daughter to enjoy some upward social mobility.

Through her intervention Maria succeeded in having the Orphans Court judge appoint another guardian. A few years later, Ana, then married to José Telles da Silva, a freed black man, was emancipated and in possession of the inheritance that Ana Pereira had left her. Thanks to her former owner's decision, and her mother's oversight, Ana became a property owner and enjoyed a social standing much above that of a slave. Her marriage to José, however, reveals that despite her relative social mobility, her new network of social relations had not included individuals with a socio-racial position much different than her own.

The example of Ana Peixoto and her dependents thus reveals how slaves and their descendants could benefit from the process of transmis-

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Código Phillipino. Livro 4, título CII.

28

Inventário de Josefa Martins Penna, January 14, 1785, CSO cx. 60, doc. 447, MOS/ACBG.

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Código Phillipino. Livro 1, título LXXXVIII, § 13–21, 211–13. Livro de Provimto dos Órfãos. p. 15v-16. MOS/ACBG. According to Portuguese law, the idea of quality was based on the notion of lineage and noble or plebian ancestry. In the colonial context, such notions also incorporated slave or African ancestry. For a discussion of notions of quality and their social implications, see DANTAS, Mariana. *Humble Slaves and Loyal Vassals: Free Africans and Their Descendants in Eighteenth-century Minas Gerais, Brazil*. In FISHER, Andrew B.; Matthew O'Hara (org.). *Imperial Subjects: Race and Identity in Colonial Latin America*. Durham, NC: Duke University Press, 2009. p. 115-40. See also in that same edited volume TWINAM, Ann. *Purchasing Whiteness: Conversations on the Essence of Pardo-ness old Mulatto-ness at the End of Empire*. p. 141–66.

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Código Filipino. Livro 1, título LXXXVIII, § 6, p. 209; e Código Philippino. Livro 4, título CII, p. 994–1004.

31

Among the forty-one petitions submitted by widows attempting to maintain the guardianship of their children found in the town of Sabará only two involved Afro-descending women. Luiza de Souza de Oliveira, October 30, 1778, AHU cx. 113, doc. 58, Arquivo Público Mineiro; e Maria Rodrigues da Cruz, September 24, 1784, AHU cx. 122, doc. 27, Arquivo Público Mineiro.

sion of property. It also illustrates the use some Afro-descending women made of inheritance practices to offer a second generation the opportunity to enjoy an improved social standing. Conversely, this case highlights the difficulties those proceedings created for heirs of African descent. Similar to the younger Ana's experiences, other heirs in Sabará had to deal with the incompetence or neglect of court appointed guardians, who were chosen from among the propertied, often white male inhabitants of the community. These men's status as persons of quality made them a natural choice for the court, but their often lack of family connection to the orphan placed under their care too frequently resulted in mismanagement of the inheritance and poor care for the heir.²⁷ There were also a few incidences of guardians misappropriating the inheritance. That appears to have been the case with Manuel Martin's guardian. The grandson of Josefa Martins Penna, a freed black woman, Manuel became his grandmother's necessary heir after the death of his mother, Josefa's daughter. When Josefa died, he was entitled to an inheritance in the amount of 129\$874 réis (the price of an adult slave at the time). Being underage, however, he was assigned a court appointed guardian, João Soares Ribeiro. Six years after the inventory was made and Manuel was put under Ribeiro's care, Manuel submitted a petition to the Orphans Court requesting a new guardian: he suspected Ribeiro of using the inheritance for his own gain. The judge acted immediately. But it is not clear if the action was enough to protect Manuel's future property; the probate record does not indicate that he ever received his inheritance.²⁸

The appointment of a guardian was a regular procedure in succession cases in which there were heirs younger than 25 years of age and it was prescribed by the Philippine Laws that regulated the Portuguese Empire. The guardian was in charge of managing the inheritance of underage heirs in the absence of a father or both parents, as well as of providing the orphans with an upbringing appropriate to their quality (noble, propertied, artisan, or manual labor).²⁹ Cases of transmission of property involving families headed by legally married couples often reveal the surviving spouse to be in charge of underage heirs. If the father was that person, he automatically assumed control over his children and their property. If, however, the surviving spouse was the mother, she had to prove in court, through distinguished witnesses, to live honestly, as a single woman, in order to obtain permission from the king to act as her children's guardian.³⁰ The chances that unmarried women, and women of color could become guardian to their children were, therefore, very slim.³¹ These women had trouble proving they lived honest lives (something impossible for mothers who had never married) and consequently were denied the guardianship of their children. In such cases, care for the heirs was made the responsibility of a relative or member of the community; often the first candidate available to take on the guardianship was appointed. The same happened to the children born of the informal or illicit union of their parents when the mother died and the father was unknown or absent. A few probate records indicate that the guardian's actions, as revealed by the reports they were required to present to the Orphans Court, sometimes benefitted the interests of the heirs and ensured they receive a good inheritance and education, or contract a good marriage. And yet, a few examples demonstrate that heirs could also stand to lose their inheritance and miss the chance to receive a good education or professional formation because of a guardian's mismanagement or neglect.

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A common practice adopted by the Orphans Court in the town of Sabará was to set aside property for the payment of outstanding debt when the allocation of property was ordered after the inventory was drawn. Another common practice was the submission of petitions by creditors of the deceased to the court to request payment. Both practices often resulted in the transfer of property to creditors without the family having a say in such payments. For other studies of the impact debts had on the process of succession of property, see METCALF, Alida C. *Fathers and Sons: the politics of inheritance in a colonial Brazilian township*. *Hispanic American Historical Review*, Durham, v. 66, n. 3, p. 455-84, August 1986; FÁRIA, Sheila de Castro. *A Colônia em Movimento: Fortuna e Família no Cotidiano Colonial*. Rio de Janeiro, Brazil: Editora Nova Fronteira, 1998. p. 263-65.

33

Among 112 inventories in which heirs were of Afro-descent consulted for this study, 35 mention debts paid with some of the estate and 12 reveal the total loss of the estate as a result. *Inventários do Cartório do Segundo Ofício, caixas 12-69*, MOS/ACBG.

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Inventário de João Pinto Pereira, August 7, 1770, CSO cx. 32, doc. 262, MOS/ACBG.

35

Código Philippino. Livro 1. Título LXXXVIII. p. 206-15.

36

Inventário de Antônio de Moraes, February 25, 1773, CSO cx. 38, doc. 291, MOS/ACBG.

The setbacks that the heirs of African and black women faced as a result of the process of transmission of property were not limited, however, to troubles with a bad guardian. Other circumstances threatened the well-being and future property of these individuals with relative frequency. One important circumstance was the claim creditors made on the property after the inventory was drawn and before the heirs had a chance to assume control of the estate.³² In some cases, when the deceased's outstanding debts neared or surpassed the amount of the inheritance, the involvement of creditors resulted in heirs losing their property and future means of survival. If that happened, not only was their economic standing diminished but also their access to future social mobility.³³

Quitéria da Conceição, for instance, a parda woman, faced the possibility of losing the family estate when her husband, João Pinto Pereira, died in 1770. The owners of a farm, where they grew corn, and twelve slaves, including both adults and children, the couple owed money to numerous creditors. When the inventory was drafted and the distribution of the estate defined by the Orphans Court, the judge ordered the sale in public auction of the majority of the property to satisfy the deceased's outstanding debts. Quitéria, then the mother of five children and pregnant with a sixth, petitioned the judge to cancel the sale, arguing that without the property she would not be able to support her family. The judge, upon further examination of her case, agreed with her. In possession of her estate and able to continue managing her farm, she managed to provide two daughters with a dowry for marriage. Moreover, Quitéria succeeded in paying off her debts eight years later through the sale of seven slaves, who since her husband's death had reached a more productive age and were therefore more valuable.³⁴

The example of Quitéria highlights that demands from creditors were not the only threat to the social and economic well-being of Afro-descending heirs; the process of transmission of property, as prescribed by law and ordered by the Orphans Court, could also pose problems to such families. Particularly troublesome to some families was the recommendation that property at risk of depreciation (such as animals, some personal property, and slaves) be sold in public auction and their value deposited in the coffers of the Orphans Court to be lent at interest. This well-intended procedure could cause a family to lose access to the means of their economic survival.³⁵

Vitória Moreira, a freed parda woman, found herself confronted with this very situation when her husband, Antônio de Moraes, died and, after the inventory was drawn, the judge of the Orphans Court ordered the sale of the couple's estate. In this case, part of the reason for doing so was to facilitate the transfer of property to the children already of age. The estate, while relatively small, included some slaves, a house, a market stall, and professional items the family used to produce foodstuff for their commercial business; it was therefore essential to their economic well-being. Vitória successfully appealed the judge's decision and managed to preserve the integrity of her estate so she could continue supporting her underage children.³⁶ Her success, however, was not always shared by other families.

The children of white men and African or Afro-descending women, born of the informal or illicit union of their parents, were often more vulnerable to the potential losses of their inheritance as a result of court procedures. In such cases, the mother, not having a legal claim to the fam-

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Inventário de José Pinto de Araújo, July 5, 1758, CSO (19)165, MOS/ACBG.

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Studies of legal actions taken by black mothers tend to focus on the late nineteenth century, when the free womb law empowered them to seek legal intervention on behalf of their children's freedom. See ABREU, Marta. *Escravas e Filhos Libertos: novas perspectivas em torno da Lei do Ventre Livre*, Rio de Janeiro, 1871. In RIZZINI, Irene (org.) *Olhares sobre a criança no Brasil: século XIX e XX*. Rio de Janeiro: USU Editora Universitária, Amais, 1997. COWLING, Camillia. *Conceiving Freedom: women of color, gender, and the abolition of slavery in Havana and Rio de Janeiro*. Chapel Hill: University of North Carolina Press, 2013. The present work, however, illustrates how already in the colonial period these women sought legal recourses to defend the interests of their children in colonial courts.

39

Inventário de Thomázia de Souza Telles, Sabará, May 4, 1778, CSO, cx. 49, doc. 368, MOS/ACBG. During the period examined in this study, 1750 to 1799, about one-fourth of the probate records consulted contained some form of sale *inter vivos*. The practice of planning the transmission of property through sales as a means of avoiding court proceedings was also observed in other contexts. See GOODY, Jack. *The Development of Family and Marriage in Europe*. Cambridge, UK: Cambridge University Press, 1983. p. 21.

ily state, was often prevented from interceding on behalf of her children's interests. That may have been the case with the pardo children of José Pinto de Araújo, a white land owner. Araújo died in 1758, but not before he recognized in his will José and Manuel as his sons. Both became his necessary heirs as a result. Entitled to an estate that included land and slaves, José and Manuel witnessed instead their father's property appropriated by creditors. Because Araújo had not married the mother of his children, she, if still alive, could have done little to prevent this outcome. The two young men had glimpsed an opportunity to become propertied members of society, perhaps even to be considered of quality; instead, José because a farm hand and Manuel was apprenticed to a blacksmith.³⁷

Research into the eighteenth-century inventories of Sabará reveal various ways in which the process of succession of property caused the children and descendants of African women to lose the opportunity for upward social mobility their parent's economic success had offered. Many were the factors that could undermine the transmission of property from one generation to the next: a negligent guardian, the demands from creditors, the interference of the Orphans Courts. Such factors increased the probability that Afro-descending heirs could lose access to resources necessary to secure an improved economic status, a more distinguished occupation that would allow them to claim quality, or a marriage through which they could enter more privileged social circles. However, some African and black women armed themselves with the legal recourses that would allow them to minimize the negative impact the succession process could have on their descendants' future chances for socio-economic improvement. By appropriating the notion of female honor or playing up the financial vulnerability of heirs, and by claiming the right of a mother to intercede on behalf of her children, black women and mothers like Maria, Quitéria, and Vitória strove to secure a better social standing in Minas Gerais society to their descendants.³⁸

Inheritance Strategies of Afro-Descending Women

The uncertainties that marked the inheritance process in the colonial period drove some black women to adopt strategies that aimed to circumvent certain legal procedures and, thus, guarantee their children's access to family property. Thomázia de Souza Teles was one such woman. The freed African mother of four children born out of wedlock, Thomázia died aware that her children might be prevented from inheriting the house, slaves, and personal property she had accumulated during her life, losing in the process the social and economic advantages she sought to offer them. She therefore did not limit herself to trusting the courts and existing legal procedures, but attempted to orchestrate herself the distribution of her estate. Towards the end of her life she sold her four slave men to her oldest son, affording him the means to live off the income generated by the slaves' labor instead of himself becoming a manual worker of some kind – the fate that befell most Afro-descending men and condemned them to a low social standing. Moreover, Thomázia, knowing that such sales were sometimes cancelled by the Orphans Court in order to prevent one heir from inheriting a larger share of the estate than others, prepared a legal document that assured officers of the court that the sale was contracted with the consent of the other heirs. As a result, the sale was upheld.³⁹

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The average estate value found in inventories from the second half of the eighteenth century was 700\$000 réis.

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Macaúbas was not exactly a convent, as it did not offer its residents the option of taking permanent vows. It however served as a place of refuge to female orphans, daughters and widows of well-to-do families, and occasionally those of humbler families, and thus offered them a life of seclusion through which to protect their honor. See ALGRANTI, Leila M. *Honradas e devotas: mulheres da colônia—condição feminina nos conventos e recolhimentos do Sudeste do Brasil, 1750-1822*. Rio de Janeiro: Editora José Olympio, 1993. ALMEIDA, Suely Creusa Cordeiro de. *Um Lugar para Marias, Evas, e Madalenas: Entre Pernambuco e Portugal, recolhimentos femininos como lugar de inserção social*. Portuguese Studies Review, vol. 144, no. 1, p. 205-230. 2006. MYSCOFSKI, Carole. *Amazons, Wives, Nuns, and Witches: women and the Catholic church in colonial Brazil, 1500-1822*. Austin: University of Texas Press, 2013.

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Carta de Alforria de Feliciano, crioula, September 16, 1808, Livro de Registro de Notas do Cartório do Segundo Ofício, L89, MOS/ACBG.

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Código Philippino, Livro 4, título XLVI, 832-35; Código Philippino, Livro 4, título XCV, 949-54; Código Philippino, Livro 4, título XCVI, 954-68.

44

DANTAS. *Inheritance Practices*. p. 174.

Additionally, Thomázia offered her oldest daughter a dowry comprising three slaves (including one man) and a house. She ensured in this manner her daughter's ability to contract a good marriage, not to mention property worth more than the inventoried estate of approximately one third of Afro-descending members of Sabará's society at the time.⁴⁰ Significantly, Thomázia ensured that her daughter would be able to live as a married woman of some property, and thus avoid occupations that would expose her to street work. She also sought the same advantages for her youngest daughter Bibiana by placing her at age sixteen in the *Recolhimento de Macaúbas* (where women could live a recluse life without being required to take religious vows).⁴¹ Entrance in the *Recolhimento* required a dowry; unfortunately it is not possible to determine what that may have been. A manumission deed from 1808 reveals, however, that Bibiana owned a slave called Feliciano whom she was freeing, and therefore that she had been a slaveowner much like her siblings.⁴² Through such strategies, Thomázia secured for her daughters a social standing (one as a married woman and one as a religious recluse) that would allow them to claim honor. She could not have controlled the way colonial society chose to identify her children, but her efforts gave them the opportunity to claim a higher standing as honorable and as property holders, and to attempt to access privileges that in colonial society were limited to persons marked by such distinction and often denied to Afro-descendants.

Colonial wills drafted by black mothers further reveal how these women, like Thomázia, tried to prevent institutional practices and social barriers from determining the future of their children. Wills served in fact as an important legal instrument through which parents could exercise some control over the distribution of their property to their children. Inheritance laws within the Portuguese Empire limited significantly the autonomy families and individuals enjoyed when preparing the transmission of their estate. Members of a legally married couple, for instance, could only bequeath half of the couple's estate each, since the other half legally belonged to the surviving spouse independent of gender. Of the half that legally belonged to the deceased party, two-thirds were to be divided equally among the forced heirs: descendants were considered first and, if absent, ancestors. The remaining one third of the deceased party's estate could be distributed according to his or her wishes but only if a will was prepared. In the absence of a will, most of the property was divided up equally among heirs, and only one third of a third (legally called the *tercinha*) could be used to cover funerary expenses or religious donations on behalf of the deceased's soul. Unmarried parties had their entire estate assigned to the heirs (with the exception of the *tercinha*), though if a will was made one third of the estate could be bequeathed according to the stipulations of the deceased.⁴³ As a result, the production of a will represented the only way parents could exercise some influence on the transmission of their property to their descendants. Some black mothers thus used this legal instrument, and the third of their estate, to ensure that a son receive enough property to maintain the estate productive and care for younger siblings, or that a daughter receive a dowry attractive enough to allow her to contract a promising marriage.⁴⁴

Setting up dowries and donations *inter vivos*, or between living parties, even before the preparation of a will constituted another type of strategy employed by Afro-descending women. Notary books from the

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Escritura de doação que faz Maria de Jesus preta forra a sua neta Jerónima Antônia, September 17, 1782, Livro de Registro de Notas do Cartório do Primeiro Ofício 24(74), MOS/ACBG.

46

A commonly employed treatment for disease in colonial Minas Gerais was adopting a diet rich in meat, particularly chicken, which was not the norm among poorer and Afro-descending families because it was expensive. See RIBEIRO, Márcia Moisés, *A ciência dos trópicos: a arte médica no Brasil do século XVIII*. São Paulo: Editora Hucitec, 1997. GURGEL, Cristina. *Doenças e curas: o Brasil nos primeiros séculos*. São Paulo: Ed. Contexto, 2008. ALMEIDA, Carla B. S. *Medicina mestiça: saberes e práticas curativas nas minas setecentistas*. São Paulo: Annablume, 2010.

47

Inventário de Josefa de Souza Freire, Sabará, July 10, 1770, CSO, cx 29, doc. 06, MOS/ACBG.

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Among the 350 probate records consulted for this article, 19, or 5.5 percent, included sales contracted between members of a same family. Inventários do Cartório do Segundo Ofício, caixas 12–69, MOS/ACBG.

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Código Philippino. Livro 4. Título VII. p. 791–93.

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Inventário de Ana Maria Lopes de Brito, January 31, 1760, CSO cx 10, doc. 10, MOS/ACBG.

township of Sabará containing registers of deeds include several examples of such transactions. In 1782, for instance, Maria de Jesus, a freed African woman from the district of Matozinhos, recorded her donation of a house in the village of Itabira to her granddaughter Jerónima Antônia da Silva (identified in the document as a parda woman). Maria explained in the deed that the donation was intended as a form of remuneration for the care her granddaughter had provided to her during her illness, and a compensation for the expenses she had incurred in the process.⁴⁵ As mentioned above, debts regularly threatened Afro-descending heirs' ability to receive their inheritance in full; illness, was one of the leading causes of debt in colonial society.⁴⁶ It is possible, therefore, that Maria was attempting to ensure, through her donation, her granddaughter's access to the property she had amassed during her lifetime and that could eventually be claimed by creditors once the inheritance proceedings began. In the case of Josefa de Souza Freire, a freed black woman in Sabará, her decision to donate her house to her oldest daughter, already married, ensured not only that daughter's financial well-being but some stability to Josefa's underage children: according to Josefa's probate record, her younger children continued to live in that house with and were cared for by their sister and brother-in-law, receiving an appropriate upbringing and education.⁴⁷

Finally, sales *inter vivos*, like the one contracted between Thomázia and her oldest son (described above), appear in many probate records from the town of Sabará as an alternative to the inheritance process managed by the Orphans Court.⁴⁸ Such sales offered an added advantage when compared to donations or dowries which, according to Portuguese laws, had to be returned to the estate after the death of a mother or father to ensure all heirs inherited equally. Probate records from Sabará indicate that donations and dowries were not detrimental to the interests of the benefited heir if they remained lower in value than the eventual inheritance each heir was entitled to receive. If, however, they exceeded that value, the Orphans Court could request the confiscation of the benefited party's property. Sales, however, did not require the same precaution; all that was required by law was a declaration from the other heirs stating that the sale did not harm their interests. It was for this reason that Thomázia had prepared such a document before her death, ensuring in this manner that her son's purchase and ownership of her slaves would not be contested.⁴⁹

Use of sales to exercise control over the transmission of property was not limited to those between parents and children. The sale contracted by wife and husband Ana Maria Lopes de Brito and Jacob Lopes de Brito, both freed Africans, illustrate couples' use of sales of *meação* (the half of the estate each spouse was entitled to within a marriage) as a strategy to avoid the dangers the inheritance process posed to their family's well-being. A few days before her death, Ana Maria sold her *meação* to Jacob. As a result, her inventory listed only the deed of sale the couple had contracted; her seven children, moreover, were entitled to inherit equal shares in the payments Jacob owed the estate.⁵⁰ The owner of only a few possessions, which included a house in the town of Sabará and two adult slaves, Ana and Jacob had nonetheless managed to secure their own and their children's manumission. Their efforts afforded them some amount of social mobility: from slaves they became free property owners and the parents of free children. But their ability to continue supporting their children after the death of one spouse, and eventually passing along their estate

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For a more detailed analysis of the practice of sales of *meação*, see DANTAS. *Inheritance Practices*. DANTAS. "Succession of Property".

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Inventário de Custódio Rabelo, March 23, 1787, CSO cx. 63, doc. 470, MOS/ACBG.

whatever size it may have been, would depend on the manner by which the succession process was managed. That process would define in part the opportunity their children would have of pursuing a better socio-economic position. The sale of *meação*, therefore, allowed Jacob to maintain control over the couple's entire estate after Ana Maria's death and allowed the couple's children to continue expanding the family property without the interference of creditors or courts.⁵¹

A final case of sales *inter vivos* that deserves mention was the one contracted between Custódio Rabelo, a white land and slave owner, and his concubine Ana Rabela, a freed black woman and the mother of Custódio's nine underage children. Shortly before his death, Custódia sold his entire estate to Ana. When his inventory was drafted the only possession it included was the deed of sale recording the transaction between them. Through such arrangement, Ana became the holder of all of the deceased man's property. More importantly, however, she also continued to have access to and manage her children's inheritance.⁵² As mentioned above, Portuguese imperial society subjected mothers who wished to act as guardians to their children to certain legal procedures. In that environment, the chance that Ana might become guardian to her children was non-existent: as a black woman and a concubine, she did not satisfy the legal demand of being an honest woman. The sales she and Custódio orchestrated allowed her, therefore, to circumvent legal restrictions and the limits colonial society and legal culture imposed on her prerogatives as a mother. Her children, moreover, would grow to become land owners and would likely avoid the influence a guardian might attempt to exercise in the definition of their quality and future occupations.

Thomázia de Souza Telles, Josefa de Souza e Freire, Maria de Jesus, Ana Maria Lopes de Brito, and Ana Rabelo, among other African and Afro-descending women and mothers, strove to control the way in which their property would be transferred to their children and grandchildren, and to protect the benefits property holding might offer their descendants. Their decisions and actions must be understood with the particular social and legal context that marked colonial Minas Gerais in mind. During the eighteenth century a large number of black women experienced social mobility by achieving the transition from slave to free person. Through their labor, they also managed to accumulate property that enabled them to live with some material comfort and to raise children who, unlike them, did not necessarily carry the marks of enslavement. These women's accomplishments did not ensure, however, that colonial society would look past their African descent to offer them the same treatment, opportunities, and rights available to other socio-racial groups. It is possible that, being somewhat used to the nature of the society in which they lived, they did not even hope for social or legal equality, recognizing instead that theirs was a fundamentally unequal world organized around notions of difference. Still, their attempts to provide their children with the economic means and, occasionally, the type of education that might allow them to negotiate a social position not defined by their color or proximity to slavery, suggests that these mothers did not resign themselves completely to their social reality. Their efforts to provide their daughters with a public reputation of honorable and a dowry that could secure them a promising marriage, as well as their sons with property that enabled them to avoid manual labor, also suggest an intention to resist and somehow control the way in which local norms and practices of differentiation would affect their lives.

Conclusion

Documents relative to succession of property in colonial Minas Gerais reveal a process in which African and Afro-descending women challenged the social and racial limits that society imposed on them. Aware of the benefits that ownership of slaves and other property could afford their sons, or that a dowry and the right reputation could offer their daughters, black mothers attempted to control the transmission of their estate to their descendants. This process reflects, in turn, the dialog that emerged in eighteenth-century Minas Gerais about the meaning of African descent, as well as the prominent role black women played within it. The women examined in this article lived in a society where the expansion of the black population, alongside the continuous desire to maintain the slave order and the privileges of its white inhabitants, encouraged systematic forms of discrimination as a tool for social and political control. The struggle for social mobility, which for many started with the negotiation of manumission, was therefore limited by the weight of a slave past, African origin, skin color, and involvement in street labor. But as they strove to resist the limits imposed on their social mobility, or that of their children and descendants, these women appropriated some dominant practices and norms to claim for their families the benefits that structurally the colonial economy, social culture, and legal culture offered its white elites. The decisions and actions of black women helped in this manner to reproduce certain social expectations that often condemned Afro-descendants to a position of social inferiority or under-privilege. On the other hand, they also created a social environment in which Africans and their descendants were in some cases able to employ successfully the language of honor and quality, and claim the distinction that ownership of property offered, to negotiate the impact their African descent had on their social status and that of future generations of their families.

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