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**COLONIAL LIVES**  
*Documents on Latin American History,*  
1550–1850



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Favored Women, Subjected Indians:  
The Settlement of Pero d'Araujo's  
Estate in São Paulo

(1637–40)

Muriel Nazzari

INTRODUCTION

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The document partly translated here, the *auto de inventário* (settlement of estate) of Pero d'Araujo, is one of thousands of such documents that have survived in São Paulo since the late sixteenth century.<sup>1</sup> Most were processed and filed by the *juiz dos órfãos*, the judge of orphans, who dealt with minor heirs, called orphans by the Portuguese even if only one parent had died. *Autos de inventário* incorporated all the papers, including the inventory (*inventário*), that were produced by the probatelike process of settling an estate under Portuguese law, and they took place whenever a property owner died whether or not the deceased left a will. They have been the main documentary source for much of the social history written about colonial São Paulo.<sup>2</sup>

The captaincy of São Paulo developed very differently from northeastern Brazil. Throughout colonial times it received little attention from the Crown because it had no mineral or agricultural wealth. In fact, shipwrecked sailors who married the daughters of Indian rulers were the first Portuguese inhabitants, joined in 1554 by the Jesuits who founded the town of São Paulo. The Jesuits converted many of the Indians from the surrounding areas and settled them in villages close to town, allowing the Portuguese settlers to hire them for a wage. During the sixteenth century the original settlers were joined by a handful of Portuguese couples, but by the end of the century, when the economic importance of the Brazilian Northeast had become well known, the population coming to São Paulo was mostly male. These new colonists included a few royal officials, penniless men who had not found a niche in the Northeast, and convicts exiled to Brazil by the Portuguese Crown. As the number of Europeans grew, there were not sufficient Indians in the Jesuit villages, and settlers came to resent Jesuit control over labor.

Toward the end of the sixteenth century, Paulistas commenced quasi-military expeditions, called *bandeiras*, to the backlands (*sertão*), overtly to discover

gold but covertly to capture Indians, thus remedying the problem of a scarcity of labor in the region.<sup>3</sup> *Bandeiras* continued throughout the seventeenth century, bringing back thousands of Indians. The Crown did not allow Indian slavery after 1611, but the Paulistas convinced the Crown to accept a system of Indian personal service to private individuals euphemistically called “administração” (administration). By studying *autos de inventário*, historians have been able to reconstruct many of the *bandeiras* and also learn how the “administration” of Indians actually worked. Pero d’Araujo’s *auto de inventário* shows, as do others, that, though they were called free, Indians were inherited, bequeathed, bartered, and given away as gifts or in dowries. The only difference with African slaves in *autos de inventário* (at least through the 1660s) is that Indians were given no monetary value. Neither were there explicit references to the sale of Indians (though there is some evidence that Indians were actually sold by Paulistas, especially to other regions of Brazil). Thus the main difference between an African slave and an Indian “administrado” was that the latter had not become a legal commodity.<sup>4</sup>

Social historians have also used *autos de inventário* to study what kinds of property people owned and what crops they planted. Though São Paulo has sometimes been described as having a subsistence economy, the inventories themselves show considerable commercial production, which was not only sold locally but also to other regions of Brazil, especially wheat, flour, pork, marmalade, and cotton cloth, including sail cloth. They also show that practically all estates cultivated subsistence crops, mostly manioc, corn, and beans, to feed everyone on the estate.

The *auto de inventário* of Pero d’Araujo, which includes two inventories and a will, tells us a good deal about all of these topics, as well as about how the inheritance and marriage systems functioned. D’Araujo was a young man of twenty-four when he died only a few months after he married Izabel Mendes, and, judging from the *inventário*, a few months after he returned from a trip on a *bandeira* to bring back Indians.<sup>5</sup> As he had lived in the town of São Paulo with his mother, Ana de Alvarenga, whereas his future wife and her family resided in the nearby town of Santana de Parnaíba, they owned property in both settlements after they married, thus making two *autos de inventário* necessary. Pero d’Araujo’s inventory shows what kind of property was highly valued in São Paulo at the time, such as clothes, swords, and silver, and conversely what kind of property was considered, perhaps surprisingly, to have no monetary value at all, such as land or Indians. It reveals the ambiguous terms Paulistas used when talking about their Indian *administrados*. This *auto de inventário* also includes the dowry João Mendes Giraldo gave his daughter Izabel, permitting us to evaluate which one of the spouses contributed the most property to the marriage. In addition, Pero d’Araujo’s will provides an example of the place of religion in people’s lives, and of how daughters were favored over sons.

I have also translated parts of the litigation by which Ana de Alvarenga wrested the guardianship of the infant heir, her grandson Pero, from his grandfather João Mendes Giraldo. This fact goes against our idea of what patriarchy was like. Or does it? Ana de Alvarenga represented the boy’s *father’s* lineage (the patrilineal side), whereas João Mendes Giraldo represented the boy’s *mother’s* side (the matrilineal side). Was gender the issue here or was it lineage? And if it was

lineage, was it because of patrilineality or because of the prestige of the family? Interestingly, years later, when the boy was a young man receiving his inheritance from his guardian, he signed himself Pero d’Araujo de Alvarenga.<sup>6</sup>

Though these documents provide the only information we have on Pero d’Araujo, they nevertheless reveal many illuminating details on his way of life and on how he and his family earned a living. Why, for instance, would he risk his life on a *bandeira* when his father had died on one? Was the incentive economic? What business decisions did Pero’s widow take? What goods did they produce for subsistence and/or for sale?

I have translated only parts of the two *autos de inventário* of Pero d’Araujo, which were bound together with his mother’s.<sup>7</sup> I did not translate other documents, such as transcriptions of powers of attorney, oaths taken by appraisers, requests that witnesses appear, the list of debts owed by the couple, the receipts signed by beneficiaries of the will or by priests paid for the performance of masses, the lists showing how the moveable property and livestock were divided between the widow and the orphan, or the duplication of Izabel Mendes’s dowry, which appeared in both inventories. I have also placed the documents chronologically, for example placing the will at the beginning whereas in the manuscript it was presented in the second *auto de inventário*.

## THE DOCUMENT<sup>8</sup>

*Auto de Inventário* and Last Will and Testament of Pero d’Araujo, 1638.

### 11.1 *The Judge of Orphans Orders an Auto de Inventário Following the Death of Pero d’Araujo*

Inventory that Domingos Fernandes, judge of orphans, made after the death of the deceased Pero d’Araujo.

Year of the birth of our Lord Jesus Christ 1638, at the *fazenda* of João Mendes Giraldo, within the boundaries of this town of Santana da Parnaíba, Captaincy of São Vicente, parts of Brazil. On the fourth day of April of this era, in the *fazenda* of João Mendes, the judge commanded that this *auto de inventário* be carried out to list the property that remained from the death and decease of Pero d’Araujo. For which [purpose] he had Izabel Mendes, widow of the deceased, declare under oath on the Holy Gospel the property that between the two of them she owned with the deceased,<sup>9</sup> to which she said that she would tell what she knew, but the rest her father would tell because she did not know what dowry her husband had been promised and so could not list it, but her father knew and could declare for [her]. So the judge had João Mendes Giraldo swear under oath on the Holy Gospel that he would declare what he knew, and he promised to do so. Thus I prepared this *auto*, which he signed, as did the judge and I, Asenso Luis Grou, notary of the Court of Orphans, [who] wrote it . . .<sup>10</sup>

And then the judge asked João Mendes Giraldo if the deceased, his son-in-law, and his widowed daughter had any children, and he stated to the judge that

it was only a short time since they were married and so they had no children but that his daughter was pregnant by [her deceased] husband . . .

### 11.2 Inventory of Pero d'Araujo's Property in Santana da Parnaíba

List and appraisal made of the property that was found and declared for this inventory.

One sword and dagger, and their necessary accessories, including belts and scabbards, appraised at 5,000 réis	5\$000 <sup>11</sup>
One [man's] wool suit, including a tunic and cape <sup>12</sup>	5\$000
One pair of black silk sleeves	1\$000
One [man's] light wool vest	1\$280
A pair of used black garters	\$160
A pair of used blue taffeta garters	\$320
A pair of white leather shoes	\$160
One pleated skirt, trimmed	3\$200
One used serge skirt	2\$000
A used lady's taffeta blouse	1\$000
One new cedar chest measuring 6 palms ( <i>palmos</i> ), with its lock	2\$000
One used chest with its lock	1\$000
One smaller used chest with its lock	\$640
One new cedar buffet	\$640
Two tablecloths	1\$280
Two hand towels	\$400
Fourteen napkins	\$400
Twelve china plates, six washbowls	\$600
One china salt cellar	\$100
Four china bowls	\$160
One used pewter platter	\$240
Four head of swine	2\$000
Six <i>arrobas</i> of cotton	— <sup>13</sup>
Twenty bolts of cloth . . . eight hoes, six scythes, and six axes, all together	5\$000
A chestnut horse	4\$000

Free<sup>14</sup> *peças de serviço* ("pieces," or persons, to perform services)<sup>15</sup>

Singles: Apolonia; Maria; Antonia; Anzella, with a baby at her breast; Brizida; Ilena, with a baby at her breast; Maria; Genoveva; Cordula; Juana; Juana; Ana; . . .<sup>16</sup> Domingas; Anastasia; a young girl called Francisca; another young girl [called] Nicolasa; another young girl called Lucrecia; a young boy called Pedro.

Couples: Alonso; a daughter of Alonso called Izabel, and another boy, João, and his [Alonso's] wife Ana, with a baby at her breast; Paulo, with his wife, Ursula, and a baby at her breast; Inasio and his wife, Maria; João and his wife, Maria; Graviel with his wife, Apolonia; Henrique with his wife, Luiza; Vicente with his wife, [Marina]; . . .<sup>17</sup> with his wife Inasia . . .

João Mendes Giraldo stated that the people he declared are the people he had promised in dowry, and that besides these *peças* his deceased son-in-law had others, . . . and he had them in his *fazenda* in São Paulo where another inventory was made of the property he had and possessed [there]. And they should be included in that inventory, and so he did not declare them in this one, except for four *peças* that were here in this *fazenda*. And if the others were not listed in the other inventory, he would list them in this one . . .

João Mendes Giraldo declared that in the dowry list that he promised his daughter was one farm, with a house of two *lanços*, with a tile roof and walls made of *taipa de mão*,<sup>18</sup> [and] with its strip of cotton field, [all of] which he had not yet given her. And he had also promised five hundred *braças* of land he owned, and some other things he had promised in the list and had not yet delivered he would give to her, and because he could not remember all he would bring the list. He also said that in the list he promised his daughter two chairs, and that to buy them and four more he had given the deceased, his son-in-law, twenty-one *patacas*,<sup>19</sup> and the deceased had given the money to Pero da Silva who had it and was responsible for it . . .

### 11.3 The Justice of the Peace Orders an Inventory of Pero d'Araujo's Property in São Paulo

Inventory that the Justice of the Peace Pero Leme do Prado made of the property that was left by the death of Pero d'Araujo.<sup>20</sup>

Year of our Lord Jesus Christ 1638, on the fourteenth day of May of this year in this town of São Paulo, Captaincy of São Vicente of which the Count of Monsanto is governor and captain-general for His Majesty, in this town in the home of Pero da Silva, to which the justice of the peace Pedro Leme Prado came . . . with me and the appraisers, Manoel da Cunha and Manoel Alveres de Sousa, to make an inventory of all the goods and property that remained after the death of Pero d'Araujo, to carry out [this inventory] in this town and in this same house. And since Izabel Mendes, the widow of the deceased, was not in the house because she had gone to Parnaíba to the house of her father, João Mendes Giraldo, the judge asked Pero da Silva to take an oath on the Holy Gospels before me, the notary, to truly declare all property that remained at the death of the deceased.<sup>21</sup>

[Short routine declarations follow, including the process of handing in the will.]

### 11.4 Pero d'Araujo's Last Will and Testament

And then I [the notary] added the will of the deceased Pero d'Araujo:

In the name of God amen. May everyone who sees this will and testament know that in the year of the birth of our Lord Jesus Christ of 1638, on the twenty-

fifth day of the month of March of this year, I, Pero d'Araujo, resident of this town of São Paulo, being ill by the hand of God, in my bed, but with all my wits about me, and because I do not know when God will see fit to call me to his side from this present life, I have ordered my testament so:

First, I offer my soul to the Holy Trinity, Father, Son and Holy Ghost, three persons and only one true God, and I plead to our Eternal Father by the death and passion of his only-begotten son that he receive my soul with the eyes of his divine mercy, and I ask our Lord Jesus Christ by his divine wounds, who has already in this life granted me his precious blood and the worth of his travail, may he also grant me mercy in the life I expect, the prize of which is glory, and I implore the always Virgin Mary, our Lady and Mother of God, and the holy apostles Saint Peter and Saint Paul, and my guardian angel and my namesake saint and all the saints in the celestial court, may they intercede for me, and I implore my Lord Jesus Christ as one of his sheep, may he save me with his precious blood on the true cross, for I believe and profess everything the Holy Roman Church teaches.

Should God take me to himself, may my body be buried in the main church of this village in the niche of my grandfather, may he rest in peace, accompanied by the Brotherhood of Holy Mercy, with its banner, giving them the usual alms. I also wish to be accompanied by the Reverend Fathers of Our Lady of Mount Carmel, giving them the customary alms. I also want my body to be accompanied by the cross of the fire of purgatory, receiving the customary alms.<sup>22</sup> I command that after one month a service of nine lessons be performed in my memory in the same main church. I also request that nine masses to Our Lady of Mount Carmel be performed for me by her friars, and that the same friars say three masses for me at the altar of Saint John . . .

I declare that I am married before the church to Izabel Mendes, with whom I still have no son or daughter to be my heir. Only if she is pregnant, and God will that she deliver a son or daughter, then that child is my universal heir. If the child is a girl, I also bequeath to her the remainder of the third of my estate, but if it is a boy, I bequeath the remainder of the third to my wife Izabel Mendes.<sup>23</sup>

I declare that if no son or daughter is born to us, I name my mother Ana de Alvarenga as my universal heir, who will receive my estate, except for the third I have willed to my wife.

I bequeath two servants that I possess to my niece, daughter of Domingos Masiel, may they serve her as they have served me, and I beseech her to treat them well for they are free<sup>24</sup>. . .

### 11.5 Appraisal of Pero d'Araujo's Property in São Paulo

#### Appraisal

These houses of Pero da Silva, where he lives, were appraised—a house of two *lanços*, with their gallery,<sup>25</sup> made of *taipa de pilão*, with a tile roof, and with an orchard that touches on the property of the Fathers of the Company [of Jesus], and lying between the houses of Francisco de Proensa and Domingos Masiel. And the houses were ap-

praised at 28\$000 *réis*. Half of the houses belonged to the deceased since the death of his father Pero d'Araujo, so they belong to his heirs, [appraised] at

14\$000 <i>réis</i> for Pero da Silva	14\$000
Six new chairs at one thousand <i>réis</i> each	6\$000
Four hundred and fifty <i>mãos</i> of this year's corn	4\$500
Twenty-eight <i>alqueires</i> of sorted beans	2\$800
Plus sixteen <i>alqueires</i> of last year's beans	\$800
Five <i>arrobas</i> of bleached cotton	2\$000

Pero da Silva declared that some wheat of the deceased remained in Jaraguá,<sup>26</sup> and that after it was threshed he would come and declare it in this inventory . . .

He also declared that in the Jaraguá farm there was a field of manioc that was worth 5\$000 *réis*, and he declared under oath that he had already received 2\$000 *réis*.<sup>27</sup>

One mare with its colt, appraised at 2\$000 <i>réis</i> .	2\$000
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### 11.6 The Dowry of Izabel Mendes, Widow of Pero d'Araujo

Pero da Silva declared also that he had the list of what João Mendes Giraldo had promised the deceased in marriage, which list the judge commanded be added to this inventory so that its contents be recorded, as follows:

#### Dowry of Izabel Mendes<sup>28</sup>

Thirty *peças* of the people of this land, including twenty to till the soil—ten male *negros* and ten female *negras* with their families, and each one of them with the requisite tool.<sup>29</sup>

One farm with a house of two *lanços*, with a tiled roof and its accompanying cotton field.

Five hundred *braças* of my land.

One bed and its bedding, a wool mattress, two sheets, one blanket, one long pillow, and two small pillows. One cot.

Two suits of clothing for my daughter, one made of silk and one for everyday use. To go to church in style, the silk taffeta suit will include a cape, a coat, a skirt, and a jacket. The everyday suit will include a wool coat, a serge skirt, and a jacket.

One table, two chairs, a chest, linens, two tablecloths, six napkins, four hand towels, and the requisite china.

A couple of swine to start raising swine.

A house in the town of Parnaíba, if they live in Parnaíba. If not, I am not obliged to give the house.<sup>30</sup>

And if he wants me to, I will provide the food to feed them and their people for two years.<sup>31</sup>

What I hereby have promised includes the inheritance of my daughter that she received from her mother, Maria Alveres Correa, and I make this declaration so that he [Pero d'Araujo] will never claim her inheritance, and if he accepts this list I promise to deliver what I have listed if he marries my daughter. I sign today, November 9, 1637.

João Mendes Giraldo.

[At the bottom of the list, in the handwriting of the deceased, is the following:]

The marriage is concluded, giving me half a dozen chairs and a silver tumbler and four silver spoons, and one hundred *alqueires* of flour placed in the port of Santos.<sup>32</sup> Pero d'Araujo . . .

And Pero da Silva declared that João Mendes Giraldo, seeing the statement of the deceased, said before several persons that he would give everything he owed to his son-in-law.

Furthermore, Pero da Silva declared that João Mendes Giraldo, after the deceased Pero de Araujo received Izabel Mendes as his wife, declared that he gave them a further seven or eight *peças de serviço* besides those declared in the dowry list, so that the total he gave was fifty souls, big and little, and João Mendes Giraldo also gave his daughter gold earrings and two more silver tumblers and two silver spoons, besides the four listed, and everything is in the possession of the widow Izabel Mendes.

Pero da Silva declared further that after the death of the deceased Pero d'Araujo, he killed six pigs, which provided nineteen *arrobas* of pork and twenty-six *varas* of sausage and two jars of lard, which he had sold in the town of Santos . . . for a total of 11\$430 *réis*, from which he paid Francisco da Fonseca Falcão 8\$000 *réis* that the deceased owed him for a sword and its scabbard and a dagger and powder and shot that he gave him when he left for the *sertão* (backlands) . . .<sup>33</sup>

### 11.7 Pero da Silva Continues the Inventory of Pero d'Araujo's Property in São Paulo

Pero da Silva declared that he had two *patacas* worth of the rest of the pork, sausage, and lard.

Pero da Silva also declared that the people that the deceased possessed, which he brought from the *sertão*,<sup>34</sup> besides those he received in dowry, were the following:

Joana with her son Paulo, single. Juliana, single, with her two small children, a girl, Pomona, and a boy, Lourenço. Paul and his wife, old people. Romão, youth. Vasquo, youth. Plus four young women who are in the possession of the widow Izabel Mendes, named Nataria, daughter of Joaruna, and Cordula, Floriana, and Maria. Plus another young woman named Cecilia . . .

Then the appraisers added the following to the inventory:

One used blanket	1\$600
One embroidered cotton hammock	1\$600
Six used hoes	1\$440
Twenty used scythes	\$640

### 11.8 The Judge of Orphans Names João Mendes Giraldo Guardian of Pero d'Araujo's Son

On November 6, 1638, in this village of Santana de Parnaíba in the home of the justice of the peace and judge of orphans, Domingos Fernandes, before him came João Mendes Giraldo, a *morador*. And in my presence [he] said to the judge that his daughter, Izabel Mendes, widow who remained from the deceased Pero d'Araujo, had had a baby boy by her deceased husband, and the boy was the universal heir of the deceased his father, and he therefore requested of the judge . . . that since there was an heir in this inventory he should have the division of the estate made between the heir and the widow, and he also requested that the inventory made in the town of São Paulo after the death of the deceased be joined to the present one, and that with one and the other the division be made, and he presented the other inventory to the judge. And he also requested that since the will of the deceased did not name a guardian for the orphan, the judge determine who should be his guardian.

And then on the same day of the same year the judge determined that since João Mendes Giraldo was the boy's grandfather . . . [he] should be his guardian . . . [and] that he should oversee the raising of this orphan, his grandson, and see that his property grow. And this was decided by the judge because there is in this village [no] relative of the deceased and of his lineage who could be a guardian of the orphan and because João Mendes Giraldo lives in this town and is the orphan's grandfather and is well-to-do . . .

### 11.9 Further Statements on Pero d'Araujo's Property and Izabel Mendes's Dowry

On November 12, 1638, in this town in the home of the justice of the peace Domingos Fernandes, in my presence appeared Manoel da Costa do Pino, proxy and representative of the widow,<sup>35</sup> making a request to the judge, saying that he had examined the inventories and learned that all the corn and beans that would feed the *peças de serviço* of the widow and orphan had been sold, so he requested that since there was no other means of subsistence than a field of manioc appraised at 5\$000 *réis*, which the widow and her people were already eating since there was nothing else, he requested that it be left out of the inventory to sustain the widow and the orphan and their people since it helped both sides. And the judge considered the request and found it just to keep the appraisal of the field out of the inventory to support the pagans, for without it they would perish . . .

And on the same day and year João Mendes Giraldo appeared before the judge and stated that he had some more property to declare which he had inadvertently left out:

Six silver spoons	2\$800
Two silver jugs	3\$200

Plus a young man named Tomas with his wife Tomazia, plus two young girls, Ana and Maria, plus a young boy ten years old more or less named Pascoal. He also declared that in the house of Pero da Silva there was a little *mulatto* girl named Grazia who belonged to the deceased but was not mentioned in the São Paulo inventory, nor was another *negra*, a young girl named Iria . . .<sup>36</sup>

João Mendes Giraldo added that his daughter had ordered that the eleven *arrobas* of cotton previously listed in the *inventário* be spun and woven to help in paying her husband's bequests, and that it all amounted to one hundred *varas* of cloth that was sold for one *tostão* the *vara*, adding up to 10\$000 *réis*.<sup>37</sup>

And then on the same day and year the judge added up the property that is declared in this inventory and according to the sum the whole property adds up to 105\$110 *réis*, from which quantity is subtracted 13\$988 *réis* that are the debts owed by the deceased plus the judicial costs of this inventory both in São Paulo and here, leaving 91\$622 *réis* to divide between the deceased and his widow. And the judge commanded that they be divided giving each side their part . . .

And then on the same day, month, and year João Mendes Giraldo said to the judge that, among other things in the dowry, he had promised to the deceased his son-in-law a farm that he was now constructing, so he requested His Honor that it not be mentioned for the time being in the division of property, and that when it was finished João Mendes Giraldo would advise the justices to see whether he had completed it, as he had promised it to his son-in-law, and it should then be appraised to give the correct value to each of the two parts. And the judge commanded that the farm not be mentioned until it was finished . . .

### 11.10 The Division of Pero d'Araujo's Property

#### Division of Property

On November 16, 1638, in this town at the home of the judge in the presence of the guardian of the orphan Pero, son of the deceased, and in the presence of the proxy of the widow, I handed the inventories to the dividers so they could peruse them and make the division of property. And then both of them with me, the notary, who declared to them the further additions that had come in, inspected this inventory and according to what they found they made the division, dividing 91\$622 *réis* between the widow and the deceased her husband, and the part of the deceased amounted to 47\$811 *réis* and the same amount the widow's share of the moveable goods. And then responding to the command of the judge they took the third from the share belonging to the deceased, and the third amounted to 15\$270 *réis*, leaving for the orphan Pero 30\$540 *réis*. And the judge commanded

that the dividers divide the property according to the accounts of those shares and the third, and the dividers did so as follows.<sup>38</sup>

[The division of moveable possessions and livestock is omitted here.]

And then the dividers divided the free *peças de serviço* between the deceased and his wife, subtracting three *peças* who died after the deceased, finding there were fifty-four head, counting big and little ones, who were divided according to the custom of this land, giving an equal share to the deceased and his widow, and each one had twenty-seven head . . .

#### Land

The dividers also divided five hundred *braças* of land in Juqueri<sup>39</sup> and gave their share to each of the parties—250 *braças* [each]—and from the 250 that belong to the deceased they separated the third, eighty-three *braças* [to go to the widow as per his will], and there remain 167 *braças* for the share of the orphan. And with this the dividers declared they had finished the division, and the judge considered them complete, asking the orphan's guardian and the widow's proxy if they agreed, and they said yes, and signed this which I [the notary] have written . . .

### 11.11 Ana de Alvarenga, Pero d'Araujo's Mother, Petitions Successfully to be Guardian of her Grandson

Ana de Alvarenga, resident of this town of São Paulo, declares that four months after Pero d'Araujo, her son, married Izabel Mendes, daughter of João Mendes, residents of Parnaíba, he died, and his wife was pregnant and the orphan Pero was born, heir to his father. And despite most of the property being in this town, especially houses and fields, they named João Mendes, maternal grandfather, guardian of the orphan, whereas, according to the law and *Ordenações*, book 4, title 102, par. 3,<sup>40</sup> when the mother cannot be the guardian the paternal grandmother should be the guardian. Since her daughter-in-law is married to Felipe Fernandes, in whose power is her grandson Pero, with all the property he inherited from his father, and since he [Felipe] is a stepfather, he dissipates his [the orphan's] property and does not raise him properly as she would do, wishing to support him with her own resources in this town where he can learn to read and everything else necessary for his good education, and she wants to see his property grow without spending it for his support. She therefore asks Your Honor to command that the orphan Pero her grandson be given to her . . .

On November 2, 1640, in this town of São Paulo of the Captaincy of São Vicente in the home of Pero da Silva, where the judge of orphans, dom Francisco Rondon de Quebedo, and I, the notary, went. And in the presence of Ana de Alvarenga, wife of Pero da Silva, grandmother of the orphan Pero, son of the deceased Pero d'Araujo, the judge had her [Ana de Alvarenga] take an oath on the Holy Gospels that she would be the guardian of the orphan her grandson and that as such she would raise him and educate him and administer his property

in such a way that the orphan would have no loss in his property due to her, under the penalty of paying for such a loss from her own property . . . I, Manoel Coelho, notary of orphans, wrote this, and since Ana de Alvarenga does not know how to write, she asked her husband Pero da Silva to sign for her together with the judge. I sign at the request of my wife, Ana de Alvarenga, Pero da Silva. [dom Francisco Rondon de] Quebedo.

## NOTES

1. Pedro and Pero were used interchangeably at this time. The spelling of other names (as well as many words) was not always consistent; I have used only one spelling in this translation.
2. Authors who have used *inventários* to study the family, women, and social relations in colonial São Paulo (and who write in English) include Muriel Nazzari, "Parents and Daughters: Change in the Practice of Dowry in São Paulo, 1600–1770," *Hispanic American Historical Review* 70:4 (1990), pp. 639–65, and *Disappearance of the Dowry: Women, Families, and Social Change in São Paulo, Brazil (1600–1900)* (Stanford: Stanford University Press, 1991); and Alida Metcalf, "Fathers and Sons: The Politics of Inheritance in a Colonial Brazilian Township," in *Hispanic American Historical Review* 66:3 (1986) pp. 455–84, and *Family and Frontier in Colonial Brazil: Santana de Parnaíba, 1580–1822* (Berkeley: University of California Press, 1992).
3. To learn more about the *bandeiras* organized by the Paulistas, see John Hemming, *Red Gold: The Conquest of the Brazilian Indians* (Cambridge, Mass.: Harvard University Press, 1978), especially chapters 12 and 13, and his "Indians and the Frontier," in Leslie Bethell, ed., *Colonial Brazil* (New York: Cambridge, 1987). See also Richard Morse's classic, *The Bandeirantes: The Historical Role of the Brazilian Pathfinders* (New York: Knopf, 1965).
4. To study the situation of Indians in São Paulo, see John Monteiro, "From Indian to Slave: Forced Native Labour and Colonial Society in São Paulo during the Seventeenth Century," *Slavery and Abolition* 9:2 (1988): 105–27 (Monteiro's work is mostly based on *inventários*), and Muriel Nazzari, "Transition Toward Slavery: Changing Legal Practice Regarding Indians in Seventeenth-Century São Paulo," *The Americas* 49(2) (1992): 131–55.
5. I calculated Pero d'Araújo's age from the fact that he was three years old in 1617 when the *inventário* of his father, also named Pero d'Araújo, was made after he died in the backlands on a *bandeira*. See Vol. 5, p. 171 of *Inventários e Testamentos: Papéis que pertenceram ao I Cartório de Orfãos da Capital*, 44 vols. (São Paulo: Arquivo do Estado de São Paulo, 1922–77), hereafter referred to as II.
6. Portuguese surnames followed no fixed rules. Individuals had great freedom to choose those they wished, and there were many who did not even bear their father's name.
7. An ellipsis marks those places where sections of the document were omitted.
8. Most of the surviving *autos de inventário*, especially those for the eighteenth and nineteenth centuries, are still in manuscript form, but Pero d'Araújo's is included in a published collection, Vol. 29, pp. 215–74 in II. A manuscript *auto de inventário* can be anything from five pages to several hundred pages long, written on both sides. By the beginning of the twentieth century they were being typewritten.
9. Married couples owned what was termed community property, that is, property owned in common by both spouses, though the husband was usually the administrator. This last phrase in the document shows that the judge and notary considered Pero Araujo's wife a co-owner of their common property.
10. Luis Asenso Grou used two words that I have translated as "notary," *tabelião* and *escrivão*. "Tabelião" is in fact the one that is closest to the English word "notary," for it means one who recognizes signatures and who registers deeds and other public documents. "Escrivão" is similar to the Spanish term "escribano" and has a much wider meaning than the English "notary." An "escrivão" performs many of the activities of a lawyer, and in modern Brazil and Portugal an "escrivão" must have a specialized degree like a lawyer's.
11. During the sixteenth and seventeenth centuries, the basic Portuguese and Brazilian monetary unit was the *real*, plural *réis*. There was a slow process of change through which the monetary unit became the *mil-réis* (a thousand *réis*), probably at the end of the eighteenth

- and beginning of the nineteenth century. Long before that, however, as we see in this inventory, the dollar sign was placed between the digits for a thousand and one hundred *réis*.
12. In the remainder of the list I have not included the written phrases that repeat each item's value (in this case "appraised at five thousand *réis*").
  13. The value given the cotton was unreadable in the original manuscript.
  14. Because the persons listed here were all indigenous, and the Crown forbade Indian slavery, Paulistas always listed them as free though they were clearly listing them as property.
  15. The term *peça*, or piece, was used in colonial Brazil to count or list slaves. Paulistas referred to their Indian laborers and servants as *peças de serviço*, a usage that reflected the ambiguity of their status. Technically, they were not slaves as there was no appraised value and they were listed as being free.
  16. An unreadable name.
  17. Another unreadable name.
  18. This house had two *lanços*, rows of rooms, made of *taipa de mão*, thick walls with parallel supports of posts or wicker filled with mud that was then allowed to dry in the sun. It was a larger house than the one Pero d'Araujo owned in São Paulo (he owned only one *lanço*), but the construction was cheaper since the latter had walls made of mud mixed with stones. The house referred to in the dowry was also on a farm, whereas Pero d'Araujo's house was in town.
  19. A *toistão* was a coin worth 100 *réis*, while a *pataca* was worth 320 *réis*.
  20. In the original manuscript copy and in the published version, this second *inventário*, made in São Paulo, comes at the end, for it was added to the one made in Parnaíba.
  21. From information in another *inventário*, that of Ana de Alvarenga, Pero d'Araujo's mother, we learn that Pero da Silva was his stepfather. See II, Vol. 29, pp. 175–215.
  22. This was the cross of a lay brotherhood. There were several lay brotherhoods in colonial Brazilian churches to which members of a congregation could belong, the most famous of which was called the Holy House of Mercy (Santa Casa da Misericórdia). It was also a very elite brotherhood. The Reverend Fathers of Our Lady of Mount Carmel were Carmelite friars.
  23. This last sentence suggests that daughters were favored over sons in seventeenth-century São Paulo. See my "Parents and Daughters," p. 650. See also *Disappearance of the Dowry*, pp. 21–22. Under Portuguese law, persons who had children or living parents did not have full testamentary freedom; they were not allowed to leave their property to whomever they wished. Two thirds of the estate of the deceased (in the case of married persons, their estate was only half of what they owned with their spouse) had to go to his or her legally mandated heirs: the children, or if there were no children, the parents. Only one third could be willed freely, which is what Pero d'Araujo is doing here. He uses the phrase "remainder of my third" because he means what is left after his funeral, masses, and pious bequests are paid for.
  24. These persons, called servants here, were Indian *peças*, "free" yet bequeathed.
  25. Houses could have one, two, or three *lanços* (rows of rooms). This house had two *lanços* (which is why it is also referred to in the plural, as "houses") with a gallery or porch in front. The house was made of *taipa de pilão*, thick walls made of mud and stones. Pero d'Araujo had inherited one half of the house, one *lanço* with a half a porch in front, from his father when he died. The other half belonged to his mother (and stepfather, after they married). When Ana de Alvarenga died, the orphan Pero inherited his father's share of her estate.
  26. Jaraguá was in the vicinity of São Paulo.
  27. Fields of corn or wheat were appraised, but the value calculated referred to the grain, not the land. Often the land did not belong to the owner of the corn or wheat, who squatted.
  28. Wives brought much more property to marriage than their husbands, which is very evident in this *inventário*. See "Parents and Daughters" pp. 653–54, and *Disappearance of the Dowry*, p. 38.
  29. The people referred to here were Indians. The first word used by the Portuguese to describe Indians in the São Paulo region was *negro* (black), and they continued to use that word throughout the sixteenth and seventeenth centuries. Indians were differentiated from Africans (of which there were very few until the eighteenth century) by calling an Indian "negro of this land" and an African "tapanhum negro" ("Tapanhum" was an Indian word meaning foreigner). Pero d'Araujo had no African slaves.

30. This sentence bolsters an argument I've made that dowries helped pressure young couples to live near the wife's parents. See my "Parents and Daughters," p. 652, and *Disappearance of the Dowry*, pp. 29-30.
31. He is here promising to feed more than sixty persons for two years.
32. Santos was a nearby port on the Atlantic from which ships left for Rio de Janeiro, Bahia, or Europe.
33. This example indicates how productive Indian servants were. See "Transition Toward Slavery," p. 141.
34. A direct reference to Pero d'Araujo's participation in a *bandeira*.
35. The widow had given a power-of-attorney to Manuel da Costa do Pino, and he was therefore called her *procurador*, which I have translated as proxy or representative.
36. As noted above, "negro" here refers to an Indian.
37. Another example of the productivity of Indian servants. See "Transition Toward Slavery," p. 141.
38. Here we see the estate left after debts were paid first divided between the deceased and his widow. Then his half of the estate was divided into thirds, two thirds for his necessary heir, his newborn son, and one third that he could freely will. The most common marriage property regime used in colonial São Paulo was full community property, which meant that each spouse owned half of all the property they held in common. So when married persons died, their estate consisted of only half of what they owned with their spouse. The spouse did not *inherit* half, but rather, retained half.
39. Juqueri was a village about eighteen miles from the center of São Paulo, but still within the municipal boundaries of the town.
40. *Ordenações* refers to the *Código philippino ou ordenações do Reino de Portugal*, the legal code promulgated in 1603 by which Portugal and its empire were ruled.

#### DOCUMENT THEMES

Cultural Contact/Ethnogenesis/Resistance; Economy and Work; Ethnicity;  
European-Mestizo Peoples; Family; Gender; Indigenous Peoples; Inheritance;  
Land; Marriage; Religion; Rural Life; Town Life; Women.

#### SUGGESTIONS FOR FURTHER READING

Hemming 1978.  
Hemming 1987.  
Metcalf 1986.  
Metcalf 1992.  
Monteiro 1988.  
Morse 1965.  
Nazzari 1990.  
Nazzari 1991.  
Nazzari 1992.