

FAMILY NETWORKS, SEIGNEURIAL AUTHORITY, AND PROPERTY RIGHTS: THE DISPUTES OF DONA ANTÔNIA DE VERA CRUZ BRAQUE (SERGIPE, 1826–1828)

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ABSTRACT

The disputes involving Dona Antônia de Vera Cruz Braque, a widowed landowner and slaveholder, serve as the starting point for the analysis proposed in the present article. The objective is to understand the foundations of her lawsuits and their relation to property rights, power dynamics in a slaveholding agrarian society, along with the consolidation and the exercise of seigniorial authority by a woman. Therefore, we will examine a diverse set of documents, including probate records, petitions, and legal proceedings, which will be analyzed qualitatively, in line with the premises of a Social History of Property (Congost, 2007; Pedroza, 2020) and a Feminist Social History (Tilly, 1994). The aim is to discuss the constitutive aspects of seigniorial authority based on land ownership, specified through a gender lens, as well as the dynamics and conflicts involving possessions, powers, and trajectories within the structures of colonial society.

Keywords: property rights; seigniorial authority; gender.

RESUMO

Dona Antônia de Vera Cruz Braque, uma viúva proprietária de terras e de um grupo significativo de escravizados, emerge como figura central na análise proposta neste artigo. O objetivo é compreender os fundamentos dos seus litígios, explorando a intersecção entre direitos de propriedade, as dinâmicas de poder características de uma sociedade agrária-escravista e a maneira como uma figura feminina pode consolidar e exercer autoridade senhorial. Para alcançar esse entendimento, nos debruçaremos sobre um conjunto documental diversificado, que incluem inventários post-mortem, petições e processos judiciais. Essa documentação será analisada qualitativamente, alinhando-se aos pressupostos de uma História Social da Propriedade (Congost, 2007; Pedroza, 2020) e a uma História Social Feminista (Tilly, 1994). Espera-se discutir não apenas os aspectos constitutivos de uma autoridade senhorial baseada na posse da terra, especificada por um recorte de gênero, mas também as dinâmicas de poder e os conflitos que envolveram posses e as trajetórias de vida na complexa malha da sociedade colonial.

Palavras-chave: direitos de propriedade; autoridade senhorial; gênero.

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Introduction

In the settlement of Estância, in mid-February 1826, Captain Francisco Theófilo dos Santos, representing his wife and “others,” initiated a dispute against Dona Antônia de Vera Cruz Braque. Heirs and smallholders, white men and men of mixed race, testified against the owner of the Vidio Mill, accusing her of having ordered enslaved people to transport timber—improperly taken from the Piripiri site—to her property. The planting of a provision field near the site ultimately intensified the conflict between the parties. Two years later, Father Pedro da Motta Rabelo denounced to the president of the province of Sergipe the violation of one of the most sacred rights guaranteed by the imperial constitution: the right to property. As lessee of the Encapelado of Santa Luzia, he was taken by surprise when legal action was brought against him by Dona Antônia de Vera Cruz Braque, who claimed the position of administrator—an action that, for him, which he experienced as a threat of expulsion.

The trajectory and *senhorial* (seigneurial) politics of the figure at the center of both disputes, Dona Antônia de Vera Cruz Braque, reveal—at once—how the exercise of authority and the production of conflict were interwoven within the fabric of colonial society. Upon entering this universe, images and narratives reconstitute the hierarchies, the powers—delegated, imposed, or threatened—and the exercise of a form of authority that ensured, at various levels, the maintenance of social order. Historiography on colonial Brazil has reconsidered foundational concepts that defined colonial society and power from a masculine standpoint—much like Silvia Brügger did in her classic work “*Minas Patriarcal*” (2002), when she revisited the concept of “patriarchy” to detach it from the male, paternal figure and show it as a system of values that reverberated broadly throughout the fabric of colonial society. And despite the advances made over recent decades in research on women—white and Black, free and enslaved—in colonial spaces, an uncomfortable association between power, authority, and masculinity persists even today.

A simple exercise of imagination shows that, in a colonial society, envisioning a figure endowed with political acumen and the ability to assert herself as an authority would most likely yield a man. More than proposing, therefore, the recovery of female figures and trajectories across distinct historical temporalities, it is crucial to analyze them as elemental components of what constitutes and structures a specific material and

historical reality. Put differently, for studies on gender and women in colonial societies, it is essential to revisit the definitions of spaces and relations of power in order to understand how women made use of them and organized them in their efforts to assert themselves socially and exercise a form of authority particular to these societies: *senhorial* authority. Such authority, although exercised, did not freeze the movements of a social space permeated by distinctions and hierarchical barriers. At the margins of local powers lay conflicts and disputes that likewise shaped the dynamics of colonial societies and of the groups and individuals who constituted them.

Thus, the figure of Braque functions here not as a mere expression of an illustrative female presence. She serves, rather, as the point of departure for a discussion of *senhorial* authority, proprietary practices, and the use of power. A fundamental part of this debate requires examining her position within family networks and the modes through which power was bargained via notably strategic and successful marital alliances. Yet the focus will rest on the conflicts in which she became involved and in which she herself—without the support of a wealthy husband—was recognized as mistress of land and people, and therefore as a figure endowed with authority. In Braque’s conflicts, the element at stake is always landownership; what generates discord is the attempt to impose oneself upon it, to secure dominion over the land that forms a crucial and foundational part of *senhorial* power. Across these disputes, tenants and laborers move through the quarrels, just as they did across the land itself, offering their accounts, detailing what had occurred, and positioning themselves between one authority and another.

The set of documents that provide the empirical basis for our analyses consists of court cases, petitions, post-mortem inventories, wills, and legislation. The qualitative examination of these sources will allow for the reconstruction of family networks, the contextualization of the figure within a colonial society, and, above all, an understanding of the scope and nature of the conflicts that brought the *senhorial* authority of Dona Antônia de Vera Cruz Braque into contention with other — male — *senhorial* authorities in the agrarian and slaveholding province of Sergipe del Rei between the late eighteenth and the early decades of the nineteenth century.

In this regard, the analyses will draw upon theoretical discussions and contributions from the Social History of Property, through concepts such as “property

rights” and “proprietary practices,” and from Feminist Social History, which proposes a socio-historical approach to gender in order to understand how, together with social group, color, and legal status, gender also acted to demarcate and reinforce the hierarchical lines that structured the space of a colonial society.

The following pages are organized into four parts: first, we situate the central figure and her family networks, highlighting the position she occupied during the conflicts. Second, we recount the disputes, exposing the strategies employed by the litigants. Third, we examine the property rights and proprietary practices at issue. And finally, we discuss the materiality of power relations, the exercise of *senhorial* authority, and gender.

Between Patrimony, Legacies, and Marriages

Expanding the notion of the individual to encompass the family is not an arbitrary choice. According to Zúñiga (2003), such a procedure allows the family group to be conceived not as a mere set of bonds of solidarity between different individuals, but as a place—a vantage point. Understanding the familial plot makes it possible, simultaneously, to study both individual and collective attitudes, the weight of social norms, the rupture of ties of solidarity, and, finally, the ways in which individuals become intertwined with multiple groups. By examining the reconstruction of Antônia Braque’s familial relations, the strategies she developed, and the patrimony accumulated by her, her parents, and her spouses, we hope to observe how the protagonist of the disputes consolidated economic, social, and political capital.

Dona Antônia de Vera Cruz Braque was native to the town of Santa Luzia, the legitimate daughter of Captain-Major Joaquim José Braque and Dona Josefa Maria de Vasconcelos. Her mother, likewise a native of the same place, was the sister of Father Manoel Rodrigues Caldeira, founder of the *encapelado* [chapel endowment] of the Sapucaia Mill. Mother and uncle are central figures for understanding the familial bond that connected Braque to the second dispute examined.

whole. Each person was invested with a burden of responsibility for which they had to render account to the family. Marriage, therefore, represented the incorporation of new assets and constituted a political alliance. The choice of spouse was a strategically deliberate act, aimed at establishing a network of family relations that complemented commercial interactions. The broader and more robust these connections were, the greater the likelihood of the family's socioeconomic advancement (Bacellar, 1997).

These characteristics help clarify the type of strategy involved in the selection of Braque's spouse and the movement undertaken to weave together the relations between two affluent families. Antônia married, in her first union, Lieutenant José Calazâncio Bitencourt, also a native of the town of Santa Luzia, with whom she had two sons: João and Joaquim. The couple owned the Cedro Mill, valued at 1:100\$000, along with a landholding and a dwelling house. In addition to their real property, they possessed twelve enslaved people as well as cattle, horses, and sheep. The accumulated patrimony, as observed in José's inventory, amounted to slightly more than three *contos de réis*.⁴ The date of the marriage ceremony has not been located, but the existence of minor children suggests that the union took place between 1793 and 1800, ending in 1807 with the death of José Bitencourt.

Fifteen years after managing on her own the Cedro Mill, the enslaved people, and the other assets bequeathed by José Bitencourt, the widow Antônia Braque entered a new marriage with a Portuguese man, Sergeant-Major Jerônimo Fernandes de Souza. The marriage, beginning in 1822, lasted little more than a year, ending with Jerônimo's sudden death. With his parents already deceased and having no children, José Fernandes de Souza—the nephew who had emigrated from Portugal to Santa Luzia with Jerônimo—became his sole heir, as designated in his will.⁵

Michel Bertrand (1999) observed the importance of marriage for the integration of foreigners. For the author, it was through the dowry or the inheritance of widows that foreigners obtained the economic support necessary for insertion into the world of the colonial elite. They expanded their relational system while maintaining ties with their family of origin, and through marriage inherited a ready-made network of local relations capable of providing assistance when needed. Bertrand's reflection allows us to view the

⁴ AGJSE. Comarca de Estância. Inventory of José Calazâncio Bitencourt (1807), no. 486, doc. 04.

⁵ AGJSE. Comarca de Estância. Inventory of Jerônimo Fernandes de Souza (1822), n.63, doc. 14.

marriage between the widow Braque and Fernandes de Souza as central to the construction of a local reputation. Braque's dowry and her assets—those inherited following the death of her first husband—conferred upon Souza not only important connections but also holdings in land, mills, and enslaved people.

Once again widowed, Antônia married strategically the nephew and heir of her second husband, José Fernandes. The new couple came to manage the entire estate inherited from Jerônimo, composed of 148 enslaved people, two sugar mills, three landholdings, and eleven houses. The patrimony—worth more than thirty-three *contos de réis*—also included a vessel, a set of thirty-one accounts receivable, 208 head of cattle, and several horses, mules, and sheep.⁶ The third marriage of Dona Antônia ended quickly, two years later, when José Fernandes de Souza died.⁷ The estate, valued at thirty-five *contos*, consisted of 150 enslaved people, three sugar mills, nine dwelling houses, one landholding, and a cattle-raising ranch. Added to these were two vessels, a warehouse at the port, 261 head of cattle, 23 horses, and 93 sheep. Based on the cataloguing of the assets, one observes the existence of a commercial partnership between Jerônimo and José, as well as frequent relations with merchants from Bahia—clear evidence of the diversified business ventures in which the Portuguese were engaged.⁸

Through the reconstruction of Dona Antônia's family composition, it becomes possible to situate her social and economic position. A widow with two adult sons, she administered at least three sugar mills, other rural properties, and more than a hundred enslaved people. Over the course of successive marriages, Braque consolidated her position as a *senhora de engenho* and landholder, the head of a household, and the holder of *senhorial* authority over her enslaved workforce, free employees, squatters, and tenants who made use of her properties. Unsurprisingly, this *senhorial* position also placed her at the center of a series of conflicts involving the preservation of her holdings and her legitimacy over them.

⁶ AGJSE. Comarca de Estância. Inventory of Jerônimo Fernandes de Souza (1823), n. 494, doc. 08.

⁷ AGJSE. Comarca de Estância. Testamento de José Fernandes de Souza (1825), n.63, doc. 15.

⁸ AGJSE. Comarca de Estância. Inventory of José Fernandes de Souza (1825), n.495, doc. 11.

Sites, Mills, and Disputes

In February 1826, Joaquim José Teixeira wrote a letter—out of friendship and regard—to advise Captain Francisco Teófilo dos Santos, owner of the São Domingos Mill, located in the settlement of Estância, in the parish of the town of Santa Luzia, in Sergipe. Joaquim reminded Teófilo, in a cautious tone, of something that had happened two years earlier in Salvador. The Portuguese José Fernandes de Souza and his wife, Dona Antônia de Vera Cruz Braque, had negotiated with both partners a “certain portion of land.” The author of the letter does not supply details of the transaction, the price paid for the land, or the form of payment established. He does not mention deeds, agreements, or interest to be settled. His motivation in writing the letter lies elsewhere.

Joaquim claims that the Captain “has taken possession of land that is not included in that portion we purchased.” Moreover, regarding Teófilo’s hostility toward Braque, he states that he has attempted “once and again to come to an amicable understanding with her,” so that he might “rightfully enjoy what belongs to [him].” Yet the author of the letter judges that Teófilo “flees from this most just thing, and on the contrary has shown himself eager and ready to take judicial possession” of the aforementioned lands. He defends himself from a possible accusation: this is not a matter of taking sides, for Joaquim claims to ignore “both your reasons and those of the lady herself,” but he considers it his duty “to remind you that those who seek an amicable arrangement can never be without reason.” In a final recommendation, step by step, he instructs how the agreement between Captain Teófilo and Dona Braque ought to proceed:

[...] my opinion is that Your Grace appoint one or two persons well acquainted with the matter, who, upon viewing the bill of sale—and that the lady likewise appoint other experts of equal standing—may impartially state what they know, both Your Grace and the lady being present at the act, so that any small doubt that time may produce can be dispelled, and that an agreement be drawn up therefrom, from which some clarity may arise, and thus everything will be calmed for the good and without harm.^{9 10}

⁹ AGJSE. Comarca de São Cristóvão. Apelação Criminal (1826), n. 124, doc. 01, fls. 93 e seguintes.

¹⁰ Original version: a minha opinião é que vossa mercê nomeei uma ou duas pessoas e bem ao fato do negócio a vista do escrito de venda e que a mesma senhora haja de nomear outros iguais peritos imparcialmente digam o que souberem podendo tanto vossa mercê como a senhora estarem nesse ato presente, a fim de se poder desfazer alguma pequena dúvida que o tempo haja de aparecer e do que se [ilegível] disso mesmo se lavre um acordo para por ele se passarem alguma clareza e desta forma tudo se amansará em bem e sem prejuízo.

Joaquim José Teixeira’s letter is a valuable document for observing how a kind of “ideal mode” of conflict resolution was understood in the nineteenth century. Judicial action through formal lawsuits was not the most appropriate option. Although drafting a written agreement was indispensable, the means of reaching it was through an “amicable arrangement,” agreed upon by the parties personally and directly, without external intermediaries. This was a fitting recommendation for a society in which the exercise of authority was based on personal relationships and on the direct engagement of individuals in maintaining relations of dominion, as outlined by Pierre Bourdieu in *Les modes de domination* (1976).

The unfolding of the letter is revealing. Despite the concern of his friend and partner, Captain Teófilo disregards the advice and brings the matter to court in May 1826, denouncing Dona Antônia—recently widowed upon the death of her husband, José Fernandes, a year earlier. The complaint accuses Braque of removing logs of timber from the Captain’s land—timber he had ordered to be cut—and additionally, of ordering the construction of a fence near the provision fields of one of the tenants. The Piripiri case unfolds in distinct versions and details concerning landownership that will help us understand, later on, the link between land and the dynamics of power in an agrarian society. We begin to understand the dispute through the testimonies presented by the Captain, who, together with his wife—whose name is not mentioned—and “others,” contest the abusive practices of the landowner Braque.

In total, eleven witnesses speak about the conflict. There is little variation among their accounts: some were present, others not; the story is told with few contradictions by those who witnessed the conflict or by those who “know from hearsay.” The first to testify is Geraldo José da Guerra, aged 32, a *roceiro* [smallholder farmer], of mixed race, resident of the Capivara site. Geraldo confirms that the plaintiffs are owners and possessors of a portion of land known as Piripiri, which is “adjoined” to the couple’s mill, São Domingos. The land had been purchased from the couple Braque and Fernandes, and on it, the plaintiffs had “planted, cleared, and cut timber, and admitted tenants without objection from anyone.” Sergeant-Major João Chrisóstomo de Almeida, a white man, resident of the Bugio site, aged 55, describes with greater precision the terms of the sale, the conditions, and the boundaries of the land. The agreement between the parties, made in

the city of Bahia, sealed the sale for the sum of 200\$000 *réis*. The site lands were derived from undivided lands—that is, lands which “the sellers were possessing together with other heirs.” The Sergeant was himself one of the heirs of the Piripiri Site.

From the other witnesses, we learn further details that help reconstruct a fuller picture of how the sale of the land took place. Joaquim Nogueira de Carvalho Fontes, resident of the Parida site, states that he, being interested in the lands of the Piripiri site, learned that after the agreement was confirmed, a deed had been issued to the plaintiffs, and a new division of the land performed, with a stone marker. This testimony, the most substantial regarding the transaction, seeks to reinforce the legitimacy of the possession and dominion claimed by Captain Teófilo.

Concerning the conflict over the logs of timber, the testimony of José Valentim de Souza is especially valuable. A white man, resident of the São Domingos Mill, aged 41, he was a cultivator directly involved in the quarrel. According to him, Captain Teófilo had ordered his enslaved workers to cut eleven logs in the forests, to be sawn and made into *caixões* [wooden boxes]. The defendant, Dona Braque, on that occasion, had ordered a fence to be erected near the Captain’s mill and near Valentim’s provision plot. Not only this: she sent two enslaved workers that afternoon to carry two logs to her own mill, the Vidio. At dawn the next day, another five of Braque’s enslaved workers returned to the site to take the remaining logs. In this final attempt, with only four logs left, the Captain’s enslaved workers were present. The execution of orders—on both sides—produced a conflict among the enslaved people. The Captain’s enslaved workers did not permit Braque’s enslaved workers “to carry off any more wood.” Valentim then had to intervene and “pacify them,” dividing the logs and making each group carry two.

This testimony is remarkable because, beyond offering a detailed panorama of the dispute—perhaps the most complete version—it allows us to visualize enslaved individuals placed at the very center of the tension between competing *senhorial* commands. The cultivator’s need to intervene in order to pacify the enslaved workers of Braque and Teófilo suggests their readiness—or obedience—to an instruction to defend the integrity of *senhorial* authority expressed in a simple order: carry wood to the mill.

Notice, moreover, that none of the plaintiffs’ witnesses mention the letter that opens this section. Those who do are the defendant’s witnesses—who, moreover, relate versions that diverge from the narrative told thus far. All of Captain Teófilo’s witnesses

confirm the existence of the transaction concerning the sale of the “site” of Piripiri between the litigating parties; there is no dissent on this matter. Braque’s twelve witnesses, however, although referring to the sale in terms close to those already presented—especially concerning the sale price and the location of the “deal”—add further details.

José da Rocha Silva, a white man, resident of the Engenho Velho, says that the sale carried out by the defendant and her husband in 1824 in the city of Salvador concerned the “back portion of the Piripiri site,” which indeed bordered the plaintiffs’ São Domingos Mill. Antônio da Costa, a 77-year-old cultivator and resident for more than sixty years on lands that now belonged to Braque, states that Captain Teófilo “never had any possession of the Piripiri site,” but only of the lands behind it, adjacent to the mill. The Captain’s interest, he explains, was justified by the fact that the lands of the site were “very useful” to him. José da Costa Moreira, Antônio’s brother, underscores the distinction pointed out by the earlier witnesses. According to him, the plaintiffs held possession of the back lands of the site which, before the sale, had even been leased by Sergeant-Major Jerônimo Fernandes de Souza, Braque’s second deceased husband and uncle of her third husband, José Fernandes. What matters most, however, is this: the Captain’s orders were for the enslaved workers to remove timber from the forests of Piripiri or from the Cágado site, whose boundaries do not correspond to the “back lands of Piripiri”—that is, the lands sold to the plaintiffs, which indeed belonged to them but lay in a “different place” from where the conflict took place.

The first point of divergence is this: while the Captain’s witnesses refer to the lands of the Piripiri site as a whole, Braque’s witnesses refer specifically to the lands at the back of the site. One of them even mentions having seen Captain Teófilo request the purchase of the remaining lands—valued at 400\$000 *réis* in total—from José Fernandes and Braque, a proposal denied by both because the land had long been occupied by cultivators and tenants. The divergence in versions unfolded into a counter-accusation: possessing the lands at the back of the Piripiri site, the Captain, by pushing beyond these limits and ordering timber to be cut on the defendant’s property, was the one who erred and violated property rights, not the other way around. The cause of the dispute, ultimately, begins with a (not at all naïve) disagreement over the boundaries of the portion of land sold in 1824.

Other points of divergence become evident in the testimonies. The absence of a public deed is one of them. According to Januário José de Barros, what was given at the time was a *pertence* [personal effect] — not a formal deed—“because at that time we were at war with the Portuguese, and the defendant’s husband was also Portuguese.” Only afterward, then, would a public deed be issued for the back lands of the site. Antônio José da Silva, a cultivator from Lagarto, mentions the presence of Joaquim José Teixeira, author of the letter, at the moment of the land sale. In fact, he clarifies that the sale was made to him, Joaquim, Captain Teófilo’s partner, and that only later did the Captain take it upon himself to purchase the remainder of the lands and obtain the title of sale. José Fernandes, Braque’s husband, had explained that refusing to draft the deed was a way of “defending himself,” since he could not “speak against the plaintiff and other Brazilians.” The issue of post-independence anti-Lusitanian sentiment appears here as a remarkably interesting aspect that deserves emphasis in the analyses to come. It seems to have been an initial spark that inflamed tensions between the neighbors, even though it did not directly involve Braque.

Another divergence concerns the matter of measurement. The Captain’s witnesses claim the existence of a stone marker that redefined pre-existing boundaries—a marker set with the defendant’s consent but never mentioned by her witnesses, who recount a different story. Captain Teófilo had insisted, on two occasions, that the land be surveyed. The first time, he was prevented from doing so by the overseer of Braque’s Vidio Mill; the second time, her husband, still alive, brought legal action to stop him. From that point on, the plaintiff had “entered” Braque’s properties, until the conflict over the timber erupted—at which point he allegedly prevented the work of Antônio da Costa, a cultivator from the Cágado site, on Braque’s property, “telling him that all those lands were his.” This detail would confirm that the violation of property rights occurred, therefore, on the part of Captain Teófilo.

A final detail in the testimonies of Braque’s witnesses reveals a moral tenor particular to the value system of the *senhorial* universe. All twelve deponents make a point of stating that Dona Antônia, making proper use of her authority as proprietor, always allowed others to take, freely, from the forests of her mill “some firewood, in full view of the plaintiffs, even after selling them those back lands, without their ever forbidding her.”

Here an indirect contrast is drawn between Braque’s *senhorial* disposition—permissive, consensual, and in a sense “benevolent”—and the Captain’s conduct, whose practice of “granting another spot further ahead” to Braque’s cultivators suggests arbitrariness. Joaquim José Teixeira’s letter confirmed Teófilo’s improper behavior concerning Braque’s lands, behavior entirely at odds with the many adjectives used by the witnesses to describe her: a woman of “probity,” “conscience,” incapable of “claiming what is not just” or of “interfering in what belongs to others,” for she herself was “well supplied with goods and fortune.” The conflict thus acquires a moral dimension, raising questions about the legitimacy of each party’s authority.

The ruling of the dispute, issued in October 1826, favored Captain Francisco Teófilo, although we do not have access to the reasons given for the judgment due to the incomplete state of the document. What we do know is that after her defeat, Braque sought an appeal, and the case proceeded to the Bahia Court of Appeals in 1829. Ultimately, although we do not know on what grounds the decision was made, the Acting *Ouvidor-Geral* and *Corregedor* of Sergipe, Lieutenant Colonel Antônio Rodrigues Montes, ordered the enforcement of the contested ruling and commanded that Braque pay court costs.

Braque’s second conflict involved not a captain but a priest. In October 1828—two years after the first dispute—Father Pedro da Mota Rabello, resident of the town of Santa Luzia, denounced Dona Antônia de Vera Cruz Braque to the president of the province of Sergipe and his councilors. The complaint involved her and the Ouvidor who had ruled in Captain Teófilo’s favor. According to Rabello, Antônio Rodrigues Montes was abusing his power to trample upon the sacred constitutional right to property, guaranteed by the 1824 Constitution, and to dispossess Rabello of his estate. The property in question was the Sapucaia Mill, belonging to the *Morgado* [entailed estate] established by Father Manoel Rodrigues Caldeira and administered by Captain Félix da Rosa de Vasconcelos. Captain Félix had made an agreement allowing Rabello to lease the property with the permission of the *Desembargador* and Overseer of the Chapels (*Provedor das Capelas*), Joaquim Marcelino de Brito. Rabello’s declaration states that he had leased the mill for eighteen years and that at the time it was in ruins and entirely fallen—a “dead-

fire” mill. Only through the investment of his own resources and many expenses, the mill had been brought back to “flourish.”

The dispossession denounced—promoted, he claimed, through abuse of power and personal favoritism on the part of the *Ouvidor* Montes—materialized in the intention to grant the administration of the Sapucaia Mill to Dona Antônia, who was allegedly giving the *Ouvidor* and his brother, the chapel prosecutor (*promotor das capelas*), Father Vicente Rodrigues Bastos, substantial sums of money so that the administration of the *encapelado* might be taken “violently” from his possession through a lawsuit initiated by Braque. The complaint also recorded an attempted appeal to the Bahia Court of Appeals, denied by the *Ouvidor*, as well as the arbitrary enforcement of the ruling in her favor.

Lieutenant Colonel Antônio Rodrigues Montes responded to Father Rabello’s petition with three arguments. First, the inadequacy of the rent value—240\$000 réis—a sum considered too small given the size of the property, which disqualified Rabello as a mere “tenant.” Second, he pointed out that the administrator was an “old man” over eighty years of age. The senility of Félix da Rosa was deemed a clear obstacle to the legitimacy of the agreement made with Rabello for him to assume administration of the Sapucaia Mill. Moreover, because of his advanced age, he proved to be a poor administrator. For these reasons, the petitioner lost the *encapelado*, and because Captain Félix da Rosa was judged unfit for the administration of the property, the *Ouvidor* considered Dona Antônia de Vera Cruz Braque suitable.

Braque’s petition, from October of the same year, recounts the conflict from her perspective. She notes that once the *encapelado* was established, its administration remained in the hands of her relatives. Captain Félix da Rosa, the current administrator, “is quite old” and possessed of “notorious indolence,” which, according to the accused, had caused the *encapelado*’s assets to fall into neglect, for not even the Captain’s son, Ensign Barnabé Vieira, had the capacity to administer them due to his prodigality. Braque’s accusation is that Rabello, taking advantage of the poor capacity of both men, had devised means to insert himself “despotically” as the “absolute master” of the mill’s assets. Félix da Rosa, senile, had allowed him to sell parts of the mill’s land, “wishing, under simulated and false pretexts, to dismember—as he has dismembered—the solid body of this entail, which has the nature of a Morgado.”

Dona Antônia registers a moral reproach in this complaint: Rabello’s behavior was “odious” and caused “irreparable harm to the relatives of the founder through the collateral line, such as the petitioner and her children.” She states that her own mother, Dona Josefa Maria de Vasconcelos—direct-line relative of the Morgado’s founder—had opposed the alienation of the mill’s lands, which included inhabited plots, pastures, a pottery, and a tile-firing kiln. After her mother’s death, however, Rabello began going to the site around midnight “with free people and slaves” to destroy the improvements that existed, thereby attacking “through this behavior the very assets of the *encapelado*.” Rabello erred in two ways: by destroying the mill’s improvements—which contradicted his claim that it was a “dead-fire” and completely ruined mill; and by taking advantage of the senility and prodigality of the current administrators to secure control over the *encapelado*’s assets.

What Braque requests, as legitimate daughter of Dona Josefa, is the removal of the incompetent administrators. And upon removing them—because of their failure to fulfill required obligations, their waste of assets, and their evident incapacity in administering the mill—it would fall to the Overseer of the Chapels to take appropriate action and appoint a new person to the administration. The response of Prosecutor Bastos, from November of that same year, nullified the case initiated by Braque for the removal of the administrators, arguing that their removal could not be carried out because neither their alleged incapacity nor the son’s prodigality had been proven. Moreover, they had not been granted the right of response or appeal against the action brought by Braque. Defeated, Dona Antônia de Vera Cruz Braque was ordered to pay court costs.

Braque’s effort to disqualify the administrators, to cast Father Rabello’s strategies as improper, and, consequently, to qualify herself as administrator of the Sapucaia Mill was clearly an effort to prove, by contrast, her own capacity and authority to exercise the function: capacity insofar as she disqualified the others, and authority by placing herself within the direct line of heirs of the Morgado’s founder, emphasizing her belonging to a specific family. Braque sought to present herself as capable and fit to assume administration of the disputed property.

The principal difference between this conflict and the first lies in the foundation of Braque’s arguments. In the second case, her claims to legitimacy in the dispute rested

on her position within a family group. In the Piripiri case, her lineage was neither mentioned nor involved: it was the land and its boundaries that formed the core of the debate. In both cases, however, we observe aspects that reveal a proprietress—a “lady” in the strict *senhorial* sense—well positioned socially, who contests and strains relations in defense of landownership. This aspect will be the focus of the next section, after which we will examine additional elements that allow us to discuss the more or less visible links between authority and gender in Braque’s conflicts.

Lords, Tenants, and Squatters: Property Rights in Dispute

At the turn of the eighteenth to the nineteenth century, sugarcane cultivation was expanding in the captaincy of Sergipe, adding itself to the traditional production of foodstuffs and cattle raising. In the town of Santa Luzia and its surrounding district—the stage of the conflicts involving Dona Antônia de Vera Cruz Braque—there emerged a productive diversification aimed at supplying nearby communities and cities (Malaquias, Vieira and Pereira, 2018). The range of productive activities made Santa Luzia’s agrarian space heterogeneous, with various types of landed property. *Sítios* [smallholdings], cattle-raising ranches, provision fields, land parcels, and sugar mills dotted its landscapes, used by their lords, administrators, squatters, tenants, heirs, and enslaved people (Santos, 2022). Work routines, the agricultural calendar, collective control and use of natural resources, and the delimitation and legitimacy of holdings generated, on a daily basis, a series of informal agreements and conflicts that might or might not be resolved in court.

The disputes narrated in the first section reveal the complexity of this agrarian space, especially in pointing to the existence of undivided lands, held “in common with other heirs,” and to properties with entailed assets. These two forms of patrimonial management differ markedly from contemporary definitions of property and must therefore be understood according to the characteristics of the temporal context in which they operated.

To reach this understanding, Rosa Congost (2007) proposed an analytical inversion. First, one must abandon the notion of property as an abstract, absolute, and perfect idea, conceived through nineteenth-century liberal legislation. In its place, it is necessary to formulate a historicized understanding that takes into account multiple

modes of use and enjoyment of the soil, along with the range of social relations that culminated in the existence of different property rights and proprietary practices.

Property rights are understood as “the set of economic and social relations that defines the position of each individual in relation to the use of certain resources” (Pedroza, 2018, p. 37). These rights, as Pedroza (2022) points out, were frequently at the center of disputes, contested with the intention of achieving specific objectives or excluding and dispossessing adversaries. The concept is crucial for understanding the conflicts in which Braque became involved within a short span of time. In disputes of this kind, as Congost (2007) proposes, the question is no longer who is the owner, but rather who possesses the property rights over the disputed land.

The absence of a formal document defining the boundaries of the portion of the *sítio* sold to Captain Teófilo dos Santos by Antônia de Vera Cruz Braque and her third husband, José Fernandes de Souza, is central to understanding the first quarrel. Its existence might have clearly established the limits of the purchased land and prevented later conflict. First, we note the nature of the transacted asset. Without boundaries set by judicial ruling, the property was held by multiple owners—kin or otherwise—whose numbers increased over time through transfers of access rights (Guimarães, 2008). The rules of use were arranged through personal agreements, with an informal and customary division of the land that was to be respected by all in the event of any conflict.

Captain Teófilo, already familiar with the property and its other possessors, had no difficulty “working” the land he had acquired, exercising possession legitimized by his adjoining neighbors. The point of divergence concerned the limits of the transacted land. Both Antônia and Teófilo owned other properties around the Piripiri site. Teófilo owned a cattle-raising ranch in the vicinity, which had motivated the acquisition. Antônia, for her part, owned a sugar mill and, behind it, a landholding with virgin forests. The conflict arose over the management of this landholding. For Teófilo, the forests were included in the purchase; for Antônia, they were not. A written document would have settled the issue once and for all. The transaction, conducted in the context of the War of Independence and the rise of anti-Lusitanian sentiment, led José to avoid formal registration, fearing the seizure of Portuguese subjects’ goods (Guerra Filho, 2015), and he preferred instead an informal agreement mediated by the merchant Joaquim José

Teixeira. However, for the conflict that unfolded years later, the informal agreement meant relying on the interpretations of others regarding the property rights at stake.

In the second dispute, the conflict centered around an *encapelado*. According to the definition recovered by Pessoa (2003), an *encapelado* is a set of assets initially linked to pious works, but which ended up constituting a *morgado*, since it was indissolubly tied to a family that fulfilled the religious obligations inherent to its foundation and enjoyed the usufruct of the property. Establishing such an entail was a strategy to ensure the preservation of a vast patrimony that could otherwise be fragmented through successive inheritances across generations. Its creation implied the establishment of a succession system that excluded equal division among heirs and followed a male line of descent. The administrator's duty, therefore, was the conservation of the indissoluble property as well as the maintenance of kin. If the designated heir failed in his duties, he was immediately replaced, and in the absence of a male heir, a woman could assume the function, which would then pass to her eldest son.

Antônia's second conflict begins with an accusation of financial and managerial misadministration of the Santa Luzia *encapelado*. Braque, positioning herself as fit to assume management, denounced the administrator's actions as undermining the family patrimony and its preservation. Beyond the property rights of the heirs and other family members involved in the dispute, Braque minimized one particular right: that of Rabello, in his capacity as leaseholder of the Sapucaia Mill. Had her strategy succeeded, Braque would have assumed administration of the mill which, according to the rules of succession, would then pass to her male children. Her strategy was a legal maneuver to dispossess an adversary and simultaneously expand a large *senhorial* patrimony that would confer upon her a correspondingly large measure of authority.

The two cases reveal the variety of property rights that conditioned the uses of land and its improvements. These rights reflected the proprietary practices and the interplay of *senhorial* authorities exercised daily in the management of landholdings. While informal agreements allowed for a more probable equilibrium—one more adequate to the balance of *senhorial* forces—judicial litigation raised the question of selecting a specific property right and expunging the others.

Final considerations

The familial relations and successive marriages bring into view the process, trajectory, and strategies through which Dona Antônia de Vera Cruz Braque accumulated wealth. From the daughter of a prosperous family to the heiress of a substantial estate, Braque's actions were undoubtedly undertaken with the aim of managing, with probity, as a proprietor, the assets that successive inheritances—within a short span of time—placed at her disposal. Counterpart to the materiality of the patrimony of land, mills, houses, livestock, and enslaved people is what Giovanni Levi has called an “immaterial inheritance” (2000). While land and enslaved labor consolidated the material foundation of power in colonial society, its immaterial dimension rested upon a set of values, signs, and symbols that situated individuals within a social scale shaped by hierarchies, belonging, and relationships. The convergence of these two “types” of inheritance, with distinct forms and operations, leads to the same point: the consolidation of *senhorial* power, the legitimization of its use, and its imposition upon others to enable—and, when possible, guarantee—the success of strategies of an eminently *senhorial* nature.

Feminist theory has developed concepts to describe male power. Carole Pateman (2020) defined “patriarchal inheritance” as the power collectively, socially, and politically inherited and appropriated by men in order to exercise authority and dominion over space and subjects, especially women. In dissecting the content of this inheritance, we find at its base the materiality of a patrimony that makes the exercise of power possible—something particularly evident in colonial societies, in which wealth is a crucial component of prestige and *senhorial* command. Moreover, this inheritance contains a set of values that could likewise be appropriated by women property holders.

To position oneself socially as a mistress of land and enslaved people implied, certainly, adherence to customary norms regarding coexistence with one's own authority and the demands of dependent groups. It also implied confronting other authorities, especially male ones, even to the point of constraining them (Farias, 2022). The absence of a concept specific to women's exercise of *senhorial* authority offers two possible paths. First, one might strive to construct a distinct category, one that denotes differences and specificities. Second—and this is the option that compels us to return to the meaning of *senhorial* authority—one might unpack and redesign its contours. *Senhorial* power would

thereby shed the assumptions of natural and legitimate masculine, paternal, and marital power, and instead rest upon a definition anchored in its basic precondition: the possession of goods—land and enslaved labor—and the exercise of a form of authority aimed at defending patrimony, family, and the hierarchies that give shape and substance to colonial social order.

This maneuver of repositioning and redefining concepts and terms of historical analysis, although operating at a certain level of generality, responds precisely to the demands of a Feminist Social History, according to which gender is not used as a mere subcategory or occasional case, but as a fundamental element for examining how the entirety of an agrarian and slaveholding colonial society was structured (Tilly, 1994).

Thus we become able to discern, in the documentary traces of the past, the women who—more than daughters, wives, mothers, and widows—acted as subjects who upheld the “limits of power,” in the sense proposed by Stephanie McCurry (1995), who argued that women not only represented distinctions and distances between social groups but acted to affirm them. This is precisely what we have observed, in practice, in Braque’s conflicts. Whether successful or not, the mobilization of witnesses, evidence, and arguments in defense of the patrimony and in shaping the strategies she devised reaffirmed the bases, foundations, and mechanisms of the authority mobilized to defend the material and immaterial patrimony that conferred upon her the legitimacy of *senhorial* power.

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