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## **The Saga of Teofila**

Slavery and Credit Circulation in 19th-Century Rio de Janeiro

Clemente Penna



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# The Saga of Teofila: Slavery and Credit Circulation in 19th-Century Rio de Janeiro

Clemente Penna

## Abstract

This paper follows the enslaved woman Teofila from captivity to freedom in 19th-century Rio de Janeiro. To become a free woman, Teofila had to navigate the complex private credit networks of the West African community of the Brazilian capital city. With limited banking activity, the *cariocas* relied on one another for their financial needs, making for a highly convivial credit market that reflected and reinforced the vast inequalities of Brazilian slave society. While following Teofila through the courts of Rio de Janeiro, this paper will demonstrate that one of the cornerstones of the city's credit market was the presence of an intertwined relationship between credit and private property. The commerce in human beings like Teofila produced thousands of negotiable titles, with slavery working as a propeller for credit circulation and one of its pillars – slave property was the primary collateral for unpaid debts.

**Keywords:** slavery | private credit | Rio de Janeiro | 19th century

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## 1. Introduction

This story begins on a Friday afternoon on 23 October 1855, in a two-story colonial *sobrado* in Valongo Street, in front of Rio de Janeiro's docks. That large building was home to the Depósito Geral da Corte, or Depósito Público (Public Warehouse), a branch of the city's vast judicial system.

The Depósito was a boisterous place. It received and harboured all sorts of objects and property, many of which assets seized by the civil courts as collateral for outstanding loan payments. Rio de Janeiro's courts dealt with hundreds of debt litigation cases monthly, and judicial attachments (*penhoras judiciais*) were a common way of resolving those conflicts. The Depósito also held objects sent by the criminal courts, the police department, and city administration, such as stolen and lost objects, illegal merchandise, and contraband. Since 1751, when the Portuguese colonial authorities created the Public Warehouse, nearly everything confiscated by the police, the city inspector (*fiscais de freguesia*), and fiscal authorities made its way to the Depósito. The list of items inside its walls on any given day was impressive: livestock, furniture, clothes, jewellery, tools, sometimes the contents of an entire grocery store or a shoemaker's shop. And, as we will soon see, the Depósito was also a temporary "home" for thousands of enslaved human beings.

It was near closing time that Friday. Francisco Teixeira de Lira, manager of the Depósito, went about his daily business of receiving and releasing objects, checking them, and storing or delivering seized assets to their legal owners when the lawyer José Antonio Videira rushed into the building carrying a piece of paper. It was a Judicial Attachments Release Order (*Mandado de Levantamento de Penhora*) from Rio de Janeiro's 1st Civil Court. After reading its contents, Teixeira de Lira understood why Videira was in a hurry.

Dr. Isidoro Borges Monteiro, judge of the 1st Municipal Court in this city. By my order, the Public Warehouse Manager, Francisco Teixeira de Lira, after seeing this signed document, must do its binding and release from the Public Warehouse the Black woman of the Mina Nation that goes by the name of Teofila (Arquivo Público do Estado do Rio de Janeiro, Fundo DP, 0015, 1855: 520).<sup>1</sup>

Videira's urgency in presenting the signed order intended to keep Teofila from spending another weekend under the care of Teixeira de Lira, saving his client two extra days of maintenance fees. Whenever slaves entered the Depósito, their owners had to pay a daily fee to cover food and clothing costs and would need to reimburse any medical expenses.

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<sup>1</sup> Unless otherwise noted, all translations are the author's.

When I first came across Teofila's release order, it seemed that she was among one of the many enslaved Africans and Afro-Brazilians who ventured into the courts of law attempting to free themselves from captivity. Scholars of slavery in Brazil had long been studying "freedom suits". Portuguese law provided a series of legal loopholes that allowed enslaved people to pursue a judicial route for their freedom (with a certain level of success), a legal phenomenon relatively common in the Lusophone Atlantic World (Chalhoub 1990; Cowling 2013; Grinberg 1994; Paes 2019). However, upon further investigation, a whole different story emerged. Teofila entered the Depósito due to a debt litigation case between Boaventura Joaquim Gomes and Luis Montenegro. Since the latter did not pay his debt to Boaventura, the courts ordered the seizing of Teofila, who at the time was Luiz's property, and she was put in a legal auction and bought by Antonio Marques da Silva. The records also revealed that the plaintiff Boaventura and the winning bidder Silva "got into an agreement to free" the enslaved woman.<sup>2</sup> To become a Black freedwoman, Teofila had to navigate a complex and intricate web of credit transactions that, as I later discovered, revolved around a credit network comprised mostly of Africans that identified themselves as Minas.

This study will enter into this Mina credit network following the steps of Teofila in her saga from human property to freedwoman and the many transactions and characters she encountered along the way. In doing so, this working paper aims to look at Rio's credit market in the 19th century through the lens of conviviality, understood here as the everyday processes of ordinary interactions between humans and non-humans (Costa 2019; Heil 2019).

Departing from Sergio Costa's remarks on the inseparable nexus between conviviality and inequality (Costa 2019), this working paper aims to experiment with a convivial history of economic life. As Costa aptly points out, while most studies "emphasize [...] that conviviality also implies conflict and competition, [those studies] also tend to emphasize the dimension of cooperation (at times symbiosis) inherent to conviviality" (Costa 2019: 13).

This tendency to look for a "good conviviality" derives, in part, from a common political standpoint that "[...] associates conviviality to the project of constructing societies that are more vigorous and solidary" (Costa 2019: 13–14). Of course, there is nothing wrong with wanting a more just and fair society; however, as Costa rightly indicates, this search for solidarity tends to obscure the intertwined relationship between conviviality and inequality: "convivial interactions are inserted in the webs of interdependence that shape (social) life" (Costa 2019: 14).

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2 Arquivo Nacional, Tribunal de Justiça (fundo BU), reference number BU.0.RCR.0584, 1855, no. 1303, 230, gallery C.

By highlighting the intertwined relationship of conviviality and inequality, Costa's remarks also allow the concept to be used in slave studies. The author breaks with the notion that conviviality necessarily implies harmonious interactions, which are hard to conceive in a slave society where violence and extreme exploitation are always present. Nevertheless, despite the intense coercion and violence impinged upon the African enslaved populations, the always-contentious relationship between the enslaved and their owner permitted some small degree of negotiation and autonomy, even under the heavy constraints of captivity, as many studies on slavery in the Americas have shown us (Chalhoub 1990; Genovese 1976; Lara 2018; Machado 1988; Reis and Silva 1989). As we will see in the following pages, conflicts and negotiations were central elements in the interactions between the characters in Teofila's saga amongst themselves and with 19th-century Brazilian institutions.

According to Costa, the identification of such interdependencies between conviviality and inequality requires a few methodological considerations. One of them is familiar to most conviviality studies (being them closely engaged to the concept of inequality or not) and consists of a reduced scope of analysis and a focus on research objects better observable on smaller scale. Another resides in an analysis focusing not on the human (and non-human) actors themselves but their interactions. Those are methodological concerns that we can observe in most of the studies of credit markets in the past (Finn 2003; Hoffman et al. 2001; Muldrew 1998; Fontaine 2014; Trivellato 2019) and what makes Rio de Janeiro's credit market in the 19th century such a suitable candidate for a convivial history of economic life.

## **2. Setting the Stage: Rio de Janeiro's Economy before 1850**

Before we return to Teofila's credit trajectory from slavery to freedom, it is essential to highlight that it shared many commonalities with the majority of credit transactions conducted at the time. Well into the 19th century, credit remained a private and personal business. People from all walks of life inhabited the same market and had scarce access to capital if they were not willing to lend and loan money from one another personally. In the first half of the 19th century in Rio de Janeiro, credit transactions followed a personal and convivial logic of their own that encompassed the many inequalities and rigid hierarchical structures of Luso-Brazilian slave society.

To better understand the particulars of Rio's credit market in the 19th century, we need to go one hundred years back and look at two crucial moments in the city's history. The first one dates from 1763, when the discovery of gold in the hinterlands of the province of Minas Gerais led the Portuguese colonial authorities to move the Brazilian capital from Salvador, once the pinnacle of colonial sugar production in the

northwest of Brazil, to Rio de Janeiro, a port city much closer to the mining region. That pragmatic move of the Portuguese Crown led to an exponential growth in the political and economic power of Rio de Janeiro's merchant community. By the end of the 18th century, the expansion of Rio's economy was already evident. Between 1792 and 1807, the number of ships operating in the docks of Rio's port more than doubled, and the numbers of commercial firms in operation grew more than threefold (Arruda 2008; Piñero 2014: 55). At the dawn of the 19th century, Rio's merchants would control the slave trade with Africa, one of the most lucrative businesses of their era (Alencastro 2000; Florentino 1997; Fragoso 1998).

However, such changes dwindled compared to what unfolded in 1808, a pivotal year in Brazilian history. With Napoleonic Wars ravaging Europe, João VI of Portugal made an unexpected political move and sailed away from Lisbon to establish the Portuguese Court in Rio de Janeiro. That voyage forever changed the life and the economy in Rio. From that moment onward, a once modest colonial city became the capital of the Portuguese Empire and home to its vast bureaucratic apparatus (Carvalho 2008). This unprecedented event triggered a drastic change in the city's economy and infrastructure (Schultz 2001). Such transformation would become even more evident in the decades following the Brazilian independence from Portugal. The country began to register continuous rises in agricultural exports harvested with slave labour, fostering a robust domestic market for foodstuff and consumer goods that entered and left the city through its port's docks.

This economic growth was followed by an intense commercial and demographic boom. In 1808, the Portuguese fleet alone was responsible for a 25 percent addition to the city's population, adding 15,000 new townspeople according to some accounts (Malerba 2000: 234). This number jumped to 112,695 people in 1821, with 79,321 residing in the urban perimeter. Twenty years later, in 1849, the city's population grew an impressive 138 percent, reaching 268,386 souls, not considering the floating population of the port city.

All these people and businesses inhabited an area of little more than 4 square kilometres. In the map below, the area inside the continuous lines refers to the neighbourhoods (*freguesias*) of Santana, Santa Rita, Candelária, Sacramento, and São José, encompassing most of the city's households. The area inside the dotted lines is where the commercial activity took place and where one would find most of the stores, commercial offices, warehouses, and the majority of public buildings, notary offices, and courts of law (Figure 1).



**Figure 1. Map of Rio de Janeiro, c. 1840**

Source: ImagineRio (<https://imagerio.org>). Author's elaboration.

Rio de Janeiro was a densely populated city, and the commercial and population booms observed after 1808 were responsible for a striking rise in capital demand. The Portuguese Crown implemented a series of measures to increase the money supply.<sup>3</sup> The most important was founding the first Bank of Brazil, the first and only bank to operate in the country until that point, established by João VI in October of 1808, just a few months after his arrival. Unlike the private banks operating in the North Atlantic at the time, the Bank of Brazil had a monopoly on emission and was heavily used to finance government spending. Continually operating with a deficit, the bank became insolvent and closed its doors in 1829 (Cardoso 2010; Franco 1973; Peláez and Suzigan 1981). After that, the city (and Brazil) went for almost an entire decade without a single bank in operation, and a more robust banking structure would only be seen by the mid-1850s.

Lack of banking activity was a feature that Rio de Janeiro shared with many other late-18th and early-19th century cities and rural areas worldwide. Several regional

<sup>3</sup> It is important to keep in mind that the exchange rates of the *mil-réis* against the dollar and the pound sterling fluctuated during the 19th century. However, if we use an average of the annual exchange rates compiled by Heitor Moura Filho, between 1830 to 1859, one pound sterling amounted roughly to 8\$500, and one dollar to 1\$500 (Moura Filho 2010: 32-3).

economies in the Global South developed highly complex financial markets (Austin and Sugihara 1993; Levy 2012; Lorenzini et al. 2018) even without the institutional changes responsible for sustaining the economic and financial development seen in the North Atlantic after the Glorious and Industrial Revolutions of 17th and 18th centuries (North 1990). The absence of sound fiscal and monetary policies, strict observance of property rights and intense banking activities, and the relative underdevelopment of supposedly institutionally backward nations are undeniably critical economic factors. However, they do not explain how money circulated in such places. Although they offer an important clue: we need to look beyond banking. In the absence of financial institutions, money always finds other ways to circulate, a fact well-known to those researching contemporary informal markets (Coletto 2010; Fernández-Kelly and Shefner 2010).<sup>4</sup>

Institutional changes notwithstanding, one fact remains: During these “bankless” years, the Brazilian capital became the largest urban centre below the equator, home to one of the busiest ports in the Atlantic and a central commercial hub for South America. One cannot help but wonder how a city of such magnitude managed to organize and expand its economy without a substantial banking system. The answer to such a puzzle is relatively simple: borrowing and lending money was mostly a private enterprise conducted amongst the city’s inhabitants and its many commercial firms, both large and small.

In my dissertation (Penna 2019), I focused mainly on this private credit market’s volume and functioning, demonstrating how private and informal credit transactions were responsible for putting in circulation high volumes of capital that flowed through a multitude of networks. To draw such a picture, I analysed an array of different archival materials. The data revealed that most of the city’s residents paid for goods and services using a wide variety of credit instruments, such as pawnshop tickets, foreign and domestic bills of exchange, mortgages, and promissory notes. Those credit instruments were continually endorsed and exchanged in the market, functioning almost as fiduciary money.

The data indicate that the cornerstone of Rio’s private credit market was the intertwined relationship between credit and private property. The city also had thriving pawning and second-hand goods markets capable of accommodating and fostering these circular dynamics observed between private property and credit transactions.

This association between credit and property became evident in the archival research that I organized into three databases. The first database holds the names, dates, and

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4 In 2017 the World Bank released a study that shows that close to 44 percent of the Brazilian adult population had no bank account or access to financial services (Demirguc-Kunt et al. 2018).

results of 3,128 court records of debt litigation that had assets seized as collateral for debts and sent to the Depósito Público (at the moment, it contains data ranging from 1830 to 1859). The second one, the Bill of Exchange Database, includes 2,678 bills of exchange found in the Notarial Records of Rio de Janeiro.<sup>5</sup> This database holds the names of creditors and debtors; value and type of loan (if paid in cash, goods, or services); dates and length of the loans; location; and interest rates. The third database gathers information on close to five thousand credit-related advertisements published in the city's two most popular and long-running newspapers (*Jornal do Commercio* and *Diário do Rio de Janeiro*). This particular database displays the credit transactions offered or requested in the ads (mortgages, pawning, or bills of exchange); if any specific collateral was offered or requested; the transaction amount; as well as the names and addresses of the people or firms that published the ads. The newspaper ads database indicates that a relatively impersonal credit market existed in Rio de Janeiro from the 1820s onward, and non-institutional intermediaries controlled this market.

The archival research also highlighted an under-researched side of the Brazilian slave society, reinforcing the idea that slavery was essential for the country's economy. But not only because slaves were the primary labour force behind the nation's increasing integration with the industrial capitalist economies of the North (Marquese and Salles 2016). The circular logic observed between credit and private property created a background in which slaves played a crucial role in the city's financial market. Both the trans-Atlantic and domestic slave trades generated thousands of negotiable titles that fostered credit circulation. Simultaneously, a recent study found that between 1821 and 1850, more than 90 percent of the debt litigation cases (catalogued in the Brazilian National Archive as *ações de litígio*), entered the courts due to unpaid bills of exchange (Piñero and Saraiva 2017: 146). At the same time, 65 percent of litigation cases that ended up in the Depósito Público were resolved with the seizing of slaves as collateral for outstanding debts (totalling 1,535 court cases). The property of enslaved human beings functioned as one of the main guarantors for credit circulation in the period. Concurrently, the many business transactions that slavery generated were essential to Rio's commercial and economic life (Penna 2019).

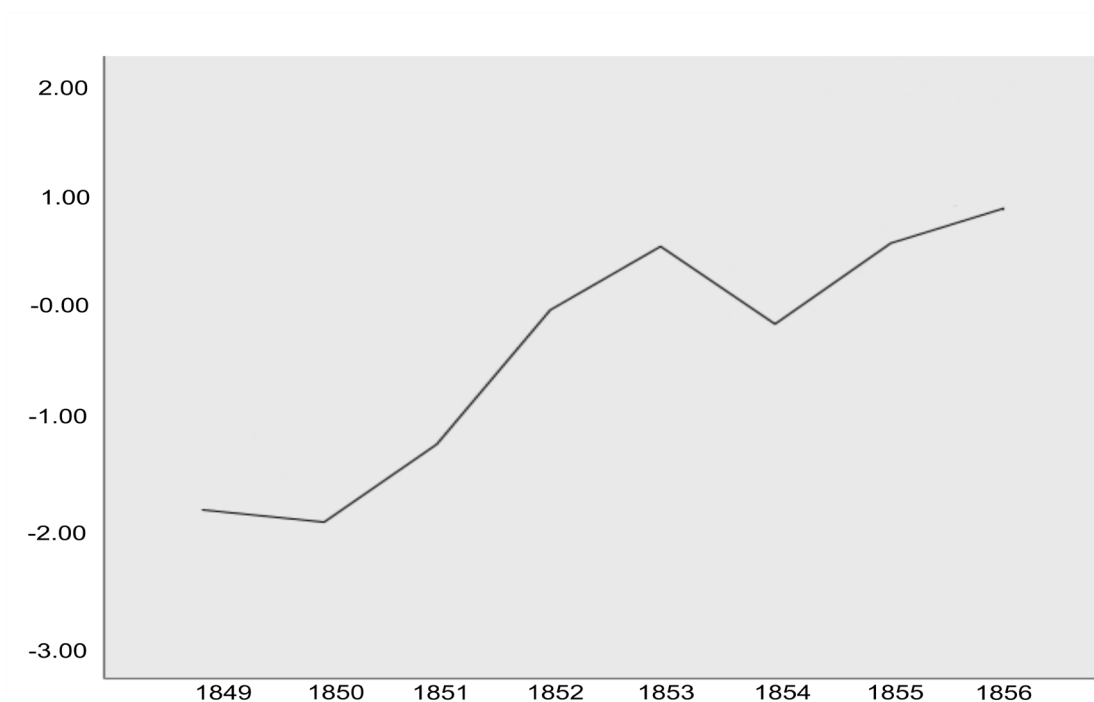
Brazilian economic and historical literature explains the expansion of financial and banking activities of the second half of the 19th century by focusing mainly on two points: the growing international demand for coffee, Brazil's main export crop, and a

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5 The bills of exchange were the most commonly adopted payment medium and credit instrument for short term loans. They display the names taking part in the transaction, the amounts exchanged; and when, where, and how the bill was accepted and had to be paid for (if money, goods, or services) (Penna 2019).

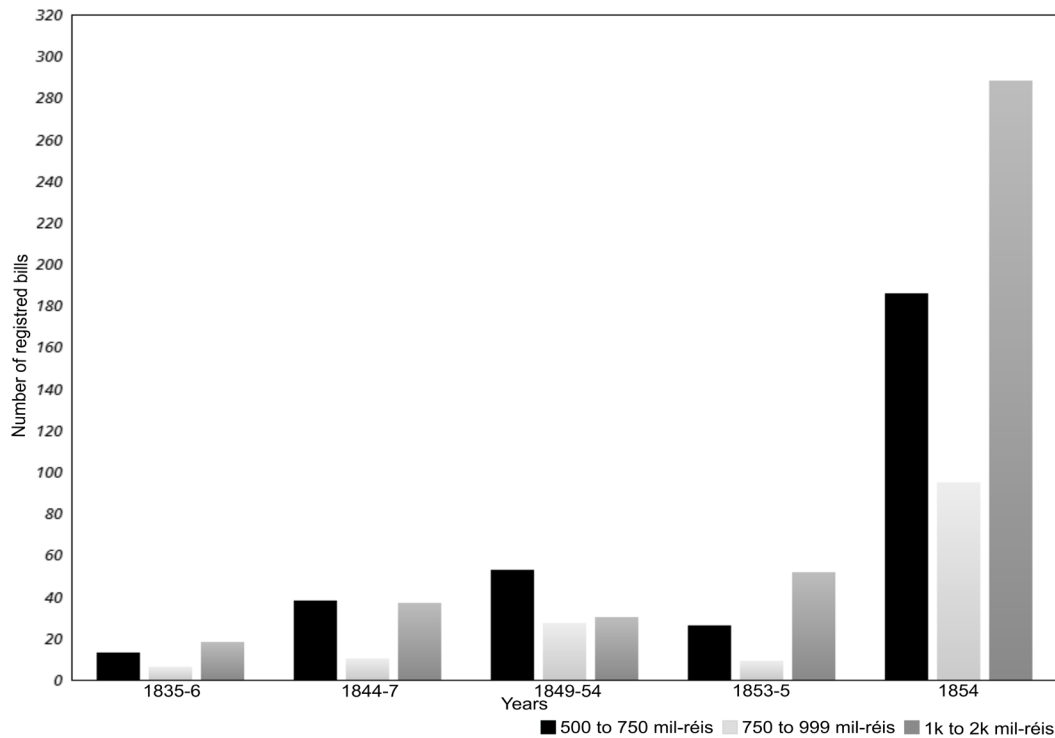
sudden influx of the capital previously tied in the trans-Atlantic slave trade before its prohibition in 1850 (Villa 2016). The analysis conducted so far indicates that those might not be the only triggers to the “banking boom” observed in the second half of the century. The increase in slave prices after the abolition of the trade with Africa followed a proportional increment of bills of exchange in circulation. It is essential to highlight that the discount of bills of exchange consisted of one the most lucrative operations of the newly established banks that began to take over the credit market (Guimarães 2012), once controlled by commercial firms and small intermediaries. As the charts below indicate (Figures 2 and 3), the rise in slave prices led to a similar increase in the volume and value of bills of exchange in circulation:

**Figure 2. Slave Prices Variation (in *mil-réis*)**



Source: Penna 2019: 261

**Figure 3. Distribution of Bills of Exchange by Value between 1835-1859 (in *mil-réis*)**



Source: Arquivo Nacional, Livros de Registro e Protestos de letras, no. 5, 16, 21, 22 and 27.

These newly uncovered facets of credit circulation in Rio, in which slaves were significant collateral for loans, indicate that Teofila's story was far from an exception (aside from the fact that she became a freedwoman at the end, which was not the norm). Credit and debt had a profound influence on the lives of many enslaved people. Before turning back to Teofila's journey, it is important to explain and show how intertwined the relationship between slavery and credit actually was.

### 3. An Enslaved Credit Market

As the vast literature on the slave trade demonstrates, the commerce in enslaved human beings was an international venture of many players. The finances and businesses of slavery tied together in a complex web of transactions, European exporters, bankers and financiers, merchants, and small retailers from different Atlantic port cities (Bohorquez and Menz 2018; Florentino 1997; Inikori 2002; Miller 1988). The charts above indicate that this intricate and complex web of credit transactions was also present in Brazilian domestic slave markets. Over the last two decades, scholars have been reevaluating the role slavery played in modern capitalist societies' economic development. In this "new history of capitalism" (Hilt 2017; Olmstead and Rhode 2018; Rockman 2014), the focus has been slowly moving from slavery as labour force, a theme of a long historiographical tradition, to encompass also the financial aspects of slavery. Such

studies are posing novel ways to investigate a labour system in which both the labour force and the enslaved workers' own bodies could generate massive amounts of wealth (Beckert and Rockman 2016; Wright 2006). Such scholarly debates are still in their infancy in Brazil. However, this picture has changed in the last decade, as historians have begun to investigate how the global economic changes brought about by industrialization drove the demand for raw materials and led to the maintenance of slavery in the Americas despite the growing international pressure for its abolition (Marquese and Salles 2016; Muaze et al. 2015; Tomich 2004). The results of these developments on slave commodity production are well known, although the same does not apply to the impacts of slavery on the country's nascent financial institutions. However, the data indicate that the capital invested in enslaved bodies generated and sustained thousands of negotiable credit titles that fuelled the Atlantic economy and financial markets.

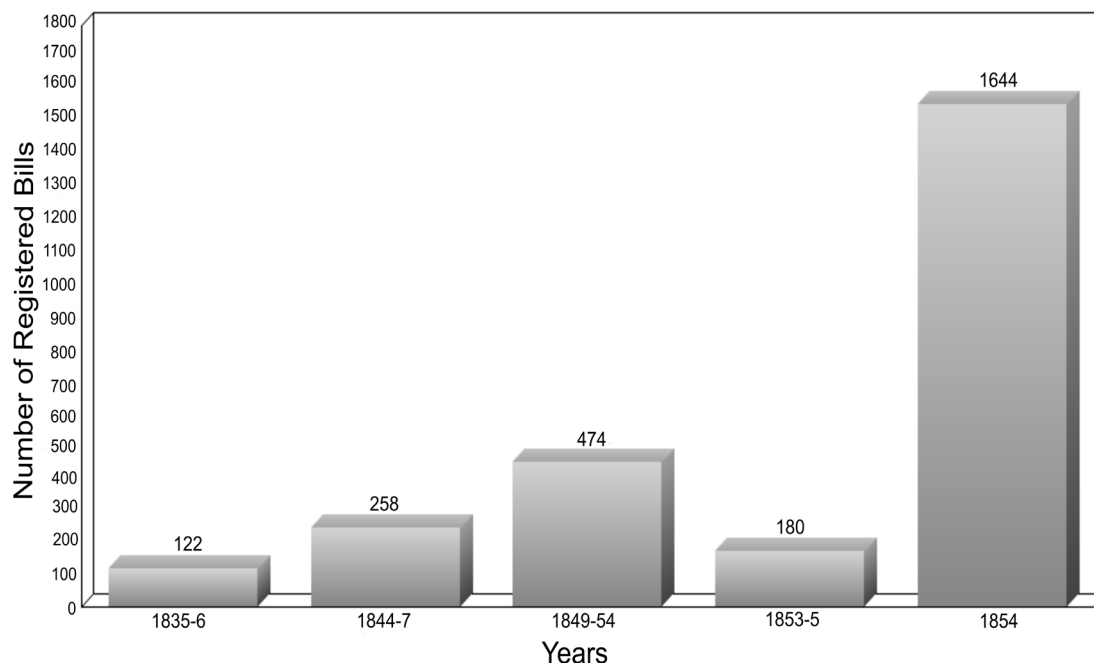
In other words, by looking closely at Rio's credit market and its many bills of exchange, it becomes evident that slavery played an essential role in consolidating capitalism in Brazil and elsewhere. By the mid-19th century, bills of exchange were the primary asset traded on the London Stock Exchange (Neal 1993). The data for the Brazilian city also shows that a significant part of the money circulating in bills of exchange had close ties with the business of slavery. As Calvin Schermerhorn has demonstrated regarding the United States, the capital originated from that country's domestic slave market slowly moved away from mercantile credit networks into the banking system (Schermerhorn 2015), following a trajectory not much different from the one observed in Rio de Janeiro after 1850. This movement injected liquidity into local and global financial institutions and has only recently received attention from historians of slavery in the Americas.

The very nature of the economy in the period can explain why credit titles and the bills of exchange (and debt litigation regarding them) were so prominent. Coin shortages were a common trait of the early modern world. Most commercial centres in the Atlantic and Indian Oceans dealt in bills of exchange to circumvent the chronic problems of money supply and long-distance trade (Bishara 2017; Baskes 2013). With the introduction of multiple endorsements in the 16th century, the bills began to lose their mostly mercantile nature, starting to be widely used as a credit instrument. The textual composition, laws, and traditional rules governing the use of bills of exchange were very similar throughout global mercantile communities (Chaudhury and Denzel 2008; Neal 1993; Penna 2019; Roover 1953; Rogers 2004). This similarity made them the most common payment medium and credit title in circulation well into the 19th century (Trivellato 2019).

To better understand how entangled slavery and credit titles and bills of exchange were, let me briefly describe a civil litigation court case from 1829. In this litigation, the clerk and accountant Possidônio Martins de Mendonça sued his former boss, the merchant Joaquim de Mattos Costa, over 962\$271 *mil-réis* in unpaid wages. The merchant claimed he did not pay the wages because Possidônio had cooked the company's books and defrauded him of 5:200\$000 *mil-réis*. According to Costa, the clerk received that amount on a bill of exchange that he discounted but did not write down in the account books. That particular bill of exchange was given to the clerk by Pedro José Viana, who received it as payment "for four slaves he had sold".<sup>6</sup>

Costa's commercial firm had quite a diverse business portfolio. It owned a partnership in a metalworking company, was one of the directors of the insurance company Tranquilidade, exported coffee, imported tea, and brought slave ships to the port of Rio de Janeiro at least twice. However, Costa's commercial firm's main activity was dealing in bills of exchange, which he discounted for cash after charging a fee – in 1829, his account books registered 129 *contos* (129:000\$000 *mil-réis*) in discounted bills of exchange (Penna 2019: 272–273). He was not alone in the discount business. In the chart below (Figure 4), we can see the number of registered bills of exchange in circulation from a sample of five books from the 1st and 2nd *Ofícios de Notas* do Rio de Janeiro from the years of 1835-6, 1844-6, 1849-54, 1853-5 and 1854.

**Figure 4. Distribution of Bills of Exchange by Year/ Notary Book**



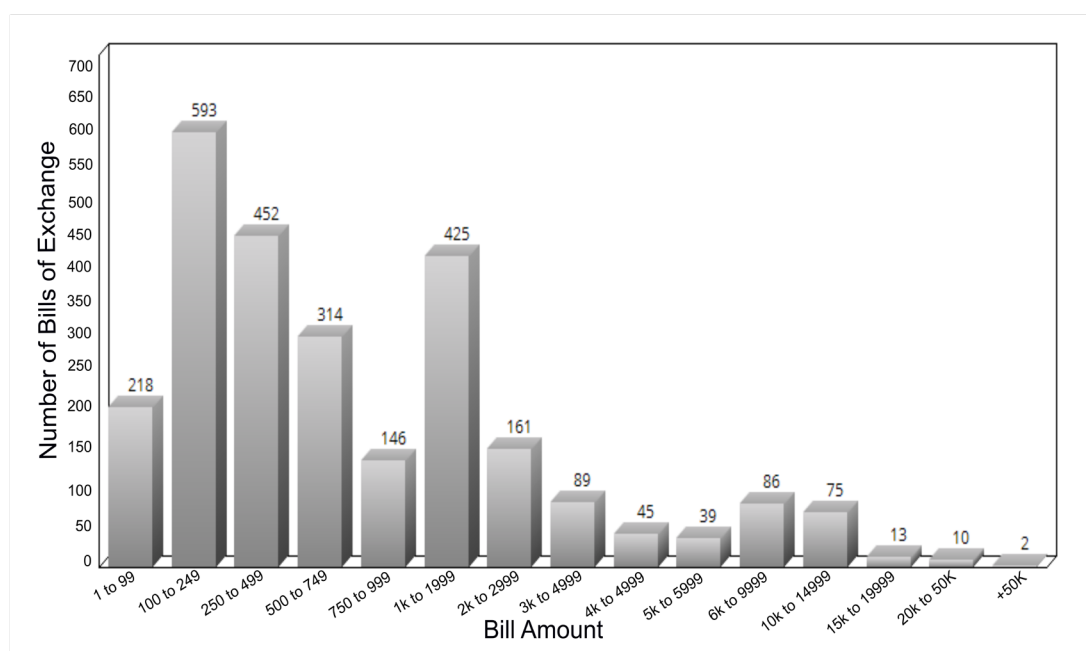
Source: Arquivo Nacional, Livros de Registro e Protestos de letras, no. 5, 16, 21, 22 and 27.

<sup>6</sup> Arquivo Nacional, Supremo Tribunal de Justiça (BU). Reference code BU.0.RCI.0900, no. 7397, maço 17, 1836.



To give an idea of what 129 *contos de réis* meant, in one year alone, Mattos' firm moved more money than all of the bills of exchange protested in 1835-6 (104 *contos*). However, it is necessary to mention that the notary books refer mostly to the bills in default. It was only after 1843 that the law made registration in the books a mandatory step for the bill to be considered valid and “discountable” in commercial firms and banks (which helps explain the volume spike in the 1850s). Looking at the distribution of the bills in the sample by individual amount (Figure 5) helps us understand why a single commercial firm could discount such a vast amount in bills of exchange.

**Figure 5. Distribution of Bills of Exchange by Transaction Amount (in *mil-réis*)**



Source: Arquivo Nacional, Livros de Registro e Protestos de letras, no. 5, 16, 21, 22 and 27.

As we can see, most bills in circulation were those of smaller amounts, less than 500\$000 *mil-réis* (the average price of a male adult slave in the 1840s). The chart above and the high volume of bills discounted in Costa's commercial house indicate that bills of exchange were widespread in Rio de Janeiro.

Turning our attention back to the bill that Possidônio allegedly “skimmed” from Costa, we can see how a single bill generated by the commerce in enslaved Africans could multiply capital through credit circulation. In this particular case, it all began when Pedro José Pereira Viana sold a few slaves to Joaquim José Corrêa, who paid that purchase issuing a bill of exchange of 5:200\$000 *mil-réis* payable in six months after the sale.

The bills circulating in Rio were an instrument quite similar to a promissory note. The difference was that the bills were negotiable. That worked in favour of Pedro since he needed some cash before the bill was due. All he had to do was to endorse it and find



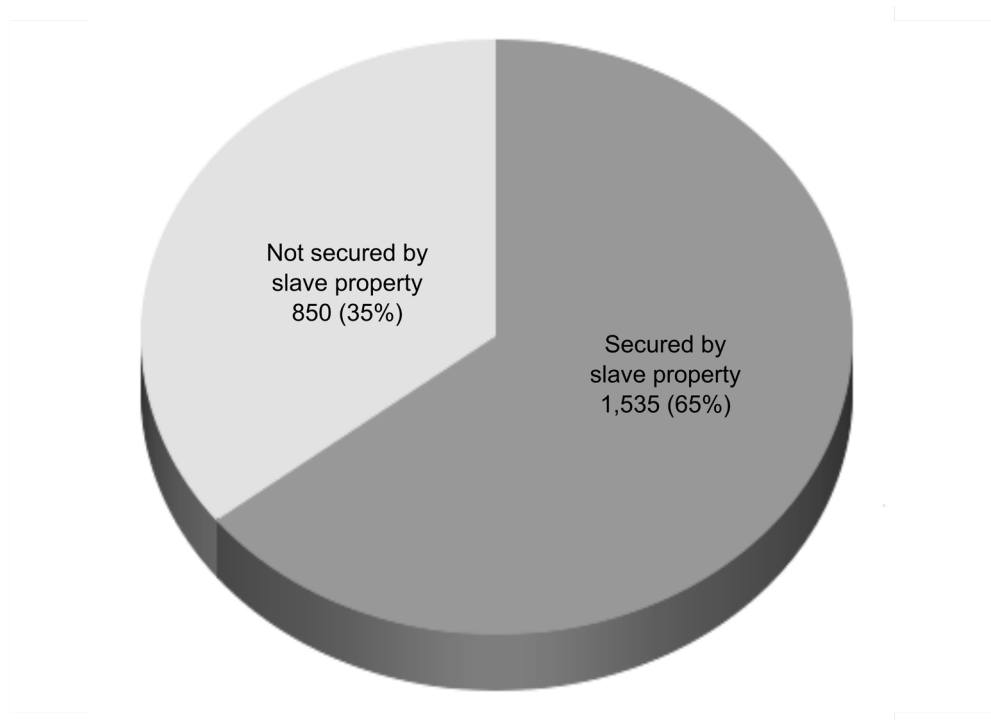
someone willing to front him the cash and take over Corrêa's debt. That was when Possidônio and Costa's commercial firm came into play. The clerk discounted the bill (for a fee of 1.5 percent), Pedro left with close to 4.5 *contos* (4:5000\$000 *mil-réis*) in cash, but Possidônio did not record that payment in the books and kept the bill for himself. The clerk's hopes that one single missing bill would go unnoticed among 129 *contos* and hundreds of bills discounted did not last long – a few months later, the commercial house of one Lima Mattos, which had been in business with Costa, went bankrupt. During a meeting with that firm's creditors to go over its books and the division of assets, Costa noticed several entries in the name of his former clerk and accountant Possidônio: "a bill of 884\$475 issued as the balance for a discounted bill of 5:200\$000 (Pedro's); 82\$000 received in cash; 50\$000 and 307\$000 received in yards of fabric". Costa found those entries suspicious and went after Pedro for information. Pedro said that the bill was discounted in Costa's firm by Possidônio himself, and he heard that a few people saw the clerk "waving that bill around, complaining of not yet having received its entire amount" (Arquivo Nacional, Supremo Tribunal de Justiça (BU). Reference code BU.0.RCI.0900, no. 7397, maço 17, 1836).

That legal dispute over unpaid wages help to illustrate how the endorsement and the market of discounts worked as a multiplier of credit.<sup>7</sup> The sale of a few enslaved human beings generated a bill of exchange that was discounted for cash (that could be used to pay for anything, including more slaves). The bill returned to the market to be discounted for more cash and some yards of fabric. Apart from its sketchy discount, the story behind of Pedro's bill of exchange is not much different from those of the other bills circulating in Rio de Janeiro at the time. Even when the links with slavery were not as straightforward as in this particular bill, the enslaved property still played a crucial role in credit circulation.

A sample of 2,275 debt litigations with assets seized in judicial attachment between 1833 to 1859 shows that in 65 percent of them, at least one enslaved person was placed in the Depósito to serve as collateral for the unpaid debt.<sup>8</sup> In the remaining 35 percent, we will find all sorts of assets: furniture, clothes, artworks, house utensils, ships and boats, oxcarts, fabric, jewellery, tools, produce, livestock, books – an extensive list. These objects were auctioned out to the highest bidder and filled the city's retail stores' shelves. In the chart below (Figure 6), we can see the distribution of the bills according to the type of property seized.

<sup>7</sup> The verdict was in Possidônio's favour: the courts decided that the illegal discount did not serve as an excuse for Mattos to withhold the clerk's wages.

<sup>8</sup> This is still work in progress. The archival collection regarding the Depósito ranges from 1833 to 1888.

**Figure 6. Distribution of Debt Litigation Cases by Type of Property Seized**

Source: Arquivo Público do Estado do Rio de Janeiro (APERJ), Fundo Depósito Público.

The judicial attachments also reveal that the city's judiciary system's swiftness in converting unpaid loans into property and putting them back into the market appears to be one of the pillars of credit circulation in Rio de Janeiro. Assets seized by the courts would quickly return to the market by the hands of the many auctioneers, second-hand goods dealers, slave merchants, and pawnshops owners to begin a new credit cycle. Large and small amounts of capital in the form of bills of exchange circulated through the hands of import and export merchants, retailers, street vendors, enslaved and free people. Everyone who worked in Rio de Janeiro's streets had to deal with and know the different types of credit titles available. Enslaved people, more than anyone, knew very well this property-credit cycle.

#### **4. Teofila's Saga**

The first contact I had with Teofila was while building the Judicial Attachments database. The documents that comprise the database are very similar to the one carried by the attorney Videira – a release order instructing the Depositário Geral to hand over an asset previously seized in a debt litigation court case. Apart from being among the only eight other examples in which someone entered the Depósito as an slave and left as a freeperson, something drew my attention to Teofila's release order: Boaventura and Luis, respectively plaintiff and defendant in the debt litigation case that produced that release order identified themselves as being of the Mina nation.

Albeit being only a small fraction of the enslaved African brought to Rio, not much more than 5 percent from most accounts (Hall 2007; Klein 1987; Karasch 1972: 12; Soares 2007: 402–403), the Mina were perceived as troublemakers (Graham 2011; Mamigonian 2000). This reputation solidified in public memory after the Malês Revolt in Salvador (Reis 1997). They also had a reputation for being savvy businesspersons. The Mina *quitandeiras* and *pombeiros* played an essential role in the commerce of produce and foodstuff in Brazilian urban centres since colonial times (Camilo 2015; Graham 2010; Soares 2007: 401–405).<sup>9</sup> In 19th-century Rio de Janeiro, these African businesspersons built some extensive commercial and credit networks of their own. The scholarship is full of examples of Mina freepersons that became quite successful in their business endeavours (Farias 2015; Penna 2019; Villa 2014). The story of Teofila unfolded inside one of these carioca African business and credit networks.

If one looks at the saga of Teofila as a play, the release order was the final act of a plot that unfolded in three different court cases and a series of notary records upon which the following pages are based.<sup>10</sup> First let me introduce the reader to the cast of Teofila's freedom play, starting with the leading actress herself.

As it happened with most enslaved people who passed through the doors of the Depósito Público, the documentation has only scarce information about Teofila. Debt litigation cases, such as the one that led her to be a resident of the Depósito for almost half a year, are usually thrifty in data about the seized enslaved person. After reading the archival material, the only information we have about Teofila is that she was “about 30 years of age” and said to have been born in the Costa da Mina. Considering the above-average price Teofila was sold for (1:270\$000 *mil-réis*), it is safe to assume that she performed skilled labour. She was most likely a *quitandeira* and an experienced street seller.

Boaventura Joaquim Gomes, the plaintiff in the court case that placed Teofila in the Depósito, also came from the Costa da Mina. He was born there in 1825 and trafficked to Salvador, Bahia, at a very young age, just a few years before the slave trade prohibition in 1831. He was 30 years old in 1855. He moved to Rio de Janeiro from Salvador after acquiring his manumission, but he did not sever ties with the capital of Bahia. Boaventura was the business proxy in Rio for João Fernandes Gravilha, a businessman from Salvador (Farias 2015: 290) and often travelled to that city. In

<sup>9</sup> The *pombeiros* were small businesspersons that worked as “middle-men” in the food supply chain, bringing produce from the hinterlands to urban fairs and street markets. The *quitandeiras* were street vendors (typically women) that sold produce and small meals in tents or trays carried around the city.

<sup>10</sup> Arquivo Nacional, Relação do Rio de Janeiro (Fundo 84), 1864, no. 3153, caixa 1652, galeria A; Relação do Rio de Janeiro (Fundo 84), 1855, no. 269, maço 67; Relação do Rio de Janeiro (Fundo 84), 1868, no. 4555, caixa 219. Arquivo Público do Estado do Rio de Janeiro, Fundo Depósito Público, DP 0015.

Rio, Boaventura married Felizarda Ana Barbosa (also a *preta Mina*) and established a small foodstuff distribution business and restaurant (*casa de pasto*) in Largo da Sé. Boaventura, unlike most of his fellow Africans that were trafficked to Brazil, knew how to read and write and became a fairly successful businessman.

The other leading role in Teofila's freedom the play belongs to Luis Montenegro. He also identified himself as being born in the Costa da Mina. However, Luis did not disembark in Brazil as a slave but as a Liberated African. Since the prohibition of the slave trade with Africa in 1831, the authorities apprehended several contraband slave ships. All illegal captives were considered *africanos livres* (liberated Africans) that, such as Luis, fell into a distinct legal category and were placed into special labour arrangements. They were allocated in the custody of the Brazilian government for 14 years and forced to work for State-appointed patrons (*concessionários*) or in public construction sites in exchange for food, shelter, and inconstant wages if any. Many *africanos livres* were kept in such arrangements for thirty years before experiencing "full freedom" (Mamigonian 2017).

Luis, however, who was 35 years old at the time, had a less-strict work arrangement. He did not reside with his patron Manoel Montenegro in Botafogo, in the city's outskirts. For many years Luis lived downtown by "his own account" with the freed Mina *quitandeira* Maria do Bonfim (a Costa da Mina native as well) who, as we will soon see, also played an important role in Teofila's freedom play. They were a couple and had a son, André, although they were never married. Luis worked in the docks loading coffee into cargo ships. To enjoy such "freedom", Luis agreed to pay his patron a weekly sum in an arrangement that mimicked that of the *ao ganho* slaves, a slave labour arrangement that was customary and widespread in Brazilian cities (Acerbi 2017; Reis 1997, Soares 1988).<sup>11</sup>

As we know, Teofila ended up in the Depósito because of an unpaid loan that Boaventura contracted with Luis. On 30 August 1854, the two Mina Africans entered a notary office and signed a mortgage deed (*hipoteca*) under the following terms:

[...] were present at my notary office: as debtor Luis Montenegro and as creditor Boaventura Joaquim Gomes, both of Black colour. The second is resident at Largo da Sé, and the first at Rua do Príncipe do Valongo, both were recognized by the witnesses named and signed at the bottom and in front of whom the debtor said that needing the amount of five hundred *mil-réis* (500\$000) he asked

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<sup>11</sup> An enslaved person *ao ganho* would typically work on their own account, without close supervision from their owners, paying a *jornal*, a previously accorded weekly sum (the enslaved could usually keep the exceeding earnings). In Rio de Janeiro, *ao ganho* enslaved men and women performed a wide range of different urban activities such as selling foodstuff and small meals on the streets, washing clothes on public ponds, transporting small cargo on oxcarts, and many other.

the creditor Boaventura Joaquim Gomes for a loan in said amount to which the creditor conceded and paid in legal and valid notes from this nation. I [the notary officer] was a witness and swore that this information is true. The debtor agrees to pay the creditor back in one year from this date with monthly interest rates of one percent and offers as security for such mortgage deed his slave named Teofila of the Mina nation and promises not to sell her or mortgage her out to anyone else until the creditor is fully repaid of both principal and interest. If the debtor fails to follow any provision of this mortgage, all of his present and future assets and earnings will be used as collateral for the debt. The loan was used to fulfil the amount necessary to buy the slave woman presently being mortgaged out. The debtor said that he agrees with all the terms of this mortgage deed. (Arquivo Nacional, Relação do Rio de Janeiro (Fundo 84), 1855, no. 269, maço 67)

At first glance, this is a mortgage record like any other. Not even the fact of being contracted between two Africans comes as a surprise. As mentioned before, it is a consensus among scholars of 19th-century urban slavery in Brazil that both free and freed Blacks were economically very active (Graham 2010; Farias 2015; Penna 2019; Villa 2014). Such a type of sale/mortgage arrangement to buy a slave was also not that uncommon. After 1810, Portuguese legislation changed the formalities for instalment sales, “decoupling” the act of sale from its object. The seller could no longer reclaim the sold item in the event of payment default; only a debt litigation court case would settle a sale debt (Penna 2019: 170). This new legislation led to a large number of mortgage contracts like that between Boaventura and Luis, in which an enslaved person (or any other item, but mainly real estate and slaves) sold in instalments was mortgaged out to the buyer immediately after the sale to serve as collateral in case of default. The mortgage deed worked as a safeguard to the seller since mortgages were a legal contract with straightforward enforcement in the courts of law.

Like most litigation cases in which the plaintiff had a credit title (a mortgage deed in this particular instance), or any written document signed by the debtor, the courts quickly settled legal matters such as Boaventura v. Luis. Legal demands with signed credit titles usually did not take much longer than one month to receive a verdict, generally favouring those holding a valid credit title such as mortgage deeds and bills of exchange. As we know, since Luis could not pay his debt in time, Teofila was auctioned out and bought by Antonio da Silva Marques, who later entered into an agreement with Boaventura “to free” the enslaved woman. The freeing of Teofila was the only part of that litigation consistently different from the vast majority of the others found in the Judicial Attachments Database. From the 1,535 litigation cases with slaves seized as

collateral, in only eight of them the enslaved person was able to leave the Depósito as a freedperson.

The oddity of Teofila's case struck my curiosity, and I decided to look further into Luis and Boaventura to see what was behind the agreement that made her a freedwoman. Fortunately, I was lucky enough to stumble upon a criminal court proceeding that allowed a glimpse into this Mina credit network in Rio de Janeiro.

In December 1854, Maria do Bofim, Luis's significant other until recently at that point, accused the *africano livre* and Boaventura of theft and larceny by fraud. According to Maria, they conspired to defraud and steal from her an enslaved Mina woman she had bought in instalments. Her name? Teofila.

We learn from the proceedings that by mid-1853, José Joaquim Lacerda, Teofila's owner, contacted Januário José de Almeida, a known slave dealer, asking him to find a buyer for Teofila. The enslaved woman used to be "rented out" by Lacerda, and she had worked and even lived from time to time with Maria do Bonfim, who heard of Teofila's owner's disposition and decided to buy her. The asking price was 1:070\$000 *mil-réis*, and Lacerda wanted the payment in one lump sum. Maria, however, could only afford to spend 800\$000 *mil-réis* at that time.

That was not a problem for Januário. After many years of dealing in that nefarious commerce, the slave dealer knew quite well that there was no shortage of credit for those willing to buy human beings. Januário had an easy solution to Maria's money predicament – all she needed to do was to contact the Portuguese retailer and second-hand goods dealer Antonio da Costa, who was said to "lend money to Black people". Januário was right. The next day, Maria went to Costa's store and borrowed the remaining 217\$000 *mil-réis* to cover Teofila's price. Costa agreed to front her the money and keep Teofila's blank signed bill of sale in his possession until full payment of the debt. As a safeguard to Maria, he signed a receipt of the 217\$000 *mil-réis* with all of the clauses of that deal written down on paper.

As the accusation goes, Luis supposedly snatched the receipt from Maria's home, obtained a 500\$000 *mil-réis* loan from Boaventura (who allegedly knew of the scam), and they both went to Costa's store to pay off the debt and reclaim Teofila's bill of sale. Boaventura then wrote Luis's name as Teofila's new owner. After paying sales tax, they went to the notary office and signed the mortgage deed that we just read.

The two defendants, however, told a whole different story. According to them, the money to buy Teofila belonged to Luis, and he had been in Costa's store several times making payments on that loan. The Portuguese second-hand goods dealer and loan shark confirmed the defendants' version and said that both the plaintiff Maria and the defendants were in his store when the money was lent. According to Costa, the



three Africans talked to each other in a manner that made him assume that they were all “companions” (*companheiros*). In his deposition, when questioned why he gave the bill of sale to Luis without Maria being present (since she was there on the day the loan contract was signed), Costa answered that Luis was the one who had been making payments on that loan. The Portuguese dealer also said that when he asked the *africano livre* about Maria, Luis, well aware of the patriarchal notions that guided the world he lived in, quickly replied that “when the rooster is in the yard, the chicken does not cackle”. As from her part, the formerly enslaved woman Maria, knowing quite well the social hierarchies of the slave society she inhabited, complained that it was utterly absurd that someone with no legal personality such as a Liberated African could go about town buying slaves and signing contracts and mortgage deeds. Curiously, it was Teofila’s words, the individual with the least legal personhood in the whole case, that swung the jury in favour of Luis and Boaventura.

Teofila told the jury that she had been working *ao ganho* and living with Maria for a few years before her owner decided to put her up for sale. She also said that Luis and Maria lived together as a couple and had a son since she had been there. She testified that a few months before Maria pressed charges, they got into a fight (she did not know of the motives) and Maria, who owned the house, kicked Luis out. One of the defence attorney’s main arguments was that Maria’s accusations were made out of spite because of a lovers’ quarrel. Teofila’s words turned out to be decisive for a not-guilty verdict. Another piece of information that puzzled the jury was that, according to Boaventura, Luis asked him to write down a document in which he donated Teofila to his and Maria’s son, André (who was two years old at the time and lived with his mother) right after the mortgage was signed. However, that not-guilty verdict did not come effortlessly for the Mina Africans. Maria appealed two times, and the case made its way to the Tribunal da Relação in Rio de Janeiro. It was a lengthy and costly criminal case to the defendants, particularly to Boaventura. Not having legal personhood worked in favour of Luis. As an *africano livre*, he was a ward of the state and granted free legal representation. Boaventura, on the other hand, did not. Getting rid of Maria’s accusation cost him a great deal of money and aggravation.

At one point during the case, both Luis and Boaventura ended up in the infamous Aljube jail, and from behind bars, he sent a concerned letter to his attorney, the same one who carried Teofila’s release order to the Depósito:

Honourable Mr. José Antonio Videira

One of the jurors who took part in my deposition informed me that my absolution was far from certain if the prosecution’s appeal to nullify the case was to be accepted. He also said that if the Tribunal da Relação does not confirm my not-

guilty verdict, I would most certainly be found guilty by a new jury because the proceeding paints a terrible picture of me. You would know how painful such news would be, the way I see it, if I am not helped by those who so intimately have spoken in my favour, I will have to suffer the dire burden of a heavy sentence in addition to all of the heartaches I've been through in this matter. But fortunately, I have you among my defenders, and I owe you a thousand debts of gratitude and consider you as a father after all you have done to help me in this wretched deal, and I keep placing all of my trust in you. I ask you once again to please not spare any effort in favour of a confirmation of my not-guilty verdict, which someone of your standing would certainly accomplish. I know I have been asking too much of you, dear sir. However, as I find myself in this delicate crisis, I can not help but share with you my concerns and the terrible position I am currently in, hoping that your abilities will remedy the ills surrounding me. Deign, therefore, dear sir, to pay the most careful consideration to this request of mine, making all that is within your reach so that I may see my desire crowned with fortunate success.

I wish you all the happiness and a perfect health

As your servant, such as your friend and debtor,

Boaventura Joaquim Gomes

Aljube, 19 May 1855

(Arquivo Nacional, Relação do Rio de Janeiro, Fundo 84, 1868, no. 4555, caixa 219)

## 5. Conclusion

The letter above was taken from a debt litigation case initiated a decade later (in 1864) by Videira, in which he charged Boaventura with unpaid attorney fees. The lawyer claimed to have represented the Mina businessman without receiving the proper payment in at least three other court cases. Videira's litigation indicates that the money spent by Boaventura to get rid of the theft and larceny charges was his financial downfall. By the end of 1855, with legal fees mounting, Boaventura had mortgaged out two enslaved women he possessed, Josefina Mina and her 3-year-old daughter Cypriana, for 744\$000 *mil-réis*. He would be dealing with the financial repercussions of that case in years to come.

It all began with a simple loan, like dozens of others registered daily in the notary books. The fact that Luis and Boaventura conducted this deal primarily within Rio's Mina community and most of the deponents identified themselves as Mina, did not



appear to have played a crucial role in the outcome of that criminal case. Some sided with Maria, others with Luis and Boaventura. Their African origin also did not seem to have played any relevant role in their access to Rio's justice system and notary offices. Nor did any of them have much problems signing or litigating their loans and contracts or presenting a criminal complaint to the courts.

As for the criminal case, when all was said and done, both plaintiff and defendants were quick to employ to their favour the inequalities of the patriarchal slave society they knew so well. As historians like to say, no one can live beyond or out of their own time and social values. Luis played the patriarchal card. Maria used Luis's dubious legal status to cast doubt on his ownership of Teofila and his credit dealings. Boaventura testified many times that he only took part in that "wretched deal" for strictly business reasons. It seemed to him as a profitable enterprise, and he was, after all, a businessman, a *negociante*, as Boaventura liked to describe himself in every deposition when asked about his occupation. Unfortunately, his nose for good business opportunities failed him that time.

Maria also incurred steep legal fees from what the courts deemed as a false accusation. Although it might be impossible to know for sure if the end of her relationship with Luis was what ultimately led her to press charges, the depositions and documentary evidence drive us to believe that, at least to some extent, the break-up seemed to have played a part. A few months after Maria pressed charges against Boaventura and Luis, she married Vitor José Joaquim. According to the defendants, Maria knew it had been Luis who paid for Teofila and fabricated the accusation influenced by her new husband – the words vengeance, grudge, and jealousy were used profusely in the defence's final allegations. Emotional feelings notwithstanding, it is essential to highlight that, just like Luis, Maria also did not shy away from pulling a "patriarchal ace" from her sleeve. She appealed the verdict under the allegation that the entire proceedings should be nullified because, as a married woman, Vitor was the one who should have acted as the plaintiff because he was the "head of the couple", not her. Albeit having sound legal grounds, married women indeed needed to be represented by their husbands in the courts of law or be at least authorised by them to represent themselves; Maria's patriarchal card did not convince the court of appeals because she got married a few months after pressing charges.

Another information that seemed to have influenced the jury was Luis's donation of Teofila to young André. According to the accusation, this was nothing more than chicanery on the part of the defendants to make it harder for Maria to reclaim her stolen enslaved property. The problem with Maria's arguments was that the baptismal records of André do not show Luis (or anyone else, for that matter) as the child's father. A mother questioning the donation made to her own son did not sit well with the jury.

As for the main character, the archival sources do not tell us what, after all, was the agreement that allowed Teofila to leave the Depósito as a freedwoman. I am still looking for her manumission letter. If I had to guess, I would say that she had some money saved up, just like many other enslaved men and women who worked *ao ganho* in the streets of Brazilian cities. She then took advantage of a tumultuous moment in the life of her fellow Mina owners to obtain her manumission. Brazilian notary offices are full of *cartas de aforria* that were paid for by the enslaved themselves, either with money or services (Florentino 2002). Freedom was hardly ever gifted. Most of the time, it had to be conquered.

Teofila's freedom saga began as the simple sale of an enslaved person that, like many others, generated a credit title not much different from the several other credit titles and bills of exchange we see circulating through Rio de Janeiro's economy in the period. If analysed from a purely quantitative standpoint, it would be just one more loan in a society where slavery and private credit transactions were the financial lifeblood. Economists and economic historians would most likely side with Boaventura's mindset: that credit deal was just another day in the life of *homo economicus*, a rational agent always on the lookout for profit. However, the way the other characters behave defies the axioms of rational choice theory and would most likely be discarded as market imperfections (Adelman and Levy 2019; Friedland and Robertson 1990) or as statistically irrelevant. Indeed, one can argue that not all credit transactions were as complex and contentious as the sale of Teofila.

However, there are thousands of debt litigation cases in Brazilian archives (Penna 2019: 294–295), and only recently have they received attention from historians. In other words, it seems premature to make any (statistical or otherwise) judgment on the many credits and contractual disputes that reached the Brazilian courts of law in the 19th century. Even more important than the sheer number of debt court cases found on the archives is that by looking beyond the numbers, we can see a society in which conviviality and the many daily life interactions walked side by side with the inequalities of a slave society. These many private deals were always in close contact with the massive legal and institutional apparatus created to sustain the modern nation-states. In Rio's credit market, people of all colours, legal and social statuses had to deal with one another and with a wide array of institutions and their bureaucracies.

The many deals and disputes taking place in Rio's private credit market present themselves as a unique opportunity for scholars to find a kind of economic agency rarely encountered in official records. In a private credit market like the one observed in Rio de Janeiro, financial conviviality was the norm, and everyone had to inhabit and coexist in the same complex market environment. Stories such as Teofila's, Boaventura's, Luis's, and Maria do Bonfim's do not only bring "life" and "agency" to the charts and

databases used in the pages above. When observed alongside the massive presence of the highly negotiable bills of exchange generated and backed by slave property, they also suggest that modern financial institutions' ties with slavery are more robust than many care to admit.

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