

# *The confraternities of misericórdia and property transfers: the case of the Monteiro family, between Porto and Asia (1580-1640)*

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## **Abstract**

This study focuses on two persons of the same family, Antônio e Domingos Monteiro, both involved in the Japan trade, whose way of life was marked by mobility within the coasts of South East Asia, trading in a wide variety of goods. Their network of contacts reveals the presence of members of their kin, especially nephews, as well as merchants from Porto, suggesting that the Portuguese model of emigration to Brazil during the nineteenth century was already at work in Asia. The purveyors of the dead and absentees were in charge of transmitting assets to inheritors in Portugal, but the *misericórdias* also performed this role, even if in practice the interference of the representatives of the king was impossible to avoid. In spite of the intention of directing the money to mainland Portugal as soon as possible, long voyages, conveniences of maritime trade, royal bureaucracy and judicial litigations transformed transfer into a morose process.

**Keywords:** transmission of property; Portuguese confraternities of Misericórdia; Misericórdia do Porto; Portuguese Asia.

## *As misericórdias e as transferências de bens: o caso dos Monteiros, entre o Porto e a Ásia (1580-1640)*

### **Resumo**

Os testamentos de dois mercadores da mesma família, envolvidos na viagem do Japão, Antônio e Domingos Monteiro, revelam um modo de vida marcado pela mobilidade entre vários territórios do Sudeste Asiático, transacionando grande variedade de produtos. Por meio de sua rede de relações, é possível discernir a presença de parentes seus, sobretudo sobrinhos, e de outros negociantes portugueses, sugerindo que o modelo português de emigração para o Brasil já estava em ação no Oriente. Embora a transmissão de bens competisse aos provedores dos defuntos e ausentes, as *misericórdias* transferiam capitais de defuntos para a metrópole, em detrimento dos agentes diretos do rei, embora fosse impossível evitar a ingerência destes últimos. Apesar da vontade em fazer chegar o dinheiro à metrópole rapidamente para convertê-lo em padrões de juro, conveniências do trato, a burocracia régia e litígios sucessórios tornavam moroso o processo de transferência.

**Palavras-chave:** transmissão de propriedade; Misericórdias Portuguesas; Misericórdia do Porto; Ásia portuguesa

## *Les confréries de misericórdia et les transferts de propriété : le cas de la famille Monteiro, entre Porto et l'Asie (1580-1640)*

### **Résumé**

Cet article étudie deux hommes de la même famille, impliqués dans le voyage du Japon, Antônio et Domingos Monteiro, leur mode de vie étant marqué par une constante mobilité au Sud-est Asiatique, grâce au commerce d'une grande variété de produits. Leur réseau de contacts démontre la présence d'autres membres de leur famille en Asie, surtout des neveux, suggérant que le modèle de l'émigration portugaise au Brésil était déjà à l'œuvre dans l'Est. Les « provedores » des défunts et absents devaient assurer le transfert de richesse aux héritiers, mais les confréries de *misericórdias* jouaient aussi ce rôle au détriment des agents du roi, quoique il était en pratique impossible d'éviter l'ingérence de ces derniers. Malgré la volonté de faire arriver rapidement l'argent à la métropole, la durée des voyages, les contingences du commerce, la bureaucratie royale et les conflits entre les héritiers transformaient ce transfert dans un procès morose.

**Mots-clés:** transmission de propriété ; confréries portugaises de Misericórdia ; *misericórdia* de Porto ; Asie portugaise.

## *Las cofradías de misericórdia y las transferencias de bienes: el caso de los Monteiro. entre Porto y Asia (1580-1640)*

### **Resumen**

Este estudio se basa en dos personas de la misma familia, ambos implicados en el viaje a Japón, Antônio y Domingos Monteiro. Su modo de vida muestra su grande movilidad en la costa Sudeste de Asia, a través del comercio de una amplia variedad de productos. Otros miembros de su familia, especialmente sobrinos, estaban presentes, lo que sugiere que el modelo de emigración portuguesa a Brasil ya estaba en acción en el Oriente siglos antes.

Era la función de los provedores de los muertos y ausentes garantizar la transferencia de bienes, aunque las *misericórdias* también desempeñaran estas funciones, en detrimento de los agentes directos del rey, aunque en la práctica fue imposible evitar la interferencia de estos últimos. A pesar de la voluntad de transferir el dinero a la metrópoli con rapidez, la duración de los viajes, las conveniencias de lo trato, la burocracia regia y los conflictos entre los herederos hacían largo este proceso.

**Palabras clave:** transmisión de herencias; cofradías portuguesas de Misericórdia; Misericórdia do Porto; Asia portuguesa

## The Confraternities of *Misericórdia* and Property Transfers: The case of the Monteiro family, between Porto and Asia (1580-1640)

During the last 20 years of the sixteenth century, the traveler arriving to Macao could find many men with the surname Monteiro. Most of them belonged to the same family; there was a mixture of legitimate and illegitimate sons among them, which was common at the time. This noble family from Porto, to whom King João III awarded a coat of arms to replace older certificates, can be found in Portuguese genealogies, as, tradition had it, the origins of the family went far back in time<sup>2</sup> (Morais, 1998, p. 96-102; Gaio, 1939, p. 187-213). Like many families in Porto, the Monteiros originated in somewhat distant rural areas; in this case, Mesão Frio, in the Douro region, where part of the family lived. This paper is about the last wills of two of its members: Antônio Monteiro, who tested in 1580, and Domingos Monteiro, in 1591, who declared that the former was his uncle<sup>3</sup>. However, the age difference between them might not have been substantial, as can be common among uncles and nephews in large families.

### Antônio Monteiro

Antônio wrote his will in April 1580<sup>4</sup>. The way that Antônio started it was not so common: he declared that his father, Gil Monteiro, was married to woman named Inês do Couto when he was born. Antônio's mother was a "single woman that lived at [his father's] home", named Madalena Pires, who got married later on<sup>5</sup>. This means that Antônio was a *bastardo* and not a natural child, the former a term used in Portuguese law to designate children whose parents could not marry each other (Sá, 1994, p. 73). Gil Monteiro probably had children from both women at the same time and in the same house. The fact that Madalena married later shows that she might have enjoyed some protection; a woman rarely married without a dowry, especially if she was a single mother. It is likely that someone from the Monteiro family paid for it – probably Gil –, since genealogists mention four illegitimate children from Gil and Madalena, although they may be wrong, as several inaccuracies in them were detected in this research<sup>6</sup>. We do not know if this peculiar family context caused suffering and conflicts, but the fact is that similar situations were common at the time, before the religious reformations segregated illegitimate children. Although it might not be common for a man to live in the same house with two his children's mothers,

<sup>2</sup> It is important to say that some serious errors were detected in these genealogies, as we shall report later in the text. Regarding this family, see Brito (1977, p. 377). There is also an article on Domingos Monteiro by Freitas (1991, p. 389-393).

<sup>3</sup> Unless declared otherwise, the main sources used in this article are from the *Arquivo Histórico da Santa Casa da Misericórdia do Porto* (AHSCMP), Série H, banco 4, livro 29, pp. 1-240 (Antônio Monteiro's testamentary papers), and série H, banco 6, livro 17, p. 280v onwards. (Domingos Monteiro). Precise citations will be given exclusively in the case of transcribed texts from the original sources.

<sup>4</sup> Regarding the formal issues related to the elaboration of last wills, see Araújo (1997, especially p. 271-273).

<sup>5</sup> AHSCMP, série H, banco 4, livro 29, fl. 19.

<sup>6</sup> Domingos Monteiro is held to being one of Antônio's illegitimate brothers; this is impossible, as Domingos declares in his last will to be the legitimate child of Branca da Rocha and Antônio Monteiro (see footnote 2).

the illegitimate children not only often received their fathers' surnames (if they recognized paternity, which was not always the case) but could also be taken from their mothers and raised together with their other legitimate children. Antônio's illegitimate condition did not prevent him from declaring himself a vassal (*criado*) of the Duke of Bragança and his descendants, being registered in the latter's books; or from referring to the services he had rendered the king with his weapons in India; he also declared that he was prepared to prove everything through documents he had in his possession. This means that, as many other Portuguese who had emigrated to the empire, Antônio had arrived in Asia as a king's soldier and later become a merchant by dedicating himself to maritime trade.

However, Antônio Monteiro remembered his illegitimate origins with a precise purpose: he knew that both canon and civil law – he referred specifically to theologians and to the Ordenações – prevented his mother from being his heir. Thus, Antônio proved himself to be well informed not only about his mother (he thought her to be alive and knew she had married in the meantime) but also about God's and men's laws. However, he left her 300 cruzados, the equivalent of 120,000 réis, a meaningful sum at the time. Besides his mother, Antônio named a long list of men with the surname Monteiro: uncles, nephews and slaves that belonged to him; as it is well known, the latter often received the owner's name. Among the nephews there was Gil Monteiro Pinto, who lived in Porto and, together with his will's executors, had the responsibility of making sure that his mother received her legacy, and in case she died, her husband or their children. As we found out later, Gil was the son of Antônio's only legitimate half-brother, and was married to Luísa de Paiva de Azevedo.

### The funeral

Antônio must have known that he would die soon, as he intended his funeral to take place in Macao, where he was staying at the time. His body would be buried in its 'big' church (*igreja grande*), in a grave placed next to the Saint Francis altar, thereby keeping a tradition of his hometown, where the nobility often chose the convent of St. Francis as a burial site. The local confraternity of Misericórdia would be in charge of the funeral. Funerals were not free ventures, then as now, although payments belonged to the category of gifts, as it was up to Antônio to decide how much money to give each participant. The Franciscans should receive 20 cruzados and the Misericórdia 200, a difference that is eloquent of the importance of both institutions, the money received by the Misericórdia being intended for the poor. Other five confraternities of the city and a Capuchin house were also awarded money. The burial service included an office of nine lessons, a very long liturgical celebration (with nine readings, as the name says) that took place at night during the eve of the funeral. There would be another similar office within 15 days, and a third one would take place after a month. Antônio also asked for a total of 30 masses to be celebrated:

five in honor of Christ's wounds, three to the Holy Spirit and nine to Our Lady of Conception, and the rest on behalf of his and his relatives' souls. Later, in a codicil, the Company of Jesus would also be included among Antônio legatees. As codicils were meant to correct last wills, we are left with the suspicion that some strategic moves occurred in-between such documents.

### Violante e Isabelinha

In spite of leaving a substantial amount of money to his mother, Antônio Monteiro was truly worried about a girl. She was born to a woman living in his house, probably a baptized Asian slave, as the name Maria Monteiro suggests. She was named Violante and he left her a fortune to be given to her in the future, on the occasion of her marriage: four thousand cruzados, a huge sum at the end of the sixteenth century. The girl would be educated and protected by the will's executors, who would use this money to buy silk in Macao, sell it in Japan and take the profits of his business to Goa. Domingos Monteiro (the second tester), whom Antônio designated as Violante's uncle, would receive this money in India and, together with another man by the surname Monteiro, Domingos's brother Rodrigo; both would be Violantes' tutors and curators. Antônio recommended that the money should not be squandered until her marriage, and that only small sums should be spent in the meantime to pay for the girl's needs. Antônio was very clear about the nature of the four thousand cruzados: they were not part of an inheritance, as he did not want the interference of the king's representatives. Which means that Violante was not his heir; the money he bequeathed her was intended as a dowry; this subterfuge, which had the advantage of preventing the law from interfering, also allowed Antônio to never openly declare that she was his daughter. He preferred to leave the money under the responsibility of the people he trusted rather than to rely on the feeble Portuguese state.

Antônio Monteiro also provided for another girl, named Isabelinha, an orphan, the daughter of his nephew Brás Pinto. She would also be raised under Domingos and Rodrigo's responsibility. She was also endowed, however with a dowry four times inferior to Violante's (1,000 cruzados). The information concerning this girl is unclear, because Antônio possessed a slave with the same name. They could be the same person, as Brás could have had a child with a slave. It is not the first ambiguity to be reported among the families that the Portuguese created in the distant territories of the empire; Isabelinha could have been considered both a slave and a niece. Portuguese men often acknowledged the paternity of children by women who they did not marry, many of the latter being slaves with whom they had long-lasting or temporary relationships; the mothers disappeared or were kept anonymous, but they felt responsible for their children.

The will suggests that both girls were with Antônio in Macao, although they should travel back to India, where Antônio had left a trusted slave also named Monteiro (Brás), who also served as his commercial agent. Antônio refers to

26 slaves in the will, all of them called by their names, 18 males and 8 females, also designated as “moços” and “moças” and differentiated by their ethnicities: Chinese, Sundanese (ethnic group native to the western part of Java), Japanese, Siamese and Malaysian. Two of them were in India, and we suppose that the others were with Antônio in Macao. Antônio mentioned he had bought only four of them, at the cost of 20 to 30 cruzados each (8,000 - 12,000 réis) a small amount of money if compared to Violante’s dowry. Other slaves were declared as having been born at home. We cannot forget that some of these slaves could have been obtained through kidnapping, which Patterson considers one of the most common ways of enslavement, because we know that the Portuguese often raided Chinese villages with the purpose of taking people (Patterson 1982; Boxer 1990, p. 229).

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Antônio confessed he owned a house where Violante and her mother lived, although he did not state its location; we infer that it was in Macao, since he was living there when his last will was written. He declared that the house should be sold after his death, as the girls’ tutors, Domingos and Rodrigo Monteiro would take them on board to Cochin. Antônio left eight slaves to serve the girls: Violante would keep six girls and a boy, and Isabelinha only a girl, a distinction that again clarifies the relative importance awarded to each of them.

Both girls – Violante always more than Isabelinha – owned jewels that they were meant to keep in their possession after Antônio’s death. Jewels were considered indispensable showcases of women’s social status, because they made visible the quality and price of their persons. The girls’ jewels were in all in gold and included necklaces, bracelets, rings, earrings and ear adornments (in the Asian fashion). There was also a pear shaped amber stone, and dozens of buttons and a reliquary with an *agnus dei*. There was some silver too: two cups, one salt-cellar, six knives, four spoons and four forks. They could remind Violante of her origin, as knives and forks were not eating instruments in Asia. By giving these objects to her, Antônio was doing more than simply giving her valuable assets: it was a cultural transfer. Violante’s mother might be Asian, but her daughter was summoned to take part in the Portuguese culture through the objects he bequeathed her. Whilst cutlery incorporated Violante into the European culture, the reliquary with the *agnus dei* integrated her into the Catholic religion. She might have an Asian mother, but Antônio was pushing her to this culture when implicitly recognizing paternity.

Domingos and Rodrigo Monteiro, Violante’s curators, were entrusted with arranging her marriage as soon as possible; should Domingos go back to Portugal, he would marry her to a “noble and honorable man”. Antônio really

trusted Domingos: “I know how much *her uncle* likes her” (“bem sei quanto *seu tio* lhe quer”)<sup>7</sup>. Should Violante marry in India, in case her husband moved to Portugal he would receive another 2,000 pardaus<sup>8</sup> that would be added to her dowry. The safeguard clauses also prescribed that if neither Rodrigo nor Domingos could arrange her marriage, the Misericórdia of Goa would replace them in this charge.

## Trading

We must not forget that Antônio Monteiro was a merchant; he traded in the famous route between Portuguese India and Japan, which mandatorily used Macao as port of call. The city had become the “throat”, an unavoidable stop-over for missionaries and traders wanting to enter China or to travel to Japan (Brockey, 2003, p. 44-55). It was also a Portuguese permanent settlement, but where the Portuguese were always a minority compared to the Chinese population that increasingly settled in the city<sup>9</sup>. By the second half of the eighteenth century, the Portuguese residents represented a little fraction of its inhabitants, always depending on the Chinese’s political good will to stay in the peninsula and on the food they sold them to survive, as the scarcity of space did not allow subsistence activities such as agriculture or cattle farming.

Last wills of merchants are difficult to read, because the money is referred to be in the hand of business partners, either as investments or active and passive debts. They sometimes refer to ledgers (*livros de razão*) that have disappeared over time (Antônio Monteiro refers to his), which would probably give a better account of their commercial activities; the transactions mentioned in last wills tend to be the pending and unresolved ones. As a merchant, Antônio traded Chinese silk, which was exchanged for Japan’s silver. Silver was an indispensable commodity to China because it was used not as a monetized currency, but being weighed every time a transaction was made (Brook, 2009, p. 154). The tael was the Chinese unit of weight, but its weight varied from region to region<sup>10</sup>.

The merchandise owned by Antônio Monteiro was all on board, dispatched to different locations: India, Timor, Siam and Japan. The silk bought from China was to be carried to India, Timor provided sandalwood, and

<sup>7</sup> Both citations in AHSCMP, série H, banco 4, livro 29, fl. 32v (emphasis added). We can note the ambiguity of the terminologies of kin: Antônio declared that Domingos was his nephew, but referred to him as uncle to his daughter.

<sup>8</sup> According to Boxer, the pardau could be in gold or silver, the former being worth 360 réis and the latter 300 (Boxer, 1963, p. 336). The document is not specific as to which pardau Antônio is referring to. If we take the smallest value, we will have 60,000 réis, roughly equivalent to three average marriage dowries awarded to poor orphaned girls.

<sup>9</sup> Elsa Penalva (2005) follows the presence of Portuguese merchants over the years in the documental sources related to Macao, although referring to an ulterior chronology.

<sup>10</sup> Boxer states that the taél was frequently equalled to the cruzado, to the real de ouro and the ducado in rough calculations. All the equivalences related to weights and currencies in this article were based on Boxer (1963, p. 335-342).

Siam lead. His last will also mentions Malacca and Cochin, where his business partner would take golden *taéis* to pay for custom rights<sup>11</sup>. He had also invested 65 baskets of silk in his nephew Domingos Monteiro's ship which were to be sold in Japan<sup>12</sup>.

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*O Whilst cutlery incorporated Violante into the European culture, the reliquary with the agnus dei integrated her into the Catholic religion*

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Another Domingos Monteiro, the young one (*o moço*) (to be distinguished from his homonym), was traveling to Timor, as Antônio had given him 200 cruzados to buy goods. As we can see, trade covered a vast area of southern Asian coasts between Goa and Japan: Cochin, Malacca, Siam, Timor, Guangzhou... The will suggests that Antônio Monteiro did not accumulate wealth on land, but that all his assets were reinvested in trade, with the exception of slaves, to whom Antônio dedicated more attention than to his house. As we previously mentioned, he did not even declare its location, the reader of his will inferring that it was in Macao. In the absence of landed property and arable lands, slaves constituted important assets, not only for the flaunting of riches that they allowed for, but also for the services they provided. They could be skilled tailors, barbers and even replace their owners in business, as was the case with the aforementioned Brás Monteiro.

### **A chapel in charge of Porto's Misericórdia**

Violante was not the only recipient of Antônio's fortune. After paying for the funeral's ceremony and keeping aside Violante's and Isabelinha's dowries, his heir was the Santa Casa da Misericórdia of Porto. Antônio wanted to found a chapel with the invocation of Our Lady of Angels and Porciúncula at the church of the convent of Saint Francis in Porto, under the supervision of the city's Misericórdia, which would be given 20,000 réis annually for its poor. However, his nephew Gil Monteiro Pinto would be in charge of the chapel's administration; he lived in the city and was his closest relative from his father's family. Note that, in spite of being an illegitimate child, Antônio preferred his father's line, maybe for its social importance, as it granted him noble status. There are

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<sup>11</sup> A provision from the viceroy in 1554 ordered the ships that went from Malacca to China to leave a warrant for the rights of the goods to be brought back in the return trip, with the exception of the merchandises licensed by him or the governor (Rivara, 1992, fasc. 5, part I, p. 264).

<sup>12</sup> No mention was found in the bibliography to silk being measured in baskets. Probably it was weighed in "picols", equivalent to 60 kilos and a half each.

other examples of men that, in spite of being of illegitimate birth, considered themselves superior to plebeians, even to those who were legitimate<sup>13</sup>.

As was common to last wills, the testator provided alternatives in case his first options could not be fulfilled; if building this chapel in Porto was not possible, its monetary funds should be divided among the Misericórdias of Cochin, Goa, Lisbon, Porto and Mesão Frio, each receiving 100,000 cruzados – with the exception of Porto, Antônio's homeland, which received twice this sum. In case there was money left, it would be used to award marriage dowries for his poor relatives in Mesão Frio; in their absence, to noble women. Moreover, he left 300 cruzados to Gil Monteiro Pinto, his nephew who lived in Porto and 50 cruzados to his niece Filipa de Seixas, a nun of Corpus Christi convent, in Vila Nova de Gaia<sup>14</sup>.

Like most testators, Antônio was not satisfied with paying his debts to God; he also wanted to settle those he had contracted with men. The latter should be paid against the presentation of “conhecimentos”, that is, documents signed by the creditor and debtor specifying the amount of money in debt, but Antônio ordered that those who did not display such documents should be paid, if they were worthy of credit, made a solemn oath, and if “they could not be suspected of roguery<sup>15</sup>”. Trust was the human currency among traders and Antônio was no different in this matter. He entrusted his most precious possessions –the merchandise and the girls– to members of his family, to the detriment of royal institutions that he repeatedly excluded from the execution of his will.

Antônio Monteiro left other minor legacies, such as the money required to build a roof over Macao's leper house, which was run by the Misericórdia. Whilst leprosy was in recession in Europe, Misericórdias in Asia could be in charge of creating and running these institutions (Sá, 2008, p. 168; Seabra, 2011, p. 194). Also, besides the money for the roof, Macao's Misericórdia would receive 100 cruzados.

### The executors of the will

Executors of wills were the key figures in the transmission of inherited property. Antônio chose them in two stages: in Macao, Francisco Mendes de Vasconcelos, the priest Antônio Lopes da Fonseca and Gaspar Leite, as well as his friend Antônio Rebelo Bravo, would work together in order to gather his estate, with the help of the local Misericórdia. It was Antônio Rebelo's responsibility to take the rest of the inheritance to the misericórdia of Porto when he went back to Portugal, where Gil would administrate the new chapel. Rebelo was also from Porto and later asked its Misericórdia to manage his indentured property (*morgado*) in Portugal, on behalf of a daughter who lived in Goa (Basto, 1997, p. 454). This first group of executors in Macao only

<sup>13</sup> Boxer raises a contrast between two historians of Portuguese India, João de Barros e Diogo do Couto; Barros was not legitimate, but his parents were both noble, whilst Couto had a plebeian origin (Boxer, 2002, p. 22).

<sup>14</sup> Each cruzado being worth 400 réis, Gil Monteiro would receive 120.000 réis and Filipa de Seixas 20.000 réis.

<sup>15</sup> AHSCMP, série H, banco 4, livro 29, fl. 28v.

had to make sure that Antônio Monteiro's assets arrived safely in India. From that moment on, other executors would take over: his nephews Domingos and Rodrigo Monteiro who, just to remind the reader, were already the tutors and curators of the two girls. The Misericórdia of Malacca was also designated as executor, receiving 100 *cruzados* paid by Macao's Misericórdia, maybe because the city stood as a port of call on the return from Macao to India. In this testament, as in many others, it was essential to ensure everybody's good will, using distributive justice as much as possible, rewarding each intervenient according to his services.

Antônio Monteiro's will demonstrates that its author had created a network of contacts and affections that went from India to Timor, and also that he wanted the least possible interference of the Crown in the process of executing his last wishes. Up to this point, the notary that validated his last will was the only royal institution that Antônio appealed to. No testament was valid if not approved by a notary and the king was the sole authority that could appoint such post (Araújo, 1997, p. 75)<sup>16</sup>.

Antônio concluded his will saying that if it was invalidated, bishop D. Belchior would see that his last will be carried out<sup>17</sup>, never mentioning the king's officials. The "bishop of China" would oversee the partition of the remaining estate among the three Misericórdias, Porto, Mesão Frio and Lamego, and see that the dowries were awarded to honorable girls, preferably from his father's line. Any donor knew that the money given to a young woman could make the difference between remaining single or getting married.

An important clause in Antônio Monteiro's testament enunciated a prerequisite that was to cause trouble and delays either to members of his family or to institutions and would be ultimately resolved in court. Its participants were Antônio's relatives living in Porto, and, against them, Violante's family in Cochin, who was then a married woman. The will established that Violante's children or the ones from his nephew Gil Moreira Pinto would be the administrators of the chapel; ultimately, the closest existing relatives, provided they resided in Porto.

### **Between Porto and Cochin: competing for the administration of the chantry**

In 1607, Luísa de Paiva, Gil Moreira Pinto's widow, together with her son João Álvares de Azevedo took formal possession of the administration of the chapel that the illegitimate uncle of her dead husband had founded. A ceremony was

<sup>16</sup> Ordenações *manuelinas*, livro IV, tit. LXXVI.

<sup>17</sup> D. Belchior Carneiro (Coimbra, 1516-Macau, 1583) is considered the first bishop of China and Japan, although he was only the apostolic administrator of these regions, until the diocese was created in 1576. He was in charge of the diocese until its first bishop arrived in 1581, d. Leonardo de Sá (Almeida, 1968, p. 704-705).

held to mark the event, which took place inside the church of the convent of Saint Francis, where the chapel's masses would be celebrated. In order to be able to do so, Luísa and her son had previously obtained a royal authorization, awarded by King Filipe II of Portugal (1598-1621), a fact that testifies to the power and influence of the family. However, by then the Misericórdia was in possession of the money that would maintain the chapel, and had bought a *padrão de juro* (registered bond of consolidated royal debt). The battle between Luísa de Paiva and Violante's relatives, represented by the Misericórdia, had already started. By then no one doubted that Violante was Antônio's daughter. As we saw, Antônio had not stated it in his testament, although, he somewhat casually declared that Domingos and Rodrigo Monteiro, her curators to be, were her uncles.

We might ask why administering a chapel might provoke a dispute; in reality, it was designed for taking care of the deceased's soul, and in some cases, those of his kin. Chapels might be formed in an allocated space within a church, where an altar was built, as was the case with Antônio's, but they often dispensed with it, as the essential feature was the saying of masses, in the quantity and in the dates prescribed by its donor. Therefore, administering a chapel included taking care of the resources that paid for the suffrages, hiring its celebrants, paying them and checking if the donor's wishes were fulfilled. So, it could be hard work. Why, in this case, were two different factions fighting for its administration? Maybe for two reasons: first, there was a surplus income that the administrator could receive. Second, the symbolic capital of the family could be at stake, since the legitimate branch of the family might resent that the descendants of an illegitimate relative were in charge of the chapel (Violante, like her father, was not the child of marriage).

By 1607, Violante was married and had two children, Jerônimo and Antônio (named after his grandfather?), both under the age of 14. Violante and her husband, João Montes Sarmiento, lived very far from Porto, in Cochin. That is why the latter wrote to Porto's Misericórdia and made it his legal representative in 1600, although the confraternity only accepted the charge officially in March 1606. Six years later...

Francisco Montes Sarmiento had to prove he was married to Violante according to the rules of the Catholic Church, a process that required the hearing of witnesses. It began in December 1607 at Cochin. The first witness was João Vieira de Almeida, citizen, 40 years old, who confirmed that João Sarmiento was married to Violante Monteiro, Antônio Monteiro's daughter. The other witnesses were Manuel Monteiro, 47 years old and Simão Carvalho, 44 years old, both citizens of Cochin, and Inácio Moreira, widower, 70 years old. Inácio's testimony was the most interesting one, as he declared having met Antônio Monteiro long ago in China and that he had travelled to Cochin in Domingos Monteiro's ship, when Antônio died, being common and public knowledge that his daughter, Violante Monteiro, accompanied him.

It is important to note that both Gil Monteiro Pinto and his son, João Álvares de Azevedo Monteiro, were brothers of the Misericórdia, demonstrating that the confraternity's interests could be conflictive with the interests of its own members<sup>18</sup>. However, the rulers of the confraternity declared at one point that no matter how the matter was to be settled, according to the testament, the Misericórdia would always be entitled to 20,000 réis a year. Yet, it was not so simple, since heirs in Cochin were willing to pay more.

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*Executors of wills were the key figures in the transmission of inherited property*

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João Montes Sarmiento won the case in 1608, but it is likely that neither he nor his wife were alive in the following year, because his son Jerônimo underwent the official requirements to be recognized as the heir of the administration of the chapel founded by his grandfather in the convent of Saint Francis of Porto. His habilitation dates to November 24, 1609, and took place in Cochin<sup>19</sup>. The witnesses who identified him as Antônio's grandson were Francisco Correia Dantas, a *casado* and a citizen of Cochin, aged over 35 years old; Antônio de Leão, also a citizen, who declared himself to be over 50; and, Valério Gentil, a 48-year-old *casado* who lived in "China" (Macao)<sup>20</sup>. This man had been one of the witnesses when Antônio Monteiro wrote his codicil in April 1580.

However, Jerônimo did not live in Porto as intended in his grandfather's will; the Misericórdia would act as his proxy and administrator of the chapel. In 1611 it celebrated a contract with a master stonemason to build the chapel, and exacted court fees from the widow Luísa de Paiva<sup>21</sup>. The Misericórdia would receive the net income of 100,000 réis, deduce expenses with the management of the chapel, and send the rest to Jerônimo in Cochin, submitting the corresponding accountancy. The misericórdia of Lisbon also acted as an intermediary, as it would receive the money from Cochin. The average sum sent to Jerônimo varied according to the expenses with the chantry, but it totaled around 36,035 réis. The lowest sum sent to Cochin was 21,520 réis, in 1634, a year in which the Crown appropriated four months of interests. This was no surprise, as the 1630s were a difficult decade for the finances of the Iberian monarchy... Jerônimo had raised the Misericórdia's annual income to 30,000 réis, purportedly given as alms to the poor. However, his intention was, without a doubt, to encourage the Misericórdia to give his case full attention.

<sup>18</sup> AHSCMP, série D, banco 5, livro 7.

<sup>19</sup> We can infer that Antônio, the other child, had died in the meantime. AHSCMP, série H, banco 4, livro 29, fl. 82.

<sup>20</sup> The status of *casado* was important in the context of the Portuguese Asia, as it designated the men who married a local woman and settled in one place, thereby constituting a family.

<sup>21</sup> AHSCMP, série J, banco 3, livro 1, fl. 23.

However, the misericórdia was notified that Jerônimo had died heirless in September 1635, and the chapel went back to the relatives living in Porto, precisely to João Álvares de Azevedo, who had taken possession of the administration of the chapel back in 1607, together with his mother. From 1637 on, the Misericórdia ceased its administration, receiving only 20,000 réis per year as stated in Antônio Monteiro's will. The cost of the masses in the chapel was then 10,500 réis, paid to the friars of the convent of Saint Francis. It is important to note that they were to celebrate three masses per week and thus 156 masses a year, that is, they were the ones who worked the most yet earned the least.

The two hundred pages of the judicial process between the two branches of Antônio's heirs are difficult to understand if we do not read Domingos Monteiro's will, which was partially responsible for the delay in the effective foundation of Antônio's chapel.

### **Domingos Monteiro, captain-major of the voyage to Japan**

We shall now turn our attention to Domingos, whom Antônio repeatedly referred to as his nephew, although we should keep in mind that this kinship does not match the information contained in the genealogies of this Monteiro family (see footnotes 2 and 6). Not only do the genealogies contain errors (both intended and unintended<sup>22</sup>), but also the archival sources vary in the terminology they use: for example, the same person may appear either as nephew or cousin.

In opposition to his uncle Antônio Monteiro, Domingos can be traced in other historical sources outside Porto's Misericórdia archive. Domingos was a legitimate child, proclaiming in his will to be the son of Antônio Monteiro and Branca da Rocha, who had lived in Mesão Frio. He is an important character, as he was captain-major of the voyage to Japan several times during the last quarter of the sixteenth century.

Who was this captain-major of the voyage to Japan? Which powers did he have?

The Portuguese had been aware of Japan since 1542 and they very soon realized that, as the trade between Japan and China was forbidden, they could establish profitable business as intermediaries between both. However, the long trip between Malacca and the Japanese archipelago required a shelter in-between. This was the reason why the Portuguese repeatedly tried to get a permit from the Chinese to settle in one of their harbors. It was not easy, as China was closed to foreign trade. Although there was a Chinese diaspora spread in Southeast Asia, the Chinese state did not protect it, preferring to promote an intensive program of migration to the empty spaces in Central Asia (Parker, 2010, p. 139). Around 1557, the Portuguese managed to settle steadily in Macao (Loureiro, 2000, p. 543). Although they could trade other

<sup>22</sup> On the permeability of genealogists due to social and political agendas, see Figueiroa-Rêgo (2008, especially, p. 119-217).

products, the commerce between China and Japan was based on a mutually beneficial exchange: China provided the fine silk that the Japanese preferred to their own, and the latter sold their silver in return, a product that China did not have in significant quantities and which constituted the currency of its commercial exchanges.

The Portuguese soon transformed this route, initially open to all, into a trade monopoly. From 1550 onward, the crown started to restrict this voyage between China and Japan to a licensed captain-major. The king was to appoint him, being replaced if needed by the viceroy or the governor of the *Estado da Índia*. In general the captain major was a *fidalgo*, but the profits of the voyage could be awarded to an institution, for instance a municipal council (Souza, 1991, p. 35).

The captain-major enjoyed a powerful authority: he was the chief of all ships and Portuguese establishments in the West of Malacca; he spoke in the name of the king of Portugal with Chinese and Japanese authorities; he had the responsibility of acting as provider of the dead and the absent (*provedor dos defuntos e ausentes*) to those who had not assigned an executor to their inheritances. He usually owned a ship that he should rig at his own expense. His attributions were related to leadership rather than to the technicalities of navigation, which were incumbent on the pilots. It was his responsibility to make important decisions, to maintain discipline on board and make justice. Up to 1587, a moment in which local magistrates (*ouvidores*) took over the administration, the captain-major was the supreme power in Macao<sup>23</sup>. This position of supremacy soon originated disputes with local aldermen (members of the *Senado municipal*), which later ascended to the rulership of the city, although depending officially on Goa, a relationship that proved to be more fictitious than real up until the end of the eighteenth century.

The voyage to Japan was annual; the ship left Goa in April or May, with the captain-major on board. It made a stopover in Malacca to load the ship with goods that would be sold in Japan. Then, it sailed to Macao, where it arrived between June and August. The Portuguese had to stay there for ten to twelve months for a simple reason: Chinese silk could only be purchased in Guangzhou between January and June, and so they had to wait in Macao until the next year. But they could not leave Macao at the beginning of the year, having to wait for the monsoon, which occurred between the end of June and the beginning of August, and then taking another 30 days to arrive in Japan. The ship would stay until there was a new favorable monsoon for the return trip, generally between the end of October and the beginning of March. The whole voyage could last as much as three years if the stopover was longer in Malacca or if they missed the monsoon in Macao (Boxer, 1990, p. 29).

<sup>23</sup> In the same vein, the post of *provedor dos defuntos e ausentes* started to be appointed by the municipal council in 1589 (Boxer, 1990, p. 31).

As one can imagine, many unexpected events could occur during these voyages, which might explain several issues depicted in our documentation: first, the fact that these men, although based in Portuguese India, had to spend long periods of time in Macao, thus being obliged to own houses there or be hosted by friends. Second, that they devised the churches of the town as burial grounds for their corpses and as institutions that would care for their souls.

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*Administering a chapel included taking care of the resources that paid for the suffrages, hiring its celebrants, paying them and checking if the donor's wishes were fulfilled*

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Boxer elaborated two lists of captain-majors in which Domingos Monteiro appears four times as a captain-major of the voyage to Japan: three sequential years from 1576 to 1578, and another in 1586. Nothing is said about the fifth voyage in either of them, precisely the one that interests us here (its appointment is missing, but it might have occurred between 1589 and 1591). On the other hand, Domingos appears in Boxer's second list as Macao's governor in 1592, when, in fact, he was already dead. Regarding 1593, we already have Gaspar Pinto da Rocha in this role, which is correct (Boxer, 1990, p. 273-279); Boxer himself states in another work that Domingos Monteiro did not make the voyage of 1592, although he was appointed as its captain-major (Boxer, 1963, p. 57).

As we have said, in contrast to Antônio Monteiro, who remains virtually unknown, Domingos is mentioned in other historical sources. In 1578, he was one of the first Europeans to see Chosen's shores in Korea, thanks to a typhoon that deviated his ship (Boxer, 1990, p. 53). He also met one of the leaders of Japan's political unification, Hideyoshi (c. 1537-1598), who hosted him in 1587 and who, very soon afterwards, started to antagonize the presence of Christian missionaries in Japan<sup>24</sup>.

### **Domingos Monteiro's last will**

Domingos had his testament written in the middle of a voyage to Japan. That year he owned only a half voyage, the other half belonging to Jacome de Póvoas, with whom he would split the profits. He was heading to Macao, because he had it registered by the notary in Malacca on June 22, 1591, stating that he was ill. On that occasion, he was staying in the house of a Portuguese man named Jorge Nunes, who was a *casado*. He had started to write the will with his own hands,

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<sup>24</sup> Regarding Hideyoshi, see Boxer (1993, p. 172). The Jesuit priest Luís Froes narrated this episode (Fróis, 1976-1984, v. IV, p. 395-396). See also Biblioteca Nacional da Ajuda, cod. Jesuítas na Ásia, 49-V-3 (t. XXVIII), pp. 8-8v and 11.

but others had to finish it, maybe because his health deteriorated in the meantime. However, he signed it, together with the witnesses. He showed himself to be as mistrustful of the king's officials as his uncle had been eleven years before, declaring that he did not want them to interfere with the execution of his will.

The will informs us that Domingos was married in Cochin, although he had no children, and, as his wife's name is not mentioned, we can infer that he was a widower. He referred to his mother-in-law, Francisca Sarmento, the same surname of Violante's husband who, as we already know, married and lived with his wife in Cochin. That is, both Violante and Domingos's mother-in-law lived in Cochin. We cannot exclude the possibility that, as Violante's tutor, Domingos had married her into the family of his own wife. We must keep in mind that Domingos Monteiro had been named executor of the testament of his uncle Antônio Monteiro, together with this brother Rodrigo although we lose track of the latter in the sources; both were in charge of arranging the marriages of Violante and Isabelinha.

### The assets

Domingo's economic situation was certainly less prosperous than that of his uncle Antônio Monteiro, especially because his assets were entrusted to other people scattered across Asia. This excerpt demonstrates the chaotic state of his finances:

(...) I have circa 6,400 *pardaus de reales*<sup>25</sup> in India that the pepper's contractors and Francisco Lopes de Elvas owe me, from which there are receipts to receive them from Francisco Mendes de Vasconcelos (...) as soon as our Lord brings the ships from the kingdom [Portugal] and this money is mortgaged in 6,660 *pardaus*<sup>26</sup>; the remaining money is mine and Francisco Mendes also has a little container of musk whose value is for the latter to say. In Cochin I have nine *barcas* (containers) of silk that may have 27 and 28 hands under the power of Pêro Afonso, a *casado* living in that city, (...) and he also has nine and a half *barcas* of fine china that he sent to Hormuz (...) I do not have any written receipt of this signed by him because I did not ask it from him in the haste of the ship's departure, but he is someone who will tell the whole truth; I also sold him my houses via a *retro* for 2,000 *xerafins*<sup>27</sup>, which I owed from the half of the inheritance [he should have received] from Maria de Góis, God rest her soul, and he took possession of them without giving me any receipt for the house; also, I have three shops (*boticas*) in Cochin that will be given to Francisca Sarmento, my mother-in-law (...) <sup>28</sup>.

<sup>25</sup> Boxer only refers to *pardaus* in gold (circa 360 réis) and *pardaus* in silver (equivalent to *pardau de tangas* or *pardau de larins*, 300 réis). We assumed that he meant the golden ones, equivalent to the *cruzado* and the *real de oito*, and as such  $6,400 \times 360 = 2,304,000$ .

<sup>26</sup> Because its value surpasses the initial value of 6,400 *pardaus de reales*, we assumed that the *pardau de prata* is considered here, equivalent to 300 réis. As such,  $6,000 \times 300 \text{ réis} = 1,800,000 \text{ réis}$ .

<sup>27</sup> *Xerafim* was an Indo-Portuguese currency, in theory the same as 300 réis. Therefore, the houses were sold for  $2,000 \times 300 = 600,000 \text{ réis}$ .

<sup>28</sup> AHSCMP, série H, banco 6, livro 17, fl. 280v.

Like Antônio Monteiro, Domingos continued doing business beyond his own death: 5,000 *patacões* worth of merchandise should be sent from China to India, and another 4,000 would be sent to the Misericórdia of Lisbon, which would send the money to Rafael Monteiro's family, who lived in Castro Daire<sup>29</sup>. Another relative?

Next, Domingos mentioned his pending matters with some persons. We are informed that a ship that belonged to a man also named Domingos Monteiro had gone to Bengal, where another Monteiro had died (Diogo), leaving 300 *patacões* that Domingos the captain-major had to send to the kingdom<sup>30</sup>. Diogo had also left a trunk with his belongings that should be sent to his father. His last will was in Cochin, and we can infer that Domingos was his executor. However, we do not know whether Diogo himself had designated Domingos as his executor or if he performed this role under his capacities of provider for the dead and the absent (*provedor dos defuntos e ausentes*).

Domingos also mentioned another man in his testament, Luís Machorra, who had also died on board his ship, this time in Japan. He had given 160 *pardaus* to the provider of the dead in Cochin<sup>31</sup>, which the latter should transfer to Machorra's siblings in Almada. Domingos's executors would be responsible for checking if the money had been sent, and give his heirs another 100 *pardaus*.

Like other benefactors living in the empire, Domingos allocated legacies to several different Misericórdias: the ones in Lisbon (which would take care of transmitting his bequest to Antônio de Belois), Goa and Cochin. In Cochin, the money belonged to a deceased woman, Maria de Góis, who had left it to distribute dowries to orphaned girls. His function of captain-major included service as provider for the dead and the absent, and, as we can see, Domingos had delayed the execution of the last wills. It was not the first time that a merchant used other people's money and delayed its delivery to its legitimate owners, but this fact puts the value of trust that is often seen as the key element in trade in question. Did people trust Domingos Monteiro or was he the recipient of their possessions because of his control over the voyage to Japan? As captain-major, Domingos was in fact in charge of the communications between the different territories of the South Asian coasts where the Portuguese lived...

It is not surprising that Domingos, like his uncle Antônio, did not declare the ownership of landed property in his last will, besides the houses he used between travels; it is likely that Domingos's home was his ship, and his main assets were his slaves. He did not state how many he owned, probably because they lived far from Macao, and might have had children in his absence: "I have many Japanese girls", he stated<sup>32</sup>. All women. They were entrusted to several persons: Fernão Lobo, his right-hand man in Cochin; to a sister-in-law, whose

<sup>29</sup> 5,000 *patacões* × 360 réis = 1,800,000 réis. 4,000 *patacões* × 360 réis = 1,444,000 réis.

<sup>30</sup> It was not possible to verify in the genealogies if Diogo Monteiro was Domingos's kin, as there were many homonyms. It is likely that he was one of the many men without generation that are mentioned in them, without further information. 300 *patacões* equalled 108,000 réis.

<sup>31</sup> Again, the source does not specify which kind of *pardau* it refers to. If the silver one, 160 × 300 = 48,000 réis; if the *pardau de ouro*, 160 × 360 = 57,600.

<sup>32</sup> AHSCMP, série H, banco 6, livro 17, fl. 281v.

name he did not state; and to Gaspar Pinto da Rocha, his executor and heir of his half voyage to Japan. The latter was asked to manumit them, give them 50 pardaus each, and arrange their marriage. Violante would be given 400 pardaus, but we do not know if this was Antônio's daughter. He asked that all slaves obey Gaspar Pinto da Rocha, under penalty of losing manumission. Domingos dealt with his male slaves separately, also not stating their number. They would be manumitted like the girls, and given ten pardaus each. Among them there were, as could be expected, Japanese boys, but also "*lonos*"<sup>33</sup>. However, several slaves would be punished and excluded from this treatment: a kaffir surgeon named Alexandre; a barber; a buyer that had escaped in Cochin; and also a captive tailor that the bishop of Malacca had offered him. Domingos also declared that a woman named Maria lived in his house; she must have been special to him, since he left her 3,000 pardaus<sup>34</sup>. Domingos still possessed three slave brothers that his uncle Antônio Monteiro had left to Violante, whom he manumitted, which demonstrates that he had not carried out the execution of his uncle's will, at least in this matter. Antônio had bequeathed them to his daughter eleven years before, and thus Domingos was not entitled to manumit slaves that did not belong to him.

Domingos must have been aware that he had procrastinated the execution of the wills of deceased persons, because he gave orders that they should be fulfilled as soon as his ship returned from Japan. The voyage would continue with his cousin Gaspar Pinto da Rocha as captain-major, Domingos declaring that he was in possession of a provision from the governor in Goa that gave authorization to this appointment in case of his death. The voyage was shared in what concerns the investment of capital and its profits (as we have seen, with Jácome de Póvoas as partner), but his position of captain-major was not sharable, as he had been appointed by the king of Portugal, or by the viceroy or the governor of the Estado da Índia. Domingos also declared that he had an authorization from the governor to bring back people from China and Japan in his ship, and he asked: "I beg you treat them with mercy, because that is what I would have done"<sup>35</sup>. Indeed, we know that Domingos carried many people to and from Japan in his ship, especially missionaries (Fróis, 1976-1984, v. II, p. 472-73, e v. IV, p. 207).

Domingos's testament mentioned a huge number of men named Monteiro that lived in the area: his nephew Antônio Monteiro (a homonym of our first testator) and another nephew, the son of his brother Rodrigo. To be safe, Domingos named three prospective executors, who, in the same order, would inherit the position of captain-major. The first was his cousin Gaspar Pinto da Rocha; the second, Manuel Florim, and the third Antônio Rebelo Bravo (who had appeared eleven years before as Antônio Monteiro's witness and friend).

<sup>33</sup> This word seems to have been wrongly transcribed into the registries of the Misericórdia of Porto and its meaning is doubtful. Phonetically, it could designate "jaus" or "jaos", that is, the Javanese. This makes sense because the island of Java could be a port of call during the voyage to Japan.

<sup>34</sup> 360 réis × 3000 = 1,080,000 réis or 300 réis × 3000 = 900,000 réis (see footnote 25).

<sup>35</sup> AHSCMP, série H, banco 6, livro 17, fl. 281v.

Domingos handed his will to the notary Baltasar Pires in Malacca with his own hands, who approved it on the same day. Three of its five witnesses had the surname Monteiro: Álvaro Monteiro, Antônio Monteiro and Nuno Monteiro Coutinho.

However, Domingo's testamentary arrangements were far from being over. On the same day, he made the first of two codicils. It was far more specific than his will in what concerned money. It stated that 5,000 pardaus belonged to Antônio Monteiro, our first testator. They should be sent to the Misericórdia of Porto and to his nephew, Gil Monteiro Pinto, who also lived in the city. This is the moment when the historian knows that one of the reasons for the delay with which the money reached Porto was the fact that Domingos, Antônio's executor, kept it with him during eleven years after his death. It explains why the first news of Antônio Monteiro's inheritance reached the Misericórdia in May 1601, when its board debated the need to transfer circa "6,000 cruzados" (around 2,400,000 réis) from the Misericórdia of Lisbon to that of Porto, and also envisaged, for the first time, the possibility of entering a judicial dispute with Gil Monteiro Pinto's widow, Luísa de Paiva<sup>36</sup>.

According to this codicil, Domingos had given Violante 6,000 pardaus and 1,200 to Isabelinha; another 1,000 pardaus were sent to Antônio's mother, and he had also paid the customs taxes pertaining to his uncle's merchandise. Thus, at least in these matters, Domingos had fulfilled some of his uncle Antônio's last wishes.

Domingos still had to specify what should be done to the other 4,000 pardaus he mentioned: they would be sent to the Misericórdia of Lisbon, in order to benefit other Monteiros, this time those living in Portugal. They should be sent to Castro Daire, to the heirs of Rafael Monteiro. He gave 500 pardaus to three nieces, Rodrigo Monteiro's daughters. The remaining assets would be split into three parts: one for his sister's children and some poor relatives; the other two parts would be divided between the Misericórdias of Porto and Mesão Frio. Back in Asia, Gaspar Pinto da Rocha should receive 2,000 pardaus and Rui Monteiro 200 taeis.

He went on, mentioning again some of his slaves, describing them literally and without further specifications such as the deaf ones (*uns surdos*), who were given 50 taeis; the "panasco" (faggot) and the "cafre" (kaffir) who should be sold. He went on to add an emotional note: "and I beg Gaspar Pinto to love me in death as he did in life, and to discharge my soul<sup>37</sup>". We can note the nonchalance with which he mentioned his slaves, never calling them by their names, but referring to them by their peculiarities. The soul – a serious matter – was entrusted to someone close to him. He ended this codicil recommending that his wishes should only be attended to after the ship's return from Japan; at last, he declared that the codicil had been written by his own hand.

About two months later, on August 23, a process to validate a second codicil made on board took place in Macao, Domingos Monteiro having died before the ship arrived in the city. The codicil was dated July 1, 1591, five days after

<sup>36</sup> AHSCMP, série D, banco 8, livro 3, fls. 194-194v.

<sup>37</sup> AHSCMP, série H, banco 6, livro 17, fl. 283.

the first one, where Domingos made corrections to the previous documents, such as augmenting the value of several legacies; among others, his nephew Antônio Monteiro would now receive 1000 pardaus, and his other nephew, Luís Pinto, 400. Antônio Pinheiro would inherit his houses in China and receive 100 taeis. By then, Domingos Monteiro was unable to sign, and a Jesuit priest, Garcia Garcês, did it for him. Seven men served as witnesses: Brás de Araújo, Francisco Martins, Manuel Florim (as we saw, one of his executors), Miguel do Couto, Pedro Martins Gaio, Luís Pinto and Antônio Monteiro.

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*Like other benefactors living in the empire, Domingos allocated legacies to several different Misericórdias*

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In the absence of a notary on board, the codicil had to be validated by the magistrate in Macao through an inquiry that began on September 9, and was made by an inquirer accompanied by his clerk<sup>38</sup>. Brás de Araújo was the first to testify. This man was also from Porto, like Antônio and Domingos Monteiro; years later, as a returned migrant, he would also leave assets to its Misericórdia (Basto, 1997, p. 454). The inquirer and the scrivener went to his house in Macao, although Brás declared he lived in Goa. He affirmed he was 47 years old and that he was on board the ship when the codicil was written, on which Domingos, unable to sign, drew his usual signal. The two officials went then to the house of the second witness, Miguel do Couto, resident and *casado* in Macao, 30 years old, who confirmed Brás de Araújo's statements. The enquiry continued with Manuel Florim's deposition, 50 years old, who was staying in Antônio da Costa Caldeira's house. The fourth witness, a *casado* from Macao, did not state his age. His name was Baltasar Monteiro de Alvarenga and he declared himself a relative of Domingos's. The following day, September 10 1591, the inquirer, Gaspar Fernandes, went to the house of another native of the city of Porto, Pedro Martins Gaio, 31 years old, also a *casado* from Macao. He had also been on board the ship, and he declared that he had seen Domingos having his codicil written; all his other statements were very similar to those of the other witnesses. Three days later, Damião Gonçalves, the magistrate, validated all the documents related to Domingos Monteiro's last wishes, including the second codicil, and, at the request of the new captain-major, Gaspar Pinto da Rocha, issued the corresponding certificate.

### **From Macao to Porto: the twists and turns of the royal bureaucracy**

The voyage of Domingos's testamentary papers to Porto would be long and slow. Only two years later, on November 24, 1593, did the Relation of Goa issue a transcript of the proceedings. Another five years were needed to assess his

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<sup>38</sup> In the absence of the validation of a notary, last wills and codicils were submitted to judicial authority (Ordenações manuelinas, livro 4, tit. LXXVI, § 3).

behavior as captain-major (*juízo de residência* or *justificação ultramarina*), a process finished in December 1598. This process was an inspection of the term of office concerning Domingo's post as captain-major. Domingos's performance as a crown servant, as well as his assets, were subject to verification, with the purpose of certifying that the king of Portugal's best interests had not been harmed. When he wrote his will, Domingos could not have known that he would be scrutinized, because the Relation of Goa made the decision of taking residence of the office of captain-major on April 8 1592, when he was already dead. The provision of the *Relação* made reference to the captain-major of the Japan voyage, probably having in mind Domingos Monteiro: the injuries to the common good done by the captain-majors were mentioned, albeit not specified (Rivara, 1992, fasc. 5, part III, p. 1293-1294). Judging by the tone of the document and by the fact that the *justificações ultramarinas* concerning the captain-major of the voyage to Japan started to take place after Domingos's death, we can infer that the Crown was not satisfied with his performance.

Twelve years after the *juízo de residência*, in October 1610, the Misericórdia of Porto finally received a copy of the documentation, although it had been in possession of the money since 1604. It had therefore received 1,839,600 réis (and not the 2,400,000 initially devised) from the Lisbon Misericórdia, which should be converted into a royal bond (*padrão de juro*)<sup>39</sup>.

This confirms, however, what we alluded to previously: Domingos Monteiro was not rich at the time of his death; the money he had in his possession belonged to other people's inheritances. The most substantial one was from the first testator we have analyzed, his uncle Antônio Monteiro, which he had kept invested in his business affairs until his death. Although the Misericórdia of Porto did not receive anything from Domingos, he was the transmitter of Antônio Monteiro's inheritance. Only after the conclusion of Domingos Monteiro's *justificação ultramarina* the Misericórdia of Porto could start thinking about the creation of the chapel of *Nossa Senhora dos Anjos e Porciúncula*, as wished by Antônio Monteiro.

Back in his homeland, Domingos was nonetheless reputed rich, even if the fortune he held at the time of his death belonged to other people. As often happened when fame created expectations of inheriting, some of his relatives sued for money. His sister's heirs claimed a *padrão de juro* worth 15,000 réis in Vila Real's *almoxarifado* (warehouse), on the basis that they possessed a letter where Domingos gave it to them<sup>40</sup>.

### What can we learn from these two case studies?

First, both wills gave us information about the way these men lived: across the seas, spending most of their lives on board, through a relentless circulation of people and things between Portuguese India and Southwest Asia. Also, we learned about their interpersonal relationships with their trade partners, which were sometimes longstanding, since they travelled together across great

<sup>39</sup> AHSCMP, série F, banco 1, livro 10, fl. 106.

<sup>40</sup> AHSCMP, série J, banco 3, livro 1, fl. 26.

distances, or meeting one another in distant places of the Asian coast, such as Macao, Malacca, Cochin or Goa. They formed commercial networks, based upon family relations; many of them, as we saw, used the surname Monteiro, or those of related families (Pinto, Alvarenga etc.), and originated from Porto or its region. Others were not relatives, but came from the same city – like Brás de Araújo, Antônio Rebelo Bravo or Pedro Martins Gaio. Robert Rowland characterized the emigration from Entre Douro and Minho up to the nineteenth century, among other issues, as being exclusively male and composed by children of relatively prosperous families, who were called by their uncles to the territories of emigration (Rowland, 1998, p. 347 e 355). This system might also be applied to these cases, maybe adding to it the joint migration of legitimate and illegitimate children of the same family to the same travel destinations.

The most important asset among the merchants studied here, consisted in movable assets, especially of money and merchandise incessantly circulating in maritime trade. But the quality and prosperity of these men was testified by the possession of slaves, with whom they might develop strong affective bonds, as in Antônio's case, his close family being formed by Maria Monteiro, their daughter Violante, and Isabelinha, the daughter of one of his nephews. The status of some of these people, however, remains undetermined, as we do not know if they continued to be slaves or were freed.

In distant Macao, and even more so in Japan, our characters took for granted the weak presence of the king's authority. However, the need to transfer property to mainland Portugal, especially on account of obligations towards the eternal salvation of the soul, transformed the Crown into an indispensable interlocutor. Although both our donors placed more trust in the Misericórdias than in the king's representatives, they could not escape the interference of the latter. Wills and codicils had to be approved and validated by notaries, and also by magistrates, who might proceed to official inquiries through the deposition of witnesses. In the case of Domingos Monteiro, the *juízo de residência* supervised the execution of his will, as his main role was to check if there were irregularities in the exercise of his post as captain-major. Due to all these obstacles and to the long durations of the voyages from Lisbon to Asia, the delay in the transmission of property is understandable. If we add to this the conflicting interests among potential heirs, sometimes separated by several oceans, as in the case of Antônio Monteiro, we can imagine the difficulties involved. Only the fact that material assets were at stake – and we have seen testators distributing wealth to a large number of persons and institutions in order to compromise the maximum number of entities – would allow such transfers to be completed successfully. The misericórdias, as an interested partner, did not give up trying to gain from the inheritances, although in the name of the poor; however, at the expense of considerable human and material resources.

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