

## Proving Freedom

### *Documenting Alhorría*

Antón Segarra invested significant resources to document, protect, and assure his liberty after enduring enslavement throughout most of his life. He may have been born enslaved in the city of Sevilla to an enslaved Black mother or he may have been enslaved in West Africa and forcibly displaced to Castilla as a child. By the late sixteenth century, Antón Segarra was the property of Francisco Segarra, a member of a distinguished noble family in Sevilla. On his deathbed in 1596, Francisco Segarra included a provision in his will to liberate Antón from slavery. However, Antón's liberation would not be immediate. Instead, Francisco Segarra specified that Antón must serve his niece, Doña Juana Segarra de Saavedra, for six years prior to obtaining his liberty. During this time, Antón was displaced from Sevilla to the nearby town of Écija – where Segarra de Saavedra resided – and he intermittently traveled with his new owner to Sevilla. Upon completing the six years of additional enslaved labor, Segarra de Saavedra initiated a legal process of *alhorramiento* (liberation from slavery) under Castilian laws and issued Antón Segarra with a freedom paper, known as a *carta de alhorría* or a *carta de libertad*. Armed with this legally binding document that spelled out his liberty, Antón Segarra took further measures to protect his freedom. He invited three friends in Sevilla to serve as witnesses before a royal official who could confirm that they knew him and could attest to the veracity of his freedom paper. As a result of this process, Antón Segarra generated a supplementary document issued by a royal authority that confirmed his freedom.

Antón Segarra's actions form part of a broader history of how liberated Black people engaged in legal cultures of paperwork to document, protect, and assure their liberty across the Spanish Atlantic in the sixteenth century and beyond. Those who possessed liberty in the Spanish empire invested significant resources to protect their freedom. Although liberty was a legal term in the Spanish empire, it was also physical. Free and liberated people often documented their liberty with paperwork. Lack of paperwork documenting their legal status could endanger a liberated person, making them vulnerable to the theft of their freedom by enslavers. For this reason, liberated and free people engaged in juridical cultures of paperwork to assure and protect their liberty and sometimes deployed creative measure to generate new and supplementary freedom papers by gathering witness testimonies or seeking a certificate from a royal authority that confirmed their freedom. This history reveals a Black intellectual tradition in which enslaved and liberated people engaged with Castilian rules of law pertaining to slavery and freedom (namely the thirteenth-century legal codes known as the *Siete Partidas*) and possessed knowledge of legal customs of slavery and freedom.<sup>1</sup> Their participation in cultures of documentation in the Spanish empire also reveals how enslaved, free, and liberated Black people sought to protect and shape the meanings of freedom in the sixteenth-century Spanish Atlantic.<sup>2</sup>

Archival traces of this history span notarial contracts, probate investigations, final wills and testaments, and petitions to varied royal courts. In addition, records generated by free and liberated Black people who petitioned for royal permits to move between sites in the Spanish empire – especially when crossing the Atlantic as passengers on ships – also reveal fragmentary evidence about the emergence of cultures of freedom papers, in particular how liberated people kept their *cartas de alhorría* safe, and sometimes bolstered their freedom certificate by investing time and resources to generate additional and supplementary paperwork that confirmed their status as free people.

<sup>1</sup> *Las Siete partidas del Sabio Rey don Alfonso*, “Quarta Partida, Titulo XXII, De la Libertad,” 39–40.

<sup>2</sup> This approach builds on scholarship that explores enslaved and free people's engagement with diverse legal cultures of paperwork to build evidentiary thresholds of their freedom in different imperial realms across the Atlantic world: in particular, Candido, “African freedom suits,” and *An African Slaving Port*; Chira, *Patchwork Freedoms*; Curto, “Experiences of Enslavement,” “Struggling Against,” “The Story of Nbená”; Dias Paes, *Esclavos y tierras* and “Shared Atlantic Legal Culture”; Scott and Hébrard, *Freedom Papers*; McKinley, *Fractional Freedoms*.

ARCHIVES OF FREEDOM PAPERS:  
METHODOLOGICAL REFLECTIONS

Liberated Black people's actions to protect and safeguard their *cartas de alhorría* reveal their participation in – and knowledge of – the Spanish laws underpinning slavery and freedom and the juridical processes that might be available to protect their freedom. Enslaved people in the Spanish Atlantic often sought a liberty that could be documented in a *carta de alhorría* because they understood the privileges and rights of an *horro* status within Castilian legal codes. The Castilian rule of law concerning freedom from enslavement derived from the thirteenth-century *Siete Partidas*, specifically the chapter on freedom in *Quarta Partida*, *Titulo XXII*.<sup>3</sup> These laws made provisions for slave-owners to liberate their slaves in an act of *alhorramiento* (manumission/liberation from slavery) in various settings, such as “in a church, in front of a judge, or in another place, through a testament, or without a testament or by a letter (*carta*),” while any oral pronouncements of freedom required the presence of five witnesses.<sup>4</sup> In theory, these legal codes protected a liberated person from being resubjected to slavery (or “returned” to slavery) and ensured the free status of the future progeny of liberated or freeborn women.

Freedom by *alhorramiento* as specified in the *Siete Partidas* differed in important ways from the freedoms sought by those who endured precarious flights from enslavement and joined self-governing communities, often known as *palenques*.<sup>5</sup> Although the Spanish crown attempted to destroy these communities through force and war, Spanish royal officials sometimes negotiated with Black fugitive communities – particularly when the crown was vulnerable to interimperial conflicts or in times of internal wars – to grant their members freedom if they agreed to be “reduced” to semiautonomous Black towns in exchange for declarations of loyalty to the Spanish crown.<sup>6</sup> English colonial authorities would later reach similar agreements with Black fugitives when politically expedient, such as in eighteenth-century Jamaica when authorities on the island granted legal pronouncements of freedom to runaway communities in return for their commitment to quell future slave uprisings on the island.<sup>7</sup> Such agreements notwithstanding, living in a state of war with the

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> See note 6 in Introduction.

<sup>6</sup> Ibid.

<sup>7</sup> Brown, *Tacky's*.

Spanish crown and in the hope of eventually reaching a negotiated freedom in return for loyalty was a risky strategy. The chapter about slavery in the *Siete Partidas* specified that owners could legitimately return any enslaved fugitives to slavery.<sup>8</sup> And slave-owners and royal officials regularly employed agents to locate and return enslaved people who had escaped from slavery and, where possible, to destroy Black *palenques*.<sup>9</sup> Those dwelling in autonomous *palenque* communities therefore faced the constant prospect of persecution and forced returns to slavery.

In contrast, freedom by *alhorramiento* offered juridical protection to a liberated person from being resubjected to slavery (or “returned to slavery”), at least in theory, and ensured the free status of liberated women’s future children. The *Siete Partidas* described how liberated people could be returned to slavery in limited circumstances, for example, when a former owner who had previously liberated their slave sought to undo an *alhorramiento*.<sup>10</sup> Such a rule of law did not prevent corrupt slave-owners from illegitimately enslaving liberated Black people by stealing their liberty or claiming freeborn children as their slaves, but these Castilian legal codes and legal customs meant that illegitimately reenslaved people had recourse – at least in theory – to structures of royal justice to appeal against their illegal captivity. Access to justice often depended on whether the victim lived in the vicinity of a royal or ecclesiastical court and whether they possessed paperwork that confirmed their freedom, such as their *carta de alhorría*. Their chance of a successful resolution in the courts also depended on whether litigators possessed community ties that would translate into compelling witness testimonies about their status as a liberated person, whether their new owners had the power to corrupt any judicial process, and whether local authorities were sympathetic to their tribulation.

This history of how liberated Black people understood the legal meanings of their liberty and how they protected their freedom papers across Spanish imperial realms is inscribed in fragmentary evidence across diverse historical archives. For example, notarial records in towns and cities across Castilla and the Spanish Americas reveal the bureaucratic process involved in the act of an *alhorramiento* or *ahorramiento*. Such acts involved an owner issuing their slave with a *carta de alhorría* that

<sup>8</sup> *Las Siete partidas del Sabio Rey don Alfonso*, “Quarta Partida, Titulo XXI, De los Siervos,” 38–39.

<sup>9</sup> For example, see Brewer Garcia, *Beyond Babel*; McKnight, “Confronted rituals.”

<sup>10</sup> *Las Siete partidas del Sabio Rey don Alfonso*, “Quarta Partida, Titulo XXII, De la Libertad,” 39–40.

listed the reasons for their liberation and any terms in the presence of witnesses and before a public notary (*escribano publico*), who would issue a certified *escritura* (notarized document with legal validity) of the proceedings and would record the signed documents in a permanent register of notarial acts (*protocolos notariales*). Examples of this document, known as a *carta de alhorría* or *carta de libertad*, are housed in notarial archives across the Spanish Americas and Castilla. For example, Antón Segarra's *carta de alhorría* was issued in the town of Écija in December 1602 after Segarra de Saavedra approached a public notary and began proceedings for an *alhorramiento*.<sup>11</sup> Antón Segarra was absent from the notary's office as he was living in Sevilla at the time of the *alhorramiento*, but enslaved people were usually present during these acts. Antón Segarra's recent marriage to an enslaved Black woman named Felipa de la Cruz in Sevilla sometime between 1591 and 1601 may explain his absence from Écija, as he may have negotiated with his owner to operate as a slave-for-hire in Sevilla so that he could live a married life with his wife, or he may have been tasked by his owner to carry out duties on her behalf in Sevilla.<sup>12</sup> In Antón Segarra's case, Segarra de Saavedra entrusted a servant whom she knew from a prominent Sevilla household to transport Antón Segarra's *carta de alhorría* from Écija to Sevilla and to deliver the precious document to her former slave by hand.

*Cartas de alhorría* nestled in the voluminous registers of notarial acts across Castilla and the Spanish Americas catalog various reasons why owners chose or agreed to liberate their slaves.<sup>13</sup> Some scholars have concluded that slave-owners usually liberated their slaves as a calculated economic act, liberating enslaved people who were ill or elderly and who were no longer productive to avoid the financial responsibility for their care later in life.<sup>14</sup> However, the variety of reasons given for *alhorramientos* across *cartas de alhorría* also point to the diverse ways that enslaved people fought for and negotiated paths to freedom with their owners. These documents reveal how enslaved people accumulated or borrowed sufficient funds or credit to pay for the price of their liberty (known as a *rescate*), and how owners liberated their slaves for other reasons, including for their loyal services, by previous agreement, or because they claimed

<sup>11</sup> "Antonio Segarra," AGI, Contratación 303, no. 2, fols. 10<sup>r</sup>, 18<sup>v</sup>–20<sup>v</sup>.

<sup>12</sup> See Chapter 2, note 8.

<sup>13</sup> For a recent overview of sixteenth-century Sevilla, see Fernández Chaves, "Amas, esclavas, y libertad," and Pérez García, "Matrimonio, Vida Familiar."

<sup>14</sup> Phillips, *Slavery*, 122–145.

to feel a charitable impulse towards their slave.<sup>15</sup> Such documents also outlined whether the *horro* would owe their former owner any sum or labor for the price of their liberty, or whether an owner had chosen to gift the *horro* any money or property.

Less commonly, notarized *cartas de alhorría* sometimes reflected the outcome of an enslaved person's litigation in a royal court for their freedom. Their reasons for petitioning for their freedom could include their illegitimate enslavement under the existing laws of slavery, their owner's excessive cruelty, their owner's rescinding of a former promise of liberation, or their loyalty to or bravery offered for the crown (especially during times of war). Typically, however, judges' decisions would result in a judgment issued by a court (*auto*) or a royal decree (in the case of petitions to the highest royal court in Castilla for issues pertaining to the Americas, the Council of the Indies) that outlined a person's freedom, rather than a notarial *escritura*.<sup>16</sup> The exception is that some *horros* who were liberated by a court order then presented the favorable *auto* or royal decree to a public notary to request that he certify that they were the person named in the judgment. Notarial registers thus reveal a variety of reasons why slave-owners or the courts liberated enslaved people from slavery in this period and, to a certain extent, some of the strategies deployed by enslaved people to negotiate a path to freedom with their owners.

Notarial documents, however, rarely indicate the varied meanings of *cartas de alhorría* to those being liberated from slavery nor how *horros* protected these documents throughout their lifetimes. Details about the significance of freedom papers in liberated people's lives sometimes emerge in their testimonies in royal courts when they litigated against former owners or corrupt notaries for withholding their *carta de alhorría* or liberation clauses in their owners' testaments. These litigations reveal how *horros* often prioritized obtaining copies of their *carta de alhorría*. In particular, the withholding of a *carta de alhorría* endangered Black *horros* who were at risk of illegitimate reenslavement when not in possession of their freedom certificate. The importance of possessing freedom papers to reduce the risk of reenslavement differs from later periods during the long and gradual abolition of slavery, and historian Yesenia Barragán has found

<sup>15</sup> Example of *alhorría* owing to loyal service to an owner: "Alhorría," December 2, 1578, Archivo General de la Nación, Peru (cited as AGN, Peru), Notarias, 1 CYH1, 28,402, 188v–189. See also Phillips, *Slavery*, 122–145, and note 13 in this chapter.

<sup>16</sup> "Domingo Gelofo," AGI, Indiferente 1205, no. 21; "Real Cedula, Domingo Gelofo," AGI, Indiferente 422, libro 17, fols. 114<sup>r</sup>–115<sup>r</sup>; "Domingo Gelofo," AGI, Contratación 5536, libro 5, fol. 156<sup>r(1)</sup>.

evidence of liberated people not obtaining their freedom papers for many years after their liberation from slavery in nineteenth-century Colombia.<sup>17</sup>

An example of the risks of not possessing freedom papers for liberated people in the sixteenth century emerges after a public notary in Puerto Rico refused in the early 1540s to provide an enslaved Black man named Pedro de Carmona with a copy of his late owner's will, which reportedly liberated him and his Black wife from slavery.<sup>18</sup> As a result of the withholding of this document, the heirs of Carmona's late owner sold husband and wife and displaced them from Puerto Rico to Santo Domingo.<sup>19</sup> A decade earlier, a Black man named Rodrigo López was snatched from Cabo Verde, the Portuguese-controlled archipelago near West Africa, even though López's deceased owner had included a delayed liberation clause for López in his final will and testament.<sup>20</sup> After various years of López being subjected to illegitimate enslavement and displacement across the Atlantic, López's sister sent him a cache of his freedom papers through a relay of merchants sailing between Cabo Verde and the Spanish Caribbean. Upon receipt of this paperwork, López was able to prove his freedom in a Spanish royal court.<sup>21</sup> Similarly, enslaved people whose owners promised to liberate them, but did not formalize such agreements through paperwork, might later struggle to prove that they were free.<sup>22</sup> These examples drawn from petitions for freedom in royal courts reveal the importance of Black *horros* possessing copies of their *cartas del alhorría* as a means to document and protect their freedom.

Records of freedom certificates among lists of Black *horros'* personal belongings also point to how they kept these documents safe throughout their lives. Such lists were often produced in the context of probate investigations, especially for those who perished far from where their heirs resided. These records reveal how Black *horros* kept their freedom papers safe many years after their liberation from slavery, and how some carried multiple freedom certificates on their person. For example, liberated Black people traveling as passengers on ships that crossed the Atlantic tended to keep a copy of their *carta de alhorría* in a locked box or casket among their belongings. For instance, a Black *horra* named Inés de Rebenga perished on board a

<sup>17</sup> Barragan, *Freedom's Captives*. For freedom across legal jurisdictions, see Scott and Venegas Fornias, "María Coleta."

<sup>18</sup> "Pedro de Carmona," AGI, Justicia 978, no. 2, ramo 1.

<sup>19</sup> Ibid.

<sup>20</sup> "Rodrigo López," AGI, Justicia 11, no. 4. See also Cortés Alonso, "La Liberación," 533–568; Liddell, "Social Networks"; Turits, "Slavery."

<sup>21</sup> Ibid.

<sup>22</sup> For an example, see "Gonzalo Miguel Moreno," AGI, Escribanía 1012A, años 1601–1603.

ship (*galeon*) in 1550 near the town of Veragua in present-day Panama.<sup>23</sup> Among Rebenga's belongings was her freedom certificate, which had been issued thousands of kilometers away in the city of Lima. Rebenga was likely a small-scale merchant of precious jewels as she traveled with numerous pieces of fine jewelry, worth 102 *reales*.<sup>24</sup> Half a century later, a recently liberated mulato from Lisbon in Portugal named Juan Limón was on board a ship sailing through the Gulf of Panamá in the Pacific in the early months of 1607. On the ship, Limón reportedly carried a casket where he kept his treasured freedom papers that spelled out how he had purchased his freedom from his owner in Portugal. Although formerly enslaved, Limón had accrued significant capital since his liberation from slavery. On the ship, he was travelling as a passenger and he had brought his own slave, a twenty-eight-year-old man described as "Black *Angola*," to serve him on the journey. Limón also carted over 880 pesos and thirty patacones and a half in silver, a significant amount of money, given that he lent half of this sum to the owner of the ship to pay for necessary repairs to the vessel.<sup>25</sup> Other lists of belongings were produced within the bureaucracy of the Holy Offices of the Inquisition when arresting officers inventoried arrestees' property before auctioning their belongings to raise funds for the cost of their pending imprisonment. Scribes compiling lists of arrestees' effects would often include a description of the contents of any of their papers.<sup>26</sup> Lists of belongings compiled by Inquisitors also confirm how *horros* kept their freedom papers safe throughout their lives. For example, four *cartas de alborría* were listed among the belongings of three Black *horras* named Barbola de Albornoz, Ana Suárez, and Luissa Domínguez (who had two freedom papers) among sixteen women arrested by Inquisitors between 1632 and 1633 in Cartagena de Indias.<sup>27</sup>

Petitions to Real Audiencias (the highest royal appellate courts that were established across the Americas throughout the sixteenth century) and to other royal authorities in the Spanish Americas also reveal fragmentary elements of the history of freedom papers. This is because some free-born and formerly enslaved people petitioned royal courts to issue judicial rulings confirming their freedom after presenting evidence of their liberty.

<sup>23</sup> "Inés de Rebenga," AGI, Contratación 5709, no. 7.

<sup>24</sup> Ibid., fol. 3<sup>r</sup>: "a ciento y dos reales de a treinta y cuatro maravedíes cada uno."

<sup>25</sup> "Juan Limón," AGI, Contratación 5581, no. 72, fols. 4<sup>r</sup>–7<sup>v</sup>.

<sup>26</sup> "Hacienda secuestrada Cartagena 1632–1637," Archivo Histórico Nacional de España (cited as AHN, España), Inquisición 4822, exp. 2. See also Silva Campo, "Fragile Fortunes"; von Gernetzen, "African Women's Possessions."

<sup>27</sup> "Hacienda secuestrada Cartagena 1632–1637," AHN, España, Inquisición 4822, exp. 2.



Black *horros* and freeborn people often took such precautions on the eve of lengthy and uncertain journeys. But other *horros* and freeborn people with no immediate intentions to travel sometimes petitioned the courts to confirm their freedom as a preventative measure to protect their freedom when fearing an illegitimate enslavement. For example, in 1574, Catalina sent a petition to the Real Audiencia in Santa Fé (present-day Bogotá) explaining that she was a freeborn *mulata* who had been born to a free Indigenous woman and a Black man. Catalina petitioned judges to issue a ruling confirming her status as a freeborn woman. Catalina explained that she and her two sons were “Black people (*negros atezados*)” and that because of the “color Black that we are, people might now or in time aggrrieve us, and even though we are free, we might be imprisoned as slaves.” To avoid this dreadful fate, Catalina had gathered witnesses in Santa Fé who described her status as a freeborn woman. Catalina requested that the judges review this evidence and issue a judicial confirmation of her and her sons’ status as freeborn people. Catalina envisioned that such a ruling would “assure and protect my liberty and that of Juan Bonifico and Balthasar Bonifico, my sons” and ensure that “our freedom is not disturbed.”<sup>28</sup>

Finally, Black people’s petitions for royal licenses to cross the Atlantic as passengers and wage-earning servants on ships also reveal how Black people sought to protect and prove their status as free people. These records show how liberated Black people often invested significant resources to generate supplementary freedom certificates to protect and safeguard their freedom prior to a journey. The most common strategy for this was when *horros* requested a second public notary to certify their existing *carta de alhorría*. These strategies to supplement freedom papers are often difficult to trace in historical archives as *horros* approached public notaries in different locales and over various years. However, fragments of this history were sometimes recorded in petitions for royal licenses to travel across the Spanish Atlantic. Records of the paperwork that Black *horros* presented to support their petitions reveal how liberated people often invested significant resources and social capital to accumulate additional freedom papers, sometimes notarizing their freedom certificate with more than one notary. Records of petitions for royal licenses to cross the Atlantic therefore reveal fragmentary details about how Black people sought to protect and prove their status as free people after enduring lifetimes of enslavement and precarious and often lengthy routes to legal manumission.

<sup>28</sup> “Catalina, mulata, petición,” Archivo General de la Nación de Colombia (cited as AGN, Colombia), Sección Colonia (cited as SC), Negros y esclavos (cited as NE), 43, 9, doc. 13.

FREEDOM PAPERS AND TRAVEL LICENSES  
IN THE SIXTEENTH CENTURY

Records of Black people's petitions for royal licenses to cross the Atlantic to the Spanish Americas are worth exploring in detail as they provide valuable insights into how liberated and freeborn people sought to protect and prove their free status in the sixteenth-century Spanish Atlantic. In the first instance, petitions for travel licenses reveal how hundreds of free and liberated Black people obtained royal permits to sail across the Atlantic to the Spanish Americas and shed light on the phenomenon of Black migration. But these records also reveal how enslaved, liberated, and freeborn Black people engaged in a culture of freedom papers in the sixteenth century and became adept at navigating an increasingly complicated bureaucratic system of petitioning for royal travel licenses.

The center of this history is the city of Sevilla, the inland port on the Guadalquivir River in southwest Castilla (Figures 1.1 and 1.2). From the early sixteenth century onwards, the crown ensured that Sevilla would serve as the center of trade and communication in the sprawling Spanish empire. The crown established key institutions in Sevilla to govern tax, trade, and travel to the Americas, such as the House of Trade (Casa de la Contratación), which was tasked with collecting tax and controlling the flow of passengers to the Americas. Throughout the sixteenth century, every ship sailing from the Spanish Americas was required to traverse the Guadalquivir River and anchor in Sevilla for inspections and tax payments, while every ship departing to the Indies had to be inspected in Sevilla for the requisite licenses for goods and passengers on board.

These policies resulted in a demographic boom in Sevilla, which came to rival some of Europe's most populous cities. In 1534, Sevilla had approximately 50,000 residents; by 1561, the population had doubled to 100,000, fueled by internal migration patterns within Castilla as people moved to Sevilla in search of economic or labor opportunities or to prepare for voyages to the Spanish Americas.<sup>29</sup> Sevilla also became the

<sup>29</sup> For passengers in the sixteenth century, see Almorza Hidalgo, *No se hace pueblo*; Altman, *Emigrants and Society*; Boyd-Bowman, *Índice geobiográfico de más de cuarenta mil*, and *Índice geobiográfico de más de 56 mil*; Cook, *Forbidden Passages*; Durán López, "Pasajes a Indias"; Fernández López, *La Casa*; Gil-Bermejo García, "Pasajeros a Indias"; Hernández González, "Ronda y la Emigración"; Ireton, "They Are"; Jacobs, *Los movimientos*; Martínez, *Pasajeros de Indias*; Martínez Shaw, *La emigración*; Mörner and



FIGURE 1.1 Abraham Ortelius, “Regni Hispaniae post omnium editiones locumpleissima Descriptio” (detail of “Guadalquivir River [printed in illustration as *Guadalquivir Rio*] to Sevilla”). In *Hispaniae illustratae seu Rerum vrbiumq. Hispaniae, Lusitaniae, Aethiopiae et Indiae scriptores varii. Partim editi nunc primum, partim aucti atque emendati*. Francofurti: Apud Claudium Marnium, & Hæredes Iohannis Aubrij, 1603. John Carter Brown Map Collection, b22212917. Courtesy of the John Carter Brown Library.

mercantile heartbeat of the distribution of natural resources extracted from the Americas, leading to a constant stream of visitors and mercantile activity and travel, while foreign merchant communities from Italy, England, Holland, and other European regions also settled in Sevilla in

Sims, *Aventureros*, 20; Otte, *Cartas Privadas*; Porro Girardi, “Criados en Indias”; Rey Castelao, *El vuelo corto*; Rodríguez Lorenzo, “El contrato,” “El mar se mueve,” *La Carrera de Indias*, and “Sevilla y la carrera”; Sainz Varela, “Los pasajeros.”

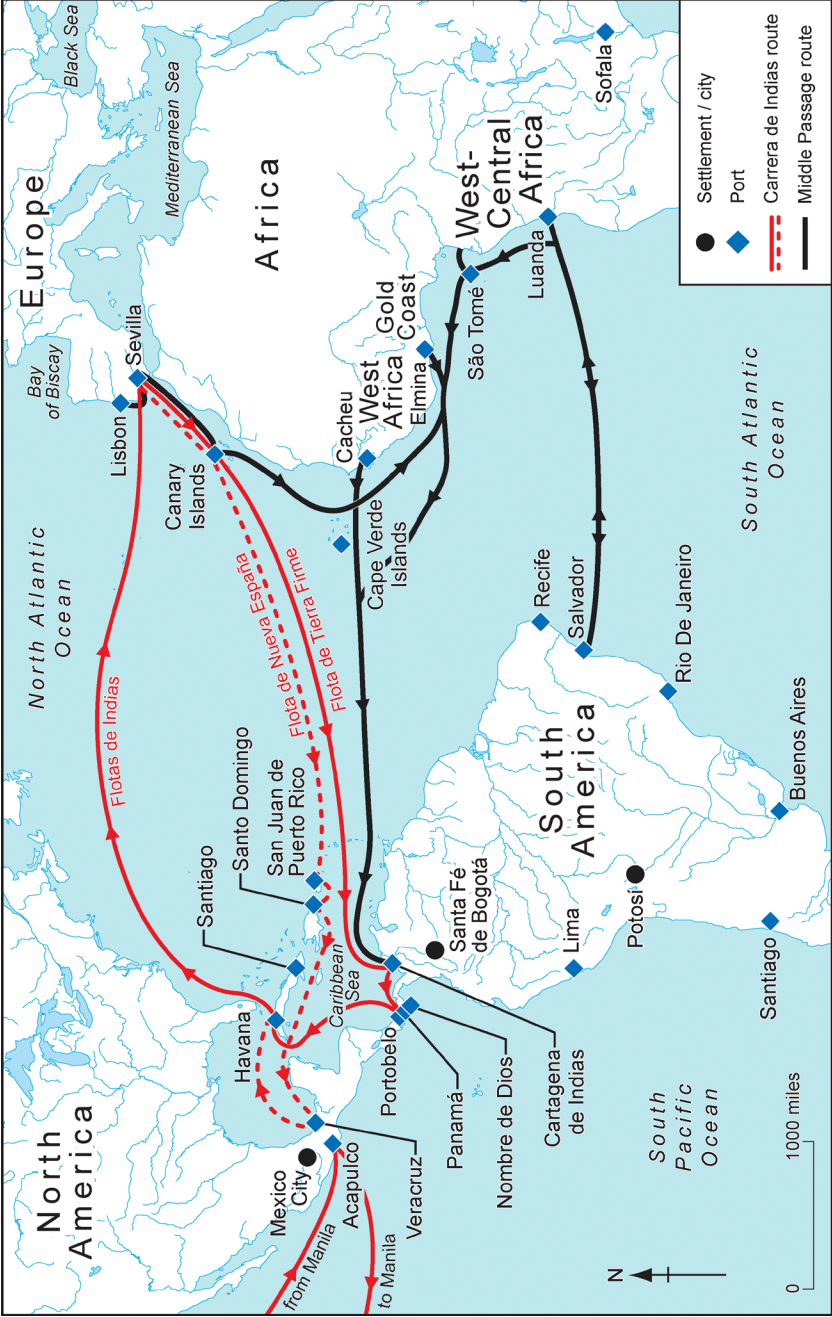


FIGURE 1.2 Map of shipping routes in the sixteenth-century Spanish and Portuguese Atlantic world, principally depicting the Spanish crown's *Carrera de Indias* routes, including the *Flota de la Nueva España* and the *Flota de Tierra Firme*, as well as broadly representing the principal shipping routes of European ships that forcibly displaced enslaved people from West Africa and West-Central Africa to Spanish and Portuguese Americas and Europe (often described as the "Middle Passage"). Map drawn by Cath D'Alton, Drawing Office, University College London.



this period. The pace of population growth in the city continued into the late sixteenth century; the number living there rose to 140,000 by 1588 and to 150,000 by 1599.<sup>30</sup> While Sevilla was not the most populous city in late sixteenth-century Europe, this rapid population growth is comparable to similar increases experienced by London and Venice between the 1570s and 1590s. The population of London grew from 80,000 in the mid sixteenth century to 200,000 at the turn of the seventeenth, while Venice's population stood at 115,000 in the mid sixteenth century and rose to 170,000 by the 1570s.<sup>31</sup> These three cities were dwarfed by Europe's most populous sixteenth-century city, Paris, which had approximately 294,000 residents in 1565; this declined to 220,000 in 1590 and then doubled to 440,000 by 1636.<sup>32</sup> After a century of unprecedented population growth in Sevilla, the seventeenth century witnessed a plateau, followed by a steep decline. Plague swept the city between 1599 and 1601, causing a slowdown in demographic growth, while the expulsion of *moriscos* from Castilla in 1610 resulted in at least 7,500 of them departing Sevilla. As the seventeenth century wore on, the population of Sevilla entered a period of moderate decline owing to a growing economic crisis and the crown's increasing favoritism towards the port of Cádiz as the center of trade with the Indies, so much so that by 1649 the population of Sevilla had gradually declined from its peak of 150,000 to 130,000 people. The plague returned in devastating form between 1647 and 1652 and claimed 60,000 lives in Sevilla, accounting for approximately 45 percent of the city's population.<sup>33</sup>

Amid the fast-paced demographic changes in Sevilla in the sixteenth century, there was also a significant increase in the number of enslaved and free Black people dwelling in the city. Contemporary chroniclers suggested that the Black population constituted at least 10 percent of the city's residents.<sup>34</sup> Such a growth in the Black population stems from the

<sup>30</sup> Domínguez Ortíz, *La población de Sevilla en la baja Edad Media*, and "La población de Sevilla a mediados."

<sup>31</sup> Harding, "The Population"; Newton and Smith, "Convergence"; Vivo, "Walking."

<sup>32</sup> Blanchet and Biraben, "Essay on the Population."

<sup>33</sup> Domínguez Ortíz, "La población de Sevilla a mediados del siglo XVII," and *Orto y ocase*, 132–133.

<sup>34</sup> For history of slavery and Black presence in Sevilla, and Spain more broadly, see Ares Queija and Stella, *Negros, Mulatos*; Berrueto-Sanchez et al., *Iberia Negra*; Blumenthal, *Enemies and Familiars*; Martín Casares, *La esclavitud*, and Juan Latino; Martín Casares and García Barranco, *La Esclavitud*; Martín Casares and Periañez Gómez, *Mujeres*; Corona Pérez, "Aproximación," and *Trata Atlántica*; Cortés Alonso, *La esclavitud*, and "La población"; Domínguez Ortíz, *La esclavitud*, and *La población de Sevilla en la*

insatiable demand among Sevilla's private households for enslaved Black laborers, as Sevillians began to favor ownership of Black people from West Africa and West-Central Africa and their descendants for enslaved labor in private households over enslaved people from other regions and religious backgrounds. In addition, prospective passengers for the Americas often hoped to purchase enslaved Black people in Sevilla prior to their departure to the Americas owing to reports of the higher sale prices demanded for enslaved Black people in the Indies.<sup>35</sup> Despite the significant demand for enslaved Black people in Sevilla, sales tended to be modest affairs between private individuals or small-scale merchants, rather than the lot-type auction sales that later became more common in the Spanish Caribbean. In this period, a significant free Black population also emerged in Sevilla owing to existing Castilian laws and practices of slavery and freedom, namely the practice among owners to liberate slaves for specific reasons and the laws that stipulated that free women would bear freeborn children. The growth of a free Black population in Sevilla mirrors similar patterns across other towns and cities in the Spanish imperial realms in this period and beyond.

Like the 450,000 Castilians who emigrated from Castilla to the Americas in the sixteenth century, freeborn and liberated Black people residing in Castilla also regarded the Indies as a site for economic opportunity and sought royal licenses to cross the Atlantic as passengers and wage-earning laborers on ships.<sup>36</sup> Research for this project has uncovered over 435 documents that catalog how at least 370 free Black men and women obtained royal licenses to cross the Atlantic between 1511 and 1630, comprising ninety-nine petitions to the Council of the Indies and/or royal decrees granting passenger licenses, and ninety-three records of petitions for embarkation licenses at the

*baja Edad Media*; Fernández Chaves, "Amas, esclavas, y libertad"; Fernández Chaves and Pérez García, *Tratas atlánticas*; Franco Silva, *La Esclavitud*, and "La Esclavitud en Sevilla entre 1526 y 1550"; Grove Gordillo, "Una aproximación"; Ireton, "They Are"; Izquierdo Labrado, "La esclavitud"; Jarana Vidal, "Lebrija"; Lobo Cabrera, *Los libertos*, and "Los libertos y la emigración"; Lowe and Earle, *Black Africans*; Morgado García, "Los libertos," and *Una metrópoli*; Ortega y Sagrista, "La Cofradía"; Pérez García, "Matrimonio, Vida Familiar," and "Metodología"; Pérez García and Fernández Chaves, "La cuantificación"; Pérez García et al., *Tratas, esclavitudes*; Pike, "Sevillian Society"; Sancho de Sopranis, *Las cofradías*; Stella, *Amours et désamours, Histoires d'esclaves*, and *Ser esclavo*; Valverde Barneto, "La esclavitud"; van Deusen, *Global Indios*; Vaseur Gamez et al., *La esclavitud*; Vincent, "L'esclavage," and "San Benito"; Wheat, "Catalina," and "Tangomãos"; Wheat and Eagle, "The Early Iberian."

<sup>35</sup> Otte, *Cartas Privadas*.

<sup>36</sup> Mörner and Sims, *Aventureros*, 20. See also note 26.

House of Trade in Sevilla, which recorded Black applicants' biographical details, proof of freedom and religious lineage, community ties, and varied personal cartographies, in addition to 200 records of passenger lists (*asientos de pasajeros*).<sup>37</sup> In addition, a further thirty-five probate records (*bienes de difuntos*/assets of the deceased) administered by the House of Trade detail the transoceanic biographies and personal effects of free Black people who perished in the Americas after leaving Castilla. Collectively, these records reveal how free and liberated Black men and women engaged in legal cultures of paperwork to document and protect their liberty.

Free Black people preparing to cross the Atlantic from Sevilla to the Spanish Americas in the sixteenth century had to prove that they were not of the "prohibited people," and this included proving that they were not enslaved. These prohibitions arose because the Spanish monarchy became increasingly concerned throughout the sixteenth century about the quality of people permitted to cross the Atlantic to the Americas, with a particular concern to protect Indigenous communities in the Spanish Americas from the influence of groups of people whom the crown perceived as "undesirable" and "dangerous." In particular, the crown sought to prevent "prohibited" categories of people from crossing the Atlantic, namely anyone who was newly converted to the Catholic faith or their descendants, which included *moriscos* and *conversos*, anyone who was deemed to be a criminal or a vagrant, and anyone who had been pursued or arrested by the Holy Office of the Inquisition for crimes against the Catholic faith.<sup>38</sup> Enslaved people were also included in the group of "prohibited people" unless their owners had obtained licenses and paid relevant taxes to take specified numbers of enslaved people to the Americas. Freeborn and liberated Black people who wished to cross the Atlantic had to prove that they were not of the prohibited people, principally that they were Old Christians and that they were free people who were not subjected to slavery.<sup>39</sup> Elsewhere, I have explored how

<sup>37</sup> For other scholars who have also explored how free Black people crossed the Atlantic with royal licenses, see Domínguez Domínguez, "Circulaciones imperiales," and "Veracruz"; Garofalo, "Afro-Iberians in the Early," "Afro-Iberian Subjects," and "The Shape"; Ireton, "They Are"; Lobo Cabrera, "Los libertos."

<sup>38</sup> A number of these royal edicts from throughout the sixteenth century are cited in Cook, *Forbidden Passages*, 53–79.

<sup>39</sup> For a discussion on discourses of Christianity among Black petitioners, see Garofalo, "Afro-Iberians in the Early," "Afro-Iberian Subjects," and "The Shape"; Ireton, "They Are."

free and liberated Black people positioned themselves as Old Christians in these travel petitions, but their strategies to prove their liberty remain understudied.<sup>40</sup>

In the first half of the sixteenth century, royal officials at the House of Trade in Sevilla sought to prevent people from the “prohibited” groups from traveling to the Indies by inspecting passengers on ships poised to set sail across the Atlantic and recording their names and destinations in the books of Passenger Lists (*Asientos de Pasajeros*).<sup>41</sup> Black *horros* on board ships had to prove their status as free people to royal inspectors. Formerly enslaved Black individuals would often board a ship in possession of their treasured *carta de alhorría* in which their previous owner confirmed their freedom before a public notary or a certified copy of a clause of a late owner’s will that set out the terms of their liberation. House of Trade officials would record the names of passengers and their destinations in the Passenger Lists, noting the date when and location where their freedom papers had been issued.

The often-brief Passenger Lists for the first half of the sixteenth century reveal how Black *horros* resided in various locales in Castilla prior to embarking to the Americas. Between 1500 and 1550, at least ninety men and women recorded as Black or *mulato* are named in the Passenger Lists.<sup>42</sup> Of those, at least forty-two were formerly enslaved people who presented their *cartas de alhorría* or other freedom papers to inspectors on ships. Approximately sixteen of forty-two Black *horros* had received their freedom papers in Sevilla, while others had been liberated from slavery in towns across the broader Andalucía region and beyond, including Baena, Córdoba, Jerez de la Frontera, Montemolin, Sanlúcar la Mayor,

<sup>40</sup> Ireton, “They Are.”

<sup>41</sup> See note 26 for existing scholarship on these passenger records.

<sup>42</sup> Travel records for passengers labeled as Negro, Mulato, Loro, Moreno between Castilla and New Spain 1500–1550, include the following caches: AGI, Contratación 5536, libro 1: fols. 6<sup>(1)</sup>, 11<sup>(3)</sup>, 150<sup>(1)</sup>, 206<sup>(3)</sup>, 153<sup>(4)</sup>, 203<sup>(7)</sup>, 125<sup>(3)</sup>, 344<sup>(4)</sup>, 227<sup>(1)</sup>, 315<sup>(5)</sup>, 253<sup>(2)</sup>, 276<sup>(2)</sup>, 293<sup>(3)</sup>, 284<sup>(5)</sup>, 330<sup>(6)</sup>, 473<sup>(7)</sup>, 417<sup>(4)</sup>, 438<sup>(15)</sup>, 469<sup>(12)</sup>, 469<sup>(12)</sup>, 473<sup>(8)</sup>, 474<sup>(1)</sup>, 474<sup>(2)</sup>, 507<sup>(8)</sup>, 473<sup>(7)</sup>; AGI, Contratación 5536, libro 2, fols. 32<sup>(2)</sup>, 63<sup>(5)</sup>, 64<sup>(1)</sup>, 75<sup>(3)</sup>, 74<sup>(10)</sup>, 112<sup>(1)</sup>, 220<sup>(1)</sup>; AGI, Contratación 5536, libro 3, fols. 5<sup>(2)</sup>, 37<sup>(6)</sup>, 130<sup>(2)</sup>, 135<sup>(4)</sup>, 157<sup>(1)</sup>, 165<sup>(4)</sup>, 214<sup>(6)</sup>, 215<sup>(6)</sup>, 257<sup>(4)</sup>, 358<sup>(6)</sup>; AGI, Contratación 5536, libro 5, fols. 35<sup>(2)</sup>, 57<sup>(2)</sup>, 60<sup>(1)</sup>, 73<sup>(3)</sup>, 78<sup>(4)</sup>, 80<sup>(6)</sup>, 81<sup>(5)</sup>, 84<sup>(3)</sup>, 113<sup>(2)</sup>, 124<sup>(3)</sup>, 156<sup>(1)</sup>, 166<sup>(1)</sup>, 197<sup>(5)</sup>, 197<sup>(6)</sup>, 199<sup>(1)</sup>, 202<sup>(3)</sup>, 203<sup>(2)</sup>, 204<sup>(7)</sup>, 215<sup>(1)</sup>, 231<sup>(1)</sup>, 238<sup>(5)</sup>, 241<sup>(5)</sup>, 283<sup>(9)</sup>, 285<sup>(3)</sup>, 295<sup>(3)</sup>, 312<sup>(4)</sup>, 321<sup>(4)</sup>, 360<sup>(2)</sup>, 340<sup>(1)</sup>, 364<sup>(2)</sup>; AGI, Indiferente 424, libro 21, fols. 124<sup>r</sup>–124<sup>v</sup>; AGI, Indiferente 1961, libro 3, fols. 324<sup>r</sup>–324<sup>v</sup>; AGI, Indiferente 1964, libro 10, fols. 88, 351<sup>v</sup>–352, 354<sup>v</sup>; AGI, Indiferente 2048, no. 4; AGI, Indiferente 2059, no. 97; Archivo Histórico Provincial de Sevilla (cited as AHPS), Protocolos Notariales, Libro del año 1529, Oficio V, Libro I, Escribanía de Francisco de Castellanos, fol. 604.



Talavera, Úbeda, Valencia de Alcántara, and Zafra.<sup>43</sup> In other cases, *horros* presented paperwork that documented how their freedom had been granted by a royal court. For example, Domingo Gelofo boarded a ship armed with a royal decree that outlined his freedom in 1537. Domingo had received this royal decree following his successful petition for liberty at the Council of the Indies in 1536 on the basis that his enslavement in Upper Guinea had been illegitimate as per Castilian laws of slavery.<sup>44</sup>

Tracing the locations where Black *horros* notarized their freedom papers reveals that many *horros* in the first half of the sixteenth century moved to Sevilla upon obtaining their liberty and prior to embarking to the Americas. For example, seven years had elapsed between a Black man named Antón de Zafra receiving his freedom papers in the town of Morilla in 1531 and his eventual Atlantic voyage in 1538.<sup>45</sup> Zafra lived as an *horro* in Castilla for seven years, likely either in Morilla or Sevilla, prior to embarking on a ship to the Americas. In 1536, a Black woman named Isabel de Zafra was listed in the Passenger Lists as a *natural* of Zafra (in present-day Extremadura, Spain) and a *vecina* of Sevilla.<sup>46</sup> In general, *naturaleza* referred to a person's place of birth and community of belonging, while *vecino* meant that someone was considered as a free person who resided in a city for several years, often equaling five (although this varied between sites).<sup>47</sup> While some scholars have traced how the label of *vecindad* was reserved for heads of households (and certainly may have appeared as such in censuses), in everyday speech, witness testimonies, colonial bureaucracy, and in petitions to the crown, the term *vecino/a* was used more broadly to describe people who resided in a town or city permanently. This practice also reflects how individuals from diverse ethnic backgrounds across the Spanish empire often sought to position themselves as *vecinos* of the cities where they dwelt as a way of expanding their political belonging and rights. Inspectors' description of Isabel de Zafra as a *vecina* of Sevilla suggests that she resided in Sevilla for some time, after she had received her freedom papers thirteen

<sup>43</sup> Ibid.

<sup>44</sup> "Domingo Gelofo," AGI, Indiferente 1205, no. 21; "Domingo Gelofo," AGI, Indiferente 422, libro 17, fols. 114<sup>r</sup>–115<sup>r</sup>; "Domingo Gelofo," AGI, Contratación 5536, libro. 5, fol. 156<sup>r(1)</sup>. For further discussion of this case, see Chapter 5.

<sup>45</sup> "Antón de Zafra," AGI, Contratación 5536, libro 5, fol. 78<sup>v(4)</sup>.

<sup>46</sup> "Isabel de Zafra," AGI, Contratación 5536, libro 5, fol. 35<sup>v(2)</sup>.

<sup>47</sup> For a study on the meanings of *vecindad* and *naturaleza* in the Spanish empire, see Herzog, *Defining Nations*. For the term *vecino* in sixteenth-century censuses, see Kagan, "Contando Vecinos." For a study on how indigenous and mestizo people forged *vecindad* in New Granada, see Deardorff, *A Tale*.

years earlier in Zafra. Another Black *vecina* of Sevilla named Leonor de Espinosa was recorded in the Passenger Lists in 1535 when she was preparing to sail to Veragua in Panama.<sup>48</sup> Espinosa presented freedom papers that she had notarized in Jerez de la Frontera in 1534. Royal officials' description of her as a *vecina* of Sevilla implies that she resided in Sevilla in the year between obtaining her liberty in Jerez and embarking on an Atlantic voyage. Finally, Francisca Hernández de Cola and her husband, Jorge, traveled to the Americas in 1527 and were described as Black *horros*.<sup>49</sup> Hernández de Cola proved her freedom by presenting a notarized freedom certificate from the town of Alcalá de Guadaira (southwest of Sevilla, between Dos Hermanas and Carmona) dated two years earlier on April 3, 1525. Her husband, Jorge, had been enslaved to the archbishop of Tarragona, who had liberated him from slavery in Sevilla.<sup>50</sup> These records therefore reveal where and when Black *horros* were liberated from slavery and the places where they notarized their *cartas de alhorría*. The Passenger Lists also confirm evidence from the lists of belongings compiled by judges of the assets of deceased that point to how Black *horros* carried these precious documents on their person as they crossed the Atlantic.

Black *horros* due to depart Castilla in this era sometimes notarized their freedom papers more than once to ensure their freedom in the bureaucracy of the Spanish empire. Such an act reflects a lack of trust in the reliability of public notaries and an attempt to generate various certified copies of their freedom papers. This could take various forms, including seeking the services of a public notary in a different town or a second notary in the same town, usually by providing new witness testimonies to prove that the individual was the same as the person named in a *carta de alhorría*.<sup>51</sup> Isabel de Zafra, for example, had notarized her *carta de alhorría* with two different notaries in the town of Zafra in 1522 and 1523, and she presented both documents to prove her freedom when she embarked on an Atlantic voyage thirteen years later.<sup>52</sup>

Passenger Lists dating from the first half of the sixteenth century sometimes reveal arduous histories of years-long battles for delayed freedom,

<sup>48</sup> "Leonor," AGI, Contratación 5536, libro 3, fol. 215<sup>(6)</sup>.

<sup>49</sup> "Francisca Hernández de Cola," AGI, Contratación 5536, libro 2, fol. 63<sup>(5)</sup>.

<sup>50</sup> "Jorge," AGI, Contratación 5536, libro 2, fol. 64<sup>(1)</sup>.

<sup>51</sup> This may also reflect a broader practice among liberated people to protect freedom papers by making secondary freedom papers. See Fernández Chaves, "Amas, esclavas, y libertad."

<sup>52</sup> "Isabel de Zafra," AGI, Contratación 5536, libro 5, fol. 35<sup>v(2)</sup>.

as enslaved people completed long terms of labor specified in their owner's testaments before they were liberated from slavery. Such was the case of Ana, described as "of *lora* color," who traveled to New Spain in 1538, after a decade-long period waiting for her promised freedom in Sevilla.<sup>53</sup> On the ship, Ana presented inspectors with various freedom papers that attested to this arduous journey towards freedom. Her late owner's testament had specified that she could be free after serving Pedro de Pineda for ten years, and she notarized this testament clause on December 7, 1526, in Sevilla, but Pedro de Pineda later transferred the use of Ana's enslaved labor to his uncle, Juan de Pineda. To reflect this change in arrangements, all parties signed another notarial contract in Sevilla in June 1529 and drew up another contract that same year to clarify that Ana had already completed the initial years of labor as specified in the original testament. Finally, on December 11, 1537, Juan de Pineda liberated Ana, as she had completed eight years of service, and issued a *carta de alhorría* before a public notary of Sevilla. Since the death of her first owner, Ana had signed four notarial contracts associated with her path to freedom with three slave-owners and three different notaries in 1526, 1529, and 1537. After this decade of enslaved labor for her promised freedom, Ana crossed the Atlantic to New Spain in 1538 carrying copies of these four notarized contracts that documented her long path to liberty.<sup>54</sup>

Over the course of the sixteenth century, the crown introduced new layers of bureaucracy for prospective passengers seeking permits to travel to the Spanish Americas. A two-tier system of petitions for passenger and embarkation licenses was introduced to exert greater control over the flow of people to the Indies. In theory from the mid-1530s, and in practice from the 1550s, most potential Atlantic passengers were supposed to petition the Council of the Indies for a royal decree that would grant them a passenger license (*licencia de pasaje*).<sup>55</sup> Throughout the sixteenth century, the Council of the Indies was an itinerant court that followed the king and the Council of Castilla to various locations across Castilla, but after 1561, these courts were located in Madrid. Supplicants for passenger licenses could present petitions in person to the Council of the Indies or by sending written representations to the court. After obtaining a royal decree with a passenger license, prospective passengers then had to attend the House of Trade in Sevilla to request an embarkation

<sup>53</sup> "Ana," AGI, Contratación 5536, libro 5, fol. 80<sup>v</sup>(6).

<sup>54</sup> Ibid.

<sup>55</sup> Fernández López, *La Casa*; Hernández González, "Ronda y la Emigración."

license (*licencia de embarque*). The House of Trade's principal remit was to establish that the supplicant was not of the prohibited peoples and to identify that the person presenting themselves at the House of the Trade was the same as the person named in the royal decree. To prevent fraud and to establish the veracity of supplicants' claims, judges at the House of Trade in Sevilla interviewed all supplicants for embarkation licenses in person.<sup>56</sup> Judges also required that any Sevilla-based witnesses appear at the House of Trade for their testimonies to be taken in person. This meant that a petitioner seeking an embarkation license would arrange to meet their three or four witnesses at the House of Trade in Sevilla, where they would seek to prove that they were not "of the prohibited people," namely that they were Old Christians and that they were not criminals and had not been pursued by the Holy Office of the Inquisition, and in the case of Black people that they were also free people.

The crown's attempts to prohibit large swathes of the population in Castilla from traveling to the Americas rarely succeeded, as colonial subjects learned how to navigate or bypass the stringent requirements. For many inhabitants of Castilla, proving that they were not New Christians or that they had never been the subject of an Inquisitorial investigation could prove difficult. Much like the purchase of desirable Catholic religious lineages that emerged for wealthier residents in sixteenth-century Castilla, a shadowy trade in the falsification of travel licenses also developed in the city.<sup>57</sup> From the mid-sixteenth century onwards, the crown became particularly concerned with – and prosecuted – cottage industries in Sevilla and Madrid dedicated to falsifying passenger licenses.<sup>58</sup> Similarly, judges at the House of Trade routinely prosecuted Sevillian residents for providing false testimonies in support of supplicants' applications for embarkation licenses.<sup>59</sup> The growing demand for – and production of – false royal decrees and embarkation licenses in Sevilla highlights a know-how among city-dwellers of legitimate and illegitimate routes to cross the Atlantic.

Throughout the sixteenth century, the crown continued to issue royal decrees that instructed officials in the ports of the Indies to prohibit

<sup>56</sup> Fernández López, *La Casa*.

<sup>57</sup> For royal responses to forgeries of travel licenses, see AGI, Justicia 1177, no. 1; AGI, Contratación 5218, no. 88; AGI, Indiferente 1965, libro 13, fol. 432<sup>v</sup>; AGI, Contratación 5283, no. 82bis; AGI, Contratación 5289, no. 36; Autos de Prisión, 1605; AGI, Contratación 5280, no. 11.

<sup>58</sup> Ibid.

<sup>59</sup> For an example of a conviction for providing false testimony about a passenger, see "Melchor de Figueroa," AGI, Justicia 940, no. 10.

passengers from disembarking if they arrived on a ship without a passenger and embarkation license.<sup>60</sup> For example, in 1551, King Charles I insisted that the governor of Tierra Firme “visit all the ships that arrive in that land and ensure that only the persons listed in the ship’s register are on board.”<sup>61</sup> In the event that “any of them is found to be carrying passengers without licenses, make them return and compile a report of the people who passed through, if there were more who had disembarked in another port, and of the ship, pilots and captain of the ship, and send this report to the House of Trade so that they could be punished.” In addition, the monarch insisted that “this decree be sung in the Gradass of the city of Sevilla,” suggesting that this message was also aimed at prospective passengers in Sevilla, as Gradass was the principal site of mercantile activity in the city (Figure 2.3, no. 4).<sup>62</sup>

Prospective Black passengers who were unable to locate witnesses to testify about their freedom and biography found it almost impossible to obtain an embarkation license at the House of Trade. Instead, they may have resorted to crossing the ocean on a ship without a royal license – either by reaching another port of departure or midway port, such as the Canary Islands or Azores – or by finding a captain who would agree to hide them.<sup>63</sup> Others might seek to pass to the Indies by laboring as mariners or soldiers. Black mariners on ships rarely had to petition for embarkation licenses. Instead, they appeared inscribed in the registers of ships in the ranks of divers, gunners, mariners, pages (*paje de nao*), ship laborers (*grumete*), and soldiers, where House of Trade officials noted brief biographical information.<sup>64</sup> For example, the register of the San Francisco ship at the head of the Armada and Fleet of New Spain in 1596 listed four Black or *mulato* mariners who do not appear in records of embarkation licenses or Passenger Lists, including Mateo Cañete, “Black, mariner,” Alonso Suárez, “Black, mariner,” Francisco, “Black, mariner, and *natural* of Sevilla,” and Sebastián Rodríguez, “*mulato, grumete, natural* of Sevilla.”<sup>65</sup> These Black maritime laborers worked on ships between

<sup>60</sup> “Real Cedula,” AGI, Panama, 235, libro 8, fols. 347<sup>v</sup>–348<sup>v</sup>; “Real Cedula,” AGI, Panama, leg. 229, libro 2, fols. 74<sup>v</sup>–75<sup>bis</sup>.

<sup>61</sup> “Real Cedula,” AGI, Panama, 235, libro 8, fols. 347<sup>v</sup>–348<sup>v</sup>, and all quotes in this paragraph.

<sup>62</sup> For a discussion of Gradass, see Chapter 2.

<sup>63</sup> de Avilez Rocha, “The Azorean.” See also Wheat, ““Global Transit Points,” “Catalina,” “Tangomãos.”

<sup>64</sup> For more on mariners and men of the sea in late sixteenth-century Sevilla, see Pérez-Mallaína Bueno, *Spain’s Men of the Sea*.

<sup>65</sup> “Alarde,” AGI, Contratación 5252, no. 1, ramo 75. For more on Black mariners, see also Domínguez Domínguez, “Veracruz”; Garofalo, “The Shape.”

Castilla and the Americas, as well as on vessels that transported enslaved cargoes from West Africa or West-Central Africa to the Americas.<sup>66</sup> When Black laborers from Castilla perished at sea or in the Spanish Americas, their kin or slave-owners often petitioned for their wages.<sup>67</sup> Such was the case of a young ten-year old *mulato* named José Vásquez who died in the port of Veracruz in 1634. Young Vásquez had labored as a ship page and had reportedly proven his freedom to royal officials inspecting the craft in Sevilla.<sup>68</sup> His father was a free Black *vecino* of Sevilla named Francisco de Torres who likely oversaw the arrangements for Vásquez's maritime labor contract and guided Vásquez to prove his freedom to any royal inspectors. In other cases, the histories of Black mariners were recorded in testimonies and trials prosecuted by the Holy Office of the Inquisition when free Black people claimed to have worked on ships that crossed the Atlantic before they settled in the New World.<sup>69</sup>

Other free Black people partially circumvented the requirements for passenger licenses by contracting their labor as *criados* (wage-earning servants) to passengers who already possessed royal decrees that granted the bearer a license to travel with wage-earning servants. As historian Fernández López has explored, ambivalent royal decrees that granted passengers a license to travel and take a specified number of *criados* created a market for wage-earning servants in Castilla, providing ample opportunities for people to cross the ocean without their own royal decrees.<sup>70</sup> Instead, such wage-earning servants only needed to obtain an embarkation license at the House of Trade. In addition to the convenience of bypassing the requirements for applying for a passenger license at the Council of the Indies, contracting one's labor as a servant to another passenger often

<sup>66</sup> On Black and *mulato* freeborn Castilians laboring on slave ships, see "Antonio de Arenas," Archivo General de la Nación, México (cited as AGN, México), GD61 Inquisición, vol. 107, exp. 4.

<sup>67</sup> For example, "Alonso Hernández Manzano," AGI, Contratación 476, no. 1, ramo 5; "Pedro Pablo," AGI, Contratación 5577, no. 65; "Pedro de Montesdeoca," AGI, Contratación 485, no. 4, ramo 5; "Juan de Aroche," AGI, Contratación 5578, no. 51, item. 6 (a free *mulato* who left Castilla as a young boy (*muchacho*) and had become a *vecino* of the city of Truxillo in Honduras); "Antón Sardina," AGI, Contratación 941B, no. 32; "Baltasar de los Reyes," AGI, Contratación 5709, no. 211, ramo 24; "Pedro de la Torre," AGI, Contratación 5709, no. 218, ramo 27; "Cristóbal Rosado," AGI, Contratación 5709, no. 218, ramo 21; "Juan Rosell, Mateo, and Anton," AGI, Contratación 5709, no. 218, ramo 23; "Cristóbal López Riquel," AGI, Contratación 963, no. 2, ramo 11.

<sup>68</sup> "José Vázquez," AGI, Contratación 962A, no. 3.

<sup>69</sup> "Antonio de Arenas," Archivo General de México, GD61 Inquisición, vol. 107, exp. 4.

<sup>70</sup> Fernández López, *La Casa*. See also Porro Girardi, "Criados en Indias," 1245.

meant crossing the ocean without incurring the hefty cost of the voyage and sustenance.<sup>71</sup> Notarial records in Sevilla document the contractual nature of many of these arrangements, as each party specified the remuneration for the labor, the extent of maintenance costs during the voyage, and the exact time period for the employment contract.<sup>72</sup>

Approximately one-third of free and formerly enslaved Black people who sought embarkation licenses in the second half of the sixteenth century crossed the Atlantic as wage-earning servants on an employer's royal decree. Some of these individuals worked within a household and continued laboring for the same employers, while others entered the marketplace for wage-earning servants on Atlantic crossings, often serving various employers on different ships and sometimes settling in the Spanish Americas after an initial journey as a servant. For example, a freeborn *mulato* from Sevilla named Cristóbal de Castroverde crossed the Atlantic at least four times in the late sixteenth century, each time laboring for a different employer, before he finally settled in New Spain.<sup>73</sup> Testimonies about wage-earning servants also indicate that some Black people who resided in port towns of the Spanish Caribbean sometimes spent their working lives laboring

<sup>71</sup> For information on contracts for passage, maintenance costs and food on Atlantic crossings, see Rodríguez Lorenzo, "El contrato." For discussion of free Black *criados*, see also Ireton, "They Are."

<sup>72</sup> For contracts between free Black *criados* and employers for Atlantic crossings, see "Escritura de concierto," May 31, 1535, AHPS, Libro de Protocolos, signatura P-5856, libro del año 1535, oficio 10, Escribanía de Pedro de Coronado, ramos 24–26, fols. 82<sup>v</sup>–83<sup>r</sup>; "Francisco Pérez," October 7, 1535, AHPS, signatura P-53, libro del año 1536, oficio 1, libro 2, Escribanía de Alonso de la Barrera, fols. 908<sup>r</sup>–9<sup>r</sup>; "Perdono," February 16, 1503, AHPS, signatura P-2163, libro del año 1503, oficio 4, libro 2, Escribanía Manuel Segura, fol. 333; "Poder," March 23, 1509, AHPS, signatura P-2183, libro del año 1509, oficio 4, libro 2, Escribanía Manuel Segura, fol. 895; "Compañía," February 19, 1509, AHPS, signatura P-2182, libro del año 1509, oficio 4, libro 1, Escribanía Manuel Segura, fol. 597; "Poder," March 23, 1509, AHPS, signatura P-2183, libro del año 1509, oficio 4, libro 2, Escribanía Manuel Segura, fol. 895<sup>v</sup>; "Asunto: Juan de Zafra," March 23, 1509, AHPS, signatura P-2183, libro del año 1509, oficio 4, libro 2, Escribanía Manuel Segura, fols. 899<sup>r</sup>–900<sup>r</sup>; "Diego Álvarez Chanca," July 28, 1511, AHPS, signatura P-2195, libro del año 1511, oficio 4, libro 4, Escribanía Manuel Segura, fol. 2465. 70; "Registros de naos correspondientes al tesorero Andrés de Haro," 1516–1517, AGI, Contaduría 1072, no. 1, ramo 3, fols. 381<sup>r</sup>–91<sup>v</sup> (I thank David Wheat for sharing this reference with me); "Asunto: Alonso del Algaba," October 21, 1517, AHPS, signatura P-1518, libro del año 1517, oficio 3, libro 2, Escribanía Juan Ruiz de Porras, fols. 29<sup>r</sup>–30<sup>v</sup>; "Compañía," February 19, 1509, AHPS, signatura P-2182, libro del año 1509, oficio 4, libro 1, Escribanía Manuel Segura, fol. 597. See also Ireton, "They Are."

<sup>73</sup> "Cristóbal De Castroverde," Archivo General de la Nación, México, GD61 Inquisición, vol. 310, exp. 7, fols. 32–32<sup>v</sup>.

as servants for different passengers on Atlantic crossings.<sup>74</sup> For example, in 1595, witnesses described how a free Black woman from the town of Panamá named Angelina Díaz had come to Castilla because “she is free and she serves whoever she wishes (*quien le parezca*) and she earns to eat in this way,”<sup>75</sup> while another witness explained how many women “similar to” Díaz came to Castilla on ships serving passengers for wages.<sup>76</sup> A third witness reported that “similar people to her [Díaz] have their trade and work (*granjeria*) of coming [to Castilla] serving passengers on the ships who pay them and that she [Díaz] also came to earn her living as a *criada* and now it is necessary for her to return to her *natural* [Panamá].”<sup>77</sup> Some Black women who served as wage-earning servants on Atlantic crossings remained in Castilla for longer periods. Such was the case of a *mulata horra* named Isabel de Bustos, who had traveled to Castilla from Cartagena as a wage-earning servant at the turn of the seventeenth century, and who spent ten years residing in Sevilla prior to returning to Cartagena in 1612, this time embarking as a wage-earning servant for a different employer.<sup>78</sup>

#### DOCUMENTING AND DISCUSSING LIBERTY IN LATE SIXTEENTH-CENTURY SEVILLA

Black *horros*' engagement with the bureaucratization of petitions for passenger and embarkation licenses to cross the Atlantic in the second half of the sixteenth century has generated a rich archive that documents how liberated people sought to prove and protect their freedom through paperwork. Formerly enslaved Black individuals who sought coveted embarkation licenses at the House of Trade from the 1550s onwards tended to adopt a two-pronged approach to proving their freedom that relied on paperwork and witness testimony. After petitioning the Council of the Indies for a passenger license (or after having secured a potential employer who had a royal decree with permission to take servants), Black

<sup>74</sup> For select examples, see “Felipa Pérez,” AGI, Indiferente 2105, no. 32; “Felipa Pérez,” AGI, Contratación 5266, no. 1, ramo 59; “Dominga Díaz,” AGI, Indiferente 2100, no. 3; “Dominga Díaz de Cea,” AGI, Contratación 5245, no. 1, ramo 41; “Dominga Díaz de Sea,” AGI, Contratación 5538, libro 3, fol. 207<sup>v</sup>; Galbis Díez, *Catálogo de Pasajeros*, vol. VII, 3254; “Isabel de Bustos,” AGI, Contratación 5327, no. 83.

<sup>75</sup> “Angelina Díaz,” AGI, Indiferente 2102, no. 166; “Angelina Díaz,” AGI, Contratación 5251B, no. 2, ramo 42, fols. 2<sup>r</sup>–2<sup>v</sup>.

<sup>76</sup> Ibid.

<sup>77</sup> Ibid.

<sup>78</sup> “Isabel de Bustos,” AGI, Contratación 5327, no. 83. See also Coronado as discussed later in this chapter.



supplicants would attend the House of Trade in Sevilla and present an array of documents to prove their eligibility to travel to Americas, namely that they were not of the prohibited peoples and that they were free. The documents that Black *horros* presented to prove their freedom included notarized *cartas de alhorría* written by former owners, extracts of particular clauses in their owners' testaments that set out the terms of liberation, confirmation by a local royal official such as an *alcalde* or local judge of an individual's free status after manumission (and usually after provision of witness statements), a judgment in a Real Audiencia that confirmed an individual's freedom from slavery, or royal decrees issued after a Black supplicant's petition to the Council of the Indies or the Council of Castilla. In addition to presenting these documents, liberated Black petitioners would also bring three or four witnesses to the House of Trade who would attest to the petitioner's status as a liberated person.<sup>79</sup>

The following two Black *horras*, for example, applied for embarkation licenses at the House of Trade in Sevilla in the late sixteenth century. In 1592, twenty-four-year-old Lucía de Mendoza applied for an embarkation license to travel to Peru as a wage-earning servant.<sup>80</sup> Mendoza showed a copy of her 1574 *carta de alhorría* and she brought three witnesses who attested to her status as a free person.<sup>81</sup> Each witness assured that they had known Mendoza since she was a very young child in Sevilla and that her parents, Antón and Paula, were "Black people *atezados bozales* from Guinea," and described how Mendoza had been liberated in her owner's will fourteen years earlier.<sup>82</sup> Also in 1592, a Black *horra* from Sevilla named Juana Bautista, who was described as the daughter of "Black people from Guinea," sought an embarkation license to travel to Honduras as a wage-earning servant.<sup>83</sup> As supporting evidence to prove her freedom, Mendoza presented her *carta de alhorría* written by her former owner, in addition to three witnesses who also described her liberty.

Sevilla-based Black *horros* who petitioned for embarkation licenses often had varied social and economic ties across the city. This is evidenced by the parishes of residence of the witnesses who testified on behalf of a generation of free Black people who applied for such travel permits between 1569

<sup>79</sup> Fernández López, *La Casa*.

<sup>80</sup> "Lucía de Mendoza," AGI, Contratación 5240, no. 1, ramo 31.

<sup>81</sup> *Ibid.*, fol. 3<sup>r</sup>.

<sup>82</sup> *Ibid.*, fols. 4<sup>r</sup>–5<sup>v</sup>.

<sup>83</sup> "Juana Bautista," AGI, Contratación 5237, no. 2, ramo 47, fols. 2<sup>r</sup>–3<sup>r</sup>, 4<sup>r</sup>–5<sup>r</sup>; "Juana Bautista," AGI, Contratación 5538, libro, 3, fol. 127<sup>v</sup>; Galbis Díez, *Catálogo de Pasajeros*, vol. VII. Catálogo no. 2153.

and 1621, as illustrated in Figures C.1.1–2 (see Coda). People who served as their witnesses included friars, friends, former owners, neighbors, merchants, messengers (*correos*), members of the city nobility, pilots, priests, sailors, servants, shoemakers, slaves, tradespeople, and treasurers and other officials in the governing body of the city (*cabildo de Sevilla*). Witnesses also often resided in different parishes to the Black supplicants, reflecting the varied social relations that emerged across public and private spheres of the city. Labour arrangements and participation in commercial activities inevitably led to people's lives colliding on a regular basis, reflecting the common usage across witness testimonies of the following phrases to describe their relationships with Black supplicants: *trato y comunicación* (trade and communication); *los conoció y trató mucho tiempo* (met and traded with them over a long time); and *por el mucho trato y conversación que con ella y sus padres tuvo mucho tiempo* (the great trade and conversation that the witness had with the supplicant and her parents over a long time). Sometimes witnesses were Black residents of the city who lived in different parishes from the supplicant, and who testified to decades-long relationships with the petitioners across various ports and towns of the Spanish Atlantic. Such was the case of Catalina de Tapia's 1622 application for an embarkation license, when two free Black sisters named María and Barbola Ybarra testified to knowing Tapia from "sight, dealings, and communication" for thirty and forty years, respectively, in the cities of Santo Domingo, Cartagena de Indias, and Sevilla, and to knowing Tapia both as an enslaved Black woman and latterly as a free person (Figure C.1.1, nos. 12a–12c).<sup>84</sup>

City dwellers across the socioeconomic spectrums also partook in the soundscapes of cities where news flowed through whispers, songs, and conversations among friends and strangers. Individuals might hear or exchange news through word of mouth in public or domestic settings, through conversations in public squares and marketplaces, or from town criers in public squares who conveyed formal news. Ambivalent private spheres, especially in the lower and higher socioeconomic echelons of society, also led individuals to develop ties across the city. Economically precarious populations in cities in this period also ate, bathed, cooked, and washed clothes in a variety of communal or semiprivate spaces, sites that were often pregnant with murmurs, whispers, and conversations about daily life and comings and goings.<sup>85</sup> Those who endured

<sup>84</sup> "Catalina de Tapia," AGI, Contratación 5380, no. 41. fols. 2<sup>r</sup>–3<sup>r</sup>.

<sup>85</sup> "Cristóbal de Castroverde," AGN, México, GD61 Inquisición, vol. 310, exp. 7, fols. 41<sup>r</sup> (538<sup>r</sup>)–41<sup>v</sup> (538<sup>v</sup>).

life in the lower socioeconomic spectrums often experienced precarious residential arrangements, as they rented cheap rooms or beds wherever available and moved various times across the city over the course of their lives.<sup>86</sup> Relationships born through daily life among and between neighbours could transform into ties across different parishes of the city when the respective parties relocated owing to insecure housing.

The diversity of witnesses who testified on behalf of Black *horros* about their liberty at the House of Trade reveal everyday conversations about slavery and freedom on the streets of Sevilla. Witnesses would often assert Black supplicants' freedom by commenting on their reputation as free people, describing how an individual's liberty was common knowledge across the city. Other testimonies described precise moments of liberation from slavery. In 1570, Jerónima petitioned the Council of the Indies for a royal decree to travel to Peru to join her free Black husband, Pablo, who had left for Peru some years earlier.<sup>87</sup> To supplement her petition, on August 28, 1570, Jerónima asked three witnesses to attest to her history of liberation.<sup>88</sup> Her former owner's brother testified that Jerónima had been liberated from slavery and had been given her *carta de alhorría*, while a servant in her former owner's household explained that he knew that Jerónima was free because he had witnessed Jerónima obtaining her liberty and receiving her *carta de alhorría*. Finally, a Black slave named Felipe Ramos testified that he had known Jerónima for twelve years and had also attended her marriage vows. Ramos described how he knew that Jerónima was a free woman because "she is seen and treated like a free woman," while describing how he had also heard from others that Jerónima's former owner had liberated her from slavery. None of the witnesses elaborated on Jerónima's – or her husband Pablo's – Guinean *naturaleza*, nor the whereabouts of her parents. This silence about her parents suggests that Jerónima might have been enslaved in West Africa and forcibly displaced to Castilla.

Some witnesses' descriptions of a Black supplicants' reputation as a freeborn person stood at odds with their actual history of enslavement and liberation, as described in a *carta de alhorría*. Such inaccurate public opinion about an enslaved individual's status as a free person may point towards the Black supplicant having lived semiautonomously during a period of their enslavement. For example, María de la O was liberated at

<sup>86</sup> Ibid.

<sup>87</sup> "Jerónima," AGI, Indiferente 2084, no. 98. See also Figure C.1.1, nos. 2a–2d.

<sup>88</sup> Ibid., fols. 2<sup>r</sup>–4<sup>v</sup>.

the age of thirty six in her owner's testament in 1596 in San Salvador parish in Sevilla.<sup>89</sup> She sought an embarkation license to travel to Peru with her husband in 1600.<sup>90</sup> The couple arrived at the House of Trade with six witnesses who hailed from a diverse array of socioeconomic social milieus and who lived across five parishes of the city, ranging from a shoemaker from Santa Marina, to a member of Sevillian nobility named Doña Isabel Xuárez from San Vicente parish, and an agricultural laborer (*hortelano*) who was a resident in the economically precarious neighborhood of San Bernardo located outside the city walls (Figure C.1.1, nos. 10a–g).<sup>91</sup> Her six witnesses claimed that she had always been free because her parents were also free. Doña Isabel Xuárez stated that María de la O was “a free woman and not subject to any captivity and because of this she is treated (*avida y tenida*) as [free] because her parents were also free.”<sup>92</sup> Diego de Morales testified that he had heard that “María de la O was born of a free womb,” implying that she was free because her mother was a free woman.<sup>93</sup> These witnesses perceived María de la O as a freeborn woman, even though she had actually been enslaved during most of the time that they had known her. Perhaps their perceptions of her freedom stemmed from an arrangement between O and her owner that she could work as a slave-for-hire and operate as an independent laborer who would pay a proportion of her wages to her owner while living with her husband, whom she had married in 1586. Such an arrangement might explain why her six witnesses believed that she had always been free, even though only four years had elapsed between her liberation from slavery in 1596 and their witness testimonies in 1600.

Black *horros*' attempts to prove and document their status as free people before judges at the House of Trade stands in contrast to freeborn Black people who rarely presented physical documents to prove their liberty when applying for an embarkation license. This difference suggests that various visual and aural markers, beyond how officials racialized certain people as Black, may have alerted judges to a person's past status as an enslaved person. Such signals could include permanent scarring and markings on a petitioner's skin that betrayed a history of enslavement. Formerly enslaved Black people often lived with letters scarred and carved onto their faces and chests owing to slave merchants' and

<sup>89</sup> “María de la O,” AGI, Contratación 5262A, no. 55, fol. 10<sup>v</sup>.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid., fols. 2<sup>r</sup>–8<sup>v</sup>. Figure C.1.1, nos. 10a–g.

<sup>92</sup> Ibid., fols. 2<sup>r</sup>–8<sup>v</sup>.

<sup>93</sup> Ibid.

slave-owners' practices of branding enslaved subjects' skin with scorching irons to engrave their initials on an enslaved person's body. For example, Margarita de Sossa, who was born enslaved in Porto (Portugal) and was later sold in Sevilla and forcibly displaced to New Spain, reportedly had "some letters on her face (*rostro*)" from when a former owner burned his initials on her skin to mark her status as a slave.<sup>94</sup> Similarly, a free *mulata* from Sevilla named Ana de Carvajal, who was the daughter of an enslaved Black woman from Guinea, reportedly had a "mark on the face on her right cheek," as described by one of her witnesses in 1576.<sup>95</sup> Similarly, a Black *horra* named Magdalena who resided in Sevilla described how she had an iron mark on her right chest in 1594, while in 1611, a thirty-four-year-old Black *horro* named Luis de Espinosa was described in his *carta de alhorría* as having a "scar of a wound below the left eyebrow."<sup>96</sup> On the other side of the Atlantic in 1594, a notary in Mexico City described a Black woman named Catalina from the land of *Zape* as having letters marked on her face that spelled the name "Maestro de Roa," while in 1614, a free *mulato* merchant named Sebastián Barroso in Cartagena de Indias described how an enslaved Black man from Upper Guinea had a "mark of fire on his chest."<sup>97</sup> Other signals of a history of enslavement might include aural markers, such as a supplicant's register of speech, accent, or linguistic dexterity in the Spanish language.<sup>98</sup> These physical and sonic markers of slavery may have provoked judges at the House of Trade or those assisting petitioners with their paperwork to inscribe a history of enslavement and informally request that formerly enslaved Black supplicants provide their freedom papers.<sup>99</sup>

In contrast, freeborn Black people from Sevilla rarely provided any physical proof of their freedom when requesting embarkation licenses. They may have donned visual markers of freedom. For example, they

<sup>94</sup> "Margarita Sossa," AGN, México, GD61 Inquisición, vol. 208, exp. 3, fols. 31–32.

<sup>95</sup> "Ana de Carvajal," AGI, Contratación 5225A, no. 1, ramo 35.

<sup>96</sup> "Magdalena," AGI, Contratación 5252, no. 1, ramo 11; "Luis de Espinosa," AGI, Contratación 5323, no. 53.

<sup>97</sup> "*Alhorría*," in Mijares *Catálogo de Protocolos del Archivo General de Notarías de la Ciudad de México, Fondo Siglo XVI* (hereafter Mijares CPAGNXVI), Protocolos Notariales, "Luis de Basurto" (Escribano real), México, January 21, 1594, Notaría 1, vol. 20, foliación 1 177–180 (89–90<sup>v</sup>), folicación 2 92–93<sup>v</sup>. Ficha 99; "Francisco Martín," AGN, SC, NE 43, legajo 13, doc. 9, fols. 27<sup>r</sup>–36<sup>v</sup>.

<sup>98</sup> For scholarship on soundscapes in Black Atlantic, see note 40 in Introduction.

<sup>99</sup> For an example of an authority judging someone to be enslaved based on branding, see Fernández Chaves, "Amas, esclavas, y libertad," and Pérez García, "Matrimonio, Vida Familiar."

may have appeared at the House of Trade wearing fine clothing, such as cloaks and silks, and expensive jewelry.<sup>100</sup> Occasionally, Black *horros* did not need to prove their freedom through paperwork at the House of Trade, as credible witness testimony and the appearance of social standing sufficed. For example, a free Black man named Francisco González petitioned the Council of the Indies on two occasions for a passenger license to move to New Spain with his free Black wife in 1569 and 1577.<sup>101</sup> In his second petition, González suggested that he had been formerly enslaved and that he was an *horro*, as he described how he had been “free for many years and *vecino* of the city of Sevilla.”<sup>102</sup> In spite of González’s claim that he would prove that he had been free for many years, he did not present any paperwork that documented his freedom. Instead, three sailors and men of the sea, who served as his witnesses at the House of Trade in 1569 and three others who testified a decade later in 1577, merely confirmed that he was a free wage-earning Black mariner and a celebrated diver who criss-crossed the Atlantic employed on ships, that he was married to a free Black woman named Juana Rodríguez in Sevilla, and that they were both *vecinos* of Sevilla.<sup>103</sup>

#### GENERATING AND PROTECTING FREEDOM PAPERS

The bureaucratic processes that the crown established for petitions for passenger and embarkation licenses from the mid-sixteenth century onwards have resulted in the archiving of varied strategies deployed by Black *horros* to safeguard their liberty by generating new and confirmatory freedom papers. With a *carta de alhorría* in hand that spelled out their liberation from slavery, some sought to bolster the authority of this document by generating additional freedom papers. Most commonly, this would involve gathering witnesses before a public notary to swear that the individual was a free person. The notary would then issue a new *escritura* attesting to the *horro*’s freedom. This practice responded to the

<sup>100</sup> On clothing as expressions of freedom, see Dawson, “The Cultural”; Walker, *Exquisite Slaves*. For an example of clothing shaping perceptions of freedom, see “Diego Suárez,” AGI, Contratación 255, no. 1, ramo 5.

<sup>101</sup> “Francisco González,” AGI, Indiferente 2052, no. 14; “Francisco González,” AGI, Indiferente 2058, no. 6; “Francisco González,” AGI, Contratación 5538, libro I, fol. 427<sup>v</sup>; “Francisco González,” AGI, Indiferente 1968, libro 21, fol. 131<sup>v</sup>; “Francisco González,” AGI, Contaduría 241, no. 117.

<sup>102</sup> “Francisco González,” AGI, Indiferente 2058, no. 6, fol. 2<sup>r</sup>: “*digo que yo soy libre muchos años y que soy vecino de esta ciudad de Sevilla.*”

<sup>103</sup> Ibid. See also Figure C.1.1, nos. 1a–1g.

importance placed on witness testimony in the Spanish empire, or, as Gonzalbo Aizpuru describes the phenomena of “*testigos memoriosos*,” whereby individuals with higher social capital, social standing, or honor in the community were more likely to have the social cache to enlist witnesses from their community who could attest to their status.<sup>104</sup> While formerly enslaved Black supplicants for embarkation licenses regularly leant on other Sevillians to testify about their freedom at the House of Trade, such testimonies did not necessarily generate paperwork that the supplicant could keep on their person and use at a later date. Rather, scribes at the House of Trade transformed oral witness testimonies into paperwork destined for the archives of the House of Trade or the Council of the Indies. Many formerly enslaved Black people chose the more secure route of employing the services of a public notary in Sevilla to document witness testimony about their freedom and therefore ensure that they could keep a copy of the notarized statements on their person. They would ask their friends, neighbors, and acquaintances to provide sworn statements before a public notary about the supplicants’ freedom. This was the course of action taken by Magdalena in 1590 when she gathered witnesses before a Sevilla notary to testify about her status as a liberated Black woman, six years before she eventually requested an embarkation license at the House of Trade in 1596.<sup>105</sup>

Black *horros* who had notarized witness testimonies about their liberation from slavery in Sevilla or elsewhere would present this physical document – that they had generated and that affirmed their freedom – as evidence of their freedom in a petition to the Council of the Indies for a passenger license or at the House of Trade for an embarkation license. Arriving at the House of Trade with notarized witness statements was not unusual as passengers who were *naturales* of regions beyond Sevilla had to compile a notarized *escritura* of witness statements about their biography in the places in Castilla where they were born or resided. Nonetheless this preemptive act by Black *horros* in Sevilla to notarize witness testimonies about their freedom highlights one way in which *horros* invested in a legal culture of paperwork to generate a supplementary set of freedom papers.

As a further measure, some formerly enslaved Black people would take the copy of these sworn testimonies and their *carta de alborría* to request that a royally appointed chief justice of a city, often known as an *alcalde*, *alcalde ordinario*, *asistente*, *corregidor*, or *gobernador*, or their

<sup>104</sup> Gonzalbo Aizpuru, “La trampa.”

<sup>105</sup> “Magdalena,” AGI, Contratación 5252, no. 1, ramo 11.

deputies (*tenientes*), issue a certificate confirming the petitioner's freedom. An example of this effort to generate additional freedom papers is the aforementioned case of Antón Segarra, who invested significant resources to create a trail of freedom papers that would assure his legal status as a free man before he crossed the Atlantic from Sevilla to New Spain at the turn of the seventeenth century.<sup>106</sup> Within three months of obtaining his *carta de alhorría* and anticipating that he might travel to other regions of the Spanish empire, on February 3, 1603, Segarra petitioned the *teniente* (deputy) of the *Asistente de Sevilla* (a role similar to *alcalde* or *corregidor* in other cities, and appointed by the king to oversee matters of civil justice and to supersede the authority of the city *cabildo*), doctor Alonso de Liévana, to confirm his status as a free man.<sup>107</sup> Segarra was not unique in requesting that a *teniente* of the *asistente de Sevilla* confirm his freedom papers, as the aforementioned Jerónima had petitioned the same figure to confirm her freedom thirty years earlier.<sup>108</sup>

Segarra explained in his petition that he wished to protect his freedom anywhere that he might be in the present or the future, both within and outside Castilla, as he wished to “protect my right and wherever in these kingdoms that I might be or where I might go that my freedom be proved and that no conditions be imposed and that I can freely use my liberty.”<sup>109</sup> Segarra requested that the *teniente* of the *asistente* review his *carta de alhorría* issued in the town of Écija and receive witness testimonies from people in Sevilla about his freedom.<sup>110</sup> For his witnesses, Segarra chose three servants who labored in the Sevilla-household where he had previously stayed with his former owner.<sup>111</sup> In the process of eliciting and notarizing witness testimonies about his freedom and requesting that the city authority confirm his freedom so that he could “freely use my liberty ... wherever in these kingdoms that I might be,” Segarra generated new paperwork in the form of a four-folio notarized document that affirmed the most important document of his life, his *carta de alhorría*.

<sup>106</sup> “Antonio Segarra,” AGI, Contratación 303, no. 2, fols. 11<sup>v</sup>–13<sup>r</sup>.

<sup>107</sup> For replication of the Asistente de Sevilla position in the governance of America colonies, see Hampe Martínez, “Esbozo.” See also “Cédula,” Archivo General de Simancas, PTR, LEG, 87, 38; “Cédula,” Archivo General de Simancas, PTR, LEG, 87, 39; “Real Cédula,” AGI, Indiferente 427, libro 31, fols. 185<sup>r</sup>–185<sup>v</sup>; “Real Cédula,” AGI, Indiferente 427, libro 31, fols. 184<sup>v</sup>–185<sup>r</sup>.

<sup>108</sup> “Jerónima,” AGI, Indiferente 2084, no. 98.

<sup>109</sup> “Antonio Segarra,” AGI, Contratación 303, no. 2, fols. 11<sup>v</sup>–13<sup>r</sup>. Antón Segarra's cache of freedom papers are transcribed in Ireton and Álvarez Hernández, “Epístolas.”

<sup>110</sup> Ibid.

<sup>111</sup> For analysis of these witness testimonies, see Chapter 2.



Segarra crossed the Atlantic to New Spain a few months later as a wage-earning servant for a Dominican friar armed with both his *carta de alborría* and the certified document that contained the witness statements and the pronouncement of his liberty by the city authority in Sevilla. Segarra spent six years living in the port town of Veracruz, where he eventually became an independent laborer; he rented a small parcel of land and owned some livestock.<sup>112</sup> Throughout these years, Segarra safeguarded these documents, along with two letters that he received from his enslaved Black wife, and a record of his sacraments of confession in a box of papers in his residence in Veracruz.<sup>113</sup> In 1609, Antón Segarra suffered a fatal stab wound. Royal officials who inventoried his belongings found a locked “old box with old papers” that contained his treasured freedom papers. These documents revealed Segarra’s long history of enslavement and delayed liberation from slavery in Castilla, and the history of how he invested time and resources to certify his freedom papers in Sevilla prior to his journey across the Atlantic.<sup>114</sup>

Such attempts to generate confirmatory freedom papers through city officials were especially common for those who resided or were liberated from slavery in towns outside Sevilla. For example, prior to embarking to Peru as a wage-earning servant in 1579, thirty-five-year-old Isabel de Flandes requested that the *alcalde* of the town of Lepe in Huelva certify her freedom.<sup>115</sup> Flandes specifically requested that the *alcalde* issue a document certifying her freedom that contained notarized transcriptions of the testimonies of four witnesses and that he ensure that his document be valid wherever she may be so that she could prove her freedom elsewhere.<sup>116</sup> Her witnesses were *vecinos* of Lepe who hailed from a variety of social strata, including a Presbyterian priest.<sup>117</sup> The witnesses described how Isabel de Flandes was born enslaved as the daughter of “Antón and Beatris, Black people from Guinea,” and explained that they knew that Isabel de Flandes “is free and free of all subjection and captivity and servitude and that she is a free woman” because they had known her since she was born and had often conversed with Flandes and her parents over the previous

<sup>112</sup> Ibid.

<sup>113</sup> Ibid., fols. 10<sup>r</sup>, 18<sup>v</sup>–20<sup>v</sup>.

<sup>114</sup> “Antonio Segarra,” AGI, Contratación 303, no. 2, fols. 10<sup>r</sup>, 18<sup>v</sup>–20<sup>v</sup>.

<sup>115</sup> “Isabel de Flandes,” AGI, Contratación 5227, no. 2, ramo 36.

<sup>116</sup> Ibid., fol. 3<sup>v</sup>: “ynterponga su autoridad y decreto judicial para que valga y haga fee y juyzio fuera del [donde] quiera que pareciere para lo qual.”

<sup>117</sup> Ibid., fols. 3<sup>v</sup>–7<sup>v</sup>.

thirty-five years.<sup>118</sup> In response, the *alcalde* of Lepe issued Flandes with a thirteen-folio document that certified her freedom and included the transcriptions of witness testimonies and the copy of the undated clause from her former owner's testament that set out the terms of her liberation from slavery. Flandes presented this document as proof of her freedom to the House of Trade when requesting an embarkation license to travel to Peru in 1579 as a wage-earning servant.<sup>119</sup>

Such strategies to create supplementary freedom papers were not limited to those seeking embarkation licenses at the House of Trade. Black *horros* engaged in similar practices across the Spanish empire, especially when poised to embark on lengthy journeys. For example, in 1577, a Black *horra* named Ana de Jesús appeared before the *alcalde ordinario* of the *cabildo* of Lima in Peru to request that he certify her *carta de alhorría*.<sup>120</sup> Her freedom certificate documented how Jesús had liberated herself from slavery through a *rescate* thirteen years earlier in the city of Sevilla by paying the price of her freedom to the nuns of the Monastery of Jesus in that city. In the interim, Jesús had crossed the Atlantic in 1569, and had shown her *carta de alhorría* to inspectors on the ship.<sup>121</sup> Ana de Jesús likely spent the subsequent decade residing in the viceregal capital of Lima, until 1577, when she prepared for a journey to the silver boomtown of Potosí, located over 2,000 km away from Lima.<sup>122</sup> The wording of Jesús' petition to the *alcalde ordinario* in Lima reveals how she sought to protect her treasured freedom certificate from any dangers during the lengthy journey ahead, explaining how "because she was on the journey to the town of Potosí, and she had her *carta de libertad*, and she could lose it," she wished for the *alcalde ordinario* to review her freedom certificate and make a copy of the document before a public notary in Lima.<sup>123</sup> By copying the document with a notary, Jesús ensured that her treasured document would be archived in Lima should the original be misplaced.

Black *horros* such as Antón Segarra, Isabel de Flandes, and Ana de Jesús, sought every means possible to document and protect their

<sup>118</sup> Ibid.

<sup>119</sup> "Isabel de Flandes," AGI, Contratación 5538, libro 1, fol. 197<sup>v</sup>.

<sup>120</sup> "Ana de Jesús," Archivo General de la Nación, Peru (hereafter AGNP), Notarias, 1 CYH1, 28, 70, fols. 103–106.

<sup>121</sup> "Ana de Jesús," AGI, Contratación 5537, libro 3, fol. 299<sup>v</sup>.

<sup>122</sup> "Ana de Jesús," AGNP, Notarias, 1 CYH1, 28, 70, fols. 103–106.

<sup>123</sup> Ibid.: "dado que ella estaba de camino para la villa de Potosi, y que ella tenya su carta de libertad y podria se le perder."

freedom.<sup>124</sup> They understood the enduring power of paperwork in the Spanish empire, and invested significant resources and time to certify and copy their freedom certificates with city and town authorities, hoping that these supplementary documents would bolster the original one, or serve as a protection in the event that they misplaced their freedom certificate or that they were illegitimately enslaved. In doing so, they also generated new documents that they could keep on their person throughout their lives.

Other Black *horros* who petitioned for embarkation licenses sought to generate additional freedom papers through their interactions with the bureaucratic procedures at the House of Trade. For example, a Black *horra* named Lorenza de Valladolid, whose owner had promised that he would liberate Valladolid and her son if they accompanied him on a voyage from Lima to Castilla, sought an embarkation license in 1611.<sup>125</sup> She appeared at the House of Trade with her young son, along with three witnesses who were residents of Sevilla. They attested that Valladolid was a free liberated woman, as she and her son had been promised their liberty on the condition that she serve her owner on the Atlantic crossing to Sevilla.<sup>126</sup> Knowing the importance of possessing physical copies of freedom papers that would attest to and assure her freedom throughout the Spanish empire, Valladolid requested that the scribe copy her freedom certificate and return the original document to her. She pled that “a copy be made of my *carta de libertad* and that the original be returned to me.”<sup>127</sup> Valladolid also insisted that the scribe issue a second document attesting that she had shown the House of Trade her treasured freedom certificate.<sup>128</sup> These requests show that Valladolid understood the importance of paperwork – and her possession of physical documents – to safeguard her freedom. She hoped to enter the House of Trade with one document attesting to her freedom, her *carta de alhorría*, and leave with two. However, perhaps owing to the economic precarity that she

<sup>124</sup> “Antonio Segarra,” AGI, Contratación 303, no. 2. “Isabel de Flandes,” AGI, Contratación 5227, no. 2, ramo 36. See also “Jerónima,” AGI, Indiferente 2084, no. 98.

<sup>125</sup> “Lorenza de Valladolid,” AGI, Contratación 5323, no. 54. For other enslaved women who were brought to Castilla and then liberated from slavery, see “Catalina,” AGI, Contratación 5401, no. 23, and “Leonor de Espinosa,” AGI, Indiferente 2093, no. 181. For evidence of this practice in notarial records, see Fernández Chaves, “Amas, esclavas, y libertad.”

<sup>126</sup> “Lorenza de Valladolid,” AGI, Contratación 5323, no. 54, fols. 1<sup>v</sup>–3<sup>r</sup>.

<sup>127</sup> Ibid., fol. 1<sup>r</sup>.

<sup>128</sup> Ibid., fol. 1<sup>r</sup>.

was experiencing, Valladolid had not yet petitioned the Council of the Indies for a passenger license. The surviving documents are ambivalent as to whether judges granted Valladolid permission to embark to Lima without a royal decree or whether Valladolid subsequently obtained a royal decree.

Lorenza de Valladolid was one of many Black *horros* who were *naturales* of the Americas and who had been brought to Castilla as enslaved people by their owners before being liberated from slavery.<sup>129</sup> Black individuals who were *naturales* of the Spanish Americas and who were liberated from slavery in Castilla were highly vulnerable to abuse in due process, as they often lacked sufficient community ties in Castilla or resources to mount a legal defense when facing injustices. For example, Gaspar Juan was critically aware of the vulnerabilities of being a recently liberated person far from his birthplace.<sup>130</sup> He had been born in Santo Domingo and brought to Sevilla as a slave in the 1570s. Juan had been freed in his owner's testament, but his owner's heirs had reportedly refused to honour the liberation clause and continued to subject him to enslavement. Juan took his plight for justice from illegitimate enslavement to the highest royal court of the city, the Real Audiencia in Sevilla, where he instigated a petition against his owners' heirs.<sup>131</sup> The court ruled in Juan's favor in 1584, declaring him a free man as long as he paid *treinta ducados* to his owner's heirs.

Although Juan's freedom was conferred by the royal court in 1584, he did not return to Santo Domingo until 1598. In the intervening fourteen years, Juan established life in Sevilla as a free Black man. In this time, he developed relationships with other city dwellers whom he would rely on in his subsequent petition for an embarkation license to cross the Atlantic. During those years, Juan had collected an array of paperwork that constituted his cache of freedom papers. When Juan requested an embarkation license at the House of Trade in 1594, he presented his owner's testament, his freedom certificate, the record of his petition to the Real Audiencia of Sevilla, and the result of judges' deliberations on his case, in addition to calling on a host of witnesses who attested to the facts of the case heard by the Real Audiencia and his status as a free

<sup>129</sup> "Faustina," AGI, Contratación 5260B, no. 1, ramo 44; "Faustina," AGI, Contratación 5538, libro III, 50–53<sup>v</sup> (see also Galbis Díez, *Catálogo de Pasajeros*, vol. VII. no. 5.368); "María de Cota," AGI, Contratación 5222, no. 4, ramo 70; "María de Cota," AGI, Indiferente 2060, no. 10.

<sup>130</sup> "Gaspar Juan," AGI, Contratación 5248, no. 1, ramo 17.

<sup>131</sup> *Ibid.*, fols. 3<sup>r</sup>–7<sup>v</sup>.

man in Sevilla.<sup>132</sup> Juan subsequently boarded a ship destined to Santo Domingo on May 11, 1594.<sup>133</sup>

Black individuals from the Spanish Americas who were born free sometimes generated certificates of their *vecindad* and freedom before an impending departure to another region of the Spanish imperial realms. These precautions stemmed from their understanding of the vulnerability of leaving a place where they were known as free people to travel to regions where they may lack sufficient community ties to prove their status as free-born people. For example, a Black man named Pero Hernández crossed the ocean with his Indigenous wife and four children for unspecified business matters in the 1550s. Prior to his voyage, Hernández took preventative measures in Mexico City to protect his freedom by generating freedom papers. In 1538, Hernández had requested that the *cabildo* of Mexico City issue a certificate of his *vecindad* in the city, which confirmed that he was a free man and a *vecino* who enjoyed the same freedoms and privileges of other *vecinos* of the city.<sup>134</sup> Pero Hernández crossed the Atlantic with his wife and four children in possession of this physical document issued by the *cabildo* in Mexico City, anticipating that he would require such proof of freedom when requesting a license to return to New Spain. Just four months after arriving in Castilla, Pero Hernández sent a petition to the Council of the Indies requesting a passenger license to return to New Spain, and presented this document and witness testimony at the House of Trade in 1556.<sup>135</sup> A Black *horro* named Sebastián de Toral obtained a similar certificate of *vecindad* by petitioning the *alcalde* of Mérida (Yucatán, New Spain) on January 21, 1568. He also drew on this certificate of *vecindad* a decade later when he crossed the ocean to Madrid in 1577 to present a petition to the Council of the Indies, and when he subsequently requested an embarkation license at the House of Trade.<sup>136</sup>

Free Black women from the Spanish Americas who embarked on Atlantic voyages as wage-earning servants sometimes also sought confirmatory documents of their *vecindad* and status as freeborn people. For example, a fourteen-year-old Black woman named Melchora de los Reyes from the port of Veracruz obtained two different types of documents in New Spain that confirmed her freedom prior to embarking on a voyage

<sup>132</sup> Ibid., fols. 1<sup>r</sup>–7<sup>v</sup>.

<sup>133</sup> “Gaspar Juan,” AGI, Contratación 5538, libro 3, fol. 230.

<sup>134</sup> “Pero Hernández,” AGI, Indiferente 2049, no. 54, fols. 2<sup>v</sup>–3<sup>r</sup>.

<sup>135</sup> “Pero Hernández,” AGI, Indiferente 2049, no. 54.

<sup>136</sup> “Sebastián de Toral,” AGI, Indiferente 2059, no. 108, fol. 3<sup>v</sup>.

to Castilla as a wage-earning servant.<sup>137</sup> In 1583, Melchora de los Reyes requested that the Holy Office of the Inquisition in Mexico City issue a certificate to confirm her freedom and that she had not been punished for any crimes against the Catholic faith.<sup>138</sup> She subsequently requested that the royal office of *Real Hacienda* in the port of Veracruz issue a second document stating that she was a free woman who was permitted to travel to Castilla as a wage-earning servant.<sup>139</sup> Melchora de los Reyes crossed the Atlantic as the servant of a Sevilla-native *boticario* (trader of medicinal drugs) named Baltasar Ruíz who resided in the port of Veracruz. The retinue of Baltasar Ruíz's servants who departed Veracruz in 1583 also included Melchora de los Reyes' mother, who was a Black woman named Juana Ruíz (Díaz), a young Black boy named Diego, and a young Black *vecina* of Veracruz named Magdalena de Coronado who had been born in Mexico City.<sup>140</sup> Magdalena de Coronado had also sought to assure her freedom prior to her voyage, but had built a different set of documentary evidence. In Veracruz, Coronado had gathered witnesses before a public notary to attest to her freedom and then presented these to the office of the *Real Hacienda* when her employer sought a license to travel and take wage-earning servants to Castilla.<sup>141</sup> One of the witnesses was a merchant who testified to having known Coronado for fifteen years, and described that he knew that Coronado was a free Black woman who lived in a house in Veracruz with her mother and sisters, while another *vecino* of Veracruz testified to knowing Coronado for ten years as a free woman in the town.<sup>142</sup> Melchora de los Reyes and Magdalena de Coronado therefore gathered various certificates attesting to their status as freeborn Black women and *vecinas* prior to embarking on an Atlantic voyage as servants of the same employer.

These Black women – Melchora de los Reyes and Magdalena de Coronado – who served in Baltasar Ruíz's retinue on the 1583 voyage from Veracruz to Sevilla, drew on these freedom papers in the following years as they traversed the Atlantic. The next year, in 1584, Baltasar Ruíz petitioned the Council of the Indies for a license to return to Veracruz from Castilla with his servant, Magdalena de Coronado, who by that

<sup>137</sup> "Melchora de los Reyes," AGI, Indiferente 2065, no. 60.

<sup>138</sup> *Ibid.*, fols. 2<sup>r</sup>–2<sup>v</sup>.

<sup>139</sup> *Ibid.*

<sup>140</sup> *Ibid.* "Magdalena de Coronado," AGI, Indiferente 2061, no. 134 (fol. 2: "*Un negrillo nombrado Diego*"); "Magdalena Coronado," AGI, Indiferente 1952, libro 2, fol. 208.

<sup>141</sup> "Magdalena de Coronado," AGI, Indiferente 2061, no. 134, fols. 3<sup>r</sup>–5<sup>v</sup>.

<sup>142</sup> "Melchora de los Reyes," AGI, Indiferente 2065, no. 60.

time had given birth to a daughter.<sup>143</sup> Coronado presented the freedom papers that she had generated in New Spain to support her petition.<sup>144</sup> Neither Melchora de los Reyes, nor her mother Juana Díaz, nor the young Black boy named Diego appeared in the documentation pertaining to that return voyage. Instead, Melchora de los Reyes established residency in Sevilla after the 1583 Atlantic crossing. Seven years later, in 1590, Melchora de los Reyes petitioned the Council of the Indies for a passenger license to return to Veracruz and presented a string of paperwork to prove her freedom, which included the two certificates of her freedom that she had obtained in New Spain seven years earlier.<sup>145</sup> Within two months of obtaining a royal decree in her name, Melchora de los Reyes took two witnesses to the House of Trade in Sevilla to request an embarkation license on July 3, 1590.<sup>146</sup> Her witnesses claimed to have known Melchora de los Reyes on both sides of the Atlantic in the ports of Veracruz and Sevilla.

Pero Hernández, Sebastián de Toral, Melchora de los Reyes, and Magdalena de Coronado's calculated actions to collect confirmatory paperwork of their freedom from city authorities in New Spain on the eve of their departures from the viceroyalty highlights how formerly enslaved and freeborn Black people in the Spanish Atlantic world valued paperwork. This was especially so for those who were leaving the sites where they were known by a community as free people and who were unsure whether they would have sufficient networks and ties to rely on witness testimony in other sites when requesting a license to return to their places of *naturaleza*.

Formerly enslaved Black people also invested in generating trails of paperwork to prove and assure their freedom when original documents, such as *cartas de alhorría*, were irretrievable. The following case of a Black woman who tragically lost her freedom papers on a ship shows the importance of this practice. Onboard a ship sailing from Sevilla to Tavira in Portugal, a free Black woman named María Gómez lost her most valuable possession, her freedom papers.<sup>147</sup> Arriving in Tavira in 1572, she gathered four witnesses from the ship to confirm that she had indeed been in possession of her freedom papers and that she had lost them on the voyage.<sup>148</sup> María Gómez was a free Black woman from the island of Santiago in the

<sup>143</sup> "Magdalena de Coronado," AGI, Indiferente 2061, no. 134, fols. 3<sup>r</sup>–5<sup>v</sup>.

<sup>144</sup> Ibid.

<sup>145</sup> "Melchora de los Reyes," AGI, Indiferente 2065, no. 60.

<sup>146</sup> "Melchora de los Reyes," AGI, Contratación 5232, no. 25.

<sup>147</sup> "María Gómez," AGI, Contratación 5226, no. 2, ramo 28, fols. 1<sup>v</sup>, 5<sup>r</sup>–6<sup>v</sup>.

<sup>148</sup> Ibid.



West African archipelago of Cabo Verde. Vasco Fernández, a mariner and resident of Tavira, attested that María Gómez had lost her freedom papers on a ship from Sevilla to Tavira, while Jorge Viegas, a merchant who also hailed from the island of Santiago in the Cabo Verde archipelago, stated that he knew María Gómez from Cabo Verde and that he was aware that María Gómez had come to Castilla with her *carta de alhorría* and had subsequently lost the precious document during her return journey.<sup>149</sup> These hastily gathered witness statements in the port of Tavira in 1572 after a turbulent journey that described how María Gómez had lost her freedom papers on the ship, became her de facto freedom papers.

These de facto freedom papers were the evidentiary centerpiece of María Gómez's liberty in her application for an embarkation license five years later in the House of Trade. María Gómez did not return to Cabo Verde from Tavira in 1572 after she lost her freedom papers. Instead, she reappeared in Sevilla five years later, when she applied for an embarkation license to travel to Nicaragua as the wage-earning servant of the newly-appointed treasurer of the region.<sup>150</sup> In 1577, María Gómez was one of four wage-earning servants to travel in the treasurer's retinue, along with another free Black woman named Inés Díaz.<sup>151</sup> The Passenger Lists described Gómez as, "María Gómez Black, *natural* of Cabo Verde, Black *atezada*."<sup>152</sup> To support her petition for an embarkation license, María Gómez presented copies of the notarized witness testimonies that she had gathered in 1572 in Tavira to attest that she had been in possession of her *carta de alhorría* before losing it.<sup>153</sup> She also brought witnesses who were residents of Sevilla.<sup>154</sup> Her witnesses attested to having known Gómez for approximately ten years in Sevilla and to knowing that she had been born in Guinea (as opposed to Cabo Verde), where she had been brought up by her parents and with her sister. They explained that they knew that María Gómez was free from captivity because they had seen her living with her liberty in Sevilla, a description that implied that Gómez had some agency as a free Black woman over her employment and life in Sevilla. Gómez's efforts in Tavira to generate new paperwork that attested to the physical existence – and subsequent loss – of her freedom papers by transforming

<sup>149</sup> "María Gómez," AGI, Contratación 5226, no. 2, ramo 28, fols. 1<sup>v</sup>, 5<sup>r</sup>–6<sup>v</sup>.

<sup>150</sup> "Juan Moreno Alvarez de Toledo," AGI, Contratación 5792, libro 1, fols. 198–199.

<sup>151</sup> "Alonso Dorta, María Gómez, Inés Díaz, and Sebastián de Herrera," AGI, Contratación 5226, no. 2, Ramos, 27–30.

<sup>152</sup> "María Gómez," AGI, Contratación 5538, libro 1, fol. 10<sup>v</sup> (8).

<sup>153</sup> "María Gómez," AGI, Contratación 5226, no. 2, ramo 28, fols. 1<sup>v</sup>, 5<sup>r</sup>–6<sup>v</sup>.

<sup>154</sup> *Ibid.*, fols. 2<sup>r</sup>–3<sup>r</sup>.

witness statements into physical pieces of paper thus had the effect of serving as her new *de facto* freedom papers when she subsequently applied for a license to cross the Atlantic to the Americas. In addition, María Gómez was able to develop sufficient ties in Sevilla to call on residents to testify about her status as a free Black woman from Cabo Verde.<sup>155</sup>

Another strategy for developing new trails of freedom papers involved petitioning the Council of the Indies to confirm the petitioner's status as a free person while requesting a passenger license. Such *horros* either sought to prove their freedom in this superior court because they were already in Madrid or because they calculated that a royal decree confirming their freedom would assure their liberty in the eyes of judges at the House of Trade when seeking an embarkation license.<sup>156</sup> Owing to this practice, some royal decrees instructed judges at the House of Trade to issue embarkation licenses to specific Black men and women without obliging these passengers to provide any detailed information about themselves because they had already proven their freedom in the courts in Madrid. Black individuals often kept copies of these royal decrees on their person and presented them directly to the House of Trade. In other instances, House of Trade officials already had access to a particular royal decree that the Council of the Indies had sent directly to the institution.

Two examples of formerly enslaved Black supplicants who proved their freedom when petitioning for a passenger license at the Council of the Indies are the cases of Ana Díaz and the aforementioned Catalina de Tapia.<sup>157</sup> These two Black women may have been at the royal court in Madrid contemporaneously as they obtained royal decrees within a year of each other. In the first instance, in March 1620, a royal decree noted that a Black woman named Ana Díaz and her eight-year-old *mulata* daughter named Beatriz had appeared in person at the Council of the Indies, and had proven that they were free and had come from New Spain as wage-earning servants.<sup>158</sup> Whether Ana Díaz proved her freedom to the court by presenting copies of her freedom papers or through her own testimony is unclear. The decree granted mother and daughter permission to return to New Spain and instructed the judges at the House

<sup>155</sup> For further analysis of María Gómez's case, see Chapter 2. See also Figure C.I.1 4a–4c.

<sup>156</sup> "Domingo de Zúñiga," AGI, Indiferente 2054, no. 43; "Francisco Zape," AGI, Indiferente 2094, no. 144; "Elena Méndez," AGI, Indiferente 2064, no. 135.

<sup>157</sup> "Ana Díaz," AGI, Contratación 5370, no. 30; "Ana Díaz," AGI, Indiferente 1978, fol. 16; "Catalina de Tapia," AGI, Contratación 5380, no. 41; "Catalina de Tapia," AGI, Indiferente 1978, fol. 16.

<sup>158</sup> "Ana Díaz," AGI, Contratación 5370, no. 30.

of Trade not to request any further information from them, except to establish that they were the same people as those named in the decree. Lacking witnesses in Sevilla who could confirm her identity, Ana Díaz instead generated paperwork in Madrid that would prove that she and her daughter were the same people as those named in the royal decree. Díaz leant on a resident of Madrid who was present at the royal court to testify about their biography before a public notary in Madrid.<sup>159</sup> With this notarized document containing the testimony proving her biography and the royal decree with a passenger license, Ana Díaz and her daughter Beatriz appeared in the House of Trade, and the judges granted them an embarkation license without asking any further questions about their status as free people.<sup>160</sup>

The following year, Catalina de Tapia also savvily bolstered the power of her *carta de alhorría* and generated a second set of freedom papers by petitioning the Council of the Indies.<sup>161</sup> Catalina de Tapia had been born into slavery in Santo Domingo (Isla Española) in approximately 1572. In her mid-thirties, Tapia likely became the subject of a sale transaction that forcibly displaced her from Santo Domingo to Cartagena de Indias. There, at the turn of the seventeenth century, Tapia found herself dwelling in one of the highest-volume slave-trading ports of the early seventeenth-century Atlantic world toiling as a domestic slave to Alonso de Tapia y Cáceres, the treasurer (*contador*) of the city.<sup>162</sup> In 1618, after living in Cartagena for a decade, Catalina de Tapia crossed the Atlantic to Sevilla. Whether she obtained her freedom in Cartagena de Indias and subsequently traveled to Sevilla as a free woman, or whether Alonso de Tapia – who was a native of Castilla – forcibly displaced his slave to Sevilla and later liberated her in that city remains unclear. However, by 1621 – three years after her arrival in Sevilla and by then fifty-years old – Tapia was a free woman.

Catalina de Tapia petitioned the Council of the Indies sometime before March 1621 for a passenger license to return to Santo Domingo owing to the poverty that she was experiencing in Castilla. In her petition, Tapia presented her *carta de alhorría* to prove her freedom and received a royal decree that confirmed her status as a free Black woman. The decree explained that Tapia had presented freedom papers at the royal court, “as it [Tapia’s freedom] is proven through an *escritura* of freedom that she

<sup>159</sup> Ibid., fols. 2<sup>r</sup>–7<sup>r</sup>.

<sup>160</sup> Ibid., fol. 1<sup>r</sup>.

<sup>161</sup> “Catalina de Tapia,” AGI, Contratación 5380, no. 41.

<sup>162</sup> “Alonso de Tapia, contador de Cartagena de Indias,” AGI, Contratación 5792, libro 2, fols. 61<sup>v</sup>–62.

presented.”<sup>163</sup> The royal decree granted Tapia permission to travel to her place of *naturaleza*, Santo Domingo, and stipulated that judges at Sevilla’s House of Trade should only establish Tapia’s biography and not her religious lineage or freedom.<sup>164</sup> Tapia therefore assured her freedom in the eyes of judges at the House of Trade by generating freedom papers that had been confirmed by the Council of the Indies. This royal decree also became the evidentiary centerpiece of her freedom in her 1621 petition for an embarkation license, as Tapia did not present a *carta de alhorría* within her application at the House of Trade, instead relying on the aforementioned two free Black sisters, María and Barbola Ybarra, who testified to knowing and communicating with Tapia in each of the sites where she had previously dwelt as both an enslaved subject and latterly as a free person.

### CONCLUSION

Black *horros* in the sixteenth-century Spanish empire often invested time and resources in legal cultures of paperwork to protect and safeguard their *carta de alhorría* after they were liberated from slavery. Free Black people’s interactions with the bureaucratic processes for travel permits in the sixteenth century reveal their strategies to protect and assure their freedom through an engagement with cultures of paperwork. Black *horros* were aware of the importance of safekeeping their *carta de alhorría*, and, where possible, sought to bolster their freedom certificate by investing resources to generate additional and supplementary paperwork that confirmed their status as free people. This history of Black *horros*’ engagement with juridical cultures of paperwork is often difficult to trace as different archives hold fragmentary clues. However, the archive of petitions for embarkation and passenger licenses to cross the Atlantic reveals an unexplored history of free Black migration in this period, as well as a rare snapshot of how hundreds of Black *horros* invested significant resources to protect their liberty, especially by generating additional and supplementary freedom papers that they could keep on their person throughout their lives.

<sup>163</sup> “Catalina de Tapia,” AGI, Contratación 5380, no. 41, fol. 3<sup>v</sup>.

<sup>164</sup> Ibid.