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Shades of grey: slaveholding free women of color in antebellum New Orleans, 1800-1840

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SHADES OF GREY: SLAVEHOLDING FREE WOMEN OF COLOR
IN ANTEBELLUM NEW ORLEANS, 1800-1840

A Dissertation

Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

in

The Department of History

by

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In memory of my grandmother, Claudette Delage, née Drapeaud.

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ABSTRACT

This dissertation examines the economic opportunities that free women of color could derive from slaveholding, their motivations, and their impact on New Orleans' antebellum society and economy. Another aim is to find out the role and impact of free women of color from Saint Domingue (later Haiti), whose arrival in New Orleans doubled the number of free women of color in the city. Finally, the analysis of relationships between free women of color and their slaves and with the diverse population of New Orleans plays an important part in this study.

Notarial deeds (sales and purchases of slaves, mortgages of slaves, property inventories, powers of attorney, and wills), court records (lawsuits, Supreme Court records, and criminal records), and other public records (federal, state, county and city document, city directories, census data, and church sacramental registers) provide invaluable sources for this study. I use two major research strategies: (1) a statistical analysis of slave ownership among free women of color and (2) case studies. Such methodology allows me to consider slave ownership among these women in an exhaustive manner, including important parameters such as gender, race, and ethnicity.

For free women of color, slaves were definitely a source of personal and commercial speculation, which was inherent in the relationship between master and slave. Free women of color did not and could not deny their slaves' humanity, yet this knowledge, which gleams through the records on certain occasions, did not inhibit them from engaging in the exploitation and trading of slaves of all ages, which, in turn allowed them to acquire significant amounts of property. The data suggests that these aspirations were shared among the large community of free women of color in the urban center of New Orleans. There, they found a sense of

community, tied together by a shared heritage, friendship, kinship, religion, education, and above all economic opportunities, creating thriving social and financial networks among themselves and with others throughout the city.

INTRODUCTION

The existence and the endeavors of free women of African ancestry in colonial and antebellum New Orleans have both fascinated and puzzled many over the past two centuries. Most accounts have focused on the reasons for the growth of the free population of color in New Orleans, with an emphasis on slave women's and free women of color's sexual relations with white men. Travelers' accounts, writers of fiction, and scholars alike have dealt extensively with Quadroon Balls and plaçage.¹ While describing the interracial sexual encounters that took place in the city, these accounts have both drawn disproportionate attentions to the sexual activities of women of color with white men and usually failed to represent women of color as active players in the society and economy of colonial and antebellum New Orleans. In 1835, Gustave de Beaumont, travel companion to the famed philosopher and politician Alexis de Tocqueville, described free women of color in those terms: “[I]n Louisiana the highest position that can be held by a free woman of color is that of a prostitute to white men.”² Scholars' and non scholars' fascination with free women of color, sex, and sexuality, is still potent to this day. While

¹ Primary and secondary sources about Quadroon Balls and plaçage: Gustave de Beaumont, *Marie, or Slavery in the United States: A Novel of Jacksonian America* (Baltimore: Johns Hopkins University Press, 1999 [Original work published in 1835]). Bernhard, Duke of Saxe-Weimar Eisenach, *Travels through North America during the Years 1825 and 1826*, 2 vols. (Philadelphia: Carey, Lea & Carey, 1828). Samuel Wilson Jr., ed., *Southern Travels: Journal of John H. B. Latrobe, 1834* (New Orleans: The Historic New Orleans Collection, 1986). George William Featherstonhaugh, *Excursion through the Slave States from Washington on the Potomac to the Frontier of Mexico; with Sketches of Popular Manners and Geological Notices* (New York: Harper & Brothers, 1844). Joan M. Martin, “Plaçage and the Louisiana Gens de Couleur Libre: How Race and Sex Defines the Lifestyles of Free Women of Color,” in Sybil Kein, ed., *Creole: The History and Legacy of Louisiana's Free People of Color* (Baton Rouge: Louisiana State University Press, 2000), 57-70. Monique Guillory, “Under One Roof: The Sins and Sanctity of the New Orleans Quadroon Balls,” in Judith Jackson Fossett and Jeffrey A. Tucker, eds., *Race Consciousness: African-American Studies for the New Century* (New York: New York University Press, 1997), 67-92. Lyle Saxon, *Fabulous New Orleans* (Gretna, LA: Pelican Publishing Company, 1988 [Original work published in 1928]). George Washington Cable, *The Granddissimes: A Story of Creole Life* (New York: Sagamore Press, 1957 [Original work published in 1880]).

² Beaumont, *Marie, or Slavery in the United States*, 64.

presenting my work at the Annual Meeting of the American Historical Association in 2012, one individual came up to me and asked, “These free women of color, they were prostitutes, right?”

Furthermore, there is very little historical literature that examines the economic activities of free women of color, and few have tackled slave ownership among free women of color despite the fact that many of these women accumulated significant slave property in Louisiana. The ownership of slaves among the free population of color has been difficult to explain because of the popular opinion that regards slavery in the United States as a simple matter of racial oppression of blacks by whites. The pioneering work of African American historians writing between the 1910s and the 1940s has helped to shape a more nuanced understanding of slavery and to expand our knowledge about what it was like to be a slave. We learned that slaves were not just victims but that many found a way to exercise agency over their lives, even to the point of becoming slave masters themselves. These slave owners, for the most part, supported the institution, deriving from it wealth and privileges.³

This study examines slave ownership among free women of color, in order to determine what roles race, gender, and class played in the lives of these women, in their relations with their slaves, and in the diverse population of New Orleans. Free women of color were the racially-mixed descendants of the early African, Spanish and French population. Some women were born free, while some others were emancipated slaves. In addition to Louisiana-born women,

³ John H. Russell, *The Free Negro in Virginia, 1619-1865* (Baltimore: Johns Hopkins University Press, 1913). Carter G. Woodson, *Free Negro Owners of Slaves in the United States in 1830, Together With Absentee Ownership of Slaves in the United States in 1830* (Washington, D.C.: The Association for the Study of Negro Life and History: The Association for the Study of Negro Life and History, 1924). Carter G. Woodson, *Free Negro Heads of Families in the United States in 1830, Together With a Brief Treatment of the Free Negro* (Washington, D.C.: The Association for the Study of Negro Life and History, 1925). C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York: Vintage Books, 1989 [Original work published in 1938]). Luther Porter Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (New York: D. Appleton-Century Company, 1942). John Hope Franklin, *The Free Negro in North Carolina, 1790-1860* (Chapel Hill: The University of North Carolina Press, 1943). Eric Eustace Williams, *Capitalism and Slavery* (Richmond, VA: University of North Carolina Press, 1944).

free women of color from the former French colony of Saint Domingue (later Haiti) and Cuba reinforced this population. Between 1805 and 1840, the number of free women of color increased along with the twelvefold increase in the number of free persons of color.⁴ In New Orleans, such persons were referred to as “free people of color,” “*gens de couleur libres*,” “free Negroes,” “mulattoes,” or Creoles. They constituted a social class of their own in Louisiana and were considered a class apart, between whites and slaves.

Free women of color were found in great numbers in the city, and in some instances, they came to control a substantial portion of the economic resources of New Orleans during the colonial and antebellum eras, due to inheritances and purchases. They traded enslaved men, women, and children of all ages in the city’s slave markets, demonstrating conclusively that slavery was not based solely on race but on economics. Most free women of color participated in the slave trade, just as their white counterparts, and while some bought slaves in order to emancipate them, the majority were profit-maximizing business women. Their presence and their activities also demonstrated that slave trading was not a realm exclusively dominated by men. Historical studies mainly recount the involvement of men in slave owning, and this male dominated history often fails to acknowledge, belittles and devalues the role of women at all levels of slavery—both as slaves and as slave owners. In New Orleans and other societies, slave ownership among free women of color was deemed a legitimate and *desirable* form of property, both for economic and social purposes. Thus, my dissertation aims to correct the gender neutral or male-biased historiography, particularly as it relates to free women of color in New Orleans.

The city shaped the lives of slaves and free persons in various ways, and offered a variety of social and economic opportunities that fashioned the lives of its residents in unique ways. The

⁴ The free population of color in New Orleans grew from 1,566 in 1805 (942 free women of color and 624 free men of color) to 19,226 in 1840 (10,788 free women of color and 8,438 free men of color).

complexity of these women's lives and the roles they played in the economy of New Orleans is a fundamental part of this study. Finally, this study will make an important contribution to the study of urban rather than plantation slavery by clarifying the reasons why free women of color owned slaves in antebellum New Orleans.

Over the past twenty years, a small collection of historical works have emerged that have gradually enhanced our analyses of women of color, both free and enslaved. Kimberly S. Hanger's work on free people of color in Spanish colonial New Orleans has provided the basis for the study of free persons of color in colonial societies. Drawing on archives in Louisiana and Spain, Hanger reconstructs the world of late-eighteenth-century New Orleans from the perspective of its free residents of color, and documents the common experiences and enterprises that helped solidify their group identity. Hanger argues that free people of African descent made their greatest advances in terms of legal rights and privileges, demographic expansion, vocational responsibilities, and social standing over the course of three and a half decades of Spanish rule, and that they became the foundation for the city's prosperous and much acclaimed Creoles of Color during the antebellum era.⁵

Recent research about the Americas and the South in particular is thematic. The pivotal collections of essays by David Barry Gaspar and Darlene Clark Hine, *Beyond Bondage: Free Women of Color in the Americas* and *More than Chattel: Black Women and Slavery in the Americas* (2004, 2006), and Catherine Clinton and Michele Gillespie's *The Devil's Lane: Sex and Race in the Early South* (1997) have offered a variety of essays on women of color that

⁵ Kimberly S. Hanger, "Household and Community Structure Among the Free Population of Spanish New Orleans, 1778," *Louisiana History* 30, No. 1 (Winter 1989): 63-79. Kimberly S. Hanger, "Avenues to Freedom Open to New Orleans' Black Population, 1769-1779," *Louisiana History* 31, No. 3 (Summer, 1990): 237-264. Kimberly S. Hanger, "Conflicting Loyalties: The French Revolution and Free People of Color in Spanish New Orleans," *Louisiana History*, Vol. 34, No. 1 (Winter, 1993): 5-33. Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham & London: Duke University Press, 1997). Kimberly S. Hanger, "'Desiring Total Tranquility' and Not Getting It: Conflict Involving Free Black Women in Spanish New Orleans," *The Americas*, Vol. 54, No. 4 (Apr., 1998): 541-556.

cover the Americas' peculiar institution from its inception to shortly after the Civil War, showing that these women's lives were very complex and that they enjoyed various degrees of mobility in the Americas.⁶ Others scholars have focused on the lives of specific women and their families. Virginia Meacham Gould's *Chained to the Rock of Adversity: To Be Free, Black & Female in the Old South* (1998), catches a glimpse of what shaped the contours of daily life for free women of color through the private letters written to Ann Battles Johnson and her oldest daughter, Anna Johnson, both from Natchez, Mississippi. Kent Anderson Leslie's *Woman of Color, Daughter of Privilege* (1995), Adele Logan Alexander's *Ambiguous Lives, Free Women of Color in Rural Georgia, 1789-1879* (1991), and Janice L. Sumler-Edmond's *The Secret Trust of Aspasia Cruvellier Mirault* (2008) reveal valuable information about free women of color's status in the South as well as their unique concerns in a society where race, gender, and slavery shaped all people's lives.⁷

Some studies have focused on issues of identity and culture. Virginia Meacham Gould's 1998 Ph.D. dissertation, "In Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860" and articles such as "In Defense of Their Creole Culture: The Free Creoles of Color of New Orleans, Mobile, and Pensacola" (1993) are important additions to the study of free women of color, arguing that free women of color's identity was determined not only by wealth, education, religion, legal condition, and ties to the

⁶ David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996). David Barry Gaspar and Darlene Clark Hine, eds., *Beyond Bondage: Free Women of Color in the Americas* (Urbana: University of Illinois Press, 2004). Catherine Clinton and Michele Gillespie, eds., *The Devil's Lane* (New York: Oxford University Press, 1997).

⁷ Virginia Meacham Gould, ed., *Chained to the Rock of Adversity: To Be Free, Black & Female in the Old South* (Athens: University of Georgia Press, 1998). Kent Anderson Leslie, *Woman of Color, Daughter of Privilege* (Athens: The University of Georgia Press, 1995). Adele Logan Alexander, *Ambiguous Lives, Free Women of Color in Rural Georgia, 1789-1879* (Fayetteville: University of Arkansas Press, 1991). Janice L. Sumler-Edmond, *The Secret Trust of Aspasia Cruvellier Mirault* (Fayetteville: University of Arkansas Press, 2008).

white community, but also by their African heritage and the gender conventions in the South.⁸ Some articles have given more attention to free women of color and property. Loren Schweningen's "Prosperous Blacks in the South, 1790-1880" and "Property Owning Free African-American Women in the South, 1800-1870" (1990) and Nicole S. Ribianszky's master's thesis, "She Appeared to be Mistress of her Own Actions, Free from the Control of Anyone: Property Holding Free Women of Color in Natchez, Mississippi, 1779-1865" (2003) are valuable additional works on the economic status of free women of color in the South. All argue that a significant number of free women of color managed to enter the property holding class and that their presence varied geographically.⁹

Historians have written extensively about the conditions in which slaves lived and worked, as well as about their relations with their masters.¹⁰ When Eugene D. Genovese published *Roll, Jordan, Roll: The World the Slaves Made* (1974), the book represented a critical departure from previous historians' understanding of relationships between slaves and masters in southern slave society.¹¹ *Roll, Jordan, Roll* is not an analysis of the institution of slavery itself, but an exploration of the dynamics of class relations. Genovese offered a nuanced and

⁸ Virginia Meacham Gould, "In Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860" (Ph.D. diss., Emory University, 1991). Virginia Meacham Gould, "In Defense of Their Creole Culture: The Free Creoles of Color of New Orleans, Mobile, and Pensacola," *Gulf Coast Historical Review* 9.1 (Fall 1993): 26-46.

⁹ Loren Schweningen, "Prosperous Blacks in the South, 1790-1880," *The American Historical Review* 95, No. 1 (Feb., 1990): 31-56. Loren Schweningen, "Property Owning Free African-American Women in the South, 1800-1870," *The Journal of Women's History* 1, No. 3 (Winter, 1990): 13-44. Nicole S. Ribianszky, "She Appeared to be Mistress of her Own Actions, Free from the Control of Anyone: Property Holding Free Women of Color in Natchez, Mississippi, 1779-1865" (master's thesis, Michigan State University, 2003).

¹⁰ Paul David and Peter Temin, "Explaining the Relative Efficiency of Slave Agriculture in the Antebellum South: A Comment," *American Economic Review* 69 (1979): 213-18. Robert Fogel and Stanley Engerman, *Time on the Cross: Evidence and Methods* (Boston: Little, Brown and Company, 1974). Herbert Gutman, *Slavery and the Numbers Game: A Critique of Time on the Cross* (Urbana: University of Illinois Press, 1975). Richard Vedder, "The Slave Exploitation (Expropriation) Rate," *Explorations in Economic History* 12 (1975): 453-58. Gavin Wright, "Slavery and the Cotton Boom," *Explorations in Economic History* 12 (1975): 439-52.

¹¹ Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1975).

sophisticated interpretation of the planter class and the paternalistic relationship they maintained with their slaves, thus offering an interesting framework as regards free women of color who were slave owners in the antebellum period. Moreover, some recent scholarship has focused on the plantation in the Old South and women's place in it. Catherine Clinton's *The Plantation Mistress: Woman's World in the Old South* (1982), Suzanne Lesock's *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860*, and Elizabeth Fox-Genovese's *Within the Plantation Household: Black and White Women of the Old South* (1988) all deal with gender relations in the South and challenge the assertion that southern women—black and white—were dominated by men. Indeed, they argue that these women were not passive and subservient, but resourceful and resistant, offering important insight into gender conventions and gender dynamics in the South.¹²

These works serve as the historiographical foundation for my dissertation, offering important insights for my study of slaveholding free women of color in New Orleans between 1800 and 1840. This period is of utmost importance because the number of free persons of color had doubled in New Orleans in 1809, due to the arrival of thousands of immigrants from Haiti. Free women of color from Haiti—identified as “Domingoises of color” or simply “Domingoises” in my dissertation—thus play an important role in my study. The six chapters that follow explore the significant aspects of slave ownership among free women of African descent in New Orleans in the early American period. Each chapter is drawn from and inspired by numerous court cases and notarial records. Each focuses on case studies in order to consider the different options free women of color experienced under the same social, economic, and racial framework.

¹² Catherine Clinton, *The Plantation Mistress: Woman's World in the Old South* (New York: Pantheon Books, 1982). Suzanne Lesock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: W.W. Norton & Company, 1984). Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988).

These legal proceedings prove compelling narratives as they “record the voices of ordinary people and their efforts to use the legal system, [allowing] the historian to hear people talking about love, emotional and sexual intimacy, power, betrayal, and broken promises.”¹³

Chapter 1 examines the origins of the community of free women of color in eighteenth-century and nineteenth-century New Orleans. I look at the socio-economic background of these women and their status in the overall society and economy of New Orleans. In particular, I examine the life of Honorine Giovelina and her female ancestors who lived in a liminal state, being neither white nor black in a slaveholding, racist society. Racial and class status were defining principles for free women of color, and these women “slipped” or moved to various levels of society in many different ways. They worked diligently to purchase and accumulate property for themselves and their children, and they eventually stretched, or even defied, the social boundaries and conventions that predominated in New Orleans.

Chapter 2 examines free women of color from Saint Domingue who were part of the French diaspora in the Caribbean. Throughout their journeys from Saint Domingue to Cuba and finally to New Orleans, these women strove to preserve their identity as French citizens and *gens de couleur libres* and to blend into the existing French-speaking Catholic community of free persons of color in New Orleans. At the crux of this analysis is the evidence that most free women of color emigrated to New Orleans with their slaves in spite of the ban in place. In particular, I inquire about the case of Pouponne Guérin who emigrated with her slaves to Cuba, then Jamaica, and finally to New Orleans. In many ways, Guérin’s experience exemplifies the voyage that free women of color and other French refugees undertook in the Caribbean to finally settle in the United States.

¹³ Stephen Robertson, “What’s Law Got to Do with It? Legal Records and Sexual Histories,” *Journal of the History of Sexuality* 14, No. 1/2 (January/April, 2005): 161.

Chapter 3 examines slaveholding patterns among free women of color after the Louisiana Purchase, in particular between 1810 and 1820. I developed a statistical analysis of slave ownership among free women of color, collecting transactions involving free women of color and slaves, which can be found at the Orleans Parish Notarial Archives. Such methodology allows me to consider slave ownership among these women in an exhaustive manner, including important parameters such as gender, race, and ethnicity. Crucial questions exploring economic variables such as their occupational status and socio-economic status are also answered.

Chapter 4 explores the complexity of the relations between free women of color and their slaves. In this chapter, I uncover whether free women of color and their slaves were part of an organic relationship that benefited both. I also answer questions about their positions towards the sale and purchase of human chattel and whether financial incentives overrode benevolent sentiments.

Chapter 5 examines the dense networks of relationships and networks that free women of color created in New Orleans. These networks allowed for the association of men and women from different racial, ethnic, class, and national backgrounds, and demonstrated that, in terms of commerce, nineteenth-century New Orleans was an integrated place and the center of broad exchanges, in which women of color could expand their horizons and prosper. I also consider social, economic, and political transformations, and how they altered individuals and communities from the Louisiana Purchase until about 1840.

Finally, Chapter 6 shifts the focus back to free women of color from Haiti in order to show how they became active social and economic agents in New Orleans and the Caribbean by building intricate social and economic networks. I argue that laying claims on property lost in Haiti and Cuba and establishing commercial networks enabled free women of color to (re)create

an identity in face of great social, economic, and political transformations both in the United States and in the Caribbean.

In my conclusion, I summarize the major findings and arguments of my dissertation, and suggest ways in which the study of slaveholding free women of color is relevant to contexts outside of the United States. To that end, I draw comparisons between New Orleans and the Mascarenes, and place thematic issues such as race, ethnicity, gender, and class in a broader, transnational context.

CHAPTER 1

CONCUBINAGE, SEX, AND RACE IN NEW ORLEANS BEFORE AND AFTER THE LOUISIANA PURCHASE

The free population of color seems to have existed from the first introduction of slaves in Louisiana. Historian Gwendolyn Midlo Hall claims that the “earliest record encountered of a free black in New Orleans dates from 1722.”¹ Free people of color or *gens de couleur libres* were the racially-mixed descendants of the early African, Spanish and French population. During the Spanish regime, the free population of color not only grew in numbers, it also came to constitute a distinct social class in Louisiana—a class in between—and, as such, enjoyed special rights and privileges. Many free women of color lived in antebellum New Orleans, their numbers reaching 11,000 in 1840, which represented 10 percent of the total population. Moreover, drawing data from census returns, Leonard P. Curry reveals that a disproportionate number of women existed in the free population of color in New Orleans between 1820 and 1850. The average female-to-male ratio was 1.44 : 1 over this period.²

In eighteenth- and nineteenth-centuries New Orleans, race defined one’s social status, and sometimes the strictures imposed by racial designations and ideologies were impossible to escape. Racial identity could be stronger than any effort to change one’s life. However, some free women of color were successful in manipulating their equivocal position. Free women of color challenged the boundaries of race and gender with unique advantages that were available to them. By engaging in relationships with white men, exploiting specific patterns of manumission and inheritance common in Spanish Louisiana, and by conducting various economic ventures, in

¹ Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992), 129.

² Leonard P. Curry, *The Free Black in Urban America, 1800-1850: The Shadow of the Dream* (Chicago: University of Chicago Press, 1981), 8.

particular owning and trading slaves, some of them achieved unprecedented prosperity and social influence.

I will put an emphasis on the concept of liminality—a term borrowed from anthropology—in order to shed light on how their social and economic positions enabled many free women of color to stretch social and economic boundaries in New Orleans. Liminality, meaning “threshold” in Latin, relates to an intermediate state, phase, or condition; it is a midpoint between a starting point and an ending point. For instance, when an immigrant becomes familiar with both the culture and language of the country he resides in, he is in a liminal state, being now part of society to some extent, but never fully assimilated. Viewed in a positive light, liminality provides mobility, or freedom of movement, as one can move back and forth between states and areas.³ Anthropologist Victor Turner made use of the term liminality in his studies on ritual, positing that liminal personae are “threshold people,” and thus they “elude or slip through the network of classifications that normally locate states and positions in cultural space ... they are betwixt and between the positions assigned and arrayed by law, custom, convention, and ceremonial.”⁴

The life and choices of Honorine Giovelina, a free woman of African descent exemplifies the liminal position of women of African descent in New Orleans Society.⁵ As free women, Honorine and her ancestors lived in a liminal state, being neither white nor slave in a

³ Some scholars have made uses of this concept, applying it to identity, place, and culture. For example, see Christine Elizabeth Koch Harris, “Liminality in Gender, Race, and Nation in *Les Quarteronnes de la Nouvelle-Orléans* by Sidonie de la Houssaye” (Ph.D. diss., Louisiana State University, 2006). To Harris, liminality is “the ability to redefine boundaries.” She is particularly interested in the character of Octavia, a free woman of color, who experienced a plaçage relationship. Harris claims that Octavia is not a “tragic quadroon trapped in two worlds.” On the contrary, she plays with her racial status as it enables her to “slip” or “move to any level of society” the way she wants. Thus, she embodies a white woman or a black woman at her convenience.

⁴ Victor Turner, *The Ritual Process* (New York: Aldine de Gruyter, 1995), 85.

⁵ Because of so many parties involved in this chapter, I will use first names to refer to each individual.

slaveholding, racist society. Racial and class status were defining principles for free women of color, and these women “slipped” or moved to any level of society in many different ways. Free women of color’s status was advantageous in certain situations. Their social positions enabled them to stretch, or even defy, social boundaries of New Orleans, by owning slaves for instance. Thus, their identities fluctuated in response to and in interaction with others, in a particular environment, and at a particular time of history.

Although Honorine is not necessarily representative of all free women of color in antebellum New Orleans, she does stand for an example of the lives and business endeavors of free women of African descent, living in a white patriarchal society. Honorine and her female ancestors were keenly aware of the social and economic advantages they could derive from penetrating the white community, and they fully embraced their liminal status and the rights accorded to their caste, in order to protect their interests and ultimately to prosper. Thus, by probing the importance of race and class affiliations in the white or black community, a clearer and fuller picture of racial hierarchy and property and slave ownership among free women of color in New Orleans in the nineteenth century emerges.

While the political, social, and economic climate of New Orleans profoundly changed at the turn of the nineteenth century, Honorine made key decisions in order to preserve and protect her status and that of her family. By using the legal system to vindicate her rights, Honorine showed that she and other free women of color were familiar with the intricacies of the law and courts and took advantage of their privileges and rights accorded to their caste. Although there is no first-person documentation of Honorine’s personal details or reminiscences of her life, legal proceedings provide insight into the complexities of story, as they “record the voices of ordinary people and their efforts to use the legal system, [allowing] the historian to hear people talking

about love, emotional and sexual intimacy, power, betrayal, and broken promises.”⁶ Honorine’s story and that of her ancestors provide the narrative device for this chapter and guide us towards an understanding of their larger historical significance.

In her will, dated February 6, 1832, Honorine declared that she had three young children with her husband François Diez, also a free person of color, and that she lived in Faubourg Trémé on St. Philip Street. She revealed she was in a difficult situation, stating that throughout their marriage her husband had lived a “scandalous” lifestyle and that he had sold most of her property. The record also notes that François had left Louisiana for Mexico three years prior and had not been taking care of his children since that time.⁷ Honorine’s remaining possessions included the house in which she resided in 1832, a house *briquetée entre poteaux* i.e. of brick-between-post construction, divided into two *appartements* or main rooms, two *cabinets*—a French word for small workroom, bedroom, or service room⁸—and dependencies or outbuildings. She listed two additional houses, one plastered brick house on St. Ann Street with four *appartements*, a gallery, two *cabinets*, and dependencies, as well as a contiguous *briquetée entre poteaux* house divided into two *appartements*, two *cabinets*, and dependencies. These two dwellings were rental properties and were estimated at 1,200 dollars and 6,000 dollars, respectively. Combined with the value of her furniture and other items, Honorine’s personal

⁶ Stephen Robertson, “What’s Law Got to Do with It? Legal Records and Sexual Histories,” *Journal of the History of Sexuality* 14, No. 1/2 (January/April, 2005): 161.

⁷ *Will of Honorine Giovelina, wife François Diez* (1832), Court of Probates, Orleans Parish, Louisiana, New Orleans Public Library (hereafter cited as NOPL).

⁸ Roulhac B. Toledano, *A Pattern Book of New Orleans Architecture* (Gretna: Pelican Publishing Company, Inc., 2010), 56-7 and 161. Exterior walls were constructed of brick between posts then plastered over and covered with cypress weatherboard.

property totaled 7,600 dollars. Furthermore, the two houses located on St. Ann Street together yielded an annual income of about 1,000 dollars.⁹

The average value of inventoried property by race and gender in 1830 in New Orleans was as follows: free women of color, 2,800 dollars; free men of color, 1,500 dollars; white women, 7,400 dollars; white men, 11,200 dollars.¹⁰ Thus, the value of Honorine's property surpassed those of other free women of color, free men of color, and white women. Honorine's status was exceptional for the time and she was able to leave substantial property to her children. It is also interesting to note that she had owned even more property, including slaves, earlier and that, throughout her life, she strove to accumulate and retain property. How should one understand her social and economic position in the city?

Ever since the French colonized Louisiana, they attempted to define and govern sexual and race relations between and among Europeans, Indians, and Africans. Some religious officials saw concubinage between European men and Indian women as debauchery, and therefore wanted to permit marriages between the two, for the sake of the social and moral order of the colony. However, government officials and others believed that these relations were detrimental to the growth and the prosperity of the colony. Their fears were deeply rooted in their beliefs in the immutability of racial and cultural differences. As Jennifer M. Spear contends, the discourse of skin color, the language of blood, and representations of sexual behavior permeated their minds.¹¹ Above all, marital unions involving the question of property

⁹ *Inventory of Honorine Giovelina Diez* (1832), Court of Probates, Orleans Parish, Louisiana, NOPL.

¹⁰ Virginia Meacham Gould, "Free Women of Color and Property Holding in New Orleans," *Manuscript presented at the XXIX Conference of the Association of Caribbean Historians* (7-12 April, 1997): 19.

¹¹ Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans* (Baltimore: The Johns Hopkins University Press, 2009), 33-6.

inheritance deeply worried government officials.¹² Despite disagreements regarding marital and non-marital relations between Frenchmen and Indian women, secular and religious officials finally agreed in the 1720s to discourage and prevent these relations in the colony.¹³

The process of racialization and prejudice against Indian women was also under way regarding African slaves. In Louisiana and other French colonies, the treatment of slaves, *affranchis* (freed men), and free blacks as well as relations between people of African and European descent were governed by the *Code Noir* (Black Code). In 1724, Louis XV enacted the *Code Noir* and enforced it in Louisiana that same year. In a variety of ways, the Code drew distinctions between *blancs* and *noirs*, free, freed, and slave.

Marriage between *blancs* and *noirs*, whether slave or free, was strictly forbidden. Sexual intercourse and cohabitation between whites and slaves, *affranchis* and slaves, and free blacks and slaves were also forbidden. If these prohibitions were disregarded, whites, *affranchis*, and free blacks alike were to be prosecuted. However, it is interesting to note that concubinage between whites and free persons of African ancestry is not mentioned in the Code.¹⁴

¹² Spear, *Race, Sex, and Social Order in Early New Orleans*, 31-2.

¹³ *Ibid.*, 37.

¹⁴ *Code Noir* (1724), article 6. "We forbid our white subjects, of both sexes, to marry with the blacks, under the penalty of being fined and subjected to some other arbitrary punishment. We forbid all curates, priests, or missionaries of our secular or regular clergy, and even our chaplains in our navy to sanction such marriages. We also forbid all our white subjects, and even the manumitted or free-born blacks, to live in a state of concubinage with blacks. Should there be any issue from this kind of intercourse, it is our will that the person so offending, and the master of the slave, should pay each a fine of three hundred livres. Should said issue be the result of the concubinage of the master with his slave, said master shall not only pay the fine, but be deprived of the slave and of the children, who shall be adjudged to the hospital of the locality, and said slaves shall be forever incapable of being set free. But should this illicit intercourse have existed between a free black and his slave, when said free black had no legitimate wife, and should said black marry said slave according to the forms prescribed by the church, said slave shall be thereby set free, and the children shall also become free and legitimate; and in such a case, there shall be no application of the penalties mentioned in the present article." This English translation of Louisiana's 1724 slave code was published in Benjamin Franklin French, *Historical Collections of Louisiana: Embracing Translations of Many Rare and Valuable Documents Relating to the Natural, Civil, and Political History of that State*, Vol. 3 (New York: D. Appleton & Company, 1851).

Thus, the Code put an emphasis on racial categorizations (*blancs vs. noirs*) while recognizing the existence of a free population of African descent, who did not have the same status as whites but did not qualify as slaves either. The status of free persons of color is discussed throughout the Code. For instance, Article 6 sought to discourage relationships between white men and slave women, while encouraging marriages between people of African ancestry, slave and free. While the Code forbade whites and free persons of color from cohabiting with slaves, white men and free black men were not to receive the same punishment if they broke the law. Fathers and masters were to pay 300 livres, and slaves, along with any children produced by the union, were to be confiscated and were never to receive freedom. However, this provision did not apply to free men of African ancestry and their slave concubines if the former married the latter, receiving freedom for her and her children.¹⁵

Likewise, free persons of color harboring fugitive slaves were not to receive the same penalty as whites. If convicted, whites were to pay a fine of 10 livres a day “for every day during which they shall have concealed said fugitives,” while free persons of color were to pay a fine of 30 livres. If unable to pay the fine, free persons of color were to be “reduced to the condition of slaves” and sold into slavery.¹⁶ Therefore, whites and free persons of African

¹⁵ *Code Noir* (1724), article 6.

¹⁶ *Ibid.*, article 34. “Freed or free-born negroes, who shall have afforded refuge in their houses to fugitive slaves, shall be sentenced to pay to the masters of said slaves, the sum of thirty livres a day for every day during which they shall have concealed said fugitives; and all other free persons, guilty of the same offence, shall pay a fine of ten livres a day as aforesaid; and should the freed or free-born negroes not be able to pay the fine herein specified, they shall be reduced to the condition of slaves, and be sold as such. Should the price of the sale exceed the sum mentioned in the judgment, the surplus shall be delivered to the hospital.”

ancestry were not equals when it came to these specific provisions in the Code. Furthermore, free persons of African ancestry could not inherit from whites.¹⁷

However, the Code granted free persons of African ancestry the “same rights, privileges, and immunities which are enjoyed by free-born persons.” For example, this meant that free persons of African ancestry could own property, sue and defend themselves in civil cases, and act as witnesses in civil and criminal cases, just as whites could.¹⁸ In article 54, free blacks are part and parcel of the “born free” category as opposed to the “manumitted slaves” category. As a result, the Code grouped free persons of African ancestry with whites. Furthermore, the distinction between the status of free-born blacks and freed blacks in the Code accentuated the fact that free born blacks tended to be grouped with whites. Freed slaves were to receive the same punishment as slaves in case of “thefts of importance”¹⁹ and punished more harshly if they showed disrespectful behavior towards a former master and his family.²⁰ Thus, distinctions

¹⁷ *Code Noir* (1724), article 52. “We declare that the acts for the enfranchisement of slaves, passed according to the forms above described, shall be equivalent to an act of naturalization, when said slaves are not born in our colony of Louisiana, and they shall enjoy all the rights and privileges inherent to our subjects born in our kingdom or in any land or country under our dominion. We declare, therefore, that all manumitted slaves, and all free-born negroes, are incapable of receiving donations, either by testamentary dispositions, or by acts inter vivos from the whites. Said donations shall be null and void, and the objects so donated shall be applied to the benefit of the nearest hospital.”

¹⁸ *Ibid.*, article 54. “We grant to manumitted slaves the same rights, privileges, and immunities which are enjoyed by free-born persons. It is our pleasure that their merit in having acquired their freedom, shall produce in their favor, not only with regard to their persons, but also to their property, the same effects which our other subjects derive from the happy circumstance of their having been born free.”

¹⁹ *Ibid.*, article 29. “Thefts of importance, and even the stealing of horses, mares, mules, oxen, or cows, when executed by slaves or manumitted persons, shall make the offender liable to corporal, and even to capital punishment, according to the circumstances of the case.”

²⁰ *Ibid.*, article 53. “We command all manumitted slaves to show the profoundest respect to their former masters, to their widows and children, and any injury or insult offered by said manumitted slaves to their former masters, their widows or children- shall be punished with more severity than if it had been offered to any other person.”

between persons of African ancestry were written in the Code, further indicating that racial categorization was more important than one's status as free or enslaved.²¹

The *Code Noir* also encoded emancipation procedures. Historian Kimberly S. Hanger finds that the first slave emancipation was recorded in Louisiana in the early 1720s.²² The *Code Noir* allowed manumission of slaves by any owner older than 25 years of age and “for any reason they deemed appropriate,” with the *Conseil Supérieur*'s permission.²³ The age requirement subsequently changed in 1736 as “slaves could only be manumitted by owners at least 35 years of age and only when the *Conseil Supérieur* found the master's motives legitimate.”²⁴

Despite these strict regulations, the *Code Noir* did not prevent interracial relations. Free women of color maintained formal or informal relations with white men in what Hanger called “a degree of social fluidity” in colonial Louisiana.²⁵ For this reason, a distinctive and complex caste of persons of African descent developed: according to the amount of “white blood” or “black blood” that each non-white possessed, a special classification applied to persons of African descent. Historian Gary B. Mills offers a common classification found in colonial and

²¹ Spear, *Race, Sex, and Social Order in Early New Orleans*, 67.

²² Kimberly S. Hanger, “Origins of New Orleans' Free Creoles of Color,” in James H. Dormon, ed., *Creoles of Color of the Gulf South* (Knoxville: The University of Tennessee Press, 1996), 5.

²³ *Code Noir* (1724), article 50. The *Conseil Supérieur* (1718-1769) was the French Louisiana's ruling body, which also served as the colony's supreme court.

²⁴ Gould, “Free Women of Color and Property Holding in New Orleans,” 3. Restrictions upon manumissions were not only motivated by a concern for maintaining racial purity, but also for limiting the growth of the free population of color in the colony. See Spear, *Race, Sex, and Social Order in Early New Orleans*, 64-5.

²⁵ Kimberly S. Hanger, “Coping in a Complex World,” in Catherine Clinton and Michele Gillespie, eds., *The Devil's Lane: Sex and Race in the Early South* (New York: Oxford University Press, 1997), 220.

antebellum Louisiana, with “each term meaning one degree’s further transfiguration toward the Caucasian standard of physical perfection.”²⁶

Negro applied usually to one of full Negro blood
Sacatra 7/8 Negro - 1/8 white
Griffe 3/4 Negro - 1/4 white
Mulatto 1/2 Negro - 1/2 white
Quadroon or Quarteron 1/4 Negro - 3/4 white
Octoroon or sang-mêlé 1/8 Negro - 7/8 white

Censuses are too inconsistent for a thorough evaluation of the number of free persons of color during the French period, but they were likely few in number. By 1771, there were at least 97 free persons of color in New Orleans, which represented 3 percent of the total population of the city.²⁷ This population grew tremendously during the Spanish era and free persons of color started to constitute an integral part of the social system. By 1805, the free population of color had reached 1,566, which represented almost 20 percent of the total population of the city of New Orleans. Free women of color constituted 12 percent of the total population of New Orleans at the time, and this percentage remained steady through the 1840s.

New Orleans society was defined by a hierarchy which created distinct societal, class and race conventions. While relations between whites and women of African descent were often exploitative, there was also some space for female agency. Thus, forming liaisons with white men was a way to mitigate the sanctions of the established society for women of color. These liaisons could pull them up the social ladder, even within the boundaries an oppressive system.

²⁶ Alice Moore Dunbar-Nelson, “People of Color in Louisiana,” in Sybil Kein, ed., *Creole: The History and Legacy of Louisiana’s Free People of Color* (Baton Rouge: Louisiana State University Press, 2000), 4. Gary B. Mills claims that this classification was “most commonly found in colonial and antebellum records of Louisiana.” Gary B. Mills, *The Forgotten People: Cane River’s Creoles of Color* (Baton Rouge: Louisiana State University Press, 1996), xiii-xiv.

²⁷ Hanger, “Origins of New Orleans’ Free Creoles of Color,” 5. Hanger states that census takers either undercounted free persons of color or did not distinguish slaves from free persons of color during the French and Spanish era.

These women were often emancipated as a result of their sexual liaisons with white men, “for good and loyal service,” and “without any allusion to informal sexual relationships or common-law unions.”²⁸ Furthermore, white men sometimes purchased their children’s freedom. Such manumissions were quite complex as masters had to meet with all pertinent requirements of the *Code Noir*, and relatives often sued to void the wills’ manumissions to protect their own financial interests.

When Louisiana became Spanish, the *Code Noir* was modified, and those changes eased manumission and provided the possibility to buy one’s freedom. Gould claims that “the restrictiveness of French law and custom stands in contrast to that of the Spanish who took control of the colony.”²⁹ Spanish Louisiana was governed by Spanish laws including the *Nueva Recopilación de Castilla*, the *Recopilación de Leyes de los Reinos de las Indias*,³⁰ and *Las Siete Partidas*.³¹ Masters could manumit their slaves *inter vivos* (meaning that the donor was still living during the manumission process) and by testament. Manumissions of persons of African descent exploded during the Spanish period. Fifty percent of all types of manumissions between 1771 and 1803 were *inter vivos* manumissions or manumissions by testament i.e. voluntary manumissions. The other 50 percent were initiated by someone other than the slave’s master and comprised self-purchase (known as *coartación* in Spanish Louisiana), third party manumissions

²⁸ Hanger, “Origins of New Orleans’ Free Creoles of Color,” 13.

²⁹ Gould, “Free Women of Color and Property Holding in New Orleans,” 5.

³⁰ The *Nueva Recopilación de Castilla* and the *Recopilación de Leyes de los Reinos de las Indias* are a compilation of the legislation enforced by Spanish monarchs in their Spanish colonies. These statutes were promulgated in 1567 and 1661 respectively.

³¹ *Las Siete Partidas* is considered Spain’s most important contribution to the history of law. Its contents encompass almost all aspects of life, from political law to civil to criminal, continuing on to family law, succession, legal matters, and legal proceedings. It was made in 1263 and formally enacted in 1348.

(a relative or a friend could request the manumission of a slave), and manumissions before a Tribunal.³²

In particular, *coartación* fostered the growth of the free population of color in Spanish Louisiana. This system had first been created in Cuba in the eighteenth century, and was then implemented in Louisiana when the Spanish obtained the colony.³³ *Coartación* meant that any slave had the right to acquire his freedom, without requiring the consent of his master.³⁴ Indeed, suing for freedom was the only right slaves had—though some tried to initiate lawsuits for other reasons. In Spanish Louisiana, slaves could sue for their freedom directly, which was not the case in other states and made Louisiana law unique.³⁵ If the suit was successful, the owner would receive the amount, or the partial amount, required for the self-purchase and issue a *carta de libertad*.³⁶

Female slaves were more likely to gain their freedom through manumission or self-purchase. Hanger contends that “[t]his trend was attributed in part to the fact that female slaves could more readily acquire the necessary funds by selling services and goods and by begging. In addition, females, deemed less valuable than males, were able to collect their purchase price in a shorter time span, and masters were more willing to part with them than with male slaves. Most important, female slaves outnumbered male slaves in urban areas like New Orleans where self-

³² Hanger, “Origins of New Orleans’ Free Creoles of Color,” 7-9.

³³ *Ibid.*, 17.

³⁴ *Ibid.*, 7.

³⁵ Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge: Louisiana State University Press, 1994), 221-2.

³⁶ Hanger, “Origins of New Orleans’ Free Creoles of Color,” 17-18.

purchase was more common.”³⁷ These manumissions usually revealed white men’s unions with women of African descent, and their strong desire to confer them their liberty, although there was no “allusion to informal sexual relationships or common law unions.”³⁸ Manumission also had identifiable racial distinctions. According to Hanger, voluntary manumissions tended to favor *pardos* (light-skinned slaves) over *morenos* (dark-skinned slaves).³⁹ Nicole Ribianszky claims as well that there was not a large-scale emancipation of dark-skinned persons of African descent in the Lower South. A “selective” manumission based on phenotype applied.⁴⁰

Honorine’s mother (Constance) and grandmother (María) both engaged in relationships with white men, from which they socially and economically benefited. Historian Alecia P. Long argues that sex across the color line “is not normally considered an aspect of commercial sexuality, [however] such relationships in New Orleans historically had important economic dimensions.”⁴¹ While relations between whites and women of African descent were often exploitative, there was also some space for female agency, as evidenced by Honorine’s ancestors.

Thus, forming liaisons with white men was one way to mitigate the sanctions of the established society. Legal restrictions prevented free women of color from marrying white men,

³⁷ Hanger, “Origins of New Orleans’ Free Creoles of Color,” 10.

³⁸ Kimberly S. Hanger, “Avenues to Freedom Open to New Orleans’ Black Population, 1769-1779,” *Louisiana History* 31, No. 3 (Summer, 1990): 249.

³⁹ Hanger, “Origins of New Orleans’ Free Creoles of Color,” 10. Kimberly Hanger further explains that the terms *pardo* (light-skinned) and *moreno* (dark-skinned) were preferred over the terms *mulatto* and *Negro*. See Hanger, “Origins of New Orleans’ Free Creoles of Color,” 23.

⁴⁰ Nicole Ribianszky, “She Appeared to be Mistress of her Own Actions, Free from the Control of Anyone: Property Holding Free Women of Color in Natchez, Mississippi, 1779-1865” (master’s thesis, Michigan State University, 2003), 37.

⁴¹ Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2005), 10.

and the church did not recognize these marriages during the Spanish period.⁴² Free women of color were more often unmarried than married, and they did not necessarily live with their white partners.⁴³ Still, “their relations appear to have been just as stable [and long lasting] as those of their white neighbors who did not cohabit unless married.”⁴⁴

In New Orleans, Creole mothers encouraged their daughters to accept relationships with white men, who would care for them financially. Mothers accompanied their daughters to *Quadroon Balls* where they could meet, dance, and talk with white men. When a man desired to form a liaison with a free woman of color, “he makes a bargain with the mother, agrees to pay her a sum of money, perhaps 2,000 dollars, or some sum in proportion to her merits, as a fund upon which she may retire when the liaison terminates.”⁴⁵ The daughter was then “*une placée*.” *Quadroon Balls* took place between 1780 and the 1850s and enabled these women, “*les placées*,” to survive, and in some cases, to become quite wealthy. The white man would move his “concubine” into a home of her own, rear a family, and live the life of a married man.

Plaçage was not only “pragmatic, but ... [also] ingenious,” as it allowed these women to achieve an important status.⁴⁶ Access to property or business for free people of color in Louisiana frequently came from their mothers and grandmothers. Many free women of color were heads of households, and could enjoy some degree of economic independence. Over the

⁴² Hanger, “Coping in a Complex World,” in Clinton and Gillespie, eds., *The Devil’s Lane*, 225.

⁴³ *Ibid.*, 223.

⁴⁴ Virginia M. Gould, “In Enjoyment of Their Liberty,” 322.

⁴⁵ Violet Harrington Bryan, “Marcus Christian’s Treatment of *Les Gens de Couleur Libre*,” in Sybil Kein, ed., *Creole: The History and Legacy of Louisiana’s Free People of Color* (Baton Rouge: Louisiana State University Press, 2000), 50.

⁴⁶ Joan M. Martin, “*Plaçage* and the Louisiana *Gens de Couleur Libre*: How Race and Sex Defined the Lifestyles of Free Women of Color,” in Sybil Kein, ed., *Creole: The History and Legacy of Louisiana’s Free People of Color* (Baton Rouge: Louisiana State University Press, 2000), 64.

period 1791-1850, the percentage of free women of color who were in charge of households was almost five times greater than the number of those headed by white women.⁴⁷

Although Honorine's mother (Constance) and grandmother (María) were not *placées*, their relationship with white men enabled them to improve their lot in an oppressive system, become heads of household, and to acquire property in the city. Their status was exceptional for the time, showing that many avenues for freedom and autonomy were possible for these women. Recovering Honorine's will as well as her mother's help piece together their family history and the extraordinary lives of their ancestors.

In her will, Constance Forneret, Honorine's mother, described herself as a free woman of color and a native of Mobile.⁴⁸ Constance was one of nine natural children born of *Sieur* Louis Forneret and María, a woman of color, and also Louis' slave. Louis Forneret was a prominent Frenchman and government interpreter of Native American languages in the colony. In 1764, he married Isabelle Alexandre, a *criolla de la Mobila*, while he engaged in an extra-marital relationship with María. María's first child was born in 1772.⁴⁹ In the 1784 Census of Pensacola, Louis is listed as head of household, and María, their seven children, and four slaves comprised his household.⁵⁰ María purchased freedom for herself and her children in 1786, while

⁴⁷ Gould, "In Enjoyment of Their Liberty," 319.

⁴⁸ *Will of Honorine Giovelina, wife François Diez* (1832), Court of Probates, Orleans Parish, Louisiana, NOPL.

⁴⁹ Spear, *Race, Sex, and Social Order in Early New Orleans*, 146-7.

⁵⁰ 1784 Census of Pensacola. Luis Forneret, 49, Maria, free Negro, 28, Felicite, free Mulatto, 12, Constancia, same, 10, Carlos, free Mulatto, 9, Luis, same, 4, Angelica, same 5, Maria Rosa, same, 2, [Francisca], same, 1, Yorck, Negro slave, 30, Sman, same, 13, Feliz, negro slave, 35, Teresa, same 14.

Louis acknowledged all of their children (eight at the time). According to Hanger, the Fornerets made up a large and prosperous mixed-race family.⁵¹

Louis named María and their eight children heirs in his will in 1791.⁵² He and his legal wife, Isabelle, had filed a separation of property early on in 1777, thus Isabelle did not have any claims in her husband's estate, and they did not produce any legal heirs, which automatically made María's children with Louis heirs of his estate.⁵³ Under Spanish rule, the provisions of the *Code Noir* regarding inheritances did not apply anymore, as Louisiana was now "governed by the same laws as the other Spanish possessions in America and subject to the same system of judicial administration."⁵⁴ Published in 1769, Governor Alexander O'Reilly's "Ordinances and Instructions" were designed to eliminate remaining vestiges of French Law in Louisiana, and "to organize an efficient government and administration of justice in accordance with the Spanish laws."⁵⁵ The text of the Ordinance contains provisions of public and private law, including those related to wills or testaments.

If designated as heirs, free women of color could acquire property through wills, up to one fifth of the property of the testator.⁵⁶ Thus, in Louisiana, many free women of color became heirs at their white partners' deaths and sometimes obtained significant property, as indicated by

⁵¹ Kimberly S. Hanger, "'Desiring Total Tranquility' and Not Getting It: Conflict Involving Free Black Women in Spanish New Orleans," *The Americas*, Vol. 54, No. 4 (Apr., 1998): 553, footnote 28.

⁵² Francisco Broutin, 7:203, April 19, 1791, New Orleans Notarial Archives (hereafter cited as NONA).

⁵³ Louis legally separated from his wife, Isabelle, in 1777, with whom he had no children. See Francisco Broutin, 7:208, April 19, 1791, NONA (recorded in).

⁵⁴ A. N. Yiannopoulos, "The Civil Codes of Louisiana," *Civil Law Commentaries*, Vol. 1, Issue 1 (Winter 2008), 3-4. The substance of these provisions was taken, as O'Reilly indicated, from the *Nueva Recopilación de Castilla* and the *Recopilación de las Indias*.

⁵⁵ *Ibid.*, 3-4.

⁵⁶ "Ordinances and Instructions of Don Alexander O'Reilly" in Benjamin Franklin French, *Historical Memoirs of Louisiana: From the First Settlement of the Colony to the Departure of Governor O'Reilly in 1770*, (New York: Lamport, Blakeman & Law, 1853), 283.

María. Furthermore, white fathers who assumed full responsibility for their offspring made them eligible for inheritances. Children born of unions from whites and free women of African descent could inherit a portion of their fathers' property. Illegitimate children could receive up to one fifth of their fathers' property when the latter had legitimate descendants. If fathers had no legitimate descendants, illegitimate children "shall inherit the whole of their [fathers'] property,"⁵⁷ as was the case for Louis and María's children. Thus, Spanish law made it possible for every child—black or white, slave or free—to receive a part of his or her parents' estate.

Although some whites contested the transmission of property to nonwhite heirs, Spear contends that "challenges to a testator's efforts to transmit his patrimony to extralegal, nonwhite families were ... rare" during the Spanish period.⁵⁸ Thus, women of color and their children benefited from their ties to the white community, sometimes acquiring large portions of property. In 1791, María and her children were heirs to four slaves (together estimated at 1,650 dollars) and *muebles y efectos* i.e. household furniture and effects.⁵⁹

Louis and his family relocated to New Orleans during the late 1780s and they engaged in various business ventures in the city. Louis, along with some of his children, frequently purchased and sold property, including slaves. They also gave power of attorney to each other to represent their interests in various endeavors. Louis is listed in the 1791 New Orleans Census as head of household, owning eleven slaves. Louis also rented out some property to white men and free persons of color (as attested by the 1795 New Orleans Census).

Louis' daughters, Félicité, Marie, Rosa, Angelica, and Constance, inherited property from their father, but they also acquired property and slaves on their own behalf—as evidenced by

⁵⁷ French, *Historical Memoirs of Louisiana*, 285.

⁵⁸ Spear, *Race, Sex, and Social Order in Early New Orleans*, 148.

⁵⁹ Francisco Broutin, 7:203, April 19, 1791, NONA.

notarial transactions and the 1791 and 1795 New Orleans Censuses. Félicité was listed as head of household in 1791 and 1795, owning two female slaves, while Marie was head of household in 1795, owning two slaves as well. Both daughters rented out property in the city.⁶⁰

Furthermore, Félicité, Marie, Rosa, Angelica, and Constance traded slaves throughout the 1790s and early 1800s.⁶¹ The sisters also engaged in the real estate business, acquiring and selling significant pieces of property.⁶² They thus exemplify common patterns among free women of color.

Because free women of color had to rely on the generosity of their white fathers or partners to bequeath them anything, free women of color worked diligently to purchase and accumulate property. In general, they acquired property from other free persons of color and from whites. Spanish law established and protected property rights of all women, regardless of their race, status and class. As a result, they could exercise control over their property, and employ any of the common methods of affecting transfers employed by whites. A great number of women purchased houses and derived income from them, as evidenced by the Forneret sisters.

⁶⁰ 1791 New Orleans Census and 1795 New Orleans Census.

⁶¹ Francisco Broutin, 25:135, May 17, 1793, NONA. Francisco Broutin, 25:282, October 22, 1793, NONA. Francisco Broutin, 25:284, October 22, 1793, NONA. Francisco Broutin, 25:285, October 22, 1793, NONA. Francisco Broutin, 30:282, October 22, 1794, NONA. Francisco Broutin, 31:22, January 26, 1795, NONA. Francisco Broutin, 31:65, March 2, 1795, NONA. Francisco Broutin, 31:79, March 12, 1795, NONA. Francisco Broutin, 40:108, March 18, 1796, NONA. Francisco Broutin, 40:334, December 31, 1796, NONA. Francisco Broutin, 47:273, December 29, 1797, NONA. Pedro Pedesclaux, 09-10:319, March 20, 1790, NONA. Pedro Pedesclaux, 12:110, February 12, 1791, NONA. Pedro Pedesclaux, 13:639, August 29, 1791, NONA. Pedro Pedesclaux, 13:637, September 28, 1791, NONA. Pedro Pedesclaux, 15:475, August 23, 1792, NONA. Pedro Pedesclaux, 20:241, March 17, 1794, NONA. Pedro Pedesclaux, 23-24:82, January 23, 1795, NONA. Pedro Pedesclaux, 27:108, March 18, 1796, NONA. Pedro Pedesclaux, 36:15, January 10, 1800, NONA. Pedro Pedesclaux, 40:307, May 5, 1802, NONA. Pedro Pedesclaux, 41:325, May 17, 1802, NONA. Pedro Pedesclaux, 41:336, May 25, 1802, NONA. Pedro Pedesclaux, 41: 337, May 25, 1802, NONA. Pedro Pedesclaux, 54-55:484, August 1, 1807, NONA.

⁶² Their brothers, Louis and Carlos, also engaged in various business ventures in the city. Narcisse Broutin, 3:222, July 20, 1801, NONA. Pedro Pedesclaux, 9:11, January 8, 1790, NONA. Pedro Pedesclaux, 9:46, January 19, 1790, NONA. Pedro Pedesclaux, 10:238, March 23, 1790, NONA. Pedro Pedesclaux, 19:1009, December 20, 1793, NONA. Pedro Pedesclaux, 20:209, March 10, 1795, NONA. Pedro Pedesclaux, 37:563, September 25, 1800, NONA. Pedro Pedesclaux, 40:189, March 16, 1802, NONA.

The New Orleans 1795 Census is helpful in determining the proportion of landlords within the population. The census shows that free women of color rented out half of the houses they owned. Gould claims that “it is not only obvious that rental property represented a significant amount of the income producing property in the city but that free people of color, and especially women, found that a lucrative way in which to produce income.”⁶³ The rental activity was especially successful due to the nature of New Orleans as a port city. Free women of color rented houses to whites and free persons of color alike.⁶⁴

In Louisiana and other colonial societies, slave ownership among free persons of color was deemed a legitimate and *desirable* form of property.⁶⁵ In Louisiana, some free women of color acquired plantations and owned slaves just as white people did. Gould claims that it is quite clear “how successful [these] free women of color were at accumulating property during the years of the Spanish regime.”⁶⁶ Reasons for slave ownership were diverse, but they also remain obscure in most cases. It is difficult to assess the nature of the relationship between free women of color and slaves, and determine the reasons why free women of color would own slaves. In some instances, free persons of color owned slaves to “help them in their trades and work.”⁶⁷ Hanger claims that free women of African descent in colonial New Orleans “used slaves to perform domestic chores and peddle their trade goods.”⁶⁸ Others would use slaves as

⁶³ Gould, “Free Women of Color and Property Holding in New Orleans,” 11.

⁶⁴ See for example the 1795 New Orleans Census.

⁶⁵ Kimberly S. Hanger, “The Fortunes of Women in America, Spanish New Orleans’ Free Women of African Descent and Their Relations with Slave Women,” in Patricia Morton, ed., *Discovering the Women in Slavery, Emancipating Perspectives of the American Past* (Athens: The University of Georgia Press, 1996), 161.

⁶⁶ Gould, “Free Women of Color and Property Holding in New Orleans,” 8.

⁶⁷ Hanger, “Avenues to Freedom Open to New Orleans’ Black Population, 1769-1779,” 241.

⁶⁸ Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham & London: Duke University Press, 1997), 72.

economic investments. For instance, free women of color occasionally rented their slaves out.⁶⁹ Also, gender combined with slave occupations and prices influenced these women's purchases. They bought more females than males throughout the colonial period.⁷⁰

The New Orleans 1795 Census reveals that 13 percent of free women of color were slave owners.⁷¹ In the 1805 Census, they comprised 12 percent of all slave owners.⁷² Free women of color owned more slaves than both white women and free men of color did. Free women of color tended to own four slaves and fewer. The Forneret sisters belonged to that group of women, mostly buying and selling female slaves, and in some cases mothers and children. These female slaves were between the ages of 10 and 40 years old, along with some young children between the ages of 1 and 5. Notarial transactions do not reveal their slaves' occupations, but it is likely that the Forneret sisters acquired female slaves as domestics and washers to provide for their homes, and to help them manage their rental activity. Also, they bought and sold slaves for short-term speculative purposes. As the prices of some slaves decreased whereas others increased, the Fornerets sometimes derived a profit from selling their slaves for higher prices, conditional on the slave's individual characteristics and market fluctuations. For example, Angelica bought the slave Roseta, 14, from a white man in 1795 for 300 pesos, and sold her the

⁶⁹ Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans*, 71-2.

⁷⁰ Kimberly S. Hanger, "Landlords, Shopkeepers, Farmers, and Slaveowners: Free Black Female Property-Holders in Colonial New Orleans," in David Barry Gaspar and Darlene Clark Hine, eds., *Beyond Bondage: Free Women of Color in the Americas* (Urbana: University of Illinois Press, 2004), 225.

⁷¹ Gould, "Free Women of Color and Property Holding in New Orleans," 13.

⁷² Matthew Flannery, *New Orleans in 1805: A Directory and a Census Together with Resolutions Authorizing Same Now Printed for the First Time from the Manuscript* (New Orleans: The Pelican Gallery, Inc. 1936).

next year for 350 pesos to another white man. In 1791, Félicité bought Henrieta, 19, from a white man for 400 pesos, and sold her three years later to another white man for 700 pesos.⁷³

The Forneret sisters purchased and sold these slaves from/to whites and other free persons of color, including their father and their siblings. Some of them also made slave transactions with prominent men and families in the city, such as Andres Almonester y Roxas, the philanthropist who financed the rebuilding of St. Louis Cathedral, the Cabildo, and the Presbytere after the fire of 1788, also called the Great Fire.⁷⁴ Maria Elizabeth Destrehan, daughter of wealthy Creole Jean Noel Destrehan, the owner of the Destrehan Plantation, and Louis Giovelina, the chief physician of Charity Hospital were also their business partners. Louis Giovelina would be romantically involved with Constance Forneret, and was Honorine's father.

Honorine's mother, Constance, was born in 1774 and was the second daughter of Louis and María. By 1800, Louis had six surviving children and five grandchildren—Constance was by then the oldest sibling. In 1803, Louis left his children and grandchildren a large estate: two properties in the French Quarter, seven slaves and an unknown number of slaves “not comprised in the inheritance,” and more than 2,000 dollars in cash. His estate was to be distributed equally among Constance and her siblings, nephew, and nieces. Yet, Louis also named Constance guardian to her minor siblings and to her late sister's Félicité's three children, and he put her in charge of managing “the other slaves not comprised in his inheritance” until her siblings had

⁷³ Francisco Broutin, 31:79, March 12, 1795, NONA. Francisco Broutin, 40:334, December 31, 1796, NONA. Pedro Pedesclaux, 13:639, August 29, 1791, NONA. Pedro Pedesclaux, 20:241, March 17, 1794, NONA.

⁷⁴ Christina Vella, *Intimate Enemies: The Two Worlds of the Baroness de Pontalba* (Baton Rouge: Louisiana State University Press, 1997), 68-9.

reached the age of majority.⁷⁵ Thus, at age 30, Constance became guardian to all of her siblings and to her nephew and nieces.⁷⁶

Constance also had a daughter, Honorine, born in February 1801. Although Honorine's certificate of baptism does not indicate the name of her father, Honorine bore the name Giovelina, which strongly suggests that Louis Giovelina was her father.⁷⁷ Louis Giovelina, a native of Bastia, Corsica, France, arrived in Louisiana some time in the early 1780s, where he married Luisa Caton, a native of Nantes, France, in 1786.⁷⁸ As mentioned earlier, Louis was the chief physician of Charity Hospital, and he owned significant property in the city.⁷⁹ Louis seemed to have been a trusted, if not close, friend and business partner of the Forneret family. Louis Forneret named Louis Giovelina executor in both his 1791 and 1800 testaments.⁸⁰ Also,

⁷⁵ Narcisse Broutin, 6:383-424, August 26, 1803, NONA (recorded in). Louis chose Constance over her brother Carlos (also Charles), who was only one year younger than her and was married.

⁷⁶ Constance is listed in the 1804 New Orleans Census as head of household, along with three children, and owning four slaves. Census of the Second District of the City of New Orleans, 1804.

⁷⁷ *Baptism of Honorina, mulata libre*, March 20, 1802. Born February 13, 1801, "hija de Constanza Forneret, mulata libre, natural de esta ciudad, y de un padre no conocido." Sacramental Records of the St. Louis Cathedral, Archives of the Archdiocese of New Orleans (hereafter cited as SLC), B16, 68.

⁷⁸ *Marriage of Luis Giovellina and Luisa Caton*, August [?], 1786. SLC, M5, 49, in Earl C. Woods and Charles E. Nolan, eds., *Sacramental Records of the Roman Catholic Church of the Archdiocese of New Orleans*, Vol. 4, 1784-1790 (New Orleans: Archdiocese of New Orleans, 1987-), 143.

⁷⁹ Louis Giovelina is listed in the 1795 New Orleans Census as head of household and a "surgeon." His household comprised his wife and seven slaves. Louis Giovelina is also mentioned in the Digest of the Acts and Deliberations of the Cabildo regarding Health Rules (Vaccination) in the City Archives of 1802. During the 1802 smallpox epidemic, the Cabildo charged Dr. Louis Giovelina with criminal neglect in the isolation of the disease in the colony. His incarceration was brief and he returned to the hospital. The action was more an attack on Andres Almonester's hold on Charity Hospital than ignorance of Giovelina's attempts to understand the disease. Giovelina was Almonester's appointee for the chief physician of Charity Hospital, and Giovelina had conducted an inspection two years before, calling attention to the deplorable condition of the hospital. See City Archives, NOPL, Digest of the Acts and Deliberations of the Cabildo, Health Rules—Vaccination, Book 4, Volume IV, Page 183, 3/5/1802, NOPL.

⁸⁰ Francisco Broutin, 7:203, April 19, 1791, NONA. Narcisse Broutin, 6:383-424, August 26, 1803, NONA (recorded in).

Louis Giovelina gave power of attorney to Louis Forneret to represent him in his affairs; Forneret did the same in 1799.⁸¹

It is unclear if Louis Giovelina and Constance had a brief sexual liaison or if they engaged in a long-term relationship. At the time of Honorine's birth, Louis and Constance had certainly known each other for at least a decade, through her father's private and business affairs. Louis also bought a lot adjacent to Constance's property on St. Ann Street in September 1800, and they were involved in a business venture in October of that year, which reveal some degree of economic and social interaction.⁸² However, there is nothing specific that points to a liaison between Louis and Constance. One might expect transactions, if not donations, involving the newborn Honorine, but there is no such connection between Louis, Constance, and Honorine recorded in the Notarial Archives. It looks like Honorine did not grow up with her father and that Constance did not have any interactions with Louis, apart from a sale of property to Constance in 1802.⁸³

Louis Giovelina and Constance's relationship differed greatly from Louis Forneret and María's, as Louis Forneret separated from his wife and went on to live with María and their children, naming them his universal heirs. One difficulty in evaluating Louis Giovelina and Constance's relationship is the absence of primary sources: no will was found for Louis and it

⁸¹ Francisco and Narcisse Broutin, 1:167, July 1, 1799, NONA. Francisco and Narcisse Broutin, 1:168, July 1, 1799, NONA.

⁸² Pedro Pedesclaux, 37:573, September 27, 1800, NONA. Pedro Pedesclaux, 37:635, October 24, 1800, NONA.

⁸³ Pedro Pedesclaux, 40:189, March 16, 1802, NONA.

seems that he relocated to Paris, France, in 1802 or 1803.⁸⁴ That might explain why he was not involved in Honorine's life.

If in colonial Louisiana, the free population of color grew and persisted, the American period brought significant changes for free persons of color, in terms of cultural, social, economic, and political transformations. The lives of free persons of African descent, including Honorine's, were to be affected by those changes.

Spain retroceded Louisiana to France on October 1, 1800, by the Treaty of San Idelfonso, but France assumed actual sovereignty on the ground in New Orleans only on November 30, 1803, for a period of twenty days. During the brief period of French control, Pierre Clément de Laussat, the Colonial Prefect representing Napoleon, reintroduced the French *Code Noir* in Louisiana, his only change to Spanish colonial laws. As a result, all other Spanish laws remained untouched, and after the Louisiana Purchase, Claiborne affirmed the application of the laws then in force.⁸⁵

Conflicts among legislative provisions were common during the territorial period. In March 31, 1808, the legislature eventually adopted a Civil Code under the title of "A Digest of the Civil Laws now in Force in the Territory of Orleans, with Alterations and Amendments Adapted to its Present Form of Government." The Louisiana Civil Code of 1808 based its codification on a variety of sources, including provisions of the Napoleonic Code and Spanish materials, and did not repeal all prior laws.⁸⁶ The Code reenacted many of the provisions of

⁸⁴ *Letter from A. Trouard to Mr. Giovelina, April 5, 1803*, in *Late Colonial and Territorial Louisiana Collection*, MSS 579, Williams Research Center, The Historic New Orleans Collection. Mr. Trouard writes from Louisiana to his friend Mr. Giovelina, now residing in Paris.

⁸⁵ Yiannopoulos, "The Civil Codes of Louisiana," 5.

⁸⁶ *Ibid.*, 8-9.

French slave law, and definitively eliminated Spanish slave laws, including *coartación*.⁸⁷ The Code was later reworked in order to facilitate the practice of law in the new state of Louisiana. The 1825 Code, an all-inclusive piece of legislation, followed the French Civil Code closely and relied heavily on French doctrine and jurisprudence, and was intended “to break definitively with the past.”⁸⁸ As Spear contends, Americans sought to politically, economically, and racially incorporate Louisiana and New Orleans into the United States.⁸⁹

These new sets of laws made it more difficult for slaves to gain their freedom and for women of African descent to inherit from their white partners. Women of color could only inherit one tenth of their partners’ movable property, and they could not inherit any of their immovable property.⁹⁰ As for children born of these interracial relationships and acknowledged by their fathers, Louisiana law stipulated that they could inherit between one fourth and one third of their estate.⁹¹ Thus, the Anglo-Louisiana Civil Code was stricter regarding inheritance than the Spanish code. Moreover, white heirs often sought to disinherit consorts and children of color. White heirs and relatives frequently appealed to the Louisiana Supreme Court in order to void wills freeing slaves and leaving them an inheritance.⁹² However, ways were found to

⁸⁷ Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana*, 5-6.

⁸⁸ Yiannopoulos, “The Civil Codes of Louisiana,” 12-13.

⁸⁹ Spear, *Race, Sex, and Social Order in Early New Orleans*, 179.

⁹⁰ Judith Kelleher Schafer, “Open and Notorious Concubinage: The Emancipation of Slave Mistresses by Will and the Supreme Court in Antebellum Louisiana,” *Louisiana History* 27 (Spring 1987): 169.

⁹¹ Spear, *Race, Sex, and Social Order in Early New Orleans*, 208. Spear also contends that unacknowledged children were “only entitled to receive a mere alimony.”

⁹² For a discussion of Supreme Court cases, see Schafer, “Open and Notorious Concubinage.”

circumvent the courts. For example, “disguised donations” to illegitimate heirs were made by selling property before death.⁹³

The Territorial Legislature of 1808 provided that all notaries or other public officials should insert in their acts after the name and surname of free persons of African descent, the words “free man of color” or “free woman of color.”⁹⁴ Therefore, this status is precisely specified by the initials f.m.c., free man of color, and f.w.c., free woman of color. Spear asserts that this type of racial labeling did exist prior to the Louisiana Purchase; however, it was not a legal requirement.⁹⁵ By 1808, the territorial legislature adopted Louisiana’s new slave code, and obligated free persons of color “never to conceive themselves equal in any way with persons of the Caucasian race, always to speak and answer whites with respect, and never to insult or strike them under penalties of fine or imprisonment”⁹⁶ Thus, Anglo-Louisianians recognized free persons of color as a distinct legal category.

Spear argues that it was clear that “gens de couleur libres were not to become full citizens in Anglo-Louisiana, as Congress, the Territorial Legislature, and the State Constitution of 1812 all limited the privileges and obligations of citizenship to ‘free male white persons’.”⁹⁷ Finally, New Orleans city ordinances passed between 1805 and 1820 “required [free persons of color] to furnish proof of freedom and to obtain a permit from the mayor to reside within the city limits,

⁹³ Spear, *Race, Sex, and Social Order in Early New Orleans*, 210-11.

⁹⁴ Annie Lee Stahl, “The Free Negro In Ante Bellum Louisiana” (master’s thesis, Louisiana State University, 1939), 17.

⁹⁵ Spear, *Race, Sex, and Social Order in Early New Orleans*, 190.

⁹⁶ Paul F. Lachance, “The Formation of a Three-Caste Society: Evidence from Wills in Antebellum New Orleans,” *Social Science History*, Vol. 18, No. 2 (Summer 1994), 229.

⁹⁷ Spear, *Race, Sex, and Social Order in Early New Orleans*, 185.

forbade them to attend dances or gamble with slaves, and required segregation in theaters.”⁹⁸ By the 1840s, conditions for free people of color had definitely worsened as racial hostility heightened in the context of a positive defense of slavery and an emphatic belief in white superiority.

Yet, a comparative study of the social, economic, and legal status of free persons of color in the slave states tends to show that they had more rights and privileges in Louisiana than did free persons of color in other southern states, at least until the 1840s.⁹⁹ In New Orleans, free women and men of color were deemed legally competent witnesses in all civil suits, and they were to be tried with the same formalities and by the same tribunal as whites if they committed an offense against the laws.¹⁰⁰ Furthermore, they could possess property and make contracts, as discussed earlier. The Spanish period had allowed for the establishment of a privileged caste of free persons of color, and they continued to prosper during the first three decades of American rule. Group cohesiveness and reinforcing ties with the white population were two vital elements for free persons of African ancestry during this period.

Constance had accumulated enough property during her life to bequeath her daughter a sizable estate. When Constance died in 1811 at age 37, her property was estimated at about 14,000 dollars and consisted of several lots and buildings (rental properties) on Orleans, Burgundy, and St. Ann Streets, a lot and a house on Bienville Street, and two female slaves,

⁹⁸ Lachance, “The Formation of a Three-Caste Society,” 229.

⁹⁹ Stahl, “The Free Negro In Ante Bellum Louisiana,” 46. Also, Louisiana placed few restrictions upon the free person of color’s right to earn a livelihood and to compete with the white man in industry. Furthermore, as regards lawsuits, Stahl adds that “in no other state was the free man of color permitted to give testimony against a white man.” For a discussion about the legal and social status of slaves and free people of color from the 1840s through the 1860s, see Judith Kelleher Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University Press, 2003).

¹⁰⁰ Stahl, “The Free Negro In Ante Bellum Louisiana,” 15.

Marie, 10, and Rosalie, 12.¹⁰¹ The average value of inventoried property by race and gender in 1810 was as follows: free women of color, 2,600 dollars; free men of color, 3,000 dollars; white women, 6,000 dollars; white men, 15,200 dollars.¹⁰² Thus, Constance's wealth placed her well within the small group of elite property owning class of free women of color and rivaled that of the average white male.

At age 10, Honorine received about 9,000 dollars in property after her mother's inheritance was finalized. Her inheritance comprised her mother's lots and buildings on Orleans, Burgundy, and St. Ann Streets, the two female slaves, Marie and Rosalie, and a sum of about 760 dollars.¹⁰³ Constance had designated her youngest brother, Joseph Forneret, as Honorine's guardian.¹⁰⁴ Thus, Joseph was in charge of administering Honorine's estate and taking care of her. For seven years, Joseph Forneret recorded expenditures and receipts, including sums collected from rental properties, and expenditures, which amounted to 6,300 and 4,500 dollars, respectively. Frequent expenditures included housing, food, and laundering fees. Honorine's property also needed to be maintained: annual taxes, renovations, and fixing damage to her property were common entries. Finally, treatment of her slaves—medical expenses, jail fees, and clothing—comprised some of her expenses.¹⁰⁵

Other expenditures, such as monthly school fees and dance lessons, attest to Honorine's social and cultural standing. Honorine attended a private school for three dollars a month, as

¹⁰¹ *Will, Inventory, and Succession of Constance Forneret* (1811), Court of Probates, Orleans Parish, Louisiana, NOPL.

¹⁰² Gould, "Free Women of Color and Property Holding in New Orleans," 19.

¹⁰³ Pierre Pedesclaux, 62:284, June 12, 1811, NONA.

¹⁰⁴ Joseph was 25 when his sister died, and he was Constance's youngest sibling. *Baptism of Josef Forneret*, March 26, 1786, SLC, B10, 176.

¹⁰⁵ Philippe Pedesclaux, 5:385-6, May 6, 1818, NONA. Honorine inherited two slaves from her mother, and it seems that her estate acquired or hired out another slave named Soco, who went to jail several times (there is no record of the purchase of that slave in the Notarial Archives).

evidenced by Joseph's balance of account of administration and tutorship.¹⁰⁶ Although scarce information about schools during the French, Spanish, and early American periods exists, especially regarding free people of color's schooling, we infer that Honorine attended one of the private schools founded during or after the Louisiana Purchase. These private schools offered instruction in the French, Spanish, and English languages, Latin, Greek, reading, writing, arithmetic, grammar, history, geography, music, dancing, and drawing, for moderate rates.¹⁰⁷ Although Claiborne, upon arriving in New Orleans, complained vigorously about the state of education and illiteracy in the city, it is likely young women of color like Honorine had access to education.

In addition, Honorine's articles of clothing consisted of valuable pieces such as gowns, shawls, and handkerchiefs made of silk fabrics including standard silk, satin, mousseline, tulle, and taffeta.¹⁰⁸ These fabrics were known for their exquisite qualities and feel, as well as being dressy fabrics. Gloves, belts, veils, corsets, cotton and wool dresses, stockings, neckbands, pieces of dentelle, and ribbons completed the list. The *Daily Picayune* describes the dress of a free woman of color walking the street in 1838 in these terms:

¹⁰⁶ Philippe Pedesclaux, 5:385-6, May 6, 1818, NONA. A Pierre Laviolette is mentioned in Joseph Forneret's balance of account of administration and tutorship regarding the payment of school fees. Perhaps was he Honorine's schoolmaster.

¹⁰⁷ For further information about schools in Louisiana before and after the Louisiana Purchase, see Clark Robenstine, "French Colonial Policy and the Education of Women and Minorities: Louisiana in the Early Eighteenth Century," *History of Education Quarterly*, Vol. 32, No. 2 (Summer, 1992): 193-211. Minter Wood, "Life in New Orleans in the Spanish Period," *Louisiana Quarterly Journal* 22, No. 3 (July 1939): 642-709. David K. Bjork, "Documents Relating to the Establishment of Schools in Louisiana, 1771," *The Mississippi Valley Historical Review*, Vol. 11, No. 4 (Mar. 1925): 561-569. Henry P. Dart, "Public Education in New Orleans in 1800," *Louisiana Quarterly Journal* 11, No. 2 (April 1928): 241-252. Martin Luther Riley, "The Development of Education in Louisiana prior to Statehood," *Louisiana Quarterly Journal* 19, No. 3 (July 1936): 642-709. Sarah Lipscomb Hyde, "'Teach Us Incessantly': Lessons and Learning in the Antebellum Gulf South" (Ph.D. diss., Louisiana State University, 2010).

¹⁰⁸ Philippe Pedesclaux, 5:385-6, May 6, 1818, NONA. Satin is a silk fabric with shiny surface on one side. Mousseline is a fine light textile of silk, wool, or cotton. Tulle is a sheer and delicate thin silk. Taffeta is a thin, glossy silk of plain, crisp texture.

[She wore a] “white satin gown, neatly made and decorated with flounces, cut, and fringed, broad hems in the skirt, one crimson belt, one pink neck handkerchief, one pair blue hose, one pair white satin shoes, with large shining buckles and a profusion of bows, ribbon and braid, one large bunch artificial flowers in her wool, one black veil, one yellow pocket handkerchief, and one green umbrella with a brown border and lilac fringe.”¹⁰⁹

This description seems very close to how Honorine might have appeared.

From this, we infer that Honorine grew up comfortably, having access to education and the art of social graces. Her wardrobe included expensive and refined items, which indicated that she had achieved a relatively high hierarchical social status, and that she certainly participated in various social gatherings on a regular basis. Her mother’s inheritance in the form of rental properties provided her with a regular income, while two female slaves assisted her—one was listed as her maid, the other was rented out.¹¹⁰

It is difficult to assess the nature of the relationship between Honorine and her slaves. In this case, it is reasonable to infer that Honorine’s servant contributed to her daily well-being, while her hired-out slave provided additional income as the hirer (lessee) typically paid a cash rent and assumed the costs of feeding, clothing, and housing the slave.¹¹¹ As a slave owner, Honorine paid taxes on her slaves and cared for them. She also paid about 45 dollars in jail fees over the course of 13 months. Although the nature of the crime here is not known, regular slave crimes included being without a pass, unlawful assembly, running away, and stealing. Claudia D. Goldin claims that, in the urban South, slave owners typically paid one or two dollars for

¹⁰⁹ *Daily Picayune*, “A Quadroon’s Taste,” August 21, 1838.

¹¹⁰ Philippe Pedesclaux, 5:385-6, May 6, 1818, NONA.

¹¹¹ Claudia D. Goldin, *Urban Slavery in the Slave South, 1820-1860* (Chicago: University of Chicago Press, 1976), 37.

every day the slave was incarcerated.¹¹² Thus, social aspects of slave life were subject to control and could be time-consuming and costly for slaveholders like Honorine.

At 17, Honorine owned significant property, which was protected by the law. In 1818, when Honorine married François Diez, a free man of color, she owned the lots and buildings on Orleans, Burgundy, and St. Ann Streets (rental properties), two slaves, and about 2,500 dollars in cash.¹¹³ She kept on renting her property, and buying new property from other free persons of color and whites, as her mother had before her. For example, she rented out her house on Burgundy and St. Ann Streets to a *Sieur* François D’Hébécourt for a term of three years.¹¹⁴

Louisiana law differed from that of other slave states in its attitude towards the economic rights of married women, both white and of color. Louisiana followed the civil law system inherited from Franco-Spanish civil law traditions, unlike other states which followed the English common law system. Women under civil law in Louisiana enjoyed more autonomy than women did in other American states. Married women retained their legal identities under civil law, as they retained ownership of property while married. Furthermore, married women could own and manage their separate property and write wills, and at the end of the marriage, they received half of the marriage property.¹¹⁵ Separate property might be “*dotal*, ‘that which the wife brings to the husband to assist him in bearing the expenses of marriage’, or *paraphernal*,

¹¹² Goldin, *Urban Slavery in the Slave South*, 48.

¹¹³ Philippe Pedesclaux, 5:385-6, May 6, 1818, NONA. *Marriage of Francisco Diez and Honorina Giovellina*, May 6, 1818. SLC, M3, 55, in Earl C. Woods and Charles E. Nolan, eds., *Sacramental Records of the Roman Catholic Church of the Archdiocese of New Orleans*, Vol. 13, 1818-1819 (New Orleans: Archdiocese of New Orleans, 1987-), 130.

¹¹⁴ Philippe Pedesclaux, 5:836, October 17, 1818, NONA. D’Hébécourt seemed to have occupied the house prior to 1818, as he is listed in Joseph Forneret’s administration of Honorine’s estate in 1813.

¹¹⁵ Sara Brooks Sundberg, “Women and the Law of Property under Civil Law in Early Louisiana, 1782-1835” (Ph.D. diss., Louisiana State University, 2001), 16-8.

‘that which forms no part of the dowry’,” such as gifts or inheritance.¹¹⁶ Husbands managed their wives’ dotal property *de jure*, and they could also manage their paraphernal property with their consent.¹¹⁷ Husbands could not alienate their wives’ separate property as it was individually owned. Thus, Honorine possessed a certain degree of independence as she owned property separately from her husband, François.

Shortly, Honorine started mortgaging and selling some of her property, which may suggest that she and her husband were in financial trouble. In 1824 and 1825, Honorine sold most of the lots and houses inherited from her mother.¹¹⁸ In 1826, she mortgaged several lots in Faubourg Marigny she had acquired in 1824, while François mortgaged a slave he had acquired from a Stephen Peillon in 1825. Honorine and François had acquired property independently from each other, but they were *solidarily* liable for that substantial mortgage (2,000 dollars).¹¹⁹

In 1827, their trouble started coming to light when Honorine petitioned the court of Orleans to obtain a judgment of separation of property against François.¹²⁰ In Louisiana, a wife could demand separation of property and demand restitution of her property during the marriage if she could demonstrate that her livelihood was in jeopardy due to her husband’s mismanagement.¹²¹ Honorine’s petition claimed that “owing to the mismanagement of her husband, she is strongly induced to believe that his estate may not be sufficient to meet her rights

¹¹⁶ Sundberg, “Women and the Law of Property under Civil Law in Early Louisiana,” 80.

¹¹⁷ *Ibid.*, 81-2.

¹¹⁸ Carlile Pollock, 15:71, August 13, 1824, NONA. Carlile Pollock, 15:77, August 26, 1824, NONA. Carlile Pollock, 15:144, May 2, 1825, NONA. Carlile Pollock, 15: 149, May 9, 1825, NONA.

¹¹⁹ Félix de Armas, 5:53, February 2, 1826, NONA.

¹²⁰ *Honorine Geovellina Diez v. François Diez*, Docket No. 4814 (1827), Parish Court, Orleans Parish, Louisiana, NOPL.

¹²¹ Sundberg, “Women and the Law of Property under Civil Law in Early Louisiana,” 81-2.

and claims,” and she therefore asked the court for permission to sue her husband for separation of property.

The petition also revealed that “Diez shall first pay to your petitioner the said sum of 1,831 dollars by him received, and that he shall put her in possession of her lots of ground and slaves.” Honorine was referring here to her paraphernal property: 1,831 dollars for the balance of [Joseph Forneret’s] account of administration and tutorship, two female slaves Marie and Rosalie, which last had three children, Sylvestre a *mulatto* boy and Mary Rose and Adélaïde two *mulatto* girls, as well as several lots of ground with the edifices (Honorine is referring to lots and buildings sold during her marriage, and therefore she is more likely asking for the proceeds of these properties, which amounted to 8,500 dollars). A supplementary petition revealed that her husband was also in possession of her lot of ground in Faubourg Marigny, and Honorine wanted her property to be surrendered.¹²²

Later on, in 1830, Honorine filed another petition asking for a sum of 2,060 dollars from the sale of a lot on Bienville Street that she had inherited from her mother and that was sold in 1811.¹²³ Again, her paraphernal property was at stake. Honorine probably let her husband manage her affairs (also, a wife could not form contracts without her husband’s consent¹²⁴), but François did not have any legal right to alienate or dispose of her property as it was owned individually by his wife. Sara Brooks Sundberg contends that civil law required “that husbands manage the property during the marriage,” thus creating unequal control over the marital community. However, Louisiana wives could receive protections from creditors, and they could

¹²² *Honorine Geovellina Diez v. François Diez*, Docket No. 4814 (1827), Parish Court, Orleans Parish, Louisiana, NOPL.

¹²³ *Honorine Geovellina v. François Diez*, Docket No. 5671 (1830), Parish Court, Orleans Parish, Louisiana, NOPL.

¹²⁴ Sundberg, “Women and the Law of Property under Civil Law in Early Louisiana, 81.

petition for a separation of property if their husbands were mishandling their affairs,¹²⁵ as in the case of Honorine. Sundberg's study shows that white women in Louisiana took advantage of their property rights, and were able to further their own economic interests and those of their families. This statement can also be applied to Honorine and other free women of color who used their legal authority and made use of their property during and after their marriage. Honorine did not hesitate to appeal to the court to claim her property and file a judgment against her husband.

Honorine did hold a unique status in New Orleans: at 25 years of age, she owned about 10,000 dollars in property and five slaves. Thanks to her mother who had secured valuable property in the city, Honorine was able to expand her possessions, and one of her slaves, Rosalie, had three children. Honorine's status was far removed from the shackles of slavery. Property anchored the community of free persons of color and enabled them to live an affluent lifestyle. Unfortunately for Honorine, her mother's achievements and her own personal achievements were compromised by Honorine's husband's mismanagement of her property. Her 1827 petition against her husband did not lead anywhere. In November 1827, François asked to dismiss Honorine from her suit, and two witnesses declared that he had sold most of his wife's property, that he was unable to put her in possession of her lots of ground and slaves, and that his estate was not large enough to meet her rights and claims. By 1827, Honorine solely owned two lots and buildings (from her mother's inheritance) on St. Ann Street and her other lot in Faubourg Trémé.

Honorine died in 1832. She had struggled to keep her property, yet she was still able to pass down significant possessions to her three children, while battling in court to retain what was hers. One of her children, Charles Alcée died in 1844, and his sisters Marie Antoinette and

¹²⁵ Ibid., 71 and 76-8.

Marie Euphémie continued to represent their mother through 1847 in the petition against their father reflecting their mother's perseverance.¹²⁶

Honorine's family ties with the white community, her diligence, and her knowledge of the legal system enabled her to advance her social and economic interests in antebellum New Orleans. Her story and that of her family shows that social and economic advancement was possible for individuals who did not belong to the dominant caste.

The massive arrival of immigrants from Saint Domingue and Cuba to Louisiana between the 1790s and 1810 doubled the population of free persons of color in New Orleans and reinforced the unique social, economic, and racial structure of the city. Their lives resembled free people of color's in Louisiana as they formed a diverse group with a distinct culture. Many sources not only revealed their affluence in New Orleans, but also showed their impact on New Orleans' society, culture, and economy. In particular, free women of color from Saint Domingue, or Domingoises of color, played a significant role in the city's economy, which we will examine in the next chapter.

¹²⁶ *Honorine Geovellina Diez v. François Diez*, Docket No. 4814 (1827), Parish Court, Orleans Parish, Louisiana, NOPL.

CHAPTER 2

SLAVEHOLDING FREE WOMEN OF COLOR AND THEIR JOURNEY FROM THE CARIBBEAN TO NEW ORLEANS

Between 1791 and 1804, black revolutionaries won control of the colony of Saint Domingue, and renamed it Haiti. About 10,000 refugees of the Haitian Revolution—whites, slaves and free persons of color—came to the United States in the 1790s. Other mass departures from Saint Domingue took place in 1803 when thousands settled in Jamaica, and about 30,000 whites, slaves and free persons of color fled to Cuba. More than a thousand Cuban refugees trickled into New Orleans during the following years, along with refugees expelled from Jamaica in 1803 and 1804. The largest number of Saint Domingue refugees arrived between 1809 and 1810 (about 10,000).¹ These refugees, Paul F. Lachance claims, chose to settle in Louisiana because they had a limited choice of other refuges. New Orleans was one of the closest ports and they hoped that the ban on the importation of slaves into the United States would not be enforced in Louisiana.²

One third of these refugees were *gens de couleur libres*, and they doubled the number of free persons of color in Louisiana.³ A considerable number of free women of color emigrated to Louisiana, often via Cuba, in the late 1790s and early 1800s.⁴ To comprehend their impact on New Orleans, I look at their socio-economic background and their status in the overall society

¹ Paul F. Lachance, "The Foreign French," in Arnold R. Hirsch and Joseph Logsdon, eds., *Creole New Orleans: Race and Americanization* (Baton Rouge: Louisiana State University Press, 1992), 103-4. See also, Paul F. Lachance, "The 1809 Immigration of Saint-Domingue Refugees to New Orleans: Reception, Integration and Impact," *Louisiana History* 29, No. 2 (Spring, 1988): 110.

² Lachance, "The Foreign French," 106-7.

³ *Ibid.*, 105.

⁴ The sex ratios among the group of free persons of color were imbalanced, with a preponderance of females. For a detailed study of the 1809 immigration, see Lachance, "The 1809 Immigration of Saint-Domingue Refugees to New Orleans."

and economy of Saint Domingue and of Cuba. I also put an emphasis on their journey from Saint Domingue to New Orleans and how they preserved their property throughout that journey. At the crux of this analysis is the evidence that, in spite of the ban in place, most free men and women of color emigrated with their slaves to New Orleans. In 1804, the federal government had outlawed the external slave trade in Louisiana, and the United States Constitution gave Congress the right to forbid the importation of slaves after January 1, 1808. However, in 1809, Congress voted not to apply the 1808 ban to the importation of slaves which belonged to the Cuban refugees.⁵ As a result, by 1810, 3,226 slaves disembarked in New Orleans.

In particular, I inquire about the case of Pouponne Guérin, a free woman of color from Saint Domingue, who emigrated to Cuba, then Jamaica, and finally settled in New Orleans in 1809.⁶ Pouponne Guérin owned several slaves in her native land of Saint Domingue and some of her slaves emigrated with her, by will or by force, first to Cuba, then to Jamaica, and finally to New Orleans. Guérin also lost some of her property (land and slaves) during her journey, while making use of her remaining property in order to make a living. In many ways, Guérin's experience exemplifies the voyage that free women of color undertook in the Caribbean before finally settling in the United States.

I argue that Guérin and the other free women of color who emigrated to New Orleans intended to preserve their socio-economic status throughout their journey and that they strove to do so, while facing numerous legal, political, and economic restrictions. These women lived in liminal spaces, where people were essentially always moving from one place to another, and were therefore subject to different rules and controls in each new location. As a result, Guérin and others had to navigate intricate worlds in order to survive and possibly thrive, while trying to

⁵ Lachance, "The Foreign French," 107.

⁶ Pouponne Guérin is also sometimes referred to as Marie Madeleine Guérin *dite* Pouponne.

protect their property and slave ownership rights. Guérin's story provides the narrative device for this second chapter and guides us toward an understanding of its larger historical significance.

On July 17, 1811, Pouponne Guérin, a free woman of color and a resident of New Orleans, presented a petition of insolvency to the City Court there. The City Court for the parish of the city of New Orleans heard insolvency suits in which debtors petitioned for protection from the demands of their creditors.⁷ The debtor, Guérin, had numerous creditors—twelve to be exact—and she was compelled to declare her inability to meet her obligations, praying that a cession of her property might be accepted by the court, for the benefit of her creditors. A schedule of her property was annexed to this petition. The Court duly issued a warrant for the seizure of all her property, real and personal.⁸

Surprisingly, Guérin's assets totaled more than 61,000 dollars in property located in New Orleans and in other locations in the Caribbean.⁹ Even though she was also bound to a series of debts and mortgages which totaled about 10,000 dollars, Guérin's listing of her property seemed

⁷ At its first session in 1804, the Legislative Council of the Territory of Orleans divided the Territory into twelve counties (Orleans Territory, Act, 1804-1805, XXV, section 1), with New Orleans within the County of Orleans. In 1807, the Territorial Legislature established Parish Courts to replace the County Courts. In New Orleans, however, a City Court was created instead, in recognition of the city's special needs. The City Court (and the Parish Courts created in all other parts of the Territory) received exactly the same jurisdiction over criminal cases as the County Courts had previously possessed. In addition to criminal matters and civil causes, the Court also heard insolvency suits, which were maintained by Court on a separate docket. Three hundred and eighty-three suits were filed between September 28, 1807 and May 3, 1813. The suits included the name of the notary public in whose office was held the requisite meeting of creditors (in some cases notaries were not involved as the proceedings were held in open court).

⁸ *Guerin, Pouponne (fvc)*, Insolvents' Docket, Docket No. 233, 1811, City Court, New Orleans, New Orleans Public Library (hereafter cited as NOPL).

⁹ The breakdown of Guérin's property is as follows: \$2,387 in New Orleans (slave property), \$9,300 in Cuba (two houses in Baracoa and Santiago, furniture, slaves, and *marchandises*), and \$50,000 in Saint Domingue (patrimonial house in Port-de Paix, and two coffee plantations in Moustique Bay and Saint Marc), which makes a total of \$61,687.

quite extraordinary.¹⁰ Slaves in both New Orleans and Cuba, coffee plantations in Saint Domingue, real estate in both Saint Domingue and Cuba, and *marchandises* i.e. commodities for retail constituted the bulk of her property.¹¹

In order to comprehend her economic status in New Orleans, it is crucial to look at the journey which took her from Saint Domingue to Cuba and then to Jamaica before her final stop in Louisiana. More importantly, we must determine if her property in the former colony of Saint Domingue and Cuba had any value in New Orleans in 1811. Slavery had long been abolished in the new Republic of Haiti and “the French” had been unconditionally expelled from Cuba in 1809. Was Guérin aware of these circumstances and did she still considered her assets in the Caribbean as collateral? What about other free women of color who settled in New Orleans?

In Saint Domingue, a substantial group of free persons of color existed as an intermediate caste between whites and blacks. Social and economic advancement for free persons of color was possible, just as in New Orleans, and free persons of color had a unique status in Saint Domingue apart from slaves and whites. Some free persons of African descent came to enjoy many privileges and their wealth rivaled that of white families on the island.

The French settled the island in the late seventeenth century. The population was scarce at the time, but the boom in the sugar cane and coffee economies attracted many planters and contributed to the growth of the colony. Population figures show that, on the eve of the Revolution (1791), there were 28,000 whites, 30,000 free persons of color, and 406,000 slaves

¹⁰ A website sponsored by the Economic History Association allows us to compare purchasing power of money in the United States economy from 1774 to the present. According to this site, \$1000 in 1810 would be equivalent to \$18,000 in 2009. See Lawrence H. Officer and Samuel H. Williamson, “Purchasing Power of Money in the United States from 1774 to 2010,” *MeasuringWorth*, 2009, accessed January 2, 2011, <http://www.measuringworth.com/ppowerus>.

¹¹ Narcisse Broutin, 26:346-7, July 17, 1811, New Orleans Notarial Archives (hereafter cited as NONA). *Marchandises* comprised foodstuffs, raw materials, and manufactured goods, sold in shops, stores, fairs, and markets.

on the island. French historian Jacques Houdaille claims that one has to be cautious regarding the number of free persons of color in the colony, as census takers tended to downplay their numbers because they feared this group's "political influence."¹² Furthermore, a great many parish registers have been lost or destroyed, further complicating the veracity of population estimates. Finally, the unrest which began in the 1790s sparked mass migrations which made it even more difficult to accurately count the population.¹³

Generally speaking, the free population of color in Saint Domingue was quite large (roughly 6.5 percent) and the reasons for its growth mirrored the same phenomenon in Louisiana.¹⁴ Laura Foner claims that "there too frontier conditions, scarcity of white women, a growing black population, and ease of manumission led to the rise of a large free colored community."¹⁵ In Saint Domingue, it was easier for a "mixed-blood slave" to have access to his/her freedom rather than for a "black slave."¹⁶ David P. Geggus asserts that the majority of slaves freed were "mulatto children" and further contends that "a black slave's prospects for manumission were even more remote, as over half the slaves freed each year were of mixed racial descent."¹⁷ Moreover, access to freedom through manumission was easier for slave

¹² Jacques Houdaille, "Quelques données sur la population de Saint-Domingue au XVIIIe siècle," *Population* (French Edition), 28e Année, No. 4/5 (July - Oct., 1973): 860.

¹³ *Ibid.*, 869. For instance, parish records for the heavily populated Northern Province of Saint Domingue burned down during the destruction of Cap Français (also known as Le Cap, presently Cap-Haitien) in 1792.

¹⁴ Jacques Houdaille, "Le métissage dans les anciennes colonies françaises," *Population* (French Edition), 36e Année, No. 2 (Mar. - Apr., 1981): 280. Whites comprised 6 percent of the total population of Saint Domingue, and slaves made the bulk of the population representing 87.5 percent of the total population.

¹⁵ Laura Foner, "The Free People of Color in Louisiana and St. Domingue," *Louisiana History* 3, No. 4 (Summer, 1970): 411.

¹⁶ One has to be careful with terms such as "black slaves" and "slaves of mixed ancestry," since they only tell us about what people thought or projected ancestry to be.

¹⁷ David P. Geggus, "Slave and Free Colored Women in Saint Domingue," in David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996), 268.

women than for men.¹⁸ So not only was manumission based on racial admixture, but it was also based on gender.

Unlike Louisiana, marriage between whites and blacks was not extralegal in Saint Domingue. There were no laws governing “intimacy” between whites and blacks, but it was clearly discouraged and discredited by society.¹⁹ In spite of that disapproval, *métissage* was “frequent” in the colony; it was common for freed women to marry white men, as well as slave women to marry whites.²⁰ According to the church registers of three southern parishes, 17 percent of all recorded religious marriages during the eighteenth century were interracial.²¹ In sum, while *métissage* contributed to the growth of the population of free persons of color, the increase of their number resulted mainly, as in Louisiana, from manumission.²²

Although Louisiana and Saint Domingue both saw the existence of a three caste-society, free persons of African ancestry in these colonies held different positions. Foner claims that “miscegenation [in Saint Domingue] was considered more acceptable,” attributing such practices to higher male-to-female ratios, higher black-to-white ratios in the total population, and the fact that whites did not seek to establish themselves permanently on the island, in contrast to

¹⁸ Geggus, “Slave and Free Colored Women in Saint Domingue,” 268.

¹⁹ Auguste Lebeau, *De la condition des gens de couleur libres sous l’ancien régime* (Paris: Guillaumin & cie, 1903), 93-5. The Louisiana *Code Noir* of 1724 differed from the Saint Domingue *Code Noir* of 1685 in several important ways. First, the Saint Domingue laws prohibited *concubinage* but permitted interracial marriages between blacks and whites baptized in the Roman Catholic Church, while the Louisiana laws prohibited such marriages. Second, it was possible for masters of Saint Domingue to manumit their slaves at their own discretion, while masters of Louisiana required the approval of the Superior Council. The Louisiana code also included more restrictive measures aimed at regulating the lives of free blacks and preventing the organization of maroon communities composed of runaway slaves. See Foner, “The Free People of Color in Louisiana and St. Domingue,” 409, footnote 18, and 412, footnote 40. Michael T. Pasquier, “Code Noir of Louisiana,” *KnowLA Encyclopedia of Louisiana*, accessed October 26, 2011, <http://www.knowla.org/entry.php?rec=742>.

²⁰ Houdaille, “Le métissage dans les anciennes colonies françaises,” 268.

²¹ John Garrigus, “Blue and Brown: Contraband Indigo and the Rise of a Free Colored Planter Class in French Saint-Domingue,” *The Americas* 50, No. 2 (Oct., 1993): 257. These three parishes were Fond des Nègres, Jacmel, and Cayes de Jacmel in the southern peninsula.

²² Houdaille, “Le métissage dans les anciennes colonies françaises,” 280.

Louisiana, making it in some ways more acceptable.²³ The offspring of such unions were accorded many of the same privileges as whites and some enjoyed an impressive economic position. For instance, in the southern peninsula, John Garrigus argues, by the middle of the eighteenth century, the free population “had become racially integrated to the point that observers were unable to agree about how many inhabitants were of pure European descent and how many had some degree of African ancestry.”²⁴

Most of Saint-Domingue’s *gens de couleur libres* lived in the countryside and many were successful planters. By 1790, it was believed that free persons of color possessed one-third of the land and one-fourth of all the slaves.²⁵ Historians attribute the emergence of a prosperous caste of free people of color to the expansion of the coffee production in the frontier areas around 1760. John Garrigus explains that the value of coffee exports rose to rival that of sugar from 1767 to 1789 mainly due to social and economic changes in Europe.²⁶ The resulting coffee boom drew thousands of new European colonists who imported tens of thousands of slaves. Thousands of free persons of color who bought or already owned land in mountainous areas were also able to profit and expand their small estates into plantations. Free women of African ancestry were also landowners and slave owners. Geggus claims that “[w]omen landowners

²³ Foner, “The Free People of Color in Louisiana and St. Domingue,” 415.

²⁴ John Garrigus, “Blue and Brown,” 258. Garrigus emphasizes that, on the eve of the French Revolution, “a redrawing of the line socially separating persons of European parentage from those with both European and African ancestry” happened in the colony, enforcing new racial labels.

²⁵ Foner, “The Free People of Color in Louisiana and St. Domingue,” 425. In Jérémie (southwestern Saint Domingue), Foner asserts that they owned “almost all the land.” Garrigus, “Blue and Brown,” 233, footnote 2. Garrigus further asserts that this statement might have been an “exaggeration,” albeit a “believable one.”

²⁶ Garrigus, “Blue and Brown,” 234. This crop proliferated in the colony’s mountains where sugar could not be grown profitably. Sugar and coffee were by far Saint Domingue’s two most important products.

varied from solitary ex-slaves living in ram-shackle cabins on an acre of land to the proprietors of coffee plantations with large families and forty or more slaves.”²⁷



Figure 1: Map of Saint Domingue²⁸

Indigo also contributed to the wealth of free planters of color along Saint Domingue’s southern peninsula. Garrigus demonstrates that several free families of color profited from the contraband indigo trade, laying the foundation for the political power of free people of color after

²⁷ Geggus, “Slave and Free Colored Women in Saint Domingue,” 270.

²⁸ Stewart R. King, *Blue Coat or Powdered Wig: Free People of Color in Pre-Revolutionary Saint Domingue* (Athens and London: The University of Georgia Press, 2001), 18.

1789.²⁹ These families traced their European and African ancestors to the beginning of settlement in the eighteenth century and some had prospered for several generations. In the plains, free persons of African ancestry also gained in importance, not so much as coffee and indigo planters but as overseers on sugar, coffee, or indigo plantations.³⁰

Only 15 percent of the free people of color lived in urban centers, and they made up about 11 percent of the urban population.³¹ As in Louisiana, they were experienced craftsmen and tradesmen. Women formed the majority in urban centers. Travelers' accounts frequently mentioned free women of color who were prostitutes and mistresses to white men, usually describing them as elegant and glamorous.³² Needless to say, these accounts were tainted by these travelers' perception of women of African ancestry. African women were either left out from their accounts completely or they were described in stereotypical terms. This was particularly true of "mulatto women." Moreau de Saint Méry's description of mulatto women in Saint Domingue reveals the celebration of luxury, lust and *volupté* in women of color. Saint Méry wrote: "L'être entier d'une mulâtresse est livré à la volupté, et le feu de cette Déesse brûle dans son cœur pour ne s'y éteindre qu'avec la vie," in other words "The entire being of a mulatto woman is given up to pleasure, and the fire of this Goddess burns in her heart, only to be extinguished with her life."³³ Doris Garraway claims that "by the end of the eighteenth century,

²⁹ Garrigus, "Blue and Brown," 262.

³⁰ Foner, "The Free People of Color in Louisiana and St. Domingue," 425.

³¹ Geggus, "Slave and Free Colored Women in Saint Domingue," 269.

³² *Ibid.*, 270.

³³ Médéric Louis Élie Moreau de Saint-Méry, *Description topographique, physique, civile, politique et historique de la partie française de l'isle Saint-Domingue*, edited by Blanche Maurel and Étienne Taillemite (Paris: Société de l'histoire des colonies françaises, 1958), 104.

the mulatto woman had become the quintessential voluptuary in the colonial imagination, believed to devote herself entirely to the erotic arts.”³⁴

Infused with masculine and racial biases, these accounts consistently ignored the economic roles women of color played in various colonial societies. Many free women of color were legitimately married. Others conducted business in towns. Indeed, a large number of free women of color in Cap Français, the largest urban center and commercial capital of the colony, were actively engaged in various business ventures. Some were housekeepers, shopkeepers, grease dealers, or greengrocers, managers of retail shops, and peddlers. Some others engaged in real estate and rented out their property to other free persons of color and to white inhabitants.³⁵ Stewart R. King, in his study on free persons of color in pre-revolutionary Saint Domingue, reveals that most free women of color ran money-making activities of all sorts. King argues that *marchandes* i.e. tradeswomen were especially successful and contributed significantly to the economy of the island.³⁶

Women of color *marchandes* constituted a predominant group in New Orleans. They sold all kinds of goods, including beer, cakes, pralines, fruit, rugs, fabrics, shawls, head kerchiefs, and coffee “at street corners or with baskets of fancy goods which they carried to the

³⁴ Doris Lorraine Garraway, “Race, Reproduction and Family Romance in Moreau de Saint-Méry’s *Description ... de la partie française de l’isle Saint-Domingue*,” *Eighteenth-Century Studies* 38, No. 2 (Winter 2005): 235.

³⁵ Susan M. Socolow, “Economic Roles of the Free Women of Color of Cap Français,” in David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996), 281-3. Socolow relies on notarial records from the Archives Nationales de France, Section Outre-Mer, Notariat, Saint Domingue.

³⁶ King, *Blue Coat or Powdered Wig*, 189-90. The *marchandes* group has its origins in West Africa, where these entrepreneurial activities were firmly fixed in West African tradition. *Marchandes* produced craftwork and sold goods at the market, such as kola nuts, palm oil, salt, millet beer, baskets, pottery, cotton, and cloths. Thus, many women could participate in activities beyond the household and enjoy some degree of economic independence. See Catherine Coquery-Vidrovitch, *Les Africaines : histoire des femmes d’Afrique noire du XIXe au XXe siècle* (Paris : Éditions Desjonquères, 1994), 58-9.

houses of patrons.”³⁷ For instance, Rose Nicaud, a slave who bought her freedom, set up a portable stand and sold coffee in New Orleans in the early 1800s. She was later able to rent a permanent stand at the French Market and offered seating to her customers, while other free women of color followed her footsteps.³⁸

In her Ph.D. dissertation entitled “In Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola,” Virginia Meacham Gould emphasizes peddling activity as an important part of these women’s lives. Peddling gave them some kind of economic freedom, and therefore they were able to achieve relative power over their lives. Some free women of color worked for other free women of color, while some others purchased, produced, and sold their own goods. The latter even hired slave women who peddled for them.³⁹

Furthermore, Susan M. Socolow states that, in Cap Français, free women of color regularly bought and sold slaves for economic profit and “chose not to identify with their heritage of slavery.”⁴⁰ Buying and selling slaves was a serious business, and free women of color made specific choices. They usually preferred to purchase African slaves over Creole slaves, and female slaves over male slaves. Whatever their occupations, free women of color bought slaves for their own use, as it was a mark of economic and social standing. They bought, trained, sold, mortgaged, and branded their slaves. On some occasions, they rented them out. Nor did they hesitate to separate families. The free women of color of Cap Français rarely bought kin and they rarely intended to improve their slaves’ condition. Socolow also mentions

³⁷ Virginia Meacham Gould, “In Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860” (Ph.D. diss., Emory University, 1991), 54.

³⁸ Mary Gehman, *Women and New Orleans* (New Orleans: Margaret Media, Inc., 1988), 16-7.

³⁹ Gould, “In Enjoyment of Their Liberty,” 58.

⁴⁰ Socolow, “Economic Roles of the Free Women of Color of Cap Français,” 285.

that it was unusual for free women of color to manumit their slaves.⁴¹ Thus, some free women of color were heavily involved in the slaveholding business in Cap Français, becoming very affluent and contributing to the local economy.

Pouponne Guérin was one of these savvy and entrepreneurial free women of color. Exactly how she started to amass wealth is not clear. In her 1811 petition of insolvency presented at the City Court of New Orleans, she declared that she owned a patrimonial house⁴² in Port-de Paix valued at 15,000 dollars and two coffee plantations, also patrimonial, one in Moustique Bay and the other in Saint Marc, together estimated at 35,000 dollars.⁴³ Thus, her property in Saint Domingue reached 50,000 dollars. How should one understand her economic standing in Saint Domingue? It is doubtless that Guérin was an emancipated slave. Several clues point to that conclusion.

First, Guérin was regularly referred to as *Mademoiselle* Pouponne Guérin. In France in the eighteenth century, *Monsieur/Sieur*, *Mademoiselle*, or *Madame* were titles given to respected members of society in official documents, such as notarized sales for example. In colonial and antebellum Louisiana, these titles were given exclusively to white men and women and, even then, only to those of some social standing. Those farther down the social scale were referred to without any title, including all free persons of color. However, in Saint Domingue, wealthy free men and women of color were identified as *Monsieur/Sieur*, *Mademoiselle*, or *Madame* in official documents. Garrigus also claims that “no mention was made of their color, despite the

⁴¹ Socolow, “Economic Roles of the Free Women of Color of Cap Français,” 285-9.

⁴² Patrimonial refers to an estate inherited from one’s father or ancestor.

⁴³ Port-de-Paix, the second larger town of Saint Domingue is situated in the North of the island, so is Moustique Bay, and Saint Marc is located in the Western part of the island. Broutin, 26:346-7, July 17, 1811, NONA.

fact that other free persons of color in the same transactions were assigned racial labels.”⁴⁴ As a result, *Mademoiselle* Pouponne Guérin was certainly a woman of distinct social and economic standing in the Saint Domingue society.

Second, her references to her patrimonial estate suggest that she inherited these plantations and property from a wealthy father, white or of color. Since the offspring of European men and African women were accorded many privileges of whites, Guérin’s European parentage is certainly established. In his article on free persons of color and the indigo trade, Garrigus claims that several families, such as the wealthy Raimond family, built on three generations of family expertise, relying on astute investments and kin networks in Saint Domingue, other Caribbean ports, and Europe.⁴⁵ Coffee production was a niche for free persons of color in Saint Domingue, giving them a chance at wealth. Unlike the Raimonds, it is difficult to assert that Guérin participated directly and actively in the economy of the island and/or that she had any connections with white families, this mainly due to a lack of primary sources.⁴⁶ However, Guérin’s subsequent ventures in Cuba and New Orleans prove that she was involved in the slaveholding business and attempted to establish commercial connections between New Orleans and her homeland.

Guérin’s journey can be traced back from various documents, including transactions involving slaves and several legal suits and petitions in Cuba and New Orleans. Guérin was

⁴⁴ Garrigus, “Blue and Brown,” 260. By the 1780s, this practice was no longer the case, due to surging color prejudice against free persons of color perpetrated by all whites. Racial labels were now attached to the names of all persons of color, regardless of social and economic status. The elite of color suffered a range of discriminatory practices, which barred them from having access to education, to certain occupations, to the military, etc. This backlash was a reaction to vocal grievances from free men of color determined to win full civil rights for their class. For further readings on activism and free persons of color, see David Geggus, “Racial Equality, Slavery, and Colonial Secession during the Constituent Assembly,” *The American Historical Review*, Vol. 94, No. 5 (Dec., 1989): 1290-1308.

⁴⁵ Garrigus. “Blue and Brown,” 237.

⁴⁶ I have not found sources documenting Guérin’s genealogical tree.

literate and not only was she able to sign her name but she could read and write, as evidenced by a letter written by her in Santiago de Cuba in 1809—a third clue about understanding her social and economic standing.⁴⁷ Before she left Saint Domingue for Cuba, Guérin was living in Cap Français, where she might have owned property. She later recalled her own departure from the island in a testimony found in a case filed in the Louisiana Supreme Court in 1819, opposing former Saint Domingue residents Pierre Métayer and Adélaïde Métayer.⁴⁸ Guérin was a former neighbor of the Métayers (in Saint Domingue) and testified on “the past of the defendant,” Adélaïde Métayer, a former slave who fought to preserve her freedom in New Orleans. This testimony is of prime importance because it allows us to uncover the details of Guérin’s journey, in the manner of a first-hand declaration. Thus, through this court case, many details about Guérin’s life in Saint Domingue, Cuba, and New Orleans come to light.

According to her testimony, Guérin did not personally know Adélaïde Métayer while living in Saint Domingue, but their stories would eventually be deeply intertwined. The initial connection between the two was the proximity of their residence in Saint Domingue. In her testimony, Guérin claimed to have known Adélaïde since the “time of the Commissioners, in

⁴⁷ This letter is addressed to *Monsieur* Pierre Lambert, also a native from Saint Domingue, concerning slaves that Pouponne rented out to Lambert the year before. *Pouponne Guérin to Monsieur Lambert*, January 17, 1809, Lambert Family Papers, 244, Louisiana Research Collection, Tulane University, hereafter cited as Lambert Family Papers, LaRC. This letter is later discussed on pages 66-7.

⁴⁸ Testimony of Mademoiselle Pouponne Guérin fwc, in *Pierre Métayer v. Adélaïde Métayer fwc* (January 1819), Docket No. 318, Supreme Court of Louisiana Historical Archives, Earl K. Long Library, University of New Orleans, hereafter cited as SCLHA, UNO. The case is discussed in detail in Rebecca J. Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner’: Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,” (Symposium on The Bicentennial of the Digest of 1808--Collected Papers), *Tulane European & Civil Law Forum* 24 (2009): 115-36.

other words two years before General Leclerc's arrival."⁴⁹ Furthermore, Guérin recalled that she left Cap Français during "the evacuation by Rochambeau" (1803) and "left Adélaïde there."⁵⁰ Guérin did not give specific details on her escape from Saint Domingue to Cuba, but her testimony showed that she was somewhat aware of the social and political changes that were happening in the newly proclaimed Republic of Haiti, mentioning the presence of Civil Commissioners in the colony and then Generals Leclerc and Rochambeau. Thus, Guérin was part of the 1803 migration to Cuba and "came to Santiago de Cuba around 1804." The second part of her journey had started.

Saint Domingue refugees came to the East Coast of the United States and Jamaica in the 1790s, but Cuba saw the largest influx of French refugees in 1803. Why did Saint Domingue refugees chose to settle en masse to Cuba? What was the Cuban government's reaction to the Haitian Revolution and were whites, free persons of color, and slaves welcomed on the Spanish island? It is agreed among scholars of Cuban history that Cuban authorities were afraid of the slave uprisings in Saint Domingue and they did not want history to repeat itself on the Spanish island. Thus, Cuba established immigration restrictions, banning French nationals and persons

⁴⁹ Civil Commissioners were in charge of maintaining French control of Saint Domingue during the 1790s. Pouponne might have had her timeline wrong. The last French Civil Commissioners left Saint Domingue in 1798. Charles Victor Emmanuel Leclerc, a French Army General and Napoleon I's brother-in-law, was appointed commander of the expedition to re-establish control over the French colony of Saint Domingue in 1801 and landed on the island in 1802. Thus, there is a small discrepancy in her account. For further readings on the Haitian Revolution, see C.L.R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution* (New York: Vintage Books, 1989).

⁵⁰ Donatien-Marie-Joseph de Vimeur, vicomte de Rochambeau was a French Army General and landowner in Saint Domingue. In 1802, he was appointed to lead an expeditionary force against Saint Domingue after General Leclerc's death. Haitians led by Jean-Jacques Dessalines and François Capois attacked a strong French-held fort of Vertières, near Cap Français, and won a decisive victory over the French colonial army led by Rochambeau and forced him to capitulate that same night (November 18, 1803). It was the last and defining battle of the Haitian Revolution. Two months later, the independence of Haiti was proclaimed. Rochambeau allowed many French to leave Saint Domingue with their belongings and wrote them "letters of recommendation." See Alain Yacou, "Esclaves et libres français à Cuba au lendemain de la Révolution de Saint-Domingue," *Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas*, Band 28 (1991): 163-197.

of color, slave and free, from settling on the island.⁵¹ However, the events in Saint Domingue occurred at a time when Cuban authorities and planters wanted to extend the slave trade to Cuba and were waiting for a response to their petition from the Spanish King himself.⁵² These planters and men of means wanted to develop and expand the agriculture and economy of the island, and they needed slaves to work the land. As a result, in spite of their initial reaction, Cuban authorities argued that there was nothing to fear from the slave uprisings in Saint Domingue. Ada Ferrer asserts that planters maintained that free persons of color, in Cuba, were “faithful subjects” to the Spanish Crown and that Cuban slaves were “obedient and well-treated by their masters,” which they saw as a key factor in dissuading slaves from rebellion.⁵³

Apparently the arguments of the elites were successful. More than 18,000 refugees arrived in Santiago de Cuba alone.⁵⁴ French slaveholders eventually settled in Cuba, with the consent of the Cuban authorities. Even though importations of slaves were prohibited on the island, the Cuban government let planters establish themselves with their slaves. Some officials then claimed they did not have the means to expel the slaves from the island, while some others

⁵¹ Ada Ferrer, “La société esclavagiste cubaine et la révolution haïtienne,” *Annales. Histoire, Sciences Sociales*, 58e Année, No. 2 (Mar. - Apr., 2003): 337.

⁵² In 1791, planters had sent a petition asking for the opening and liberalization of the slave trade to Cuba and for a systematic importation of African slaves to support the growth of Cuban agriculture and economy.

⁵³ Ferrer, “La société esclavagiste cubaine et la révolution haïtienne,” 338-9. For a detailed history of Cuban immigration, see Duvon C. Corbitt, “Immigration in Cuba,” *The Hispanic American Historical Review* 22, No. 2 (May, 1942): 280-308.

⁵⁴ Alain Yacou, “Francophobie et Francophilie à Cuba au temps des révolutions française et haïtienne,” in *Cuba et la France / Francia y Cuba* (Actes du Colloque de Bordeaux (décembre 1982) organisé par le Centre Interuniversitaire d’Etudes Cubaines (C.I.E.C.): Presses Universitaires de Bordeaux, 1983): 69.

had slaves sign oaths of loyalty. Thus, economic aspirations lay behind the arrival of Saint Domingue free and slave inhabitants.⁵⁵

These French planters contributed immensely to boosting the Cuban economy and Cuban authorities considered further methods of attracting white emigrants to Cuba.⁵⁶ Their efforts were not in vain, for this “industrious group ... furnish[ed] the colony with an inexhaustible supply of human resources and talent as agriculturalists, artists, financiers, artisans, and scientists, capable of constructing a new civilization in the New World.”⁵⁷ For over a decade, French refugees were permitted to land, and, within a short time, they had Cuba burgeoning with sugar cane and coffee flowers on extensive and productive plantations. They initiated, developed, and perfected methods to promote Cuban sugar, along with establishing a successful coffee industry on the island.⁵⁸ Thus, the French transferred skills acquired in Saint Domingue to Cuba, opening new sources of wealth for the Spanish island.

Importing vast numbers of slaves was a key element in their economic scheme. Cuba became, in many ways, the new Saint Domingue. Over 285,000 enslaved Africans came to the island between 1790 and 1820,⁵⁹ making it the greatest slave-importing colony of Spanish America and the center of the nineteenth-century transatlantic slave trade to the Caribbean. Cuban planters needed to import more and more slaves to work on coffee and sugar plantations,

⁵⁵ Ferrer, “La société esclavagiste cubaine et la révolution haïtienne,” 338-9. The slave population in Cuba quadrupled between 1774 and 1817.

⁵⁶ For instance, Cuban authorities wanted French engineers specialized in sugar production, who had taken refuge in Jamaica, to come to Cuba. See Yacou, “Francophobie et Francophilie à Cuba au temps des révolutions française et haïtienne,” 70.

⁵⁷ William R. Lux, “French Colonization in Cuba, 1791-1809.” *The Americas*, Vol. 29, No. 1 (Jul., 1972): 59.

⁵⁸ *Ibid.*, 59.

⁵⁹ J. Ho, “Nombre d’Africains introduits à Cuba.” *Population* (French Edition), 26e Année, No. 4 (Jul. - Aug., 1971): 761-762.

even with the specter of the Haitian Revolution in mind. Planters had to establish a careful balance between coercion and tolerance, in order to avoid unrest. Ferrer contends that officials even sent “spies” to plantations to make sure that planters maintained law and order on their land and did not “encourage any conspiracies among their slaves.”⁶⁰

What was Pouponne Guérin’s status in the Spanish colony? Was she able to bring slaves into Cuba? Did she carve out a place for herself in the Cuban society and economy? A significant number of free persons of color established themselves in Cuba, in Santiago de Cuba especially. In 1809, the free population of color was roughly equivalent to the white population in Santiago.⁶¹ Guérin’s petition of insolvency filed in the City Court of New Orleans in 1811 reveals that she also owned property in Cuba. She explains that she possessed a house and lot in Baracoa (near the eastern part of the island) and another house in Santiago de Cuba, together estimated at 5,500 dollars. Furthermore, she claimed to have left there 1,500 dollars worth of *marchandises* in the hands of one *Don Antonio Golle*, as well as her furniture and three slaves, the value of the latter together estimated at 1,600 dollars. Finally, Guérin also mentioned a pending judicial suit filed in the Superior Court of Orleans in 1810, which revealed that she was trying to recover another slave who was part of her property in Cuba, and who had allegedly been stolen by one Sanite Gourde, a free woman of color. Thus, her alleged property in Cuba totaled more than 9,000 dollars.⁶²

⁶⁰ Ferrer. “La société esclavagiste cubaine et la révolution haïtienne,” 346.

⁶¹ Alain Yacou, “Esclaves et libres français à Cuba au lendemain de la Révolution de Saint-Domingue,” *Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas*, Band 28 (1991), 178. There were 2,341 free persons of color, 2,651 whites, and 2,600 slaves in Santiago in 1809. The free population of color in the rest of the island was scarce.

⁶² Broutin, 26:346-7, July 17, 1811, NONA. The docket number for the suit opposing Pouponne Guérin to Sanite Gourde is No. 2778, Territory of Orleans, Superior Court, NOPL.



Figure 2: Map of Cuba

Several elements in her account deserve our attention. Her reference to *marchandises* left in Cuba gives an important clue to her activities on the Spanish island. It is fairly certain that Guérin engaged in retail activities, either in public markets or in fixed retail quarters.⁶³ In pre-plantation Cuba (1550s-1770s), it was common for slaves and free persons of color to channel their own products to the local market, touring the *estancias* (small land-holdings) and buying goods that they resold in the cities.⁶⁴ Furthermore, as revealed earlier, free women of color in Saint Domingue were found in occupations such as greengrocers and peddlers, and marketing was one the most important economic and social activities of free and enslaved women of color in various societies. This configuration was attested by Guérin’s testimony in the case *Pierre Métayer v. Adélaïde Métayer*, in which she revealed that Adélaïde was a *marchande* in Port de

⁶³ My suspicions are reinforced by subsequent retail operations undertaken by Guérin in New Orleans. I will discuss this subject later on.

⁶⁴ Alejandro de la Fuente, “Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited,” *Law and History Review*, Vol. 22, No. 2 (Summer, 2004): 354-5.

Paix, Saint Domingue, working for a free woman of color named Clarice, Guérin's relative.⁶⁵

Thus, it is not surprising that Guérin traded goods in order to make a living in Cuba and she may have used slaves to help her in her activities, although it is unclear whether or not her slaves she "left in Cuba" assisted her in her retail operations.

Two documents uncovered in the *Lambert Family Papers* at the Howard-Tilton Library's Louisiana Research Collection (Tulane University) give some indication about Guérin's economic endeavors in Cuba. This collection consists chiefly of the papers of Pierre A. Lambert, a native of Saint Domingue who left that island circa 1803 during the revolutionary period and lived in Cuba on his coffee plantation until he settled in New Orleans in 1809. Once there he owned a pharmacy, practiced medicine, and briefly taught at the Collège d'Orléans. The first document, dated September 16, 1808 in Santiago de Cuba, is a rental agreement between Pierre Lambert and Guérin. This transaction showed that Guérin agreed to rent four of her slaves to *Monsieur* Lambert for a year. The agreement was as follows:

"Mr. Pierre Lambert and Pouponne Guerin have agreed as follows.

I, Pouponne, rent, for a period of one consecutive year, from September 18, 1808 to that same day in 1809, to Mr. Lambert four of my slaves, three young Negroes named Muscadin, Arrouque, and Philippe, and one Negro wench named Adelaïde, all for a price and sum of 252 gourdes per year, half in cash and half by the end of the agreement.⁶⁶

That the said Negroes are and would be a risk to my account.

If I would want to remove the said Negroes before the term specified, I declare I cannot do so.

However, if unforeseen circumstances forced me to leave, I reserve the right to do so, with the necessary compensation.

I, Pierre Lambert accept the said Negroes above mentioned.

Paying for each of the young Negroes the sum of five gourdes per month and for the Negro wench 6 gourdes per month, all for two hundred fifty two gourdes per year, which I will pay as agreed.

⁶⁵ Testimony of Mademoiselle Pouponne Guérin fwc, in *Métayer v. Métayer fwc* (January 1819), Docket No. 318, SCLHA, UNO.

⁶⁶ The gourde was the currency of Saint Domingue (it is also the currency of present-day Haiti).

Done in duplicate and in good faith, in the presence of witnesses.”⁶⁷

This transaction thus showed that Guérin chose to rent out her slaves (probably to work on Lambert’s coffee plantation), using them as economic investments.

As previously emphasized in Chapter 1, hired-out slaves provided additional income to free women of color, as the hiring party paid a cash rent and assumed the costs of feeding, clothing, and housing the slave(s). In the American South, slave hiring was “the most important contribution to the economic survival of slavery in its urban environment.”⁶⁸ Claudia D. Goldin, in her study of urban slavery in the American South, further contends that this practice was common in urban centers as well as in surrounding rural communities. Slaves were typically hired for one year and performed various skilled and unskilled jobs, as domestics, factory workers, mechanics, carpenters, and butchers.⁶⁹ Likewise in Cuba, hired-out slaves performed numerous skilled jobs, such as shoemakers, tailors, masons, and silversmiths. Others were domestics or worked on coffee plantations. In Cuba, a large number of slaves worked under the hiring-out system, which was common in Cuban cities throughout the nineteenth century.⁷⁰

The second document, a letter from Guérin to Mr. Lambert followed on their rental agreement. For some reason, Guérin wrote this letter to Mr. Lambert on January 17, 1809—about four months after sealing their rental agreement—to ask him to “receive [her slave] Muscadin” and “return [her slave] Arrouque,” promising to send him back the day after. She

⁶⁷ *Agreement by Pouponne Guerin to Mr. P. Lambert*, September 16, 1808, Lambert Family Papers, LaRC. This letter was written in French and its translation is mine.

⁶⁸ Claudia D. Goldin, *Urban Slavery in the Slave South, 1820-1860* (Chicago: University of Chicago Press, 1976), 35.

⁶⁹ *Ibid.*, 35 and 38.

⁷⁰ Fuente, “Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited,” 354.

added that, if Mr. Lambert happened to come to town, she would have Arrouque “picked up.”⁷¹ This rather obscure correspondence between Lambert, the coffee planter, and Guérin seems to suggest that she still required the services of her slaves at random times. If Guérin was indeed a *marchande*, she might have needed the services of Muscadin and Arrouque to peddle goods. Thus, Guérin made arrangements to use her slaves in Santiago, and probably beyond.

La yago de Cuba le 17
 Janvier 1809 —
 Monsieur
 Je prie de vous prier
 de recevoir Muscadin et de me
 faire le plaisir de me le renvoyer
 car long je vous le renverrai
 à peu de main si vous
 vous en avez occasion de le
 renvoyer vous le ferez par
 demain ou le même jour
 le renverra à peu de main ma
 tin j'ai l'honneur de vous
 saluer votre dévoué servent
 Poupponne Guérin

Figure 3: Poupponne Guérin to Monsieur Lambert, January 17, 1809

⁷¹ Poupponne Guérin to Monsieur Lambert, January 17, 1809, Lambert Family Papers, LaRC. This letter is written in French by Guérin herself. Below is an approximate translation:

“Sir, I hereby request you to receive Muscadin and to return Arrouque to me. I will send him back the next day without fail.

If you have an opportunity to stay in town I will pick him up tomorrow or the same [?] will pick him up after tomorrow morning.

I have the honor to salute you, your devoted servant.

Poupponne Guérin”

Her testimony in the *Métayer v. Métayer* case reveals that she was involved in slave trading, as she claimed to have sold a slave in Baracoa around 1805 to the free woman of color Adélaïde Métayer for 350 dollars.⁷² Furthermore, her judicial suit filed in the Superior Court of Orleans on January 26, 1810, confirmed that Guérin considered slaveholding a commercial enterprise.⁷³ This suit involved Guérin, as the plaintiff, and Sanite Gourde, a free *mulatto*, as the defendant. Guérin revealed that, when she lived in Baracoa, Cuba, she owned a slave named Simonne, 18, a *créole* from Saint Domingue. When she departed Cuba in 1808, she left Simonne in the hands of a *Madame* Capelle. Later on that year, Guérin explained that Sanite Gourde “s’empara sous de faux prétextes et sans aucun titre de la négresse Simonne,” in other words Gourde “kidnapped the slave Simonne,” and later sold her for 350 dollars.⁷⁴

By the time the suit was filed, Guérin and Sanite Gourde were both living in New Orleans. Thus, Guérin turned to the court for compensation. According to the transcription of the suit, Guérin demonstrated that, since her arrival in the city, she had repeatedly asked Gourde for the money from Simonne’s sale. However, Gourde had continuously refused to comply. Guérin, fearing that Gourde could leave New Orleans and Louisiana altogether, decided to sue her immediately and have her retained on bail.⁷⁵ During the territorial period, the Superior Court of the Territory of Orleans (1804-1813) was roughly analogous to today’s Louisiana Supreme Court, i.e. operating as a court of last resort. The Superior Court had both original and appellate jurisdiction in civil matters involving \$100 or more, and exclusive jurisdiction in all capital

⁷² Testimony of Mademoiselle Pouponne Guérin *fwc*, in *Métayer v. Métayer fwc* (January 1819), Docket No. 318, SCLHA, UNO.

⁷³ *Pouponne Guerin v. Sanite Gourde*, Docket No. 2778 (1810), Superior Court, Territory of Orleans, NOPL.

⁷⁴ *Ibid.* Guérin specifies that Sanite Gourde sold the slave Simonne to *Sieur* Benito, a Spanish resident of Baracoa, three to four months after the expulsion of the French from Cuba.

⁷⁵ *Ibid.* Guérin believed that Sanite Gourde’s estate was not sufficient enough to meet her claims.

crimes and crimes punishable at hard labor. Although the outcome of this suit remains unknown, it informs us about Guérin's activities and that recovering the amount of Simonne's sale was of prime importance to her. Not many free women of color turned to the Superior Court to defend their property. Slaveholding meant serious business to her.

Yet, her ambiguity towards slavery is revealed in the 1819 case *Métayer v. Métayer*.⁷⁶ For about ten years, Adélaïde Métayer fought hard to prove and keep her freedom and that of her children in New Orleans. Guérin willingly testified to the freedom of Adélaïde, recalling that Adélaïde lived as a free woman in Baracoa, Cuba, and that her two children were born free and were baptized as such. Guérin also served as godmother to Adélaïde's first child and testified that she had seen the receipt attesting to Adélaïde's manumission.⁷⁷ Since Adélaïde had been living as a free woman for so long, Guérin did not seem to have any qualms about her freedom. Selling her a slave in Cuba around 1805 confirmed that she saw her as an equal, a woman of standing.⁷⁸ Therefore, slaves served as social and economic markers.

Adélaïde and Guérin's interactions in Cuba and subsequent presence in New Orleans arose because of the expulsion of the Saint Domingue refugees from Cuba. By the year 1808 France had achieved domination over the great majority of continental Europe. During what is known as the Peninsular War, Napoleon invaded Spain, deposed the existing Spanish monarch, and placed his own brother Joseph on the throne. Rumors that Napoleon had invaded Spain reached Havana, Cuba, in July of 1808, and official news arrived in early August 1808 at

⁷⁶ Testimony of Mademoiselle Pouponne Guérin fwc, in *Métayer v. Métayer fwc* (January 1819), Docket No. 318, SCLHA, UNO.

⁷⁷ Ibid. Also, Rebecca J. Scott explains that Adélaïde Métayer bought her freedom from Pierre Métayer *père* in Saint Domingue and she presented that private receipt documenting her manumission in court. See Scott, "She...Refuses to Deliver Up Herself as the Slave of Your Petitioner'," 123-4.

⁷⁸ Testimony of Mademoiselle Pouponne Guérin fwc, in *Métayer v. Métayer fwc* (January 1819), Docket No. 318, SCLHA, UNO.

Santiago de Cuba that Spain was at war with France.⁷⁹ Napoleon would influence the destinies of thousands of French in the Caribbean. Relations between the French and the Cubans worsened quickly, since the “hostility to the French was as bitter [in Cuba] as in the mother country.”⁸⁰

Cuban authorities immediately ordered a census of all foreigners in the colony, starting with the French.⁸¹ In view of their growing unpopularity, the first departures began right away. Some French “sold what they could to friends, while others left everything.”⁸² Cuban authorities set up *juntas de vigilancia* (vigilance committees), which were in charge of “examining” all the French residents.⁸³ They were questioned about their civil and marital status, their spouse’s nationality and color, their children, their occupation before and after they arrived in Cuba, how long they had been living in Cuba and if they had ever lived in another Spanish possession, their reason for emigrating to Cuba, the number of slaves they owned, and finally their religious conviction.⁸⁴ After close examination, it was decided who was allowed to stay in the colony and who was not. Gabriel Debien’s study of the French under the scrutiny of the *juntas* in Havana shows that good morals and good Christian habits were essential in being allowed to stay in the

⁷⁹ Lux, “French Colonization in Cuba, 1791-1809,” 60.

⁸⁰ Luiz M. Perez, “French Refugees to New Orleans in 1809,” *Publications of the Southern History Association*, Vol. 9 (1905), 294.

⁸¹ Gabriel Debien, “Réfugiés de Saint-Domingue expulsés de la Havane en 1809.” *Anuario de Estudios Americanos*, Vol. 35 (1979), 556. At that time, the term “French” did not refer only to natives from France, but also to all other francophones, from Switzerland, Belgium, the Caribbean (Saint Domingue, Guadeloupe, and Martinique), Louisiana and Canada.

⁸² Lux, “French Colonization in Cuba, 1791-1809,” 60.

⁸³ Manuel Barcia, “Les ‘Epines de la Truite’ : Les juntas anti-françaises de La Havane en 1809,” *Nuevo Mundo Mundos Nuevos, Debates*, 2008, accessed December 20, 2010, <http://nuevomundo.revues.org/33062>. According to Barcia, urban juntas were composed of ordinary *alcaldes* and a *regidor* (alderman). As for rural juntas, they were made of a captain, a priest, and four prominent men in the community.

⁸⁴ Debien, “Réfugiés de Saint-Domingue expulsés de la Havane en 1809,” 562.

Spanish colony. The sick, the infirm, the old, and those married to Spanish nationals were also permitted to stay. The *juntas* seemed to target primarily men of small means and those who did not “assimilate” into Cuban society.⁸⁵

Spanish distrust and animosity towards the French grew considerably after the creation of the *juntas*. Clashes between Spanish and French, particularly in Santiago, coupled with an anti-French insurrection in Havana heightened tensions.⁸⁶ French colonists felt increasing pressure to flee Cuba. Some escaped to New Orleans, Philadelphia, Charleston, New York, other French and English colonies including Jamaica, and Haiti. Between April and July of 1809, about 7,000 French sailed from Santiago to New Orleans.⁸⁷ Additional arrivals in New Orleans pushed the total to more than 10,000 refugees in 1810. Among these migrants were Haitian refugees from British Jamaica and who had been expelled by the British.⁸⁸ Guérin was one of these refugees who came to New Orleans via Jamaica.⁸⁹

Her departure from Santiago seemed to have been sudden, as she had to leave her *marchandises*, furniture, and slaves in the hands of trusted friends or acquaintances.⁹⁰ She did not take any dispositions to sell her houses either. It is true that the expulsion of the French was

⁸⁵ Debien, “Réfugiés de Saint-Domingue expulsés de la Havane en 1809,” 579-80.

⁸⁶ Alain Yacou, “Francophobie et Francophilie à Cuba au temps des révolutions française et haïtienne,” 78. Alain Yacou, “Esclaves et libres français à Cuba au lendemain de la Révolution de Saint-Domingue,” 192-4.

⁸⁷ Yacou, “Esclaves et libres français à Cuba au lendemain de la Révolution de Saint-Domingue,” 193-4.

⁸⁸ The Napoleonic Wars opposed the British against the French Empire in a series of declared wars between 1803 and 1815. Philip Wright and Gabriel Debien, “Les Colons de Saint-Domingue passés à la Jamaïque (1792-1835),” *Bulletin de la Société d’Histoire de la Guadeloupe*, No. 26, 4th trimester 1975. Paul Lachance makes reference to Cuban refugees detained in Jamaica before continuing on to Louisiana. He draws this information from the *Moniteur de la Louisiane*, January 27, 1810. See Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 111, footnote 9.

⁸⁹ Testimony of Mademoiselle Pouponne Guérin fwc, in *Métayer v. Métayer fwc* (January 1819), Docket No. 318, SCLHA, UNO.

⁹⁰ Broutin, 26:346-7, July 17, 1811, NONA. *Pouponne Guérin against Sanite Gourde, fwc* (1810), No. 2778, Territory of Orleans, Superior Court, NOPL.

problematic when it came to their property. A great number of them encountered problems in taking their slaves with them. Moreover, Cuban authorities soon put their property, including slaves, into receivership.⁹¹ It is difficult to tell if Guérin was aware of that fact. Guérin might have left for Jamaica with the hope of coming back to Cuba to retrieve her property—Alain Yacou contends that a significant number of refugees returned to Cuba as soon as 1813.⁹² In the end, her journey led her to Louisiana towards the end of 1809.

Saint Domingue refugees had made their way to the United States, including New Orleans, since the Revolution. For New Orleans in particular, more than a thousand Cuban refugees, along with refugees expelled from Jamaica, are known to have arrived after 1804. Finally, the last and largest wave of refugees reached New Orleans between 1809 and 1810.⁹³ In spite of both the 1804 federal ban on the external slave trade and the 1808 United States ban on the importation of slaves, whites and free persons of color brought their slaves to Louisiana during the 1809 exodus. Thus, whites, free persons of color, and slaves were about equally represented in the refugee movement of 1809.⁹⁴

At the time of the Louisiana Purchase, tension surrounding Louisiana's social and racial structure was already perceptible. Soon free persons of color became a central concern for the incoming American administration. Rebecca J. Scott reminds us that already in 1807 the first legislature of the Territory of Orleans was anxious about the introduction of persons of color into Louisiana. The legislature acted to ban the settlement of all men of color and provided for the

⁹¹ Yacou, "Esclaves et libres français à Cuba au lendemain de la Révolution de Saint-Domingue," 194-5.

⁹² See Yacou, "Francophobie et Francophilie à Cuba au temps des révolutions française et haïtienne," 79.

⁹³ Lachance, "The Foreign French," in Hirsch and Logsdon, eds., *Creole New Orleans*, 103-4.

⁹⁴ Lachance, "The 1809 Immigration of Saint-Domingue Refugees to New Orleans," 111. Lachance breaks it down that way: 2,731 whites, 3,102 free persons of color, and 3,226 slaves. Free persons of color doubled the number of free persons of color in Louisiana and the majority of them were free women of color. Most of the free persons of color immigrated to the United States with their slaves.

enslavement of such persons if they settled in the territory.⁹⁵ Furthermore, those from the West Indian islands already living in the territory had to prove their free status or be classified as fugitive slaves.⁹⁶

In 1808, the federal law prohibiting entry of foreign slaves into the United States had gone into effect, and as a result, W.C.C. Claiborne, the federally appointed administrator of the Territory of Orleans, initially ordered that slaves accompanying the refugees be detained on the ships transporting them on penalty of the forfeiture of those ships.⁹⁷ As early as May 1809, Claiborne wrote firm messages to commanding officers alerting them to permit refugees from Santiago “to pass the Fort,” however “the Laws do not admit the Slaves to be landed, and that if it should be done, [vessels] should be forfeited, and other penalties will be incurred [sic].”⁹⁸

Claiborne was quickly under pressure as his decision to apply the 1808 federal ban on the importation of slaves from outside the United States meant that Cuban refugees were inevitably deprived of an important means of support. Historian Paul F. Lachance argues that it also “had the consequence that they were forced to leave furniture, small parcels of merchandise, and packets of sugar and coffee on board the impounded ships.”⁹⁹ Claiborne grew sympathetic to the plight of the refugees and as early as May 15, 1809, he forwarded to the Secretary of State in

⁹⁵ Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner’,” 119-120. Women of color and children were exempted from the ban.

⁹⁶ Donald E. Everett, “Émigrés and Militiamen: Free Persons of Color in New Orleans, 1803-1815.” *Journal of Negro History* 38, No. 4 (Oct., 1953): 385.

⁹⁷ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 114.

⁹⁸ W.C.C. Claiborne to Captain Many, May 18, 1809, in *Official Letter Books of W.C.C. Claiborne, 1801-1816*, Vol. 4, Dunbar Rowland, ed. (Jackson, Mississippi: State Department of Archives and History, 1917), 358.

⁹⁹ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 114.

Washington a petition in which “very respectable and humaine [sic]” citizens of New Orleans asked the federal government to let Cuban refugees bring their slaves into the territory.¹⁰⁰

However, all Louisianians were not happy with the arrival of so many refugees. The Anglo-American community, in particular, was generally nervous about the reinforcement of the French community by these refugees. Since the Louisiana Purchase, many hoped for the rapid Americanization of Louisiana, but the influx of refugees in 1809 appeared to be a major setback.¹⁰¹ Furthermore, hostility towards slaves from Saint Domingue was great, as they were believed to pose a direct threat for insurrection in Louisiana.¹⁰²

As the refugees attracted mixed responses, Governor Claiborne was hesitant in taking sides, but he eventually “gave in to pressures to allow the slaves to land” even before officially authorized to do so.¹⁰³ A bill for the remission of fines and penalties related to slaves belonging to the refugees from Cuba passed unanimously in the House of Representatives in June 1809. In July, refugees who had landed were required to post bonds for their slaves.¹⁰⁴ Thus, Louisianians managed to circumvent the 1808 ban on the importation of slaves who belonged to the Cuban refugees. Soon enough, the legislature of the Territory of Orleans passed an act returning to the refugees the bonds they had posted for their slaves.¹⁰⁵ Owners could now dispose of their property freely, on the same terms as legally imported slaves. The decision to

¹⁰⁰ W.C.C. Claiborne to Secretary of State, May 15, 1809, in *Official Letter Books of W.C.C. Claiborne*, 354-5.

¹⁰¹ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 117.

¹⁰² For further details regarding social tension resulting from the arrival of Saint Domingue refugees in Louisiana, see Nathan A. Buman, “To Kill Whites: The 1811 Louisiana Slave Insurrection” (master’s thesis, Louisiana State University, 2008).

¹⁰³ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 119.

¹⁰⁴ Scott, ““She...Refuses to Deliver Up Herself as the Slave of Your Petitioner,”” 120.

¹⁰⁵ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 122.

allow the slaves in contributed to the growth of the New Orleans slave population from 34,000 in 1810 to 69,064 in 1820 and to 109,558 in 1830.¹⁰⁶

Some refugees had been able to retain enough material wealth and slave property to establish themselves in New Orleans, while some others had only limited resources. Lachance's study of marriage contracts between 1804 and 1820 in New Orleans suggests that "Saint-Domingue refugees were not only an important addition to the number of free persons of color living in New Orleans, but also to the wealth of the group ... [and] female refugees of color arrived with more property [including slaves] than local free women of color had been able to accumulate."¹⁰⁷ Guérin seems to have brought slaves with her to New Orleans. In 1811 in New Orleans, she sold a young slave named Joseph *dit* Jouvounotte who was once "part of her property in the island of Saint Domingue."¹⁰⁸ Joseph was sold away from his mother Rosette and his two siblings, also Guérin's property. However, it was one thing to bring slave property to New Orleans but another to keep it.

The information that appears in various documents, including judicial suits and mortgages, reveals that Guérin was in great financial difficulty up until her death in 1826. It does not seem that she bought a house in the city but always rented rooms.¹⁰⁹ She did try to resume her activities of *marchande*, as attested by her petition of insolvency in 1811. She

¹⁰⁶ Foner, "The Free People of Color in Louisiana and St. Domingue," 421.

¹⁰⁷ Paul F. Lachance, "Were Saint-Domingue Refugees a Distinctive Cultural Group in Antebellum New Orleans? Evidence from Patterns and Strategies of Property Holding." *Revista/Review Interamericana*, Vol. 29, No. 1-4 (1999): 191.

¹⁰⁸ Narcisse Broutin, 26:277, June 11, 1811, NONA.

¹⁰⁹ Guérin is not involved in any transactions regarding a lot or a house in the city until her death in 1826. Her 1811 petition of insolvency revealed she owed rent to a Pierre Boutherny. Later on in 1820 and in 1823, two suits were filed against her claiming that she failed to pay several months worth in rent. Finally, her succession had to be hastened "in order to avoid to pay any longer the rents of the house occupied by the deceased." Broutin, 26:346-7, July 17, 1811, NONA. *Widow Leroux v. Pouponne Guerin* (1820), Docket No. 2809, Parish Court, Orleans Parish, NOPL. *William Nott v. Pouponne Guerin* (1823), Docket No. 5503, First Judicial District Court, Orleans Parish, NOPL. *Succession of Pouponne Guerin* (1826), Court of Probates, Orleans Parish, NOPL.

claimed to have sent 1,400 dollars worth of *marchandises* to Saint Domingue between June 1809 and June 1810, but she did not have any return or surrender for the said *marchandises*. She also contends that she lost some *marchandises* entrusted to a Nanette Lamasonière, a *négresse libre* and *marchande* in New Orleans. Finally, her slave, Rosette, “who used to sell *marchandises* for her,” lost her package “while fighting with *Madame* Blanchette’s slave.”¹¹⁰ In his *Journals*, Benjamin H. Latrobe showed that Guérin’s experience was tied to a larger problem.

According to Latrobe, who visited the city in 1819, peddling was known to be an unprofitable business and “the infidelity of the peddlers, their ignorance or forgetfulness of prices at which they ought to sell, and the slow sales, render[ed] it even more so than it might be.”¹¹¹ But “by the dependence of those who live by the labor of their slaves upon this traffic, and by the necessity thus imposed upon the shopkeepers to meet their petty rivals on the same ground,” many women exercised such profession.¹¹² Thus, Guérin’s precarious condition may be explained by the characteristics of such occupation.

Guérin’s hopes of setting up a commercial network between New Orleans and Saint Domingue probably failed because of U.S. policy, even though families in the island and Louisiana had had kin and business networks for most of the previous century. In 1806, the Jefferson administration succeeded in a ban on all trade with the newly independent nation of Haiti, extinguishing its hopes for prosperity, at the beginning of its new existence. The embargo was renewed on February 24, 1807, but it expired the next year. However, because of the

¹¹⁰ Narcisse Broutin, 26:346-7, July 17, 1811, NONA.

¹¹¹ Benjamin H. Latrobe, *The Journals of Benjamin Henry Latrobe, 1799-1820: From Philadelphia to New Orleans*, Series 1, Vol. 3, edited in Edward C. Carter, II, John C. Van Horne, and Lee W. Formwalt (New Haven: Yale University Press, 1980): 203.

¹¹² Latrobe, *The Journals of Benjamin Henry Latrobe*, ed. in Carter, Van Horne, and Formwalt, 203.

general embargo of December 22, 1807, and similar prohibitions and restrictions on commerce, U.S. trade with Haiti was not again legal until the spring of 1810.¹¹³

Some refugees were successful in building or maintaining ties to kin in Haiti and other places. For instance, correspondence between the free woman of color Marie Décopin *dite* Lacroix, residing in Kingston, Jamaica, and the Boucher family residing in New Orleans reveals an intricate network between New Orleans and the Caribbean. Lacroix relied on her network of friends and family in order to have her slave Azor sold and the proceeds of the sale forwarded to Jamaica. This slave, whom she had bought in Santiago de Cuba in 1807, had made his way to New Orleans during the evacuation of the “French” from Cuba. In March 1814, Azor was sold for 400 dollars to the free woman of color Magdelaine Camfrancq.¹¹⁴ Thus, Lacroix’s circle of friends and family in New Orleans helped her continue her commercial activities from Jamaica.

Many other women residing in Cuba pursued or continued their activities in New Orleans, while others on their way to Cuba arranged for trusted persons to manage their affairs. For example, Marie Françoise Desterrières *sur le point de partir à St Yago de Cuba* (about to leave for Santiago de Cuba) charged Jean Baptiste Desvignes to claim from Justine Lalanne, a *négresse libre*, her hired-out slave Marie, in order to sell her or send her out to Cuba.¹¹⁵

Furthermore, just as Guérin, most refugees had left property on these islands, which *de facto* linked them to the lands they had departed. These networks were sometimes visible through notarial acts, including powers of attorney and wills. Many charged friends or family on

¹¹³ Tim Matthewson, “Jefferson and Haiti,” *The Journal of Southern History*, Vol. 61, No. 2 (May, 1995): 238. Matthewson argues that Jefferson’s mind “was turned to embargo and nonrecognition by the ideologically and racially based hostility of southern planters toward the Republic of Blacks, his own racial fears and phobias, and his failure to achieve British and French cooperation” (243). The U.S. did not recognize Haiti in 1804 and U.S. nonrecognition remained in place until 1862.

¹¹⁴ Marc Lafitte, 4:107, March 28, 1814, NONA (correspondence attached to notarial act).

¹¹⁵ Pierre Pedesclaux, 70:962, November 14, 1815, NONA.

their way to Cuba to administer their estates there.¹¹⁶ For instance, Magdelaine Mahot, a free woman of color residing in Faubourg La Course in New Orleans, gave power of attorney to a François Comte, a free man of color on his way to Santiago de Cuba in 1815. Mahot wanted Comte to claim and then sell the “Negro wench Rose, branded on one of her breasts with the letters *Magdelaine Maho*,” who absconded when Mahot left Santiago for New Orleans.¹¹⁷ Free women of color also gave powers of attorney to current residents of Cuba and Saint Domingue. For example, in 1818, Suzanne Besson gave power to her son, Jean Jacques Xavier Campant residing in Petit Trou (Southern Province of Saint Domingue), to claim her property, including a coffee plantation, several lots and buildings, and dozens of slaves.¹¹⁸

The actual question here is whether or not those assets could be recovered. Guérin and others listed important assets in Cuba and Saint Domingue. From New Orleans, they bought, sold, mortgaged, donated, or put in community alleged property located on those islands. For example, in New Orleans in 1814, Marie Louise Lyon, a free woman of color residing on Bayou St. John, acquired for 8,000 dollars from Mr. Nicolas Lefort part of a plantation, as well as a house and a lot located in the Northern part Haiti.¹¹⁹ In 1816, Renée Rose Lapeyre *dite* Sanite donated several lots, buildings, and six slaves all located in the Western and Southern Provinces of Haiti to her daughter, Marie Louise Latouche.¹²⁰ In her will dated May 11, 1815, Marie Louise Laville Orfèvre bequeathed a lot of ground and a slave in Jean Rabel (Northern Province

¹¹⁶ Powers of attorney reveal various reasons behind these transactions, including selling property, collecting rents, asking for the restitution of property, dealing with donations, etc.

¹¹⁷ Marc Lafitte, 6:398, November 24, 1815, NONA.

¹¹⁸ Christobal de Armas, 1:395, July 27, 1818, NONA.

¹¹⁹ Narcisse Broutin, 31:444, August 19, 1814, NONA.

¹²⁰ Narcisse Broutin, 34:58, January 26, 1816, NONA.

of Saint Domingue), as well as another lot of ground in Zacatecas near Santiago de Cuba.¹²¹ But what proof did they have that their property was still theirs or that it was still standing?

When it comes to slaves, the answer is simple: slavery had long been abolished in Saint Domingue/Haiti. As a result, these free women of color had absolutely no claim to their former slaves. The ex-slaves were now free peasants who had access to land.¹²² Furthermore, the prosperity of Saint Domingue rested heavily on the plantation system in the eighteenth century but during the Revolution, the plantation system was destroyed. Toussaint L'Ouverture and his successor Jean-Jacques Dessalines (1804-1806), tried to restore the plantation system through a system known as *caporalisme agraire* (agrarian militarism, agrarian authoritarianism, or cultivator system) under which the land belonged to the government. The land was leased out to managers and worked by workers who were obligated to remain on the land in much the same way that serfs were in Europe. Indeed, this system was very similar to a version of the slave plantation system. The workers, while bound to the land, did receive a portion of the value of the crops, but their lives were vigorously regulated and discipline was strict.¹²³

After Dessalines's death, the two main conspirators, Henri Christophe, a former slave (1807-1820), and Alexandre Pétion, a *mulatto* or free man of color (1806-1818) divided the country into two rival regimes. In the North, Christophe reinforced *caporalisme agraire* in an attempt to increase agricultural production, while Alexandre Pétion, in the South, handed out the plantation land for peasant cultivation. Robert Fatton Jr. asserts that "Pétion understood that, if the small *mulatto* minority were to continue to rule, it had to co-opt the black majority by

¹²¹ Narcisse Broutin, 32:159, May 11, 1815, NONA.

¹²² Mats Lundahl, "History as an Obstacle to Change: The Case of Haiti," *Journal of Interamerican Studies and World Affairs*, Vol. 31, No. 1/2, *Special Issue: Latin America at the Crossroads: Major Public Policy Issues* (Spring - Summer, 1989): 10.

¹²³ Robert Fatton Jr., "Haiti: The Saturnalia of Emancipation and the Vicissitudes of Predatory Rule," *Third World Quarterly*, Vol. 27, No. 1 (2006): 120.

offering it a stake in land ownership. He thus set in motion the parcellisation of the plantation system that eventually engendered a republic of peasant proprietors bent mostly on subsistence production.”¹²⁴ Moreover, Pétion’s agrarian reform did not “challenge basic patterns of inequities and power [as] it followed the old practice of rewarding family, political cronies, and the military.”¹²⁵ As a result, the North became relatively wealthy, trading with English and American merchants, while the South became much poorer because the land-share destroyed agricultural productivity.

Under this system, did whites and free persons of color who had left Saint Domingue retain titles to their lands? Toussaint did reestablish the property ownership rights of the French émigrés, and *gens de couleur libres* retained property ownership throughout the revolutionary period.¹²⁶ However, his successor, Dessalines, was very disdainful of the French and wanted to eliminate the three-tiered caste system. All citizens of Haiti, regardless of skin color, were to be

¹²⁴ Fattouh Jr., “Haiti: The Saturnalia of Emancipation and the Vicissitudes of Predatory Rule,” 121. Pétion created a country of peasants who had little or no involvement with government, or the life of the cities, much less with the external world.

¹²⁵ Ibid.

¹²⁶ Article 60 of the Constitution of 1801. – “Foreign successors of French parents or foreign parents in France shall succeed them also in Saint-Domingue; they shall be allowed to enter contract, acquire and receive properties situated in the colony, and dispose as well as the French by all means authorized by laws.” Article 73 of the Constitution of 1801. – “Absentee owners, for whatever reason, conserve all their rights to properties belonging to them and situated in the colony; it suffices, to remove any sequestration that might have been imposed, to reintroduce their titles of ownership and; in default of title thereof, supplementary acts whose formula is determined by law. Exempt of this disposition are, nevertheless, those who might have been inscribed and maintained on the general list of emigrants of France; their properties shall continue, in this case, to be administered as colonial domains until their removal from the list.”

known as “Black” and he forbade whites from owning property or land there.¹²⁷ So where did *gens de couleur libres* stand in this new political, economic, and racial spectrum?

In his efforts to erase the former caste society, Dessalines wanted to erase color lines. *Gens de couleur libres* were to be assimilated with the black population.¹²⁸ However, Dessalines and his successors soon realized that race unites, but color divides. Free people of color were quite bitter over his intention of confiscating land from them to redistribute it to the people (former slaves). *Anciens libres* (free persons of color and property-owners) and *nouveaux libres* (freed slaves) confronted each other over the matter.¹²⁹ There was a growing social and economic instantiation of a radically and racially divided system, which essentially took form during the partitions of Haiti in 1806-1807. The use and manipulation of color intensified. In this context and in spite of their bitterness, free persons of color in Haiti were able to keep their land and many played an influential role in Haitian politics.¹³⁰ Thus, free women of color’s land claims may not have been completely unreasonable.

Some free persons of color who settled in New Orleans wished to go back to Saint Domingue, others to Cuba, where they had family or owned land. Above all, some others listed their property “pour mémoire” probably as a way to remember their previous status and to establish themselves as persons of means in New Orleans society and economy—even if their

¹²⁷ Article 14, Preliminary Declaration, Constitution of 1805. – “... the Haytians shall hence forward be known only by the generic appellation of Blacks.” Article 12, Preliminary Declaration, Constitution of 1805. – “No whiteman of whatever nation he may be, shall put his foot on this territory with the title of master or proprietor, neither shall he in future acquire any property therein.” Article 12, General Dispositions, Constitution of 1805. – “All property which formerly belonged to any white Frenchmen, is incontestably and of right confiscated to the use of the state.”

¹²⁸ David Nicholls, *From Dessalines to Duvalier: Race, Colour, and National Independence in Haiti* (New Jersey: Rutgers University Press, 1996), 38.

¹²⁹ Ibid.

¹³⁰ The elite was composed of the military chiefs with their children, the *anciens libres* of the old regime, and the mulatto descendants of displaced white proprietors. About Haiti’s social distinctions, see George Eaton Simpson, “Haiti’s Social Structure,” *American Sociological Review* 6, No. 5 (Oct., 1941): 640-649.

property might have been lost.¹³¹ Most of them unintentionally revealed the irony of being slaveholders in New Orleans, while claiming property in the new Black Republic. This could also be interpreted as a denial of history. Slaveholding or “ce fantasme du droit de propriété d’un être humain sur un autre” (this fantasy of ownership of another human being),¹³² as Gérard Barthélemy termed it, did not die away. Pouponne and others thought they were entitled to that property. Listing their numerous assets in their successions, wills, or marriage contracts showed that they entertained deep-seated ideas of recovering their property, with the eventual hope of profiting from it.

In their letter dated July 1792 (and published in *Le Créole patriote* in February 1793¹³³) supposedly addressed to the new Commissioners on their way to France, the Haitian leaders Jean François Papillon, Georges Biassou and Belair wrote:

“We are black, it is true, but tell me, gentlemen, you who are so wise, what is the law that says the black man must belong [to another] and be the white man’s property? Surely you cannot show me where it exists, it is only your imagination, always ready to form new ones from the moment that it is in your advantage. Yes, gentlemen, we are free like you ... placed on earth like you, being all children of one father created in the same image, we are therefore your equal according to natural right and if it has pleased nature to diversify the colors of the human species, it is not a crime to be black, nor an advantage to be white.”¹³⁴

¹³¹ See, for instance, Marc Lafitte, 18:67, September 26, 1820, NONA.

¹³² Gérard Barthélemy, “Réflexions sur deux mémoires inconciliables: celle du maître et celle de l’esclave: Le cas d’Haïti” *Cahiers d’Études Africaines*, Vol. 44, Cahier 173/174, *Réparations, restitutions, réconciliations: Entre Afriques, Europe et Amériques* (2004): 133.

¹³³ *Le Créole Patriote* published anti-slavery pamphlets and ran from September 21, 1792 and February 21, 1793. It was created by Claude Milscent, a white creole from Saint-Domingue and former slave owner, who came to France during the Revolution and was favorable to the emancipation of slaves. See Jean-Daniel Piquet, “Le Créole Patriote, apôtre de l’insurrection de St-Domingue,” *Annales historiques de la Révolution française*, No. 293-294 (1993): 519-521.

¹³⁴ Nathalie Piquionne, “Lettre de Jean-François, Biassou et Belair,” *Annales historiques de la Révolution française*, No. 311 (1998): 132-139. The authenticity of this letter has been questioned by David Geggus. However, Jeremy D. Popkin does not agree. See Jeremy D. Popkin, *You Are All Free: The Haitian Revolution and the Abolition of Slavery* (Cambridge: Cambridge University Press, 2010).

Biassou's words did not find an echo in the slaveholding society of New Orleans (nor in the rest of the slaveholding South). It did not seem to find an echo in the tight-knit circle of free women of color in New Orleans either. Pouponne Guérin and other free women of color from Saint Domingue and Cuba saw slaves as mere commodities that could be sold and mortgaged. Throughout their journey, their slaves were prime assets, and although they faced numerous hurdles as they moved from Saint Domingue to New Orleans, they managed to keep their property and embraced their property and slave ownership rights in Louisiana, blending into the existing slaveholding community.

In the next chapter, I will attempt to uncover the reasons for owning slaves by looking at how free women of color acquired their property, how they retained their property through the decades, and how they used their slaves.

CHAPTER 3

SLAVEHOLDING PATTERNS AMONG FREE WOMEN OF COLOR IN NEW ORLEANS, 1810-1820

This chapter investigates the various facets of slave ownership as experienced by free women of African descent in antebellum New Orleans. These women often conducted successful businesses in the city, trading slaves and acquiring large amounts of property. A common perception among early twentieth century historians seems to have been that free women of color were benevolent slave owners. However, recent interpretations have emphasized the fact that free women of color were exploitative as well as benevolent masters.¹ Free women of color traded men, women, and children of all ages.² What were their motivations? Is there evidence that free women of color had moral qualms? Did they mostly own slaves to help them out in their work as *marchandes*, shopkeepers, or washers? Did they mostly own slaves as domestics? Did they own slaves as a mark of social status? Or did they simply own slaves in order to make their slaves' life better?

In this chapter, I uncover their reasons for owning slaves by looking at how they acquired slaves, what “type” of slave they chose to acquire—the term “type” is used here to express skill

¹ Carter G. Woodson, *Free Negro Owners of Slaves in the United States in 1830, Together With Absentee Ownership of Slaves in the United States in 1830* (Washington, D.C.: The Association for the Study of Negro Life and History: The Association for the Study of Negro Life and History, 1924). Carter G. Woodson, *Free Negro Heads of Families in the United States in 1830, Together With a Brief Treatment of the Free Negro* (Washington, D.C.: The Association for the Study of Negro Life and History, 1925). Luther Porter Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (New York: D. Appleton-Century Company, 1942). Carter G. Woodson, in his study of the 1830 United States Census, argued that the majority of free blacks purchased relatives and friends who were slaves to white owners, and then allowed them a greater degree of freedom. He claimed that the small number of slaves held by black masters when compared to the large number of slaves owned by white planters suggested that free blacks purchased family members. Woodson stated that the census confirmed these first two points, proving that free blacks slave owners were philanthropic. However, it would be erroneous to minimize the size and nature of the commercial side of slaveholding. Larry Koger, *Black Slaveowners: Free Black Slave Masters in South Carolina, 1790-1860* (Jefferson, NC: McFarland, 1958).

² By 1808, the Louisiana slave law protected slave children under ten from sale away from their mothers; however slave orphans under ten were sold away as any other older slaves. See Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge: Louisiana State University Press, 1994), 1 and 8.

set or geographical place or origin, and how they used their slaves. I also reveal slaveholding patterns among these women after the Louisiana Purchase, in particular between 1810 and 1820. This period is of utmost importance because the number of free persons of color had doubled in New Orleans, after the arrival of thousands of immigrants from Saint Domingue and Cuba, as discussed in the previous chapter. Free women of color from Saint Domingue emigrated with their slaves, which certainly modified and possibly accelerated the ownership of slaves among this population of women in New Orleans.

I developed a statistical analysis of slave ownership among free women of color, collecting sales of slaves involving free women of color between 1810 and 1820. Doing so allows me to analyze slaveholding among free women of color in an exhaustive manner, including consideration of important parameters such as gender and ethnicity. Concomitant with my data collection, I also examined wills, property inventories, mortgages, court records, and public records in the forms of federal, state, county, and municipal documents. These included court statutes, city directories, church sacramental registers, and census data. These records not only contain statistics of land and slave ownership, but they also reveal the intricacies of the relations among free women of color, slaves, whites, and free men of color. By adopting such a wide-ranging methodology, I can begin to answer crucial questions that deal with economic variables such as the occupations of free women of color and their socio-economic status.

I also examine individual case studies of free women of color and reveal how their varying choices, made under differing degrees of societal pressure, molded and formed their lives. The city offered a variety of opportunities that shaped the lives of its residents in unique ways. Studying the endeavors and struggles of free women of color will give invaluable insight into the economic, racial, and class structures of the city of New Orleans. I demonstrate that free

women of color's various life histories, and their attempts to attain social status and achieve economic security has implications for the study of race, culture, and social status in New Orleans, and possibly far beyond.

The 1795 New Orleans Census reveals that 13 percent of free women of color were slave owners. Kimberly S. Hanger described characteristics of slave ownership among "free blacks" during the Spanish period (1769-1803) and found that free women of color often wished to manumit their kin and friends, but that they also routinely exploited non-related women and men. Whether kin or non-kin, free women of color benefited from owning slaves because they were valuable assets in the economy and society of colonial New Orleans.³ Hanger also discovered that free women of color were more likely to buy female rather than male slaves. Finally, free women of color tended to own four slaves or fewer.⁴ Hanger claims that slave ownership "foster[ed] free black identification with white society" in Spanish New Orleans.⁵

The transfer of the colony to the United States in 1803, coupled with the arrival of thousands of refugees from Saint Domingue and Cuba, created tension and apprehension about free people of color. As a result, they suffered under increasingly discriminatory regulations. Governor W.C.C. Claiborne (1803-1816) believed that the city should take precautions regarding the émigré slaves and free persons of color in the Territory, and placed several restrictions upon people of color. Moreover, when the Americans took over, free persons of color were not granted citizenship. Although prominent free men of color fought to preserve their position and

³ Kimberly S. Hanger, "Patronage, Property and Persistence: The Emergence of a Free Black Elite in Spanish New Orleans," in Jane Landers, ed., *Against the Odds: Free Blacks in the Slave Societies of the Americas* (London; Portland, OR: Frank Cass, 1996).

⁴ Kimberly S. Hanger, "The Fortunes of Women in America, Spanish New Orleans' Free Women of African Descent and their Relations with Slave Women," in Patricia Morton, ed., *Discovering the Women in Slavery: Emancipating Perspectives of the American Past* (Athens: The University of Georgia Press, 1996), 162.

⁵ Hanger, "Patronage, Property and Persistence," 49.

gain citizenship, it “was clear that [they] were not to become full citizens in Anglo-Louisiana, as Congress, the Territorial Legislature, and the State Constitution of 1812 all limited the privileges and obligations of citizenship to *free male white persons*.”⁶ However, socially, economically, and legally free persons of color continued to occupy a unique position between whites and slaves. Despite discriminatory regulations, free persons of African descent could still “possess property, make contracts, testify in all types of cases, even against whites, and enjoy the ‘right to trial by jury before the ordinary tribunal.’ Their privileges, though limited, were still much greater than those granted to free people of African descent elsewhere in the South.”⁷

In 1810, 4,950 free persons of color resided in New Orleans, in contrast to fewer than 1,566 in 1805.⁸ In five years alone, the free population of color more than tripled in the city of New Orleans, mainly due to the arrival of the Saint Domingue refugees. Free people of color from Saint Domingue and Cuba brought with them the “modes of interaction across barriers, characteristic of three-caste societies,” and adapted easily to Louisiana rules.⁹ These refugees reinforced the existing racial structure, and played an important role in the social, cultural, and

⁶ Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans* (Baltimore: The Johns Hopkins University Press, 2009), 185.

⁷ *Ibid.*

⁸ Matthew Flannery, *New Orleans in 1805: A Directory and a Census Together with Resolutions Authorizing Same Now Printed for the First Time from the Manuscript* (New Orleans: The Pelican Gallery, Inc. 1936). Flannery’s *Directory* is a recapitulation of all the names of persons living in New Orleans in 1805 as enumerated in the reprint of the Census. Paul F. Lachance, *Lachance Demography Censuses*, in Gwendolyn Midlo Hall, ed., *Databases for the Study of Afro-Louisiana History and Genealogy, 1699-1860: Computerized Information from Original Manuscript Sources* (Baton Rouge: Louisiana State University Press; CD-Rom edition, March 2000). The arrival of refugees from the Haitian Revolution in New Orleans contributed to the doubling of New Orleans’ total population between 1805 and 1810. The white population represented 3,551 in 1805 and 6,331 in 1810, while the slave population was 3,105 in 1805 and 5,961 in 1810.

⁹ Paul F. Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans: Reception, Integration and Impact,” *Louisiana History* 29, No. 2 (Spring, 1988): 128.

economic life of New Orleans. Free women of color represented the largest single group among the 1809 immigrants.¹⁰

The sample of notarial acts compiled for this chapter contains 1,574 sales and purchases of slaves involving free women of color, between the years 1810 and 1820. A rough estimate suggests that it represented about 10 percent of all the notarial acts recording transactions related to slaves during that period. The total number of individual slaves recorded in these transactions is 2,067. Transactions include regular purchases recorded before a notary, exchanges of slaves also recorded before a notary, *ventes à réméré* i.e. sales with option of repurchase, and purchases at auction.¹¹ A breakdown of the number of slaves for each year shows that, given the total number of slaves in the population of New Orleans, free women of color owned a significant minority—2.5 percent in 1810 and 1.8 percent in 1820.¹² These numbers do not take into consideration free women of color who owned slaves and did not engage in slave trading during that period. Nor does the sample include women who bought and sold slaves “under the private signature of the parties.” Therefore, actual percentages of ownership were likely higher.

3.1 A Domingoise Slaveholder

Louise Bonne Lalanne of Les Cayes, Saint Domingue, was one of several free women of color in my database. Louise Bonne Lalanne was a free *quarteronne*, the natural daughter of a

¹⁰ Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans, 111.

¹¹ According to Bouvier’s Law Dictionary, *vente à réméré* is “a sale made, reserving a right to the seller to repurchase the property sold by returning the price paid for it. The term is used in Canada and Louisiana. The time during which a repurchase may be made cannot exceed ten years, and, if by the agreement it so exceed, it shall be reduced to ten years. The time fixed for redemption must be strictly adhered to, and cannot be enlarged by the judge, nor exercised afterwards. La. Civ. Code, art. 1545-1549.” John Bouvier, *A Law Dictionary* (Philadelphia: J. B. Lippincott and Co., 14th Edition, 1874). Some professional auctioneers listed in the city were Dutillet & Peyrellade (located at 28 Royal Street), Patton & Mossy (19 corner of Toulouse and Chartres Streets), Mossy (64 N. Bourbon Street), 1811 New Orleans Directory. Le Carpentier, Joseph (10 St. Louis Street), 1822 New Orleans Directory.

¹² According to the 1810 United States Census and the 1820 United States Census, there were respectively 5,961 slaves and 7,355 slaves in New Orleans.

mulâtresse and a white man. Her father, Jean Baptiste Lalanne de Beaumarais, was the former *capitaine des milices* of the *quartier* of Les Cayes.¹³ In Saint Domingue, the captain of local militia was the first agent of the government in each community. As a rule, there was only one captain in each parish, and he was never of any seigniorial rank. This person was usually the most powerful and respected member of the community. According to the law, he was appointed from above (by the governor, and by extension, by the King of France), but, in fact, he derived his authority from the community. He was regularly consulted, and his approval was considered necessary in many cases. Thus, his real power was underwritten by the people he was appointed to protect.¹⁴

Louise's father was not a noble and his position did not come with any financial rewards, but he enjoyed great respect from the local population. He was born in Bordeaux (one of the leading commercial port cities in France) around 1742, and became a soldier at fifteen.¹⁵ In 1757, he joined the *Régiment de Guyenne* and was shipped out to Nouvelle France that same year. *The Régiment de Guyenne* was one of the regular line battalions that made up the backbone of the French army in Nouvelle France during the French and Indian War, and fought in most of

¹³ Cayes was the name of a city, a parish, and also the multi-parish administrative district called *quartier*. The city of Les Cayes was Saint Domingue's third largest port and, in 1779, it became the administrative capital of the southern peninsula. Its commercial and official influence rivaled with Cap Français (in the North) and Port-au-Prince (in the Western part of the island).

¹⁴ For further information on captains of militia, see Benjamin Sulte, "Captains of Militia," *The Canadian Historical Review*, Vol. 1, No. 3 (1920): 241-45.

¹⁵ The account of his military life is found in the Archives Nationales d'Outre-Mer (hereafter cited as ANOM), Secrétaire d'Etat à la Marine, Personnel colonial ancien (XVIIe-XVIIIe), FR ANOM COL E 249.

the war's major actions.¹⁶ The battalion remained with the field army until the final French surrender at Montréal in 1760, whereupon Lalanne de Beaumarais, like most of the survivors returned to Europe. In 1762, he left the *Régiment de Guyenne* and migrated to Saint Domingue, "pour affaires de famille." Although the exact date of his arrival is undocumented, he quickly became a member of the militia of Les Cayes, and eventually became captain of the *Compagnie des dragons mulâtres et nègres libres* in 1776.¹⁷

His daughter Louise was born around 1786, a few years before the Revolution and during a time of increasing racial tension. Little is known about her life in Saint Domingue. Later records suggest that she probably settled in New Orleans around 1803 or 1804. In her 1816 will, Louise claimed to have debtors in Cuba, which suggests that she may also have spent time in Cuba before coming to New Orleans.¹⁸ Her first child was baptized on July 26, 1805, at St. Louis Cathedral, and *Sieur* Joseph Judor (also Judor Bonfond), a merchant and a native of Brussels in Belgium, was listed as the father.¹⁹ Judor was also a former resident of Saint

¹⁶ Lalanne de Beaumarais claimed to have been shot twice at the battle of Québec in September 1759. ANOM, Secrétaire d'Etat à la Marine, Personnel colonial ancien (XVIIe-XVIIIe), FR ANOM COL E 249. After the fall of Quebec to the British, the rest of the war was almost an afterthought. The French forces had been completely demoralized by a string of defeats, and the British were in position to dominate both the West and Canada. After a feeble attempt to win back Quebec, and a brave attempt to hold out against the British at Montreal, the French capitulated and turned their attention to gaining the best treaty possible.

¹⁷ A regiment composed entirely of free men of color (here "free mulattoes and free Negroes"). Lalanne de Beaumarais recounted his military life in Saint Domingue in 1791 because he wanted to be considered for the Croix Saint Louis (the Royal and Military Order of Saint Louis), a reward for exceptional officers granted to non-nobles, and the predecessor of the Légion d'Honneur (Legion of Honor). ANOM, Secrétaire d'Etat à la Marine, Personnel colonial ancien (XVIIe-XVIIIe), FR ANOM COL E 249. He died in 1829 in New Orleans. See "An Index to the Letters of Jean Boze" in the Ste-Gême Family Papers, MSS 100, Williams Research Center, The Historic New Orleans Collection.

¹⁸ Narcisse Broutin, 34:342, April 22, 1816, New Orleans Notarial Archives (hereafter cited as NONA).

¹⁹ *Baptism of Carlota Adelaida, quarterona libre*, July 26, 1805. Born July 17, 1805, "hija natural del Señor Judor Bonfont, natural de Brussels, y de Luisa Bonne Beaumarais, natural de Los Cayos en la Ysla de Sto Domingo, mulata libre." Sacramental Records of the St. Louis Cathedral, Archives of the Archdiocese of New Orleans (hereafter cited as SLC), B18, 122.

Domingue and a refugee from Cuba.²⁰ The fact that Louise's and Judor's oldest daughter was born in 1805 suggests that their relationship had begun in Saint Domingue or in Cuba and that they may have arrived together in New Orleans. Over the next ten years, Louise bore six more of Judor's children.

It is not clear whether the father of her children contributed to the household or if the two ever lived together. In the 1805 New Orleans City Directory, Judor was the only person enumerated in his household, located at 25 Orleans Street.²¹ Louise was not listed in the 1805 City Directory, which suggests both that she was not head of household and that she lived under someone else's roof (other than Judor's). The 1805 New Orleans City Directory listed heads of households regardless of race and gender, but the persons comprising the household were not listed.²² It is unclear where Judor's property was located after 1805, but a petition of insolvency presented to the City Court of New Orleans in 1809 indicates that Judor was a *négociant* (a merchant) and owned a store.²³ In his petition, Judor claimed that an unsuccessful business partnership was the cause of his inability to meet his engagements. He was officially declared "a bankrupt" in mid 1809, and an estimated 6,000 dollars worth of "sundry goods found in the store of the said Judor & Co" were sold for the benefit of his creditors.²⁴ Even though Judor was not successful in his own business, Louise seemed to trust him enough to let him manage her

²⁰ It is unclear when Judor settled in Saint Domingue, but he was involved in a lawsuit as early as 1790 in the parish of Jérémie. For reference to the lawsuit, see Pierre Godefroy, 1:82, March 2, 1809, NONA. Evidence from Judor's escape to Cuba is attested by the sale of a slave he had acquired in Santiago de Cuba from a *négrier* (a slave trade ship). See Narcisse Broutin, 31:418, August 4, 1814, NONA.

²¹ Flannery, *New Orleans in 1805*.

²² Ibid.

²³ *Judor, Joseph*, Insolvents' Docket, Docket No. 56, 1809, City Court, New Orleans, New Orleans Public Library (hereafter cited as NOPL).

²⁴ Ibid.

business affairs, as she gave him a power of attorney in June 1810. Judor then made several sales and purchases of slaves in her name.²⁵

Louise purchased two slaves in New Orleans in late 1808: it was the first time she appeared before a notary in the city.²⁶ She went on to buy another slave and a house in Faubourg Marigny in 1809.²⁷ There is no record of her having an occupation in the city. Yet notarial records make clear that her business was slave dealing. Louise Bonne Lalanne's name appeared 46 times in the decade of notarial acts included in my sample.²⁸ Forty of those acts were related to the purchase or sale of slaves. In the 1816 inventory of her estate, the value of her assets was listed as 2,320 dollars, the average value of inventoried property among free women of color at the time.²⁹ When she made her will in 1816, she left her children real property (her house in Faubourg Marigny), some furniture, and two female slaves. Upon her demise, Louise wanted her testamentary executor to hire out Babet, 24, a Creole slave from Saint Domingue, and keep Rosette, 30, to care for her children, all of them minors.³⁰

Although she did not own a business, Louise bought, sold, and exchanged female and male slaves of all ages, African-born and Creole. Little is known about the slaves themselves.

²⁵ Narcisse Broutin, 23:348, June 10, 1810, NONA. Narcisse Broutin, 26:238, May 17, 1811, NONA.

²⁶ Narcisse Broutin, 18:370, August 8, 1808, NONA. Narcisse Broutin, 18:461, November 4, 1808, NONA.

²⁷ Pierre Godefroy, 1:204, May 25, 1809, NONA. Pierre Pedesclaux, 59:371, August, 8, 1809, NONA.

²⁸ 46 out of 1,574 notarial acts.

²⁹ Inventory of the Estate of Lise Bonne Lalanne, May 18, 1816, Roll L-291, Inventories of Estates, Court of Probates, Orleans Parish, Louisiana, NOPL. For the average value of inventoried property, by race, gender and decade in New Orleans, see Virginia Meacham Gould, "Free Women of Color and Property Holding in New Orleans," *Manuscript presented at the XXIX Conference of the Association of Caribbean Historians* (7-12 April, 1997): 19.

³⁰ Narcisse Broutin, 34:342, April 22, 1816, NONA. Judor died in 1815, which may explain why Louise did not mention him in her will. Funeral of Joseph Ysidoro Bonfons, December 18, 1815. A "native of Brussels (Belgium), resident of this city, ca. 50 years old." SLC, F11, 15, in Earl C. Woods and Charles E. Nolan, eds., *Sacramental Records of the Roman Catholic Church of the Archdiocese of New Orleans*, Vol. 11, 1813-1815 (New Orleans: Archdiocese of New Orleans, 1987), 43.

Some slaves were listed as Creoles from Saint Domingue, Creoles from “this country,” one was a Creole from Jamaica, and one was listed as *brut* i.e. African born. Most appeared to have been “black slaves” and the majority appear to have been born in Louisiana.³¹ Only five of them were listed with an occupation. They were described as washerwomen, cooks, domestics, or seamstresses. Louise preferred buying and selling female slaves (90 percent), especially those between the age of 18 and 35 (76 percent). She possessed families (composed of a mother and child) in only two instances.

Although she did business with whites and with other free persons of color, most of her transactions were conducted with whites (63 percent). She acquired slaves through various channels: regular purchases recorded before a notary, exchanges of slaves also recorded before a notary, and *ventes par sous-seing privé* i.e. an act or contract evidenced by writing under the private signature of the parties to it. The term *sous-seing privé* was used in opposition to an authentic act, which is an agreement entered in the presence of a notary or other public officer.³² For instance, Louise sold to Mrs. Claire Dupré in September 1810 the slave Sophie, a Creole from Saint Domingue, whom she had acquired *par sous-seing privé* from Justine Martin, a free woman of color, in July of that same year.³³ Lalanne also exchanged slaves for other slaves in three instances. For example, she and Mr. Henry Hattier exchanged the slave Marie, 18, for the

³¹ Again, one has to be careful with terms such as “black slaves” and “slaves of mixed ancestry,” since they only tell us about what people thought or projected ancestry to be.

³² *Ventes par sous-seing privé* were common in Louisiana, Cuba, and Saint Domingue. Although it is not the case for Louise, *sous-seing privé* are often officially registered in a notary’s office. See for example, Marie Jeanne dite Emelie Lascabes (also Emelie Pilard) who registered in 1812 in New Orleans a sale agreement passed in Santiago de Cuba in 1809, Narcisse Broutin, 68:234, July 11, 1812, NONA. Lascabes subsequently sold these slaves in 1814, Narcisse Broutin, 30:437, August 18, 1814, NONA. When *sous-seing privé* are not registered in a notary’s office, it is impossible to know the details of the sale or purchase.

³³ Narcisse Broutin, 23:538, September 27, 1810, NONA. Justine Martin had acquired Sophie by private seal from Mr. C. Thomas Curé from La Croix des Bouquets (Saint Domingue) in Santiago de Cuba on August 10, 1808).

slave Jeanne, 25, plus an additional 100 dollars.³⁴ Her sales and purchases provide evidence of the various channels available to her as she conducted business in the city.

One of the most striking characteristics of her business endeavors was the rate at which she bought and sold her slaves. In ten years she acquired and put slaves back on the market forty times, thus buying or selling approximately four slaves per year.³⁵ Louise kept slaves for as little as a month and as long as a few years. Her business sense must have been keen since every time she sold a slave, she sold him or her for a profit. For instance, she bought the slave Marie, a laundress, ironer, cook, and servant, from Mr. François de Riano for 400 dollars in February 1813. She then resold Marie for 550 dollars the following month, making a sizeable profit.³⁶ Louise's profits indicate that, for her, slaves were money-making commodities which she used to assure a comfortable life for herself and her children.

In her case, as in many others, it is interesting to try to use the entire record of slave buying and selling to provide evidence of how these women understood slavery or related to individual slaves. Louise Bonne Lalanne used her slaves as domestics, maybe as appurtenance of social respectability or as help, but also as commodities in the market. None of her slaves were emancipated, and none of them were kin. Slave trading was clearly a part of business strategy to her. As Louise did not have any other occupation (and had seven children), she sold her slaves for ready cash, making substantial profit margins. Therefore, as Louise's story suggests, slaveholding was very important to her, and her practices and those of free women of color in the city hold keys to understanding free women of color's attitudes towards slavery.

³⁴ Marc Lafitte, 3:118, May 19, 1813.

³⁵ Again, *ventes par sous-seing privé* are not recorded in the Notarial Archives. Louise acquired slaves *par sous-seing privé* at least eight times in the city during that period, which suggests that she certainly made many more transactions than what is revealed in the Archives.

³⁶ Pierre Pedesclaux, 66:59, February 25, 1813. Narcisse Broutin, 28:156, March 27, 1813.

3.2 Gender and Age Preferences of Slaveholding Free Women of Color

An examination of my 1810-1820 database includes the following variables for each slave purchased: gender, age, ethnic origin, color, occupation, and prices. During this period, the sample indicates that free women of color were more likely to buy and sell female slaves (72 percent) than male slaves (28 percent). This gender ratio replicates Hanger's findings for Spanish Colonial New Orleans. This finding also holds for pre-revolutionary Saint Domingue. In his study on free persons of color in pre-revolutionary Saint Domingue, Stewart R. King showed that free people of color there had a preference for female slaves.³⁷ In New Orleans, the gender-based uses for which a slave was intended, higher prices for male slaves, and the existence of a predominantly female slave population help to explain this phenomenon.

Female slaves comprised 57 percent of the New Orleans' slave population in 1805 and 63 percent in 1820.³⁸ Slaves were employed in an enormously varied number of positions, but the majority of slaves in the city were house servants. Both male and female slaves were employed for such tasks, though females were believed to be better suited for these tasks and were more popular for the rigorous house work. Thus, female slaves were more likely to be found in such occupations.³⁹ Free women of color chose female slaves to perform domestic chores, including cooking, sewing, laundering, caring for young children, and gardening. Free women of color

³⁷ Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham & London: Duke University Press, 1997), 71-2. Stewart R. King, *Blue Coat or Powdered Wig: Free People of Color in Pre-Revolutionary Saint Domingue* (Athens and London: The University of Georgia Press, 2001), 104-5.

³⁸ Flannery, *New Orleans in 1805*. Lachance, *Lachance Demography Censuses*, in Gwendolyn Midlo Hall, *Afro-Louisiana History and Genealogy*. There is no gender breakdown for 1810.

³⁹ Richard C. Wade, *Slavery in the Cities: The South, 1820-1860* (New York: Oxford University Press, 1964), 28.

also used slaves to peddle their trade goods. Finally, female slaves tended to be cheaper than male slaves, which may explain why they were preferred.⁴⁰

A final explanation may lie in the fact that slaveholding free women of color, like plantation slave owners, incorporated pro-fertility strategies into their choices. With the absence of legal slave imports, free women of color may have valued female slaves for childbearing. Although raising children may not have been financially profitable in and of itself children did have a positive cash value when they entered the slave market. For example, Louise acquired the slave Adeline, 19, from *Sieur* Claude Beleurgey in November 1808 for 450 dollars. Four years later she sold Adeline along with her 6-month old infant François for 575 dollars to a free woman of color.⁴¹ Furthermore, as King demonstrates in Saint Domingue, free women of color may have preferred female slaves and their children as much for the social prestige their ownership accorded as for their economic value. He claims that “free coloreds valued women slaves with children over those without” because children “were junior or second-class members of the household and increased the owner’s social position.”⁴²

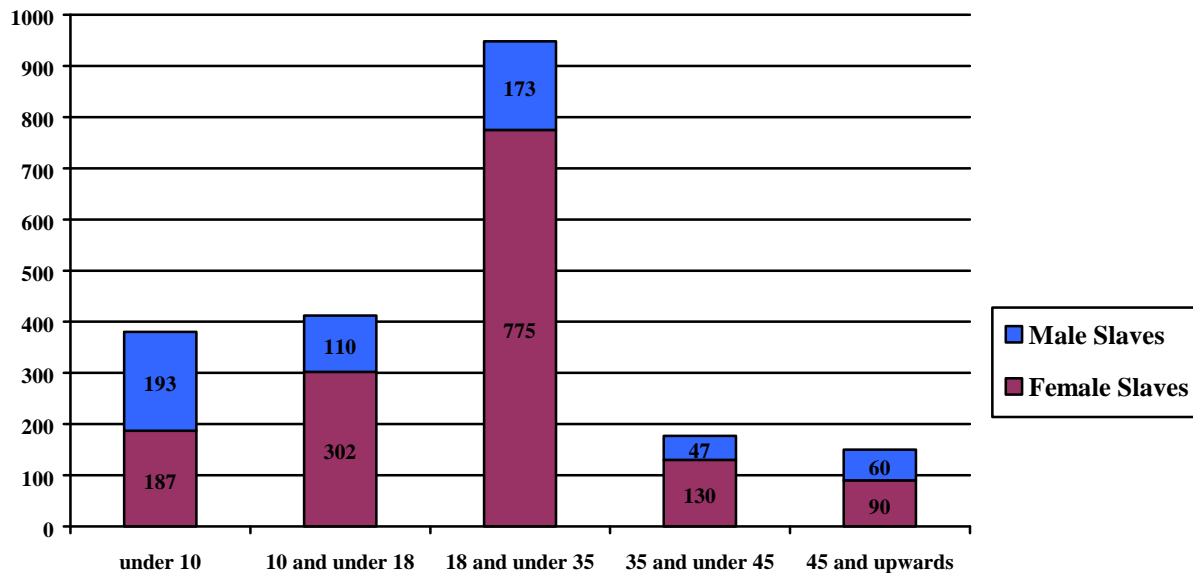
Thus, slaves of all age were sold and bought in the city—from infants to 60 year olds. The chart below shows that children (those “under 10”) comprised a significant proportion of the sample (about 18 percent). Adults (slaves over 10) comprised the majority, especially those between the ages of 10 and 35, with a clear preponderance of women.

⁴⁰ For instance, Hanger demonstrated that prices of male slaves during the Spanish period were much higher than those of women. Hanger, *Bounded Lives, Bounded Places*, 78.

⁴¹ Narcisse Broutin, 18:461, November 4, 1808, NONA. Narcisse Broutin, 28:341, October 27, 1812, NONA.

⁴² King, *Blue Coat or Powdered Wig*, 107.

Table 1: Number of Slaves by Age and Gender, New Orleans, 1810-1820⁴³



Louisiana slave law protected slave children under ten from sale away from their mothers.⁴⁴ The sample shows that free women of color purchased or sold away slave children, along with their mother in 8 out of 10 instances.⁴⁵ In other cases, some infants and children were sold individually, with a clause stipulating that the parties should not separate mother from child, until the latter had reached the age of ten years old. For instance, Marthe Vatry purchased a two and a half-year-old “*petit quarteron*” from Marie-Claire Boutte in 1810, and they both agreed “not to separate the said *quarteron* from his mother until the age prescribed by law.”⁴⁶

Moreover, a certain number of children were listed as orphans, who could be sold in the same way as any other slave over age ten. For example, free woman of color Emélie Coquilleau Widow Boromé declared that “on March 9, 1812, after one of her slaves died and left an ailing

⁴³ Source: My sample, NONA.

⁴⁴ Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana*, 1 and 8.

⁴⁵ Free women of color sold or acquired 234 families between 1810 and 1820. This represents about 14 percent of the total sample.

⁴⁶ Pierre Pedesclaux, 61:405, August 20, 1810, NONA. Marthe Vatry (also Martonne Vatr ).

three-month-old child behind, she sold the said child to Ms. Marie Tauzin Widow Gaspard for 40 dollars.” However, the child, Edouard, remained in Boromé’s possession until she had him delivered to Gaspard in 1816, at the age of 5.⁴⁷

Children were no exception to the rigors of domestic slavery. They were introduced to the life of domestic servitude at a tender age, and were required to undertake simple yet demanding tasks. Though young and inexperienced, slave children became “an important part of the household’s work force.”⁴⁸ Thus, free women of color had every reason to purchase and engage in the sale of children.

Furthermore, free women of color bought families but routinely sold children away when they reached 10 years of age, making a significant profit from the child’s maturation. For example, in 1819 Rosette Toutant sold the slave Charlotte, 16, to *Sieur* Ramon Otero for 395 dollars. Toutant had purchased Charlotte in 1812, at age 9, along with her mother and five siblings for 2,000 dollars.⁴⁹ Likewise in 1819, Sophie Bénédicte sold a “young slave” named Noël *dit* Coffy, 12, to free man of color Julien Cobet, for 800 dollars. Bénédicte originally bought Coffy in 1814, then 6, along with his mother for 500 dollars.⁵⁰ Thus, in order to maximize their resources, free women of color made savvy choices from an economic point of view.

⁴⁷ Pierre Pedesclaux and Philippe Pedesclaux, 73:589, October 1816, NONA. Boromé originally sold the child to Gaspard by private seal.

⁴⁸ Wade, *Slavery in the Cities*, 31.

⁴⁹ Stephen de Quinones, 13:458, May 1, 1812, NONA. Christobal de Armas, 2:307, August 18, 1819.

⁵⁰ Narcisse Broutin, 31:560, November 3, 1814. Philippe Pedesclaux, 9:688, September 6, 1819.

3.3 Racial and Ethnic Preferences of Slaveholding Free Women of Color

Looking at the ethnic subcategories of slaves owned by free women of color also helps us understand the ways in which these women assessed their slaves. *Grif*, *mulâtre*, *quarteron*, and other terms refer to combinations of African ancestry and European heritage. Slaves of “mixed ancestry” were much less common than “black slaves.” In my sample, only 7 percent of the slaves owned by free women of color were of mixed racial ancestry. Scholarly studies agree that slaves of mixed ancestry were more likely to be manumitted than “black slaves,” explaining the smaller proportion of *grifs*, *mulâtres*, and *quarterons* in the sample. Voluntary manumissions tended to favor light-skinned slaves over dark-skinned slaves in the Lower U.S. South, and in Saint Domingue as well.⁵¹

Equally uncommon were native-born *Africains* (*bossales* or *bruts*), who also represented only 7 percent of the sample. Different “nations” or points of origin within Africa were represented, such as Congo, Mandingue, Ibo, Canga, and Mina. Slaves in this study came from all of the slave trading regions of Africa (Senegambia, Upper Guinea, Windward Coast, Gold Coast, Slave Coast Region/Bight of Benin, Bight of Biafra, Central Africa, and South-East

⁵¹ Kimberly S. Hanger, “Origins of New Orleans’ Free Creoles of Color, in James H. Dormon, ed., *Creoles of Color of the Gulf South* (Knoxville: The University of Tennessee Press, 1996), 10. Nicole Ribianszky, “She Appeared to be Mistress of her Own Actions, Free from the Control of Anyone: Property Holding Free Women of Color in Natchez, Mississippi, 1779-1865” (master’s thesis, Michigan State University, 2003), 37. David P. Geggus, “Slave and Free Colored Women in Saint Domingue,” in David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996), 268. David P. Geggus claims that “the majority of slaves so freed were mulatto children,” and that “a black slave’s prospects for manumission were even more remote, as over half the slaves freed each year were of mixed racial descent.”

Africa).⁵² African-born slaves mentioned in the notarial acts did not necessarily come directly from Africa. The majority of them came to Louisiana via Saint Domingue and Cuba.⁵³

The “national” origin of slaves was important to owners because they believed that certain traits or characteristics were typical of each “nation.” Contemporary stereotypes described Congo slaves from Central Africa as more civilized than their counterparts from other nations “because of their contact with Catholicism in their home country.” Mandingues (Senegambia) were considered “cruel as overseers but good workers,” while Ibos (Bight of Biafra) were thought to be “more susceptible to suicide than other slaves [lowering] their value.”⁵⁴ These labels certainly reflected the prejudice of slave owners, as well as a universal understanding and classification of their slaves’ cultural traits, which in turn could be used to the potential owners’ advantage.

These designations seemed to retain a certain degree of importance in Louisiana since slaves’ origins were made identifiable in notarial acts. In New Orleans, free women of color preferred Congo slaves. Approximately half of the African slaves were identified as Congo and 80 percent of them were female. Free women of color’s acquisitions were dependent upon market fluctuations, especially after the closing of the international slave trade in 1808. Place of

⁵² These “national” descriptors do not necessarily have cultural or ethnic validity. The regionalization scheme and attribution of nations to particular regions is based on the guidelines in Philip D. Curtin, *The Atlantic Slave Trade: A Census* (Madison, Wisconsin: University of Wisconsin Press, 1969), especially 194- 95, 253-55; supported by Gabriel Debien, *Les Esclaves aux Antilles françaises, XVIIe-XVIIIe siècles* (Basse-Terre: Société d’histoire de la Guadeloupe, 1974), 39-68; Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992), 403-404; and Paul E. Lovejoy and David Vincent Trotman, eds., *Trans-Atlantic Dimensions of Ethnicity in the African Diaspora* (New York: Continuum International Publishing Group, 2003), 22-24.

⁵³ For a discussion on the slave trade in colonial and early American Louisiana, see Thomas N. Ingersoll, “The Slave Trade and the Ethnic Diversity of Louisiana’s Slave Community,” *Louisiana History*, Vol. 37, No. 2 (Spring, 1996): 133-61.

⁵⁴ King, *Blue Coat or Powdered Wig*, 95.

origin in Africa thus became much less a factor in choices, while language, age, and skill were much more relevant.

With the Louisiana Purchase and the arrival of Anglos, the New Orleans' slave population accommodated *Américains*, or English-speaking slaves. This included slaves from American states that included those with origins in Virginia, Kentucky, South Carolina, and Maryland. Thomas N. Ingersoll contends that by 1810, a few hundred English-speaking slaves lived in New Orleans.⁵⁵ Free women of color purchased slaves who came from cities such as Charleston, Norfolk, and Baltimore, but the 47 American slaves I identified made up only 2 percent of the sample. For instance, in 1817, Elizabeth Bonneau purchased from Mr. Hipolithe Vitrac the slave Anne, a "*créole de Norfolk*," 18, "[with] a nice figure and pretty face, speaking English and French."⁵⁶

Caribbean slaves made up 15 percent of the sample.⁵⁷ This can be explained in two ways. The French and the Spanish acquired slaves from the West Indies throughout the colonial period. With the Haitian Revolution, importations of slaves from Saint Domingue were suspended, but refugees, including slaves, of the Haitian Revolution made their way to Louisiana in three successive waves, in the 1790s, at the end of 1803, and again between 1809 and 1810, as noted earlier.⁵⁸ Thus, it is not surprising to find this significant percentage of Saint Domingue slaves in the sample.

⁵⁵ Ingersoll, "The Slave Trade and the Ethnic Diversity of Louisiana's Slave Community," 160.

⁵⁶ Marc Lafitte, 11:305, August 23, 1817, NONA.

⁵⁷ The majority of Cuban slaves were Saint Domingue slaves imported to Cuba during and after the Haitian Revolution. Furthermore, seven slaves from Jamaica are part of this sample; it is unclear whether those were actually from Jamaica or Saint Domingue slaves imported to Jamaica during the Haitian Revolution.

⁵⁸ Paul F. Lachance, "The Foreign French," in Arnold R. Hirsch and Joseph Logsdon, eds., *Creole New Orleans: Race and Americanization* (Baton Rouge: Louisiana State University Press, 1992), 103-4. See also, Lachance, "The 1809 Immigration of Saint-Domingue Refugees to New Orleans," 110.

The rest of the Creole slave sample comprised slaves from Louisiana. At the time of the Louisiana Purchase, Louisiana Creoles made up the bulk of the slave population in the territory.⁵⁹ Louisiana Creoles reinforced the diversity of slaves in New Orleans. In fact, Creole slaves were the largest group of slaves found in New Orleans, as well as those owned by free women of color, reaching 76 percent of the entire sample.⁶⁰

What the records above confirm is that the New Orleans' slave community was very diverse, consisting of Creoles from Saint Domingue, native-born Creoles, English-speaking slaves, and African slaves, and transactions made by free women of color were consistent with and reflected the racial and ethnic composition of the city's enslaved population. However, slave owners did not necessarily purchase slaves for their national origin, but for their age, sex, or skill set.

The prices paid for slaves reflected two economic factors: the characteristics of the slave and the conditions of the market. Important individual features recorded in transactions included (not on a systematic basis) age, sex, physical condition, temperament, and skill level. In addition, prices fluctuated with the supply of slaves and the demand for the products they produced. For instance, the sample shows that prices for male slaves between the age of 18 and 35, when they were the most robust and productive, were much higher than for any other age groups. For female slaves, the most notable characteristic was the mother-child link. Free women of color sometimes paid more for intact families.

⁵⁹ Ingersoll, "The Slave Trade and the Ethnic Diversity of Louisiana's Slave Community," 154. Ingersoll claims that Louisiana creoles comprised two-thirds of the slave population over time.

⁶⁰ The word "Creole" and its derivatives are used here in the same sense as they were used consistently in the eighteenth century to refer to any person or thing born in or natural to the Americas.

3.4 Physical Condition and Temperament of Slaves

Slaves' physical condition and temperament helped determine their market value. Free women of color sometimes bought or sold slaves "without warranty of vice." Fifty-three slaves in the sample were described "with exceptions to full guarantees." Historian Judith K. Schafer's examination of redhibition cases indicates that slave sales were regulated in the Louisiana Civil Code the same way as the sale of any other commodity. Schafer demonstrates that "the transfer of slaves from one owner to another was big business in Louisiana."⁶¹ The Roman law concept of a warranty of quality in the sale of slaves was integrated in Louisiana law and was intended to protect the purchaser, and therefore, the interests of slaveholders. If the slaves were diseased ("vices of body" and "vices of character"), they were legally considered defective merchandise in a sale, and they could be returned to the sellers.

The Louisiana Civil Code stated that "[t]he absolute vices of slaves are leprosy, madness, and epilepsy [and the] vices of character which give rise to the redhibition of slaves, are confined to the cases in which it is proved."⁶² In the sample, "vices of character" included running away and drinking. "Vices of body" were diverse and included slaves who were crippled, disabled, blind, had ulcers, hernias, venereal diseases, and various other "maladies"—both physical and psychological. Such descriptions warned potential purchasers of such vices. For example, in 1819, Totote Destrées purchased the slave Constance, 30, from Mr. Jacob Brandigee, who [gave] "no guarantee in regard to defects in character as the slave, who is the subject of this sale, is

⁶¹ Judith K. Schafer, "Guaranteed against the Vices and Maladies Prescribed by Law: Consumer Protection, the Law of Slave Sales, and the Supreme Court in Antebellum Louisiana," *The American Journal of Legal History* 31, No. 4 (Oct., 1987): 306.

⁶² *Ibid.*, 310.

insolent, lazy, and quarrelsome in nature, [and] is crippled in her right hand following a bite she received.”⁶³

Slaves were significant financial investments, and some slave dealers were willing to admit their slaves’ legal defects, as were those who were willing to discharge themselves of a diseased, disabled, or refractory slave, as evidenced by slave redhibition cases heard before the Louisiana Supreme Court.⁶⁴ The case of Victoire Wiltz, a free woman of color sued over the sale of a “defective” slave, was one of these many redhibition cases. Wiltz and many other free women of color relied on the courts to protect their financial investments. In February 1817, Victoire Wiltz sold the slave Françoise, 19, to a white lawyer named John W. Smith. The transaction was a standard one, recorded in the office of notary Philippe Pedesclaux.⁶⁵ Ten years later, Smith filed a suit against Wiltz in the First Judicial District Court of Orleans Parish with a claim that Françoise was not fully “guaranteed against illness” as prescribed by law when he purchased her. A doctor had examined Françoise, and discovered that she was suffering from an incurable form of leprosy. In Smith’s opinion, “the existence of the disease in the said slave was within the knowledge of the seller and [...] she did not make it known to [the] petitioner at the time of the sale.”⁶⁶ Clearly, Smith accused Wiltz of hiding the existence of her former slave’s condition from him, and he demanded compensation for the slave’s value, with interests and costs.

In her defense, Wiltz argued that Françoise was healthy and sound at the time of the purchase, and that the disease was curable. Moreover, she claimed that the decrease in the value

⁶³ Marc Lafitte, 14:152, April 5, 1819, NONA.

⁶⁴ See Schafer, “Guaranteed against the Vices and Maladies Prescribed by Law.”

⁶⁵ Philippe Pedesclaux, 1:85, February 17, 1817, NONA.

⁶⁶ *John W. Smith v. Victoire Wiltz* (1827), Docket No. 7458, First Judicial District Court, Orleans Parish, NOPL.

of the slave should be attributed to the negligence of the plaintiff. Finally, Wiltz added that Smith's claim was baseless, and that his case should be dismissed. In Louisiana law, proof of illness fell to the purchaser, in this case Smith, and the latter had to prove that the ailing slave had received proper medical attention. In his petition, Smith tried to demonstrate that he "used medical aid in order to cure the said slave."⁶⁷ However, this may have been difficult given the primitive state of antebellum medicine. In March 20, 1827, a judgment of nonsuit was entered, as the plaintiff did not come forward.⁶⁸

Although it is safe to assert that Wiltz knew the physical condition of Françoise—leprosy is a chronic disease affecting the upper respiratory tract, and the primary external signs are skin lesions—Wiltz used the law in her favor, maintaining that Françoise was healthy at the time of the sale, and that any deterioration in her condition was to be attributed to her new owner. Thus, Smith was to be blamed for Françoise's illness because he did not give her proper medical attention. It appears that Wiltz neither intended to take Françoise back, nor admit her guilt and compensate Smith. Wiltz had acquired Françoise in 1810 (when she was 12), and her actions suggest that profit—rather than humane care of a diseased slave—was her main motivation.⁶⁹

Louise Bonne Lalanne found herself in the same predicament when, in 1811, she was sued by Martin Dubourg over a 560-dollar sale of the female slave Adeline. Dubourg discovered that "at the time of the said purchase, the said slave was affected with a certain scrofulous disease commonly called the King's Evil which is incurable in its nature, enfeebles her, greatly

⁶⁷ *John W. Smith v. Victoire Wiltz* (1827), Docket No. 7458, First Judicial District Court, Orleans Parish, NOPL.

⁶⁸ *Ibid.* A nonsuit is a judgment given against a plaintiff, when he is unable to prove his case, or when he refuses or neglects to proceed to the trial of a cause after it has been put at issue, without determining such issue. It is either voluntary or involuntary.

⁶⁹ Wiltz purchased Françoise for 350 dollars in 1810, and sold her for 780 dollars in 1817. Pierre Pedesclaux, 60:1, January 2, 1810, NONA. Philippe Pedesclaux, 1:85, February 17, 1817, NONA.

diminishes her value and renders her services inconvenient and interrupted, so much so, that if it had been known to your petitioner at the time of the said purchase, that she was afflicted with the said disease, he would not have purchased her.” Dubourg petitioned the Court that Lalanne “be decreed to take back the said slave and refund to your petitioner the said sum of 560 dollars the price thereof and also to pay to your petitioner damages.”⁷⁰ Lalanne denied all the facts brought against her, but the Court eventually rendered a judgment against her, and she had to take Adeline back, return the price of the sale to Dubourg, and pay interests and costs.⁷¹

When an agreement could be settled out of the courtroom, slaves were simply returned to their sellers. Proof of vices of body and/or character sometimes engendered *rétrocessions* recorded before a notary. In some other instances, slaves were returned to their seller for no obvious reasons. For example, Sanite Boudet sold the slave Marguerite, 27, to *Sieur* Jean Francois Dodart in September 1812 for 300 dollars. Nine months later, Dodart returned Marguerite to Boudet for the same price, and no explanation was recorded in the notary’s office. Perhaps Dodart was not satisfied with his acquisition and managed to settle an agreement with Boudet and return Marguerite. Whatever the explanation may be, Boudet actually profited from this *rétrocession*, as she was able to sell Marguerite again, this time for 400 dollars.⁷² Therefore, free women of color managed to find various ways to protect their investments and seek other interested buyers when a sale fell through.

⁷⁰ *Martin Dubourg v. Lise Bonne Lalanne* (1811), Docket No. 2658, City Court, New Orleans, NOPL.

⁷¹ *Ibid.*

⁷² Marc Lafitte, 2:178, September, 10 1812, NONA. Marc Lafitte, 3:149, June 24, 1813, NONA. Marc Lafitte, 3:149, June 24, 1813, NONA.

3.5 Growth of New Orleans and New Opportunities for Slaveholding Free Women of Color

The growth of New Orleans and the development of a commercial economy provided free women of color with a wide range of new opportunities. Some women relied on diverse and ambitious entrepreneurial ventures. Slaveholding would prove all the more essential with the growth of New Orleans during the American period and the slow evolution of what historians call the Market Revolution. The development of industrial machines had a variety of economic, social, and political effects on Louisiana. While slavery had a long tradition in the South, it had never before been such a fundamental part of the region's economic survival. Slave owners turned their holdings into plantations and became utterly dependant upon the institution of slavery. The new sugar refining process developed by Etienne de Boré, a planter from New Orleans, which converted cane juice into granules that could be stored and shipped easily, constituted a profound economic breakthrough. Upon seeing Boré's success, numerous other south Louisiana planters turned their fields to sugar, erected expensive sugar mills, and consolidated the lands of many small plantations into the large holdings necessary to grow sugar profitably. Planting, growing, cutting, and milling sugar was extremely hard work, and most free workers refused to perform the arduous labor involved, leading planters to rely on slave labor. In the 1830s free man of color Norbert Rillieux invented a closed-coil process for reducing cane juice from a liquid to a solid, improving on de Boré's method, and making the cultivation of sugar even more profitable in the process. Almost all of the sugar grown in the United States during the antebellum period came from Louisiana.

Furthermore, automated machines such as the cotton gin transformed the previously low-volume, labor-intensive cotton crop into a massively profitable, high-volume cash crop. In 1795, Daniel Clark, a Louisiana merchant and planter, built a cotton gin based on Eli Whitney's cotton

gin design (1793) and was successful. As a result, the origins of the cotton explosion began during the final years of Spanish Colonial Louisiana. The machine quickly and easily separates the cotton fibers from the seeds, a job previously done by hand. Cotton was fairly easy to grow, although bad weather and insects could destroy the crop. Producers could grow cotton just as profitably on small farms with few laborers as they could on large plantations with many slaves. Many Louisianians raised cotton, and because gins were fairly simple machines that many firms could manufacture, cotton production increased rapidly throughout the South.

3.5.1 Free Women of Color Planters

Most free planters of color lived in Louisiana, South Carolina, Maryland and Virginia, as did the majority of all such slave owners. Some were singular in the degree of their success. For example, Marie-Thérèse Coincoin and her descendants created the flourishing Isle Brevelle libre community, south of Natchitoches, Louisiana. In the late 1760s Marie-Thérèse Coincoin started a two-decade-long relationship with a French gentleman, Claude Thomas Pierre Metoyer, which provided her with opportunity for social and economic advancement. Metoyer purchased and emancipated Coincoin in the late 1770s. Coincoin bore Metoyer ten children, four of whom were free. Metoyer purchased their first six children between 1776 and 1780, but they remained in slavery.⁷³

In the mid-1780s Coincoin and Metoyer decided to put an end to their relationship, while he provided her with a tract of land and a lifetime stipend to support her and her children.

Within a short amount of time she was successful in acquiring some additional land and invested

⁷³ Metoyer purchased and emancipated both Coincoin and one child in 1778; three additional children were born free in the 1780s. See Gary B. Mills, "Coincoin: An Eighteenth-Century "Liberated" Woman," *Journal of Southern History* 42, No. 2 (May, 1976): 209-12.

into and developed thriving business endeavors.⁷⁴ Coincoin labored primarily to purchase her children and grandchildren from the bondage of slavery. She had had four children prior to her relationship with Metoyer, and she managed to purchase two of them (there is no record concerning her two other children). Her first five children with Metoyer remained slaves until they reached adulthood (one child had died in infancy) and were freed by Metoyer himself.⁷⁵

Some time in the 1790s Coincoin started acquiring slaves for labor, and continued to increase her landholdings. When Coincoin died, she left a comfortable estate which comprised 1,000 *arpents* of land and 16 slaves. According to Gary B. Mills, her holdings were equivalent to some whites' and exceeded other free people of color's.⁷⁶ Other free women of color owned and operated *habitations* i.e. plantations on the outskirts of the city of New Orleans or in nearby parishes. Even though they were quite modest in comparison to the large-scale plantations owned by many white planters or by families such as the Metoyers, raising sugar and cotton was a potential niche for economic small-scale economic success.

As discussed in the first chapter, Louisiana law enabled women and wives, white and of color, to engage in business contracts under their own names.⁷⁷ They could also form business partnerships with their husbands, and with others in the white community as well as in the free community of color. In 1818, Constance Vivant, a free woman of color residing in Faubourg Sainte Marie, consort of Vincent Rillieux and mother of Norbert Rillieux, started such a business. She established a partnership with Mr. Jean Chauveau, and bought from him the

⁷⁴ Mills, "Coincoin," 212-5.

⁷⁵ *Ibid.*, 215-7.

⁷⁶ *Ibid.*, 217-20.

⁷⁷ Sara Brooks Sundberg, "Women and the Law of Property under Civil Law in Early Louisiana, 1782-1835" (Ph.D. diss., Louisiana State University, 2001), 78.

“undivided half of a sugar plantation in St. Bernard Parish in a place called Terre aux Bœufs [...] six miles from this city [...] along with the undivided half of 41 slaves.”⁷⁸

Terre aux Bœufs (Land of the Oxen), an abandoned channel of the Mississippi River, was originally settled by Canary Islanders (*Isleños*) in 1779. The Isleño farmers provided the New Orleans market with onions, potatoes, pumpkins, fish and much of the poultry consumed in the city in the late eighteenth and early nineteenth centuries.⁷⁹ The soil and climatic conditions below New Orleans proved particularly conducive to the cultivation of sugar cane. Moreover, with the American influx and rising price of Louisiana’s agricultural products, land prices also soared. Sugar planters began purchasing Isleño land grants and gradually amassed large estates along Bayou Terre aux Bœufs.⁸⁰ Constance Vivant and her business partner were certainly aware of and able to profit from these new economic conditions.

The total cost of Vivant’s purchase of the partnership with Chauveau was estimated at almost 50,000 dollars, 6,000 dollars of which she paid in cash, along with “the sum of 19,000 in slaves of any age and any sex, or in any other object or utensils.” Furthermore, Vivant was to “supply and deliver” the said slaves within two years.”⁸¹ A few months later, Vivant discharged herself from the 6,000 dollar obligation, and proceeded with buying slaves in order to honor the

⁷⁸ Marc Lafitte, 13:488, October 14, 1818, NONA. Constance Vivant belonged to the wealthy and respected Cheval family, which had real estate holdings in the city.

⁷⁹ Gilbert C. Din, *The Canary Islanders of Louisiana* (Baton Rouge: Louisiana State University Press, 1999), 88 and 98.

⁸⁰ *Ibid.*, 89.

⁸¹ Marc Lafitte, 13:488, October 14, 1818, NONA.

sale agreement.⁸² By 1820, she had already acquired more than 5,000 dollars worth in slave property.⁸³

Like her, other women owned *habitations* and engaged in cotton or sugar cultivation on the outskirts of New Orleans or in nearby parishes. Françoise Beaulieu was another woman planter. She was the consort of Joseph Decuir, a third-generation Decuir in Louisiana and an influential and wealthy planter. Beaulieu herself came from a distinguished Creole family of color. The two lived on a large plantation in Pointe Coupée Parish, fronting lower False River, and they earned their living as planters. Beaulieu owned an eleven-and-a-half-*arpent* sugar plantation, slaves, and cash, which she divided between her children at her death in 1812.⁸⁴ Likewise, Rosalie Dusau, once consort of *Sieur* Pierre Rillieux, started a partnership with her children François, Elisée, Clarice, and Rosalie Rillieux in 1817, for the operation of a sugar plantation located in St. Charles Parish, comprising 37 slaves, and estimated at 72,000 dollars.⁸⁵ Finally, Louise Lacour, a native of Pointe Coupée Parish, owned a cotton plantation in St. John the Baptist Parish. When she registered her will in the notary's office in 1817, she made clear that her balance of account should include the last "cotton harvest of her said plantation."⁸⁶ Thus, all these women chose to become planters, demonstrating economic sophistication, ambition, and rationality in the bargain.

⁸² Marc Lafitte, 14:150, April 3, 1819, NONA.

⁸³ Marc Lafitte, 14:142, March 30, 1819, NONA. Philippe Pedesclaux, 7:240, March 30, 1819, NONA. Christobal de Armas, 2:159, April 12, 1819, NONA. Marc Lafitte, 17:90, March 6, 1820, NONA. Constance Vivant died in April 1868, and she had therefore lost her plantation and slaves by that time. Her inventory was worth 4,102 dollars, "made of moveables, promissory notes, and cash," which was still a significant amount of property. See *Succession of Constance Vivant* (1868), Docket No. 32161, Second District Court, Orleans Parish, Louisiana, NOPL.

⁸⁴ *Inventory of Françoise Beaulieu* (1812), Will book 1812, Original Acts of Pointe Coupee Parish, Pointe Coupee Parish Courthouse, New Roads, Louisiana.

⁸⁵ Philippe Pedesclaux, 1:264-6, April 19, 1817, NONA.

⁸⁶ Christobal de Armas, 1:74, April 1, 1817, NONA.

3.5.2 Free Women of Color and the Provisioning Business

The development of a commercial economy was predicated upon the establishment of an economically viable means of transportation to promote intra- and interregional trade. Louisiana waterways served as transportation conduits for a series of sugar and cotton plantations. Pirogues, flatboats, and barges loaded with taffia, cotton, and vegetables, crowded the city's docks daily. The growth of New Orleans as a port city exponentially increased demand for provisioning, which free women of color could fill. These women had long been involved in marketing in New Orleans, and specialized in the buying and selling of food.⁸⁷ As planters turned their plantations toward sugar cane and abandoned other crops, they left room for free women of color to engage in dairying and food provisioning.

In New Orleans, free women of color engaged in the transportation business and bought barges and pirogues that varied in size and price.⁸⁸ In 1814, Catherine Clergé *dite* Pouponne purchased four slaves for 3,200 dollars. They were named and described as Grand George, a *nègre américain*, 33, Petit George, a *nègre américain*, 28, Jean Louis, a *nègre créole*, 23, and Charles, a *nègre Ibo*, 27, for a total price of 3,200 dollars.⁸⁹ Along with these four slaves, Clergé bought a 45-ton capacity barge with “its sails and oars”⁹⁰ Clergé, a refugee from Cuba, purchased

⁸⁷ Kimberly S. Hanger, “Landlords, Shopkeepers, Farmers, and Slaveowners,” in David Barry Gaspar and Darlene Clark Hine, eds., *Beyond Bondage: Free Women of Color in the Americas* (Urbana: University of Illinois Press, 2004), 221.

⁸⁸ Barges and pirogues ranged from 40 dollars to 800 dollars. Their size was identified by their total capacity (cubic feet/m³), weight (*barils* i.e. kilograms), or dimensions (length/width/height). Narcisse Broutin, 33:446, August 17, 1815, NONA. Narcisse Broutin, 35:434, March 27, 1816, NONA. Narcisse Broutin, 34:339, April 19, 1816, NONA. Narcisse Broutin, 35:645, September 30, 1816, NONA. Christobal de Armas, 1:343, June 3, 1818, NONA. Christobal de Armas, 2:86, February 23, 1819, NONA. Carlile Pollock, 5:117, April 24, 1820, NONA.

⁸⁹ Marc Lafitte, 4:197, June 16, 1814, NONA.

⁹⁰ *Ibid.* The interior capacity of the boat was 45 *tonneaux* i.e. 4,500 cubic feet, or 127 m³.

the barge and four slaves from one *Sieur* Marc Asenso, with whom she had also conducted previous business.⁹¹

Clergé and Asenso knew each other through Joseph Helliés, a Frenchman from Provence, a plantation owner, and a ship owner, with whom Clergé cohabited.⁹² Asenso seems to have been involved in the shipping business as well, as attested by an 1812 judicial suit filed in the City Court of New Orleans by the syndic of the creditors of the late Joseph Helliés, to determine whether the above mentioned barge and slaves were his property or Helliés'.⁹³ Several witnesses testified in the case. Some claimed that the said ship belonged to Asenso, and that the slaves “came with the ship” and were not part of Helliés’ estate. Some others claimed to have knowledge of a sale of the ship and slaves to Asenso in January 1811. Another witness did not have any knowledge of the sale, but knew about a rental agreement between the two men. Finally, another witness declared that Asenso had rented out the ship and slaves several times to haul cotton to New Orleans. The Court eventually ruled in favor of Asenso in 1813, and he recovered ownership of his property—which he then sold to Clergé.⁹⁴

Clergé was certainly familiar with the shipping business as a result of her relationship with Helliés. She may even have been involved in such an occupation prior to her arrival in Louisiana. Free persons of color in Cap Français and Port-au-Prince, Saint Domingue, were known to be involved in commercial transport and distribution. In her study of *gens de couleur*

⁹¹ Narcisse Broutin, 68:170, May 11, 1812, NONA. Marc Lafitte, 3:245, November 5, 1813, NONA. Narcisse Broutin, 30:48, January 27, 1814, NONA.

⁹² It is likely that Helliés had settled in Saint Domingue, as both his executor and the syndic of his creditors were Frenchmen who had settled in Saint Domingue prior to their arrival in Louisiana.

⁹³ *John Phélippon (estate of late Joseph Helliés) v. Marc Asenso* (1812), Docket No. 3489, City Court, New Orleans, NOPL. Helliés’ syndics appealed the court’s decision and brought the case to the Louisiana Supreme Court. The latter reaffirmed the judgment of the “inferior Court” on November 25, 1813. *Hellies’ Syndics v. Assenso* (1813), Docket No. 18, Louisiana Supreme Court, Earl K. Long Library, University of New Orleans.

⁹⁴ *John Phélippon (estate of late Joseph Helliés) v. Marc Asenso* (1812), Docket No. 3489, City Court, New Orleans, NOPL.

libres in Saint Domingue prior to the Revolution, Dominique Rogers describes several cases of free men and women of color who purchased boats of various sizes and provided the island with wares and supplies.⁹⁵ These women also engaged in fishing and *cabotage*, a term that refers to a type of navigation in coastal waters, which facilitates the movement of goods from port to port while staying close to shore.⁹⁶ Some of these enterprises were quite large and profitable, but most were quite modest.

In New Orleans, Clergé made a sizeable investment, and certainly gathered such capital through the sale of several slaves, as well as through funds acquired during her relationship with Helliés. Helliés owned a plantation at Bonnet Carré (St. Charles Parish), where corn, beans, and rice were major crops in the eighteenth century, and which was progressively converted to the cultivation of cotton and sugar, marking the consolidation of smaller farms into plantations and the emerging focus on the cultivation of cash crops. Although Clergé did not take part in the administration of the plantation nor inherit it, she clearly intended to engage in the transportation or provisioning business after Helliés' death. The four slaves she purchased were certainly experienced sailors, and may have also been fishermen. The transportation and fishing activities were not mutually exclusive, and slaves could have been used to haul sugar or cotton to New Orleans, and could work as fishermen in transit. They could then peddle the catch at local fish markets after offloading their main transport commodities.

Other women, like Clergé, bought pirogues and barges. In 1815, Sanitte Grandier sold (and later repurchased) a 30x5-foot *pirogue de cabotage* named La Désirée, along with a female

⁹⁵ Dominique Rogers, "Les libres de couleur dans les capitales de Saint-Domingue : fortune, mentalités et intégration à la fin de l'Ancien Régime (1776-1789)" (Ph.D. diss., Université Michel de Montaigne, Bordeaux III, 1999), 206-212.

⁹⁶ This term refers originally to the transport of goods or passengers between two points in the same country by a vessel, thus avoiding moving away from the coast.

slave.⁹⁷ Grandier registered La Désirée in the port of New Orleans, where numerous flatboats, rafts, and barges were present.⁹⁸ In 1816, Louison White bought two pirogues, La Mouche and L'Oranger, in two separate instances.⁹⁹ Trading woman of color Totote Destrées bought the pirogue L'Annibal in 1819 for 400 dollars. Destrées had purchased several slaves prior to those transactions and continued to buy more slaves—male and female—throughout 1819.¹⁰⁰ Anne Datty, “a free woman of color from Plaquemine Parish [*sic*]” bought a barge in New Orleans in 1820, illustrating the interconnection between the city and rural areas.¹⁰¹ Datty may have intended to trade goods along the River. Although little information is known about these women and what they transported, these transactions reveal a glimpse into their entrepreneurial activities in New Orleans.

Many New Orleanians engaged in the oyster, fish, and vegetable trade at the time, and commerce along the waterways was important not only to the city itself, but also as a link between rural and urban Louisianians. Goods flowed in and out along the waterways that surrounded the city, forming cross-cultural exchange networks in which free women of color certainly played a significant role. Louisianians themselves consumed most of the fish and

⁹⁷ Narcisse Broutin, 33:446, August 17, 1815, NONA. Narcisse Broutin, 35:645, September 30, 1816, NONA.

⁹⁸ The City Council, by ordinance of March 21, 1806, required the Collector of Levee Dues to keep two books, one to record ships loading and unloading in the port, and the other to record flatboats, barges, rafts, and other craft arriving in and using the New Orleans harbor. Manuscript records, mostly in French, give the date of arrival, name, type, and amount of levee dues for each flatboat, barge, raft, and steamboat in the port. In some cases the name of the owner or master of the vessel is also given and in some instances the cargo carried by the vessel is specified. See, “Records Relating to the Port of New Orleans,” NOPL, <http://nutrias.org/~nopl/inv/neh/nehqn.htm>

⁹⁹ Narcisse Broutin, 35:434, March 27, 1816, NONA. Narcisse Broutin, 34:339, April 19, 1816, NONA.

¹⁰⁰ Christobal de Armas, 2:86, February 23, 1819, NONA. Narcisse Broutin, 68:341, October 27, 1812, NONA. Narcisse Broutin, 29:745, December 27, 1813, NONA. Narcisse Broutin, 32:231, June 5, 1814, NONA. Narcisse Broutin, 33:696, December 15, 1815, NONA. Michel de Armas, 14A:361, May 23, 1818, NONA. Michel de Armas, 15A:812, November 3, 1818, NONA. Christobal de Armas, 1:495, November 26, 1818, NONA. Christobal de Armas, 2:88, February 23, 1819, NONA. Marc Lafitte, 14:152, April 5, 1819, NONA.

¹⁰¹ Carlile Pollock, 5:117, April 24, 1820, NONA.

seafood caught, eating it on farms and plantations, and selling it at the fish market in New Orleans. Upon arriving in New Orleans in 1819, Benjamin Latrobe described marketers along the Mississippi levee in these terms:

“Along the levee, as far as the eye could reach to the west, and to the market house to the east, were ranged two rows of market people, some having stalls or tables with a tilt or awning of canvas, but the majority having their wares lying on the ground, perhaps on a piece of canvas or a parcel of palmetto leaves. The articles to be sold were not more various than the sellers. White men and women, and of all hues of brown, and of all classes of faces, from round Yankees to grizzly and lean Spaniards, black negroes and negresses, filthy Indians half naked, mulattoes curly and straight-haired, quadroons of all shades, long haired and frizzled, women dressed in the most flaring yellow and scarlet gowns, the men capped and hatted. Their wares consisted of as many kinds as their faces. Innumerable wild ducks, oysters, poultry of all kinds, fish, bananas, piles of oranges, sugarcane, sweet and Irish potatoes, corn in the ear and husked, apples, carrots, and all sorts of other roots, eggs, trinkets, tinware, dry goods.”¹⁰²

Vegetables, fruits, grains, and livestock were traded in New Orleans, Baton Rouge, Pointe Coupée, and other towns. Some free women of color provisioned local townspeople from their gardens or fields. In her 1814 will, Marie Jeanne Prevost declared that she was renting two lots of ground located in the Faubourg Marigny, where she grew all sorts of goods.¹⁰³ Many free women of color in the sample under investigation were described as *marchandes* including Marie Louise Sarra, Marie Joseph Piron, Louise Poupet, Anne Pénélope, and Romaine O’Gorman.¹⁰⁴

3.5.3 Free Women of Color and Acquisition of Commercial Property

Some free women of color acquired retail and commercial properties and sold their goods in fixed retail quarters. For example, in 1817, Béléphine Bardouille, a native of Port-au-Prince

¹⁰² Benjamin H. Latrobe, *The Journals of Benjamin Henry Latrobe, 1799-1820: From Philadelphia to New Orleans*, Series 1, Vol. 3, edited in Edward C. Carter, II, John C. Van Horne, and Lee W. Formwalt (New Haven: Yale University Press, 1980): 162-3.

¹⁰³ Narcisse Broutin, 31:423, August 9, 1814, NONA.

¹⁰⁴ See for example, *Testament of Anne Pénélope*, Michel de Armas 19:353, August 5, 1820, NONA.

and a refugee from Cuba, purchased a 1,016-dollar grocery store and cabaret (literally a bar or an inn), located at the corner of Dauphine and Bienville Streets.¹⁰⁵ The inventory included with Bardouille's acquisition contained numerous grocery items and alcoholic beverages. Bardouille bought the said store in the name of *Sieur* René Delarue, a merchant, and thus did not have any property rights to the store. However, she was to manage its administration, pocket a third of the profits, and rent the store in her name.¹⁰⁶ Less than a year later, Delarue sold his rights in the store to Bardouille for 452 dollars, making Bardouille a store owner.¹⁰⁷ Likewise, Jeanne Clotilde Mimi bought a *boutique* on Ursulines Street in 1811, along with a 38-year-old Thiamba slave named Marie, a servant, together for 2,419 dollars.¹⁰⁸ Mimi's newly-purchased store comprised all sorts of grocery items and alcohol similar to Bardouille's, but her acquisition was more ambitious, as she also sold home furniture, kitchenware, decorative items, tools and hardware.

Jeanne Clotilde Mimi and Béléphine Bardouille's endeavors serve as a window into the activities of free women of color in New Orleans. They join the list of well-known entrepreneurs Rosette Rochon and Eulalie Mandeville alias Cece Macarty, whom historians have often written about, as well as lesser known free women of color such as Milady Durege and Marie Magdelaine, who owned businesses in the city and regularly traded slaves in the market.¹⁰⁹

¹⁰⁵ Marc Lafitte, 11:405, December 3, 1817, NONA.

¹⁰⁶ Marc Lafitte, 11:406, December 3, 1817, NONA.

¹⁰⁷ Marc Lafitte, 13:529, November 12, 1818, NONA. She was still residing on Bienville Street in 1822. She is listed as a "grocer" in the 1822 New Orleans City Directory, at 32 Dauphine Street, corner of Bienville Street.

¹⁰⁸ Marc Lafitte, 1:255, September 18, 1811, NONA. Jeanne Clotilde Mimi paid 1,919 dollars for the store, and 500 dollars for the slave.

¹⁰⁹ Free women of color Milady Durege and Marie Magdelaine appeared numerous times in the sample. They were also listed as shopkeepers in the 1822 New Orleans City Directory. For further readings on Eulalie Mandeville, see for example, Shirley Elizabeth Thompson, *Exiles at Home: The Struggle to Become American in Creole New Orleans* (Cambridge: Harvard University Press, 2009).

Participation in the formal economy of New Orleans was a legitimate undertaking and a professional vocation. With the increase in the population, free women of color could find additional avenues for employment and profit in retailing and provisioning.

In this type of business, slaves were important investments, and could serve as store clerks, as well as peddlers. Slaves sold goods from their owners' shops throughout the city or from stalls along the levee. Others hawked their wares through the streets, going from house to house. Latrobe depicted women of color carrying baskets containing all sorts of dry goods, and "calling at the doors of houses."¹¹⁰ He also claimed that these peddlers were "slaves belonging either to persons who keep dry-goods stores or who are too poor to furnish a store with goods."¹¹¹ Many free women of color purchased or sold female slaves described as *marchandes* and *domestiques*. Launderers, ironers, seamstresses, and cooks were valuable slave property and profit-making employees. These skills were of prime importance to women who wished to conduct business in town, and beyond.

3.6 Other Forms of Investments in Human Chattel

As evidenced by Lalanne earlier, some free women of color also chose to rent their slaves out as opposed to using them in their own businesses or households. Rented-out slaves could also be contracted out of economic necessity. For example, in her will, Henriette Juliette Pierrot insisted that if she had any debts upon her demise, her two slaves, Dauphine and Thérèse, should "work or be leased for one year, and the product of their work or lease should be used to expunge

¹¹⁰ Latrobe, *The Journals of Benjamin Henry Latrobe*, ed. in Carter, Van Horne, and Formwalt, 202-3.

¹¹¹ *Ibid.*, 203.

the said debts.”¹¹² The rental entirely commodified the slave and superseded any non-economic value that the slave might have had to or for his or her master.

Free women of color sold and purchased slaves through various channels. As evidenced by Louise Bonne Lalanne, they acquired slaves through regular purchases, exchanges of slaves recorded before a notary, and *ventes par sous-seing privé*. They also did so through *ventes à réméré* i.e. sales made when the seller reserved the exclusive right to repurchase the property sold by returning the price paid for it. In that kind of purchase, possession was transferred (contrary to a mortgage or pawn) but the seller had the option to repurchase his or her property within a certain amount of time. For example, in December 1811, Adélaïde Piquery sold Augustin, 13, born of her slave Sophie, with an option to repurchase, to *Sieur* Salvat Ducamp for 600 dollars. The transaction made clear that:

“[Piquery] reserves the right to repurchase Augustin during the next six months [...] and by refunding the purchaser in a single payment of 600 dollars [...] return to full ownership, possession, and enjoyment of the said slave, as if she would have not sold him. But by failing to have the seller pay the refund in the terms and manner set out above [...] she will forfeit the full right of *réméré*, and the *Sieur* and his heirs [...] shall be and remain absolute owners of the slave above designated.”¹¹³

Thus, unless the seller failed to repurchase the slave in the time he/she was allotted, the buyer had to surrender the property and the seller had to repay him or her in full. *Ventes à réméré* were practical transactions, as the seller could obtain ready cash, without losing his or her property. This strategy could become especially useful in times of financial difficulty. For instance, in 1812, Marguerite Vatel Widow Boyer sold *à réméré* her 10-year-old slave Armeline to Mr. Louis Deynaut for 317 dollars, and Armeline was returned by the purchaser a few months

¹¹² Philippe Pedesclaux, 16:1427, August 10, 1820, NONA.

¹¹³ Michel de Armas, 6:533, December 2, 1811, NONA. As regards the outcome of the sale, Piquery did not choose to repurchase Augustin. Augustin remained in Ducamp’s possession for two years until he was sold to a John Thibaut. See Michel de Armas, 7A:800, April 7, 1813, NONA. This transaction was written in French and its translation is mine.

later.¹¹⁴ Boyer made two more sales of that type in 1814 and 1815, until she sold Armeline for good for 460 dollars in November 1815 to a free woman of color.¹¹⁵

In times of financial distress, sellers sometimes agreed to take their slaves back, without having even made a sale with an option to repurchase. For instance, in April 1820 François Lapoujade agreed to the surrender of part of his property sold in 1819 to Victoire Azor Widow Page. Page had originally bought the slave Ketty and her two children for 1,800 dollars, with a mortgage. About a year later, Page went before a notary to declare her inability to fulfill her engagements, “since Ketty had died.” She then “offered to return Ketty’s two children,” in order to compensate Lapoujade. In the end, Lapoujade surprisingly consented to her demands and released her from her mortgage.¹¹⁶ Although Page’s story ended well for her, such was not always the case, as evidenced by Pouponne Guérin’s bankruptcy case in the previous chapter.

Free women of color sometimes contracted mortgages. Such transactions implied that a debtor encumbered property to guarantee a debt to a creditor, who usually appeared in the notarial act. They mortgaged real property but also slaves. They did so in two ways: during sales, slaves remained mortgaged for a certain amount of time until the purchaser could pay his or her debts. In other instances, free women of color entered contracts with other free persons of color or with whites, mortgaging their slave property in order to secure funds to buy real property and/or slaves, and get ready cash in amounts ranging from a couple of hundred dollars to tens of thousands. Thus, slaves could be used as collateral, reiterating an emphasis on them as property rather than as persons to the mortgager.

¹¹⁴ Narcisse Broutin, 68:326, October 12, 1812, NONA. Narcisse Broutin, 28:91, February 26, 1813, NONA.

¹¹⁵ John Lynd, 11:225, May 20, 1814, NONA. Narcisse Broutin, 32:308, June 28, 1815, NONA. Narcisse Broutin, 32:314, June 29, 1815, NONA. Narcisse Broutin, 33:637, November 20, 1815, NONA. Narcisse Broutin, 33:639, November 22, 1815, NONA.

¹¹⁶ Marc Lafitte, 14:227, June 1, 1819, NONA. Marc Lafitte, 17:157, April 12 1820, NONA.

Should contracting mortgages be necessarily interpreted as a strategy of economic desperation to stave off financial ruin? Some women may have needed the cash in order to survive and pursue their activities. At times some women failed to reimburse their creditors. In October 1810, Charlotte Villars mortgaged her slave Jean-Louis, 45, in favor of Pierre René de St. Germain.¹¹⁷ Villars had bought Jean-Louis from *Dame Piernas* in 1809 for 1,000 dollars—an exorbitant sum of money for a 45-year-old slave—and she probably contracted the 1810 mortgage to meet the terms of Jean-Louis’ sale.¹¹⁸ Villars was successful in honoring Piernas’ terms of the sale, but a few months later St. Germain filed a civil suit against Villars in the City Court of New Orleans, as she had failed to meet the terms of their 1810 mortgage.¹¹⁹ Jean-Louis was promptly seized by the court on May 17, 1811, and five days later, he was sold to St. Germain for 400 dollars.¹²⁰ Thus, Villars failed to avoid foreclosure, and she eventually lost her property.

Many women were in fact released from their mortgages a couple of months to a few years later. One can imagine that the capital could be used to purchase more property. Also, if a buyer came along for a mortgaged slave, owners could pay off their mortgage, and sell the slave at a profit. For example, in 1812 Rose Beatrix and her brother Edouard mortgaged their slaves Madeleine and her children, Celestin and Felonice, in favor of Augustin Deynaud and Maria

¹¹⁷ Michel De Armas, 4:365, October 13, 1810, NONA.

¹¹⁸ Michel De Armas, 2:391, August 6, 1809, NONA.

¹¹⁹ *Pierre René de St. Germain v. Charlotte dite Villars* (1811), Docket No. 2675, City Court, New Orleans, NOPL.

¹²⁰ Michel De Armas, 5A:267, May 22, 1811, NONA. This was not Villars’s first run-in with the law. See *T. F. Jacob v. Charlotte Villars* (1809), Docket No. 2314, City Court, New Orleans, NOPL. It is very likely that Jean-Louis and Villars were related.

Reine, a *parda libre*, for 300 dollars.¹²¹ Rose and Edouard Beatrix had inherited Madeleine and her two children from their natural father, deceased in Saint Domingue. In 1815 the Beatrix siblings sold Madeleine and Celestin to Victorina Coralie Bonvatee for 700 dollars, automatically closing their 300-dollar mortgage, and making a significant profit.¹²²

Occasionally free women of color were the ones granting mortgages, both to free men and women of color, and to whites. For instance, in 1812 Iris Garcin granted a 250-dollar loan to *Sieur* Pierre Chamau, a sworn broker, mortgaging his slave Babet, 18.¹²³ Sums could be more significant; for example, Marco Asenso contracted a 2,500-dollar mortgage from Catherine Clergé in 1813.¹²⁴ Thus, mortgages were not necessarily a strategy of economic desperation, as those who contracted them were not necessarily in need of liquidity or credit.

As these many examples show, free women of color relied on diverse and ambitious entrepreneurial ventures, including trading their slaves in the market, working them, renting them out, and mortgaging them. Looking at how these women acquired property, and how they used their slaves reveals unambiguous slaveholding patterns among free women of color in New Orleans. These patterns go beyond the benevolent versus exploitative discourse. The economic value of the slave was extremely important for free women of color, and the majority of them saw slaves as malleable financial investments.

Trading slaves in the market could turn easy profits, and become a business and an occupation. Slaves could therefore supplement an income and simultaneously serve as a mark of social prestige. Above all, free women of color extracted value from their enslaved property

¹²¹ Marc Lafitte, 2:279, December 30, 1812, NONA.

¹²² Stephen de Quinones, 15:138, November 23, 1815, NONA. Felonice was eventually sold in 1819 to Marie Magdelaine Allemand for 700 dollars. See Hugues Lavergne, 1:91, September 7, 1819, NONA.

¹²³ Marc Lafitte, 2:195, October 13, 1812, NONA.

¹²⁴ Marc Lafitte, 3:245, November 5, 1813, NONA.

through their direction of businesses as *marchandes*, shopkeepers, launderers, or in some cases plantation owners. Thus, the economic incentive was a driving force, and through the commodification of the slave, free women of color constructed and maintained a desirable social and economic status in the city. Despite the indisputable economic dimensions of slaveholding for free women of color, in the next chapter, I will focus on personal relations between these women and their slaves, and attempt to discover if some sort of “maternalist ethos” ever developed in the course of the complex relationships between owners and their slave property.

CHAPTER 4

TOWARDS AN UNDERSTANDING OF SLAVEHOLDING FREE WOMEN OF COLOR AND THEIR RELATIONSHIPS WITH THEIR HUMAN PROPERTY

As discussed in the previous chapter, market conditions drove free women of color to select certain slaves over others, on the basis of beliefs about and conditions related to gender, race, ethnicity, age, occupational title, and economic value. Historian James Oakes recently argued that the majority of slaveholders adopted an acceptance of liberal democracy and free-market commercialism. In his words, slavery was an extension of a commercial network.¹ He stated that “the demand for slaves grew in complex relation to the rising demand for consumer goods” and that, eventually, the survival of slavery depended on capitalism.² Consequently, slavery was part of a large framework—a capitalist society—in which it played an intrinsic role. Thus, market conditions were a precondition to the emergence and survival of slavery.

My findings about the business endeavors of free women of color in nineteenth-century New Orleans thus resonates with Oakes’ interpretation. Reasons for slave ownership depended on the economic system as a whole and the economic opportunities that free women of color could derive from slaveholding. However, as individuals, free women of color interacted in various ways with each other, with free men of color, with enslaved women and men, and with white women and men as well. The complexity of their relations indicates that there is much more to say about free women of color and slavery.

¹ James Oakes, *Slavery and Freedom: An Interpretation of the Old South* (New York: W.W. Norton & Company, 1990), 45.

² *Ibid.*, 52.

For generations, historians have debated over the conditions in which slaves lived and worked as well as about their relations with their masters.³ When Eugene Genovese's *Roll, Jordan, Roll: The World the Slaves Made* was published in 1974, it represented a critical departure from previous historians' understanding of relationships between slaves and masters in southern slave society. *Roll, Jordan, Roll* is not an analysis of the institution of slavery itself, but an exploration of the dynamics of class relations. Genovese offered a nuanced and sophisticated interpretation of the planter class and the paternalistic relationship they maintained with their slaves. Genovese argued that paternalism "grew out of the necessity to discipline and morally justify a system of exploitation. It did encourage kindness and affection, but it simultaneously encouraged cruelty and hatred."⁴ Living in close proximity to their human chattel, male planters adopted ideas of familial relationships with slaves in order to place them, along with their own wives and children, under their paternal control. Genovese further argued that "southern paternalism developed as a way of mediating irreconcilable class and racial conflicts."⁵ Paternalism, according to Genovese, mediated differences, mitigated the effects of forced labor, and generally protected masters and slaves from each others' worst tendencies. Paternalism created a system of values and social relationships to which both master and slave accommodated. Can Genovese's interpretation of planter-slave relations be applied to free women of color? Were free women of color and their slaves part of an organic relationship that

³ Ulrich Bonnell Phillips, *American Negro Slavery* (New York and London: D. Appleton and Company, 1918). Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage Books Edition, 1976). Robert Fogel and Stanley Engerman, *Time on the Cross: Evidence and Methods* (Boston: Little, Brown and Company, 1974). Herbert Gutman, *Slavery and the Numbers Game: A Critique of Time on the Cross* (Urbana: University of Illinois Press, 1975). Kenneth M. Stampp, *The Peculiar Institution* (New York: Vintage Books Edition, 1989).

⁴ Genovese, *Roll, Jordan, Roll*, 4.

⁵ *Ibid.*, 6.

benefited both? What did they think about the sale and purchase of human chattel? Did free women of color develop a *maternalist* ethos?

Regional differences played a significant role in the relations between slaves and free women of color. Loren Schweninger notes that “the debate concerning the extent of ‘benevolent’ versus ‘commercial’ ownership has generally focused on the entire South, and thus minimized the diversity among black slaveowners in different regions during different time periods.”⁶ These differences should not be limited to the Upper South and the Lower South. New Orleans was a diverse town, with a diverse population and one shaped by a myriad of cultural influences. In his diary, Benjamin Latrobe put an emphasis on the difference between Creole and American masters, claiming that the “Creole French have the reputation of working their slaves very hard and feeding them very badly; the Americans are said to treat and feed them well.”⁷ Above all, slave ownership among free women of color must be understood in a Caribbean context, which extended beyond New Orleans to Cuba, Haiti, Jamaica, and even Puerto Rico. As discussed in the two preceding chapters, many free women of color made their way to New Orleans from Haiti and Cuba, which may provide a key element in studying their relations with slaves.

In a slaveholding, patriarchal, and hierarchical society such as New Orleans’ in the antebellum period, it was important to Domingoises of color to establish themselves as respectable members of society in order to survive, and eventually prosper. Moreover, Domingoises certainly yearned to play a role in the refugee community and in the established

⁶ Loren Schweninger, “Prosperous Blacks in the South, 1790-1880,” *The American Historical Review* 95, No. 1 (Feb., 1990): 36, footnote 12.

⁷ Benjamin H. Latrobe, *The Journals of Benjamin Henry Latrobe, 1799-1820: From Philadelphia to New Orleans*, ed. Edward C. Carter, II, John C. Van Horne, and Lee W. Formwalt (New Haven: Yale University Press, 1980): 160.

community of free people of color in New Orleans as well. Thus, it is crucial to look at how Domingoes secured their social and economic standing in New Orleans, in a society convinced that slavery was the only way to achieve economic prosperity and social order.

Finally, I will discuss the ambiguities inherent in slaveholding on the part of both Domingoes and Louisiana-born free women of color, by looking at their wishes as expressed in their wills, especially those regarding their slaves. We will uncover whether financial incentives overrode benevolent sentiments and we will determine which approach is best for considering relations between free women of color and their slaves.

Correspondence between women residing in the Caribbean and New Orleans shows that they did not seem to have any moral qualms as regards utilizing their human chattel. In 1813, Marie Décopin *dite* Lacroix, a free woman of color residing in Kingston, Jamaica, wrote the Boucher family residing in New Orleans, inquiring about the sale of a slave of her property, 30-year-old Nago slave Azor. In two letters—one to François Henri Boucher *dit* Lâmy, a free man of color, and the other to Catherine Boucher, his mother—she wrote:

“Monsieur Lâmy,
As for my Negro Azor, I had already written you regarding selling him, but I think you have not received my letter. I wish this reaches you in order to organize the said sale, giving you every possible right to do so, but all I ask you is to try to get a good price. You know where I stand. Then I would be very grateful for you to send me the money in various shipments in the hands of trusted people.”⁸

Two months later, Lacroix wrote Lâmy’s mother, once again inquiring about Azor’s sale:

“Marie Lacroix to her dear friend Catherine Boucher,
I wish to learn my good friend ... about the decision of my correspondence with your son Lâmy, whom I have been begging for the last three years to let me know his decision about my slave Azor. I gave [Lâmy] power of attorney to sell him for me and I rarely get

⁸ Marc Lafitte, 4:107, March 28, 1814, New Orleans Notarial Archives (hereafter cited as NONA). Letter dated November 25, 1813 attached to notarial act, Marie Décopin *dite* Lacroix to François Henri Boucher *dit* Lâmy, in Kingston, Jamaica. This letter was written in French and its translation is mine.

news from him, [and when I do] he tells me that the Negro gives him a lot of trouble.”⁹

She continued:

“However, I believe [Lâmy] is in a country where Negroes are not master of their own will [and] without any doubt he can put an end to this. Indeed, he writes that the Negro is costing him money [who] always finds himself in jail, and he can only sell him for 400 gourdes. However, it is said that Negroes have value in this country and I do not know what to think of this.

Thus, my dear friend, this is what compels me to write you so that you have the kindness to deal with it. I will pray you to find a way to tell your son Lâmy to sell [Azor] for me and send me the amount of the sale by a safe opportunity for certainly my dear friend ... I will be eternally grateful.”¹⁰

Lacroix chose to put an emphasis on slaves’ economic value, pointing out the fact that “Negroes have value in this country.” As a result, even though Azor appeared to be a troublesome property, Lacroix believed that selling him should not pose any problem. Azor was eventually sold for 400 dollars to Magdelaine “Miss” Camfrancq, a free woman of color from Saint Domingue, in March 1814.¹¹ The Lacroix-Boucher correspondence confirmed that Lacroix did not have any moral qualms over the business of slavery, for she believed that Azor was “in a country where Negroes are not masters of their own will.”

Other free women of color certainly shared Lacroix’s feelings, as enslaving, trading, renting, and working human beings were part and parcel of an economic system and a way of life. Another striking example involves Marie Euphrosine Beguin and Lafille Beguin, two sisters originally from Saint Domingue who emigrated to New Orleans. Through their correspondence additional details regarding free women of color’s commercial endeavors come to light. In a letter to her sister, dated June 25, 1816, Lafille Beguin described her journey from

⁹ Marc Lafitte, 4:107, March 28, 1814, NONA. Letter dated January 31, 1814 attached to notarial act, Marie Décopin *dite* Lacroix to Catherine Boucher, in Kingston, Jamaica. This letter was written in French and its translation is mine.

¹⁰ *Ibid.*

¹¹ *Ibid.* Magdelaine Camfrancq sold Azor the following year for 600 dollars, making a sizeable profit. Marc Lafitte 6:192, July 3, 1815, NONA.

New Orleans to Puerto Rico, where she decided to settle in early 1816.¹² Beguin related her difficulties with settling on the island, her thoughts about the local people, and missing her family. Above all, she discussed the state of the economy on the island, claiming that:

“Business is dead right now, rents are expensive in the shopping districts, [and] it is expensive to live here because of the scarcity of food [...]. [However,] this country offers some resources. There are *marchandes* in the streets, candies sell fairly well, [and] washers make a good living. Male slaves are worth 250 to 300 piastres, [and] for that price you can get some of the best female slaves.”¹³

Beguin’s lukewarm observations about the economy of the Spanish island revealed that she was concerned about carving a place for herself and her family in the Puerto Rican economy and society. The enslaved workforce seemed to be one of the island’s prime “resources,” and Beguin placed the activities of *marchandes* and launderers as key sources of potential income. Her references to “candies” may suggest that Beguin was a confectioner.¹⁴ She seemed to demonstrate a sophisticated understanding of retailing practices and indicated a readiness to deploy a variety of business practices, including utilizing slaves.

According to Beguin, in spite of significant economic difficulties, Puerto Rico appeared to be an economically and socially viable place to settle, where “people are very polite, [where] they welcome all foreigners, [and where] there is a lot of freedom,” and she urged her sister to

¹² Marc Lafitte, 10:27, January 30, 1817, NONA. Letter dated June 25, 1816 attached to notarial act, Lafille Beguin to her sister, in Puerto Rico. This letter was written in French and its translation is mine. Beguin certainly immigrated to Puerto Rico under the *Cédula de Gracias* of 1815, enacted by the Spanish Crown in an attempt to liberalize trade and stimulate the island’s economy. Migration of both whites and free people of color was encouraged, with each colonist being granted a standard amount of land on which to settle. They also received additional land allotments for the slaves they brought with them. By 1820, the population of Puerto Rico was as follows: whites, 44 percent, free persons of color, 46 percent, and slaves, 10 percent. For more information on free people of color in Puerto Rico, see Jay Kinsbruner, *Not of Pure Blood: The Free People of Color and Racial Prejudice in Nineteenth-Century Puerto Rico* (Durham and London: Duke University Press, 1996).

¹³ Ibid. Piastres and dollars can be used interchangeably.

¹⁴ In her second letter to her sister, Beguin makes reference to a homemade “jar of preserved lemons” that she sent over to her family in New Orleans. Marc Lafitte, 10:27, January 30, 1817, NONA. Letter dated June 28, 1816 attached to notarial act, Lafille Beguin to her sister. This letter was written in French and its translation is mine.

come and join her.¹⁵ Puerto Rico definitely seemed to be a promising outlet for their social and economic endeavors. In a second letter to her sister, dated June 28, 1816, Beguin reiterated her demands. Referring to a recent crevasse (breach in the levee) that flooded New Orleans, she asked her sister to “make every effort to get out of this unfortunate country as soon as possible.”¹⁶

In her letters, Beguin was also concerned with the sale of a male slave, Fannon, a 21-year-old Creole from their *habitation* (plantation) in Saint Domingue that she and her sister had imported to Louisiana. She closed her first letter inquiring about whether or not Marie Euphrosine had sold Fannon. Lafille received news from her sister before she wrote her second letter and discovered that Fannon had not yet been sold. In her reply to her sister, she wrote:

“You write that Fannon is not yet sold, which I am vexed about. I beg you to make every effort to sell him and at any price. I do not think it is worth paying for his trip to come here because he would not be worth more than 100 piastres [and] because you get a valiant slave for 250 piastres here.”¹⁷

She made what seemed to be realistic assertions about the economic value of Fannon, and by extension the value of slaves in general, both in Puerto Rico and New Orleans. Given the state of the market and Fannon’s estimated value, she noted that keeping Fannon would not be worth much, and insisted on disposing of him. Thus, Lafille Beguin positioned herself as a profit-maximizing business woman who had no qualms about regarding slaves as commodities.

Fannon was eventually sold in January 1817 to *Sieur* Francois Labrousche Dusin for 300 dollars, well under the average value of Creole male slaves at the time. The transaction revealed that Fannon had had a broken arm, for which Marie Euphrosine gave “no guarantee,” which may

¹⁵ Marc Lafitte, 10:27, January 30, 1817, NONA. Letter dated June 25, 1816 attached to notarial act, Lafille Beguin to her sister, in Puerto Rico.

¹⁶ Marc Lafitte, 10:27, January 30, 1817, NONA. Letter dated June 28, 1816 attached to notarial act, Lafille Beguin to her sister, in Puerto Rico.

¹⁷ Ibid.

explain why Fannon was sold for a meager price.¹⁸ Another explanation may lay in the fact that, feeling pressured to sell Fannon and please her sister, Marie Euphrosine did not manage to find a good buyer. In any case, to the Beguin sisters, slaves were mere commodities, which could be bought and sold, and used for a profit.

Domingoises made up half of the sample and came from all over the former colony of Saint Domingue. The island's geography was very diverse, and as a result free women of color came from diverse backgrounds. The colony was administrated in three units, each corresponding roughly to distinct ecological conditions and modes of agricultural production. The North had the largest and most prosperous sugar estates. The western part of the island was least developed, while the South was suited to small-scale holdings.¹⁹ The island's geography and topography hindered road construction, but many small southern ports "ushered regional products to markets and bound the region together through a livery of light crafts." Furthermore, a series of small coastal trading stations and the busy ports of Cap Français and Port-au-Prince were tied together with French Atlantic ports, Havana, New Orleans, and others, creating a bustling maritime network.²⁰

By the end of the eighteenth century, fifteen per cent of Saint Domingue's free population of color lived in cities. We should not, however, underestimate their numbers in rural areas, since according to John D. Garrigus, the "wealthiest and most politically self-confident

¹⁸ Marc Lafitte, 10:27, January 30, 1817, NONA.

¹⁹ Thomas Fiehrer, "Saint-Domingue/Haiti: Louisiana's Caribbean Connection." *Louisiana History*, Vol. 30, No. 4 (Autumn, 1989): 422-3.

²⁰ *Ibid.*, 423.

free families of color lived in the countryside.”²¹ And indeed, the free women of color from my database came from all three regions mentioned earlier.²² Some clearly had resided on plantations located on marginal lands, others were from small towns, plantations on the outskirts of cities, or busy economic centers such as Port-au-Prince.

Furthermore, legal status and marital status were revealed through wills, property transactions, powers of attorney, and marriage contracts. Some Domingoises came from prosperous free families of color, whereas some came from more modest backgrounds, or were former slaves. Henriette Séraphine Baudouin from Jacmel was the natural daughter of *Sieur* Charles Baudouin and the *mulâtresse libre* Henriette. Her father was a deputy for the Sovereign Council of the Léogane district, which carried out royal edicts and instructions.²³ Romaine O’Gorman, for her part, described herself as a *négresse créole* born in the Plain of the Cul-de-Sac near the town of Port-au-Prince. She was freed in Santiago de Cuba, and she was the natural daughter of the *négresse* Marie and perhaps of *Sieur* Victoire Arnold Martin O’Gorman, a captain of the *Compagnie des dragons mulâtres* of the Aquin militia district.²⁴ Moreover, some had to come to a notary, in order to attest to and establish their free status in New Orleans. For

²¹ John D. Garrigus, “Colour, Class, and Identity on the Eve of the Haitian Revolution: Saint Domingue’s Free Coloured Elite as *colons américains*,” in Jane G. Landers, ed., *Against the Odds: Free Blacks in Slave Societies of the Americas* (London and Portland, Oregon: Frank Cass, 1996), 27-8.

²² Domingoises came mostly from Le Cap and Fort Dauphin in the North, Saint Marc and Port-au-Prince in the West, and Les Cayes in the South.

²³ Marc Lafitte, 5:65, April 22, 1815, NONA. “Élection de deux députés par quartier, au conseil souverain de Léogane ; les habitants des quartiers de Jacmel, Mirebalais, l’Artibonite et Aquin, ont choisi La Vrie, habitant des Cayes, et Charles Baudouin, habitant de Jacmel, Olivier Deschamps et Baudumeau, Champflour, capitaine de cavalerie, Meunier, habitant, et François Bellin (n° 153). (22 février 1723),” FR ANOM COL A 28 F° 108, Arrêts, déclarations, édits et ordonnances concernant les colonies, Archives Nationales d’Outre-Mer (hereafter cited as ANOM).

²⁴ Marc Lafitte, 4:336, October 31, 1814, NONA. For more information on Victoire Arnold Martin O’Gorman, see FR ANOM COL E 325, Secrétaire d’Etat à la Marine, Personnel colonial ancien (XVIIe-XVIIIe), ANOM. Romaine O’Gorman was a launderer and a *marchande* in New Orleans, and she may have exercised such occupations in Saint Domingue and Cuba as well.

instance, Marie Louise *dite* Manon came to a New Orleans notary in 1812 to register her freedom, asserting that she had been kidnapped as a slave while evacuating Tortuga Island (L'île de la Tortue), off the northwest coast of Saint Domingue, to Baracoa, Cuba, but in fact she had never been a slave in Saint Domingue.²⁵

Some other women were free but still had children in slavery. In her 1812 will, Jeanne Phrosine revealed that she was from Plaisance in Saint Domingue, and domiciled in New Orleans for over two years. She added that when she was a slave, she had a son, still a slave, whom she had purchased about eight months prior. Her wishes “were and are to free and emancipate her said natural child,” which she enacted by sending power of attorney to Pensacola (where her son apparently stayed) “to take all necessary steps to free him.” Jeanne Phrosine wanted to make sure that her son would be emancipated, and charged the executor of her will to take all necessary steps in order to secure his freedom.²⁶

Some women who came to Louisiana were legitimately married to white men or to free men of color. Suzanne Besson was the widow of the late *Sieur* Jean Louis Campant who died in Petit Trou (Southern Peninsula). Along with a listing of her property in Saint Domingue, she provided the notary with her 1793 marriage contract enacted in Petit Gôave, and also declared that “they lived together for a very long time [and] had three children born in 1782, 1783, and 1786.” She also referred to one of her children as her “fils légitime,” which indicates that the children were legitimized by marriage. As demonstrated in the first chapter, wives, concubines, and legitimate and illegitimate offspring were not accorded the same inheritance rights. Thus, it

²⁵ Narcisse Broutin, 68:177, May 15, 1812, NONA.

²⁶ Michel de Armas, 7:42, January 23, 1812, NONA. Michel de Armas, 6:336, June 29, 1811, NONA. Michel de Armas, 6:556, December 24, 1811, NONA. Jeanne Phrosine was not successful in emancipating her son, since he was still a slave in 1818, when she wrote her second will. Michel de Armas, 14A:233, April 14, 1818, NONA.

was important for Besson to establish her marital status in New Orleans.²⁷ Another Domingoise, Marie Jeanne Lamoussé from Tiburon, was the widow of free man of color Nicolas Rolland, with whom she had “several children.” She was herself the legitimate daughter of *Sieur* François Lamoussé and Marie Françoise Delamay, a free woman of color.²⁸

Some women had lived *en concubinage* in Saint Domingue. Mr. Joseph Guillaume Carles, a native of France and a former merchant in Port-au-Prince recognized his daughter Marie Louise, born of his union with Catherine Papilleaud, a Creole from Port-au-Prince, “with whom he has lived and still lives out of wedlock.” Carles and Papilleaud were both former refugees from Cuba, and their child was born and baptized in Santiago de Cuba in 1806.²⁹ Similarly, Joseph St Victor, a planter in Cavaillon and colonial administrator of the district of Cul-de-Sac in the parish of Croix des Bouquets, legitimated his six natural children born of his union with Marie Louise Catherine Cuvilly, a Creole from Croix des Bouquets, “with whom he has lived and still lives out of wedlock.” Four of their children were born and baptized in Croix des Bouquets, while one was born and baptized in New York City, and the youngest in New Orleans.³⁰

Some women lived in concubinage in New Orleans, with or without children. In her will, Marie Louise Latouche from Mirebalais in the central part of the island revealed that she “currently lived” with Mr. Louis Boyer, and had a nineteen-month-old and was pregnant.

²⁷ Christobal de Armas, 1:395-6, July 27, 1818, NONA.

²⁸ Marc Lafitte, 1:24, June 23, 1810, NONA. Legitimacy and propriety seemed to have been very important to Lamoussé. In her will, she claimed that she did not “recognize the marriage of her deceased son Etienne Rolland with Marie Louise Lartaud [because] from this marriage came a child that, in good conscience, she cannot recognize as legitimate fruit of her said son Etienne Rolland with said Lartaud, and [the said child] can and should only be considered an adopted child of the said Etienne Rolland.” One can only imagine the circumstances surrounding her decision.

²⁹ Marc Lafitte, 1:95, November 12, 1810, NONA.

³⁰ Marc Lafitte, 1:118, December 20, 1810, NONA.

Similarly, Marie Elizabeth Thuet from Port-au-Prince said that she was “currently cohabiting outside marriage with Mr. Joseph Sauvinet, and had a daughter Eulalie Elizabeth Jeanne Camilla, 4, and was pregnant.”³¹ In some cases, free couples of color married in New Orleans. In 1820, Suzanne Butel, a native of Jérémie, married Francois Bogui, a native of Port-au-Prince and a carpenter, and declared that they had been “living together for several years and ha[d] a child named Heludger, 8, thus legitimizing him.”³²

Many women were single with or without children. Marie Charlotte Rolland declared that she had never been married, and had six natural children, with no mention of a natural father. Henriette Séraphine Baudouin also stated that she had never married, and had two natural children, Elizabeth Adélaïde Savary, born in Jacmel and the natural daughter of *Sieur* Jean Marie Savary, a merchant from Jacmel, and Charles Court, born in New York City and baptized in New Orleans, the natural son of David Court, a merchant in Îles du Vent (the Windward Islands, the southern islands of the Lesser Antilles, within the West Indies). Other women had “neither husband nor descendants.”³³

Thus, the status of Domingoes was very diverse and both informed and affected their social and economic standing in New Orleans. To what extent were they able to transfer their social standing to Louisiana? They were twice removed from their land, first from Saint Domingue and then from Cuba, a process during which they undoubtedly lost family, friends, and financial security. How were they able to reconstruct their social and economic status in New Orleans?

³¹ Narcisse Broutin, 21:263, May 8, 1810, NONA. Marc Lafitte, 11:395, November 20, 1817, NONA.

³² Marc Lafitte, 18:67, September 26, 1820, NONA.

³³ Narcisse Broutin, 21:255, April 18, 1810, NONA. Marc Lafitte 5:65, April 22, 1815, NONA. For example, see Pierre Pedesclaux, 63:432, October 8, 1811, NONA.

In New Orleans, many women were given the respectful title “Mademoiselle” or “Demoiselle” in legal transactions. Also, the label “femme de couleur libre” was omitted in several instances. Thus, notaries chose not to comply with the legal requirement of racial labeling enacted by the Territorial Legislature of 1808.³⁴ Although use of such titles in legal documents was not systematic, it seemed to indicate that these women yearned to establish themselves as notable residents, and perhaps even as white, once in New Orleans.

There is even more evidence to suggest this might be the case. The history of racial labeling in New Orleans and in Saint Domingue was similar, and Domingoises already had experience with ignoring such laws. By the 1770s giving respectful titles to free persons of color was illegal in Saint Domingue. Yet many notaries flouted the law by omitting the required racial labels among some members of the free elite of color, as evidenced by John D. Garrigus and Dominique Rogers.³⁵ Growing racial discrimination in the 1780s mobilized free people of color to agitate for their rights as citizens and planters. Furthermore, with the influence of the Enlightenment philosophers, authorities began to view free persons of color in a different light. Eventually they were seen as potential allies with whites against the island’s vast majority of slaves, and no further discriminatory laws were passed against them thereafter.³⁶ Domingoises certainly had had experience with racial hostility and segregation but also with ignoring such punitive sanctions. Thus, they tried to assert, and did assert, status using these titles.

³⁴ Annie Lee Stahl, “The Free Negro In Ante Bellum Louisiana” (master’s thesis, Louisiana State University, 1939), 17.

³⁵ Garrigus, “Colour, Class, and Identity on the Eve of the Haitian Revolution.” 30-1. Dominique Rogers, “On the Road to Citizenship: The Complex Route to Integration of the Free People of Color in the Two Capitals of Saint-Domingue,” in David Patrick Geggus and Norman Fiering, eds., *The World of the Haitian Revolution* (Bloomington and Indianapolis: Indiana University Press, 2009), 71-2. The 1773 regulation forbade free persons of color to use the name of a white person and forced them to adopt an African nickname. In 1783, the terms *Sieur*, *Dame*, and *Demoiselle* could only be used for whites in public records.

³⁶ Garrigus, “Colour, Class, and Identity on the Eve of the Haitian Revolution.” 36-8. Rogers, “On the Road to Citizenship,” in Geggus and Fiering, eds., *The World of the Haitian Revolution*, 69-70.

In New Orleans, the label “Mademoiselle” and the omission of the words “femme de couleur libre” did not seem to be related to an individual’s literacy level. In a few instances, some women were referred to as “Demoiselle,” and were unable to sign—women who were not able to sign simply declared they were unable to do so and made their “ordinary mark.” For instance, Louise Dinet was illiterate, but she was still given the title “Demoiselle” in notarial deeds.³⁷ More than half of the women in the sample were able to sign their names. This number contradicts Dominique Rogers’s for Cap Français and Port-au-Prince, where she found that about 80 percent of the women from these two places did not know how to sign.³⁸ However, we have to keep in mind that the sample considered here includes women coming from all over the island, and therefore women from other regions may have had more opportunities to access education.

According to Rogers, there was an elementary school in each *quartier* of the colony in eighteenth-century Saint Domingue. Although there are no extensive records of school attendance, it is clear children of color attended school.³⁹ Furthermore, the church played a central role in educating free boys and girls, both white and of color. The Jesuits (1704-1763) were the first order to establish schools in the colony. In Cap Français, Father Boutin, a “curé des nègres,” in other words a priest who held mass and instructed catechism to slaves, created an “œuvre des orphelins et orphelines,” to shelter and educate orphans—it is unknown whether the

³⁷ See for example, Narcisse Broutin, 22:221, April 13, 1810, NONA. Marc Lafitte, 4:334, October 19, 1814, NONA. Louise Dinet (also Douet).

³⁸ Rogers focuses on notarial records involving free men and women of color for both Port-au-Prince and Cap Français at the end of the Ancien Régime (1776-1789). Rogers, “Les libres de couleur dans les capitales de Saint-Domingue,” 516-23. Rogers is able to determine that *métissage* alone did not explain the level of literacy among free men and women of color in Saint Domingue—connections with whites, and being born free versus having been emancipated are no better factors in explaining that fact either.

³⁹ *Ibid.*, 518-9.

school welcomed both white children and children of color.⁴⁰ Girls were taught piety, reading, and writing for free. They were “instructed all the chores that are the responsibility of their sex and that could be used later, to earn a living, or to make themselves useful in a household.”⁴¹ Thus, girls were trained to be good Christians, but also good wives and mothers.

Father Boutin was deeply concerned that families in the countryside did not have the means to educate their daughters, and while the elite sent their sons to be educated in France, it was deemed too hazardous for young girls to travel by themselves.⁴² Thus, Father Boutin wanted to expand his endeavors in the realm of education in Saint Domingue. He tried unsuccessfully to bring religious hospitallers from La Rochelle to establish both a hospital and a school in the colony (1721). Yet, by 1733, he managed to bring the Benedictine Sisters of the Congregation of Notre-Dame to the island (1733-1793). The Sisters ran both a boarding school and a day school for girls in Cap Français.⁴³ The Sisters taught “creole girls,” “mulattoes,” and “Negroes.” Mgr. Jan claimed that there was a profound division among “whites, mulattoes, and Negroes” in Saint Domingue, for “white and mulatto families would never have consented to send their daughters to a school where instruction had been given to both Negroes and whites,” and that under the same roof.⁴⁴

It is unclear whether those girls of color were free or enslaved (or if Mgr. Jan associated “mulattoes” with free status, and “Negroes” with enslaved status), but it is fairly certain that

⁴⁰ Mgr. J. M. Jan, *Les congrégations religieuses à Saint Domingue, 1681-1783* (Port-au-Prince, Haiti: Editions Henri Deschamps, 1951), 62-4. There were two priests in each parish, a “curé des blancs” and a “curé des nègres.” According to Mgr. Jan, Father Boutin was very popular in Cap Français, but he often overstepped his duties, exercising all pastoral functions i.e. practicing slave marriages and baptisms.

⁴¹ Ibid., 69.

⁴² Ibid.

⁴³ Ibid., 64 and 70-1.

⁴⁴ Ibid., 192.

privileged free girls of color attended the Sisters school. It would have been undoubtedly considered a respectable arrangement to make for educating young girls in the city. Free women of color also hired tutors and charged trusted friends with the education of their children, as evidenced by Rogers. Nathalie Dessens further asserts that, in Saint Domingue, “the educational level of the free population had been relatively high” and “the colony had newspapers, schools, libraries, book-stores, and theaters.”⁴⁵

An example of an educated free woman of color in my database is that of Marie Clotilde Mezelle Baudry. In her 1819 will, Baudry, who was born *circa* 1792 in Port-au-Prince, wanted her estate to be handed to the curator of her natural children, Marguerite Barsalau, “for the maintenance and education of her children.” Both Baudry and Barsalau signed their names.⁴⁶ Thus, Baudry insisted on putting an emphasis on educating her children, for she had obviously received instruction and learned how to read and write in her homeland. Also, when Marie Joseph Lebeau, another native of Port-au-Prince, registered her will in 1821, she claimed that she knew how to write, but she could not sign as a result of her weakness and illness.⁴⁷ Thus, signing their names at the bottom of a legal deed was no small matter to free women of color.

It is impossible to determine whether or not the children of Saint Domingue refugees received an education in New Orleans, since women as a rule did not stipulate whether their children should be taught how to read and write.⁴⁸ Louisiana-born women of the sample appeared to be less well educated than women from Saint Domingue, but Louisianians were

⁴⁵ Nathalie Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans,” *French Colonial History*, Vol. 8 (2007): 57.

⁴⁶ Christobal de Armas, 2A:349, September 15, 1819, NONA. Marguerite Barsalau (also Barsalou).

⁴⁷ *Will of Marie Joseph Lebeau* (1821), Recorder of Wills No. 3, Court of Probates, Orleans Parish, Louisiana, NOPL.

⁴⁸ It might have been implicit, since public and private schools had already been established in Louisiana, as examined in the first chapter.

definitely aware that education could offer the chance for a better existence. For instance, in 1820, Pélagie Derneville sold the slave Joseph, 12, to free man of color Jean Belaire, under several stipulations which included: teaching Joseph to read and write, caring for him in health as in sickness, giving him a job to provide for his future, and eventually freeing him.⁴⁹ Another fascinating example is that of Françoise Wiltz who took in two orphan girls and had them learn how to read and write. Their tutor was a Mr. Jacques Laroche, whom Wiltz “took in her home, from a sense of kindness and in consideration of his unfortunate condition” and “whose main occupation in [her] home [was] to learn to read and write to [her] two orphan girls.”⁵⁰ Both Derneville and Wiltz were not able to sign their names, but they it deemed important to provide an education to young boys and girls, both slave and free.

Moreover, this emphasis on education was furthered by the presence of Saint Domingue refugees who strove to preserve their Franco-Creole cultural background in New Orleans. To this end, they created and organized educational facilities, newspapers, and cultural institutions including theaters and operas. Dessens claims that the refugees, white and of color, “were educated, and although they reached New Orleans with almost no property or money, it was nonetheless natural for them to fit into sectors requiring a certain amount of schooling or training.” In furtherance of their priorities, they played an important part in attempting to “reproduce the patterns of education and transmission of culture that they had known in Saint-Domingue.”⁵¹ Upon arriving in Louisiana, Saint Domingue refugees offered to teach in all

⁴⁹ Marc Lafitte, 17:275, June 21, 1820, NONA.

⁵⁰ Marc Lafitte, 11:247A, June 15, 1817, NONA. The girls, Pauline and Françoise, were respectively the free mulatto daughter of a slave, and the daughter of deceased Native Americans.

⁵¹ Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans,” 57 and 59.

positions and at all levels.⁵² Saint Domingue refugees also opened schools for free girls and boys of color, as “Louisianans came to believe that education should not be open to whites only.”⁵³

One of the legacies of this strong belief in education was the establishment of the Couvent School. In 1837, Marie Justine Cirnaire Couvent, a native of Guinea and a former slave in Saint Domingue, died a wealthy free woman and left money to establish a school for the children of her community.⁵⁴ Opposition from whites delayed the settlement of the estate for a decade, but in 1847 the *Institution Catholique des Orphelins Indigents* opened. The students “received an education both practical and political [and] their teachers instructed them in mathematics and oratory and emphasized the importance of learning a trade and making business connections.⁵⁵ According to Creole historian Rodolphe Lucien Desdunes, the Couvent School was the best attended school during the antebellum period. It also boasted an all-black faculty.⁵⁶ Also, in 1842, Henriette Delille founded the Sisters of the Holy Family, with the aim of

⁵² Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans, 60-1. Some became influential in secondary and higher education in Louisiana. For example, upon arriving in New Orleans and before teaching at the Collège d’Orléans, coffee planter Pierre Lambert, whom we mentioned in the second chapter, offered his services to teach arithmetic, algebra, geometry, calculus, and navigation for sixteen dollars a month. See *Le Courrier de la Louisiane*, September 15, 1809. See Paul Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans,” 131.

⁵³ Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans,” 61.

⁵⁴ *Will of Marie Justine Cirnaire Couvent* (1837), Recorder of Wills No. 5, Court of Probates, Orleans Parish, Louisiana, NOPL.

⁵⁵ Mary Niall Mitchell, “‘A Good and Delicious Country’: Free Children of Color and How They Learned to Imagine the Atlantic World in Nineteenth-Century Louisiana,” *History of Education Quarterly*, Vol. 40, No. 2 (Summer, 2000), 125.

⁵⁶ Rodolphe Lucien Desdunes, *Our People and Our History* (Baton Rouge: Louisiana State University Press, 1973; originally published in 1911 as *Nos hommes et notre histoire*), 21-4 and 101-8. The school, located at the corner of Dauphine and Touro Streets, eventually became the St. Louis School of the Holy Redeemer, and ultimately the Bishop Perry School, which was closed after Hurricane Katrina displaced many of its students and donors.

instructing women of African descent in the Catholic faith.⁵⁷ By 1850, Dessens claims that “almost 80 percent of the city’s Creoles of color were literate.”⁵⁸ Thus, refugees from Saint Domingue contributed significantly to the establishment of educational infrastructures and made education accessible to many in Louisiana.⁵⁹

The evidence suggests that it was important to Domingoises to establish themselves as respectable members of society in order to survive, and eventually prosper. Domingoises thus secured their social standing in New Orleans through the establishment of their legal status, their marital status, and education. Above all, ownership of land and slaves was key to securing their independence, in a society convinced that the slave system was necessary for Southern social order and economic prosperity.

Already in Saint Domingue, free women of color were able to secure and assert their independence. Looking into their wills, marriage contracts, property transactions, and donations registered after their arrival in New Orleans helps determine the size and value of their property located on the island.⁶⁰ In the rural districts, women owned farms and plantations, as evidenced by my database, and participated actively in the internal economy of the island. In her 1810 will,

⁵⁷ See Virginia Meacham Gould, “Henriette Delille, Free Women of Color, and Catholicism in Antebellum New Orleans, 1727-1852,” in David Barry Gaspar and Darlene Clark Hine, eds., *Beyond Bondage* (Urbana: University of Illinois Press, 2004), 271-85. Emily Clark and Virginia M. Gould, “The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852,” *William and Mary Quarterly*, Third Series, Vol. 59, No. 2 (April, 2002): 409-48. Sister Mary Bernard Deggs, edited by Virginia Meacham Gould and Charles E. Nolan, *No Cross, No Crown: Black Nuns in Nineteenth-Century New Orleans* (Bloomington: Indiana University Press, 2002). Delille originally founded this order of nuns in 1836 under the name the *Sisters of the Presentation*, but it did not receive recognition until 1842.

⁵⁸ Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans,” 61.

⁵⁹ It is no surprise that, for about three decades, even though American migrants came flocking into New Orleans, French remained the language of the official proceedings and the social and intellectual life of New Orleans.

⁶⁰ As it was the case with Pouponne Guérin, the focus of our second chapter, the majority of the women who registered their wills in a notary’s office between 1810 and 1820 listed their assets in Saint Domingue.

Rosalie Chesneau, an *ancienne habitante de Saint Domingue*, recalled that she owned a 160 acres-plantation in the *canton* (district) of La Guinaudée in the town of Jean Rabel, west of the city of Port de Paix. In 1810, Elizabeth Pilard gave power of attorney to her brother, Vincent Pilard, to administer her plantation estate of about 319 acres located in the *canton* of Les Roseaux, also east of Jérémie.⁶¹

Although Chesneau and Pilard did not specify the type of *habitations* they owned, some women did. In 1810, Marie Céleste Badet, a creole from Verrettes, east of Saint Marc in the central part of the island, inherited an 80 acres-indigo plantation, while Hortense Nolau brought to her marriage a cotton and indigo plantation with 25 slaves inherited from her father, located in the valley of the Artibonite River (central part of the island).⁶² Marie Anne Pillard widow Landron, a native of Les Cayes, owned a plantation under food cultivation and lumber production in Cavaillon Parish (South of the island).⁶³

This evidence of an internal economy indicates that women farmers and plantation owners of color probably sold their produce to the towns, and may have also participated in the export trade. For example, the case of Suzanne Besson Widow of the late *Sieur* Campant, and a native of Petit Gôave (Southern Peninsula), gives us a retrospective view of how successful one free woman of color could be. In 1818, Besson gave power of attorney to her “legitimate son” Jean Jacques Xavier Campant to claim, take possession, repair, and improve all of her possessions and those contracted during marriage. Her estate comprised a 4,800 acres-plantation with 100,000 coffee plants, a large residence, stores, slave quarters (*cases à nègres*), crushing

⁶¹ Narcisse Broutin, 23:610, November 20, 1810, NONA. This plantation was valued at 10,000 gourdes.

⁶² Narcisse Broutin, 21:242, March 7, 1810, NONA. Narcisse Broutin, 22:129, March 3, 1810, NONA. The groom put in community seven coffee plantations (located in Saint Marc and Les Roseaux) with 300 slaves, as well as three other properties (in Verrettes and Mirebalais).

⁶³ Narcisse Broutin, 24:132, May 16, 1811, NONA. The French word used by the notary is *vivres* i.e. food crops; no mention is made of the types of crops that were produced.

mills, utensils, and animals, along with another 2,232 acres-plantation with its buildings, utensils, animals, and 70 slaves. She also owned houses and lots in the city, and nine additional slaves there.⁶⁴

The economic and social dynamics of urban areas facilitated the emergence of distinct groups. The economic vitality of Cap Français, for instance, allowed for the emergence of a class of wealthy artisans and merchants prior to the Revolution. Family and friends were connected through intertwined networks, and whites and persons of color interacted on many levels.⁶⁵ Free women of color held various occupations—housekeepers, *marchandes*, landlords, etc.—and owned property and slaves, and many obtained a significant level of wealth, as discussed in Chapter 2. Thus, towns like Cap Français could provide free women of color with a wide variety of opportunities as well as independence, neither of which was generally available to them in rural areas.

Domingoises also reached economic independence through the ownership of human property. Some of them had to abandon their slaves in Saint Domingue and/or Cuba, but some were able to bring their slave property with them to New Orleans. There they sold, mortgaged, and donated their slaves, and in some cases, they made provisions to emancipate them. For example, Jeannette Azulima “left behind” sixteen *domestiques* in Le Cap. Marie Charlotte Rolland left eight slaves on her Mirebalais plantation. Marguerite Chaulet *dite* Lance left “all the slaves” who were part of her *habitations* in L’Anse à Veau in the Southwestern part of the island. Rosalie Chesneau owned ten slaves who “stayed” in Saint Domingue after she left the island.⁶⁶

⁶⁴ Christobal de Armas, 1:395, July 27, 1818, NONA.

⁶⁵ See for example, Rogers, “Les libres de couleur dans les capitales de Saint-Domingue,” 577-83.

⁶⁶ Hugues Lavergne, 4:202, September 18, 1820, NONA. Narcisse Broutin, 21:255, April 18, 1810, NONA. Narcisse Broutin, 29:627, October 13, 1813, NONA. Narcisse Broutin, 21:226, January 25, 1810, NONA.

Jeannette, a native of Jérémie, brought two of her four slaves with her, Fanny and Marie—the other two, Azor and Allair “were in Saint Domingue.”⁶⁷ Thus, for most free women of color slave ownership was an integral part of their economic status. This is also evidenced by the fact that some women tried to regain ownership of their slave property in the United States, while others registered notarial deeds establishing rights to their abandoned property once in New Orleans.

For instance, Jean Miltenberger, Francois Huet, and Simon Charpentier, all former *habitants* of Jérémie, came forward in the notary’s office, at the request of free woman of color Sanite Goguet, to declare that Goguet, also a former *habitant* of Jérémie, was the “rightful owner of the fourteen-year-old Creole slave Céléstine, whom she brought with her from Saint Domingue.” Likewise, former Saint Domingue residents Jean Baptiste Chatard, Guillaume Hubert, and Jean Phélippon certified that the Creole slave Tenniette, currently in Charleston, was the property of the free woman of color Suzanne Lomenie, a former resident of Petit Trou. They also revealed and confirmed that Lomenie had already made some claims to retrieve her property.⁶⁸ In 1820, sisters Lorince, Collette, Eugénie, and Jeanne Laclotte from Jérémie declared that when they left the island “during the evacuation,” they each brought a slave to New Orleans, apart from the slave Renette, Lorince Laclotte’s property, whom she left in Santiago de Cuba with a Mr. Savon for a rental period of about ten years.⁶⁹ Finally, in 1815 Madeleine Mahot registered in New Orleans a sale executed in Saint Domingue in April 1795 of a “non-branded 15-year-old Congo slave.”⁷⁰ Thus, free women of color relied on diverse methods to

⁶⁷ Narcisse Broutin, 21:285, August 15, 1810, NONA.

⁶⁸ Marc Lafitte, 13:510, October 28, 1818, NONA. Narcisse Broutin, 23:441, August 8, 1810, NONA.

⁶⁹ Marc Lafitte, 17:286-7, June 28, 1820, NONA.

⁷⁰ Marc Lafitte, 6:397, November 22, 1815, NONA.

establish their property rights in Louisiana, and notaries served as their prime legal agents when doing so.



Figure 4: Bouquetières de Saint-Domingue⁷¹

While these women purchased additional slaves in New Orleans, they also traded in the property they were able to bring with them. Many sales found in the notarial archives testify to this fact. Notaries used assorted jargon to describe those sales. The objects of the sales either “came from the seller’s *habitation* (or “estate”),” “were born on the seller’s *habitation*,” or

⁷¹ This 1796 hand-colored engraving depicts flower sellers in Saint Domingue. According to their style of dress, one woman appears to be a slave, and the other a free woman of color. It is unclear whether the latter owned the slave woman. J. Laroque, after a drawing by L. F. Labrousse, in Jacques Grasset de Saint-Sauveur, *Encyclopédie des voyages, contenant l’abrégé historique des mœurs, usages, habitudes domestiques, religions, fêtes...* (An encyclopedia of travel, containing a historical abstract of the manners, customs, domestic habits, religions, festivals...) (Paris: Grasset de Saint-Sauveur, Deroy, 1796), Bibliothèque Nationale de France.

“belonged to the vendor for being born to the slave X (or “for being born to one her slaves”).” For example, in 1811, Elizabeth Mahot sold four slaves *appartenant à la venderesse pour être nés à Saint Domingue sur son habitation* (belonging to the vendor for being born in Saint Domingue on her plantation) to a Mr. Jean La Roche. In 1815, Nanette Viau sold Zemire, 40, and her daughter Magdelaine, 20, the former a Congo slave bought in Saint Marc, and the latter a Creole “born in Saint Domingue,” and “having brought them with her in the state of Louisiana.” Likewise, Marie Hilaire Oudard Widow Morin sold the Creole slave Marie Geneviève, 25, along with her daughter, 7, who were part of her property in Jérémie, and whom she brought to Louisiana.⁷²

Slaves who were not born on plantations had been acquired by private seal, by donation, or by regular purchase recorded before an officer of the colony of Saint Domingue. In 1812, Sanite Boudet sold the Creole slave Margueritte, 27, whom she had acquired by private seal from Mr. Millet on March 22, 1793 in the Artibonite, and had brought to New Orleans.⁷³ In 1810, Marie Catherine Victoire Manuel *dite* Divine sold Zabette, 36, whom she had acquired by donation from Mr. Guillaume Audigé in Jean Rabel on July 12, 1789.⁷⁴ In 1810, Rose Jacqueson sold the Creole slave Rosine, 20, with her 5-month-old infant, and provided the notary with a copy “extracted from the records office of the seneschal of Port-au-Prince, dated May 8, 1795,” as part of evidence of ownership.⁷⁵

⁷² Pierre Pedesclaux, 63:386, August 26, 1811, NONA. Marc Lafitte, 5:28, March 28, 1815, NONA. Marc Lafitte, 6:448, December 26, 1815, NONA.

⁷³ Marc Lafitte, 2:178, September 10, 1812, NONA.

⁷⁴ Narcisse Broutin, 23:489, August 30, 1810, NONA.

⁷⁵ Narcisse Broutin, 22: 285, May 12, 1810, NONA. Under the Ancien Régime, the *sénéchal* (seneschal) was the king’s representative charged with the application of justice and control of administration in the *sénéchaussée* (administrative district). The population in Saint Domingue also registered sales of property before notaries.

Domingoises also acquired, sold, and mortgaged slaves throughout the Caribbean, in Cuba, Guadeloupe, St. Thomas, and Jamaica.⁷⁶ These transactions not only show the French Domingo diaspora in the Caribbean, but also that slave ownership remained a central component of their lives. In 1815, Marie Louise Brémont sold the slaves Betsy, 27—and her 4 children—whom she had purchased by private seal in Jamaica, on March 25, 1800.⁷⁷ In 1814, Claire Hortense Attide, a native of Saint Marc, registered both a donation and a sale made in St. Thomas: the former stated a donation made to Attide of a 16-year-old slave on March 18, 1805; the latter was a sale made to Attide of a 24-year-old Creole slave on March 1, 1808.⁷⁸ In 1817, Caroline Baudouin sold the slave Constance, along with her child, whom she had acquired *brut* by private seal at Pointe-à-Pitre (Guadeloupe) “seven or eight years ago, and brought [to Louisiana] with her.”⁷⁹ However, most of the transactions outside of Saint Domingue examined for this study took place in Cuba, which welcomed the majority of French refugees in the early nineteenth century. For instance, in 1811 in New Orleans, Victoire Dau sold the 17-year-old Congo slave Carabinieo, whom she had purchased “in the Spanish island of Cuba aboard a slave ship” in 1807.⁸⁰ Thus, slaveowning was part and parcel of their economic lives.

⁷⁶ Some may have also made business in Santo Domingo (in today’s Dominican Republic), but this fact remains unclear since Saint Domingue was often referred to as “Santo Domingo” thus creating possible confusion. However, France came to own Santo Domingo from 1795 to 1808, therefore transactions that took place in Santo Domingo during that time period might not be impossible. For example, in 1811 in New Orleans, Marie Joseph Bousignac sold the slave Michel, whom she said she had acquired from a *Sieur* Aussenac in Santo Domingo on 10 Brumaire, An XXIV (Republican Calendar, i.e. November 1, 1805). The date (1805) as well as the use of the Republican Calendar may indeed indicate that this sale had taken place in Santo Domingo. Michel de Armas, 6:510, November 7, 1811, NONA.

⁷⁷ Narcisse Broutin, 32:391, July 21, 1815, NONA.

⁷⁸ Narcisse Broutin, 30:150, March 17, 1814, NONA.

⁷⁹ Marc Lafitte, 10:31, February 4, 1817, NONA.

⁸⁰ Michel de Armas, 6:489, October 18, 1811, NONA. Victoire Dau (also D’Eau or Deau).

Domingoises bequeathed their slave property, and their heirs in turn shared it out. In 1812, Elizabeth Greffin, a native of Port-au-Prince, decided to parcel out chattel among her two natural children, Joseph Charamel and Marie Jeanne Lascabes. Greffin divided thirteen slaves between her children—she had purchased some of them in Saint Domingue and Cuba, while others were born in her possession. Charamel’s share amounted to 2,500 dollars, while his sister inherited 4,200 dollars worth of property.⁸¹ This led (inevitably) to a lawsuit from Charamel’s part, who claimed that some of the slaves that Lascabes inherited were not her legitimate property. Charamel and Lascabes eventually decided to settle the suit out of court. Charamel recognized the said slaves to be his sister’s legitimate property, and Lascabes gave him 300 dollars in compensation.⁸² The outcome of the lawsuit did not benefit Charamel, but his mother’s last wishes could not be contested. Thus, slaves were meant to be handed down from parent to child, just like any other property.

Even though slaves provided economic independence and were part of the economic life of free women of color, their relationships were not always as clear-cut as thought to be. The Haitian Revolution, in particular, complicated the relationships between free women of color and slaves. Domingoises had to rely heavily on their slave property throughout their journey. For instance, in 1810 *mulâtresse* Marie Jeanne Lamoussé Widow Rolland, a native of Tiburon and a refugee from Cuba, emancipated her Canga slave Marie Anne *dite* Première, for “she ha[d] time and again followed her and served her, and from whom she ha[d] received important services.”⁸³ Thus, loyalty and trust earned Marie Anne her liberty, outweighing whatever cleavages that existed between master and slave.

⁸¹ Narcisse Broutin, 27:170, January 27, 1812, NONA.

⁸² Marc Lafitte, 6:375, November 1, 1815, NONA.

⁸³ Marc Lafitte, 1:24, June 23, 1810, NONA.

Clémence Dorfeuille's story offers a similar approach, yet with a twist. In 1816, Dorfeuille attempted to attest to the liberty she accorded one of her former slaves, the late Félicité, and to establish that Félicité's daughter, Marie Madeleine, was born free prior to the Revolution in Saint Domingue. Since copies of Félicité's emancipation papers had been lost, Dorfeuille made every effort possible to prove that Marie Madeleine was a free woman in New Orleans.⁸⁴ Again, loyalty, and perhaps solidarity, seemed to have prevailed.

However, Dorfeuille set herself apart from slaves by blaming the black population of Saint Domingue for both the destruction that occurred on the island and the dire consequences it engendered for its inhabitants, and therefore herself. Dorfeuille positioned herself as one of the victims of the disastrous events that played out in the former French colony, and in her mind the rebellious blacks were the villains. She contended that:

“It is even impossible at any time to go and obtain a new shipment because the records or originals [of Félicité's emancipation papers] have been destroyed by the revolted Negroes.”⁸⁵

Jeremy D. Popkin, in his article about first-person accounts of individual white experience during the slave insurrection, claims that “whites were incapable of admitting that the black population of Saint-Domingue might have conceived a movement to gain their own freedom, and as a result they had no appropriate categories to narrate the event or understand the motives of its actors.”⁸⁶ A similar assertion seemed to apply to free woman of color Dorfeuille as she blamed the “revolted Negroes” for the destruction of the island, and by extension for the

⁸⁴ Michel de Armas, 10:88, February 13, 1816, NONA.

⁸⁵ Ibid. Dorfeuille's account was written in French and its translation is mine.

⁸⁶ Jeremy D. Popkin, “Facing Racial Revolution: Captivity Narratives and Identity in the Saint-Domingue Insurrection,” *Eighteenth-Century Studies*, Vol. 36, No. 4 (Summer, 2003): 514.

destruction of a way of life. Thus, relations between free women of color and (their) slaves were rather complex.⁸⁷

Emancipation provisions offer further evidence for consideration. Domingoises emancipated their slaves or made provisions to do so, but in as many instances they chose not to emancipate their slaves, or to bequeath some of them while emancipating some others. For instance, Iphigénie Carriés, a native of Port-au-Prince, owned a house in the French Quarter and several slaves, and according to her 1840 will, she chose to emancipate her three slaves, Pauline, Nelson, and Zemire. Pauline and Nelson were required to pay for their emancipation. Since Zemire was “unable to render services because she [was] crippled and of very old age,” Carriés thus emancipated her free of charge and “recommend[ed] her to the care of Mademoiselle Solitude, a free woman of color,” who “will take pity on her and keep her with her during the short time she ha[d] yet to live.”⁸⁸ Carriés emancipated two other slaves during her lifetime, suggesting that providing additional financial security through slave ownership to her children was not paramount.⁸⁹

Similarly in 1814, Marie Thérèse Lariolais *dite* Laloire, a native of Artibonite, wished to emancipate six children, aged 20 months to 14 years old, of one of her former slaves named Honorine, now free. Furthermore, she bequeathed all of her estate to Honorine, “as a token of

⁸⁷ This is further exemplified by the fact that Dorfeuille sold her slave Nanette, a Creole *domestique* and *marchande* from Saint Domingue, to Marie Madeleine for 1,200 dollars.⁸⁷ Marc Lafitte, 14:171, April 15, 1819, NOPL.

⁸⁸ *Will of Iphigénie Carriés* (1840), Recorder of Wills No. 6, Court of Probates, Orleans Parish, Louisiana, NOPL.

⁸⁹ *Emancipation Petition* of Marie Jeanne (1825), 36D, and *Emancipation Petition* of Betsy (1835), 39C, Slave Emancipation Petitions, 1814-1843, Parish Court, Orleans Parish, Louisiana, NOPL.

[her] gratitude.”⁹⁰ Laloire was 80 at the time, and she had no family—her parents were dead, she never married, and had no children. Although Laloire did cohabit with free man of color Pierre Jacques Cournan, she did not bequeath him anything. Thus, she certainly considered Honorine and her children her family. Likewise, Marie Françoise *dite* Zaire Grammont, a Creole from Cap Français, gave freedom to her two slaves, Pauline and her daughter Marie Isabelle *dite* Dulila, and charged her niece and heir, Marie Magdeleine, to house them at her own expense for three years, and to give them a sum of 50 dollars. In the event that Marie Magdeleine would not take them in, she would have to pay rent for their accommodation. Thus, Grammont echoed Laloire’s wishes providing for her slaves financially after her death.⁹¹

These examples were not the norm, since the majority of women who wished to emancipate their slaves either kept several others in bondage, or gave their slaves conditional freedom. For instance, Claire Hortense Attide wanted to emancipate her Creole slave Fillette, 30, and her two children “as a token of [her] appreciation for her services,” as well as her African slave Lucette, 20, however their freedom would be effective only upon the death of Attide’s mother. The latter was Attide’s universal legatee, and would therefore enjoy the usufruct of the slaves.⁹² Marianne Guillamette, from Île-à-Vache, bequeathed her slave Marie Catherine *dite* Julime to her brother Jean Guillamette, but she decided to give freedom to Julime’s daughter, Adelaïde, 6—Adelaïde would stay in Jean Guillamette’s care until she had reached the legal age of emancipation, and that same emancipation would be provided by Guillamette.⁹³ Finally, in 1812 Marie Claire Daty bequeathed her slave, Rosine, to her mother and her sister, and Rosine

⁹⁰ Marc Lafitte, 4:86-7, March 10, 1814, NONA. Lariolais emancipated Honorine along with another slave, Rosalie, that same month. Marc Lafitte, 4:70, March 2, 1814, NONA.

⁹¹ Narcisse Broutin, 24:269, April 15, 1811, NONA.

⁹² Marc Lafitte, 11:379, November 4, 1817, NONA.

⁹³ Michel De Armas, 3:63, March 24, 1810, NONA.

was meant to be emancipated only after their death. Daty also emancipated two of Rosine's children (aged 6 years and 1 month old), but her third child, Elise, 10, was willed to a Mr. Petit for a term of three years. After this lapse of time, Elise would be handed down to Daty's mother and sister, and would be free after their demise only.⁹⁴

These cases show us all the ambiguities inherent in slaveholding on the part of Domingois. Although it remains difficult to interpret such wishes, it is evident that Domingois were aware of the financial value of their slaves but also of their desire to be emancipated. Slaveholding for financial reasons on the part of free women of color is reinforced by the fact that Louisiana-born free women of color made similar provisions, and bequeathed their property more often than not. Evidence of sales and purchases of slaves, mortgages, donations, and lawsuits over slaves discussed in the third chapter reinforce that evidence.

Recently scholars have focused on the debate concerning the relative proportions of benevolent versus exploitative African American slave owners. Neither side have been able prove that its examples and evidence are more representative than are those of the opposition. Thus, some historians have shifted their focus to quantitative history in order to resolve the matter. In the 2005 article entitled "Were African American Slaveholders Benevolent or Exploitative? A Quantitative Approach," David L. Lightner and Alexander M. Ragan claimed that "what is needed is a quantitative study that will allow meaningful generalizations to be made about the motivation of *all* black slave holders throughout the whole South."⁹⁵ Using the 1830 census data that was compiled by Carter G. Woodson, these scholars looked at the number of slaves free persons of color owned and compared those numbers to white slaveholders. The

⁹⁴ Pierre Pedesclaux, 65:329-30, June 19, 1812, NONA. Marie Claire Daty acquired Rosine in 1805 in Baracoa, Cuba. See Narcisse Broutin, 22:72, February 12, 1810, NONA.

⁹⁵ David L. Lightner and Alexander M. Ragan, "Were African American Slaveholders Benevolent or Exploitative? A Quantitative Approach," *The Journal of Southern History*, Vol. 71, No. 3 (August, 2005), 546.

authors concluded that although “the minority of black slaveholders who are assumed here to have been exploitative was more substantial and their slave holdings far more significant than Woodson implied,” Woodson “was correct when he said that the majority of black slaveholders were motivated by benevolence.”⁹⁶

In Louisiana, Judith K. Schafer asserts that emancipation cases heard by the Louisiana’s Supreme Court reflected “bonds of conjugal or filial love between slaveowner and slave.” Between 1827 and 1851, 37 percent of petitions to free slaves in New Orleans involved free persons of color attempting to free their relatives.⁹⁷ However, emancipation petitions involving free persons of color were, perhaps surprisingly, less numerous than those involving whites.⁹⁸ Familial bonds, but also greed, were among the many reasons why free persons of color did not manumit their slaves. Schafer claims that “the avarice of free black relatives of slaves emancipated by will and their disregard of succession law matched that of their white counterparts.”⁹⁹

The cases discussed in the previous chapter and the examples cited earlier in this chapter reveal indeed that relationships between free women of color and their slaves in New Orleans were very complex. Thus, looking into how and why free women of color traded slaves rather than why they owned slaves appear to be a much more significant tool to describe and analyze. Notarial records and court cases, in particular, provide substantial information about the lives of free women of color and relationships between masters and slaves that a quantitative study is unable to provide.

⁹⁶ Lightner and Ragan, “Were African American Slaveholders Benevolent or Exploitative?,” 548.

⁹⁷ Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge: Louisiana State University Press, 1994), 215-6.

⁹⁸ *Ibid.*, 215-6.

⁹⁹ *Ibid.*, 215.

Finally, the general assertion that the majority of slave owners of color were “mulattoes” does seem to find credence—the term “mulatto” is used here in the nineteenth-century context to describe racially-mixed persons generally. Although measuring race and ethnicity is not easy business, color and ethnicity do not appear to have been determining factors when it came to trading and emancipating slaves.¹⁰⁰ Contrary to the depictions of Saint Domingue women on page 146 and below, slaveholding women in Saint Domingue, Louisiana, and elsewhere were not necessarily all racially-mixed. Women from the sample were natives of Africa, some others were born of Louisiana slaves and manumitted during their lifetime, and some others were *mulâtresses*, or *quarteronnes*. A few of them had family members who were still enslaved.

Yet these women routinely enslaved others. Larry Koger claims that, in South Carolina, “many ex-slaves making their way up in the world of business considered the acquisition of slaves to fulfill their demands for workers.”¹⁰¹ Ex-slaves also owned slaves to help them in their households. In 1827, Sophie Bénédicte, a native of Africa, gave and bequeathed her six natural children all her property to be shared among them in equal portions. Her said property comprised a lot of ground in Faubourg Marigny and three slaves, Charlotte, a cook, Jean-Louis, Charlotte’s son, and Sophie, a washer and a cook.¹⁰² Moreover, Bénédicte acquired and sold

¹⁰⁰ Free people of color were notable for racial mixtures that did not fit easy classification. Since the French period, census takers used their discretion to determine who fit in the category of “free person of color,” so it is hard to identify the dividing lines between black, white, and “other.” A free person of color could be a non-racially mixed person who was born a slave and emancipated during his/her lifetime or a non-racially mixed person who was born free, a person of mixed racial ancestry again an ex-slave or born free, or a free person of another ethnic or racial origin who did not identify as white, or whom the census taker did not feel was white.

¹⁰¹ Larry Koger, *Black Slaveowners: Free Black Slave Masters in South Carolina, 1790-1860* (Jefferson, NC: McFarland, 1958), 38.

¹⁰² *Will of Sophie Bénédicte* (1827), Recorder of Wills No. 4, Court of Probates, Orleans Parish, Louisiana, NOPL. *Inventory of the Estate of Sophie Bénédicte*, May 28, 1827, Roll B-35, Inventories of Estates, Court of Probates, Orleans Parish, Louisiana, NOPL.

other slaves during her lifetime, and she had sold Charlotte's other son, Noël *dit* Coffy, for a nice profit in 1819, showing that she had been motivated by financial reasons.¹⁰³



Figure 5: *Nègresse et femme mulâtre de Saint-Domingue*¹⁰⁴

Marie André *dite* Galoche, a native of Guinea, wished to emancipate her slave Françoise and her four children but, in the event that she left any debts upon her demise and that her assets were insufficient to pay them, Françoise would be rented out to extinguish her debts, and her

¹⁰³ Narcisse Broutin 31:473, September 19, 1814, NONA. Narcisse Broutin 31: 560, November 3, 1814, NONA. Philippe Pedesclaux, 9:688, September 6, 1819, NONA.

¹⁰⁴ “A slave woman and a mulatto woman from Saint Domingue,” represented in this hand-colored engraving by J. Laroque, after a drawing by L. F. Labrousse, in Jacques Grasset de Saint-Sauveur, *Encyclopédie des voyages, contenant l’abrégé historique des mœurs, usages, habitudes domestiques, religions, fêtes...* (Paris: Grasset de Saint-Sauveur, Deroy, 1796), Bibliothèque Nationale de France.

liberty and that of her children would be “deferred until termination of said debts.”¹⁰⁵ Thus, slaves served primarily as security, and financial liability often overrode any “benevolent” sentiments. Another example is that of philanthropist Marie Justine Cirnaire Couvent. Celebrated for giving “the example of enlightened charity,” Couvent traded slaves in the city.¹⁰⁶ Many other women, whatever their racial and ethnic backgrounds, gave conditional freedom to their slaves. How might one understand this issue?

Laws which regulated the lives of slaves and free persons of color had consequences on their interpersonal relationships. For instance, the Digest of the Civil Code of 1808 retained the colonial prohibition of marriages between free persons and slaves.¹⁰⁷ In addition, laws that sought to curtail the rights of free persons of color in the state may have contributed indirectly to the reinforcement of the caste system in Louisiana. In 1830, the Louisiana Legislature passed an act “to prevent free persons of color from entering into this state.” Section 12 of this act required “all free negroes, griffs and mulattoes of the first degree” who had entered the state after the adoption of the Constitution of 1812 and before January 1, 1825 to enroll themselves with the office of the Parish Judge of their resident parish or with the office of the Mayor of the City of New Orleans. Persons of color who failed to enroll themselves were liable to “a fine not

¹⁰⁵ Narcisse Broutin 34:110, February 12, 1816, NONA.

¹⁰⁶ Desdunes, *Our People and Our History*, 102. Narcisse Broutin, 34:39, January 19, 1816, NONA. Narcisse Broutin, 37:159, May 4, 1818, NONA. Marc Lafitte, 12:205, April 27, 1818, NONA. Marc Lafitte, 13:520, November 2, 1818, NONA.

¹⁰⁷ *A Digest of the Civil Laws Now in Force in the Territory of Orleans*, New Orleans, 1808, “Of Husband and Wife,” Article 8. The Louisiana Civil Code of 1825 incorporated this article as well. See *Civil Code of the State of Louisiana*, New Orleans, 1825, Article 95. Also, Paul F. Lachance explains that “[u]nlike Spanish law, the civil codes of the American period did not explicitly prohibit interracial cohabitation outside marriage,” and that “[o]nly in 1908 and 1910 was miscegenation of any kind again made a crime in Louisiana.” Paul F. Lachance, “The Formation of a Three-Caste Society: Evidence from Wills in Antebellum New Orleans,” *Social Science History*, Vol. 18, No. 2 (Summer 1994), 213.

exceeding fifty dollars, and to an imprisonment not exceeding one month.”¹⁰⁸ For free people of color, such stigmatization may have reinforced the need to separate themselves from slaves. In this state of mind, free men and women of color may have sought the ownership of human chattel to protect their intermediate status.

Furthermore, societal pressure had a great influence on how free men and women of color viewed themselves in relationship to their slaves. Virginia M. Gould claims that free persons of color “were, more than anything, loyal to the dominant structure superimposed by the whites,” since “the further removed from slavery [...], the more social worth one had.”¹⁰⁹ Distancing themselves from slaves was “an essential attribute of social advancement or upward mobility.”¹¹⁰ Thus, evolving social conditions and legal requirements played a significant role in shaping those relationships.

Above all, free women of color’s actions and behavior reflected Louisiana law when it came to slavery jurisprudence. Louisiana law regarded slaves as *human property*, therefore “slaves had personage before the law and at the same time were immovables in Louisiana.”¹¹¹ As a result, free women of color owned the labor of their slaves and their persons. Schafer claims that the Louisiana Supreme Court “treated slaves at times as persons and at times as property on a case-by-case basis.”¹¹² Thus, just as a court could admit the humanity of a slave, so could free women of color. They made provisions to manumit their slaves and they donated

¹⁰⁸ *A New Digest of the Statute Laws of the State of Louisiana: From the Change of Government to the Year 1841, Inclusive, Vol. I, Colored Persons*, Sections 12 and 14, edited by Henry Adams Bullard and Thomas Curry (New Orleans: E. Johns & Co., 1842), 162.

¹⁰⁹ Gould, “In Enjoyment of Their Liberty,” 166-7.

¹¹⁰ Virginia M. Gould, “Urban Slavery - Urban Freedom: The Manumission of Jacqueline Lemelle,” in David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996), 308.

¹¹¹ Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana*, 21.

¹¹² *Ibid.*, 21-2.

property to their slaves. At the same time, they profited from the labor of their slaves, and bartered, sold, purchased, mortgaged, and disposed of them like any other moveable property, placing more emphasis on them as property rather than as persons.

Free women of color had to make something of this contradiction. They were clearly aware that their slaves were capable of free will: by donating or bequeathing immovable or moveable property to the slaves they manumitted, they revealed that at times they considered slaves persons. But human beings are speculative beings, and so were free women of African descent. Their relations with their slaves were tainted by economic considerations, and they did not hesitate to reduce their slaves to mere things. Schafer asserts that:

“The ambiguous stance of the [Louisiana Supreme Court] in dealing with slaves was no accident; it reflected the property interests of the slaveholding class, who were the leaders of antebellum Louisiana, a society convinced that slavery was the only way to achieve economic prosperity and social order.”¹¹³

The entire economy of the South was based on the idea that the bodies of the slaves had a monetary value, which could rise and fall. Economic motives were strong on the part of both Louisiana-born free women of color and Domingoises, and slaveowning, as for whites, was the essential element necessary to make their way up in New Orleans society.

Given the evidence above, can we assert that paternalism was the or at least a key ideology among slaveholding free women of color in antebellum New Orleans? Paternalism was a way of life which, in the words of Genovese, “necessarily involves harshness and may even involve cruelty so long as it is within the context of a strong sense of duty and responsibility toward those in dependent status.”¹¹⁴ Was there any sense of “duty” or burden on the part of free women of color? In *Soul by Soul: Life Inside the Antebellum Slave Market*, Walter Johnson

¹¹³ Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana*, 26.

¹¹⁴ Eugene D. Genovese, *In Red and Black: Marxian Explorations in Southern and Afro-American History* (Knoxville: University of Tennessee Press, 1984), 282.

argues that in the slave market, while slave traders and buyers were taking the slaves' humanity away, they attempted to humanize slaves. For instance, traders massaged slaves' bodies, they looked at their teeth, put new clothes on them, and "packaged" slaves into stories. At the same time, slave traders were dependent on the slaves' behavior in order to seal transactions.¹¹⁵ Likewise, free women of color were dependent on their slaves' behavior to extract labor from them and to seal successful transactions.

Also, by emancipating their slaves after many years of service, free women of color often placed themselves within a narrative of economic necessity. Their paternalistic solicitude was thus tainted by economic realities. It was then up to their slaves to understand that paying a debt was a necessity. In this sense, we can observe that the duty and burden that "helped mold a special psychology for master as well as for slave"¹¹⁶ was a reality for them, even when free women of color were attempting to negotiate their slaves' freedom. The slave owner's household with its dependent relationships and the impersonal capitalist marketplace met, and created, if not tension, negotiation and compromise on the part of slaveholding free women of color.

Marie Décopin *dite* Lacroix claimed in 1814 that she believed that her slave Azor was "dans un pays que les nègres ne sont point maîtres de leur volonté" in other words "in a country where Negroes are not master of their own will."¹¹⁷ Lacroix deemed Azor, and by extension all slaves, irresponsible for their own action—he indeed "is costing money [and] he always finds himself in jail"—and they were therefore dependent on others. One can only imagine why Azor

¹¹⁵ Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, Massachusetts; London, England: Harvard University Press, 1999).

¹¹⁶ Genovese, *Roll, Jordan, Roll*, 86.

¹¹⁷ Marc Lafitte, 4:107, March 28, 1814, NONA. Letter (January 31, 1814) attached to notarial act.

ended up in jail. He appeared to be a burden to the Boucher family and to Lacroix. Azor clearly tested the limits or boundaries of his servitude, which was a great inconvenience to Lacroix, since she firmly believed it was her rightful place to bring it to an end. Furthermore, she understood that “Negroes have value in this country,” which helped her reconcile the idea of a rebellious slave with her dreams of economic independence.

Slaves were definitely a source of personal and commercial speculation, which was inherent in the relationship between master and slave. Free women of color did not and could not deny their slaves’ humanity, yet this knowledge, which gleams through the records on certain occasions, did not inhibit them from engaging in the exploitation and trading of slaves of all ages, which, in turn allowed them to acquire significant amounts of property. The data suggests these aspirations were shared among the large community of free women of color in the urban center of New Orleans. There, they found a sense of community, tied together by a shared heritage, friendship, kinship, religion, education, and above all economic opportunities, creating thriving social and financial networks among themselves and with others throughout the city.

In the next chapter, we will examine the networks that free women of color created in New Orleans. Slaveholding free women of color were engaged in dense networks of relationships beyond those of the nuclear family or neighborhood. These slaveholding networks brought individuals of different racial and ethnic backgrounds together, and they systematically crossed the color line in the process.

CHAPTER 5

CROSSING RACIAL AND GEOGRAPHICAL BOUNDARIES: SLAVEHOLDING FREE WOMEN OF COLOR AND NETWORKING IN NEW ORLEANS, 1803-1860

In The Marketplace of Revolution: How Consumer Politics Shaped American Independence, T. H. Breen discusses how common understandings related to commodities and consumerism underwrote the kind of community understandings that made the American Revolution possible. During the early decades of the eighteenth century, colonial imports exploded. A swelling volume of shipping carried information, goods, and people more frequently across the Atlantic, producing economic growth and a greater integration of the British Empire. Consumer goods proliferated, declining in price and expanding the options of common people. According to Breen, the proliferation of British goods in colonial markets created a unifying empire of consumer goods that eroded colonial parochialism. As consumers, diverse colonists could “communicate with each other about a common experience,” and consumer goods provided the essential and “powerful link between everyday life and political mobilization.”¹ Breen’s analysis offers a framework for a broader argument about individuals, communities, the exchange of goods, and commercial networks in antebellum New Orleans.

As discussed in the preceding chapters, my subject community, slaveholding free women of color, took advantage of the opportunities that the marketplace presented. In turn free women of color became fully integrated into this commercial system, based on the exploitation of an unfree labor force. In early nineteenth-century New Orleans, free women of color were directly and increasingly involved in the economy of the region. In order to conduct business in New Orleans, they built an intricate system of connections. Through these connections free women of

¹ T. H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York: Oxford University Press, 2004), xv and 19.

color systematically crossed the color line as they bought and sold property and slaves from and to individuals of different racial and ethnic backgrounds. Moreover, these networks went beyond those of the nuclear family or neighborhood. Not only did free women of color engage in the business of slavery with whites and free persons of color from New Orleans, they also routinely did business with individuals from outside of the newly-acquired territory of Louisiana. Thus, just as Breen's empire of goods brought together and unified diverse peoples, the networks that free women of color built in New Orleans allowed for the association of men and women from different race, ethnicity, class, and nationality. Those networks demonstrate that, in terms of commerce, nineteenth-century New Orleans was an integrated place and the center of broad exchanges, in which women of color could expand their horizons and prosper.

How were free women of color able to build and to sustain those networks? What facilitated and/or hindered those connections? Several factors contributed to the formation of these networks. The Louisiana Purchase and American annexation stimulated the economy, which in turn brought new opportunities for accumulating capital. Furthermore, successive waves of immigrant population brought diversity to the city, and expanded free women of color's social and economic prospects. The city and its household and community structure facilitated the movements of population and contributed to associations and exchanges. Finally, the Purchase brought changes in legal systems and in territorial jurisdictions, which altered the character of existing communities.

Louisiana and New Orleans went through profound changes, beginning with the social and cultural alterations dating from the Louisiana Purchase that initiated a slow but steady "Americanization" of the region. For New Orleans, American annexation brought population growth and economic development. The Louisiana Purchase removed the political barriers to the

development of New Orleans' natural economic and geographical advantages. Between 1810 and 1840, New Orleans grew at a faster rate than any other large American city. Its population increased from 8,000 to nearly 170,000 in the five decades between the Purchase and the beginning of the Civil War. By 1830, New Orleans was America's third largest city, behind New York and Baltimore. By 1860, it was still the nation's fifth largest city.

New Orleans' growth was the result of its unique geographical situation, the increasing industrialization of the American Northeast and Great Britain, and the westward movement of the young United States. While the free population of color continued to grow in New Orleans until 1840 (reaching 15,000) and remained steady until the Civil War, the white population exploded. Free people of color represented 29 percent of the total population in New Orleans in 1810; in 1840, 18 percent, and in 1860, 6 percent.² New immigrants led to the formation of new communities, affecting the existing society. As the white Anglo population increased, confrontations between Creoles and Americans erupted. Immigrants, primarily German and Irish, further increased the population, creating tensions. Refugees from Saint Domingue, white and of color, became important agents in the preservation and endurance of Louisiana's Francophone heritage, counterbalancing the ongoing process of Americanization. Finally, free migrants of color from Anglo-dominated states, whose values and institutions differed from New Orleans' Creoles of Color, poured into the city.

Furthermore, the urbanization of New Orleans began to gather momentum as the nineteenth century dawned. With the development of plantation agriculture discussed in Chapter 3, planters sought markets and thereby linked their interests to cities. New Orleans and other cities such as Baltimore and Mobile had a hinterland and commercial relations that stretched

² Joseph Logsdon and Caryn Cossé Bell, "The Americanization of Black New Orleans, 1850-1900," in Arnold R. Hirsch and Joseph Logsdon, eds., *Creole New Orleans: Race and Americanization* (Baton Rouge: Louisiana State University Press, 1992), 206.

inward along the South's numerous navigable waterways. As a result, New Orleans fostered economic expansion and commercialization of the nation's interior. This, in turn, encouraged a constant and significant population migration, which altered the social composition of the city.

These changes in economy and in demographics fostered the creation of new social and economic networks and altered the character of existing communities. The marketplace fostered dreams of economic independence, and as a result free women of color, like other residents of the city, became involved in the new flourishing economy, and expanded their economic activities. In turn they had to form and rely on new sets of connections in order to conduct their businesses.

The household and community structure of the city facilitated such activity. New Orleans was a racially-integrated city in terms of residential patterns in the late eighteenth century. Virginia M. Gould asserts that "most urban slaves lived in the same house with their master/mistress or in a small cabin enclosed by high walls within the back yard," usually referred to as dependencies or outbuildings.³ Moreover, the "urban facility or compound [...] provided a means of social control slaves were under constant watch as well as shelter."⁴ This type of residential integration existed until the 1850s, especially in the French Quarter and the neighboring faubourgs. In particular, Faubourgs Trémé and Marigny consisted overwhelmingly of recent immigrants (white and of color) who did not function under rigid racial lines adopted by the Americans. Thus, people of diverse racial, ethnic, national, and class backgrounds lived together and often made business together. Yet even as these new opportunities and associations

³ Virginia Gould, "In Enjoyment of Their Liberty: The Free Women of Color of the Gulf Ports of New Orleans, Mobile, and Pensacola, 1769-1860" (Ph.D. diss., Emory University, 1991), 49-50.

⁴ Gould, "In Enjoyment of Their Liberty," 49-50. Richard C. Wade, *Slavery in the Cities: The South, 1820-1860* (New York: Oxford University Press, 1964), 75-6. Wade interpreted this housing pattern as the physical manifestation of prevailing racial policy. This type of setting or arrangement intensified intimacy between masters and slaves, creating the possibility of relationships that were potentially affectionate, onerous, or cruel.

arose, free women of color experienced increasing legal (and in time social) restrictions as Anglo-American racial norms began to be imposed.

Waves of immigrants and changes in legal systems and in territorial jurisdictions led to new problems and raised important questions: could people living in Louisiana be made citizens of the United States without their consent? How could American institutions replace European laws that had been in place since the eighteenth century? These problems that were immediately taken care of by Jefferson and the United States government focused on the inhabitants living in the territory of Louisiana. Government officials automatically assumed that these inhabitants would transfer their allegiance to the United States and receive the benefits of American citizens. Thus, the French and the Spanish had to assimilate into the American social and political system that had been imposed upon them.

As regards free persons of color, American residents and immigrants alike regarded their numbers, skills and military power, all primarily gained during the era of Spanish rule, with concern. As early as 1806, the Territorial Government made it illegal for a free person of color to strike, insult, or show disrespect to whites. In 1816, legislation required free persons of color to sit in separate boxes at the theatre. Tensions towards free persons of color in Louisiana continued to grow in subsequent decades along with restrictions on manumissions (manumission became entirely illegal by 1857).⁵ The Legislature also prevented free blacks from emigrating to Louisiana, and made it mandatory for slaves to leave the state once emancipated.⁶ Penalties and harassment increased, including penalties for “insulting a white person,” or jail time for failing to

⁵ H. E. Sterkx claims that “slaveholders became convinced that the practice of manumitting slaves constituted a serious menace to the institution of slavery [... and] it would operate to reduce the number of free Negroes whose presence, it was felt, had a tendency to make slaves restless and insubordinate.” H. E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Rutherford, New Jersey: Associated University Press, 1972), 141.

⁶ *Ibid.*, 143.

prove one's free status.⁷ What were the consequences for existing communities of free women of color? Were their occupations and daily activities affected?

The story of Elizabeth Rapp (1814-1854) a *free mulatress* of Anglo extraction who owned significant property in New Orleans, informs these movements of populations, the transformation of the marketplace, and the development of new economic opportunities. Her story also shows how one free woman of color could prosper, creating new networks of exchange.

Elizabeth Rapp was the daughter of Rachel Montgomery (also Rachel Rapp) who was a native of Baltimore, Maryland, born *circa* 1769.⁸ It is unclear whether Rachel was a freed slave or whether she was born free. She was described as a “free colored woman” or a “free Negro woman” in government documents and court cases, giving little clue into her precise racial heritage and her past legal and social status. Those same sources suggest that Rachel made her way to New Orleans prior to 1814, perhaps to find better economic opportunities. A free woman of color named Rachel Montgomery appeared in the 1820 United States Census as head of household, residing on Burgundy Street in Faubourg Marigny.⁹ It is likely that they were the same person. Montgomery was certainly part of the Anglo migration to New Orleans, thus reflecting the influx of free persons of color from Anglo states into New Orleans during the first half of the nineteenth century noted by Joseph Logsdon and Caryn Cossé Bell. They suggest that

⁷ Judith K. Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University Press, 2003).

⁸ *Death of Rachel Rapp*, February 11, 1849, Page 604, Vol. 10, *Louisiana Vital Records*, New Orleans, Louisiana, Louisiana State Archives, Baton Rouge, Louisiana.

⁹ 1820 United States Census (Louisiana).

during this period great numbers of black Americans came to New Orleans lured by “jobs and the city’s relatively open racial order.”¹⁰

Rachel’s residence housed eight individuals, including two white persons and six free persons of color, including herself.¹¹ The other persons residing in the household may have been boarders, as rental activity was common in New Orleans, especially among free women of color. Gould claims that “it is not only obvious that rental property represented a significant amount of the income producing property in the city but that free people of color, and especially women, found that a lucrative way in which to produce income.”¹² In Spanish New Orleans, “the transient nature of the white population made rental property, boarding houses, and the letting of rooms a lucrative business,” and free women of color rented houses to any segment of the population, especially to white men.¹³ The influx of white and black immigrants during the American period stimulated rental activity in the city, and Rachel may have invested in this type of business.

Whatever Rachel’s main source of income, she made several transactions, including slave transactions, before she died in New Orleans in 1849 at the age of 80.¹⁴ Moreover, by the time of her death, she owned property in and had moved to the Second Municipality of the city i.e. the American Sector or Faubourg St. Mary. Although free persons of color traditionally lived in

¹⁰ Logsdon and Cossé Bell, “The Americanization of Black New Orleans, 1850-1900,” 210.

¹¹ 1820 United States Census (Louisiana).

¹² Gould, “Free Women of Color and Property Holding in New Orleans,” 11.

¹³ *Ibid.*, 14.

¹⁴ *Death of Rachel Rapp* (1849), Louisiana State Archives.

non-American wards, as she had in 1820, her Anglo extraction almost certainly explained her choice of residence in the later years of her life.¹⁵

Historical records indicate that Rachel Montgomery was involved with a Mr. John Rapp, an Anglo shoemaker, for several years.¹⁶ We learn more about Rachel and John's relationship through an 1818 court case, in which Rachel petitioned the Parish Court for the payment of 735 dollars that John had failed to pay. Rachel filed a suit to require the payment of various services, including the acquisition of materials to make, and soon after repair, John Rapp's *banquette*¹⁷, building a kitchen and stables on Rapp's property, the purchase of animals (horse, geese, and chicken), and diverse payments made by Rachel on John's behalf.¹⁸ Rachel and John may have been romantically involved, explaining why Rachel disbursed hundreds of dollars in favor of John.

Rachel had two daughters, Elizabeth and Ellen. Elizabeth Rapp was born *circa* 1814 and bore John's last name, as did her sister, Ellen. Although it is not certain that Elizabeth and Ellen were the daughters of Rachel and John, one can speculate that it was indeed the case given the time frame. Rachel appeared to be the sole provider for Elizabeth and Ellen, as evidenced by numerous transactions and the court case mentioned earlier.¹⁹ Little is known about Elizabeth's life but, by the time of her death, she, like her mother Rachel, had acquired numerous pieces of

¹⁵ Amy R. Sumpter, "Segregation of the Free People of Color and the Construction of Race in Antebellum New Orleans," *Southeastern Geographer*, Vol. 48, No. 1 (May, 2008): 25-6.

¹⁶ John Rapp appeared in the New Orleans City Directory as early as 1811. 1811 New Orleans City Directory.

¹⁷ *Banquettes* were raised structures of mud used as miniature levees around houses and sidewalks.

¹⁸ *Rachel Montgomery v. John Rapp* (1818), Docket No. 1560, Parish Court, Orleans Parish, NOPL. The court ruled in favor of Rachel.

¹⁹ For example, in 1818 Rachel bought the slave Rosalie, 35, from a David Long for 140 dollars. A few days later, she sold that same slave for 500 dollars to a Michael Close of Lafourche Parish. John Lynd, 15:156, March 13, 1818, New Orleans Notarial Archives (hereafter cited as NONA). John Lynd, 15:292, April 15, 1818, NONA.

property throughout the city as well as slaves. Elizabeth owned nine slaves: “Negro woman” Anne, 40, a cook, washer, and ironer, and her child Jacques Dominique, 4, “Negro man” Jesse 40, a cook and house servant, Justine Dominique, 15, a house servant and child’s nurse, “yellow woman” Clarissa, 20, and her child Saunders 3, “mulatto girl” Mary, 9, an orphan, “yellow woman” Sophia, 50, a cook, washer, and ironer, and “Negro woman” Jane Williams, 65, were all part of her property. Pauline Laplace, 25, another “mulatto woman,” lived under Elizabeth’s roof, and claimed to have been born free.²⁰

Her succession records also reveal extensive property holdings. Her residence was situated on Enghien Street (now Franklin Avenue) in Faubourg Marigny. Several drawings of Elizabeth’s property were made when it was auctioned off in 1855.²¹ The fact that her property was auctioned off—rather than willed or donated—allows us to know about her holdings in great detail, and informs us about the size and value of that property. The lots of ground described below were located in the Third Municipality i.e. Faubourg Marigny, and included the lot sizes and numbers, the four surrounding streets, the position of the buildings and outbuildings,

²⁰ *Inventory of the Estate of Elizabeth Rapp*, September 14, 1854, Roll R-670, Inventories of Estates, Court of Probates, Orleans Parish, Louisiana, NOPL. Pauline Laplace was a free woman of color according to her baptismal certificate, included in Rapp’s inventory. The terms “Negro woman,” “yellow woman”, or “mulatto woman” were used to describe the slaves’ racial and ethnic backgrounds, which would help determine the slaves’ value. “Yellow” was a term used for very light-skinned persons of African descent. Seven acts of sales of slaves were also listed in the inventory of her estate but the slaves mentioned in those acts were not found on her property, which suggests that they were either dead or had been sold away.

²¹ The drawings were made by architect F. Nicolas Tourné in April 15, 1855. The color pink was a general background color, while yellow was used for the plot plans. Illustrations of such property can be found in the Notarial Archives among an important group of 5,149 large-scale nineteenth century gouache and watercolor lot surveys. About half of them also contain architectural drawings with floor plans, landscape designs, or other cultural details. The drawings date from 1803 to 1918, with 70 percent falling between 1830 and 1860. The lots were drawn to scale, signed, and dated by trained surveyors, civil engineers, or architects enlisted to create them. Square, lot number, and the four surrounding streets identify the location of each illustrated property. They also include indications of the buildings, outbuildings, garden, etc. They were used as advertisements and surveys for properties that were offered for sale at public or sheriff’s auctions. Thus, they were both legal documents as well as ads. Roulhac B. Toledano claims that, in the eighteenth-century, “public auctions of property were advertized by broadside on the parish church doors,” and after the Louisiana Purchase, “public sales of property burgeoned, advertised [...] at Maspero’s Exchange [...] or at the domed rotunda of the St. Louis Hotel.” Roulhac B. Toledano, *A Pattern Book of New Orleans Architecture* (Gretna: Pelican Publishing Company, Inc., 2010), 29.

rendition of gardens, and façade elevations. Lots 3 and 4 (on Enghien Street, now Franklin Avenue, between Dauphine and Royal Streets) contained a one-story house *briquettée entre poteaux* covered with slates, divided into four *appartements*, a *cabinet*, a cellar, a two-story kitchen, a stable, a brick yard, two cisterns, a well, and a vegetable garden. Lot 5 (on Poet Street, now St. Roch Street between Dauphine and Royal Streets) consisted of a double house covered with slates and a two-story kitchen; finally lot 6 (also on Poet Street) had a frame house with a shingle roof, a one-story kitchen, a well, and a cistern. The two main houses had a gallery and chimneys. Elizabeth had purchased all of the lots from white men and women.²²

²² *Succession of Elizabeth Rapp* (1855), Docket No. 8123, Second District Court, Orleans Parish, Louisiana, New Orleans Public Library (hereafter cited as NOPL). Elizabeth Rapp acquired lots 3 and 4 from Mr. Jean Firmin Pépin, Félix de Armas (notary), 52:227, July 6, 1837, NONA. Rapp acquired lot 5 from *Dame* Mary Fanny Conway, wife of Mr. Antoine Maurin, Charles V. Foulon (notary), 13:401, December 16, 1843, NONA. Finally, Rapp acquired lot 6 from Mr. François Antoine Malacarni, Achille Chiapella (notary), 3:247, June 30, 1840, NONA.

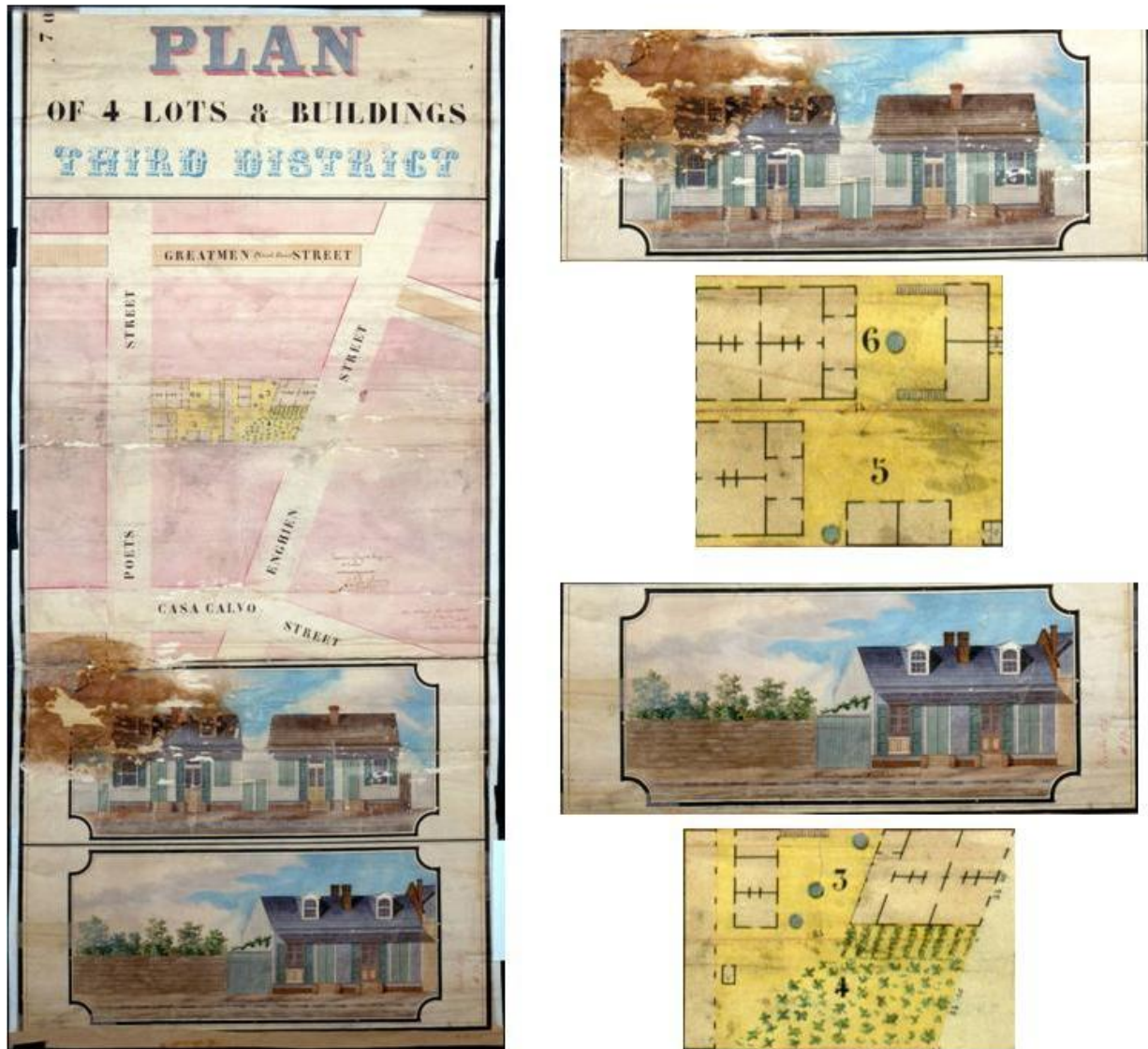


Figure 6: Property of Elizabeth Rapp, 1²³

Elizabeth chose not to confine her investments to one single neighborhood. She owned another lot of ground in Faubourg Marigny, one in Faubourg St. Mary, two others in Faubourg Washington (i.e. the lower portion of Marigny and Bywater, from present-day Franklin Avenue

²³ Two lots of ground by Enghien Street (now Franklin Avenue) between Greatmen and Casa Calvo Streets, backed by Poet Street (now St. Roch Street); and two lots of ground by Poet Street (now St. Roch Street), between Greatmen and Casa Calvo Streets, backed by Enghien Street (now Franklin Avenue), Faubourg Marigny. Plan book 51, folio 12, April 15, 1855, F. Nicolas Tourné, architect, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

to the Industrial Canal), and one in St. Bernard Parish. Below are the drawings of Elizabeth's property made by architect F. Nicolas Tourné in April 15, 1855, and auctioned off that same year. Elizabeth purchased these lots and houses throughout the 1830s and 1850s. While she purchased the lot in Faubourg St. Mary from her mother in 1836, she purchased the other pieces of property from white men.²⁴ Following on her mother's footsteps, she certainly rented out that property, for she could derive a sizable income from such activity. From this we infer that Elizabeth had extensive knowledge of the geography and economy of the city, and was particularly gifted or lucky when it came to making and profiting from her real estate acquisitions.

The total value of Elizabeth's estate reached 15,000 dollars, well over the average value of inventoried property for free women of color at the time. The latter was estimated around 2,300 dollars, while white women owned 9,400 dollars worth of property and white men owned 23, 600.²⁵ In addition to deriving income from rental properties and slave owning, she had a sizeable garden at her residence, and she owned cows and calves, a horse, and pigs, which provided basic farming and gardening resources. Her mother's endeavors had certainly contributed to her success, in addition to Elizabeth's own astuteness. Thus, Elizabeth managed to build quite an estate during her lifetime.

²⁴ Gustave Le Gardeur, 8:271, July 27, 1836, NONA. Jules Mossy, 27:117, March 25, 1845, NONA. Felix Percy, 35:57, April 5, 1852, NONA. It is unknown when and from whom Elizabeth purchased the square of ground in St. Bernard Parish (in the town of Versailles), which was once part of the plantation formerly belonging to local investor and planter, Major General Pierre Denis de la Ronde.

²⁵ Virginia Meacham Gould, "Free Women of Color and Property Holding in New Orleans," *Manuscript presented at the XXIX Conference of the Association of Caribbean Historians* (7-12 April, 1997): 19.

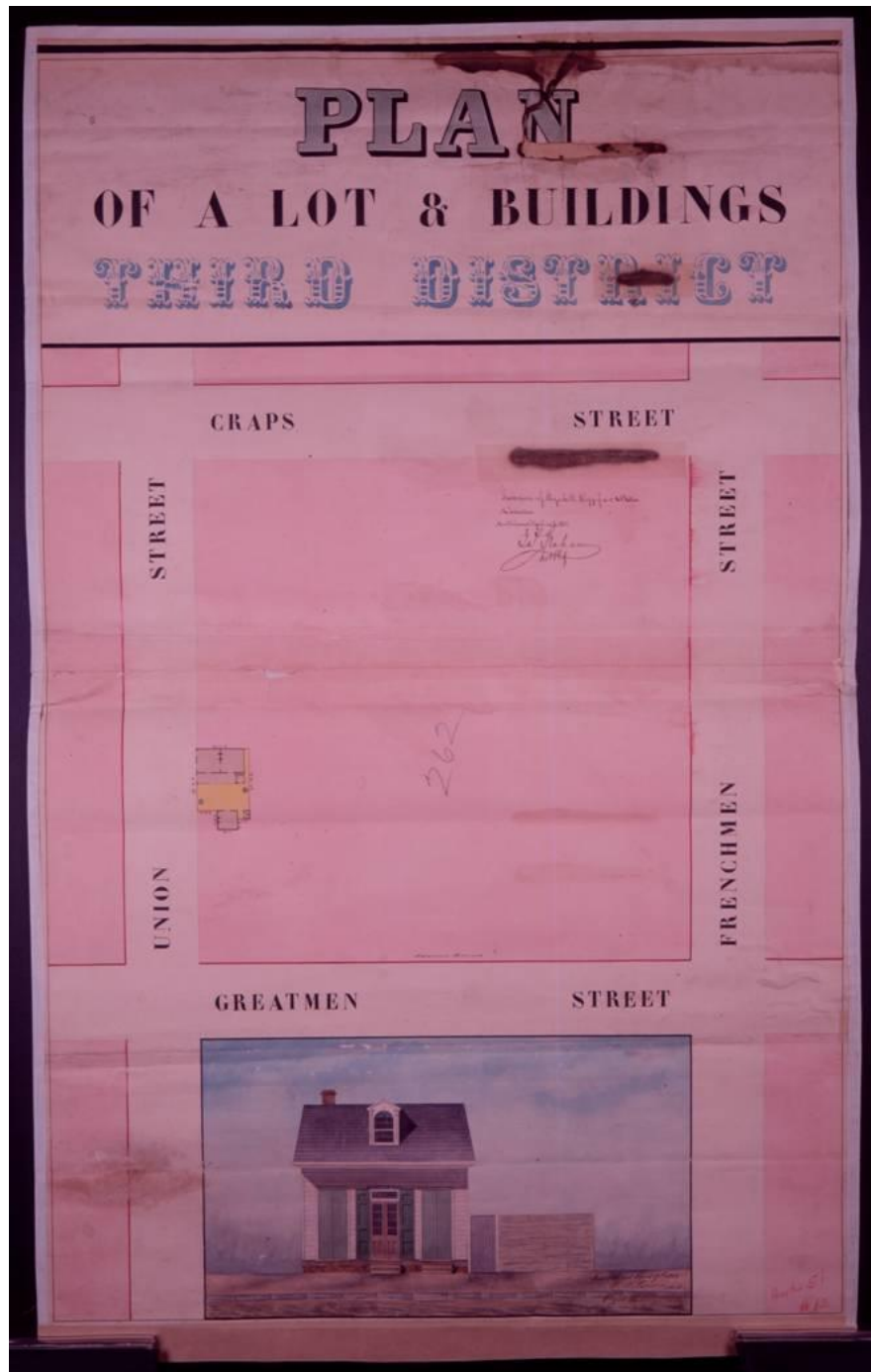


Figure 7: Property of Elizabeth Rapp, 2²⁶

²⁶ Parcel of ground by Union Street (now Touro Street) between Greatmen and Craps Streets (now Dauphine and Burgundy Streets), backed by Frenchmen Street. One story-house with slated roof, attic, and large gallery, Faubourg Marigny. Plan book 51, folio 13, April 15, 1855, F. Nicolas Tourné, architect, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

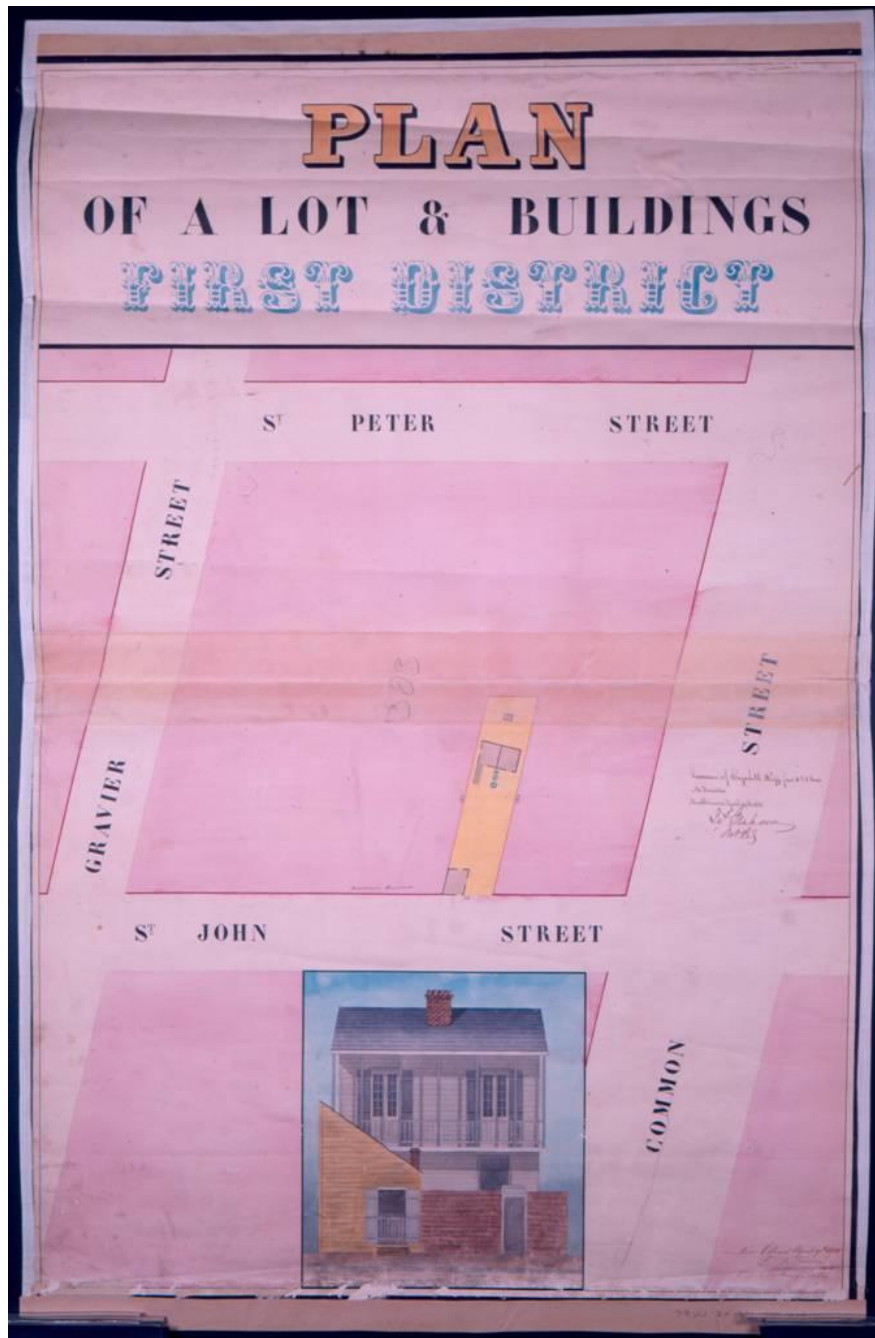


Figure 8: Property of Elizabeth Rapp, 3²⁷

²⁷ Parcel of ground by St. John Street (now South Rampart Street?) between Gravier and Common Streets, backed by St. Peter Street (now Loyola Avenue). Two-story frame dwelling house with two rooms on the first floor and two rooms on the second, and a two-story kitchen, Faubourg St. Mary. Plan book 51, folio 10, April 15, 1855, F. Nicolas Tourné, architect, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

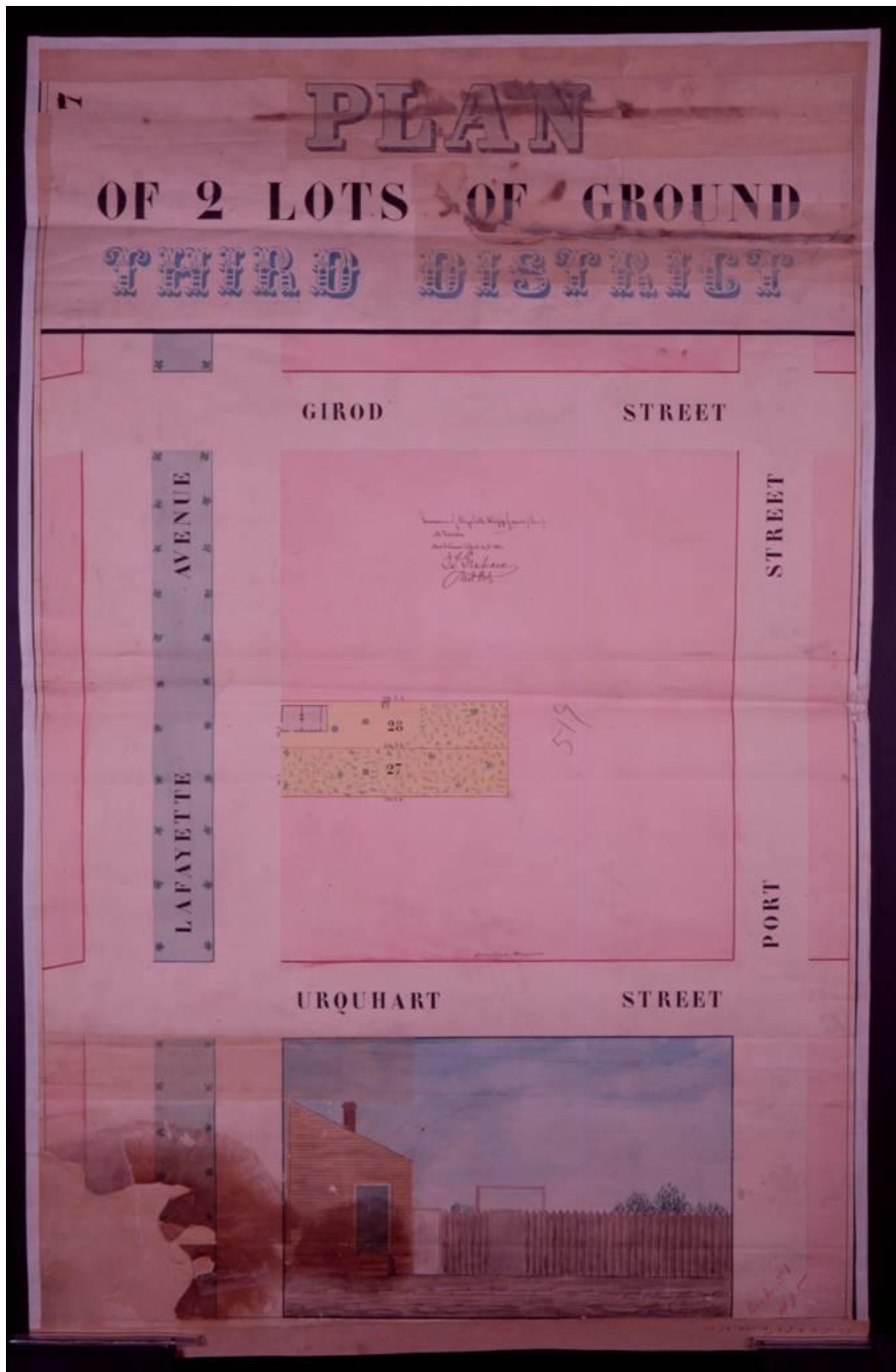


Figure 9: Property of Elizabeth Rapp, 4²⁸

²⁸ Two lots of ground by Lafayette Avenue (now Franklin Avenue) between Girod Street (now Villeré Street) and Urquhart Street, backed by Port Street. Frame house with two rooms, gallery, well, cistern, and garden, Faubourg Washington. Plan book 51, folio 15, April 15, 1855, F. Nicolas Tourné, architect, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

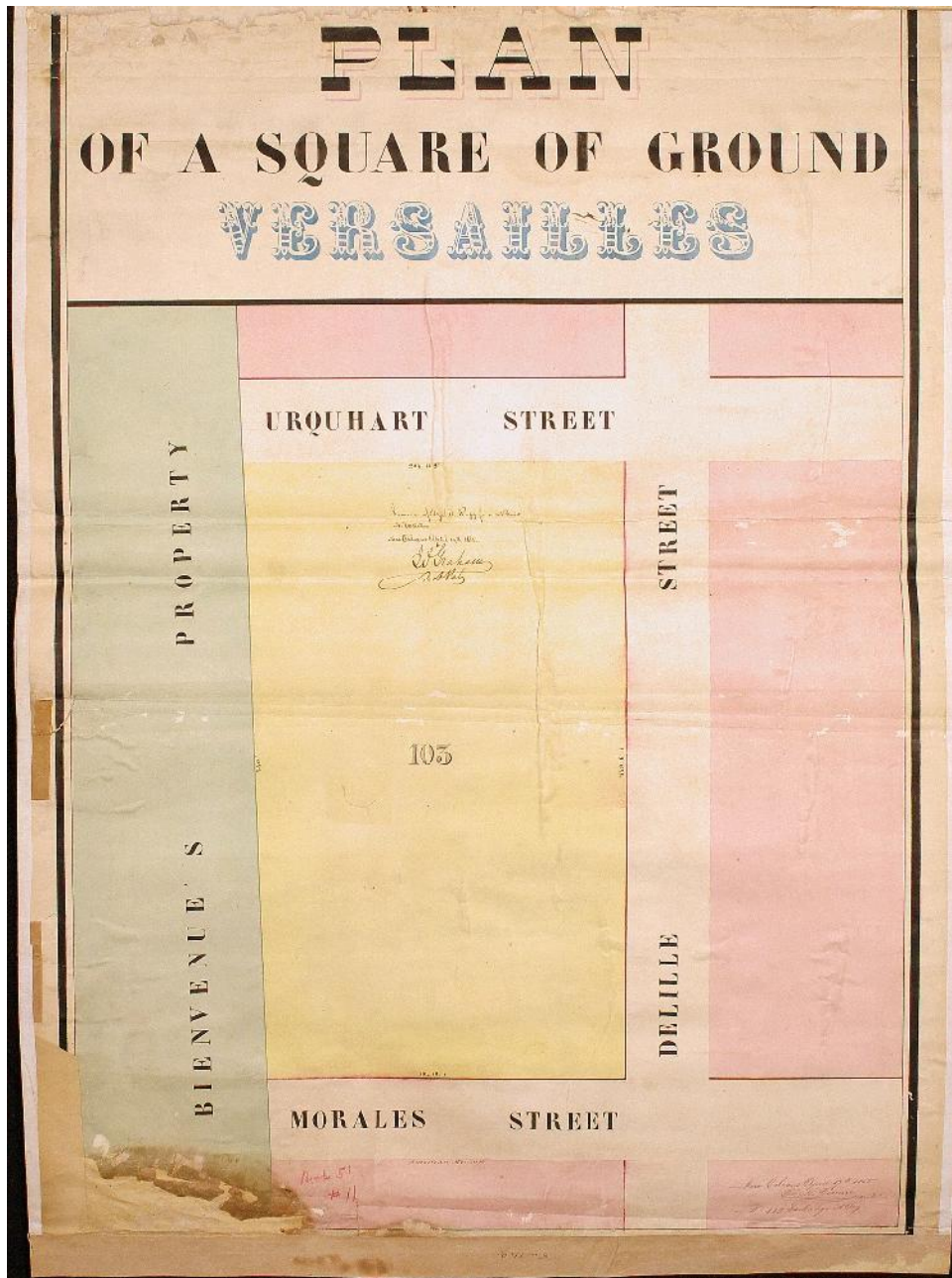


Figure 10: Property of Elizabeth Rapp, 5²⁹

²⁹ Parcel of ground in the town of Versailles. Part of the plantation formerly belonging to Mr. Denis de la Ronde, St. Bernard Parish. Plan book 51, folio 11, April 15, 1855, F. Nicolas Tourné, architect, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

Elizabeth did not marry, nor did she have children. However, she was not the sole occupant of her residence. Evidence suggests that she lived with Dominique Pestalozza, an Italian immigrant. Although it is not clear when the two met and started living together, Elizabeth purchased a house and three slaves from Pestalozza as early as 1839.³⁰ According to the New Orleans City Directory, Pestalozza lived at 35 Enghien Street (Franklin Avenue) in 1842 and in 1851, as did Elizabeth.³¹ The 1850 United States Federal Census, the first United States census which included the names of every person in the household, listed Pestalozza, 52 at the time with no occupation, and Elizabeth, 32, in the same household.³² Although no relationships were shown between members of a household, it is fairly certain that both were romantically involved. Earlier in 1849, Pestalozza was the one who registered the death of Rachel Rapp, Elizabeth's mother, by declaration with the local registrar.³³ Finally, when Pestalozza died in 1854—the same year as Elizabeth—Elizabeth petitioned the Court in order to be appointed curatrix (curator or administrator) of his estate.³⁴ All of these elements point towards the existence of a romantic association.

Pestalozza exercised the activity of a *marchand* towards the end of his life. According to his inventory, he owned a store at the corner of Rampart and Bienville Streets. The shop's inventory included fabrics, hardware, children's toys, china, glass, furnishings, jewelry, perfume,

³⁰ Charles Boudousquié, 3:123, June 10, 1839, NONA. Charles Boudousquié, 3:124, June 12, 1839, NONA. Two of these slaves were part of Elizabeth Rapp's 1854 inventory.

³¹ 1842 New Orleans City Directory and 1851 New Orleans City Directory. It appears that the house in which Elizabeth and Pestalozza resided was the same house she purchased from him on June 10, 1839.

³² Enumerators were asked to include the following categories in the census: name; age as of the census day; sex; color; birthplace; occupation of males over age fifteen; value of real estate; whether married within the previous year; whether deaf/mute, blind, insane, or "idiotic"; whether able to read or write for individuals over age twenty; and whether the person attended school within the previous year.

³³ *Death of Rachel Rapp* (1849), Louisiana State Archives.

³⁴ *Succession of Dominique Pestalozzo* (1854), Docket No. 7844, Second District Court, Orleans Parish, Louisiana, NOPL. The Court eventually turned down Elizabeth's petition.

cigars and tobacco, dry goods, groceries, and alcohol. It is unclear when and why Pestalozza acquired the store. Perhaps was it considered an investment? Pestalozza and Elizabeth's residence contained numerous books and book cases, a writing desk, and a Bible, which certainly belonged to Pestalozza—Elizabeth seemed to have been illiterate.³⁵ Pestalozza and Elizabeth not only came from different racial and ethnic backgrounds, they also had different levels of education. Pestalozza was one of many Italian immigrants who came to the city in the nineteenth century, while Elizabeth was the product of Anglo migration. Their relationship not only reflected the presence of individuals with different ethnicities or heritages in the city, but also the continuous interchange between individual members of a community, that did not function (yet) under rigid racial lines.

From the colonial period until the eve of the Civil War, various waves of immigrants settled in New Orleans, contributing to the demographic diversity of the city. These various ethnic groups had a profound impact on the city and its society and economy. By the 1820s, Creoles, Anglos, Irish, Germans, and Italians lived side by side in New Orleans, contributing to a “multicultural” society. The 1850 United States Census reveals clear residential patterns. For instance, among Pestalozza and Elizabeth's neighbors were individuals from Louisiana (the Rousseaus and the Bernoudys), German immigrants (the Müllers and the Schultzs), and Irish immigrants (the Glovers). White and black individuals also lived on the same block.³⁶ Thus, group interaction crossed racial, ethnic, national, linguistic, gender, and class lines on the street level and beyond neighborhoods. Elizabeth Rapp's life and endeavors serve as a window to the creation of these social and economic connections in the city. In order to take advantage of the

³⁵ It is possible that Elizabeth acquired a certain degree of literacy during her lifetime. She signed her name at the bottom of one transaction recorded in 1837, which had not been the case before. See Félix de Armas, 52:227, July 6, 1837, NONA.

³⁶ 1850 United States Census (Louisiana).

opportunities that the marketplace offered, Elizabeth created and relied on distinct sets of relationships, both professional and personal.

Another example of how free women of color formed social networks across racial and other lines and profited from the opportunities that New Orleans offered is Victoire Wiltz. Victoire Wiltz, was “first concubine” of Augustin Macarty, mayor of New Orleans from 1815 to 1820, and later on consort of Marcos Tio, an immigrant from Spain and a merchant, also owned property in the French Quarter and Faubourg Trémé, some of which was rental property.³⁷ Her total estate reached more than 11,000 dollars at the time of her death in 1847—well over the average value of inventoried property among free women of color.³⁸

When Wiltz’s property located in the French Quarter at the corner of Bourbon and Orleans Streets was sold at public auction before notary Amédée Ducatel in 1849, the ad read that it “brought good rental yields.”³⁹ The lots in question comprised several buildings and outbuildings, and a two-bay Creole cottage (see the drawing with façade elevation below, made by architect and surveyor Charles Arthur de Armas).⁴⁰ At Wiltz’s death, her daughter Joséphine Macarty continued to rent the property.⁴¹ Although it is not possible to know who the Wiltzes’ tenants were, one can assume that they rented their property to a wide range of individuals as it

³⁷ For references to Augustin Macarty, see Shirley Elizabeth Thompson, “The Passing of a People: Creoles of Color in Mid-Nineteenth-Century New Orleans” (Ph.D. diss., Harvard University, 2001), 118-20.

³⁸ *Succession of Victoire Wiltz* (1850), Docket No. 2813, Second District Court, Orleans Parish, Louisiana, NOPL. Wiltz’s estate took three years to settle, as her heirs bickered over the partition of her estate.

³⁹ *Ibid.*

⁴⁰ The two lots were estimated at 7,800 dollars in 1849. This property had been inherited from Marcos Tio in 1823. Charles E. Kinzer, “The Tio Family: Four Generations of New Orleans Musicians, 1814-1933” (Ph.D. diss., Louisiana State University, 1993), 24-5.

⁴¹ *Death of Victoire Wiltz*, October 11, 1847, Page 504, Vol. 10, *Louisiana Vital Records*, New Orleans, Louisiana, Louisiana State Archives, Baton Rouge, Louisiana. *Succession of Victoire Wiltz* (1850), NOPL. In 1850, a suit was filed against Joséphine Macarty in order to retrieve and divide the property conveniently, when Wiltz’s heirs discovered that these two lots did not belong in their entirety to Wiltz.

was situated in an advantageous location. Investing in real estate could provide additional income and be a good source of profit for free women of color in the city.

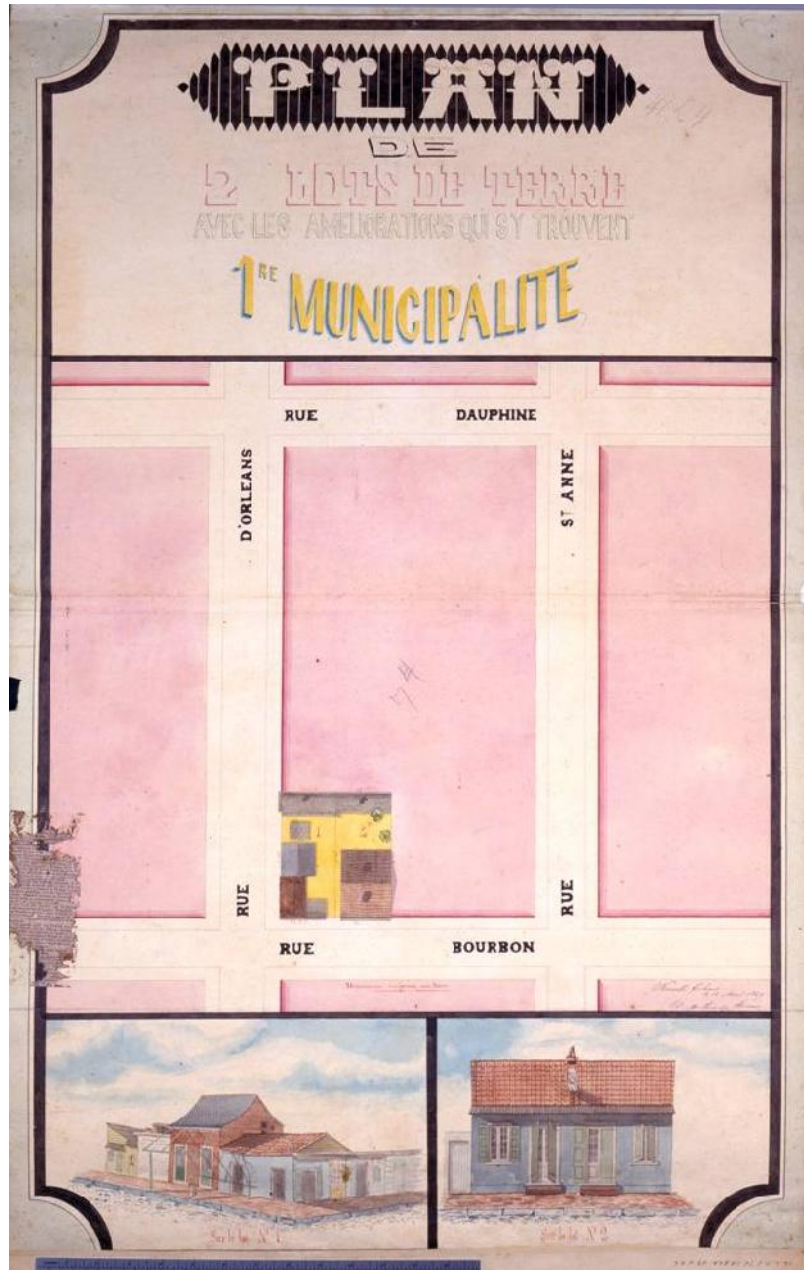


Figure 11: Property of Victoire Wiltz⁴²

⁴² One lot of ground at the corner of Bourbon and Orleans Streets, and one adjoining lot on Bourbon Street, French Quarter. Plan book 16, folio 6, April 12, 1849, Charles Arthur de Armas, architect and surveyor, New Orleans Notarial Archives. Courtesy New Orleans Notarial Archives, New Orleans, Louisiana.

These women all traded slaves in the city, and many more derived an income solely from slave trading, establishing their economic power in different ways. Slave sales and slave purchases favored direct buyer-seller relationships especially, and revealed with whom free women of color negotiated market expectations. Selling and purchasing slaves was routine business in the notary's office in New Orleans. Slave sales usually contained the names of the slave buyer, seller, and the name, age, and color of the slave. Sometimes the previous owner or owners and occupation were listed. These were crucial exchange in the marketplace. Evidence suggests that they traded slaves with whites primarily: more than 70 percent of all transactions involved free women of color and whites, with a clear practice of doing business with white men (6 cases out of 10). Only 20 percent of all transactions took place between free women of color, 7 percent between free women of color and free men of color, and 3 percent between free women of color and white women. As slaves were considered property and slave sales were indexed like property, slave transactions provided limited information about buyer, seller, and slave alike.

In a few instances, are we able to reconstruct the lives of vendor, vendee, and slave. The stories reveal yet other aspects of the interpersonal relationships that free women of color had. Correspondence between two women slave owners, a white woman and a freed woman, brings to light several crucial elements to the realities of slave trading, as they found themselves in the middle of a complex web of relationships.

Mulâtresse libre Venus de la Houssaye was born a slave in 1748 and was the natural daughter of Sieur Renson le Cadet and the slave Françoise, who belonged to *Madame* de la Houssaye in the Attakapas Country (St. Martin Parish). *Madame* de la Houssaye (Louise Charlotte Pellerin) came from a distinguished French family and was the wife of Louis le Pelletier de la Houssaye. De la Houssaye came from a French noble family and he served as an

officer under Bernardo de Galvez, Spanish Governor of Louisiana, and participated with him in his campaigns against the English. Besides being a military officer, he owned several plantations in Louisiana.⁴³

Venus and her family lived on one of the de la Houssaye's plantation. It is unclear when Venus acquired her freedom, but she was a free woman in 1810 when she first appeared in the notary's office. She lived in Faubourg Marigny and owned a couple of slaves.⁴⁴ By March 1816, she was able to purchase her sister, Esther, 50, from *Madame* de la Houssaye's children, for the tidy sum of 1,200 dollars.⁴⁵ Venus may have used the proceeds of her slaves' labor and/or exercised some degree of economic activity in order to gather that amount. In 1818, Venus registered two letters from *Madame* de la Houssaye in Christobal de Armas' office. These two letters, dated January 5, 1816 and February 27, 1816, respectively, preceded Esther's sale and shed some light on the relationship between Venus and *Madame* de la Houssaye.⁴⁶

These letters are an example of the conversations that took place between buyers and sellers. In her first letter to Venus, *Madame* de la Houssaye (also Widow de la Houssaye) responded to Venus regarding the sale price of Esther. She also expressed feelings of gratitude

⁴³ Louise Charlotte Pellerin (1782-1825) was the daughter of Louis Gérard Pellerin, Colonial Officer of Louisiana and the first commandant of the Opelousas/Attakapas Post. Louis' father was a Knight of St. Louis sent to Louisiana by the King to establish order. He established himself in the Attakapas Country and founded the American family of de la Houssaye. Stanley Clisby Arthur and George Campbell Huchet de Kernion, *Old Families of Louisiana* (Gretna, Louisiana: Pelican Publishing, 1999), 204-7.

⁴⁴ Pierre Pedesclaux, 61:349, July 13, 1810, NONA. Pierre Pedesclaux, 61:513, October 22, 1810, NONA. Slave Sale, 26:231, November 23, 1811, in Glenn R. Conrad, *Land Records of the Attakapas, Volume II, Part I, Conveyance Records of Attakapas County, 1804-1818* (Lafayette: The Center for Louisiana Studies, University of Southwestern Louisiana, 1992), 126.

⁴⁵ Pierre Pedesclaux, 72:161, March 26, 1816, NONA. Venus emancipated her sister the next year. Christobal de Armas, 1:218, November 19, 1817, NONA.

⁴⁶ Christobal de Armas, 1:351, June 9, 1818, NONA.

and love towards Venus, for whom she seemed to have cared deeply. *Madame de la Houssaye's* words seemed at odds with the circumstances—the actual sale of a human being.⁴⁷ She wrote:

“Dear Venuce [*sic*],

I received your letter in which you agree to give me the price my children asked for Esther. Rest assured that if I had not been accountable to minors, I would have never had you pay that price for your sister. Even though Mr. Gabrielle Fusilier had offered fifteen hundred dollars, no price would have taken her from me if it was not out of consideration for you. Be sure I will never forget all the kindness you had for all my children and me. For I am in the greatest embarrassment; we are obsessed with the debts that my respectable husband left us and my sole occupation is to work so that we can do it justice [...]; the low value for cotton is the cause. Without these unfortunate debts that have thrown him into the greatest grief, I would not have had the misfortune to lose him because neither fortune nor grandeur can replace him in my heart. If I did not have my little Sincire who needs my care I would have already retired to the convent and escaped the world for the rest of my miserable life; my only consolation is being a grandmother. Please send me a *pièce de Bretagne* to make me a shirt to go into town for I have only four that are good, but if you can send it to me right now I have to leave in May. All my children send their kindest regards, Adelle kisses you; tell Eloise [Esther's daughter] that I will bring her mom who is doing well and who has asked me to kiss her and you.

I finish my beloved Venuce by kissing you with all my heart and wishing you a happy new year as you deserve.

Veve de la Houssaye”

For a certain number of years, Venus lived with and worked for the Houssaye family. Before her, Venus' mother performed the same tasks. Venus seemed to have remained a slave long enough to have taken care of Widow de la Houssaye's children. In her letter, written in French, the Widow used the words “les bontés” that can be translated as both “kindness” and “services” as in “services rendered” for the de la Houssaye family. Thus, by the time of the sale, Venus and the de la Houssaye family had known each other for a long time. They were linked by the past but also by the present, in other words by Esther's sale, and by the future, as Esther's daughter, Eloise, was a slave belonging to the de la Houssaye family. This certainly explained

⁴⁷ Christobal de Armas, 1:351, June 9, 1818, NONA. Letter dated January 5, 1816 attached to notarial act, Venus de la Houssaye to Madame de la Houssaye, *aux Attakapas*. This letter was written in French and its translation is mine.

Widow de la Houssaye's tone and choice of words when she wrote Venus. Furthermore, Widow de la Houssaye confided in Venus, for she wrote at length about her sorrows and her financial difficulties. She seemed sincere and for a moment the reason behind their correspondence fades away. It is impossible to know what Venus thought or felt. The Widow and Venus did share some sort of familial bond, but in the context of master and slave (or former slave, in this case). Finally, the Widow came from a distinguished French family and had married into an illustrious French family as well. Race, class, education, and status separated them.

In New Orleans, relations between free women of color and white women were influenced in complex ways by race and social conventions. Free women of color and white women often met during marketing activities or in church. Some free women of color also worked for white women as cooks or domestics, or they were neighbors. However, free women of color and white women were separated by race due to social customs and legal restrictions. Drawing from diaries, correspondence, WPA interviews of former slaves, court cases, and the prescriptive literature from southern ladies magazines, several historians have shown that gender conventions did not unify free women of color and white women across racial lines, culminating in tension and antagonism between these women.⁴⁸ Jacqueline Dowd Hall and Elizabeth Fox-Genovese showed that women were “profoundly” divided by class and by race because they did not share bonds of gender. Suzanne Lebsack further states that feminism “requires a consciousness that all women share similar problems.” Thus, identification between white women and women of color was complicated by social and racial status. She claimed:

⁴⁸ See for example Gould, “In Enjoyment of Their Liberty,” 153-6.

“It may have been that the single greatest barrier to the development of an indigenous southern feminism was the difficulty both white and black women had in seeing something of themselves in one another.”⁴⁹

The limited nature of historical evidence makes it difficult to both recreate white women and free women of color’s attitudes toward slavery, domesticity, gender relations. The Widow and Venus’ conversation offers an example of how business transactions were conducted by white women and women of color. It also shows how one woman of color used her connections to secure a business agreement. Even though race, class, education, and status separated Widow de la Houssaye from Venus, they were linked by familial and business associations. Moreover, they did share gender conventions because husbands and sons exerted legal and social dominance over both groups. In her letter, Widow de la Houssaye does complain about being “accountable” to her minor sons and to her deceased husband’s creditors, explaining Esther’s high price. That was a legal obligation.

Above all, Venus and the Widow shared freedom and the ownership of other human beings. They were both slave owners and thus they shared powerful common ground. Venus was probably able to purchase her sister thanks to her own slaves’ labor. Later on, she was able to acquire her niece, Eloise, by exchanging a seventeen-year-old Congo slave for her.⁵⁰ Thus, Venus found herself in the middle of a complex web of relationships. Like other free women of color, she was aware of the unique advantages that were available to her, in order to secure her freedom and that of her relatives, and eventually achieve some degree of wealth. Thus, she made

⁴⁹ Suzanne Lebsock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: W.W. Norton & Company, 1984), 241. For an analysis of relationships between mistresses and slaves, see, for example, Marli F. Weiner, *Mistresses and Slaves: Plantation Women in South Carolina, 1830-80* (Urbana and Chicago: University of Illinois Press, 1997). Marli F. Weiner argues persuasively that although racism and slavery sharply divided white mistresses and black slave women on South Carolina’s large rice and cotton plantations, women’s work and a uniquely southern ideology of domestic womanhood brought female slaveholder and slave together in a relationship which differed markedly from that between a white man and a slave.

⁵⁰ Christobal de Armas, 1:351, June 9, 1818, NONA.

sure that her relatives were kept out of slavery, while enslaving others in order to attain her goals. In her 1818 will, Venus wished that her niece be freed when she reached the legal age of emancipation—the legal age of emancipation was 30 and Eloise was 22 at the time—and until then “[Eloise] can hire and work for herself.” Furthermore, Venus stipulated that she gave and bequeathed her slave Rosalie, 30, to Eloise. According to Venus’ will, her executor was obligated to rent Rosalie out until Eloise acquired her freedom, and give Eloise the rental income.⁵¹ Thus again, Venus secured her family’s future through the ownership of human property.⁵²

The emerging capitalistic economy certainly favored interaction between communities, as antebellum New Orleans was a commercial rather than an industrial city and had few districts where only one ethnic or economic group lived and worked. Similarly, in the eighteenth-century British colonies the transformation of the Anglo-American consumer marketplace eventually brought diverse colonists together. Breen argues that the proliferation of goods across the Atlantic produced extraordinary economic growth and a greater integration of the British Empire. As consumer goods proliferated, their price declined and the options of common people expanded. Common men and women aspired to acquire things that were once not available to

⁵¹ Christobal de Armas, 1:345, June 5, 1818, NONA.

⁵² In 1820, some turn of events pushed Venus to sell Eloise away. A Mr. Joseph Coste acquired Eloise for 1,000 dollars. As Venus saw the end coming closer—she died the following year—she may have thought that Eloise would be safer in the hands of a white man. Her slave Rosalie—that she bequeathed to Eloise—was ill and estimated at barely 100 dollars in 1821. Also, she may have thought that her sister Esther, a recently emancipated slave, may not have been able to care for Eloise. Within the context of the changing polity, economy, and society, Venus may have wanted to take every precaution. In her last will, she bequeathed all of her property, including real estate and the slave Rosalie, to her sister. Philippe Pedesclaux, 16:1380, August 2, 1820, NONA. *Inventory of the Estate of Venus de la Houssaye*, November 23, 1821, Court of Probates, Orleans Parish, Louisiana, NOPL. Philippe Pedesclaux, 16:1381, August 2, 1820, NONA. In 1833, Esther bequeathed the property she inherited from her sister to Eloise. Eloise had become a free woman some time between 1820 and 1832. See *Inventory of the Estate of Esther de la Houssaye*, February 14, 1833, Court of Probates, Orleans Parish, Louisiana, NOPL. *Will of Heloise Honoré* (1837), Recorder of Wills No. 5, Court of Probates, Orleans Parish, Louisiana, NOPL.

them and they began to think in more egalitarian terms.⁵³ In New Orleans, free women of color's thriving business activities suggest that class lines were somewhat mitigated as well.

Free women of color bought from and sold slaves to a wide-ranging body of economic partners. Buyers and sellers were represented in government positions, entrepreneurial occupations, and craft occupations. Free women of color nurtured business relationships with brokers and commissioned merchants; planters, engineers, accountants, clerks, attorneys at law, judges, teachers, and notaries; bricklayers, bakers, bottlers, brass founders, blacksmiths, builders, carpenters, carters, coachmen, coopers, shoemakers, gardeners, and butchers; boarding house operators, publicans, doctors, druggists, and store owners; captains and mariners. *Gentleman* Bernard Marigny and planter Jacques François Enoul Livaudais fils were among the white men with whom free women of color regularly made transactions. City treasurer Jean Baptiste Labatut, editor of *the Louisiana Courier* Jean Baptiste Thierry, engineer and surveyor Barthélémy Lafon, Deputy Sheriff Jean Baptiste Latour, and notary Christobal de Armas were also among their economic partners.

With the Americanization of Louisiana, the commercialization of sugar and cotton production, and the development of American commercial banking, opportunities to prosper multiplied and free women of color took advantage of this new era of economic development. Merchants, retailers, traders, and brokers were the most common occupations among buyers and sellers found in the sample, suggesting that economic opportunities resided primarily within the

⁵³ Breen, 150-1.

commercial sector of the city.⁵⁴ For instance, in 1818, Rosette Toutant sold the slave Abraham, 50, to Mr. Nicolas Léonard Henry, a shopkeeper, for 1,025 dollars, making a sizeable profit, as she had acquired Abraham for 500 dollars five years earlier. Abraham was described as a “good carpenter, wheelwright, farmer, teamster (a driver of horses), cooper, and miller,” fluent in both the French and English languages.⁵⁵ Abraham’s set of skills appeared to be extremely valuable in a developing economy such as New Orleans’, which explains why Henry gave more than 1,000 dollars for his purchase.

Free women of color also engaged in business relationships with an ethnically diverse population, and their activities were not constricted to one single geographical area. As natives and foreign-born mingled in the city’s shops, auction blocks, notary’s offices, streets, and residential areas, free women of color made transactions with newly arrived immigrants—Anglo Americans, Saint Domingue refugees, and European immigrants—and Creoles alike. Furthermore, they made business transactions with neighbors, with individuals from other neighborhoods, and with individuals either passing through town, or doing business from their home base (who thus relied on powers of attorney). For instance, Elizabeth Rapp, Honorine Giovelina, and Victoire Wiltz, whom we have mentioned earlier, rented property located in other neighborhoods than their own.⁵⁶ A sample of 275 slaveholding free women of color gives some

⁵⁴ Some scholars have argued that the extent of modernization combined with cultural factors created and maintained occupational niches in the city, even as race, ethnicity, and class affected the occupational structure. For instance, the emerging capitalistic economy was spatially segregated from the traditional craft-guild economy. In New Orleans, self-employed craftsmen predominated in Creole neighborhoods, while skilled wage-workers were overrepresented in the Anglo-American sector. Furthermore, in the Creole sector of the city, persons of color maintained their traditional dominance of craft occupations, while entrepreneurial positions were opening up in the commercially expanding Anglo American sector for some groups—notably the foreign-born—but not for people of color. See Jerry Wilcox and Anthony V. Margavio, “Occupational Representation by Race, Ethnicity, and Residence in Turn-of-the-Century New Orleans,” *The Social Science Journal*, Vol. 24, Issue 1 (1987): 1-16.

⁵⁵ Michel de Armas, 5A:136, March 16, 1811, NONA. Philippe Pedesclaux, 5:551, June 23, 1818, NONA.

⁵⁶ See Annex 1 for drawings with façade elevations of Victoire Wiltz’s residence on St. Philip in the French Quarter, and another rental property on St. Philip in Faubourg Trémé (now Armstrong Park).

indication about their commercial endeavors. Most of them lived in the French Quarter (41 percent), while a significant number of them lived in the Faubourg Marigny (26 percent) and Faubourg Sainte Marie (15 percent). The rest of the women of the sample lived in adjacent neighborhoods (Bayou St. John and Faubourg La Course, for example) and other parishes than Orleans Parish (St. Charles and St. John the Baptist Parishes, for instance). These women traded slaves with their neighbors, but also across neighborhoods and across parish lines (Plaquemines, St. Bernard, Assumption, Lafourche, St. Charles, St. John, St. Martin, Pointe Coupée, Baton Rouge, St. Helena, and St. Tammany parishes).

Mortgages, in particular, revealed unusual relations between lender and borrower. Not only was it common for whites to lend money to free women of color, but women of color occasionally acted as brokers to white men, as well as to other free persons of color. Bonds varied from a couple hundred dollars to thousands. For example, free woman of color Jeannette Dauminy lent 100 dollars to free woman of color Flore Favre in 1813, while free woman of color Mezelle Baudry lent 600 dollars to free man of color Jean Baptiste Roussève in 1819.⁵⁷ Loans to white men were more frequent than loans to other persons of color. For instance, in 1813 free woman of color Lise Gantier loaned Mr. Colson, justice of the peace, 600 dollars, who in turn “mortgaged all of his belongings.”⁵⁸ In 1815, free woman of color Marie Marthe Boudet let *Sieur* Prisque Doucet, a grocer in Faubourg Marigny, borrow 1,400 dollars from her; Doucet had to mortgage two slaves of his property in order to secure his loan.⁵⁹ Finally, free woman of color Marie Antoinette Gravelot loaned the tidy sum of 2,288 dollars to *Sieur* Louis Paimboeuf, a

⁵⁷ Stephen de Quinones, 14:121, May 15, 1813, NONA. Narcisse Broutin, 38:259, July 3, 1819, NONA.

⁵⁸ Stephen de Quinones, 14:159, June 23, 1813, NONA.

⁵⁹ Stephen de Quinones, 15:85, June 3, 1815, NONA.

milliner established in the French Quarter.⁶⁰ Thus again free women of color crossed gender, class, and racial lines in their business activities in the city, showing that a high degree of interchange between several segments of the population of New Orleans.

Not only did the growth of the city's economy open the gates for increased consumption, it increased the cash flow and facilitated the expansion of credit as well. Business transactions and economic partnerships with whites indicate that business in New Orleans was not necessarily dominated by white men. The marketplace allowed some women to place themselves in a very powerful position and, in some cases, in a position more powerful than white men. Breen argues that colonial writers harshly criticized the consumer revolution at the "micro" level, especially when the purchasers came from a lower background. According to these writers, such common consumers allegedly imperiled social stability, by buying on credit beyond their means and dressing far beyond their humble class. Tradition insisted that social harmony required a distinct, stable, and visible hierarchy of status and wealth.⁶¹ In New Orleans, by creating business networks with whites and by becoming vital economic agents, free women of color defied traditional notions of social class and the established racial order as well. Thus, their opportunity to express aspiration underwrote social mobility.

Breen further contends that eighteenth-century commentators especially disliked the leading role of women in the consumer revolution. They detected and denounced an erosion of patriarchal power that allegedly left men emasculated and financially ruined by their newly aggressive wives. Indeed, by accumulating and displaying fashionable goods, middling women obtained a new vehicle for self-expression and self-assertion. In addition, their influence over their husbands increased and astute storekeepers appealed to the growing influence of women

⁶⁰ Marc Lafitte, 13:369, July 25, 1818, NONA.

⁶¹ Breen, 151-66.

over household consumption. The marketplace offered women choices that were not available before, and women grew increasingly accustomed to making choices in the marketplace.⁶² In New Orleans, new economic opportunities and changing demographics expanded free women of color's choices. In spite of pre-existing understandings, especially as regards the primarily racial character of slavery of Americans, and the fact that American residents were unaccustomed to large, influential groups of free people of color, free women of color still enjoyed a unique position during the early American period.

Free women of color sometimes made transactions that extended beyond New Orleans, conducting business relations with individuals established in Pensacola, Baltimore, Philadelphia, Halifax, Va., Cuba, Haiti, Porto Rico, Jamaica, or as far as Europe. For instance, in 1810 Marianne Cusac *dite* Crussol gave power of attorney to *Sieur* Cyrille Morand to claim from the government in Pensacola the slave Motion (also called Charles), 18, who left *en marronnage* six months prior.⁶³ Likewise, in 1812 free woman of color Marie Antoine gave power of attorney to *Sieur* Louis Pascault, a merchant in Baltimore, to collect from Thomas Parker, also of Baltimore, the sum of 400 dollars for the sale of a slave named Dinah, 22, registered in the notary's office in New Orleans in July 8, 1811. Antoine revealed that at the time of the sale, Dinah was suffering from an incurable disease and since then and in spite of her constant care, Dinah had died. Thus, Antoine dispatched her own power of attorney to Baltimore to make the facts known to Parker and reclaim the proceeds of the sale of her "defective merchandise."⁶⁴ Although the outcome of this episode is not known, Antoine's claims showed that free women of color entertained financial prospects beyond New Orleans.

⁶² Breen, 172-82.

⁶³ Narcisse Broutin, 23:541, September 28, 1810, NONA.

⁶⁴ Marc Lafitte, 2:123, June 3, 1812, NONA.

In some cases, these transactions reached as far as France. In 1816 Adélaïde Lemelle gave power of attorney to *Sieur* Jean Alexandre Brochon in Bordeaux, France, to receive 1,255 dollars from *Sieur* Lainé Jeune, power of attorney of Bruno Giraudeau in Bordeaux. Lemelle claimed that Giraudeau owed her the aforesaid sum according to a promissory note dated July 7, 1806.⁶⁵ Lemelle was not the only one feeling entitled to receive her share from a sale or some type of business transactions recorded many years earlier. Elisabeth Greffin *dite* Pilard, a Saint Domingue refugee, also gave authority to an individual in Bordeaux, this time to the *Commissaire de la Marine*, “to demand and receive 260 dollars, or the equivalent in the French currency,” from *Sieur* Jean Charamel, a merchant in Bordeaux. Pilard claimed and provided evidence that Charamel failed to compensate her for the sale of coffee that he had brokered on her behalf.⁶⁶ Thus, free women of color played an active role in the economy, perhaps becoming more confident about their expectations as the world around them grew bigger and more complex.

As they participated actively in the urban economy, kith and kin relations were sometimes enmeshed in these economic networks. Free women of color did not exclusively deal with business partners; they also made all sorts of transactions with friends and family members, revealing a complex web of relationships in the city. Moreover, business matters and private matters were often intertwined. In New Orleans, the sample reveals that it was more common for free women of color to choose white men as their agents to carry out their private affairs, business, or some other legal matter. They put them in charge of various tasks: claim, sell, or rent real estate, claim, sell, or rent slaves, claim and collect various sums of money (from rental estate, sales, or successions), manage bequests or successions, emancipate relatives, challenge

⁶⁵ Christobal de Armas, in Stephen de Quinones, 15:268, June 20, 1816, NONA.

⁶⁶ Narcisse Broutin, 28:83, February 22, 1813, NONA.

sales deemed illegitimate, or manages lawsuits. Why did they choose white men primarily? Was this evidence of significant permeability within the white community and the community of color in the city? And/Or was this part of a conscious economic strategy on the part of free women of color? Wills, donations, powers of attorney, and lawsuits serve as a window to these practices.

For instance, in 1819 free woman of color Euphrosine Oliveau charged Mr. Soulé to claim and collect the sum of 327 dollars, the “equivalent of a quarter of the final payment of the sale of land, slaves, and animals made by the heirs of the late *Sieur* George Oliveau, her natural father.”⁶⁷ As her natural or illegitimate heir, Euphrosine could receive a share of her father’s property. *Sieur* Oliveau’s legitimate heirs did not seem to have challenged his will, but Euphrosine made sure she would receive her share, authorizing a white man to act as her agent or attorney. Likewise, free woman of color Dinotine Pincemaille gave power of attorney to Mr. Louis Maret to enforce her claims against the estate of the late Mr. Pierre Collette, a former resident of Saint Domingue, who died in New Orleans in 1819. Pincemaille claimed that, before his demise, Collette had sold two slaves belonging to her, and this without her consent.⁶⁸ As Collette had never been authorized to do so, it created a conflict of interest between Pincemaille and Collette’s heirs. With the help of Maret, Pincemaille hoped to preserve her rights in the form of a required action for damages against the estate of the said Collette.

Free woman of color Catherine Gelin found herself in a somewhat similar situation. Gelin charged Mr. Pierre Caillou to manage a lawsuit brought against her by a Mr. Charles Lefevre, regarding three slaves bequeathed to her children by their natural father *Sieur* Toussaint Gobert. Lefevre had the three slaves seized by order of the Court, and detained in jail.

⁶⁷ Philippe Pedesclaux, 10:1024, December 8, 1819, NONA.

⁶⁸ Hughes Lavergne, 2:115, November 8, 1819, NONA.

According to Gelin, Lefevre went against Gobert's wishes, and she took matters in her own hands in order to recover her children's property.⁶⁹ Finally, Thérèse Héguay authorized her agent Mr. Fachou, a storekeeper in Baton Rouge, to claim her slave Ursule, 40, as well as household effects that she had left in Baton Rouge at Mr. Delabarrossière's, once her common-law partner.⁷⁰ Thus, white men represented or acted on free women of color's behalf in very diverse private and business matters.

In order to assert their rights, it is fairly certain that free women of color relied on such agents due to the complexity of many cases. They had to choose individuals who had the qualifications for the job, and perhaps the connections too. Their agents were certainly accustomed to dealing with successions, bequests, and lawsuits, making them ideal candidates for such tasks. White men's experience and skills with dealing with such matters were therefore crucial. Free women of color's reliance upon whites to carry out business transactions enabled them to maximize their opportunities in a rapidly changing society and economy. Thus, the presence of qualified and perhaps influential white men as well as economic ties to the white community, in general, certainly motivated free women of color's choices.

Moreover, free women of color may have been naturally closer to the white community than their own. Free persons of color gradually built their own communities and networks but, as Kimberly S. Hanger claimed, "although increasingly creating a separate identity from whites and slaves by the end of the Spanish period, free people of color still did not constitute a uniform

⁶⁹ Narcisse Broutin, 34:308, April 9, 1816, NONA. One year later, Gelin and Lefevre put an end to this lawsuit amicably. It was determined that the three slaves at the center of the case had been found in Gobert's succession, but in reality they belonged to a Mr. Lorinet's succession, from which Gobert and Lefevre were the sole and exclusive heirs. Gelin and Lefevre agreed to share equally the total value of the slaves, minus court costs (1,895 dollars). Narcisse Broutin, 36:58, September 3, 1817, NONA.

⁷⁰ Marc Lafitte, 4:13, January 13, 1814, NONA.

group whose interests and character were one.”⁷¹ A similar assertion can be made about the early American period. Unlike the exceptional Marie-Thérèse Coincoin who created the flourishing Isle Brevelle *libre* community south of Natchitoches, free persons of color frequently remained culturally and economically tied to local whites. Sophie H. Burton claims that, in the early American period, these communities experienced difficulty in establishing a sense of (autonomous) community due to their reliance on whites.⁷² Also, as tensions and restrictions towards free persons of color in Louisiana grew, whites may have been better suited to carry out such responsibilities.

Finally, friendship and romantic associations also came to light, when free women of color chose white men over family members or members of their own community, or when white men charged free women of color to act as their agents. For instance, *Sieur* Antoine Mathurin Fauché, a building contractor, gave power of attorney to free woman of color Anne Dauphin, to rent his property, located on the *Promenade Publique* (Claiborne Avenue), “on the north side of the city,” i.e. in Faubourg Trémé.⁷³ Similarly, Mr. Nathaniel Jenkins charged his agent Marie Magdelaine Allemand to sell on his behalf two slave women named Marie Catherine, 36, and Betsy, 40, “provided that the sale price is not fewer than 1,100 dollars.”⁷⁴ Such authorizations revealed the strategic importance of trust and building trust regarding business operations, but also family and romantic relations, for some of the examples cited earlier showed kin ties between white men and free women of color. Indeed, as it was the case with Louise Bonne

⁷¹ Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham & London: Duke University Press, 1997), 57.

⁷² Sophie H. Burton, “Free People of Color in Spanish Colonial Natchitoches: Manumission and Dependency on the Louisiana-Texas Frontier, 1766-1803,” in *Louisiana History*, Vol. 45, No. 2 (Spring 2004): 195.

⁷³ Marc Lafitte, 4:92, March 18, 1814, NONA. Fauché’s property comprised a timbered house divided into four *appartements*, with a kitchen and other outbuildings.

⁷⁴ Philippe Pedesclaux, 9:790, October 4, 1819, NONA.

Lalanne in Chapter 3, some women relied on their partners to carry out their business, and vice versa.

Intricate friendship, kinship, and “spiritual kinship” networks played a key role in buildings communities and networks across race, gender, and class in New Orleans. Bequests from white fathers to their children of color were especially telling. White men and their consorts often came before a notary to register donations of all sorts. For example, *Sieur Michel Fortier fils* gave his five natural children, “born of his cohabitation out of wedlock with Henriette Milon,” the slave Victoire, 17. Similarly, *Sieur Joseph Tabouny* gave his four natural children with Charlotte H el ene a lot at the corner of Bienville and Dauphine Streets.⁷⁵

Furthermore, their choice of executors and tutors for their children was also crucial and testified to the diverse bonds that united New Orleanians. Free women of color overwhelmingly chose white males over persons of color to serve as curators and tutors for their children. One could easily speculate that free women of color believed that white males could provide for better care, better education, and better future prospects for their children. Affection and love were also a big part of their choice as well. In several instances, a child’s tutor was also his or her father.

Free women of color tended to choose non-family members over husbands, sons, daughters, brothers, sisters, nephews, nieces, and in-laws as their executors. They were certainly very well acquainted with their executors otherwise they would not have trusted them to carry out their wishes. Only in a few instances do we know that these women were involved romantically with their white executors. These women more likely entertained friendships or business relations with them—which certainly dated back to Haiti and Cuba (as regards Domingois). In terms of gender, they chose women in very few instances, as there were

⁷⁵ Marc Lafitte, 4:156, May 11, 1814, NONA. Marc Lafitte, 6:401, November 27, 1815, NONA.

probably very few women who were legally or culturally equipped to do these tasks.

Furthermore, in terms of race and ethnicity, we notice that free women of color from Saint Domingue and Louisiana-born free women of color's practices differed. Domingoises frequently chose white executors over executors of color, which was not the case with Louisiana-born free women of color.

Typically, executors were responsible for offering the will for probate, including the disbursement of property to the beneficiaries as designated in the will, obtaining information about any other potential heirs, collecting and arranging for payment of debts of the estate, and approving or disapproving creditors' claims. Executors also made sure estate taxes were calculated, and made all donations as left in bequests as directed in the will. In New Orleans, free women of color asked their executors to perform various tasks from selling or bequeathing their estate, including slaves, to emancipate relatives and give various sums of money to friends and relatives. Some women's instructions were extremely intricate, and it sometimes took several years for executors to finalize their wills.

As representatives of the estate for all purposes, executors had to show competence, integrity, impartiality, and diligence. It was both an honor and a burden to serve as someone's executor. Perhaps, free women of color believed that men would be more apt to manage their estates—especially when they had property located in Haiti and/or in Cuba. But there was certainly more to it. In a society in which the color of your skin and your gender affected your everyday status, white males were certainly a better option for settling these women's estate. As evidenced by the many examples cited earlier, a wide range of feelings and arrangements drove them to enter such business relationships. Thus, affection, friendship, business, and awareness of the racial, social, and political milieu influenced free women of color's choices.

The emerging capitalistic economy favored interaction between communities and group consciousness, and affected people in different ways and free women of color managed to navigate the new social, political, and economic order. Elizabeth Rapp, Victoire Wiltz, Venus de la Houssaye and others exemplified the complex ties that united New Orleanians. Rapp, of Anglo extraction, acquired property throughout the city and dealt with men and women coming from all backgrounds; Wiltz, a Creole, stayed closer to the French and Spanish population and managed to derive an income from rental property; Houssaye, a freed slave, kept ties with her former master and strove to emancipate her family while holding slaves. All three were influenced by and were a product of social, demographical, economic, and political transformations. In turn, they participated actively in the urban economy and formed connections with a wide range of individuals.

Free women of color's slaveholding practices did not seem to be directly affected by this new order. On the contrary, their occupations and daily activities were stimulated by a maturing and thriving economy. As new opportunities sprung up, they took advantage of them. All sorts of relationships connected individuals coming from various ethnic, racial, and class backgrounds. The permeability between the white community and the community of color continued through the early American period, and showed that free women of color kept close ties to the white community for their own benefit. In order to secure a living and thrive, free women of color entertained a diverse set of connections throughout the city, and beyond. Local economies were enmeshed in global networks of economic activity: not only did free women of color engage in the business of slavery with whites and free persons of color from New Orleans, but they did it with individuals from other states, Cuba, and Saint Domingue. Thus, racially and ethnically

diverse communities as well as geographically spread-out communities were tied together by the business of slavery.

In particular, free women of color who had emigrated from Haiti and Cuba were tied to their home country and Cuba as they had left property there, and they entertained deep-seated ideas about recovering their property. Thus, they strove to establish networks between Louisiana and the Caribbean. Some of them considered returning to Haiti and Cuba, while some others emigrated to Puerto Rico and Mexico. In the next chapter, I will consider what the extent of such networks was, and how free women of color positioned themselves in a new political, social, and economic Caribbean order. Issues such as memory, identity, and globalization in the American South and the Caribbean will also be explored.

CHAPTER 6

LOOKING FOR A SENSE OF PLACE: IDENTITY, CULTURAL IN-BETWEENNESS, AND ECONOMIC NETWORKS AMONG DOMINGOISES OF COLOR

When thousands of Haitian refugees settled in New Orleans in the late eighteenth and early nineteenth centuries, they opened the gates to commercial and cultural exchange for decades to come between New Orleans and the Caribbean. Strained relations between the United States and Haiti, the establishment of a black government in Haiti, as well as political, social, economic, and structural changes in New Orleans shaped the lives of “new and old New Orleanians” in unique ways. As evidenced in the previous chapters, free women of color who emigrated from Haiti and Cuba remained connected to their home country and Cuba in specific ways: they not only had left property and slaves there, but they also entertained deep-seated ideas about recovering their property.

In this chapter, we will examine how free women of African descent became active social and economic agents, by building intricate networks between New Orleans and the Caribbean. On the one hand, their endeavors revealed great colonial and post-colonial mobility in the Americas, as they moved back and forth from one island to another, from the Caribbean to the continental United States. On the other hand, free women of color found themselves at the nexus of one of the most culturally and economically diverse parts of the Atlantic world, showing that race, gender, and class shaped the commercial transactions and the movements of population in the Caribbean in very unique ways.

In order to shed some conceptual light on what Domingoises of color’s experiences were, it is then imperative to take into account the fact that they were diasporic subjects. A relatively recent approach to “diaspora” puts great emphasis on describing a variety of experience, a state

of mind and a sense of identity. Paul Gilroy, for example, describes a kind of duality of consciousness with regard to diasporic individuals' awareness, of being simultaneously "home and away from home," "here and there," or British and something else.¹ As diasporic subjects, free women of color experienced more than one culture along their travel or migration routes, and they were caught up at the intersection of multiple, and sometimes conflicting, subject positions. Through cultural artifacts and through a shared imagination, a diaspora can, to some degree, be held together or re-created. I argue that laying claims on property lost in Haiti and Cuba and establishing commercial networks enabled free women of color to (re)create an identity in face of great social, economic, and political transformations both in the United States and in the Caribbean.

As both domestic and international actors, Domingoises were part of a specific group and strongly identified as *anciennes habitantes de Saint Domingue* and *réfugiées de Cuba en ce territoire*. Because of revolution, warfare, nationalist conflict, and expulsion, they lost control over the material bases of their sense of belonging. Thus, they strove to reconstruct what they had lost, and this implied constructing "imagined communities."² Imagined communities are different from an actual community because they are not (and cannot be) based on everyday face-to-face interaction among their members. As Benedict Anderson argues, members of an imagined community will probably never know one another face to face; however, they may have similar interests or identify as part of the same nation.³ Domingoises held in their minds a

¹ Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness* (London and New York: Verso, 1993). Gilroy's book is based on the black diasporic experience, which he views as being a dynamic network based on the idea of the diaspora derived from Jewish culture. He offers a transnational and transcultural approach much needed in this field, analyzing artistic, political, social, moral exchanges.

² Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London and New York: Verso, 1983, 1991).

³ Ibid.

mental image of their affinity and similar interests, and from New Orleans they delineated those interests. It is crucial to examine their marriage contracts, wills, donations, sales, and powers of attorney in order to understand their frame of mind, while taking into consideration the changing economic, political, and social context in Louisiana and in the Caribbean.

During the Haitian diaspora, the refugees settled in every part of the globe. Thousands came to the United States, often via Cuba and Jamaica, and settled in cities that included New Orleans, New York, Charleston, Savannah, and Philadelphia. Some also settled in Puerto Rico and France. This wide migratory diffusion is evidenced in some free women of color's wills. For instance, in her 1814 will, Jeannette Azulima, an *ancienne habitante* from Cap Français and a "refugee in New Orleans" bequeathed 300 dollars to her goddaughter, a resident of Savannah, Georgia. She also bequeathed the same sum of money to a friend living in France. That same year, Sanitte Fieffé, a native of Artibonite, made her sole legatee her brother Jean Baptiste Landry who resided in Nantes, France. In 1817, Port-au-Princienne Marie Clotilde Mezelle Baudry made provisions to bequeath two-thirds of her property to her grandmother, a resident of Jamaica, and one-third to her brother, a resident of Havana, Cuba.⁴ Thus, even though free women of color's families were dispersed all around the Atlantic world, it did not prevent them from keeping close ties with them, and eventually making provisions in their wills in order to preserve and honor those connections.

These wills also reveal that they had left members of their families and friends behind following the tumultuous events that took place in the Caribbean. When Port-au-Princien Charles Saint Martin married Marie Antoinette Bellone Guilouet from Saint Marc in 1819, they

⁴ Narcisse Broutin, 30:214, April 15, 1814, New Orleans Notarial Archives (hereafter cited as NONA). Marc Lafitte, 4:189-90, June 7, 1814, NONA. Narcisse Broutin, 36:299, August 12, 1817, NONA. There are many more examples of family members who had fled to other parts of the world. See for instance, Philippe Pedesclaux, 18:1916, November 28, 1820, NONA. Marc Lafitte, 18:35, May 24, 1820, NONA.

claimed that two of their natural children were in Port-au-Prince. Furthermore, Guilouet added that she was the “natural daughter of the late Mr. Louis Guilouet and free woman of color Rosalie Guilouet, whom she believe[d] still resided at the same place of Saint Marc.” Likewise when St Yago Paris registered his marriage contract to Marie in 1819, he claimed that his mother “was in Saint Domingue” at the time of his marriage. In 1811, free woman of color from Saint Marc Barbe made her sole legatee her son “currently residing in Port-au-Prince.” Finally, in 1820 Anne Pénélope bequeathed her property to her “closest relatives who [were] currently in Saint Domingue.”⁵ Thus, it was important for Domingoises to officially record the existence of family members and friends still living in Haiti, even though it appeared that they did not know much about their whereabouts.

The reasons they maintained (or tried to maintain) ties with their relatives and old friends seem evident: keeping enduring communal and familial ties alive and uniting the dispersed population into an (imagined) transnational community. Above all, many of these women owned property Haiti and Cuba, and certainly entertained (or maintained) financial interests. Recovering their assets could contribute to their financial well-being in New Orleans on the one hand, and possibly open new avenues of economic prosperity on the other. As revealed in previous chapters, the majority of the Domingoises who registered their wills and marriage contracts in a notary’s office between 1810 and 1820 listed their assets in both Haiti and Cuba.

Furthermore, not only did free women of color list their property located on those islands in their wills, they also initiated financial and legal transactions involving this very property. From New Orleans in 1815, *mulâtresse libre* Claudine acquired a lot in Croix des Bouquets from

⁵ Christobal de Armas, 2:172, April 20, 1819, NONA. Hugues Lavergne, 1:2, July 27, 1819, NONA. Narcisse Broutin, 24:278, May 11, 1811, NONA. Michel de Armas, 19:353, August 5, 1820, NONA.

a Mr. François Travers for 800 dollars.⁶ In 1816, Renée Rose Lapeyre *dite* Sanite, an *ancienne habitante du Mirebalais*, donated several pieces of property and seven slaves (all situated in Haiti) to her daughter Marie Louise Latouche.⁷ Likewise, *Sieur* Jean Baptiste Félix Doubière donated to his daughter, free woman of color Catherine Laurette Doubière, a piece of land on Tortuga Island off the northwest coast of Haiti, when she married in 1819.⁸ Finally, in 1816, as sole legatee of *Sieur* René Pourcelie, Rosalie Chesneau conferred on Cécile Bonne Demahaut “all furniture, clothes, slaves, land, horses, and other animals located in the colony of Saint Domingue,” according to the testament of the late Pourcelie, “dated April 6, 1796 and deposited in the study of notary Gaudin on August 14, 1798.”⁹

While they conducted financial and legal transactions involving property located in Haiti and Cuba, free women of color evidently assumed that their property claims whether on existing properties or newly acquired ones were legitimate. Further, legal documents found in the archives in New Orleans suggest that they conducted business in different ways. Some Domingoises simply made an inventory of their island property, making no reference to the events that occurred in the Caribbean, nor questioning the existence or status of their assets. However, the majority expressed more circumspection when it came to listing their assets. Those legal transactions are thus invaluable resources for penetrating Domingoises’ beliefs about the existence of their property.

⁶ Narcisse Broutin 32:100, April 26, 1815, NONA.

⁷ Narcisse Broutin, 34:58, January 26, 1816, NONA. One clause written into the donation agreement included taking care of the mother of the donor.

⁸ Philippe Pedesclaux, 7:97, February 8, 1819, NONA.

⁹ Narcisse Broutin, 34:460, June 12, 1816, NONA.

For example, Jeannette Azulima catalogued her property in her 1820 will in this manner: “two houses and sixteen slaves in Cap Français, as well as a house in Baracoa.”¹⁰ Azulima made what could be considered blunt assertions about the existence of her property, and many other free women of color did so as well. In her 1819 will, Marie Clotilde Mezelle Baudry candidly stated that she owned one fourth of a house in Port-au-Prince and “various slaves stranded in [Saint Domingue] by the Revolution.” She also maintained diverse claims to the estate of her mother “in the said island of Saint Domingue.” Continuing to record and attempting to legitimate such claims leads us to believe that she may have entertained deep-rooted ideas of recovering that property, in spite of the Revolution, the establishment of the first Black Republic, and the abolition of slavery.¹¹

Some other women were evidently more cautious, using the past tense when describing their assets. In her 1813 will, Marguerite Chaulet *dite* Lance inventoried three plantations in the parish of L’Anse à Veau, “with all the slaves who once lived on two of the said plantations when I left them behind.” Similarly, Hortense Nolau cast doubt on the continuing possession of her cotton and indigo plantation and 25 slaves, which she brought in marriage in 1810. She declared that, “during her evacuation from Saint Domingue,” “there used to be about 25 slaves” on that plantation.¹² These women were not entirely certain that their plantations were still running after they left Haiti, and thus expressed some reservations. Given the fact that they did not have full expectations of recovering their possessions in their entirety, they may have been aware that major social, political, and economic changes had taken place in Haiti. That very point was more explicit among some other women. Suzanne Butel and Rosalie Chesneau, for instance,

¹⁰ Hugues Lavergne, 4:202, September 18, 1820, NONA.

¹¹ Christobal de Armas, 2:349, September 15, 1819, NONA.

¹² Narcisse Broutin, 29:490, August 3, 1813, NONA. Narcisse Broutin, 22:129, March 3, 1810, NONA.

explicitly used an interrogation point when they referred to their property. Chesneau bequeathed free women of color Marie Claire Datty five slaves “who stayed in Saint Domingue,” and that “[only] in the event that they can be found.” Likewise, Butel listed a “well-established plantation on the island of Saint Domingue” in her 1820 marriage contract, but she also stipulated that it was “here recorded *pour mémoire* considering the known events of the colony.”¹³ Therefore, some free women of color were definitely cognizant of the fact that their homeland and their former way of life had been altered in significant ways by some series of events.

It is difficult to know the extent to which they envisioned those transformations. Almost all women made reference to the “events” (*les évènements*) that played out in the Caribbean, both in Haiti and in Cuba. Marie Clotilde Mezelle Baudry referred to the “Revolution” in Haiti, while others were somewhat less explicit and identified themselves as victims of the “events of the colony,” “refugees in this city [New Orleans],” or refugees from Saint Domingue or Cuba. Apart from identifying themselves as refugees and listing their imagined property, they did not mention ongoing social, political, economic, and structural transformations. It seems that they did not have any knowledge of the state of these colonies. Lack of written accounts in the forms of personal correspondence make the task of knowing what they knew of such matters difficult. However, it is fairly certain that in the absence of reading newspapers assiduously and keeping in touch with the political events that were taking place in the Caribbean and in France, they certainly interacted with other members of New Orleans’ society, and in particular with other Saint Domingue refugees, to keep abreast of the social, political, and cultural life of New Orleans.

¹³ Narcisse Broutin, 21:226, January 25, 1810, NONA. Marc Lafitte, 18:67, September 26, 1820, NONA.

One major clue into their understanding of the turn of events that took place in the Caribbean is their own wording: in the course of over ten years of legal business transactions in the city of New Orleans (1810-1820), the evidence shows that none of these women ever mentioned the word “Haiti.”¹⁴ Instead, and as evidenced earlier, they consistently referred to Haiti as “Saint Domingue” or “the French colony of Saint Domingue” throughout the 1810s and 1820s. Thus, even though Haiti had been independent for many years, it did not reflect in their transactions when they came to the notary’s office in New Orleans. Free women of color seemed to entertain feelings of loyalty towards France and to believe that their “old ways” could be recreated.¹⁵

It is unclear whether Domingoises dreamt of restoring pre-Toussaint L’Ouverture French control to Haiti, or if they imagined French control of “Saint Domingue” through a leader of color. Indeed, Haitian refugees who fled to Cuba in 1803, and later on to New Orleans, had very different experiences than refugees who left Haiti in the early 1790s. After the slave uprisings, the former had experienced two different political orders, that of the French Civil Commissioners and that of Toussaint L’Ouverture, which had a significant impact on their allegiance and their

¹⁴ Haiti (or Ayiti, land of high mountains) was the indigenous Taíno or Amerindian name for the island. By choosing this particular name, Dessalines reinforced the break from French colonial rule and erased more than a century of French rule.

¹⁵ Such feelings and hopes would have found some credence in the 1790s, as the conflict in Haiti had not been settled yet. As R. Darrell Meadows shows in his article “Engineering Exile: Social Networks and the French Atlantic Community, 1789-1809,” some refugees entertained thoughts about going back to the colony in the 1790s. He claims that the refugees’ personal correspondence “underscored the constant need to reassess the situation in France and Saint-Domingue in order to plan for the return home.” Correspondence between former neighbors and friends (mostly white elite members) often demonstrated their eagerness for news from the colony and their desire and intent on returning to Saint Domingue. See R. Darrell Meadows, “Engineering Exile: Social Networks and the French Atlantic Community, 1789-1809,” *French Historical Studies*, Vol. 23, No. 1 (Winter 2000): 90-2. Some actually went back to the colony when things calmed down in 1798 after Toussaint L’Ouverture established himself as de facto ruler of the North and West of Saint-Domingue. See Philippe R. Girard, “Trading Races: Joseph and Marie Bunel, a Diplomat and a Merchant in Revolutionary Saint-Domingue and Philadelphia,” *Journal of the Early Republic*, Vol. 30 (Fall 2010): 362-3.

economic interests. Thus, the case of Saint-Domingue/Haiti raises a topic of great importance: the interaction of racial and national identities.

For planters of color, the struggle to achieve civil recognition had failed by 1790. Colonial whites had systematically refused to grant *gens de couleur libres* civil rights, and had increased racial discrimination on the island. Even amid the violence of the slaves' revolt, many whites still refused to accept free-colored citizenship as the price of an alliance against the slaves. Thus, free planters of color not only fought hard to preserve their way of life, but also for gaining civil rights. When they failed to gain the French Revolution's values of *liberté, égalité, fraternité* for themselves, the mobilization of slaves to fight in 1791 gave free people of color an opportunity to break barriers.

As Saint Domingue was in full revolt, and on the verge of being lost to France, the French National Assembly sent Civil Commissioners to try to save the colony for France and restore Saint Domingue's productivity. It was the belief of the Assembly that if the struggle between the white property owners and free property owners of color (and slave owners) could end, and their loyalty be won back to France, then the slave question would be a simple issue. The rebellion would be quickly broken and the slaves would return to their plantations. This position was further clarified and emphasized with the decree of April 4, 1792 providing citizenship for property-owning free men of color, and enforced by radical Revolutionary Civil Commissioner Léger Félicité Sonthonax.

In 1793, facing British invasion Sonthonax decided to free all the slaves in order to protect and save the colony for France. Things, however, did not go as Sonthonax hoped. The white colonists were totally outraged. Even his allies, the free persons of color, were appalled as, while desiring their own full citizenship, they had no desire to see slavery end.

Soon, Toussaint L'Ouverture's accomplishments and his rise to power created a wholly new situation. Faced with international and domestic political and economic crises, L'Ouverture had to be careful with choosing political allies and restoring peace and a viable economy on the island. L'Ouverture was a keen politician and diplomat. Seeking to rebuild the damaged economy and restore political stability, he appointed whites to positions of influence in his government. Philippe R. Girard asserts that L'Ouverture "employed a virtually white cadre of secretaries, priests, merchants, and civil servants in his administration [while] blacks and mulattoes dominated in the army."¹⁶ He made strategic moves including selecting white envoy Joseph Bunel to represent him in the United States, England, and Jamaica, "regimes governed by a white, race-conscious, and often slave-owning ruling class."¹⁷

As a planter and former slave owner, L'Ouverture faced a dilemma: in order to rebuild the economy, he needed laborers or *cultivateurs* as he carefully called them. L'Ouverture maintained the abolition of slavery on the island, but he chose to maintain the cultivator system put in place by the French Commissioners. Under the cultivator system or *caporalisme agraire*, the land belonged to the government, and was leased out to managers and worked by workers, who were obligated to remain on the land in much the same way as serfs in Europe. The workers, while bound to the land, received a portion of the value of the crops, but their lives were vigorously regulated and discipline was strict.¹⁸ L'Ouverture went a step further by "reduc[ing] the laborers' salary and by t[ying] them to their plantations for life."¹⁹ As Girard

¹⁶ Girard, "Trading Races," 363.

¹⁷ Ibid.

¹⁸ Robert Fatton Jr., "Haiti: The Saturnalia of Emancipation and the Vicissitudes of Predatory Rule," *Third World Quarterly*, Vol. 27, No. 1 (2006): 120.

¹⁹ Philippe R. Girard, "Black Talleyrand: Toussaint Louverture's Diplomacy, 1798-1802," *The William and Mary Quarterly*, Third Series, Vol. 66, No. 1 (Jan., 2009): 113.

argues, L'Ouverture was a slave owner before the revolution, and his position towards the institution of slavery was thus not as clear-cut as it might have been thought to be. In 1801, he even sent Joseph Bunel to Jamaica "to ask its governor whether British slave traders would be willing to sell some of their human cargo along the coast of Saint Domingue."²⁰

L'Ouverture favored the property owners' interests in order to save the island from total financial ruin. As L'Ouverture maintained and toughened the cultivator system, many planters pragmatically concluded that he was the only officer able and willing to restore the colony's ravaged plantations."²¹ Furthermore, planters who had long been eager to obtain "political autonomy from France and [free] themselves from mercantilist trade restrictions, were also pleased to note that L'Ouverture shared their political and economic goals."²² Thus, from a commercial perspective, planters, both white and of color, had a lot to gain from L'Ouverture's new regime. As property-owners, free women of color had a stake in the system as well. Their attempts to rebuild their colonial fortune had seemingly trumped their loyalty to France.

Refugees who settled in Cuba strongly hoped to return to Saint Domingue once the turmoil had been quenched. However, once a place of refuge that was intended to be temporary, Cuba became their new home where they soon resumed their business activities. It is unclear what those refugees hoped for their island in terms of political conciliation. L'Ouverture had not been a bad ally and if the French regained power on the island, those refugees might lose their economic independence.

After L'Ouverture was arrested by the French, Dessalines came to power and was considered a viable leader by planters who stayed in Haiti. In 1804, Dessalines had indeed

²⁰ Girard, "Trading Races," 362. Girard, "Black Talleyrand," 114.

²¹ Girard, "Trading Races," 362.

²² Ibid.

invited white planters “to remain in the new Haiti, and a surprising number opted to stay because two years of bitter disputes with metropolitan officers had convinced many *créole* planters that they were better off under the rule of black officers like Dessalines who could be counted on to send cultivators back to work.”²³ Former L’Ouverture envoy Joseph Bunel collaborated with Dessalines.²⁴ Therefore, some French planters’ careers were shaped more by their social and monetary ambitions than by their racial, ethnic, or social background. Similarly planters of color certainly had a lot to gain allying with the new leader of Haiti. In spite of racial divisions (between *anciens libres*—free persons of color—and *nouveaux libres*), free persons of color in Haiti were able to keep their land and many played an influential role in Haitian politics after Dessalines rose to power.²⁵ After all, it was a coalition of ex-slaves and free persons of color who had joined to proclaim the birth of Haiti, a new American nation.

It appears that the allegiance of the Haitian/Cuban refugees—both white and of color—to Haiti was blurred. These refugees to Cuba identified themselves and Cuban authorities, correctly as events in New Orleans would show later, identified them as “*los franceses*.” Later in 1804, Dessalines ordered most French planters killed “as just vengeance for the atrocities committed during the Leclerc-Rochambeau era and as a way to forestall any French plans to send a new expedition.” This decision certainly contributed to the refugees’ rejection of Haiti.

²³ Philippe R. Girard, “Napoléon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799–1803,” *French Historical Studies*, Vol. 32, No. 4 (Fall 2009): 616-17.

²⁴ Girard, “Trading Races,” 359. Girard explains that Bunel possibly chose to embrace the cause of the Haitians “since modern concepts of ‘scientific’ racism had not yet taken hold among the French rank-and-file as of the late eighteenth century.”

²⁵ About racial divide in Haiti, See David Nicholls, *From Dessalines to Duvalier: Race, Colour, and National Independence in Haiti* (New Jersey: Rutgers University Press, 1996), 38. About Haiti’s social distinctions, see George Eaton Simpson, “Haiti’s Social Structure,” *American Sociological Review* 6, No. 5 (Oct., 1941): 640-649.

In New Orleans, Domingoises not only consistently referred to their “French island of Saint Domingue,”²⁶ but they also strongly identified themselves as French colonists and refugees, “following the forced evacuation of the French from the island of Cuba.” They rapidly became advocates of the French language and Gallic Creole culture, even in the face of Americanization and Anglicization of Louisiana. With their compatriots, they indeed deployed every means possible to preserve their linguistic and cultural specificity. Many free families of color sent their sons to France to be educated. Nathalie Dessens argues that “they clung to this inheritance, which was their sole legacy from generations of colonization in the French Caribbean colony prior to its independence.”²⁷

Influenced by a myriad of factors, both internal and external, diaspora subjects are typically caught up at the intersection of multiple, and sometimes conflicting, subject positions. Thus, compounded by the awareness of multi-locality, the “fractured memories”²⁸ of diaspora consciousness produce a multiplicity of histories, communities, and selves. During the re-rooting process, diaspora members, living on cultural borderlands or interstitial zones, cluster around remembered or imagined homelands, practice “home cultures,” and form ethnic communities in order to keep a sense of community. In Louisiana, Americanization, in particular, was definitely a key factor in highlighting the shared aspects of individual identities in terms of common culture, geography, and history, binding many discrete subjects into an

²⁶ Domingoises were not alone avoiding the term *Haiti*. When French *chargé d'affaires*, Louis A. Pichon, discussed the passage of the Embargo on U.S. trade with Haiti in 1804, he referred to Haiti as Saint Domingue. See, Tim Matthewson, “Jefferson and Haiti,” *The Journal of Southern History*, Vol. 61, No. 2 (May, 1995), 237-8. White refugees also referred to Haiti as Saint Domingue as exemplified by the *Christian Miltenberger Papers* #513 and the *William Conrad Schutte Papers* #3066, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

²⁷ Nathalie Dessens, “The Saint-Domingue Refugees and the Preservation of Gallic Culture in Early American New Orleans,” *French Colonial History*, Vol. 8 (2007): 65.

²⁸ Arjun Appadurai and Carol Breckenridge, “On moving targets,” *Public Culture*, Vol. 2, No. 1 (Fall 1989): *i-iv*.

“imagined community.” As exiles in a foreign land, it was paramount for them to keep a sense of community, and their common French history and culture allowed for that to happen.

One explicit indication of such national fervor, found in the Notarial Archives, shed light on community representation. When Marianne Guillamette registered her will in 1810 in the office of Michel de Armas, she listed her property both in New Orleans and Haiti, with some special clause concerning a slave of hers, twelve year-old Véronique, whom she had left behind in the former French colony. Guillamette bequeathed all of her property to her heirs-at-law, with the exception of the “*petite négresse* named Véronique,” as she wanted her to be willed to the *griffonne* Adélaïde, a non-direct heir. In addition, Guillamette expressed some uncertainty about Véronique’s fate and location, and further claimed that “if she is found at the time of the return of the French in Saint Domingue I want her to be delivered to the little *griffonne* Adélaïde.”²⁹ Thus, although not being entirely confident about Véronique’s whereabouts, Guillamette was positive about something else: “the return of the French in Saint Domingue.” Although Guillamette’s beliefs cannot necessarily be extended to all Domingoises’s in New Orleans, it provides us with crucial clues. Coupled with other Domingoises’s clear efforts to retrieve their property in “the French island of Saint Domingue,” one must ask how they conceived and expressed their individuality or group affiliations in the middle of complex social, political, and economic transformations.

One way in which the Domingoises expressed their identities is in the powers of attorney granted to persons in Haiti. They clearly believed that they could resume their activities as planters and boarders, and that their old ways of life could be recreated. They imagined a stable and unified place, waiting for re-discovery. For instance in 1811, Marie Anne Pillard Widow Landron charged Céleste Trabaut to sell on her behalf her plantation established under food

²⁹ Michel De Armas, 3:63, March 24, 1810, NONA.

cultivation and lumber production in Cavaillon Parish, together with quarters (*case*) and buildings.³⁰ In 1818, Suzanne Besson Widow Campant gave power of attorney to her son Jean Jacques Xavier Campant to claim, take possession, repair, and improve all of her property, which consisted of a 4,800 acres-plantation with 100,000 coffee plants, a large residence, stores, slave quarters (*cases à nègres*), crushing mills, utensils, and animals, along with another 2,232 acres-plantation with its buildings, utensils, animals, and 70 slaves. Besson also owned other residences, lots, and nine slaves, all located in the southern peninsula of the island.³¹ In 1816, Marthe Robion gave power of attorney to her nephew Benoît Lagneau to claim and rent her house located on Dauphine Street in Port-au-Prince.³² Thus, Domingoises expected to retrieve their property and eventually make a profit out of it. They imagined home as a culturally and economically bounded place, and they had high and perfect expectations of what was there.

At least one woman openly expressed her desire to go back to Haiti. For example, in November 1819 Marie Louise Bedouze terminated a donation agreement previously agreed between her and François Verdry because she was “leaving for Saint Domingue,” and therefore would be “unable to honor the terms of the donation.”³³ In sum, reclaiming their identities and returning to “lost origins” seemed to have been on the minds of Domingoises.

Rooted in one culture and displaced into another, these women strove to establish a sense of place and identity. Taking into consideration theories and concepts of *identity* and *diaspora*, we can place these practices as part of an ongoing negotiation of cultural in-betweenness. Liisa Malkki argues that “the metaphorical concept of having roots involves intimate linkages between

³⁰ Narcisse Broutin, 24:132, May 16, 1811, NONA.

³¹ Christobal de Armas, 1:395, July 27, 1818, NONA.

³² Marc Lafitte, 8:240, May 20, 1816, NONA.

³³ Christobal de Armas, 2:147, April 6, 1819, NONA.

people and place.”³⁴ Akhil Gupta and James Ferguson further contends that “remembered places have often served as symbolic anchors of community for dispersed people. This has long been true of immigrants, who use memory of place to construct imaginatively their new lived world. ‘Homeland’ [i.e. where one has roots] remains one of the most powerful unifying symbols for mobile and displaced peoples, though the relation to homeland may be very differently constructed in different settings.”³⁵ As refugees in New Orleans, Domingoes constructed, remembered, and laid claim to particular places as homelands or nations in order to re-root their lives and identity. Through retelling stories of the past and imagining a “homeland,” they strove to prevent the fragmentation of their identity and reach a sense of closure.

Time and again, these women came before a notary to make methodical inventories of their (imagined) property in their marriage contracts and their wills (and subsequently to bequeath, donate, or sell this property), to charge individuals to administer their property, and to articulate aspiration that they would return to their homeland. As a result, the notary’s office constituted an interstitial zone for these diasporic subjects. Thus, their identities were not just natural givens; they were also formed within the notary’s office as it provided them with points of identification by marking symbolic boundaries, re-linking cultures to places, and by fulfilling the desire for memory, myth, search, and rediscovery. The notary’s office thus gave some sort of coherence and security to their discourses, practices, and positions. Moreover, it fostered community formation and helped generate collective diasporic imaginations. Domingoes certainly came across each other at the notary’s office and exchanged news about their compatriots and their homeland, thus reinforcing shared aspects of individual identities in terms

³⁴ Liisa Malkki, “National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees,” *Cultural Anthropology*, Vol. 7, No. 1 (Feb., 1992): 24.

³⁵ Akhil Gupta and James Ferguson, “Beyond ‘Culture’: Space, Identity, and the Politics of Difference.” *Cultural Anthropology*, Vol. 7, No. 1 (Feb., 1992): 11.

of common culture and history. By extension, building economic and social networks in New Orleans and the Caribbean served the same purpose.

Given the political, economic, and social transformations in Haiti, building economic and social networks in Haiti was clearly impossible. Indeed, a new political, economic, and social order had been established in Saint Domingue/Haiti. After Napoleon's failure, the Haitians sought to establish friendly ties with their neighbors, but Jefferson's fear of slave rebellion spreading to the Americas overrode any commercial incentive for close relations with Haiti. Shortly before the proclamation of Haitian independence, Dessalines contacted President Jefferson calling for "closer commercial and political ties," but the president did not respond.³⁶ He subsequently reversed Adams' foreign policy objectives with Haiti and enacted a number of successive trade embargos from 1806 to 1810.³⁷ Perpetuating a policy of non-recognition severed commercial ties with Haiti, and eventually resulted in long-term damages to its social and economic structures. Crippled by years of war, its agriculture devastated, and its formal commerce nonexistent, Haiti had much less, if anything, to offer. Therefore, after years of turmoil and devastation in Haiti, it seems unlikely that refugees, whites and free persons alike, would trade with Haiti.

Diasporic lives are full of contradictions: Domingoises constructed a myth of land and slave ownership in Haiti, and they did not bear in mind the recent developments of their homeland. This resulted in both a flawed construction of their homeland and a gross mischaracterization of the free Black Republic. As Gupta and Ferguson argue, "as actual places and localities become ever more blurred and indeterminate, *ideas* of culturally and ethnically

³⁶ Tim Matthewson, "Jefferson and the Nonrecognition of Haiti," *Proceedings of the American Philosophical Society*, Vol. 140, No. 1 (Mar., 1996): 24.

³⁷ For more details about the United States' reasons for the embargo, see Matthewson, "Jefferson and the Nonrecognition of Haiti," 33-4.

distinct places become perhaps even more salient.³⁸ This would explain why some women felt strongly about the “return of the French,” and the reinstatement of slavery and the privileges that came with it.³⁹ Therefore, Domingoises’s efforts to preserve their French and Francophone heritage, as well as their references to “Saint Domingue” and their old ways of life, including slaveholding, have to be considered in this particular context of diasporic identity formation and transformation. Domingoises’s assertions should not necessarily be perceived simply as evidence of nationalist or cultural loyalty. Rather, their practices were part of an ongoing negotiation of cultural in-betweenness.

Malkki asserts that “identity is always mobile and processual, partly self-construction, partly categorization by others, partly a condition, a status, a label, a weapon, a shield, a fund of memories, et cetera. It is a creolized aggregate composed through bricolage.”⁴⁰ The continuous cultural negotiation made it necessary for free women of color to imagine their homeland, and in the process they were influenced by their current social, political, and economic environment. First and foremost, they were living in a slaveholding territory (and later slave state) and they were surrounded by slaveholding nations. Although it was uncertain at first that the refugees who claimed ownership could import and retain their slaves, in 1810 Claiborne recognized full ownership rights on the part of the refugees. As Rebecca J. Scott emphasizes, “these masters

³⁸ Gupta and Ferguson, “Beyond ‘Culture’,” 10.

³⁹ Domingoises of color were not the only one wishing for a triumphant return to Haiti. Napoleon tried to negotiate with Pétion (the President of the southern part of Haiti from 1806-1818). Also, after the restoration of the monarchy in France, agents were sent to Haiti to reconcile with Haitian leaders with the hope to restore Haiti to its previous colonial status. Furthermore, some (unfounded) rumors that Christophe and Pétion were favorable to the “return of the French” were floating around in the 1810s. See Nicholls, *From Dessalines to Duvalier*, 47-9.

⁴⁰ Liisa Malkki, “National Geographic,” 37.

would have the right “to possess, sell, and dispose of” those they had claimed as slaves.”⁴¹ Thus, free women of color had the Louisiana law to defend their slave ownership rights in the U.S., and that in turn allowed them to imagine that they could resume slave ownership in Haiti.

Second, the negative U.S. response to the birth of the Black Republic may have influenced them in certain ways. The establishment of an independent black state and its pro-abolitionist stance posed a threat to other nations, including the United States, and free women of color in New Orleans probably shared such concerns. David Nicholls claims that “the existence of Haiti gave hope to the slave population of the New World and thus constituted a warning and a possible threat to the European colonial powers, and to the slave-owners of the United States.”⁴² Slave conspiracies and rebellions had always played a major part in the slave owners’ imaginary. With the spread of ideas from the French and Haitian revolutions, Americans worried about slave uprisings in the Louisiana area. And they had reason.

In Louisiana, the largest slave revolt in U.S. history, the 1811 German Coast Slave Uprising, was the immediate reason for fear. Led by Charles Deslondes, hundreds of slaves marched against their white masters down River Road toward New Orleans, killing two whites, burning plantations and crops, and capturing weapons and ammunition. The rebellion was rapidly put down and militia companies were formed to hunt down and kill the insurgents. The

⁴¹ Rebecca J. Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner’: Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,” (Symposium on The Bicentennial of the Digest of 1808--Collected Papers), *Tulane European & Civil Law Forum* 24 (2009): 127.

⁴² Nicholls, *From Dessalines to Duvalier*, 36-7.

uprising raised numerous issues, among them Louisianians' ability to implement strict and consistent racial control over slaves.⁴³

Although there is no mention of the slave rebellion in slaveholding free women of color's legal documents, it is safe to assert that it certainly had a psychological impact on them. Their safety and that of their slave property, as well as fears of the establishment of a stricter and more concrete system of racial order must have been a great source of concern for them.⁴⁴ Slaves were both a mark of social status and wealth. Keeping and controlling their human property served to distance themselves from slaves and to benefit from privileges enjoyed by whites. Thus, the fear of slave rebellion shaped the identity of Domingoises, and concern about rebellion became a part of their daily life in Louisiana.

Finally, the presence of other refugees—both white and of color—and their many property claims certainly generated great interest in obtaining reparations from the French government, providing yet another reason for the Domingoises to imagine themselves as part of a larger French society. The French government had a history of helping out colonists who had fled Haiti, as early as 1790. *Dossiers de secours* i.e. “Assistance Files” to the colonists who stayed in France because of the troubles on the island in 1790 and to the refugees and former owners who fled the island following the fire at Cap Français (June 20, 1793), can be found in the *Archives Nationales* in France. These files contain the names of all the refugees who sought financial assistance from the French government. Financial support granted to settlers from Saint Domingue started in November 1793. Spouses and direct descendants also benefited from

⁴³ Some historians claim that Deslondes was a free man of color born in Saint Domingue. However, Gwendolyn Midlo Hall suggests that Deslondes was a Louisiana-born slave. See Gwendolyn Midlo Hall, “The Franco-African Peoples of Haiti and Louisiana: Population, Language, Culture, Religion, and Revolution,” in Cécile Accilien, Jessica Adams, and Elmide Méléance, eds., *Revolutionary Freedoms: A History of Survival, Strength and Imagination in Haiti* (Coconut Creek, FL: Caribbean Studies Press, 2006): 41-47.

⁴⁴ We also have to keep in mind that free persons of color from Haiti posed a problem for the Claiborne administration and that whites worried that the free people of color cultivated a revolutionary ideology.

such assistance.⁴⁵ The French state also provided “emergency relief” to the refugees in the U.S. through French consuls in Philadelphia, New York, and Havana, Cuba.⁴⁶ It is unclear whether some free women of color and their families benefited from such aid. However, as former planters and slave owners they may have believed they could qualify for such aid.

In New Orleans, Dessens claims that the preponderance of wills written in French by Saint Domingue refugees between 1824 and 1833 attested to their desire to gain financial reparations from the French state. She argues: “[T]he predominance of French is all the more obvious because of the large number of wills recorded at the time [1824-1833], due to the prospect of compensation payments by the French government for lost property in Saint-Domingue. Of course, it could be contended that refugees wrote in French because they intended the French government to be able to read them for the payment of the *Indemnités*.”⁴⁷ The argument is that the refugees were probably cognizant of the ongoing negotiations between France and the Haitian state for compensation for former property owners expelled from Saint Domingue between 1794 and 1803. Furthermore, for the French, the property of the former colonists in Haiti continued to be transmitted in French successions (at least until 1825) because, according to them, Haiti was still considered a colony, not an independent state. Thus, it is highly probable that the Domingoises recorded their property at the notary’s office in New Orleans for such a purpose.

Furthermore, between 1814 and 1825 (after the forced exit of Napoleon and the advent of the Bourbon Restoration), France pondered the possible return of the French to Haiti. Former

⁴⁵ *Indemnisations des colons spoliés*. Sous-série F/12, Archives Nationales, Paris. The index can be found here: <http://www.archivesnationales.culture.gouv.fr/chan/chan/series/pdf/F12-colons-A-K.pdf>

⁴⁶ Jean-François Brière, *Haiti et la France, 1804-1848: Le rêve brisé* (Paris: Karthala Editions, 2008), 14.

⁴⁷ Dessens, 64.

colonists were very vocal about their desire to recover Haiti. Jean-François Brière asserts that they used newspapers to launch “constant attacks” against the ministries to push for regaining control of the former French colony.⁴⁸ They were, in Brière’s words, “fascinated by the *souvenir de Saint Domingue* prior 1789,” and refused to acknowledge the independence of Haiti. To these royalists, the Haitian Revolution was a by-product of the French Revolution and had to be crushed. Commercial incentives were also key to their plan to rebuild the nation’s economy. Brière goes on to detail some of the former colonists’ passionate plans to retake the colony and reinstate slavery. Other colonists adopted a somewhat more liberal approach, advocating for the reinstatement of the cultivator (semi-free) system created by the Civil Commissioners in the 1790s, and pushing for an alliance with *anciens libres* (free people of color). Only a handful of former planters supported Haitian independence.⁴⁹

Although France strongly wished to keep some ascendancy over her former colony, Haitian leaders refused any form of French control over the island and demanded official recognition of its independence. Negotiations started in 1814. In those negotiations, *l’indemnité* of the former planters for the loss of their property was offered in exchange for France’s recognition of Haiti’s independence. Beauvois argues that “from 1814 to 1825, official and non-official missions took place on Haitian soil [but] we can hardly give a comprehensive summary, as these many negotiations were surrounded by the greatest confidentiality.”⁵⁰ In the South of the island, Pétion offers to pay an indemnity in exchange for recognition of the Republic of Haiti. However, in the North, Christophe refused to give any compensation to

⁴⁸ Brière, 16-7.

⁴⁹ *Ibid.*, 18-45.

⁵⁰ Frédérique Beauvois, “L’indemnité de Saint-Domingue: « Dette d’indépendance » ou « rançon de l’esclavage »?,” *French Colonial History*, Vol. 10 (2009): 111.

France. The Count of Limonade, Christophe's Secretary of State and Minister of Foreign Affairs declared in 1819:

What rights, what arguments can the ex-colonists then allege to justify their claim for an indemnity?

Is it possible that they wish to be recompensed for the loss of our persons?

It is conceivable that Haitians who have escaped torture and massacre at the hands of these men, Haitians who have conquered their own country by the force of their arms and at the cost of their blood, that these same free Haitians should now purchase their property and persons once again with money paid to their former oppressors?⁵¹

To Christophe, the independence, freedom, and prosperity of Haiti had been won at the cost of an armed struggle, and all that the Haitians had was theirs, and they owed nothing to the former French colonists.

The death of Pétion in 1818 and the subsequent death of Christophe in 1820 quickly changed the political landscape of Haiti. Before his death, Pétion had anointed a successor, Jean-Pierre Boyer, a *mulatto* soldier and one of the leaders of the Haitian Revolution. As soon as Boyer became President, he was confronted with the continuing competition with Christophe in the North. Christophe's autocratic rule created continued unrest. His soldiers rebelled against him in 1820, and in failing health and fearing assassination, Christophe committed suicide. Thus, Boyer was quickly able to reunite Haiti, without a single battle. Boyer believed that Haiti had to be acknowledged as an independent nation, and that this could be established only by cutting a deal with France. Therefore, the reunification of the territory in 1820 under Boyer allowed for a uniform position on the principle of Haitian compensation.

An agreement was reached on July 11, 1825, when (with fourteen French warships off Port-au-Prince) Boyer signed an indemnity stating that in return for 150 million francs paid

⁵¹ "The Duke of Limonade to Thomas Clarkson, November 20, 1819," in Earl Leslie Griggs and Clifford H. Prator, eds., *Henri Christophe and Thomas Clarkson: A Correspondence* (Berkeley and Los Angeles: University of California Press, 1952), 176. Thomas Clarkson was a British abolitionist.

within five years, France would recognize Haiti as an independent country.⁵² The compensation applied only to land (real estate) and excluded any payment for slaves once owned by the colonists. Frédérique Beauvois argues that slaves were in fact taken into account for the assessment and distribution of the reparations, as slaves were considered real property and could not be seized independently from the land.⁵³ The compensation corresponded to the value in 1825 for all properties that the colonists were “ceding” to Haiti. It was arbitrarily estimated at one tenth of what these properties were worth before 1789, compensating former owners and their heirs only partially for their “losses.”⁵⁴ The French government described the *indemnité* in this way: “[I]t is neither emergency relief given by the state, nor the repair of irreparable misfortunes: It is the symbol of the rights that the former owners would have enjoyed, if force of arms had restored Saint Domingue under the domination of France.”⁵⁵

The reaction of the former French colonists was mixed. While some halfheartedly accepted the agreement, others felt that the reparations were too small and that Haiti would eventually not pay the bill. Brière asserts that many others were enraged over the deal, “accusing France of abandoning them and [...] having committed a monstrous sacrifice expropriating them of their property for an *indemnité*.”⁵⁶

⁵² While this sum was later reduced to 60 million francs in 1838, it was a crushing economic blow to Haiti. For the reduction of the indemnité, see Brière, 240-251.

⁵³ Beauvois, 123-4, footnote 35.

⁵⁴ For a detailed account of the negotiations and the compensation accorded to the French colonists, see Beauvois, 113-9.

⁵⁵ Chambre des pairs, Séance du 11 avril 1826, Rapport du Baron Mounier, in Jérôme Mavidal, Emile Colombey, Louis Claveau, Constant Pionnier, Louis Lodois Lataste, Marcel R. Reinhard, Marc Bouloiseau, and Georges Lefebvre, *Archives parlementaires de 1787 à 1860; recueil complet des débats législatifs & politiques des chambres françaises imprimé par ordre du Sénat et de la Chambre des députés sous la direction de J. Mavidal ... et de E. Laurent* (Paris: Librairie administrative de P. Dupont, 1862), 63 (hereafter cited as *Archives Parlementaires*).

⁵⁶ Jean-François Brière, “La France et La Reconnaissance de l’Indépendance Haïtienne : Le Débat sur L’Ordonnance de 1825,” *French Colonial History*, Vol. 5 (2004): 129.

A final report about the financial reparations revealed that a total of 25,838 colonists or descendants of colonists were legitimized in their claims for compensation.⁵⁷ The compensation was accorded only to former colonists, in other words to colonists “who were forced to renounce [their property] forever”⁵⁸ for, according to the Haitian Constitution of 1805, “[a]ll property which formerly belonged to any white Frenchmen, [was] incontestably and of right confiscated to the use of the state.”⁵⁹ Persons of color thus retained ownership of their property in Haiti and could not qualify for the compensation. However, the French government stipulated that *les hommes de couleur* who fought alongside the French and remained faithful to France were eligible for the *indemnité*.⁶⁰ Thus, under that logic, as relatives and heirs of either white Frenchmen or “loyal free men of color,” free women of color could technically receive compensation from the French government/Haitian state. Furthermore, as persons of color they retained ownership of their property in Haiti—providing that they did not swear allegiance to France. Again they found themselves in an interstitial zone, where they held conflicting positions.

That some Haitian refugees discussed the 1825 reparations is evidenced by Christian Miltenberger, a white refugee in New Orleans. Miltenberger, a physician, owned coffee plantations in the southwestern part of Haiti. In 1803, he and his wife moved first to Cuba, where they owned property and slaves, and eventually to Louisiana. Included in the *Christian Miltenberger Papers*, at the Wilson Library at the University of North Carolina at Chapel Hill, are letters from Miltenberger’s French relatives in Bordeaux and Mirambeau in southwestern

⁵⁷ Beauvois, 119, 124, footnote, 36.

⁵⁸ Chambre des pairs, Séance du 11 avril 1826, Rapport du Baron Mounier, in *Archives Parlementaires*, 64.

⁵⁹ Article 12, General Dispositions, Constitution of Haiti, 1805.

⁶⁰ Chambre des pairs, Séance du 11 avril 1826, Rapport du Baron Mounier, in *Archives Parlementaires*, 64.

France, who discussed economic and political conditions in France, as well as the question of indemnity for property losses of French residents of Haiti.⁶¹

On September 25, 1825, a relative of Miltenberger, Mr. Mercier from Mirambeau, wrote to let him know about the “good news” regarding his “property in Saint Domingue.” Mercier revealed that the French government had sealed a treaty with Boyer, “the president of Saint Domingue,” and the latter agreed to pay 150 millions to compensate the former colonists. Mercier went on to transcribe the official newspaper article and the steps to follow in order to qualify and obtain compensations.⁶² Thus, as evidenced by Miltenberger, Haitian refugees kept in touch with the latest news from France and, for about ten years, Miltenberger exchanged letters with relatives about the 1825 indemnity, providing a detailed account of his family’s property in Haiti. Eventually in 1834, after having provided numerous detailed accounts of his property claims to the French government, Miltenberger received compensation for part of his “losses.”⁶³

Other former colonists tried to receive compensation from the Haitian government as exemplified by Anne Elizabeth Bernadine Louise Perrot Widow Schutte, a former white colonist who emigrated to Portsmouth, Virginia, in the early 1790s. As soon as news that indemnity claims could be made against the French government by *émigrés* from Haiti who had lost property at the time of the revolution, Schutte entered a claim as the heir of her late husband William Conrad Schutte. For several years, Anne Schutte gathered all material to support the claim. Copies of baptism records, marriage certificates, and birth certificates to establish the

⁶¹ *Christian Miltenberger Papers* #513, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill (hereafter cited as *Christian Miltenberger Papers*, Chapel Hill).

⁶² *Mercier to Miltenberger, September 15, 1825, Mirambeau*, in the *Christian Miltenberger Papers*, Chapel Hill.

⁶³ *Pineau to Miltenberger, June 10, 1834, Mirambeau*, in the *Christian Miltenberger Papers*, Chapel Hill. The indemnity for Miltenberger’s property reached 42,717 francs.

succession in her late husband's family, as well as bills, accounts, receipts, deeds, leases, and rents to establish the ownership and value of the property formerly owned by her husband made the bulk of the items gathered by Schutte.⁶⁴

Mr. Méjan, consul of Sweden and Norway, was Anne Schutte's agent in Paris and handled claims of Haitian colonists to the French government. In five letters spanning from 1829 to 1832, Méjan explained at length the difficulties, delays, and slowness of procedure. According to Méjan, the "liquidation" of the indemnity would take a while, for it was difficult to gather the records needed to file the claim. Méjan also asked for additional documents concerning the Schutte property.⁶⁵ Indeed, filing for the indemnity appeared to have been a very complicated process. Former colonists had to obtain records that in many cases had been lost or burned during the revolution. When they managed to obtain these documents, they had to send them to their agent in France (an individual designated by the government to handle their claims), who in turn sent their file to the Indemnity Committee (*Commission chargée de répartir l'Indemnité* or *Commission de Liquidation*) in charge of examining their claims and rendering a judgment regarding the amount of the liquidation.

Méjan let Schutte know that it was not easier for former colonists living in France to qualify and obtain compensations, giving her reassurance that her claims (made from the United States) were handled the same way.⁶⁶ Schutte continued to write Méjan for several years, in particular to let him know that she was not satisfied with the way the Committee was handling her affairs. In particular, she complained that the Committee underestimated the value of one of

⁶⁴ *William Conrad Schutte Papers* #3066, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill (hereafter cited as *William Conrad Schutte Papers*, Chapel Hill).

⁶⁵ *Méjan to Schutte, August 6, 1829, Paris*, in the *William Conrad Schutte Papers*, Chapel Hill.

⁶⁶ *Ibid.*

her plantations, given the fact that “there used to be a greater number of slaves on that *habitation*.”⁶⁷ Again, in another letter she continued to show discontent “over the amount of the liquidation allowed [...] by the Committee.”⁶⁸ Schutte eventually received compensation for her uncle’s property because the Committee was able to retrieve “titles which established the value of it,” but the indemnity for her husband’s property was delayed due to counter-claims against the Schutte estate that needed to be settled.⁶⁹

Miltenberger and Schutte’s claims show that filing for compensations was a delicate process that required patience and astuteness. One other common characteristic to both families was their reliance on networks. Both collections contained letters from and/or referring to former neighbors in Haiti and family members now living in France. They advised and supported each other regarding the claim process, they shared their views concerning the economic and political situation in both France and Haiti, and they often inquired about other former planters’ claims. Christian Miltenberger, in particular, received great support as his relatives in France not only helped him out with his claims, but also contacted former colonists able to help his claim. One family member “recommend[ed] our good friend and parent, Dr. Christian Miltenberger, who had married a relative of my wife’s” to a friend residing in New

⁶⁷ *Méjan to Schutte, October 31, 1831, Paris, in the William Conrad Schutte Papers, Chapel Hill.*

⁶⁸ *Méjan to Schutte, November 3, 1832, Paris, in the William Conrad Schutte Papers, Chapel Hill.* The Commission declared that Schutte’s two plantations were worth 3,133 francs and 9,425 francs respectively. In response to Schutte’s letters, Méjan argued that Schutte did not give “sufficient titles to establish the real value of the property,” and therefore he could not do anything to change the value of her indemnity. See *Méjan to Schutte, June 17, 1830, Paris, in the William Conrad Schutte Papers, Chapel Hill. Méjan to Schutte, October 31, 1831, Paris, in the William Conrad Schutte Papers, Chapel Hill. Commission de Liquidation to Schutte, November 18, 1831, Paris, in the William Conrad Schutte Papers, Chapel Hill. Méjan to Schutte, November 3, 1832, Paris, in the William Conrad Schutte Papers, Chapel Hill.*

⁶⁹ *Méjan to Schutte, June 17, 1830, Paris, in the William Conrad Schutte Papers, Chapel Hill. Méjan to Schutte, November 3, 1832, Paris, in the William Conrad Schutte Papers, Chapel Hill.*

Orleans, since Miltenberger had “similar statements [...] for their rights on properties located in approximately the same locations as those of our family in Saint Domingue.”⁷⁰

Although it is difficult to tell if Domingoises in New Orleans had sufficient assistance (from family members, friends, or former business partners) and autonomy to file (successful) claims against the French government, it is still very plausible that they tried to do so. It is very likely that Domingoises expected to be compensated for their loss, for lack of being able to recover their property and slaves. Furthermore, the evidence that they wished to recover their property in Cuba seized by the Cuban government in 1808-1809 strongly favors such assertions.

For example, Domingoises signed powers of attorney to various individuals to manage their property in Cuba. In 1815, *mulâtresse libre* Marie Louise Tonnelier, an *ancienne habitante de Saint Domingue réfugiée à Baracoa, Isle de Cuba*, charged Mr. Casa Major (Casamayor), a resident of Santiago de Cuba, to “claim from the Spanish government of the said island of Cuba, all slaves and other movable objects which were sequestered by the government during the evacuation of the French in the year 1809,” namely: the *négresse* Olympe, 25, the *négresse* Susette, 55, and the *nègre* Orphé, 40, all acquired in Cuba, together with 70 brand-new Madras handkerchiefs, a gold necklace, and four pairs of gold earrings.⁷¹ Tonnelier did not choose any individual to carry out her business in Cuba. Mr. Casamayor, a Saint Domingue refugee originally from France, was perhaps the richest individual in Santiago de Cuba. A trader and real estate speculator in Santiago de Cuba, Casamayor founded in 1800 what would become the largest trading house in the city, la Sociedad Casamayor. Casamayor bought some land in the

⁷⁰ J.J. Ca? to Dupon, March 26, 1826, *New Orleans*, in the *Christian Miltenberger Papers*, Chapel Hill.

⁷¹ Narcisse Broutin, 33:631, November 16, 1815, NONA. “Madras” is a fine muslin with raised soft patterning from India. See Stephanie Davies, *Costume Language: A Dictionary of Dress Terms* (Colwall, Herefordshire, U.K.: Cressrelles Publishing Company Limited, 1994), 91. It gets its name from the city of Madras, present-day Chennai, the capital city of Tamil Nadu, south east India.

Sierra Maestra (which were then regarded as wastelands) to establish coffee plantations. Along with other refugees, he introduced modern techniques of cultivation and processing of coffee, which would launch the coffee boom in Cuba.⁷²

It is unclear what the connection was between Tonnelier and Casamayor. Tonnelier was most likely a *marchande* as evidenced by the Madras handkerchiefs that she wanted to recover, while Casamayor was a white man of power and influence in Cuba. Although they both exercised an economic activity in Cuba, one would think their paths unlikely crossed. But Casamayor and Tonnelier were above all both *franceses haitianos* who had fled their native land in precarious conditions. Their business association thus showed that refugees—white and of color—definitely entertained some form of relationship in Cuba.

Tonnelier was not the only free woman of color to be acquainted with Casamayor. Back in Santiago de Cuba in 1804, Magdelaine Camfrancq, whom we have mentioned in Chapter 4, bought a slave and her child for 250 gourdes. One of the witnesses to the act of sale was Casamayor.⁷³ In Cuba, Dr. Miltenberger made business transactions with free woman of color Marie Françoise Desterrières, as evidenced by a sale of slave, dated April 18, 1809 in Santiago de Cuba.⁷⁴ For 380 gourdes, Desterrières sold Miltenberger a Creole slave named Pierre Louis, 17, “sans étampe ni marque.” Thus, Tonnelier, Desterrières, Pouponne Guérin from Chapter 2,

⁷² For references to Prudencio Casamayor, see Laura Cruz Ríos, *Flujos inmigratorios franceses a Santiago de Cuba, 1800-1868* (Santiago de Cuba: Editorial Oriente, 2006), 82-3. Laura Cruz Ríos also annexed two documents pertaining to Casamayor’s issuance of a Spanish passport and his naturalization granted by the governor of Santiago de Cuba in 1811, Cruz Ríos, 202-3. Casamayor was the owner of the coffee plantation, La Isabelica, near Santiago, which is listed on the UNESCO World Heritage list. About Casamayor’s endeavors in Cuba, see Juan Pérez de la Riva, *El Barracón y otros Ensayos* (Havana: Editorial de Ciencias Sociales, 1975).

⁷³ Michel de Armas, 7:10, January 4, 1812, NONA.

⁷⁴ *Marie Françoise Desterrières to Mr. Miltenberger, April 18, 1809, Santiago de Cuba*, in the *Christian Miltenberger Papers*, Chapel Hill.

and other women used their connections to their advantage, in order to carry out business in Cuba.

Apart from claiming their seized property from the Cuban government, free women of color charged individuals to deal with very diverse legal transactions. For example, in 1815 Marie Thérèse Cambray gave power of attorney to Denis Cluny, a resident of Cuba, to claim and then sell the “Congo slave Rose, 34, branded on her stomach with the letters C&C.” Rose, whom Cambray had acquired in Santiago de Cuba in 1804, had absconded when Cambray left Santiago de Cuba for New Orleans “during the forced evacuation of French of the said island of Cuba.”⁷⁵ In 1819, Felicité Challoux gave successively power of attorney to Mr. Juan Luis Vitalis and to Mr. Fernando Devi to “demand restitution of all amounts of money in gold or silver, real estate, slaves, furniture, jewelry, etc. in the city of Matanzas, Cuba,” where her natural daughter died without heirs.⁷⁶ Similarly, Emerite Olivier charged *Sieur* Thomas Fownsley, on its way to Havana, to manage her natural father’s inheritance in Cuba.⁷⁷ Thus, Domingoises explored many options to recover their assets that they either lost at the time of their tumultuous forced departure from Cuba, or that they inherited. The significance of recovering their property showed that they kept ongoing ties with Cuba through friends, business partners, and family members and were capable of asserting rights, and thus of demanding compensation under *l’indemnité*.

While some Domingoises asserted their Frenchness, others seemed to have decided to become Cuban in some sense, perhaps because it appeared the only way to recover property left

⁷⁵ Marc Lafitte, 6:316, October 2, 1815, NONA. Six months later, Cambray revoked her power of attorney to Cluny, and charged her daughter Marie Joseph Antoinette Thomas “who was on her way to Santiago de Cuba” to recover the slave Rose. Marc Lafitte, 8:173, April 19, 1816, NONA.

⁷⁶ Christobal de Armas, 2:56, February 5, 1819, NONA. Christobal de Armas, 2:139, April 2, 1819, NONA.

⁷⁷ Christobal de Armas, 1:50, March 27, 1817, NONA.

behind in 1809. Thus, some Domingoises actually left Louisiana to establish themselves in Cuba. Marie Françoise Pagnan Widow Robelin, Marie Joseph Piron, Marie Françoise Desterrières, and Adélaïde Bernoudy Villeneuve all took steps to settle their estates in New Orleans before leaving for Cuba. Before Widow Robelin and Piron left for Santiago de Cuba, Robelin sold *à réméré* her slave Bibiane *dite* Melamie to Piron for 350 dollars. Robelin had three months to exercise her *faculté de réméré*—if Robelin chose to exercise that right, she would have to reimburse the 350 dollars and then she would recover Bibiane *dite* Melamie as if she had never sold her. It was agreed that Robelin would also reimburse Piron *les frais de passage* (price for passage) of the said slave to Santiago de Cuba. Robelin had acquired Bibiane *dite* Melamie in Baracoa in 1804.⁷⁸ Similarly, Marie Françoise Desterrières charged Jean Baptiste Desvignes to recover her slave Marie, 23—Marie was leased to another free woman of color in New Orleans—and, once “in possession of the said slave, remit her to the constituent in Santiago de Cuba, or sell her in this city [New Orleans].”⁷⁹ Desterrières had acquired Marie’s mother in Saint Domingue in 1789, which suggests that Marie and her mother had “followed” Desterrières to Cuba and New Orleans. Thus, both master and slave were part of *el retorno* to Cuba.

Moreover, some women already established in Cuba continued to make business transactions in New Orleans. In 1818, Adélaïde Piquery, a resident of Matanzas, Cuba, charged Frederic Horscheck to “administer her estate” in New Orleans. By August 1819, Horscheck had purchased two lots in Faubourg La Course on behalf of Piquery.⁸⁰ Likewise, Marianne Devins

⁷⁸ Pierre Pedesclaux, 72:19, January 22, 1816, NONA.

⁷⁹ Pierre Pedesclaux, 70:962, November 14, 1815, NONA.

⁸⁰ Hughes Lavergne, 1:13-14, August 17, 1819, NONA. Horscheck actually paid for the lots himself, as he was indebted to Piquery for an unknown sum of money.

dite Brion, a resident of Havana, came in person to New Orleans in 1819 to revoke a power of attorney given to *Sieur* Michel Meffre Rouzan in 1815. At the same time, she charged another individual, Antoine Abat, to take care of her business *en cet état*.⁸¹

Therefore, Domingoises's identity was anchored in migration experiences, both by force and by choice as well. Along the way, free women of color looked for economic opportunities and strove to establish a sense of place, by creating networks in Haiti, Cuba, and Louisiana. Their "fluid and multiple identities grounded both in their society of origin and in the host societies"⁸² allowed them to construct *lieux de mémoire*, which would or could become financial and communal outlets.

Some Domingoises emigrated to other places than Cuba and Haiti. As evidenced by Lafille Beguin in Chapter 4, some chose to emigrate to Puerto Rico after a stay in New Orleans.⁸³ On their way to Puerto Rico, Victoire Dulièvre and Lucinthe Dieudonné Potevin signed powers of attorney to various individuals to administer their estate, and sell lots and slaves that they were leaving in the city.⁸⁴ Similarly, in 1818 Eulalie Baillaron sold her slave Bénédicté, 30, to Mr. Maximilien Henry because "the said Eulalie Baillaron is leaving this

⁸¹ Stephen de Quinones, 15:58, May 6, 1815, NONA. Christobal de Armas, 2:294-295, August 11, 1819, NONA. Rouzan was in charge of Manette Devins's mother's succession in 1819-1820, which may explain why Devins chose a new proxy in New Orleans.

⁸² Nina Glick Schiller, Linda Basch, and Cristina Blanc-Szanton, "Transnationalism: A New Analytic Framework for Understanding Migration," in Nina Glick Schiller, Linda Basch, and Cristina Blanc-Szanton, eds., *Toward a Transnational Perspective on Migration* (New York: New York Academy of Sciences, 1996), 11. Nina Glick Schiller, Linda Basch and Cristina Blanc-Szanton explain that "within their complex web of social relations, transmigrants draw upon and create fluid and multiple identities grounded both in their society of origin and in the host societies. While some migrants identify more with one society than the other, the majority seem to maintain several identities that link them simultaneously to more than one nation. By maintaining many different racial, national, and ethnic identities, transmigrants are able to express their resistance to the global, political, and economic situations that engulf them, even as they accommodate themselves to living conditions marked by vulnerability and insecurity."

⁸³ Marc Lafitte, 10:27, January 30, 1817, NONA.

⁸⁴ Narcisse Broutin, 35:421, May 18, 1816, NONA. Marc Lafitte, 12:258, May 19, 1818, NONA.

country to settle in the island of Puerto Rico.⁸⁵ The Spanish island seemed attractive enough to settle there, and maybe start a business. These women certainly immigrated to Puerto Rico under the *Cédula de Gracias* of 1815, enacted by the Spanish Crown in an attempt to liberalize trade and stimulate the island's economy. Migration of both whites and free people of color was encouraged, with each colonist being granted a standard amount of land on which to settle. They also received additional land allotments for the slaves they brought with them.⁸⁶

Some other women either left New Orleans for good or traveled between territories, as evidenced by Louise Catherine Henriette Perrault who left for the "Spanish colonies," and charged Mr. Jean Mager to manage her assets while she was away, or Marie Françoise Fouquet who went away to the *royaume de France*, and charged Mr. Jean Lanna to sell her slave Bonne, 30.⁸⁷

Finally, some women were not explicit about their travel plans, but made sure that their property was in good hands, as exemplified by Françoise Lilavois, who gave power of attorney to her nephew to emancipate one of her slaves because she did not have the time complete the formalities for his emancipation, as well as keep an eye on the *mulatto* slave Dieudonné *dit* Jean Blanc who belonged to her niece, a resident of Port-au-Prince.⁸⁸ All of these women were Saint Domingue refugees. To them, securing their estates to protect their futures and utilizing their assets to support their travel plans were thus part of a larger migration strategy.

⁸⁵ Philippe Pedesclaux, 4:432, May 18, 1818, NONA.

⁸⁶ For more information on free people of color in Puerto Rico, see Jay Kinsbruner, *Not of Pure Blood: The Free People of Color and Racial Prejudice in Nineteenth-Century Puerto Rico* (Durham and London: Duke University Press, 1996).

⁸⁷ Marc Lafitte, 17:230, May 23, 1820, NONA. See also Marc Lafitte, 13:560, December 5, 1818, NONA.

⁸⁸ Marc Lafitte, 5:44, April 10, 1815, NONA. Marc Lafitte, 11:260, July 1, 1817, NONA.

Therefore, the evidence that some women went back to Haiti or Cuba, or migrated to other places, shows that they constantly reconsidered their options, redefining their identity in the process. Their reasons for emigrating were without doubt economically motivated. Also, they probably wanted to reunite family and friends. As Arjun Appadurai and Carol Breckenridge claimed, “diasporas always leave a trail of collective memory about another place and time and create new maps of desire and of attachment.”⁸⁹ Yet instead of being represented as a kind of schizophrenic deficit, such multiplicity is being redefined by diasporic individuals as a source of adaptive strength.

Furthermore, discrimination might have been a reason that Domingoises would rethink ties to Louisiana. Before Saint Domingue refugees settled in New Orleans, Louisiana lawmakers were moving to suppress manumission and undermine the presence of free persons of color in the city. As early as 1806, the Territorial Government made it illegal for a free person of color to strike, insult, or show disrespect to whites. In 1816, legislation required free persons of color to sit in separate boxes at the theatre. From the 1830s to the 1850s, restrictions on manumissions prevailed.⁹⁰ In 1830 the legislature reaffirmed the 1807 ban on the entry of “free negroes and mulattoes” and required slaveholders to ensure the removal of freed people within thirty days of their emancipation.⁹¹ Penalties and harassment increased.⁹² As Louisiana’s white lawmakers embarked upon an unprecedented and sustained attack upon their rights, imposing a two-

⁸⁹ Appadurai and Breckenridge, “On moving targets,” *i*.

⁹⁰ H. E. Sterkx, *The Free Negro in Ante-Bellum Louisiana* (Rutherford, New Jersey: Associated University Press, 1972), 141.

⁹¹ *Ibid.*, 143.

⁹² Judith K. Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University Press, 2003), 97-8. Louisiana was not the only state enforcing such discriminatory laws, as elsewhere in the South, segregation and anti-miscegenation laws were systematically put in place.

category pattern of racial classification that relegated all persons of African ancestry to a degraded status, emigrating may have appeared as a practical answer to the fears of free persons of color. If that was their motive, they joined the migration of people of color who, during the late eighteenth and nineteenth centuries, moved to other lands in search of freedom that they believed they would never achieve in the United States.

For a short while, Haiti proved the most popular of these alternatives. In 1824, the American Colonization Society received a commitment from Haitian President Boyer to pay the passage of U.S. emigrants. Boyer also promised to support them for their first four months and to grant them land.⁹³ Julie Winch reminds us that the idea of sending free persons of color to Haiti actually predated Boyer's "offer." Former Haitian leaders Toussaint L'Ouverture, Christophe, and Dessalines all addressed at some point the issue of the emigration of "America's free Blacks" to Haiti.⁹⁴

Boyer invited peasants, craftsmen, merchants, and teachers to settle on the island, as "the prospect of Afro-American emigrants, both unskilled agricultural laborers who could revitalize the plantations and skilled artisans who could renew the urban economy, held enormous promise."⁹⁵ Boyer dispatched Jonathas Granville, a soldier and an experienced diplomat, to the United States in 1824, to serve as his agent for the emigration program. Granville travelled to Philadelphia, Boston, and New York, and presented an appealing portrait of the opportunities Afro-Americans would find in Haiti, promising economic prosperity to all emigrants. His promotional efforts paid off and, as Winch contends, "no city with a sizeable free black

⁹³ Julie Winch, "'To Reunite the Great Family': Free Blacks and Haitian Emigration," *Annual Meeting of the Organization of American Historians* (April 6-9, 1989): 3-4.

⁹⁴ *Ibid.*, 1-3. About Christophe's plans, see Elizabeth Rauh Bethel, "Images of Hayti: The Construction of An Afro-American Lieu De Mémoire," *Callaloo*, Vol. 15, No. 3, *Haitian Literature and Culture, Part 2* (Summer, 1992): 830-2.

⁹⁵ Rauh Bethel, "Images of Hayti," 833.

population was untouched by “emigration fever.”⁹⁶ Although the exact number of emigrants to Haiti is unknown, estimates vary between 6,000 and 13,000 during the antebellum period.⁹⁷ Throughout the antebellum period, individuals continued to express deep interest in the Haitian republic. In the 1850s especially, the Haitian emigration program found great appeal among free persons of African ancestry.

Perusing compositions written by students at the *Institution Catholique des Orphelins Indigents* (mentioned in Chapter 4) about emigration to Mexico and Haiti in the 1850s and 1860s, Mary Niall Mitchell reveals “how and why these children used their imaginations to envision the Atlantic World, [and how they] developed their own understandings of race, nation, and citizenship” within the broad bounds of the African diaspora.⁹⁸ In their compositions, Niall Mitchell explains that the students imagined a country where they would be free from economic, political, and social constraints. In addition, “as the political situation in the United States became more acute,” Niall Mitchell contends that “the students placed less emphasis on the economic prospects of migration and more on settlement in places where black people were in the majority.”⁹⁹ Thus, as racial discrimination mounted in Louisiana, the students focused on envisioning “a nation for people of color,” where they would be considered full citizens. Their stories may bring some clues into free women of color’s endeavors in the early American period.

As discussed previously, it is clear that some free women of color viewed colonization as a vehicle for free black economic empowerment. They also charted commercial and communal

⁹⁶ Winch, 7.

⁹⁷ *Ibid.*, 12, footnote 32.

⁹⁸ Mary Niall Mitchell, “‘A Good and Delicious Country’: Free Children of Color and How They Learned to Imagine the Atlantic World in Nineteenth-Century Louisiana,” *History of Education Quarterly*, Vol. 40, No. 2 (Summer, 2000): 124.

⁹⁹ *Ibid.*, 136.

links between their own lives in Louisiana and the lives of free people of color across the Atlantic and Caribbean. Perhaps, the idea of a nation where their political and economic rights were held supreme, created a common purpose to emigrate as well. Building a nation of their own on what they perceived as a politically stable island that promised them freedom, brotherhood, and equality must have been appealing. However, one must not interpret free women of color's wishes to return to Haiti as blunt loyalty for their home country. Like Marie Bunel, a Saint Domingue refugee in Philadelphia and a merchant specializing in clothing items, these women may not have embraced first and foremost the idea of Haiti as a place where enslaved brothers and sisters could find liberty. Many were slave owners after all. In the early 1800s, Marie Bunel was still in Philadelphia handling her mercantile business. Correspondence show that, in spite of relatives urging her return to Haiti and "embrace the cause of the Haitians," Marie remained in the United States. Girard asserts that "lack of economic opportunities must have carried more weight in her eyes than appeals to Haitian patriotism."¹⁰⁰

Free women of color's activities could be interpreted as a possibility for a "new" Haitian nationality. Having experienced more than one culture along their travel and caught up at the intersection of multiple subject positions, free women of color may not have felt at home in the United States. Thus, they imagined a new place, where new opportunities may arise. They had cultural, historical, intellectual, linguistic, religious, and social ties to the people of Haiti, which might ease their return to their homeland and help them reconcile their sense of identity. Furthermore, their enterprising character might have led them to consider themselves part of a select group, perhaps one that should receive special treatment from the Haitian government.

¹⁰⁰ Girard, "Trading Races," 372. Marie Bunel eventually went back to Haiti in 1810, for what appears to be personal and familial reasons rather than economic ones.

Obviously they could not take their human property to Haiti, nor would they be able to retrieve their enslaved property on their abandoned plantations. But in their minds, Haiti may have represented a viable option to pursue economic endeavors, considering the events that were occurring in New Orleans. Also, they could still pursue their business activities in New Orleans, relying on networks already established in the city. They had alternative choices of places of settlement as well—Puerto Rico, Cuba, etc—where they could set up businesses and continue networking with individuals in New Orleans and in the Caribbean in general.

While attempting to forge a new identity and/or redefine their identity, free women of color found themselves at the nexus of commercial and cultural exchange between New Orleans and the Caribbean. As active economic agents in the Caribbean, some of them transcended national and geographical borders, where race, culture, class, and gender were continually performed and represented anew. Thus, they challenged homogeneous conceptions of culture, nation, ethnicity, gender, and class.

CONCLUSION

Free women of African descent often conducted successful businesses in antebellum New Orleans, trading slaves of all ages and acquiring significant amounts of property. In a large urban center such as New Orleans, free women of color found a sense of community, tied together by a shared heritage, kinship, religion, and above all economic opportunities. The massive arrival of immigrants from Saint Domingue and Cuba to Louisiana between the 1790s and 1810 doubled the population of free women of color in New Orleans and had a significant impact on its society, culture, and economy. Throughout their journey, Domingoises managed to keep some of their property and embraced their property and slave ownership rights in Louisiana, blending into the existing slaveholding community.

Notarial deeds (sales and purchases of slaves, mortgages of slaves, powers of attorney, and wills), court records (lawsuits, Supreme Court records, and criminal records), and other public records (federal, state, county and city document, city directories, census data, and church sacramental registers) reveal that these women created thriving social and financial networks based on the ownership of slaves. Even though their choices were limited in a white patriarchal society such as New Orleans', free women of color relied on diverse and ambitious entrepreneurial ventures, including trading their slaves in the market, working them, renting them out, and mortgaging them. Their activities reveal unambiguous slaveholding patterns: the economic value of the slave was extremely important for free women of color, and the majority of them saw slaves as malleable financial investments. Trading slaves in the market could turn easy profits, and become a business and an occupation. Slaves could therefore supplement an income and simultaneously serve as a mark of social prestige. Thus, through the

commodification of the slave, free women of color constructed and maintained a desirable social and economic status in the city.

Free women of color did not and could not deny their slaves' humanity, yet this knowledge, which gleams through the records on certain occasions, did not inhibit them from engaging in the exploitation and trading of slaves of all ages, which, in turn allowed them to acquire significant amounts of property. The data suggests that these aspirations were shared among the large community of free women of color in the urban center of New Orleans. As new opportunities sprung up, they took advantage of them and a diverse set of connections throughout the city. As a result, all sorts of relationships connected individuals coming from various ethnic, racial, and class backgrounds. As free women of color positioned themselves as entrepreneurs, they contributed to the local and global economies. Local economies were enmeshed in global networks of economic activity: not only did free women of color engage in the business of slavery with whites and free persons of color from New Orleans, but they did it with individuals from other states, Cuba, and Saint Domingue. Thus, racially and ethnically diverse communities as well as geographically spread-out communities were tied together by the business of slavery.

Domingoises were tied to their home country and to Cuba because they had left property and slaves there, and some entertained deep-seated ideas about recovering their property. While some established networks between Louisiana and the Caribbean, some others considered returning to Haiti and Cuba. They could pursue their business activities in New Orleans, relying on networks already established in the city. Furthermore, Haiti may have represented a viable option to pursue economic endeavors, considering the growing hostility towards free persons of color in New Orleans. They also had alternative choices of places of settlement—Puerto Rico or

Mexico, for example—where they could set up businesses and continue networking with individuals in New Orleans and in the Caribbean as a whole.

As entrepreneurs and as diasporic subjects, slaveholding free women of color were historical actors with considerable agency. Thus, it is important to adopt a comparative perspective by analyzing other groups of free women of African descent operating trading networks in various regions of the world. Free women of color entrepreneurs came to play a significant role in the African, Atlantic, and European commerce in the eighteenth and nineteenth centuries. *Signares* in Western Africa dominated trade transactions in Sénégal. Similarly, in the Mascarenes (Seychelles and Mauritius, in particular), some free women of color carved out a place for themselves in the economy of the region and sometimes operated thriving businesses.¹ By thus analyzing thematic issues in a broader, transnational context, one can determine what is common and what is unique about slaveholding free women of color in antebellum New Orleans, and draw conclusions about general patterns and dynamics. What began as free women of color's attempt to construct and maintain a desirable social and economic status has significant implications for the study of race and ethnicity, gender, identity, culture, and commerce and globalization in diverse parts of the world.

¹ George E. Brooks, *Eurafricans in Western Africa* (Athens: Ohio University Press, 2003). Jean-Luc Angrand, *Céleste ou le temps des Signares* (Sarcelles: Edition Anne Pépin, 2006). Catherine Coquery-Vidrovitch, *Les Africaines. Histoire des femmes d'Afrique noire du XIXe au XXe siècle* (Paris: Éditions Desjonquères, 1994). N.J. Hafkin and E.G. Bay, eds., *Women in Africa: Studies in Social and Economic Change* (Stanford: Stanford University Press, 1976). Yvonne Knibiehler and Régine Goutalier, *La femme au temps des Colonies* (Paris: Stock, 1985). Deryck Scarr, *Seychelles since 1770: History of a Slave and Post-slavery Society* (Trenton, NJ: Africa World Press, 1999). Richard B. Allen, "Lives of Neither Luxury Nor Misery: Indians and Free Colored Marginality on the Ile de France, 1728-1810," *Revue française d'histoire d'outre-mer* 78 (1991): 337-58. Richard B. Allen, "Unbridled and Licentious Proceedings: The Illegal Slave Trade to Mauritius and the Seychelles During the Early Nineteenth Century," *Journal of African History* 42 (2001): 91-116. Richard B. Allen, "Femmes libres 'de couleur' et l'esprit d'entreprise dans la société esclavagiste de l'Ile de France à la fin du XVIII^e siècle," *Cahiers des anneaux de la mémoire* 5 (2003): 125-46.

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APPENDIX: PROPERTY OF VICTOIRE WILTZ

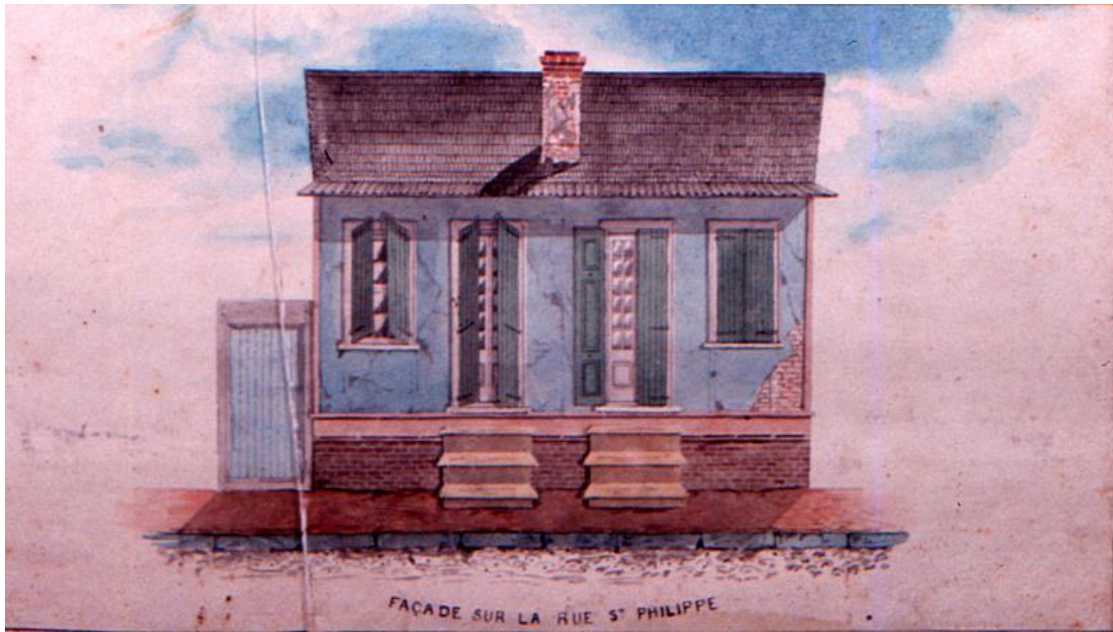


1a. Property of Victoire Wiltz

Parcel of ground by St. Philip Street between Burgundy and Dauphine Streets, backed by Dumaine Street. Four-Bay Creole Cottage of brick-between-post construction (*briqueté entre poteaux*) and plastered over, French Quarter.

Source: Plan book 16, folio 7, April 12, 1849, Charles Arthur de Armas, architect and surveyor, New Orleans Notarial Archives.

Courtesy New Orleans Notarial Archives, New Orleans, Louisiana

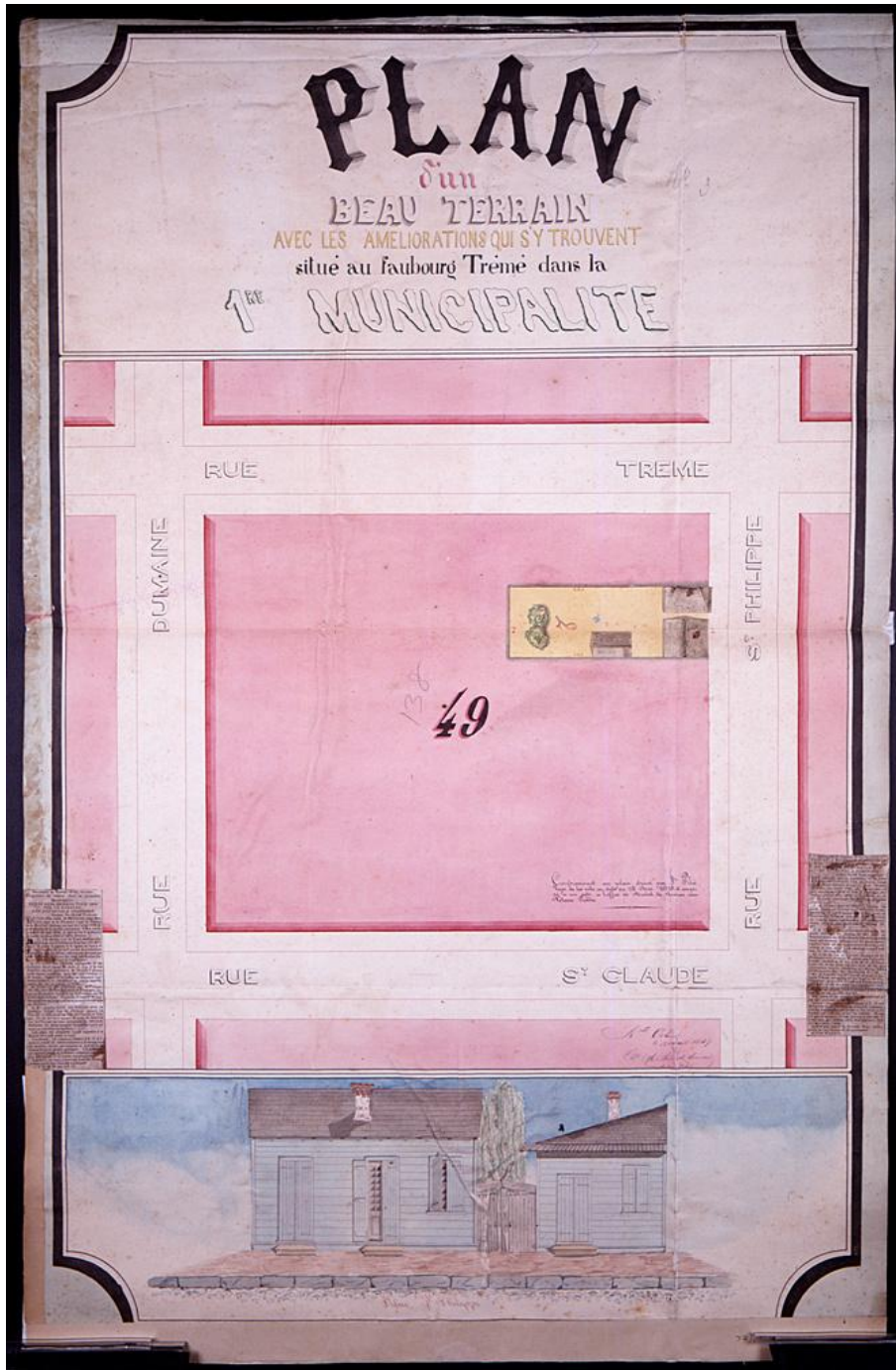


1b. Property of Victoire Wiltz

Four-Bay Creole Cottage of brick-between-post construction (*briqueté entre poteaux*) and plastered over.

Source: Plan book 16, folio 7, April 12, 1849, Charles Arthur de Armas, architect and surveyor, New Orleans Notarial Archives.

Courtesy New Orleans Notarial Archives, New Orleans, Louisiana

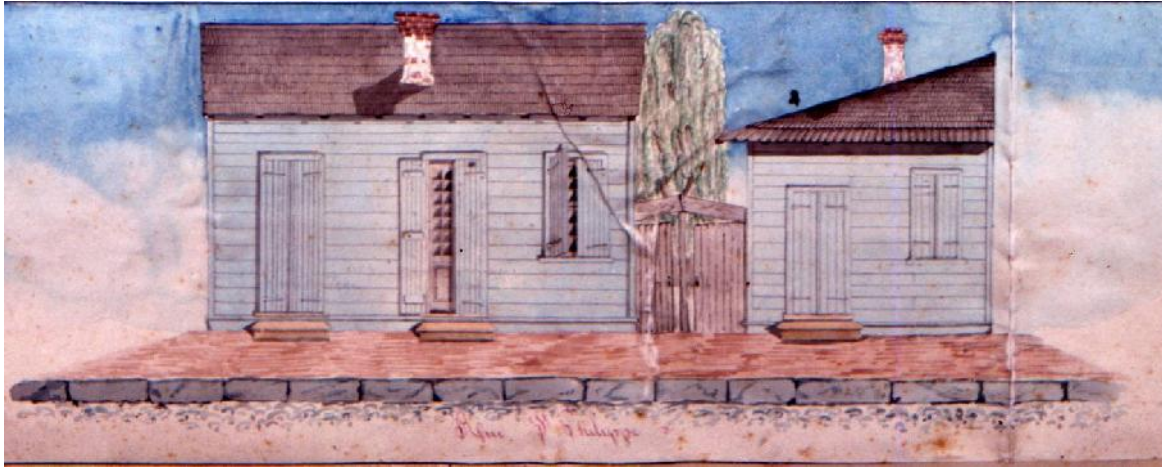


2a. Property of Victoire Wiltz

Parcel of ground by St. Philip Street between Trémé and St. Claude Streets, backed by Dumaine Street. (now Armstrong Park). Odd Three-Bay Creole Cottage, with Side Passage, and kitchen, Faubourg Trémé.

Source: Plan book 16, folio 11, April 12, 1849, Charles Arthur de Armas, architect and surveyor, New Orleans Notarial Archives.

Courtesy New Orleans Notarial Archives, New Orleans, Louisiana



2b. Property of Victoire Wiltz

Odd Three-Bay Creole Cottage, with Side Passage.

Source: Plan book 16, folio 11, April 12, 1849, Charles Arthur de Armas, architect and surveyor, New Orleans Notarial Archives.

Courtesy New Orleans Notarial Archives, New Orleans, Louisiana

VITA

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