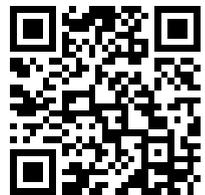

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THE LOUISIANA HISTORICAL QUARTERLY

Vol. 3, No. 1.

January, 1920

TO
October, 1920

The Louisiana Territory 1682-1803
History of Natchitoches, Louisiana
The Story of the Ancient Cabildo
The Founding of New Orleans
The Cabildo Archives

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THE LOUISIANA TERRITORY FROM 1682-1803

By Cardinal Goodwin.

That part of the Trans-Mississippi West included in the Louisiana purchase was claimed by France by right of discovery and settlement. To the work of Robert Cavelier, better known as Sieur de la Salle, more than to that of any other man she is indebted for a basis for that claim. This indefatigable path-finder had explored the Mississippi to its mouth in 1682. Returning to France in 1683 he won royal support and sailed from Rochelle in July of the year following with an adequate equipment for establishing a colony at the mouth of the Mississippi. The Spaniards captured one of his four vessels, and he missed the mouth of the great river with the other three, finally coming to Matagonda Bay during the early part of 1685, far west of his intended destination. Another vessel was soon lost by being grounded, and La Salle landed his pioneers and built a fort which he called St. Louis. Disease, loss of tools, the hostility of the Indians, the departure of Beaujeu with the better of the two remaining vessels, and the wrecking of the other a little later all combined to defeat the success of the enterprise. After vain efforts to find the mouth of the Mississippi La Salle and a few surviving followers started overland for Canada. But the leader was killed on the Brazos River¹ and his followers scattered.

The work of La Salle had fired the imaginations of many of his countrymen, and when the treaty of Ryswick was signed in 1697, Louis XIV was persuaded to make an official undertaking of what

¹Bolton, Herbert E., "The Location of La Salle's Colony on the Gulf of Mexico," in the *Mississippi Valley Historical Review*, September, 1915.

had been originally supported largely by La Salle alone. The men to attempt to execute La Salle's ambitious project of a French establishment on the Gulf of Mexico were already at hand. They were two sons of Charles le Moyne of Quebec. Pierre, who is known as the Sieur d'Iberville, was one, and Jean Baptiste, called Bienville from his seigniory, was the other. These two courageous leaders, the latter a midshipman but eighteen years of age at the time, sailed from Brest in October, 1698, with a well selected company of two hundred soldiers and colonists. The Spanish garrison just established at Pensacola refused them permission to land and Iberville came to anchor off Ship Island eighteen miles southeast of the present Mississippi city. Here during the early part of 1699 the adventurers built a fort on the Back Bay of Biloxi.

Iberville then turned his attention to exploring. With a party of about fifty men-at-arms in row boats and canoes he made his way westward along the coast finally reaching the mouth of the Mississippi, and proceeded up that river to the mouth of the Red. On the return the party divided. Bienville led some of the men over the route by which they had come and his older brother conducted the others through Iberville bayou and lakes Maurepas and Pontchartrain, into the Bay St. Louis. It was while making his passage through here that Iberville received from the natives a note written fourteen years earlier by Chevalier de Tonty, La Salle's lieutenant. This confirmed Iberville in the belief that he had reached the country to which the attention of France had been drawn by La Salle.

Before the middle of the year 1699, Iberville returned to France with the ships, leaving Sauvole in command at Biloxi, with Bienville as his lieutenant. Upon a later visit to the colony, in 1702, he ordered the post removed to twenty-seven mile Bluff on Mobile river, and eight years later, two years after the death of Iberville, Bienville, on account of floods, moved once more, this time to the site of modern Mobile.

During these years numerous exploring expeditions were made along the lower Mississippi. On one of them, in the summer of 1700, Iberville was accompanied by Pierre Charles le Sueur, an adventurer who had been on the upper Mississippi in search of furs, copper, lead, and colored earth several years earlier. A number of explorations for mines were made at this time in Louisiana, Mississippi, Alabama, Arkansas, and Tennessee by various prospecting parties. Through reports from the leaders of some of these expeditions the French learned of the appearance of the English in the

lower Mississippi. Le Sueur had found an English trader at the mouth of the Arkansas, and in 1699 while descending the river in small boats Bienville and his party came upon an English frigate of sixteen guns at a bend in the river eighteen miles below the present city of New Orleans, at a place called English Turn.

In February, 1718, New Orleans was founded by Bienville, and immediately became not only the seat of government but the metropolis of the Louisiana province. Both Bienville and Sauvole had been favorably impressed with the site in 1699, and had reported it as a suitable location for a colony, but Iberville was afraid that a town established inland would be subject to Indian raids. Three years after New Orleans was founded Louisiana was divided into nine military districts called Mobile, Biloxi, Alabama, New Orleans, Yazoo, Natchez, Arkansas, Illinois, and Natchitoches. The last of these was founded as a buffer colony against the hostile Spaniards.

One of the motives which had actuated the French in founding Louisiana was the development of an overland commerce with the southwest. Texas was claimed by the Spaniards at this time, and frightened by La Salle's intrusion at Matagorda Bay they had occupied parts of the territory and subsequently withdrawn. The same territory of Texas was claimed by the French because La Salle's ill-fated colony had been founded there. An expedition was sent into the country by Bienville in 1714 under the command of Louis Juchereau, better known as Sieur de St. Denis. Other expeditions were led into the Spanish territory of the Southwest, and in 1717 the French erected a fort at Natchitoches, near the Red River, and about seven leagues from an outpost built by the Spaniards.

These expeditions were not confined to the southwest, however. As early as 1704 French Canadians were reported on the Missouri River. A little later expeditions among the Osage and Pawnee Indians were led by such traders as Du Tisne and Bourgmont.² The appearance of the French in this region stirred the Spanish to action. In 1720 they led a "retributive expedition" among the Missouri allies. This movement alarmed the French of the Illinois country and Fort Orleans was erected on the Missouri, probably in the present county of Carroll on the north bank of the stream. Bourgmont, who built the fort, remained there for four years supported by a strong garrison. He then began withdrawing gradually, and in 1725 or 1726 the remaining troops were slain by the Indians.

²Margry, Pierre, *Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale* (1614-1754) *Memoires et Documents Originaux*. 6 vols. Paris, 1888. Vol. 6, pp. 313-15; 385-452.

Apparently, there were expeditions led from the Illinois country into Trans-Mississippi Louisiana Territory in 1734. The one in 1739 was headed by Pierre and Paul Mallet. They reached Santa Fe and part of them returned by way of New Orleans. Here they delighted Bienville with an account of their explorations—explorations which had brought Frenchmen perhaps for the first time within sight of the Rocky Mountains.³ This was nearly four years before Chevalier Vérendrye discovered the Bighorn Range farther north.⁴

In the meantime French settlements were being extended on the upper Mississippi in the Illinois country. As early as the time of Marquette the Jesuits had operated therein Indian villages along the Illinois river. The Sulpitians opened a mission at Cahokia on the Mississippi in 1699. During the following year the Jesuits removed their establishment to Kaskaskia. In 1720 Fort Chartres was erected for the purpose of checking the encroachments of the English on the Ohio and the Mississippi. At St. Philippe and at Prairie du Rocher posts were erected in 1723 and 1733 respectively. The Arkansas post which was erected by Tonty in 1686 had been rebuilt by La Harpe in 1722, during the period of his explorations from New Orleans up the Mississippi to the Arkansas.

The Illinois country became noted for its agricultural products during the first half of the eighteenth century. Supplies were sent in large quantities to Detroit, to Ohio posts, and to New Orleans and Mobile. From the two last named places they were shipped to the West Indies and to Europe. During a winter, about 1746, when provisions were scarce at New Orleans, it is reported that the French in Illinois sent to the distressed people of that district about eight hundred thousand weight of flour. In exchange for their products the inhabitants of Illinois received direct from Europe and other French colonies sugar, rice, indigo, cotton, manufactured tobacco, and similar luxuries. The Jesuits had erected an "academy" at Kaskaskia, and at Cahokia a school for Indians had been established by the Sulpitians. The center of fashion in the west was Fort Chartres.⁵

The growth of Louisiana was not rapid. Time and again the life of the settlement was threatened by starvation and by Indian troubles, but was saved finally from both of these disasters by the arrival of the Indian trader and by the introduction of European plants. The cultivation of indigo was introduced about 1723, but it

³"Voyages des Freres Mallet avec six autres Français, depuis la Rivière des Panimahas dans le Missouri jusqu'à Santa-Fe," (17, 9-1740) in *Ibid.*, 455.

⁴A brief but critical study of the Vérendrye explorations may be found in O. G. Libby, "Some Verendrye Enigmas" in the *Mississippi Valley Historical Review*, September, 1916.

⁵Thwaites, R. G., *France in America*, ch. 5.

failed to attract popular favor and finally ceased to be a staple. In 1751 the Jesuit fathers began the culture of sugar which for a few years following was used for making spirits. A cargo of sugar was shipped from the colony in 1765, but it did not prove a profitable commodity of commerce at that time because it was crystallized so poorly that it leaked out of the hogshead before the shipment reached France. From then until 1794 sugar was cultivated only for distillation purposes, but during the latter year Boré, a planter, again tried cultivating it on a larger scale and sold his crop for twelve thousand dollars. The success of this venture, together with the introduction of cotton in 1795, improved the economic basis of Louisiana. Rice and tobacco had been introduced already, and fig trees from Provence and orange trees from Santo Domingo had become acclimated.⁶ By 1802 the colony was exporting large quantities of cotton, sugar, and molasses; and smaller quantities of indigo, peltries, lumber, lead, corn, horses, cattle, and other articles were being shipped. These commodities and large supplies of naval stores were carried in American and Spanish vessels, the former outnumbering the latter nearly two to one.

By secret treaty of November 3, 1762, Louisiana was ceded by France to Spain to compensate her for the loss of Florida. The territory which passed at this time from the French monarch to his cousin the king of Spain included the part of Louisiana west of the Mississippi river and the island on which New Orleans stands—an island extending along the eastern course of the river for about two hundred and thirty miles above its mouth. That part of Louisiana lying east of the Mississippi with the exception of the island noted, was acknowledged to belong to Great Britain by the terms of the Treaty of Paris which ended the French and Indian war. France also guaranteed free navigation of the Mississippi to Great Britain. It was not until October, 1764, that the commandant learned of the cession, and it was much later, March, 1766, before the first Spanish governor, Don Antonio de Ulloa, accompanied by ninety soldiers, arrived to take command of the new province. But feeling ran high. Ulloa was unpopular, and at the end of two years he was expelled by the French population. Charles III then sent Alexandro O'Reilly, a man made of tougher fibre. For over a year he ruled as special commissioner to establish Spanish authority. Some of the rebels were executed and others were imprisoned—acts for which that vigorous officer received the sobriquet of "The Bloody O'Reilly." Having restored order, however, O'Reilly became con-

⁶Channing, *Jeffersonian System*, ch. 4. See also Thwates, *France in America*, ch. 5.

ciliatory, and numerous old French officers, like Villiers and De Mezieres, were appointed to important positions. By the end of 1770 possession was taken again of the interior posts and the Spanish flag had been raised at all points, Ste Genevieve being the last to haul down the tri-color.⁷

The ceded district had a total population estimated at from eight thousand, two hundred and fifty to eleven thousand, five hundred, more than half of whom were colored. The principal settlements were scattered along the Mississippi and the lower Missouri, and along the Red River as far as Natchitoches. The most densely populated area, however, lay between Pointe Coupee (situated on the Mississippi below Red River) and New Orleans, where there were more than seven thousand inhabitants, approximately two-thirds of whom were colored. Other settlements in the lower district had been established at La Balize, Attakapa, Opelousas, Avoyelle, and Natchitoches. There were also posts father up the Mississippi opposite Natchez and the Arkansas settlement, and still farther northward, near the Missouri, were St. Charles and Ste Genevieve. Farther west there were slender trading posts, such as St. Louis, among the Cadodacho at the bend of the Red River, and a similar station on the Osage, and Fort Cavagnol near the mouth of the Kansas.⁸ In the interior, still farther beyond the pale of civilization, roamed many renegade Frenchmen and half-breeds who under the name of hunters had become practical outlaws. One official wrote that the Arkansas River was the "asylum of the wickedest persons without doubt in all the Indies. They live so forgetful of the laws that it is easy to find persons who have not returned to Christian lands for ten, twenty, or thirty years, and who pass their scandalous lives in public concubinage with the captive Indian women whom for their purpose they purchase among the heathen, loaning those of whom they tire to others of less power, that they may labor in their service; giving them no other wage than the promise of quieting their lascivious passions; in short they have no other rule than their own caprice, and the respect which they pay the boldest and most daring, who control them."⁸ Chief of these Arkansas outlaws at the time was Brindamur, who, "being of gigantic frame and extraordinary strength, had made himself a petty king over those vagabonds and highwaymen."⁹

⁷Bolton Herbert E. and Marshall, T. M., *The Colonization of North America from 1492-1783*, ch. 21. Thwiates, *France in America*, ch. 18.

⁸Bolton, *Spanish Border Lands* (a manuscript work which the author had the privilege of reading in advance of publication.)

⁹Bolton, (ed.) *Athunase de Mezieres and the Louisiana-Texas Frontier, 1768-1780*, 2 vols., Cleve - land, 1914. Vol. I, 166.

⁹Bolton, *Spanis . Border Lands*.

Louisiana remained under Spanish rule for thirty-four years. During that time, contrary to the general conception, its prosperity was greater than it had ever been before. The population had increased to fifty thousand by 1803 as compared with about ten thousand at the end of the French régime. Gradually commerce was made freer and the restricted trade regulations of Ulloa's time gave place to a more liberal policy. Furs were exempted from duty for a period of ten years for the purpose of encouraging their exportation. The fur trade was reorganized and greatly improved. Instead of following the time-honored custom of relying upon the mission and the presidio for controlling the natives—a custom which was being followed out at that time in California—Spain utilized the numerous French traders who were already among the Louisiana tribes. "A regular system of licensed traders was installed, vagabonds, outlaws and unlicensed persons were driven from the tribes, presents were annually distributed, and medals of merit given to the friendly chiefs."¹⁰ St. Louis was the principal center for the fur trade on the west side of the river and Kaskasia, on the east. Into the northern territory drained by the upper Mississippi and its tributaries and into the vast stretches toward the Spanish commercial center of Santa Fe, itinerant merchants found their way and carried on a lucrative trade with the Indians. French traders had reached the Mandan villages at the great bend of the Missouri by the close of the century. Here they met British agents who had come from posts located on the Assiniboin and the Saskatchewan farther north in Canada.¹¹

By the treaty of 1783 that part of Louisiana Territory which had been ceded by France to Great Britain was in turn recognized by the latter as a part of the newly formed American nation. During and immediately following the Revolutionary War large numbers of settlers crossed the Alleghanies and erected homes in Kentucky and in the territories to the north and to the south of that region. The sole outlet for the products of these western settlers was the Mississippi river. The national authorities were slow in realizing this, as a result of which there was much discontent among the settlers of the West, and they became involved in schemes which judged by modern standards were disloyal. At first filibustering expeditions against the Spanish were proposed. But this did not appear practicable, and in 1788 George Rogers Clark and men like him appeared willing to join with Spain in developing the interior of the continent. Attracted by promise of large land grants many

¹⁰Bolton, *Spanish Border Lands*.

¹¹Thwaites, *France in America*. 292-93.

Kentuckians settled finally in Spanish territory west of the Mississippi. Daniel Boone and his family moved there in 1799.

When the Spanish authorities, during this period, proposed to close the mouth of the Mississippi through a treaty to be signed by the confederate government, the indignant wrath of the men of the western country was so positive that negotiations were halted temporarily. Nothing definite was accomplished until the government under the constitution was put into operation. Then a treaty was signed at Madrid in 1795 by which citizens of the United States were given free navigation of the Mississippi and the right to land their goods at New Orleans free of duty while awaiting transshipment. But during this period events were transpiring on the other side of the Atlantic which were to bring Louisiana again within the scope of European politics and finally into the possession of the United States. To these it will be necessary to turn our attention.

The island of St. Domingo was chiefly Spanish, but its western end belonged to France by language as well as by history. During the days of the Bourbons this small part of the island had been considered the most valuable of French possessions. Two-thirds of the commercial interest of the French nation centered there before the beginning of the French Revolution, in 1789. More than seven hundred ocean going vessels were employed in its carrying trade, and its exports and imports combined were estimated at more than one hundred and forty million dollars. The home market was supplied by it with sugar, coffee, cotton, and indigo. Many prominent creole families in Paris received their incomes from this French possession and wielded considerable political influence in France, "while in the island itself, society enjoyed semi-Parisian ease and elegance, the natural product of an exaggerated slave system combined with the manners, ideas, and amusements of a French proprietary caste."¹²

Of the six hundred thousand people, approximately, living on the island in 1789, five-sixths were full blooded negro slaves. About half of the hundred thousand free citizens were mulattoes who were disqualified from holding office because of negro blood. Between these and the forty or fifty thousand creoles who held all the social and political privileges of the island there was considerable jealousy. Then, too, the creoles were restless under the despotic colonial system, claiming for themselves political rights which the home government refused to grant. So when the revolution began in

¹²Henry Adams, *History of the United States of America*, 9 vols. New York, 1889-91. Vol. I, 378-79.

France in 1789 the creoles sympathized with the movement until the National Assembly supported the mulattoes. The creoles then turned royalists. The civil war which began in the island produced a slave insurrection that resulted in unspeakable horrors being committed.

For several years the strife continued, and the confusion was increased by the entrance of the Spaniards and the English who hoped to effect a conquest of the island. The National Assembly abolished slavery on February 4, 1794, but at the time this rather increased the confusion. One of its greatest immediate results was that in April following Toussaint Louverture, who had been head of a royalist band in Spanish pay since the beginning of the outbreak, returned and took service under the Republic. His grandfather had been a negro chief on the slave coast of Africa, and had been brought to St. Domingo as a slave. The French accepted Toussaint's services, but not until more than a year later was he commissioned brigadier-general by the National Convention. But in May, 1797, he was made General-in-Chief, and was given military command over the whole colony. He rendered efficient service to the French nation and was liberally rewarded.¹³

In July, 1797, commissioners arrived in France from the United States. They had been sent for the purpose of settling disputes then existing between the two countries, but Tallyrand refused to negotiate with them unless they would pay him a bribe of two hundred and fifty thousand dollars. In the middle of April, 1798, two of the commissioners arrived home thoroughly disgusted. The report of their reception in the French capital and of Tallyrand's demands were published in the United States soon after their arrival, and resulted in the spread of a strong resentment against the French. On June 13, 1798, Congress passed an act suspending commercial relations with France and her dependencies. At that time Toussaint was absolute ruler of St. Domingo, although he recognized a general allegiance to the French Republic. He knew that the act of Congress, if strictly enforced, would work a great hardship on the blacks of the island, and that French authority would be strengthened by whatever weakened him. He determined upon absolute independence from France with a view to seeking better relations with the United States, action upon which the latter nation had counted. Toussaint's advance was encouraged by the United States' consul, and the former sent a special agent with a letter to the President giving complete assurance that if commercial intercourse were renewed between the United States and St. Domingo he would do all within his power

¹³Ibid., 380-81.

to protect it. Influenced by both political and economic reasons the President secured a new act from Congress which was approved February 9, 1799, and which was intended to satisfy Toussaint's request.

Having secured a reopening of the trade between the United States and St. Domingo and having concluded a favorable treaty with England, Louverture proceeded to carry out his intentions in regard to the establishment of independence. By the successful siege of Jacmel he captured and expelled his principal rival, Rigaud, in July, 1800. Following this almost immediately the French agent, Roumé, was imprisoned. Then came the seizure of the Spanish part of the island which had been ceded to France by the treaty of Bale in 1795, but which had not been actually transferred. In May, 1801, Toussaint gave a new constitution to St. Domingo in which he assumed political power for life and reserved the right of naming his successor. In the last act he had outstripped Napoleon, and meanwhile, says Henry Adams, Bonaparte "chafed under the idea of being imitated by one whom he called a 'gilded African.'"¹⁴

But Napoleon was more than annoyed at being imitated. He was keenly disappointed because he saw in the success of Toussaint's campaign the failure of his own colonial ambitions, and this too at a time when he had succeeded in acquiring the territory essential to a successful realization of his plans.

The French government had tried to regain possession of Louisiana on several occasions before the act of retrocession was carried out. Following the treaty of 1783 which ended the American Revolution, Vergennes wished to recover that territory, and Spain was willing to return it. France could not pay the price, however, although it was no more than the amount necessary to reimburse the former for the expense of the colony. Following the peace of Bale of July 22, 1795, the French Republic again tried to get possession of Louisiana, and failed. She did succeed in procuring Spain's consent to cede the eastern part of St. Domingo at this time as already indicated, but the French did not ask for immediate possession because of the English superiority on the sea. Once more, in 1797, influenced by Carnot and Barthelemy, the Directory offered the Spanish king a principality to be made by uniting the Duchy of Parma with three legations just taken from the Pope, the same to be given the king's son-in-law as the kingdom of Etruria, but Charles refused to be bribed even by the splendid position which this would

¹⁴Ibid., 387.

have given his daughter. Still another effort was made in 1798 but with no more success than had followed earlier attempts.

Two years elapsed before the subject was proposed again to the authorities at Madrid. During this time Talleyrand spent some anxious days trying to recover what his mismanagement had lost. The storm of protest in America following the return of Monroe and Pinckney had not died down when Adams appointed, upon his own responsibility, new commissioners to Paris. They arrived there in the spring of 1800, and on September 30th, following the treaty of Morfontaine was signed. This restored relations between France and the United States.

In the meantime Napoleon, then at the head of the French government, took the final step in the acquisition of territory for establishing his colonial system. He ordered Talleyrand to send a special messenger to the French minister at Madrid, with powers for concluding a treaty with Spain by which she should retrocede Louisiana to France. The subject was pushed rapidly and successfully at the Spanish court, but despite this Napoleon determined to send a special agent, and General Berthier, a man who stood close to the First Consul in confidential matters, was selected for the mission. He left for Madrid during the last of August, 1800, carrying with him a letter of introduction from Bonaparte to the Spanish king, and the *project* of a treaty of retrocession which had been drawn by Talleyrand at the command of the First Consul. Certainly the *project* would not tend to allay uneasiness in the United States.

"The French Republic pledges itself to procure for the Duke of Parma in Italy an aggrandizement of territory to contain at least one million inhabitants; the Republic charges itself with procuring the consent of Austria and the other States interested, so that the Duke may be put in possession of his new territory at the coming peace between France and Austria. Spain on her side pledges herself to retrocede to the French Republic the colony of Louisiana with the same extent it actually has in the hands of Spain, and such as it should be according to the treaties subsequently passed between Spain and other States. Spain shall further join to this cession that of the two Floridas, eastern and western with their actual limits."¹⁵

Besides this Spain was to give to France six ships of war, and the provinces mentioned were to be delivered to France whenever the territory promised for the Duke of Parma should be delivered by France to Spain. Mutual assistance was to be given against any

¹⁵Quoted in *Ibid.*, 367

person or persons who should threaten or attack them in consequence of executing their engagement.

"In the history of the United States," to quote again from Henry Adams, "hardly any document, domestic or foreign, to be found in their archives has greater interest than this *project*; for from it the United States must trace whatever legal title they obtain to the vast region west of the Mississippi. The treaties which followed were made merely in pursuance of this engagement, with such variations as seemed good for the purpose of carrying out the central idea of restoring Louisiana to France."¹⁶

The retrocession was not to be concluded without difficulties, however. The object of Berthier's mission had been published in a Paris newspaper and this reached the American minister at Madrid, who sought a denial from Urquijo, the Spanish Secretary for Foreign Relations, and from Alquier, the French minister to Spain. The denial was not convincing. There was further difficulty. Louisiana had been demanded by Alquier, but Berthier was told to require the Floridas and six ships of war in addition. Louisiana, as we have seen, was French, and the Spanish king was willing to part with it for a kingdom in Italy, but he was not willing to part with the Floridas. So the final agreement provided that the prince-presumptive of Parma, who was the son-in-law and nephew of Don Carlos, should receive an Italian kingdom of at least a million inhabitants. Tuscany was the territory selected for the new monarch, who was to be known as King of Etruria. In return Spain was to retrocede Louisiana to France. After the general peace, the king might also cede that part of west Florida which lay between the Mississippi and the Mobile. At San Ildefonso, on October 1, 1800, the treaty of retrocession was signed. As has been indicated,¹⁷ this agreement undid the convention of 1800 signed on the preceding day by Joseph Bonaparte and the American ministers.

The First Consul's brother, Lucien, was sent as ambassador to Madrid to complete the details of the agreement. At the Spanish capital Urquijo was dismissed, Godoy was called from retirement to take his place, and the struggle for the possession of Louisiana began. Lucien negotiated a new treaty closing the bargain in regard to Parma and Tuscany to which Godoy offered no opposition. The treaty provided that the Prince of Parma be created King of Etruria, and that Louisiana should be retroceded at once to France. This was signed at Madrid on March 21, 1801, and the young king

¹⁶Ibid., 367-68.

¹⁷Ibid., 370 and Channing, *The Jeffersonian System*, 59.

and his consort were sent to Paris, where they were handsomely entertained by Napoleon. A few months later the First Consul called upon the King of Spain for authority to take possession of Louisiana, but Godoy had determined that this should not be permitted. The excuse which the wily Spaniard used was that Napoleon had not fulfilled his part of the agreement. The young king had been sent to Italy to take possession of his kingdom, but upon his arrival he found there was no royal authority to go with his royal title. The entire control was in the hands of the French, and no foreign power recognized the new kingdom. Napoleon was vexed beyond measure at having his policy held up in this manner, but for about a year longer he permitted Godoy to hold Louisiana.

While Godoy still defied him, Napoleon turned to crush another opponent whom he detested even more than the Prince of Peace. This was Toussaint Louverture. Summoning his brother-in-law, Leclerc, to Paris in the fall of 1801, the First Consul placed him in command of an expedition of twenty-five thousand men who had been ordered to assemble at Brest to overthrow Toussaint and re-establish slavery in the island of St. Domingo. In the United States, in the meantime, the political revolution of 1800 had produced a change in the administration of that country, and Napoleon had concluded a temporary peace with England. Toussaint was left to depend entirely upon his own resources. Even so he might have succeeded had his own men remained loyal, but the odds against him were great and on May 1, 1802, he surrendered to Leclerc. Shortly afterwards another foe appeared on the island against which the French battled in vain. The yellow fever broke out in the army. In September, 1802, Leclerc wrote Napoleon that only four thousand of the twenty-eight thousand, three hundred men sent to St. Domingo remained fit for service. This was soon followed by news that Leclerc himself had succumbed to the horrible malady.¹⁸

These disasters together with the growing difficulty of maintaining peace with England were important factors in Napoleon's determining to dispose of Louisiana. This decision had been reached probably by October 28, 1802.¹⁹ Livingstone wrote to Jefferson on that day stating that he had had a conversation with Joseph Bonaparte and the latter had asked whether the United States would prefer Louisiana to the Floridas. But Livingstone had declared that his country had no desire to extend its boundaries across the Mississippi, so the plan for Louisiana was checked temporarily.

¹⁸Adams, *United States*, I, 414-18.

¹⁹T. M. Marshall, *A History of the Western Boundary of the Louisiana Purchase*, 1819-1841, 3-4.

In the United States at this time complications were developing which were to result in President Jefferson's sending a special envoy to France. The United States and Spain had agreed to a treaty in 1795 by which the boundaries between their territories were fixed, the free navigation of the Mississippi was guaranteed American citizens, and for a period of three years they were to deposit merchandise at New Orleans, with the privilege of exporting goods without paying duty. This privilege was to continue unless the king of Spain found it contrary to his interests. The Americans enjoyed the right of deposit for seven years without interruption.²⁰ Before Congress met in December, 1802, the authorities in Washington received word through Governor Claiborne at Natchez that Don Juan Ventura Morales, Spanish Intendant, had arbitrarily closed the port. This news created consternation in the United States. The people of Tennessee and Kentucky talked of war when they learned that the Mississippi was closed to them, and the New England Federalists, overjoyed at the attitude which Jefferson's western followers assumed and anxious to force the President to make some rash move which would cause his friends of that section to forsake his leadership, did all they could to plunge the country into instant war. "Never in all his long and varied career," says Channing, "did Jefferson's foxlike discretion stand him in better stead. Instead of following the public clamor, he calmly formulated a policy and carried it through to a most successful termination."²¹

To calm public agitation was the first task he set for himself, the second was to regain the right of deposit, and the third was to get possession of New Orleans and the Gulf Coast. To these things he at once turned his attention.

Despite the alarm expressed in his well known letter to Livingstone dated April 18, 1802, at Washington, Jefferson's second annual message to Congress the following December was written in a tone of calm indifference, as if nothing out of the ordinary had occurred. He did state that the cession of Louisiana to France would make necessary a change in the foreign relations of the United States, but what the change would be he did not indicate. More than a month later the House went into executive session and General Samuel Smith moved to appropriate two million dollars, the same to be used to meet "any expenses in relation to the intercourse between the United States and foreign nations." Jefferson nominated James Monroe minister-extraordinary to France and Spain on the day the

²⁰Ibid., 6.

²¹Channing, *Jeffersonian System*, 63.

motion was put. Both motions passed and Jefferson wrote a letter of explanation to Monroe on January 13, 1803.²² "The agitation of the public mind on occasion of the late supervision of our right of deposit at New Orleans," he said, "is extreme. In the western country it is natural and grounded on honest motives. In the seaports it proceeds from a desire for war which increases the mercantile lottery; among the Federalists generally and especially those of Congress the object is to force us into war if possible, in order to derange our finances, or if this cannot be done, to attach the western country to them as their best friends, and thus get again into power. Remonstrances, memorials, etc., are now circulating through the whole of the western country and signed by the body of the people. The measures we have been pursuing being invisible do not satisfy their minds. Something sensible therefore was become necessary; and indeed our object of purchasing New Orleans and the Floridas is a measure liable to assume so many shapes that no instructions could be squared to fit them, it was essential then to send a minister extraordinary to be joined with the ordinary one, with discretionary powers, first however well impressed with all our views and therefore qualified to meet and modify to these every form of proposition which could come from the other party."

The first part of Jefferson's program was realized by this move. On the thirty-first of the same month Thornton, the British *chargé*, wrote to Lord Hawkesbury that the country seemed satisfied with the action which had been taken, and reliable information had assured the government at Washington that "the people of Kentucky will wait with patience the result of the steps which the executive government may think it right to take, without recurring, as was apprehended would be the case, to force, for the assertion of their claims. The President regards this circumstance (with great justice, it appears to me) as the surest pledge of the continuance of his authority, and as the death-blow of the Federal party."²³ In the same letter Thornton had already said that Jefferson had already assured him the United States would never abandon its claim to the free navigation of the Mississippi. While the President hoped that a peaceful settlement could be made, he thought it very probable that Monroe might cross the channel to converse with British ministers about the free navigation of the Mississippi, and if compelled to resort to war the United States would throw away the scabbard.

²² Jefferson, *Writings* (Ford ed.) VIII, 190.

²³ Quoted in Henry Adams, *History of the United States*, I, 436-37.

The French *chargé*, Pichon, was thoroughly aroused by what had been done. Again and again he appealed to Talléyrand. He declared that it would be impossible for a government to be more bitter than that of the United States "at the humiliating attitude in which our silence about Louisiana places them." Jefferson, he thought, would be forced to yield through necessity his scruples against a British alliance, and Pichon had noticed that the President was "redoubling his civilities and attentions to the British *chargé*."²⁴ Pichon had a conference with Madison at the latter's request which confirmed his deepest fears. New Orleans and West Florida were essential for the American settlements on the upper Mississippi and Mobile rivers, Madison informed him, and Monroe had been instructed to obtain all the territory east of the Mississippi at a price not to exceed two or three million dollars. Since New Orleans was of no value to the French they could sell it to the Americans and build another city on the opposite bank of the river. The true policy of France required her to make the Mississippi her boundary anyway, because "the United States had no interest in seeing circumstances rise which should eventually lead their population to extend itself on the right bank." If Napoleon was not convinced by these arguments, Madison intimated to Pichon, "it might happen that the conduct of France would decide political combinations which, getting the upper hand of all these considerations, would tend to produce results no doubt disagreeable to the United States, but certainly still more so to France and her allies."²⁵

Briefly, every possible thing was done to make France understand that the Mississippi must be kept open to the people of the United States. If France should force a war on the administration, Madison wrote Livingstone and Monroe in April, 1803, the two envoys were to invite England to form an alliance by which it should be agreed that neither party would make peace or a truce without the consent of the other. Before Madison had completed these instructions to the American representatives in France, however, the Spanish minister, the Marquis of Casa Yonjo, informed him that the Spanish government had sent a special messenger to notify the President that the right of deposit would be restored until another place could be selected or until some other arrangement could be made which would satisfy both parties. The Spanish minister was also instructed to thank the President for his friendly conduct during the time of recent excitement. So the second part of Jefferson's plans was realiz-

²⁴Ibid., 437.

²⁵Quoted in Ibid., I, 438-39.

ized.²⁶ The third was not to be accomplished in its entirety for several years, but the attempt to realize it resulted in the Louisiana purchase—an incident which has been called rightly the “greatest diplomatic success recorded in American history,” and an event which ranks in historical importance next to the Declaration of Independence and the adoption of the Constitution.”²⁷

Monroe sailed from the United States on March 9, 1803, and arrived in Paris on the twelfth of April. Two days before he landed Napoleon called Marbois and another councilor to him and declared his intention of ceding Louisiana to the United States.

“I know the full value of Louisiana,” he said vehemently, “and I have been desirous of repairing the fault of the French negotiator who abandoned it in 1763. A few lines of a treaty have restored it to me, and I have scarcely recovered it when I must expect to lose it. But if it escapes from me, it shall one day cost dearer to those who oblige me to strip myself of it than to those to whom I wish to deliver it. The English have successfully taken from France, Canada, Cape Breton, New Foundland, Nova Scotia, and the richest portions of Asia. They are engaged in exciting troubles in St. Domingo. They shall not have the Mississippi which they covet. Louisiana is nothing in comparison with their conquests in all parts of the globe, and yet the jealousy they feel at the restoration of this colony to the sovereignty of France, acquaints me with their wish to take possession of it, and it is thus that they will begin the war. They have twenty ships of war in the Gulf of Mexico, they sail over these seas as sovereigns, whilst our affairs in St. Domingo have been growing worse every day since the death of Læclerc. The conquest of Louisiana would be easy, if they only took the trouble to make a descent there. I have not a moment to lose in putting it out of their reach. I know not whether they are not already there. It is their usual course, and if I had been in their place, I would not have waited. I wish, if there is still time, to take from them any idea that they may have of ever possessing that colony. I think of ceding it to the United States. I can scarcely say that I cede it to them, for it is not yet in our possession. If, however, I leave the least time to our enemies, I shall only transmit an empty title to those republicans whose friendship I seek. They only ask of me one town in Louisiana, but I already consider the colony as entirely lost, and it appears to me that in the hands of this growing power, it will be more useful

²⁶*Ibid.*, II, 2-3.

²⁷*Ibid.*, 48 and 49.

to the policy and even to the commerce of France, than if I should attempt to keep it."²⁸

The discussion was continued into the night but no decision was reached. At daybreak on the following morning Napoleon received word that England was hastening preparations for renewal of the war. Summoning Marbois to him he reiterated his intention of parting with Louisiana. "It is not only New Orleans that I will cede, it is the whole colony without any reservation. I know the price of what I abandon, and I have sufficiently proved the importance that I attach to this province, since my first diplomatic act with Spain had for its object the recovery of it. I renounce it with the greatest regret. . . . I direct you to negotiate this affair with the envoys of the United States. Do not even await the arrival of Mr. Monroe; have an interview this very day with Mr. Livingstone; but I require a deal great of money for this war, and I would not like to commence it with new contributions. . . . If I should regulate my terms, according to the value of these vast regions to the United States, the indemnity would have no limits. I will be moderate in consideration of the necessity in which I am of making a sale. But keep this to yourself. I want fifty millions (francs), and for less than that sum I will not treat; I would rather make a desperate attempt to keep these fine countries."²⁹

Marbois did not see Livingstone on that day, but Talleyrand did. Livingstone had been in conference with Talleyrand for several weeks trying to purchase the island of Orleans and West Florida. Talleyrand, on Monday, April 11, 1803, the day that Napoleon had placed the negotiations in Marbois' charge, asked Livingstone whether the United States would like the whole of Louisiana. Livingstone told him that the United States wanted only New Orleans and the Floridas, but that it might be to the interest of France to cede the country above the Arkansas river to his people in order to place a barrier between French territory and Canada. Talleyrand replied that if they gave New Orleans the rest would be of little value and he would like to know what the United States would give for the whole. To this Livingstone refused to commit himself until he had had an opportunity to introduce Monroe.

On the night of April 13th, two days later, Livingstone had a conversation with Marbois, the Minister of the Treasury, which he considered so important that he thought it necessary to report it to Madison at once, while the impressions were strong upon his mind.³⁰

²⁸Barbe-Marbois, *The History of Louisiana*, 263-64.

²⁹Ibid., 274-75.

³⁰These letters are in the *American State Papers, Foreign Relations*, II, 552-54.

Until midnight the two men conversed. Marbois said that the First Consul, in a recent conference with him, had declared his readiness to part with the whole of the Louisiana territory to the United States provided that country would pay one hundred million francs and pay the claims of their own citizens. "Seeing, by my looks, that I was surprised at so extravagant a demand," wrote Livingstone, "he added that he considered the demand as exorbitant, and had told the First Consul that the thing was impossible; that we had not the means of raising that. The First Consul told him that we might borrow it. I now plainly saw the whole business: first, the Consul was disposed to sell; next, he distrusted Talleyrand, on account of the supposed intention to bribe, and meant to put the negotiations into the hands of Marbois, whose character for integrity is established." Livingstone assured Marbois that the United States was anxious to preserve peace with France, that his nation wished to remove the French inhabitants to the west side of the Mississippi; that the United States would be perfectly satisfied with New Orleans and the Floridas, and had no disposition to extend across the river, that of course they would not give any great sum for the purchase; that Marbois was right in his idea of the extreme exorbitancy of the demand; and that the United States would be ready to purchase, provided the sum was reduced to reasonable limits. Marbois then urged him to name the sum, but this Livingstone declined to do. The French minister, upon being urged to do so, then suggested as a fair price sixty million francs, in addition to which the United States should take upon itself the American claims to the amount of twenty million more.

While Livingstone urged the exorbitance of this demand he took particular pains to inquire whether France would stipulate never to possess the Floridas and would promise to aid the United States to procure them. Being assured by Marbois that the French government would do this, Livingstone closed the conversation by promising to confer with Monroe, assuring Marbois that the American representatives would do every reasonable thing to remove any cause for difference which might exist between the two countries.

"Thus, sir, you see a negotiation is fairly opened," he exulted in concluding his communication to Madison. "As to the quantum, I have yet made up no opinion. The field opened to us is infinitely larger than our instructions contemplated; the revenue increasing, and the land more than adequate to sink the capital, should we even go the sum proposed by Marbois; nay I persuade myself that the whole sum may be raised by the sale of the territory west of the

Mississippi, with the right of sovereignty, to some power in Europe, whose vicinity we should not fear. I speak now without reflection and without having seen Mr. Monroe, as it was midnight when I left the treasury, and is now three o'clock. It is so very important that you should be apprised that a negotiation is actually opened, even before Mr. Monroe has been presented, in order to calm the tumult which the news of war will renew, that I have lost no time in communicating it. We shall do all we can to cheapen the purchase; but my present sentiment is that we shall buy."³¹

True to his promise Livingstone worked hard for a reduction in the price. A week was spent in haggling over this, and a fortnight passed after Monroe's arrival without anything more definite having been accomplished. On April 23rd the First Consul drew up a "*Project of a Secret Convention*" which was given by him to Marbois. For the purpose, among other things, of strengthening friendly relations between the two nations the French Republic according to this document was to cede Louisiana to the United States; in consequence of which cession, "Louisiana, its territory, and its proper dependencies shall become part of the American Union, and shall form successively one or more states on the terms of the Federal Constitution."³² French commerce in Louisiana was to be given all the rights of American commerce with permanent *entrepôts* at six points along the Mississippi together with a permanent right of navigation. The United States was also to assume all debts to American citizens under the treaty of Monfontaine, and was to pay France one hundred million francs. Armed with this document on the afternoon of April 27th, Marbois held a conference with Livingstone and Monroe in the rooms of the latter. Too unwell himself to sit at the table Monroe reclined on a sofa throughout the discussion.

The conversation was opened by Marbois who submitted Napoleon's *project*. After admitting that he thought it hard and unreasonable, he presented his own. The former demanded a total expense of one hundred and twenty million francs to the American government, the latter reduced the demand to eighty million. Livingstone was particularly anxious to settle this question of claims first and separately, but Monroe overruled him in this. The twenty-eighth of April was spent by the two American envoys in revising Marbois' *project*, and drawing up one of their own. On the following day they called upon the French minister and presented their proposal. In this they had suggested fifty millions as the amount to

³¹Ibid., 554.

³²Quoted in Adams, *United States*, II, 40.

be given France, and twenty millions more on account of her debt to the citizens of the United States. But Marbois refused to proceed unless eighty million francs was accepted as the price, and the American commissioners finally yielded. Marbois took the revised document for a conference with Napoleon on April 30th.

On Sunday, May 1st, Monroe was conducted to the Palace of the Louvre and presented by Livingstone to the First Consul whom he found in a genial and inquisitive frame of mind. "You have been here fifteen days?" Napoleon asked. I told him I had. "You speak French?" I replied 'A little!' "You had a good voyage?" 'Yes.' "You came in a frigate?" 'No, in a merchant vessel chartered for the purpose.' Then turning abruptly to the subject in which Monroe and Livingstone were particularly interested he assured them that their affair should be settled, and left them. After dinner the First Consul again came to Monroe and inquired whether the Federal city grew much. I told him it did. 'How many inhabitants has it?' '. . . , in itself it contains two or three thousand inhabitants.' 'Well, Mr. Jefferson, how old is he?' 'About sixty.' 'Is he married or single?' 'He is not married.' 'Then he is a *garçon*.' 'No, he is a widower.' 'Has he children?' 'Yes two daughters who are married.' 'Does he reside always at the Federal city?' 'Generally.' 'Are the public buildings there commodious, those for the Congress and President especially?' 'They are.' You Americans did brilliant things in your war with England, you will do the same again.' 'We shall I am persuaded always behave well when it shall be our lot to be in war.' 'You may probably be in war with them again.' I replied that I did not know, that that was an important question to decide when there would be an occasion for it,"³³ and so the conversation ended.

On that same evening the two American envoys had a final discussion with Marbois. Some amendments were made to the treaty and a few minor changes were agreed upon. On May second the "treaty and convention for sixty millions of francs to France in the French language" was signed. The English copies were prepared and signed two or three days later. The convention affecting American claims was not signed, however, until about the eighth or ninth, and all these documents were antedated to April thirtieth. But in the document thus agreed upon there was no attempt to define the boundaries of the property which changed hands. This subject was left for later diplomatic negotiations, and in the meantime American explorers and American settlers were crossing the Mississippi to seek adventure and to build homes in the Trans-Mississippi West.

³³Monroe, James, *Writings*, Vol. 4, 15 and 16.

HISTORY OF NATCHITOCHEs

By *Milton Dunn*

The original settlement of Natchitoches was made in 1691, by Canary Islanders, who came by way of Mexico. Consequently it is the oldest permanent settlement within the present State of Louisiana. The exact date of the Indian settlement, on its present site, is among the vanishing scenes of the dreamless past.

The significance of the name is an Indian word and means Paw Paw eaters, in contradistinction to that of Naccadoches, Persimmon eaters.

Subsequently the Canary Islanders were forced by the French to retire to the Spanish settlement of Los Adayes. The town of Natchitoches is situated in latitude $31^{\circ} 46'$ (Darby) $31^{\circ} 44'$ (Sibley) longitude 14° West.

Bienville accompanied by St. Denys visited the Natchitoches and Yattasses Indians in March, 1700. He visited the Yattasses village that was situated about where Grappes Bluff now is. The lower village of the Yattasses was situated at the foot of Yattasses Lake, now corrupted to Nantaches. The old ancient village visited by Bienville and St. Denys is about two miles south of Aloha, at the junction of the Bayou de Fren and Bayou de Guepe in N. W. $\frac{1}{4}$ of Sec. 23, T. 7 N. R. 4 West, Grant Parish, on the farm of Samuel Johnson, and the Jefferson Highway runs through a part of the site of the old village. The road bed runs through the ancient burying ground. Bienville was turned back at the upper village of the Yattasses by some Caddos who were visiting the Yattasses, and who informed him on account of high water, the route was impassable.

Bienville and St. Denys returned down Red River, in canoes, to the French settlement at Biloxi. They were the first white men borne upon the bosom of the Red River.

La Salle visited the Natchitoches Indians at the present site of the city of Natchitoches in 1687, and the last letters sent to civilization were from there. Tradition has it that the first settlement of the Natchitoches Indians was on Bayou Pierre, and afterwards removed to the spot where the white man found them.

After the death of De Soto the Spaniards under Louis de Moscoso, visited the Indians at Natchitoches, 1540, seeking a route to Mexico,

but the Chickasaws, a fierce tribe, annoyed them so that they retraced their steps back to the Mississippi River. St. Denys commanded a small fort on the Mississippi near the mouth, he removed the Natchitoches Indians near him in 1705 for protection against hostile tribes. In 1712 he moved them back to their old home at Natchitoches. In 1707 St. Denys was sent to explore Red, or Natchitoches River, which he did for 1000 miles. In the same year he brought some Canadians to Natchitoches to found a settlement. He built Fort St. John the Baptist on the oval ridge where the American grave yard now is. This spot, at that time, was an island, the river on the south side, and a lake north west and north, a draw bridge for egress and ingress. I found evidences of a tunnel built to reach the water in the lake in case of a siege. What a sacred and romantic spot here, of a time that tried men's souls!

La Mothe Cadillac was desirous of establishing a trade with Mexico, and selected Natchitoches as an entrepot. He sent St. Denys across the plains with twelve Canadians and some Indians with goods to the Presidio on the Rio Grande. The route he travelled was an old buffalo trail, made by the animals in their annual winter migrations from the plains and prairies of Texas and New Mexico to the Mississippi, and tributary bottoms; this among the heavy cane brakes and the forests.

Among their great rendezvous were the prairies of south Louisiana, the curious landmarks found there were known as buffalo wallows, or holes. There are plenty of them to be seen this day. They wallowed in the mud and the water to coat their bodies as a protection against mosquitoes. The buffalo wallows today are mute mementoes of their visits, though they have perished from the land. This animal migration to spend the winters, is a wonderful law of nature. Countless thousands of buffalo, elk, deer, and all the Carnivora that preyed upon them journeyed hence. Days and weeks were consumed in their passage on their migrations. They were never out of sight. Every blade of grass, shrub, all vestige of vegetation was destroyed, and the way was a bed of dust. St. Denys laid off this trail, and Captain Don Ramon travelled along this route and adopted it, making it a legal highway; it became known as the Carmino Real, or King's highway, to become known latterly as San Antonio trail. In sections the earth is cut down several feet, and along this old route are found spurs, bridle bits, swords and other relics of by-gone days. From East Pendleton on Sabine river it crosses Sabine Parish, by Fort Jessup, Natchitoches, St. Maurice on Red River, through the pine forests of Winn to the head of Catahoula on Little

River, at the junction of the Dugdemonia and Caston, thence through La Salle, Catahoula to Harrisonburg on the Ouachita, across Sicily Island, through the Tensas and Mississippi bottom, across Mississippi to Natchez, from there to Mobile; this was the great Highway to and from Texas. Along this trail it was seldom, in the old days, that one was out of sight of some traveler on his way to Texas, often several wagons were to be seen together.

At St. Maurice Ferry on Red River, I saw emigrants, at one time camped as far as three miles back, waiting to cross, and it took three days to cross them, such was the packed mass. Ask the winds of the sighs, the heart aches, hopes and emotions of that people journeying to this land of Araby the blest. On Beech trees in Bear Creek swamp can be seen names cut as far back as 1820. Oh! the good old times, long since passed, how we sigh for them!

Now, when St. Denys arrived at the Presidio on the Rio Grande, he fell under the spell of the eyes of Donna Maria de Navarre. The inevitable woman again! She was the grand daughter of the Commandant, and a mutual attachment was formed immediately. The Commandant having informed St. Denys he had no authority to trade with him was directed to the Viceroy of Mexico. Arriving there, his mission was viewed with suspicion, and instead of securing the desired object, he was thrown into prison, and there languished for months. Eventually, the officer whose duty it was to inspect the prisons, finding St. Denys to be an old class mate of his, being in the service of the Spanish Government himself, he set about securing St. Denys' release, at the same time seeking to induce St. Denys to enter the service of the Spanish Government. St. Denys proved loyal to France, and declined to do so. Finally he was given his liberty, a good horse and a purse of gold, like a Centaur he sped with the wind to his love, on the Rio Grande. The happy couple were married, and they crossed the plains to the Natchitoches Post.

In 1714 Bernard La Harpe arrived in Natchitoches to further the settlement of that place. He journeyed up the Red River, and established a trading post and settlement at 33° 50' about 500 miles above Natchitoches on the River. Bernard La Harpe brought with him 250 emigrants, when he arrived at Natchitoches. He found the post on an island and in charge of Commandant Blondel, and with Father Manuel de Romaners as spiritual adviser. Near the Fort were 200 Natchitoches, Sousitonies and Yattasses Indians.

In 1718 the Brossart brothers brought out a colony from Lyons, France to settle at Natchitoches. The first to receive land grants and to settle among the Natchitoches Indians were Louis Latham, who

settled near Las Tres Llonas, and Pierre and Julian Beson who settled at Grand Ecore. Athanase Poissat claimed land at the three cabins under title from the Indians.

In 1784 Gov. Miro granted lands to Francois Bossier, and to Francois and Alex Groppe. Other settlers were Prudhomme, Robiens, Laurents, La Cours, Cloutiers, Metoyers, Martins and Crows, the last named settled on the Sabine.

St. Denys was the Father of Natchitoches. He was born in Quebec, Canada, on Sept. 18, 1676, and died in Natchitoches 1744, aged about 68 years. He was buried near the Cathedral, on the spot now occupied by the Natchitoches Drug Co. building. He was a great diplomat, and his control over the Indians was wonderful. He used his influence to pacify them, and to settle their differences. He was a valiant warrior, however, when the exigencies of the case demanded it. He was a brother-in-law to Athanase de Mezeres, Lieut.-Governor and Commandant of the Fort at Natchitoches, appointed by Governor O'Reilly under Spanish regime.

After the death of St. Denys, his son was appointed Commandant of the Fort and continued in this office for many years. St. Denys' daughter Marie, married a De Soto, and their descendants lived on the Saline Bayou in Winn Parish a few years ago. Jules De Soto was a fine Confederate soldier, in Hardy's Co., 28th Louisiana Infantry. Two Firmans and John De Soto, his direct descendants, now live in Avoyelles Parish.

The Spanish, after the Canary Islanders retired from Natchitoches, formed a settlement at Los Adayes, three leagues west of Natchitoches. They claimed the Arroyo Hondo Deep Run and Grand Montana as the boundary between France and Spain. The Los Adayes is where the town of Robeline now stands, and is distinguished as being the first capital of Texas, 1731, and remained the capital for fifty years.

A mission and church were established at Los Adayes, and called the Mission of St. Miguel de Linares. The Natchez war took place subsequently; the massacre of Fort Rosalie took place on November 29, 1729. The Natchez fortified on a mound, a natural fortification, at Trinity—the junction of the Ouachita, Tensas and Catahoula rivers. Governor Perrier attacked them there laying siege mounted cannon and prepared to open a cannonade on them. They agreed to surrender, a violent storm coming up, chief The Flour and about 150 warriors escaped, one of the great suns St. Combe sun returned with four hundred of the Natchez. Chief The Flour traveled up the Catahoula river, and around Catahoula Lake on the Natchitoches.

They built a Cache to save their dried meats and provisions, on a hill north of Rocky Ford, two miles north of Colfax. This Cache is to be seen there today. The Natchez sought to gain entrance into the Fort at Natchitoches, and by treachery slaughter the garrison. St. Denys, ever on the alert, refused to let them come in; only ten warriors unarmed. This caused the Natchez to lay siege to the fort, which lasted twenty-two days. St. Denys applied to Com. Bustillo at Los Adayes for help; he furnished nine soldiers, one of whom was killed during the siege. This and another circumstance show that their relations must have been amicable and cordial, as it is recounted that Francois Le Moyne, one of St. Denys' soldiers married Juniata Victoria Garcia, a Spanish lady of Los Adayes. Friction over boundary lines evidently did not prevent Cupid from getting in his work.

The Natchez becoming exasperated at the stubborn resistance of St. Denys brought out a French woman captive, and burned her before the Fort! St. Denys was so incensed, and fairly wrought up to the highest pitch at this display of wanton cruelty, sallied forth with forty soldiers and one hundred Natchitoches and Yattasses Indians. They fought furiously, defeated the Natchez, and killed ninety-two warriors, among them four Chiefs, The Flour being one of them. They fled down the River and took refuge in a lake about three miles west of Cloutierville, where they were completely annihilated. Their bones could be seen there years afterwards. This lake was called Sang pour Sang,—Blood for Blood. This was in 1732.

Fifty years later some Natchez Indians visited the Post at Natchitoches. Christopher Miller, a reliable citizen, states that he saw (Indians) Natchez on a visit to Natchez fifty years after the fall of Fort Rosalie. He testified to their noble statue, and commanding form, eyes like those of the Gazelle, remarkable lofty and retreating foreheads, thus showing their instinctive love for the graves of their fathers. The ill treatment and cruelties put upon them by Chaport, the Commandant of Fort Rosalie, caused the terrible war and loss of life.

The friction over the boundary line between France and Spain became so acute that a mutual agreement secured a neutral strip, extending from Arroyo Hondo to Sabine, afterwards called "No Mans Land." That terra incognita became the rendezvous of a non de script class; a class of criminals; outlaws, murderers, refugees from justice, from the United States and Mexico, as well as other countries. This strip consisted of all Sabine parish and a part of Natchitoches lying between Arroyo Hondo and Sabine river. An agreement

made by General Herrera of the Spanish army and General Wilkinson of the United States forces in 1806 that this strip should remain neutral, continued till 1820—14 years. The inhabitants of this strip became so lawless and committed outrages so great that the United States troops went into that territory twice, and razed their habitations to the ground, but soon they gathered together again.

After the treaty between the United States and Spain, when Spain ceded Florida to the United States, Spain relinquished all claim to the territory east of the Sabine, then it was that the band of outlaws was broken up.

Quite an extensive trade was carried on during the latter part of the century and up to 1850, overland with Mexico, by caravans of mules. The traditional sixteen mule loads of silver thrown into Spanish Lake by Eli Carasco, to prevent its falling into the hands of the robbers, was lost and having sunk in the mud of the lake was never located. This is a fine chance for the fool with the mineral rod, as these times are not yet fool proof.

In 1769 effective possession was taken of Louisiana by Spain, under O'Reilly. Spain received Louisiana by Transfer in 1769, and Spanish rule continued till retransfer of Spain to France and the sale by France to the United States, April 30th, 1803, when delivery made was to Governor Claiborne, December 20th, 1803. The Spanish domination continued 34 years.

Jefferson

*"Thine not to lead at the cannon's mouth
The sturdy North, the gallant South,
Thine to win by peaceful ways,
These hills of iron, these fields of maize."*

Napoleon

*"He gave to Europe sword and gun,
With patriot blood he stained her sod,
But to a land he never trod,
His pen gave more than saber won."*

At the incoming of Spanish domination, O'Reilly visited Natchitoches and appointed Athanase de Mezers Governor of the Natchitoches district. Mezers was the son-in-law of the elder St. Denys, a brother-in-law to the Duke of Orleans, and long a soldier in the service of France. His field of activity included the Red River valley, and adjacent parts of North Texas, now Oklahoma and

Arkansas. Mezers served twelve years. He made many explorations and voyages among the Indians accompanied by such daring spirits as Laysard, Du Chesne, La Morthé and others. Mezers was sent from Louisiana to Texas to reside; he left Natchitoches in May 1779, to make a tour among the tribes of Indians residing in the prairies. He was appointed Governor of Texas, but died at San Antonio, November 1, 1779, before assuming the rights of office.

During 1762 the colony of Natchitoches was flourishing. They had enjoyed a splendid measure of peace and prosperity for 47 years. Many fine plantations were opened and good houses built; slaves under the Mississippi Co. had been brought there. In 1769 the inhabitants did not exceed 500 in numbers, though the population embraced many fine French and Spanish families whose descendants have rendered splendid services to their country, as citizens, soldiers and in public offices: A land of chivalrous men, and lovely women.

It is stated there was not a settlement on the Rigolette de Bon Dieu up to 1800. This is a mistake. There is (or was) a receipt in Henry Hyams office, Clerk of the Court, for supplies and provender furnished men and horses, a detachment of French soldiers, bearing date at Bon Dieu Falls, 1712. This place was called Bon Dieu Falls when the Rigolette de Bon Dieu fell over a large table rock.

In 1850 General Thomas S. Woodward bought the lands of Vallerie Le Moyne and laid off a town called Cerola, afterwards named Montgomery. Hosea Sos and Hosea Marie Ortiz lived there in 1800.

Louisiana having been sold by France to the United States, embraced an area of 924,279 square miles, for fifteen millions of dollars, about $2\frac{1}{2}$ c. an acre.

Lavoy Moore, the senator, many years ago from Livingston parish, used to say "old Jeff paid 40c. a head for the dang creowls, and they wasn't worth it."

Natchitoches was one of the original parishes formed in 1807, embracing a territory of 10,600 square miles, nearly one fourth of Louisiana. It was the ecclesiastical parish of St. Francis, and was 70 by 120 miles, bounded on the north by Texas and Arkansas, on the east by the Ouachita and Catahoola rivers, on the south by Rapides and Opelousas, and on the west by the Sabine River. Out of this territory have created Sabine, part of Vernon, De Soto, Caddo, Bossier, Webster, Claiborne, Jackson, Lincoln, Red River, Bienville,

Winn, part of Grant and La Salle: Veritably Natchitoches is the Mother of North Louisiana.

After the purchase of Louisiana by the United States, there was a great influx of Americans, many New Englanders, many from Kentucky, Tennessee, North Carolina, and South Carolina, and others of that restless horde who came like a wave to the new land of promise. Many came for the love of adventure, and from the commercial spirit, the South was such a promising field. At this period came Dr. John Sibley, a native of Boston, Mass., a man of culture and refinement, and destined to play an important part in the affairs of Natchitoches. He became a man of great wealth and influence, acquiring valuable property. He was agent of the United States in Indian affairs, etc. His descendants today number many excellent people in North Louisiana. General Hiram H. Sibley and Major Sibley and others, are descendants of his. He came up Red River from the mouth in an open skiff, March, 1803, taking observations of the country, its physical features, quality of its soil, and its inhabitants. His observations on the Flora and Fauna were wonderful. At the request of the War Department he made a report to Henry Dearborn, Secretary of War, April 10th, 1805. This report is published in American Register, Volume 4, and is painstaking and reliable. What a wonderful man he was!..what a wonderful mind he possessed!

Dr. Sibley explored Red River up to the Canadian. He obtained valuable information from Francois Grappe, who was born and lived 30 years among the Indians, on upper Red River, at a trading post 33°, 50' North, 500 miles above Natchitoches. Grappe spoke several Indian languages, was a hunter, trader and interpreter. His father a French officer, was Commandant of the Post, and superintendent of Indian affairs. He was Dr. Sibley's assistant and superintendent.

The Post on upper Red River was occupied before the cession of Louisiana to Spain by France. The time spent around the Post by Grappe as hunter, trader and interpreter was used to advantage. He possessed some educational qualifications and a retentive memory, acquired an accurate knowledge of the river as well as the language of the different tribes. He was interpreter for the Spanish government for many years, and was held in high esteem by the Indians and others. As a man of strict integrity, he held for many years a wonderful influence over them. After the purchase of Louisiana by the United States, Captain Turner was sent to Natchitoches, with a company of United States regulars. Colonel Freeman started on an exploring trip in 1805. He was agent for the President. Near

the Caddo village he was halted and turned back by Spanish troops. Then there was a visit by three Americans, Shaw, Brewster, and Irvine, and a Spanish guard took them to San Antonio.

Captain Zebulon Montgomery Pike was sent on an exploring expedition to explore the Arkansas and Red Rivers. He passed through Colorado, and Pikes Peak is named for him. In his route he missed his way, and found himself on the Rio Grande. He went to Chihauhau on his return, was taken into custody, and sent to Santa Fe, New Mexico. The Spaniards took all of his instruments, and his scientific papers, when he was turned back from there. He came to Red River where the bluffs are, where Shreveport now stands, and unfurled the United States flag. There he was taken by Spanish troops and escorted down the River, arriving at Natchitoches July 1, 1807.

In 1752 Francis Hervey moved to the ancient Caddo village, where he was joined by Sergeant Beson and some soldiers. They built a fort and called it Fort Cardoletta, and this is the first recorded history of Shreveport.

The Spanish government, manifesting great displeasure at the occupancy of the newly acquired territory by the Americans, became so aggressive that Colonel Cushing with three companies of artillery was sent to Natchitoches.

In 1806 General Herrera stationed on the Sabine, advanced from Texas with 1200 Spanish troops, and took up his position on Bayou Pierre, in the vicinity of Natchitoches, claiming the Arroyo Hondo as the Eastern boundary of Texas, having occupied this position during the summer, notwithstanding the remonstrance of Governor Claiborne against intrusion.

General Wilkinson had been ordered to take up his position at Natchitoches with United States troops, preparatory to the advance of the regular army. General Wilkinson made a requisition upon the Governors of the territories of Orleans and Mississippi for a detachment of militia, for co-operation with the regular army on the Spanish frontier.

On September 6, 1806, General Wilkinson was in the County of Adams, conferring with the Governor relative to the requisition. He issued orders for the Commandant at Fort Stoddard to hold himself in readiness to invest Mobile with his command supported by 200 militia from Washington County, under Colonel James Caller who was then in active preparation to capture Mobile. About the last of September, the volunteers from Mississippi advanced towards Natchitoches. Two fine cavalry troops under Captain

Hines and Captain Farrier proceeded from Natchez to Natchitoches. Soon after Major F. L. Claiborne, at the head of a battalion of militia from Adams County, consisting of 250 men besides the "Mississippi Blues" under command of Captain Poindexter advanced to Alexandria. This company was organized at the town of Washington with the expectation of a conflict with the Spaniards. Late in October, they were met at Alexandria by an order from the Commander in Chief directing them to return to Natchez. The Spaniards on the Sabine and Bayou Pierre having agreed to peaceably retire to Nacogdoches, the volunteer companies under Captains Hines and Farrier, were ordered to join the troops on the Sabine, where they remained until the American army retired late in November, 1806.

In 1807 the population of Natchitoches was 3,000. Colonel Cushing was ordered to take possession of the fort at Natchitoches. Fort Claiborne at Natchitoches was built by United States troops, after the occupancy of that place by the United States army. It occupied the first hill near the river and was about two acres in extent, and was 30 or 40 feet above the river bank. It was one street from the river, and a ditch was cut around it at the base. The Fort and barracks occupied the entire hill. The cemetery was in the northeast corner, and the last burial there, was, according to the date on the Iron cross, in 1827.

In 1808 the parish was organized, and Natchitoches chosen as the Court House site. Judge Josiah S. Johnson opened the first Court held there, July 19, 1813.

In 1811, one Manchac, a Creole Captain, organized a company of 200 riflemen, and in connection with Lieut. Augustus McGee, ex-United States army, crossed the Sabine, invaded Texas, and captured Nacogdoches. The expedition was ill-fated. Commander Corroero of the Spanish forces made an effort to attack Fort Claiborne at Natchitoches, and preparations were made to meet and repel him. A deserter from his forces was the informant. This threat caused some anxiety.

Dr. Sibley states a village of Biloxi Indians was located at the mouth of Cane river, at the junction with the Rigoletti de Bon Dieu. The Natchitoches island so called by the Indians, was formed by Cane river on the west and Rigoletti de Bon Dieu on the East, 50 miles long by 3 or 4 broad. A smaller island lies between the Atah or Little river and Rigoletti de Bon Dieu, called Cordosche, meaning a lair for wild animals, as it was a thick mass of cane.

Major Stoddard states that the Indians gave these islands their names. Dr. Sibley states that in traveling up Cane river he

found a settlement near 24 Mile Ferry, of about 40 families. This was situated at the junction of Old river and Cane river. Old river, which in years gone by, was the main channel of Red River, probably about the year 1765 cut through the Cane, and the waters flowed down that stream. A levee was put at the head of Old river about the Normal School to divert the waters down Cane river. This levee broke during high water of 1849 and a man named Hines took contract and rebuilt. This Old river is the western boundary and Cane river on the eastern boundary of another island called Ilse Brerelle after a reputable man who first settled this island. This island is subdivided by a Bayou called Ilse Brerelle, which flows from Old river to Cane river. The Ataho river called Little river, named for the Ataho Indians a branch of the Caddo tribe, is the middle channel mentioned by old writers, as the ancient bed of the Saline that falls into Rigolette de Bon Dieu, at St. Maurice. A continuance of this old stream in ages past is what is known as Corne Fin, Fine Horn that runs through Lake La Croix island in Grant parish. Aloha stands on the bank of it.

Dr. Sibley mentions the fact that the Ataho was thickly settled, ancient Indian settlements, before the advent of the white man. Signs of this are found on Melrose plantation, where there are some mounds, this place having been the home of the Ataho Indians. One of these mounds was used as a burying ground, as there is a layer of bones—such as leg bones—over the surface, and are covered with ashes and charcoal—a continuation. On the outside of the mounds, a layer of skulls, was placed.

Natchitoches, at the time of the arrival of Dr. Sibley, was according to his accounts, a meanly built village, with the exception of a few (5 or 6) houses. The streets were 30 feet wide. The oak and pine forests at this time approached within 300 yards of the river. In the village were about 40 or 50 families, and twelve or fifteen merchants or traders, mostly French.

Near Natchitoches are two large lakes, Spanish lake and Ferre Noir or Sibley's lake. The Spanish lake is about six miles to its nearest point, and is said to be 50 or 60 miles in circumference. This lake has been drained, and contains mossy fine farms in its body. The Sibley lake is about one mile from town, and said to be 30 or 40 miles in circumference.

Natchitoches had been settled one hundred years before a plow was used, or a flat boat to cross the river, and they were introduced by an Irish-Pennsylvanian with a regular Copernican protest.

Dr. Sibley states that it was almost incredible the amount of fish and fowls these lakes supplied. It was not uncommon for one man to kill from 200 to 400 hundred fowls, ducks, geese, brant and swan. In summer the quantity of fish was in proportion. One Indian with a bow and arrow could kill these fish faster than another with two horses could carry them to town. Some of them weighed 30 or 40 lbs.

The Natchitoches Indians worked the salt works on the Saline, and made salt to barter to other tribes; this was before the advent of the white man. Old man Postlewaithe made salt there in 1805. Two old men with the help of two boys made upon an average of six bushels a day. Captain Burnett who came from Mississippi and journeyed by the way of the Ouachita, purchased the outfit of one of these men, and with keel boats, brought sugar kettles and negroes there, and under charge of his son, made 30 or 40 bushels a day. Postlewaithe and Burnett used keel boats and sold to Rapides, Opelousas, Pointe Coupee and Natchez settlements. The advent of the steam-boat caused the trade to decline. Drake salt works are famous. During the war between the States, Drake, Prices, Raburns, Weeks and others made salt on the Saline, and furnished this commodity to the people cut off by the blockade.

Benjamin Drake was a native of Georgia, who came to Louisiana at an early date and established a salt works on the Saline. In order to get a greater quantity of water, he contracted with an Irishman to drill an artesian well. The well when finished, failed to supply the quantity of water sufficient. Drake prevailed upon the Irishman to drill another well, agreeing to pay him for both wells. The first well cost \$2,900. The second well proved all right, but Drake then refused to pay for but one well. The driller went to the blacksmith's shop, took a steel crowbar, worked all night, and made an oval shaped end, just to fit the pipe of the well, and tempered it so hard that no drill could take it, and at daylight went to the well, and dropped it in. He ruined the well, then went his way.

Drake cut a roadway through the Saline lake, and boated lumber out to Red river.

The Grand Ecore are great perpendicular cliffs on the Red river, about four miles from Natchitoches, and that was the sight of an old settlement. After the river cut through the Rigolette de Bon Dieu in 1832, it became a great shipping point, supplying the surrounding country and Texas. A Fort was built on the bluffs during the war between the States. This Fort was at the Sibley-De Rusez old house. This fort was built by the 8th Louisiana dismounted cavalry

of Confederates. The earth works thrown up about 100 yards west, towards Bayou Pierre, were built by the Federals, after the defeat of General Banks by General Dick Taylor, at Mansfield and during their retreat down the river. The battle of Mansfield was fought against orders by General Dick Taylor and General E. Kirby-Smith deserves no credit for the victory. He interfered with General Taylor every way, took Churchill's and Walker's divisions away from him, and ordered them to Arkansas. Taylor would have captured Bank's entire army. General Smith's plan was to surrender all of Louisiana and Texas to the Federals.

Dr. Sibley bought Grand Ecore, and 500 acres of land opposite, built a fine Southern Manor on the bluffs, showing his love of the beautiful in nature by this point for his home that commanded the splendid view up and down the river. This property was afterwards sold to Colonel Louis G. De Rusey.

Campti is the oldest town on Red river, is a fine old town, and is named after an old Indian chief "Campte." It was in remote days, a great outfitting place for North Louisiana and Arkansas territory. The great Raft reached as far down as Campti at the coming of the white men, making Natchitoches the head of navigation. The Indian traditions have it that the Raft originally reached as low down as the Falls at Alexandria.

The Confederate forces fired on Federal transports at Campti, and the Federals shelled the place, burning it up, during the war between the States. At a bridge on a Bayou above Campti, the Confederates from Louisiana and Texas cavalry, cut the underpinnings of a bridge, and decoyed the Federals upon the bridge, when it fell in, the fire ensuing killed 150 Federals. *The Benefit*, a Federal transport was landed about Campti. The crew were out killing stock, and catching poultry. The Confederates surprised and attacked them, and killed 85 men in ten minutes, and wounded as many more.

General Tom Greene, the valiant commander of the Texas cavalry, one of the ablest cavalry commanders in Trans-Mississippi Department, led an attack on Porters fleet at Blair's Landing, and was killed by a shell that struck his horse and exploded. He aided General Taylor greatly in the battle of Mansfield, and Pleasant Hill. He was a noted frontiersman, and one of the Mier prisoners, belonging to that ill-fated expedition.

The Bon Dieu mission was established by the Catholics at the junction of the Carencrow, a branch, and Yattasses, now corrupted to Nantoches. It is where the Ebenezer Camp Ground is now, and

near Montgomery. The houses are built over an Indian grave yard. Victor Rachal, nick-named "Gautto" kept a store there and it was the rendezvous for early settlers and Indians.

After Red river cut through the Rigolette de Bon Dieu, the Church was moved to Creola Bluffs, now Montgomery. Nomite Rachal lived at this place, and a man who acted suspiciously was put off a steamboat, made his way out there and asked for lodging. He was put in a room with a man Nomite had working for him. In the night the man was heard screaming and crying out that the stranger was killing him. Nomite Rachal ran in to see about the trouble, when the crazy man stabbed him with a Bowie knife, ran into the next room, and killed Rachal's wife and two daughters. One daughter escaped by hiding in the chimney. The fireplace was very large, and she stood up in it to escape from the crazy man. She ran then into the woods, and remained hidden a day and a night. Afterwards she became the wife of Whit Curry, and has descendants here today. The crazy man crossed the river, and was caught by Jose Lestache, and Belair Rachal, brought to O. K. Landing, and while crossing the river disemboweled himself with a bowie knife.

The settlement extended from Natchitoches down to Twenty-four Mile Ferry in 1812. An Indian trail extended from Natchitoches across Rigolette de Bon Dieu, at Petit Ecore, thence across the country to Natchez. This old trail passed by Choctaw Springs, south-east of Montgomery, two very large springs on the site of Frazier's old saw mill. This was the camping place for soldiers, French and Spanish.

Petit Ecore was one time the main village of the Pascagoula Indians, their camps extending down into the C. C. Dunn plantation. Louis Charles De Blanc, a white man, was their chief.

Captain Travis Wright began boating with keel boats, in upper Red river in 1820. He went by way of Bayou Pierre around the raft. Captain Isaac Wright began steamboating from Natchitoches to Natchez in 1824. In 1826 Captains Guerny and Wright went down to Rigolette de Bon Dieu in a skiff. The bayou was about 30 feet wide, and very swift.

During the high water of 1832 the waters of Red river cut through and flowed down the new channel. Captain Jackson of the *John B. Laclède*, coming to the mouth ordered the pilot to go through. The pilot hesitated, but Captain Jackson was well up in his cups, and ordered him to go on. The *Pioneer* was right behind, and followed. A steady rain was falling, but no mishap occurred.

Captain Henry Miller Shreve brought the first steamboat into Red river, the *Enterprise*, in April, 1815. The next trip he made to

Natchitoches, the head of navigation in Red river. The *Enterprise* was built at Bridgeport on the Monongahela in 1814, and was of 45 tons burden. Her first cargo down the Mississippi was arms, ammunition and supplies for General Jackson at New Orleans. In steamboat days this will be referred to again.

In 1836, a gay party was in Natchitoches, David Crockett came down the river from Arkansas, on a steamboat, on his way to join the revolutionary forces in Texas. At Natchitoches he was joined by a party consisting of John H. Featherstone, Doc Vennett, Ephraim Tally, Matt Despalie and "Happy" Johnson, the singing Bee Hunter, who parted with his sweetheart Katie, at Nacogdoches. They joined the immortal band of patriot heroes who perished at the Alamo, on March 6, 1836. That is all except Matt Despalier, who came back and was killed by Governor J. Madison Wells, in Alexandria. They travelled through the beautiful prairies of Texas, then in their pristine glory. The first news to civilization of the fall of the Alamo was received at Natchitoches. Mr. Briscoe sent a letter by pony express, and it was published in the *Red River Herald*, B. P. Despalie's paper. Mr. Briscoe lived near the scene of the massacre. The despatch is here given:

"To the Editor of *Red River Herald*:

"Sir:—Bexar has fallen! Its garrison, only 187 strong, commanded by Lieutenant Colonel Wm. B. Travis, after withstanding repeated attacks, for two weeks, and an almost constant cannonade and bombarding during that time. The last attack was made on the morning of the 6th instant, by upwards of 2,000 men under the command of Santa Anna, in person. They carried the place about sunrise, with the loss of 520 killed and about as many wounded. After about an hour's fighting the whole garrison was put to death, save the sick and wounded and 7 who asked for quarter. All fought desperately until entirely cut down. The rest were coolly murdered. The brave and gallant Travis, in order to save himself from falling into the hands of the enemy shot himself. Not an individual escaped, and the news is only known to us by a citizen of Bexar, who came to our army at Gonzales, but the cessation of Travis' signal guns, there is no doubt of the truth.

"Colonel James Bowie and David Crockett were among the slain, the first was murdered in his bed in which he had been confined by sickness. The latter fell fighting like a tiger.

The Mexican army is estimated at 8,000 men, it may be more or less.

“A. BRISCOE.”

A copy of this paper was carried to New Orleans by steamboat “*Levant*” and was the first news New Orleans had of the fall. The schooner “*Comanche*” arrived next day and confirmed the news. It took the news six weeks to reach New York, by sailing vessel, and was published in Horace Greely’s paper “*The New Yorker*.”

Forts: There is a fort on an old unused road below Monette’s Ferry. This old road shows to have been much used, and runs through the woods some distance from Cane river. Standing in the middle of the road and across it is an old fort, with breast-works 30 or 40 feet in circumference. It is supposed to have been built long before the old stage road was laid off, the one that crosses Cane river at Monette’s Ferry. The Ferry was established and kept by Louis Monette, a Spaniard, for many years. The iron cross on his grave states that he was buried in 1804. This old route will be referred to again, in old routes and trails.

A fort was also erected on Sabine river by the French, 150 miles above Natchitoches. So states Major Stoddard.

The Spaniards built a fort at Coche Brake, which is now in Winn Parish, before 1800.

Fort Selden on Bayou Pierre, above Grand Ecore, was established in November, 1820, by companies of the 7th Infantry from Arkansas. They were Arkansas troops, commanded by Lieut.-Colonel Zachary Taylor. The 7th Infantry was withdrawn from that position to a new site, subsequently known as Fort Jessup, between May and July, 1822.

Fort Selden was named after Judge Joseph Selden, who was an officer in the Revolutionary war and afterwards an officer in the regular army from 1812 to 1820, when he was appointed territorial Judge of Arkansas Territory. The following letter gives the location of Fort Jessup:

“Head Orders-Western Department,
Fort Selden, Red River,
March 31, 1822.

“Sir:-

“After making due inquiry and examination of the country between this and the Sabine river, through Lieut.-Col. Taylor, as well as by personal observation, I have selected a

site for cantoning the troops in quarters, which promises the advantages of health, combined with the conveniences of position, for the protection of the settlements upon the frontier. The site selected is about 25 miles south, south-west, from this place, upon a ridge of Red river, and near the road leading to the principal settlements in Texas; and not more than 18 miles from the Sabine river. Having a constant spring of running water (a thing but seldom found in this country) with a dry and airy ridge and sufficient space for public land, with excellent timber for every purpose of building, and fuel for an army of twenty thousand men. I have the honor to be with respect and esteem,

Yours,

Col. James Gadsen,
Adjutant U. S. Army.

EDMUND P. GAINES,
Maj. Genl. Brg. Rivet. Comr.

The old stage road was marked out sometime in the year 1700, the exact date being unknown. It leads from the mouth of Red river by Evergreen, Cheneyville, Alexandria, left Bayou Rapides at Red Store, and passed through the pineries to Monette's Ferry on Cane river through the quaint, though excellent town of Cloutierville, across Cane river at 24 Mile Ferry, on to Natchitoches, Martha-ville, Mansfield and Shreveport.

This old Monette's Ferry, on the stage road was the crossing place of many men and women of fine mould, who formed the character of the Southwest, and also of the vulgar insatiate mass who flood the stage of life on their way to oblivion.

Harriet Beecher Stowe traveled up this old stage route, when she was a young woman. The river was low and there was no navigation. She came to the home of the McAlpin, a northern man who was related to her. Ostensibly she was in search of health, but in reality in search of materials on which to found her notes and lay the plot of the book, famous as "Uncle Tom's Cabin." This was in the hot bed of slavery, and McAlpin, as all northern men, was noted for his cruelty. Her book was published in 1851, and with "The Helper," by a North Carolina man roused the North, and set their minds against slavery. The Dred Scott decision was rendered, and in 8 years the slaves were free. When the war between the States came, and the bloodshed was so terrible, she expressed regret that she had ever written the book.

Events crowded in fast the last few years before the war, to bring about the conflict. How full of pathos and tragedy is the fact that

in 10 years the forces of the North and the South should meet on this identical ground in combat.

The battle of Monette's Ferry was fought on April 23, 1864, by the forces of Generals Taylor and Banks.

Another book that agitated the minds relative to this great question was Daniel S. Corley's "Visit to Uncle Tom's Cabin," on the McAlpin plantation in Natchitoches Parish, Louisiana, which was published in 1892.

Nolan's trail that led out from Alexandria, across Bayou Rapides, through the pineries, across the Comrade and Calcasieu through western Natchitoches Parish, afterwards known as Fairchilds cattle trail, was a well beaten route, worn several feet wide into the earth, by countless thousands of animals.

Carroll Jones kept a stand for travelers on this road, and the old house, with its bullet marked walls, shows the fierceness of the man who journeyed this route, in those days.

Natchitoches was long the gathering place of people on their way to Texas, Arkansas and Southwestern Territories. All roads led to Natchitoches, and many therefrom.

Natchitoches has been the scene of many famous duels in the past. In 1836 a duel took place between W. L. McMillan and George Williams, resulting in the death of McMillan. This duel was fought in January. David Burnett was the friend of McMillan and Adolph Sompysrac the friend of Williams. Dr. F. Johnson was the surgeon.

The celebrated duel between Bossier and Gainnie took place on September 18, 1839. General Pierre E. Bossier through his friends Sylvester Bossier, Victor Sompysrac and P. A. Morse (Democrats) challenged Francois Gainnie of Cloutierville, to fight a duel. The latter's friends, Louis G. De Rusey, F. B. Sherburne, and J. G. Campbell (Whigs) accepted, and chose rifles, as weapons. On the 18th of September previously named, with Dr. F. Johnson and Dr. Dingles, surgeons, and with T. E. Tanzu, Phanor Prudhomme and John F. Cortez present, at the "Savannah" in the rear of Emile Sompysrac's plantation, on Cane river, Gainnie delivered his fire ineffectually, and Bossier shot Gainnie through the heart, killing him instantly. The duel was the result of an affront offered to General Bossier at the residence of Sylvester Rachel, below Cloutierville. General Bossier did not wish to fight but Gainnie posted him as a coward. In connection with the Gainnie-Bossier duel *eleven* persons lost their lives. Sylvester Rachel killed M. Busey, Dr. Normand's clerk at Cloutierville. Breville Perot killed Gainnie's overseer, and

was killed himself on Le Comptes race track. It is said that the wives of the duelists moulded the bullets used in the rifles.

Col. Prickett, U. S. Army officer was killed in a duel by a civilian named Matthews early in the forties. Colonel Prickett's grave on the lonely shores of Sibley's lake, three miles from town, marks the final resting place of all that is mortal of a meritorious army officer, killed one bright spring morning, within a few yards of his tomb. He desired to be buried where he fell, and kind hands placed him there. A few bricks scattered around and a memorial slab mark the final resting place which was not yielded to the mutations of time, even after the lapse of 90 years. In these sombre woods sleeps the soldier of handsome face and noble bearing. He was a noted duelist, and was killed by a pistol shot!

Tanzier challenged one of the officers at Fort Jessup, and the meeting took place. John F. Cortez was Tanzier's second. Capt. Chas. A. May, the wild officer of Fort Jessup used to ride over to Natchitoches daily. His duels were many. This is the Captain May who became famous for his charge with the United States Dragoons at the battle of Resaca de la Palma, with General Taylor's army. He charged the Mexican battery which killed and wounded all of his Dragoons but six. With desperate valor and with drawn sabers they charged the battery again, cutting down all the gunners and captured the battery. At Buena Vista, for distinguished bravery in cavalry charge he was promoted to Colonel.

Juan L. Alamonte the servitor and friend of Santa Anna, passed his early life and young manhood in Natchitoches, where he received his education, and at Campti, where he was in the mercantile business, before he sought fortune and fame in Mexico. He was the natural son of the patriot priest General Morales, sometimes President of the struggling Republic of Mexico. His patriotism cost him his frock, and finally his life. Alamonte was captured by the Royalist forces and sent to the United States in charge of the notorious Ellis P. Bean, and remained in New Orleans for a while. In Campti he was employed with the noted Bernardo Gutierrez, a celebrated and rather notorious character, and when liberty was assured he returned to his people, and with the exception of Santa Anna, no Mexican ever met with a greater variety of adventures. Alamonte was a genuine Castilian. He possessed a charm over all with whom he came in contact; his influence over men and women was remarkable. He joined the Mexican army under Santa Anna and was made prisoner at San Jacinto, and it was due to his pleasing magnetic manner that Santa Anna was saved, when captured by Houston's forces. Bernardo

Guiterez in conjunction with Dr. Long made an expedition that was ill fated. The last that was heard of Guiterez was that he kept a saddle shop in Matamoras.

A history of Natchitoches would be incomplete without a reference to the immortal Timothy Flint and the renowned Judge Henry A. Bullard, a native of Fitchburg, Mass. The latter who had seen service in Mexico as a soldier of fortune, who settled in Alexandria first, afterwards in Natchitoches, presided as District Judge there and was the first President of the Louisiana Historical Society in 1836, and Secretary of State in 1838. Flint was a native of North Reading, Mass., ever reliable, and such an addition to Louisiana, a man whose influence for good was unbounded. He came to Alexandria on the steamboat "*Spartan*" in 1824, and enriched the life and literature of the South beyond measure. He made a trip to Natchitoches in company with Judge Bullard in 1825, and while there witnessed a very sad spectacle. A French surgeon by the name of Dr. Prevost who had been educated in his profession in France, and who came to Natchitoches at the age of 36 years, was treated with unwarranted indignity through prejudice and bigotry. He was arrested and brought to town for commitment to jail, was liberated on a writ of habeas corpus, and conceived a deep seated hatred against a Northern man, the District Attorney named Mills, who had been instrumental in his persecution, and who called him a liar in the course of an altercation. Prevost challenged Mills, offering him the choice of weapons. Mills declined to fight, whereupon Prevost plunged a dagger into his heart. Mills died in a few minutes, and Dr. Prevost gave himself up, was convicted on trial and sentenced to be hanged. Three days before the execution Dr. Flint called on Prevost and offered his services as a minister. On the day of execution a cart with a coffin in it was driven to the gibbet. The poor wretch had been confined for months in prison, and was very weak and much emaciated. He had a fine countenance. He was supposed to be under the influence of Arsenic, with which he had tried to poison himself the night before. The scenery of the woods was beautiful, he gazed long at the enchanting prospect before him. The scene of his execution was pitiful, merciless in the extreme, where justice should have been tempered with mercy!

Dr. Flint visited Fort Jessup. Colonel Many who commanded the Fort had two companies of United States troops under him. The town of Many, Sabine parish, is named after him.

During the Mexican war, 1846, Governor Johnson called for volunteers and Natchitoches was among the first to respond. S. M.

Hyams raised a company for the 5th Louisiana Volunteers, and was commissioned as Captain. The Mexican war veterans held a meeting in April, 1879. The commission of E. Vallery De Blieux, as Lieut. of Co. B, Peyson's Com. National Guard was read. Among resident settlers who were veterans of the Mexican war were Theodore Hertzoc, Samuel Parsons, W. P. Morrow, E. J. Cockfield, J. J. A. Martin, James Allen, M. C. Brossett, E. Lavasseur, Emile Vienne, Captain Samuel M. Hyams, William Airhart, Dr. R. C. Richardson, Louis Duplex, Josiah C. Scarboro, John Rockwood near Many, and Ben Prevost of Mansfield.

The United Confederate Veterans association of Central Louisiana, was organized in 1887, with Major H. Van McCain of Grant, as President, R. C. Jones of Winn, Colonel David Pierson of Natchitoches, J. F. Smith of Sabine and C. C. Nash of Grant as Vice-Presidents. J. Matt McCain of Winn was Secretary, W. E. Russell of Natchitoches as Treasurer. G. L. Trichel and T. Haller Natchitoches, J. F. Kelly and Will A. Strong of Winn, W. W. McNeely and D. W. Self of Sabine, J. T. Pierson and J. W. Sandiford of Red River as executive committee.

Captain Isaac Wright commenced steamboating from Natchitoches to Natchez in 1824. Boats running to Natchitoches in 1844 were the "*Cote Joyeuse*," Captain Peter Dalman; "*Beeswing*," Captain Hiram Wilson; "*Frontier*," Captain Joseph H. Sands; "*Planter*," Captain M. Ludwick; "*DeSoto*," Captain P. F. Kimball; "*Nathan Hale*," Captain A. Benoist; (1859): "*Peerless*," Captain Jno. C. Dowty; "*Rapides*," Captain C. J. Barstow; "*Piota No. 1*," Captain E. Parker; "*Piota No. 2*," Captain E. Parker; "*John Linton*," Captain P. F. Kimball; "*D. R. Carroll*," Captain William Kimball; "*Leona*," Captain R. B. Roberts.

The *Piota*, "Parker is obliged to all" the name carved, was the finest boat ever built for Red river, and was burned on her second trip. Captain E. Parker built another "*Piota*," but the loss of the first broke his heart, and he soon died after. The steamboats to ply in the Grand Ecore trade were the "*Hexla*," "*Cora*," "*De Soto*," "*P. F. Kimball*," "*Peter Dalman*," "*Sidonia*," "*Joseph Holden*."

They were large side wheel boats, with engine cylinders, 24 to 26 inches in diameter. Captain John Smoker ran in the Grand Ecore trade, but left the Red river after the war and went on the Mississippi, and ran the "*Governor Allen*" and several other boats.

Captain Justin J. Campere ran the "*Bride*" in the Grand Ecore trade but it exploded a boiler at Monette's Ferry, and was carried to New Orleans for repairs. An incident happened in 1848 which

promised to result seriously. The "*Belvedere*," bound for Texas, under Captain John Ludwick, in December, 1848, took on board 150 emigrants from Alabama, Georgia, and South Carolina. The night after leaving cholera broke out among the passengers, and many of them died. Arriving at Grand Ecore, the Captain decided to put the balance off and let them make their way through the pines to Texas. In putting them ashore the mate made a great mistake, and put off a corpse with the freight. The Captain knew nothing about this. The boat continued on its way to Shreveport, and on the return trip landed at Campti, and was informed by Mr. Hart, their agent, that there was a large body of men at Grand Ecore, armed, waiting for the "*Belvedere*," vowing vengeance, and intending to shoot the mate and the Captain, for putting off a corpse of a person who had died of cholera. The boat went down the river slowly, and waited till dark, screened the fire doors, extinguished the lights in the cabin, and passed down on the farther side of the river, thus escaping the angry mob. Captain Ludwick did not make the next trip on the boat to Shreveport, but engaged Captain Levin W. Cooper to make the trip for him; in fact he left the river altogether.

Just about the opening of the war between the States the "*Sidonia*" put off on one trip between the mouth of Cane river and Guerney's Landing 262 casks of wine. Oh! The Good Old Times!

The boats that ran in the Grand Ecore trade would go up Cane river and come down the Rigolette de Bon Dieu. At the outbreak of the war the boats that were running in the Grand Ecore trade were the "*Comet*," "*W. Burton*," "*St. Nicholas*," "*Peerless*," and "*Rapides*." After the war the "*Alabama*," "*National*," "*Frolic*," "*B. L. Hodge*," "*Sabine*," "*St. Mary*," "*Rapides*," and the "*Jesse K. Bell*." Captains John Hines, Richard Sinnott, John Mitchell, and others ran them for years.

One of the most terrible disasters occurred on May 19, 1833, when the "*Lioness*," a large side wheel boat was blown up, on or near what is now known as the Lioness Bar, one mile below the mouth of Cane river, and in the bend below where the town of Colfax now stands and at a point in the river known in olden times as Cuney's Point. The catastrophe happened at an early hour on a beautiful Sabbath morning. Hon. Josiah S. Johnson, U. S. Senator from Louisiana, was killed. The boat was commanded by Captain William L. Cockrell, and was bound for Natchitoches. The mate, it is said, was drunk, and being severely reprimanded by the Captain went down in the hull, and fired some crates which contained straw. Several barrels of powder were stored in the hole for the Texas Revolution-

ists. Three distinct explosions were heard. The boat had powerful machinery, and was running very rapidly. All the upper decks were blown off, and fell in the river partially intact. The explosion played havoc, many were killed and wounded. Judge Michael Boyce of Alexandria was killed, and Henry Boyce was wounded. The hull, from the force with which the boat was running, continued moving, and was carried by its own force across the river, where it struck the opposite bank, turned over and sank. Part of the hurricane deck and ladies' cabin remained intact, floating. Judge Edward D. White was struggling in the water, badly wounded, close to the ladies' cabin. A lady drew off her night robe and threw it to him, and pulled him aboard the wreck. He was saved, and the wreck floated to upper Falls before they were rescued. The noble woman, who saved Judge White's life, has many descendants in Rapides parish today. The boat's bell was blown across the Darro, 3 miles from the river. The chamber-maid was blown across the lake, southeast of Colfax, where the Iatt Mills now stand. She had both thighs broken, and succumbed. The wounded from Natchitoches were Michael Coglan, J. V. Bossier, and M. Dupen. Captain Isaac Wight, the pilot was hurt.

The "*De Soto*," Capt. P. F. Kimball, running in the Natchitoches trade in 1845, collided with a Ouachita packet, the "*Buckeye*," in the night, in Old river, at Turnbull's Island, and 85 people were lost on the *Buckeye*. The Natchitoches was a Red river packet, and the Cloutierville sank in Cane river. The Natchez hurricane, on May 6, 1840, swept over the Southern part of Natchitoches Parish, coming from the Southwest, originating in the Gulf of Mexico. The day following, May 7th, another followed, in the identical path of the other. Unparalleled was the destruction of this hurricane. For miles the view was unobstructed, the timber was all destroyed, and at Pierre La Butte Bluffs the top soil was all blown off in places for several feet. The matter in the soil that supplied the arborescent fibre was blown away or destroyed, and the timber to this day, is a stunted diminutive growth, although it has been 80 years since the storm occurred. The violence of the storm passed about half a mile below the mouth of Cane river, and its path crossed Red river. Eli Du Bois and Landry Carasco were blown across river, and lodged in a thorn tree, unhurt. A cart and yoke of oxen were blown across the river, and were unhurt. The track of this destructive hurricane, crossed Iatt Lake and Suoffords Creek, and the effects of it are visible today. At Natchez the destruction was awful. Several steamboats were destroyed. The "*Hines*" was blown out

into the river, and capsized, and the crew and all the passengers were lost, except four. The wreck of the "*Hines*" was afterwards found at Baton Rouge, with 51 dead bodies on board, 48 males, and 3 females. Among the latter was a little girl of three years. The "*Prairie*" just arrived from St. Louis, the whole upper deck was blown off, all passengers and crew were blown into the river, and drowned, among the number four ladies. The wharf boat and two hundred flat boats sank, and many lives were lost. Four hundred people were known to have been killed.

Some of the most prominent men both civil and military, have been stationed and identified with Natchitoches. Among the first commanders of the post at Natchitoches under American regime, were Captain Turner, Colonel Cushing, Major Woolstencroft, Colonel Freeman, the explorer; General Wilkinson who commanded the United States forces under the Spanish aggressions; General Herrera, who commanded the Spanish forces. He was a refugee from Mexico during the Revolutionary days of 1824, and spent some time at Prudhomme, on Cane river. General Zachary Taylor, who afterwards was President of the United States, came from the people, and the ranks. The English regarded Andrew Jackson and Zachary Taylor as the truest type of soldier that America produced. The "red tape crowd" at Washington hated Taylor, and threw every obstacle in his way, after his repeated successes in Mexico, hoping to hinder him. His veterans were taken and given to Scott, with the hope of crippling him, and ruining him. He fought 5 to 1, and then 2 to 1. With his troops who possessed that indomitable American spirit he conquered all. The people made him President. At Buena Vista he made an address to his troops. "Go in my boys, and win," were his last words. He stood by with tears streaming down his furrowed cheeks and saw his men reap the victory.

General Many, stationed at Fort Jessup, General Edmund P. Gaines, were among the officers at Fort Jessup, and accompanied General Taylor to Mexico, rendering valuable service, becoming famous in military circles. There were also Generals Twiggs, Worth, Wm. O. Butler, Captain Braxton Bragg, whose battery won the day at Buena Vista, and who became Major-General in the Confederate army, Major Ringgold, artilleryist, killed at Palo Alto, Colonel John Coffee Hays, renowned Jack Hays, commander of famous Texas Rangers, Jefferson Davis, Colonel Mississippi regiment, Senator from Mississippi and President of the Confederate States, General Dick Taylor who defeated Banks, at Mansfield during the Red river campaign, General Albert Sidney Johnston, whose untimely

death at Shiloh lost that battle to the Confederacy, General Grant, commander in chief of Federal armies, Sheridan and Sherman, who made war on defenseless women and children, who acting like vandals, burned houses over their heads, General Robert E. Lee, commander in chief of Confederate armies, Longstreet, Loring, Beauregard, Pillow, Nicholls, Blanchard, Percival F. Smith, all Generals. Let us add Sam Houston, one of the ablest statesmen and soldiers that America has produced, Dangerfield, Austin, Joseph H. Hawkins, colonist to Texas, General Tom Green, commander of Texas Cavalry, General Camille Polignac (French) in command Confederate troops in Trans-Mississippi Department, General John G. Walker, commanding Walker's Division Trans-Miss. Depart., General Parsons, Brent, the former in command of Texas troops, the latter artilleryist, and cavalry commander Trans-Miss., Dept. General Ben McCulloch, famous ranger and Indian fighter, in command of a brigade of Arkansas, Texas, and Louisiana troops, under Price, in Missouri, and who won the battle of Oak Hills.

The Federal General, Lyons, boasted he would sleep in McCulloch's tent, at Oak Hill. He did, but he was dead! McCulloch was killed at Elk Horn tavern, Missouri. McIntosh was also killed at Elk Horn. General James Shields, Mexican war veteran and Federal General in the war between the States, was shot through the lungs in Mexico with a copper bullet, which was handsomely polished, and driven out of Shenandoah Valley, by Stonewall Jackson. Marcy and McLellan, who started from Natchitoches to explore Red river to its source, missed it, stopped in Palo Duro Canyon in Texas, when the fact is it heads at Red River Springs, near Taos mountains. 121 miles from the Sante Fe, New Mexico. Marcy became Secretary of State, and McLellan, Major General in Federal Army. Governor Henry Watkins Allen and a host of others would swell the list to a great length.

At the mouth of Cane river, lived Madame Boulard, the strong woman, who kept a store there. She was possessed of prodigious strength, and it is related of her that she could catch a whisky barrel by the chimes, place her knees against it, and put it up on the counter. No ordinary man could withstand her strength.

Meredith Calhoun who had a sugar plantation on the opposite bank of the river, accused her of selling whiskey to his hands, and buying surreptitiously sugar and molasses from them. He sent his overseer to her with a number of his negroes, stripped her naked, and turned her loose in a flat-boat. It took nine negroes to do this.

She sued him, got judgment against him, and it cost his heirs Smithfield plantation, 1,000 acres of land, to satisfy the judgment.

The great floods, overflows and droughts, in 1782, 1797, 1811, 1815, 1817, 1823, 1828, were extraordinary and long continued, the greatest ever known, and built up all the high lands in Red River Valley, as in Cane, Red, Rapides, and the Island. Apalachie Island, that on which Colfax stands, was made by this overflow. Then came 1832, 1836 with very low water in 1837 and 1838, flood in 1840, 1844, and 1849 very high. 1866, 1867, 1884, 1900, 1902 and 1908, very high. The ten months drought came in 1855. Lakes, bayous and springs dried up. Corn sold in Natchitoches at \$5.00 a bushel in gold.

March 22, 1844, a cold wave came, killing timber trees that had sprouted, and calves and fowls died from the cold.

The second edition of the flood from which Noah was saved, descended June 16, 1886, when 28.58 inches of water fell in 24 hours. Nearly two and a half feet of water fell at that time, and the river rose 27 feet and 10 inches, and ran up stream to Grande Ecore. There are many ox bows, or cut offs, old ancient beds of Red river, that form a very interesting study. In Marcellan Ferrier's field at the mouth of Cane river, is an ancient bed of Red river, made there ages ago. In Gasparite La Cour's old place, now owned by Dr. Wise, that lies below Monette's Ferry, are two old beds, silent mementoes of the past. They hold a great body of still water, with Cypress trees hundreds of years old growing in the bed. Old Red river, cut through Cane river, and left Old river about 1765. No exact information can be had on the date. Scopine's Cut Off is ancient. Two cuts are below St. Maurice, one, age not known, the other in 1884, in Johnson's bend. Fausse river is about Rukey Island and Bayou Brule, and the old bed of Red river is not known. These changes in alluvial land rivers are frequently made. (As stated previously, Red river cut through Rigolette de Bon Dieu in 1832.)

The first newspaper printed in Natchitoches was in French and Spanish. In 1860 *The Natchitoches Union* was published in French and English by Ernest le Gendre. At his death in 1862, Louis Duplex took charge as editor. The Federals took possession in 1864, and issued the paper after Bank's defeat and retreat. Louis Duplex took charge and ran it till 1872. On April 5, 1864, *The Daily Union* was issued from the Government Office. After 1872 Duplex discontinued the paper, James H. Cosgrove bought the press and type and in 1877 sold them to "*The Winnsboro Sun.*" The Natchitoches "*Speculator*" was issued by John H. Hewett, in 1867, and discontinued in 1868. Mr. Cromie bought the press and issued the

"Red River News." L. H. Burdick became owner in 1870, and continued till 1874. "*The Record*" was issued later and Dan W. Hubley published the "*Republicans*."

"*The Peoples Vindicator*" was issued by James H. Cosgrove on June 12, 1874. This was the fighting paper for white supremacy, and was a power in the land, fearless and well edited. Cosgrove was the Ajax Telamon of the Democrats. He was well fitted by experience, training, and special adaptation. His association with characters on the frontier of Texas, his being an omniverous reader, close observer, and of an analytical mind, enabled him to imbibe the spirit of the times. His editorials were terse and florid. He had been a Texas Ranger, and afterwards a member of the 4th Texas Infantry, Hood's Immortal Brigade of the Army of Northern Virginia.

In 1881 the office of the "*Vindicator*" was sold to Phanor Breazeale, and on March 29, 1884, it was sold to Charles V. Porter. "*The Natchitoches Register*," June, 1880, was issued by John E. Hewett. "*The Democratic Review*," established May 13, 1833, by Charles V. Porter, in 1887. Thos. J. Flanner was editor. In 1888 James H. Cosgrove became editor, and proprietor, and in 1883 wrote the "Race Problem," which was one of the most powerful essays on this subject that was ever written; a classic on this burning question of the present time, which disturbs the equanimity of the nation. Cosgrove brought the "*Review*" to the front rank of Louisiana journalism. "*The Enterprise*" was issued in 1888 by H. P. Breazeale. "*The Natchitoches Times*" established by Milton Cunningham, succeeded a paper published in former times by C. J. Puckette. "*The Robeline Reporter*," was established in 1883, "*Martha's Bulletin*" at Marksville in 1888. "*The Red River Herald*" was published by B. P. Despalier in 1836, and "*The Red River Gazette*" published in 1837.

Now comes the terrible period of the war between the States, in which so many valuable lives were lost, a test of the military spirit of the United States! The valor of all the races of the earth was tried in this melting pot. The North American Republic is a powerful warlike nation. Would that we could draw the veil over this dark period that spread over our fair and beloved land! We do not get behind the spirit of hate, and neither is ours the joy of fear, which is that of a coward. The glory of our Southern arms can never be forgotten, and we fought to exhaustion to uphold State Rights. As General Gordon said "we fought to a frazzle." Different causes have been assigned for the war. Differences in construction placed upon the Constitution, elemental rage, State Rights, Slavery, an economic and social factor on the integral part of our lives in the South. There

was agitation North and South, and we were drawn into the terrible maelstrom of strife. It is not the province of an historian to be partial. For every tear shed by the colored man, a toll of a drop of blood was taken from the white man of the North and the South. The halls of Valhalla are ours, yet we drink not of the waters of Lethe!

*“Tongues of the dead not lost,
But speaking from death’s frost,
Like fiery tongues of Pentecost!”*

Thousands of mystic voices out of the past, whose graves are made sacred to us by the sacrifices they made, call out to us to remember. On the beautiful Confederate monument in the Court House square in Alexandria is an inscription which reads, “Beside each Southern soldier walked a woman, unseen.” Nothing can be more inspiring and patriotic than this one sentence.

Twelve companies left Natchitoches parish and joined the Confederate army. The assignment of the commands of 11 are known, but of the 12th no record can be found. The Le Compte Guards were organized in April, 1861, with William M. Levy as Captain, later he became Colonel. Ross E. Burke, 1st Lieutenant, became Colonel, J. F. Scarboro, 2nd Lieutenant, S. B. Robertson as 3rd Lieutenant. This company left on the “*Rapides*” April 22, 1861, and was mustered into the 2nd Louisiana Infantry, Army of Northern Virginia. Only 17 men were left to be mustered out. They went in 107 strong. The sergeants were T. P. Chaplin, G. P. Rains, L. D. Johnson and Geo. W. Kearney. The Corporals were W. A. Holdon, E. J. Miles, S. J. Kearney, A. W. Hamilton, and Smith Noel was standard bearer. C. Hamilton was surgeon. Captain Levy at the time of his enlistment was editor of the “*Chronicle*.” Co. D, Pelican Rangers No. 1, organized in Natchitoches parish and mustered into service May 17, 1861, in the 3rd La. Infantry. J. D. Blair, as Captain resigned his captaincy in 1861. S. D. Russell, 1st Lieutenant was promoted to Captain. W. E. Russell, 2nd Lieut. promoted to Colonel. S. M. Hyams, Jr. 2nd Lieut., elected Lieut., Colonel of a Cavalry Regiment. B. P. Morse, 1st Sergeant, chosen 2nd Lieut. in May, 1862. B. P. Walmsley, 2nd Sergeant, Fred W. Airy, 3rd Sergeant, afterwards Captain in another regiment. J. H. Peters, 4th Sergeant. This company suffered severely at Vicksburg. T. Cobb, H. V. C. Edmonson; W. W. Gandy and R. C. Hammett, killed. O. La Plante, died of wounds at Iuka and J. Williamson was killed at Oak Hill. Co. G, Pelican Rangers No. 2. These two

companies were originally one company, too large and at Camp Moore, was divided. This company also was mustered into service in the 3rd Louisiana Infantry. Hebert's Regiment, Captain David Pierson of the Winn Rifles was afterwards Colonel of the 3rd Louisiana. W. W. Brazeale was Captain of Pelican Rangers No. 2, until September 24, 1861. W. O. Brazeale, 1st Lieut., G. W. Hollaway, 2nd Lieut. Both resigned before the close of October, 1861. L. Caspari, 2nd Jr. Lieut. promoted to 1st Lieut., and to Captain in February, 1862. W. B. Butler, 1st Sergeant was promoted to Captain May 2, 1862, and P. L. Prudehomme, 2nd Lieut. and J. C. Trichel, 3rd Lieut., J. A. Dearbonne, 4th Corporal and F. Charles, 5th Sergeant. The latter died at Maysville, Ark., September 14, 1862. B. B. Brazeale, 5th Sergeant, Frank Gaiennie, 1st Lieut., James W. Morse, 2nd Lieut., and K. Esby, assistant Surgeon. The list of the deaths as given by Tunnard in his report is as follows:

Placide Bossier, killed at Oak Hills; V. Bordinare, Castilian Springs. October 3, 1862: C. H. F. Shroeder and B. F. Warner, Elk Horn, and John M. Tauzin at Iuka.

The Natchitoches Rebels organized at Cloutierville with soldiers from all over the parish, September 9, 1861. Capt. John D. Woods, W. P. Owens, 1st Lieut.; Theodule Laltier, 2nd Lieut.; Emile Cloutier, 2nd Jr. Lieut.; Samuel B. Shackelford, 1st Sergeant; T. J. Foster, Felix Sers, J. C. H. Nemitts, and Ed. B. Roper, Sergeants; Joseph Gallion, A. B. Cunningham, J. A. Clark and L. P. Fontenot, Corporals, and W. A. Jenkins, musician. Among the privates were L. L. Lynch, Chas. J. Bertrand, P. Rabelais, M. Vickers, C. Vercher, three of the Hertzoc family, and six of the Rachal family. Captain John D. Woods was the Dr. Woods of Cloutierville, a native of Virginia, and he was killed at Shiloh. The 16th, 17th, 18th Crescent and Orleans Guards commanded by Leon Querrouzes, composed a brigade. In a fight with Federal gunboats on the Tennessee river seven or eight of the men were killed. At Shiloh the company went into the battle with 42 men, and 26 were killed and wounded. Emile Hertzoc, John Kile, two Reids from Maryland, John Ray, B. Procelle, Adolph Sers, Justin Sers. Among the wounded were A. Anti, Ben Rachal and others. Among deaths in camp were Felix Sers at Pollard, Ala., Ed. B. Roper, Corinth, Miss., Valery La Çaze, Corinth, Louis Auti, Tupelo, Miss., Chas. Gallien, Arnault. This regiment with the Crescent was transferred to Trans-Mississippi Department, and became Mouton's Brigade, and participated in all the battles on this side of the river.

Prudhomme Guards, 5th Company, 26th Louisiana Infantry, Hall's Regiment. Octave V. Metoyer, Captain; G. W. Cobb, 1st Lieut.; Seneca Pace, 2nd Lieut.; L. A. Bossier, 2nd Jr. Lieut.; Francis M. Evans, 1st Sergeant, died in camp. Alex. E. Lemee, 2nd Sergeant; J. M. Durrett, 3rd Sergeant; R. S. Nash, 4th Sergeant.

Sixth Company.—27th Louisiana Infantry, L. L. McLauren, Captain, promoted to Colonel, killed at Vicksburg; Sam Rains, 1st Lieut. No further record of this company.

Seventh Company.—2nd Louisiana Cavalry, W. G. Vincent, Colonel, called this regiment His Hell Roarers.

Brazeale's Partisan Rangers, Battalion:

First Company.—W. W. Brazeale, Major; J. Alphonse Prudhomme, Lieut. and Adjutant; J. D. Blair, Captain; B. F. Chapman, 1st Lieut.; W. F. Caphart, 2nd Lieut.; F. L. Grappe, 2nd Jr. Lieut.

Second Company.—W. W. Brazeale, Captain; Listan Langlois, 1st Lieut.; W. P. Gallion, 2nd Lieut.; J. J. Bossier, 2nd Jr. Lieut.; W. D. Hawkins, 1st Sergeant; A. F. Armand, 2nd Sergeant; P. F. Rachal, 3rd Sergeant; F. P. Lattier, 4th Sergeant.

Third Company.—F. A. Prudhomme, Captain; Will B. Champ-lain, 1st Lieut.; E. St. Ann Prudhomme, 2nd Lieut.; C. F. Drauguet, 2nd Lieut. Jr.; Daniel S. O. Quinn, 1st Sergeant; Norbert Rachal, 2nd Sergeant; J. F. St. Aman, 3rd Sergeant; St. Denis De Blanc, 4th Sergeant.

Fourth Company F.—A. O. P. Pickens, Captain; C. Noles, 1st Lieut.; E. Boatright, 2nd Lieut.; — Ezel, 2nd Jr. Lieut.; D. M. Simmons, 1st Sergeant.

Fifth Company E.—S. C. Furman, Captain; J. F. Scarborough, 1st Lieut.; J. W. Scarborough, 2nd Lieut.; A. V. Carter, 2nd Jr. Lieut.; J. C. Sibley, 1st Sergeant; W. R. Foster, 2nd Sergeant; J. C. Martin, 3rd Sergeant; L. H. Wordham, 4th Sergeant.

The 12th Company, no record of some men from Natchitoches, who were in the 12th Louisiana Regiment, Scott's Regiment and some in Gray's Regiment in 28th Louisiana Infantry.

Natchitoches had five companies in 2nd Louisiana Cavalry. J. A. McWaters, Lieut.-Col.; W. G. Vincent, Colonel; W. W. Brazeale and J. Alphonse Prudhomme, Adjutant.

After the conflict when the soldiers returned home, it seemed that gloom had settled over the land, but it was not for long. The adjustment to changed conditions however, was not easy. W. J. Robbins, (Joe) kept a saloon in Natchitoches. He had been a staff officer of General Henry Gray, 28th Louisiana Infantry. He was a chivalrous gentleman in every sense of the word. In his back room

gathered the veterans of Texas and Louisiana troops, and drank the stirrup cup, standing, to the illustrious prisoner at Fortress Monroe, Jefferson Davis. The glasses were shattered afterward that they should not be used to a less worthy toast. Not one is left of that sacred band.

It required many years to rebuild, after the war, what damage had been done by the vandals, Smith's Brigade, Federal troops loaned Banks by Sherman, who had burned all the residences on Cane river, except a few. They had also burned Alexandria. The beautiful alluvial lands of our valleys are in a high state of cultivation, and present lovely scenes of sylvan nature, disfigured only by miserable cabins, which dot the way. Our uplands are fine and settled by a thrifty independent people. There are fine springs and creeks of limpid water flowing over the land. In early days an interminable forest of fine timber, and cane brakes covered the land. Numerous lakes and bayous, magnificent rivers flow through our borders, on their way to the Gulf. With regard to the state of social condition that formerly prevailed, we had a refined state of society founded upon education, blood and property, an aristocracy that when property is destroyed or lost through adversity, the mark of good breeding and refinement is ever present. The aristocracy, Parvenue aristocracy, that is founded on property alone, depends upon bars, bolts and sheriff, and when property is lost quickly sinks to the level of the vulgar.

February 17, 1920.



THE STORY OF THE ANCIENT CABILDO*

By Charles Patton Dimitry

In all the vast region that once constituted the French colony and the Spanish province of old Louisiana and the larger part of which including the "island of Orleans," and this city, which was situated in it, by the "treaty of purchase" of 1803 became American territory, there is no building with which are associated memories of greater historical importance to the people of the Mississippi valley than the Cabildo, which is opposite Jackson square, the old colonial "Place d'Armes." For it was in the Cabildo that for five or six years, or from the time of its erection, about 1798, to the hour of the transfer of Louisiana by France to the United States in 1803, the very illustrious Cabildo, "or Supreme Council of Louisiana," with the governor presiding at its head, held its sessions in the closing years of the Spanish occupation of old Louisiana, and in this venerable structure also was it that, as the year 1803 drew to its close, the representatives of Spain transferred the province of Louisiana to France, the representative of which, a few days later, in the same chamber, delivered the province to the United States, which had acquired it from France by purchase.

These are the imperishable and never-to-be-forgotten memories of the past which cluster around the rather plain looking building, with its mingled Tuscan and Ionic orders of architecture, which fronts the upper corner of the old "Place d'Armes." But there are other memories than those of the distant past that gather about the Cabildo and its vicinity, for in its adjoining St. Louis cathedral, its nearby presbytery building, and its opposite historic public square, one may read an abstract and epitome, as it were, of the history of city and State for a century past.

In this aspect of its varied interesting historical associations, therefore, we must contemplate the old Cabildo as a silent witness of and actor in those more recent years of the Civil War of 1861-65, and the still more recent days of the Spanish war, for in those stirring epochs in the history of Louisiana and her sister States, the Cabildo, waking from its Rip Van Winkle sleep of decades, saw the march of American soldiers deploying under two flags, as it had seen in

*From the New Orleans Picayune. c. 1900.

1814-15 the march, under one of these flags, the united country's banner of victory and renown, the march of Jackson's heroes to meet and defeat Pakenham's invading troops on the plains of Chalmette.

It seems, therefore, eminently befitting that an American president, the incumbent of the exalted position of chief magistrate of the United States, and himself a man of lofty character and purposes, should receive in this building the testimony of the respect of the community of the chief city of Louisiana and the South.

The Cabildo, or "Supreme Council of Louisiana," was organized in 1769 by Alexander O'Reilly, the Irish second Spanish governor of Louisiana, who came to New Orleans as the representative of Spain in the year mentioned with a powerful military and naval armament to succeed Antonio de Ulloa, the first governor of Louisiana sent by Spain after Louis XV had ceded the colony to Charles III of Spain, as a free gift, by the treaty of Paris, of 1762-63, and also to mete out a sanguinary vengeance upon the chiefs of the revolutionary movement in New Orleans, which was organized to protest to Louis XV against the transfer of Louisiana to Spain, and to take steps to compel Ulloa to leave the colony as "persona non grata" to the French, former subjects of Louis.

The French "Superior Council," as it was called, was the body which had preceded the Cabildo, and as it had issued the order commanding Ulloa to leave New Orleans and Louisiana within three days' time, one of O'Reilly's first acts on his arrival in New Orleans was to abolish this body, which had been the legislative council of Louisiana from the time of its organization by the "Company of the West," shortly after that enterprise received from the French crown in 1717 its charter granting it the monopoly of the trade and commerce of Louisiana, O'Reilly replaced the defunct "Superior Council" with the "Supreme Council" (Cabildo), over which he himself presided. The Cabildo continued to be the governing council of the province during the Spanish control and up to the time of its abolishment, after the transfer of Louisiana to the United States. The former session of the "Supreme Council" in the Cabildo building associated the building itself in the minds of the community with the body that formerly met in it to deliberate. Thus it is that, as the building has survived by nearly a century the days of the "Supreme Council of Louisiana," it has continued to bear in the minds of the people of this city the appellation of "the Cabildo."

The Cabildo building was erected about the year 1798 by Don Andrés Almonaster y Roxas, a rich Spanish resident of New Orleans

of that day, whose daughter and only child, the Baroness de Pontalba, built fifty years ago the two rows of massively constructed three-story brick buildings, which form striking features of St. Peter and St. Anne streets, fronting Jackson Square. Mme. Pontalba, who greatly admired General Jackson, also beautified the old "Place d'Armes," the ancient parade ground for the troops of the garrison during the French and Spanish régimes, and by her influence induced the city council of New Orleans to change its name to that which it now bears. Mme. Pontalba also assisted materially out of her great fortune in securing and paying for the equestrian statue of General Andrew Jackson which now stands in the center of Jackson Square, on the spot where stood the flag pole from which was hauled down the French flag to make way for the American flag on the memorable transfer of Louisiana by France to the United States.

Almonaster was a liberal and charitable man, and he founded several charitable institutions of the city during his day. After the great conflagration of 1788, which laid New Orleans in ashes, more than 900 houses of the town having been consumed in its course, he offered to build, at his own expense, a handsome church to replace the parish church which had been destroyed by the flames, and which, since the year 1724, in which year it was built, had been the only place of worship in the town, on the guarantee that he should receive the contract to build the two buildings which now stand on either side of the cathedral and separated from it by only a narrow paved alley. One of these buildings was the Cabildo building, and the other was the presbytery. The Spanish provincial authorities accepted Almonaster's proposition, and the result was the erection of the present St. Louis cathedral, which was completed about 1794, and the other structures. The memory of the pious and philanthropic Don Andrés is still commemorated by the offering of masses in the cathedral every Saturday evening for the repose of his soul and by the tolling of the cathedral bell as the sun sets on that day. Almonaster's remains are buried under the floor of the cathedral near one of the side altars.

The Cabildo building is two stories high, the lower story of the Tuscan, and the upper of the Ionic order. Among its historical associations within the American period is one connected with the visit of Lafayette to New Orleans in 1825, on the occasion of his tour of the country as "the nation's guest," in that and the preceding year. It was in that building that the reception rendered to the distinguished Frenchman by the citizens of New Orleans took place.

The crowning event in the history of the Cabildo was, however, that of the ceremony of the transfer of Louisiana by France to the United States after the treaty of purchase between the two countries, by which France received from this country \$15,000,000 in consideration of her relinquishment to the United States of all that part of the former French colony of Old Louisiana which Louis XV had given to Charles III of Spain, by the treaty of Paris of 1762-63, and which had been returned by Spain to France by the convention between the two powers of 1800, in which year the first consul, Napoleon Bonaparte, by "moral suasion," perhaps, but more probably by secret intimidation, induced Spain to transfer to France the fine province of Louisiana, without, practically, any consideration. But there can be no doubt of the motives of Bonaparte in his policy of securing Louisiana from Spain and then making a treaty with the United States for the sale of the new easily-acquired territory for the sum of \$15,000,000, which he was finally induced to accept, together with some other favorable provisions, although he originally demanded a much larger amount of compensation as the purchase price. For Napoleon, then first consul, and practically master, of France, doubtless was conspiring, if not actually preparing, for the establishment of the empire, with himself as emperor, and he needed just at that particular time about that much money wherewith to gratify his ambitious designs of imperial personal aggrandizement, which he knew could be obtained by the sale of Louisiana, if it could be secured from Spain, to the United States, the government of which country, he was aware, desired to possess it and was willing to pay a goodly price for its acquisition. When, by the conquest of Canada and all the French islands in the northeast of the continent, England was in a position to dictate to France on the subject of the possession of Louisiana, France was forced by the treaty of Paris of 1762 to surrender to England all that part of her colony of old Louisiana lying east of the Mississippi, together with Mobile and the province of West Florida, of which Pensacola was the capital. France reserved on the east bank of the Mississippi the "island of Orleans," in which was included New Orleans, which had been founded in 1718 by Bienville to be the capital of Louisiana. But as the crown of France, fearing England more than it loved Louisiana, was led, in the succeeding year, to offer to cede to Spain the rest of Louisiana, viz. the "island of Orleans," and all that part of its colony lying west of the Mississippi river, from the Gulf of Mexico to the uttermost north of the continent, Charles III of Spain, who also feared that England ultimately would take possession of

this region, was reluctant to accept this magnificent but dangerous gift from his relative, Louis XV. Finally, however, he accepted the gift of the province, and the Spanish domination of Louisiana began.

O'Reilly, to continue the progress of events that finally led to the purchase of Louisiana, was succeeded as governor by Unzaga, and Unzaga, in 1777, by Bernardo de Galvez, the man who was destined to prove, next to Iberville and Bienville, the most conspicuous figure in the story of Louisiana of the eighteenth century, for it was he who, while scarcely 23 or 24 years of age, in two brilliant campaigns against the English east of the Mississippi, in Mobile and in West Florida, dispossessed England of all the territory that France had surrendered to her by the treaty of Paris of 1762-63.

With the disappearance of England's authority from the North American continent as the result of the victories of Galvez in the southwest, and the triumph of the patriots of the American revolution in the east and northwest, the only European power that remained on the continent that seemed to impede for the moment the progress of the republic of the United States was Spain, which now was in possession of all the country west of the Mississippi, even as far as the Pacific coast, and of a considerable part of that lying to the eastward of the river, included in which was all that part of what is now the State of Louisiana, east of the Mississippi, which had been ceded to England by the treaty of Paris.

The day, however, was fast approaching when the inevitable reckoning which was to be had with Spain was no longer to be relegated to the future. Fortunately, however, the acquisition of all of the Mississippi valley that did not then form a part of American territory by the United States was to be made peacefully, and without the shedding of blood.

The "coincidence"—to apply that term to it—about the beginning of the nineteenth century of the desire of the First Consul Napoleon to acquire Louisiana without cost from Spain, in order to sell it as soon as possible to the United States, the determination of the United States to possess New Orleans and to control the navigation of the Mississippi river at all hazards, and its entire willingness to pay the first consul a reasonable price for the coveted territory, and the fear in which Spain, then rapidly in her decline, found herself, lest the United States not only should take possession of the Mississippi river and its valley, but also should advance thence, as from a stepping-stone, to her ancient territory of Mexico and New Mexico, all these conditions united to make smooth the diplomacy that was to end in the transfer, in the Cabildo, at New Orleans, on

the 20th of December, 1803, from France to the United States of the immense and magnificent region which had been successively the poverty-stricken, neglected and unprofitable provinces of France and Spain, and which was called Louisiana.

The treaty of San Idelfonso between France and Spain by which the king of Spain promised to retrocede to the French republic the province of Louisiana, was framed October 1, 1800, but the first consul Bonaparte, no doubt because of concealed designs of his own, kept the fact of the treaty having been made a close secret. Then, too, there was the fear that England, if informed of what had taken place, and being at war with France, might have swooped down on Louisiana with an invincible fleet, and taken possession of New Orleans.

April 30, 1803, the treaty between France and the United States selling and transferring Louisiana to the United States was signed at Paris. It was under the operations of this treaty that what is known as "the Louisiana purchase" was effected. Mr. Jefferson was President of the United States at the time the treaty was negotiated, and the American representatives in Paris who signed the treaty for this government were James Monroe and Robert R. Livingston. Talleyrand was the minister who conducted the negotiations for France, and Barre Marbois, the French Minister, who signed the treaty. Charles IV of Spain was the crowned dupe of the extraordinary "confidence game" that had been for two years and a half in progress, in which the solitary player was Bonaparte. Charles IV deemed it consistent with his dignity to protest vigorously against the sale of Louisiana. Nothing was said in the treaty, it should be noted, concerning any division of the purchase money between France and Spain. The amount in cash finally agreed upon for the purchase of Louisiana was \$15,000,000. The protest of the Spanish king against the sale of the province went for nothing. As for the first consul, apparently for a time the master of men and events, but at all times the unconscious instrument in accomplishing the purposes of Almighty God, selfishly satisfied with his work, secretive and silent to the end, he declared himself, May 18, 1804, emperor of France. And so that which was appointed to Louisiana had come at last, as certainly as that which was appointed to Bonaparte came to him, when on that hot day in June, 1815, at Waterloo, the covering of Judah was uncovered, and the armoury of the house of the forest was revealed. in the day when the thickets should be cut down with iron, and Libanus should fall. And, further, it was also appointed that on that fateful day of compensations at Water-

loo, the repulsed and routed battalions of Pakenham's army, which suffered the ruinous defeat of January 8, 1815, near this city, at the hands of the Creoles of New Orleans, a regiment or two of the United States regulars, and of many of the Kentuckians, Tennesseans and Mississippians, who entered New Orleans with Claiborne and Wilkinson on December 20, 1803, should have formed the choice nucleus of the English army under Wellington, which humbled the pride and destroyed the power of the man who had paid for his dangerous exaltation out of the sale of Louisiana. And as for Spain, let the retributive justice of Manila Bay and Santiago Bay and San Juan Hill answer. Auspicious, indeed, in all its aspects and conditions was that hour for the little Franco-Spanish city on the Mississippi when the "sons of the American revolution" of that day—sons and grandsons of the men of 1776—who, under the eye of Washington, had compelled the surrender of Cornwallis at Yorktown and who had founded the republic of the United States which their valor, devotion and services had won, should march into New Orleans to hear, as it were, a revelation of the merciful purpose of God sounded by the bell of the cathedral ringing for them a new Angelus, with its solemn, one, two, three.

It was in the Cabildo, in this city, therefore, that the moving political drama of 1800-1803 found its denouement. The building witnessed two transfers of Louisiana in the same year and within twenty days time of each other. First, the transfer of the province by Spain to France, November 30, 1803, and, second, its transfer by France to the United States, December 20, of the same year. M. Laussat had been sent to New Orleans from France as the representative of the French republic during the proceedings of the double transfer, and he it was who received, as the representative of his country, from the Marquis de Casacalvo and Salcedo, the Spanish commissioners, the transfer of the province from Spain. A vast assemblage of the inhabitants of the town—the population of New Orleans was then between 8,000 and 9,000, including a considerable sprinkling of Americans from the "States"—crowded the streets around the "Place d'Armes" and the Cabildo, or City Hall, as it was also called, and filled the windows, balconies and housetops of the houses in the vicinity. On the same day Laussat issued a proclamation to the people of Louisiana, advising them of the transfer of the province to France, and informed them that it was only for a little while that the authority of France should prevail, as in a few days the American commissioners would arrive in the city with troops to occupy it, and that to these commissioners he would re-

transfer Louisiana, under instructions from his government, to the United States. He urged them to be satisfied and to dwell contentedly under the authority of the United States. In a few days the Spanish troops were withdrawn from the four forts, situated at the four angles of the town, and from the fortifications, and the forts and fortifications were manned by a battalion of young Americans, together with some Creoles, who had volunteered their services to preserve order in the town. The Spanish flag had been replaced on the flag-pole in the "Place d'Armes" by the tricolor of the French republic, and nearly every official vestige of the former authority of Spain had disappeared from New Orleans.

In the meantime General James Wilkinson, of the United States army, and W. C. C. Claiborne, governor of the United States territory of Mississippi, who had been named as American commissioners to receive Louisiana from M. Laussat, the French commissioner, were marching to New Orleans with troops to occupy the town in the name of the Republic of the United States. The American military headquarters at that time nearest to lower Louisiana were at Fort Adams, in the territory of Mississippi.

Previous to the entry into New Orleans, Wilkinson, while on his way from Florida to join Claiborne in Mississippi, stopped in New Orleans, where he had an interview with Laussat. Claiborne, as governor of Mississippi, under instructions from the President, had collected a considerable force from the militia of Ohio, Kentucky and Tennessee, to which were added a company of volunteer Mississippi cavalry and several hundred volunteers from Tennessee, the last mentioned having marched to Natchez. The others were assembled at Fort Natchez, and marched with the garrison of that post.

December 10 Claiborne set out with his citizen-soldiery on his way to Fort Adams, en route to New Orleans. At Fort Adams he met Wilkinson, who had just come up from the capital. The troops at Fort Adams were added to the volunteer force, and to the strains of the "Star Spangled Banner" the little army of occupation stepped away lightly, with Claiborne and Wilkinson at their head in the direction of New Orleans.

December 17 the troops approached the town, probably down the old Tchoupitoulas road (now Tchoupitoulas St.) that led to the upper military gate. That night they encamped two miles above the town; that is to say, about two miles above what is now Bienville or Customhouse St. In that day all above what is now Canal Street was open fields or a series of small sugar plantations. The town ex-

tended from east to west from the rue de la Levee, afterwards Old Levee, and now Decatur street, to the rue Burgogne (Burgundy St.), beyond which extended, north and south, something more than a square distant, the ramparts of the town. From this line of fortifications originated the present Rampart St. The street now called Esplanade Ave. was the line of fortifications extending along the lower front of the town. Beyond that, stretching down the river, were more sugar plantations, the nearest being that belonging to the distinguished and honorable Marigny family. In this part of the town, on the site of the present United States mint building, stood the Spanish fort of San Carlos, one of the four forts that defended the approaches to New Orleans from the direction of the river.

Three days elapsed before the American troops entered New Orleans, the intervening days being devoted to the exchange of complimentary visits between the American commissioners and Laussat, who paid their visits accompanied by military escort. On the morning of the 20th of December—memorable day indeed in the history of Louisiana and New Orleans—the streets of the little city, with its compactly-built brick houses, were full of stirring life and animated humanity in motion. Laussat had ordered all the militia companies of the town to be drawn up under arms in the “Place d’Armes” and in front of the Cabildo, in which building, as the City Hall of New Orleans, the ceremony of the transfer of Louisiana was to take place. The cry everywhere was, “To the Cabildo.” The crowds gathered in front of the building and on St. Anne and St. Peter streets and the rue de la Levee, all fronting different sides of the “Place d’Armes.” There were groups also in Chartres street, up and down, in the vicinity of the Cabildo, the cathedral and the presbytery. In the alleys that extended from Chartres to Royal and along the cathedral close the people passed to and fro in a state of expectancy, and yet almost silent, or speaking in low tones of “les Americains,” “les Kaintocks” (the Kentuckians), who were about to take possession of the city that Bienville had founded.

The year 1803 was remarkable in New Orleans for a “renaissance” as it were, in the texture and fashions of the attire of the ladies of the city. Luxury ruled in their costumes, and elegance and taste—so different from the conditions of the preceding few years—gave the climax to their charms, then, as now, incomparable among their sex. Of these, hundreds, together with children, could be seen at the windows of the then comparatively new two-story and attic-houses, two rows of which faced the “Place d’Armes” on St. Peter and St. Anne streets—houses built as dwellings by Almonaster, which

inherited by Michelle Almonaster (Mme. Pontalba) his only child, and which the Madame demolished in 1850 to make way for the present Pontalba buildings.

In the "Place d'Armes" the local militia was drawn up on one side of the square, the side opposite to them being reserved for the incoming Americans. The tricolor still floated at the top of the pole in the middle of the square.

The entering American troops were met at the southeast gate of the town by a company of militia grenadiers. "Who come here?" "Friends with the counter-sign." "Advance one friend and give the counter-sign." "The counter-sign is right—pass." Having thus been recognized as "friends" in accordance with the customs of war, Claiborne and Wilkinson, followed by the men of Ohio, Kentucky, Tennessee and Mississippi, marched in and proceeded in the direction of the "Place d'Armes." At their head was deployed a flag—the flag of victory and progress and freedom—which floated that day above American territory from the Atlantic to the Rocky Mountains, as it floats today, a hundred years later, with splendor not diminished but added to, above a united country from the Atlantic to the Pacific.

As the troops entered a salute of twenty-one guns from the forts and the fortifications roared out a noisy welcome. In the "Place d'Armes" the American troops took position opposite the militia of the town. Claiborne and Wilkinson entered the Cabildo. The people without looked and waited. The unexpected had happened again in Louisiana. Laussat was there in the Council chamber ready to receive them, and after the reading aloud of the credentials of the American commissioners, the treaty by which Louisiana had been ceded to the United States, and the credentials of Laussat showing his authority to act in behalf of France and one or two other necessary writings, Laussat announced that the province of Louisiana was delivered to the United States, and as an earnest of that fact, handed to Claiborne the keys of the city. Then Laussat made a brief address, declaring that the people of Louisiana were no longer citizens of the French Republic, but were citizens of the Republic of the United States. He was followed by Claiborne, who also spoke to the people in language and with sentiments appropriate to the great occasion.

What the people waiting and watching without next saw was a spectacle that all could understand, and which very clearly revealed the meaning of the ceremonies that were taking place within the Cabildo, for as they waited the forms of Claiborne, Wilkinson and Laussat appeared like three fates on one of the balconies of the

Cabildo, and showed themselves to the people. Their appearance was the signal for the hauling down of the French flag on the pole in the square and the simultaneous hoisting of the flag of the United States in its place. As the two flags met on their ascending and descending course a cannon was fired. This signal was recognized by the discharge of guns from the four forts and some shipping in the river, there was a waving of hats from a group of Americans—huzza! and the ceremony of the transfer of Louisiana from foreign domination to American self-government was over. After the transfer the Cabildo or "supreme council" was abolished, and a territorial government was organized with Mr. Claiborne as governor. In 1804 Mr. Claiborne organized a municipal government for New Orleans and appointed James Pitot, mayor.

The Cabildo served for many years as the City Hall of New Orleans.

The Cabildo is now reserved for the sessions of the supreme court of Louisiana, and of the second recorder's court of New Orleans, and for the third precinct police station and, in the rear, of the state arsenal, where formerly was the armory of the oldtime Orleans Artillery. In the building, also, is the library of the Law Association.



THE FOUNDING OF NEW ORLEANS

By Delvaile H. Théard.

The founding of New Orleans, in February, 1718, was prompted by sound business reasons and was based, essentially, on practical considerations. For several years prior to that time, the French colonists at Biloxi and in the adjoining territory had been disheartened by the severity and frequency of the storms in the Gulf of Mexico, which destroyed their coastal settlement, and seriously interfered with all their attempts at commerce; and the Colonists despaired, for that reason, of ever establishing and developing a permanent trading centre in that locality.

Bienville, then at the head of the French settlers in his capacity of Commandant-General or Governor, was the leader in the movement for the selection of a safer harbor. And, although, at the outset, considerable difficulty was experienced in securing the consent of the parent company, yet, owing to Bienville's fixed determination, the post was finally transferred, in February, 1718, to its present location, which was named New Orleans, and which, a few years thereafter, became the Capital of the colony.

The great river,—the safe distance from the sea,—the proximity of the site to Lake Pontchartrain and Bayou St. John—and, last but not least, the experiments made at the time, or soon thereafter, to determine whether a sufficient channel existed at the river's mouth,—these were the sound business reasons which suggested the selection of the new site, and which furnished the basis for the founding of the City of New Orleans.

In commercial importance and magnitude the second port of the western hemisphere,—the New Orleans which we know today and of which we are so proud, is, therefore, only the culmination of Bienville's sound business sense and far-sighted vision and merely the realization and fulfillment of a future in which the pioneers of that period always had the most abounding faith.

In this connection, it is most interesting to consider a contemporaneous appreciation of the value of the site chosen by Bienville. The Reverend Pierre François Xavier Charlevoix, a Jesuit missionary, on a trip down the Mississippi river, in 1722 (four years after the founding of New Orleans), stopped for a visit there, and writes of the city at this early period:

"I am at last arrived at that famous city, which has been called La Nouvelle Orleans. This city is the first that one of the greatest rivers in the world has seen raised on its bank. What pleasure to see increasing insensibly this future capital of a beautiful and vast country, and to be able to say, not sighing, like Virgil's hero, while speaking of his dear country consumed by the flames, 'and the fields where was the City of Troy,' but full of the best grounded hope, this wild and desert place, which the reeds and the trees still cover almost entirely, will be one day, and perhaps that day is not distant, an opulent city, and the metropolis of a great and rich colony." Father Charlevoix continues: "You will ask me on what I base this hope. I base it on the situation of this town, thirty-three leagues from the sea and on the bank of a navigable river, . . . on the fertility of its soil; on the mildness and goodness of its climate, at a latitude thirty degrees north; on the industry of its inhabitants; on the proximity of Mexico, where one can go in two weeks by sea; on that of Havana, which is still closer, one of the most beautiful islands of America. Is anything more needed to render a city flourishing? Rome and Paris did not have such important beginnings, were not built under such favorable auspices, and their founders did not meet on the Seine and on the Tiber the advantages which we have met on the Mississippi, compared with which these two rivers are only brooks."

The name of Father Charlevoix is not connected, so far as we have been able to discover, with any other event in the history of New Orleans, but, certainly, you will agree with me that New Orleans is indebted to him for this splendid and early recognition of its natural advantages. And Bienville, if he ever had the opportunity of reading this generous letter, must have been keenly appreciative of this tribute to his wisdom in the selection of this site. Certainly Father Charlevoix was a sound economist, and an enthusiastic trade expansionist, and, if we judge him by the enthusiasm of his letter, he could easily have qualified as the leader of any board of trade or of any chamber of commerce of this period.

But it was in the immediate and sustained growth and progress of the French settlement on the Mississippi, that we find the fulfillment of Father Charlevoix's prophesy and the true justification of Bienville's judgment and hopes regarding the city of New Orleans. Almost over-night, the trading post became a city, and in less than fifty years, the city was a metropolis.

Of course, it may be urged that the geographical situation of New Orleans, which was the *raison d'être* of the founding of New

Orleans, would, inevitably and under any circumstances, have led ultimately to the establishment of a post and the founding of a city on that precise spot or on one not far distant. That may be quite correct. But, tonight, in our retrospect of the founding of our own city, and in the consideration of the sentiment which attaches to that retrospect the one circumstance which is nearest to our hearts and which we dwell upon with particular tenderness, is that these pioneers, these hardy fathers, these broad-visioned leaders and patriots were Frenchmen.

The early colonists, in their settlement in this new world and particularly in the founding of its capital, New Orleans, brought over with them the social amenities, the grace of manner, the charm of style, which were and are characteristic of their compatriots. And so, quite naturally, New Orleans and Louisiana, always intimately connected with Paris and with France, became faithful followers and disciples of the best traditions of French life.

Notwithstanding the span of two centuries, the people of New Orleans still proudly bear the distinctive qualities of their origin. Fusion with Americanism has merely strengthened the Creole character and mellowed its charm.

And, so, the founding of New Orleans was more than the location of a trading centre,—far more than the mere adaptation of a river to the growth and progress of a colony. From the founding of New Orleans, sprang the birth of a distinctive people,—a people who acquired from France the culture and the taste and the refinement of an ancient civilization.

For two hundred years, French traditions and customs have prevailed and have been cherished in our midst. We look with pardonable pride to an ancestry which has cultivated our tastes, liberalized our arts, and ennobled our very ideals. Never has our noble heritage been more gratifying to us, than at the present time, for when we rejoice in the present day glory and heroism of France, we, of Louisiana and of New Orleans, do so with sentiments of true filial pride and affection, and with a love and admiration which were kindled two hundred years ago.



CABILDO ARCHIVES

I.

Introduction by Henry P. Dart.

The documents printed and translated below have been selected by the Louisiana Historical Society from the Archives of the French and Spanish period of Louisiana now in its possession at the Cabildo. Other documents here printed are from the private collection of Mr. Gaspard Cusachs of New Orleans. The text is printed without alteration or correction, followed in each case by a translation. The difficulties of this work can only be appreciated by one who attempts it for the first time. The manuscript is usually not easy to decipher and is sometimes illegible. The character of the writing renders it a trying task on the eyes, while proper names and signatures add to the confusion. The spelling is often atrocious, even when the words are old French. The amenuensis not unfrequently furnishes evidence that he is unaccustomed to his task. Of course, there are brilliant exceptions to this rule. This comment applies to the mere copying of the text, but the real pitfalls open when we begin to translate. Here we run into colloquial expressions and local idioms that have long since lost their meaning to us. The grammar also misleads us, for many of the words are obsolete, and one must have a scholarly knowledge of the language to render an approximate idea of the thought. The history of the changes in French grammar during the last two hundred years plays a part in this work and even then one is not sure that the exact idea is caught where we are translating ancient legal expressions.

We make these comments in extenuation of this work of amateurs, with full realization that it should be undertaken by those skilled in the art. But alas, we have no means to reach this point until the scholar (and perhaps the critic) shall have stirred the public interest by the discoveries which will be made when organized effort has been successful in opening our archives to general study.

Many phases of life in early Louisiana are reflected in these old archives, and the documents here produced touch some of them and illustrate the value of the collection. These have been selected at haphazard, because it is not possible now to follow historical sequence, or to confine ourselves to special topics. The archives are chiefly

stored in closed wooden boxes without a guide to the content. It is, of course, incontrovertible that these archives should be opened, calendered, catalogued and indexed, and this preliminary work should be printed. The documents should also be separated and sheltered from further loss and deterioration.

The method of procedure is well established among archivists, and the collection of Louisiana material in the Library of Congress at Washington, at Jackson, Mississippi, and at other places would furnish a guide for the work in New Orleans. When one sees the hospitality of the honored guest which is extended in the places mentioned to collections of this kind, and turns then to our neglected and more valuable archives, it is difficult to suppress our amazement over our neglect. Of course, the task is not for an individual or for any voluntary association of limited income. The duty is a public one and it has been neglected only because other public necessities have been more urgent. The time of inaction, however, has passed. Every year of delay subtracts something from our assets. Many fading documents will soon be reduced to mere paper, and over all of them hovers the chance of accident and destruction. Besides, it is wrong to suppress the light these documents would throw on the history of the State.

There is no doubt whatever that we have at the Cabildo much rare Louisiana material which is not duplicated in any American collection, not even in the copies which have been gathered from France and Spain. Besides, these documents to which the State has title, we have in New Orleans ardent collectors of such material (Cusachs, Thompson, Beer and others) who have for years accumulated similar things. Here also is the precious collection of the Favrot family, full of original papers of our early times, and many other small collections could be reached if only the authorities would be aroused to the necessities of the situation. Why should it remain a byword that Louisiana alone, among all the States of the original Louisiana, is so neglectful of her history.

What is needed now is legislative action; we have the necessary legal machinery ready to begin the work, and we are waiting only on the legislature. The State should support this work with an annual appropriation, and the task should be executed at the Cabildo. That building is the perfect historical setting for the task. It was there largely that this history was made. The name is world-wide, and moreover, the world is interested in it. When shall we start. Let us begin now! "The Cabildo at New Orleans and its Archives!" With this as a shibboleth, the campaign cannot be lost.

With the purpose of showing the Legislature what we have, we have utilized our limited force to prepare the copies here printed; it has been a work of love, because the faithful copyist and translator has had to do it amidst the press of daily duties. It is a matter of congratulation that the Society has in its service one literally to the manner born, for having tried elsewhere to bring assistance to this indefatigable worker, I am able to vouch that while many are zealous, the daughters of Martha are still outnumbered by the children of Mary.

II.

Text copied and translations by Mrs. Heloise H. Cruzat.

The originals of the documents printed below are in our archives, unless otherwise noted. The translations by other hands are also noted.

Chronological List.

I--1725. October 5. Ordinance of the Superior Council prohibiting sale of liquor on credit to soldiers workmen or sailors.

De par le Roy et Messieurs du Conseil Supérieur de la Province de la Louisiane.

Louis, par la grâce de Dieu, Roy de France et de Navarre, à tous ceux qui ces présentés verront, salut:

Sur ce qui a été représenté au Conseil par le Procureur Général du Roy qu'il y a ici quantité de gens qui ne font point d'autre commerce que de vendre de l'eau de vie et autres boissons à des prix exorbitans et même font crédit à tous les soldats, ouvriers et matelots qui dans la débauche ne se soucient pas de se ruiner totalement ce qui les met hors d'état de s'habiller et travailler à leurs ouvrages et les dérange tout à fait, à quoy il est bon de remédier sur quoy delibère.

Le Conseil Supérieur fait d'expresses deffenses à tous cabaretiers, vendeurs d'eau de vie ou autres liqueurs de faire aucun crédit à aucun soldat, ouvrier ou matelot, sous peine de perdre leur dû déclarant nul et de nulle valeur tous billets par eux consentis pour boissons, et toutes demandes qui pourront être faites à ce sujet dont la preuve sera admise même par témoins. Et sera le présent, lu, publié et affiché partout ou besoin sera et envoyé dans les postes afin que personne n'en puisse prétendre ignorance.

Donné en la Chambre du Conseil le cinquième jour d'octobre, 1725.

Signé: B. Del. R, Bl-y.

TRANSLATION—I.

By the authority of the King and the Superior Council of the Province of Louisiana.

Louis, by the grace of God, King of France and Navarre, to those to whom these presents shall come, greeting:

Inasmuch as it has been brought to the attention of the Council by the Attorney-General of the King that there are many persons here who have no other trade than that of selling brandy and other drinks at exorbitant prices, and even grant credit to all the soldiers, workmen and sailors who in their drunkenness take no thought of the fact that they are totally ruining themselves, and that this drunkenness puts them into such a condition that they cannot clothe themselves and do their work, and completely demoralizes them, and it being well to remedy these conditions, therefore be it resolved:

That the Superior Council expressly forbids all bar-keepers, sellers of brandy, or other liquors to grant any credit to any soldier, workman or sailor under penalty of losing the amount due; hereby declaring null and of no effect all notes agreed to by them for drinks, and all claims which may be made on this account even though the proof thereof shall be made by witnesses.

And that these presents shall be read, published and advertised wherever necessary, and sent to the posts in order that no one may pretend ignorance of the same.

Adopted at the Council Chamber, this 5th day of October, 1725.

Signed: B. Del. R, Bl-y.

Translated by Robert H. Marr, Esq.

II--1726, Oct. 22. Petition by Attorney General to Superior Council to sell property of absconding debtor.

TEXT

Messieurs du Conseil Supérieur de la Louisiane.

Expose le Procureur Général dû Roy que le nommé Fontaine, marié, habitant en cette ville a deserté avec sa femme et passé chez les étrangers; inventaire fut fait dans une maison qu'il a en cette ville, rue (*) ou l'on ne trouva presque rien, et comme cette maison déperit et qu'il convient de la vendre au plus offrant avec les formalités de justice ordinaires, afin de payer du produit la compagnie par préférence si il luy est du et ceux qui auront titre de créance.

Ce considéré qu'il vous plaise, Messieurs, ordonner que bans soient faits par trois dimanches consécutifs pour parvenir aux en-

chères et vente de la dite maison et l'argent provenant être distribué ainsi qu'il sera ordonné.

A la Nouvelle Orléans, le vingt aout 1725.

FLEURIAU.

*Word missing in original copy.

TRANSLATION—II.

To the Members of the Superior Council of Louisiana.

The Attorney General of the King represents that one Fontaine, married, inhabitant of this city, has deserted with his wife and gone to foreign parts. An inventory was made in the house he has in this city (*) street where almost nothing was found, and as this house is depreciating, it is proper it should be sold to the highest bidder after the usual formalities of law, that out of the proceeds the Company be paid by preference what may be due to it, and creditors holding who shall produce evidence of debts.

This considered, may it please you, gentlemen, to order that publication be made during three consecutive Sundays to sell the said house at auction, the money produced therefrom to be distributed as it will be ordered.

At New Orleans, August 20th, 1725.

FLEURIAU.

*Word missing in original copy.

III--1730 April 22. Ordinance of Superior Council concerning slaves held without legal authority.

TEXT.

22 Avril 1730.

**Ordonnance
concernant les
esclaves.**

De par le Roy et Messieurs du Conseil Supérieur de la Louisiane.

Louis, par la grâce de Dieu, Roy de France et de Navarre, à tous ceux qui ces présentes verront, salut:

Sur ce qui à été représenté au Conseil par le procureur général du Roy qu'il se peut trouver des personnes qui gardent des esclaves nègres ou sauvages qui ne leur appartiennent point, soit par ce que ils les ont traité des chactas ou que les dits esclaves sont venus avec eux de leur plein gré, s'en trouvant quelques uns qui sont dans le cas de n'être réclamés par personne, leurs maitres ou maitresses étant morts; que ces esclaves sont hypothèque de la Compagnie s'ils n'ont pas été payés, ou s'ils le sont, appartiennent aux successeurs de leurs deffunts maitres, et que c'est un vol manifeste d'autant plus punissable qu c'est vouloir profiter du malheur public par des voyes très criminelles à quoy voulant remédier, sur ce delibéré.

Le Conseil ordonne que tous ceux qui ont ou auront-cy-après en leur pouvoir, par quelque voye que ce soit, des esclaves nègres ou sauvages qui ne leur appartiennent point, soit par les avoir traité et payé leur rançon, soit par ce que ces esclaves le sont de leur bon gré, les remettront sous quinze jours aux mains de Monsieur Rossard greffier et procureur aux biens pour être rendus à leurs maitres s'ils sont encore en vie, si non, en être disposé ainsy que de notice sera ordonné en payant pour les esclaves qui auront été traittés des sauvages la somme de cent livres pour chaque tête, conformément au réglement arrêté pour les rancons, sans que l'on puisse exiger d'avantage sous peine d'exaction; que ceux qui ne les remettront pas au dit Conseil en quinze jours faisant leurs déclarations de quelle maniere ils les ont seront poursuivis extraordinairement comme voleurs et recéleurs, et outre la peine corporelle, ils seront condamnés à payer une amende de trois cent livres applicable au dénonciateur. Ordonné que le présent sera lu, publié et affiché et envoyé à la Mobile afin que personne ne prétende ignorance.

Donné en la Chambre du Conseil, le vingt-deuxième avril, mi sept cent trente.

Perier, Brusle, D'Aubreville, Caron, —

Other signature torn away; there is but part of first letter left; it seems to be the P with the usual flourishes which distinguish "Prat's" signature.

TRANSLATION—III.

**April 22, 1730.
Ordinance
concerning the
slaves.**

By the authority of the King and that of the Superior Council of Louisiana.

Louis, by the grace of God, King of France and of Navarre, to all who these presents shall come, greeting:

On the representation made to the Council by the Attorney General of the King, that there may be found persons who retain negro and Indian slaves that do not belong to them, either because they traded for them with the Choctaws or because they came to them of their own free will. Some of them being in the case of being claimed by no one their masters or mistresses being dead, that these slaves are mortgaged to the Company if they have not been paid for, or if they have been paid for, they belong to the succession of their deceased masters, and that this is manifestly a wrong, all the more punishable that it is trying to take advantage of public misfortune by criminal methods, all of which should be remedied, and having deliberated:

The Council orders that all those who have or shall hereafter have in their possession negro or Indian slaves not belonging to them, either from having traded for them or from having paid their ransom, or because these slaves went to them voluntarily shall within fifteen days remit them into the hands of M. Rossard, recorder and attorney of vacant estates, to be returned to their masters if still in life, if not to be disposed of under notice as will be ordered, by paying for the slaves traded for with the Indians the sum of 100 livres per head, conformably to the ordinance issued on ransoms, without being able to demand more, under penalty of extortion; that those who do not remit them to the said Council, within fifteen days, with declaration of the manner in which they obtained them, will be prosecuted extraordinarily as thieves and receivers of stolen property, and, besides corporal punishment, will be condemned to pay a fine of three hundred livres applicable to the informer. Ordered that these presents be read, published and posted, and sent to Mobile, that none may pretend ignorance.

Adopted in the Council Chamber the twenty-second of April, one thousand seven hundred and thirty.

Signed: Perier, Brusle, D'Auberville, Caron, P—— (part torn, probably Prat.)

IV--1730, July 22. Petition for a family meeting in succession de la Chaise.

TEXT.

1730, July 22. A messieurs du Conseil Supérieur de cette province. Suple humblement le Sieur Louis Prat disant que feu Mr. de la Chaise auroit mis sur son habitation; qui est situé au dessous de la Nouvelle Orléans, le nommé Rixner, allemand, pour le faire valoir pendant trois années lesquels devant expirer dans trois mois, et désirant pourvoir à tout ce qui convient pour continuer à cultiver la ditte habitation pour le bien de la succession et ferez justice.

A la Nouvelle Orléans, le 22 juillet, 1730.

PRAT.

Permis de faire assembler les parents et amis par devant nous.

A la Nouvelle Orléans, le 22 juillet, 1730.

BRUSLE.

TRANSLATION—4

To the Members of the Superior Council of this province.

Sieur Louis Prat represents, shows: that M. de la Chaise, deceased, had placed on his plantation, which is situated below New

Orleans, a German, named Rixner, to improve it during three years, which being about to expire in three months, and desiring to be able to do that which is correct, to continue to cultivate the said plantation he has recourse to your authority to order a meeting of relatives and friends before you and us, to the end that all necessary measures shall be taken concerning the said plantation for the interest of the succession and that justice may require. Signed: PRAT.

Permitted to assemble relatives and friends before us.

At New Orleans, July 22, 1730.

Signed: BRUSLE.

V--1730, Oct. 13. Petition of Marie Barbe Edelmaire, wife of Lionnois, to annul exchange of slave made by her husband while intoxicated.

A Messieurs du Conseil Supérieur de cette Province.

Suplie humblement Marie Barbe Edelmaire, femme du nommé Lionnois, disant que leur nègre ayant fait le maron, et ayant été pris par les sauvages Bayougoulas, ils l'auront conduit au Corps de Garde pour avoir le payment de leur capture, le dit Lionnois fut transporté avec eux afin de ramener son nègre, Monsieur de Coustillas étant pour lors de garde luy proposa de luy changer, le dit Lionnois étant pris de vin, accepta d'abord l'offre que Monsieur de Coustillas luy fit, ne croyant pas qu'il l'auroit trompé; la supliante ayant vu revenir son mary avec un nègre en si mauvais état dit qu'elle ne consentiroit jamais à l'échange que son mary avoit fait, et qu'elle ne vouloit pas s'exposer à payer une amende de cinq cent livres comme il est porté par vos ordonnances.

Ce considéré, Messieurs, qu'il vous plaise d'ordonner à Monsieur de Coustillas de rendre le nègre que son mary luy à remis et de repredre le sien quoy faisant faire justice.

Marque x de Marie Barbe Edelmaire, femme du nommé Lionnois.

Marque x de MARIE BARBE EDELMAIRE,
femme du nommé Lionnois.

Soit signifié et assigné au delay
de l'ordonnance à la Nouvelle Orléans
le 13 9bre 1730. D'Aureville.

L'an mil sept cent trente, le vingt-unième jour de Novembre, en vertu de l'ordonnance de Nos Seigneurs du Conseil étant au bas de la requête cy-dessus, à la requête de Marie Barbe Edelmaire, femme du nommé Lionnois, en son domicile sur son habitation, j'ay, Pierre Dargaray, huissier, audlencier au Conseil Supérieur

de cette Province, y demeurant, soussigné, signifié publié copie de la requête cy-dessus au sieur de Coustillas, officier, en son domicile, sur son habitation, où je ne suis transporté en personne, parlant à sa personne, et luy ay ordonné assignation à comparoitre Samedi prochain, heures d'audiance en la Chambre et pardevant Nos Signeurs du Conseil pour répondre et procéder aux fins de la requête et . . . adjugé les conclusions y portées avec dépents et luy ay parlant que Dessus la dite copie tant de la requête ordonnance que du refus à ce qu'il n'ygnore.

DARGARAY.

TRANSLATION¹

To the Members of the Superior Council of this Province.

The petition of Marie Barbe Edelmaire, wife of Lionnois, respectfully shows:

That their negro having run away and having been captured by the Bayou Goulas savages, the latter took him to the guard house to get payment for their capture. The said Lionnois went along with them in order to bring back his negro.

Mr. de Coustillas, being at that time on guard, proposed to him to make an exchange of the negro. The said Lionnois being under the influence of liquor accepted at once the offer that Mr. de Coustillas made him, not believing that he would deceive him.

Petitioner, having seen her husband return with a negro of such bad condition, said that she would never consent to the exchange which her husband had made, and that she was not willing to render herself liable to the payment of a fine of Five hundred livres, as is provided by your ordinances.

This considered, gentlemen, may it please you to order Mr. de Coustillas to give back the negro that her husband made over to him, and to take back his own to the end that justice be done.

MARIE BARBE EDELMAIRE,
(her x mark)
wife of Lionnois.

Let citation issue and let cause be assigned in accordance with the ordinance.

New Orleans, D'Aureville, October 13, 1730.

This twenty-first day of November, of the year one thousand seven hundred and thirty; by virtue of the ordinance of our Lords of the Council, in accordance with the foregoing petition, upon the petition of Marie Barbe Edelmaire, wife of Lionnois, at her domicile

upon her plantation, I, Pierre Dargaray, bailiff, crier to the Superior Council of the Province, here residing, have subscribed, notified and made known a copy of the herein above petition to Mr. de Coustillas, officer, at his domicile, on his plantation, where I went in person, addressing him in person and summoned him to appear Saturday next during the hours fixed for hearing at the Chamber before our Lords of the Council to answer make and to proceed to the trial of the matters complained of in said petition and to abide the judgment that may be rendered and the conclusions there arrived at, with costs. And I told him the contents of said copy of petition and ordinance, that he might not allege ignorance. DARGARAY.

¹By Robert H. Marr, Esq.

VI--1731, June 14. Report of Attorney General Fleuriau to Superior Council regarding rules for the management of the jail and costs allowed the jailer. Adopted by the Council.

TEXT.

14 Juin, 1731. A Messieurs du Conseil Supérieur de cette Province: **Reglement pour le Regime des prisons.** Expose le procureur général du Roy qu'à la dernière audience on receut le serment du Sr. Vincent en qualité de géolier lequel soit levé et écrit ainsy que l'ordonnance le requiert il concerne encore de taxer les sommes qu'il recevra des prisonniers pour son droit de géolage. L'ordonnance de 1670 article onze du livre treize ordonne aux juges de régler les droits appartenants aux géoliers, greffiers des geoles, et guichetiers pour vivres, denrées, gites, géolages, extraits ou décharges. Eu egard à la cherté des vivres et denrées en cette colonie il semble qu'on peut ne pas se régler tout à fait sur ce qui se pratique en plusieurs endroits du royaume ou l'on ne paye que dix sols pour entrée et dix sols pour sortie, puisque le roy met ce règlement à la disposition des juges qui ont attention aux temps et aux lieux, on peut donc permettre au géolier de prendre quarante sols des habitants et ouvriers qui seront constitués prisonniers pour dettes ou pour affaire civiles, scavoir vingt sols pour l'entrée et vingt sols pour la sortie, des soldats leur prest seulement sans permettre qu'il soit exigé d'eux aucune chose sous prétexte de bienvenue ou autrement.

Il sera aussi alloué et payé au dit géolier vingt sols pour chaque extrait d'éroue ou d'élargissement qu'il delivrera.

Le géolier fera au moins une fois le jour la visite des prisonniers, verra si l'on ne gratte point dans les cachots.

Il ne vendra pas plus cher que le prix du marché les vivres qu'il fournira aux prisonniers, lesquels auront la liberté d'en faire venir d'où il leur plaira qui ne seront ny pillés ni gatés mais usités seulement.

Il aura deux registres paraphés, l'un pour les écroues et les élargissements et l'autre pour enrégistrer les hardes et papiers des prisonniers pour crimes.

Il fournira ou fera fournir aux prisonniers le pain, l'eau et la paille bien conditionnés.

Il est deffendu de fournir du tabac ou laisser fournir dans les prisons par plusieurs réglemens du parlement de Paris, il aura soin d'exécuter ici la même chose.

Il donnera avis lorsqu'il y aura des prisonniers malades afin qu'on y pourvoie.

Voilà Messieurs les principales obligations du géolier lequel sera tenu des lois des prisons s'il y a de sa faute ou négligence.

Vous plaise donner un réglemant conforme dont luy sera donné une expedition pour exécuter ponctuellement tout ce qui y sera contenu.

A la Nouvelle Orléans le neuf juin mil sept cent trente-un.

Signe: FLEURIAU.

Le Conseil approuve le réglemant cy-dessus.

A la Nouvelle Orléans, le 14 juin 1731.

Perier, Macmahon, Brusle, D'aureville.

TRANSLATION.

June 14, 1731. To the Superior Council of this Province:

Ordinance for the administration of the prisons. The Attorney General of the King reports that at the last audience they received the oath of Sieur Vincent qualifying as jailer which he has recorded and filed as required by the ordinance.

It is necessary now to fix the sums which he will be entitled to demand as jail fees. The ordinance of 1670, article eleven, book thirteen requires the judges to make rules regarding the allowances to jailer, jail clerks and door-keepers, for provisions and supplies, lodgings, certificates or discharges. In consideration of the high cost of supplies and of provisions in this colony, it seems that one cannot rely entirely on the practice in other parts of the kingdom where only ten sols are paid for entrance and 10 sols for discharge. Since the King leaves this allowance to be decided by

the judges, who take into consideration the time and the place, you therefore can permit the jailer to take forty sols from inhabitants and workmen imprisoned for debts or for civil affairs, to-wit: twenty sols for entrance and twenty sols for their discharge; from soldiers, only what they are willing to pay, without allowing that anything be exacted from them under pretext of welcome or otherwise.

There should also be allowed and paid to the said jailer twenty sols for each certificate of entry or discharge he will deliver.

The jailer should also visit the prisoners, at least once a day, **he will see that they do not scrape in the cells.**

He should not sell at higher price than the market the provisions he will furnish the prisoners, who shall also have free right to have them brought from where they please, which provisions will not be pillaged, nor damaged, but used solely for them.

The jailer must keep two paraphed registers, one for entrances and discharges, and the other for the clothes and papers of prisoners held for crimes.

He will furnish or will have furnished to the prisoners bread, water and straw in good condition.

It is forbidden to furnish tobacco or allow it to be furnished in the prisons by several rulings of the parliament of Paris; he will be careful to carry out the same thing here.

He will report when prisoners are sick in order that they may be cared for.

There, gentlemen, are the principal duties of the jailer who will be responsible by the laws of the prisons for his default or negligence in their observance. May it please you to establish regulation conforming hereto and furnish him promptly with this that he may execute punctually all that will be therein contained. At New Orleans this ninth of June, one thousand seven hundred and thirty-one.

Signed: FLEURIAU.

The Council approves the above ordinance.

At New Orleans, June 14, 1731.

Signed: Perier, Macmahon, Brusle, D'aureville.

VII--1733 Sept. 9. Decree of the Superior Council prohibiting sales of real property without permission of the Council and after three public notices.

TEXT.

9 Septembre 1733. Arrest du Conseil deffandant de vendre les immeubles sans permission et sans trois publications.

De par le Roy et Messieurs du Conseil Supérieur de la Louisiane.

Louis, par la grâce de Dieu, Roy de France et de Navarre, à tous ceux qui les présentes verront, salut: sur ce qui à été représenté au Conseil par le Procureur Général du Roy que quoiqu'il ait été cy-devant ordonné qu'on ne peut vendre des

biens fonds sans en avoir obtenu la permission du Conseil plusieurs particuliers avoient cependant vendu des maisons, habitations et autres immeubles sans en avoir obtenu la permission, et en fraude de leurs légitimes créanciers à quoi voulant remédier:

Le Conseil Supérieur fait deffenses à toutes personnes de vendre où acquérir aucuns meubles sans en avoir obtenu la permission du juge des lieux, et sans que la dite vente ait été publiée et affichée par trois dimanches consécutifs dans les principaux endroits de cette ville, où du lieu où les dits fonds seront situés; fait deffenses à tous notaires de passer et de recevoir les dits contrats de vente sans qu'il leur apparaisse de la dite permission et des trois publications à peine de nullité des dits contrats et de payer pour les acquéreurs le prix de leur acquest aux créanciers qui se pourvoieront dans la suite opposants quoiqu'ils l'eussent déjà payé sauf leur ressource vers leurs vendeurs, et sous peine, en outre, de cinquante livres d'amande au profit de l'hospital payable solidairement par les vendeurs et acquéreurs.

Ordonné que le present réglemant sera lu, publié et affiché dans les postes principaux de cette colonie, à la diligence du Procureur Général du Roy, afin que personne n'en prétende cause d'ignorance.

Donné en la Chambre du Conseil, le neuf Septembre, mil sept cent trente-trois.

Salmon, Prat, Lafreniere, Raguét, Rossard.

TRANSLATION.

September 9, 1733. Decree of the Council prohibiting the sale of real property without

By authority of the King and the Superior Council of Louisiana.

Louis, by the grace of God, King of France and of Navarre to all to whom these presents come, greeting:

permission and three previous publications.

It having been represented to the Council by the Attorney General of the King, that though it has heretofore been ordained that real estate cannot be sold without first having obtained permission from the Council, nevertheless many persons have sold houses, plantations and other real property without a permit, thereby defrauding their lawful creditors, now in order to prevent this: The Superior Council prohibits any person from selling or acquiring any real estate without having had and obtained the permission of the judge of the place, and without having previously published and posted the said sale, during three consecutive Sundays in the principal places of the city or of the place where the said property is located.

Also prohibits all the notaries from passing or accepting said contracts of sale without production of the said permit, and the three publications, under penalty of nullity of the said contracts, and of payment by those acquiring the same of the price of the purchase to the creditors, who may seek relief against such sale, though the price has been paid, having their recourse against the vendors and under penalty, moreover, of a fine of fifty livres for the benefit of the hospital, payable in solido by the sellers and purchasers.

Ordered that the present ruling be read, published and posted in the principal parts of this colony, with diligence by the Attorney General of the King, so that none may pretend ignorance hereof.

Adopted in the Council Chamber, the ninth day of September, one thousand seven hundred and thirty-three.

Signed: Salmon, Prat, Lafreniere, Raguet, Rossard.

VIII--1739, June 23. Act under private signature for sale of negro from Rixner to Daigle recorded with Superior Council.

TEXT.

1739. Nous soussignés George Rixener et Estienne Daigle
Rixner sommes convenus ce qui suit. Scavoir que moy George
vente Rixener et mon épouse Barbe Kompar, par moy au-
Daigle. thorisée à cet effet, solidairement l'un pour l'autre, vu
seul pour le tout, reconnaissons par ce présent faute de
Nottaire sur les lieux—Avoir vendu au dit Sieur Daigle. Un nègre,
dit Moizon, âgé d'environ vingt-cinq ans, pour la somme de mil
livres en espèce ayant cours de présent en cette collonie, en outre la
somme de dix livres en marchandise pour épingle donnée à mon

épouse, dont l'un et l'autre sommes contant; promettons toutes garanties au dit Sieur Daigle, et luy en passer acte en consequence du présent par devant notaire à la première requisition du dit Sieur Daigle. Reconnaissons aussi pareillement avoir reçu du dit Sieur Daigle la susdite somme de mil livres et les dix livres pour épingle, stipulé au présent pour la valeur du dit négre dont quitte, et le dit Sieur Rixener et Barbe Kompar, épouse du dit Rixener, dont le nom étrange ne peut estre écrit en langue françoise à déclaré en presence des témoins soussignés ne scavoir signer et à fait sa marque ordinaire d'une croix. (x) Le dit Rixener ne scachant signer à fait sa marque ordinaire cy-dessus. (x) Marque de Barbe Kompar, femme Rixener. Biepradmie, Jedu, Bier, Estienne Chaillou. Witness. Witness.

23 Juin 1739. Est comparu le Sr. Estienne Daigle dit Malborcerorag, habitant en cette colonie, lequel nous à requis de recevoir la présente vente des dits partis pour estre mise au nombre des minuttes à effet d'entirer expedition toutes les fois qu'ils en seront requis, donc acte fait en étude, l'an mil sept cent trente-neuf, le vingt-troisième juin; présent furent Francois Jeham et Françoise Roumier et le dit Sieur Daigle qui à déclaré ne scavoir écrire ny signer des enquis pour lors.

Roumier, Stahav, Pumu.

TRANSLATION.

1739. We, the undersigned, George Rixener and Estienne Rixner Daigle, have agreed to the following, to-wit:
sale to That I, George Rixner, and my wife, Barbe Kompar, Daigle. by me authorized to that effect and in solido, one for the other, each for all, acknowledge by these presents, in default of a notary in the place, to have sold Sieur Daigle a negro, one Moizon, aged about twenty-five years, for the sum of one thousand livres the specie in current use in this colony; moreover the sum of ten livres in merchandise for a pin given to my wife, with which both are satisfied. We promise all guarantees to the said Sieur Daigle and to execute an act to him in fulfillment thereof before a notary at the first demand of said Sieur Daigle. We acknowledge likewise having received from Sieur Daigle the above mentioned sum of one thousand livres and the ten livres for the pin, herein stipulated for the value of the negro and give acquittance thereof, and the said Sieur Rixener and Barbe Kompar, wife of the said Rixener, whose strange name cannot be written in the French language, has

declared in the presence of the undersigned witnesses not to know how to sign and has made her ordinary mark, a cross.

(x) The said Rixener, not knowing how to sign has made his usual mark above the (x) mark of Barbe Kompar, wife of Rixener.

Biepradmie, Jedu, Bier, Estienne Chaillou. Witness. Witness.

June 23, 1739. Here appeared Estienne Daigle, called Malbo-cerorag, residing in this colony, who has requested us to receive the present sale of the said parties to be placed and numbered in the minutes to have immediate effect for all purposes that may be required. Thereupon this act has been passed in this office, in the year one thousand seven hundred and thirty-nine, the twenty-third of June. In the presence of Francois Jeham and Fran-coise Roumier and the said Sieur Daigle who declared that he does not know how to write nor sign being interrogated at the time.

Signed: Roumier, Stahav, Pumu.

IX--1743, January 19th. Ordinance of Superior Council regu-lating practice of Medicine, Surgery and Obstet-rics.

TEXT.

Audiance du 19 Jan. 1743.

19 Janvier, 1743. Sur ce qui à été représenté au Conseil par le **Ordonnance** procureur général du Roy que plusieurs habitants **pour l'exercice** de cette colonie ont pery par l'ignorance de plu-sieurs chirurgiens de batiments marchands ve-nants en ce port qui s'ingèrent de donner des **de la** remèdes et exercer l'art de chirurgie dont il resulte **Medicine.**

de grands inconvenients ce qui se peut verifier par un raport qui vient d'être fait tout recemment par les Sieurs medecin et chirurgien du Roy d'un homme mort de ses blessures par l'ignorance de celui qui la pensé, comme aussy que plusieurs femmes en couche sont mortes en travail d'enfant par l'ignorance des femmes qui les acouchent, et que pour éviter ces desordres déjà arrivéz, il y eut en Juilliet Mil sept cent vingt trois, un réglemant du Conseil à ce sujet lequel n'a pas été exécuté faute dy avoir tenu la main. A ce qu'il plut au ce Conseil en renouvelant les arrets et réglemets faire deffences à toutes personnes d'exercer en cette colonie la médecine où Chirurgie ny faires les fontions de sage-femme qu'ils n'avent été examinés et aprouvés par les Srs. medecins et chirurgien du Roy et muny de leurs certificats qu'ils rapporteront visés par les juges des Lieux à peine de

trois cent livres d'amande applicable à l'hôpital des pauvres surquoy délibère.

Le Conseil Supérieur à fait et fait deffences à toutes personnes d'exercer en cette colonie la médecine, Chirurgie, n'y faire fonction de sage-femme sans qu'ils ayent été au paravant examinés et approuvés par les médecins du Roy et Chirurgiens majors entretenus en cette colonie à peine de trois cent livres d'amande pour la première fois applicable à l'hôpital des pauvres de cette ville à quoy ils seront contraints par corps et de plus grand peine en cas de recidive. Ordonné au surplus que le présent arrest sera leu, publié, et affiché partout où bezoin sera afin que personne n'en pretende cause d'ignorance.

Donné en la Chambre du Conseil le dix neuf Janvier mil sept cent quarante trois.

Bienville, Salmon, Raguet.

TRANSLATION.

Audience of January 19, 1743.

January 19th, 1743.
Ordinance
regulating the
practice of
medicine.

On its having been brought to the attention of the Council, by the Attorney General of the King, that many inhabitants of this colony have come to an untimely end through the ignorance of several surgeons from merchant vessels coming to this port, who have officiously undertaken to dispense medicines and practice the art of surgery from which great harm has resulted. This fact may be verified by a recent report from the King's physician and surgeon concerning a man's death from wounds, traceable to the ignorance of the person who dressed them; they also reported that several women died in childbed from the ignorance of the midwives who delivered them. To avoid these disorders already noted a decree was issued by the Council in July seventeen hundred and twenty-three which was not enforced through want of firmness.

Therefore it has pleased the Council, in renewing these decrees and rulings, to prohibit that any person in this colony practice medicine or surgery, or exercise the function of midwife without having been previously examined by the physicians and surgeons of the King, and unless they be authorized by them to practice, and be provided with certificates, legalized by the judges of the places under penalty of a fine of three hundred livres, to the benefit of the Hospital for the poor.

After deliberation, the Superior Council has forbidden and does forbid any and all persons in this colony to practice medicine or surgery or to exercise the function of midwife without having been previously examined and authorized to do so by the physicians and surgeons-major of the King maintained in this colony, under penalty of a fine of three hundred livres for the first offence for the benefit of the Hospital for the Poor in this town, to which they will be compelled by bodily arrest, and will be subjected to still heavier penalty in case of relapse. It is moreover ordered that the present decree be read, published and posted wherever need be, so that none may pretend ignorance.

Given in the Council Chamber on the nineteenth day of January, one thousand seven hundred and forty-three.

Signed: Bienville, Salmon, Raguet.

X--1748, June 15. Petition of property holder for permission to sell real property.

TEXT.

1748, Juin 15. A Monsieur D'auberville, Commandeur de la marine, Ordonnateur, le premier juge au Conseil Supérieur de cette Province.

Suplient très humblement Louis Wiltz, habitant en cette ville, Disant qu'il seroit dans le dessain de vendre un terrain situé en cette ville Rue de ——— attendant d'un costé à LaChefs, et de l'autre costé au nommé Pouquarned.

Ce considéré, Monsieur, qu'il vous plaise d'en permettre la vente, en observant les formalités requises et ordinaires en pareil cas, et ferez droit, à la Nouvelle Orléans, le 15 Juin, 1748. WILTZ.

Permis de vendre en observant les formalités ordinaires à la Nouvelle Orléans, le 15 Juin, 1847.

Je, huissier au Conseil Supérieur, de cette province, soussigné, certifie avoir fait trois affiches à la porte de l'église et autres lieux acoutumés par trois dimanches consécutifs pour parvenir à la vente cy-dessus, sans que personne se soit présenté pour y former opposition. En foy de quoy j'ay signé et délivré le présent pour servir et valoir ce que de raison.

A la Nouvelle Orléans, ce premier juillet, mil sept cent quarante-huit.

Signature obscure, seems to be Marchand.

TRANSLATION.

1748, June 15. To M. D'Auberville, Commander of the Navy, Intendant-Commissary, First Judge of the Superior Council of this Province.

The petition of Louis Wiltz, inhabitant of this city, humbly shows that he has the intention of selling a lot of ground in this city, situated on — street, adjoining Lachefs on one side and one Pouquarned on the other.

This considered, Sir, may it please you to permit the sale on complying with the ordinary formalities required by such cases and according to law. WILTZ.

At New Orleans, June 15th, 1748.

Permission is granted, the customary formalities being observed.

At New Orleans, June 15th, 1748.

I, the undersigned, Sheriff of the Superior Council of this Province, certify that I have posted three notices at the door of the church and other customary places during three consecutive Sundays concerning the sale above mentioned, without any opposition having been made. In faith whereof I have signed and delivered these presents for use and service as may be right.

At New Orleans, this first day of July, one thousand seven hundred and forty-eight.

Signature obscure, seems to be Marchand.

XI--1753, June 1. Ordinance of Governor Kerlerec and Intendant-Commissary, D'Auberville, for suppression of cattle stealing by slaves.

TEXT.

Louis de Kerlerec, Chevalier de l'ordre Royale et militaire de St. Louis, Capitaine des vaisseaux de Sa Majesté et gouverneur de la Province de la Louisiane, et

Vincent Guillaume D'auberville, Conseiller du Roy en ses Conseils, Commissaire de la marine faisant fonction d'ordonnateur en la dite Province:

Sur différentes plaintes qui nous ont été portés par plusieurs habitans, qu'au mépris des ordonnances rendues cy-devant on leur tue journellement leurs bestieaux, non seulement dans les bois, mais même dans leur paturages et ayant leiu de juger que ses vols se font par les nègres chasseurs où autres des habitations voisines qui ont des armes à leur disposition, et voulant arrester le cours de pareil vol nous avons ordonné et ordonnons à tous les habitans tant dans la ville que dans

la campagne de faire sous vingt-quatre heures après la publication de la présente une visite exacte dans toutes les cabanes de leur nègres et autres lieux de leur habitation pour en retirer tous les armes à feux où armes blanche entre les mains aux dits nègres et de les resserer chez eux où les tiendront en état pour servir au besoin, comprenant dans le présent les armes des nègres mulatres où esclaves qui ne pourront être munis de leur fusil où autres armes sans un billet de leur maitre où contremarque. Permettons conformément aux ordonnances du Roy à toute personne d'arrester et saisir tout nègre portant arme sans un permis de son maitre et de le faire conduire dans les prisons de cette ville pour être par nous ordonné ce qui appartiendra. Enjoignons aux dits habitans de se conformer à l'exécution de la présente sous peine de désobeissance et de la confiscation des armes qui pourront se trouver dans les cabanes de leurs nègres lors des visites que nous ordonnerons y être faite par les personnes par nous proposées à cet effet et en leur présence.

Donné à la Nouvelle Orléans sous le sceau de nos armes et le contre-seing de nos secretaires, le premier juin, mil sept cent cinquante-trois.

D'AUBERVILLE,

KERLEREC,

Par mon dit Sieur Dausseville.

Par Monseigneur Chiton de Silegue.

TRANSLATION.

Louis de Kerlerec, Knight of the Royal and Military Order of St. Louis, Captain of His Majesty's vessels and Governor of the Province of Louisiana, and

Vincent William A'uberville, Councillor of the King in his Councils, Commissary of the Marine, exercising the functions of Intendant-Commissary in the said Province:

Whereas complaints have been brought to us by several people that, in spite of the ordinance heretofore promulgated, their cattle are killed daily, not only in the woods, but even in their pastures and having reason to believe that these thefts are committed by negro hunters, or others from neighboring plantations, who have arms at their disposal, and wishing to put a stop to such offenses, we have ordered and do now order that all inhabitants of the city as well as those of the country shall, within twenty-four hours, after publication of this order make a careful visit in all the cabins of their negroes and other places of their habitation to withdraw from them all fire-arms or swords, etc., in the hands of the said negroes, and to put them away in their own homes where they will keep them in condition to

serve in case of need, including in this arms belonging to negroes, mulattoes or slaves who will not be allowed to have ammunition for their guns or other arms without a note from their master or countersign. Conformably to the ordinance of the King we permit any person to arrest and lay hold of any negro bearing arms without a permit from his master, and to have him brought to the prisons of this city, to be by us judged as shall be proper hereunder.

The said inhabitants are ordered to comply with and execute this order under penalty of disobedience and the confiscation of the arms which may be found in the cabins of their negroes at the time of the visits which will be ordered by us to be made by persons appointed by us for the purpose and in their presence.

Given at New Orleans under the seal of our arms and the countersign of our secretaries, June first, one thousand seven hundred and fifty-three.

D'AUBERVILLE,

Signed: KERLEREC,

By my said Sieur Dausseville.

By His Lordship Chiton de Silegue.

XII--1758, August 26. Petition of Jean Pierre Hingle to sell real property to wind up his business and settle with his creditors. Order of Bobe Desclozeaux thereon and return of Sheriff Dargaray.

TEXT.

A Monsieur Bobé Desclozeaux, Conseiller du Roy en son Conseil
Commissaire de Marine, Ordonnateur de la Province de la
Louisiane:

Monsieur: Suplie très humblement Jean Pierre Hingle, Charpantier, habitant en cette ville, disant qu'il seroit dans les desseins pour terminer ses affaires, et se liquider avec ses créanciers, de vendre un terrain de trente-six pieds de face sur cent vingt de profondeur, et maison dessus, scure Rue Bourbon; et que pour parvenir à la dite vente il voudroit, le supliant observer les formalités ordinaires, en conséquence desquelles il requiert.

Qu'il vous plaise, Messieurs, de lui permettre de faire la dite vente comme cy-dessus, en observant les formalités et que les affiches soient posées aux lieux accoutumés, pour y parvenir et ferés bien.

A la Nouvelle Orléans, le 26 aout, 1758.

Permis la dite vente en observant les formalités requises.

A la Nouvelle Orléans, le 26 aout, 1758.

Signe: Bobé Desclozeaux.

J'ay, Marin Pierre Bary, huissier—nommé d'office par le Conseil Supérieur de la Province de la Louisiane, soussigné, en vertu de l'ordonnance cy-dessus, je certifie avoir fait et appozé trois affiches tant à la porte de l'église, qu'à la porte du Conseil, par trois dimanches consécutifs, en datte du vingt-sept aout, trois et dix septembre, présent mois, pour parvenir à la vente de l'autre part sans que personne se soit présenté pour y former opposition, en foy de quoy je signe et délivre le présent procès-verbal pour servir et valoir ce que de droit il appartiendra; fait à la Nouvelle Orléans, le onze septembre, mil sept cent cinquante-huit, dernier.

Signe: Bary.

TRANSLATION.

To M. Bobé Desclozeaux, Councillor of the King in his Council, Commissary of the Marine and Intendant-Commissary of the Province of Louisiane:

Sir: The petitioner, Jean Pierre Hingle, Carpenter, inhabitant of this city, humbly declares that in order to wind up his business and to liquidate with his creditors, he wishes to sell a lot of ground measuring thirty-six feet front by one hundred and twenty in depth, with a house thereon situated in Bourbon street. To be able to effect the said sale, petitioner wishes to comply with the usual formalities, in consequence of which he requests:

That it please you, Gentlemen, to permit him to make the above mentioned sale, after fulfilling the customary formalities and that notices be posted in the usual places to reach this end.

At New Orleans, August 26th, 1758.

Permit granted for the said sale, requisite formalities being complied with.

New Orleans, August 26th, 1758.

Signed: Bobé Desclozeaux.

I, the undersigned, Martin Jean Pierre Bary, Sheriff—appointed by the Superior Council of Louisiana, certify that in compliance with the above order I have posted three notices at the church door, and at the door of the Council for three consecutive Sundays, on the dates of August 27 and the third and tenth of September, the present month, to allow or oppose the sale without any one presenting himself to oppose the same. In faith whereof I have signed and delivered the present proces verbal to serve and be worth as in law is permitted.

Done in New Orleans, the eleventh day of September, one thousand seven hundred and fifty-eight.

Signed: Bary.

XIII.--1763, May 24. Petition to Superior Council by Joseph Zeringue on behalf of Widow La Croix, his mother in law, for criminal prosecution of Dupre Terrebonne, junior, for wilful killing of one of petitioner's slaves and serious wounding of another.

TEXT.

A Nos Siegneurs du Conseil Supérieur de la Province de la Louisiane:
Suplie très humblement Joseph Zéringue, habitant en cette colonie, faisant et agissant pour la Dame Veuve La Croix, sa belle-mère:

Disant que Samedy dernier, vingt-un du présent mois, sur environ sept heures du soir, les nommés Jean et Jean-Louis nègres appartenant à la dite Dame Veuve La Croix; en allant à l'habitation de la Dame Veuve Liquery auroient été arrêté par le nommé Terrebonne fils, habitant à la coste des Chapitoulas, sur l'habitation du Sieur Boisclair, seizi de l'autre bord du fleuve, sur la levée de la dite habitation, que non content de les avoir arrêté le dit Terrebonne nommé Dupré, auroit tiré son coup de fusil sur ces deux mêmes nègres. Un fut tué et l'autre blessé au bras, au costé et à la cuisse. Le dit Terrebonne se voyant pour lors dans son tort d'avoir tiré sur ces deux nègres, les transporta icy en cette ville le dimanche suivant au matin, vingt-deux du présent mois; ce qui fait voir que le dit Terrebonne fils n'étoit pas en droit de tirer sur ces nègres, vu qu'ils ne faisoient aucun tort à personne, n'y qu'ils n'étoient pas sur sa terre à luy, cauzoit aucun damage; Enfin le jour d'hier visite auroit été faite au cadavre sur la requête de Monsieur le Procureur Général du Roy: Par le Sieur Gardral, chirurgien Major, en présence de Mr. de Launay, Conseiller au Conseil Supérieur de cette province, Commissaire nommé en cette partie, en présence du dit Sieur, le Procureur Général du Roy, et comme ces sortes de voye ne sont pas permises, le suppliant requiert.

Ce considéré, Nos Seigneurs, il vous plaise donner acte au suppliant de la plainte. En consequence luy permettre de faire informer des faits contenus dans la présente requete, circonstances et dépendances, par devant le Commissaire nommé à la visite du cadavre, en la présence de Monsieur le Procureur Général du Roy: Pour, sur l'information, etre le dit Terrebonne condamné à payer le sus-dit nègre qu'il à tué à dire d'experts, et à tous les frais de chirurgien, traitements, medicamens, damages et interets pour le nègre Jean-Louis qui à été blesse du dit coup de fusil. Déclarent le

Suppliant qu'il sera partie civil et requérant la fonction de Mr. le Procureur Général du Roy pour la vindicte publique. Et ferez justice.

A la Nouvelle Orléans, le 24 Mai, 1763.

ZERINGUE.

TRANSLATION¹.

To Our Lords of the Superior Council of the Province of Louisiana:

The petition of Joseph Zeringue, living in this province, herein acting and appearing for the widow La Croix, his mother-in-law, very respectfully shows:

That Saturday last, the twenty-first of the present month, at about seven o'clock in the evening, a certain Jean and a certain Jean Louis, negroes belonging to the said Widow La Croix, while going to the plantation of the Widow Liequery were stopped by one Terrebonne, Junior, living on the Tchoupitoulas coast, on the plantation of Mr. Boisclair, situated on the other side of the river, on the levee of the said plantation, that not satisfied with having stopped them, the said Terrebonne, whose Christian name is Dupre, shot at these same two negroes. One was killed and the other wounded in the arm, the side and the thigh. The said Terrebonne then seeing that he was in the wrong in having shot at these two negroes, brought them here to this city, the following Sunday morning the twenty-second of the present month. What makes it plain that the said Terrebonne, Junior, had no right to shoot at these negroes, is that they were doing no wrong to anybody, nor were they on his land and causing no damage. Finally yesterday view was had of the corpse upon the demand of Attorney-General of the King, the Honorable Gardral, Surgeon Major, in the presence of Mr. de Launay, Counsellor to the Superior Council of this Province, commissioner named on this behalf, in the presence of the said Honorable Attorney-General of the King; and since acts of violence of this sort are not permitted, petitioner prays:

That, this considered, my Lords, it may please you to take cognizance of petitioner's complaint; that you, therefore, permit him to give information of the facts contained in the present petition, with the circumstances and particulars, before the Commissioners named at the view of the corpse, in the presence of the Attorney-General of the King, in order that, upon that information the said Terrebonne be condemned to pay upon the finding of experts, for the aforesaid negro whom he killed, and for all the costs of the surgeon, of treatment, of medicines, and damages for the negro, Jean Lewis, whom he wounded by said shooting; petitioner declaring that he will

bring a civil action and requesting that the duty of the Attorney-General of the King to publicly prosecute be discharged.

In this you will do justice.

New Orleans, May 24, 1763.

ZERINGUE.

¹By R. H. Marr, Esq.

XIV--1763, June 3. Proces Verbal by Darensbourg summarizing the facts developed in a cow case heard before him at Carlestin, (St. Charles Parish).

TEXT.

“Sur la réquisition du nommé Simon Dragner qui nous a présenté la requete que le nommé Blumner à présenté contre luy, disant qu’il avoit vendu une vache au nommé Henry Terterman.

Nous avons fait venir le dit Henry par devant nous qui nous à dit n’avoir jamais achepté la dite vache mentionné, mais que le dit Blumner luy avoit proposé à luy en vendre; que le dit Henry luy avoit dit de s’en informer s’il y en trouveroit marchand en ayant même parlé au nommé Belsom qui à esté chez le dit Simon, mais qui n’a pas voulu non plus en achepter des vaches à Blumner.

“Quand au Sr. Thomas, il étoit venu parler au Simon Dragner, pour s’informer si le dit Blumner avoit des vaches chez luy, Simon luy à répondu ‘ouy il y en à deux,’ et ayant même esté les chercher dans la cyprière pour estre présenté aux achepteurs, personne n’est venue depuis, ayant dont esté obligé à les renvoyer dans la cyprière. C’est ce que plusieurs témoins m’ont confirmé. Il est cependant vrai que Simon Dragner à dit plusieurs fois qu’il ne les livreroit que quand la maison seroit achevé; mais si quelqu’un les acheptoit, il pouvoit les laisser avec son troupeau jusqu’à ce que Blumner auroit fini son ouvrage, et que même les ouvriers luy ayant prié de ne point laisser partir les dites vaches qu’ils ne fussent payés de leur salaire.

“Comme plusieurs personnes dans la cote me sont venu porter plainte contre le dit Blumner qu’il leur devoit, j’avois envoyé un ordre au dit Simon d’avertir les achepteur s’il s’en présentoit, de ne point donner l’argent au Blumner, de m’apporter l’argent pour que les créanciers puissent estre satisfait. C’est ce que le dit Blumner n’ignore point mais personne ne s’est présenté pour les achepter. C’est suivant tous les témoins que j’ay interrogé m’ont confirmé à cet cause je luy est expédié la présenté pour luy servir où besoin pouvoit estre.

DARENSBOURG.

“A Carlestin ce 3 juin 1763.”

TRANSLATION.

XV.--1763. The application of one Simon Dragner who presented us the petition which one Blumner presented against him alleging that he had sold a cow to one Henry Terterman.

We had the said Henry to come before us who said that he had never bought the said cow, but that Blumner had offered to sell one to him; that the said Henry had told him he would try to find a purchaser, having even spoken to one Belsom who went to the said Simon, but he did not want to buy cows from Blumner.

As to Sr. Thomas he went to speak with Simon Dragner to ascertain if the said Blumner had cows at his place. Simon answered: "Yes, there are two," and went to fetch them from "la cyprière" to be shown to the buyers; no one having come since then, they were obliged to send them back to the "cyprière."* This has been confirmed by several witnesses. It is however true that Simon Dragner said several times that he would deliver them only when the house would be finished, but, that if some one bought them he could leave them with his herd until Blumner has finished his work, and that even the laborers had begged him not to let the said cows go until their salaries were paid.

As several persons on the coast came to me to complain against Blumner who owed them, I sent an order to the said Simon to warn the purchasers if any presented themselves not to give the money to Blumner, to remit it to me so that the creditors might be satisfied. Blumner is not ignorant of this, but no buyer has presented himself to buy them. The foregoing is confirmed by all the witnesses I have interrogated in this cause. I have drawn up this report to serve as necessity requires.

At Carlestin, this 3rd of June, 1763.

Signed: DARENSBOURG.

*Cyprière is the cypress woods or cypress swamp.

XVI--1769, June 1. Decision of the Superior Council declining to take jurisdiction of a suit between Viviat and Nouveau, concerning the seizure of a vessel and cargo coming from Manchac bound for English ports.

TEXT.

1er juin 1769. Audiance extraordinaire du Conseil Supérieur Jugement entre de la Louisiane, du 1er juin, 1769.

le Sieur Viviat et le Sr. Nouveau. OÙ étoient Mssrs. Aubry Chev. de St. Louis Commandt la Province, Foucault faisant fonctions d'ordonnat et de 1er juge, Prat de Launay Conseiller, de Laplace, Hardy de Boy blanc et Thomassin, de Labarre, Conseillers Assesseurs et le procureur Général du Roy.

Entre le Sr. Viviat Negt Demandant en Requette. Vu la Requette du demandeur: Le passe pour accordé du poste Vincennes au Sr. Nouveau sur le cautionnement donné par le Sr. d'Auterive et Nouveau, entre requette du demandeur, les concluzions du Procureur Général du Roy, le tout vu et murement examiné, le Conseil à Déclaré et déclare n'avoir point à fournir effort pour ce qui regarde le Batteau et La Cargaison venu de Manchac pour les postes anglais de S. M. B. En conséquence à annullé et annulle les saisies qui ont été faites sur le Batteau et Cargaison et tout ce qui s'en est ensuivi comme subreptice et à renvoyé et renvoye les parties à se pourvoir par devant Mr. Brownin, Commandant et Gr. Civil à Pensacola pour Sa Majeste Britannique, pour par luy etre ordonné concernant les dits pelletries et batteau, pr voir et dépens ce qu'il jugera convenable. Dépens sur instance réservés.

Aubry, de Laplace, P. Labarre, Foucault, Hardy de Boisblanc, Thomassin.

TRANSLATION.

1st June, 1769 Judgment between Sr. Viviat and Sr. Nouveau. Extraordinary session of the Superior Council of Louisiana, June 1st, 1769. Present Mssrs. Aubry, Knight of St. Louis, Commander of the Province; Foucault exercising functions of Intendant-Commissary and of First Judge; Prat de Launay, Councillor; de la Place, Hardy de Boisblanc, Thomassin and de la Barre, Councillors Assessors; and the Attorney General of the King.

Appears Sieur Viviat, merchant, petitioner. The petition of the plaintiff was exhibited. The permit granted by the post of Vincennes to the Sieur Nouveau upon the bond furnished by Sr. D'Auterive and Nouveau to the demand of the petitioner, the opinion of the Attorney General of the King; the whole inspected and seriously considered, the Council decides it has not the strength sufficient for this affair which concerns the boat and the cargo going from Manchac to the English posts of His Britannic Majesty. In consequence it has annulled and annuls the seizures made of the said boat and cargo and all that followed as subreption, and has discharged

and discharges the parties to sue before M. Brown, Commander and Civil Governor at Pensacola for His British Majesty, to be by him adjudged concerning the said peltries and boat, to see and decide as he will judge proper. Costs of this Court reserved.

Signed: Aubry, de Laplace, P. Labarre, Foucault, Hardy de Boisblanc, Thomassin.

XVII--1770, February 11. Petition and order for family meeting to select tutor and curator (under tutor) for the minor Christopher Maer.

TEXT.

A Mon Seigneur Don Louis Unzaga, Gouverneur de la Province de la Louisiane:

Suplient humblement les dénommes-cy Oncles du mineur Cristophe Maer, orphelin, disents que le Sieur Darenbourg, cy-devant Commandant aux Allemands auroit été chargé comme il paroît par un billet raturé du Reverend Pere Prosper depuis le cinq, Octobre, 1764, d'une somme de six mille quatre-vingt-sept livres trois sols et six deniers en ancien billiet de colonie, laquelle somme le dit Sieur Darenbourg à remis le 4 décembre 1769 à la Dame Veuve Close grande mère du dit mineur Mayer orphelin: Depuis le temps que le dit Sieur Darenbourg à eu ce papier il à été crie et affiché. La rentré du papier de colonie par ordre de Monsieur Bobé. Ce que les dits denommés oncles du dit mineur ont entièrement ignoré à la Coste des Allemands où ils sont établis.

Pourquoy il vous plaise ordonner premièrement que les quatre oncles représetants il y en ait un de nommé tuteur, et l'autre Curateur du dit mineur.

D'autoriser le dit tuteur de placer la dite somme de six mil quatre cent six livres à l'interest du dit mineur et que le dit tuteur et Curateur soient autorisé par toute sorte de voye, afin d'évitter tcutes les difficultés qui pourroient subvenir de la part du dit mineur à sa Majorité et feres droit.

A la Nouvelle Orléans, ce 11 fevrier, 1770.

Cristophe Haydel, Sieur Jacques (his x mark) Materre, Sieur Francois (his x mark) Pauche, Sieur Jean (his x mark) Tum.

Soit les parents et amis des dits oncles convoqués pour être un tuteur et curateur; et en présence de Mr. Garic Ecrivain du Gouvernement et du Cabildo.

A la Nouvelle Orléans, le 12 fevrier 1770.

Signé: Unzaga.

To Don Luis Unzago, Governor of the Province of Louisiana:

The herein named uncles of the minor orphan, Cristophe Maier, humbly show that Sr. Darenbourg, former Commander of the German Coast, has had charge of the sum of six thousand eighty-seven livres, three sols, six deniers in ancient colonial bills, as will appear from a cancelled note of Reverend Father Prosper since October 5th, 1764; which sum the said Sr. Darenbourg remitted on the fourth of December, 1769, to the Widow Close, grandmother of the said minor orphan Mayer. During the time that the said Sieur Darenbourg has had the paper it has been announced by the public crier and published, that the paper of the colony was being redeemed by order of M. Bobe, that said uncles of the said minor, at the German Coast, where they are established were in complete ignorance of this fact.

For these reasons may it please you to order, first, that, from the four uncles here represented, one be named tutor and another curator of the said minor; that the said tutor be authorized to invest at interest for said minor the said sum of six thousand four hundred and six livres, and that said tutor and curator be fully authorized to do all things to avoid any difficulty to provide for the wants of said minor until his majority and as shall be right.

At New Orleans, 11 February, 1770.

Signed: Cristophe Haydel, Sieur Jacques (his x mark) Materre, Sieur Francois (his x mark) Pauche, Sieur Jean (his x mark) Tum.

Let the relations and friends of said uncles be convoked to re-command one to be tutor and curator, in presence of M. Garic, Secretary of the Government and of the Cabildo.

At New Orleans February 12, 1770.

Signed: Unzaga.



THE CONTROVERSY ON LAFITTE'S BIOGRAPHY

*Read before the Louisiana Historical Society, February 24, 1920,
by Mr. Gaspar Cusachs.*

Ladies, Gentlemen:

At the last meeting of the Society a biographical sketch of Lafitte, the Louisiana pirate, taken from De Bow's *Review*, (October 1851), was read before the Society. In the following review a controversy arose. The author, a literary Louisianian, having died before it appeared, De Bow published the criticisms and contradictions. We think it is due to our members who attended the lecture of the first sketch to reproduce the contradictions hereafter cited. The Philadelphia *Bulletin* published an article asserting that Lafitte returned to his native land, with his American wife, and died there. In Louisiana Pierre Lafitte, the devoted brother of the famous Jean Lafitte, who was domiciled at his blacksmith shop on St. Anne street, was said to have been married, but Jean Lafitte, the hero of as many romances as of daring feats, was never known to have been tied down to one wife, though he was tender hearted where the fair sex was concerned.

Professor Ingraham had written a life of Lafitte, previous to 1851. This work, in two volumes, was considered highly and the Professor thought it incumbent on him to take up the matter. His letter and De Bow's editorial note preceding it will follow:

The History of Lafitte*

"We cannot refrain from extracting from the Philadelphia *Bulletin* the following, which seems to shed further light upon the history of this remarkable personage. It will be perceived that the writer expresses the belief that he could obtain other and more satisfactory data from the family of Lafitte, now living in their native province. We trust that he will do so and that eventually we shall be enabled to sift out the facts from the multitudes of fictions which in regard to him have gained currency and credit. Though there was a good deal of romance mixed up in the sketch that we published last October, which was from the pen of a gentleman now deceased, several of the statements in it which were controverted are being corroborated from other sources.

*De Bow's *Review*, Vol. XIII, page 10.

"Circumstances made us acquainted at one period of our life with the real facts of Lafitte's history, verified in a manner that left no loop hole for falsehood to creep in. Since then, we have read most of the novels that have been written respecting him, and greater libels were probably never penned, for they represent Lafitte either as a romantic hero, or as a human fiend, when, in fact, he was neither. On the contrary, he was a man who had been goaded by great wrongs to seek revenge, which he did in that wild Arab way which so often characterizes seamen, and which is nourished in the blood, partly by the loneliness of the sea, and partly by a life free from the conventionalities of civilization. For a true sailor has, as Hermenn Melville says, a spice of the wild morality of the desert, and is, as it were, the Bedouin of the great deep.

"Jean Lafitte was born on the Garonne, and not at Marseilles, and was, from his very boyhood, accustomed to the ocean, for belonged to a family which, for many generations, had furnished some of the most skilful seamen and daring privateersmen of Bayonne. In the great war of the French Revolution, when the commerce of his native province was almost destroyed, he embarked as lieutenant on board a private armed vessel, which, after running a brilliant career, was finally captured by a superior force and carried into an English port. Here Lafitte, with the other officers and crew, was cast into prison. Time passed; his captain, his brother lieutenants, the common men even, obtained freedom—but Lafitte himself remained a prisoner. His friends, however, and relatives were active in trying to procure his discharge. Several times were prisoners of equal rank sent into English ports, through the agency of his old captain, in order to be exchanged for him, but it was not until many long years had passed that Lafitte found himself free. This long detention raised in him an almost savage thirst for vengeance against England, and on his release, he returned immediately to privateering, principally for the harm he might thus do to English ships.

"The pacification of Europe after the treaty of Fontainbleau deprived him of the means of legally carrying on his revenge. But long years of solitary brooding in prison, and night watches after on the lonely sea, had destroyed to a great extent, his reverence for human laws; he had, in a word, become an Arab at heart. He determined accordingly to continue his career. Yet he refrained from attacking any but English vessels, since it was only against England that he sought revenge. His relations in France, heard of his course with inexpressible pain, and remonstrated with him earnestly, especially one who had been a sort of guardian in his youth, and who

now expostulated with him almost with tears. But Lafitte was inexorable. At least his early friend called in the aid of religion, and reminded the erring man of the awful destiny he was preparing for himself in eternity. The reply was characteristic: 'If I do go——,' wrote Lafitte savagely, 'I will drag plenty of Englishmen with me.' His relatives, aware of how great had been the provocation, could say no more. But, from that hour, for many long years, the name of the wandering outlaw ceased to be spoken in the household of his fathers; and children in whom ran blood kindred to his own grew up to manhood ignorant of his very existence.

"The subsequent career of Lafitte is well known. Though he committed acts of piracy only on British vessels, he paid no regard to the revenue laws of any nation. For a long period he had under him quite a considerable force at the Island of Baratavia. But his early education, which had been strict, asserted its power at last; old memories were reawakened, and he sighed to return again to civilized life, to lay down the brand of the pirate, to pass his days in quiet. The volcano of passion or insanity, for it was as much the last as the first, had burned out in that fiery heart. He made his peace with the United States, as is popularly known, just before the battle of New Orleans. Subsequently he returned to his native land, where he died not many years ago. His wife, whom he married in America, is still living, or was, at the time we heard of the narrative we have given.

"We should have to violate the sanctity of private life, if our authority was to be given. At the time we heard of the history of Lafitte, we were told the name of his old captain, of the privateer in which he was captured, and many other facts which we have since forgotten. We regret that we did not take these details down in writing. We could possess ourselves of them, however, in a month or two, for his relatives still live in their native province; and perhaps we may do this yet."

From Pontotoc, Mississippi, came the following letter:

"Mr. Editor:

"In common with the readers of the '*Review*,' I have noticed with lively interest, the controversy which has sprung up in relation to the fact of the celebrated Lafitte's identity, and the still more important, and to Americans, still more interesting fact of his participation in the battle of New Orleans. This is a matter about which there should be no conflict of history. Lafitte was there, or he was not there. History should assert either the one fact or the

other with entire certainty. And without presuming on my own part to determine the point affirmatively or negatively, I will communicate the following incident, merely as a matter of evidence to give conviction or confirmation to the opinion of others. The fact to which I allude was communicated to me in private conversation by the late Robert L. Cobb, Esq., of Columbia, Tennessee. Here a question may be suggested as to who Robert L. Cobb was? This question may be very easily and satisfactorily solved. Robert L. Cobb in the early part of his life was a physician, and at the time of the battle of New Orleans, was surgeon to one of the regiments which composed General Coffee's brigade. He was a scientific, skilful and meritorious gentleman in that department. After the war of 1812 he prepared himself for the bar and located in Columbia, Tennessee, where he died some years since. As a lawyer he was learned, able and gifted, and for many years he had an extensive and lucrative practice, while as a man of integrity, probity and honor, no man ever stood higher in that intelligent and public spirited community. But to the incident— It is this: 'A short time previous to the battle of New Orleans, General Coffee's brigade was stationed at Fort Adams, which was not, I think, far from the vicinity of Baton Rouge, in Louisiana. And while there, they were greatly destitute of the necessary military stores such as hats, shoes, blankets, and comfortable clothing of every description. While in that condition, General Coffee, from some source or other, received information that one or more of Lafitte's 'warehouses' had been discovered among the bayous and passes in the bottom beyond the river from his camp, and that they were filled with such articles as he needed for his soldiers. General Coffee determined that if this information was correct, as Lafitte was then an outlaw, with his hand against all nations, that he would rifle his warehouses and appropriate such articles as he needed for the use of his troops. For the purpose of ascertaining the truth of this information General Coffee ordered Captain Gordon's company of spies—a celebrated company—to leave the camp as secretly as possible, and to go with the individual who brought the information, a guide, and ascertain the truth or the falsity of his statements. This order was given about 11 o'clock A. M., and Gordon's Company left the camp about noon. In the course of about two hours, that is, about 2 o'clock in the afternoon, a runner or messenger came from General Jackson to General Coffee with the information that the British had either appeared on the coast, or had landed, or had driven in the gunboats on the Mississippi—(which I will not pretend to state positively)—that he expected an attack

on the city hourly, and that he must hasten with all his available forces to the defense of New Orleans. General Coffee immediately recalled Gordon's spy company, put his brigade in motion, and hastened to General Jackson's assistance.

"During the busy scenes that followed, leading a life of constant activity, excitement and peril, General Coffee soon forgot all about the expedition of Gordon's spies upon Lafitte's warehouses, until it was recalled to his mind afterwards in a very peculiar and significant manner. General Coffee had not been thrown with Lafitte before, nor during the battle of the eighth. But they met at a ball that was given by the citizens of New Orleans to the officers of Jackson's army shortly after the battle was over. Coffee did not arrive at the hall till late and most of the officers of his brigade had preceded him, and were standing about the rooms when he arrived, noticing every object of interest and notoriety which presented itself, 'beautiful women, and brave men, etc., etc.' Among these objects of interest was the celebrated Lafitte—the 'Baratarian pirate.' Mr. Cobb was standing but a few feet from Lafitte when General Coffee entered, and witnessed an introduction which occurred between them. When Lafitte's name was called, Coffee immediately recollecting that he had been associated with Lafitte's name, in some way or other, in endeavoring to recall the circumstances to his mind paused, and exhibited a good deal of hesitation in his manner. Lafitte, who appeared to be on the alert for slights, noticed this and attributing Coffee's hesitation to a repugnance of recognizing him as a gentleman on account of his previous reputation, immediately drew himself up with haughtiness, and in a hasty manner advanced a step or two, and exclaimed with peculiar emphasis: 'Lafitte, the pirate.' Coffee discovering the error he had committed, advanced to Lafitte and taking him by the hand, apologized for the tardy manner in which he recognized the introduction, and explained the cause of his hesitation.

"This is the incident related to me by Mr. Cobb, as having occurred under his own observation. He related it to me as being true, and I believe him incapable of telling a falsehood about anything. He further informed me that it was as well understood according to his recollection that Lafitte was a participant in the battle of New Orleans as that General Jackson was there. He added: 'I did not see him in the battle, nor did I see General Jackson in the battle, but I know he was there, so I know that Lafitte was there, and I saw him afterwards.'

"This conversation occurred in Columbia, Tennessee, in the month of January, 1840. He moreover gave me a description of Lafitte's person, but it was by way of comparison with a gentleman then living in Columbia, and as the impression made on my mind as to Lafitte's personal appearance is associated with that individual, the description of Lafitte might in truth turn out to be that of another man, were I to attempt it.

"I have thrown off this letter hastily and crudely, and it is at your disposal. If you think the facts relative and worthy of publication, you can publish it. Individually, I have no wish to appear in print.

"Respectfully,
"W. H. K."

Editorial note preceding Professor Ingraham's letter:

"A note with which we have been favored by Professor Ingraham is an amusing comment upon the controversy which has sprung up in regard to this traditional and historical personage, about whom we suffered ourselves to be put out of temper, though upon our word of honor, we never cared a pinch of snuff whether his reputation were that of a pirate or a pedlar. We simply published in the first instance a graphic, though highly embellished sketch, which was furnished us by a literary gentleman of Louisiana, the correctness of which we said was vouched for, using his own language, by a number of authorities who were set forth. Every one could weigh the value of these authorities, and the paper was published as every editor in the Union is accustomed to publish, upon its own merits. What has restored our good humor, however, is that we observed in the columns of the very journal, which called us so severely, and, as we think ungenerously, to task, in classing ours among 'other fictitious works,' and italicizing its claims to veracity before even the ink of the criticism had dried, a notice under the editorial head most flattering in its terms and associating the *Review* in rank and 'scientific' position with 'Silliman's journal,'—certainly one of the most veracious journals in America. This opinion of our labors, corresponding with a great many others from the same source, for which we have always entertained the most grateful feelings, we try to flatter ourselves comes from the heart; though the other is quite disagreeable enough upon the old principle, to be nearer the truth. *The Delta* has gained laurels enough in its own short career, (and none more than ourselves have rejoiced over them), to leave a few for its

neighbors. Even the 'PIRATE' Lafitte—we ask pardon of his memory, whilst we dismiss him,—cannot rob us of these."

"Aberdeen, Miss., September 1, 1852.

"That Lafitte was ever a 'blacksmith' I cannot in justice to my taste in the selection of a hero, for a moment entertain the idea. The romantic young ladies who have fallen in love with him, and the amateur juvenile buccaneers, who have admired him as a darling corsair, would never forgive me, should it prove so. It is not to be questioned that there have been very clever blacksmiths, citizens good and true, and our own day has produced a learned blacksmith. There is Vulcan also, who has doubtless done much to ennoble the profession; but as modern heroes of romance do not usually

*'On thundering anvils ring their loud alarm,
And puffing low the roaring bellows blow,'*

I must beg leave to protest against Captain Lafitte being biographed into a blacksmith! To exchange his picturesque costume for a leathern apron; that Damascus blade for a rusty iron hammer, those 'jewelled fingers' for sooty fists; that dark flowing plume for unkempt locks,

'With cinders thick besprint;'

his quarter-deck for the mud floor of a forge; and the

'Glad waters of the dark blue sea,'

for a cooling trough; and all the buccaneering splendor of his aristocratic person for

*'Sinewy arms and shoulders bare,
His ponderous hammer lifting high in air;
While bathed in sweat from forge to forge he flies,
Mid sulphurous smoke that blackens all the skies!'*

I must positively protest against smutting the fair fame of the pirate of the Gulf by admitting for a moment the possibility of such a thing. A blacksmith! the hero of the Mexique seas, a blacksmith! Two volumes of sentiment, rose colored at that, thrown away upon a shoer of horses and peradventure of asses. Not even Vulcan's fame, God though he were, nor Venus' smiles celestial as she watches her sooty lord forging thunderbolts, not even the fact that he was the son of Jupiter and the brother of Neptune, the god of the sea, on which Lafitte achieved his romantic name, can induce me to consent

for a moment that this chivalrous and very gentlemanly pirate should be a blacksmith down to posterity. What would become of all the romances that make him the fighting Adonis of the seas. We shall next learn that *Ivanhoe* was a tailor, the *Red Rover* a cobbler, that the 'last of the Mohicans' sold old clothes. We should handle these two volumed novel heroes, especially nautical gentlemen, my dear Mr. De Bow, with the softest doe-skin encased fingers.

"But to reply more seriously to your inquiry: I have every reason to believe Lafitte to have been, if not gentle born, well born, and educated with some degree of refinement. At this late day I cannot furnish you with very authentic information that would serve as data for a faithful biographical memoir. Seventeen years ago I gathered from various sources, from persons who knew Lafitte well, and from others many facts which I wove into the fabric of my romance. Since then other facts have been related to me, all of which have led me to the conclusion that he was an intelligent man, brave and chivalrous, with the bearing and amenities that distinguished the courteous Creole,—and a Creole he was, undoubtedly, by birth and education. He first prominently made himself known by certain smuggling operations, by which he introduced rich freights into New Orleans, furtively conveyed from the Gulf through bayous. In these enterprises he was aided by the means of merchants who in a few years were enriched by this unlawful commerce. When at length M. Lafitte, who was in their confidence, and had also made great gains, learned that he was watched and that efforts were being made to entrap him into the custody of the law, he abandoned this perilous pursuit, and with his two or three small vessels lent his aid to one of the struggling republics of the Spanish main. Success in arms seems to have rendered him bolder and more ambitious, for in the following year we hear of him actually buccaneering on the coast of Texas, and carrying on a system of spoilation,—respecting no flag that came into his power. Some depredations upon the coast-wise navigation of Louisiana drew down from General Claiborne a proclamation upon him, appended to which was a large reward promised for his head.

"Such, so far as I could ever obtain it, is the outline of his career up to the beginning of our war with Great Britain; and this outline I filled out in the novel, with the usual free creations of the romancer's pen. Although authentic enough for fiction, it wants the rigid verification a biography calls for.

"At the time the war broke out, (1812-1815), Lafitte had his rendezvous at Baratavia, a picturesque bay on the Gulf coast, less

than fifteen leagues from New Orleans. His sympathies were enlisted on the side of the Americans, and it is a matter of well authenticated history that when the English Commander would have bribed them to conduct them by the secret avenues of the bayous to the city, he refused their bribes of gold and naval rank with disdain; and in the face of the proclamation for his head hanging over him, he presented himself before Governor Claiborne and volunteered his arms, vessels, and men in the service of his native State.

"That he was in the battle of New Orleans, as asserted by you, and served one or more guns with his crews, there can be no question. I have had pointed out to me on the field the very spot on which he was posted, it having been close to the river, on the extreme right of the American line. The account in the novel is faithful to the narrative of his conduct there as told to me. If you have at hand a copy of Marbois' History of Louisiana or Latour's, you will in one, or perhaps both of them, find a correspondence between Governor Claiborne and President Madison, in which the fact of his presence in the battle and his gallantry in maintaining his position, is not only stated, but is, I think, advanced as good ground for the clemency of the Executive. But it is so many years since I have thought of the subject that I have quite forgotten where I found many of my facts made use of in the novel; and it is barely possible I may be incorrect in referring you to Marbois, as I have no copy by me to verify my reference. Col. Chotard, of Natchez, commanded in the defence of New Orleans a troop of Mississippi horse, the only cavalry, I believe, in the battle. A letter to him would no doubt elicit what knowledge he possesses on this point. Governor Poindexter of Louisivlle, was also in the action as aide to General Jackson. Either of these gentlemen could give certain information touching Lafitte's presence at the lines on that day.

"That there were two brothers is probable, though *questionable*; yet, that there were others of the name is quite likely, as it is by no means an unusual name, either in the south, or in France. There is but *one* Lafitte, however, who has any romantic or historical interest at all associated with his career; and this personage is the veritable Baratarian chief, known as the 'Pirate of the Gulf,' the velvet capped, sabre armed, lofty browed, glossy locked, chiselled lipped, tender, sentimental, courteous, throat-cutting Lafitte. Whatsoever harmonizes not with the chivalrous character of this Baratarian hero and salt-sea gentleman should be set down to the credit of his obscure namesake to whom you allude, and the events of whose life you conjecture have crossed and mingled with those of the true romance

man. This personage may have been his brother, for aught that I know, and also have been a learned or unlearned blacksmith, and like old Vulcan, have forged his more warlike brother's cutlasses and cannon. A sword has been presented to me by a gentleman of New Orleans, Duncan Hennen, Esq., which was taken from Lafitte at the time of his capture; and if one might venture an opinion from the rude, massive, cleaver-like fashion in which it is made, it was doubtless fabricated by this leather aproned brother—a first effort unquestionably on the anvil-beating brother's smithy skill. Moreover, a six-pounder, which once belonged to Lafitte, was a few years since presented to me by a friend as a trifling souvenir of my hero. It has such a very fierce bull-dog look about the muzzle and so rough a coat that I have set it down as a first effort at rough casting of the hypothetical brother aforesaid. Mr. Tooke, who ought to know, says in his *Pantheon*, that immortal English classic, how that Vulcan wrought a trident for his brother Neptune. Why then should not Lafitte, the junior, cast a cannon or forge a two handed iron sword for his brother?

“Had I now at hand all the alleged facts I once collected in relation to Lafitte, I could not offer them to you as authentic, not regarding them as sufficiently genuine material for a faithful memoir. I found in my researches, twenty years ago, romantic legends so interwoven with facts that it was extremely difficult to separate the historical from the traditional. I am very sure that the same cause will make it impossible to arrive at the truth of his life. His only biographer at last must be the romancer!

“There is to be found in Mr. Timothy Flint's History of the Valley of the Mississippi, a chapter, the perusal of which suggested to me the idea of writing the novel of Lafitte. I enclose a copy of the chapter. Mr. Flint was contemporary with Lafitte, was a keen hunter of testimonies and is to be regarded as good an authority touching him as any one now to be found. He says, in brief space, all that I believe can be said with certainty respecting him; and he asserts, as you will perceive on reading this extract, that he was at the battle of New Orleans.

Flint's Narrative

“A curious instance of the strange mixture of magnanimity and ferocity often found among the semi-savages of the borders, was afforded by the Louisianian, Lafitte. This desperado had placed himself at the head of a band of outlaws from all nations under heaven, and fixed his abode upon the top of an impregnable rock,*

to the southwest of the mouth of the Mississippi. Under the colors of the South American patriots, they pirated at pleasure every vessel that came in their way, and smuggled their booty up the secret creeks of the Mississippi, with a dexterity that baffled all the efforts of justice. The depredations of these outlaws, or as they styled themselves, Barritarians, (from Barrita, their island), becoming at length intolerable, the United States government despatched an armed force against their little Tripoli. The establishment was broken up and the pirates dispersed. But Lafitte again collected his outlaws and took possession of his rock. The attention of the Congress being then diverted by the war, he scoured the gulf at his pleasure, and so tormented the coasting traders, that Governor Claiborne of Louisiana, set a price on his head. This daring outlaw, thus confronted by the American government, appeared likely to promote the designs of its enemies. He was known to possess the clue to all the secret windings and entrances of the many mouthed Mississippi; and in the projected attack upon New Orleans it was deemed expedient to secure his assistance. The British officer then heading the forces landed at Pensacola for the invasion of Louisiana, opened a treaty with the Barritarian to whom he offered such rewards as were best calculated to tempt his cupidity and flatter his ambition. The outlaw affected to relish the proposal; but having artfully drawn from Colonel N—— the plan of his intended attack, he spurned his offer with the most contemptuous disdain, and instantly dispatched one of his most trustworthy corsairs to the Governor, who had set a price for his life, advising him of the intentions of the enemy and volunteering the aid of his little band, on the single condition that an amnesty should be granted for their past offences, Governor Claiborne, though touched by this proof of magnanimity, hesitated to close with the offer. The corsair kept himself in readiness for the expected summons and continued to spy and report the motions of the enemy. As danger became more urgent and the steady generosity of the outlaw more assured, Governor Claiborne granted to him and his followers life and pardon and called them to the defence of the city.

“They obeyed with alacrity and served with a valor, fidelity, and good conduct not surpassed by the best volunteers of the republic.”—(“Timothy Flint’s Valley of the Mississippi.”)

“The close of Lafitte’s adventurous life is involved in an obscurity as profound as that which envelops his early days, and doubtless

‘A corsair’s name he’ll bear to other times,’

whatever be the result of the researches now so diligently being made into his early history and subsequent career.

“J. H. INGRAHAM.”

“J. D. B. De Bow, Esq.”



HISTORY OF THE LOUISIANA HISTORICAL SOCIETY

*Paper read by Mr. W. O. Hart,
March 23rd, 1920.*

The Louisiana Historical Society was organized on January 15, 1836, and its first president was Henry A. Bullard, then an associate justice of the Supreme Court of Louisiana. In 1846 the society was reorganized, among the reorganizers being such well-known names as Charles Gayarre, Alfred Hennen, and Francois Xavier Martin, who was elected its president, but died the same year, and Judge Bullard was again elected president, serving until 1860, when by Act No. 6 of that year, approved January 16, the society was incorporated by the State, and Charles Gayarre elected president.

The first recognition of the society by the State of Louisiana was by Act No. 189 of the General Assembly of 1848, approved March 16, by which the Secretary of State was authorized and required to deposit with the society all public documents, journals, reports of decisions of the Supreme Court, and publications received from Congress and other States, but the war soon breaking out and reconstruction following, the society was practically dormant until 1877, when it was reincorporated by Act No. 108 of the extra session, approved April 30, among the incorporators being such well-known names as Charles Gayarre, Francis T. Nicholls, Louis A. Wiltz, Robert M. Lusher, E. T. Merrick, W. W. Howe, George W. Cable, B. J. Sage, H. B. Magruder, F. L. Richardson, Joseph A. Quintero, Alexander Dimitry, H. Dickson Bruns and William B. Egan, all of whom have now passed away except George W. Cable, who made an address before the society at its March, 1915 meeting, and Mr. Frank L. Richardson, an eminent member of the Bar of Louisiana.

Charles Gayarre continued as president until 1888, when Judge Howe was elected, serving until 1894, when Prof. Alcee Fortier became head of the organization and remained its president until 1913, during which time the organization took on new growth and development, and from eighty-eight members which it then had, has increased until it now has nearly eight hundred on its rolls. There would be at least five thousand members if the people of this State knew what the society has done to preserve the history and traditions of Louisiana.

Prof. Fortier retired from the office of president in 1913, dying the following year. Mr. Gaspar Cusachs, one of the best known collectors of historic material in the country, became president in 1913 and was re-elected unanimously in 1914, 1915, 1916, 1917, 1918, 1919, and 1920, and is carrying out the work of the society on the lines so well laid down by Prof. Fortier.

The other officers of the society at this time are: John Dymond, first vice-president; Bussiere Rouen, second vice-president; Judge Henry Renshaw, third vice-president; Miss Grace King, recording secretary; Mrs. H. H. Cruzat, corresponding secretary and librarian, and W. O. Hart, treasurer.

Membership in the society is open to ladies as well as gentlemen, and about one-fifth are ladies, and there are a few members outside of the State and a few within the State outside of the city of New Orleans. As the society is a State one, and the only historical society but one in Louisiana, the membership throughout the State ought to be larger than it is.

During the administrations of Prof. Fortier and Mr. Cusachs, the society entertained three presidents of the United States, McKinley, Roosevelt, and Taft, besides numerous Governors, foreign diplomats, members of Congress, Cabinet officers, judges, members of the army and navy, and distinguished men in all walks of life from all parts of the world.

The three great celebrations organized by the society and carried out to successful culmination were the one hundredth anniversary of the transfer of Louisiana from France to the United States in 1803, the one hundredth anniversary of the admission of Louisiana as a State into the Union in 1812, and the one hundredth anniversary of the battle of New Orleans and the one hundred years of peace which began with the end of that battle, in 1815.

All of these celebrations were by virtue of acts of the General Assembly of Louisiana, which, realizing the importance of the events to be celebrated and desiring the celebrations to be in competent hands, placed the entire charge thereof with the Louisiana Historical Society. At each of these celebrations there was present a personal representative of the President of the United States, respectively, Roosevelt, Taft and Wilson. Each celebration was carried out with historical accuracy and detail (with the exception that there was no reproduction of the battle of New Orleans) of the events which were being celebrated. The committee in charge of the last celebration believed that that was not the time to reproduce war scenes, and therefore all reference to the battle as such was eliminated.

In the celebration in 1903 Gov. W. W. Heard took a prominent part, and in the celebration in 1912 Gov. J. Y. Sanders was the central figure, and in the celebration of 1915 Gov. L. E. Hall was the most prominent Louisianian participating in the ceremonies.

The Louisiana Historical Society was the first to suggest the proper celebration of the two hundredth anniversary of the Founding of the city of New Orleans and of erecting in connection therewith if at all possible or at least, the laying of a cornerstone of a monument to Bienville in 1918. A committee of the Society was appointed but subsequently the matter was taken in charge by the city of New Orleans and a committee appointed by the Mayor mostly of members of the society; but on account of the United States becoming involved in the great World War, the committee, though it had many meetings and mapped out an elaborate program, gave up the idea of the celebration; the society, however, feeling that so important an event should not be overlooked, accordingly on December 20th, 1918, with proper ceremonies in the Cabildo, fittingly celebrated this great bi-centennial.

A few years ago Miss Ida Barrow, teacher of drawing in the public schools, suggested to the Mayor that New Orleans should have an official flag; the Mayor took kindly to the idea but at the request of the Society, he deferred action until the bi-centennial year when a committee was appointed to consider the subject. Of this committee, Mr. W. J. Waguespack, a very active member of the Society, was the chairman and all the other members but one, were members of the Louisiana Historical Society; nearly three hundred designs were submitted to the committee and the one finally selected makes the flag of New Orleans one of the most beautiful in the world. The design was adopted by the City of New Orleans on February 5th, 1918, and the first flag was raised over the City Hall on the two hundredth anniversary of the founding of New Orleans, February 9th, and while under the auspices of the City Committee before referred to, the Louisiana Historical Society took an active part therein.

A committee having been sent by the city of New Orleans to France to represent New Orleans in the ceremonies in that country in October, 1917, preliminary to the ceremonies of 1918, on the very day the celebration was had in Paris, a celebration was had in the City Hall in this city in which the Society took an active part.

The celebration of 1903 represented a colonial change; the celebration of 1912 commemorated a State change; the celebration of

1915 commemorated a national event, and these three considerations received particular recognition.

The different celebrations above referred to also received national recognition by action of Congress, and while the ceremonies on January 8, 1915 were going on in the city of New Orleans, Judge J. R. Thornton in the United States Senate and Hon. H. Garland Dupre, (a member of the Society) in the United States House of Representatives were making speeches descriptive of the event and of the celebration, and these speeches, through the Congressional Record and through the press, were scattered broadcast.

The crowning event of the celebration of 1903 was the colonial ball; of 1912, the State banquet, and of 1915, the international peace banquet, pronounced by all who attended to be the most brilliant function of its kind ever given in the city of New Orleans. The *New York Outlook* in so describing it added, "and this, too, in a city famed for its great banquets."

It was intended by the American Peace Centenary Committee, the British Peace Centenary Committee, and the Canadian Peace Centenary Association that the 100 years of peace should be elaborately celebrated throughout the English-speaking world, preliminary thereto beginning at Ghent, Belgium, December 24, 1914, of the one hundredth anniversary of the signing of the Treaty of Ghent, but the war in Europe destroyed these plans, and the eyes of the world became centered on New Orleans, where the great peace celebration of the world took place. The King of England designated a personal representative, and as gold medals by the society were presented to him and to the representative of the President of the United States, these two gentlemen, T. H. Carew-Hunt and Arthur J. Peters, clasped hands as the band played "Hands Across the Sea" amid the cheers of the hundreds of thousands who witnessed the event on the battlefield of Chalmette.

The society has issued many publications which are valuable additions to the history of not only Louisiana, but of the United States and of the world, and the same are sought for by librarians, historians, and public men everywhere.

In the great Fourth of July celebration held at the City Hall in Lafayette Square in 1918, at the request of the President of the United States, the Society took a prominent part and in consideration thereof the committee in charge presented to the Society the flags of the world, used during the celebration, fifty-three in number and at the celebration on the same day in 1919, additional flags were presented to the society, so that it now has a collection of seventy-

five embracing the flags of all the nations of the world except the enemy nations, Austria, Germany, Hungary and Turkey; other flags represent the potential nations, such as Arabia, Finland, Palestine, Siberia and Syria, the new nations Jugo-Slav, Poland and Slavonia, the small nations, Albania, Andora, Luxembourg, Monaco, and San Morino, and Australia, Canada, India, Ireland and New Zealand, the Betsy Ross Flag, which was the first flag of the United States, the Red Cross flag, donated by the New Orleans Unit and the flag of the Sons of the American Revolution, donated by the New Orleans Chapter. Some of these flags were also donated to the Society by Mr. Saltus hereafter referred to as the gentleman through whom the statue of Joan of Arc was received by the Society. The flags are prominently displayed in the Cabildo and appropriate ones are hung from the windows of the Cabildo on National and International holidays and are loaned by the Society to schools, patriotic and historical organizations for entertainments given by them from time to time.

Many minor celebrations have been conducted and participated in by the society, among them being the Charles Gayarre centennial; the Judah P. Benjamin centennial in 1911; in connection with other patriotic organizations of this city the one hundredth anniversary of steamboat navigation on the Ohio and Mississippi rivers in 1910; the Thackeray centennial celebration, and the fiftieth anniversary of his visit to New Orleans, when a dinner was given in the same room in Boudro's at Milneburg where Thackeray was entertained fifty years before; the semi-centennial celebration of the unveiling of the Henry Clay monument in 1910 with the Kentucky Society of Louisiana, and the participation by the society with other organizations in many other patriotic events.

It was at the suggestion of a member of the society that the public school gymnasium in the Third District was named Louis A. Wiltz, after the Louisiana Governor and to it the society presented his portrait.

The society succeeded in having Galvez honored by the Cumberland Telephone Company in naming one of its exchanges after the intrepid Spanish soldier and with appropriate ceremonies his picture was presented by the society to the exchange.

A very important act of the society took place on April 22, 23 and 24, 1915, when it entertained as hosts the Mississippi Valley Historical Association, and with this association the society hopes in time to erect on the banks of the Mississippi river a monument to La Salle.

The birthday of the Marquis de Lafayette, September 6th, was splendidly observed in the Cabildo in 1917 and again in 1919, the features of the first named day being the address by Judge Henry Renshaw, a member of the society, on Lafayette's Visit to New Orleans in 1825, and the presentation to the Society by Miss Anna R. King, also a member of the Society and Regent for Louisiana of Mount Vernon the home of Washington, of a picture of the Key of the Bastille, which hangs in Washington's old home, having been presented to him by Lafayette.

On May 1st, 1918, the society was greatly honored by receiving from the Museum of French Art through Mr. J. Sanford Saltus a magnificent bronze equestrian statue of Joan of Arc, a replica reduced in size of the one on Riverside Drive, New York; the statue is mounted on a beautiful pedestal giving its history and containing some of the stones from the castle at Rheims where the Maid of Orleans was confined. Mr. Saltus was present to make the presentation and floral offerings were received from all over the United States, from Europe, and from Porto Rico, from individuals and organizations interested in the history of Joan of Arc.

The Society has presented the flag of New Orleans to many organizations and libraries and when the French cruiser, *Jeanne D'Arc* was in this city, January 19th, a splendid flag, specially made for the occasion by Mrs. J. R. Bonneval, the "Betsy Ross" of New Orleans, and who made the first New Orleans flag was presented to the cruiser and as it departed from New Orleans the flag of New Orleans for the first time was flown from the masthead of a vessel.

When the French Foreign Legion was in New Orleans in 1919, the Society participated in the Mayor's reception and presented to the Legion the State Flag of Louisiana, the Mayor at the same time presenting the Flag of New Orleans and a committee of citizens presenting the Flag of the United States and as the Legion marched away these three Flags were given equal honor with the Tri-color of France.

On January 8th, 1918, the Society had an open air celebration of the anniversary of the Battle of New Orleans in Jackson Square and in 1916 and 1917 on the same day had membership dinners; in 1916 it received from the State of Illinois through Mrs. John B. Richardson, a flag captured from a Louisiana regiment in the war between the States and returned to New Orleans, the same now reposing in the Cabildo.

In 1916, through the efforts of the late Senator Leon R. Smith of Shreveport, there was passed by the General Assembly, Act No.

274 under which the Secretary of State prints for the society, a Quarterly journal and its annual when same appears. Of course, considerable difficulty was found in launching the magazine and only seven numbers have been issued to date, owing to the difficulty of getting suitable material and the delays incident to getting the project started; however, the society hopes that during 1921 it will be able to get the Quarterly out regularly every three months. The Quarterly has taken a high rank among historical journals of the United States and even of Europe and so much in demand has it become that the one thousand copies provided by the State are not enough to supply the demands and the society hopes that the General Assembly at its next session will increase the number which the State prints from one thousand to two thousand.

For many years the meetings of the society were held monthly from November to April, but now they are extended to June and begin again in October, and sometimes meetings have been held in July and September. The society thus hopes to explode the old idea that nothing can be done in New Orleans in summer. The society has had many meeting places—the old St. Patrick's Hall, the old Mechanics' Institute, the Washington Artillery Hall and the new Public Library, but in 1911 it moved into its own permanent quarters, the old Supreme Court room on the second floor of the Cabildo, Chartres and St. Peters streets, perpetually dedicated to the society by the city of New Orleans, and which at the same time dedicated the remainder of the building and the presbytery below the Cathedral to the Louisiana State Museum. It was largely through the efforts of Mr. Charles T. Soniat, for many years first vice-president of the society, that these dedications were made. The museum itself is a child of the society, the idea thereof being first suggested by James S. Zacharie, a very active member of the society, and all of its original officers were members of the society, and since its organization nearly every member of its board has been identified with the society.

In the Cabildo are gathered many priceless relics, books, portraits and manuscripts collected by the society in its nearly a century of existence.

As custodian of the State the society has charge of the early Spanish and French Archives which are now being arranged, catalogued and marked so as to be readily accessible for reference.

Some of these and references to others have been translated and published in the Quarterly and Mr. Henry P. Dart, a valued member of the Society is now preparing for publication, many of the most

important of these documents which relate to judicial procedure in French and Spanish times and their publication will not only be valuable and interesting to the Society and historians in general, but also to lawyers, Judges, law professors and law students throughout the world.

Portraits of all the former presidents of the Society hang in its rooms, the one of Prof. Fortier being an artistic oil painting presented to the society during the centennial ceremonies on Jan. 9, 1915, on which occasion for the first time in its history the Supreme Court participated in a public function, giving a reception in its former courtroom to members of the society, the people of Louisiana and the many distinguished guests gathered here for the centennial ceremonies.

The meetings of the Society are held on the fourth Tuesday of each month at eight o'clock in the evenings and are open to the public, no cards or tickets of admission being required. In addition to the papers read and lectures relating to the history of Louisiana, illustrated lectures have been frequently given before the society including especially the Panama Canal, the St. Louis Exposition, the War Lands of Europe, the Birds of Louisiana and the Flags of the World.



DISCOURS

*Prononcé par Monsieur André Lafargue, Chevalier de la Légion d'Honneur
à la réception donnée au Cabildo, le dix-neuf janvier, mil neuf cent-
vingt, par la Société Historique de la Louisiane, en honneur du
Commandant et des Officiers de la
"Jeanne d'Arc."*

Commandant; M. le Consul General; M. les officiers de la "*Jeanne d'Arc*"; Mesdames, Messieurs:

Au sacre de Reims, tandis que sous les voutes de la grande cathédrale—aujourd'hui la 'Glorieuse Mutilée'—retentissaient les acclamations et les cris de joie d'un peuple qui venait d'être délivré du joug de l'envahisseur et qui en témoignaient sa reconnaissance à celle qui avait accompli cette noble tâche, des chevaliers envieux et dépités s'approchèrent de la pucelle, qui radieusement se tenait debout, l'oriflamme, à la main, près de celui auquel elle avait rendu son royaume, et lui reprochèrent de se mettre trop en évidence. La douce Jehanne sans fausse modestie et ayant conscience des services inestimables qu'elle venait de rendre à sa patrie, leur répondit simplement: "Il est juste que l'on soit à l'honneur quand on a été à la peine."

C'est en s'inspirant de cette belle réponse et de son éternelle vérité que la Société Historique de la Louisiane, au nom de laquelle j'ai le très grand honneur de prendre la parole, a organisé la manifestation de ce soir. En effet, notre Société ne se contente pas simplement d'enregistrer les beaux gestes et de les relater fidèlement dans ses annales. Elle aime à saluer et à honorer ceux qui en sont les auteurs, à les fêter à leur témoigner sa reconnaissance. C'est pourquoi je suis chargé de vous dire au nom de mes collègues, comme je l'ai déjà fait au nom de mes concitoyens, que vous, qui avez toujours été à la peine, nous vous souhaitons la plus cordiale des bienvenues dans ce sanctuaire, où tout nous parle de si saisissante et éloquente façon de la tâche jadis accomplie sur ce même site, et dans ce même Vieux Carré, par vos compatriotes. Vous, qui avez été à la peine, pendant plus de quatre ans, dans une lutte que l'histoire se plaît à appeler la "Grande Guerre," en raison de son caractère effroyable et de sa portée considérable sur l'avenir des nations libres et démocratiques, il est juste que vous soyez fussiez maintenant à l'honneur.

Dans cet ancien Cabildo, où tant d'évènements historiques de la plus grande importance et d'une influence si marquante sur notre carrière nationale, se sont déroulés; dans cette salle capitulaire, témoin de la rétrocession de la Louisiane à la France et de son transfert au grand pays dont elle fait aujourd'hui partie, nous prenons plaisir à saluer ceux qui par leur héroïsme, leur esprit de tenacité, et leur patriotisme ardent ont tant contribué à sauver le monde à l'heure la plus critique des siècles et à lui conserver son patrimoine le plus cher—la Liberté. Les fils de France qui avaient si souvent dans le passé fait valoir leurs belles qualités ataviques de bravoure et d'esprit chevalresque viennent encore de prouver au monde entier—comme l'a si bien dit tout récemment le Maréchal Foch—que leur patrie sait toujours conduire à la victoire ceux qui se rangent sous sa bannière. La France a tout époque à toujours défendu noblement la plus noble des causes, et l'histoire n'a fait que se répéter lorsque la Marne et Verdun sont venus s'ajouter aux pages glorieuses écrites par cette nation dans les annales des siècles. Nous le disons ce soir avec fierté et enthousiasme les Louisianais se réjouissent plus que jamais du sang français qui coule dans leurs veines car c'est celui des braves.

Nous avons partagé vos angoisses et vos deuils pendant toute la guerre qui vient d'avoir lieu car nous étions avec vous de coeur et de pensée depuis le début des hostilités. Avec vous nous avons vécu les moments terribles des premiers jours de la guerre, ses périodes critiques et ses heures difficiles. Avec vous aujourd'hui nous voulons chanter, si j'ose m'exprimer ainsi, un hosanna de gloire et de victoire.

Jetez un peu les yeux autour de vous, dans cette salle, sur ces murs où nous avons fixé les traits de ceux qui jadis nous apprirent à connaître et à aimer la France. Tout ici vous parle du passé, de sa grandeur, de l'influence qu'il a eu sur les évènements mondiaux de que nous venons de traverser, et qui ont abouti au triomphe de la liberté et du droit des gens. Les physionomies de plusieurs de ceux qui vous contemplant dans leurs cadres dorés sont empreintes de cette mâle énergie et de cet esprit de détermination qui permirent à vos compatriotes de triompher des plus grandes difficultés et d'affermir la puissance française dans un pays où la brousse, les sauvages, la maladie et l'isolement semblaient vraiment leur interdire l'accès. La belle et florissante cité que vous ouvre toutes grandes ses portes, qui vous acclame et vous fête depuis plusieurs jours, est l'oeuvre de deux siècles de laborieux efforts et de prodiges d'énergie et de persévérance. Aussi lorsque la grande horde des barbares se déversa sur la France il y a cinq ans nous n'avons jamais douté un seul instant

du triomphe final. Nous avons vu déjà ici les preuves de l'esprit de vaillance et d'endurance des fils de France, de leur mépris de la mort et de leur abnégation admirable et nous nous sommes dits: "La cause de l'humanité ne peut être placée entre de meilleures mains." L'histoire a prouvé que nous avons raison. Les compatriotes et descendants des Iberville, des Bienville, des La Salle, des Joliet et des Champlain, se sont immortalisés sur les bords de la Marne de, l'Yser, à Verdun et en Argonne, comme naguère leurs devanciers l'avaient fait sur les bords du Mississippi et de ses affluents, dans une contrée réputée jusqu'alors impénétrable. La race qui avait fourni les hardis pionniers de la Louisiane pouvait aussi donner au monde ses défenseurs au vingtième siècle.

En votre personne, Commandant, en celle de tous les Officiers de la '*Jeanne d'Arc*,' dont le nom sied si bien à un navire de guerre français faisant visite à la Nouvelle Orléans, nous saluons tous ceux qui pendant plus de quatre ans ont généreusement versé leur sang pur et loyal afin de conjurer le plus grand péril auquel le monde ait jamais été exposé. Nous sentons qu'en vous acclamant nous rendons hommage aux héros de la Grande Guerre, à ceux qui le 14 juillet dernier défilaient fièrement au milieu d'une foule en délire sur la voie triomphale des Champs Elysées, et à ceux aussi qui dorment de leur dernier sommeil il dans cette vieille terre de France toute imprégnée de gloire et de splendeur.

Et puis nous ne pouvons oublier, en vous recevant que se sont des navigateurs français qui ont exploré la grande vallée du Mississippi qui vient aboutir à cette cité florissante dont vous êtes aujourd'hui les hôtes distingués. Cavalier de La Salle et ses compagnons, comme Bienville et Iberville, et presque tous ceux qui ont contribué à donner à la France son ancienne colonie de la Louisiane avaient été tout d'abord des marins, e'est à dire des hommes fortement trempés physiquement et moralement, ne reculant devant aucun danger et portant toujours en eux-mêmes cette belle assurance et cette confiance illimitée qu'ils savent acquérir sur les flots tumultueux et en face des horizons sans borne. C'est la navigation française qui à surement doté son pays au xviii e siècle du vaste territoire auquel il fut donné le doux nom de Louisiane," que nous ne prononçons jamais sans penser à la France et à ses enfants illustres. La hache des premiers habitants qui se frayèrent un passage à travers la brousse impénétrable de ce pays était maniée avec courage et vigueur par des équipés de marins. Les canots, taillés et fabriqués de toutes pièces, à la mode indienne, dans les troncs de nos chênes séculaires, étaient montés et guidés d'une main sûre et déterminée à

travers les 'bayous' et les 'arroyos' qui sillonnent le terrain inculte et marécageux du bas Mississipi, par des gars solides, au teint halé, par des fils de la mer. L'oeuvre colonisatrice de la France dans notre pays doit certainement en grande partie sa réussite et son caractère permanent aux marins de France.

Vos dévanciers ont semé en terrain fertile. La grande et belle métropole du sud, assise fièrement sur les bords du vieux Meschacébé et les cités puissantes et prospères qui se dressent sur ses deux rives jusqu'à la frontière du Canada sont la moisson durable qu'il vous est donné de contempler dans toute sa splendeur. St. Louis, St. Paul, Détroit, la Nouvelle Orléans, portent l'empreinte indélébile des marins de France, des navigateurs hardis et courageux, qui ne reculant devant aucun effort, devant aucune entreprise aussi hasardeuse où périlleuse qu'elle puisse être, implantèrent chez nous le génie et l'âme de la France. Habitué aux luttes incessantes avec un des éléments les plus formidables—la mer; appelés constamment au cours de leur métier si rude et si plein de danger à prendre des décisions rapides et énergiques, les navigateurs français, qui débarquèrent ici les premiers jetèrent les fondements d'établissements et de postes qui plus tard devaient s'épanouir en grandes et populeuses cités. Qui dira les drames obscurs et héroïques, dont ils furent à maintes reprises les héros et les victimes? Qui racontera tout ce qu'il a fallu de courage et de persévérance pour créer définitivement le grand empire en Amérique dont la France pouvait à juste titre s'enorgueillir. Les noms de beaucoup de ces vaillants fils de France resteront probablement à tout jamais inconnus. Le Français de tout temps a travaillé pour son pays modestement et sans éclat. L'amour de la patrie, la conscience de faire oeuvre durable et utile lui suffit. Ceci est surtout vrai des marins français dont la tâche pendant la guerre qui vient de se terminer, est si peu connue et dont les exploits cependant ne le cèdent en rien à ceux qui ont été accomplis sur terre au grand jour de la publicité. Mais nous, les descendants des premiers colons français, nous n'avons pas oublié tout ce que nous devons à la marine française, et ce soir nous nous rejouissons de pouvoir lui rendre un juste hommage dans ce lieu où il nous est si facile de reconstituer le passé et de faire revivre les exploits de ceux qui vous ont précédé.

Sous la protection de l'héroïque Lorraine, la pucelle d'Orléans, la sublime Jehanne, votre 'Jeanne d'Arc,' mais aussi un peu la nôtre, vous avez remonté le cours du majestueux Mississipi et vous êtes venu jeter l'ancre devant notre Nouvelle Orléans si profondément attachée à la France. Nous avons été vraiment heureux de vous

avoir et vous constaterez que nous ne nous séparons des marins de France qu'avec le plus grand regret. Nous voulons les conserver parmi nous le plus longtemps possible. Le lit tenace de notre grand fleuve refusera peut être de se laisser arracher le lien qui le rattache à votre navire. Ne vous en étonnez pas. Nous l'en avons chargé. Si votre ancre, comme celle de beaucoup de vos prédécesseurs, reste au fond de notre fleuve, nous n'y verrons qu'un présage heureux de votre retour. Nous en accepterons l'augure car la Société Historique de la Louisiane et ses invités souhaitent du plus profond de leurs cœurs que vous leur reviez. En attendant la réalisation de ce vœu nous prononçons avec amour et respect ces mots que nous sont appris par nos mères dès notre première enfance: "Vive la France." Et j'ajoute: "Vive le Commandant Jolivet." Vive la "*Jeanne d'Arc*."

At the conclusion of his address in French Mr. Lafargue made the following remarks in English:

Captain, Officers of the "*Jeanne d'Arc*."

I hardly feel that it is necessary for me to state that you are welcome to our thriving and prosperous community, formerly founded by the French, hardy pioneers and intrepid sailors who hailed from your great country, and whose spirit, customs and beautiful language we have strived at all times to keep within our midst. You are bound to feel at home here, for you are being received by the descendants of countrymen of yours, who are proud to acknowledge that fact and who are ever ready to acclaim the name of France and to pay homage to her valiant sons.

How singularly appropriate it is that you should be extended a hearty welcome in this old Cabildo, so reminiscent of the past and of its glorious deeds, and in this historic capitular room which the statue of "Joan of Arc," the gift of a generous friend, Mr. J. Sanford Saltus, Vice-President of the Museum of French Art in New York, so fittingly adorns. Less than two years ago, beautiful and impressive ceremonies were held in this very place in connection with the presentation and unveiling of this monument. Does it not show how deeply attached we are to France and to her immortal "Maid of Orleans." Does it not show also that we have an unquestioned right to receive within our portals with due pomp and ceremony the officers of a ship that bears the illustrious and hallowed name of "*Jeanne d'Arc*?" Now that you have been here, this image in bronze will ever remind

us of your splendid vessel and of the gallant men whom we have the great honor of entertaining tonight. Its possession will bring up recollections both of the immortal Lorraine shepherdess and of the man of war which we know achieved great distinction and renown in the World War. To you we repeat the words which we have been taught to lisp from earliest infancy: "Vive la France. Vivent ses heros."



ADDRESS

*Delivered by Mr. André Lafargue, Chevalier de la Légion d'Honneur,
at the Reception Tendered to the Commander and Officers of the
French Cruiser "Jeanne d'Arc," on January 19, 1920.*

Translation.

Commander; Consul General; Officers of the "*Jeanne d'Arc*"; Ladies,
Gentlemen:

At the coronation which took place at Rheims, whilst the arches of the great cathedral—now the "glorious mutilated cathedral"—re-sounded with the acclamations and joyous shouts of a people, just freed from the yoke of the invader, who were expressing their gratitude to the heroine who had accomplished this noble task, envious and spiteful knights approached the maid, who radiantly stood, oriflamme in hand, near him to whom she had given a kingdom, and reproached her with making herself conspicuous. The gentle Joan, without false modesty, conscious of the invaluable services she had rendered her country, answered simply: "It is just that one be at the honor, when one has been at the task."

Under the inspiration of this beautiful answer and its eternal truth, the Louisiana Historical Society, in whose name I address you, has organized this evening's manifestation. Our Society is not satisfied to simply honor great deeds and faithfully relate them in its annals, but it loves to greet and honor their perpetrators and to express its gratitude to them. This is why I am commissioned to say to you, in the name of my colleagues, as I have already done in the name of my fellow-citizens, that we extend to you who have been at the labor, the most cordial welcome, in this sanctuary where our surroundings so strikingly and so eloquently recall the task accomplished in former days on this same site, in this same "vieux carré" by your compatriots. You have been at the task during more than four years, in a struggle that history has deemed fit to call "The Great War," from the frightfulness of its characteristics and from its bearing on the future of free and democratic nations; you who have labored, in justice, must now be at the "honor."

In this ancient Cabildo where have taken place so many historical events of the greatest importance and of such obvious weight in our national career; in this "Sala Capítular" that has witnessed

the retrocession of Louisiana to France and its transfer to the great country of which it is today a part; in this hall so full of memories of a past in which the French held so prominent a part, we welcome your presence. We salute those who by their heroism, their unswerving perseverance and their ardent patriotism have so greatly contributed to the saving of the world in the most critical period of the ages, and have won for her that most precious heritage—LIBERTY. The sons of France who in the past have so often exhibited their atavic valor and chivalry have again proven to the world,—as Marshall Foch has recently declared,—that their country always leads to victory those who rally to her standard.

France, at all times, has nobly defended the noblest of causes, and history has but repeated itself when the Marne and Verdun have been annexed to the glorious pages written in this nation's blood through the centuries.

With pride and enthusiasm we repeat that Louisianians are, more than ever, elated and proud that French blood runs in their veins for it is the blood of the brave.

Throughout the duration of this cruel war, we have shared your anguish, your mourning has been ours; we were with you in heart and mind from the outset. With you we lived through the terrible days of the beginning of the war, through its critical periods, and its moments of imminent peril, and with you today, (dare we express it thus), we will sing the Hosanna of glory and victory.

Let your eyes wander over the walls of this room where we have placed the images of those who in olden days taught us to know and love France. Everything here speaks of the past, of its grandeur, of its weight in the shaping of the world events we have just traversed and which have culminated in the triumph of liberty and right. The faces that gaze at you from their gilded frames are the expression of that energy and determination which spurred on your countrymen in overcoming the greatest obstacles and were conducive to establishing the power of France, on a firm basis, in a country where brambles, savages, sickness and isolation seemed to forbid their gaining a foothold.

The beautiful and flourishing city that opens wide its portals at your coming, that acclaims and feasts you since several days, is the outcome of two centuries of laborious efforts and prodigies of energy and perseverance. Therefore, when the barbarian horde poured into France five years ago, our faith in you overshadowed fear; we never for a moment doubted of final triumph.

The sons of France had here given proofs of their valor and endurance, of their contempt for death, of their admirable spirit of self sacrifice; these memories have lived through two centuries and we thought and said: "The cause of humanity cannot be placed in surer hands" and history has proven that we were right.

The fellow-countrymen of such men as Iberville, Bienville, La Salle, Joliet and Champlain immortalized their names on the banks of the Marne, on the Yser and at Verdun and in Argonne, as their predecessors did, in other years, on the banks of the Mississippi and its affluents, in a country at that time considered impenetrable. The race that gave Louisiana its daring pioneers could also give its defenders in the twentieth century.

In your person, Commander, in that of all the officers of the "*Jeanne d'Arc*"—which name is so well suited to a warship visiting New Orleans—we salute all those who for over four years generously gave their loyal blood to avert the greatest peril that ever threatened the world. In applauding you, we feel that we are rendering homage to the heroes of the great war, to those who on the fourteenth of last July proudly defiled in the triumphal march of the Champs Elysees, in the midst of a crowd wild with enthusiasm; all homage too, to those who sleep their last sleep in old France, the land impregnated with glory and splendor.

In your presence we cannot forget that they were French navigators who explored the great Valley of the Mississippi, which reaches its final point at the flourishing city which this day honors you as its distinguished guests. Cavalier de La Salle, as well as Iberville, Bienville and almost all those who contributed to give France the ancient colony of Louisiana had first been seamen;—that is, men physically and morally strong, never receding before danger, always self confident, possessing the calmness which is acquired on the tumultuous waves, in the face of a boundless horizon. It was French navigation that bestowed on its country in the eighteenth century the vast territory that bears the sweet sounding name of Louisiana, which is never uttered without one's thoughts reverting to France and to its illustrious children.

The axe of the first inhabitants which cleared the way through forest and cane-brake, was wielded with courage and vigor by SEAMEN. The canoes cut from the trunks of our century oaks and made in Indian manner, were manned and guided by sure and determined hands through "bayous" and "arroyos", which like furrows marks the uncultivated lowlands of the Mississippi; and whose intricacies held no secrets for the tanned and hardy sons of the sea.

Your predecessors have sown in fertile ground. The beautiful and great metropolis of the south, proudly sitting on the banks of the old Meschacebe, and the powerful and prosperous cities which rise on both banks to the frontier of Canada are the enduring harvest of French labor, held up to you in its splendor. St. Louis, St. Paul, Detroit, New Orleans bear the indelible mark of the seamen of France; of those hardy and courageous navigators who never evaded a duty, took up any burden, and faced any enterprise however dangerous it may have appeared, implanting amongst us the soul and genius of France.

Accustomed to incessant struggles with the most formidable element—the sea—constantly called upon, in their trade so fraught with danger, to take immediate and energetic determinations, the French navigators who first landed here laid the foundations of establishments and posts which, later on, were to develop into large and populous cities. Who will relate the hidden and heroic dreams in which they were alternately the heroes or the victims? Who will tell us of the courage and perseverance necessary to create and establish permanently in America the great empire of which France might be justly proud?

The names of many of those valorous sons of France will probably ever remain unknown. The Frenchman has, at all times, modestly and silently labored for his country. His love for his native soil and the consciousness of achieving a lasting and useful work has sufficed. This is especially true of the French navy, whose task in the war that has just ended is so little known, and whose exploits however are equal to those accomplished on land in the refulgence of publicity.

But we, descendants of those first French colonists, have not forgotten all we owe to the French navy, and this evening we rejoice in the thought that it is possible for us to offer them a deserved homage in this place where it is so easy to resuscitate the past and the exploits of those who made its history.

Under the protection of the heroic daughter of Lorraine, the Maid of Orleans, the sublime Joan, your Joan of Arc, but somewhat ours too, you ascended the majestic Mississippi and cast your anchor before New Orleans so deeply attached to France by memories and sentiment. We were happy to have you amidst us and part with you in sincere regret. We wish to extend your stay here as long as possible. The bed of our great river may refuse to loosen its hold on the link that binds it to your ship. If your anchor, as it has happened to some of your predecessors, remains embedded in our

river, we will hold it as a happy omen of your return. We will accept the augury, for the Louisiana Historical Society and its invited guests, from the depth of their hearts, long for your return. In anticipation of this event, with love and respect, we utter the words taught us in our earliest childhood at a mother's knee: "Long live France" and I add to it: "Long live Commandant Jollivet, long live the *Jeanne d'Arc*."



THE OLD "MOBILE LANDING," HEAD OF THE BASIN IN NEW ORLEANS

By Charles Patton Dimitry.

Within the past fifty years the vicinity of the head of the basin of the New Canal, on South Rampart street, between Julia and Howard avenue, has undergone many changes, both as regards its conditions as a centre of trade and its nomenclature. For years Howard Avenue was known as Triton Walk, a peculiar designation for a street which was on a par with the neighboring street nomenclature which included such incongruities as Nayades, Dryades (still surviving), etc. The street passing in front of the Basin was Circus street, now South Rampart. Then came another change of the name of the square between Triton Walk and Julia street, and the space was called the Mobile Landing, because of the landing there of steamboats from Mobile, which, prior to the days of the Louisville and Nashville railroad, landed there. It is of this once important and interesting district of New Orleans that I now will proceed to write.

A human "landmark" of the head of the New Basin is found in the person of Mr. J. A. Florat, born in Paris, France, and who, at the age of nine years (he is now seventy-five years old and a bachelor), came to New Orleans, and who, when he was twenty-seven years of age, on the 1st of April, 1846, began business as a druggist in a building opposite the head of the Basin, which since then has been continuously his place of business and his residence. In all that time he has witnessed the various transformation scenes which have marked the varied and shifting career of the Basin and the New Canal; he has seen the "triton" disappear from his accustomed "walk," and the Circus, like Longfellow's Arab, fold its tent and silently steal away. Mr. Florat possessed, until the outbreak of the war, a cotton plantation in one of the Felicianas, but he always lived opposite the Basin. His brother Charles married in New Orleans and left a family of three children.

In the palmy days of the Basin's trade sidewheel steamboats plying between New Orleans and Mobile and points far up in the Alabama river brought cotton hither and deposited their freight at the Mobile Landing.

"Shortly after I first came here," remarked Mr. Florat, "business began to be very brisk all around the Basin. In those days cotton from the plantations on the Alabama river was piled up in piles of eight or ten bales high on the landing. Business was so good that I carried on my druggist's trade in a half wholesale way and had several clerks. I had orders, brought by steamboat and schooner captains, and also from the customers themselves, from all along the Gulf coast, and from over the lake. In those days, under the law, every vessel going outside was compelled to carry with it a medicine chest, and this I furnished, until the railroads injured the Basin trade, so that Mobile boats and many of the sailing vessels disappeared as did the medicine chests carried by these vessels. Ah, my business was very flourishing until the war and the railroads almost entirely broke it up."

In the days when, as described by Mr. Florat, the head of the New Basin and its vicinity was one of the busy scenes of our coast and neighboring commerce, all branches of the trade were profitable in this bustling locality. On the square on which Mr. Florat resided then, and on which he still resides, were thriving clothing, shoe, dry goods, hardware, feed and grocery stores, besides a large number of boarding houses, situated on the floors above the stores, which were patronized by people connected with the schooners and steamboats and by people who had come to the city from various points with the products of their farms.

Until about 1850 the Mobile Landing, the square, as I have said, at the head of the Basin, possessed two well patronized "putting-up" places, the Washington Hall, and the Piney Woods Hotel. The former was a sort of Irish headquarters in those days of the Basin.

"Sometimes," continued Mr. Florat, "we had exciting times around the Basin. Fights were not uncommon, and the combatants, when any damage was inflicted on their persons, would come into my shop and have their injuries repaired. In those days I acted as surgeon, physician and druggist for quite a large section around the Basin."

While the steamboats and other vessels from Mobile had their landing place opposite Mr. Florat's store, the space along the Basin on the up-town side (on Triton Walk), was reserved for sailing craft from Pensacola, and was called Pensacola landing, while the space directly opposite, on Julia street, was known as the Covington landing and was the anchorage ground of vessels from Covington and elsewhere over the lake. In those years crowds of buyers and sellers and of people who were bound for points along the lake coast,

Mobile, etc., were to be found at the Basin. Before the days of the railroads leading to New Orleans, travel from far to the eastward and northward of Mobile and the Mississippi Sound—from Florida, Mississippi, Alabama, and Georgia—often passed through the New Basin on its way to Texas, Arkansas and other places along or west of the Mississippi river. The same was true of the travel coming from the west, and on its way to Mobile and the east. Under these circumstances, as will be understood readily, the New Basin was quite an important waterway as a route for travel as well as for traffic.

Many years ago "Billy Bowlegs," the famous Seminole chief, passed through the New Canal, with 300 of his warriors of the war of The Everglades, on his way to the reservation in the Indian Territory, which had been provided for the defeated Seminoles by the United States government. While awaiting the departure of an Arkansas river packet from the city they remained on the two schooners in the Basin on which they had come from Mobile. Bowlegs was accustomed during that time of detention to go into Mr. Florat's store to make purchases, etc. When he went away he presented to Mr. Florat his hunting bag, having three pockets, and embroidered by his squaw, and also his war-dance leggings composed of seven gopher shells tied together, and in which were secured dried palmetto seeds. In the steps and movements of the war-dance, these quaint leggings, tied about the knee, rattled and jingled with a wild sort of harmony. Since the day these gifts were made to him Mr. Florat has kept them in his show-window. Mr. Florat has also several other relics and curiosities—some gathered by himself, and others—things that have "suffered a sea-change into something rich and strange"—given to him by marines who sailed on the seas.

"In the days of my first arrival at the Basin and for a long time after," said Mr. Florat, "the surroundings of the Basin presented a scene as bustling and as full of life, although on a smaller scale, as did the levee in the old time of shipping and a multitude of steamboats. Some forty or fifty schooners and other sailing crafts were regular plyers between the Basin and points along the lake shore and the sound. There was a steamboat, *Tecumseh*, running up to Alabama river, the *Lion*, the *Tiger*, belonging to Mobile, and others, the names of which I do not remember. The steamboat line to which the *Lion* and the *Tiger* belonged were to have had two other steamboats, but, unfortunately for their owners, after the two boats had made a trip apiece, bringing cotton to these ports, a fire destroyed both the *Lion*

and the *Tiger* at their docks in Mobile. This put an end to the enterprise."

Like all localities in a city on which a roving and more or less adventurous element of population, whether permanent or floating, has stamped the seal of its individuality, the Basin in those "laissez aller" days was not wanting in notable "characters." A peculiar person of this class was "Sandy, the Barber," a roystering Scotchman, who kept a barber shop on Circus street (now Rampart) just below Julia. Sandy's antipathy was the jovial element that was wont to assemble at Washington Hall.

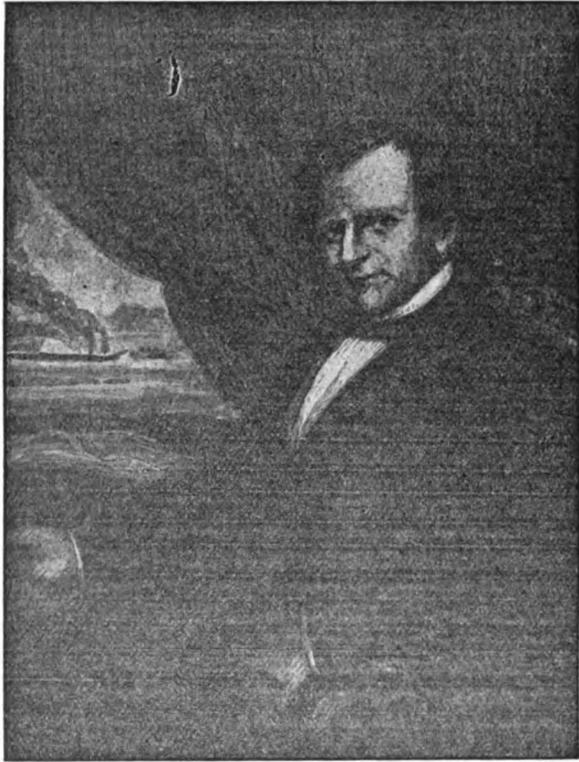
"Sandy, the Barber," said Mr. Florat, speaking of this bellicose person from the "Land-o-Cakes," "would leave his shop and go in to Washington Hall and a few minutes later he would emerge with an Irishman and they would begin to fight in the middle of the street. This was a common habit of Sandy's. He and the American oyster boys of the Basin of Washington Hall were in league against the habits of Washington Hall, and when the factions came together, the Basin saw 'lively times.' But weapons never were used in these encounters; fists only were the weapons and generally the defeated individual after the close of hostilities 'treated the crowd.' Sandy obtained the better of a certain position in this manner: In his reckless way of doing things he sold his head in advance to the medical man for \$5 (perhaps the physician wished to make an examination of his brain), but the doctor died before the barber, a fact upon which Sandy used to congratulate himself, for, as he remarked, he had made \$5 and saved his head. Sandy went to Mobile and died there."

About the year 1850, and for several seasons thereafter, the Basin and the New Canal as far as the lake terminus, the attraction of which at that time was Dan Hickock's famous hotel, was enlivened on Sundays, and sometimes on week days, by the presence of the line of handsome passenger barges of the keelboat pattern, having a cabin and covered upper deck, which were towed by mules, and which made trips at stated hours between the head of the Basin and what is now West End. This line was the enterprise of Mr. Rainey, who afterwards was the first president of the Illinois Central Railroad. These barges carried bands of music, were largely patronized by pleasure seekers, and were quite a cheerful feature of the New Canal while the line was in operation.

Comparatively secluded and laggard in progress as now are the Basin precincts (although workmen are busily engaged in building along Rampart street the track for the new electric car line)—there

have been periods in their history when men of prudence and thrifty habits secured large fortunes out of the business opportunities which presented themselves in the human ebbing and flow of the Basin. These opportunities, perhaps, are past, but they may yet be restored.





CAPT. HENRY MILLER SHREVE

FORGOTTEN SERVICE

When Fulton's steamboats, the *New Orleans* and the *Vesuvius*, proved to be unable to ascend the Mississippi and were used only between New Orleans and Natchez, traders from Pittsburgh to New Orleans were keenly disappointed. The flatboats, or crude arks, by which goods were carried downstream were left at the lowest port, and the crews were obliged to return overland through the wilderness, where they encountered many dangers and hardships. Although barges with sails could ascend the rivers, the trip was perilous and took six months. It remained for Capt. Henry Miller Shreve to adapt the steamboat to river traffic.

Capt. Shreve, who owned a line of barges, set about to contrive a steam engine that would regulate its own motion like clockwork, and eventually he succeeded in making by steam the return trip from New Orleans to St. Louis. In other round trips he carried supplies for Gen. Jackson.

His new boat, the *Enterprise*, was the first to ascend the Ohio to Louisville, and the trip marked an epoch in the history of the city. But Shreve now discarded his old engine and invented a new one, which weighed only one twentieth as much as the Fulton engine and used only two-fifths as much fuel. This he installed on the *Washington*, the first double-decker in Western waters. He then built the *George Washington*, the first boat with an upper, or hurricane deck.

How the upper cabin came to be called the texas is an interesting story, which Mr. Winston Churchill tells in his novel, *The Crisis*. Before Shreve's time the cabins had been merely curtained off, but Shreve built wooden rooms and named them after the different States—Kentucky and Illinois and Pennsylvania. When a man came aboard he would say, "What *state* am I in, cap?" When the big cabin appeared on top, it was at once named "Texas," for the largest of the States, which has become the technical name for it.

In 1829 Capt. Shreve invented a boat that amazed the people of his time. The rivers then were very dangerous on account of the driftwood and débris that had accumulated, but Shreve said he would build a boat that would beat the snags to pieces and pull them out by steam, and he did. There was one pile of drift called the Red River Raft, one hundred and sixty miles long, and the government gave Shreve the contract for clearing it out. The benefit to the

country was estimated at three million dollars, but the cost of the entire venture was only one-tenth of that.

Shreve's headquarters while this work was going on were named Shreveport. Since then the place has grown from a camp on a muddy bank to one of the most important Southern cities. For some reason the memory of this remarkable man, who was born of Quaker parents in New Jersey in 1785 and died in St. Louis at the age of sixty-nine, has not been perpetuated as it deserves.—*Youth's Companion*.



BOOKS SOLD AT THE ANDERSON GALLERIES

The following books were sold at the Anderson Galleries, New York, on February 9th to 11th, 1920. Sale catalogue 1462.

690 MISSISSIPPI COLONY. A full and impartial account of the Company of Mississippi, otherwise called the French East India Company, projected and settled by Mr. Law, etc. With a description of the country of Mississippi, and a relation of the first discovery of it; in two letters from a gentleman to his friend. In French and English. 8vo., very fine large copy with the scarce leaf of errata, half sheep. London: for R. Franklin, J. Roberts and others. 1720.

An extremely rare and interesting tract of 80 pp. Pages 42 to 79 contain an account of the discovery of Mississippi, otherwise called Louisiana, and a description of the country, including Dauphin Island, Fort Lewis, the Spanish Colonies at Pensacola and St. Bernard's Bay, also notices of the different tribes of Indians inhabiting that part of America.

691 MISSISSIPPI COLONY. Some considerations on the consequences of the French settling Colonies on the Mississippi, with respect to the trade and safety of the English plantations in America and the West Indies. From a gentleman of America, to his friend in London. 8vo., with the rare and very interesting folding map, entitled "A New Map of Louisiana and the River Mississippi" (top fold mended), very fine large copy, half sheep. London, for J. Roberts, 1720.

One of the rarest tracts in existence relating to that part of New France now occupied by the States of Louisiana, etc. We cannot trace the sale of a copy and neither Lefferts, Hoe, Hugh, Christie-Millar or any of the other great collections of Americana possessed one.

692 MISSISSIPPI COLONY. The Memoirs, Life and Character of the Great Mr. Law and his Brother at Paris. Down to this present year, 1721, with an accurate and particular account of the Establishment of the Mississippi Company in France, the rise and fall of its stock, and all the subtle artifices used to support the National Credit of that Kingdom by the pernicious project of paper-credit. Written by a

Scots gentleman, 8vo. fine large copy, half sheep. London: for Sam Briscoe. 1721.

A very rare and valuable tract. Pp. 31-42 contain an account of the early expeditions under Jolliet, and La Salle, d'Iberville's two forts and other interesting matter respecting Louisiana, Canada, the Florida Indians, etc.



RECORDS OF THE SUPERIOR COUNCIL
OF LOUISIANA. IX.

Memorandum of Account Current. October 3, 1726. Mr. Tixeront his account with Durivage.

Items debit	498 francs.
—— credit	110 ——
Balance debit	388 —— t. to Durivage.

Statement, inferentially, as prepared by D.

Petition In Dugout Suit. January 3, 1726. Rene Clairman *alias* Du Chesne, settler *Aux Colas*, reports that his dugout was taken away on Monday, December 31, 1725, by parties Chapron & Rochon. On going with three men to get it back, he failed to find it until he reached New Orleans. He claims full restitution, comprising time of three men for four days.

Action granted.

Certificate of Service Rendered. April 1, 1726. Undersigned Duval certifies that *Sieur* Jacob, employed in Mr. Perault's office on accounts of the former administration, did collaborate with Mr. Duval during past March, agreeably to Mr. P. whom D. had asked for a clerk; and proved a diligent assistant.

Petition of Recovery. January 4, 1726. Nicolas Quidort, settler at Natchez, claims a residue sum of 200 francs from one Passepartout from sale of a house, together with rent at 20 francs a month since day of sale. In default he would recover the house.

Action allowed.

Transfer of Note. October 3, 1726. Jean Baptiste Provenche transfers to Mr. Louis Tisserant, the sum of 180 francs as contained in a note issued by Mr. Du Rivage on past August 11. Settlement of a residue account.

Memorandum of Account Current. October 3, 1726. "Durivage; his account with Tixerant." Items debit, 556 francs; credit, 444 francs; balance debit, Durivage to Tixerant, 112 francs.

Pigeonhouse is rated at 215 francs, or 43 days of labor @ 5 francs a day. 300 oysters, 9 francs.

"Memorandum of Remarks to Post Mr. Massey." October 3, 1726. "Durivage made me a pigeon house and charges labor @ 5 francs a day." Agreed; only when labor is rated on that basis, board is not thrown in. Hence Mr. Tixerant (so assumed, though not signed) brings a

countercharge of 43 days' board @ 2 francs a day. Certain other items are contested and one gathers that the foregoing number is a statement of account revised by Tixerant.

Petition of Recovery. January 5, 1726. Surgeon Major Pouyadon de la Tour moves to collect 50 francs on account of the bill of 100 francs for professional attendance which he rendered Madame *veuve* Drilland, wounded, as it appears, by one Moreau (also written Morrau). The latter agreed to pay 100 francs and he is expected to settle residue account promptly.

Action allowed.

Petition of Recovery. January 7, 1726. Gamy, alias Lariviere, claims the sum of 192 francs from Toussaint Bourcalier, due on his note.

Action allowed.

Petition of Recovery. January 8, 1726. Jean Baptiste Bergeron (so signed; not Bergeran) seeks to collect 87 francs from *Sieur* Larche; this amount including note of 53 francs and a bill of 34 francs for provisions.

Action granted.

Remonstrance at Surgeon's Bill. January 10, 1726. Moreau, locksmith, by his attorney Cadot, takes exception to the portly amount asked by Surgeon Pouyadon de la Tour (100 francs), for the matter of dressing a slight wound, out of danger in four days. He had indeed agreed to pay the surgeon, but looked for a more moderate charge. He would have the bill revised and reduced to terms which he here developes at length.

No note by Court.

Faded.

Decisions in Civil Suits. January 9, 1726.

1. Mottet *vs.* Duval; judgment apparently for defendant. Costs on plaintiff.
2. Canceled.
3. Gonamil *vs.* Beaumont (?) Default. Claim allowed.
Bremont (?)
4. Jean Jacques Bonnefay *vs.* LaCroit. Claim allowed.
Filed No. 182.

Memorandum of Court Fees. December 4, 1726. Statement of Mr. Rossard's account with estate of late Claude Trepanier. Total, 375 francs. Received by Rossard, same date.

Petition of Recovery. January 13, 1726. Sundry workmen formerly employed on the de Chaumont grant, move to collect their several claims and request the citation of Mr.

Lagarde, director of said grant. They left their goods and families in France, in order to realize the fair promises offered them in this country, but now find it a most painful struggle to keep alive.

Notice served on Mr. Lagarde.

Letter of Mr. Defontaines to Mr. Rossard. January 14, 1726. Imploring his "dear friend" to advance him 100 francs on account of "thy note," as already requested a fortnight ago. The laws of friendship should insure compliance; the means availing. Writer is destitute; cannot buy so much as a quart of milk. Got credit today for a pair of stockings for his daughter.

Postscript finds him reduced to broth diet; only one chicken left for killing.

Petition of Recovery. January 14, 1726. Michel, employed by the Company, claims 141 francs from one Pascal, due in balance of a note.

Action granted.

Petition of Release. January 14, 1726. Mr. Motet, employed on land grant of Marquis Des Marches, finds himself pushed for payment of a note to Mr. Duval, which Motet signed only as agent for Des Marches land grant. Let Mr. Duval have recourse to said grant, and let him also make allowance for a sow and a goat that were consigned to him in account with the same grant. These items ought to be credited on disputed claim.

Action forward.

Petition of Recovery. January 15, 1726. Chevalier de Benat, remonstrates that at the close of the former administration the Council granted a loan of 500 francs to Guillaume Vaquier secured by Mr. Dartignier, for purpose of *settling*. Vaquier then settled on petitioner's land at Cannes Bruslees, but has not refunded the loan, and has even sold the property without notifying the Company. Let such sale be voided, and property be vested in petitioner.

Council will first hear purchaser.

Petition of Recovery. January 15, 1726. Jean Jacques Bonnefory, joiner, seeks to collect 30 francs, due on a note by one Fouger *alias* Lacroix, formerly *fifer* of the Company, now back in France. Let Madame LaCroix be cited.

Notice served.

Decisions in Civil Suits January 15, 1726.

1. Dubuisson *vs.* DeVerteuil, defendant in default. Arrangement of 10 December, 1724 shall be carried out. Meanwhile the *rice* shall be delivered within eight days to Mr. Dubuisson for further disposal, subject to proper accounting. Costs on DeV.
2. Michel *vs.* Pascal. Claim allowed, less a partial allowance duly provided.

Petition of Recovery January 19, 1726. Captain De Vauberge of ship *Dromadaire*, attorney for Madame *veuve* Trepanier, aims to reach the point of an involved tale, relating the history of a certain note for 100 Spanish dollars, dated January 26, 1723, signed by the spouse of *Sieur* Poupart, who for said sum engaged to send French commodities into this province for Dame Trapanier. Note was accepted at once by Mr. Poupart, and renewed on May 3, 1725: he would pay on his return to Mobile. Same note was accepted on same day by Mr. LeMelle *alias* Bellegarde; but being still unpaid, may it please the Court to summon Mr. B. to redeem note in given currency.
Action granted.

Petition of Recovery. January 17, 1726. Barbe Jouanne claims 79 francs from one Beaucour in balance of his note dated past April 6.
Action allowed.

Petition of Recovery. January 25, 1726. Jacques Berard recalled the substance of his claims, already allowed and approved, against Mr. Lassus, who was sentenced to pay note of 550 francs waiving the disputed furniture. Since J. B. is preparing to leave Louisiana for the Cape, or may be for France, he would fain settle with Mr. Lassus before embarking.
Action allowed.

Petition and Answer. Public Stores. January 26, 1726. Arnaud Bonnaud, guard of Company's warehouses, moves to rectify some laxities and losses in his department owing alike to his distance from some of the stores, and to careless or dishonest clerks, as also to open robbery. Council authorized him to take over the lot of goods deposited with Recorder. Cash seized against one Robert shall be discharged from warehouse accounts. Parties who bought from late clerk Vanquier shall report and settle in one month. Abstracted goods to be traced and sold. Warehouse accounts shall be duly credited, and corresponding discharge allowed. Mr. Bonnaud's discharge is reserved pending his accounting to the company.

(Signatures of Councillors.)
Filed No. 183.

Decisions in Civil Suits. January 26, 1726.
1. *Veuve* Trepanier *vs.* Bellegarde. Claim allowed.
2. Workmen of De Chaumont grant *vs.* De Lagarde.
Their several claims allowed.
Filed No. 184.

Statement of Account Desmarches Grabt with Mottet. January 28, 1726. Lumped synopsis of transactions covering five years (1751-1726). Total balance, 4656 francs.

Mr. Mottet's salary was rated at 800 yearly. Accounting parties; Marquis de Mezieres, Marquis Desmarches and their associates, to Mr. Mottet, who forthwith enters protest, and signs only in anticipation of bringing suit both on this account and for other causes to be adduced in good reason.

Signed: Delaye, Mottet.

Receipt in Real Estate Sale. January 29, 1726. Francois Duval has received from Captain de la Marque the sum of 1320 francs, plus 430 francs previously received from Mr. Pasquier, or total sum of 1750 francs, in full payment of a lot sold by Mr. Duval to Mr. De la Marque. Property in rue de Chartres, between Messrs. De Beaulieu & Joseph Carriere. Mr. Duval also receipts to Captain De la Marque for a house at Biloxy; and in fine this gives entire discharge of the Captain's debits to Mr. Duval to date, and squares their accounts all told.

Codicil to Will of Mr. Defontaines. February 2, 1726. Moreover, he owes the Reverend Capuchin Fathers on behalf of his deceased wife and some masses (item not stated). He gives the same R. P. Capuchins 50 francs on his own behalf, and apart from funeral fees. He owes *Frere Molot* (item not stated). He wishes his maid servant's wages to be increased 50% from day of her arrival in his house to day of his death, or of his first exit for Church. All this without impairing the will filed in Recorder's office on January 31, 1726.

Sale of Real Estate. February 1, 1726. Captain de la Marque, commanding at Biloxi conveys to Mr. Brusle, Councillor, a lot 10 by 20 "fathoms," in rue de Chartres, fenced with stakes; the same property lately acquired from Francois Duval. House thereon is about 40 feet long, roofed with bark, and surrounded with a gallery. Hall with fireplace, one room and two closets, and a garret overhead. Two courtyard wings one for kitchen, with three rooms besides the other serving as "cellar" and storeroom. Terms, 4000 francs, whereof 3000 to go to treasury, canceling debts of Captain De la Marque, 500 to Notary Rossard, and 500 cash to Captain.

Remonstrance (Allowed). February 4, 1726. Mr. Lagarde, director of Chaumont grant, reminds the Councillors that they are dispensers of the King's justice, which in turn comes from God. He therefore asks for equitable consideration of the demands now pressing against his company: certain serious errors of accounting call for correction; supplies charged at fair figures to customers ought not to be taxed at two-thirds above price on delivery, and allowance is due for depreciated rate of exchange

(25%) since the Chaumont grant first drew its letter of credit.

(Council cannot revise the accounts passed by Mr. Delachaise, but is willing to suspend sentence for six months, during which Mr. Lagarde may "Take his measures.")

Decision in Land Suit. February 5, 1726. Chevalier de Benat *vs.* Denoyon (purchaser from deceased *Vacquer*).

Council secures plaintiff in his right of mortgaged possession, and defendant may recover from some property of *Vacquer's* (a house in town).

Costs divided.

Filed No. 187.

Decision Between Berard and Lassus. February 5, 1726. Defendant shall redeem note of 550 francs within six months from date. Costs divided.

Filed No. 186.

Petition of Recovery. February 7, 1726. Antoine Malon, tailor, claims items of 468 francs a silver *marc*, and a sword with silver hilt, from *Sieur Duval*, goldsmith.

Action besought and granted.

(*Marc* was a medium of eight ounces.)

Unsigned Memorandum of Account. c. October 8, 1726. List of names and sums. No indication of writer's identity.

Unsigned Memorandum. c. October 8, 1726. "Debtors payable before my trip to Natchez." List of names and sums; no total computed. Latest marginal date appears to be October 8, 1726; Possibly 28. As the edge is torn.

Petition in Recovery. February 16, 1726. *Pierre Joseph de Lille alias Dupart* bought a house in *Ste Anne* street from one *Domain*, for 575 francs, paid and payable as here stated (with somewhat muddled circumlocution). *Domain* tries to evade the contract in favor of a subsequent higher bidder *Lasonde*. Let *Domaine* fulfill his agreement with petitioner.

Notice served on *D.*

Promissory Note. February 17, 1726. *Cariton* owes *Madame De Ste Erminne* 31 francs for merchandise and will pay said sum on twenty-first instant.

Petition of Recovery. February 18, 1726. *Nicolas Quidort* claims a still backward sum of 100 francs from *Sieur Bergeron*. In default, let the sale of lot in question be voided.

Action forward.

Summons to Appear. February 18, 1726. At instance of *Pierre Demain*, Sheriff *Vincent* notifies one *Dupart* to satisfy terms of contract with regard to sale of a house, half lot and appurtenances, or else the property will be sold again. Prospective buyer is about to sail by *La Saone*

for West Indies, and will hold Dupart accountable for any delay.

(Council *nonsuits*.)

Decisions in Civil Suits. February 19, 1726.

1. Dupart *vs.* Demain; plaintiff's claim allowed and Demain nonsuited in his counterclaim.
2. Nicolas Quidort *vs.* J. B. Bergeron. B. shall pay in two days, or sale will be voided.

Filed No. 188.

Report of Assault. February 20, 1726. Undersigned *Patin* and *Leborne*, certify to whom it may concern that Madame De Verteuil came into the warehouse where *Sieur De Buisson* lodges and threw herself upon him with fury, plucking out his hair and this repeatedly; whereas the signers did not perceive that *Sieur Du Buisson* gave any offence to her or spoke any insulting word.

Attorney General, 25 February, 1726.

See De V. and wife.

Report of Assault. February 20, 1726. Undersigned *Le Borne* certifies that Mr. De Verteuil accompanied by the surgeon of *LeBuisson* grant, entered the warehouse of *Sieur Du Buisson* and threatened to take an inventory of his goods unless *Du B.* would give some wine. *Du B.* demanded written orders; *De V.* resented such answer. *Du B.* "talked back;" whereupon *De V.* seized him by the neck "as though meaning to strangle him in presence of the surgeon."

Attested by *DuBuisson* in presence of the Attorney General, February 25, 1726.

Report of Forcible Entrance. February 20, 1726. Undersigned *LeHoux*, *Patin* and *LeBorne* certify that when Mr. *DuBuisson* demanded written orders of *DeVerteuil* that latter directed a *boarder* of his followers to break open the lock of adjoining warehouse, and that *De V.* and his party then entered with a view of taking possession.

Attested by *DeBuisson* in presence of the Attorney General.

Petition of Recovery. February 23, 1726. *Marie LeTellier*, maid-servant, seeks to collect arrears of wages, six months @ 10 francs a month, together with a silver pistole, or total 70 francs, from *Sieur Lasonde*.

Action allowed.

Report of Instigated Violence. February 21, 1726. Two employes of *Paris Du Verney* land grant certify that Mr. *De Verteuil* sought to oblige them, along with the surgeon, to seize and throttle *Sieur Du Buisson*; for which purpose the surgeon approached *De B.* with a rope, that they might then embark him for N. O. in a dugout. These hands refused, being chary of the "risks." Signa-

tures of Simeon S—— and *Charreau*. Attested by Du Buisson in presence of the Attorney General, February 25, 1726.

Deal in Slaves. February 23, 1726. *Chaperon* states that he has traded two negroes with Mr. *St. Julien* for two other negroes, man and wife, whom C. reports to be in good condition and not addicted to "eating earth." Further provisos detailed.

Affirmation of De Buisson de Montferrie. February 25, 1726. Francois DeBuisson, guard of Paris De Verney warehouse at Baillagoulas shows that Mr. De Verteuil tried to dismiss him; and on remonstrance by DuB. there ensued the assaults already reported.

Attorney General orders the matter filed with its related documents.

Faded.

Testimony Out of Court. March 4, 1726. Madame Charreau, being too ill to answer a summons in Court, certifies that her statement agrees with that of her husband; save that she did not see the stores forcibly entered. By what she has ascertained, Mr. De Montferrie was not the beginner of the fray, but behaved with prudence.

Witnesses hereto: Charreau, Simon Pinjonnell, LeBorne.

Promissory Note. March 7, 1726. *Genevieve Burelle veuve Trepagnie* promises to pay Monsieur Beranger or order the sum of 2100 francs, 15 sous. Value received in funds of the former administration.

Beranger endorses in favor of bearer, excepting 600 francs, 15 sous, received cash. March 7, 1726. *Delachaise* receipts to Madame for the residue 1500 francs.

May 10, 1726.

Receipt. March 12, 1726. Francois *Brachant* has received of Mr. Roussard the sum of twelve francs for having borne, together with three comrades of his, the body of Mr. Defontaine to the earth. *Mark* of F. B. for himself and his comrades.

Testimony Reviewed. March 12, 1726. Witnesses Antoine LeBorne, Simeon (scrawl), Claude Charreau, and Antoine Patin, are heard in review of their previous declarations; and so far as the slurred and wormeaten record seems to indicate, they stick to their filed evidence, with some *addenda* in case of Charreau.

Filed No. 191.

Petition for Copy of Procedure. March 12, 1726. Francois Du Buisson, having been refused by Mr. Rossard, asks the Council for copies of the procedure in his case against Mr. De Verteuil. Approved by Boisbriant and ratified by the Attorney General, who remarks that the matter

is not secret, but of public import. Fees duly offered and required.

Summons to Testify. March 13, 1726. At the instance of *Sieur Du Buisson*, warehouse guard and treasurer in chief of Duvernay grant now stopping with Mr. Bonneau, warehouse guard of the "Company of the Indies in Louisiana Province," Sheriff Vincent notifies *Sieur Le Hou* to appear at 2 p. m. for hearing in the case between Messrs. de Montferrie and De Verteuil.

Medical Bill. March 13, 1726. "Memorandum of what I did to the negroes of Mr. Paillon's plantation, for the year 1726."
Signed: Pouyadon de Latour.

Items include purgative and astringent prescriptions, bleeding, a diuretic treatment and other sundries to total amount of 76 francs. Bill submitted to Mr. de la Goblaye, March 10, and received to him on March 13 for 50 francs.

Money Order Testamentary Item. March 20, 1726. Attorney General Fleurian directs Mr. Rossard to pay 72 francs to widow *Bourgeois*, residue of her allowance of 80 francs for four months' wages at 20 francs a month by terms of the late Mr. Desfontaines' will. This payment shall have right of preference.

Received by Vc. Bourgeois, making her mark.

Church and State Surveillance. March 24, 1726. Attorney General Fleurian reports on his round of inspection during Sunday's High Mass. At one Charles du Pont's he found some sailors, as they appeared to be, banqueting on brandy, bread and an omelet. They were ejected, and innkeeper Du Pont was warned not to repeat such offence.

Petition of Recovery. March 26, 1726. Officer Dupuy Planchard moves to collect 70 francs from Cariton, due for a feminine habit to him delivered.

Action granted.

Petition of Recovery. March 26, 1726. Mr. Rossard moves for citation of one Plaisance (also known as Buquoy), to pay 30 francs which he still owes on a bill of sale.

Action forward.

Fine Recommended. March 27, 1726. In sequel to his round of inspection on Sunday last, the Attorney General asks the Councillors to summon Du Pont and fine him at their discretion.

Declaration on Contract of Service. March 28, 1726. "We undersigned" (but no signatures appear) certify that Guillaume Alloin had hired himself to *Sieur Lefevre*, Canadian, for service on a hunting trip to Illinois, but was prevented from completing the journey. G. A.

furnished a substitute Francois Le Mayne, *alias* La-Violette and offered him 200 lbs. of bread. Lefevre will not agree to this bargain, and refuses to pay hire.

Petition of Recovery. March 28, 1726. Marie Alorge claims 31 francs from Cariton, tailor, due on his note of past February 19.

Action allowed.

Petition of Recovery. March 28, 1726. Mr. Florence Doviller moves to collect 35 Spanish dollars from Mr. Clairfontaine due on his note of March 6, 1725, secured by Mr. Gaulas.

Notice served on Clairfontaine.

Petition of Recovery. March 29, 1726. Guillaume Allain *alias* St. Paul hired himself to Lefevre, as elsewhere stated, for a trip to Illinois. Terms 200 current francs, 40 pounds of tallow, 50 lbs. of meat, 4 pots of bear's grease, and half the pecans he could gather. G. A. fell ill and was unable to fulfill contract, but offered a substitute *LaViolette*; Lefevre refuses and will not pay the half terms proposed by G. A.

Let Lefevre be cited.

Notice served.

Decisions in Civil Suits.

March 30, 1726.

1. Dupuy Planchard *vs.* Cariton. Claim allowed (less bill of counterclaim.)
Costs divided.
2. Marie Letellier *vs.* Lasonda. Referred to the Attorney General. Costs reserved.
3. Guillaume Allain *vs.* Lefevre. G. A. nonsuited.
Costs divided.
Filed No. 192.

Petition for Arbitration. April 1, 1726. Mr. Duval asks the Councillors to allow the recommendations proposed by Mr. Mottett, or else let the Court appoint referees and let Mr. Delaye settle or else give good and sufficient security. Petitioner is about starting for *Ouaschilas*.

Notice served on Mr. Delaye.

Petition to Seize Dugout. April 2, 1726. Larchevesque, on behalf of Messrs. Roy and their associates, reports that a dugout has come down from Illinois, belonging to one Legras and guided by one Couterelle, who claims it as his. Let the dugout be seized and its lading held intact until C. can prove his alleged possession.

Seizure allowed at petitioner's risk.

EDITOR'S CHAIR

Among the unusually interesting papers we are able to offer our readers this quarter is the excellent address of Mr. Andre Lafargue, which was delivered within the Cabildo at the reception tendered the officers of the French cruiser "*Jeanne d'Arc*." A beautiful tribute to the French, both of yesterday and today, we reproduce his words as spoken by him in the French and follow them with the English translation.

A short article recently unearthed by us is "Forgotten Service," a story of Captain Henry Miller Shreve, the man to whom the honor is due of first adapting the steamboat to river traffic and after whom Shreveport is named.

Mr. Gill, of our public library, has sent to us a list and description of some rare old books recently sold at the Anderson Galleries in New York. It is with pleasure that we offer these few items to our readers.

The Old "Mobile Landing," by Charles Patton Dimitry and the story of the Ancient Cabildo, by the same writer are two excerpts from old New Orleans newspapers and are to be found among the many other interesting relics contained in Miss Grace King's Scrap Book. The former deals in a very entertaining way with that interesting and once important district of New Orleans at the head of the new basin. The life and business activities of the people are extremely well depicted and the picture is very vivid. The second article is a picturesque narrative of the Old Cabildo, traced through its entire history.

The Founding of New Orleans by Delvaille H. Theard is a remarkably well worked out retrospect of our much cherished and memory-haunted old city.

Cardinal Goodwin has contributed a splendid and carefully detailed treatise on "The Louisiana Territory from 1682-1803." His work from the point of view of both literature and history is well worthy of careful study.

In the last issue of the Louisiana Historical Quarterly appeared a paper on "Lafitte, the Louisiana Pirate and Patriot." It is being followed in this issue by more material on the same subject. Our worthy president, Mr. Gaspar Cusachs, has the happy faculty of always alighting upon the most salient and at the same time most truly interesting and romantic points of an adventure. We know

that this second article will be read with the same keen enjoyment as his first paper on Lafitte.

Further "Records of the Superior Council," always of interest because of their very picturesque glimpses into the past, appear as usual among our other papers.

Hon. W. O. Hart has prepared a short and compact resume of the history of the Louisiana Historical Society, which ere long will celebrate its centennial anniversary. He traces the growth of the Society through its various stages, giving the names of its founders and patrons and the function which the society performs in the community.

Our readers will be richly rewarded by a careful study of Dr. Milton Dunn's graphic history of Natchitoches and the country adjacent to that city. As Dr. Dunn states, it is the oldest permanent settlement in the State and is full of historic interest. Columbus' discovery of the West Indies led to their general Spanish control and to its special development in St. Domingo and in Cuba. Cortez's invasion of Mexico completed their control north of the equator until they met the Canadian French in the Mississippi Valley and the English settlements along the Atlantic coasts from Florida to the New England colonies.

At Natchitoches the bluff lands were above overflow and the beautiful Red River Valley spread out to the East making a picture that lingers in the memory of all who have seen it, Indian or immigrant, Spaniard, Frenchman or American.



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*A History of the Foundation
of New Orleans
(1717-1722)*

*By Baron Marc de Villiers
Translated from the French by Warrington Dawson*

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FOREWORD



LIBERALITY must be allowed in the use of the term foundation, when speaking of New Orleans. According to the interpretation given, the date may be made to vary by six years, or even much more.

Since time immemorial, the present site of Louisiana's capital had been a camping-ground for Indians going from the Mississippi to the mouth of the Mobile River. As soon as the French had settled on Massacre Island, that site became the

customary landing-place for travellers on the Father of Waters. Wherefore the history of New Orleans might be said to date from the winter of 1715-1716, when Crozat demanded that a post be founded where the city now stands; or even from 1702, in which year M. de Remonville proposed the creation of an establishment "at the Mississippi Portage."

And yet, a lapse of fifteen years, which might be almost qualified as proto-historic, put a check upon the Colony's development. Then Bienville revived Remonville's project. The Marine Board at last harkened to reason, and, in concert with the Company of the West, appointed, on the 1st of October, 1717, a cashier in New Orleans.

Land was not broken, however, until the end of March, 1718. Even then, work progressed slowly, owing to the hostility of settlers along the coast. A year later, the new post consisted but of a few sheds built of boughs surrounding a "hut thatched with palm-leaves." The great Mississippi flood followed in 1719, and then came the war with Spain. New Orleans was all but abandoned. At Paris, Rue Quincampoix, marvellous drawings were displayed. But in January, 1720, Bienville could count, within the circumference of a league, "only four houses under way."

News of the flood had been considerably exaggerated by partisans of Mobile or of Biloxi. The Directors of the Company of the Indies stopped work on the new counter. There was even talk of transferring it to the Manchac Plain, about a dozen leagues farther north.

Thanks to Bienville's tenacity, New Orleans was never completely abandoned, and so managed to exist until the decision of the 23rd of December, 1721, reached Louisiana, raising the town to the rank of capital.

So the date for the foundation of New Orleans may be fixed at pleasure anywhere between the spring of 1717 and the month of June, 1722, when Le Blond de La Tour, the Engineer-in-Chief, compelled to go and visit the site of the capital, had no choice but to ratify purely and simply the plan drawn up a year before by Adrien de Pauger.

In 1720, Le Maire, one of the Colony's best geographers, still obstinately refused to mark the place on his map. Franquet de Chaville, the engineer, one of the founders of the town, declares, categorically in favor of the year 1722. According to Pénicaut; Father Charlevoix gives 1717. Even by eliminating 1722 and 1721

—and 1719, when the great flood occurred—the years 1717, 1718, and 1720 remain. Stoddart rejects historical subtleties and chooses 1720. (*Sketches Historical and Descriptive of Louisiana*, 1812.) More circumspect, the Chevalier de Champigny asserts in 1776, in his *Etat present de la Louisiane*: “New Orleans was founded by Bienville in 1718, 1719, and 1720.”

The surest date would appear to be 1718. Nevertheless, 1717, recalling the official foundation of New Orleans in Paris, might be adopted, for with towns as with men, a christening is a species of consecration. Furthermore, in French territory, where administrative formalities thrive to excess, can it be alleged that a town which boasts a cashier and a major does not exist?

In its prolonged uncertainty, the fate of New Orleans suggests that of a seed cast hap-hazard on uncultivated soil. At the end of a year it might begin to sprout, but, unable to thrust its roots firmly down, might remain latently alive, always exposed to chance gusts of wind seeking to blow it away. Luckily, the germ of the future capital took to the water as naturally as did its soil. The inundation of 1719, after very nearly drowning New Orleans, ended by settling it firmly upon the fine crescent of the Mississippi.





HISTORY OF THE FOUNDATION
OF NEW ORLEANS
(1717-1722)

CHAPTER I.

The Mississippi Portage.



EXPLORING the region in 1682, Robert Cavalier de La Salle, Henri de Tonty, the Sieur de Boisrondet, La Métairie, the notary, Father Zènobe, and their eighteen companions, beheld the site on which Louisiana's capital was destined to prosper.

On the 31st of March, they "passed the Houmas' village without knowing it, because of the fog and because it was rather far away." After a slight skirmish against the Quinipissas, they discovered, at the end of three days, the Tangibaho village, recently destroyed by the Houmas, and they "huttet on the left bank, two leagues below."

It is difficult to locate with any degree of precision the village mentioned by La Salle, or by Tonty a few years later. Complications arise from the fact that, soon after the Europeans had passed, several Indian tribes of the region, notably the Tinsas, the Bayougoulas, and the Colapissas, emigrated northward, or else disappeared more or less completely, like the Mahouelas, who seemed to have denized the Tangibaho village. Furthermore, Louisiana Indians observed the primitive custom of abandoning their huts when the chief died.

Nevertheless, an attentive comparison of the letters and narratives of Cavalier de La Salle, of La Métairie, of Nicolas de La Salle, of Tonty, of Iberville, and of Le Sueur, leads to the conclusion that the Tangibaho village, situated in the Quinipissas' territory, and whose portage passed through its centre, must have lain very near the present site of New Orleans.

Three years had passed when Tonty learned at Fort St. Louis in Illinois that "M. de La Salle had made a descent upon the Florida

coast, that he was fighting the savages and lacked provisions." The valiant pioneer went down the Mississippi, and on the 8th of April, 1686, reached the Quinipissa village. Being unable, however, to gather any information about the expedition of his former chief, he was soon compelled to turn back towards Illinois.

Shortly after, the Quinipissas (Tonty writes indifferently *Quinipissas* or *Quinépicas* dispersed, and a certain number from among them fused with the Mougoulachas, a tribe related to the Bayagoulas. Launay, one of Tonty's companions, makes a formal statement to this effect. So we may explain how Bienville found the Mougoulachas in possession of the letter for La Salle which Tonty had left with the Quinipissas. And yet, the last named tribe had not totally disappeared, since Tonty wrote, on the 28th of February, 1700: "The Quinipissas, the Bayagoulas, and the Mougoulachas number about one hundred and eighty men." (Sauvolle wrote *Maugoulachos*.)

The first explorers of Louisiana, knowing little about the usages and being imperfectly acquainted with the tongue of local Indians, mistook for distinct tribal denominations all the proper names they heard. In 1701, Sauvolle still reckoned thirty-six in a territory occupied by only five or six separate tribes. Le Maire was among the earliest to avoid this error. He wrote in 1718: "The names with which old maps bristle are not so much those of different nations, as distinctions of those who, within one nation, to secure lands for themselves have parted from the main village and have chosen titles to serve as identification.¹ Between the Tonicas and the Houmas were the Tchetimatchas, who formerly extended as far as the sea. This nation was driven away after having murdered a missionary (Father St. Come) and they are now wanderers. Another nation, formerly connected with this one, separated from it to avoid being implicated in the war waged against the Tchetimatchas, and four years ago settled down with the Houmas." (Archives Nationales, *Colonies*, C^{18c}, 2, f^o 164.) Le Maire refers to the Indians established near English Turn, numbering sixty men, as *Cuzaouachas*.

Luckier than the ill-fated Cavalier de La Salle, who had been miserably murdered before reaching the St. Louis River, Le Moyne d'Iberville succeeded after many difficulties in approaching by sea⁴ and so discovered the mouths of the Mississippi, in 1699.

¹Three years later, in enumerating the Indians in the Mobile region, Diron grouped the twenty eight villages into three nations.

Owing to this circumstance, the name of Malbanchia would seemingly have been more appropriate for the great river. The name Mississippi, by which the Illinois knew it, was totally unknown to tribes living south of Arkansas. If the river had been originally discovered from the mouth, it would probably have been Malbanchia. According to Pellerin, the savages near Natchez called the Mississippi, in 1720, the Barbanca or else the Missouri.

"Mississippi, or River Everywhere," says an anonymous memoir in the National Archives, "comes from the Ontoubas word *Missi* or the Illinois *Minoui*, everywhere, and *Sipy*, river, because this river, when it overflows, extends its channels over all the lands, which are flooded and become rivers everywhere. It is also called Michisipy, Great River; and the Illinois call it Metchagamoui, or more commonly Messesipy or Missi-Sipy, All-River, because all the rivers, that is to say very many, empty into it, from its source to its mouth." (Arch. Nat., *Colonies*, C¹³c,4, f^o 164.)

On the 9th of March, 1699, Iberville observed the site where New Orleans was eventually to rise.

"The savage I had with me," he writes on that date, "showed me the place which the savages have as their portage, from the end of the bay where our ships are anchored,¹ to reach this river. They dragged their canoes over a fairly good path; we found there several pieces of baggage belonging to people going one way or the other. He pointed out to me that the total distance was very short."

Next year, Iberville profited by information he had received, and passed through Lake Pontchartrain to reach the Mississippi:

"18th January—I have been to the portage," he writes. "I found it to be about half a league long; half the way full of woods and of water reaching well up on the leg, and the other half good enough, a country of cane-brakes and woods. I visited one spot, a league beneath the portage, where the Bayagoulas (this word has been crossed out and replaced by *Quinipissas*) formerly had a village, which I found to be full of canes, and where the soil is but slightly flooded. I have had a small desert made, where I planted sugar-canes brought by me from Martinique; I don't know if they will take, for the exhalations are strong." (Arch. Hydrog. 115x, N^o 5, f^o 16.)

A month later, Le Sueur, starting out on his exploration of the upper Mississippi, and Tonty, who had come to put himself at the disposal of his compatriots, met here. At this period, the portage-way could not have been broken, since Le Sueur's porters were sev-

¹Iberville had left his boats opposite Ship Island where he was to found Biloxi, and had gone away in a canoe, on a voyage of discovery, hugging the shore.

eral times lost in the cypress swamps. Two of the men even had their feet frozen from spending a night under such conditions; in consequence of which accident the way was occasionally referred to, and for a considerable while, as "The portage of the Lost." A map dated 1735 gives it this name.

Pénicaut, one of Le Sueur's companions, camped on the site of New Orleans and slept under enormous cypresses which served at night as perches for innumerable "Indian fowls weighing nearly thirty pounds, and all ready for the spit." Gunshots did not frighten them.

New Orleans is situated just below the thirtieth degree of North latitude. Iberville and Le Sueur both took the bearings of the portage; their calculation, verified by Delisle, indicated 29°58' and 30°3'. In 1729, Brown, the astronomer, profiting by an eclipse, found 29°57'. This portage, before becoming definitely that of Bayou St. John, or of New Orleans, was endowed with the most varied names. It is called indifferently the Portage of the Lost; of Billochy (original spelling of Biloxi); of Lake Pontchartrain; of the Fish River (probably a mistake, for a memoir on the navigation of Lake Pontchartrain mentions the Fish River as lying half-way between Bayou St. John and Manchac); and finally, Bayou Tchoupic of Tchoupicatcha.

At all events, and in spite of generally accepted beliefs, it must not be confounded with the Houmas' portage, discovered by Le Sueur and lying six leagues farther north. In our opinion, the Houmas did not live near the site of New Orleans, even when the French arrived there. The village of these Indians was not on the shores of Lake Pontchartrain, but "two good leagues and a half away from the river," according to a letter of Tonty's; two leagues, according to Iberville; one league and a half from the river and on the crest of a hill, according to Father Gravier. Some little time later, the Houmas emigrated northward and a certain number among them settled not far from the Iberville River, a new portage responsible for additional confusion. In 1718, Bienville wrote: "There are mulberry-trees at New Orleans; the Houma nation, six leagues beyond, can supply some." (C^{12c},IV-14.)

As early as 1697, M. de Remonville, returning from a trip to Illinois, had planned with Le Sueur to found a Mississippi Company. He seems to have been the first to think of building a post near the site of New Orleans, to replace the fort established by Iberville in 1700, twenty-five leagues from the river's mouth, as a protection

against a return of the English. This post, surrounded by marshes, was soon neglected and was completely evacuated in 1707, "lacking launches to supply it with food."

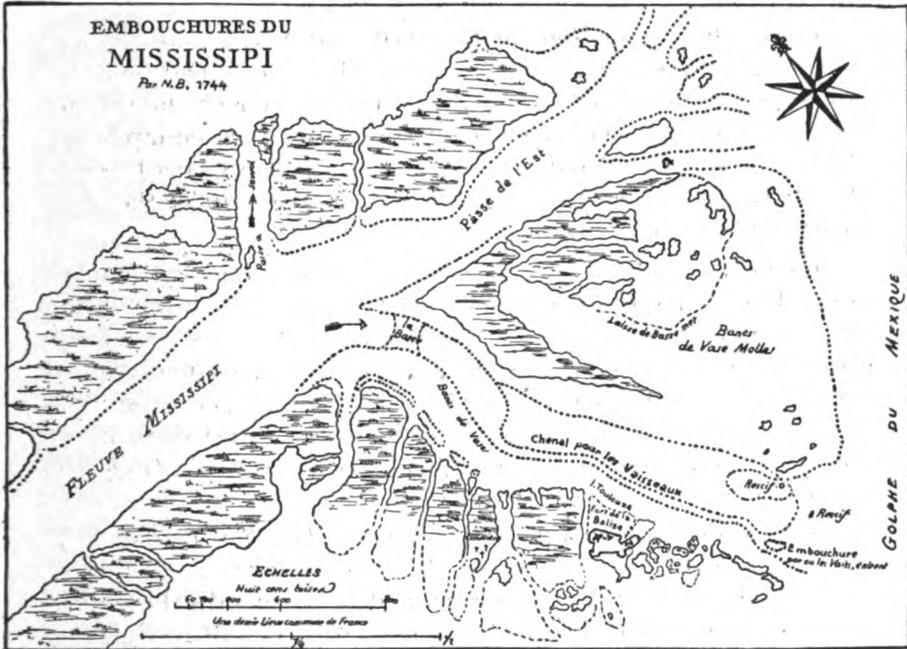
Remonville writes, 6th August, 1702, in his *Historical Letter Concerning the Mississippi*: "The fort which was in (sic) the Mississippi River, eighteen leagues from the mouth on the west side, and which is commanded by M. de St. Denis, a Canadian officer, since the death of M. de Sauvolle (whose place has been taken by M. de Bienville, brother of M. d'Iberville), must also be changed. It should be transferred eleven leagues higher, to the eastward, in a space of land twelve leagues long and two leagues wide (at barely a quarter of a league from the Mississippi, which is very fine) beyond the insulting reach of floods and near a small river. The latter flows into Lake Pontchartrain and, by means of the canal where M. le Sueur passed, joins the sea about a dozen leagues from Mobile. This will make communications much shorter and easier than by sea." (Bibl. Nat. Mss. Fr. 9097, fol. 127.)

In 1708, Remonville drew up another memoir:

"The first and principal establishment ought to be built on high ground dominating Lake Pontchartrain, and in the neighborhood of the spot where the late M. d'Iberville built the original fort. A fort consisting of four buildings is required here, the largest of which can be constructed in the manner of the country, that is, with big trees, turf, and palisades. This fort must be provided with artillery and armed; its area must be sufficient to enclose warehouses for merchandise drawn from the different establishments up the river. In this same fort, rooms must be built for silk-work to be done by people the company may employ. The Mississippi Fort will need thirty-five workmen, Canadians or sailors, for navigating the brigantines." (*Colonies* C^{13a}, 2, fo. 366.)

Reverting to the subject in his *Description of the Mississippi*, 1715, Remonville wrote:

"Le Sueur relates in his journal that, eleven leagues above the fort built by Iberville, there is a stretch of high ground twelve leagues long and a league and a half wide beginning a quarter of a league from the river; that it can never be flooded, and that a savage nation called the Billocki have transported their village thither, on the banks of a river named the St. John River, which flows into Lake Pontchartrain. A post at this point would not be without utility as warehouse for the projected establishment at Natchez. Twelve leagues higher, there is also the portage of the Le Sueur Ravine." (*Colonies*, F³, 24, fol. 81.)



When a party of Alsatian colonists arrived, a few years later, they settled opposite to the last named point.

Ever believing firmly in the future of Louisiana, Remonville crossed to the colony several times. He had secured permission to accompany Iberville in 1699, but it is doubtful if he went on that first expedition. Eventually he built on Dauphin Island a "fine and commodius" house, one room of which long did service as a chapel. In 1711, he fitted out *La Renommée* and took personal charge of her as "Commander during the campaign," although he was said to know nothing about navigation.

Unfortunately, all his commercial ventures failed. The last of them effected a few captures; one among these, which, according to Remonville himself, had been "pillaged in an almost unprecedented way" was released at Martinique, and the captain was paid an indemnity of fifteen thousand *livres* or francs; another was lost within sight of Louisiana. The deficit was more than forty thousand *livres*. Upon his return, creditors seized all his goods and even obtained against him several writs of arrest, from which he escaped, thanks only to a special safe-conduct, granted him by the Council of Regency.

Completely ruined, Remonville asked, and in vain, on the 21st of December, 1717, for a post in Louisiana "because he had been the only one to sacrifice himself to help the colony." Though the valiant colonist may have proven a mediocre tradesman, he was enterprising, and the services he rendered were very real. But he was not heeded; and in Paris, as in Louisiana, the Mississippi rested under the spell of a detestable reputation.

Mandeville wrote in 1709: "It is easy to go from Fort Mobile to Lake Pontchartrain, and from that lake a portage of one league leads to the Mississippi (sic). By this means, the river is reached without passing through the mouth, which lies twenty-five leagues down a very difficult country, because often flooded and filled with alligators, serpents, and other venomous beasts. Furthermore, at the deepest of the passes there are only seven feet of water." (*Colonies* F^s, 24, fol. 55.)

Another memoir, slightly later says: "The Mississippi does nothing but twist; it goes the rounds of the compass every three leagues. For six months it is a torrent, and for six months the waters are so slow that at many place pirogues can scarcely get past." Duclos, the Ordinator, declared that to navigate the Mississippi one had to be born a Canadian and a *Coureur de Bois*.

Finally, La Mothe-Cadillac, who described himself as "a savage born a Frenchman, or rather a Gascon," wrote on the 20th of February, 1714: "Trying to take barges up the St. Louis River as far as the Wabash and the Missouri is like trying to catch the moon with your teeth." (C^{13a}, 4.424.)

La Mothe-Cadillac, as is known, had rapidly conceived a prejudice against Louisiana; he used to say, "Bad country, bad people." "I saw," he related in 1713, "three seedling pear-trees; three apple trees, the same; and a little plum-tree three feet high with seven sorry plums upon it; about thirty vine-plants bearing nine bunches of grapes, each bunch being rotted or dried up. There you have the earthly paradise of M. d'Artaguet, the Pomona of M. de Remonville, and M. de Mandeville's Islands of the Blest!"

Nevertheless, those responsible in France understood that they could not rest eternally contented with occupying a few sterile sand-banks along the coast. There was no choice but to settle in the Mississippi Valley and connect with Canada. On the 18th of May, 1715, an order was signed directing Bienville to create a post "at the Natkes" (sic) and at Richebourg, and to found another "at the Wabash which shall henceforth be called the St. Jerome River."

According to Father Marest, the Indians called this river Akansca-Scipui.

These decisions followed close upon the return of Baron, Captain of the *Atalante*, who wrote on the 20th of January, 1715: "The right place for an establishment is the entire length of the river, starting with the Natchez village a hundred leagues from the sea-coast, whither M. de La Loire and his brother were sent in April, 1714, and thence as far as the Illinois country. I have always heard that it is at the said Natchez that the soil begins to be good, which can be judged according to appearances." (Arch. Hydrog. 67², No. 5.)

At about the same period—the paper is undated—Crozat presented a memoir in which he said:

"The new posts which have been proposed to His Excellency for occupation are, first of all, Biloxi, on the Mississippi, eighteen or twenty leagues from the sea. It is the spot where M. d'Iberville made his first establishment; it is also the spot by which the Mississippi River is reached from Lake Pontchartrain, through a small stream. Furthermore, it is not right that there should be no post on the Mississippi River towards the sea, that of Natchez being sixty leagues away. Twenty men should be put there."

How little was known of Louisiana geographically in Paris, is shown by this singular document, where three very different posts are confused and located in one same spot; Iberville's original Biloxi; the Portage of the Mississippi—or of the Biloxi, a nation which, according to Le Maire, had then dwindled to five or six families—and the abandoned Mississippi Fort.

The post demanded by Crozat would necessarily be established on the site of New Orleans. But the project was not ratified; the instructions given to L'Epiney on the 29th of August, 1716, do not mention any post to be created beneath Natchez:

"* * * It would seem absolutely necessary to found a post on the Mississippi and to send thither two companies with M. de Bienville, King's Lieutenant, to take command, he being much loved by the savages and knowing how to govern them. From this post, detachments may be made according to necessities for the post to be established on the Red River and the Wabash. There is every reason to believe that this post will be the most important in the colony, owing to the mines which lie not far distant, to the trade overland with Mexico, to the beauty of the climate, and to the excellence of the soil which will induce residents to stay there. This post was ordered to be at Natchez; nevertheless Major de Boisbriant thinks

wiser to place it among the Yazoons, on the banks of the Mississippi, thirty leagues beneath Natchez." (*Colonies*, C13a,4,fol. 225.)

Three years of experiments had amply sufficed to disgust Crozat with his commercial monopoly in Louisiana. He had counted on two main sources of revenue, mining and a more or less illicit trade with the rich provinces of New Mexico; both had brought in nothing save bitter disappointment.

The Mississippi Valley yielded neither gold nor silver; and, at his first attempt to develop commercial relations, the Spaniards closed their ports to French ships and kept strict watch upon their Texas frontier. Juchereau de St. Denis succeeded, by an adventurous exploring expedition, in going up the Red River and reaching Rio Grande del Norte; but the sole result was the creation of a Spanish post at Assinai, for the special surveyance of trade with our establishment at Natchitoches.

Crozat, perceiving that his privilege cost him at least two hundred and fifty thousand *livres* a year, took ever less interest in the future of Louisiana; and when January, 1716 came, the Colony's position appeared desperate. The troops had dwindled to some hundred and twenty men; and if we are to believe Cadillac, there were not more than sixty colonists and officials. Such a handful of Frenchmen could not have defended Louisiana against encroachments of the English, who had already settled as masters among the Choctaws and even among the Natchez. It was well for France that the Carolina traders should, by their exactions, have driven the Indians to an uprising in 1716. The Council of Regency, acquainted with the situation, made the melancholy remark, on the 11th of February, 1716, that "if Louisiana has held her own, it is rather by a sort of miracle than by the care of men; the first inhabitants having been abandoned for several years without receiving any assistance."

When the Justice Chamber imposed a very heavy tax upon Crozat (it was said to exceed six million *livres*), the great financier asked permission to retrocede his privilege; and on the 13th of January, 1717, the Council recognized "that the improvement of Louisiana was too great an undertaking for one private individual to be left in charge; that the King could not properly take charge himself, since His Majesty could not enter into all the commercial details inseparable from it; and so the best thing is to choose a company powerful enough for this enterprise." (*Marine*, B¹, 19, fol. 46.)

Six months later, Law founded the Company of the West, and Crozat eventually received an indemnity of two million *livres*. The

letters patent of the Company were signed in August, and its Directors appointed on the 12th of September, 1717. The Board was composed as follows: Law, Director General of the Bank; Diron d'Artaguette, Collector General at Auch; Duche, Honourary Senior Clerk of the Treasury at La Rochelle; Moreau, Commercial Deputy for St. Malo; Castagniere, Merchant; Piou and Mouchard, Commercial Deputies from Nantes. On the 5th of January, 1718, Raudot, Marine Intendent, and Boivin d'Hardencourt and Gilly de Montaud, Merchants, completed the Board.

One of the first acts of the Directors was to decide that New Orleans should be founded.

Le Nouveau Mercure for September, 1717, published a letter from Louisiana, dated the previous May, whose author, a naval officer, recommends the building of a counter at English Turn:

“* * * The largest ships can easily enter the St. Louis River. Its mouth can readily be cleaned, the depth of water is eleven or twelve feet. This obstacle being done away with, the river, whose bed is very good, flows quite straight for twenty-five leagues, and then forms a cove where an excellent port can be made.”

Although this solution recommended itself from a naval point of view, it had the drawback of not improving the connections with Lake Pontchartrain. Wherefore Bienville, after a careful study of the question, preferred to select the present site of New Orleans “on one of the finest crescents of the river.” This expression, found in a memoir drawn up in 1725 or thereabouts, shows that the crescent, which was later to give New Orleans her nickname, had been observed almost from the start. Other references to it are found: “The very fine crescent of the port of New Orleans.” (C¹c,1,fol.135). “Her port, which is her richest ornament, describes a very fine crescent.” (C¹a,42,fol.295).

In spite of the rather swampy soil, exposed to floods when the river rose, the choice of a site was good, since it lay sufficiently near the sea and less than a league from Bayou St. John, whence all the coast establishments could be reached by boat. The vision of Bienville had been clear, and the nascent colony would have been spared many calamities if stores had been built at New Orleans early in 1718 and colonists had been enabled to land.

But rancorous jealousies, on the part of inhabitants of Mobile and of Biloxi, acted for four years as a check on the new Mississippi counter. In consequence, the growth of Louisiana was arrested.





CHAPTER II.

The Naming and the Foundation of New Orleans



ESIRING to greet M. de L'Epinaÿ, the new Governor, Bienville came down the river in the spring of 1717. Although appointed the year before, L'Epinaÿ had not hurried to leave France; one of the reasons given for his delays was that he would not sail until a twelvemonth's emoluments had been paid him in advance.

According to Father Charlevoix, this event serves to determine the period when the site for New Orleans was definitely chosen. "In that year," he writes, "the foundation of Louisiana's capital was laid. M. de Bienville, having come from Natchez to greet the new Governor, told him that he had noticed, on the river-banks, a very favourable site for a new post." (*Histoire et description de la Nouvelle France*, Vol. IV, p. 196.)

This version may pass all the more readily, at least in substance, since Bienville wrote on the 10th of May, 1717: "I have handed to M. de L'Epinaÿ a memoir on all the establishments which must be built in this country. He asked me for it in order that he might send it to the Board. I take the liberty of assuming that I said in this memoir all there was to be said, very sincerely and in accordance with the knowledge I have acquired during nearly twenty years." (Arch. Nat., *Colonies*, C1^a, 4, fol. 63.) Unfortunately, we have not been able to find this document.

It is an incontestible fact that on the 1st of October, 1717, the Marine Board appointed Bonnaud store-keeper and cashier, with a salary of nine hundred *livres*, at the counter which is to be established at New Orleans, on the St. Louis River." (*Colonies*, B42bis, fol. 180.)

On the 31st of December following, M. d'Avril, former captain of the *Royal Bavière*, was named Major at the new post. "Be it further understood," his nomination reads, "that in the absence of the Commandant of the said city, you shall command as well the inhabitants thereof as the warriors who are there and may later be garrisoned there; and shall give them such orders as you may judge necessary and appropriate for the glory of His Majesty's name, the welfare of the Company's service, and the maintenance and development of its trade in the said country." (*Colonies*, B 42bis, 475, and f^o24, fol. 241.) Three months later, d'Avril was promoted Major-General with a salary of seven hundred *livres*. At the end of three years, he was recalled, and left Louisiana on the 8th of January, 1721.

The appointment of Bonnaud, signed on the 1st of October, only three days after that of Bienville as "Commander General of the Louisiana Company," shows the haste of the Directors to found the New Orleans post, at least theoretically. Hopes of promoting the sale of the Company's paper, then representing sixty-six million *livres*, as issued on the 19th of September, certainly played a part in this precipitation. Within three months, the Company's capital was raised to one hundred million *livres*.

A register which must have belonged to a Director of the Company of the Indies contains copies of "orders and expenses of the Company of the West, from the time of its foundation until this day." It is to be regretted that in this manuscript, which ends with the year 1721, many of the entries are left undated.

"* * * 8th. Resolved to establish a port and a store at Ship Island to unload and warehouse merchandise coming from Europe, because this island is within reach of Biloxi, the naval centre of the Colony.

"9th. Resolved to establish, thirty leagues up the river, a burg which *should be called* New Orleans, where landing would be possible from either the river or Lake Pontchartrain."

The decrees which follow prescribe the establishing of a burg at Natchez, and of forts in Illinois and among the Natchitoches.

Since the conditional mood was used in alluding to New Orleans, it might appear that this was the first decree relative to the projected town. And yet, in the chapter on increases of expenses proposed for 1717, the following entries are to be noted:

Since this Lieutenant "To the King's Lieutenant who will have gets only 1,200 *livres* and the chief command of the post on the

- is to have the chief command of an important post, this gratuity seems justified. Mississippi River, as a gratuity..... 600 *liv.*
- Having only 900 *liv.* a year, this increase seems justified. To the Major, as an increase in pay 300 *liv.*
- A chirurgion is necessary in this important post. To a chirurgion serving the post on the Mississippi River..... 500 *liv.*
- Idem. To an armourer who may also be a blacksmith for the said post..... 360 *liv.*
(*Colonies*, F¹19, 281.)

The Louisiana Budget passed, in 1717, from 114,382 *livres* to 262,427 *livres*; 65,545 *l.* were entered as permanent increases, and 82,500 *l.* as "expenses made once and for all."

When this statement of expenses was drawn up, the Mississippi post was still unbaptised, in spite of its recognised importance. The name of New Orleans was certainly known in Paris at the end of September, 1717; and we have reason to believe it must have been current in Louisiana at the same period. On the 1st of September, L'Epina y and Hubert announce "the early foundation of two posts," and a memoir drawn up by Hubert, preserved at the Ministry of Foreign affairs, declares: "New Orleans, which is to be the naval centre, must be properly fortified." Nevertheless, it makes a reference to another memoir, of the month of October, which it compliments and in which we read "the establishments are too far from the Mississippi, a river supplying an excellent base." There cannot be much difference in date between the two, and we even believe they went by the same mail. Hubert, who had asked to be appointed manager of the Missouri post, changed his mind as soon as he had secured a concession in the Natchez country.

Considering the slowness of communications at that period, we are of the opinion that New Orleans must have been given its name not by the Marine Board, nor by the directors of the Company of the West, but by Bienville and L'Epina y, in their report of May, 1717, on the new posts to be established.

The names chosen for many previous posts in Louisiana had been scarcely attractive. Mobile appeared to cast reflections on its own stability; the still widely-used name of Massacre Island was

calculated to alarm timid souls; while Biloxi and Natchitoches struck Parisian ears as being very exotic. Bienville had perceived this. In 1711 he wrote that he had, together with D'Artaquette, "called the fort Immobile, and changed Massacre Island to Dauphin Island." On the margin of their despatch is noted: "Fort St. Louis as it was called—instead of Castel Dauphin or Mount Dauphin; the island is on a mountain (sic)." In July, 1717, the Marine Board considered the names of Maurice Island, or Orleans Island.

A town baptised in honour of H. R. H. the Regent could not but make a favourable impression upon emigrants. Such august patronage inspired confidence to Le Page du Pratz and twenty other colonists, who decided to embark for the new city, at the beginning of 1718. When starting forth, these worthy people, and the two functionaries already appointed to New Orleans, cannot have had a very clear idea on the location of their future residence. Many opinions were expressed in Paris. Some claimed that the new counter must be at English Turn, others on Lake Pontchartrain, others at the mouth of Bayou St. John; or again, somewhere along the Iberville River.

For a considerable time these geographical questions remained unsettled, so far as France was concerned. Harmony did not reign even for the spelling of recognised names. The strange orthography "L'Allousiane" is found fairly often, notably in an admirably penned memoir preserved at the Ministry of Foreign Affairs. In other official records we find "Louisianne" and "Louizianne." A despatch of D'Artaquette's is annotated: "Investigate whether this River of the Maubilians is not the Colbert River." As we have said, Biloxi was frequently confused with the portage of Bayou St. John, at first known as the Portage of the Billochis; another frequent error was to place the Mississippi Islands at the river's mouth.

The Mississippi Counter had been baptised, and this was a point of crucial importance to bureaucratic eyes. But, as has been remarked, the title is half the whole book; and so the Directors of the Company, after approving the name, rested for four years.

Purists found objections to raise. "Those who coined the name *Nouvelle Orleans*," Father Charlevoix observes, "must have thought that Orleans was of the feminine gender. But what does it matter? The custom is established, and custom rises above grammar."

His remark is just. The general rule, in French, is for names of towns to be masculine when they are derived from a foreign masculine or neuter names, or, more simply, when the last syllable is masculine according to the rules of versification. Yet there are exceptions; thus *Londres* is masculine and *Moscou* feminine.

If both custom and derivation were strictly respected, Orleans (*Aurelianum*) would incontestibly be masculine, although Casimir Delavigne has written:

Chante, heureuse Orléans, les vengeurs de la France.

The reason for the feminising of New Orleans was probably euphonic. *Nouveau-Orléans* would have been too offensive to the ear. It is true that *Nouvel-Orléans* might have passed. Perhaps *Nouvelle-Orléans* was adopted by analogy with *Nouvelle-France*, *Nouvelle-York*, etc.

A more delicate question is that of determining the exact period when work on New Orleans was begun. According to Father Charlevoix, it started as early as 1717.

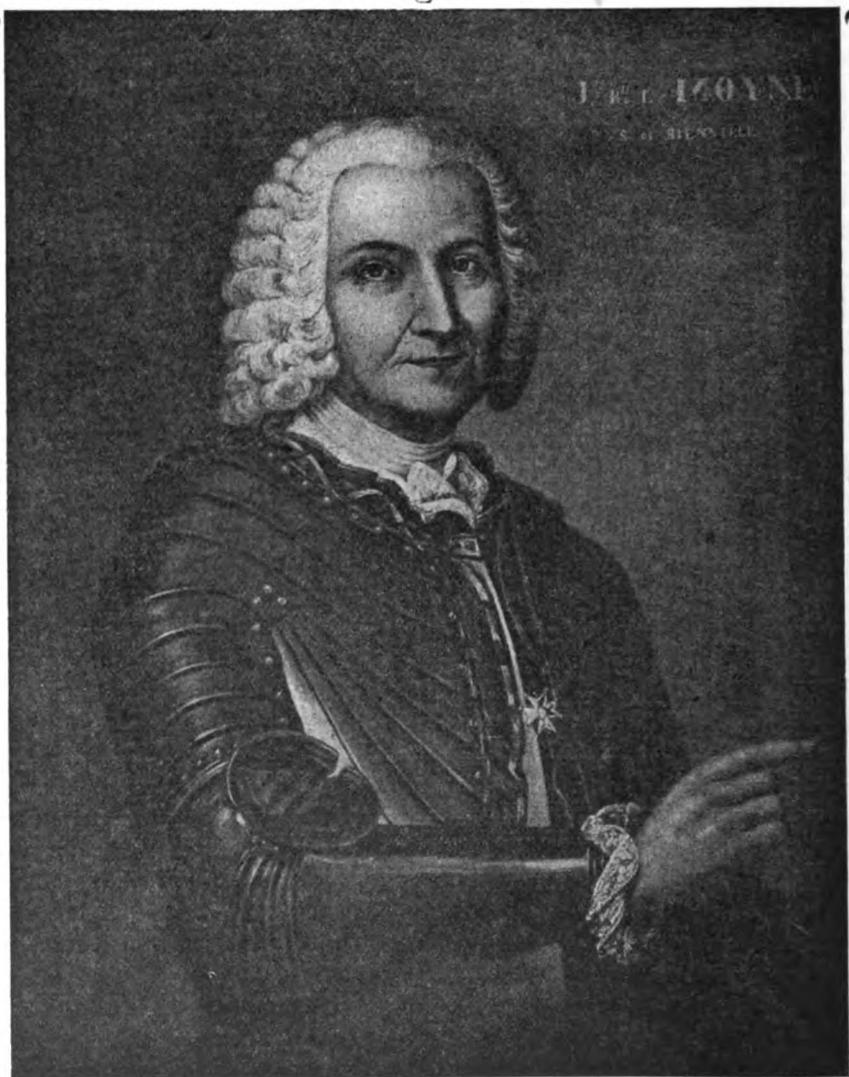
"M. de L'Épinay," he says, "commissioned M. de Bienville for this establishment, and gave him eighty illicit salt-makers, recently arrived from France,¹ with carpenters to build a few houses. He also sent M. Blondel to replace Pailloux at Natchez, and the latter was ordered to rejoin M. de Bienville and second him in his enterprise, which was not carried very far. M. de Pailloux was appointed Governor to the nascent town." On the Statement of Expenses for 1718, Pailloux is entered as Major-General with a salary of nine hundred *livres*. (*Colonies*, B. 42 bis, fol. 299.)

The evidence of the historian of New France would merit serious consideration, if he had not copied this passage textually, with one correction, from a very unreliable manuscript entitled *Relation ou annale de ce qui s'est passé en Louisiane* (Bibl. Nat., Mss. Fr. 14613), for which André Pénicaut supplied the information.

This work on the foundation of New Orleans is filled with errors so gross that they would be incomprehensible, if they were not evidently deliberate. In 1723, the unhappy carpenter had gone blind, and his *Relation* is really but an explanatory memoir to justify his request for a pension. Under these conditions, the author would have blundered if he had described the true state of the future capital when he left it in 1721. Governor La Mothe-Cadillac was sent to sojourn in the Bastille with his son, for having written: "This Colony is a beast without either head or tail. * * * * The Arkansas mines are a dream, and the country's fertile lands an illusion."

Consequently, Pénicaut cannot be blamed if some of his descriptions are so fanciful as to be worthy of a Rue Quincampoix

¹The *Journal historique de l'Établissement des Français en Louisiane* reduces this number to fifty. We shall see, further on, that even this figure seems exaggerated.



JEAN-BAPTISTE LE MOYNE DE BIENVILLE
(1680-1765)

circular. The author's motive in advancing by a year the foundation of New Orleans is less easily explained. According to the sequence of events as given in the *Relation*, and notably the arrival of the *Neptune*, Pénicaud would appear to have confused the choice of a site for New Orleans with the building of the first huts. But most of his dates are inaccurate, his work having been compiled from memory.

Bénard de La Harpe, in his *Journal de voyage de la Louisiane et des découvertes qu'il a faites*, gives the date of March, 1718; nevertheless, the author had not reached Louisiana, so his opinion has not the weight of direct evidence. The work entitled *Journal historique de l'Etablissement des Français en Louisiane*, wrongly attributed to La Harpe and very probably written by the Chevalier de Beaurain, King's Geographer, gives February as the approximate period.

La Harpe writes: "In the month of March, 1718, the New Orleans establishment was begun. It is situated at 29°50', in flat and swampy ground fit only for growing rice; river water filters through under the soil, and crayfish abound, so that tobacco and vegetables are hard to raise. There are frequent fogs, and the land being thickly wooded and covered with canebrakes, the air is fever-laden and an infinity of mosquitoes cause further inconvenience in summer. The Company's project was, it seems, to build the town between the Mississippi and the St. John river which empties into Lake Pontchartrain; the ground there is higher than on the banks of the Mississippi. This river is at a distance of one league from Bayou St. John, and the latter brook is a league and half from the Lake. A canal joining the Mississippi with the Lake has been planned which would be very useful even though this place served only as warehouse and the principal establishment were made at Natchez. The advantage of this port is that ships of (left blank) tons can easily reach it." (P. 81.)

If the building of New Orleans did not begin in March, it was certainly put under way the following month. Bienville writes, 10th of June, 1718: "We are working on New Orleans with such diligence as the dearth of workmen will allow. I myself went to the spot, to choose the best site. I remained for ten days, to hurry on the work, and was grieved to see so few people engaged on a task which required at least a hundred times the number. . . . All the ground of the site, except the borders which are drowned by floods, is very good, and everything will grow there." (Archives des Aff. Etrang., *Mém. et Docum.* (Amérique) Vol. I; p. 200.)

Four days previously, in a despatch of which the summary alone remains, Bienville had proposed the digging of a canal between the Mississippi and Lake Pontchartrain, for purposes of sanitation, but had added: "It is more convenient to pass through the mouth than through the Lake." (Arch. Nat., *Colonies*, C^{13c}, 4, fol. 14.) In the preceding January, Chateaugué had reported that "the sea is often dangerous on Lake Pontchartrain, and the squalls are violent."

The date for the first work done on New Orleans lies, then, between the 15th of March and the 15th of April, 1718. But in spite of Bienville's efforts, and owing to hostility from "the Maubilians," the buildings made but slow progress. Le Gac was justified in writing in his *Mémoire sur la situation de la Louisiane le 25 août 1718*: "New Orleans is being scarcely more than shaped." (Bibl. de l'Institut, Mss. 487, fol. 509.)

For a long while, adversaries of the Mississippi Counter adopted the tactics of refusing to recognize its existence.

François Le Maire, the geographer-missionary, particularly distinguished himself by his obstinacy. He felt able to write, as late as the 13th of May, 1718: "Since the last ships came, there is talk of the establishment to be made at New Orleans. That is the name recently given to the space enclosed between the Mississippi, the Fish River, and Lakes Pontchartrain and Maurepas. My map shows distinctly this big spot on the coast, and the lay of the land. I should have liked to mark the place where the fort is planned, but the place is not yet decided upon. This establishment will be excellent, provided the Mississippi is made to empty into Lake Pontchartrain. Otherwise an infinity of people will die from lack of water fit for drinking most of the year." (Arch. Hydrog. 67, No. 15.) Six months later, however, Le Maire repeats in his *Mémoire sur la Louisiane*: "At the end of this year (1718) orders came to transfer the principal establishment to the banks of the Mississippi. If the spot is decided upon before the ships leave, I shall not fail to mark it on my map." (*Colonies*, C^{13c}, 4, fol. 155.) One might seek to explain this by an error in dates, if the Grand Vicar of the Bishop of Quebec had not supplied further evidence, on the 19th of May, 1719: "The precise bearings of New Orleans, in relation to Lake Pontchartrain, are still unknown to me." (Arch. Hydrog., 115, 23.)

Le Maire's ill-will is only the more evident because he constantly betrays the hope that New Orleans may be created on Lake Pont-

chartrain, so that its counter may be tributary to Biloxi. In another very detailed memoir, while acknowledging that "the Mississippi is the key to the entire country, thanks to the communications it offers with the lakes leading to Canada," he nevertheless asserts that no port exists between St. Bernards' Bay and Ship Island. (*Colonies*, C¹³c, 2, fol. 161.)

We have not been able to ascertain the period at which Delisle added the name of New Orleans to his map dated 1718. The vivid *Relation du voyage des dames Ursulines de Rouen à la Nouvelle Orléans*, informs us that in 1727 most maps of America still failed to give the site of Louisiana's capital.

"You note, dear Father," Madeleine Hachard writes, "that you have bought two big maps of the State of Mississippi and that you do not find New Orleans on them. They are apparently old, for this town, capital of the country, should not have been omitted. I regret that you spent one hundred and ten *sols* without finding our place of residence. I believe new maps are to be made, on which the establishment will be marked."

The good nun's father was veritably unlucky; he bought a third map "on which New Orleans is represented upon the shores of Lake Pontchartrain, at a distance of six leagues from the Mississippi."

A map still preserved at the Archives Hydrographiques, dated 1721, indicates the mouth of Bayou St. John as the site for the future capital. (Arch. Hydrog., portfolio 138 bis, I, 9.)

Let us now return to the foundation of New Orleans, quoting from worthy Pénicaut. After declaring that "the first year only a few lodgings, and two big stores for war supplies and general provisions, were built," and adding, more truthfully, that "the *Neptune* (arrived in 1718) was brought into the river, laden with munitions sent by M. de L'Epinau," he or his editor yields to astonishing freaks of fancy:

"M. the Commissary Hubert also went at the same time to New Orleans, through Lake Pontchartrain, into which flows a little river since called the Orleans River. It may be followed from the Lake to this place. within three quarters of a league. A few days after his arrival, M. Hubert selected a spot situated at a distance of two gunshots from the limits of New Orleans, near the little river of the same name, where he built a very fine house.¹ Several families

¹It should not be forgotten that Pénicaut was seeking Hubert's protection in Paris.

living on Dauphin Island also came to settle in New Orleans. M. de L'Épinay and de Bienville sent many soldiers and workmen thither to hurry on the building. They despatched to M. de Pailloux an order to erect two barracks large enough to hold one thousand soldiers apiece (!) because many were expected from France that year, in addition to a number of families from neighboring concessions. All this came about, as stated."

The plain truth, alas! was less attractive. In March, 1719, one year after work commenced, there were still, according to Bienville, "only four houses under way." (*Colonies*, C¹a, 5, fol. 209.) When Hubert, appointed on the 14th of March, 1718, as "Director General of the New Orleans Counter," with a salary of five thousand *livres*, rejoined his post in the autumn, far from "building a very fine house," his first care, as soon as a few colonists came, was to induce them to settle at Natchez, where he had just obtained a very large concession.

And yet, Hubert was forced to countersign, on the 28th of November, 1718, Bienville's decision, confirmed on the 12th of September, 1719, by Le Gac and Villardeau, "granting to the Sieurs Delaire, Chastaing, and Delaroue¹ in addition to their concession in the Taensas' country * * * four places within the enclosure of the new town of Orleans, as their exclusive freehold property * * * it being stipulated that they shall execute all the clauses and conditions prescribed for inhabitants of the new town." (*Colonies*, C¹c, 4, fol. 216.)

If Bienville and Pailloux were the first residents in New Orleans, the honour of being the first landowners reverts to the Delaire Brothers, Chastaing, and Delaroue. A map preserved at the Archives Hydrographiques, *Carte nouvelle très exacte d'une partie de la Louisiane*, 1718, indeed bears the mention: "New Orleans, founded in 1718 by the Sieur Pradel." (Arch. Hydrog., Bibl. 4040, C. II, fol. 6.) But this is evidently a mistake attributable to the confusion of New Orleans with Fort Orleans on the Missouri, to whose establishment Pradel contributed in 1724, under Bourgmont's orders.

We have not yet described the arrival of the *Neptune* and of the *Vigilante* at New Orleans, because there is reason to ask whether these ships did not really unload at English Turn, where, according to the seemingly reliable document which we reproduce (see p.....), a large store had been built at this time.

¹Appointed Notary of the Colony, 14th March, 1718.

to Chief Engineer Perrier, on the 14th of April, 1718, allowed him utmost latitude for the choice of a site:

"Ascending the river to the point which Messrs. the Directors-General may judge proper for laying the first foundations of New Orleans, he must take the best map he can of the river's course. . . . We do not know what place will be selected, but since the said Sieur Perrier is to be present at the council held for this purpose, he must be made to understand the leading considerations.

"The chief among these is to find the most convenient place for trading with Mobile, whether by sea or by Lake Pontchartrain, which place must be in the least danger from inundation when floods occur, and as near as possible to the best agricultural lands.

"These various considerations convince us, as far as we can judge, that the most convenient site is on the Manchac brook; the town limits should stretch from the river-banks to the edge of the brook. This spot must be examined to see if the land is suitable, before any definite choice is made. If it is suitable, then New Orleans will be better there than elsewhere, because of the convenience for communications with Mobile by the brook, which is reported as navigable at all times and at slight expense, and because it is within reach of the entrance to Red River. Thence communication may be had with the plantations to be formed in the Yazoos' country, where we expect wheat to be first planted—it may even thrive there, eventually. Furthermore, the spot mentioned is well inland; and then, hunting affords abundant means for subsistence, and the healthiness of the air can be relied upon.

"The sole difficulty remaining before New Orleans can be built on the Manchac brook, is its distance from the sea, sixty-five leagues. If, however, ships can readily sail up so far, and it is only a question of a few days more or less, this is not an obstacle to outweigh other advantages. Ships do not come every day, and the other conveniences are enjoyed the year round. But, at the same time, care must be taken, in going up the river, to choose the most suitable place, perhaps English Turn, for establishing a battery¹ in a small fort which may prevent hostile ships from ascending.

"* * * When the site for New Orleans has been determined, we presume the said Sieur Perrier will begin by marking out the limits of a fort which may later become a citadel, but which at first need simply to shut in with stockade, after the manner of the country. Here the Company's stores shall be situated and lodgings for

¹The Company prescribed that twelve eight-pounders should be put here, reserving only two six-pounders for New Orleans.

the Directors-General, commanding officers, officers, and soldiers forming the New Orleans garrison. This being done, the Sieur Perrier shall trace out the town limits and the alignment of streets, with the size of lots suitable for each resident of the town, Messrs. the Directors-General having the privilege to allow them near-by lands for cultivation. Once the men are lodged, the most pressing need is for storehouses. We can make no prescriptions as to the extent of these or the manner of their building, questions which Messrs. the Directors-General must settle with M. Perrier. We merely recommend to his attention that during his stay at Dauphin Island and in Mobile, he must collect whatever he can find in the way of planks, boarding, and scantling, so that he may use them upon reaching New Orleans.

“There is a project to start work by throwing up rough shelters for both men and goods. But this should not prevent the said Sieur Perrier from seeking at the same time the best means to obtain materials for permanent building. To this end, he shall erect, as soon as possible, a brick manufactory, if the soil in or near New Orleans is suitable. Soldiers or illicit salt-makers who understand brick-making could be employed; or else we shall send over a brick-maker by the first ships. In the case we are unable to find others to sail with him, we are sending bricks in the three ships with which he sails; he shall have a care to save them for building the first kiln.

“These first measures being taken, he must go himself to seek, in the neighbourhood of New Orleans, places where stone may be had for purposes of both building and chalk-making. It is not impossible some may be discovered. He must particularly exert himself to find it on the river-banks, as he goes up, so that transportation may cost less; and as promptly as possible, so that the buildings may be stone and brick, which is best * * *” (*Colonies*, B. 42 bis, fol. 219.)

On the 23rd of April, the Company appointed Bivard surgeon to New Orleans, with a salary of six hundred *livres*; and on the 28th, concessions near the new establishment were granted to twelve persons. Among these pioneer citizens were: Le Page du Pratz, the future historian of Louisiana, Le Goy, Pigeon, Rouge, Richard Duhamel, Beignot, Dufour, Marlot de Trouille, Legras, Couturier, Pierre Robert, the three Drissant brothers, Bivard the surgeon, and Mircou the perruquier. With their families and retainers, they formed a band of sixty-eight people. (*Colonies*, B. 42 bis, fol. 252.)

When announcing their departure, the Company added: “If possible, they must be compelled to dwell within the limits of New

Orleans, having only gardens there, as may be decreed, and receiving grants or lands as near as may be, in proportion to their strength." The managers furthermore directed that two soldiers from each of the eight companies should be released on condition they went to live in New Orleans; they were to receive a year's pay, besides tools and seeds.

Perrier's death, which occurred in Havana, allowed Hubert to interpret these instructions at will; he sent off the colonists as far as he could from the new post, and all the workmen who had not deserted were soon called back to Biloxi on one pretext or another.

When Le Page du Pratz landed in January, 1719, he perceived "on the spot where the capital was to have been founded, only a place marked by a palmetto-thatched hut, which M. de Bienville had built for himself and where his successor, M. de Pailloux, lived." (*Histoire de la Louisiane*, Vol. I, p. 83.)

All of Bienville's efforts had been paralysed by the ill-will which the other members of the Board displayed. With his exception alone, they were interested in ventures at the old-trading posts, they would tolerate no word about New Orleans, and they encouraged the coalition of Mobile colonists, of Biloxi tradesmen, and of Lake Pontchartrain boatmen whose business was threatened by rivalry from the Mississippi.

As has been said, Hubert owned a large plantation at Natchez, near St. Catherine's; in 1820, he had eighty slaves there, and twenty head of horned cattle. The year following, he sold it to Dumanoir. But meanwhile, he asked for the concession of Cat Island, between Biloxi and the entrance to Lake Borgne, "for the raising of rabbits"; and he proposed to found the Mississippi Counter at Natchez and to drag the Iberville River, so that residents in Biloxi might retain their rich monopoly for trans-shipping and warehousing all merchandise from Europe. Nevertheless, Hubert had at first been a partisan of New Orleans: we have seen how he had declared it "must be properly fortified"; in October, 1719, he wrote: "The reason for making a colony of Louisiana was doubtless to become masters of the Mississippi and to occupy it * * * And yet the contrary was done, that great river has been abandoned for the Mobile River." But as soon as he had secured his concession at Natchez, his opinions underwent a radical change, and a year later he stated: "The difficulties of the lower river will prevent New Orleans from ever being a safe post."

Duclos judged that "instead of thinking of the Mississippi, all efforts should be directed towards the Mobile River," which, Du

Gac added, must remain "the master-key to the colony." An earlier memoir, drawn up by M. de Granville, Captain of *La Renommée*, even urged that the chief establishment be built at "Fort Esquinoque" (probably Tombigbee) among the "Jatas" (Choctaws) sixty leagues from Mobile. As for Larcebault, he considered New Orleans "a submerged country, all chopped with cypress swamps"; and Villardeau shared his opinion.

After Hubert, Le Gac seems to have been the most inveterate adversary of New Orleans. "This post," he wrote in 1721, "is flooded when the waters rise, and is fit only for rice, silk, maize, and all sorts of vegetables and fruit-trees. Tobacco may also be grown." In spite of which fertility, he concludes that, although a company may be supported there, a counter must not be established at any price.

Profiting by the fact that Boisbriant had left in a very bad season, Le Gac hastened to write to Paris: "M. de Boisbriant, with his company of settlers, employés, and convicts, took more than six months to reach Illinois, because they had to winter in Arkansas. Ice on the Wabash delayed them and they could not do more than four or five hours of rowing from sunrise to sunset, owing to the swift current. Towing is impossible, because the river twists all the way. * * * The banks are covered with impenetrable woods and canebrakes * * * whereas Canadians have gone overland from Illinois to Mobile in *less than a month*. These assert that the distance was not more than seventy leagues (in reality, two hundred and fifty) whereas it is nearly five hundred by the river and takes five or six months. Trees should be blazed on both sides so that a way may be made and recognized, and establishments should be built from place to place, to serve as retreats; the inhabitants could grow crops and raise animals to supply travellers with food * * * Only causeways and bridges would have to be built, here and there * * *"

In spite of its extravagance, this project was adopted for some time by the Company of the Indies; but the Chickasaws soon closed the way to the most intrepid *coureurs de bois*.

New Orleans had none the less demonstrated its utility, from the very start; Boisbriant, with the several hundred soldiers and more or less voluntary colonists he was taking to Illinois, had found shelter there while waiting for ships to be got ready. Bienville and Hubert spent the autumn in New Orleans, to supervise the outfitting of this expedition.

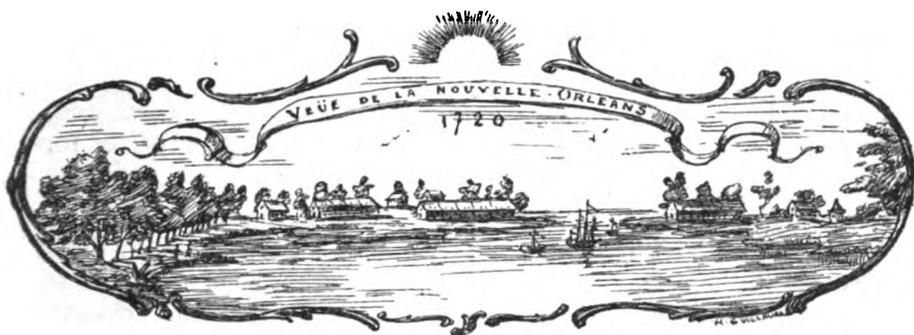
Bénard de La Harpe, accompanied by a non-commissioned officer and six men, came on the 7th of November, 1718, to complete his preparations for a voyage to the Cododaquis Indians on the Red River. Finding at Dauphin Island no means of transportation for his trading goods as far as New Orleans, he had been forced to build a boat at his own expense and go through the mouth of the Mississippi. La Harpe finally arrived safe and sound; nevertheless, his pilot being entirely inexperienced, he ran considerable dangers in the passes of the river, and took a month for the journey.

"As soon as I reached New Orleans," he states in his *Journal de voyage de la Louisiane*, "I urged M. de Bienville to get me started off again. He represented to me that he had no provisions in the stores, and that the Company was in no present condition to make good its obligations to convey me at its expense, with my people and my goods to the place where I was to choose my concession on the Red River."

La Harpe, who had already done much travelling in South America, where he had even found a wife, managed to leave on the 12th of December, in spite of the Mississippi's strong current.

At about the same period, Dubuisson landed with his silk-growers; but, as Le Gac did not fail to observe, "he settled twenty-five leagues up the river (at Bayagoula)." Le Page du Pratz was among the few to elect a residence, though transitorily, on the banks of Bayou St. John.





CHAPTER III.

The Mississippi Flood in 1719. Consequences of the Capture of Pensacola. The Year 1720.



LUCK still did not favour New Orleans; the year 1719 brought no improvement in the state of stagnation which had become peculiar to the town. An altogether abnormal rise of the Mississippi—the Indians did not remember having ever seen its like—submerged the site, which remained swampy until a

dike was built.

Coast residents made the best of this misfortune, exaggerating it to their own advantage. We may note in this connection that the 1721 flood of the Mobile River, which devastated all the plantations of that region and caused far graver material damage than had been noted in New Orleans two years before, passed almost unperceived at Paris, because there were no interested parties to exploit it against Mobile.

Bienville himself seems to have allowed his faith to be shaken, for a while. On the 15th of April, 1719, he countersigned a despatch of Larcabault's stating: "It may be difficult to maintain a town at New Orleans; the site is drowned under half a foot of water. The sole remedy will be to build levees and dig the projected canal from the Mississippi to Lake Pontchartrain. There would be half a league of cutting to do."

Certainly a flood was a disagreeable event, whether the depth of water were really "half a foot" or only three or four inches, as stated in the census of the 24th of November, 1721, signed by Bienville, Diron d'Artaguet, La Tour, De Lorme, and Duvergier. (*Colonies*, G., 464.) But this bore very slight resemblance to the

catastrophe over which the members of the Colonial Board wept crocodile tears. Nor does it appear likely that the flood persisted for "six months."

Hubert promptly turned the situation to his advantage, by transferring to Natchez most of the stores warehoused at New Orleans. "The flood," he wrote, "compelled all the residents to go to Natchez, where the land lies higher and the heat is less severe." But since the garrison and several clerks remained at their posts, this picture of a general exodus is overdrawn, to say the least.

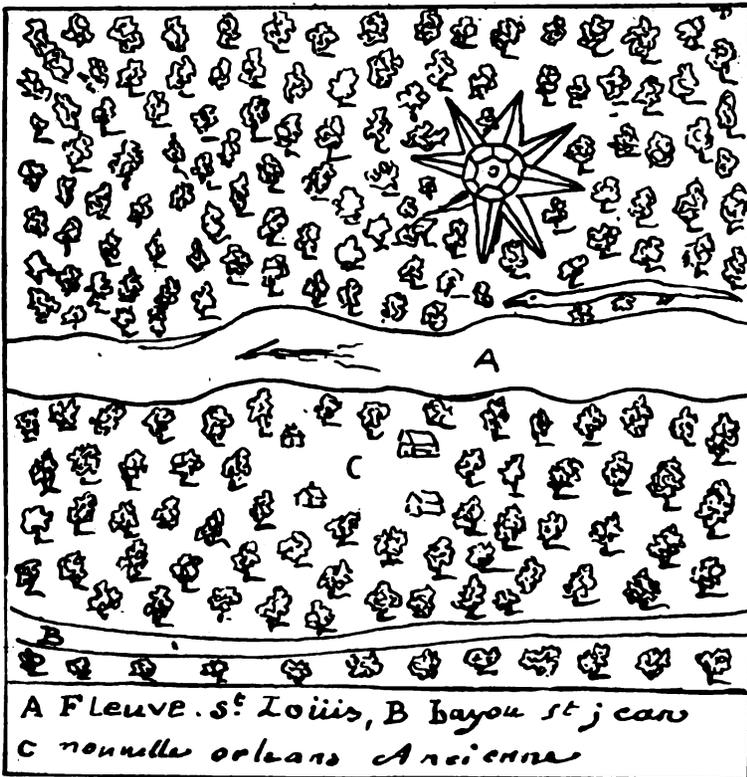
Le Page du Pratz, who had settled half a league from New Orleans, does not even mention this terrible flood. He observes that "the country being decidedly aquatic, the air cannot have been of the best," but adds: "The soil was very good, and I was happy on my plantation." Du Pratz acknowledges that he had no particular motives in moving to Natchez, unless that his surgeon was going, that his Indian maid wished to be near her family, and that he complied with Hubert's advice and acted "from friendship for him."

Pellerin, one of the most enterprising among the colonists, wished to settle near New Orleans, in spite of the flood; he camped on the banks of Bayou St. John in April, 1719. As soon as he had found a good site, he asked for a concession. But Hubert put so many obstacles in his way that he, too, ended by settling at Natchez. He wrote: "There are in New Orleans three Canadian houses and a store belonging to the Company, where we stopped." (*Arsenal*, Mss. 4497, fol. 54.) This confirms the figures given by Bienville, who mentioned four dwellings. To get to Natchez, Pellerin passed through the lakes, reaching the Mississippi after thirteen days.

Even when flooded, New Orleans was so far from being uninhabitable that on the 23rd of April, 1719, the Board decided to send thither a clerk "to sell wine at four *reals* per pint." A few days before, the Company had fixed as follows the salaries for officials at the new counter: Hubert, Director, five thousand *livres*. A store-keeper, nine hundred *livres*. An accountant six hundred *livres*. A clerk, four hundred *livres*. These last had under their orders "two men-of-all-work, to be chosen among the illicit salt-makers or tobacco-smugglers, without wages but supplied with rations." The salary of "the missionary to be sent to New Orleans" was fixed first at four hundred *livres*, afterwards raised to five hundred. The gunner received three hundred and sixty *livres*.

M. de Bannez, appointed Lieutenant on the 28th of October, 1717, embarked in May 1719 on the *Marie*, with Dumont de Montigny Louisiana's poet-historian. According to certain records, Bannez started out with the rank of Major-General of New Orleans; according to others, he was named to this post only on the 23rd of March, 1720.

The flood having subsided, public attention was deflected from the Mississippi posts. Pensacola was taken, lost, and recaptured.



New Orleans in 1719. (After Dumont of Montigny.)

The certainty that the famous Illinois mines did not exist, or could never be worked, caused keen disappointment. It is worth noting that a memoir preserved at the Ministry of Foreign Affairs recommends using "for the discovery of these mines, wands fitted with electron, mercury, and marcasites on which the heat of the air acts." (*Mém. et Doc. Amér.* Vol. I, fol. 433.)

Even the most blindly prejudiced among the colonists should have understood the urgent need for organising their chief warehouse at a sufficient distance from the sea to protect it against sudden attacks. Dauphin Island had been sacked, and other establishments too near the coast had run similar risks; these examples should have sufficed as lessons. Yet the adversaries of New Orleans brought contrary influence to bear. The Company, while changing its name to Company of the Indies, had kept the Mississippi on its arms; but had decided to make Pensacola the main port of Louisiana, regardless of the facts that this town, whose strategic importance was unquestionable, yet suffered extreme disadvantages for trade with the Mississippi, the recognized centre of the Colony. Taking no heed for the expense incidental to trans-shipments of goods, the residents of Biloxi wished to keep ships out of the river and so retain their profits from the unseaworthy sloops of Lake Pontchartrain. If Pensacola had not been restored to the Spanish, merchandise from Illinois would have had not one single trans-shipment at New Orleans, but four: at Pensacola, at Biloxi, at Bayou St. John or Manchac, and finally on the banks of the Mississippi.

A further drawback to Pensacola as chief stronghold for the Colony was its position on the easternmost frontier of France's possessions. To assure the defence of Louisiana, it was decided in Paris to build another establishment near the indeterminate limits of New Mexico. Two expeditions went forth in 1720 and 1721, having as mission to occupy mysterious "St. Bernard's Bay." Both failed for sundry reasons, foremost among which was certainly the disfavour with which the Colonial Board, now supported by Bienville, viewed settlements along the coast. Saujon complained, on the 23rd of June, 1720, that Bienville and his brother Sérigny had prevented him from seizing St. Joseph's Bay, in Florida. (*Marine*, B⁴, 37, fol. 405.)

News of the 1719 flood contributed to the decision reached by the Company of the Indies that work on New Orleans should be suspended. Nevertheless, the occupation of Pensacola, and then hope of occupying the vast Texan territories, discovered by La Salle in the previous century, must have been the leading motives for the incomprehensible desertion of New Orleans during nearly three years.

The illusion that Pensacola might be retained was long cherished in Paris; Engineer-in-Chief LaTour was ordered to settle at that post, according to the first instructions drawn up for him. (B,

42 bis, 308.) But when, on the 20th of August, 1720, the order was signed for restoring the place to the Spanish, the Company, forced to fall back upon the Mississippi, at least acted promptly. Four months later, New Orleans became the capital of Louisiana.

For a few weeks thereafter New Orleans succeeded in meriting the name of "burg," but this prosperity seems to have been short-lived.... During most of the year 1721, the town cannot be said to have done more than manage to exist.

Such were the difficulties incidental to navigating the Iberville River, practically dry for half the year, that all boats passed through Bayou St. John.

"This river," says an anonymous memoir, "has three feet and a half of water; boats can go up for two leagues, where there are several French planters and a store. Merchandise is landed here and must be conveyed by truck to New Orleans, three quarters of a league distance." (C¹³c, 2, fol. 170.)

And yet, no one dared settle at New Orleans, for fear of Hubert and Le Gac. The few who came, left rapidly, like Le Page du Pratz and Pellerin, or withdrew to a respectful distance from the forbidden centre, like du Breuil, du Hamel, the Chauvins, etc.

The National Library preserves a singular aquarelle purporting to picture New Orleans at the end of January, 1720; it was done on a corner of the map entitled "*Carte nouvelle de la partie occidentale de la province de Louisiane*," according to "observations and discoveries made by the Sieur Bénard de La Harpe, Commandant on Red River," by the "Sieur de Beauvilliers, gentleman serving the King and his engineer in Ordinary, of the Royal Academy of Sciences, at Paris, in November, 1720." (Bibl. Nat., *Cartes*, Inv. Gen. 1073.) This sketch is reproduced at the head of the present chapter.

La Harpe was an excellent observer, M. de Beauvilliers an able geographer, and their map seems remarkably accurate, for the period. If their view of New Orleans contains many errors, it is because they represented not reality but a mere project. The drawing shows the Mississippi Crescent, beyond which Lake Pontchartrain is seen in the distance, as if the canal planned by La Harpe to connect the river with the lake had existed already. Later in the year, on the 20th of December, La Harpe wrote: "Communications may be made between the Mississippi and Lake Pontchartrain; there will be only half a league of cutting to do." Bienville appears to have been a

partisan of this, for a while, but doubtless only to conciliate the inhabitants of Biloxi.

This view, whose perspective placed the lake very near the river, could not but encourage the Company to continue work at Biloxi which La Harpe strongly championed. The fact that three large stores or barracks, which existed then only in the imagination of Pénicaut and of La Harpe, were represented as actually completed, served as further inducement for the Directors to neglect New Orleans.

In April, the Colonial Board, seeing no necessity for the maintenance of a major and a captain at that almost deserted post, withdrew the appointments of d'Avril and of Valterre, replacing them by M. de Noyan, a mere lieutenant. Somewhat later, M. de Richebourg was nevertheless named as *Major*, but refused to serve under the orders of Pailloux who, according to his adversary La Mothe-Cadillac, was "a choleric ex-sergeant addicted to maltreating his men." Richebourg also was reputed as violent; on the 8th of April, 1719, the Company had ordered that "having insulted Mme. Hubert, he must give suitable satisfaction." Richebourg had served two years as volunteer in the King's Household, four years in the Limoges Regiment, eleven years as captain, then as major, in the Chatillon dragons, and had gone to Louisiana in 1712.

An *Etat de la Louisiane* for June, 1720 says: "The burg of New Orleans is situated thirty leagues above the mouth of the Mississippi, on the eastern side, There are stores for the Company, a hospital, lodgings for the governor and the Director. About fifty soldiers, seventy clerks, hired men and convicts drawing wages and rations from the Company. Two hundred and fifty concession-holders, including their people, are waiting for flat-boats to take them up to their concessions."

"There are, on that side, forty plantations begun by invalids (!) who, to judge by appearances, will not make good. Of these forty concessions, only two will be able to produce crops this year: one belongs to the Sieur Lery (the surname of Joseph Chauvin) who, in March, had already sowed two casks of rice; the other, to the Sieurs Massy and Guénot, who have sowed as much. These forty plantations have among them about thirty head of horned cattle and eighty slaves, savages as well as blacks.

"M. de Bienville, commander of Louisiana, also has a plantation there (Bel Air) in which he has put twenty slaves, blacks and savages, and six head of horned cattle. He has sowed half a cask of rice. The river, which overflows almost every year, is a cause of

inconvenience and damage to many houses built too close to the waters. The burg should naturally be placed where the Sieur Hubert chose his plantation. The ground is always dry there, and the public would be all the better off, since it is accessible from both sides, the Mississippi and the Bayou."

Fearing lest caprice might prompt a few colonists in distress to settle near New Orleans, the Councillors passed a stringent measure: "The hundred and fifty persons who had been sent to New Orleans are now *all* at Biloxi," Le Gac writes. "It was considered more appropriate to provide for them here than in New Orleans. They could not be conveyed by river, because the flatboats were all away and not expected back soon." And yet, game was far more abundant on the shores of the Mississippi than near Biloxi.

Save for a few pirogues and flat-boats, the entire fleet kept by the Company at New Orleans was limited, even at the close of 1720, to a "sunken brigantine." "But," adds Le Gac, "she could be raised, for there are no worms in the river." Here was an additional point in favour of New Orleans, whereas at Biloxi a ship's hull rapidly became a sieve. To obviate the shortness of bottoms, and to avoid a fresh return of colonists, Bienville caused du Tisné to pass through the mouths of the Mississippi, in October, 1720, with a flotilla of seven flat-boats.

Pénicaut has little to say about New Orleans during the year 1720; he rests content with observing: "They worked the rest of the year, and made considerable progress." Valette de Laudun, who wrote only from hearsay, he himself having never gone beyond Biloxi, declares in his *Journal d'un voyage fait à la Louisiane en 1720*: "New Orleans is the first and most important of the posts we have here." Nevertheless, the site of the capital must have borne closer affinities to a virgin forest than to a town, since in March, 1721 Pauget the engineer complained that he "could not make the alignments" because there were too many bushes and cane-brakes.

Work on the dikes continued, meanwhile. Pellerin wrote in 1720 (probably on the 1st of August): "The Mississippi, overflowing more or less for six months of the year, renders New Orleans unpleasant as a place of sojourn. But at present, a great many slaves or negroes from Guinea are labouring to make it habitable. This may be effected by a sound dike on the river-bank; or by a causeway three or four toises from the edge and running back a quarter of a league where the land rises above inundation; or else by digging a small bayou to act as drain in winter. Pirogues from the Mississippi on the one hand, and from Lake Pontchartrain on the other, could

then anchor beside the town. * * * Ships drawing not more than thirteen or fourteen feet can come up to New Orleans."

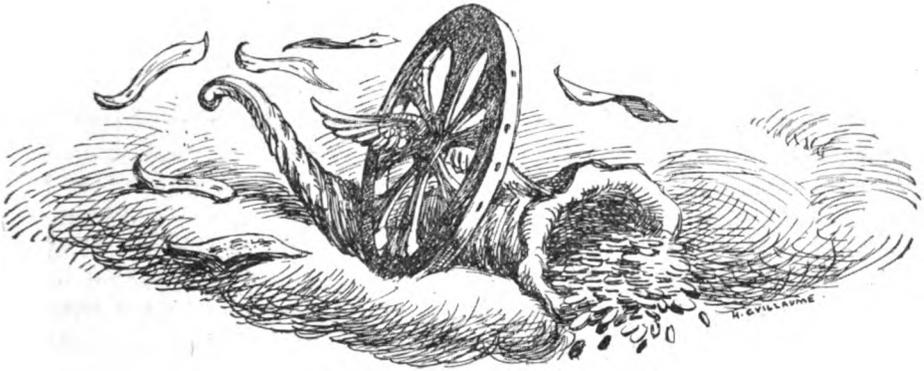
Having settled in Natchez, Pellerin was a warm partisan of that post, and rejoiced because Hubert had "filled the Natchez stores, which caused much discontent at New Orleans, as if dwellers in Natchez were less sons of the Colony than those in New Orleans. By so doing, M. the Commissary will have Natchez established within two years, whereas down the river it cannot be done in six. Yet the good things brought by boat are consumed down the river, and we don't taste them except when they are no longer wanted there, or when travellers bring them to us." (*Arsenal*, Mss. 4497, fol. 54.)

The year 1720 brings to a close the first period of the foundation of New Orleans. The town's history from 1718 to 1721 might almost be expressed in a few words, saying that, helped by the choice of a good site and by Bienville's tenacity, the capital of Louisiana concentrated its efforts on remaining rooted where it was, otherwise passively biding the time when its very enemies should understand the brilliancy of the future awaiting it. During three years, adversaries succeeded in completely checking the development of New Orleans but failed in their endeavour to transfer it to the banks of Lake Pontchartrain. Bienville's name will always remain deservedly associated with the creation of the great seaport of the Mississippi, which he founded in spite of everybody.

If New Orleans owes its existence to Bienville, the first colonists have to thank him for preserving their lives. But for the marvellous ability which the "Father of Louisiana" showed in winning the friendship of Indian tribes, the French who came as pioneers to settle along the Mississippi would all have been massacred. But Indians adored Bienville while fearing him, because they knew him to be always just, though often stern.

Bienville's character was unquestionably authoritative; but for thirty-five years he displayed in Louisiana all the energy required for the government of a new colony ceaselessly torn by rivalries of men or of interests.





CHAPTER IV.

The New Orleans Bluff--The Real Manon--Transported and Exiled--"Princess Charlotte"--Mademoiselle Baron.



SEEN on the banks of the Mississippi, New Orleans was still nothing more than a modest hamlet. But the town thrived amazingly in reports spread among frequenters of the Rue Quincampoix. Speculators were even treated to an ingenious interpretation of the fourth quatrain in Nostredasmus's fourteenth *Century*; so that the honour of predicting a brilliant future for Louisiana reverted to a contemporary of de Soto, nearly one hundred and fifty years before Rémonville:

"Par cinquante à cinq cinq, Lauge sera prospère

L A V V *Gaule*

Depuis paroisse Cinq—jusqu'à pays lointain

rue Quinquempoix Louisiane

à cheval sur cinq paroisses.

Commencent Peuple et Roy, sans craindre la misère,

Se payeront l'un et l'autre et ne devront plus rien."

After the collapse of Law's "System," buyers and sellers, ruined to an equal degree, must have reflected with bitterness on the nature of the prophecy conveyed in the closing verse.

• In March, 1719, the *Nouveau Mercure*, which a year before had declared Louisiana might become "the French Peru," published an enthusiastic letter from one Fr. Duval, the author having gone over with the intention of making starch "from roots," found it more profitable to gather and sell medicinal herbs.

"I arrived on the 25th of last August," he writes, * * * "This is a charming country, where people are already beginning to settle. I have withdrawn to the spot where the capital is being built, called New Orleans. It will have a circumference of one league. * * * The land is rich with gold, silver, copper, and lead mines in different places. I wished to identify myself with what will be the capital of the province because of its future population, and its position as trading centre and meeting-place for the heads of affairs. * * * My land will have a front of three *arpents*¹ on a depth of forty, and will be given to me outright. * * * The houses are built plainly, as in country districts at home, and are covered with large pieces of tree-bark and big canes. You dress as you please, but everything very simple, as with furniture. Tapestries and handsome beds are unknown. * * * Health is generally good, and specimens of fine old age are seen."

Eleven months later, the same paper announced that each family of colonists would receive two hundred and twenty acres of land: "They shall be given gratis utensils for each family, all sorts of tools for their work, and provisions for one year. These new planters shall be exempt from all payments during the first three years, after which they shall give to their lord, whose feoff shall be built in their midst, one tenth of the produce of their lands. In each village or hamlet there shall be twenty families at a distance of a league from one another."

At the close of 1720, the *Nouveau Mercure* printed a letter from Illinois, dated July 8th: "* * * It can be said without exaggeration that we trample treasures underfoot, since we walk over rich gold mines." Describing Kaskakias, the writer adds: "In spite of continual remonstrances from the good Fathers, young people here are doing all they can to increase the population. * * * They are accomplishing their duty just as we are, for the Company must be highly pleased to see the number of its subjects grow daily."

The work entitled *Relation de la Louisiane ou Mississipy*, "written to a Lady by a Naval Officer," appeared that year. The author, an officer of the *Paon*, proposed that the capital be built at English Turn: "The river's course flows straight as far as this point," he writes, "and the depth is sufficient for a ship with eighty guns." We should not even mention this work, whose interest is but mediocre, if it had not given rise to an imitation or rather a forgery. The

¹At this period, the Parisian *arpent* or acre was equivalent to 34 *ares*, the *are* being equivalent to 119 square yards. The "woods and forest *arpent*" was equivalent to 51 *ares*, the common *arpent* 42 *ares*. A decree dated 12th October, 1716 granted to each colonist a concession of 2 to 4 *arpents* front, on 40 or 60 in depth, as a maximum."

latter is a sort of circular whose extravagance proves it to have been printed in Rouen at the expense of an unscrupulous speculator or perhaps even of the Company; its title is "*Description du Mississippi: le nombre des villes établies, les îles, les rivières*, etc. by "the Chevalier de Bonrepos, written from Mississippi to France, to Mademoiselle D. * * *"

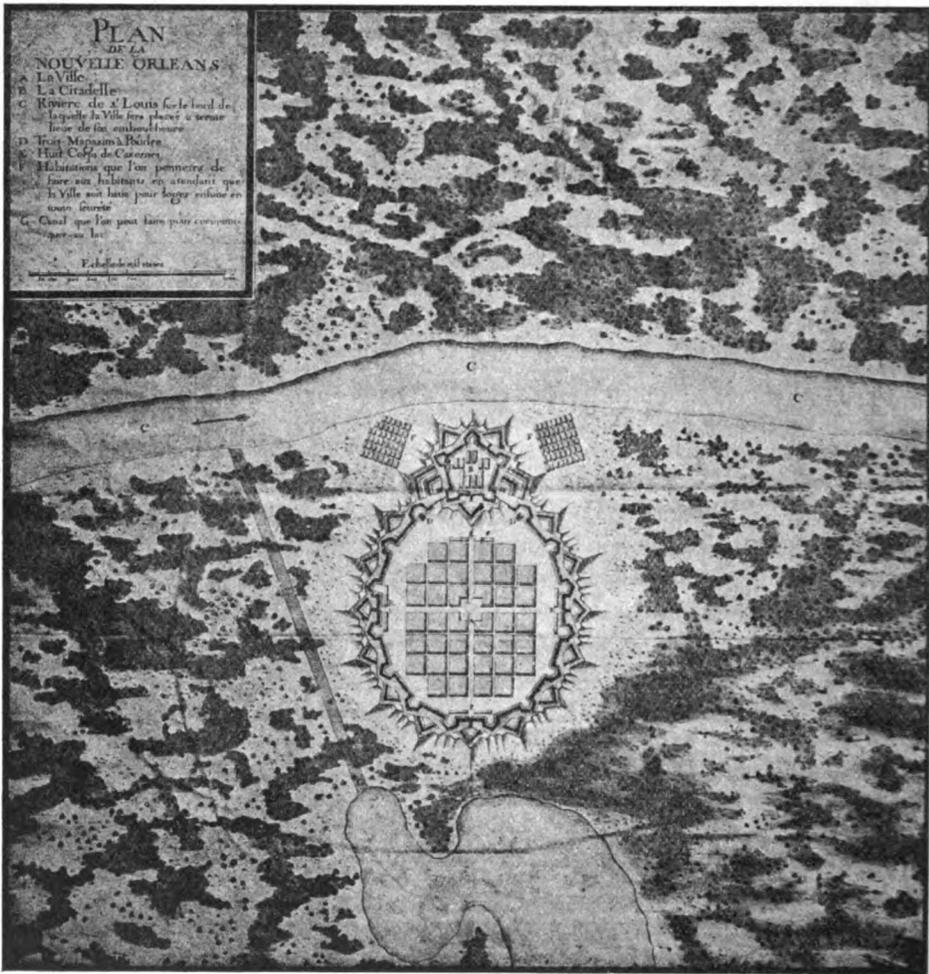
"Already," this veritable hand-book asserts, "the town named New Orléans, which is to be the capital of the Colony, has nearly eight hundred houses, all very convenient and comfortable; a hundred and twenty acres of land has been attached to each, for the support of the family. This town is one league in circumference and is situated on the Mississippi, some leagues from the sea. The Governor and the principal officers of the Company reside here. Large stores have been built for merchandise from France and for native products to be sent to France as soon as the Company's ships return."

This author appears to have borrowed also, with further exaggerations, from the *Relation concernant l'étendue des îles du Mississippi et de leurs propriétés, avec une explication des villes que les Français y ont établies*, the original of which, or a contemporaneous copy, is preserved at the Arsenal Library (Mss. 6650, fol. 54.)

"The Kingdom of Louisiana is vaster than that of France," he says. "The Mississippi River, which flows through its entire length, has a course of more than 860 leagues. * * * All sorts of fruits, whose savour is better than in France, grow on the land, though the trees are neither grafted nor cultivated. * * * Along the upper Mississippi, the mountains are full of gold, silver, copper, lead, and quick-silver mines. Since the savages ignore their value, they sell, or, to speak more correctly, barter away, golden metals which in their tongue they call copper, against a wood-hatchet, or often for a mirror or a pint of brandy.

"Of late, a new town has been formed which is to be the capital of Louisiana, called New Orléans. More than six hundred houses have already been built there for residents, each house having one hundred and twenty acres of ground attached as a free gift which they can cultivate on their own account. According to the plan traced for the town, the circumference will be one league; it is situated on the bank of the Mississippi River. Since it is not far from the sea, this will be the commercial centre and the seat of the Company's chief officers."

The map which we reproduce shows the methods adopted by the Company of the Indies for selling its stock and recruiting new Colonists. Mobile and Pensacola are here seen to the west of the



New Orleans as seen from Quincampoix

Mississippi. Later, the engraving was reversed, New Orleans and Florida passed over to the east, but the Espiritu Santu River followed them.

Carpers were, however, singing lustily:

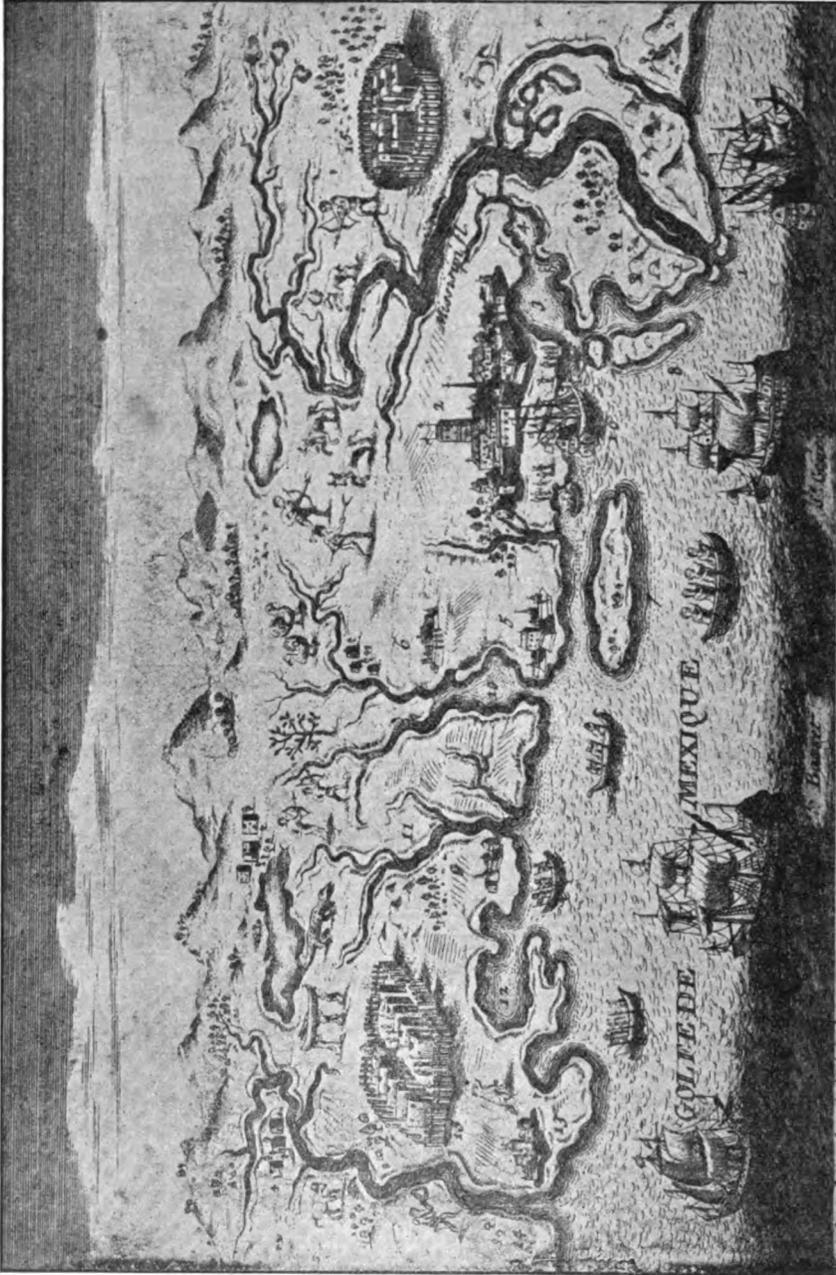
*Le Pays n'est pas habité;
Il sera bientôt fréquenté,
Peut-être dans cent ans d'ici!
Les mines l'on y fouillera,
Car sans doute on en trouvera,
Si la nature en a mis!*

Of all the descriptions of New Orleans written from a distance, the most accurate appears to be that of Abbé Prévost, even though the town is not "hidden behind a small hill * * * What had so far been vaunted as a goodly city was only a group of a few poor cabins. Five or six hundred people lived there; the governor's house seemed to be rather distinguished by its height and its location. It is defended by a few earthworks, round which a broad ditch runs."

The *History of Manon Lescaut* is divided into two parts. The first, relating Manon's gallant adventures, is laid in France; the second telling of her moral regeneration, takes place in New Orleans; the work as a whole will remain not only as a masterpiece of literature, but as a faithful picture of the sort of women transported to Louisiana. (See M. Pierre Heinrich's study, *l'Abbé Prévost et la Louisiane*.)

A number of girls, reading the first part in 1731, may have thought themselves the heroine, provided they, too, were unencumbered by principles; but the resemblance could not have been mistaken for an identity beyond a few pages: Manon the sinner is a perfect type of the Regency courtesan, and can have no distinct individuality. The case is different, however, with Manon dreaming of marriage; and here an episode which occurred on one of the Mississippi Islands, the genuine experience of a more or less repentant and very vaguely married Magdalen, supplied the theme for Manon's mock marriage with Des Grieux. Thereby a difficult literary problem was solved; for if Des Grieux had been allowed to abandon Manon, he would have become hopelessly odious, and if he had blindly married her he must have regretted, sooner or later, an alliance so offensive to accepted morals.

Since Prévost was not yet eighteen and happened to be at the Jesuit Novitiate in Paris when the real Manon, expelled from Angers, embarked at Nantes, the hypothesis maintained by Arsène Houssaye,



17. Embouchure du Mississipi
 18. La Nouvelle Orleans
 19. Lac de Pontchartrain
 20. Lac de la Maurepas
 21. Nouveau Fort Louis
 22. Vieux Fort Louis
 23. Ile Dauphine
 24. Ile de la chandeleur
 25. Penzance la
 26. Mobile Riviere
 27. Gouverneur Riviere
 28. Baye de St. Rose
 29. Charles Fort
 30. Riviere de l'Esprit
 31. Villages des Indiens
 32. Detour qu'on fait de France

Henry Harrisse, and various authors, that the Abbé had confessed a love-story of his youth, must be definitely set aside. Even if his heroine had managed to return to France as she intended, in 1715, it is doubtful if he could have met her.

Manon Lescaut having been first printed in Amsterdam in 1731, the name may have been suggested to Prévost by his stay in the Low countries. But, strangely enough, the names which constantly recur in *Manon* are taken from life, although the characters do not correspond to the originals. This would seem to indicate that Tiberge and the Chevalier Des Grioux were the ones to tell Abbé Prévost the misfortunes of Avril de La Varenne and his companion, the "Demoiselle" Froget. Indeed, worthy Tiberge can with much likelihood be identified as Louis Tiberge, Abbé of Andrés, Director of the Foreign Missions Seminary; he died on the 9th of October, 1730, a very short time after Prévost had begun his seventh volume. The *Nouveau Dictionnaire - Historique*, the first edition of which appeared in 1765 and the sixth in 1786, says under the name Tiberge: "It is this pious priest who plays so touching a part in the story of the love of the Chevalier Des Grioux" Anatole de Montaigon has reached the same conclusion. (*Manon Lescaut*, Paris, 1875.) We may add that Abbé Tiberge, having often had to deal with ecclesiastical matters in Louisiana, must certainly have known of the differences which brought Manon and her curé into conflict, prompting their reciprocal complaints before the Marine Board.

Could it, however, be by a second coincidence that Des Grioux should bear the same name as the Captain of the *Comte de Toulouse*, a ship which made several voyages to Louisiana and notably conveyed, in 1718, a considerable number of deported girls to Biloxi? We think not. Even though Captain Des Grioux may not have met Manon, he had certainly heard of her adventures.

Several unpublished documents, found in the archives of the Ministry of Marine, enable us to identify, for the first time, four other characters in *Manon Lescaut*.

The "Chaplain of New Orléans" was none other than the missionary Le Maire, Curé of Dauphin Island; Manon's alleged husband, ex-captain of the Champagne Regiment, was known in America as Avril de la Varenne; the celebrated courtesan herself was called Froget, and surnamed Quantin; and the "Governor of Louisiana" was La Mothe-Cadillac.

The character of Synnelet, and the part attributed to his uncle in the novel, seem to be inventions. We had no reasons to believe

that Cadillac had a nephew with him. His son, the Lieutenant, was hot-tempered, and one day, together with Ensign Terrisse de Ternin, gave six sword thrusts to Benoist de Sainte-Clair. But there is no evidence that young Cadillac ever loved Manon; and the Governor's relentless pursuit of the coquette cannot be advanced in support of the theory. Judging by his letters, La Mothe-Cadillac had never tolerated loose morals, and pitilessly denounced all women who misbehaved in the absence of their husbands.

Nevertheless, the idea of Des Grioux's duel may have been suggested to Abbé Prévost by the challenge which Raujon, champion of Manon's honour, purposed to send to Mandeville who had cast aspersions on her. But although Raujon played so far the part attributed later to Synnelet, Raujon was far from seeking to kill the original Des Grioux; he wished, on the contrary, to defend the good name of his friend's wife, who had become his faithful accountant.

The name of Avril de La Varenne is not mentioned in any of the armorial lists of Anjou. Hence a mystery subsisted until we discovered that Pierre du Tremblier, Sieur de La Varenne, Counsellor of the Angers Presidial, had married Mademoiselle Avril de Louzil. Another Tremblier de La Varenne, Charles Claude, had married Marie Renée Avril in 1697; but this branch does not appear to have lived in Angers. When Manon's brother broke with his family, he evidently chose a new name by combining those of his father and mother. We know that his father died in 1704. To judge by the age which Avril de la Varenne gave himself in 1715, and by the researches which M. Benoit, head clerk of the Archives of Maine-et-Loire, kindly made on our behalf in the parish registers of Angers, we may conclude that Abbé Prévost's hero was born at Angers in November, 1685, and was christened René. A commune of Maine-et-Loire bears his name today, St.-Rémy-La-Varenne. We may add that the La Varenne Manor was situated in the parish of St. Rémy.

Here is his baptismal record, from the parish of St. Maurille:

"The eleventh of November, one thousand six hundred and eighty-five, was baptised René, son of Mons Mre Pierre du Tremblier, esquire, Seigneur de La Varenne, King's Counsellor, Judge Magistrate at the Preal Seat of Angers, and of Dame Magdelaine Avril, his wife. Was Godfather, Monsieur Maistre René Trochon, King's Counsellor, civil and criminal Provost Judge of that town. God-mother, Dame Renée Tremblier, wife of François Avril, Esquire, Seigneur of Pignerolles.

"Trochon, Renée du Tremblier, P. du Tremblier, de Pignerolle Avril."

La Varenne and his companion embarked at Nantes on the *Dauphine*, commanded by Captain Béranger. She was a flute of so modest tonnage, that only part of her cargo could be taken aboard; she had arrived from Holland on the 8th of December, 1714; but ice, and then a succession of adverse winds, detained her for three months on the Loire, so that many soldiers and men enlisted in the Company's service deserted. Finally she sailed on the 6th of March, 1715, for Biloxi, stopping at La Rochelle and at the Canaries to take on wine.

The voluminous correspondence of M. de Luzançay, Ordinator of Nantes, makes no reference to the lovers, although he mentions all sorts of incidents which occurred among the passengers on the *Dauphine*. Here are two typical examples:

There was a young architect who wished to go and make his fortune in America; but his family purchased his release from Captain Mandeville, whereupon Manon's enemy immediately forced this "excellent and clever subject" to land, in spite of his own protests and those of Luzançay.

Lieutenant La Tour, a cousin of Bienville, operated with even greater success. He began by receiving six hundred *livres* from a Counsellor of the Tours Presidial for enlisting the said counsellor's son, who had been interned for four years at St. Lazare; then he sold a full release to the hardened young libertine, in exchange for a good round sum. The Counsellor had made the mistake of giving his son too much money to begin with, as an inducement for leaving; the Minister would not allow him to be embarked "unless he consented with good will". The end of it was that the libertine, who is described as being "very well-mannered, but according to several worthy people, capable of dishonouring his family," consented to embark on the *Dauphine* after the family had guaranteed him "an honest pension" and paid four thousand *livres* of "mad expenses" he had incurred during six weeks at Nantes. As for Lieutenant La Tour himself, we may add that he had no sooner landed than he was married, in spite of Cadillac's remonstrances. We learn, from the Governor's remarks, that "one cow, six barrels of sweet potatoes, six barrels of maize, and one hundred and fifty pumpkins" was then considered a tempting dower on Dauphin Island, even for a disgraced widow.

Luzançay's discretion concerning Avril de La Varenne and his companion may be explained either by the Ordinator's wish not to displease Raujon, Crozat's representative and Manon's protector, or by the fact that he lived on very bad terms with the Nantes clergy, who forbade reporting on deserters.

Raujon states that his mother and Manon came from the same town, but unfortunately he neglects to mention the name. So nothing can now furnish us with a clue to the birth records of the pretty girl whose pictured death has caused so many tears to be shed. Was Froget her family name, and Quantin an assumed name or else the patronymic of some lover rather more constant than the rest? We are reduced to mere hypotheses. Given a little imagination, we may fancy, as we shall see further on, that traces of Manon are to be found after her return to France. But we hold no clue to her youthful adventures, we do not even know whether La Varenne met her at Angers or in some garrison town. It is, however, noteworthy that in 1711 the Champagne Regiment went into winter quarters at Amiens, the town chosen by Abbé Prévost for Des Grieux's meeting with Manon.

In his sequel to Manon's story (*Suite de l'histoire du Chevalier Des Grieux et de Manon Lescaut*), Courcelle mentions Dijon as Manon's birthplace. But the author of that insipid novel certainly did not know Manon had lived. The details given about the Des Grieux family do not apply to the Trembliers, and the information he pretends to convey on the subject of Manon's relations is absolutely incredible. Manon, buried alive, comes to life again, manages to escape, returns to France with the love-sick chaplain, who discovers, luckily in good time, that he is her uncle. About to take the veil at Marseilles, Manon finds Des Grieux once more, after thinking him unfaithful; and marries him as conclusion to many further adventures.

The *Dauphine* must have reached Dauphin Island in May, 1715, and the "scandal" broke out in August.

"I have the honour to inform you, Monseigneur, that a young man of good position, called Avril de La Varenne, from Angers, is here," La Mothe-Cadillac wrote in his despatch of the 2nd of January, 1716, which date indicates, as usual, the day when the mail was to leave. "He brought with him in the flute *La Dauphine* a woman who is said to have been married, and who may still be married, having left three children in France. At first she bore the name of Froget, and now she calls herself Quantin, and claims to have married the Sieur de La Varenne, which is confirmed by M. Raujon, manager for M. Crozat.

"Nevertheless it is known from divers sources that this is false, that she is a woman of irregular morals, who having been driven from Angers, withdrew to Nantes; learning which, the Bishop of Angers wrote to the Curé of St. Nicholas in Nantes, who went with

two priests to get the said woman and have her locked up. Then it was that the said *Sieur Raujon* caused her to escape aboard the flute *La Dauphine*. The *Curé*, knowing this, appealed to the *Sieur de Mandeville*, the senior officer of the ship, begging him to write to your Greatness, and handed him, in the presence of the *Sieur La Tour*, a certificate testifying that this was a scandalous woman, who had seduced the *Sieur de La Varenne*, provoking much displeasure among his relations.

"It must be admitted that, as soon as the flute had arrived, the said *Sieur Raujon*, fitted out a pirogue with goods and sent off the said *Sieur de La Varenne*¹, on a trading expedition, while he lodged the woman at fifteen paces from his store, making over to her all the detail sales in the said store, with a commission of five per cent. This woman is ignorant of arithmetic and can scarcely write; so that each night, when doors and windows are closed, it is asserted the *Sieur Raujon* questions her about the sales and gives her lessons in addition. I believe the public scandal, which *Raujon* is alleged to have caused, is based upon this, beyond his other attentions. It is furthermore true that, owing to a custom whose origin I ignore, the said woman is now called *Mme. Raujon*.² The apparent reason is the absence of the *Sieur de La Varenne*.

"Messrs. the priests assure me that they have often privately admonished the *Sieur Raujon* and the *Quantin Woman*, but perceiving that they continue to frequent each other, as before, the *Curé of Dauphin Island* wrote to both individually. Upon this the *Sieur Raujon* answered very sharply and, to my thinking, very passionately, taking up the defence of this woman. It is true that he appears to have charitable sentiments towards her, for he states in the said letter that if he has come to her assistance, it is because his mother knew the family of the said *Quantin*, and came from the same town.

"I cannot approve his conduct in making several copies of his letter and sending them in different directions to be read publicly. This did not produce the effect on which he had counted. The woman afterwards sent me a petition against the *Curé of Dauphin Island*, to retrieve her honour; I sent a copy to your Greatness. She declares herself to be the wife of the said *Sieur de la Varenne*, and yet she almost acknowledges in her text that they came to this country expecting to be married, which establishes clearly that no ceremony had been performed between herself and the *Sieur*

¹La Varenne left for Illinois with the two La Loire brothers, and *Raujon's* son.

²*Raujon* was married, but his wife had remained in France. On the last of October, 1717, the Company of the West instructed *Bonnaud* to dismiss him as soon as he landed. A year later, *Larcebault* was ordered to "hold the *Sieur Raujon* in prison until his accounts were handed in and audited."

de La Varenne. But none came forward to plead for her; furthermore, the Board could not act, the affair being in the jurisdiction of the Bishop and his ecclesiastical judge.

"On the other hand, the smartest people in the Colony cry aloud that the marriage was valid, and encourage this belief in the woman and in the Sieur Raujon. The said Curé has written me a letter on the subject, a copy of which I also sent to Your Greatness. The Sieur Raujon, in his letter to the said Curé which was made public, as I have stated, heaps insults upon the Sieur de Mandeville; but having foreseen what might occur, I forbade the latter to use violence. Since he submitted, I consented to receive his complaint, the original of which I have the honour to send you, together with a copy of the Sieur de La Tour's certificate.

"I have not been able to do justice to the said Sieur de Mandeville, without imperilling M. Crozat's interests, owing to the position held by the Sieur Raujon. Last of all, Monseigneur, I consider it intolerable that the said Sieur Raujon should call an officer, in writing, a knave and a scoundrel, for having spoken here about this young woman's conduct, but without saying a single word of the Sieur Raujon. I have promised him I would write to you, so that he might receive suitable satisfaction." (*Colonies*, C. 13 a, 4, fol. 527.)

A month later, Cadillac renews his lament: "I learn today, Monseigneur, from the residents, that the Sieur Raujon, visiting M. Duclos (the Ordinator), sent notes among them to take their statement against M. Le Maire, Curé of Dauphin Island, concerning the scandal he has raised with the alleged dame La Varenne. Some of the residents told me that they had signed as he asked them to do, not wishing to vex him because they need him and he would send them packing when they came to ask for anything they needed. Such conduct on the part of the Sieur Raujon is unquestionable proof, Monseigneur, of his passion for this woman and of his blindness; he is aware that the Curé attacked the dame La Varenne as being a concubine, since she was not married by her curé, nor by any other priest having a dispensation from her Bishop, nor by consent of the said Sieur de La Varenne's family, and since the certificate which she shows bears an unknown and apparently fictitious name. At all events, the Curé and I are forced to this conclusion since, by their own admission they were not married with proper formalities. Can it be that a woman who has led an evil life in France should continue in the same way over here?" (*Colonies*, C¹³a, 5, fol., 578.)

The Archives of the Ministry of Colonies contain no further reference to this dispute. But in a register of Extracts from the

Deliberations of the Marine Board (*Marine*, B., 9, fol., 287) the following annotations are appended, under date of the 29th of August, 1716, to a summary of La Mothe-Cadillac's complaint.

"* * * This has given rise to divers complaints in writing, herewith appended, against the *Sieur Raujon*, that woman and the *Sieur de Mandeville*; the last asks for justice because the *Sieur Raujon* called him a knave and a scoundrel, in his reply to the said *Curé*, for having produced a certificate which the *curé* of *St. Nicholas* in *Nantes* had given to prevent that woman from taking ship, not being married to the said *Sieur de La Varenne* as she pretended:

"The *Sieur de La Varenne* complains that during a voyage he made to *Illinois*, *M. de La Mothe* arranged with a missionary to write letters both libelling his wife and insulting him. He is a gentleman and his wife is a lady; he was a captain in the *Champagne Regiment*, with which he served twelve years; he went to that country only to avoid the annoyances his family could cause him for being clandestinely married before reaching his majority¹, which he will attain in two months, and intends then to be married again according to the regulations in that country. But the missionaries being warned against him, he wished to return to *France*, and asked that the governor should not refuse permission.

"*M. Raujon* complains against *M. de la Mothe*, *Mandeville*, and *Le Maire* the Missionary, because of calumnies they have spread and written concerning the *Dame de La Varenne* and himself.

"He sends a satirical fable which the said *Le Maire* has written against him, and thinks it deserves a reprimand."

On the margin, the following decision is noted: "This man cannot be prevented from returning to *France* with his wife; as for the quarrel between *Raujon* and *Mandeville*, send to *M. de l'Épinay*, so he may settle it when he is on the spot." Two months later the new Governor accordingly received instructions: "The *Sieur Raujon*, business agent for *M. Crozat*, has had several dissensions with the *Sieur Mandeville*, Captain. Have a care, when you come on the spot, to receive an account of their differences and to settle them."

Though we find records of very energetic attacks upon *Manon*, the memoirs presented in her defence are either lost or else condensed in a few lines. We must therefore pause before condemning her; and to remain impartial, we should remember that all three of her

¹This was the thirty-year majority. According to the *Commentaires sur les coutumes de Maine et d'Anjou*, "the ordinances forbidding children of good family to marry without the consent of their father and mother before the age of thirty, merely pronounce the pain of disinheritance and do not declare such marriage to be null." From the ecclesiastical point of view, everything depended upon the powers of the priest supposed to have married them.

chief enemies were afflicted with violent tempers. Abbé Fay, who accompanied Manon on her voyage, complained to the Marine Board about Mandeville's brutalities, and states that it caused "half the sailors and troops to desert" at San Domingo. (*Marine*, B', 9, fol., 385). As for the virtuous understanding between the Governor and the Missionary, it was not of long duration; on the 1st of March, 1717, Le Maire wrote: "The small being led on by the example of the great, and the great being unable to repress the disorders of the small when they themselves have shared in them, this entire Colony is a veritable Babylon." Then, after volubly denouncing "the crying injustice of Sieur de La Mothe," he adds, "This man without faith, without scruple, without religion, without honour, without conscience, is capable of devising the blackest calumnies against those who do not partake of his passions." (Bibli., Nat., Mss. Fr. 12, 105.)

The portrait here sketched is very unfair, but is a regrettably typical specimen of the sort of literature once prevalent in the French Colonies. It goes simply to prove that the "Parisian Missionary," as he called himself, felt the sun's heat as well as Cadillac the Gascon.

Perhaps one day a seeker may be fortunate enough to discover Le Maire's "satirical fable." Did the author have any presentiment that the romance of his too attractive parishioner would one day spread abroad the fame of New Orleans, a place which he hated before it was even founded?

The La Varennes may have turned to advantage the hostility felt in Paris against La Mothe-Cadillac, who had been revoked. La Tour, arrested by Cadillac's order, had not merely broken his sword rather than yield it up, but had threatened the Governor with a caning; he was finally upheld by the Marine Board. One thing is certain in connection with Manon: the Board considered her to be a married woman.

We may now wonder what became of La Varenne and his companion, since they do not appear to have remained in Louisiana. Did they perish on the unhealthy and inhospitable shores of the Islands? Or did they make up their minds to return to France?

At that period the name of La Varenne was quite common; and Manon cannot be definitely identified with any of the four or five La Varennes imprisoned between 1719 and 1740, for lax morals, or for keeping houses of ill repute. Nevertheless, some singular coincidences may be observed.

In 1719, two women calling themselves La Varenne and Du Plessis lived in the rue de la Clé; the second occasionally played

the part of mother or aunt to the first. According to police reports, "their lives were a veritable mystery." Public rumour, and the clergy of St. Médard, agreed to reproach them with leading a "very suspicious and equivocal existence," in a house having two exits, "where young people of both sexes were debauched. * * * During the whole of Lent, they held daily carnivals."

Their unusual cleverness in securing all sorts of goods on credit was, however, the true reason for the denunciations filed against them. The righteous indignation of half a dozen tradesmen protesting against "such infamous practices" seemed to be so interesting that M. De Machault was content, on the 2nd of September, with instructing Inspector de l'Anglade "to bring the two women before him, some morning, in his office."

Both of them categorically refused to go, and vanished upon learning that an order for their arrest had been signed on the 19th of October. Five weeks later, they were apprehended and taken to the Salpêtrière.

All the records of the case (*Arsenal*, 10, 658) suffered severely in the sacking of the Bastille, and still bear stains from the drinking-bouts of the heroes of July. The interrogatory of the La Varenne woman is missing, but that of Du Plessis replaces it in part. After declaring her real name to be Anique de Bejamen, and acknowledging that she was only the "mother in friendship" of her companion, Du Plessis stated that her friend, whose real name was Marie Anne Domisy, "had had three children and been married to a gentleman who had deceived her, having another wife, but her marriage was clandestine."

So that Marie Anne Domisy, born at *St. Quentin*, where her mother was still a linen-merchant, had *three* children and had been *secretly married*, like Manon, surnamed *Quantin*, or *la Quantin*."

Ten years later, a certain Marie Anne de La Varenne, "who kept a house of debauch," was incarcerated on the petition of the same l'Anglade. But the Inspector soon recognized that he had made a mistake, for the prisoner was not "the very dangerous Jeanneton Chopin" whom he had sought. As an apology, he explained that "this sort of woman takes on thirty names." (*Arsenal*, II, 056.)

In 1722, Marie Dosarbre, passing as the daughter of a Councillor at the Thiers Presidial, and married to one André de La Varenne, *ex-Captain of Infantry*, was likewise arrested for having served meals with meat and provided for gambling in Holy Week, besides creating a scandal during the Corpus Christi procession. Although she lived with an ex-officer, M. de St. Paul, her husband demanded and prompt-

ly obtained her release. (*Arsenal*, 10, 763). According to police reports, she had been driven away from Lyon, because of ill-conduct, and exiled in Thiers. Since the police themselves were unable to disentangle the facts among all these women called La Varenne, we can scarcely hope for better success at this late day.

Nor are such archives exactly pleasing. Let us rather feel with Alexandre Dumas fils, "Manon, you must die in all your beauty, at the height of your love, if we are to sing your praises. When you persist in living, you become a nuisance!" At least, no enemy has been able to dim your glory as a lover regenerated by a tender passion; no dust-covered paper shall prevent us from believing that you died at your appointed time, and now lie in your last sleep among the cypresses of Louisiana.

Speaking of American Manons, here are some unpublished records which throw an interesting light on Louisiana's first French nuns and the young girls they brought over with them. Alas! the opinion seems long to have been held in Paris that the uglier these orphans were, the better they would behave.

In a memoir sent by Hubert, in June 1718, we read:

"Extract from the Memoir of Marie Françoise de Boisrenaud, who makes known that the King having sent, in 1703, twenty-three girls to start the Louisiana establishment, she was selected and accordingly withdrawn from the Convent of the Annunciation. Mme de Montespan, who had brought her from the Abbaye de Fontevrault, had placed her for a long while in her Convent of St. Joseph to direct it and become its Superior. To carry out the King's instructions and govern the girls entrusted to her, she risked her reputation, and her fatigue was great during the six months they all spent in Rochefort at the Orphan's Hospital. Since then, all these girls having been married in Louisiana, she has devoted herself to teaching savage women, attending to their baptism and to settling them in life; and she continues to give lessons to planters' daughters, showing them what they are capable of learning.

"Being overwhelmed by infirmities and unable to assure her care any longer, she implores the Board to provide for her retreat in France, where she may more quietly await death."

On the margin is written: "Verify if this girl is paid or receiving any retribution for the work she does in this colony, and make mention of it for the first time." (*Marine*, B', 30, fol. 429). During several years the Marine Board discussed, without finding a solution,

the question as to whether women should still be sent to Louisiana, or whether it might not be simpler to authorise the marriage of Frenchmen with Indians, as Curé La Vente proposed. In 1716, after consulting the Superior of the Foreign Missions, who replied that, while not opposing the measure, he had apprehensions as to this mixture of good and bad blood," the Board adopted Duclos's conclusions that savage women "being too dissolute and very bad Christians, the children would be too dark-skinned, very dissolute, and even more dishonest." Accordingly, such marriages were prohibited, and the decision followed that wives should be sent to the Mississippi cologists.

But in spite of the excellent decree dated the 12th of June, 1720, the Company of the Indies did not always exercise sufficient care in its selection of housewives for Louisiana. From a letter dated the 25th of April, 1721, signed by Bienville and Delorme, we learn:

"Eighty-eight girls arrived by "*La Baleine*." Since the 4th of March, nineteen have been married off. From those who came by "*Le Chameau*" and "*La Mutine*"¹ ten have died. So that fifty-nine are still to be provided for. This will be difficult, as these girls were not well selected. Could they possibly, in so short a time, have changed to such an extent? Whatever the vigilance exercised upon them, they could not be restrained. Among the three Directresses responsible for their conduct, two have occasioned complaints. Sister Gertrude is ill-natured, she rules sourly and capriciously, and has been guilty of a prank, which has cost her the respect of the girls themselves. Sister Marie has none of the talents required for such responsibilities. Sister Saint-Louis has been retained, having a very good character, but the others were sent away."

Sister Gertrude had been instructed by the Company to "watch over the behaviour of the young girls reared at the General hospital and having gone voluntarily to Louisiana; to inspire them in retaining the sentiments of piety and good conduct which they had been taught; and to do generally everything she may judge needful and appropriate for preserving the said girls in the purity of their honour and for making them attentive to those duties which lead towards salvation." (*Colonies*, B, 42 bis. fol., 376). Simultaneously, the Company despatched to Louisiana a head midwife, Mme. Doville, with a salary of four hundred *livres*. The first matron sent to Biloxi was nicknamed *La Sans-Regret*.

¹On the 20th of December, 1719, the Sieur de Martonne, Captain of *La Mutine*, received orders: "To watch carefully over the girls entrusted to him, and prevent any disorder among them owing to his crew." (*Col. B.*, 42 bis. fol. 207.)

On the 25th of June, 1721, Bienville wrote again: "Thirty-one girls have been married off between the 24th of April and the 25th of June. All were from those sent from *La Baleine*. Several were given to sailors who asked insistantly for them. These could scarcely have been married off to good residents. Nevertheless they were granted to the sailors only on the express condition that they should settle in the Colony, to which they agreed. These sailors will supply practical navigators to the special conditions of the region, and this was much needed."

Pénicaut approved of all these arrivals:

"A little flute, named *La Baleine*, anchored at Ship Island on the 8th of January, 1721. Sister Gertrude, one of the officers of the Salpetrière Général Hospital, in Paris, had come over on this ship with ninety-eight girls from that Hospital, all reared there since childhood, and put under the Sister's guidance to be married off in Louisiana. Each one has a dower for the supposed marriage, two pairs of coats, two shirts and undershirts, six-head dresses, and other furnishings with which they were amply provided so that they might marry with all possible despatch. This merchandise was soon disposed of, so great was the want of the country. If Sister Gertrude had brought ten times as many girls, she would have found no difficulty in placing them."

But if, at certain times, little discernment was shown in the choice of female colonists, the lists were often drawn up with utmost care. One hears a note beside the word Louisiana, which was crossed out: "For Cayenne, the only spot to which such goods could be sent."

From 1716 to 1722, vagabonds, deserters, and smugglers were exported to Louisiana, as an administrative measure; but the Regency furthermore deported a number of persons of quality. Their names are not mentioned in the general correspondence of the Colony, and many records concerning them seem to have been purposely destroyed. Particular interest therefore attaches to a letter written on the subject by Bienville in June, 1721:

"The King's exiles now in the Colony have no independent means of subsistence; several among them are people of distinction, incapable of doing the public labour which supplies others with a livelihood. Something must be done for them. Henceforth, letters written by these unfortunates to their families—who turn a deaf ear and do not answer—shall be addressed to the Company, so that the latter may compel their relations to send necessary relief."

Many of these *filz de famille* had asked to go to Louisiana, so as to escape incarceration at the Bastille or at Fort L'Evêque. Others

had been sent at the demand of relations, or because no one consented to serve them with pensions. On lists of the deported, this note occurs often: "His family wishes him to go to the Mississippi Islands," or else a phrase to some such purpose as: "Mme. la Duchesse de Lorraine has requested this."

To have slain one's adversary in a duel, to be recognised as an "inveterate libertine," or to be considered "outrageously impious," were other frequent motives for exile. Prior to 1720, most of these "gens de force," as they were dubbed, were smugglers or libertines (a very elastic term); a few were petty thieves, and some were "undesirables" for whom no form of usefulness could be devised at home. A dishonest man-servant of the Bishop of Beauvais crossed over in company with a revoked executioner. Several lists bear traces of strict supervision; from one, the names of some accomplices of Cartouche have been stricken off, together with a few unbalanced and even a few completely discredited individuals. Nevertheless, certain of the allowed motives for transportation strike us as curious: "Made such a rebellion that a coach had to be taken to conduct him to the hospital." "Went poaching." "Attacked the guard at the Comedy with drawn sword." "Picked up wounded, and refused to state how or by whom." "Took a girl from the archer's hands." This second Des Grieux may have saved his Manon, but was sent in her stead to Louisiana.

We now pass from reality to legend. A capital must have its traditions from the outset; and one especially has attached itself to New Orleans, and been discussed and repeated, in spite of its extreme unlikelihood, by such men as Duclos, Grimm, Gayarré, and Voltaire himself.

History informs us that Princess Charlotte of Brunswick-Wolfembüttel, married to the Czarevitch Alexis, died on the 27th of October, 1715. But it is alleged that she merely feigned death; that, unable to endure any longer the ill-treatment to which her husband subjected her, the unhappy woman contrived to escape to America. A blow is dealt to the story by the fact that Grimm learned from the lips of Catherine II that the body of the Czarevitch's spouse was embalmed and publicly exposed for several days.

On the banks of the Mississippi, the Princess is supposed to have met accidentally—or else to have rejoined by a concerted arrangement—a mysterious Chevalier d'Aubant, whom she had known, according to the version told, either at the Court of Brunswick or in Russia. She married him upon hearing of her husband's tragic end. After spending several years in New Orleans, where she planted

elm trees still shown in Gayarré's time, Mme. d'Aubant returned to France and was recognized by Marshal de Saxe (who by the way had never before had an opportunity for seeing her). The Princess then went to the Ile-de-France, where Urbain de Maldaque, her second, or, as some authors state, third husband, had just been appointed a Major.

In 1770, Bossu investigated this legend, in Louisiana. The Chevalier d'Arensbourg could only tell him that "a German lady, believed to be a princess, came over when the establishment was started." Our researches have led to no more positive result, nor have we found, among the archives of the Ministry of War and of Colonies, any trace of an officer named d'Aubant or Daubant. According to Gayarré, Captain d'Aubant died in 1754.

This negative result is easy to explain. The death certificate of the mysterious unknown woman buried on the 2nd of June, 1771, in the church at Vitry-sur-Seine, "opposite the Lord's bench," bears the names "Dortie Marie Elisabeth Danielson, widow of Messire Maldaque, Captain-Major at the Iles-de-France." According to this record, she was born in 1693, five years before Princess Charlotte. Grimm informs us that "many curious-minded persons went to the sale after her death."

Did no one in our Indian Ocean possessions then suspect an illustrious origin for Mme. Moldack, de Moldack, or de Maldaque? The *Journal de Paris* of the 15th of February, 1781, is affirmative on the subject; and the manner in which Jacques Arago speaks of "the Czar's daughter-in-law" (*Voyage autour du Monde*, I, p. 149.) proves that in 1817, residents of Bourbon Island still believed Mme. Maldaque to be a Princess by birth, and attached importance to the swift promotion of her husband, who "having been a simple sergeant-major in a regiment sent to the Ile-de-France, was promoted soon after his arrival, by order of the Court, to the rank of Major. The husband appeared to be aware of his wife's rank, and never spoke of her but with respect. M. de la Bourdonnais and all his officers held her in equally high consideration. It was only after the death of her second husband, that the wife of Petrowitz acknowledged her birth."

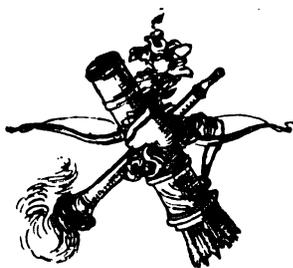
When Mlle. Danielson was young, did she live in Louisiana? There is nothing to prove it, old though the New Orleans elms may be.

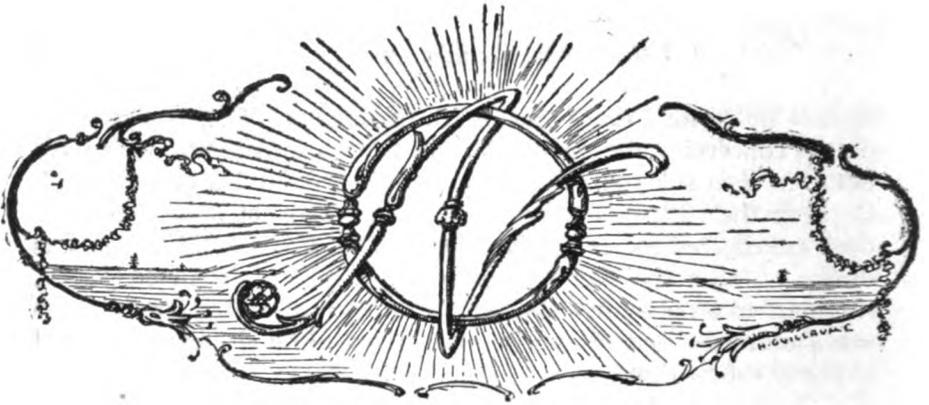
At the same period, Louisiana was visited by a beautiful woman, who entered the Comédie-Française somewhat later, possibly aided by her name. The *Journal Historique* informs us that Mlle. Des-

brosses sailed for France on the 7th of January, 1722, but gives no details concerning the reasons for her voyage to America. We have not even been able to ascertain whether she went of her own free will. Born on the 18th of February, 1701, she does not appear to have been called Desbrosses at the time. (The *Journal Historique* was drawn up after the events narrated). At an undetermined period, she married an obscure comedian, Jean de Brye, whose family name was Desbrosses; one of his sisters, nicknamed *La Traverse*, belonged to the Comédie-Française.

She was, indeed, none other than the daughter of Etienne Michel Baron, and consequently the grand-daughter of the great actor Michel Boyron or Baron, Molière's pupil "Louise Charlotte Catherine Baron, wife of Desbrosses," says M. Henry Lionnet, (*Intermédiaire des chercheurs et curieux*, 20th of April, 1914,) "made her début at the Comédie-Française, on the 19th of October, 1729, and was received on the 31st of December following, nine days after the death of her illustrious grandsire. Having retired on the 3rd of May, 1730, she returned on the 12th of December, 1736, and died in Paris, Rue des Fossés St. Germain, on the 16th of December, 1742."

A new hypothesis thereby suggests itself. May not the recollection of her charms have caused tradition to transform this queen of the footlights into a Princess of the blood?





CHAPTER V.

Adrien de Pauger Traces the Plan of New Orleans.



PAINTING all the beauties of New Orleans in vivid colours at Paris so as to encourage emigration, the Company of the Indies was still considering sites for the town, and hesitating over all solutions suggested.

Manchac seemed definitely adopted in 1720, and on the 15th of September, the following instructions were handed to Duvergier:

“* * * The Ordinator shall proceed to Biloxi, which he is to consider as the Company's first counter and his business-centre. Colonists bound for the interior shall take boats at Biloxi, and go as far as the upper end of Lake Maurepas and the mouth of the Manchac brook which flows into the Mississippi. At this entrance to the brook, the Ordinator shall build an establishment, on the side which he may judge suitable. A sufficient number of light boats must be kept there, to meet colonists arriving by sea and take them upstream to their destination. Like Biloxi, this post will need a store-keeper for rigging and boats, and a boatswain. There must be a poultry-yard and a kitchen garden, to provide refreshments. The brook must be cleaned and its course freed from Manchac to the Mississippi, the floods having upset trees from one bank to the other.¹ New Orleans or Manchac must consequently serve as general warehouse for the interior of the Colony; a book-keeper shall also be put there,

¹D'Artaguet having written to the Company that it would cost only seven hundred *livres* to put the Iberville River in order (C¹a, 2, fol. 805.) the Directors thought the operation would be simple. But when the Spaniards attempted it sixty years later, they spent vast sums without success.

and a head clerk who must be a very intelligent man. One clerk will suffice for the other Mississippi establishments, especially since there will not be much activity in naval matters. An overland route from Biloxi to Illinois should be built, communication with the interior being interrupted annually by the Mississippi floods." (*Colonies*, B 42 bis, fol. 365.)

We should judge these instructions had been prepared long in advance, since they were completed before news of Perrier's death reached Paris. Partisans of Biloxi managed to extract the text from the Company's pigeon-holes, and renewed with increased vigour their attacks upon *old* New Orleans, whose name Manchac bade fair to usurp.

Such a solution as establishing the capital on the Iberville River could not satisfy coast inhabitants, whose ambition was to see the rival counter completely abandoned, so that ships should not enter the river. They knew that Manchac could never compete with a post like New Orleans. So long, therefore, as the fact that all ships could readily thread the passes of the Mississippi was not proved or at least generally allowed, partisans of Biloxi, of Ship Island, or of the Chandeleur Islands offing, waged their war upon New Orleans.

Bénard de La Harpe wrote, on the 25th of December, 1720: "The Company had apparently decided to build its principal establishment at New Orleans, thirty-two leagues up the Mississippi; but we are led to believe their information about this situation was erroneous. The land is flooded, unhealthy, impracticable; fit for nothing save growing rice. Communications from the Mississippi to Lake Pontchartrain could be created; only one half league need be cut. This country is flat, so the expense would not be heavy, and such a connection would have considerable utility." Manchac is then pompously praised, and La Harpe adds: "There is no more favourable spot for founding a capital." As a port, he recommends Ship Island.

Drouot de Valdeterre insists similarly on the urgent necessity for "changing and transporting New Orleans to the Manchac Plain, on the little river between the stream and Lake Maurepas, to establish the principal seat there * * * and to found a second principal post for the management * * * New Orleans is built on miry soil deposited by the river's overflow twice a year. * * * For two or three months, the waters remain, rendering the air very unhealthy. The only houses are wooden huts, absolutely unfit for use unless repaired after each flood." (*Colonies* C^{13a}, 10, fol. 13.)

Another memoir, handed in by M. de Beauvais, declares: "The capital city must be at Manchac, where the high lands begin and whence one may go on horseback to the sources of the Mobile, the Alibamon, and even the Oyo (sic). All that is needed for farming a town will be found there, and all the pleasures of life. The government will be better placed for receiving news and for transmitting its orders promptly to the posts throughout the country. New Orleans will serve as warehouse for the river-trade near the sea." (Arch. Hydrog., 115, N. 29.)

Faced by so many positive opinions, the Company adopted Manchac, but soon reversed this decision, or rather, reverted to indecision, knowing considerable expenses would be incidental to the creation of a new establishment. Engineer-in-Chief Le Blond de La Tour was merely ordered, on the 8th of November, 1720: "* * * The assistant engineer going to New Orleans shall examine the site of that town and shall alter it if he judges necessary, transferring it to a more favourable spot at least with regard to floods." These instructions reached Louisiana two months later; nevertheless Bienville had to wait until March, 1721, before he could send Adrien de Pauger, the engineer, to trace on the spot the plan of New Orleans. The Board had maintained that "it was very unnecessary to seek a place for the principal seat of the Colony, and Biloxi was the best." (*Colonies*, C¹a, 38, fol. 208.)

The first citizens of New Orleans had settled down as they pleased. Dumont de Montigny's drawing, (Arch. Hydrog., 4044c, 62,) which we reproduce, shows the town's primitive appearance in 1721. Pauger, when he arrived in the future metropolis, was surprised to find only "a few cabins among bushes and clumps of trees so that alignments were impossible." Undaunted by difficulties, he resolutely set to work.

"Immediately upon landing," he writes, "I asked the Sieur Freboul, head clerk, for workmen to clear the ground. He sent for my inspection a few convicts, employed right and left as servants and drawing rations from the Company. I tried to make them work; he wrote about it to M. De Lorme who answered that he ought not to have allowed the inspection. The said convicts, being informed of it, all left. This compelled me to ask M. de Pailloux, the Commandant, for a few soldiers, to which he kindly consented. He ordered out ten with an officer at their head who worked so swiftly for twelve days that they made sufficient clearings for tracing all the streets on the river front; and they would have continued if the clerk had not insulted the officers as they came back from work,

with M. Pailloux; and shortly after, this town could have taken shape, without costing a single *sou* to the Company. * * * I am regarded today in New Orleans as a revoked employé!" (*Colonies*, C1^a, 6, fol. 137.)

La Tour next summoned Pauger to Biloxi. The disagreement was finally settled thanks to the intervention of Bienville and Pailloux; later, De Lorme pretended that he had "only wanted to bring matters to a head." One of the few original concessions which were not eventually confirmed was that belonging to Pauger himself.

Jacques Barbazon de Pailloux, who might be called the first citizen of New Orleans, having lived there since 1718, was given the title of Director while remaining military commander of the counter. The Board deemed such an appointment a sufficient effort in behalf of New Orleans; they then despatched Pauger to trace the course of the Mississippi up to Natchez, so that he might not continue his work on the capital.

Pauger's plans, after running amok somewhere between New Orleans and Biloxi, got buried in the pigeon-holes of the Engineer-in-Chief. It is possible, though we judge unlikely, that Le Blond De La Tour sent them to Paris in December, as he stated. De Lorme rested content with writing on the 25th of April that they would be sent "At the earliest opportunity." Whatever the means adopted, the adversaries of New Orleans saw to it that the plans should not reach Paris; and La Tour started off with Boispinel, in January, 1722, to sketch the plan of Ship Island. While finishing on the spot magnificent projects for a port and a citadel, the Engineer-in-Chief little suspected that a copy of Pauger's plans was already in Paris, sent over by a mysterious hand.

We find an unsigned paper bearing the words: "This induced him to secure a surreptitious copy of the Sieur Pauger's plans, this engineer having been unwilling to give them without an order from M. Le Blond." On the margin is written: "Just acknowledge receipt and approve the attention." Pauger had given to Bienville copies of his sketches; the *Journal historique* comments, "M. de La Tour was very displeased at this, and expressed his discontent to M. Pauger;" hence it appears beyond doubt that Bienville himself sent the plans, in connivance with Pauger. Probably this unofficial action had weight in the Company's final decision, since the regent, god-father to the new capital, was necessarily flattered to see the project put

into effect. A few months before, these plans could have been displayed to great advantage, Rue Quincampoix.

A last word about the wanderings of the ill-starred plans. La Tour received orders to send them to Paris, as if they had not already gone thither. He thought it wise to entrust them to M. de Noyan, Bienville's nephew, as a guarantee against mishaps. One of the plans is still preserved at the *Dépot des Cartes* of the Ministry of War, under the number 7c, 213.

Not content with knowing that his project was in Paris, Pauger despatched a veritable memoir on the 23rd of June, 1721; purporting to be a letter to an Oratorian father, it was intended for the eyes of the Comte de Toulouse. This interesting paper, too long for textual insertion here, was published by the *Annales encyclopédiques* in October, 1818.

Pauger begins by relating his journey over, and the way in which his enemy, Director Rigby, forced workmen at Port Louis "and even three unshod Carmelites, missionary chaplains, to embark hedged in by fusiliers, like criminals. * * * I was then detached," he continues, "to go to New Orleans and sketch the project for a regular town which is to be the capital of the country. Much progress towards establishing it would already have been made, if the Company had provided the place with supplies and with intelligent managers capable of seeing for themselves or even of profiting by the good advice given them. They have shown me how their stubbornness and their arrogance have caused ships from France to be stopped at Biloxi, rather than enter the Mississippi, which is the subject and the keystone of the country's establishment. There they could immediately have landed goods and workmen for concession-holders, upon fertile ground; and so fine plantations could have been made and supplies produced. Instead of which, all were landed at Biloxi on a sandy shore, where provisions were eaten and goods deteriorated, and many of the best workmen died. As a consequence, establishments in this country are languishing, and unless much help comes from France, all must unquestionably fail; I repeat, the fault lies in ignorance that the mouth of the Mississippi is very safe and easily navigable, even for ships drawing fifteen or sixteen feet, or more, after being lightened at the Balise Island. Many former settlers come all directions to make plantations along the Mississippi, near New Orleans."

Notwithstanding his confidence in the town's future, Pauger wonders whether the difficulties encountered by ships at English Turn may not lead some day "to the necessity for building stores

below the bend, and perhaps even for transporting thither the principal seat of the Colony." La Tour claims, in a letter dated 9th December, 1721, the merit of having drawn up the plan of New Orleans. But he saw the Mississippi for the first time some six months later; and his pretention seems all the more exaggerated, since his general instructions were such that they could not be followed:

"You will observe," Pauger wrote to him, 24th April, 1721, "the modifications I was compelled to make, because the land lies higher along the river-banks. I brought the town-square closer, and also the allotments for prominent citizens, to profit by landing facilities and by ventilation from river breezes. * * * Thus each one will have his garden, which is the half of life." (Arch. Hydrog., 67², 6.)

La Tour¹ may have traced in advance, on paper, a certain number of little squares, but had evidently located them far from the river, very probably on the banks of Bayou St. John.

Hubert, Father Charlevoix, and the *Journal Historique* all mention Pauger as the real author of the plan; and De Lorme, though he wasted no love on the engineer, yet writes at the end of 1721; "Pauger, after having sketched the plan of New Orleans, traced the alignments, and distributed the sites, came down the river with the *Santo-Christo* and built a beacon sixty-two feet high."

Nevertheless, most Louisiana historians have attributed to La Tour the honour of creating New Orleans. This is both an error and an injustice. In truth, the engineer-in-chief, before receiving any formal instructions, had thought of building a big town at Biloxi, whose position he considered "advantageous, the air excellent, and the water good." Besides which, he had merely planned to erect a citadel and make a large port at Ship Island, and finally to drag "the Manchac Brook in which the Mississippi flows during the floods; if dug out, it would shorten the way for going up the river." These quotations show that he did not care particularly about *his* plan of New Orleans, which was dated the 23rd of April, 1722, and indicated the positions of Bienville's house, the Directors' residence, etc. When no choice was left him, he simply put into execution the project of his subordinate.

While La Tour remained peacefully at Biloxi, or else went to take soundings round Ship Island, unhappy Pauger was exposed to

¹Sent as draftsman to Portugal (1702), appointed engineer in 1703; accompanied the army to Spain, 1704-1708. (Taken prisoner at Alcantara in 1705, and exchanged the following year.) Was at the siege of Marchienne, and as non-commissioned officer at those of Douai, Quesnoy, Bouchain, and Fribourg (1713). La Tour received the Cross of St. Louis in 1715, was named reserve Captain of the Piedmont Regiment, and then corporal of His Majesty's Engineers.

all conceivable persecutions in New Orleans. Biloxians, not daring to attack Bienville, turned their enmity against the engineer, denouncing him at Paris as a plunderer of the Colony's funds, and then charging him with having granted to his friends all the good sites in the town. Coast settlers began to regret their protracted disdain for the best land.

La Tour, when ordered to transfer the capital, energetically defended his subordinate; but Pauger accuses him with much likelihood of having done him very ill service. Hubert himself acknowledged later that "Pauger had deserved La Tour's confidence, rather than disgrace."

Pauger had reached the Colony on the 11th of October, 1720; his official papers said of him only that he had been "appointed engineer on the 1st of April, 1707, and Chevalier of St. Louis, in 1720." He had been captain of the Navarre Regiment, and was evidently a man of great energy who often declined to be embarrassed by points of strict legality. For instance, on the 8th of May, 1720, the Marine Board had had to resort to a decree "ordering him to release four ranking sailors" whom he had enticed away from a ship belonging to the Company of the Indies and had enrolled as workmen, in Louisiana. But his integrity cannot be questioned.

And yet, the Company, after recording the melancholy observation that "Louisiana cannot at present be considered as a profitable object for trade," (Ministry of Colonies, C², 15, fol. 12.) made capital of a denunciation by one of the Directors, Rigby; and protested, on the 14th of August, 1721, against the expenses to which Pauger had agreed. "The Company," says this text, "is highly displeased with the Sieur Pauger's account of the workmen he pressed into service. Do not instruct him to run up any expenses, and be reserved in supplying him with money he may ask for. He is importunate and does not husband the Company's interests; so you must hold strictly within his prerogatives."

Wherefore the "importunate" one was out of favour in the Company's offices, and the adversaries of New Orleans were already assured of complaisance, when fresh complaints were lodged against him. Freboul, who together with his clerk Duval had been accused by Pauger of malversations, brought against Pauger himself a charge of favouritism, and alleged that De Lorme had abandoned a post without the Board's consent. The Directors accepted these denunciations without a question, and even deliberated as to whether Pauger should not be put under arrest. On the 29th of October, they wrote: "We are informed that the Sieur Pauger has attempted

to exercise authority in New Orleans, and he has displayed resentment when we have rightly objected. We must now come to an understanding on the subject. You are undoubtedly aware that no property belonging to the Company can be disposed of without an order of the Director holding a power of Attorney. Hence the Sieur Pauger had no legal right for distributing lands in New Orleans and ordering expenses there on his own initiative. * * * We are surprised that this engineer should have taken upon himself to stop work on New Orleans, under the sole pretext that he was not obeyed. Such conduct reflects discreditably on his state of mind, and gives rise to the belief that discipline has grown very lax in the Colony, because this officer should have been arrested at Biloxi for leaving his post without order or authority. * * * We are willing, this once, to abstain from proceedings against the Sieur Pauger." (Ministry of Colonies, C², 16, fol. 25.)

For answer, the engineer simply sent to Paris the letter by which La Tour had summoned him to Biloxi, and added to it a copy of the Colonial Board's deliberation ratifying all concessions as proposed.

But the people of New Orleans failed to understand that having to deal with so many powerful and inveterate enemies, their interest demanded that they should rally round their ardent champion. Instead, they too began to find fault with his plan.

Dubuisson categorically refused to follow it. The year after, La Tour said of him: "This settler wanted to build as he pleased, without regularity or fixed plan, along the city quays. He would have constructed a veritable gewgaw in the axis of the Avenue where M. de Bienville lives." Next, Mme. Bonnaud, wife of Diron d'Artaguet's secretary and sister of Dubuisson, grew furious because a street nicked a corner from her ground. She would have "jumped" on Pauger, if Pailloux had not prevented her. "She would even have struck me in the face, if I had not warded off her hand," the engineer writes. "The devil often enters into woman's malice. She afterwards called me a rogue." Pauger pronounced her a "gueuse" and only Pailloux's intervention prevented a duel between him and Bonnaud.

A year later, Pauger was uncompromising with the recalcitrant, when his plans had been definitely approved. D'Artaguet writes in his *Journal*, under date of 6th September, 1722: "One Traverse, a resident of New Orleans, was released from prison today. Here is the cause for his being sent there: he had built a house in New Orleans, out of the street alignment, before the plan was proposed.

M. Pauger had it torn down. This man, not being well off, presented a petition to the Board, begging for an indemnity and for means to build another house. M. Pauger sent for him, and after treating him to a shower of blows from a stick, cast him into prison, with shackles on his ankles, and the man came out today, almost blind."

We must add, however, that Diron d'Artaguette cordially detested the engineer.

On the 15th of April, 1721, the Council of Regency reached a decision for founding in New Orleans a convent of Capucins from Champagne. Completing this, a further order was signed on the 16th of May, 1722, prescribing that the Company should "build in New Orleans a parish church of suitable size and an adjacent house for fourteen monks, with grounds for a garden and a poultry-yard." Fathers Bruno, of Langres, Eusebius, of Vaudes, and Christophe and Philibert, both from Chaumont, were selected for rejoining the three Capucins already in Louisiana.

Each monk was to be supplied yearly, by the Company, with a cask of claret, two "Quarts," or about four hundred pounds, of flour, half a "Quart," or about one hundred pounds, of bacon, the same amount of beef half an *ancre*, or about thirty-six pints, of brandy, twenty-five pounds of large beans, the same quantity of peas and kidney beans, eight pounds of Dutch or Gruyère cheese, twelve pounds of olive oil, twenty-four pounds of candles, half a pound of pepper, twenty-five pounds of salt, twenty pots of vinegar, and the needful household utensils. An order dated the 19th of October, 1722, instructed the Superior to reside always at New Orleans; a chaplain was to serve the post at the Balise.

In 1721, various private citizens constructed huts in the capital, but the Company's store, somewhat enlarged, remained the only public building. From the hundred and eight free workmen kept in the Colony by the Company of the Indies, only *four* were at Pauger's disposal on the 9th of November, 1721: a lock-smith, two carpenters, and a mason's son.

Le Gac, who had become Second Councillor, wrote in March: "There are in New Orleans, with one hundred soldiers, the Colonial Major, named Monsieur Pailloux, his subordinate officers, a head clerk, a store-keeper, and other employes for distributing both food and merchandise. Some thirty-five or forty houses were there,

belonging either to the Company or to residents. There were in all two hundred or two hundred and fifty people." So that the free civilian population did not exceed about sixty souls. "All the concession holders," Bienville and De Lorme report on the 25th of April, 1721, "are agitating to obtain provisions, or rather, all have petitioned for a little plot of six acres' frontage to go with each concession near New Orleans. They have sent thither part of their people and of their goods, so as to start sowing and to profit by the next crop."

At last, an impetus had been given, and the number of inhabitants soon increased. From a census dated the 24th of November, 1721, we quote the following figures:

	Men	Women	Children	White Servants	Negroes	Indian Slaves
Residents.....	59	34	27	28	171	21
People in the Company's service.....	44	18	11	--	--	--
Force—Labourers.....	42	13	--	1	1	--
	145	65	38	29	172	21
	277					

This makes a total of four hundred and seventy inhabitants, of whom two hundred and seventy-seven were Europeans. In the list of residents, we find: Bienville, Governor; Pailloux, Commandant; Bannez, Major; de Gannerin, Captain; Pauger, Descoublanc, de La Tour, Bassée, Coustillar, officers;¹ Rossard, notary; Le Blanc and Sarazin, storekeepers; Bonneau, secretary to Diron d'Artaguet; Bérard, surgeon-major; Bonneau, captain of the *Neptune*. We note also the commandant of negroes, a house outfitter, a turner, a barge-maker, a carpenter, two joiners, two armourers, an edge-tool maker, a black-smith, a harness-maker, a tobacco-curer, a carter, sixteen ship's captains, some sailors, etc. Thirty-six head of horned cattle, nine horses, and "zero hog" complete the census.

If we add to the population of New Orleans that of the neighbourhood (Bayou St. John, old and new Colapissas, Gentilly, Cannes-Brûlées, Petit-Désert, English Turn, and Tchachouas), we find six hundred and eighty-four Europeans, (293 residents, or planters, 140 women, 96 children, 155 servants); five hundred and thirty-three

¹In August, 1721, the garrison comprised forty-nine soldiers.

negroes or negresses, fifty-one Indians or squaws as slaves, two hundred and thirty head of horned cattle, and thirty-four horses.

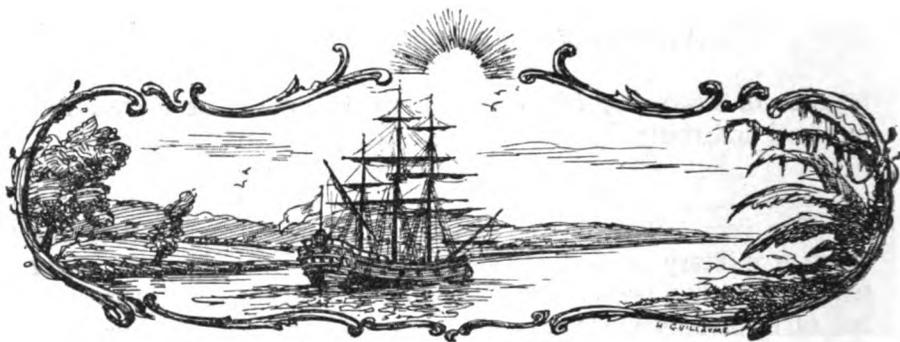
The year 1721 had been generally favourable to New Orleans. From a military post, a sales-counter, and a camping-ground for travellers, it had become, in November, a small town, and the number of its irreconcilable enemies began to decrease. An *Etat de la Louisiane pour le mois de Juin, 1721*, says: "The store which serves as warehouse for New Orleans at the St. John brook, is indispensable. It could be done away with only after the Manchac brook has been cleaned. This operation is unfortunately very difficult." The poor counter, so long considered absolutely useless, had now become a necessary evil!

On the 5th of September, 1721, three months before the New Orleans counter was definitely chosen as capital, the Company of the Indies began by defining its "quartier," the other districts being those of Biloxi, Mobile, Alabama, Natchez, Yazoo, Red River, Arkansas, and Illinois.

"The first district shall be that of New Orleans, which the Commandant General shall make his ordinary residence; this shall not prevent him from proceeding withersoever he may judge necessary. This district shall comprise all that lies on both banks of the St. Louis River, as far as the shores of Lake Pontchartrain and Lake Maurepas to the east, and going up as far as, and including, the Tonicas; and, to the west, as far as Red River. The Company's privy clerk shall be established by the Superior Council as Judge over the New Orleans district."

Bienville had especial charge of the districts of New Orleans, Natchez, Yazoo, and Red River.





CHAPTER VI.

New Orleans the Capital of Louisiana--Work is Hurried On--The Cyclone of the 12th of September, 1722--D'Artaquette's Chronicle



LEAVING Canada and visiting the upper Louisiana posts as he came down the Mississippi, Father Charlevoix reached New Orleans at the beginning of 1722, a memorable year for the Colony.

In his *Journal d'un voyage fait par l'ordre du Roi dans l'Amérique*, (31st letter), Father Charlevoix writes:

"Here I am in this famous town called New Orleans. * * * The eight hundred fine houses, the five parishes attributed to it by the *Mercure*¹ two years ago, are now shrunk to perhaps a hundred scattered huts, a big wooden store, two houses which would not be considered decorative in a French village, and half a wretched store which was graciously lent to the Lord, but no sooner had he taken possession than an attempt was made to drive him out to go and dwell in a tent."

Charlevoix adds: "This wild and desert spot, still almost entirely covered by trees and cane-brakes, will become some day, and perhaps very soon, a properous town, the metropolis of a great and rich Colony." Though the prophecy was sound, this passage, certainly a later addition, seems to have been prompted by a reading of the *Relation du voyage des religieuses Ursulines* (see p.).

The letter which follows (32nd) appears to have suffered less from retouches:

¹We have not been able to find this article. Charlevoix may have had in mind some such opuscle as that of the Chevalier de Bonrepos.

"I have not found this town to be so well placed as I had been told. * * * To form a just idea of New Orleans, picture to yourself two hundred people sent to build a town, who have camped along a great river with no thought save to seek protection against violent weather, and who wait thus for a plan to be sketched and for houses to be erected. M. Pauger has just shown me a plan according to his ideas; it is quite fine and very regular, but will not be so easy to carry out as it was to put on paper." Some unjustified criticisms of the site follow, which do not harmonise with the prophecy just quoted.

Father Charlevoix had intended to return to Canada by the Mississippi, but had to renounce this project because of hostility shown by Indian tribes, and "going up, the banks must be hugged." After a short voyage to Biloxi, he went back to New Orleans and embarked on a ship which was wrecked off the Florida coast.

On the 4th of January, the Colonial Board resolved to send to New Orleans the flute *Adour*, laden with merchandise; the Directory had at last recognised that "this post must always be well provided for the sake of the concessions and of the upper posts." The cargo vanished most mysteriously, however, immediately upon arrival; later, La Chaise, the Ordinator, held De Lorme responsible for this and had him revoked.

In April, Marlot was head clerk, Drillon assistant store-keeper, Le Blanc, store-keeper for foodstuffs, and Brossard a clerk.

Bienville continued untiringly to advertise the utility of New Orleans. He wrote from that post in March: "All ships of the third class can without difficulty enter the river," and he complains bitterly that La Tour "will bother about nothing save the old posts." The "Father of Louisiana" (and of New Orleans) little suspected that while he was in the very act of getting this mail ready, his persistent efforts had, at least, been crowned with success.

Compelled, as we have said, to renounce all hope of keeping Pensacola, the Board of the Company of the Indies had finally reached a decision, and signed, on the 23rd of December, 1721, an order to build a fort and a store at the Balise, and to transfer the general management to New Orleans. (Extract from a repertory. *Colonies*, C¹_{3a}, II, fol. 366). Detailed instructions sent simultaneously by the directors, for building a large warehouse at the entrance of the river, show that they had adopted the conclusions of Serigny's report. This had been drawn up the 19th of October preceding,

when Serigny returned from the mission to Louisiana on which the Company had sent him.

Bienville's brother stated, at La Rochelle, that Louisiana's port ought to be on the Mississippi. But since he had never been able to find more than eleven feet of water in the passes, and since it seemed impossible to drag the channel "owing to the quantity of tree-trunks, grown very hard, which were there," he suggested that a large warehouse be built at the Balise. He said: "The Company might have two or three boats drawing only ten feet of water, remaining always in the river, and receiving their loads either from newly arrived ships, or from the warehouse, for transportation to New Orleans."

From which we see that if New Orleans had become the Capital of Louisiana, it was not yet recognized in France as fit to be the Company's port!

Brought over by the *Aventurier*, the Company's decision reached Biloxi on the 26th of May, 1722. A formal order being now given to transfer the seat of government, Bienville met with no further resistance; and from one day to the next, New Orleans had just as many warm partisans as it had theretofore had inveterate enemies.

Lé Blond de La Tour had affected to stand aside from the quarrel dividing the colonists, although Duvergier had written of him on the 21st of August, 1721: "M. de La Tour is at the head of the malcontent concession-holders." He now hastened to change opinions retrospectively.

His despatches until April had spoken almost exclusively of the great hospital at Biloxi, or of the fortress and the port about to be built at Ship Island. So it would appear certain that his voluminous correspondence bearing the date of the 28th of April, and even his despatch of the 23rd, must have been written after the *Aventurier* had arrived. Only, the prudent engineer took the useful precaution of dating all his letters a month earlier, to cover himself if need were.

"I see with pleasure," he says, "the change which His Royal Highness had made in transferring the management of the Board to New Orleans." And he adds that but for the unreasoning opposition of Le Gac (recalled in March, 1721) he would, immediately upon arriving, have brought all ships into the river: "Much expense would have been spared to the Company, people would not have died of want, and the land would already have been broken."

Hubert, relentless towards New Orleans, was ordered back to France. Upon reaching Paris, in April, 1723, with marvellous as-

surance he presented a "*Mémoire sur la Louisiane*" in which he pronounced the transfer of the capital to be "an excellent measure. * * * It was a mistake to land goods at Biloxi, where they were uselessly consumed. * * * All those changes prevented colonists from taking root anywhere. * * * They were pernicious to the welfare of the growth of the Colony, and have too long held the colonists fatally inactive * * * This has been effected by false and influential persons, who prevail against the real friends of uprightness. The Sieur Pauger deserved M. de La Tour's confidence, rather than disgrace. * * *"

Very cleverly, La Tour prepared a transition for his correspondence with the anticipated dates. On the 23rd of April, he wrote: "Regarding the site of New Orleans, although it lies low, I think this town could not be put elsewhere, because of its proximity to the lakes, a great convenience for travellers in boats or pirogues, which have barely a league to go, whereas if the town were at any other place, everything would have to go by sea. There would be less trade, for there are no large boats; voyages would be longer and more expensive. For those up the river coming down here, it would be the same. * * * To protect the town against river floods, the ground might be raised above high-water level by making a good earthen dike on the city-front by the river; this has already begun, but is neither high enough nor wide enough. * * * Ships entering the river could take sand in passing, and bring it here; for New Orleans soil is so light that as soon as rain falls, one sinks up to one's knees."

Adopting Pauger's plans, La Tour added that two jetties, easy to build at the river's mouth, would narrow down the latter and force the passes free of all existing obstacles.

His letters once finished, La Tour took the New Orleans plans out of his pigeon-holes, and instructed Pauger to call immediately together as many workmen as possible. Next he requisitioned the *Aventurier*, went on board with his new engineer, and on the 10th of June had set sail for the new capital, without heeding the Captain's protests to the effect that his ship could never enter the Mississippi. And yet, this Captain's orders, dated the 7th of January, said: "After taking to Biloxi the packages he bears, he will advise that he must unload at New Orleans and receive on board those who may wish to pass." (*Colonies*, B, 43, fol. 97.)

La Tour was unable to carry out his scheme for a sensational entrance into New Orleans, owing to the incapacity and the unwillingness of Captain Fouquet. Further complications were added in the way of adverse winds, dead calms, and tempests. Then the ship

went aground at the Balise. Béranger, who had explored the Texas coast in 1720 and 1721, was aboard, and knew the passes well, since he had already piloted several ships through the Mississippi. Only Béranger was the author of a project for making the Colony's chief port to the west of the Chandeleur Islands "where forty large ships, according to Duvergier, can find shelter at all times." The year before, acting on the instances of Le Gac, he had, it was asserted, delivered to the captain of the *Dromadaire* a certificate declaring that "it would be easier for an elephant to pass through the eye of a needle, than for the *Dromadaire* to ascend the Mississippi passes with all sails set, and at low water."

The *Aventurier* was less fortunate, and had to be partly unloaded at the Balise, finally taking almost a month to reach New Orleans. A year earlier, such a series of mishaps, deftly exploited by Mobilians, would have set back for several more years the choice of the city's site. But the engineers reached New Orleans on the 7th of July. They profited by their leisures, while the ship remained grounded, to make careful soundings of the passes, finding a depth of fourteen feet and a mud bottom harmless for a ship's keel.

Proportionately as the future of New Orleans took on more favourable hues, the river's mouth developed greater depth, so that in four years it sank from ten to fourteen feet. Pauger himself had reported only ten and a half feet in 1721; but when he came for his second visit, he found he had been mistaken, and so rectified the error. The transmutation of the "rock bottom" into mud was still more surprising; and very clever observers even bethought them that since a tide was still perceptible at the Balise, it could be turned to advantage. Later, Duvergier wrote: "There have always been thirteen feet of water, but this was concealed from the Company's knowledge."

Although the future of New Orleans was now assured, La Tour does not appear to have finished making up his mind about the town until he landed there. Owing to the difficulties encountered by ships in doubling English Turn, the latter spot still commanded a certain number of partisans. The entrance of the Mississippi ceased to present serious difficulties, once the passes were thoroughly known. Only, when the current was rapid and the wind contrary, ships sometimes took a month to work upstream, and irksome manoeuvres were constantly required.

The love for regulations, always so fatal to French colonies, had prompted the Company's Directors to determine, in their Paris offices, how many workmen from each trade should be employed in

New Orleans. On the 19th of May, the engineers were graciously allowed six carpenters, twelve joiners, seven locksmiths, three edge-tool makers, two smiths, two nail-makers, five brick-makers, nine masons, a cooper, a wheel-wright, a pit-sawyer, an armourer, two brewers, two gardeners, a baker, two ploughmen, and eight hodmen.

We must give La Tour credit for not bothering about these minute orders; and, as soon as he landed, he began to atone for lost time. Pauger had brought from Biloxi thirty-eight workmen, and he found sixty-three more on the spot. But in August, the total number was reduced to seventy, and at the beginning of September, only fifty-two remained. Nor did workmen merely find their tasks severe, but they complained of the high cost of living. To remedy this, La Tour strictly applied the Board's decree, dated the 17th of the preceding July, which forbade, under pain of two hundred *livres* fine, the selling of "French beef" in New Orleans at more than twenty *sols* per pound; native beef was reckoned at ten *sols*, a quarter of buck two *livres*, a capon forty *sols*, a small fowl twenty *sols*, and eggs, fifty *sols*, a dozen. La Tour furthermore reduced the price of beans from twenty-five to five *sols* a pound, "considering that they cost merchants only eighteen *deniers*." These praiseworthy efforts did not bear much fruit, and on the 9th of September, La Tour deplores the scarcity of labour. "At this rate," he writes, "the buildings will not be finished under eighteen months."

The sequel proved these delays to have been fortunate since a cyclone swept down upon the city, in the night of the 11th of September; Diron d'Artaguet compares it to the hurricane which laid waste Massacre Island in 1715. The wind raged for fifteen hours, and destroyed the huts serving as church and rectory; at the hospital, a few patients were injured.

Dumont de Montigny has described the catastrophe in a manuscript poem: *L'Etablissement de la Province de la Louisiane* (Voir the *Journal des Américanistes*, 1914, p. 47.)

*La Grêle se mettant d'une telle manière
Qu'elle fit craindre à tous en ce triste moment
Que l'on allait avoir le dernier jugement!
Et même les oiseaux tombaient sur le rivage.*

Bayou St. John rose three feet, the Mississippi rose nearly eight feet, and the powder was just saved in time by being transferred to a dove-cote "which M. le Commandant had built so as to afford himself a few luxuries."

This "disaster," which appears to have been considerably exaggerated, did not disturb La Tour to any great degree. "All these buildings," he says, "were temporary and old, not a single one was in the alignment of the new town, and they were to have been pulled down. Little harm would have been done, if only we had had shelters for everybody." After the Chicago fire and the San Francisco earthquake, modern American engineers spoke in very similar terms.

The damage caused by the hurricane—thirty-four huts destroyed, according to D'Artaguette—was soon repaired; and since the salary of most workmen rarely exceeded eight *sols* and six *deniers* per day, the Company had to disburse only the trifle of four hundred and eighty-two *livres* in addition to two hundred and sixty-six *livres*, ten *sols*, in supplies.

At first, La Tour employed sixty men to repair the buildings intended for his own use, "before even God was under cover or the sick were provided for," Pauger indignantly exclaims. Next, came an altercation between the two engineers, which Bienville settled in his own way by claiming for his personal enjoyment the house under dispute. Diron d'Artaguette writes, on the 20th of October: "The store which M. de La Tour was remodeling to make a house for himself, will not serve for that purpose, M. de Bienville having haughtily opposed it. He has quite broken with M. de La Tour, because of this and certain other jealousies. The wood has been taken to build the Director's house."

Nevertheless, the hurricane had some disastrous consequences. The entire flotilla of the capital was put out of commission; the *Santo-Christo* and the *Neptune*, ships of twelve cannon each, went aground; the passage-boat *Abeille*, which had arrived in August, 1721, and *Le Cher* foundered in the Mississippi, the *Aventurier* was more fortunate; it had raised anchor a few hours before the cyclone bore down, and was able to resume its voyage after getting some repairs. This ship was bearing back to France Hubert, whose recall coincided with the decisive leap into life of the post which he had so grievously calumniated.

Many flatboats, notably the *Postillon*, belonging to the Sieur Dumanoir, and a number of pirogues, sank with their loads of grain and fowls and other produce. Then a month of torrential rainfalls destroyed the last crops and reduced the new city to a state of famine. Next year, the price of eggs rose to sixteen *sols* each, a handful of peas brought three *livres*, a piece of smoked beef, twenty-five *livres*.

Scarcely had the ravages of the storm been repaired, when,

without loss of time, the Board ordered, on the 19th of October, all inhabitants to "enclose their land in palissades before two months had passed, under penalty of forfeiting all claim."

De Lorme came to settle at New Orleans in the first days of November.

From the first of July to the 31st of December, 1722, the engineers expended the sum of twenty-thousand, one hundred and fifty-two *livres*, ten *sols*, six *deniers*. If Louisiana's budget often seems to have been unjustified, we may at least note that official accounts were kept with extreme care. One thousand, one hundred and forty-three *livres*, were approximated for the Director's house, five hundred and forty-four *livres* for the hospital, nine hundred and thirty-three *livres* for four guard-houses covered with bark, etc. (*Colonies* C¹³a, 7, fol. 178.)

As part of this chapter, which has dealt with the work done at New Orleans in 1722, let us quote the story of its foundation as given in the very interesting *Relation de Voyage en Louisiane*, by Assistant Engineer Franquet de Chaville) *Journal de la Société des Américanites*, Vol. IV, 1st Series, p. 132):

"Orders being given to abandon all we had already done, we talked of going to a suitable spot where the town named New Orleans might be built. The first step was to give it air by breaking the ground and cutting the trees, thick as the hair on a man's head. We lost no time about it, exposing ourselves to the ardour of the sun and the onslaught of insects from daybreak until nightfall. In less than three months, we had cleared a square representing a good quarter of a league of forest. After which, that the town might take shape, we urged the inhabitants to erect houses on the sites we marked for them. Each one vied with the rest to finish his house first; so that in a very short time everybody had shelter, and the Company's goods were under cover in two fine stores, the frame-work for one of which had been brought from Biloxi.

"The plan as arranged is handsome; the streets are perfectly aligned, and of convenient width. In the centre of the town, facing the square, are all the public buildings; at the end is the church, with the Directors' house on one side and the stores on the other. The architecture of all the buildings is of the same model, very simple. There is only one storey, raised a foot above the level of the ground, resting on carefully placed foundations and covered with bark or boards.¹ Each block or *île* is divided into five parts, so that each

¹Soon after, all New Orleans houses, or at least all deserving the name, were "half-timbered."

private citizen may be comfortably lodged and may have a yard or a garden. This city was founded by the Company of the Indies in 1722."

The new capital had hardly sprung from the earth, when its gazetteer arose. After the 1st of September, 1722, Diron d'Artaquette kept a diary wherein, during his entire stay in New Orleans, he noted down day by day the most minute occurrences. (*Colonies*, C^{13c}, 2, fol. 190.)

On the evening of the 14th of September, Bienville, learning that several soldiers had conspired to escape in canoes and seize pilot Kerlasiou's passage-boat at the Balise, "ordered patrol-beats throughout the night."

19th September, two thieves were tortured at the rack, and hanged five days later. Unexpected developments followed:

"19th October. The men Marlot and Le Boutteux, the first a store-keeper for the Company and the second a former store-keeper of Mr. Law's concession, are, it is alleged, tormented nightly by spirits appearing to them and maltreating them, making noises in their rooms. Ignorant people believe that these are the spirits of the two men hanged last month, because Marlot was filling the place of King's Prosecutor, and Le Boutteux was their accuser. More probably it is someone from among their enemies. Messrs. the clerks make for themselves more enemies than they should."

18th October, the youthful metropolis was for the first time treated as a capital; the *Loire* and the *Deux Frères* saluted the town—if, d'Artaquette prudently adds, it can be called by that name—with a salvo of sixteen guns. New Orleans did not expect so much honour, apparently, and was able to give only one shot in reply.

29th October, du Tisé, his wife, and Father Boulanger arrived from Canada.

16th November, M. de Pontual, assistant clerk of the *Deux Frères*, killed, by a sword-thrust in a duel, Laborde assistant clerk of the *Dromadaire*.

22nd November. "We have learned," d'Artaquette writes, "that it is miserably difficult to get anything from the stores. Many worthy people can get nothing, not even *eau-de-vie*, or wine. Only friends are served, although there is a plenty for the citizens. As an instance, Rossard, a notary, gave recently a meal where a cask of the best wine was drunk."

At this period, the sanitary condition of New Orleans was deplorable; there were ninety cases of sickness. Bienville, who had been ill, was convalescent.

On the 26th, a sailor was "ducked" for insulting Drillan, distributing clerk.

5th December, the *Alexandra* reached New Orleans; and on the 10th, Guilhet, one of the Directors of the Company, died.

The almost simultaneous arrival of the *Dromadaire*, the *Loire* and the *Deux Frères*, far from furthering the captain's development, came near depopulating it. So many persons claimed to have pressing engagements in France, that Bienville judged it prudent to decide "that he would allow no one to take passage."

At that period, shortness of food and desertions in all forms were the Colony's two great afflictions. Bienville's Aide-de-Camp set the example "by passing to the west after pilfering a few bills." New Orleans had been so systematically assailed by its detractors that it had become a veritable scare-crow. A company of Swiss workmen under the command of Brandt, a Sergeant-Major, promoted second Captain and replacing Merveilleux-Wonwunderlick, had been embarked at Biloxi for the Capital; but rather than go there, they rose up, led by their chiefs, and forced the Captain of the *Elisabeth* to set sail for Havana.

"Only two officers from among them remained in Louisiana, a sergeant and a few women whose clothes had been taken by the others," Bienville wrote on the 21st of August, 1721. "The Swiss, reduced to eating beans and salted beef, believe that the Company is ruined and that they are about to die of starvation."

At Mobile, three soldiers and twelve sailors, in a canoe, had just put their officer, M. d'Harcourt, ashore, and had gone to Pensacola; the New Orleans garrison—most of whose soldiers were either "gens de force" or else farmer deserters—were rationed on dry bread, and only wanted a pretext for going to Pensacola too. The following year a ship on which Boispinel, the engineer, had embarked to go to Mobile, raised anchor while he was away at Mass, and left with his baggage for Carolina.

In January, 1724, the Balise garrison also fled to Havana. Pauger, without seeking to excuse them, mentions that they were dying of hunger and that they returned the ship with all her cargo, after drawing up a detailed list of the provisions they had had to consume.

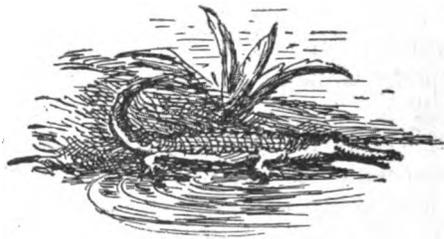
To describe the progressive growth of New Orleans would be going beyond the limits of the present study. Let us merely say that the big store was finished in 1723 and the officer's pavilion in April,

1724. This building served for more than a year as temporary church. Pauger asked for a tabernacle to be sent, as well as a crucifix five feet and a half high, and two marble statues representing the Virgin and Saint Louis.

Here is the total of expenses made in the Capital from the 1st of January, 1723, to the 1st of May, 1724:

Workmen's salaries.....	23.868 L 12 s 3 d
Materials.....	2.667 L 15 s 2 d
Levee.....	391 L 8 s 6 d
	<hr/>
	26.927 L 15 s 11 d

In 1724, work on the church and on the barracks was begun, and the Capucin Convent was almost finished. Finally, next year Father Raphael founded the first New Orleans College, whose need was felt all the more because, according to the expression of the Bishop of Quebec, "hearts at New Orleans were ill disposed." The first head of the New College was a former Capucin, Brother Saint Julien, "put out because of a fault in his youth," a worthy man, well grounded in Latin, mathematics, music, and drawing, but who laboured under the misfortune of very bad penmanship.





CHAPTER VII.

The Vieux Carré and the First Engineers of New Orleans.



LONG years of custom have consecrated the name *Vieux Carré* still given to Eighteenth Century New Orleans, although its shape is rectangular rather than square. In length, the old town measures six hundred and twenty toises by the river side, on a depth of three

hundred and sixty toises. All the blocks measured fifty toises in each direction, and were surrounded by gutters. (See Dumont de Montigny's plan, page —). Theoretically, some were divided into five lots and others into twelve; but many citizens threw several lots into one.

The streets had not yet been named on the 1st of January, 1723, date of the plan drawn up by La Tour.¹ Names appear for the first time on the plan dated the 23rd of April following.² After La Tour's death, Pauger completed the nomenclature, called a street after St. Adrien, his patron, and introduced various modifications of which scarcely any was maintained by his successor, Broutin.

We give, below, a list of the old streets of the Vieux Carré, going from north to south; several have retained their primitive names. Those from La Tour's plan are printed in capitals, Pauger's are given in *italics*, and later denominations are put in parenthesis.

Rue d'Anguin, for Enghien (Bienville); RUE BIENVILLE, (Conti); RUE SAINT-LOUIS; RUE DE TOULOUSE; RUE

¹Ministry of War, 7c, 217.

²Arch. Hydrogr., Bibl., 4044 C., No. 63.

SAINT-PIERRE; RUE D'ORLEANS or Grande-Rue; RUE SAINTE-ANNE; RUE DUMAINE; RUE SAINT-PHILIPPE, *de Clermont* (Saint-Philippe); RUE DE L'ARSENAL, *Saint-Adrien* (de l' Arsenal, Sainte-Ursule,¹ later des Ursulines); *Rue de l' Arsenal* (de l'Hôpital); (Barracks); (Esplanade).

Running perpendicularly: RUE DU QUAI, *Quai* (Old Levee); RUE DE CHARTRES;² RUE ROYALLE, *Royalle-Bourbon* (Royale, Royal); RUE DE BOURBON, *Conty* (Bourbon); *Rue de Vendôme* (Dauphine); (Rue de Bourgogne, Burgundy); (Rampart).

New Orleans proved fatal to the first three engineers put in charge of the work there. Boispinel, who had arrived in January, 1723, replacing in the capital Pauger, sent to the Balise, died on the 18th of September, 1723; he had been appointed engineer on the 1st of April, 1715, Knight of Saint-Louis, Lieutenant, then reserve Captain of the Champagne Regiment in 1719; a note kept at the Ministry of War states that he was "buried under a mine at the siege of Landau, and wounded before Fribourg." La Tour died on the 14th of October, 1723, just as the Company was calling him to Paris so that he might make known the facts about Louisiana. Pauger died on the 9th of June, 1726. According to this last, "Messieurs La Tour and Boispinel died of nothing but chagrin at the mortifications heaped upon us all."³

It should be said, however, that the New Orleans climate was extremely unhealthy at that period, and that the doctors there left much to be desired. Bienville wrote: "Bérard, the physician, though less of a rogue than his predecessor, is quite as ignorant." The Board, learning that Prévost, a surgeon, "wanted to sell himself rather too dear, straightened the matter out and now he can get no medicine unless the head clerk gives him an order for it." Meanwhile the patient waited if necessary.

Assistant Engineer Franquet de Chaville, having perceived in time that "services in this country are not good for the complexion," as he expressed it, prudently left Louisiana in the spring of 1724. The Company had annoyed him shortly before, reducing his salary by five hundred *livres*. At the same period, Devin, an excellent draftsman, saw his living allowance cut down, and "disgusted with the country," sought to return to France.

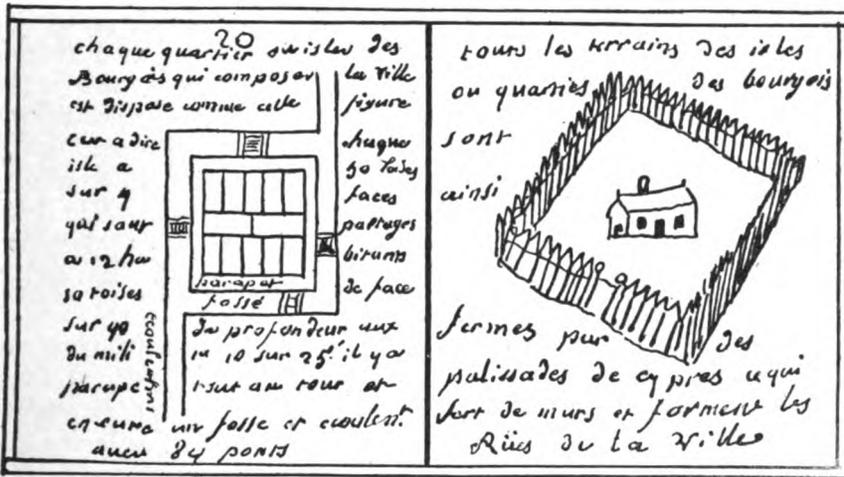
¹This note appears on a plan kept at the Archives Nationales (*Colonies*, C¹²a, fol. 139.) Several blocks are joined together on this plan: "The two blocks, or old government," cut off Chartres Street at Bienville Street, and the "hospital for troops and nuns" filled a group of four blocks south of St. Ursula Street, between the Levee and Royal Streets.

²La Tour gave the name of Conty, and Pauger of Rue de Condé, to the portion of this Street prolonged south of the Place d'Armes.

³*Colonies*, C¹²a, 8, fol. 8.

Bienville had not liked Chaville: "He will never amount to much, he does nothing but draw!" Which did not prevent him from becoming Engineer-in-Chief, and later Director of the Engineer Corps at La Rochelle. Pauger wrote of him on the 3rd of January, 1724: "Chaville has finished the big store * * * erected buildings * * * completed the big levee five hundred toises long, so that New Orléans is growing very rapidly and will undoubtedly become one of the largest of towns."¹ It may be observed that this prophesy was made four years previous to that of Madeleine Hachard.

To the necrology of the founders of New Orleans we must add the name of Kerlasiou, who died on the 3rd of September, 1723. A



a Small Island of New Orleans. (After Dumont of Montigny.)

very able pilot, it was he who demonstrated the practical possibility of bringing all ships up the Mississippi.

As compensation for the many obstacles he had overcome, and as indemnity for a sum of four thousand *livres* he had advanced in payments of various sorts, Pauger asked, on the 22nd of March, 1722, that his concession of a tract opposite New Orleans be confirmed. He had already broken ten acres of this land, built a house costing more than a thousand *livres*, a barn and four cabins, and had settled there with his possessions, eleven negroes and negresses, a young Indian, four head of horned cattle, and four hogs. Yet Bienville contested his claim, so Pauger informs us, because he himself had

¹Colomes, C¹a, fol. 13.

secured a concession in free-hold on the 6th of March, 1720. Pauger writes: "The Governor already owns, just beyond the town, a fine plantation, Bel-Air, which he can extend at will—and elsewhere, so many concessions does the Sieur de Bienville hold and so extraordinary is the immensity of the lands he owns!"

The truth is that Bienville, already master of Horn Island and various other concessions, granted to himself, as we see by maps of the period, a considerable quantity of lands all round New Orleans, and two blocks within the city itself.

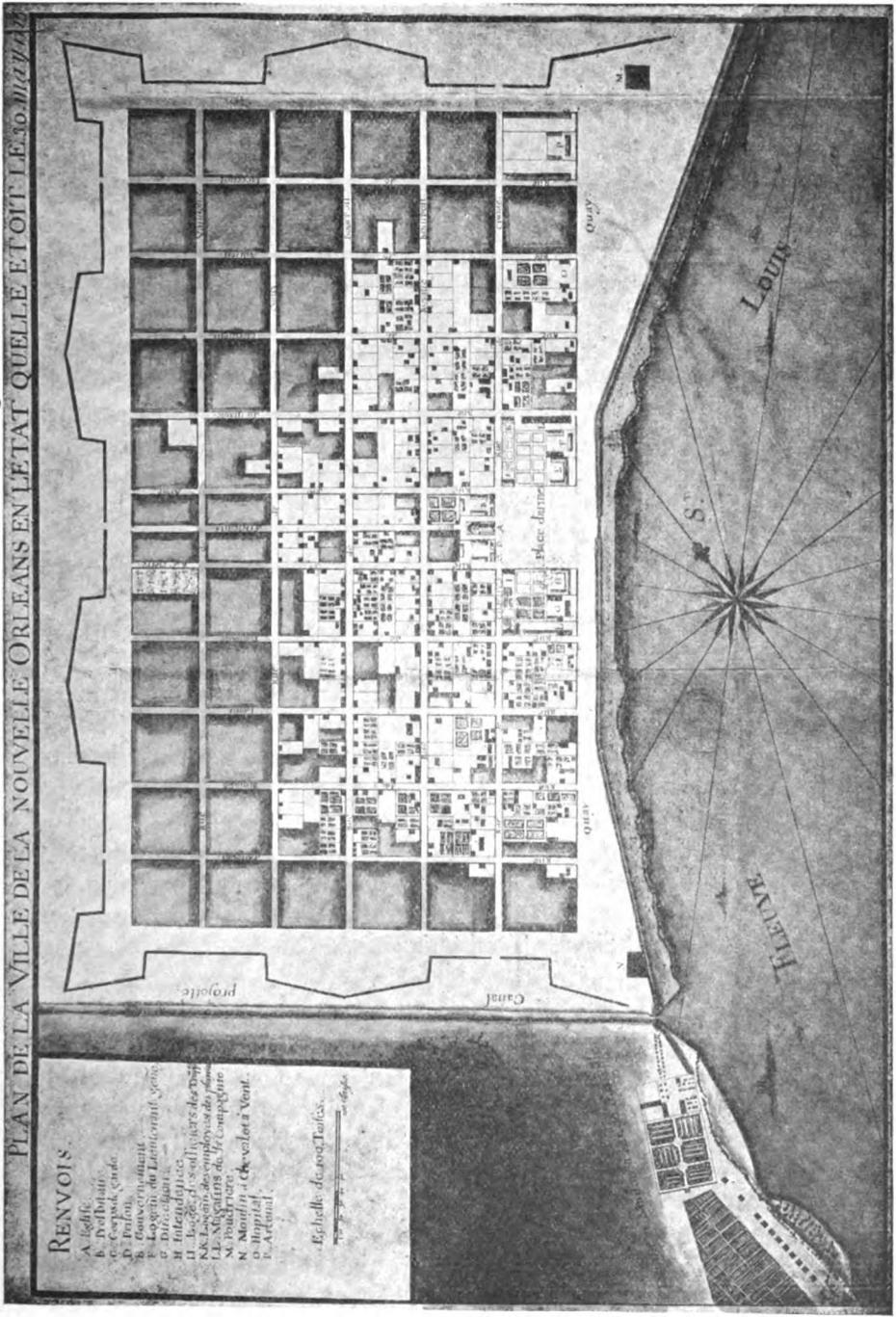
Although the worthy engineer had been in possession for three years, the Board definitely rejected his claim on the 29th of May, 1724. According to a letter by Asfeld, "the ground which he had started to cultivate was taken back from him without indemnity." But since later plans mark this site as the dwelling of the King's forces, Bienville could not have appropriated it.

As for the site on which Pauger had built his New Orléans house, his claim for the concession was definitely confirmed only in September 1725—so great was the hostility shown him by the members of the Colonial Board. His correspondence was frequently tampered with; many letters were indeed lost, by others as well as by him, that on the 21st of May, 1724, the Marine Board threatened a fine of five hundred *livres* and either dismissal or the pillory for any one caught intercepting letters in Louisiana.

Pauger's tribulations continued as long as he lived. Boisbriant, acting commandant in Bienville's absence, writes on the 4th of October, 1725, that he "had to put a humble colonist in the guard-house, for having uttered defamatory remarks about M. de Pauger in conversation." The members of the Board, and Father Raphaël, curé of New Orléans, all adversaries of Boisbriant and of the officers, took the part of this colonist, one Barbaut. According to them, he had merely written to the Company drawing attention to a heavy rebate granted by Pauger on a supply of building-wood.

Having passed Major General and Engineer-in-Chief after La Tour's death, Pauger asked to sit on the Colonial Board, a privilege to which his agreement entitled him, as the Company gave orders to this effect on the 27th of May, 1724. Nevertheless, his many enemies long prevented him from taking his seat there, save for matters directly concerning his work.

Asfeld mentions a report current in New Orleans, in 1726, according to which the Company intended, from economical motives, to replace Pauger by Broutin, "who was content with more mediocre salaries." The Engineer-in-Chief received at that time eight thous-



PLAN DE LA VILLE DE LA NOUVELLE ORLEANS EN LETAT QUE LLE ETOIT LE 30. MAY 1725

RENVOLS.

- A. Eglise.
- B. Des Bains.
- C. Courtois, Cas de.
- D. Prison.
- E. Gouverneur, Palais.
- F. Le Lieutenant, Siège.
- G. Intendance.
- H. Logis, Palais, Lycées des Arts.
- I. Le Collège des Jésuites.
- K. Le Collège des Capucins.
- L. Le Collège des Ursulines.
- M. Le Collège de la Compagnie.
- N. Monastère de la Visitation.
- O. Hôpital.
- P. Arsenal.

Echelle de 400 Toises.

Plan of New Orleans in 1725.

and *livres*; engineers, five thousand; the assistant engineer, two thousand four hundred; Devin the draftsman, six hundred. Soon after, the salaries of the engineers were cut down considerably. As for Pauger, he was so disheartened that he asked no better than to return home. On the 6th of November, 1725, he wrote to his brother: "Everything here is ablaze, each man yells and behaves according to his wont, and never has the country rushed along such an incline towards total loss. * * * My mind is made up, I have been twice driven to extremity, and now I am going back to France by the first boat."

But he was not allowed time to do this. Feeling his end draw near, he made his will on the 5th of June, 1726, "After recommending his soul to all the saints in Paradise, and especially to St. Adrien his patron, to obtain the remission of his sins. * * * He gives his soul to God and his body to the earth, wishing to be buried in the church at New Orleans, if possible. * * * He desires and intends that in the said church three solemn services be held for the repose of his soul, and an anniversary; that three hundred low masses be also celebrated, and that every Monday each week a *De Profundis* be said by the officiating priest at the close of the mass; for which shall be paid, once and for all, the sum of one thousand livres."

Pauger left his plantation at Point St. Antoine to the Sieur Dreux; made many legacies to his servants; bequeathed his books and instruments to Devin; his Moreri dictionary to Prat, his doctor; his religious books to the Capucins; and finally, as a burying of the hatchet, his gun and pistols to Bienville.

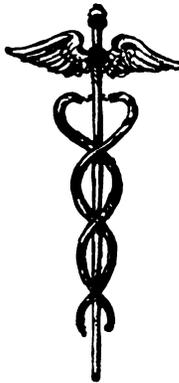
He died four days after signing his will: "of an intermittent fever which became a slow fever," says the certificate signed by Prat or Duprat, "physician-botanist, Doctor of the Montpellier Faculty," who had been in Louisiana since 1724.

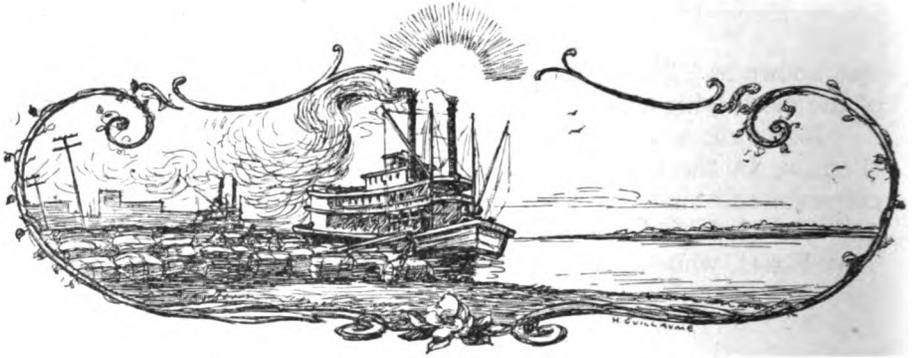
If we have dealt rather lengthily with Pauger, it is because he was the keystone for the foundation of New Orleans. He wrote on the 23rd of September, 1723: "If I had not taken upon myself all that could be done to overcome ill-will, things would not yet have got beyond the stage of sending ships into the river, and the principal seat would have remained at Biloxi, where the country could not provide sufficient food, as it does here."

Pauger never boasted, and the town owes as much gratitude to him as to Bienville. On Broutin's big plan (See plate No. IV) the exact site of the house in which he died can readily be located. It

was known as "Terrain No. 8," along the river, almost in the centre of the block lying between St. Louis et Bienville (now Conti) streets.

New Orleans would honour not only him, but herself, by putting there, or in the Cathedral where he lies buried, an inscription to commemorate him who worked so untiringly to assure her creation, and who died of his labours. It is unjust that there should be a La Tour Street, while none bears the name of Pauger.





CHAPTER VIII.

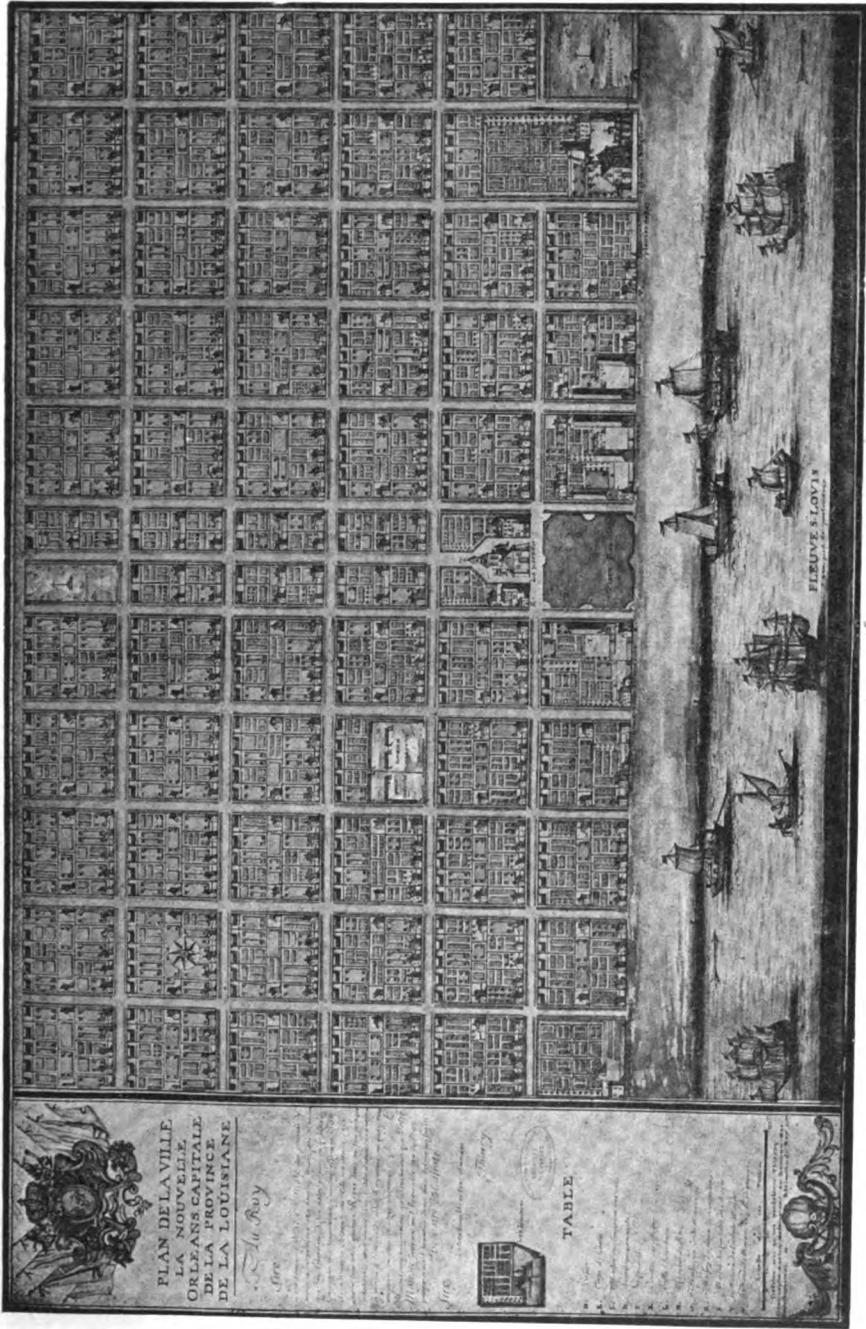
Briefly Statistical.



ARTICULARLY unhealthy at this period, the climate of New Orleans encouraged epidemics which on several occasions decimated the population. If we are to believe D'Artaquette, "eight or nine people per day," or one-sixtieth of its inhabitants, were dying in the capital, when he came down from Illinois in September, 1723. Two years before, one thousand had died at Biloxi. A new epidemic raged in the summer of 1725; Father Raphael wrote: "There are not two people who have not been ill." The population in 1727 was still only nine hundred and thirty eight souls (729 masters, 65 enlisted men, 127 negroes, and 17 Indian slaves), owning ten horses and thirty-one head of horned cattle. The population of the surrounding country was six hundred masters, one thousand four hundred and thirty-four negroes, and fifty-six Indians; there were one thousand four hundred and sixteen head of cattle, one hundred and seventy-one horses, and eight hundred and forty-three hogs.

Nevertheless, the Creoles were already proud of their capital. Madeleine Hachard tells us, in her *Relation du voyage des Dames religieuses Ursulines*¹ that early in 1728, a song was currently sung, in which they say "this town has as fine an appearance as the City of Paris!" After a few prudent restrictions, the good nun adds: "It is true that the town grows daily, and can eventually become as

¹The contract with the Ursulines for establishing, in New Orleans, Marie Tranchepain de Saint-Augustin and Mariane Le Boullanger Angélique, accompanied by ten nuns, had been ratified on the 18th of September, 1726.



Plan of New Orleans in 1756.

fine and as big as the principal towns of France, provided workmen come and it can be populated in proportion to its size." Incontestably, this appreciation suggested to Father Charlevoix, who both read and copied much, the idea for the celebrated prophecy about New Orleans.

In spite of which, the number of inhabitants had dwindled, five years later, because certain agriculturists had moved farther away from the city. The 1732 census put the population at eight hundred and ninety-three, of whom six hundred and twenty-six Europeans (229 men, 169 women, 183 children, 45 orphans), three Indians, six squaws, one hundred and two negroes, seventy-four negresses, seventy-six negro boys and girls, three mulattoes. The number of horses had increased by four, but the heads of cattle had decreased by one hundred and fifty-three.

In 1737, the population rose to one thousand seven hundred and forty-eight, thanks especially to a multiplication of negroes. As for Europeans, there were only about one hundred more than before: seven hundred and fifty-nine Europeans (220 men, 181 women, 158 boys and 200 girls); three hundred and seventy-four negroes, two hundred and fifty-three negresses, one hundred and sixty-seven negro boys, one hundred and sixty-nine negro girls, ten Indians, and sixteen squaws.

From that period onward, the population of New Orleans grew steadily; and in 1756, already numbered four thousand.

On the 19th of March, 1788, a fierce fire destroyed, in five hours nine hundred and fifty houses out of eleven hundred. Yet this did not prove to be more than an incident in the life of the town, retarding its growth by only a few years.

Chicago, on whose present site the Marine Board decided to build a fort, 30th March, 1716, has one million, eight hundred thousand inhabitants; but of all the towns which deserved the name at the time when France lost her American possessions, New Orleans is by far the largest today: Montreal has not more than two hundred and seventy-five thousand residents, and Quebec seventy thousand.

One century after its foundation, the Crescent City's inhabitants numbered twenty-six thousand; in 1847, one hundred thousand; in 1868, one hundred and eighty-five thousand; this figure rises to four hundred thousand for the second centennial, and the opening

of the Panama Canal cannot but promote still further the development and the prosperity of New Orleans.



CORRECTIONS

Dr. Milton Dunn of Natchitoches, the author of the article on that oldest of Louisiana cities, Natchitoches, which appeared in our issue of January, 1920, calls our attention to a number of printers' errors, chiefly in names, that occur on the article as printed, viz:

The word Caston in the first line on the page should be Castor. On page 29, 2nd line Poissat should be Poisson, 5th line. Groppe should be Grappe. On page 32, line 3, Morthé should be Mothe, line 31, Lavoy should be Larry. On page 34, line 21, should read "Colonel Cushing with three companies and four pieces of artillery." On page 36, line 33, Ferre Noir should be Terre Noir. On page 37, line 40, De Rusez should be De Rusey. On page 40, line 9, Doc Vennett should be Doc Bennett. On page 44, line 14 Tanzier should be Tauzin. On page 46, line 24, Ludwick should be Lodwick. On page 47 line 1, Texas should be Shreveport. On page 48, line 40, Suffords Creek should be Swoffords Creek. On page 49, line 31, General Many should be Colonel Many. On page 54, line 21, Laltier should be Lattier. On page 55, line 15, Listan should be Lestan.

THE EDITOR'S CHAIR

As every Louisianian should be, and is generally interested in all that relates to Louisiana, the publication of a good translation of Baron Marc de Villiers's new book on the Foundation of New Orleans gives us an opportunity to lead our own people as well as the world generally, up to a higher appreciation of the earnest, difficult, hazardous and brilliantly successful work done by those pioneers who opened the way for us, doing it some two centuries ago. So in this issue we publish in full a good translation of Baron Marc de Villiers's excellent work deferring all other matters to later issues.



Statement of Ownership, Management, Circulation, etc., required by Act of Congress of August 24, 1912, of the LOUISIANA HISTORICAL QUARTERLY, published quarterly at New Orleans, La., for April 1, 1920. State of Louisiana, Parish of Orleans. Before me, a Notary Public, in and for the State and Parish aforesaid, personally appeared John Dymond, who, having been duly sworn according to law, deposes and says that he is the Editor of the LOUISIANA HISTORICAL QUARTERLY, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912. Publisher, Louisiana Historical Society. Editor, Managing Editor, Business Manager, John Dymond, New Orleans, La. 2. That the owners are: The Historical Society and issues no stock; officers are G. Coscha, President; John Dymond, First Vice-President; William Kernan Dart, Second Vice-President; Henry Renshaw, Third Vice-President; W. O. Hart, Treasurer, and Bussiere Rouen, Corresponding Secretary, all of New Orleans, La. 3. That the known bondholders, mortgagees and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None. Signed John Dymond, Editor. Sworn to and subscribed before me this 29th day of March, 1920. (Seal). Augustus Williams, Notary Public. (My commission is for life-time.)

THE LOUISIANA HISTORICAL QUARTERLY

Vol. 3, No. 3.

July, 1920

Liberty Monument
Cabildo Archives
The Latin City

Published Quarterly by
THE LOUISIANA HISTORICAL SOCIETY
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THE LOUISIANA HISTORICAL QUARTERLY

VOL. 3, No. 3

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LIBERTY MONUMENT

By James A. Renshaw

At the river end of the Canal street neutral ground stands an imposing granite shaft, bearing on the die of the pedestal facing the great Mississippi, the following inscriptions cut into the stone:

Fell in Action

A. BOZONIER
MICHAEL BETZ
CHAS. BRULARD
JAS. CROSSIN
J. CONSIDINE
ADRIEN FEUILLAN
A. M. GAUTIER
J. K. GOURDAIN
JOHN GRAVAL
R. G. LINDSEY
F. M. MOHRMANN
S. B. NEWMAN, JR.
WM. C. ROBBINS
E. A. TOLEDANO
WM. A. WELLS
J. M. WEST

and on the base in large raised block letters

SEPTEMBER 14th, 1874

The war between the States, which had its inception with the first gun fired on Fort Sumter, lasting a period of four years, ended with the surrender at Appomattox, but for more than twice that time the Southern States were subjected to a process of reconstruction, and those days were days of suffering and humiliation, which the fanatical elements among the victors imposed upon the conquered. It would be to no good purpose now in this article to recite the facts; suffice it to say that only those who lived through that period of reconstruction can form any proper idea of the horrors thereof, or can fully appreciate the necessities that led up to the memorable 14th of September, 1874, a day full of good tidings to the South, in that it brought about in time their relief from humiliation and sorrow, and a day that should be full of rejoicing to the people of the North, in that it cleared their atmosphere of fanatical errors and brought them to see the beauties of a once more united country.

In all the Southern States alien and negro domination had been prevalent. Various means had been tried to right the wrong; one organization, the Ku Klux Klan, sworn to secrecy, attained widespread strength; but all proved of little avail to the real purpose in mind. Finally in New Orleans was formed the White League, which with one or more kindred bodies of equally determined and patriotic men accomplished the end. Many of these men had served in the armies of the South, while the others had grown to manhood since the surrender.

One or two consignments to the citizens of Belgian rifles had in the immediate days prior to the 14th been seized by the police, and the demand for their release had been refused—the authorities even going to the extent of threatening arrest for treason of those concerned. The last shipment came by steamer from New York, and the determination of the citizens to possess themselves thereof culminated in the uprising of September 14th. The arms were duly secured and distributed to the proper parties. The women of the day did well their part, and were engaged all day Sunday putting together the necessary ammunition of powder and ball.

The public mind Sunday, September 13th, was aroused by the publication in the papers of the following call:

“Citizens of New Orleans”

“For nearly two years you have been the silent but indignant sufferers of outrage after outrage—heaped upon you by an usurping government.

"One by one your dearest rights have been trampled upon, until, at last, in the supreme height of its insolence, this mockery of a Republican Government has dared even to deny you that right so solemnly guaranteed by the very constitution of the United States, which in Article Two of the Amendments declares that 'the right of the people to keep and bear arms shall not be infringed.'

"In that same sacred instrument, to whose inviolate perpetuity our fathers pledged 'their lives, their fortunes and their sacred honor,' it was also declared that even Congress shall make no law abridging 'the right of the people to assemble and to petition the Government for a redress of grievances.' It now remains for us to ascertain whether this right any longer remains to us.

"We, therefore, call upon you on **MONDAY MORNING**, the 14th day of September, 1874, to close your places of business, without a single exception, and at 11 o'clock A. M., to assemble at the Clay Statue, on Canal street, and in tones, loud enough to be heard throughout the length and breadth of the land, **DECLARE THAT YOU ARE, OF RIGHT OUGHT TO BE, AND MEAN TO BE FREE.**

"M. Musson
 Sam Bell
 Henry Renshaw
 Jno. I. Adams & Co.
 Schmidt & Ziegler
 Harrison Watts
 W. H. Chaffe
 Chas. Chaffe
 J. J. Gidiere
 H. S. Addison
 J. M. Frankenbush
 W. W. Edwards
 Miller & Diehlman
 Sam Flower
 Newman & Kent
 Behan, Thorn & Co.
 M. Hillard
 B. F. Glover
 Jno. W. Parsons
 J. B. Camors & Co.
 M. Hinman
 J. B. Sinnott

Jno. M. Parker
 O. Huard
 Perry Nugent
 Wm. Sanchez
 M. Gillis
 E. F. Delbondio
 Keep & Raymond
 Julius Vairin
 Robert Hare
 W. J. Hare
 J. J. Warren
 Emile J. O'Brien
 S. B. Newman, Jr.
 Jas. R. Balfour
 Paul E. Mortimer
 Leeds Greenleaf
 J. M. Vandergriff & Bro.
 S. K. Russ
 Holt Murray & Co.
 Paul Sanager
 Woods Slayback & Co.
 Eug. Soniat

S. H. Boyd
W. W. Johnson
J. B. Levert
E. B. Briggs

Louis Bush
Wm. A. Bell
Jno. N. Payne
Henry Denegre."

On the morning of Monday, September 14th, 1874, at Eagle Hall on Prytania street, where Felicity and Urania streets converge, the Crescent City White League assembled. The other organizations, of which I have made mention, were at their respective meeting places.

Later in the day a gathering of citizens thronged about Clay Statue, which at that time stood in a circle on the neutral ground of Canal street where Royal and St. Charles end. Patriotic speakers addressed the crowds. Enthusiasm was unrestrained. On the suggestion of Judge Marr a call was made upon the pretender Governor Kellogg for the surrender of the State House, but Kellogg was not to be found.

At last orders were given, and the respective armed organizations proceeded to their assigned places. Down Prytania and Camp marched the Crescent City White League, turning out Poydras and taking up position extending from the river edge back through several blocks on Poydras. On the right resting on the levee was the only company armed with Springfield rifles, while to their rear was an artillery command with one iron piece which had been made at Leeds' Foundry; but the ammunition supplied was not suitable to the bore of the gun, and so the piece could not be used. On Canal street, similarly aligned, was the Metropolitan Police, well armed with approved weapons of that date and supported by several Napoleon and Gatling guns.

About 4:15 o'clock P. M. the first shot was fired. Across the levee, and down the streets towards Canal, dashed the citizen soldiery. The skirmish, for it could not be designated by any greater name, was soon over, ending in the utter defeat of the police. The names on the granite shaft at Liberty Place tell of the fallen heroes on the one side. Of the police fifteen were killed and between sixty and seventy seriously and slightly wounded; the exact number of deaths resulting among the wounded was never fixed. During the progress of the fight from the windows of the Custom House peered the Federal troops, of which many were still quartered in the city.

That night the various commands slept under arms at their several positions. The iron crossings at the street intersections through the central portion of the city were torn up and made

into barricades. This entire section wore a war-like appearance. The next morning the police station and arsenal at Jackson Square were taken without conflict, and all opposition to the victorious citizen soldiery disappeared.

It is worthy of record that notwithstanding the intense excitement, which naturally prevailed from one end of the city to the other, no untoward act was committed by the people to cast a blemish upon the splendor of their victory. They had gathered but for one purpose, that of the overthrow of the Kellogg regime and the installation of their own duly elected government, and when that end had been virtually achieved, it had been accomplished without the marring effect of any riotous proceeding.

The story of the struggle is told with such detail, and the entire scene of the conflict so graphically pictured in the official report of Gen. Ogden, that its value as an historical document prompts its insertion here:

"Headquarters La. State Militia,
New Orleans, Sept. 17.

Col. E. J. Ellis, A. A. G.:

Colonel:—I have the honor to report, that on Monday, September 14, at 1 P. M., upon the uprising of the citizens en masse, and immediately on receipt of commission from Lieut. Gov. Penn, Acting Governor during the temporary absence of Gov. McEnery, appointing me Major General commanding the State Militia, and in pursuance of his orders to assemble my troops, I at once proceeded to form a defensive line of battle on Poydras street—my right resting on the levee, my left on Carondelet street—with the intention of throwing the city into a military camp, for the purpose of thoroughly organizing the State forces.

With commendable alacrity the following commands reported at my headquarters on Camp, near Poydras street, viz:

Crescent City White League, Col. W. J. Behan, commanding, composed of:

Section A, Captain W. T. Vaudry.

Section B, Captain Geo. H. Lord.

Section C, Captain S. H. Buck.

Section D, Captain Archibald Mitchell.

Section E, Captain R. B. Pleasants.

Section F, Captain Thomas McIntyre.

Section G, Captain D. M. Kilpatrick.

The Eleventh Ward White League, Capt. F. M. Andress.

The Tenth Ward White League, Capt. Edward Flood.
 The Sixth District White League, Capt. C. H. Allen.
 The Sixth Ward White League, Capt. Geo. W. Dupre.
 The Seventh Ward White League, Capt. O. M. Tennison.
 The Washington White League, Capt. A. B. Phillips.
 The St. John White League, Capt. Chas. Vautier.
 The Second Ward White League, Capt. R. Stewart Dennee.
 The Third Ward White League, Capt. J. R. S. Selleck.

Major LeGardeur, with Capt. A. Roman's company (the remainder of his battalion being present unarmed.)

Col. Jno. G. Angell, commanding 1st Louisiana Infantry, composed of the following companies:

Company A, Capt. Borland.
 Company B, Capt. F. McGloin.
 Company C, Capt. Blanchard.
 Company E, Lieut. F. L. Richardson.

Together with two (2) companies of artillery, under Capt. Jno. Glynn, Jr., Acting Chief of Artillery, and Capt. H. D. Coleman.

As before stated, my line of defense was formed on Poydras street, at 3 P. M., the right under command of Col. W. J. Behan, consisting of companies A, B, C, E, and G, Crescent City White League, and the commands of Captains Flood, Address, Allen and Shropshire, supported by one twelve-pounder gun, extended from the levee to Tchoupitoulas street.

The centre, composed of the commands of Captains Dupre, McIntyre and Phillips, extended from Tchoupitoulas to Camp street; the left, with the commands of Captains Roman, Tennison and Vautier, from Camp to Carondelet street.

Col. Jno. G. Angell was ordered by me to take position on St. Charles street, above Poydras, to guard against attack from the Central Police Station, on Carondelet street.

Major J. D. Hill, of the above battalion, with Company E, Lieut. Richardson commanding, was directed to place himself on the corner of Camp and Common streets, to check any advance of the enemy by way of Chartres and Camp streets.

Captain H. D. Coleman's company of artillery, supported by Section D, Crescent City White League, under command of that trusty leader, Captain Archibald Mitchell, together with Captain Dennee's Section, were stationed at the corner of Camp and Julia streets, and the Louisiana Rifle Club, together with unattached forces, under command of Major John Augustin, at the corner of

Carondelet and Julia streets, with pickets on the extreme left and right, formed my reserve force and second line of defense.

While strengthening my lines and arranging my troops more perfectly, the enemy, consisting of about 500 metropolitan police, with six pieces of artillery, under Gens. Longstreet and Badger, moved by way of Chartres, Peters and Decatur streets, taking position on Canal street, about the United States Custom House and in front of the Iron Building and Mobile Railroad Passenger Depot, leaving a reserve of the First Louisiana Brigade to guard the State House and Arsenal at Jackson Square.

At 4:15 P. M. Brig. Gen. Badger, with about 300 metropolitans, armed with the most improved weapons, one Gatling gun, and two (2) twelve-pounder Napoleon guns, opened fire upon my extreme right, which was promptly responded to by that gallant, experienced and vigilant officer, Col. W. J. Behan, whose celerity and brilliancy of movement is deserving of the highest praise.

Captain Pleasants, Section E, C. C. W. L., whose command was armed with improved weapons and amply supplied with ammunition, gained the enemy's flank and poured a deadly fire into their ranks, which caused them to waver.

Captain Jno. Glynn, Jr., finding his piece of artillery useless, acted with the promptness and dash of a trained soldier, and ordered Lieut. E. A. Guibet to charge, which he did with gallantry, in conjunction with Company A, Captain Vaudry, and B, Capt. Lord, down the open levee and street, driving back the enemy and capturing his guns.

At the same time Company C, Capt. Buck, Company G, Capt. Kilpatrick, and commands of Captains Allen, Shropshire, Andress, and Flood, charged down Front, Peters and Tchoupitoulas streets, forcing the enemy completely from his position. To this result Major J. D. Hill contributed by a timely withdrawal of his command from the position assigned him, and aided materially in driving the metropolitans from their last stand.

In the meantime Capt. A. B. Phillips was ordered to make a flank movement on the enemy's right, in which he was assisted by Capt. Tennison's command and a portion of the St. John White League. He met and dispersed a body of them at the corner of Chartres and Customhouse streets, losing two (2) killed and three (3) wounded, and then returned to his former position, in the centre of my line.

After removing the captured guns, I resumed my original position, with the intention of preparing for an advance early the

next day upon the enemy's stronghold below Canal street; but so complete, in my opinion, was the demoralization of the enemy from the action of Monday, evidence of which I had received during the night from citizens and soldiers active in our cause, corroborated by the surrender to my command of large bodies of metropolitans, that the capture of these strongholds seemed but a question of time. To press this capture, Col. Angell, supported by Captain Coleman's artillery, was ordered to move forward early in the morning on these points, leaving his position occupied by the commands of Captains Mitchell and McIntyre.

By 10 o'clock A. M. Col. Angell was in possession of all the enemy's important points below Canal street, having received material assistance in this movement from Capt. Macheca.

Information of this result was immediately transmitted to your headquarters. The judgment displayed by Col. Angell, together with the gallantry of his officers and men in effecting these captures, merit the highest commendation.

I take pleasure in mentioning the prompt obedience to all orders and the heroic devotion to duty shown by officers and men throughout my entire command.

From the nature of the action it was not possible for all my forces to have been engaged; but I do not hesitate to state that had the necessity arisen, all would have acted equally well.

My thanks are specially due to the efficiency and meritorious conduct, before and during the action, of my staff, consisting of Messrs. T. Lee Shute, James Buckner, F. R. Southmayd, John N. Payne, Sam Flower, Wm. A. Bell, Walter Hare, Dr. J. D. Bruns, J. B. Walton and Fred Holyland; to the gentlemen who volunteered as aids, Messrs. Moore, Greenleaf, Pierce, Hardie, Buddendorff and Tobin; also to Major E. A. Burke and Capt. W. B. Krumbhaar, of your staff, for assistance in their respective departments.

E. C. Kelly for valuable information furnished; to Messrs. Kursheedt and Bienvenu, for kind services during Monday night and Tuesday. To Messrs. Geo. Williams and W. Robinson, for efficient courier service. To Col. Robt. Wood, for valuable aid in procuring arms. To Captain W. H. Morgan, for procuring ammunition for captured artillery. To Mr. J. H. Smith, for use of horses for artillery. To Messrs. D. Prieur White, Ed. Ferrigan and Vinet, for their kind personal services.

I must state that where such numerous offers of aid were tendered by citizens, it would be impossible in a report of this kind to

make individual mention, and any omission of "special notice" arises from no want of appreciation on my part.

The enemy's loss must have been very heavy, from the number of dead and wounded left by them on the field. Their chief, Gen. A. S. Badger, fell into our hands, severely wounded. My command suffered in the charge on the 14th a loss of twelve killed and thirteen wounded (several have since died), among them some of our most respected and prominent young citizens. Thus was the life blood of our best people poured out upon the altar of their country.

Sorrow fills the heart with relating that in the nineteenth century—an age of boasted civilization—and in the American Union, whose corner stone is freedom, there can be found injustice so great as to require a sacrifice so dear. In the signal victory of the 14th of September, we must acknowledge with profound gratitude the hand of a kind and merciful God.

The opportunity afforded through the mistaken strategy of a sagacious military leader, by which we were enabled to strike a blow for freedom, which, in decisiveness of character, has scarcely a parallel in history, can surely be ascribed to no human power.

To that God who gave us the victory we commit with confidence and hope the spirits of our immortal dead; and strong in the consciousness of right, record anew our holy purpose that *Louisiana shall be free.*

I have the honor, Colonel, to subscribe myself, very respectfully,

FRED. N. OGDEN,

Major General Commanding.

T. LEE SHUTE, Col. and A. A. G.

Ogden, and Behan, and Angell, and the officers and men under them wrote a page in the history of Louisiana, that no student can read without a thrill of patriotic delight.

In the latest election previously had, Jno. McEnery and Davidson B. Penn had been chosen Governor and Lieut. Governor of the State, but with the methods then in vogue their opponents, Wm. Pitt Kellogg, a stranger among us, and Caesar C. Antoine, a negro of decided African type, had been seated. With the uprising, McEnery being absent from the State, Penn assumed authority as acting Governor, and managed with marked ability the difficulties of his position.

The President of the United States at once, Sept. 15th, following the clash of arms, issued a proclamation as follows:

"Whereas, it has been satisfactorily represented to me that

turbulent and disorderly persons have combined together with force and arms to overthrow the State Government of Louisiana, and to resist the laws and constituted authorities of said State; and

"Whereas, it is provided in the constitution of the United States that the United States protect every State in this Union on application of the Legislature or the Executive, when the Legislature cannot be convened, against domestic violence; and

"Whereas, it is provided in the laws of the United States, that in all cases of insurrection in any State, or of obstruction to the laws thereof, it shall be lawful for the President of the United States on application of the Legislature of such State, or of the Executive when the Legislature cannot be convened, to call forth the militia of any other State, or to employ such part of the land and naval forces as shall be judged necessary for the purpose of suppressing such insurrection, or causing the laws to be duly executed.

"Whereas, the Legislature of said State is not now in session, and cannot be convened in time to meet the present emergency, and the Executive of said State under section four of article four of the constitution of the United States and the laws passed in pursuance thereof has therefore made application to me for such part of the military force of the United States as may be necessary and adequate to protect said State and the citizens thereof against domestic violence, and to enforce the due execution of the law; and

"Whereas, it is required that whenever it may be necessary in the judgment of the President to use the military force for the purpose aforesaid, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective homes within a limited time.

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby make proclamation and command said turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within five days from this date and hereafter to submit themselves to the laws and constituted authorities of said State, and I invoke the aid and co-operation of all good citizens thereof to uphold law and preserve the public peace.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the City of Washington, this 15th day of September, in the year of our Lord, 1874, and of the independence of the United States the 99th.

"U. S. GRANT.

"By the President:

HAMILTON FISH, Secretary of State."

I quote from the New Orleans *Picayune* of that time a letter called forth by this proclamation and written by one of the then older and most prominent citizens of Louisiana:

“To the President of the United States of America.

“Mr. President:

“The people of Louisiana have overthrown the Kellogg usurpation and established in its stead a republican form of government, popularly called the McEnery government, an American constitutional State Government of their own free choice.

“This government is already in operation in the city of New Orleans, and before this letter reaches you, will reign supreme over every parish of the State. Justice is administered among us under its auspices; and peace, good order and popular contentment are the result.

“In the contest of arms that took place yesterday the two hostile parties were the people of Louisiana on one side, and the mercenary troops of the usurper on the other. It was not a combat between opposing hostile bodies of the citizens of Louisiana. It is deemed important to bear this fact in mind. It was a combat between the people of Louisiana and the metropolitan force, an armed body of men brought into the field by order of the usurper Kellogg, and placed under the direction of Gen. Longstreet to subdue the people.

“No company or other body of citizens appeared on the field to uphold the Kellogg power. Nor did any of the office-holders, from Major-Gen. Herron down to the poorest clerk in any of the State offices, confront the people and give an open and manly military support to their patron and master.

“Kellogg’s faction has disappeared, and Kellogg himself, conscience stricken with terror, is said to be hiding behind troops of the United States and meditating his escape from the wrath of a wronged and oppressed people.

“Now, Mr. President, the people of Louisiana understand that the object you have in view by your proclamation is to uphold a constitutional State Government, the choice of the people, and not to reinstate in power a cowardly fugitive usurper. As the action of the people has fortunately resisted and overcome the attempt of the tyrant to subdue and enslave them, and has restored to them their sovereign rights, and firmly established a Government of their own choice, administering justice, maintaining peace and good order, giving assurance of honest legislation in the future, and of a pure

and honorable discharge of official duties in the judicial and executive departments of the Government, and has thus accomplished all that can be done to restore confidence in business and promote the best interests and happiness of the people, Louisiana looks forward to your patriotism and wisdom for that respect and justice which is due to her as one of the free, equal, and independent States of the Union. She feels that she stands redeemed, regenerated, and disenthralled by the virtue and valor of her sons; and that she is entirely competent to defend and protect herself against any machinations or assaults of her late adversaries. She, therefore, solemnly appeals to you not to send to her domain a body of troops not wanted here for any national or just purpose, and not to give ear to any false and calumnious imputations that may be made by her enemies against her honor and loyalty. I have ventured, Sir, to speak in the name of Louisiana, for I know the feelings and sentiments of her sons—and I have given utterance to them as I have heard them from all around me. Louisiana asks only what is her right—to be let alone. Her people will do equal justice to one another without respect to color or previous condition of servitude or place of nativity. They will be faithful to the constitution of the United States as it now stands, and to the Union, and to the constitution and laws of the State.

“I am, Mr. President, very respectfully, your fellow citizen.

“T. G. HUNT.”

But on the third day following the President's proclamation was issued this order:

“War Dep't., Adj't. Gen's. Office,
“Washington, Sept. 18th, 1874.

“Gen. W. H. Emory, New Orleans, La.

“I am directed by the President to say that your acts to this date, so far as they have been reported and received here, officially, are approved, except so far as they name Col. Brooke to command the city of New Orleans.

“It would have been better to have named him as commander of the United States forces now in that city. The State Government existing at the time of the beginning of the present insurrectionary movement must be recognized as the lawful State Government until some other government can be legally supplied.

“Upon the surrender of the insurgents, you will inform Gov. Kellogg of the fact and give him the necessary support to re-establish the authority of the State Government.

"If at the end of the five days given in the proclamation of the 15th inst. there still exists armed resistance to the authority of the State, you will summon a surrender of the insurgents, and if the surrender is not quietly submitted to, it must be enforced at all hazards.

"This being an insurrection against the State Government of Louisiana, to aid in the suppression of which the United States Government has been called upon in the forms required by the constitution and laws of Congress thereunder, it is not the province of the United States authorities to make terms with the parties engaged in such insurrection.

"E. D. TOWNSEND, Adjutant Gen'l."

During the several days intervening the people had been in control; their armed men were quartered at various points ready to make or to repel attack; but in face of this action by the military authorities of the United States the citizen soldiery disbanded.

And so for a while Louisiana was doomed. The authorities at Washington had turned a deaf ear to her appeals and reinstated Kellogg. But it was not with pomp and ceremony that the Kellogg government came again into power.

From the Sunday *Picayune* of Sept. 20th I quote:

"Sometime before 10 o'clock Saturday morning, Kellogg's private carriage and driver were observed standing in front of the St. Louis Hotel, or State House. A crowd of about five hundred persons, all negroes with two exceptions, took up their position on the opposite banquette and stared at the gallery of the State House, where a score or more of United States soldiers lounged slowly up and down, apparently totally uninterested.

"Close inquiry of these negroes showed that they had been standing there for several hours, and that they had not seen Kellogg's carriage drive up; indeed that his carriage was observed there when they first arrived.

"No one in all the neighborhood had seen either carriage or Kellogg arrive. Yet the guard at the door gave the information that Kellogg and Clarke were up-stairs in conversation with Genl. Brooke. Admittance was refused to every one. No radical chief, however consequential, was admitted to the State House; reporters were excluded by a special order.

"Kellogg's action will, therefore, only become known when he tells it himself. From the soldiers however it is gathered, that Kellogg stepped into the Executive chamber unaccompanied by any

friends, and, in the presence of Genl. Brooke, seated himself in the gubernatorial chair. This, and this only, was re-installation so imperiously ordered from Washington. There was no music, no cheers. The negroes congregated there more from curiosity, than joy or demonstration. . . .”

But a wronged people were to be justified. In itself the affair of September 14th was only an insignificant fight, but in its results none more glorious. From the Mexic Gulf to the Canadian line, from the Atlantic to the Pacific, the news had spread; and then the eyes of the people began to open to the crimes and hardships, to the oppressions and the humiliations, which had been heaped upon a fallen foe. Slowly, but surely, the truth came to those in control; slowly, but surely, save for some fanatic now and then, the gripping hand released its hold; and surely, but slowly, the people of the South came into control of their own commonwealths. The States of the Union became in time once more free and equal.

In November, 1876, Francis Reddin Tillou Nicholls was chosen Governor of Louisiana, in opposition to S. B. Packard, and but for the force of his determined character his induction into office might have been delayed. I quote from that admirable address of Mr. Carleton Hunt, delivered before the Supreme Court of Louisiana upon the death of General, Governor and Chief Justice Nicholls, as follows:

“Having declared his purpose to establish the government, he proceeded to take the oath of office. He accepted the tender of an armed force of citizen soldiery amounting to some four thousand men led by Frederick Nash Ogden, a man of heroic courage, to support him, and as Mr. Packard continued to claim the office of Governor and exercised its functions from the executive office then occupied by him at the St. Louis Hotel building, General Nicholls went on to order out the troops at his disposal, and to occupy the avenues of approach to the hotel building, and thus to hold the Packard government virtually in a state of siege.”

On January 8th, 1877, Nicholls was inaugurated Governor. The ceremonies took place in St. Patrick's Hall, used at that time as a State House by the People's legislature. The building was on Camp St. facing Lafayette Square, occupying in part the site of the present Post Office.

The day was cloudy and threatening, but every now and then the sun brightened the skies. Fortunately no rain fell. An immense gathering of people filled the Hall, the square and the adjacent streets; the crowd was estimated at 20,000. It was a day that filled the hearts of the people with gladness.

With the surrender the following day, January 9th, 1877, of the Police Station, which was situated on the ground floor of the Cabildo, and of the Courts, the last vestige of what was popularly called "Carpet Bag" government took its flight from Louisiana.

One of the earlier acts of the Nicholls' administration was to issue commissions to all the officers serving Sept. 14th, 1874, resulting in the creation of a body of militia, that was the pride of the State.

On the anniversary in 1877 of the 14th of September engagement, the first since Louisiana had come into her own, there was a gala demonstration by the people of this city. A great parade of the militia was had. The printed account thereof filled more than a page of each of the New Orleans papers.

That same evening, at the Opera House, packed from pit to upper tier, Gov. Nicholls presented Fred. N. Ogden on behalf of the citizen soldiery a magnificent sword of honor. The scabbard was of solid silver with bands of gold, the blade of Damascus steel, while the tip of the handle was surmounted by a superb amethyst. Its cost was \$1,100.00. The words of presentation and of acceptance were those of two soldier men, simple but full of intense feeling. This sword, by courtesy of Mrs. Ogden, now rests in the keeping of this Society, one of its honored treasures.

At this same meeting was appointed the Monument Committee with Ogden as Chairman.

On the evening of May 25th, 1886, Frederick Nash Ogden, the one outstanding figure of the 14th September, 1874, passed into the Great Beyond. Out in beautiful Metairie sleeps this man, who had indelibly stamped his name on one of the bright pages of Louisiana history.

During his life time I was happy to know he deemed me one of his friends, and as my leader I looked up to him with admiration. I am sure all the city of New Orleans was bound to him by similar ties. This tribute to his memory, though simple in words, is rich in sincerity, for he was in deed and in fact a glorious man.

The years passed by. But on Sept. 14th, 1891 was laid, with ceremonies appropriate to the occasion, the corner stone of the present monument.

On this occasion Judge R. H. Marr presided, B. F. Jonas was the orator of the day, Rev. Dr. B. M. Palmer made the opening prayer and Very Rev. Father Bogaerts, Vicar General, gave the benediction. Genl. Jno. Glynn, Jr. laid the corner stone.

The Monument Committee was composed of the following gentlemen:

Genl. W. J. Behan	Captain A. E. Morphy
Genl. Jno. Glynn, Jr.	Major B. M. Harrod
Captain D. M. Kilpatrick	Fred G. Freret
Col. Geo. A. Williams	Col. J. D. Hill
Captain P. L. Bouny	Major G. LeGardeur
Major C. H. Allen	Captain D. A. S. Vaught
Major L. L. Lincoln	Col. Euclid Borland
Major W. E. Huger	

and the Ladies Auxiliary Committee comprised:

Mrs. F. N. Ogden	Mrs. G. A. Williams
Mrs. Jno. Glynn, Jr.	Mrs. A. B. Griswold
Mrs. J. L. Richardson	Mrs. Atwood Violett
Mrs. J. V. Moore	Mrs. — Rees
Mrs. W. E. Huger	Mrs. F. T. Nicholls
Mrs. R. A. Wilkinson	Mrs. W. J. Behan
Mrs. A. E. Morphy	Mrs. L. A. Adam
Mrs. W. A. S. Wheeler	Mrs. J. R. S. Selleck
Mrs. Dr. H. D. Bruns	Mrs. A. Mitchell
Mrs. A. A. Woods	Mrs. Sam Flower
Mrs. Geo. Dunbar	Mrs. J. O. Nixon, Jr.
Mrs. R. S. Day	Mrs. D. A. S. Vaught
Mrs. D. M. Kilpatrick	Mrs. Alfred Roman
Mrs. S. A. Trufant	Mrs. — Rodd
Mrs. F. G. Freret	Mrs. Dr. Sam Logan
Mrs. James Buckner	Mrs. J. D. Bruns
Miss — Lobrano	Miss Kate McCall
Miss Mary Lincoln	Miss Mollie Vaudry

Miss Pinckard

Without belittling the efforts of the men, it is a pleasure to record that to the women, whose enthusiasm knew no bounds, whose energy no flagging, was in reality due the erection of this monument.

In the copper receptacle, deposited in the corner stone, were placed:

A coin of the United States of the year 1891.

Copies of the editions of the city papers of Sept. 14th, 1891.

A copy of the *Laurel Wreath*, published Sept. 14th, 1877, giving the order of ceremonies and other data in connection with the first commemorative anniversary.

The proclamation of Lieut.-Gov. Penn of Sept. 14th, 1874; his general order No. 1 appointing Genl. Fred. N. Ogden provisional general of the Louisiana State militia; and Genl. Ogden's official report of the operations of the 14th Sept., 1874.

A map of the "Battle of New Orleans for Freedom, Sept. 14th, 1874," compiled by T. S. Hardee, civil engineer.

Bullet which caused the death of Chas. Brulard.

The day was warm and close, but still the multitude gathered with loving thoughts to do homage. It was but a little after 4 o'clock in the afternoon when the meeting was called to order, and already the sun was sinking as the Benediction was said.

This monument has a bit of history, and its recital may prove of interest. Among the exhibitors at our exposition held some 30 years ago on the grounds now known as Audubon Park was the Hallowell Quarry of Maine, represented here by Mr. Chas. A. Orleans. This company sent out for competitive display, in material, design and workmanship, a monument, the pedestal of which was surmounted by a statue of a female figure. Its beauty and its symmetrical cutting at once attracted attention, and in due time it was awarded the first prize.

The features of the statue were thought to bear quite a resemblance to those of a well known lady of this city, and this circumstance in connection with the grace of the figure itself induced its purchase by the family, and it was placed upon their tomb at Metairie, near the grounds of the Army of Northern Virginia.

Later on, the pedestal, which still remained here, was selected by the Liberty Monument Committee as well suited for their purpose; and they arranged with Mr. Orleans for its purchase and for the granite shaft to equal the pedestal in the nicety of its cut and proportions. On the 1st of Nov., 1891 the shaft having been placed in position, the completed monument was turned over to and accepted by the Committee. Mr. Orleans made the speech of presentation and Genl. W. J. Behan that of acceptance. There was a guard of honor present, members of the Committee, and several detach-

ments of military. Wreaths and garlands of flowers were placed about the monument, but otherwise the ceremonies were simple.

Already in 1882 the City of New Orleans had done its duty, for the Council had set aside and dedicated as "Liberty Place" the ground necessary for the erection of the monument. As a document of interest I give the ordinance in full:

Mayoralty of New Orleans,
City Hall, November 18, 1882.

No. 8151---Administration Series

An Ordinance repealing ordinance No. 8137 A. S., adopted November 9, 1882, and dedicating that certain portion of the "neutral ground on Canal street, between Wells and Delta streets, or as much thereof as may be necessary for monumental purposes in honor of the heroic dead of the Fourteenth of September, 1874.

Be It Ordained by the Council of the City of New Orleans, That ordinance No. 8137 A. S. adopted November 9th, 1882, be and the same is hereby repealed, and that all that portion of the "neutral ground" situated on Canal street between Wells and Delta streets, or as much thereof as may be necessary, to be specifically defined and laid out by the City Surveyor, be and the same is hereby set apart and dedicated by the City of New Orleans, as a public place or site to be known and styled as the

LIBERTY PLACE,

and is to be used exclusively in the erection of a monument in honor of those who fell in defense of civil liberty and home rule, in that heroic and successful struggle of the 14th of September, 1874.

Be It Further Ordained, That the following named gentlemen, be and are hereby appointed commissioners of said "Liberty Place," to-wit: F. N. Ogden, J. Dickson Bruns, John Glynn, Jr., and Frederick G. Freret, they being and composing the original committee of the "Fourteenth of September Monument Association," as per their petition of October 31, 1877, on file in the office of the Secretary of the City Council.

Be It Further Ordained, That said commissioners be and are hereby invested with all necessary powers for consummating the objects, purposes and intent of this ordinance.

Adopted by the Council of the City of New Orleans, November 15, 1882.

Yeas—Fagan, Fitzpatrick, Mealey, Walshe.

Absent—Delamore, Guillotte, Huger.

JOS. A. SHAKSPEARE, Mayor.

A true copy:

M. McNAMARA, Secretary.

And there on Liberty Place stands this beautiful memorial, telling its heroic tale to the passer-by, a story of gallantry, and of a people's love and devotion.

During the severe storm of Wednesday, Sept. 29th, 1915, which proved so disastrous to this city, the shaft was blown from its pedestal, the force of the wind being such as to throw this tall and heavy stone to the ground about eight feet from the base of the pedestal. It apparently suffered no damage from this accident, but in some way in replacing it the stone was broken, necessitating its reduction in height by several inches, but by the casual observer no change in its appearance can be noted.

Every recurring 14th of Sept. fair hands have placed upon the graves of the fallen heroes and later about this monument garlands of flowers. As the years pass, and those who were so closely identified with this work will have gone their way, I hope they may have left to their daughters as a sacred trust the continuance of this beautiful custom.

This monument was erected as a memorial to those who fell on the 14th of September, but it is pleasing to believe that it has become in time also a tribute to the awakened people of the nation, as they clasped hands once more in harmony. And it is peculiarly fitting that it stands upon ground, not only made sacred by the conflict there fought, but which is in fact the contribution of so many of the States of this Union. In the earlier days of New Orleans the great river flowed over this spot, and only by the contribution of years of the silt carried in its flood was this new land made as we know it today. From all that great stretch of country, from the Alleghany to the Rocky mountains, up to the Great Lakes and the Canada line, came the sands, which moulding themselves during the lapse of years into solid earth, became the foundation upon which stands this simple granite shaft. And when was had the conflict, which it commemorates, the force of its teaching was felt all over this same vast territory, o'erleaping the mountain ranges, till public opinion little by little voiced itself in one great cry of brotherhood.

Well may New Orleans glory in its Liberty Monument, for it commemorates a wonderful page in its history; but not much less distinct should be the pride therein of all the people of this great country, for it tells of the binding up of old wounds and of the cementing of ties, that have enabled this nation of ours to grow and prosper and to become, as it is today, a worthy example to all the world.



CABILDO ARCHIVES

II

By Henry P. Dart

(Continued from Louisiana Historical Quarterly, January, 1920)

Criminal Trials--Louisiana

1720-1766 French Colonial Period

Our history is almost a blank on the subject of the prosecution, trial, and punishment of crimes in French Colonial days in Louisiana. We are therefore glad to be able to print four records covering prosecutions, for larceny, 1720; assault and cutting with a knife, 1728; illegal burial of a negro, 1738; and murder, 1766. This important contribution to our knowledge of that period is one of the first results of the work on our archives now actively proceeding under the writer's supervision at the Presbytery.

The first case (1720) appears to have been tried before a military court and therefore is not strictly within the scope of our inquiry, but its local interest justifies its introduction here as will be presently shown. The third case (1738) is also a variation from the ordinary type inasmuch as it seems to have been prosecuted by the Cure of the Province.

The two other cases, however, (1728-1766) are good examples or types of the criminal practice in those days. The prosecution in each instance is begun by the procureur general. The trial seems to proceed as an inquiry into or investigation of, the facts and out of the presence of the accused, who later on is "confronted" by the written report of the testimony of the witnesses. It would appear the accused was permitted to attack this evidence and to demand a "confrontation" with the accusing witness, but he seems to have had no right to be present or to cross-examine. He is without counsel to aid in his defense and there was evidently no one appointed to assist him. It also appears that he was detained in jail pending the hearing. The accused was himself subject to interrogatory (often in chains) at the jail and before the Judges, and the brief report of his replies indicates that this was done without much regard to his feelings or rights,—the latter was probably a negligible quantity. Finally, there is no jury, the Superior Council sitting as sole judges

of the facts and the law. The Attorney General sums up the evidence before these judges, whether in the presence of the accused is not shown.

This whole procedure seems to move rapidly but not without care and delay. The decision was the end of it, there was no appeal, and the judgment or sentence is summarily executed. All this, it may be added, is typical of the French continental practice of the same period and, of course, from a modern point of view is harsh and onesided.

As to the evidence on which the Court acted, which happily is preserved in full in one of the cases (1766), it demonstrates what we believe is still true in France, that there was no rule or law of evidence as we know the same now. Everything is listened to, including opinions and hearsay. The previous reputation of the accused also weighs heavily in the scale.

The two sentences, which are here preserved are fine specimens of the brutal and ferocious penalties of that day. On the whole, it is well to have this data upon the sad state of the law breaker in those early times in Louisiana, and perhaps it is the reason why according to historians Louisiana was said to be a law abiding community.

With this preface we will take up the cases, presenting first a list of the whole and then each case in order. The record will be printed in translations (made by Mrs. H. H. Cruzat) followed by the original text.

1. 1720. Feby. 23.
Jean Baptiste Porcher alias Portier, and Thomas Bahu alias LaRose, charged with larceny.
This record contains nothing but the judgment and sentence.
2. 1728. May 5.
Jean Melun alias Bourguignon, charged with assault and cutting.
This record is incomplete.
3. 1738. June 14.
Sieur Loquet de Lapommeray, Treasurer General of La. Charged with burying the body of a negritte without religious ceremony and outside the pale of the cemetery.
Contains the charge and preliminary order only.
4. 1766. Jany. 2.
Michel Degout, charged with murder.
This record is apparently complete from the commencement to the conclusion of the case, including a memorandum of the execution of the sentence.

Case No. 1. (1720).**Porcher and Bahu, Charged With Larceny.**

This case is of unique interest because the defendants were accused of the theft of the personal effects of Cartier de Baune (here written Baulne) who was the first procureur (attorney) general of Louisiana. He was appointed by the Duke of Orleans, Regent of France acting during the minority of Louis XV. In the Letters Patent creating the new government of Louisiana under the Company of the West, September 11, 1719, he is described as "Sieur Cartier de Baune, who has been our Counsellor of the Chatelet and of the Presidial Seat at Paris."

The position of Councillor of the Chatelet was one of prominence and held only by good lawyers. It was the court of the people of Paris and in it legal pleading was reduced to its simplest form, and the court followed the practice and administered the Custom of Paris. De Baune arrived at the period when civil life in the Province took its real start, and all signs indicate that he was the creator of the simple system of legal pleading and practice which prevailed in French Louisiana, and to which the people recurred in the territorial period under the United States, and which, it may be said, is still a distinguishing feature of our civil practice.

It would appear from this prosecution that the learned Attorney General had scarcely warmed his official seat before he fell an early victim of the soldiery who were stationed in New Orleans before that city became the seat of government of Louisiana.

The prosecution was before a military court (or Court Martial), sitting in New Orleans, and composed of De Serigny, Commandant General of Louisiana, acting as President of the Court, with Captain De Nanere, Lieutenant DeCoublande, Ensign Chevallier Marest and Sergeants Dupuy and Beaumesnil. The signatures vary these spellings of the names. Thus the Commandant and the Captain eliminate the "De." The Lieutenant signs Decoublant and the Ensign signs Chevallier Marin de la tour, while Sergeant Beaumesnil subscribes himself Des Beaumenil.

The charge against the accused was made by Dauvil, Major of New Orleans, acting as Attorney General (evidently De Baune recused himself) and if the former was a member of the military forces the whole proceeding was clearly outside the civil jurisdiction. The only document which has survived appears to be the minutes of the final session. This document starts with the words "Veu par le Conseil Militaire," which we think may be translated as a title to

the paper, conveying the meaning "Before the Court Martial." This is followed by a series of recitations of facts which may be called a summing up of the case, and this in turn is followed by the finding or verdict of the Court.

From the whole it would appear the defendants were accused of stealing towels (or napkins) and other personal effects from the residence of De Baune. LaRose was acquitted and Portier convicted, and his signature appears at the foot of the finding. He was sentenced to be flogged during three days *by a negro*; to serve during three years as a convict to the Company at any place in the Colony where he might be sent, and to pay a fine of fifty livres to the King, to be collected out of the confiscation of his goods and effects.

Some of the words in this document are quite difficult to translate, for instance, we find no equivalent for "banns" and are not sure that we understand this meaning of the sentence "procureur banns de repetition dud it" etc. But we have done our best to render the curious text into modern English.

COURT MARTIAL

(Translation)

**February 23, 1720.
Condemnation of
Jean Bte Portier
and Acquittal of
Thomas Bahu, alias
La Rose.**

Before us the extraordinary process instituted at the request of M. Dauvil, Major at New Orleans, exercising the functions of the Attorney General of the King against Jean Baptiste Porcher, soldier of the Company of De Gauvrit, and Thomas Bahu, alias La Roze, defendants accused and detained as prisoners in this city at the Guard House, from the fourth to the tenth of the present month, on complaint of M. de Baulne, Attorney General, made in his letter, Gentlemen, on February first. The search made in the house of the said Porcher, where were found a part of the stolen effects; the act of deposit of the clerk, the interrogation of the said Porcher on the fifth, that of said La Roze on the eleventh; the decree which requires that these interrogations shall be repeated, notification of repetition of interrogation and of the confrontation, confession and denial of Porcher and La Roze, conclusions of the said Sieur Dauvil, Major, exercising the functions of Attorney General of the King, and after having sent for said Porcher and La Roze, the accused, and cross examined them under the customary oath, heard the report of M. de Serigny, Commandant General of Louisiana, President of the Council, the Court Martial assembled has declared the said Porcher duly tried and convicted of hav-

ing stolen napkins and other effects in the house of said Sieur de Baulne, in satisfaction of which and of other things mentioned in the charge we have condemned the accused, said Jean Baptiste Porcher, to be flogged during three days by a negro and to serve the Company, during three years, as a convict, in whatsoever place in the Colony to which he shall be sent, all of his effects acquired here to be confiscated to the King, or as shall be ordered, the sum of fifty livres fine to be previously deducted from them to the benefit of the said Lord the King. Given at New Orleans this twentieth of February, one thousand seven hundred and twenty, were present Mssrs. de Serigny, President of the Council; de Nenere, Captain; Descoublande, Lieutenant; Chevalier, Marest, ensign; Dupuy and Deaumenil, former sargents, and doing justice on the arraignment of said Bahu, alias LaRoze, considering that there are no proofs against him, the Council discharges him, as innocent and in consequence orders that he be released and set at liberty.

Signed: Portier. Serigny. Nanere. Dupuy. Decoublant. Chevalier. Marin delatour. De Beaumenil.

Original Text.

**23 Fevrier 1720.
Condamnation de
Jn. Bte Portier
Et Decharge de
Thomas Bahu dit
Larose.**

Veue par le Conseil Militaire Le proces Extraordinairement Instruit a la Requête de Mr. Dauvil Major a la nouvelle Orléans faisant la fonction de Procureur du Roy contre Jean Baptiste Porcher Soldat de la Compagnie de gauvrit es Thomas Bahu dit LaRoze deffendeur accusés et détenu prisonniers de aun cet ville au Corps de Garde des quatre et dix du présent mois sur la plainte de Mr. de Baulne procureur général portée en sa lettre, Messieurs, du premier fevrier, la perquisition faite chez led Porcher ou ses trouvé partye des Effets Volée, Lacte de dépost au Greffe, Lynterogatoire dud Porcher du cinq, celuy de LaRoze du onze, Larrets qui ordonne quil Seront Repetez en leurs Interogatoire es Confrontee, procureur hanns de Repetition dud jour et de leur Confrontation Confession et denegation des Porcher et LaRoze Conclusions dud Sr. Dauvil Major faisans la fonction de procureur du Roy definitives et apres avoir fais venir lesd porcher et laroze accusés, et les avoir fait subir Interogatoire et fait le serment accoutumé sur la selette ouy le raport de Mr. de Serigny, Commandant général de la Louisianne président du Conseil Le Conseil de Guerre assemblé a déclaré led Portier deument atteint et Convaincu davoir vollé enla Maison dud Sieur de Baulne des serviettes et autres Ef-

fets mentionnée en la plainte pour Réparation dequoy et autres Cas mentionnée au proces a Condamné led Jean baptiste Portier accusé destre fouetté pendant trois jours par un negre et aßservie pendant trois année enqualite de forcat de LaCompagnie au lieu de la Colonie ou il sera envoyé tous ses biens acquis dici seront confisquée au Roy ou a qu'il appartiendra suriceux prealablement pris La Somme de cinq te livres damande aplicable envers led Seigneur Roy. Donne a la Nouvelle Orléans ce vingtieme fevrier mil sept cent vingt ou étoient Messieurs de Serigny président aud Conseil; de Nanere Capitaine, Descoublande Lieutenant, chevalier Marest enseigne, dupy et Beaumesnil anciens sergents & faissans droit sur laccusation dud Thomas bahu dis la Roze attendu quil ny a aucune preuves auproses contreluy le Conseil le décharge et Renvoye absou delaccusation et en conseqe ordonne quil sera Relaché et mis en liberté.

Portier.

Seigny, Nanere, Dupuy, Decoublant, Chevalier, Marin delatour, De Beaumenil.

Case No. 2. (1728).

Jean Melun, alias Bourguignon, Charged With Stabbing With a Knife.

Attorney General Fleuriau prosecutes Melun before the Superior Council, charging that on May 4, 1728, at about 4 o'clock in the afternoon the accused went "to the Coupart woman's to steal a piece of bacon and that having been caught in the act by one Dinant who was in the woman's house, he struck him several times with a knife." He has been jailed for this, says the pleader, who follows up this charge with a brief history of the man's career in New Orleans, from which it appears that the Attorney General believed him to be a very undesirable colonist.

The document is interesting to us, because the indictment details the method to be followed in the investigation, to-wit:

"May it please you gentlemen to order that on our petition Dinant be examined by the Surgeon Major of this City who will report on his wounds; let the witnesses be summoned to testify to the circumstances and surroundings (of the offense) and all else of the bad life of the accused; let him be interrogated by those of you whom it will please you to name; let him be prosecuted unto definitive judgment."

The order on this indictment is dated May 22, 1728, and is signed by Delachaise who was evidently the member of the Superior Coun-

cil acting as First Councillor or Presiding Judge. This order refers the investigation to M. Bruslé, Councillor, and directs the Surgeon Major to make an examination of the wounded man. There seems to have been a delay of seventeen days between the filing of the indictment and this order.

The record contains a report dated May 24, 1738 from which we learn that the Surgeon Major in New Orleans was *Pouyadon Delatour*. Also that Dinant was really Vignant and that he had two wounds, one on the left arm one-twelfth of an inch deep and six or seven twelfths long; the other on the abdomen penetrating about six twelfths of an inch. The surgeon reports that the wounded man told him these wounds had been inflicted by a knife but he does not mention his assailants name.

This report is followed by the note of evidence and statement of the Attorney General which shows the manner of presenting such cases to the Court after the evidence had been taken. It will be noted that the crime was committed May 4, the indictment was filed the next day and the Court acted on it May 22; that the investigation was completed within one week, and the case called for decision on the 29th.

The Attorney General's summing up is brief but he is emphatic in his view of the defendant's guilt. He asks the court to convict him of acts of violence and of wounding with a knife, and to order that he be flogged by the public executioner at the street crossings and banished forever from the Colony. There is no record of the Court's action but there is a moving appeal for a pardon by the wife of the accused claiming that her husband was insane and that he committed the act while in liquor. Perhaps the court listened to this appeal. Let us hope so for the sake of that faithful woman.

CONTENTS OF THE RECORD

Translations.

1. Petition of Attorney General instituting criminal prosecution against Jean Melun for stabbing one Dinant.
Signed: Fleuriau. Delachaise.
2. Report of Surgeon Pouyadon de la Tour, ordered by the Council to examine the wounded man and to report thereon.
Signed: Pouyadon de la Tour.
3. Summing up of the case by Attorney General Fleuriau and demand for the conviction of the accused, and imposition of the sentence.
Signed: Fleuriau.

4. Petition of Marie Fontaine, wife of the accused, to the Superior Council, for her husband's pardon, and for permit to return to France at his own expense, alleging reasons why he is not responsible for his action.

INDICTMENT

To Messieurs of the Superior Council of the Province of Louisiana:

The Attorney General of the King represents that he has been advised that one Melun, called Bourguignon, went yesterday about four o'clock in the afternoon to the Coupert woman's to steal a piece of bacon, and that having been caught in the act by one Dinant, who lives in this woman's house, he struck him several times with a knife, and that as he has been imprisoned, it is proper to examine the affair and to have this Bourguignon punished, a wretched man against whom there have already been so many complaints for pilferings, drunkenness and assault. The Council must recall that he struck with a spade one La Martiniere, and, as you may see, they were often obliged to put him in prison for his debaucheries; besides having come into this colony by force, the life he has led here leads one to believe that he has often been imprisoned in France, besides being a gambler, impudent and always drunk, and that he debauches others: this considered:

May it please you, Gentlemen, to order that on our petition Dinant be examined by the Surgeon Major of this city who will report on his wounds, let the witnesses be summoned to testify to the circumstances and surroundings and all else of the evil life of the accused, and that he be interrogated by those of you that it will please you to name for proces in due form against him until final judgment.

At New Orleans, May fifth, one thousand seven hundred and twenty-eight.

Signed: Fleuriau.

Permit for investigation before M. Bruslé, Councillor; order that Sr. Vinant be examined by the Surgeon Major of the city, this 22 of May, 1728.

Signed: Delachaise.

Original Text.

INDICTMENT

A Messieurs du Conseil Supérieur de la Province de la Louisiane.

Expose le procureur général du roy qu'il a eu avis que le nommé melun dit bourguignon étant allé hier sur les quatre heures delapres

midy chez la coupart voler quelque morceau de lard et ayant été surpris sur le fait par le nommé Dinant qui demeure chez cette femme le frappa de plusieurs coups de couteau et comme il a été mis en prison il convient de siéter cette affaire et faire punir ce bourguignon qui est un malheureux contre lequel il y a déjà eu tant de plaintes soit pour friponneries, ivrogneries, battries, le Conseil se resouviendra qu'il frappa d'une pele le nommé La Martiniere, et le pense bien, on a été obligé de le mettre souvent en prison pour ses de bauches dailleurs étant venu de force en cette colonie la vie quil a mené donne lieu de croire quil a été repris de justice en france, outre que cest un joueur, insolent qui est toujours ivre et débauche les autres, cest pourquoy ce considéré:

Vous plaise, Messieurs, ordonner qu a notre requete Dinant sera visité par le chirurgien major de la ville et lequel donnera Son rapport de ses blessures, que témoins soient assignés pour informer, des fait circonstances dépendances et autre mauvaise vie de laccusé et quil soit interrogé par ceux des messieurs quil vous plaira nommer pour son proces luy etre fait par forme jusqua judgement deffinitif. A la Nouvelle Orléans le cinq may mil sept cent vingt huit.

Fleuriau.

Permis dynformer devant M. Bruslé Conr ordre que le Sr Vinant Sera visité du chirurgien major de la ville, ce 22 may 1728.

Delachaise.

REPORT OF SURGEON

I, the undersigned, Pouyadon De Latour, Surgeon Major of New Orleans, do certify that, by order of the Superior Council of this province, I went to visit one Vignant, whom I found at his neighbor's house, the widow Cordon, sitting on a bench. Having examined his whole body, I found two wounds, one situated on the left arm, on the exterior middle part of the bone called the radius, which penetrated the skin to the depth of one twelfth of an inch on a length of six or seven twelfths of an inch.

The other on the lower part of the abdomen, on the same side, sliding between the skin and the muscles of the external abdomen, penetrating about six twelfths of an inch. The said Vignant told me that he received, in both places, two stabs with a knife, as it appeared to me to have been done with a sharp instrument, having found him without fever nor inflammation, but not being able to answer for any accidents which might supervene. In faith of which I sign the present true report to serve and stand for whom it shall concern.

At New Orleans, this 24th day of May, 1728.

Signed: Pouyadon De latour.

Original Text.

SURGEON'S REPORT

“Je sous signé Pouyadon De Latour, Chirurgien Major de la Nelle orléans Certiffie, avoir Esté par ordre du Conseil Suppérieur de cette province pour visitter le nommé Vignant auquel je lay trouvet chez la Veuve Cordon sa Vojsine asis sur un banc Layant examiné par tout le Corps Je Luy ay trouvet deux blessures. Lesquelles sont situées U nne Sur le Bras gauche a la partie moyenne Et Extérieure de Lavant dudt Bras sur los nommé Radius Laquelle pénéttraen la peau de la profondeur dunne Ligne de La Longüeur de Six a Sept Ligne.

Lautre au Bas Ventre dud mesme Costé glissan Entre La peau et Les muscles de labdomen externe pénétrant Environ six Ligne Ledt Vignant madit avoir Recu a les deux androit deuc coups de couteaux. Comme il ma aparut avoir Esté fait par un instrument tranchant ne luy ayant trouvé auqune fievre ny inflammation audite playe San Répondre aux accidents qui peuvent survenir. En foy dequoy Je Signe le présent Raport Véritable Pour Servir Et Valloir a qui il appartiendra a la nlle orléans Ce 24 May 1728.

“Pouyadon Delatour.”

ATTORNEY GENERAL'S ARGUMENT

Before us the criminal process instituted, entered and followed on our petition against Jean Melun, alias Bourguignon, prisoner in our prisons, for assault, acts of violence and stabbing with a knife one Vignant. Our petition of the twenty-second of May, present month. Interrogation of the accused of the same day.

The report of the Surgeon of the twenty-fourth. The investigation on the same day, May twenty-fourth, one thousand seven hundred and twenty-eight, and all that has been done under the process seen and duly considered:

I require in the King's name, that the said Jean Melun Bourguignon be declared guilty and convicted of acts of violence and of having wounded with a knife in satisfaction of which he be sentenced to be whipped at the crossings of this city by the executor of justice (sheriff) and banished from this city forever, enjoining him not to break his ban under the penalties which will follow, and condemned to bear costs.

At New Orleans, the twenty-ninth of May, one thousand seven hundred and twenty-eight.

Signed: Fleuriau.

Original Text.

ATTORNEY GENERAL'S ARGUMENT

“Vu par nous le proces criminellement intenté et suivuy a notre requete a l'encontre de Jean Melun dit Bourguignon pour faits de violence voyes de fait et coups de couteau donnés au nommé Vignant prisonnier en nos prisons. notre requeste du vingt deuxieme may présent mois. Interrogatoire de lacuse du mesme jour.

Le raport du chirurgien du vingt quatre linformation du mesme jour vingt quatre mau mil sept cent vingthuit et tout ce qui a été mis au proces vu et murement considéré:

Je requiers pour le Roy que le dit Jean Melun bourguignon soit déclaré atteint et convaincu de voyes de fait et davoir frappe du couteau pour réparation de quoy condamne a etre battu de verges dans les carfours de cette ville par lexeuteur de justice et banny de cette ville a perpetuité enjoint a luy de garder son ban sous les peines qui y échéent et condamné aux depens; a la nouvelle orléans le vingt neuvieme may mil sept cent vingthuit.

“Fleuriau.”

PETITION OF CONVICTED MAN'S WIFE FOR HIS PARDON

To Our Lords of the Superior Council of the Province of Louisiana:

Very humbly petitioning Marie Fontaine, wife of one Jean Melun, alias Bourguignon, says that she has the honor to beseech your mercy in favor of her said husband, though she does not pretend to excuse his fault, which was only committed under the effect of drink and of his insanity, which is known to all, and which is caused either from birth or from the trepanning he underwent in France. If you would kndly examine the person of the culprit and the circumstances of the act, you would readily discover that it is an act of insanity aided by the liquor he had taken and in which the wounded man participated. Why,—since the Coupart woman had money and wages due to him—could they not leave him the meat and make him pay for it without striking him?

The said petitioner has the honor to show to you, Gentlemen, that if you had been kind enough to grant him his passage as to a man who came of his own free will, as to one senseless and useless to the colony, at his expense, she would not at this day have the grief of seeing him in this condition. The petitioner some two years ago, in a petition which must actually be in the Council, represented to you that if her husband did not go over to France, his insanity and

his despair from being retained in this country by force would cause him to commit some mad act;—the misfortune she dreaded has happened.

Whereupon she throws herself at your feet to beseech you to allow yourselves to be moved to pity; let your justice give way to mercy, not in regard to her husband who is unworthy of it, but for herself, who being obliged to work with her hands cannot find work to do, to what straits will she be reduced. Alas, Gentlemen, let the consideration of the wretched state in which she will find herself lead you to relent; consider, will you please, that he is a lunatic, that he was the one attacked, that the knife he used to stab did not belong to him since he does not carry any. This is why she beseeches you, Gentlemen, to forgive him for her sake in consideration of his insanity; with this to grant him his passage to France, at his expense, offering also to pay for dressing of the wounds and the food of the wounded man, in the event that your mercy prompts you to grant his pardon. This is what she hopes for, what, with crossed hands, she implores you to grant her; not being able to show her gratitude otherwise, she will never cease to offer prayers to the Lord for your preservation.

At New Orleans, this 24th of May, 1728.

(Original Text.)

A Nos Seigneurs du Conseil Supérieur de la Province de la Louisiane.

Suplie tres humblement Marie fontaine femme du nommé Jean Melun dit Bourguignon disant qu'elle a lhonneur d'implorer votre miséricorde pour Son dit mary quoique qu'elle ne prétende point excuser sa faute qui na Esté Commise que par un Coup de boison et Sa folie qui est Connue de tout le monde, Laquelle luy est Causée Soit par Naissance Soit par l'operation du trépan quil a Souffert en France, pour peu que vous vousliez bien examine la personne du Coupable en les Circonstances de l'action Vous découvrirez aisément que Cest un Coup de folie Joint a la boison dont il estoit pris et ou le blaiissé a aussy paru, Car pour quoy puis que la la Coupart avoit de l'argent et des gages a luy ne pouvoit on pas luy laisser cette viande et la luy faire payer Sans le frapper.

La d Supliante a lhonneur de vous Exposer Messieurs que Sy vous eussiez bien Voulu luy accorder son passage Comme homme venu de Volonte, Incencé et inutile au pays en payant Elle n'auroit pas aujourd'huy le chagrin de le voir en cet estat, La Supliante vous a representé il y a prest de deux ans dans unne Requete qui doit estre actuellement au Conseil qu sy son dit mari ne passoit point en France,

Sa folie et le desespoir de se voir retenu en ce pays par force luy feront faire quelques Mauvais Coups; Voilà le malheur qu'elle craignait arrivé. •

C'est pourquoy Elle se jette a vos pieds pour Vous Suplier de Vous laisser fléchir, et que Votre Justice fasse place a votre miséricorde. non par raport a son mary qui en Est Indigne, Mais par raport a Elle qui Estant obligée de vivre du travail de Ses mains ne trouvera plus d'ouvrage a faire; a quoy Sera elle donc réduite; hélas, Messieurs, que la veue du misérable Etate ou Elle Va estre Vous touche, Considérez Sil Vous plait que Cest Un fol, que Cest Luy qui a esté lagraissé que le Couteau avec Lequel il a frappé nétoit point a luy puis quil nen porte point; Cest pour quoy Elle Vous Suplie Messieurs, de Vouloir bien Luy pardonner et Eu Egard a Sa folie, Ensemble Luy accorder Son passage pour France En payant; offrant de payer aussy les pensements et alimens du blaiissé au Cas que Votre miséricorde Vous porte a Luy faire grace. Cest Ce qu'elle espere de vous et qu'elle Vous demande a mains Jointes ne pouvant rien faire pour Vous En témoigner Sa gratitude, Elle ne cessera d'offrir Ses Voeux au Seigneur Pour Votre Conservation.

A la Nelle Orléans, ce 24 May 1728.

Case No. 3. (1738).

Sieur Loquet de la Pommeraye, Treasurer General of New Orleans, Charged With Causing the Body of a Young Negress (negritte) to be Buried Without Religious Ceremony and Outside the Pale of the Cemetery.

This unusual case covers a prosecution by Rev. Father Mathias, Curé of New Orleans and Vicar General of the Bishop of Quebec, against the Sieur Loquet de la Pommeraye, Treasurer General of Louisiana, complaining that the defendant has disregarded the ordinance of the King in the black code by causing to be buried a negro girl of 12 or 13 years outside the cemetery and without the ceremonies of the Church. He asks that the Treasurer be cited and sentenced to such penalty as the laws permits and that the body be exhumed and reinterred in the cemetery according to the rites of the Church.

The petition is addressed to Salmon, First Judge of the Superior Council and is signed by the complainant in his official character.

It shows that criminal proceedings could be invoked by others than the Attorney General and it shows also the power and courage of the Curé, who did not hesitate to attack a high official for violation of duty to the humblest and lowliest inhabitant.

The petition was filed June 14, 1738 and Judge Salmon acted immediately, ordering the defendant to be cited, and in the meantime "that the body of said negress be exhumed and be transported to the cemetery of this City."

The record preserves the petition of the Curé, the preliminary order of the judge, the return of the sheriff, showing service on the Treasurer, and the motion of the Attorney General (Fleuriau) demanding that the accused be condemned to pay a fine of thirty livres for the benefit of the cemetery, and that similar infractions be prohibited. This motion was made July 5, 1738. There is nothing to show the end of the case.

The document is interesting because it preserves in brief space several of the current formulas of legal practice.

(Petition June 14, 1738).

TRANSLATION

Petition. . . . To Monsieur de Salmon, Commissaire-Ordonnateur, first Judge of the Superior Council of the Province of Louisiana in New Orleans.

Sir:

Rev. P. Mathias, Curé of New Orleans and Vicar General of His Grace, the Bishop of Quebec, has the honor to report that M. de Lapommeray, Treasurer General of New Orleans, on his own personal authority, caused to be interred by his negroes the body of a negress of twelve or thirteen years, out of the cemetery, contrary to the ordinance of the King in the Black Code, by which His Majesty wills and intends that the masters be obliged to inter the bodies of their baptized slaves in the cemetery, with the ceremonies of the Church. On this report Father Mathias demands that the body of the said negress be exhumed to be reinterred in the cemetery according to the rites of the Church, and that the said Monsieur de Lapommeray be cited before the Council of our Most Christian King and do justice.

At New Orleans the fourteenth of June, one thousand seven hundred and thirty-eight.

F. Mathias, Curé Vic. General.

Order. Let the party be cited according to the present demand and in the meanwhile we order that the body of the said negress be exhumed to be transported to the cemetery of this city. This fourteenth of June, 1738.

Signed: "Salmon."

Sheriff's Return. In the year one thousand seven hundred and thirty-eight, on the eighteenth day of June, in virtue of the above order, on petition of Rev. P. Mathias, Curé of New Orleans and Vicar General of His Grace the Bishop of Quebec, I Marin Lenormand, sheriff of the Superior Council, being in New Orleans where (I cited the)† Si(eur)† de la Pomeray, Treasurer of the Marine, (residing)† in New Orleans (to)† appear before the Superior Council at its (next)† session to proceed to investigation of circumstances, and dependencies and costs and have left him a copy of petition as well as of the present summons of which act was passed.

Signed: "Lenormand."

Motion of Attorney General. Considering the present petition, I demand in the King's name, that Sieur Loquet de la pommeraye be sentenced to pay a fine of thirty livres to be applied to fencing in the cemetery of this parish, and that he be prohibited to relapse into a like infraction: At New Orleans, July fifth, one thousand seven hundred and thirty-eight.

Signed: "Fleuriu."

†Supplied.

(Original Text.)

A Monsieur, de Salmon Commissaire, Ordonnateur de la Marine, premier juge au Conseil Supérieur de la Province de la Louisiane, a la Nouvelle Orleans.

Monsieur:

Le Rev Père Mathias Curé de la Nouvelle Orléans, et Vicaire Général de Monseigneur Levesque de Quebec a lhonneur de Vous exposer que Mr. de Lapommeray Trésorier Général de la Nouvelle Orléans Auroit fait Entérer de son autorité privé par ses Negres le Corps dune Négritte de douze a treize ans hors contre Lordonnance du Roy porté dans le Code Noir, par Laquelle Sa Majesté Veut Dt Entend que les Maitres Sont tenus de faire Enterrer avec les cérémonies de dans le Cimetiere les Corps de leurs Esclaves qui seront baptisé; Sur cet Exposé demande le dit Rev P. Mathias que Le Corps de la ditte Négresse Soit Exhumée pour Ensuite Etre enterré

dans le Cimetiere Suivant le Rite de Leglise, et Mondit Sr de La-pommeray Cite devant Vous le Conseil de notre Roy tres chrétien, et feres justice. A la Nouvelle Orléans Le quatorzieme juin mil sept cent trente huit.

F. Marhias Curé Vic. Général.

Soit partye appellé aux fins de la présente Reqte Et cependant ordonnant que le corps de la d négresse sera exhumé pour etre transporté dans le cimetiere de Cette ville Ce 14 juin 1728.

Lan mil sept cent trente huit Et le dix huit jour de juin en vertu de Lordonnance cydessus le Rev. P. Mathias Curé de la Nelle Orléans Et Vicaire Général de Monseigneur Levesque de Quebec Jay, Marin Lenormand huissier au Conseil Supérieur étant a la Nelle Orleans ou le Si de la Pommeray, Trésorier de la Marine, a la Nelle Orléans a comparoir au premier jour en la Chambre du Conseil Supérieur ala pr Et procéder, sur Et aux fins de la Reqte Circonstances Et Dépendances Et dépends Et Luy ay Laissé Coppie tant de la Reqte que du présent Exploit dont acte.

Lenormand.

Vu la présente requête Jerequiers Pour Leroy que le sieur Loquet de la pommeraye soit condamné en trente livres demande applicable alentouragedu cimetiere de cette paroisse quilluy soit fait deffenses de récidive en pareille contravention. A la Nouvelle Orléans, le cinquieme Juillet mil sept cent trente huit.

Fleuriau.

Case No. 4

Michel Degout Charged With Murder

This record presents a fine example of the method of procedure in criminal cases near the close of the French Regime. As will presently be shown it is in literal accord with the French continental practice under the Ordinance of October, 1670.

The case is presented in two phases. The first is equivalent to our modern preliminary examination before a committing magistrate, but it differs in its results for, the testimony here taken is the record on which the accused was tried, with an exception presently to be

noted. The second phase is the actual trial before the Superior Council. The first part opens before *Daniel Pain*, Judge, at Natchitoches, Louisiana, which was the scene of the crime.

Michel Degout is charged with the murder of one Crette, whose first name is not given, at Natchitoches, October 9, 1765. The Superior Council at New Orleans apparently had issued an order in November, 1765, to Mr. Pain, acting judge, at that place to investigate and report to the Council. He seems to have completed the investigation at one sitting, January 2, 1766. The decision was rendered in New Orleans, February 1, 1766, by the whole Council, seven members. The accused was found guilty and condemned to death with a multiplication of torture before death and in execution of the sentence. It would appear however, that the judges relented and modified the penalty so that death preceded the mutilation.

The record is complete save the first document, the indictment. It appears that Judge Pain's inquiry was conducted out of the presence of the accused, who, it is certified, was confined in jail at New Orleans. The official proces verbal or return of the order begins with a caption or certificate showing the capacity and authority of the investigating judge and this is followed by the depositions of the several witnesses, reported after the old manner by summary and not by questions and answers. It would also appear that the inquiry was conducted by the judge *ex parte*, with the assistance of his clerk there being no reference to an appearance by any one for the prosecution or the defense.

Each deposition is preceded by the declaration of the witness under oath that he is neither a relative nor servant of either party, meaning the deceased and the accused; (evidently they had the rule of exclusion for interest) and that he has appeared under notice (or subpoena) from the Judge. The deposition is closed by a recitation that the deposition was read to the witness who persisted therein and that he took or refused the witness fee (variously termed tax or salary) to which he was apparently entitled. It also carries at the close the phrase "in accordance with the ordinance", showing that the officer employed a form, long established, and which was in turn prescribed by the Ordinance of 1670 on Criminal Procedure. The whole is then signed by the witness, the Judge and by the Clerk of the Court.

The completed return shows that Judge Pain examined six witnesses whose occupations give some idea of the variety to be found in that isolated place in 1766. Among these we find a blacksmith, a trainer of paroquets, a merchant, a "habitant" (farmer or planter),

the wife of the same, and a negro slave belonging to them. Two witnesses, and apparently important ones, are described as voyageurs, who could not be found.

The proces verbal is concluded by a brief order of Judge Pain, directing one of these witnesses, Madame Darbanne, to go to New Orleans to be examined and confronted with the accused. He also transmits the proces verbal for such further proceedings as may be necessary.

On the whole one is able from these documents to get a clear view of the occurrences leading up to the killing, but the legal mind of 1920 reacts to the possibility that the accused did not have "his day in Court" at this most critical period of his trial.

The second phase of the case develops in New Orleans. The record recites that on January 29, 1766, the accused was brought from jail by the jailer and confronted by Mrs. Marie LeClerc, wife of Darbanne, in the presence of Charles Marin de la Lande D'Appremont, councillor, commissaire in this case. These papers throw great light on this peculiar feature of old criminal trials and from them we may learn just how that proceeding was conducted.

Each step in the case is opened and closed with a certificate reciting the date and other particulars; thus the first paper states that Degout and Mrs. Darbanne were sworn "and challenged to say whether they knew each other," after which the clerk of the Council read the first paragraphs of Mrs. Darbanne's testimony as given before Judge Pain and Degout was "challenged" to furnish answers to the said witness if there were any. Afterward the testimony and reexamination were read to him. This part closes with the signatures of the accused, the clerk of the Council and the Judge. The clerk who conducts the proceeding to this stage is Henry Gardrat, the clerk of Judge Pain's Court; possibly it was his duty to be present to verify the examination or perhaps to assist the upper judges.

This is followed by a report of Degout's testimony on the challenge, which is signed by him, by Garic, clerk of the Superior Council, and by Judge de la Lande. It closes with the statement that the accused was remanded to jail; that the jailer was ordered to put irons on his feet and hands, and that this report be transmitted to the Attorney General.

The next step is taken on the same day (29 January, 1766) by the Attorney General (name not given but doubtless Lafreniere, who was holding the office at that date) who appears before Judge de la Lande to require the re-examination of Marie Darbanne, and there-

upon the witness was produced and sworn, her deposition as given before Judge Pain was read to her and she "declared it to be the truth without anything to add to it, nor to omit and persisted therein," but at that moment of signing she "adds that in the moment Degout committed the deed she lost consciousness and was ill." She declares she does "not know how to sign" and the deposition is closed with the signatures of the Judge and his clerk (de la Lande and Garic). There is nothing to indicate that the accused was present on this occasion.

Two days afterward, February 1, 1766, Degout (the accused) is brought before Denis Nicholas Foucault, acting as first judge in the Superior Council and from this testimony we learn that the accused was "a master sculptor," aged 47 and a native of Paris. He was put under oath and interrogated by the Judge, the questions and answers being given. He was particularly interrogated upon his past history and denied having killed any one before, but said "that twenty-two years ago he had been arrested at Leogane for having stolen three silver pieces with another man while drunk, for which he was whipped through the town, branded with a fleur de lys and banished." From these answers it is clear that he admits the slaying but contends it was in self defense. The deposition is signed by him and by Judge Foucault.

On the same day, February 1, 1766, the Council met to determine the culprit's fate. This document shows that there were present "Aubry, Commandant of the Colony, Knight of the Royal and Military Order of St. Louis; Foucault, Intendant Commissary and First Judge; de la Lande D'Appremont; Huchet de Kernion; de Launay, councillors; and Messrs. Le Sassier, de la Chaise, de la Place, councillor assessors, and the Attorney General of the King."

The Attorney General presents the several depositions and documents which we have examined in the foregoing pages, and thereupon the Council renders judgment, finding Degout guilty. The court was unanimous and the autographs of the judges are affixed to this instrument. The whole barbarous punishment which the defendant is to undergo is detailed in this decree and it is a terrible specimen of the bloody penalties inflicted by the early criminal law. Fortunately it was not peculiar to Louisiana; its prototype can be found in all the countries of the world at the period in question—the last half of the eighteenth-century.

The authority for these proceedings, as we have previously said, is the Ordinance of 1670. Regarding this, the following extract from Larousse (*Dictionnaire Universel*, Vol. II, page 1424, *Ordonnances*)

will help us to understand and appreciate position of Judges and accused in Louisiana in 1766. The author says:

ORDINANCE OF OCTOBER, 1670. This ordinance, whose chief framer was the Counselor Pussort, has as its object the fixing of jurisdictions, and the rules of procedure in criminal matters. It followed the deplorable mistakes of that of Villers-Cotterets of 1539. It is possible to give a summary of the ordinance by its general provisions. Instructions are given for every step of the trial. The testimony of witnesses is received and reduced to a proces verbal of inquest,—not by judges on the bench, but by a judge "Commissaire." The same commissioner continued to act alone, interrogating the accused and writing down his answers on a proces verbal. The unhappy accused, before being interrogated, has to take an oath to testify to the truth. The law seeks here to influence even the conscience of the accused and to put him on the alternative of perjuring or denouncing himself. Then followed the recalling of witnesses and their confrontation with the accused. The latter had to make his denials of the witnesses' testimony (reproaches against the witness) at the very moment of the confrontation, and they were not received later unless at the time of the confrontation the accused was not shown a written report of his answers. It was only when this inquiry was completed that the accused appeared before the judges assembled as a tribunal, or before the court who was to pass on his fate, and he then underwent another interrogation, this time on the witness stand. It was at this time that he was allowed to offer proof thereon. If the judges were not satisfied with the justification offered by the accused, they then proceeded with the case. If the case was one of capital offense and the inquiry disclosed considerable proof of guilt but still insufficient to justify an immediate conviction an interlocutory sentence was rendered, ordering that the accused be re-examined (called "question"). On this reexamination he was interrogated by the judge commissioner, who, for that purpose proceeded to the torture chamber and made a proces verbal of the declarations which the tortures extracted from the accused. This was the "preparatory" torture before the final sentence. There was also a "preliminary" torture which was undergone after the final sentence and before the execution. The purpose of this "preliminary" torture ("question") was to obtain from the condemned person the names of his accomplices in those cases where there were thought to be accomplices.

In capital cases the accused was not allowed counsel or a defender. The Ordinance allowed an accused counsel only in exceptional

cases, where was involved questions which necessitated legal learning, such as embezzlement, fraudulent bankruptcy, and forgery.

Louis XVI abolished the "preparatory" torture in 1780 and the "preliminary" torture in 1788.

The record as here presented is composed of the following documents which are printed in translation made primarily by Mrs. H. H. Cruzat, but other hands have assisted in it. The original text is also printed following the translations.

1. Proces verbal of investigation before Judge Pain at Natchitoches, January 2, 1766, containing deposition of Pierre Francois Dudcit; Michel Bruniau, called La Rochelle; Pierre Darbanne, Marie Leclerc, wife of Pierre Darbanne, Jeanne, negress slave of the last two.

2. Proceedings before Superior Council of Louisiana, containing confrontation of Michel Degout and Marie Leclerc Darbanne before Judge Charles Marin de la Lande D'Appremont, reexamination of the latter before same judge, and interrogation of Michel Degout before Judge Denis Nicholas Foucault, First Judge of the Superior Council.

3. Minutes of the hearing before the full Council and judgment rendered February 1, 1766, condemning the accused to death, and amendment to said judgment and certificate of the execution of the sentence, which it would seem was immediately after the judgment was rendered.

FIRST HEARING

Pain. Investigation before me, Daniel Pain, sub-July 2, 1766. delegate of the Commissaire Ordonnateur, acting
Information Judge at the post of Natchitoches, in virtue of the
against Degout. order of the Superior Council of the province of Louisiana, dated ninth of last November, on petition of the Attorney General of the King to the Superior Council, against one Michel Degout, incarcerated in the royal prisons in New Orleans, which inquiry was conducted as follows:

January 2, 1766. Appeared before us Pierre Saurelle, called Marty, blacksmith, residing at the post of Natchitoches, aged about thirty-four years, who after having been sworn to speak the truth, and that he is neither a relative nor servant of the parties, and has appeared in response to notice given him by us; Testifies on the facts mentioned in the complaint of the Attorney General of the King, which was read to him, that he was not present

at the beginning of the dispute between said Degout and Crette; having arrived, he heard Degout say that he wanted to kill two or three and also a snotty official of justice, that he would escape anywhere on the Spanish side; that the next day the said Degout told him that he wished to make him earn a pistole without telling him how. Later on Dudoit sent Degout to Sr. Lemer's for a bottle of wine, and he came back without it, because Lemer would not give it to him without a note of said Degout. The latter gave him one, and he returned to the said Lemer and passed through a breach which he made by taking down two rails. The said Degout had a quarrel with Lemer. He afterwards came back to Crette's with whom he quarreled and then went to Pierre Darbanne's and returned with a sculpter's tool. On entering he saw Laplaine who was leaving and said to him: "What do you mean? Are you taking up for Crette and Lemer?" raising his hand as if he intended to stab said Laplaine. The witness and Sr. Darbanne cried out: "Wretch, what are you going to do?" and that stopped him. Afterwards Baptiste Lemoine tried to speak and Degout tried to do the same, but he took to his heels; he afterwards left but previously Cratte threw him down and said to him: "Wretch, you want to kill everybody in my house?" While Crette was holding him on a chest Baptiste Lemoine tried to wrest from him the chisel he held in his hand, but only the handle remained while the chisel fell unperceived behind the chest. Afterwards having gone to Sr. Darbanne's he called Cratte, and the witness said to the said Cratte "take a cudjel with you" and he answered: "Do you believe that I do not intend to act?" and at the same moment he saw Crette make a movement as if he was taking his dagger, without, however, having seen him take it; that Crette, nevertheless, hesitated to decide whether he would follow him or not; that having followed him, the witness a moment afterwards heard the Darbanne woman scream, and immediately witness ran out and found Crette returning and he said to him: "Are you wounded," but he did not answer, and, he, the witness, began to run after the said Degout whom he could not find;—which, he said, was all he has to say. After reading to him his testimony he declared that it is the truth and persisted therein and refused pay and signed. One word rejected on the other page noted and approved Delaplaine's name at his wish.

Signed: "Pierre Saurelle *alias* Marly."

Signed: "Pain." Signed: "Henry Gradrat," Clerk of Court.

January 2, 1766. Appeared before us Pierre Francois Dudoit, trainer of parroquets, residing in this post, aged about thirty-one years, who, after being sworn to tell the truth and that he is neither a relative, connection, attendant nor servant of the parties, returned to us his notice to appear served on him this day: Testifying on the facts mentioned in the complaint of the Attorney General of the King which was read to him, he declared that after having gone to a pleasure party at La Rochelle's the witness after dinner invited him to come and drink a pitcher of wine at his home; passing before Cratte's house he presented them a brandied pear in a glass; La Rochelle said to the witness: "You brought me here to drink a pitcher of wine, well, then, send for some." The witness asked the company which of them would be willing to go for the pitcher of wine at Sr. Lemer's. Degout offered and went; returning from Sr. Lemer's he told witness that Sr. Lemer would send nothing without a note from witness. He made one and Degout returned to Lemer's for the pitcher of wine, but came back without it, saying that Lemer would not give any, which is all he said. After having heard his testimony read to him he said that it was the truth and persisted in it and refused pay and signed.

Signed: "Dudoit."

Signed: "Pain." Signed: "Henry Gardrat, Greffier."

January 2, 1766. Appeared before us *Michel Bruniau*, so-called *La Rochelle*, residing in this post of Natchitoches, a merchant, aged twenty-eight years or thereabouts, who, after being sworn to tell the truth and that he is neither a relative, a connection, an attendant nor a servant of the parties, produced his notice to appear to testify on petition of the Attorney General of the King, to the Superior Council, on this day: Testifies on the fact mentioned in the complaint of the said Attorney General of the King which was read to him, that on the ninth of October last said Dudoit brought the witness to one Crette's whom he did not know; who wished him good evening and offered him a brandied pear which the wife of the said Crette put in a glass; that Sr. Turpin asked the witness if he would take supper with him, that he accepted the invitation and that they left with Francois. This testimony being read to him he declared and maintained that it was the truth, refused pay and declared that he did not know how to write, all of which is in accordance with the ordinance.

Signed: "Pain."

Signed: "Henry Gardrat, Clerk of the Council."

January 2, 1766. Also appeared before us Pierre Darbanne, farmer of Natchitoches, there residing, aged thirty-five years, who, after being sworn to tell the truth, and that he is neither a relative, nor a connection, attendant nor servant of the accused, produced the notice to appear served on him, on petition of the Attorney General of the King, to the Superior Council of the province of Louisiana, dated this day: Testifies on the fact mentioned in the complaint of the said Attorney General of the King, which was read to him, that on the ninth of last October he entered the house of one Cratte, the latter was in a dispute with Dudoit for wine, which one Degout had not been able to procure from Lemer. Cratte then said that they must send Degout back again. The latter said: "Believe me, leave it yonder, a misfortune will come of it;" whereupon Cratte got the bottle of wine, and as he entered threw the bottle of wine in the place saying: "See, here is the wine; go for another bottle," Degout left on the moment saying: "I am going" and passing before the hired man of Lannal, also named Laplaine and Lemoine, they said that Degout had not gone to Lemer's for the wine and that he had not asked for it; Degout said to Laplaine: "Do you want to meddle in it?" and Laplaine answered "Yes"; Degout immediately drew forth a weapon to stab him, but he could not tell what it was. Crette having then stopped him threw him on a chest. Crette having left him, Degout rose, and Lemoine who was outside of the house said to him: "Wretch, you use a weapon?" and Degout rushed at Lemoine to stab him. Lemoine took refuge at Monard's and Degout retired to the witness' house where he lodged. Crette followed him and a while after they heard cries and they ran, certain that Degout and Cratte were fighting, and in going to see they saw Cratte who was coming back with a bruised arm and they perceived that he was wounded and therefore he went to his house. He did not see Degout again. The witness then returned to Crette's and saw him expire, which was all that he knew, which testimony having been read to him, he said that it was the truth and so persisted, refused pay and declared that he did not know how to write nor sign, in accordance with the ordinance.

The witness added that the said Degout swearing and cursing, told one Marty that he would make him earn ten livres. The above read to him was said to contain the truth and he persisted in it and declared that he could not read nor sign in accordance with the ordinance.

Signed: "Pain."

Signed: "Henry Gardrat, Clerk of the Council. Entry."

January 2, 1766. Appeared before us, Marie Leclerc, wife of Pierre Darbanne, residing in this post, aged twenty-nine years or thereabouts, who, after being sworn to tell the truth, declared that she is neither a relative, a connection nor a servant of the parties, produced a notice of appearance served on her, on petition of the Attorney General of the King, dated as above: Testifies on the facts mentioned in the complaint of the Attorney General of the King to the Superior Council, which were read to her, that on the ninth of last October, being in her house folding clothes, Degout came in. She rose to go to him and the witness told him to tell her what he was searching for, that they might give it to him, and as she repeated it several times, which exasperated him, he raised his head and pretended to search in a package which was on a chest, and as the witness persisted in asking what he was searching for, he looked out of the window, and, seeing some one, cried out: "Who is there? Is it you, Pierre Darbanne?—and having repeated it twice, Cratte, who was on the outside, leaning against the window, only half of his body being visible, answered: "It is I, Cratte." Degout, then extended his arm out of the window; without her seeing what he had in his hand and told Cratte: "Well, here's for you," and Cratte went back without saying anything else. The witness continues that Degout passed his arm between her and her negress, who was against the window, when he committed the deed, which, she said, was all that she knew; her testimony having been read to her, she said that it was the truth and so persisted, and has declared that she does not know how to read nor sign.

Signed: "H. Pain."

Signed: "Henry Gardrat, Clerk of the Council."

January 2, 1766. Also appeared Jeanne, negress belonging to Sr. Darbanne, residing in this post, aged thirty-two years, or thereabouts, who, after being sworn to tell the truth and that she is neither a relative, a connection, attendant nor servant of the accused, produced the notice of appearance served on her on petition of the Attorney General of the King to the Superior Council of the province of Louisiana of this date: Testifies on the facts mentioned in the complaint of the said Attorney General of the King, which was read to her, that on the ninth of last October one Degout entered the house of Sr. Darbanne, her master, that having entered he began searching for something and that Darbanne's wife asked him what he was looking for, and why he had come to her house, when he had been forbidden to come there; he answered that

he had come to search for something and that he was going to leave; more closely pressed by the Darbanne lady to say what he was looking for and that she would give it to him, the said Degout pretending to search in a package on a chest, raised his head and perceived some one at the window. He cried out twice: "Who is there? Is it you Pierre Darbanne? Cratte, who was leaning on the window which gives in the room, answered: "No, it is I, Cratte."—and on the moment Degout passed an arm between the witness and her mistress, who stood one on each side of the window folding clothes, saying: "Well, here's for you." Cratte fled without speaking, and immediately the witness and her mistress said: "What have you done, wretch?"—and Madame Darbanne swooned and Degout opened another window and left without a word, which, she said, was all she knew; her testimony having been read to her, she said it was true, and so persisted, and declared not to know how to write nor sign, all of which is in accordance with the ordinance.

Signed: "H. Pain."

Signed: "Henry Gardrat."

Whereupon, we, above mentioned Judge, considering the notorious absence of said Lemer and Laplaine, voyageurs, who have not their domicile in this post, have held them in default, and have ordered and do order that the said Marie Leclerc, wife of Darbanne, be re-examined on her testimony and confronted with the said Degout. To this end she will go to the city, so that the whole may be communicated to King's officers and reported to the Superior Council of the province of Louisiana;—for such further proceedings as may be necessary, conformably to the order of the ninth of last November.

Given in our office at Natchitoches, January second, one thousand seven hundred and sixty-six.

Signed: "Pain."

Pain (repeated) Signed: "Henry Gardrat."

SECOND HEARING

January 29, 1766.
Confronting of
Degout.

Confronting conducted by me, Charles Marin de Lalande Dappremont, Councillor, Commissary in this case, on petition of the Attorney General of the King, plaintiff and accuser, and armed with the order of Sr. Pain, acting Judge in the post of Natchitoches, against one Jean Degout, accused, detained in the prisons of this city, on the testimony of one Marie LeClerc, wife of

one Darbanne, who testified at the interrogation conducted by Sr. Pain, the second of the present month, in execution of the order of the Council issued on the ninth of last November,—to which confronting we have proceeded as follows:

January 29, 1766. There was brought before me by the jailer of the prisons, Jean Degout, accused, with whom we have confronted Marie Leclerc, wife of one Darbanne, sixth witness of the first investigation, and, after being sworn to tell the truth and challenged to say if they knew each other, after which the clerk of the Council read the first articles of the testimony of the said Marie Leclerc containing her name, age, quality and residence and her declaration that she is neither a relative, a connection, follower nor servant of the parties and then challenged the accused to furnish answers forthwith against the said witness if there were any, and if there were none, and in default of which, none would be accepted after the testimony and re-examination had been read to him, in accordance with the ordinance which we gave him to understand.

Signed: "Degout."

Signed: "Henry Gardrat, Clerk of the Council."

Signed: "Delalande."

Second, etc. The accused, as a reproach, said that the said lady was related to the deceased, that if it was not a disguised perjury, it was perjury from fright, that she was an impostor and that she has given false testimony against him, that he has no other reproaches to make and Marie Leclerc says that there is nothing more false than what is said by the accused.

This done we read to the said accused the remainder of the testimony, and the said lady reiterated that it contained nothing but truth and persisted therein, and the accused said that her deposition was entirely false, that when he had left Cratte's house to enter his own he had the tool in his hand which he was going to lay aside, but that the said Cratte followed him and that he had barely entered when the said Cratte came in and gave him a blow with his fist which threw him down, that this happened in the house where the said witness was folding clothes, who because of her work was unable to see, and the witness said that it was false, that Cratte had not entered the house, that he was only leaning against the window when the said Degout threw out his arm between her and her negress and gave a blow to the said Cratte, and the said Degout maintained that

it was in the house, that they must question the said negress and those who had carried away the said Cratte's body; that her testimony was suggested by her husband who was a miscreant; he insisted that she cried out all through it; "Stop it, do not fight in my house," and the third time when he took his tool from his chest the negress also cried to him to stop, and he, after having given the blow, answered that he had finished, and the witness maintained that all this was false, that Cratte had not entered her house and that she had not seen them fighting together, but had only seen Degout strike one single blow at Cratte, from the window, with a powerful tool, which she believes they afterwards found on the spot; which tool was on the moment presented to the accused by us. It was a sculptor's chisel and the said accused said that it might be his, but that he did not know if it was with a chisel or a gouge or another tool that he struck the blow, as he was carried away by his anger and thereby ignorant of what tool he had taken for the deed. Another smaller chisel was likewise presented to him, said to have been snatched from him at the beginning of his dispute with Cratte; he said that it was not taken from him, that he had carried it to his home, but that he had not used it in striking Cratte, because the said Cratte in giving him blows and in throwing him down had caused the tool to fall from his hand, that this is why, being thrown beside his chest, which was open, he took another tool with which he gave the blow, whilst the witness still maintained that Cratte had not entered the house, that he had not touched, nor beaten, nor struck him, but that the blow was dealt by Degout who was inside the house, from the window, against which the said Cratte was leaning.

And the said Degout maintained that all the witness' testimony was false, that her husband was a rascal who, when he saw him, asked him: "Why did you kill that man in my house? Why did you not kill him outside? You put me in trouble." The witness said that it was not true and added that the said Degout did not lodge in her house, but that they had given him the privilege of placing a bed on the porch, only for two or three days during which he was to remain there, which is all they said. After reading the present confrontation the parties each maintained that his testimony was the truth and persisted therein, and the said Degout signed, Marie Leclerc not being able to do so, all of which is in accordance with the ordinance.

Signed: "Degout."

Signed: "Delalande." Signed: "Garic, Clerk of the Council."

This done, we had the jailer bring the said Degout back to prison and caused to be replaced the irons on his feet and hands, and have ordered and do order that the present confrontation be communicated to the Attorney General of the King, for his information and for such action as may be necessary.

Signed: "Delalande."

Signed: "Garic, Clerk of the Council."

First of

January 29, 1766.

**Re-examination of
Marie Leclerc,
Wife of Darbanne.**

In the year one thousand seven hundred and sixty-six, on the twenty-ninth of January, before me, Charles Marin de Lalande d'Appremont, Councillor commissary in this case, appeared the Attorney General of the King, plaintiff and accuser, who informed us that in execution of the order issued by Sieur Pain, sub-delegate and acting judge at Natchitoches, in virtue of the order of the Council of the ninth of last November, against one Jean Degout, accused, detained in the prisons of this city, to be re-examined in his deposition by summons of Langlois, sheriff of the said place the Attorney General represented to us having prosecuted in the said Superior Council to the said end, and who has requested us to proceed in the said re-examination

Whereupon we have acted in the name of the said Sieur, the Attorney General of the King, on this testimony and commanded and ordered that we proceed forthwith to the re-examination of the said Marie Darbanne, sixth witness heard in the investigation made before Sieur Pain at the said place of Natchitoches, in virtue of the said order after having sworn Marie Darbanne to tell the truth, we have caused to be read to her the testimony given by her in the said investigation, and after having heard it she declared it to be the truth without anything to add to it nor to omit and persisted therein. The present re-examination being read to her she also persisted in it and declared not to know how to sign, whereof inquiry and challenge was made in accordance with the ordinance. Done in the said criminal chamber, at New Orleans the above mentioned day, month and year, and before signing—

Add that she remembered that at the moment Degout committed the deed she lost consciousness and was ill.

Signed: "Delalande."

Signed: "Garic, Clerk of the Council."

February 1st.
Interrogation of
one Degout.

Interrogation on the witness stand by me, Denis Nicolas Foucault, acting as First Judge in the Superior Council in the said province, of one Michel Degout, sculptor, accused, held in the prisons of this city:

February 1st, 1766. There was brought by the jailer of the prisons, the said Degout, accused, who after being sworn to tell the truth, was interrogated by us as follows:

Interrogated as to his age, profession and residence, he answered that his name Michel Degout, aged forty-seven, a native of Paris, parish of Our Lady of the King, his trade that of master sculptor.

Interrogated as to why he had come here, said that he came from the post of Natchitoches for having given a bad blow to a man named Cratte, of which he has since died, he had been told.

Interrogated as to what instrument he had used to kill Cratte, said that he had used one of his tools.

Interrogated if he recognized the two tools shown him, said that he recognized one of them; that he does not know if it was with a gouge or another tool that he dealt the blow.

Interrogated as to where Cratte was when he received the wound, said that it was in the house, that Cratte had pushed him away, and having wrested the tool from him, struck him several times with it until he took another one with which he struck him, that the women told them to stop, and then the negress and that he had answered the negress: "That is ended."

Interrogated if he had killed any others or if he had been apprehended by justice, said that he was the first and that he had never killed anyone, that twenty-two years ago he had been arrested at Leogane for having stolen three silver pieces, with another man, whilst drunk, for which he was whipped through the town and branded with a fleur de lys and banished.

Interrogated to tell the truth as to his having killed Cratte at the window, said that he had killed him in the house and that testimony to the contrary is false. And said that he knew nothing else. His interrogatory and his answers having been read to him, he said that they contained the truth, persisted therein and

Signed: "Degout."

Signed: "Foucault."

CRIMINAL SESSION

February 1st, 1766. Were present Mr. Aubry, Commandant of this colony, Knight of the Royal and Military Order of St. Louis; M. Foucault, acting as Ordonnateur and First Judge; de Lalande d'Appremont, Huchet de Kernion, de Launay, Councillors, and Messrs. Le Sassier, de la Chaise, de la Place, Councillors assessors.

The Attorney General of the King, plaintiff and accuser, against Michel Degout, sculptor, defendant and accused before the Superior Council, the investigation made at Natchitoches containing the testimony of four witnesses, the proces verbal of the visit made to the room of one Cratte, the transfer of procedure to the Superior Council, the interrogatory of said Degout, the imprisonment on the registers of the jail, the decree of the Council annulling the procedure at Natchitoches, and ordering that the investigation be recommenced testimony of the six witnesses, the certificate given to Madam Darbanne as having testified and been confronted with the accused; the re-examination, the confrontation of the twenty-ninth of last month, the interrogatory on the witness stand, the final conclusions of the Attorney General of the King, the report of M. de la Lande, Councillor and Criminal Judge in this case, the whole being seriously examined, the Council has declared and declares the said Michel Degout duly apprehended and convicted of several crimes, in reparation of which he has heretofore been flogged, branded with a fleur de lys, and banished from Leogane, has declared and declares him duly convicted of the premeditated murder, committed with a sculptor's chisel on the person of one Cratte, in reparation of which has condemned and condemns him to make honorable amends, barefooted, and gowned, a rope around his neck, holding in his hands a flaming wax torch weighing two pounds, to be led to the main entrance of the parochial church of this city, where he will be brought by the public executioner in a tumbril, with a poster bearing on it: "Murderer and assassin," front and back, and there, bareheaded and on his knees to declare that he wickedly, with premeditation, murdered the said Cratte, for which crime he is repentant and begs forgiveness of God, of the King and of justice; after which, in the same cart he is to be led by the same public executioner to the public square of this city, to have his arms, legs, thighs and back broken on a scaffold which, for this purpose, shall be erected on the said square, and he shall afterwards be placed on a wheel, to expire there with his face turned to Heaven until death ensues, his body to

be then borne to and exposed on the public road. Have declared and do declare moreover that all his goods and property be confiscated to His Majesty, or to those to whom they belong. Have ordered and do order that the present shall be read, published and posted in the customary places of this city, and collated copies sent to each post of the colony, there, to be likewise read and posted; the Attorney General of the King or his substitute is enjoined to enforce this execution and to notify the Court of it within a month.

Given in the Criminal Chamber of the Council, February first, one thousand seven hundred and sixty-six.

Signed: "Delalande," "Foucault," "Delachaise," "Aubry," "Huchet de Kernion," "Lasassier," "de Launay."

RETENTUM

The Court has decided that the said Degout will be strangled under the scaffold before receiving a blow. Decided the said day, month and year in the said Chamber.

Signed: "Foucault," "Delalande," "Delachaise," "Aubry," "Huchet de Kernion," "Delaunay," "Lesassier."

On this day, February first, one thousand seven hundred and sixty-six, at three o'clock of the afternoon, I, chief clerk of the Superior Council, do certify that the decree rendered on this day by the Council against one Degout was executed in its entirety, by the public executioner, and that the said Degout suffered it, as stated, at New Orleans on the above mentioned day and year. (Unsigned.)

Translator's Note.—The above lines appear on the margin of the foregoing sentence and were evidently written by another hand.

ORIGINAL TEXT.

FIRST HEARING

Pain.

2 Janvier 1766.

**Information contre
Degout.**

Information faite par Nous daniel Pain sub-délégué de Mr. l'ordonnateur faisant fonction de Juge au poste de Nachitoches en vertu de L'arrest du Conseil Supérieur de la province de la Louisianne En datte du Neuf Novembre dernier a la Requete de Mr. le procueur Général du Roy, du conseil Supérieur contre le Nommé Michel Degout interne en prison Royale a la Nouvelle Orléans . . . cela quelle Information aurions procédé ainsy quil Suit:

Du 2 Janvier 1766. Est comparu pierre Saurelle Dit Marty forgeron demeurant auposte des Nachitoches agé de trente quatre ans Environ lequel apres Serment par luy fait Dedire vérité et quil Nest ny parent Serviteur de partie Nous a Represente Exploit d'assignation a luy donnée de ce jour: Dépose Sur les faits mentionnés dans la plainte de Mr. le procureur Général du Roy de laquelle Luy a Eté fait lecture quil nestoit point présent au commencement de la dispute du nommé degout et Creste; Estant arrivé il a Entendu que degout disait quil en vouloit tué deux ou trois et que ausi un morveux de Robe de paire Apagnolle il se sauveroit partout, que le lendemain le dit degout luy dit quil vouloit luy faire gagner une pistolle sans luy dire avec quoy: Ensuite dudoit envoya degout chez le Sr. Lemer chercher une bouteille de vin, et il sen Revint sans Rien apporter, parce que Lemer ne voulut point luy donner sans un Billet dudit dudout, ce dernier luy En fit un et il Retouna chez le dit Lemer et passa par une Breche qu'il fit en ouvrant deux pieux, le dit degout eut dispute avec Lemer Ensuite il Revint chez Cratte avec lequel il se disputa avec luy et apres il sen fut chez pierre darbanne et Revient avec un outy de sculteur. En entrant il vit Laplaine qui partoit et il luy dit ques que tu veux dire Veut uprendre pour Crette et Limee En levant la main comme Sil Eut voulu poiniadé le de Laplaine le déposant Cria et le Sr. darbanne qualez vous faire malheureux cela L'arréta apres Baptiste lemoine voulut parlé le dit degout voulut luy en faire autant Mais il prit la fuite —ensuite il aparti et avant Cratte le prit et le Renversa par terre et luy dit Malheureux tu veux tué le monde chez Moy: et le Sizeau quil avoit a la main Baptiste lemoine luy voulut oster et le manche luy resta dans la main au moment que Cratte le tenait sous luy Renversé sur un costé derriere lequel tomba le Sizeaux sans sen estre apercu Ensuite Etant allé chez Sr. Darbanne il appela Cratte et le déposant Dit au dit Cratte prend une trille et il luy Répondit Crois tu que je nay pas vu d'agire, et au mesme moment il vit Cratte qui fit comme sil prenoit sa dague Sans cependant l'avoir vue; que cependant Cratte chancela pour Scavoir Sil le Suiveroit, que layant Suivy un moment apres la femme de Darbanne a Crié que aussy tot le déposant a Couru qui a trouvé Cratte qui Sen Revenoit et il luy a dit tu est Blesse et il ne luy a point Répondu, et il Sest mis a courir apres le dit degout quil na pu trouver. qui est tout ce quil a dit scavoir lecture a luy faite de sa déposition adit icelle Contenir vérité y persisté et na voulu Salaire et a Signé, (Rejetté un mot de lautre part étoy vu y desie et approuve le Nomme delaplaine de fait pout valloir.

pierre Saurelle *dy* Marly.

Pain. Henry Gardrat, Greffier.

2 Janvier 1766. Est comparu led Pierre francois dudoit Instructeur de perruches demeurant en ce post agé de trente un ans ou Environ lequel apres Serment par luy fait de dire vérité et quil nest ny parent ny allié, Serviteur domestique des partis, Nous a Représenté Lexploit d'assignation a luy donnée ce jour: Dépose Sur le fait mentionnée est appelé de M. leprocureur Général du Roy de laquelle luy a été fait lecture que apres avoir fait une partie deplaisi chez La Rochelle il luy proposa apres diné de venir Boire avec luy un pot de vin chez luy ayant passé devant chez Cratte qui leur présenta une poire a l'Eau de vie dans un verre; le nommé La Rochelle dit au déposant vous mavez amené ici pour Boire un pot de vin. Envoyez en donc chercher; le déposant demanda ay la Compagnie celui qui vouloit aller chercher le pot de vin chez le Sr. Lemer. Le Nommé deGout Soffrit et y fut Revenant de chez le Sr. Lemer il dit au déposant que le Sr. Lemer nenvoyoit Rien sans un Bon du déposant, illuy den fit un; et deGout San Retouna chez Lemer pour chercher le pot de vin et il Sen Revint sans Laporter en disant que le Sr. Lemer ne veut Rien donné: qui est tout ce quil a dit apres lecture a luy faite de Sa déposition a dit icelle contenir la vérité y a persisté et na voulu taxe et assigné

Dudoit.

Pain. Henry Gardrat, Greffier.

2 Janvier 1766. Est comparu Michel Bruniau dit La Rochelle demeurant en ce post de Nachitoches: Marchand, agé de vingt huit ans ou Anviron lequel apres Serment par luy fait de dire vérité et quil Nest ny parent allié Serviteur domestique de partie Nous a Représenté Lexploit d'assignation a luy donne pour déposer a la Requete de M. leprocureur Général du Roy du Conseil Supérieur de cejour: Dépose Sur le fait mentionné en la plainte de Mon dit Sieur leprocureur Général du Roy de laquelle luy a été donné lecture que le neuf Octobre dernier le dit Dudoit mena le déposant chez le nommé Cratte quil ne connoissoit pas; qui luy souaita le bonsoir et luy offrit une poire a l'Eau de vie que la femme du dit Cratte mit dans un verre que le S. turpin demanda au déposant sil vouloit venir soupé avec luy et quil accepta et quil partirent et plus nadit francois—lecture a luy faite de sa déposition a dit icelle contenir vérité apres que lecture luy a été faite et y a persisté et ne voulut Salaire et a déclare ne Scavoir Ecrire ny Signé de ce Enquis Suivant Lorde.

Pain.

Henry Gardrat, Greff. Cons'l.

Du 2 Janvier 1766. Est aussy comparu Pierre Darbanne habitant de Nachitoches y demeurant agé de trente cinq ans, lequel apres Serment a luy fait de dire vérité, et quil nest ny parent allié Serviteur Domestique des partis Nous Représenté Lexploit d'assignation a luy donné a la Requête de M. leprocureur Général du Roy du Conseil Supérieur de la province de la Louisianne; en datte de ce jour: Dépose sur le fait mentionné en la plainte de Mondit Sieur le procureur Général du Roy de la quelle luy a été donné lecture que le Neuf Octobre Dernier, il Entra chez le nommé Cratte ce dernier Etoit endifferent avec dudoit pour du vin que le nommé Dugout navoit pu avoir de chez Lemer, en suite Cratte dit quil falloit Renvoyer degout ce dernier dit Croyez moy: Laissez cela la bas il arrivera un malheur: ladessus Cratte a été chercher la bouteille de vin, et En Entrant Cratte a jetté la Bouteille de vin dans la place en disant tien voila du vin, va Encherché une autre, tout desuite degout a party en disant je men y vas et étant devant les angages de Lannal aussy nommé laplaine et lemoine ces derniers dirent que degout navoit point été chercher le vin chez Lemer et quil ne lavoit pas demandé, degout dit a Laplaine tu enveux prendre les interets: Laplaine a Répondu que oui Sur le chant degout a tiré une arme sans savoir ceque est pour le poiniarder; Ensuite Cratte layant arrêté La Renversé sur un Coffre, Cratte Layant laissé degout cet Relevé et Lemoine luy a dit qui Estoit dehors de la maison comment malheureux vous vous servez dune arme de mesme ensuite degout a foncé sur lemoine pour lepointiarder, lemoine sest sauvé chez Monard et degout cet retiré chez le deposant ou il logoit Cratte ce la suivi et un moment apres ils ont entendu Crié et ils ont Couru contant que degout et Cratte se battoient et en allant Voir ils ont vu Cratte qui Sen Revenoit qui avoit le bras froissé et quil sest apercu quil étoit Blessé et lors quil a été chez luy, il na plu vu degout ensuite il est retourne chez Cratte quil a vu qui expiroit qui tout ce quil a dit scavoir, lecture a luy faite de sa déposition a dit icelle contenir vérité y a persisté et na voulu Salaire et a déclare ne scavoir ny Ecrire ny Signé des Enquis Suivant L'ordonance; ajoute dessus le déposant que le nommé deGout en jurant et Blasphémant il dit a un nommé Marty quil luy feroit Gagner le lendemain dix Livres. Lecture a luy faite du présent a dit contenir vérité et y a persisté et a déclaré ne scavoir ny Ecrire ny Signé Suivant Lordne.

Pain.

Henry Gardrat, Greff. no're.

Du 2 Janvier 1766. Est comparu Marie Leclerc femme de pierre darbanne demeurant en ce post agée de vingt neuf Ans ou Environ Laquelle apres Serment par elle fait de dire vérité a déclaré quelle nest ny parente alliée, domestique des partis Nous a Représenté les fait d'assignation a elle donnée a la Requête de M. leprocureur Général du Roy en datte cydessus: Dépose Sur les faits mentionnés En la plainte de M. le procureur Général du Roy du Conseil Supérieur de laquelle luy a été fait lecture que le neuf octobre dernier estant chez Elle a plié du Linge degout a Entré Elle S'est Levée pour aller audevant de luy; la déposant luy dit—de luy dire ce quil cherchoit pour quon puisse luy donner et comme elle luy Répéta plusieurs fois ce qui le mit about et Leva La tete et faisant Semblant de Chercher dans un paquet quil avoit sur un Coffre et comme la déposante le pressoit pour luy demander ce quil cherchoit, il a Regardé a la fenetre et Voyant quelcun il a Crié qui est ce qui et La—A vous pierre darbanne, et ayant Répété deux fois: Cratte luy Répondit qui étoit endehors apuyé contre la fenestre donc la moitié du corps a peine paroissoit, cet moy Cratte, ensuite Degout en alongeant le Bras par la fenestre Sans Scavoir ce quil avoit dans lamain; il luy dit tien—voila pour toy, et Cratte Sant est Retourne Sans Rien dire; ajoute la déposante que le dit Degout a passé un Bras entre elle et Sa négresse qui étoient contre la fenestre lors qu'il fit le coup qui est tout ce qu'elle at dit scavoir; lecture a elle faite de sa déposition a dit icelle contenir la vérité; a persisté, et a déclaré ne scavoir Ecrire ny Signé

H. Pain.

Henry Gardrat, Greff. Consl.

Du 2 Janvier 1766. Est aussy comparu La nommé Jeanne Négresse appartenante au Sr. Darbanne demeurant en ce post agée de trente deux ans ou Environ Laquelle apres Serment par elle fait de dire Vérité et quelle nest ny parente aliée Suivante domestique de partie Nous a Représenté l'exploit d'assignation a Elle donnée a la Requête de Mr. leprocureur Général du Roy au Conseil Supérieur de la province de la Louisianne de cejour. Dépose sur les faits mentionnies dans la plainte de Mondit Sieur Procureur Général du Roy de laquelle luy a été faite Lecture que le neuf octobre Dernier le Nomme Degoust Entra chez le Sr. Darbanne Son Maitre, questant Entré il se mit a chercher quel que chose que la femme de Darbanne luy demanda ce quil cherchoit et d'ouvient En ce qu'il Etoit venu chez Elle que lon luy avoit deffendu dy venir il luy Répondit qu'il venoit chercher quel que chose et quil alloit sen aller, que pressé par la Dame Darbanne de luy dire ce quil cher-

choit et qu'elle luy donneroit, Ledit Degoust feignant de chercher dans un paquet qui Etoit sur un Coffre, il leva la tete apercevant quelcun a la fenestre il Cria deux fois qui est ce qui est La, Est-ce vous Pierre D'arbanne. Cratte qui étoit apuye sur la fenestre qui donne en la Chambre Luy Répondit non cet moy Cratte, aussy tot degoust Passe un bras Entre la déposante et Sa maitresse qui étoient une de chaque costé de lad te fenestre aplié du Linge endisant tien Voila pour toy. Cratte Sen fut sans Rien dire et aussy tot la déposante et maitresse dise has que venez vous de faire malheureux et la dame Darbanne tomba sans connoissance et degoust ouvrit une autre fenestre et Sen fut Sans Rien dire qui est tout ce qu'elle a dit Scavoir, lecture a elle faite de sa déposition adit icelle contenir Vérité y a persiste et a déclaré ne scavoir Ecrire ny Signé et ce Enquis Suivant L'ordannance.

H. Pain.

Henry Gardrat.

Surquoy Nous Juge Sus dit Vu Labsance notoire des nommés Lemee et Laplaine Voyageur qui ne font point leur domicile en ce post avons donné deffaut contre eux Et avons ordonné et ordonnons que lanommee Marie Leclerc femme de Darbanne Sera Recolée en Sa déposition et confronte au dit degout que pour cet effet se transportera en ville, pour estre le tout communiqué a Mssrs. les Gens du Roy. Et Raporté au Conseil Supérieur de la province de la Louisianne pour estre ordonné ce qu'il appartiendra conformément a larret du neuf novembre dernier.

Donné en notre hotel aux Nachitoches le deux janvier Mil Sept cent soixante-six.

Pain.

Pain (repeated). Henry Gardrat.

SECOND HEARING

29 Janvier 1766.

Confrontation de Degout.

Confrontation faite par Nous Charles Marin de Lalande Dappremont Conseiller, Commissaire en cette partie a La Requête du procureur Général du Roy demandeur et accusateur et investi de la sentence du Sr. pein faisant fonction de Juge au Lieu de Nachitoches Contre Le nommé Jean Degout accusé détenu es prisons de Cette ville sur le dire de la nommée marie Leclerc femme du nommé derbanne temoin qui en L'information faite par le dit Sieur pain, Le deux présent de ce mois en Exécution de Larret

du Conseil Rendu Le Neuf novembre dernier—a Laquelle Confrontation avons procédé ainsy quil suit.

Du 29 Janvier 1766. A été Emmené devant moy par le Geolier des prisons, Jean degout accusé, auquel avons Confronté Marie Leclerc, femme au nommè darbanne sixieme témoin de la Pr. information et apres Serment par eux fait de Dire la Vérité et interpellés de dire sils Se Connoissent apres quoy nous avons fait faire Lecture par le Greffier du Conseil des premiers articles de La déposition de ladte Marie Leclerc Contenant Son nom age qualité et demeure et sa declaration quil nest parent allié serviteur ni domestique des parties et interpellé Laccuze de fournir presentement des Réponses Contre le dit témoin si aucuns il a, si non et a faute de le faire quil en sera plus Recu apres que Lecture Luy auroit été faite de la déposition et Récollement suivant Lordonnance que luy avons donnés a Entendre.

Degout.

delalande.

Garic, Greffier.

Seconde, etc. L'accuzé a dit pour reproches que ladte Dame étoit parente du deffunt si ce nétoit pas un fau déghisé mais bien un fau de p'eurds quelle étoit une fourbe et quelle as fait un faux temoignage Contre Luy qui na aucuns autres Reproches a Luy faire et Marie Leclerc dit quil ny a rien de plus faux que Ce dit Laccuzé.

Ce fais avons fait Lecture au dit accusé du Restant de La déposition, et la dite Dame a soutenu icelle contenir vérité en tout et persisté, et Laccuzé a dit que sa déposition étoit Entierement fausse dans tout son Contenu que Lorsqu'il est sorti de ches Crate avec un outil quil avoit a la main pour entrer chez luy et poser son dit outil, le dit Crate La suivie et a peine fut il entré que le dit Crate entra et Luy allongea un coup depoin qui Le Renversa par terre, que Cétoit dans la maison ou étoit le dit temoin a plier du Linge qui a Cause de son occupation ne pouvoit point voir et Le temoin Luy a dit que Cela netoit pas vray que Cratte netoit point entre dans La Maison qu'il netoit que appuyé Sur La fenetre Lorsque le dit degout Lancea son bras entrelle et Sa négresse et donna un coup au dit Cratte, et le dit degout a soutenu que. Cetoit dans La maison quil faloit demander a La négresse et A ceux qui ont emporté Le Corps Du dit Cratte, que la déposition quelle feroit étoit sussité par son mary qui étoit un miserable Luy a soutenu quelle Crioit toujours

finissez donc ne vous battez pas chez moy et Ce pendant trois fois et La troisieme fois Lorsqu'il a pris son outil de son Coffre, et alors La négresse luy Criant aussy de finir et Luy Répondit apres avoir donné Le Coup quil avoit fini et La témoin luy a soutenu que tout Cela étoit faux que Critte n'étoit point entré chez elle, quelle ne Les avoit pas vu nullement battre ensemble mais seulement avoir vu Le dit degout frapper dun seul Coup a la fenestre le dit Critte et Ce avec un outil puissant Ce quelle Croit, qu on avoit trouvé a la place par terre, Lequel outil a Eté a Linstant par nous Représenté au dit accusé estant une Cyeur de Sculpteur, et le dit accusé a dit quil pouvoit bien se faire que cet outil fut a Luy mais quil ne scait pas si cest avec un Cizeau ou une Gouge ou autre outil avec Lequel il a donné Le Coup, La Colere lemportant, et Lempechant de Scavoir quel outil il avoit pris pour Ce fait, a Luy pareillement Représenté Lautre outil ou plus petit Cizeau qui Luy fut arraché Lors du Commencement de sa dispute Chez Critte a dit que Cétoit Luy meme mais quon ne Luy avoit pas arraché quil ne lavoit pas perdu de La Main et quil Lemporta chez Luy mais quil navoit pas voulu se servir de Cet outil pour donner le Coup a Critte parce que le dit Critte en Luy donnant des Coups et Layant Renvoyé Luy avoir fait tomber Loutil de la main Cest pour quoy étant renversé pres de son Coffre qui étoit ouvert il en prit en autre avec Lequel il donna Le Coup pendant que le témoin Luy a toujours Soutenu que Critte n'étoit point entré ne Lavoir point touché, ni battu ni frappé, mais que Le Coup fut donné par Degout qui étoit dedans la maison par la fenetre ou le dit Critte étoit appuyé:

Et le dit degout a soutenu que tout Ce qui étoit dépose par les témoins étoit faux, et son mary un coquin, qui Lors quil Le Voie il Luy dit pourquoy est ce que vous avez tué cet homme chez moy, et pourquoy ne Lavez vous pas tué dehors; vous me faites des mauvaises affaires. La déposante a dit Cela et un faux, adjoint que le dit degout ne Logeoit point dans sa Maison mais quon Luy avoit donné agrement de metre un Lit sous la gallerie seulement pendant deux ou trois jours quil devoit Rester: et plus n'ont, dit, Lecture a eux faite de La présenté Confrontation, ont dit Leurs dires chacun a son Egard, Contenir vérité y ont persisté, et a le dit degout Signé, Marie Leclerc nayant pu des Enquis Suivant Lordonnance.

Degout.

delalande.

Garic, Greff.

Ce fait avons fait ramener par le Geolier Ledit Degoust en prison et fait Remettre Les fers aux pieds et aux mains, et avons

ordonné et ordonnons que la présente Confrontation sera Communiqué au Procureur Général du Roy pour par Luy prendre avis et Requis ce quil appartiendra.

delalande.

Garic, Greff.

**premiere de
29 janvier 1766.
Recollement de
Marie Leclerc Fe
Derbanne.**

Lan Mil Sept Cent Soixante Six et le vingt neuf janvier par devant Nous Charles Marin de Lalande D'appremont Condeiller Commissaire en Cette partie est Comparu Mr. Le procureur Général du Roy Demandeur et accuzateur Lequel nous a dit quen Exécution de Lordonnance Rendu par le Sieur Pain

Subdélégué et faysant fonctions de Juge aux Nachitoches en Vertu de Larret du Conseil Rendu Le neuf novembre dernier Contre le nommé Jean Degout accusé detenu es prisons de Cette Ville, pour estre Recollé en sa déposition par exploit de Langlois, huissier de police au dit Lieu, Lequel nous a Représenté, ayant deffendu du dit lieu aux dites fins et nous aurons Requis de procéder au dit Récollement. Sur quoy nous avons donné acte au nom du dit Sieur, Le procureur Général du Roy de ses dire et Requisitoire et ordonné quil sera par nous présentement procédé au Récollement de Ladte Marie Derbanne, et Sest mon dit Sr. Le procureur Général du Roy Retire. Et a Linstant est Comparu en la Chambre Criminelle de justice Marie Derbanne sixieme témoin ouiy en Linformation faite par le Sieur Pain au dit Lieu de Nachitoches en vertu di dut arret a Laquelle Marie Leclerc femme derbanne apres Serment par elle fait de Dire vérité avons fait faire Lecture de la déposition par elle faite en la dte information et apres Lavoir ouie a Dit quelle est véritable ny veur augmenter ni diminuer et quelle y persiste Lecture a été faite du present Récollement y a aussi persisté et a déclaré ne scavoir signer de ce Enquis et interpellies. Suivant Lordonnance, fait en Ladte Chambre Criminelle A la Nelle orleans Le Susdit Jour mois et an et avons Signé. ajoute quelle se Souvient que dans le moment que le dit Degout fie le Coup, elle perdit Connoissance et se trouva Mal delalande.

Garic, Greff.

**1er Fevrier 1766.
Interrogatoire du
nomme Degout.**

Interrogatoire sur La sellette fait par Nous Denis Nicolas Foucault faisant fonctions de pr. Juge au Conseil Supérieur dans la dte province au nommé Michel Degout sculpeur accusé détenu es prisons de Cette Ville:

Du 1er Fevrier 1766 a été Emmené par Le Geolier des prisons Le dit degout accusé Lequel apres Serment par Luy preté de Dire vérité a été par Nous Interrogé ainsi quil ensuit.

Interrogé de son som, age qualite et demeure a dit sappeler Michel degout agé de quarante sept ans, natif de paris paroisse Notre Dame du bourg, Mtre Sculpteur de son métier.

Interrogé pourquoy il est venu icy, A dit quil est venu au fort de Nachitoches pour avoir donné un Coup mauvay a un nommé Crette dont on Luy a dit qu'il étoit mort.

Interrogé avec quel instrument il avoit tué Crette, A dit que cétoit avec un de ses outils.

Interrogé sil a Reconnu les deux outils a Luy Représenté, A dit qu'il na reconnu qu'un, quil ne scait pas si Cest avec une Gouge quil a Servi le Coup ou quel autre outil.

Interrogé ou étoit Crette Lorsquil a Recu le Coup, A dit que cétoit dans la Maison que Crette le Repoussa, et Luy ayant arraché Loutil Luy en donna plusieurs Coups, jusque ce quil prit un autre outil avec Lequel il frappa, que La femme Luy disoit de finir et ensuite la Nègresse, et quil avoit Répondu a la nègresse Cela est fini.

Interrogé sil a tué quelquautres et sil a été pris de justice, A dit que cétoit le premier et quil navoit tué personne et quil y a vingt deux ans quil avoit repris de justice a léogane pour étant pris de boisson avoir volé trois couverts dargent avec un autre, quil a été fouetté par la ville marqué dune fleur de Ly et bani.

Interrogé de dire la vérité sil navoit pas tué Crette a la fenetre, A dit que non quil la tué dans La maison et que la déposition contraire est fausse.

A plus n'a dit scavoir. Lecture a Luy faite de son interrogatoire a dit ses Reponses Contenir vérité y a persisté et apres Signer

Degout.

Foucault.

AUDIANCE CRIMINELLE

1er Fevrier 1766.

1er Fevrier 1766 Ou Etoient Mr. Aubry, Commandant de
Condamnation de cette colonie chevalier de L'ordre Royal
Michel Degout. militaire de St. Louis, M. Foucault, faisant
fonction, dordonnateur, et de premier juge,—
delalande dapremont, huchet de Kernion, de Launay conseillers et
Mrs Lesassier de la Chaise, delaplace conseillers assesseurs.

M. le procureur Entre—Le procureur Général du Roy de-
General du Roy. mandeur et accusateur Contre Michel degout
 Sculpteur deffendeur et accusé Vu par le
 Conseil Supérieur, Linformation faite aux Nachitoches contenant
 la déposition de quatre témoins le proces verbal de visite de la cham-
 bre du nommé Cratte, le Renvoi de la procédure par devant le Conseil
 Supérieur, Linterrogatoire suby par le dit deGout, Lécrou sur les
 Registres de la Geolle, Larret du Conseil qui Casse la procédure faite
 aux Nachitoches, et ordonne quelle Sera Recommencé Linformation
 et déposition des six témoins, la signature qui a été donnée a la
 dame derbanne pour estre Rentrée en sa déposition et Ensuite con-
 frontee au dt accuse le Récollement et la confrontation du vingt
 neuf dernier de mon Interre sur la Selette les conclusions deffinitives,
 de Mr. le Pr. Général du Roy, le Rapport de M. delalande, conseiller
 juge criminel en cette partie le tout Muerement Examiné Le Conseil
 a déclaré et déclare Le dit Michel degout duement atteint et con-
 vaincu de plusieurs forfaits pour Réparation desquels il a été cy
 devant fustigé de Verges, marqué d'une fleur de Lys et banni de
 Léogane, La déclaré et déclare duement atteint et convaincu de
 Meurtre de Guet apens commis avec un Cizeau de Sculpteur sur la
 personne du nommé Critte pour Réparation de quoy La Condamné et
 Condamné a faire amende honorable, pied nu en chemise la corde au
 col tenant un flambeau en ses mains une torche de cire ardente
 poids de deux livres au devant de la principale porte dentree de
 Leglise paroissiale de cette ville ou il sera mene et conduit par Lexé-
 cuteur de la .haute justice dans un tombereau servant a enlever les
 immondices ayant un écriteau devant et derriere de meurtrier et
 assassin de Guet apens et La étant tete nue et a genoux il declarera
 que méchamment il a assassine de guet apens le dit Critte dont il se
 repend et demmande pardon a Dieu Roy et Justice apres quoy il
 sera mené dans le dit tombereau par le dit Exécuteur de la haute
 Justice Sur la place publique de cette ville pour y avoir les bras
 jambes cuisses et Reing Rompus vifs sur un échaffaut qui pour cet
 effet sera dressé sur la dte place et my ensuite Sur une Roue la face
 tournée vers le Ciel pour y expirer et jusqua ce que mort viene, pour
 ensuite son corps porté exposé sur le chemin ordinaire, a déclaré et
 déclare en outre ses biens acquis et Confisqués au profit de Sa Majesté
 ou de qui il appartiendra, a ordonné et ordonne que le présent escrit
 sera Lu public et affiché es Lieux ordinaires de Cette Ville et Copies
 Collationnées envoyées dans chaque poste de cette Colonie pour y
 estre pareillement Lu publié et affiché, enjoint au Procureur Général

du Roy ou son substitut tenir La main a Lexécution et den avertir Le Cour au mois.

Donné en la Chambre Criminelle du Conseil Le premier fevrier mil sept cent soixante six.

delalande. Delachaise. Foucault. Aubry. Huchet De Kernion. Lesassier. De Launay.

RETENTUM

La Cour a arrêté que le nommé degout sera étranglé avant de Recevoir aucun Coup par dessous Lechaffeau. arrêté le dit jour mois et an en Ladte Chambre.

delalande. Foucault. Aubry. Delachaise. DeLaunay. Lesassier. Huchet De Kernion.

Aujourdhuy premier fevrier Mil sept cent Soixante six trois heures de Relevee Nous Greffier en chef au conseil Supérieur Certiffie que Larret du Conseil de ce jour Rendu contre le nommé degout a été exécute dans tous ses points et continu par lexécuteur de la haute justice et que le dit degout la Suby ainsi quil et constate. A la Nelle Orléans le jour et an cidessus.

Note du traducteur.—L'annotation cy-dessus parait en marge de ce dernier document, d'une autre ecriture.



CABILDO ARCHIVES

III

By Henry P. Dart

The First Succession Opened in Louisiana

The Sieur De Lauze was a Captain in the military service of the King of France, commanding a detached company of Marines stationed on Dauphine Island in 1717, during the Crozat regime. He died October 26th of that year and the record of his estate is one of the earliest papers in the archives of Louisiana in the custody of the Louisiana Historical Society.

The document presented herewith constitutes the entire record of the succession save a few vouchers or receipts for payments made to the creditors, and for the expenses, and another document showing a remittance to his sister in France for the remainder of the Estate.

This exceedingly interesting MSS. shows the summary method of procedure which characterized all the judicial proceedings in the period while Louisiana was a colony of France. It is valuable not only because it preserves the forms of procedure, but also on the economic side, showing as it does the personal belongings and household paraphernalia of an officer of the army, and the merchandise which evidently he was entitled to carry for commissary and perhaps for trading purposes.

On the legal side we find procedure very similar to that still followed in Louisiana; the ceremony of affixing and raising the seals on the effects of a decedent; the listing or inventory thereof, which it will be noticed does not carry a valuation or appraisalment; and the manner of selling out the effects, under drum beat or public cry. The current values of the various articles obtained at this auction is of course a contribution on the economic side.

It will be noticed that nowhere in the record is the full name of the decedent given, though this must have been well known as there are inventoried three Commissions issued by the King showing his appointment as Lieutenant in the regiment of Chateauneuf, as Captain in the regiment of Moniel and another as half pay captain in the retinue of the regiment of Poitou. There is also a permission given to him to go to Louisiana whose date (June 29, 1716) indicates that he had not been here long before his death.

Another interesting feature is the speed with which his affairs were settled. He died October 26, 1717 at one o'clock in the morning; the seals were affixed the same day and a general or superficial memorandum made of the contents of his house; a keeper to the seals was appointed and the ceremony was adjourned probably to await the interment of the deceased owner. On October 29th the seals were raised and his will having been found, in which he named the Sieur Hubert (the Attorney General) his executor, the proceedings were suspended to advise Mr. Hubert thereof. He declined the appointment and thereupon and on the same day the inventory was made by the Captain of the Marine Detachment, Acting Major and also styled testamentary executor. There is nothing in the body of the proces verbal to show the names of the officials who carried through these proceedings but the instrument is signed, De Gauvrit, who is declared to be the Major and by Des Brosses, whose position is not stated. At the closing of the inventory a statement is made that the effects have been delivered to Sieur Jean Verchuers as Keeper thereof.

On November 13, 1717, at 8:00 o'clock in the morning an auction was held, as to which it is said "We had the drum beaten, the sale announced and cried through the town" announcing that "we were to proceed to the sale of the effects of the deceased and to this purpose we went to the said house in which the greater part of the inhabitants of Dauphine Island being assembled, we cried and put up for sale", etc. The sale occupied two days and produced 2577 livres, which the writer of the document declares he "remitted to Monsieur de Gauvrit, Major and testamentary executor personally the above mentioned day and year."

It would appear from this that the sale was made by De Brosses who was probably an officer of the Superior Council.

The translation of this document was made by Mrs. H. H. Cruzat, with some assistance, but the bulk of the work was done by her.

Translation

In the year 1717 and the twenty-sixth day of the month of October on notice given to us, at one o'clock in the morning, that Sieur de Lauze, Captain of a detached company of Marines, had died, I Captain of the Marine detachment, acting major, immediately went to the house of Sieur de Lauze and sent for Sieur Jean Versune and Charles Peignon to be present at the affixing of the seals on the effects found under lock and key, indicated to us as belonging to the succession of the said deceased.

First we affixed two seals on a large chest, in the shape of a trunk and sealed it with two strips of paper with our arms on each end, viz: two below and two above.

Item—On a short trunk covered in calf skin we also affixed two seals and sealed it with two strips of paper with our arms at each end.

Item—On a chest of pine wood which the valet of Sieur de Lauze said belonged to him, and after full inquiry it was proven that the chest alone belonged to the said valet and all that was in it belonged to the deceased Sieur de Lauze; we affixed two seals and also sealed it with our arms at each end of two strips of paper.

Item—A liquor chest on which we affixed two seals and sealed it with our arms at each end of two strips of paper.

After the said affixing of our said seals, we proceeded to the description of the effects in evidence found in the said house.

First a bed without curtains, on which were found three cowhair mattresses, two sheets, a blue blanket, a calico counterpane.

Item—Six white wool blankets, viz: four new ones and two used ones.

Item—Seven casks, viz: four of flour and three of brandy.

Item—Two barrels, viz: one of lead and the other of gunpowder.

Item—Twelve large new axes.

Item—A barrel of sugar.

Item—A bolt of sail cloth, (toile de Melis) measuring twenty-five and a half ells.

Item—A used cloak of grey cloth.

Item—Two portmanteaus, viz: one white and the other grey,—old.

Item—A sack of Indian wheat.

Item—A copper pie mould.

Item—Two large copper boilers with mouths. Covers, viz: one new and the other having been used.

Item—Two small copper pots with mouths; Lids, viz: one new and the other having been used.

Item—Two copper stew-pans, viz: one new and the other having been used.

Item—Two copper pot spoons, viz: one new and the other having been used.

Item—Two brass skimmers, viz: one new and the other having been used.

Item—Two new copper chafing pans.

Item—A new brass skillet.

Item—Four cotton scarfs, used.

Item—Two snuffers' stands with their snuffers, the whole new.

Item—A frying pan in use.

Item—A shovel and tongs, in use.

Item—A large and a small gridiron, viz: the large one being
new and the small one having been in use.

Item—A dripping pan, having been in use.

Item—A gun and a pair of pistols ornamented with brass.

} The Whole
in Iron

This done we affixed a seal on the window facing the east and sealed it with our arms at each end of a strip of paper. On another window facing the south we affixed a seal and sealed it with our arms on each end of a strip of paper. On another window facing the west we affixed a seal and sealed it with our arms on each end of a strip of paper. After having duly made the above named witnesses acknowledge that the seals affixed were very well stamped and in good condition and there being no effects which we had not described we locked the door of the said house and affixed two seals to it, viz: one on the key hole and the other on the opening of the said door and sealed it with our arms on each end of two strips of paper, and left the said seals in the care of the said Jean Versune, witness, who voluntarily took charge of and promised to present them when required to do so, as representative of property and of justice and principally of our said seals whole and intact and has signed as also the above named witnesses.

The said year and twenty-ninth of October, in continuance of the present procedure we found it proper not to let the seals remain on the effects of the said deceased *Sieur de Lauze*. With that object we went to the said house of the said deceased *Sieur de Lauze* and called for the said *Versune* and *Charles Paignon* who were present at the affixing of the seals to verify if the said seals had not been tampered with.

First—after recognition of the two seals, viz: the one affixed on the key hole and the other on the opening of the door of the said house where resided the said deceased *Sieur de Lauze*, we raised them; after opening said house we recognized seal affixed on the window facing the east and after recognition of it raised it; we then recognized the seal affixed on the window facing the south; after opening this window we recognized another seal affixed on a window facing the west and after raising it proceeded to an inventory as follows:

The above mentioned year and the said day, twenty-ninth of October, at eight o'clock in the morning, in the presence of Sr. Bernard Divoz, Lieutenant of a company, and of Thomas de Serey, residents of Dauphine Island, after having made the witnesses who were present at the affixing of the seals recognize that those on the large chest in the shape of a trunk had not been tampered with, we opened it and found:

First—A statement of the debts and last wishes of the said deceased Sieur de Lauze and on reading it we found that it was the intention of the said deceased, and in fact that he begged M. Hubert, Councillor of the King in his Councils, and Intendant-Commissary of Louisiana, to kindly pay any debts contracted in France out of the proceeds of the effects found in his possession after his decease and that the remainder of what the sale brought be remitted to his sister. Seeing this we immediately went to the house of said Sieur Hubert to advise him of the intention of said deceased and to summon him to be present at the inventory we were to take of the property of the said deceased, which he refused to do, as well as to accept the charge of executing the said wish, whereupon we retired and went to continue the said inventory:

Item—One suit of blue camlet, with silver buttons, and a vest with a narrow silver border, in use.

Item—A suit of grey broadcloth with silver frogs and red cuffs, without a vest, worn.

Item—A scarlet suit with gold button holes, worn.

Item—A scarlet upper coat with silver buttons, having been used.

Item—A white uniform suit, white cuffs and brass buttons, having been in use.

Item—A scarlet vest with silver binding and button holes, and a large silver galloon, having been in use.

Item—A scarlet vest with gold button holes and edging, having been in use.

Item—A camlet vest lined with linen, having been in use.

Item—A pair of scarlet trousers, lined with leather.

Item—Another pair of grey cloth trousers lined with leather.

Item—A ticking waistcoat and trousers of the same ticking.

Item—Two new hats bound with silver lace.

Item—Another hat, having been used, bound with gold.

Item—Another new hat without a brim.

Item—Another hat bound with silver, having been in use.

Item—A Segovia cap, lined in black.

Item—A pair of new silk stockings, ash grey in color.

- Item*—Another pair of woolen stockings, moss color.
Item—Ten ells of scarlet.
Item—Four ells of red Maramet.
Item—Eight ells and a half of collar linen.
Item—Fourteen ells of Treilly linen.
Item—Eleven ells of huckaback suitable for towels.
Item—Seventeen shirts for trade, all new.
Item—Sixteen striped cotton handkerchiefs, new.
Item—Six packages of cotton.
Item—One package of white thread.
Item—Four lbs., two ounces of vermilion.
Item—Two gross of clasp knives.
Item—Sixteen dozen mirrors for trade.
Item—Six packages of combs for trade.
Item—Two dozen scissors, ornamented with yellow.
Item—One dozen scissors of medium size.
Item—Four lbs. of white glass beads.
Item—Two dozen vermilion boxes.
Item—One package of folly bells.
Item—One package of awls.
Item—One dozen knives with wooden handles.
Item—One package of fishing lines.
Item—Two packages of ramrods.
Item—One package of brass-wire rings. (laiton).
Item—Three dozen brass buttons mounted on wood, suitable for vests.

Item—The chest in which the said objects were found, and as there was nothing else therein that we had not inventoried, we returned them to the said chest and locked it, and as the hour of noon had arrived, we retired and have signed.

Continuing the present inventory at two o'clock in the afternoon of the said day, October twenty-ninth, we went to the house of the said deceased Sieur de Lauze to continue the present inventory; after the witnesses who were present at the affixing of the seals and verified the two seals affixed to the trunk and found them in good condition, we raised the seals, opened the trunk still in the presence of the above named witnesses, and we found:

- First*—A silver watch with its silver case.
Item—A seal and a silver ring tied together.
Item—A silver snuff box.
Item—Two silver spoons and two forks.

Item—A moss colored port-folio embroidered with silver in which was found a commission given to the deceased Sieur de Lauze as Lieutenant in the Regiment of Chateaufort, Signed: Louis and paraphed.

Item—Another said commission as Captain granted to Sieur de Lauze the Regiment of Moniel, signed Louis, and lower by Voisin, which we paraphed No. 2, which is of date, July 26, 1710.

Item—A brevet granting permission to said deceased Sieur de Lauze to go to Louisiana, dated June 29, 1716, signed: "Louis" and lower down "Voisin," which we paraphed No. 4.

Item—A commission as half pay Captain, granted to Sieur de Lauze, to be in the retinue of the Regiment of Poitou, dated February 6th, 1714, signed: "Louis" and lower down "Voisin" and paraphed by us as No. 3.

Item—A note made in Sieur de Lauze's name by Sieur Poulousat, Lieutenant of the Regiment of Moniel, for the sum of one hundred and thirty livres, twelve cts. and six farthings, on date of February 7th, 1714, and paraphed by us No. 5.

All the said papers were returned to the port-folio.

Item—In a sock were found a double louis of gold, twenty-seven livres in gold, four cents in white silver, Spanish money, the double louis beaten and moneyed in France.

Item—An oval mirror of medium size with a fine glass.

Item—A book entitled: "The fortifications of Sr. de Ville."

Item—A pair of sheets having been used.

Item—Two other pairs of sheets having been used.

Item—Five napkins and a coarse tablecloth.

Item—Twenty-two napkins and four tablecloths of huckaback, having been used.

Item—Three napkins and a plain tablecloth, new.

Item—Ten night shirts having been used.

Item—Five fine new shirts.

Item—Ten worn fine shirts.

Item—Five fine shirts trimmed with lace, having been worn.

Item—Two ells of cambric.

Item—Two of lawn.

Item—Four muslin cravats trimmed with lace.

Item—Five plain muslin cravats.

Item—Three collar rounds, worn.

Item—Two calico handkerchiefs, having served.

Item—One window curtain of Cholet linen.

Item—Twelve pairs of socks and five pairs of stirrup stockings.

Item—Two pairs of glass tassels.

Item—One pair of iron grey stockings.

Item—One white woolen chemisette with needle work.

Item—One camlet dressing gown, worn.

Item—The said trunk in which were these effects; and as there was nothing in the said trunk that had not been inventoried, after returning these said items, we locked it, and went with the witnesses to recognize the seals affixed on the chest of pine wood, after recognition we raised these and proceeded to the opening of the said chest, in which we found:

First—A roll of tobacco.

Item—Three and one-fourth lbs. of pepper.

Item—A sugar grater of new tin.

Item—Four pairs of new shoes.

Item—A new tin coffee pot.

Item—Two new pepper mills.

Item—Eleven loaves of grey soap.

Item—A flask.

Item—A candle mould.

Item—Two and a half dozen of pewter plates, viz: one dozen new and the other dozen having been in use.

Item—Two large soup tureens.

Item—Two medium sized ones.

Item—Two large dishes.

Item—Two salt cellars and one for black pepper.

Item—Two spoons and two forks.

Item—Two small dishes.

Item—A lock with its garniture and its catch.

Item—Three goblets, a tumbler and a water pitcher of glass.

Item—A sack of gunpowder.

Nothing remaining in the chest that had not been inventoried we put the said effects back into it and locked it, and went to a liquor chest to have the witnesses who were present at the affixing of the seals recognize that the said seals of the said liquor chest had not been tampered with, and after recognizance of them we raised them and having opened the said liquor chest we found in it nine decanters:

First—Four decanters filled with liquor.

Item—One of olive oil. Four other empty ones and we closed the said liquor chest.

Item—In the said house were found three cowhair mattresses.

Item—One blue ticking.

} All of pewter

Item—One calico counterpane having been used.

Item—Six white woolen blankets, viz: four of them new and two having been used.

Item—Four quarters of flour.

Item—Three quarters of brandy.

Item—One barrel of powder of 100-lbs.

Item—One barrel of sugar weighing twenty-seven lbs.

Item—Twelve large new axes.

Item—One bolt of linen of Melis measuring twenty-five and a half ells.

Item—A whitish grey cloth which has been used.

Item—Two portmanteaus, viz: one blue and the other grey, both worn.

Item—A sack filled with Indian wheat.

Item—An enameled copper pie mould.

Item—Two large copper boilers, enameled inside, with their lids, viz: one new and the other having been used.

Item—Two small copper casseroles with their covers, enameled on the inside, viz: one new and the other having been used.

Item—Two brass skimmers, viz: one new and the other having been used.

Item—Two copper chafing pots, new.

Item—A new brass skillet.

Item—Four wire candlesticks, having been used.

Item—Two new snuffer holders with their snuffers.

Item—Two new brass pots.

Item—A frying pan.

Item—A shovel and tongs. } The whole of iron, having served.

Item—A spit.

Item—Two vests.

Item—A dripping pan.

Item—A gun ornamented with brass.

Item—A pair of pistols also ornamented with brass.

Item—Three hats for trade.

After having sworn Tournageot, valet of the deceased Sieur de Lauze, he declared that he had no knowledge of any other furniture nor effects belonging to the succession of the said deceased besides those entered in the present inventory, the said inventory held as closed.

All the effects, titles and furniture we left in charge of Sr. Jean Verchuers who voluntarily accepted the responsibility and promised

to present them again when we would require him to do so, and has signed as well as the other above named witnesses.

The above year and the thirteenth day of November at eight o'clock in the morning, continuing the present procedure and to avoid the storing of the effects of the said deceased *Sieur de Lauze*, we have judged it advisable to sell the said effects to avoid heavier costs to the creditors and heirs of the said deceased, and for this reason we had the drum beaten, the sale announced and cried through the town that we were to proceed to the sale of the effects of the said deceased, and to this purpose we went to the said house, in which the greater part of the inhabitants of *Dauphine Island* being assembled we cried and put up for sale first:

Item—A blue camlet suit with silver buttons and a silver binding to the vest, which after having been cried and put up for sale went to *Mr. DesBrosses* as the last bidder for the sum of forty livres.....40#

Item—A grey broadcloth suit with red cuffs and silver frogs, and a scarlet vest with a silver binding and a large silver galloon and silver button holes, the whole after having been put up for sale went to *Mr. Robert* for the sum of sixty-three livres as the last bidder.....63#

Item—A scarlet suit with gold button holes and two pairs of trousers, viz: one red and the other grey, the whole having been put up for sale went to *Mr. de Montigny* for the sum of nine livres and fifteen cts as the last bidder.....9#15c

Item—A scarlet surcoat with silver buttons having been used which having been put up for sale went to *Mr. Robert* as the last bidder with a vest of red camlet for the sum of twenty livres.....20#

Item—A white uniform suit, blue cuffs, having been used, put up for sale went to *Mr. St. Roch* for the sum of twenty-four livres as the last bidder.....24#

Item—A scarlet vest bordered with gold, with gold button-holes, having been used, put up for sale went to *Mr. Poirier* for the sum of seventeen livres as the last bidder.....17#

Item—A vest of ticking with trousers of the same, having been used, put up for sale went to *Mr. Roy* for the sum of five livres fifteen sols as the last bidder.....5#15c

Item—A new hat bordered with silver lace, which, having been put up for sale, went to *Mr. Brusle* for the sum of ten livres as the last bidder.....10#

Item—Another new hat with silver lace, which, after having been put up for sale went to *Mr. Le Baste* for the sum of ten livres ten cts as the last bidder.....10#10c

- Item*—Another hat bordered with gold, having been used, which being put up for sale went to Mr. de Montigny for the sum of twelve livres as the last bidder 12#
- Item*—Another new hat without a brim which after having been put up for sale went to Mr. de Trefontaine for the sum of two livres as the last bidder 2#
- Item*—Another hat bordered with silver having been used, which put up for sale went to Mr. de la Croix for the sum of two livres ten cts as the last bidder 2#10c
- Item*—A new Segovia cap, lined with black, which after having been put up for sale went to Mr. Dartus, Commandant, for the sum of five livres fifteen cts as the last bidder 5#15c
- Item*—A pair of new silk stockings, of ash grey color, which having been put up for sale went to Mr. de Bienville for the sum of twenty-two livres as the last bidder 22#
- Item*—A new pair of woolen stockings, moss color, which having been put up for sale, went to Mr. Trudot, for the sum of six livres five cts as the last bidder 6#5c
- Item*—Ten ells of scarlet cloth which having been put at price remained in possession of Mr. Du Rand for the sum of fifty-five livres as the last bidder 55#
- Item*—Four ells of red Maramet having been put up for sale went to Mr. Le Roy for the sum of sixteen livres, fifteen cts as the last bidder 16#15c
- Item*—Eight and a half ells of collar linen, which after having been put up for sale went to Mr. de Bienville for the sum of thirteen livres as the last bidder 13#
- Item*—Fourteen ells of Treilly linen which after having been put up for sale went to Mr. Le Basts for the sum of 20# as the last bidder 20#
- Item*—Eleven ells of linen suitable for towels, which after having been put up for sale went to Mr. Le Basts for the sum of fifteen livres as the last bidder 15#
- Item*—Seventeen new shirts for trade, which after having been put up for sale went to Mr. Poirier for the sum of sixty-six livres ten cts as the last bidder 66#10c
- Item*—Sixteen new striped cotton handkerchiefs which after having been put up for sale went to Mr. Roger for the sum of twenty-eight livres as the last bidder 28#
- Item*—Six packages of cotton, which after having been put up for sale went to Mr. Sartus, Commandant, for the sum of seven livres five cts as the last bidder 7#5c

Item—One package of white thread, which after having been put up for sale went to Mr. Brusle for the sum of five cts as the last bidder.....5c

Item—Four lbs. two ounces of vermilion, which after being put up for sale, went to Mr. Le Roy for the sum of twenty-five livres five cts as the last bidder.....25#5c

Item—Two gross of clasp knives, which after being put up for sale, went to Mr. Poirier for the sum of nineteen livres ten cts as the last bidder.....19#10c

Item—Six dozen mirrors for trade which after having been put up for sale went to Mr. de Vilainville for the sum of six livres ten cts as the last bidder.....6#10c

Item—Six packages of combs for trade which being put up for sale went to Mr. de Vilainville for the sum of six livres ten cts as the last bidder.....6#10c

Item—Three dozen scissors which being put up for sale went to Mr. Poirier for the sum of nine livres ten cts as the last bidder...9#10c

Item—Four lbs. of white glass beads which after being put up for sale went to Mr. Le Roy as the last bidder for the sum of...20#15c

Item—Two dozen vermilion boxes, which being put up for sale, went to Mr. de Vilainville for the sum of three livres fifteen cts as the last bidder.....3#15c

Item—One package of awls and thimbles, which being put up for sale went to Mr. de Vilainville as well as the brass wire rings for the sum of two livres, ten cts as the last bidder.....2#10c

Item—A package of folly bells which being put up for sale went to Mr. Lafontaine for the sum of one livre ten cts as the last bidder..1#10c

Item—Two dozen wooden handled knives, which having been put up for sale, went to one Lafontaine as the last bidder for.....2#

Item—Two packages of ramrods which being put up for sale went to Mr. Robert for the sum of two livres as the last bidder.....2#

Item—Three dozen brass buttons mounted on wood for vests, which being put up for sale, went to Mr. Montigny for the sum of two livres five cts as the last bidder.....2#5c

Item—A chest in the shape of a trunk which being put for sale, went to Mr. de Vilainville for the sum of twenty-one livres five cts as the last bidder.....21#5c

and as the hour of noon intervened we retired and put off the present sale to this afternoon and left the whole in charge of the aforementioned Sieur Verstune.

Continuing the present procedure at two o'clock in the afternoon, we went to the house of the deceased Sieur de Lauze, in which

- there being a great number of the inhabitants of Dauphine Island, we cried and put up for sale a silver watch with its case, which after being put up for sale went to Mr. de Chateaugue for the sum of seventy-two livres as the last bidder.....72#
- Item*—A silver seal and ring, which being put up for sale went to Mr. de la Pointe for the sum of eight livres five cts as the last bidder.....8#5c
- Item*—A silver snuff box which after being put up for sale went to Mr. Roger for the sum of thirty livres as the last bidder.....30#
- Item*—Two silver spoons and forks which being put up for sale went to Mr. Lafontaine, as the last bidder, for the sum of forty livres fifteen cts, here.....40#15c
- Item*—A mirror with a fine glass, of medium size, which after having been put up for sale went to Mr. de Chateaugue, for the sum of five livres as the last bidder, here.....5#
- Item*—A book entitled "The Fortifications of Sieur de Ville," which having been put up for sale went to Mr. Le Maire for the sum of three livres as the last bidder, here.....3#
- Item*—A pair of sheets, having been used, which being put up for sale went to Mr. Bajot for the sum of eight livres five cts as the last bidder, here.....8#5c
- Item*—Another pair of sheets which, being put up for sale, went to Mr. de Montigny for the sum of thirteen livres, here.....13#
- Item*—Five coarse towels and a tablecloth of the same, the whole having been put up for sale went to Mr. Bouchard for the sum of five livres as the last bidder.....5#
- Item*—One dozen of huckaback napkins and a tablecloth of the same, which being put up for sale went to Mr. Montigny for the sum of twenty-two livres ten cts as the last bidder.....22#10c
- Item*—Ten huckaback napkins and two tablecloths of the same, which being put up for sale went to Mr. La Pointe for the sum of eighteen livres fifteen cts as the last bidder.....18#15c
- Item*—Three napkins and a plain tablecloth which being put up for sale went to Mr. de Vilainville for five livres as the last bidder...5#
- Item*—Ten night shirts, having been used, which being put up for sale, went to one Lafontaine for the sum of thirty livres five cts as the last bidder.....30#5c
- Item*—Five new shirts, which being put up for sale went to Mr. Roger for the sum of fifty livres as the last bidder.....50#
- Item*—Six fine shirts (worn) which being put up for sale went to Mr. Fabus for the sum of nineteen livres five cts as the last bidder.....19#5c

Item—Four fine shirts which being put up for sale went to Mr. Girardeau for the sum of fifteen livres as the last bidder.....15#

Item—Six fine shirts trimmed with lace, which being put up for sale went to Mr. Poirat as the last bidder for.....55#

Item—Two other cotton cambric shirts and two of linen lawn, which being put up for sale went to Mr. La Pointe for the sum of sixteen livres five cts as the last bidder.....16#5c

Item—Four cravats with lace, which being put up for sale, went to Mr. Poirier, for the sum of twenty-one livres ten cts as the last bidder.....21#10c

Item—Four cravats with lace which being put up for sale, went, with two pairs of tassels to Mr. Poirier for the sum of twenty-one livres ten cts as the last bidder.....21#10c

Item—Five muslin cravats, measuring three rounds of the collar, being put up for sale went to Mr. Diron for the sum of thirteen livres five cts as the last bidder.....13#5c

Item—Two worn calico handkerchiefs which being put up for sale went to Mr. Girardeau for the sum of one livre fifteen cts as the last bidder.....1#15c

Item—One cotton curtain which being put up for sale went to Madam Jollicoeur for the sum of five livres as the last bidder.....5#

Item—Five pairs of socks and twelve pairs of short trousers, which having been put up for sale went to Lafontaine for the sum of two livres fifteen cts as the last bidder.....2#15c

Item—One pair of grey stockings, which being put up for sale went to Mr. Des Brosses for the sum of five livres, five cts as the last bidder.....5#5c

Item—One knitted woolen chemisette, which having been put up for sale, went to Mr. de Chateaugue, for the sum of five livres as the last bidder.....5#

Item—One camlet dressing gown, which being put up for sale, went to Mr. Boulet for the sum of sixteen livres ten cts as the last bidder.....16#10c

Item—A trunk in which were the said enumerated effects, which, having been put up for sale, went to Mr. de Chateaugue for the sum of sixteen livres as the last bidder.....16#

And as the hour of six had arrived, we retired and put off the present sale to the next day.

Continuing the present procedure this day, fourth of November, at eight o'clock in the morning we went to the house of the said deceased Sieur de Lauze, where were assembled the greater number

- of the the townsmen and having cried and put up for sale a roll of tobacco which went to one Lacroix for the sum of three livres five cts as the last bidder..... 3#5c
- Item*—Three and one-fourth lbs. of pepper, which being put up for sale, went to Mr. Lemese for the sum of nine livres fifteen cts, as the last bidder..... 9#15c
- Item*—A tin grater, which being put up for sale, went to Mr. Poirier, for the sum of one livre ten cts as the last bidder..... 1#10c
- Item*—Three pairs of new shoes, which being put up for sale, went to Mr. Du Rand for the sum of twelve livres fifteen cts as the last bidder..... 12#15c
- Item*—One pair of new shoes which being put up for sale went to Mr. Raguet for the sum of five livres eight cts as the last bidder. 5#8c
- Item*—One tin coffee pot which being put up for sale went to Mr. Roger for the sum of four livres as the last bidder..... 4#
- Item*—A pepper mill, which being put up for sale, went to Mr. Lafontaine for the sum of four livres as the last bidder..... 4#
- Item*—Another pepper mill which being put up for sale went to Mr. de Montigny for the sum of two livres fifteen cts as the last bidder..... 2#15c
- Item*—One pair of grey wooden shoes, which being put up for sale, went to Mr. Trudot for the sum of thirty livres as the last bidder..... 30#
- Item*—A mask and candle mould, which being put up for sale, went to Mr. de Montigny for the sum of thirteen livres five cts as the last bidder..... 13#5c
- Item*—One dozen new plates, which being put up for sale went to Mr. Robert for the sum of twenty-two livres as the last bidder... 22#
- Item*—One dozen and a half of plates which being put up for sale went to Mr. Dastur for the sum of twenty-five livres as the last bidder..... 25#
- Item*—Two large soup tureens which being put up for sale went to Mr. Robert for the sum of eight livres five cts as the last bidder..... 8#5c
- Item*—Two dishes of medium size, which being put up for sale, went to the Company for the sum of six livres as the last bidder.. 6#
- Item*—Five dishes of different kinds which being put up for sale went to Mr. de Montigny for the sum of nine livres ten cts as the last bidder..... 9#10c
- Item*—Two salt cellars, two spoons and two forks, which being put up for sale went to Mr. Diron for the sum of five livres as the last bidder..... 5#

Item—A spice box, which having been put up for sale went to Mr. Poirier for the sum of four livres ten cts as the last bidder...4#10c

Item—Three goblets, a glass, a water pitcher, the whole in glass, which being put up for sale, went to Mr. Montigny for the sum of one livre ten cts as the last bidder.....1#10c

Item—One lock with its accompanying hinges for windows, which being put up for sale went to Mr. de Villainville for the sum of eight livres ten cts as the last bidder.....8#10c

Item—A sack of flint stones for guns, which being put up for sale, went to Mr. Trefontaine for the sum of three livres as the last bidder.....3#

Item—The chest in which was contained all the above named effects and which the Sieur de Lauze's valet claimed as his, we remitted to him after having taken sufficient information.

Item—A liquor chest with nine decanters, which being put up for sale went to Mr. Lebastor for the sum of thirty livres fifteen cts as the last bidder.....30#15c

Item—A cowhair mattress, which having been put up for sale went to Mr. Trefontaine for the sum of twenty livres as the last bidder.....20#

Item—Another said mattress, which having been put up for sale went to Mr. Robert for the sum of twelve livres, five cts, as the last bidder.....12#5c

Item—Another said mattress, which having been put up for sale went to Mr. Brusle for the sum of twelve livres ten cts as the last bidder.....12#10c

Item—A blue woolen coverlet which being put up for sale went to Mr. de Trefontaine for the sum of eighteen livres as the last bidder.....18#

Item—A calico counterpane, which being put up for sale went to Mr. de Montigny for the sum of twenty-five livres, ten cts as the last bidder.....25#10c

Item—A blanket, having been used, having been put up for sale, went to Mr. de Chateaugue for the sum of seven livres ten cts as the last bidder.....7#10c

Item—Another said blanket of white wool, which being put up for sale went to Mr. Boullet for the sum of ten livres as the last bidder.....10#

Item—Two new blankets of white wool, which being put up for sale, went to Mr. de Trefontaine for the sum of thirty livres as the last bidder.....30#

Item—One quarter of flour which having been put up for sale went to Mr. Thomas for the sum of fifty-three livres as the last bidder.....53#

Item—Another quarter of flour, which being put up for sale, went to Mr. de la Pointe, for the sum of fifty three livres five cts, 53#5c

Item—Two quarters of flour, which after having been put up for sale went to the Company for the sum of one hundred and two livres as the last bidder.....102#

Item—One quarter of brandy, which being put up for sale, went to Mr. de Montigny, for the sum of one hundred and thirty livres, as the last bidder.....130#

Item—Another quarter of brandy, which being put up for sale, went to Mr. Robert for the sum of one hundred and twenty-two livres ten cts as the last bidder.....122#10c

Item—Another said quarter of brandy, which being put up for sale went to Mr. Des Brosses for the sum of one hundred and twenty-one livres and five cts as the last bidder.....121#5c

Item—One barrel of powder which being put up for sale went to Mr. Dartus for the sum of one hundred livres as the last bidder....100#

Item—One barrel of lead, which being put up for sale went to Mr. Dartus, for the sum of fifty livres as the last bidder.....50#

Item—One barrel of sugar, which being put up for sale went to Mr. Boulet for the sum of sixteen livres and ten cts as the last bidder.....16#10c

Item—Twelve large axes which being put for sale went to Mr. Le Roy for the sum of twenty-six livres as the last bidder.....26#

Item—One bolt of sail cloth which being put up for sale went to Mr. Le Basts for the sum of twenty-six livres as the last bidder, 26#

Item—One grey broadcloth cloak, which being put up for sale went to Mr. Robert for the sum of sixteen livres five cts as the last bidder.....16#5c

Item—One blue portmanteau, which being put up for sale, went to Mr. Robert for the sum of six livres as the last bidder.....6#

Item—One old portmanteau, which being put up for sale went to Mr. Du Rand for the sum of fifteen cts as the last bidder.....15c

Item—One sack of India wheat, which after being put up for sale went to Mr. de Chateaugue for the sum of three livres as the last bidder.....3#

Item—The hour of noon having intervned we retired, putting off the continuation of this sale to this afternoon.

In continuation of the present procedure, this day, November fourth, in consequence of the postponement at two o'clock in the

afternoon we went to the house of the said deceased, where the greater number of the townsmen were assembled, to cry and put on sale:

First—An enameled copper pie mould which being put up for sale went to Mr. Le Bars for the sum of twenty-three livres as the last bidder.....23#

Item—One large pot which having been put up for sale went to Mr. Robert for the sum of one livre ten cts as the last bidder....1#10c

Item—One said pot which having been put up for sale went to Mr. de la Pointe for the sum of twenty-one livres ten cts as the last bidder.....21#10c

Item—One small copper casserole, which being put up for sale, went to Mr. Rougeon for the sum of 12 livres ten cts as the last bidder.....12#10c

Item—One said casserole, which being put up for sale went to Mr. de Chateaugue for the sum of ten livres sixteen cts as the last bidder.....12#16c

Item—One casserole, which being put up for sale went to Mr. Rougeon for the sum of seven livres as the last bidder.....7#

Item—One casserole, which having been put up for sale, went to Mr. Lafontaine for the sum of five livres fifteen cts as the last bidder.....5#15c

Item—Two skimmers and two pot spoons which being put up for sale went to Mr. Lafontaine for the sum of eight livres fifteen cts as the last bidder.....8#15c

Item—One chafing pan, which being put up for sale, went to Mr. Le Barts for the sum of six livres as the last bidder.....6#

Item—Another said chafing pan, which being put up for sale went to Mr. Lafontaine for the sum of four livres five cts as the last bidder.....4#5c

Item—One brass sauce-pan, which being put up for sale, went to Mr. de Bienville for the sum of five livres as the last bidder.....5#

Item—Two candlesticks of brass wire (lotton) with a snuffer holder and snuffers, the whole being put up for sale went to Mr. Lafontaine as the last bidder for the sum of 5 livres 15 cts.....5#15c

Item—Two candlesticks with a snuffer holder, the whole being put up for sale went to Mr. de Trefontaine for the sum of five livres ten cts as the last bidder.....5#10c

Item—One caldron, which having been put up for sale, went to Monsieur de la Vigne, for the sum of six livres five cts as the last bidder.....6#5c

Item—Another said caldron, which after having been put up for sale went to Mr. Fabus for the sum of six livres five cts as the last bidder.....6#5c

Item—One frying-pan, which being put up for sale, went to Mr. Lafontaine for the sum of four livres ten cts as the last bidder...4#15c

Item—A shovel and tongs, the whole being put up for sale went to Mr. Detstus for the sum of four livres ten cts as the last bidder.....4#10c

Item—One dripping-pan and a spit, which being put up for sale went to Mr. Lafontaine for the sum of seven livres fifteen cts as the last bidder.....7#15c

Item—One gridiron, which having been put up for sale went to Mr. de Trefontaine for the sum of six livres as the last bidder.....6#

Item—Another gridiron, which being put up for sale went to Mr. Lafontaine for the sum of three livres ten cts as the last bidder.....3#10c

Item—A gun ornamented with brass, which being put up for sale went to Mr. de Villainville as the last bidder for the sum.....40#5c

Item—A pair of pistols ornamented with brass, which being put up for sale went to Mr. de Chateaugue for the sum of twenty-five livres as the last bidder.....25#

Item—Three hats for trade, which being put up for sale went to Mr. de Villainville for the sum of Thirteen livres as the last bidder 13#

The proceeds of the sale of the said furniture, as well as of all the effects mentioned in the said inventory amounts to the sum of two thousand five hundred and seventy-seven livres which I remitted to Monsieur de Gauvrit, Major and testamentary executor, personally, the above day and year.

Signed: "De Gauvrit and Des Broses" Paraphed.

Certified copy of the original given to Mr. de Gauvrit by me, Notary in this province of Louisiana, at New Orleans, July second, one thousand seven hundred and twenty.

Signed: "Rossard," Notary.

Received from Mr. de Gauvrit for the certified copy, four piastres.

**Inventaire de la Succession du Sieur de Lauze,
Le vingt-six octobre
mil sept cent dix-sept, fait a l'Isle Dauphine.**

Original Text.

L'an 1717 & Le Vingt Sixième Jour du mois d'octobre sur Lavis qui nous auroit Esté donne Sur les une heure du matin que le Sieur de Lauze Capitaine d'une Compagnie détachée de la Marine Estoit décédé Nous, Capitaine au détachement de la Marine faisant fonctions de Major serions transporté sur le Champ, dans la maison du Sr. de Lauze et aurions fait appeller le Sieur Jean Versune & Charles Peignon pour estre présens à Lapposition des Scellés sur les Choses trouvées fermées a clef à nous Indiquees appartenir à La Succession du dt deffunt.

Premièrement Nous avons apposé deux Cellés Sur un grand Coffre enforme de Malle & Cachetté de nos armes Sur Chaque bout de deux bandes de papier Scavoir deux en bas et deux en haut.

Item—Sur une malle courte dunne peau de veau nous avons aussy apposé deux Celles et Cachetté de nos armes sur chaque bout de deux bandes de papier.

Item—Sur un Coffre de Bois de Sapin que le Vallet du dt Sieur de Lauze nous a dit à Luy appartenir & que Lon a reconnu après une ample Information qu'il ny avoit que le dit Coffre qui appartenoit au dit vallet & que ce qu'il y avoit dedans Estoit au Deffunt Sieur de Lauzé Nous y avons appose deux celles Cachettés aussy de nos armes sur chaque bout de deux bandes de papier.

Item—dune Cannevette Sur La quelle Nous aurions apposé deux Scelles et Cachetté de Nos armes sur chaque bout de deux bandes de papier.

Après La quelle apposition de Nos dits Scellés nous avons procédé à la description des effets en Evidence trouves En Laditte Maison

Premièrement un Lit Sans Rideaux ouil sest trouve trois matelats de Bourre deux draps une Couverte Bleu & une Courte Pointe d'indienne.

Item—Six Couverte de Leyne Blanche Scavoir quatre Neufs & deux ayant Servuies.

Item—Sept quartos Scavoir quatre de farine et trois deau de vie

Item—Deux Barils Scavoir un de Plomb & Lautre de poudre a tirer.

Item—douze Grandes haches Neuves.

Item—un Baril de Sucre.

Item—Une de Toille de Melly tirant vingt Cinq aulnes et demyes.

Item—un Manteau de Drap Gris ayant Servy.

Item—deux Porte Manteaux Scavoir Lun Blaf & Lautre Gries, vieux.

Item—un Sacq Remply de Bled dinde.

Item—une Tourtiade de Cuivre Rouge.

Item—deux Grandes marmittes Cuivre Rouge avec Levres.

Couvercles Scavoir Lune Neuve & Lautre ayant Servy.

Item—deux Petittes Marmittes Cuivre Rouge avec Levres.

Couvercles Scavoir unne Neuve et Lautre ayant Servy.

Item—deux Casserolles Cuivre Rouge Scavoir L'une Neuve & Lautre ayant Servy.

Item—deux Cuillieres a Pot Cuivre Rouge Scavoir L'une Neuve & Lautre ayant Servy.

Item—deux Ecumoires Cuivre Jaune Scavoir L'une Neuve & Lautre ayant Servy.

Item—Deux Réchauds Cuivre Rouge Neufs.

Item—un Poillon Cuivre Jaune Neuf.

Item—quatre Chandellieres de cotton ayant Servy.

Item—Deux Porte Mouchettes avec leurs Mouchettes, Le tout Neuf.

Item—Une poille ayant Servy.

Item—unne Palle & unne pince, ayant Servy.

Item—Deux Griles un Grand & un Petit.

Item—Scavoir le Grand Neuf et Lautre ayant Servy.

Item—lechefrite ayant Servy.

Item—Un fusil et une paire de Pistolets garnis de cuivre Jaune.

Ce fait Nous aurions apposé un Cellé Sur unne fenetre ayant vue du Coste de L'Est et Cachetté de nos armes Sur Chaque bout de unne bande de papier.

Item—Sur une autre fenetre ayant vue du Coste du Sud nous aurions apposé Scellé et Cachetté de nos armes sur Chaque bout dunne bande de Papier.

Item—Sur une autre fenetre ayant vue sur le Coste de L ouest Nous aurions apposé un Scelle et Cachetté de nos armes sur chaque bout d'une bande de Papier.

Après avoir Deument fait reconnoitre aux Temoins Cy dessus Nommes que Les Scelles apposés estoient tres bien empreints & en bon estat & ny ayans aucuns effets que nous n'ayons descrit nous aurions fermé La Porte de la ditte Maison a Clef & y aurions apposé deux Scellés Scavoir L'un Sur Le trou de la Cerrure & Lautre Sur Louverture de la ditte Porte et Cachetté de Nos armes Sur Chaque

} le tout de fer

bout de deux bandes de appier, Les quels dits Cellés nous ayons Laisse en la Garde du dit Jean Versune témoin, qui Sen est volontairement charge et promis de les représenter, Lors que nous L'en requeront Comme Depositaire de Biens & de Justice & principalement nos dits Cellés Sains & Entiers & a Signé aincy que Le Temoins Cy dessus Nommé.

L'an Cy dessus & le vingt neuvieme octobre En Continuant La présente procedure nous aurions jugé apropos de tenir les Cellés apposés Sur Les Effets du dit deffunt Sieur de Lauze pour Eviter Le Louage, plus grands fraits & la déposition des Meubles & Effets aux Creanciers & heritiers dudt deffunt Sieur de Lauze Nous Nous Serions pour Cet Effet transporte en la ditte Maison dudit deffunt Sieur de Lauze & aurions fait appeller Les dits Versune & Charles Paignon qui Etoit présens à Lapposition des Cellés pour reconnoitre Sy les dits Scellés nauroient point este altérés.

Premierement apres La reconnoissance faite des deux cellés Scavoir Lun appliqué Sur le Trou de la Cerrure & Lautre Sur Louverture dela porte de la ditte Maison ou demouroit le dit deffunt sieur— Sieur de Lauze nous les aurions Levés après Louverture faite de la ditte Maison nous aurions este faire Reconnoissance des Scellés appliqué Sur une fenestre ayant vuedu Coste Lest apposé après Reconnoissance dicelluy nous Laurions Leve & Dela serions alle faire reconnoitre un Cellé apposé sur une fenestre ayant vue du coste du Sud apres Louverture dicelluy nous Laurions Levé et dela serions allé faire reconnoitre un autre Cellé apposé sur une fenestre ayant vue du Coste de Louest & apres la Reconnoissance Dy celluy Laurions Leve et ensuite Procédé à Linventaire Aincy quil Suit.

Lan Cy dessus & le dit jour vingt neufueme octobre sur les huit heures du matin en presence des Sieurs Bernard divoz Lieutenant dunne Compagnie & de Thomas de Serey habitans deLisle Dauphine apres avoir fait reconnoitre aux temoins qui etoient a Laposition des Scelles que les deux Scelles qui estoient sur un Grand Coffre fait en forme de Malle navoient point este alteres nous en aurions fait Louverture & aurions Trouve.

Premierement Lestat des debtes & dernieres Volontés du dit deffunt Sr. de Lauze & par La Lecture que nous en aurions fait nous aurions veu que Lintention dudit deffunt estoit & mesme qu'il prioit Mr. Hubert Conseiller du Roy es Cen Conseils & Commissaire ordonnateur de la Louisianne de vouloir bien faire acquiter en France Sur Ces Effets quil trouveroit apres son décéder plusieurs debtes quil auroit Contractés en france & que Le Surplus des deniers provenans de la Vente quil feroit faire des dits Effets seroient remis a Mademoi-

selle Sa Soeur, Ce que voyans nous aurions Esté Sur le Champ dans la maison de Mondt Sieur Hubert pour luy donner advis de Lintention dudit deffunt & pour Le Sommer de Ce trouver a Linventaire que nous allions faire des effets appartenant audt deffunt a quoy il a fait refus de mesme que de Ce Charger de Lexecution de la ditte volonte Sur quoy nous nous serions retiré & aurions este Continuer le present Inventaire.

Item—un habit Bleut de Camelot avec des boutons dargent & sa veste avec un petit bordé dargent.

Item—un habit gris de drap avec des brandebourgs dargent & parmens Rouges Sans veste, usé.

Item—un habit descarlatte avec des boutonnières d'or use.

Item—un surtout descarlatte avec des boutons dargent ayant Servy.

Item—un habit uniforme blanc parments bluf boutons de cuivre ayant Servy.

Item—une veste descarlatte avec un borde dargent & des boutonnières & un grand Gallon dargent ayant Servy.

Item—une veste descarlatte avec des boutonnières et un borde dor ayant Servy.

Item—une veste de Camelot Rouge double de Toille ayant Servy.

Item—une paire de culotte descarlatte doublee de Peau.

Item—une autre paire de culotte de drap Gris doublee de Peau.

Item—une veste de Couety avec unne culotte de mesme Couety.

Item—Deux Chapeaux Neufs bordes d'une dantelle dargent.

Item—un autre d Chapeau ayant Servy Borde dor.

Item—un autre d Chapeau Sans bord Neuf.

Item—un autre d Chapeau Borde dargent ayant Servy.

un bonnet Sigovie doublée denoir.

Item—une paire de bas de soyes Neufs Couleur de Gris de Cendre.

Item—dix aulnes descallattes, et.

Item—quatre aulnes de Maramet Rouge.

Item—huit aulnes et demie de toille de Cholet.

Item—quatorse aulnes de toille de treilly.

Item—onze aulnes de Toille ouvree propre pour faire des Serviettes.

Item—Dix Sept Chemises de traittes Le tout neuf.

Item—Seize mouchoirs de coton Reyées neufs.

Item—Six paquets de Coton.

Item—un paquet de fil Blanc.

Item—quatre livres deux onces de vermillon.

Item—deux Grosses de Couteaux a jambettes.

Item—Six douzaines de Miroirs pour La Traitte.

Item—Six paquets de Peignes pour La Traitte.

Item—deux douzaines de sizeaux Garnis de jaune.

Item—une douzaine de sizeaux de moyenne Grandeur

Item—quatre livres de Rassade Blanche.

Item—deux douzaines de Bouestes a vermillon.

Item—un Paquet de Grelots.

Item—un paquet Dallaines.

Item—une douzaine de Couteaux a manche de Bois.

Item—un Paquet de Lines pour la pesche.

Item—deux paquet de Tirrebourres.

Item—un paquet de Bagues delollon.

Item—trois douzainne de Boutons de Cuivre montes sur bois propre pour une veste.

Item—Le Coffre outous les dits effets CeSont trouves dedans & Comme il ny en avoit plus aucuns que nussions Inventoriees nous les aurions Remis dans Les dits Coffre & Laurions Referme a clef & Comme Lheure de Midy Seroit Survenue nous nous Serions retire & a signe.

En Continuant La presente Inventaire Sur les deux heures apres midy du dit jour vingt neuf octobre nous nous serions transporte dans la maison du dit deffunt Sieur de Lauze pour Continuer Le present inventaire apres avoir fait reconnoitre aux temoins qui etoient presens a Laposition des Cellés que les deux Cellés qui etoient sur une Malle etoient en bon Estat les aurions levés et fait Louverture de la ditte Malle toujours en présence des temoins Cydessus nommés nous y aurions trouve.

Premièrement unn montre dargent avec sa bouëte dargent.

Item—un cachept et unne bague dargent attaché ensemble.

Item—unne tabaquiëre dargent.

Item—deux cuilliers & deux fourchettes dargent.

Item—un Porte feuille de drap Musse Borde dargent.

Dans Le quel il Cest trouve unne commition de lieutenant donne au deffunt Sr. de Lauze dans le Regiment de Chateaufeuil signe Louis & paraphee.

Item—une autre de Commition de Capitaine accordee au Sr. de Lauze dans le régimens de Moniel Signée Louis & plus bas par voysin que nous avons paraphee No. 2, Laquelle est en datte du 26e juillet 1710.

Item—un Brevet portant permission audit deffunt Sr. de Lauze daller a La Louisianne endatte du 29e Juin 1716 Signee Louis & plus bas voysin que nous avons paraphés et No. 4.

Item—une Commition de Capitaine Réformé accorde au Sr. de Lauze pour Estre a la suite du Regiment de Poitou en datte du 6 fevrier 1714 Signee Louis & plus bas Voysin & de nous paraphee No. 3.

Item—un Billet fait au Profit du Sr. de Lauze par le Sr. pouloussat souslieutenant du Regiment Monielle de la Somme de Cent trente livres douze sols six deniers en datte du 7 fevrier 1714 de nous paraphe No. 5.

tous Lesdits papiers nous avons remis dans le Porte feuille.

Item—il cest trouve dans un chosson un double Louis dor et vingt sept livres quatre sols en argent blanc monnoye Espagnolle le double Louis estant battu monnoye de france.

Item—un miroir fait en ovalle de Moyenne Grandeur avec une Glasse finne.

Item—un Livre Intitule 'Les fortifications du Sieur de Ville.'

Item—unne paire de draps ayant Servy.

Item—deux autres paires dedraps ayant Servy.

Item—Cing Serviettes & unne Nappe Grosse.

Item—vingt duex Serviettes et quatre Nappes de toile ouvrée ayant Servy.

Item—trois Serviettes et unne nappe unie neufe.

Item—Cinq chemises neufes finnes.

Item—Dix Chemises fines Uzées.

Item—Cinq Chemises fines Garnis dedantelles ayant Este portées.

Item—deux aulnes de Toille de Cotton.

Item—deux de Toille de Cambray.

Item—quatre Cravattes de Mouslinne Garnie de dentelle.

Item—Cinq Cravattes de mouslinne Unies.

Item—trois tourds de Col Uses.

Item—deux mouchoirs dindienne ayant Servuy.

Item—un Rideau de fenestre de toile de Cholet.

Item—douze paires de Chossons & Cinq paires de Chosettes.

Item—deux paires de Glands de verre.

Item—unne paire de bas Gris de fer.

Item—unne Chemisette de Leyne Blanche travaillee a Leguille.

Item—unne Robe de Chambre de Camelot Use.

Item—Laditte Malle outous Les dits Effets estoient dedans & Comme Il ny avoit plus Rien dans la ditte Malle qui ne fust Inventorie

apres avoir remis dedans Les dits Effets nous Laurions Referme & dela Serions alle faire reconnoitre aux temoins qui estoient present alaposition des Scelles Sy les deux Scelles qui estoient apposes Sur un Coffre de Bois de Sapin nauroient point este alteres apres la reconnoissance Diceux nous les aurions Leve & apres Louverture dudt Coffre nous y avons trouve.

Premièrement unne endouille de Tabac.

Item—trois livres et un quart de Poivre.

Item—unne Rappe a Sucre de fert blanc neuve.

Item—quatre paires de Souliers Neufs.

Item—unne Caffetiere de fert blanc neuve.

Item—deux Moulins a Poivre Neufs.

Item—onze pains de Savon Gris.

Item—unflasque.

Item—un Moule de Chândelle.

Item—deux douzaines et demye dassiettes dettain Scavoir unne douzaine neuve et lautre douzaine & demye ayant Servuy.

Item—deux Grands plats potagers.

Item—deux Moyens.

Item—trois plats.

Item—deux Salliere & unne Poivriere.

Item—deux Cuillers & deux fourchettes.

Item—deux petits plats.

Item—unne Serrure avec sa Garniture & ferrave pour des fenestres.

Item—trois Gobelets un Verre & pot a eau, Verre.

Item—un Sacq de poudre a fusil ny ayant plus rien dans le Coffre que nous nayons Inventorie nous aurions remis Les dits Effets dedans & Laurions Refferme & dela Serions alle a unne Canevette pour faire Reconnoistre aux Temoins qui estoient presens alaposition des Scelles Sy les dits Scelles de Ladittes Canevette baurions point Este altere & apres la Reconnoissance diceux nous les aurions Leve et apres avoir fait Louverture de laditte Canevette nous y avons trouve Neuf flacons.

Premierement quatre flacons remplis de Liqueurs.

Item—un Duille Dollive.

Item—quatre autre vide Laquelle quanevette nous avons referme.

Item—dans la ditte Maison il cest trouve trois Matelats de Bourre.

Item—une Couete bleuf.

Item—unne Courte pointe Dindienne ayant Servy.

Tous d'etain

Item—six Couvertes de Layne Blanche Scavoir quatre neuve et deux ayant Servy.

Item—quatre quarts de farrinne.

Item—tois quarts d'eau de vie.

Item—un baril de poudre de Cent Livres.

Item—un baril de Plomb de Cent livres.

Item—un baril de Sucre pesant boutte vingt sept livres.

Item—douze Grandes haches Neuves.

Item—une piece de Toille de Melly tirant vingt cinq aulnes & demie.

Item—un Manteau de drap Gris Blanc ayant Servy.

Item—deux Porte manteaux Scavoir Lun Bluf & Autre Gris Les deux uses.

Item—un Sacq remply de Bled Dynde.

Item—unne Tourtive Cuivre Rouge Etamee audedans.

Item—deux Grandes Marmittes Cuivre Rouge avec leurs Couvertures, Etamees pardedans Scavoir Lune neuve et Autre ayant Servy.

Item—deux petites Marmittes cuivre Rouge avec leurs Couvertures, Etamees endedans Scavoir Lune Neuve et Autre ayant Servy.

Item—deux Casseroles Cuivre Rouge Estamees audedans Scavoir Lune Neuve et Autre ayant Servy.

Item—deux Cuilleres a Pot Cyivre Rouge Scavoir Lune neuve & Autre ayant Servy.

Item—deux Ecumoires Cuivre jaune Scavoir Lune neuve et Autre ayant Servy.

Item—deux Rechauds Cuivre Rouge Neufs.

Item—un poilon Cuivre jaune Neuf.

Item—quatre Chandelliers de Lotton ayant Servy.

Item—deux porte mouchettes avec leurs mouchettes neufues.

Item—deux Chaudrons cuivre jaune neufs.

Item—unne Poille.

Item—unne Paille et des Pinces.

Item—unne Broche.

Item—deux Gilets.

Item—unne Leche fritte.

Item—un fusil Garni de Cuivre jaune.

Item—unne Paire de Pistolets Garny aussy de Cuivre Jaune.

Item—trois Chapeaux de Traitte.

} Le tout de fer ayant servy.

Après le Serment que nous avons requis du Nomme Tourangeot Vallet dudit deffunt Sieur de Lauze a Declare quil navoit point. Connoissance dautres Meubles Ny Effets de la Succession dudit

deffunt que Ceux Contenus au present inventaire en Consequence Ledt Inventaire tenu pour Clos.

Tous les Effets titres & Meubles nous avons laisse a la garde de Sieur Jean Verchuers qui Sen est volontairement charge et promis de les représenter quant nous Len requerons et a signe aincy que les autres temoins Cy-dessus Nommes.

Lan Cy dessus et le treizieme du mois de Novembre Sur les huit heures Du Matin.

En Continuant la presente Procedure & pour & pour Eviter la deposition des Effets dudit deffunt Sieur de Lauze nous avons juge a propos de faire Vendre les dits Effets pour Eviter plus grand fraits aux Creanciers et heritiers dudit deffunt & pour Cet effet nous avons fait Battre, annoncer et Rappeller par la Ville que nous allions proceder a la Vente des Effets du dit deffunt & a Cette fin nous nous Serions Transporte dans la Ditte Maison ou Estant & La plus Grande partye des habitans de Lysle dauphine, nous aurions fait crier et mettre en vente Premierement.

Un habit Bleuf de Camelot avec des boutons dargent et la veste borde dargent Lequel apres avoir Este crie et mis en Vente auroit reste a Mr. Des Brosses pour la somme de quarante Livres comme dernier encherisseur Cy.....40#

Item—un habit de drap gris parmens rouges avec des Brandebourgs dargent & unne veste escarlatta Bordee dargent avec un grand galand dargent et des boutonnières dargent Le tout apres avoir Este mis en Vente seroit reste a Mr. Robert pour la somme de Soixante trois livres Comme dernier encherisseur Cy.....63#

Item—un habit Ecarlatta avec des boutonnières dor et deux paires de culotte Scavoir Lune Rouge et lautre grise Le tout apres avoir este mis en vente auroit Reste a Mr. de Montigny pour La somme de Neuf livres quinze Sols Comme dernier encherisseur Cy.....9#15#

Item—un Surtout descarlatta avec de boutons dargent ayant Servuy Lequel apres avoir este mis en Vente auroit Resté a Mr. Robert Comme denier encherisseur avec une veste de Camelot Rouge pour la Somme de vingt livres Cy.....20#

Un habit uniforme Blanc permens bluf ayant Servuy Lequel apres avoir este mis en vente auroit Reste a Mr. St. Roch pour la somme de vingt quatre livres Comme dernier encherisseur Cy.....24#

Item—unne Veste Escarlatta Borde dor avec boutonniere dor ayant Servuy Laquelle apres avoir este mis en vente auroit Reste a Mr. Poirier pour la Somme de dix Sept livres Comme Dernier encherisseur Cy.....17#

Unne veste de Couety avec unne Culotte de mesme ayant Servuy Laquelle apres avoir este mis en vente auroit Reste A Mr. Roy pour la Somme de Cinq livres quinze Sols Comme Dernier encherisseur Cy.....5#15s

Un Chapeau Neuf borde avec unne dantelle dargent Lequel apres avoir este mis en Vente auroit Reste a Mr. Brusle pour la somme de dix livres Comme dernier encherisseur Cy..... 10#

Item—un aut Chapeau avec unne dantelle dargent neuf Lequel apres avoir Este mis en Vente auroit demeure a Mr. Le Basts pour la somme de dix livres dix sols Comme dernier encherisseur Cy 10#10s

Item—un autre Chapeau borde dor ayant Servuy Lequel apres avoir Este mis en Vente auroit Reste a Mr. de Montigny pour La Somme de douze Livres comme dernier encherisseur Cy.....12#

Item—un autre Chapeau Neuf Sans bord Lequel apres avoir este mis en vente auroit Reste a Mr. de Trefontaine pour La Somme de deux livres Comme dernier encherisseur Cy.....2#

Item—un autre Chapeau Borde dargent lequel ayant Servuy & apres avoir Este mis en vente auroit Reste a Mr. de la Croix pour la somme de deux livres dix sols Comme dernier encherisseur Cy...2#10s

Item—un bonnet de Sigovie double de Noir neuf Lequel apres avoir este mis en vente seroit reste a Mr. Dartus Commandant pour la Somme de Cinq livres quinze Sols Comme dernier encherisseur Cy.....5#15s

Item—unne paire de bas de soye neufs gris de Cendre Laquelle ayant este mise en vente a reste a Mr. de Bienville pour la Somme de vingt deux livres Comme Dernier encherisseur Cy.....22#

Item—unne paire de bas de Leyne neufes Musse Laquelle apres avoir este mise en vente auroit reste a Mr. Trudot pour La Somme de Six livres Cinq sols Comme Dernier encherisseur Cy.....6#5s

Item—dix aulnes descralatinne Lesquelles apres avoir este mise a prix auroit reste a Mr. Du Rand pour la Somme de Cinquabte Cinq Livres, Comme Dernier Encherisseur Cy.....55#

Quatre aulnes Maramet Rouge Lesquelles apres avoir este mise en vente auroit Reste a Mr. Le Roy pour la Somme de seize quinze sols Comme dernier encherisseur Cy.....16#15s

Item—huit aulnes & demye de Toille de Chollet Lesquelle apres avoir este mis en vente auroit reste a Mr. de Bienville pour la Somme de treize livres Comme dernier Encherisseur Cy.....13#

Item—quatroze aulnes de Toille de Treilly Lesquelle apres avoir este mise en vente auroient reste a Mr. Le Basts pour la Somme de vingt livres Comme dernier encherisseur Cy.....20#

Item—onze aulnes de Toille ouvree propre a faire des serviettes
lesquelle apres avoir este mise en vente auroient reste a Mr. Le Basts
pour la Somme de quinze livres Comme Dernier Encherisseur Cy 15#

Item—dix Sept Chemises neuve detraite Lesquelles ayant este
mise en vente auroient Reste a Mr. Poirier pour la Somme de soixante
Six livres dix sols Comme Dernier Encherisseur Cy.....66#10s

Item—seize Mouchoirs de Cotton neufs Reyes laquelle apres
avoir Este mise en vente auroient Reste a Mr. Roger pour la Somme
de vingt huit livres Comme dernier Encherisseur Cy.....28#

Item—six paquets de Cotton Lesquels apres avoir este mis en
vente auroient Reste a Mr. Dartus Commandant pour la Somme de
Sept Livres Cinq Sols Comme dernier Encherisseur Cy.....7#5s

Item—un paquet de fil blanc apres avoir este mis en vente auroit
Mr. Brusle Comme Dernier Encherisseur Cy.....5s

Item—quatre livres deux onces de Vermillion Lequel apres
avoir este mis en vente auroit reste a Mr. Le Roy pour la Somme
de vingt Cinq livres dix sols Comme Dernier Encherisseur Cy 25#10s

Item—deux Grosses de Couteaux jeambettes Les quels apres
avoir este mis a prix auroient Reste a Mr. Poirier pour la Somme
19#10s Comme dernier encherisseur Cy.....19#10s

Item—Six Douzine de Miroirs pour la Traitte Les quels apres
avoir este mis en vente auroient Reste a Mr. de Vilainville pour La
Somme de Six Livres dix sols Comme Dernier Encherisseur Cy 6#10s

Six paquets de peignes pour Traitte apres avoir Este mis en
vente auroit Reste a Mr. de Vilainville pour la Somme de Six Livres
dix Sols Comme Dernier Encherisseur Cy.....6#10s

Item—trois douzainne de Ciseaux Lesquels apres avoir a Este
mis en vente auroit Reste a Mr. Poirier pour la Somme de Neuf
livres dix Sols Comme Dernier Encherisseur Cy.....9#10s

Item—quatre livres Rassade Blanche Laquelle apres avoir Este
mise en vente auroient reste a Mr. Le Roy Comme dernier encheris-
seur pour la Somme de Cy.....10#15s

Item—deux douzainne de bouetes a vermillon lesquelles apres
avoir Este mis en vente auroient Restee a Mr. de Vilainville pour La
Somme de trois livres quinze Comme Derniers Encherisseur Cy 3#15s

Un paquet dallaines & Dains Lesquels apres avoir Este mis en
vente auroient Reste a Monsieur de Vilainville demesme que les
bagues de Lotton pour La Somme de deux livres dix Sols Comme
Dernier encherisseur Cy.....2#10s

Item—Un paquet de grelots Lesquels apres avoir Este mis en
vente auroient Reste a Lafontaine pour la Somme de unne Livre
dix Sols Comme dernier encherisseur Cy.....1#10s

Item—deux douzainne Couteaux Manche de Bois Lesquels apres avoir Este mis en Vente auroient reste au nomme Lafontaine Comme dernier encherisseur Cy..... 2#

Item—deux paquets tirebourre Lesquels apres avoir Este mis en Vente auroient reste a Mr. Robert pour La Somme de deux Livres Comme dernier Encherisseur Cy..... 2#

Item—trois douzainnes de boutons de Cuivre montes sur bois pour veste Les quels apres avoir Este mis en vente auroient reste a Mr. Montigny pour La Somme de deux Livres Cinq Sols Comme dernier encherisseur Cy..... 2#5s

Item—un Coffre fait enforme de malle Lequel apres avoir Este mis en vente auroient reste a Mr. de Vilainville pour La Somme de vingt une Livre quinze Sols Comme dernier encherisseur Cy... 21#15s

& Comme Lheure de Midy Seroit Survenuë nous nous Serions retire & aurions Renvoye La presente Vente a Cette apres dine & aurions Laisse Le tout en la Garde du Sieur Verstune Cy devant Nomme En Continuant La presente procedure Sur les deux heures apres midy Nous Serions transporte dans la maison du deffont Sieur de Lauze ou Estant & la plus grande partie des Bourgeois nous avons fait crier & mettre a prix unne montre dargent avec Sa bouete La quelle apres avoir esté mis en vente auroit Reste a Monsieur de Chateaugue pour la Somme de Soixante & douze Livres Comme dernier encherisseur Cy..... 72#

Item—un cachept & unne bague dargent Les quelle apres avoir Este mis en vente auroient Reste a Mr. La Pointe pour La Somme de huit Livres Cinq Sols Comme dernier encherisseur Cy..... 8#5s

Item—unne Tabaquiere dargent Laquelle apres avoir Este mise en vente auroit Restee a Mr. Roger pour La Somme de trante Livres dernier encherisseur Cy..... 30#

Item—deux cuilleres et deux fourchettes dargent Lesquels apres avoir Este misent en vente auroient restees a Mr. Lafontaine Comme dernier encherisseur pour la Somme de quarante qautre Livres & quinze Sols Cy..... 44#15s

Item—un Miroir avec unne Glace finne de Moyenne Grandeur Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugu pour La Somme de Cinq Livres Comme dernier encherisseur Cy..... 5#

Item—un Livre Intitule I.es fortifications du Sieur de Ville Lequel apres avoir Este mis en Vente auroit Reste a Mr. Le Maire pour la Somme de trois Livres Comme Dernier encherisseur Cy... 3#

Item—unne paire de draps de draps ayant servuis Lesquels apres avoir Este mis en Vente auroient Reste a Mr. de Bajot pour

La Somme de huit Livres Cinq Sols Comme Dernier Encherisseur Cy.....	8#5s
<i>Item</i> —une aud paire de draps Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Robert pour La Somme de douze Livres 10 Sols, Comme dernier encherisseur Cy.....	12#10s
<i>Item</i> —une autre paire de draps Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Montigny pour la Somme de treize Livres Comme dernier encherisseur Cy.....	13#
<i>Item</i> —Cinq grosses Serviettes et unne Nappe de Mesme le tout apres avoir Este mis en vente auroit Reste a Mr. Bouchard pour La Somme de Cinq Livres Comme dernier encherisseur Cy.....	5#
<i>Item</i> —une douzainne de Serviettes de Toille ouvree avec deux Nappes de Mesme Lesquels apres avoir Este mis en Vente auroient reste a Monsieur de Montigny Pour La Somme de vingt deux Livres 10 Sols Comme dernier encherisseur Cy.....	22#10s
<i>Item</i> —dix Cerviettes ouvres et deux nappes de mesme Lesquels apres avoir Este mis en Vente auroit reste a Mr. La Pointe pour La Somme de dix huit Livres quinze Sols Comme dernier encherisseur Cy.....	18#15s
<i>Item</i> —trois Serviettes & unne Nappe unie le tout apres avoir Este mis en Vente auroit Reste a Mr. de Villainville pour La Somme de Cinq Livres Comme dernier encherisseur.....	5#
<i>Item</i> —dix Chemises de Nuit ayant Servuy Lesquelles apres avoir Este mis en Vente auroient Reste au Nomme Lafontaine pour la Somme de trente livres Cinq Sols Comme dernier encherisseur Cy.....	30#5s
<i>Item</i> —cinq Chemises neuve finne lesquelles apres avoir Este mis en Vente auroient Reste ba Mr. Roger pour La Somme de cinq- uante Livres Comme dernier encherisseur.....	50#
<i>Item</i> —six Chemises fine usees Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. fabus pour La Somme de dix neuf Livres Cinq Sols Comme dernier encherisseur Cy.....	19#5s
<i>Item</i> —quatre Chemises fines Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Girardeau pour La Somme de quinze Livres Comme dernier encherisseur Cy.....	15#
<i>Item</i> —Six Chemises finnes Garnie de dentelles Lesquelles apres avoir Este mis en Vente auroient reste a Mr. poira Comme dernier encherisseur Cy.....	55#
<i>Item</i> —deux autrés de Toille de Cotton et deux autres de Toille de Baptiste lesquelles apres avoir Este mis en Vente auroient reste a Mr. La Pointe pour La Somme de seize Livres Cinq Sols Comme dernier encherisseur Cy.....	16#5s

Item—quatre Cravattes a dentelles lesquelles apres avoir Este mis en Vente auroient reste a Mr. Poirier pour La Somme de vingt unne livres dix Sols Comme dernier encherisseur Cy21#10s

Item—quatre Carvattes a dentelles lesquelles apres avoir Este mis en Vente auroient reste avec deux paires de Glands a Mr. Poirier pour la Somme de vingt unne Livres dix Sols Comme dernier encherisseur Cy.....21#10s

Item—cinq Cravattes de Mouslinnes a trois tours de Col, Lesquelles apres avoir Este mis en Vente auroient reste a Mr. Diron pour La Somme de treize Livres Cinq Sols Comme dernier encherisseur Cy.....13#5s

Item—deux Mouchoirs dindienne uses Lesquels apres avoir Este mis en Vente auroient reste a Mr. Girardeau pour La Somme dunne livre quinze sols Comme dernier encherisseur Cy.....1#15s

Item—un Rideau de Cotton Lequel apres avoir Este mis en vente auroit Reste a Made. Jollicoeur pour La Somme de Cinq Livres Comme ayant La derniere enchere Cy.....5#

Item—cinq paires de Chaucettes & douze paires de Chaussees. Lesquels apres avoir Este mis en Vente auroient reste a Lafontaine pour La Somme de deux Livres quinze Sols Comme dernier encherisseur Cy.....2#15s

Item—unne paire de Bas Gris de fer Lesquels apres avoir Este mis en Vente auroient reste a Mr. Des Brosses pour La Somme de Cinq Livres Cinq Sols Comme dernier encherisseur Cy.....5#5s

Item—unne Chemisette de Leinne faite a la Broche Laquelle apres avoir Este mis en Vente auroit reste a Mr. de Chateaugue pour La Somme de Cinq Livres Comme dernier encherisseur Cy.....5#

Item—unne Robe de Chambre de Camelot Laquelle apres avoir a Este mise en Vente auroit Reste a Mr. Boulet pour La Somme de seize livres dix sols Comme dernier encherisseur Cy.....16#10s

Item—unne Malle ou tous les dits Effets Cy dessus Enonces Etoient de dans Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour la Somme de seize Livres Comme dernier encherisseur Cy.....16#

& Comme Lheure de Six heures estoit Survenue nous nous Serions Retires & aurions Renvoye La presente au lendemain En Continuant la presente Procedure Ce jourdhuy quatrieme Novembre Sur les huit heures du Matin nous nous serions Transporte dans la maison dudit deffunt Sieur de Lauze & La plus grande partye des Bourgeois assemblees nous aurions fait Crier et mettre en Vente unne endouille de tabac Laquelle apres avoir Este Crie auroit Reste au

Nomme Lacroix pour la somme de Trois livres cinq Sols Comme dernier encherissuer Cy..... 3#5s

Item—Trois livres et un quart de poivre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Lemese pour la somme de neuf Livres quinze Sols Comme dernier encherisseur..... 9#15s

Item—Une Rappe de fert Blanc Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Poirie pour la somme de unne Livre dix Sols Comme dernier encherisseur Cy..... 1#10s

Item—Trois paires de Soullier neufs, lesquels apres avoir Este mis en Vente auroient Reste a Mr. Du Rand pour la Somme de douze Livres quinze Sols Comme dernier encherisseur Cy..... 12#15s

Item—unne paire de Souliers neufs lesquels apres avoir Este mis en Vente auroient reste a Monsieur Raquet pour La Somme de Cinq Livres huit Sols Comme dernier encherisseur Cy..... 5#8s

Item—unne Caffetiere de fer blanc laquelle apres avoir Este mis en Vente auroit reste a Monsieur Roge pour La Somme de quatre Livres Comme dernier encherisseur Cy..... 4#

Item—un Moullin a Poivre Lequel apres avoir Este mis en Vente auroit reste a Mr. Lafontaine pour La Somme de quatre livres Comme dernier encherisseur Cy..... 4#

Item—un autre dt Moulin a Poivre Lequel apres avoir este mis en Vente auroit reste a Mr. de Montigny pour La Somme de deux Livres quinze Sols Comme dernier encherisseur Cy..... 2#15s

Item—unne paire de savots Gris lequel apres avoir este mis en Vente auroit reste a Mr. Trudot pour La Somme de Trénte Livres Comme dernier encherisseur Cy..... 30#

Item—un Masque & un Moule a Chandelle Lesquels apres avoir este mis en Vente auroient a Mr. Montigny pour la Somme de treize Livres Cinq Sols Comme dernier encherisseur Cy..... 13#5s

Item—unne douzainne Dassiettes neuves Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Robert pour La Somme de vingt deux Livres Comme dernier encherisseur Cy..... 22#

Item—unne douzinne et demye dassiettes Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Dastur pour La Somme de vingt Cinq Livres Comme dernier encherisseur Cy..... 25#

Item—deux Grands plats potagers Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Robert pour La Somme de huit Livres Cinq Sols Comme dernier encherisseur Cy..... 8#5s

Item—deux plats de Moyenne grandeur Lesquels apres avoir Este mis en Vente auroient Reste a la Compagnye pour La Somme de Six Livres Comme dernier encherisseur Cy..... 6#

Item—Cinq plats de plusieurs espee Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Montigny pour La Somme de neuf Livres dix Sols Comme dernier encherisseur Cy..... 9#10s

Item—deux Sallieres, deux cuilleres & deux fourchettes Lesquels apres avoir Este mises en Vente auroient Reste a Mr. Diron pour la Somme de Cinq Livres Comme dernier encherisseur Cy..... 5#

Item—une poivriere Laquelle apres avoir este mise en Vente auroit Reste a Mr. Poirier pour la Somme de quatre Livres dix Sols Comme dernier encherisseur Cy..... 4#10s

Item—trois Gobelets un Verre un pot a eau le tout de Verre apres avoir Este mis en Vente auroient Reste a Mr. Montigny pour la Somme de unne Livre dix Sols Comme dernier encherisseur Cy 1#10s

Item—une serrure avec sa Garniture de ferrure pour des fenestres le tout apres avoir Este mis en Vente auroit demeure a Mr. de Villainville pour la Somme de huit Livres dix Sols Comme dernier encherisseur Cy..... 8#10s

Item—un sacq de pierre a fusil lequel apres avoir Este mis en Vente auroit reste a Mr. Trefontaine pour la Somme de trois Livres Comme dernier encherisseur Cy..... 3#

Le Coffre ou tous les susdits Effets se sont trouves dedans Sur la representation que nous a fait le Vallet dudt deffunt Sieur de Lauze quil Luy appartenoit apres nous estre suffisamment Informe Sy le dit Coffre luy appartenoit veritablement nous luy avons remis.

Item—unne Canevette & neuf flacons Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Lebastor pour La Somme de trente Livres quinze Sols Comme dernier encherisseur Cy..... 30#15s

Item—un matelat de Bourre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Trefontaine pour la Somme de vingt Livres Comme dernier encherisseur Cy..... 20#

Item—un aud dt matelat Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour la Somme de douze Livres Cinq Sols Comme dernier encherisseur Cy..... 12#5s

Item—un aud dit Matelat Lequel apres avoir Este mis en Vente auroit Reste a Mr. Brusle pour la Somme de douze Livres dix Sols Comme dernier encherisseur Cy..... 12#10s

Item—unne Couverture de Layne Bleut Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Trefontaine pour La Somme de dix huit Livres Comme dernier encherisseur Cy..... 18#

Item—unne Courtpointe Dindienne Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Montigny pour la Somme de vingt Cinq Livres dix Sols Comme dernier encherisseur Cy..... 25#10s

Item—unne Couverte ayant Servuy Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour la Somme de sept Livres dix Sols Comme dernier encherisseur Cy.....7#10s

Item—unne aud dte Couverte de Layne Blanche Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Boulet pour La Somme de dix Livres Comme dernier encherisseur Cy.....10#

Item—deux Convertes Neuves de Layne Blanches Lesquelles apres avoir Este mises en Vente auroient Restees a Mr. Trefontaine pour La Somme de Trente Livres Comme dernier encherisseur Cy 30#

Item—un quart de farine lequel apres avoir Este mis en Vente auroit Reste a Mr. Thomas pour La Somme de cinquante trois Livres Comme dernier encherisseur Cy.....53#

Item—un aud quart de farine Lequel apres avoir Este mis en Vente auroit Reste a Mr. de La Pointe pour La Somme de cinquante trois Livres Cinq Sols Comme dernier encherisseur Cy.....53#5s

Item—deux quarts de Farinnes lesquels apres avoir Este mis en Vente auroient Reste a la Compagnye pour la Somme de cent deux Livres Comme dernier encherisseur Cy.....102#

Item—un quart d'eau de vie Lequel apres avoir Este mis en Vente auroit Reste a Mr. Montigny pour La Somme de cent trente Livres Comme dernier encherisseur Cy.....130#

Item—un autre quart d'eau de vie Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour La Somme de cent vingt deux livres dix Sols Comme dernier encherisseur Cy.....122#10s

Item—un aud dt cart d'eau de vie lequel apres avoir Este mis en Vente auroit Reste a Mr. des Brosses pour La Somme de cent vingt unne livres & Cinq Sols Comme dernier encherisseur Cy.....121#5s

Item—un Baril de poudre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Dartus pour la Somme de de Cent Livres Comme dernier encherisseur Cy.....100#

Item—un Baril de Plomb Lequel apres avoir Este mis en Vente auroit Reste a Mr. Dardus pour La Somme de cinquante Livres Comme dernier encherisseur Cy.....50#

Item—un Baril de Sucre Lequel apres avoir Este mis en Vente auroit Reste a Monsieur Boulet pour La Somme de seize Livres dix Sols Comme dernier encherisseur Cy.....16#10s

Item—douze grandes haches Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Le Roy pour La Somme de vingt six Livres Comme dernier encherisseur Cy.....26#

Item—unne piece de Toille de Mesly Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Le Basts pour La Somme de vingt six Livres Comme dernier encherisseur Cy.....26#

Item—un Manteau de Drap Gris Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert Pour la Somme de seize Livres Cinq Sols Comme dernier encherisseur Cy.....16#5s

Item—un porte manteau bluf Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour La Somme de six Livres Comme dernier encherisseur Cy.....6#

Item—un porte manteau usé Lequel apres avoir Este mis en Vente auroit Reste a Mr. Du Rand pour La Somme de quinze Sols Comme dernier encherisseur Cy.....15s

Item—un Sacq de Bled Dinde Lequel apres avoir Este mis en Vente auroit Reste a Mr. de Chateaugue pour La Somme de trois Livres Comme dernier encherisseur Cy.....3#

& Comme Lheure de Midy seroit Survenue Nous nous Serions Retires & aurions Renvoye La Continuation de La Presente Vente a Cette apres Dinee.

En Continuant La presente Procedure Cejourdhy quatrieme Novembre en Consequence du Renvoy fait Sur les deux heures apres Midy Nous nous Serions transporte dans La maison dudit deffunt Sieur de Lauze & ou Estant la plus grande partye des Bourgeois assembles nous aurions fait Crier et mettre en Vente:

Premierement unne Tourtiere Cuivre Rouge Estamee Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Le Bars pour la Somme de vingt trois Livres Comme dernier encherisseur Cy.....23#

Item—unne Grande Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Monsieur Robert pour La Somme de seize Livres quinze Sols Comme dernier encherisseur Cy.....16#15s

Item—unne dte Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Mr. La Pointe pour La Somme de vingt unne livres dix Sols Comme dernier encherisseur Cy.....21#10s

Item—unne petite Marmite Cuivre Rouge Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Rougeon pour La Somme de douze Livres dix Sols Comme dernier encherisseur Cy.....12#10s

Item—unne dte Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour La Somme de dix Livres seize Sols Comme dernier encherisseur Cy.....10#16s

Item—unne Casserolle Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Rougeon pour la Somme de Sept Livres Comme Dernier encherisseur Cy.....7#

Item—unne Casserolle Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Lafontaine pour la Somme de Cinq Livres quinze Sols Comme dernier encherisseur Cy.....5#15s

Item—deux Ecumoires et deux Cuilliers a Pot Lesquelles apres avoir Este mis en Vente auroient restees a Mr. Lafontaine pour La Somme de huit livres quinze Sols Comme dernier encherisseur, Cy.....8#15s

Item—un Rechaud Lequel apres avoir este mis en Vente auroit reste a Mr. Le barts pour la Somme de Six Livres Comme dernier encherisseur Cy.....6#

Item—un aud Dit Rechaud Lequel apres avoir este mis en Vente auroit reste a Monsieur Lafontaine pour La Somme de quatre Livres Cinq Sols Comme dernier encherisseur Cy.....4#5s

Item—un poilon Cuivre jaune Lequel apres avoir Este mis en Vente auroit a Monsieur Bienville pour la Somme de Cinq Livres Comme dernier encherisseur Cy.....5#

Item—deux Chandelliers de lotton avec un porte mouchette et des mouchettes le tout apres avoir este mis en Vente auroit reste a Mr. Lafontaine pour la Somme de Cinq Livres quinze Sols Comme dernier encherisseur Cy.....5#15s

Item—deux Chandelliers avec un porte mouchette et leurs mouchettes le tout apres avoir este mis en vente auroit reste a Mr. de Trefontaine pour la Somme de Cinq Livres dix Sols Comme dernier encherisseur Cy.....5#10s

Item—un Chaudron Lequel apres avoir Este mis en Vente auroit reste a Monsieur de la Vigne pour La Somme de Six Livres Cinq Sols Comme dernier encherisseur Cy.....6#5s

Item—un aud Dt Chaudron Lequel apres avoir Este mis en Vente auroit reste a Monsieur fabus pour La Somme de Six Livres Cinq Sols Comme dernier encherisseur Cy.....6#5s

Item—unne Poille Laquelle apres avoir Este mise en Vente auroit restee a Monsieur Lafontaine pour La Somme de Quatre Livres quinze Sols Comme dernier encherisseur Cy.....4#15s

Item—unne paille & unne pince le tout apres avoir este mis en Vente auroit reste a Monsieur Detstus pour La Somme de quatre Livres Dix Sols Comme dernier encherisseur Cy.....4#10s

Item—unne Lechefritte et unne Broche ayant este mises en Vente auroit reste a Monsieur Lafontaine pour La Somme de Sept Livres quinze Sols Comme dernier encherisseur Cy.....7#15s

Item—un Gril Lequel ayant este mis en Vente auroit reste a Monsieur Trefontaine pour la Somme de Six Livres Comme dernier encherisseur Cy.....6#

Item—un autre Gril Lequel apres avoir Este mis en Vente auroit reste a Monsieur La Fontaine pour La Somme de trois Livres dix Sols Comme dernier encherisseur Cy.....3#10s

Item—un fusil Garny de Cuivre jaune Lequel apres avoir Este mis en Vente auroit reste a Mr. de Vilainville pour La Somme de quarante Livres Cinq Sols Comme dernier encherisseur Cy.....40#5s

Item—unne paires de Pistolets Garnis de Cuivre Jaune Lesquels apres avoir Este mis en Vente auroient reste a Monsieur de Chateau-gue pour La Somme de Vingt Cinq Livres Comme dernier encherisseur Cy.....25#

Item—Trois Chapeaux de Traittes Lesquels apres avoir Este mis en Vente auroient reste a Monsieur de Vilainville pour La Somme de treize Livres Comme dernier encherisseur Cy.....13#

Le prix delavente desquels Meubles ainsy que de tous Les Effets mentionnes aud In re Se Monte a lasomme de deux Mil cinq Cent Soixante dixsept Livres Lesquels Jay Remise entre Les Mains de Monsieur de Gauvrit Major et Executeur testamentaire le jour et an que dessus

Signe de Gauvrit et des Brosses Paraphe.

Collationne a Loriginal en papier alinstant Rendu a Monsieur De Gauvrit par nous Norre Royal en la Province de la Louisianne. A la Nouvelle orléans Le Deux juillet mil Sept Cent Vingt.

Rossard, Nore.

Recep de Monsieur de Gauvrit pour lapste Coppie Collationnee en papier quatre piastres.



THE LATIN CITY
A Plea for Its Monuments

"Divina natura dedit agros, ars humana aedificavit urbes."
—Varro: *De Re Rustica*, III.

By Edward Alexander Parsons,
Delivered before The Louisiana Historical Society,
April 27, 1920.

By their cities shall you know them.

Not all the praise of country-side and rustic scene by poet and romancer, not even the philosophic thrust that the first city was founded by Adam's wayward son, can ever change the fact, that the meeting-place of men, where they do congregate to exchange ideas, relate experiences, formulate rules of conduct and band themselves in co-operative endeavor, in united effort for the general good, that this seat of social concourse—the city—is the type and standard of their civilization.

The very word "civilization," the propriety of which was not admitted by old Johnson, means the advancement of men from a rude and rustic state to a condition of civil organized society; it is the record of the manners and customs, the life of the city-men, not the record of the manners and customs, the life of the country-men, the rustics or the villagers. Truly "the links that bind men to capitals belong to the golden chain or civilization,—the chain which fastens all our destinies to the throne of Jove. And hence the larger proportion of men in whom genius is pre-eminent have preferred to live in cities, though some of them have bequeathed to us the loveliest pictures of the rural scences in which they declined to dwell."

And so to be deprived of walking in the Loggia or upon the streets of Florence, was to Dante exile indeed; so Socrates preferred to drink the hemlock than leave Athens where he had always dwelt; and even Byron in spite of poetic praise of nature's beauties as above the things of men, is compelled to cry out, as he beheld the Eternal City:

"O Rome! my country! city of the Soul!"

Among cities, as among individuals, those only have been great, noted or notorious, that have exemplified heroic achievements, well defined character, or by the want of these have merited the disapproval or contempt of mankind.

A city to be truly great must typify the genius of a race, a cause or ideal; a city to be noted must represent the best achievement in thought or action, in some department of human endeavor; and a city to be notorious has only to outrival her sisters in brazenly proclaiming her weakness and short-comings.

And so the very names of places conjure rare images of universal types and ideas—running the gamut of human appeal, viewed through a speculum reflecting every variety of color from empyrean's primal shades to the dark mazes of the pit. The Holy City, Jerusalem, prefigures "faith" to Jew, Christian and Moslem alike; the far-famed city of Athena, "violet crowned," will ever be the fairest goddess of beauty in art and thought; the Eternal City will represent the rock of religion, law and government; the glories of the Renaissance are quickened by the name of Florence; mighty London, stands for trade; Paris, is the epitome of the Latin spirit, that subtle genius of life and art, that has made the French the modern Greeks; and, in the mazes of the abyss Carthage is, as Sybaris should be, forgotten.

In the New World, perhaps but three cities possess all those qualities of race, character, varied history, local art, a spontaneity of life, manners and customs, and with it all a charm, quaint, piquant, full of distinctive color,—they are: Mexico City, Quebec and New Orleans.

It is curious that they are all of Latin origin, two the children of France and one the daughter of Spain.

Now there are many other cities in North America, hundreds of them places of wealth, refinement and modern comfort and all with a local interest, but wood, brick and marble, money and population will not alone make a world-city, a seat of historic, artistic and international renown, one which will ever hold a unique place in the story of man's effort to build as if he would live forever.

The genius of Italy, the industry of Spain, the indomitable spirit of French and English men had founded a new world upon the earth's oldest continent.

In search of gold, the El Dorado, in search of adventure, in search of India, in search of China, in search of furs, in search of souls, came that brave array of Latin men, to note upon a map its three-tongued mouth; to recite rare fables of the golden store in the

rich villages, beside its bank; to meet the last visitant amid shipwreck in its Delta; to find the last abode within the bosom of its majestic stream; to explore its upper reaches for trade and God; to discover that it flowed south, to the Gulf, and not west, to China; to create a vast empire of the country through which it coursed and to explore for half a thousand miles its unknown waters; and finally upon its banks to found its capital, a city, that should ever keep aflame the torch they kindled—the Latin spirit within this western world—such were the purposes, visions, destinies and achievements of the geographer, Americus Vespucius; Alvarez de Pineda, its first explorer; the unfortunate Pamphilo de Narvaez, the fanatical gold-seeker Hernando de Soto; the fearless trader and the heroic priest, Joliet and Marquette; La Salle the Mediaevalist and greatest enthusiast in the history of exploration; the efficient and practical buccaneer, Iberville; and finally the intrepid Bienville, “Father of Louisiana” and “Father of New Orleans”—who all imperishably wrote with their life blood and heroic efforts the wondrous story of the Palissado River, of the Rio del Santo Espiritu, the St. Louis, the river Colbert, and last as at first, the great river—the Mississippi.

La Salle had dreamed of a city upon the Mississippi River; Bienville, surmounting every obstacle, founded New Orleans.

The story of the origin, growth and determination, for nearly two decades, in the mind of Bienville to build a city upon the river in order to control it and thus secure the permanent suzerainty of France to the vast empire which it drained; the selection of the site, the drawing of the plans or survey by de la Tour or Pauger; the difficulties, trials and perils of wind and water, of savage tribes and still more dangerous swamps, the miasma and disease; the first beginning in 1718; the little settlement, almost as soon as built destroyed by the September hurricane; the fever; the coming of the ships crowded with all the unfortunates of the street, the hospital and the prison—sad victims of the schemes of Law and the rule of the Regent; the advent of the Ursuline sisters, the Jesuit fathers and Capuchins; the arrival of the marriage ships—the Casket girls (*filles a la Cassette*)—with their little chest of clothes provided by the King; the old fortifications, moats, gates, and forts; the great fires, on Good Friday, 1780, and again in 1786, when the best portion of the town was destroyed; the rebuilding of the city along more permanent lines, and in a Spanish style; the visits of distinguished men, the republican General Humbert, the hero of Landau; Jean Victor Moreau, rival of Napoleon, and hero of Hohenlinden; the Duke of Orleans (later to become Louis Philippe the citizen King of

the French) and his brothers who were entertained by the Marignys; the great Lafayette; and the interesting Dr. Antommarchi, who had closed the eyes of Napoleon at St. Helena; the wonderful variety of life and population of the colonial city; distinguished ecclesiastics, French governors and intendents, and members of the Council, Spanish governor-generals and members of the Cabildo, cavaliers and defenders of the monarchy, men of the Revolution, republicans, and tribunes of the people; the Baratarians, smugglers and pirates—the best and the worst blood of France and Spain; and the Anglo-Saxon back woodsmen from up the river; Indians and Africans, both slave and free, together with a smattering of the populations of Europe and the New World; the fame and renown of one of the world's great battles, when the men of Jackson and New Orleans met the soldiers of the Peninsula war on the field of Chalmette and utterly defeated them; the watch and ancient gendarmie; and the introduction of street lamps in 1821; its triumphs of industry, as when Etienne de Bore (1794) extracted sugar from the juice of the cane; its advancements in transportation, when the first steamboat arrived at its wharves in 1818, and its Pontchartrain railroad became the second railroad completed in the United States; and above all its unique triform history, French, Spanish and American—surely it is a record to test the chronicler, to furnish material to poet and romancer, it is a mine from which great epics might be wrought, and it is the theme that has illumined the historic pages of Gayarre and Miss King, of Martin and Fortier.

As we all know, the city proper was a parallelogram, about seventy arpents in width, along the river front, with a depth of about fourteen arpents.

This area was traversed by seven parallel streets almost parallel with the river, intersected by twelve streets, running, nearly at right angles to the river. This is the so-called Vieux Carre extending from the river to Rampart, from Esplanade to Canal.

Its immediate environs were: Back of Rampart, the faubourg Tremé, below Esplanade, the faubourg Marigny, above Canal, the faubourg St. Mary. Beyond these areas, particularly, in the rear, was the dread la Cyprière, a region of treacherous bog, almost impassable swamp—a weird domain of dank vegetation, latanier, a jungle of willow and cypress, the abode of insect and reptile life, from which stalked, like in Beowulf of old, the dread miasma.

The city was regularly laid out with a central place devoted to Church and State and the activities of civic life. The buildings arose in wood and brick and permanent forms, the Cathedral, the

Convent, the Hospital, the Seat of Government, the Town Hall, the Barracks, the Prison, the theatre, the hotel, the humble cottage, and pretentious home, with many an ambitious structure in Chartres, Royal and Rampart.

And so was planned and built a complete town, with a distinct individuality—a place *sui generis* among her sister cities of world interest.

And ever since this carré, has been a treasure-trove to the intellectual mind. Within its precincts the student of men and matters may behold a unique branch of Latin culture and civilization, replete with lights and shadows of its individual types, developed at the extreme of the world's greatest valley, from centuries of traditions of the Latin race, brought in contact with the crude elements of colonial life. The whole scheme of existence is here, from Pere Antoinnes to Voodoo queens, from Chevaliers to water thieves, from the Carnival to Octoroon balls, from the proud dame to poor Mariquita, from pralines to creole wonders in the gastronomic art.

Within its bounds the historian has yet to fully explore its treasure-chambers of sources and documents that should illumine the dark corners of its ancient French, Spanish and American regimes.

Within its quarters the antiquary may find not only the death-mask of the world foremost military genius, a Latin by blood and a Latin by adoption, as well as many a rare and curious memento of regal, revolutionary and imperial France, of romantic Spain, and of the daughters of both in this new world.

Within its streets and houses rich in historic memories, the novelist may find rare material for story or romance which he may fashion with truth or falsity.

Within its tribunals, alone, the jurisconsult may behold the actual administration of the *Corpus Juris Civilis*, the Spanish law, the Code Napoleon and the common law of England.

Within its area the architect will discover the endless symbols of his art, with loggia, colonade, patio, arcade, arched portals, massive doors, fan-shaped windows, wrought iron gates, and the delicate lace work on balustrade and balcony in ornamental iron.

Within its narrow alleys, its antique courtyards, at the turn of some corner with a vista of overhanging balconies, some fine design or bit of ornament transferred to canvas by Woodward, or serving the realistic pen of Churchill, or the more impressionistic pencil of Frances Jones, proclaim a charming art-opportunity much neglected or ignored. How often have we wished to see these native

scenes also portrayed on canvas or wrought in bronze by the firm hand of Ciceri, Wickstrom, Molinary, Poincy, Perelli and Jules Andrieu.

*“The nature of our people
Our City’s institutions” —*

are subjects too subtle and profound for hasty treatment, and so, I must pass them by.

And yet, if you are not weary:

*“I am not weary, and 'tis long tonight;
I pray you, let's satisfy our eyes
With the memorials and the things of fame
That do renoun this city.”*

I shall mention but three, our three great monuments, as types of Church, State and Art, though I do not hope to satisfy your ears, and much less your intellects. If in a sense you may know a people by their city, so may you know a city by its buildings.

The Church, the government and the theatre, representing the religion, law and art of a community, will ever be the test of its quality. What is the record of New Orleans in these essentials?

The instance of Pisa alone comes to my mind with its Campanile, Cathedral, Baptistery and Campo Santo.

Bienville set aside the center of his city for Church and government and people.

The first religious services were held beneath a tent; a wooden church was built and destroyed by the hurricane; a brick church was built and destroyed by fire (1788) and finally the Cathedral was rebuilt by Almonester, it was modified by Latrobe in 1814, by Le Riche in 1824, and has but recently been restored. The Cathedral came to stand almost with a palace and a prison on each hand.

In the beginning a guard house and a prison were on its south side; a building was erected where was held the Cabildo instituted by the iron hearted O'Reilly. Fire also destroyed the place; and again our Andalusian benefactor, Almonester, built the present Cabildo. The city later reimbursed the expense, some \$28,000, to his widow.

This is probably the second most historic building in America, and as Cabildo, Town Hall, Supreme Court and scene of the “Transfer” and many famous events, it must ever have, at least for Louisianians a worth beyond price.

The Presbytery occupied the north side of the Cathedral, it was sold to the City and the present structure erected, though poorly constructed, a copy of the Cabildo, and for many years occupied by our civil courts. These buildings are now occupied by the State Museum and the Louisiana Historical Society and are being preserved.

In front of the Cathedral, the Cabildo and the Presbytery, stretched the Jackson Square, the famous Place D'Armes, with Mills' equestrian monument to the hero of the Battle of New Orleans.

This square is flanked by the two piles built by Baroness de Pontalba; buildings of great architectural worth, splendid in tone and color and remarkable for their proportionate balance of mass and line. This square and its famous environs constituted the very heart of the ancient city.

And finally we reach the third in the trilogy of our most famous monuments—the French Opera House. Mr. Harry B. Loeb and Mr. Andree Lafargue, in history and in sentiment, have made this theme their own. Unfortunately here we cannot use the words “restored”, “preserved,” but are compelled to employ the most hopeless word in any language “destroyed.”

Yet real destruction is from within and cannot be successful if entirely from without.

The Persians destroyed the buildings on the Acropolis while the devoted Greeks watched from their ships; Rome has repeatedly been devastated by the barbarians; and but yesterday we had to:

*“Look on fertile France
And see the cities and the towns defaced;”*

but Pericles rebuilt upon the citadel the most beautiful structure that man has yet devised; Rome the eternal could not die; and France from the wreck will rise stronger and fairer to behold.

Can it then be possible that a city and a people, with the traditions, history and spirit of New Orleans, in these days of great prosperity, can look with indifference upon a matter so essential to its true greatness, a proper respect for its historic and artistic past and proper care for its future fame?

There can be but one answer: That New Orleans, as ever in great matters, will be true to herself, that commensurate with her pride, observant of the right, she will, out of her plenty, upon the identical site, rebuild in all its old magnificence, Gallier's masterpiece, the French Opera House, her far-famed Temple of Song.

THE NEW ORLEANS FRENCH OPERA HOUSE

A Retrospect

Memories of the Past Brought Up by the Smoldering Ruins of the Historic Old Edifice.

By *André Lafargue.*

Stones speak. Their appeal is mute but none the less profoundly eloquent. Those who contemplated the smoldering ruins of that which formerly constituted a monument dear to all those who are enamored with art and its proper presentation, could easily have convinced themselves of the truth of this assertion. I have reference to the French Opera House, the dear old building now no more. The flames have, alas, completely consumed it. Nothing has been left of it but a huge pile of bricks and mortar.

As we looked upon the blackened walls, which stood out dark and desolate in fragmentary condition, and upon what remained of the front portion of the historic edifice, marred and defaced by fire; as we gazed upon the slowly ascending smoke that emerged from the smoldering embers and mounted skyward in what seemed to us a silent but most eloquent protest, a feeling of profound sadness came upon us and tears sprang to our eyes. Those walls and ruins had witnessed such beautiful and gorgeous events of Louisiana mirth and revelry; within the space that they encompassed so many scenes had been enacted dear to our heart and so closely connected with our life history within the last sixty years that we were bound to recall them as we viewed the ruins of the old Opera House. Yes, stones have a language of their own. Those of the French Opera speak to us as we pass by on Bourbon street and we listen to them intently and with deep emotion, because we fully understand what they say, because we are familiar with the message which they unceasingly convey.

There was not a single building in Louisiana as closely identified with the history of our festivals and revelries of the highest order as the old French Opera House. The lyric temple on Bourbon street was truly the patrimony of all Louisianians, the scene of wondrous gatherings and sumptuous receptions at which generations of New Orleanians met on pleasure bent, in order to forget the ills and cares of life neath the dispelling influence of suave and rapturous

music. Harmony reigned supreme within its walls. It was the abode of mirth and laughter, of pleasure and revelry. But it was not merely a temple dedicated to lyric art. For many years Terpsichore had tripped the light fantastic on its stage and extended platform, and there isn't a single person whose privilege it has been to witness the elaborate and highly artistic Carnival Balls held in the old Bourbon Street Opera house, who does not cherish the memory thereof.

What splendid receptions and gatherings of a social, patriotic and historic character were held in the famous auditorium of the Opera House, an auditorium whose exquisite proportions, gracefully curved balconies, proscenium and open boxes and cozy stalls, formed a delightful and harmonious inner setting of pure architectural beauty, which those who were qualified to express themselves have time and again praised.

It can truthfully be said that since 1859, the year in which the French Opera House had been built, the main events in the lyric and operatic history of New Orleans had been enacted within its walls. There isn't a Louisianian, worthy of that name, who was not familiar with the nooks and corners of the place. One felt at home the minute he had crossed the threshold of the dear old edifice, feeling sure that he would meet there familiar faces, men and women whose beaming countenances and joyful mien showed that they were fully enjoying the performances that they were attending. This feeling of contentment is one that is quite noticeable among those who are fond of beautiful and harmonious music.

In the "foyer," the lobbies, at both extremities of the "Corbeille" or "Horseshoe," as some called it, on the stairways, during intermissions, groups of theatre goers would congregate to discuss their impressions and to recall memories of bygone days. The tenor robusto's high notes or the lower register of a contralto would be passed upon in critical appreciation. Comparisons would be made, old recollections would be brought up and the younger generation would listen intently and with deep interest to stories of the great vocal triumphs of a Raoul de Nangis, some fifty years ago or to the success achieved by a Marguerite whose mirror would presently reflect but an old and wrinkled face; stories related with great fervor and special gusto by the older habitués of the lyric temple. In many of these conversations held during the intermissions, the day's doings would be referred to, the cares and worries, the joys and deceptions, the pleasures and vicissitudes of life, would be touched upon and one could now and then hear remarks concerning one's neighbor that were not always of a kindly character or charitable nature. In short

the Opera House was the home of music and gossip and there was not a place in Louisiana so typically representative of our people, past and present, as the lyric temple on Bourbon Street. Society met there at its very best and at times at its very worst. To become really acquainted with New Orleans society, its special character, its piquancy, its refined and delightful appearance, its fads and fancies, one had to attend a performance at the Opera House. One could never forget the lovely and stately picture which the Horse shoe or "Corbeille" would present, at the "Premiere" or opening performance of the season or on gala events, with its boxes and stalls filled with the elite of New Orleans budding womanhood, debutantes, who wore gowns of exquisite design and confection and whose appearance and beauty rivalled with the dazzling lights and flowers that set them off to advantage. A "Premiere" was a scene that would remain indelibly impressed upon one who was given the privilege to witness it. It had a character of its own, a special splendor that could be found nowhere else. On such an occasion the sight of the house filled to overflowing with the most beautiful of all women, the Creoles of Louisiana, was one that proved as interesting to the observer as the performance that was being enacted on the stage. One's eyes would rest with keen pleasure upon the group of vivacious and handsomely attired debutantes, whose multicolored and daintily shaded dresses of various designs, patterned after the height of fashion, would form a picture of dazzling beauty and colorful contrast, which the most critical could but admire. Looking at it one would fain exclaim like Raoul de Nangis in the Huguenots: "Ah, quel spectacle enchanteur vient s'offrir a mes yeux." "What an enchanting sight I now behold."

If Orpheus were wont to draw magic and rapturous music from his lyre in our Bourbon Street temple, if Terpsichore gracefully and lightly tiptoed therein, in conventional gauze ballet attire, or draped as a daughter of Spain or as a minuet dancer of the eighteenth century, Venus likewise held sway in the old historic place. How many of the most beautiful and attractive daughters of Louisiana the now blackened and fire defaced walls of the Opera House have looked upon; some of them Queens of our Carnival Balls, but all of them crowned with the more durable diadem of youth and loveliness; majesties before which we of the stronger sex felt weak, submissive and awe stricken?

In their mute language what wondrous tales of youth and romance the old walls of the Opera House could relate, for where Venus reigns Cupid is always close by ever ready to exercise his skill as an adroit and unerring archer. How many of us have heard the

first whisperings of love in the Opera House? The old building has been the scene of how many timid and blushing avowals, of episodes of a highly romantic character, of flirtations that left either pleasant recollections or heart burns?

Most of us as we looked upon the smoldering debris of the fast crumbling walls of the Opera House were bound to associate them with some incident or another of our life time. The place was identified with so many events in our life of a personal character, it brought up recollections of such an intimate nature, that each and every one of us looked upon it as a sort of common home, and we all felt as it vanished in smoke that we had lost a very dear friend, one that had proven to us true and faithful. Its disappearance made us feel that we had lost a haven of solace and enjoyment. It is not strange therefore that tears should have come to our eyes and a great sorrow should have fallen upon us as we viewed the ruins and smoldering debris that had once constituted one of the most exquisitely proportioned lyric temples of the world. The loss is one that was felt in every home of Louisiana. There are few people in our State who did not deplore the catastrophe. Surely no other fire in the history of our State has ever spread such gloom and sorrow. The Opera House was one of our civic and architectural glories. It was one of a group of edifices truly representative of our Latin civilization and origin and which unfortunately is fast disappearing.

Since the 4th of December, 1919, Orpheus sits disconsolate upon the ruins of the French Opera House, with a broken lyre at his side. Where she formerly danced in sprightly fashion and whirled around to her heart's content Terpsichore now steps in solemn and mournful cadence. The days of rapturous revelry seem gone. Amneris can truly weep for Rhadames will appear no more in triumphal procession, headed and heralded by trumpeteers who sounded in ever ascending crescendo the strains of the famous victory march and Edgar of Ravenswood would find today a befitting spot for his final exit from this world amid the ruins of the Opera House. And Venus, goddess of beauty, looks with profound sorrow upon the site where formerly stood in all of its splendor and majestic appearance a temple wherein her devotees were wont to worship at her shrine.

However, it is to be hoped that Louisianians will face the disaster with their accustomed fortitude and spirit of determination. Grieving over the situation, though entirely justified, will not help. Something must be done to rebuild the great historic landmark. The French Opera is an institution that must not disappear. We owe it to ourselves and to our ancestors to rebuild it; we owe it to

the old institution, that meant so much to us, to cause it to rise phoenix like from its ashes, in the shape of a splendid new building, on the very spot where it had stood for sixty years as a center of French culture and artistic refinement. A new French Opera House is a crying need, but as His Excellency, Mr. Jules J. Jusserand, Ambassador of France to the United States, has so well put it in his telegram of condolence addressed to the people of New Orleans, as soon as he had been apprized of the catastrophe, the edifice must be resurrected, must emerge triumphant from the ordeal of fire and destruction, on its former site. The Opera House was a Palladium to our old French Quarter. As such it must be rebuilt where it formerly stood.

On behalf of all those who were crowned Queens of our Carnival Balls, of their courts and courtiers, of all those with whom we have time and again waltzed or two-stepped in rapturous delight on the stage of the old Bourbon Street house; in the name of the great singers who have appeared on the boards of the old historic building; in the name of history and of the glorious past we fervently hope that through generous donors and public spirited citizens, the Opera House, magic like, will arise once more on the very place where Gallier had built it, to delight the many thousands that sought recreation and gayety within its hallowed walls. To build it anywhere else would cause Orpheus to lament such a decision, would force Terpsichore to seek another abode and would compel Venus to hide her wonderous face neath tears and desolation. A priceless gem, to properly scintillate, must be given the right setting. An Opera House in New Orleans would not find its true atmosphere and surroundings in any other place than at the corner of Toulouse and Bourbon Streets. There only can it regain its pristine glory and historic character.



**REPORT OF THE PROCEEDINGS OF THE LOUISIANA
HISTORICAL SOCIETY FROM JANUARY, 1919,
TO MAY, 1920, INCLUSIVE**

The Cabildo, January 21st, 1919.

The meeting was called to order by President Cusachs, a fair attendance being present. Owing to the absence of the Secretary, Mr. Jas. A. Renshaw was requested to act in that capacity, and as a further consequence the minutes of the previous meeting were not read.

There were no reports from committees or officers.

Under the head of unfinished business, Mr. Dymond moved the adoption of the Hart amendment as follows:

“No member not in good standing shall be allowed to vote at any meeting; and to be in good standing a member must not be in arrears for more than a year’s dues.”

Being duly seconded the President put the motion, which was unanimously carried.

The election of officers being next in order, Mr. A. B. Booth moved that the position of 2nd Vice-President, made vacant by the death of Wm. Kernan Dart, be filled by Mr. Bussiere Rouen, and that his place as Corresponding Secretary be filled by Mrs. Heloise H. Cruzat, and that the remaining officers, who had well served the Society in the past, be re-elected, and then read the proposed ticket:

Gaspar Cusachs, President; Jno. Dymond, 1st Vice-President; Bussiere Rouen, 2nd Vice-President; Henry Renshaw, 3rd Vice-President; Miss Grace King, Recording Secretary; Mrs. Heloise H. Cruzat, Corresponding Secretary and Librarian; W. O. Hart, Treasurer.

Mr. Booth’s motion to elect the ticket as a whole was seconded by several from different parts of the room, and the election by viva voce vote was unanimous.

The President then in a few pleasant words called upon the Rev. Clarence Wyatt Bispham for his promised paper, “*Fray Antonio De Sedella.*”

The writer had chosen a subject of unusual interest and his treatment thereof indicated deep study and research. He showed how Pere Antoine had been in certain quarters most maliciously attacked, but beyond the simple assertions of those making these charges no documentary evidence had come to light to substantiate

them. Foe and friend alike had testified to his great learning, his superior had tendered him a Bishopric, the entire people (with the named exceptions) loved and esteemed him. At his death, 90 years ago, the respect shown him placed Pere Antoine as one of the great men of Louisiana. In closing his paper, Mr. Bispham suggested that the Society in January, 1929, the 100th anniversary of his demise, hold appropriate ceremonies.

On motion of Mr. H. M. Gill duly seconded, a vote of thanks was tendered the writer of the paper and the same was ordered printed in the Louisiana Historical publication.

The names of the following parties having been duly presented, they were elected members of the Society: Benjamin W. Dart, Geo. W. Clay, Robert F. Werk, Redmond Lamar Patterson.

There being no further business, on motion duly seconded, the meeting stood adjourned.

Jas. A. Renshaw, Acting Secretary.

Approved:

President.

The Cabildo, February 18, 1919.

In the absence of President Cusachs who was prevented from attending the meeting by illness, Mr. John Dymond presided.

The minutes of the previous meeting were read and approved.

The chairman of the Membership Committee offered the following names for membership:

Messrs. Theodore Roehl, Harry McCall, Donald Renshaw, Mrs. Samuel F. Heaslip, Miss Agnes Morris, Mr. R. B. Bishop, Mr. Harry Gamble.

They were all duly elected.

Miss Grace King proposed the following amendment to the constitution: That the date of the meeting of the Louisiana Historical Society be changed from the third to the fourth Tuesday of the month. She also asked the endorsement of the Society to the proposition being made public in the daily papers; to secure the possession of the Pontalba Buildings by some civic corporation in order to preserve them as a historical and architectural landmark to be used as an art centre; and that the Louisiana Historical Society pledge itself to aid the project in every way and by every means in its power. Both were approved heartily by the members.

Mr. Charles M. Kerr of the State Board of Engineers gave the address of the evening. His subject was, "*Highway Progress of Louisiana,*" which he treated largely and generously as well as care-

fully; beginning with a short summary of road building in general from its earliest date in the life of primitive man when he made trails through the forest or wilderness to procure needed supplies of food, after which the lines of communication grew from mere trails to paths which admitted the passage of beasts of burden. With the advent of wheeled vehicles the necessity of broader ways became evident. And thus from the initial step the progress of road making was traced by Mr. Kerr clearly and intelligently until the development of the present good roads movement throughout the Union under governmental patronage. It is since the creation of the State Highway Department a few years ago that road building in Louisiana took on systematic form. Since then modern highways have begun to cross the State from all angles providing arteries of commerce. Constant reference was made to Darby's Louisiana and to Darby's map of the State. "It is remarkable," commented Mr. Kerr, "how accurate the distances given by this eminent explorer are. Considering the difficulties under which he carried on his investigations the results of his labours are marvelous." It was during the year 1909 that the first steps were taken toward systematic road construction in the State. There has been completed to date by the Highway Department six hundred and seventy-one miles of highway of which practically five percent are metal surfaced.

The address was most interesting and informative and a hearty vote of thanks was given the author for it. Regret was expressed by the officers of the Society that more members were not present to enjoy and profit by such a good historical and geographical contribution.

The discussion afterwards ran upon legal questions concerning the upkeep of public roads and the riparian rights of land owners along the course of water ways; Messrs. Hart and Dymond leading in it, the latter as usual illustrating his views with interesting and pertinent reminiscences.

The Society then adjourned to meet in March.

Meeting of March 1919.

When the meeting was opened by President Cusachs, a most gratifying spectacle greeted him, the hall was crowded with members and friends.

After the reading and the approval of the minutes, Mr. W. O. Hart commented on the large attendance and made it the text for a plea for all among them who were not members of the Society to

join it; dwelling on the pleasures and profits to be derived from the meetings and the good value bestowed by the Society's publications, in truth far exceeding the modest membership fee.

The following applications for membership were received and duly elected:

Mr. Walter S. Levis, Mr. George McLeahy, Mr. Peter Gallegher.

The amendment proposed by Miss King at the last meeting of the Society, "that the date of meeting be changed from the third to the last Tuesday of the month," was voted on and adopted.

Mr. Hart read the following:

"Suggested amendment of article third of the Constitution: presented by Mr. W. O. Hart under the instructions of the Executive Committee. Article third, Committees. The Executive Committee of the Association shall consist of the officers thereof, to-wit: The President, three Vice-Presidents, Treasurer, Recording Secretary and Corresponding Secretary. Such other standing Committees as may be necessary for the work of the Society, shall be as ordained by the Executive Committee, subject to the approval of the Society at any regular meeting thereof: and such Committees as to names, duties and membership, may be changed by the Executive Committee at any time, with like approval."

Judge Henry Renshaw, who as the President remarked, needed no introduction to the Society, read his paper on "*Jackson Square*" which as to subject and treatment, as the Society testified, by the attention with which it listened to the reading and the applause following, fulfilled all the requirements of a perfect historical and literary essay. Its like can hardly soon be hoped for. As it will be published in extenso in the forthcoming number of the QUARTERLY, to attempt a synopsis of it is unnecessary and criticism presumptuous.

A vote of thanks to the author but feebly expressed the approval and admiration of the audience.

Mr. Hart made some remarks in extension sparkling with humor and filled with information as to the ensuing history of Jackson's monument, showing its inside lining of political partisanship with its further repercussion in the Chalmette monument, Mr. Rouen made a comment upon the history of the last monument when he acted as receiver for the legal finale of its erection. His remarks were well received.

The meeting then adjourned.

Meeting of April, 1919.

Owing to the inclemency of the weather, the attendance was very small; all the officers of the Society, however, were present and the usual routine of business was followed. The minutes were read and approved, and the following were elected members of the Society:

Tulane University Library, Mr. J. Joseph Kennedy, Mrs. H. F. Baldwin, Mrs. Lawrence Newton, Mr. Geo. Trazibuk, Mrs. Geo. J. Deynoodt, Mrs. Chas. Taylor Henderson, Mr. Geo. McLeahy, Mrs. E. L. Mountfort, Mr. Edmund H. Bell, Mrs. R. H. Hadden, Mr. L. E. Thomas, Mr. Stanley Behrman, Mr. Ernest E. Schuyten, Mr. J. C. Hollinsworth, Mr. Adrian D. Schwartz, Mr. Robert Gottschalk, Mr. Geo. J. Deynoodt, Miss Ruby Lallande, Mr. Karl J. Kohnke, Mr. Vic. Lebeau, Mrs. Anna Fornaris de Armas, Mr. Jos. B. Dornier, Admiral Benjamin Tappan, Mr. Theo. J. McGeihan.

According to the program, the Hon. L. E. Thomas, Chairman of the Board of State Affairs, was the essayist of the evening, having consented to read a paper on the new fiscal system of Louisiana. Mr. Thomas was present at the meeting with the paper he had prepared. But as the heavy rain continued, and few members could be present, and as the wish to hear Mr. Thomas was too well known to be slighted, the President asked the favor of deferring the reading of the paper to some future meeting when circumstances would prove more propitious.

Mr. Thomas consented to this, expressing his interest in the Society and its work in a short address of appreciation over his election into the Society.

Mr. Henry P. Dart, who followed Mr. Thomas on the program, not being present, the Society filled the evening with routine work and interesting discussions arose in the course of it.

The origin of Barataria was asked and answered according to various theories of those present who had considered the subject.

A hearty protest was voiced against the demolition of the old Ursuline Convent, which according to general rumor was impending, in order to make room for a needed school house. Many indignant speeches were made against what was pronounced an act of barbarism, against the oldest ecclesiastical structure in the South, and one of the most endeared to Louisianians. Measures were proposed to avert the commission of the proposed crime; but in a final resolution the advice of Father Scotti was followed and he was instructed to interview the Arch-Bishop and made such representation

to him as would engage his sympathies on the side of the Historical Society in the matter.

The meeting then adjourned.

Meeting of May 1919.

There was only a fair attendance of members. The President sent his excuses for his enforced absence. Mr. Dymond presided in his place.

After the minutes had been read and approved, the following applicants were elected members of the Society:

Mrs. Lewis Johnson, Mrs. G. Le Gallais, Capt. C. P. Morgan, Mr. S. M. Redman, Mr. Alfred D. Danziger, Mr. J. P. Fossier, Miss Sue K. Gillean, Mrs. R. E. Gardner, Mr. C. N. Tibbits, Mr. Andre Dreux, Miss J. Cambell, Mr. J. Bryson, Miss Caroline Pfaff, Mr. Harry P. Sneed, Mr. Theron H. Tracy, Mr. Robt. J. Palfrey, Mr. Charles Kernion.

The amendment to the Constitution by which the date of meeting was changed from the third to the fourth Tuesday of the month was given a final reading and was passed.

Father Scotti, who had been delegated at the last meeting to interview the Very Rev. Arch-Bishop on the subject of the demolition of the old Ursuline Convent, reported that the Arch-Bishop was disposed to do whatever he could to preserve at least the aspect of the venerable old building in the endeavor to make it useful as a school house.

The Secretary read a communication asking information about the naming of Caldwell Parish, whether the honor of it should be ascribed to the noted citizen of New Orleans, James H. Caldwell or to Captain Caldwell of Ouachita. No one present could answer the question, which the Secretary said she would carry over till next meeting.

Hon. L. E. Thomas, Chairman of the Board of State Affairs, was then introduced with a very complimentary eulogy by Mr. Dymond. He made a short address on taxation in general, before proceeding to the reading of his carefully prepared paper. Treating a subject of vital importance to all citizens, it was listened to with absorbing interest, each point meeting with instant and intelligent comprehension. At the close many questions were asked which Mr. Thomas answered graciously and generously. Mr. Hart made some remarks and Mr. Dymond also in a very spirited addendum drawn from his own practical experience as a taxpayer and a legislator.

Mr. Dart who had come to speak on the Court Records of Colonial Louisiana, made a humorous apology for turning the current of interest in the direction of his subject, which, however as he soon demonstrated had an equal claim on the interest and sympathy of those present. With eloquent words he described the value of the records that were slowly going to destruction in the boxes in which they had been packed for a half century and he pleaded with those present, directing himself particularly to the officer of the State to make an effort to procure from the State a sufficient sum to give them the perpetuity of print.

The address was forcibly impressive.

Mr. Thomas affected by it made a suggestion as to the proper way to effect what, indeed, seemed a pious duty to the State, and to the preservation of its history, for which the Society had worked so indefatigably.

The Society then adjourned.

Meeting of June. 1919.

The Louisiana Historical Society met Tuesday evening, June 24th. The officers were all present but owing to the rain the attendance of members was smaller than usual.

The following names of applicants for membership were received:

Capt. H. L. Ballowe, Judge Porter Parker, Herbert Z. E. Perkins, Mrs. C. M. Eustis, Miss Agalice LeSassier, Miss Georgine LeSassier, Mr. W. W. Messersmith, Mr. J. K. Renaud, Mr. J. L. Ewing, Mr. Oswald Wilson McNeese, Mr. Henry Lanauze, Mr. E. V. Benjamin, Mr. M. Coonie, Patterson, La.; Mr. Edward J. Bobet, Mrs. Edward J. Bobet.

All were duly elected.

The following communication from Gen. A. Booth was read and caused some discussion.

By resolution it was referred to the Executive Committee of the Society.

On Motion of Mr. Hart, Mr. John Fox Martin of Philadelphia was made an honorary member of the Society.

Capt. H. L. Ballowe, M. C., was then introduced and read a paper on the bombardment of Fort St. Philip taken from La Carriere La Tour's work on the War of 1812. It proved to be of exceedingly great interest, and at its close called forth much interesting talk from the members.

Captain Ballowe was thanked by resolution. President Cusachs promised that the paper would be printed in the next number of the Society's QUARTERLY.

Captain Ballowe urged the members of the Society to visit the two old forts, Jackson and St. Philip promising as a reward a rare historical treat.

Mr. Hart called attention of the Society to the gratifying fact that the plans for the Louisiana monument at Vicksburg was completed, and that in July ground would be broken for its emplacement.

The Society then adjourned.

Meeting of September 1919.

The regular monthly meeting of the Louisiana Historical Society took place on Tuesday, September 16th, at the Cabildo. There was a fine attendance of officers and members.

The minutes of the previous meeting were read and approved with the corrections of Mr. W. O. Hart.

The following were elected members of the Society:

Mr. Albert Weiblein, Mr. P. L. Carriere, Mrs. A. A. Airey, Mr. C. J. Huckaby, Mr. M. R. Newhauser, Mr. W. H. McClendon, Mr. Etienne Chevalier, Mr. R. Emmett Kenedy, Mrs. Virgil Brown.

Miss King proposed the following resolution:

Whereas, That most eminent Prelate and distinguished citizen of the world—Cardinal Mercier,—is at present visiting the United States, purposing to meet people of every section and make a short stay in the principal cities of the country; and having been invited by our Mayor to visit New Orleans and meet the people here:

Resolved, That the Louisiana Historical Society add its invitation to other invitations that have been sent to him from New Orleans expressing their sentiments of reverence and admiration for the most distinguished historical figure in the World War; and most exalted representative of the brave and noble people who heroically threw themselves, as one man, in the path of an overwhelming and ruthless army, and gave up life, property and their dearest possessions, for

the defense of the life, law and liberty of other nations. And that this invitation be conveyed to his Eminence in suitable form, signed by the President of the Society.

It was seconded by numerous voices and adopted by a rising vote.

Mr. Clarence W. Bispham gave the paper of the evening, entitled "*New Orleans a Treasure House for Historians.*"

The author made good the grandiose title, and made a brilliant contribution to the Historical Society that must ever rank as one of the greatest it has ever had the pleasure to receive.

It bears the fruit of careful research and trained scholarship, equaling, if not surpassing, any previous efforts in the same direction by other workers in the Society.

The paper doubtless will be given full publicity, not only by the Society but by all who take a prideful interest in Louisiana or in fact, in American history.

Mr. Bispham was earnestly thanked by vote. Official expressions of regret at his imminent departure from New Orleans and the consequent severing of his ties in the Society was voiced with heartfelt sincerity.

A resolution that an expression of the Society's regard for Mr. Bispham and the work he has performed for it, be conveyed to him in a formal written testimonial, was adopted unanimously.

W. O. Hart, a member of the Society read part of a letter he had received from J. Sanford Saltus, now in Paris on a special mission, Mr. Saltus being remembered as the donor for the Museum of French Art to the Society of the replica of the statue of Joan of Arc now in the Cabildo; in the letter referred to Mr. Saltus said that another replica about the same size as the one given to the Society was made as a present to the Pope and was sent to him many months ago but was entirely lost sight of during the war and was recently discovered in a small village in the north of Italy where it had been left for safe keeping; as soon as it was found Mr. Saltus had sent it to the Pope and from him has received a letter of thanks and acceptance of the gift. Mr. Saltus enclosed the following clipping from a Paris journal:

*Un hommage américain
à Jeanne d'Arc.*

Le président de la République vient de transmettre
au cabinet des médailles de la Bibliothèque nationale
une médaille en argent qui lui a été adressée par le comité

américain de la statue Jeanne d'Arc, à New York. Cette médaille représente le buste imaginaire de Jeanne d'Arc, avec la légende: "Hommage to the maid of France, 1919."

Outre son mérite artistique, cette médaille américaine offre cette particularité qu'elle a été apportée en France par le capitaine Alcock, qui lui a fait traverser l'Atlantique à bord de son aéroplane.

Le cabinet des médailles, grâce à l'heureuse initiative du président de la République, possède ainsi une médaille qui est la à fois le témoignage de culte que les Américains ont voué à Jeanne d'Arc et le souvenir de la première traversée de l'océan Atlantique par un aéroplane.

Meeting of October. 1919.

The Louisiana Historical Society held its regular monthly meeting on Tuesday, October 28th, at the Cabildo. The attendance was small.

After the minutes were read and approved, the following were elected:

Mr. H. E. Leclers, Mrs. A. P. Kennair, Mrs. Charles Green, Mr. F. A. Godat, Mr. Edward Denham, New Bedford, Mass.; Mr. E. J. McGivney, Mr. R. C. Tullis.

The President explained that Doctor Lemonnier, who had kindly promised to give the paper of the evening, was prevented by illness from attending the meeting of the Society.

He then read the following communication:

"We regret to inform the Society, that Mr. Andre Dreux on account of leaving this city to fix his residence in Chicago, has resigned as a member of the Committee on Archives. This is a great loss to the Society and it now rests with the Chairman, Mr. Henry P. Dart, to name the member who is to replace him. In the name of the Society I wish to express our regret that this change deprives us of Mr. Dreux's talent, and to voice our appreciation of his past services."

In order to fill the program, the President made a contribution of his own, which were an original letter from Gen. Robert E. Lee and one from Gen. Beauregard. Gen. Lee's letter was written after the surrender telling of his accepting a position in Washington University, Va., and expressing the hope that all Southerners accepting the result of the War, would endeavor to conform with

courage to the new conditions, that had resulted to them from defeat.

General Beauregard's letter contained his plan, which he explained fully, for the defense of New Orleans by obstructing the Mississippi river. He deplored that his plans were never adopted and expressed his confidence that it would have been successful against the advance of gunboats upon the river.

Mr. W. O. Hart read some observations on "*Some Monumental Errors,*" which in brief refuted the statement published and hitherto believed that the statue of Margaret Haughery, was the first statue to a woman erected in the United States. He had investigated the subject and found that many women in New England, and that two in Alabama, had been thus honored previous to the erection of Margaret's statue. He promised to enlarge his paper, and give a reading of it to the Society.

Mr. Dart as Chairman of the Committee of Archives, who was present, was invited and urged to make a few remarks on the subject of the Archives in the care of the Historical Society. He deplored that the measures taken to get an appropriation from the State for the publication of the old records of the Superior Council, had fallen through; and he feared nothing could be done; there was no legal way for the State to make an appropriation for this purpose.

He then gave a most interesting description of these papers, showing their immense historical value, and made an urgent appeal for an unceasing effort on the part of the members, to insure their publication, which if it could be done, would perpetuate the fame of the Society, in all the future and throughout the land.

He spoke of particular documents, that were contained in the Archives that would throw new light on Louisiana History; and appealed to Miss King to sustain his opinion.

She did this at once, cheerfully and forcefully.

The Society then adjourned.

In accordance with the adopted program of the evening's entertainment Mr. Hart read a short account of the city of Ghent, notable at the present time for its prominence in the terminating events of the World War and always interesting to Americans as the place where the Treaty of Peace was signed after the victory of Chalmette in the war of 1812.

The evening closed with Mr. Cusachs calling upon Mr. Parsons to read a document of more than unusual interest and importance to the members of the Society. This was the original document of the

farewell address of General G. T. Beauregard to his army. It was impressively read and listened to with serious attention.

The Society then adjourned.

GRACE KING.

Meeting of November, 1919.

The regular monthly meeting of the Louisiana Historical Society took place on the evening of Tuesday, November the 20th. There was only a meagre attendance of members, but among those present the Society was pleased to welcome some old friends, who had been absent for some time from the meetings.

The President, on account of a slight accident, was prevented from being present; Mr. Dymond, First Vice-President, replaced him.

The Secretary read the minutes of the last meeting which were approved.

The following named persons were submitted for membership:

Messrs. C. L. Walker, Michel Lelong, I. S. Bellker, I. B. Gribble, R. W. Colomb, The Historical Club of Newcomb College, Mr. and Mrs. Lugano.

All were elected.

Miss King, on behalf of Mrs. A. W. de Roaldes, presented to the Society the facsimile of a letter of Henry IV, King of France, to Francois de Roaldes, famous jurisconsult of the Sixteenth century, and Professor of Law at the Universities of Cahors, Valence, and of Toulouse, an ancestor of the late eminent physician, the husband of Mrs. de Roaldes. Mr. Dymond, on behalf of the Society received the gift with many complimentary expressions and a vote of thanks to Mrs. de Roaldes was moved and passed.

The paper of the evening was kindly read by Mr. O'Sullivan. It was on Fray Antonio de Sedella by the Rev. Clarence Bispham. Part second of his series of studies on the famous priest, whose life and character have been the occasion of so much historical research and argument.

Mr. Bispham's article is based upon documents hitherto unpublished by historians; and drawn from a series of sixteen letters obtained from the Island of Cuba, by Mr. William Beer, Librarian of Howard Memorial Library.

The letters are written by Sedella to the Captain General of the Island of Cuba, telling him of the machinations of Free Lance Americans, Spaniards and Pirates of Barataria, to take Mexico and the two Floridas from Spanish control.

Even with Mr. Bispham's scholarly editing of these letters, the political enigma remains an enigma, and the priest's true status as a citizen of the American Republic can hardly be said to be established to the satisfaction of the curious.

Mr. Bispham proved himself, in this as in other contributions to the Society, a zealous student of Louisiana History, and a careful and considerate literary critic.

Mr. Dymond made a few remarks praising the paper and its author with hearty sincerity, and making the suggestion that some other members of the Society should continue the investigation, reviewing all that Mr. Bispham had done, and adding further light on the problematical subject.

Mr. Bispham and Mr. O'Sullivan were thanked by the Society.

Mr. Hart in a few appropriate remarks, presented to the Society a unique and valuable historical souvenir, brought to him by a gentleman, by the name of Walker, who had discovered it quite accidentally. This was the address by the House of Representatives of Louisiana, dated March 24th, 1831, to the people of France, on the occasion of their victory, after their three days of revolution—27th, 28th, 29th of July, and the overthrow of despotism. The address signed by the committee appointed to write it, bore the signatures of L. Allard, T. C. Nicholls, and Charles Gayarré. Mr. Wm. C. C. Claiborne, son of the Governor was charged with the mission of carrying the address to France, which he did. The address printed on rich white satin, in default of vellum,—handsomely embellished, is to be framed and preserved with other precious historical souvenirs in the Cabildo.

Mr. Hart read a translation of the address, which he had thoughtfully provided himself with.

He also read a note from Mr. Frederick D. King, Jr., in regard to an old unknown cemetery at the mouth of the Tangipahoa River, one of the tombstones bearing the date of 1809. It was proposed and decided that the President of the Society appoint a committee to investigate the history of the cemetery.

The Society heard with pleasure from Mr. Hart, that its good friend, Mr. J. Sanford Saltus, had been further honored by the French government, by being promoted from "Chevalier" to officer of the Legion of Honor.

The Society then adjourned.

LOUISIANA HISTORICAL SOCIETY

Account of the Treasurer for 1919.

January 1st, 1919—Cash on hand.....	\$		224.68
January Receipts.....	\$	44.00	
February ".....		210.75	
May ".....		2.00	
June ".....		579.75	
July ".....		32.00	
August ".....		4.00	
September ".....		13.90	
October ".....		4.00	
November ".....		11.00	
December ".....		7.90	909.30
Grand Total Cash.....			\$1,133.98

DISBURSEMENTS

January.....	\$	105.05	
February.....		65.13	
March.....		91.60	
April.....		108.23	
May.....		154.70	
June.....		44.75	
July.....		63.05	
August.....		113.15	
September.....		57.30	
October.....		77.09	
November.....		70.30	
December.....		103.43	\$1,049.72
Balance cash on hand, Dec. 31, 1919....			\$ 84.20

**Minutes of the Meeting Held in the Cabildo,
Tuesday, February 24th, 1920.**

The monthly meeting of the Louisiana Historical Society was held this evening at eight o'clock in the Sala Capitular, the Cabildo. President Gaspar Cusachs, occupying the chair.

Mr. Bussiere Rouen was asked by the President to act as Recording Secretary in the absence of Miss Grace King. The minutes of the preceding meeting were not read on account of the said absence.

Notwithstanding the inclemency of the weather, the attendance was fair.

The President having stated that the order of the day demanded the election of officers of the Society for the ensuing year, Mr. George Koppel moved that said election be proceeded with; seconded and carried; he then moved that the present incumbents be re-elected, (seconded and unanimously carried). General A. B. Booth putting the motion to a vote; therefore the following officers were declared elected, viz:

Mr. Gaspar Cusachs.....	President
Hon. John Dymond, Sr.....	First Vice-President
Mr. Bussiere Rouen.....	Second Vice-President
Hon. Henry Renshaw.....	Third Vice-President
Miss Grace King.....	Recording Secretary
Mrs. Heloise Hulse Cruzat.....	Corresponding Secretary and Librarian
Mr. William O. Hart.....	Treasurer

Mr. George Koppel, Chairman of the Membership Committee, read the names of several applicants for membership and moved their election as active members; which motion was seconded and carried, the following parties being elected:

Mr. Benjamin Crump, Jr., Mr. Edouard Carrere, Mr. Josiah Gross, Mr. Cicero A. Ramsey, Mr. H. C. Chaplain, Prof. Jas. B. Kendeall; Dr. W. A. Turner, Shreveport, La.; Mrs. John Watt, Mr. Jos. E. Loeb, Mr. Joseph E. Blum, Mr. G. F. Baldwin, Mr. Harry W. Fitzpatrick, Mrs. Sallie Hunter Hertzog, Derby, La.; Miss Clara Wagley, Florian, La.; Miss Virginia Dorman, Natchitoches, La.; Mr. M. Clay Lejeune, Mr. John D. Nix, Jr., Mr. H. C. Schaumberg, Mr. Milo Blanchard Williams; Mr. G. T. Beauregard, Massachusetts Ave., Washington, D. C.; Mr. John Kracke, Mr. A. L. Kimber, Mr. George L. Carriere, Mr. Samuel Weil; Mr. J. St. Clair Favrot, Baton Rouge, La.; Mr. Henry W. Robinson.

Mr. William O. Hart, Treasurer, then read his report for the year 1919 showing total receipts amounting to.....	\$	909.30
Previous cash balance.....		224.68
		<hr/>
	\$	1,133.98
Disbursements amounting to.....		1,049.72
		<hr/>
Balance on hand December 31, 1919.....	\$	84.26

Mr. William O. Hart then offered the following resolution which was unanimously adopted:

“*Whereas*, an all-wise Providence has seen proper in His infinite wisdom, to remove from the scene of his earthly labors, our esteemed friend and fellow-member, Reverend A. Gordon Bakewell, who departed this life on Sunday, February 22nd, full of years and honors,

“THEREFORE BE IT RESOLVED by the Louisiana Historical Society that in the death of Doctor Bakewell, the State of Louisiana has lost a citizen of whom it may be well proud, one who in every walk of life, Soldier, Prelate and otherwise, faithfully performed the duties incumbent upon him, to the glory of his country and his God and the uplift and benefit of his fellow-men; that his more than ninety-seven years of life have been filled with good works and devotion to the people of his adopted State, ever bringing before them the Fatherhood of God and the Brotherhood of man.”

“BE IT FURTHER RESOLVED, That this tribute be spread on the minutes of the Society, and copies thereof sent to the family of the deceased and to the newspapers of New Orleans.”

Mr. Gaspar Cusachs said he had received a program of the PAGEANT OF AMERICAN HISTORY given in connection with the ANNUAL MEETING AND BALL of the NAVY LEAGUE of the United States, in the New Willard Ball Room, Washington City, February 12, 1920. He stated that he was very happy to note that several prominent Louisianians had taken part in the said pageant and he read from said program the part No. 6 relating to the marriage of the Cassette Girls, Louisiana Group, of which Mrs. Lee Benoist, formerly of New Orleans was the chairman. Mrs. Edward J. Gay and Mrs. George Worthington were vice-chairmen. In the personnel are seen the names of Capt G. T. Beauregard taking the part of Governor Bienville, Miss Elaine Denegre that of Louisiana and other persons well known in New Orleans.

The paper of the evening was read by Mr. Gaspar Cusachs; same being a compilation of articles on the life of the Pirate Lafitte, and also of the controversy on Lafitte's Biography.

At the preceding meeting Mr. Cusachs had read a biographical sketch of Lafitte, taken from DeBow's *Review* (October, 1851). A controversy arose as to the life of Lafitte written by Professor Ingraham before 1851 and Mr. Cusachs thinking that the members who had heard the sketch read at a previous meeting would like to hear the contradictions, he gave Ingraham's letter and BeDow's editorial in the *Review* Vol. XLLL, Page 101.

Mr. Cusachs pointed out the contradictions as he read, and gave very interesting details on the subject.

On motion of Mr. John Dymond, Sr., a vote of appreciation was unanimously given Mr. Cusachs for the careful compilation he had undertaken.

Mr. William Beer spoke of an old physician living in Galveston who had taken charge of, and treated, the survivors of Lafitte's Baratarians; he thought that by communicating with him he might perhaps discover some new questions of interest relating for instance to the death of Lafitte which seems to be clouded in mystery. Mr. Beer also tendered his services to the Society for the purpose of making proper researches on subjects relating to the life of Lafitte.

Mr. John Dymond, Sr., spoke of the men of the time of Lafitte, and made some very interesting remarks about their mentality, their lives and the influence they exercised, especially on certain classes.

Mr. Andre Lafargue, said that he had, at a previous meeting, given some details about the work of Baron Marc de Villiers du Terrage and the several requests which that gentlemen had made in relation to its publication in Louisiana, etc., for which purpose a committee had been appointed by the President. He was granted permission to read a letter he had received from the distinguished historian, which he had translated for the benefit of those who did not understand the French language. The letter is as follows:

"January 17th, 1920.

"My dear Friend:-

"As soon as I have been advised of my election as an honorary member of the Louisiana Historical Society I will convey my thanks to the President. I am deeply sensible of the honor thus conferred upon me and it gives me great pleasure. May I ask you to state this to your colleagues without further delay. The entire correspondence of de La Tour (a voluminous one) shows that he did not want to do anything for New Orleans. He was a staunch believer in Mobile and its future. Pauger's correspondence, on the contrary shows how anxious he was that New Orleans should be founded on its present site. In April, 1718, de La Tour had not yet visited New Orleans, feeling that he would be compelled to build a city on the site now occupied by New Orleans and being the chief engineer of the Company, he sent to de Pauger the measurements or dimensions of the street blocks or squares which he had adopted for Mobile; but as he had recommended that New Orleans be built on Bayou St. John at the point where this stream of water becomes navigable, de La

Tour cannot be credited in any way whatever with the drawing of the plan of New Orleans. See my book pp. 88, 89-102, 109.

"On and from July, 1718, de La Tour took charge of operations, but when he arrived there he found that the city had been already mapped out and established on a site which he had not only not selected but which he had consistently been opposed to.

"Marc de Villeirs du Terrage."

Mr. Lafargue stated also that Mr. de Villiers du Terrage had expressed the wish that the Mayor and Common Council of New Orleans be requested to have a street named in honor of de Pauger who was, without doubt, the one who had planned for the founding of New Orleans on its present site; the president concurring in this view, promised to attend to the matter and to appoint a Committee for that purpose.

The meeting adjourned at 9:45 o'clock P. M.

BUSSIERE ROUEN,

Acting Recording Secretary.

Meeting of March. 1920.

The March meeting of the Louisiana Historical Society was held on the evening of the 23rd in the Cabildo. There was a good attendance of members and friends. President Cusachs was in the chair.

The Secretary, Miss Grace King, read the minutes of the last meeting, which were approved.

The following were elected members of the Society:

Messrs. H. W. Robinson, C. H. Patterson, Leon Laguens, B. B. Brumfiel'd, Josiah Gross; Rev. R. W. Turner, Shreveport, La.; Mr. Clarence J. Cocke, Miss Marie Thiberge, Miss Philippe, Mrs. D. C. Scarborough, Natchitoches, La., Mrs. John I. Hulse.

Mr. W. O. Hart in a short graceful speech presented to the Society a copy of two photographs of Capt. James Dinkins, taken in the Confederate uniform.

Capt. Dinkins, who was present, answered Mr. Hart's compliments in kind, paying his tribute to Mr. Hart's father, also a good soldier in the ranks of the Confederacy.

Mr. Hart and Capt. Dinkins were both thanked.

After which Mr. Hart was called upon by the President to give the first paper of the evening, "*A History of the Historical Society.*" It proved a most interesting paper and a valuable record of the Society's past life, and of the work it had accomplished.

It was moved and seconded that a copy of this paper be laid before the next Legislature, in order that the record of the Society's excellent work, be again brought to their attention, with a view to an increased appropriation.

Mr. Hart was thanked by a hearty vote for his good and able contribution.

Mr. Andre Lafargue then read his contribution to the evening's program, a paper entitled "*The New Orleans French Opera House.*" A retrospect memoire of the past, brought up by the smouldering ruins of the historic old edifice.

It was in truth a requem, filled with the poignant regret of one who loved the old Opera House. In pretty and poetical fancy, he enumerated all the parts played by the destroyed opera house in the past social life of the city, ending with a heart stirring resolution that the well beloved old edifice, should be rebuilt in its same location.

The resolution was lustily adopted by the Society, the President promising to name a Committee to take charge of it.

RESOLUTION

Adopted by the Louisiana Historical Society at its Meeting on March ..., 1920.

Whereas, the destruction of the New Orleans French Opera House by fire, on December 4th, 1919, has removed from our midst a landmark and a building of great historic importance, one that was truly representative of our civic achievements in the world of music, and

Whereas, it is a matter of history and of record that New Orleans has been the first community to introduce French Opera in this country and has thereby acquired great renown and achieved considerable distinction as a musical center in America, and

Whereas, it is a known fact that the French Opera Seasons have drawn to New Orleans music lovers and opera goers from the entire country, and

Whereas, the inhabitants of this city have time and again voiced their approval of the reconstruction of the French Opera House, to serve as its predecessor as a center of culture, refinement and artistic development, and

Whereas, it would be meet and proper to erect another edifice dedicated to opera and to lyric art on the site where the old building formerly stood, and

Whereas, it is within the province of the Louisiana Historical Society to perpetuate the landmarks and historic buildings of this

community and to advocate their reconstruction when same is feasible,

BE IT RESOLVED, That it is the sense of the Louisiana Historical Society that a new Opera House be built on the site of the old one, at the corner of Toulouse and Bourbon Streets and that it pledges itself to lend its full support and hearty endorsement towards the consummation of said plan,

BE IT FURTHER RESOLVED, that in pursuance of the spirit and letter of this resolution the President of the Louisiana Historical Society be authorized to appoint a committee to ascertain what steps, if any, have been taken to reconstruct the Opera House and to report thereon at the next meeting of this Society.

The Society then adjourned.

Meeting of April, 1920.

The Louisiana Historical Society held its regular monthly meeting on the night of Tuesday, April 27th in the Cabildo.

The audience of members was fairly representative. Many new and welcome visitors were to be seen among them.

In the absence of the President, Vice-President Dymond took the chair.

The minutes of the previous meeting were read by the Secretary and were approved.

The following were presented by Mr. George Koppel, Chairman of the membership committee, and were elected members of the Society:

Messrs. Thomas Connell, John McCloskey, T. C. Nicholls, Edward Alba, A. J. Solari, William Johnson, J. L. Bourdette, H. B. Corliss, P. J. Shoen, Geo. Webre, Chas. Chevalier, Dr. P. L. Reiss, Mrs. P. F. Renaud, Mrs. W. A. Porteous, Miss Doris Kent, Messrs. J. A. Morales, Meigs C. Frost.

Mr. E. A. Parsons, being introduced by Mr. Dymond, read the paper of the evening entitled, "*The Latin City*," a charming and scholarly essay on the distinctive personality of various cities, and the qualities to which they owe their place in history, literature, and art. Among such cities, New Orleans, he claimed had been recognized as the one in the U. S. standing preeminently above all others as the bearer and transmitter of Latin civilization, inherited from its founders, and Spanish benefactors. It stood alone as such among her sister cities, and as such, it behooved her children to maintain and preserve her prestige in the future and ensure the continuance of the civilization for which it stands.

The old French Opera House, one of the glorious legacies from the past, was a temple of art, as well as an architectural masterpiece. Its recent destruction by fire was a dire calamity that should not be accepted as final, but rather, according to Mr. Parsons, turned to the good account inherent sometimes in apparent misfortunes by having raised on its ruins a still more beautiful and impressive structure to represent us to future generations. He did not doubt that this would be done.

When the applause of the audience had subsided, Mr. W. O. Hart arose and paid an eloquent tribute to Mr. Parsons for his very scholarly and beautiful paper, which Mr. Hart pronounced the best he had ever heard in the Society.

Col. H. D. Hill being called upon by Mr. Dymond, made a responsive speech strong and fervid, and full of encouragement to lovers of old New Orleans, and its Opera House, arousing an outburst of enthusiasm from the audience.

General Booth and Mr. de Lafargue followed, with appropriate remarks, the latter urging the carrying into effect, the resolution introduced by him at the last meeting, asking the appointment of a committee to take the question of the rebuilding of the Opera House, in charge.

Col. de la Vergne and Mr. Henry Gill added each a few remarks.

The Vice-President thanked Mrs. Henry Gill for the handsome copy of the history of the New Orleans Chapter of the Red Cross, which she presented to the Society.

The meeting then adjourned.

Meeting of May, 1920.

The Louisiana Historical Society held its regular monthly meeting on Tuesday evening, May 25th, at the Cabildo. There was a very scant attendance of members.

The minutes of the previous meeting were read and approved.

The following persons were made members of the Society.

Mr. John McCloskey, Mr. Wm. Thompson, Mr. J. L. Burdette, Mr. Louis Vives, Mr. C. H. Patterson, Dr. J. S. Christian.

The President read a communication from Col. Charles C. Pierce, Chief of Cemeterial Division of the War Department, asking for information or suggestions in behalf of Historian of Graves Registration Service. It was recommended and the Secretary directed to send it to Col. Alison Owen.

Mr. Hart, in the name of Mr. Edward Pickens, presented to the Society the handsome collection of honorary degrees and commis-

sions awarded to our late distinguished member the Hon. Benjamin Morgan Harrod.

Mr. Pickens who made the donation is a nephew of Mr. Harrod. A vote of thanks was passed and the Secretary was instructed to forward them, in the name of the Society, to Mr. Pickens.

A pretty souvenir from the Society's friend, Mr. Saltus, who is in Europe, was given to the Society by Mr. Hart.

The first paper on the Historical Program for the evening, was a translation of private dispatch No. 21 from Esteban Miro to Don Antonio Valdes, dated June 15th, 1788, taken from the Pontalba group of documents belonging to the Historical Society. The dispatch covered the very important period of the threatened revolt of the Western States against the Union, and the secret negotiations with the Spanish authorities in Louisiana. It contained a letter from the noted Indian agitator of that time, Alexander McGillivray to Governor O'Neil.

Mr. Rouen kindly replaced Mr. Waguespach, who had promised to read the letter, but was not present.

Col. Hugues de la Vergne read the paper he had prepared on Bienville. It contained so many novel innovations on the history of Louisiana that a brisk discussion arose at its close

Mr. de la Vergne challenged to cite his authority, for substituting the name *Herville* for *Iberville*, gave Larousse, which provoked a comparison between him and the world-wide accepted authority on Louisiana Colonial History, Pierre Margry.

The majority of members present expressed the opinion that Margry was the more creditable historian.

Miss King read a note from her History of Bienville, to sustain her point against LaRousse, that Sauvole, called the first Governor of Louisiana, was not a brother of Iberville and Bienville.

After an animated discussion the Society was adjourned.

GRACE KING, Secretary.



ADRESSE

*de la Chambre des Representans de l'Etat de la Louisiane
Au peuple Francais.*

Le Comité de la Chambre, charge de rédiger une ADRESSE au peuple français sur la glorieuse révolution qui à changé dernièrement ses destinées, vous soumet respectueusement le rapport suivant:
“Peuple Francais:

La Louisiane qui te doit son origine, te salue et t'adresse avec une admiration profonde, ses vives félicitations sur cette glorieuse révolution qui vient de placer la liberté sur le trone qu'occupait le Despotisme.

A la nouvelle de la grande victoire, l'Amérique à tressailli d'allégresse; mais, c'est surtout dans notre vaste république que l'enthousiasme le plus pur et le ardent à enflammé tous les coeurs L'ancienne alliée, la fidèle amie des Etats-Unis avait enfin reconquis sa gloire! A la vue de la noble France, parée de ses couleurs nationales, s'élançant sur l'antique piedestal de ses droits, en foulant du pied la tyrannie et déchirant sa livrée gothique, puis calme et fière, avec l'attitude de trente ans de victoire, levant sa tête majestueuse vers le ciel, comme pour lui offrir le spectacle sublime de sa régénération le Peuple Américain sa'est levé tout entier pour la saluer de ses acclamations.

Le vieux drapeau tricolore, le drapeau des souvenirs, le drapeau des espérances, flotta dans toutes les villes américaines: il leur annonçait que la religion de la liberté était devenue commune aux deux peuples, et que l'affranchissement du monde avait commence. Le monde, en effet, pourrait-il rester esclave, lorsque, pour son salut, la liberté à allumé son phare au sommet du capitol et des palais constitutionnels de la France.

Peuple Francais: La joie de ton triomphe, unanime dans notre grande famille américaine, fut cependant plus fortement sentie et exprimée à la Louisiane. Oui, il y à de l'echo à la Louisiane lorsque la France pousse un cri de gloire où de douleur. Nous le savons; la France à toujours suivi avec un regard d'amour le développement de la prospérité de la Louisiane. Lorsqu'elle fut obligée de s'en détacher, elle la céda à la nation qui en était le plus digne, et elle éprouva sans doute un sentiment d'orgueil, lorsqu'une ancienne colonie française s'éleva à la dignite d'un Etat Sourverain, et orna son jeune front du signe de son rang et de sa puissance, l'Etoile Américaine. Libres, indépendants, heureux, les Louisianais rougis-

saient de l'esclavage et déploraient les infortunes de la nation à laquelle leurs ancêtres avaient appartenu, et dont ils ont retenu les mœurs et le langage. *Peuple Français*: lorsque nous avons connu les fatales ordonnances, nous avons frémi' lorsque la merveilleuse création des trois jours nous est apparue, nous t'avons admiré, et nous t'avons rendu des actions de grâces au nom du genre humain. La raison calme, la tranquille sagesse qui à succédé au désordre, à redoublé cette admiration. Permetts que nous t'adressions ces témoignages de notre sympathie et ces expressions de l'estime que nous à inspiré ta conduite magnanime qui te proclame à jamais digne du titre de la *Grand Nation*.

Peuple Français: Nous honorons ces balles citoyennes et ces pavés patriotiques qui ont anéanti un pouvoir parricide; nous honorons cette mitraille populaire qu'a fournie l'arsenal de Paris. Gloire à la courageuse et civique adolescence des élèves de l'Ecole Polytechnique, des Ecoles de Droit et de Médecine. Gloire à la Garde Nationale gloire à ces enfants héros, à ces jeunes généraux des Barricades. Gloire à toute la population parisienne, de tous les âges et de tous les sexes; gloire à toute la France qui se dit et se fit libre avec la rapidité d'un mouvement électrique.

Nous chérissons et nous vénérons la mémoire des martyrs de la liberté qui sont tombés dans les trois journées. Mais nous ne plaignons pas leur sort, car ils sont immortels. Le sang versé sur l'autel de la patrie, n'est-il pas en effet la plus glorieuse des apothéoses?

Salut et honneur au ROI CITOYEN que la raison publique à couronné, et qui à juré que la *Liberté Française* serait désormais *une vérité*. Nous faisons des vœux pour le soldat, de Jemmapes, qui s'est plu à reconnaître et qui n'oubliera pas que sa majesté royale est une émanation de celle du peuple.

Nous nous inclinons avec amour, avec vénération, devant les héros des deux mondes, devant notre Lafayette, devant le Washington de la France: sa renommée est le patrimoine de deux nations; son nom l'espoir des peuples; sa gloire brillante des trois couleurs de la liberté, semble s'être courbée sur le monde en cercle radieux, et s'être appuyée sur l'Amérique et la France. Le despotisme va fuir devant ce signe précurseur de la régénération de l'univers.

Peuple Français: Les félicitations que nous t'adressons sont sorties de nos cœurs. Puisse-nous bientôt en offrir de pareilles aux autres nations de la terre. L'Homme du Destin l'a dit: 'Une révolution en France est une révolution en Europe.' La liberté va

donc commencer sa marche triomphale autour du globe, et nous espérons que s'il le faut, un char français portera la divinité.

Signé: L. Allard,
T. C. Nicholls,
Charles Gayarré,

Rapporteur du Comité.

Résolu par la Chambre des Représentans de l'Etat de la Louisiane. Que cette Chambre adopte l'adresse présentée par le Comité chargé d'en rédiger une au Peuple Français, le félicitant sur sa glorieuse révolution des 27, 28 et 29 Juillet dernier.

Résolu de Plus, Que le Président de la Chambre des Représentans soit invité à faire imprimer, sur papier velin, l'adresse et les présentes *Résolution*, et à les faire parvenir à l'Ambassadeur des Etats Unis auprès du gouvernement de France, pour être par lui présentées à la Chambre des Députés.

Et il est de Plus Résolu, que la Chambre des Représentans verrait avec le plus grand plaisir que Mr. Wm. C. C. Claiborne fut chargé de porter *l'Adresse* et les Résolutions.

Signé: A. Mouton,
Président de la Chambre des Représentans.

A. Pitot, *Secrétaire*,
Nouvelle Orléans, 24 Mars, 1831.

SIGNATURES:

West Feliciana
Robert Haile
Joseph Bernard

Assumption
Joseph Lalande
Jean Materre

Lafayette
Joseph Bernard
Alexander Mouton

Lafourche
R. P. Bowie
A. B. Thibodeaux
James Porter

Paroisse d'Orleans
Louis Allard
Charles Gayarré
W. C. C. Claiborne
Pierre Landreaux
Stephen Mazureau
James Workman
J. P. Freret
Représentans.

St. Landry
John Moore
Stephen W. Wikoff
Cyprien Dupré

St. Jacques
John Watkins
R. C. Nicholas

Ste Hélène
W. L. Breed
Samuel Leonard

East Baton Rouge
Alex. E. McConnell
Montgomery Sloan

<i>Nachitoches</i> John R. Dunn Ambrose Le Compte	<i>Jefferson</i> Noel B. Le Breton	<i>Ste Marie</i> John Wilkinson
<i>St. Tammany</i> Daniel Edwards	<i>St. Bernard</i> J. Marcel Ducros	<i>Iberville</i> William B. Robertson
<i>East Feliciana</i> R. Brown L. Saunders	<i>Ascension</i> Thomas G. Nicholls	<i>Catahoula</i> J. M. B. Thompson
<i>Concorde</i> Hugh M. Coffey	<i>Ouachita</i> H. P. Morancy	George W. Waggaman <i>Secretary of State.</i>
<i>Rapides</i> Francis A. Bynum Sosthene A. Baillio	<i>Plaquemine</i> George W. Johnson	<i>St. Charles</i> Alcee La Branche
<i>St. Mary</i> A. D. Bienvenu	<i>St. Jean Baptiste</i> Pierre E. Doumeing	<i>Terrebonne</i> Leandre B. Thibodeaux
<i>West Baton Rouge</i> Alexdr. Williams	<i>Washington</i> Benj. Richardson	<i>Pointe Coupee</i> Alphonse Robin
<i>Aroyelles</i> William Voorhies	<i>Claiborne</i> Jas. Dyer	A. B. ROMAN, <i>Governor of the State of Louisiana.</i>

ADDRESS

*By the House of Representatives of the State of Louisiana
to the People of France.*

The Committee of the House appointed to draw up an address to the people of France on the glorious Revolution which has lately changed its destinies respectfully submits to you the following report:

“People of France:

“Louisiana who owes you her origin, salutes you and addresses you with a profound admiration her ardent congratulations upon this glorious *revolution* which has just placed *liberty* upon the throne lately held by *despotism*.

“Upon receipt of the news of the grand victory, America was thrilled with rapture; but it is principally in our own vast republic that the purest and most ardent enthusiasm has fired all hearts.

The ancient ally, the faithful friend of the United States, had at last conquered anew its glory. In the presence of noble France, arrayed in its national colors, leaping upon the ancient pedestal of her rights, trampling tyranny under foot, and rending her gothic livery; then calm and proud, with the attitude of thirty years of glory, lifting its majestic head towards heaven, as if to offer to it the sublime spectacle of its regeneration, the people of America rose as a body to salute her with their acclamations. The old tricolored flag, the flag of old memories, the flag of hopes waved in all the cities of America; it proclaimed that the religion of liberty had become common to both countries, and that the emancipation of the world had commenced. Could the world, in truth, remain in bondage, when for its redemption, Liberty had kindled its beacon upon the summit of the Capitol and of the Constitutional Palaces of France?

“People of France: the exultation of your triumph, unanimous in our great American family, was yet more strongly felt and expressed in Louisiana. Yes, there is an echo in Louisiana when France utters a cry of glory or of suffering. We know it: France has always followed with a look of love the development of the prosperity of Louisiana. When she was compelled to part with her, she ceded her to the nation which was the most worthy of it, and she no doubt experienced a feeling of pride, when a former French colony was elevated to the dignity of a Sovereign State and adorned its youthful brow with the emblem of its rank and of its power, the American Star. Free, independent, happy Louisianians blushed at the bondage and deplored the misfortunes of the nation to which their ancestors had belonged, and of which they had retained the manners and the language. People of France: when we became acquainted with the fatal ordinances, we shuddered. When the wonderful creation of the three days appeared to us, we admired you and we tendered you thanksgivings in the name of mankind. Calm reason and tranquil wisdom which succeeded to disorder have doubled this admiration. Permit us to offer you these evidences of our sympathy and these expressions of the esteem with which your magnanimous conduct has inspired us, which proclaim you forever worthy of the title of ‘the Great Nation.’

“People of France: we honor these civic halls and these patriotic pavements which have annihilated a parricidal authority: we admire this popular grape-shot furnished by the Arsenal of Paris. Glory to the courageous and civic adolescence of the students of the Polytechnic School, of the School of Law and of Medicine. Glory to the national guard, glory to these children heroes, to these young generals

of the barricades. Glory to the population of Paris, of all ages and of all sexes; glory to all France which proclaimed *herself* and made free with the rapidity of an electrical movement!

"We cherish and we venerate the memory of the martyrs of liberty who have fallen in those three days. But we do not pity their fate for they are immortal. Is not, in truth, blood found upon the altar of patriotism the most glorious of all apotheosis?"

"All hail and honor to the Citizen King whom public reason has crowned, and who has sworn that French Liberty would hereafter be a truth. We form wishes for the soldier of Jemmapes, who was pleased to acknowledge, and who will not forget, that his royal majesty is an emanation of that of the people.

"We bow with love with veneration, before the heroes of both worlds, before our Lafayette, before the Washington of France; his fame is the birthright of two nations; his name the hope of nations; his glory shining with the three colors of liberty, seems to have encompassed the world with a radiant circle, resting upon America and upon France. Despotism will flee before this sign, the harbinger of the regeneration of the Universe.

"People of France: the congratulations which we address to you have emanated from our hearts. May we soon offer similar ones to the other nations of the earth. The man of Destiny said it: 'A revolution in France is a revolution in Europe.' Liberty is about therefore to commence its triumphant march around the globe, and we hope, if it must be, that a French chariot will bear the Divinity.

Signed: "L. Allard

"T. C. Nicholls,

"Charles Gayarré

"Reporters of the Committee."

"Resolved by the House of Representatives of the State of Louisiana, That this House adopt the address presented by the Committee appointed to draw up one to the People of France, congratulating them upon this glorious revolution of the 27, 28 and 29 of July last.

"Resolved further, That the President of the House of Representatives be invited to cause to be printed, upon velum paper, the address and the present Resolutions, and to cause them to be delivered to the Ambassador of the United States, at the government of France, to be by him presented to the Chamber of Deputies;

"Be it further resolved, That the House of Representatives would take the greatest pleasure in knowing that Mr. Wm. C. C.

Claiborne was intrusted with carrying the address and the resolutions.

Signed: "A. MOUTON,

"President of the House of Representatives.

"A. PITOT, *Secretary,*

"New Orleans, March 24, 1831."



RECORDS OF THE SUPERIOR COUNCIL
OF LOUISIANA. X.

Decisions in Civil Suits.

April 7, 1726.

1. Larchevesque *vs.* Cauterelle. Seizure waived, and plaintiff may have recourse to Legras. Costs on Larchevesque.
2. Dame Marie Alorge *vs.* Cariton C. in default and claim allowed.

Court Order for Inventory. April 9, 1726. After formalities of electing a guardian (Mr. Delery) and surrogate guardian (Mr. Rivart) for the minor children of late Hippolyte Mercier, it is provided that an inventory of joint property be prepared. Madame Mercier was widow of Surgeon Valetin Barreau, of Mobile.

Memorandum of Account. April 10, 1726. Statement of account between Duverney grant and a hired man Estienne Millon, from April 1, 1723 to April 1, 1726. First two years yielded his living, but no purplus wages; third year availed him wage rate of 60 francs. His net balance credit, 65 francs. (He had also furnished an item of two shirts and bought a few goods).

Petition for Discharge and Settlement of Account. April 15, 1726. Estienne Milon submits the foregoing statement and moves for his due discharge, his time being fulfilled. Let Mr. De Pertouil be ordered to grant the discharge and settle account.
Action allowed.

Petition for Arbitration. April 15, 1726. *Sieur Jaurequibery alias* St. Martin recalls his suit against *Ceard* and others, dating back to January 4, 1724, and provisionally adjudged on October 21, 1725. To meet the opposite parties half way, petitioner is willing to arbitrate.
Council notifies Mr. Massy to appear and name a referee, or hear one named; in default, judgment will be executed against him.
Mutilated and charred.

Decisions in Civil Suits.

April 16, 1726.

1. Francois Lemesle *alias* Bellegarde *vs.* De Verteuil. DeV. to pay, plus costs.
2. Dauvillier *vs.* Claifontaine. C. in default, must pay.
3. De Nolan *vs.* Grumelin. Referred to Mr. Brusle. Costs reserved.
4. St. Martin *vs.* Massy. Still pending.
Filed No. 194.

Petition of Recovery. April 17, 1726. Jean Ospistel (so signed; also given Hospistel) was employed by Caron, baker, but lacked work by reason of the dearth of flour now prevalent. *Jean* has next thought of going to Illinois, and would accordingly collect his wages; 118 francs, 10 sous. He reminds the Council that "the divine laws are very explicit thereon, when it is said that the laborer is to be paid his day's work before the sun be couched." He hopes, too, that the Councillors will move him to address his vows to heaven for their health and prosperity.
(*Red ink* revisions apparently by Attorney General.)
Action granted.

Promissory Note. April 18, 1726. *De Nolan* owes Mr. Love, English tailor, 140 francs, and promises to remit on arriving at Mobile.

Petition of Recovery. April 20, 1726. Nicolas Rousseau, settler at Natchez, is bearer of two notes; one for 300 francs, dated 28 April, 1723; the other for 100 francs, 8 May, 1723, or total 400 francs, due by deceased *Langavin*, whose sole legatee is *Sieur* Bergeron, of N. O. Debt represents value received in provisions. Let Mr. B. settle promptly, so as not to delay petitioner's return to Natchez.
Mr. B. cited for "Saturday next."

Petition to Sell Molested Land. April 24, 1726. Joseph Baillif bought some land "below the great desert," and is much disturbed by his *savage* neighbors. To avoid disputes with their tribe, he desires to sell and pay for another property which he has already bought.
Council permits him to sell, without assuming responsibility for consequences on his side. (March 24, 1727.)

Petition of Recovery. April 25, 1726. Jean Baptiste Faucon Dumanoir moves to collect 800 francs in copper specie from *Sieur* Meynard, due on his note of 28 August, 1725.
Action granted.

Decision in Suit of Recovery. April 27, 1726. Estienne Milon *vs.* De Verteuil. De V. in default. He shall pay the claim, 65 francs and 7 sous, plus costs.
Notice served on May 4, and again on May 23.

Petition of Recovery. April 30, 1726. Recorder Rossard moves for citation of Mr. De Cordetz D'Arbonne with a view to collecting a total amount of 1250 francs on four protested letters of exchange drawn by D'Arbonne at given dates, against Madame his mother in Paris.

Action instituted. Postscript by De Cordetz Darbonne May 2, 1726, stating that he concurs with what sentence the Council may deem fit.

Duplicate. (Postscript occurs on *copy*.)

Testimony on "Life and Morals." May 8, 1726. Witnesses J. B. de Chavannes, Secretary to Council of *La. Regie*, and J. B. Prevost, first Colonial Bookkeeper, give good report of "Mr. Pratt, doctor in medicine," candidate for office of Superior Councillor, and bearing credentials from the King, dated December 11, 1725. Man of regular habits, approved honesty, practical Catholic (Mr. Prevost has seen him "making several acts of Catholicity.") On this evidence, coupled with a certificate by R. P. Raphael, V. G. the Attorney General orders the admission of Dr. Prat to Superior Council, after the usual oath of office.

Family Affair in Desfontaines Estate. May 8, 1726. Attorney General Fleuriau presents the case of Mr. Desfontaines' minor daughter, whom it is proposed to send over to Brittany for education. It would be too long to wait for for the slow settlement of her late father's accounts with LeBlanc land grant; let her expenses be met in advance, and also a debt of 262 francs to Mr. Bonnaud, who will then release a deposit of 6 Louisd'or, gold earrings and gold ring. The family silver seal, engraved with Desfontaines arms, is with Attorney General. Director De Pauger agrees to proposed arrangement, covering the daughter's traveling expenses from Lorient to destination, but without prejudice to rights of LeBlanc grant. She was to cross the seas in the care of Mr. Fougues of Port Louis.

Decisions in Civil Suits.

May 10, 1726.

1. *St. Martin vs. Massy*. Adjourned. Costs reserved.
2. Cancelled.
3. *Dumanoir vs. Meynard*. Claim allowed and payable in three months.
4. *Rossard vs. D'arbonne*, claim to be paid, plus costs.
5. *Ceard vs. Massy*. Dismissed. Costs divided.
6. Auction of D— house. Highest bid appears to be 560 francs by *Caron*. *Scrawl* thereafter.
Filed No. 196.

Receipt of Passage Money. May 11, 1726. Treasurer Bru has received from the hands of Mr. Rossard 100 francs for passage of Mademoiselle Desfontaines to France by the vessel *L'Aurora* and will tender the same.

Petition to Recover Value of Dugout. May 13, 1726. Estienne Beaucour, hunter, moves to collect 100 francs from the son of Bonhomme Visse, in compensation for a dugout "pirated" from Bayou St. Jean and brought back by said party in a plight of unfitness for further use. Chain and padlock were broken, and "find themselves lost." Notice served.

Petition for Board Allowance. May 14, 1726. *Bourbeau* requests board money for the account of Mademoiselle Desfontaines, whom he has maintained at his house these six months past. He claims 20 francs a month, unless the Council will pay him still more.

The Attorney General orders account charged among privileged debts, but not above 200 francs a year for a minor. Receipt by *Bourbeau*, 123 francs 13 sous, for eight months' board.

Petition to Seize Dugout. May 24, 1726. Estienne Millon, orphan, has recourse to the "Integrity of the Councillors' justice," now that Mr. De Verteuil refuses to satisfy Court sentences in plaintiff's favor. Let Estienne seize a dugout about starting for Bayagoulas, with goods therein.

"Permitted to seize at risks and fortunes of the petitioner."
Signed: Brusle.

Petition to Recover Heifer. May 28, 1726. St. Martin (*Jaurequibery*) tells a stuffy tale on account of a cow claim. The late Beauvis owed him 97 francs, payable in Spanish currency as shown by note of May 11, 1722. But B. then directed *Mr. Arnaud*, to furnish a heifer to St. M. in commutation. Other claims arose and no satisfaction has ensued for St. M. Let such be now rendered. (Some tangled particulars of the estate affairs.)

Attorney General orders delivery of given heifer to St. M.

Decision Between St. Martin and Massy. May 28, 1726. Massy shall pay interest on 6140 francs at rate of 5% yearly, from date of protest until past April 12, when plaintiff took back the negroes whom he had sold.

Auction of a certain house reported put off.
Filed No. 197.

Petition to Collect Pew Rent. May 29, 1726. Councillor Brusle calls for citation of those owing pew rents in this parish. Notice served on Mr. Bernaudy, charged 60 francs for one year; and on Cariton, tailor, charged 54 francs for 9 months at 6 francs a month.

Memorandum of Deposit. June 1, 1726. Undersigned *Bardie*, *Jan Louis* and *Daquin* certify that they consigned to Mr. Menar two guns, and a pocket pistol on behalf of Mr. Tronquidy.

Report on Damage by Cattle. June 2, 1726. On request of Mr. Rivard, the undersigned Trudeau, Dubuisson, and Bouche (who makes his mark) certify that they betook themselves to Gentilly to estimate the damages done to Mr. Sabagny's enclosure by Rivard's cattle. They size the loss at 8 pecks of beans, 8 pecks of peas, a quarter of "marsh beans" (a small sort; gourgane) two quarters of wheat, six barrels of sweet potatoes, two barrels *ditto* from retarding of the vines, a peach tree of two years (rated equivalent to six peach trees of one year). Viewers recommend the like restitution at next crop.

Petition for Fixing Damages. June 3, 1726. Mr. Rivard shows that in spite of his precautions some of his cattle invaded the fields of Sieur Sabagnier. Since the latter is a troublesome party, let him be cited to ratify the report of damages already prepared, so that Mr. R. can settle on definite terms at next crop.

Approved, and notice served.
Duplicated.

Petition of Recovery. June 3, 1726. Delarenaudais seeks to collect residue sum of 17 francs from Bouette, due on a note. Let the claim be paid from proceeds of Bouette's work for the Company at the Hospital.

(Bouette is a joiner).
Action allowed.

Petition to Cite Witnesses. June 4, 1726. *Soubaigne*, settler at Chantilly, is distrustful of *Rivard's* proceedings on the damage score, and asks leave to cite the parties best cognizant of the havoc wrought by "the quantity of 34 beasts." all belonging to Lavigne (*alias* of Rivard.)

Notice served on *Joseph*, *Langevin*, *Sanson* and *Casseborgue*. (The two latter are styled Germans.) Reference to damaged corn, white beans, peas, leeks, beans, pumpkins, melons, onions, peaches, figs.

Petition of Recovery. June 6, 1726. Langlois, tailor, claims 26 francs from Cadot, for a coat. Let bill be collected from Cadot's credit with Joly, brewer with Mr. De La Garde, Action granted, and Cadot notified of seizure in question. He remonstrates that he has duly deposited 18 francs in Recorder's office; enough to square the account in present

statues. Money shall be tendered on condition of peaceable satisfaction on the part of Madame L.

Receipt. June 6, 1726. Mr. Rossard acknowledges item of 18 francs, tendered by Cadot, for transmission to Langlois, tailor.

Sheriff Vincent, on serving notice to Langlois, adds a warning for Madame Langlois to desist from her daily "invectives" at Cadot.

Report on Damage by Cattle. June 6, 1726. Undersigned D—— and Dumas have inspected Soubaigny's plantation, and find it incredible that so *many* cattle broke in. They saw two cows, one recently calved, but scarcely any trace of damage; a few beanstalks overturned, with beans already ripe.

Attachment of Goods. June 6, 1726. Sheriff Vincent distrains funds in the hands of Joly, brewer, to the extent of 26 francs, as claimed by Langlois.

Decision Between Lavigne and Soubagne. June 6, 1726. Council appears to sanction the report of Soubagne's viewers, and orders Lavigne (Rivard) to supply 1450 sweet potato settlings to S. at next crop. There is further mention of 2000 sweet potato settlings, but so scrawled as to leave common intelligence uncertain of the connection.

Filed No. 198.

Petition of Recovery. June 8, 1726. Undersigned *Fillart* claims a residue debt of 88 francs from Joseph Amelot, due on his note of past December 10.

Action allowed.

Petition to Recover Damages. June 8, 1726. De Chavannes, Secretary of Council, reports that *Frere Malon's* cows have twice trespassed on his plantation, causing no small damage. He asks 20 francs for the first intrusion, 12 francs for the second.

Action granted.

Petition of Recovery. June 8, 1726. De Tronquidy moves for citation of *Sieur Meynard*, with reference to fulfilling his contract of supplying 60 fowls to petitioner; or else let him return certain guns and a pocket pistol, left with him on deposit.

Action allowed.

Decision Between Duplessis and Geard. June 6, 1726. Defendant shall satisfy claim and pay costs.

Petition of Recovery. June 11, 1726. *Lawrans Bonneau*, journeyman, claims 57 francs from Thomas de Seveilly (also given *Seritly*) due on his note of past March 26.
Action allowed.

Decisions in Civil Suits. June 12, 1726.

1. Cancelled.
2. De Tronquidy *vs.* Meynard. Out of Court. Costs divided.
3. Dela Renaudais *vs.* Bouette. B. in default; must pay.
4. Fillart *vs.* Amelot. A. in default; must pay.
5. Langlois *vs.* Cadot. C. in default; must pay.
26 Francs; distraint found correct. Some compromise provisos follow in the hand of *scrawl*. Costs divided.
Filed No. 200.

Petition of Recovery. June 16, 1726. Delaire claims 30 francs from Caron, baker, due on his note of December 3, 1719.
Action allowed.

Petition to Summon. June 22, 1726. Antoine Love, *alias* Langlois, has been opposed by Cadot as regards execution of Court ruling dated June 12. Let C. be cited to "deduce his reasons" and to pay what he owes.
Notice served on C.
(Name *Love* was probably *Lowe*; written elsewhere *Loue*.)

Petition of Recovery. July 1, 1726. *Flourance Douwillier* moves for summons of *Sieur* Gaulas, security of Mr. Claifontaine for an overdue note of 35 Spanish dollars; and let the debt be further secured by attachment of Mr. Claifontaine's salary, if the Council will so approve.
Notice served on Mr. Gaulas.

Testimony on Missing Attendant. July 1, 1726. Examination of witnesses Jacques Francois Jacquet Jacques Rozier, Rodolphe Guillaume, who know simply that the missing Francois Monager went to the Lake to hunt, about New Year's day. No news of him since. (Monager is here described as *Surgeon* of Swiss Company. *Frater* seems ordinarily applied in familiar vein to surgeon's or barber's attendant); David Bignon, a fourth witness (apparently signing David Billon) testifies to like effect.
Filed No. 201.

Summons to Testify. July 1, 1726. Sheriff Vincent notifies sundry parties to appear and give evidence concerning the absence of Francois Monager, Swiss Company's attendant ("frater.")

Petition of Recovery. July 3, 1726. Officer Marest de Latour moves to collect a residue debt from Coupart, due on a note of past March 12.

Action forward.

Certificate of Last Wishes. July 6, 1726. Undersigned De La Goublaye, Pellerin, Michel Jacob, Broy, certify that they are aware and heard it said by Gaujoux, Company's employe, that if he died in this Colony he meant to leave whatever he had with him to Mr. Clerfontaine, in token of personal friendship and as *gift* of course.

Petition to Inherit. July 6, 1726. Clairfontaine seeks possession of the goods intended for him by the late Gaujoux. July 10, 1726. Referred to Attorney General, who rejects the claim as void, because the deceased knew how to write, and a notary was accessible. Goods shall go to pay debts; and surplus, if any, to the treasury.

Petition of Recovery. July 6, 1726. Francois Duval claims 750 francs from *Sieur* Bian, due on a house at Fort Louis, Biloxi, which F. D. sold to B., as shown by B.'s note of June 1, 1722.

Action forward.

Summons and Answer. July 8, 1726. Sheriff Vincent notifies Cadot to appear in response to demand of Langlois.

Cadot shows that he is prevented to illness. He turns over his papers to Councillor Fazende, and will abide by the latter's report.

Petition of Recovery. July 9, 1726. Antoine Malon claims 177 francs from Duval, goldsmith, and also a silver Marc, as shown by his note of past February 12.

Duval is cited.

Decisions in Civil Suits.

July 9, 1726.

1. Duchesne and — *vs.* Delery. Duchesne and Hamon are confirmed in possession of given 30 acres. Delery is confirmed in terms of *scrawl*. Costs divided.
2. Duval *vs.* Bian. B. to pay claim and costs.
3. Duval *vs.* Madame Coupart. *Scrawl* shall conduct an auction between *scrawl* and *scrawl*.

Filed No. 202.

Petition for Independant Service. July 9, 1726. Marianne St. Aubin came to this Colony in the understanding that she should be hired by parties De Moran (here given Damaron) and wife at 50 francs a year. Public rumor informs her that D. has hired her, without her consent, to the

Company for 200 francs, which he pocketed. But Marianne did not expect to hire herself to the Company; and neither has a third person the right to hire her against her will. Let the second "contract" be voided, and let Mr. D. refund 200 francs to Company.

Action granted
Ragged edges.

Receipt of Estate Funds. July 10, 1726. R. P. Raphael has received 96 francs from Recorder Rossard for services to the late Mr. DeFontaines and his family. The said sum was thus devised in Mr. De Fontaine's will.

Decision in Civil Suits. July 11, 1726.

1. St. Aubin *vs.* De Moran. De Moran shall pay her wages for the time while she was employed by him, and *scrawl* adds other provisos. Costs divided.
2. Florence *vs.* Goulas. Default. G. must pay.
3. Gamy (Lariviere) *vs.* Bourbault. Referred to Mr. Fleurion. Costs reserved.
4. Cancelled.
5. Malon *vs.* Duval. D. in default, must pay.
6. Love (Langlois) *vs.* Cadot. Opposition nonsuited.
7. Brusle *vs.* Cariton. C. in default; must pay.
Filed No. 204.—Edge torn.

Petition of Recovery. July 15, 1726. Francois Lemelle *alias* Bellegarde claims a complee debt from Quidort, absent, who is creditor for like amount with Lemere, and has charged one Senet to collect for him. Let Senet be cited to show his order from Quidort.

Court notifies *Lemere* not to pay Senet for Quidort and to appear and report on his actual debt to Lemelle.
Corner torn off.

Petition of Recovery. July 16, 1726. Louis Brouet claims a residue sum of 20 francs from LeBlanc grant, on a pump break which he made subject to orders of Mr. De Pauger. Referred to Attorney General, who allows the claim and orders it paid. (August 3, 1726). (L. B. is a wheelwright.)

Petition of Recovery. July 16, 1726. Denis Fosse, journeyman, claims a residue debt of 118 francs, 4 sous, from Mr. Clairfontaine.

Action forward.
Ragged top.

Petition of Recovery. July 29, 1726. Chauvin De la Freniere delivered to the late Mr. De Pauger 100 boards at 20 sous

each and two barrels of tar at 20 francs each, making total bill 140 francs. Let this amount be collected from estate funds.

Referred to the Attorney General, who allows the claim of boards and orders payment of 100 francs. (August 17, 1726.)

Petition of Recovery. August 1, 1726. Bilard, *alias* Le France, claims 80 francs from one Pitarche, due on his note of past March 27.

Action granted.

Petition of Recovery. August 1, 1726. Undersigned *Prevost*, had bargained with one Jarry, a cook, for a month's diet of five persons, at 200 francs all round; the bargain to date from past June 28 to July 28; Petitioner advanced 127½ francs in funds and victuals; but on July 11, Jarry dropped the subject and will not refund the residue credit. Let Jarry be cited.

Approved and notice served.

Petition of Recovery. August 3, 1726. *Morisset* humbly beseechs and remonstrates on behalf of his claim of 2800 francs for the treasury, against Mr. Clairfontaine, who was duly sentenced to pay, but has not complied, although he has placed upwards of 3000 francs in letters of exchange with Mr. M. by way of security. Let Mr. C. redeem his deposit, or else let the letters of exchange be negotiated in the open market.

Notice served on Mr. C.

Petition for Legal Action. August 5, 1726. Pierre Sauton slurs off a request in pale dirty ink that moves Councillor Delachaise, in good black ink, to sanction a summons; which is delivered by Sheriff Vincent to Chevalier de Benat (and also recorded in black, respectable ink).

Decisions in Civil Suits.

August 9, 1726.

1. Pierre Sauton *vs.* De Benat. Defendant in default and sentenced to meet the claim, plus costs.
2. *Morisset vs. Clairfontaine.* Adjourned to Saturday, August 17, Costs reserved.
Filed No. 203.

Petition in Remonstrance. August 9, 1726. Mr. Clairfontaine shows that his letters of exchange deposited to secure M. *Morisset* are the Company's own papers; hence they should be accepted as legal tender for debt to the same Company, without exchange loss to debtor. Mr. C. cannot otherwise meet the claim; he has been damaged

by flood, and has not yet achieved any business for Company.

No note by Court.

Petition for Full Value. August 9, 1726. Jean Pasqual relates that his wife made a bargain with Mr. *LaVil de Beau*, clerk of ship *La Loire*, for 40-lbs. of "yawn of Rennes," half in white, half in color, for 130 francs. Goods were found 5-lbs. short, and too solidly in color. Let the contract be fulfilled aright, or money refunded.

Notice served. ("Ship's writer," *ecrivain* of those days, appears to have been a floating salesman.")

Petition to Recover Damages. August 9, 1726. Joseph Bureau, both for himself and as attorney for one Captain, his partner in trade which they designed to carry on at the place called *Chaquehoumas*, seeks action against Captain Regnault D'Hauterive for intercepting them at the Yazoo post and requiring sale of their goods at a sacrifice. The traders not only started conformably to the King's law, but had express permission of Commander de Boisbriant. But Captain D'Hauterive denied the latter's authority and jurisdiction at Yazoo post. Damages claimed to sum of 2000 francs.

Notice served on Captain D'H.

Duplicated.

Defence of Captain Renaud D'Hauterive. August 9, 1726. He disclaims disrespecting the orders of Commander de Boisbriant, but the parties are convicts and untruthful. The mere particular that they rate their stock of goods at 1100 francs and claim 2000 francs for damage, reveals their presumption. Besides, they had traded most of their wares at Natchez, and had only a remnant of inferior goods when they reached Yazoo post. Their bartering there was voluntary, and seemed to their own satisfaction. Captain D'H. left nothing at loose ends, and asks to be discharged.

No note by court.

Memorandum of Account. (Undated. Found c. August 9, 1726.)

"Statement of the goods that we had when we reached the Yazous; which goods we were obliged to trade to Monsieur Renault and to his garrison; because he stopped us from proceeding to the Chocohoumas." Items include cloth, guns, copper pots, hardware and sundry tools, seal rings, bells, 200-lbs. of salt, 15 jugs of brandy. Total trade value 1438 francs, in one column; 666 francs in following column, apparently representing *sacrificed* valuation?

Petition of Indebted Carousers. August 16, 1726. Parties Duchesne and Chatay, joiners, had a house of the Company's to be paid either in money or in work. Next they were about to sell to one Bunel, and expected to remit proceeds to Company. But B. incited them to drink "on the bargain"; a festive carouse ensued (others being also present) and B. persuaded them to consume proceeds in wine and brandy; Company would not exact recovery. B. furthermore entered suit against D. and C. pretending he had paid *in goods*, and moving that D. and C. should pay company. Let him pay his portion of drinks.

No note by court.

Petition in Remonstrance. August 17, 1726. Chevalier de Benat files opposition to the ruling against him in default, and in favor of Sainton.

Opposition allowed and Sainton cited.

Petition for Inquest. August 17, 1726. Pierre Chesneau reports the supposed disappearance of one Jean Mercier, and asks the Court to institute proceedings of inquiry on behalf of Mercier's contingent heirs. He embarked as sailor on board the transport *LaDilligente*, commanded by Jean Chapeau, and bound from La Rochelle to Louisiana, but not heard of thereafter. (Pierre Chesneau is captain of ship *LaLoire*, and acts as attorney.

Proceedings allowed.

Decisions in Civil Suits.

August 17, 1726.

1. Bureau *vs.* Renaud Dauterive. Still pending. Costs reserved.
2. Antoine Bunel *vs.* Duchesne and Chatay. Defendants must furnish contract of sale and remit proceeds to cashier. Costs on defendants.
3. Sainton *vs.* De Benat. Marginal note about Mr. Delachaise. No report of decision.
4. De La Renaudas *vs.* Morisset. Still pending. Costs reserved.

Filed No. 206.

Attorney General on "Desertions." August 17, 1726. Prompted by a murderous attack on *Louis Congo* negro executioner, by three runaway savages, Attorney General Fleuriau urges the Councillors to take prompt and sweeping action against runaway slaves, lest soon the community be raided by whole gangs thereof. Let the neighborhood *Indians* watch out for such runaways and arrest them. Find the ringleaders and deal with them stringently. He cites King's law in relation to capital sentence.

Petition for Appointment of Guardian. August 20, 1726. Louise Phillipeaux (signed Philpeaux) widow of Noel Lefevre, is about to marry again and would have a guardian appointed for her three minor children, with reference to subsequent inventory of property. (Her own thrift to thank for it.)
Court approves.

Decisions in Civil Suits. August 23, 1726.
1. Pierre Sainton *vs.* DeBenat. Out of Court. Costs divided.
Marest *Dupuy* (Du Pin? De la Tour du Pin) *vs.* Jean Coupart. Plaintiff to pay. 259 francs and costs. (Very clearly written.)

Petition of Recovery. August 26, 1726. Jean Coupart, joiner, seeks renewed action against Durivage, who was sentenced to pay claim of 160 francs, but has made only slight restitution thus far.
Notice served on D.

Petition to Recover Loss of Cattle. August 28, 1726. Larchevesque reports that two cows and a bull of his were killed by wanton onslaught, presumably at the bidding of Mr. Lagoublaye or his wife, on whose land the act was done. The law forbids the like injury and provides other means of redress in case of trespassing. Let Mr. L. be cited to render satisfaction.
Approved and notice served.

Summons to Attend Hearing. August 30, 1726. Second notice by Sheriff Vincent to Captain D'Hauterive in suit brought by *Bureau*. Summons delivered to "Catherine, his savagess." Hearing set for August 31.

Decisions in Sundry Suits. August 31, 1726.
1. Joseph Bureau *vs.* Renaud Dauterive. Still forward. Costs reserved.
2. Larche *vs.* LaGoublaye. Out of court. Costs divided.
3. Laurent Bonnaud *vs.* Thomas Desercy. Defendant to pay in a month, plus costs.
Filed No. 207.

Petition to Sue for Libel. August 31, 1726. Pierre Manade, having been cleared of damaring charges (of robbery), pushed by one Charles Joly, now moves for action against Joly.
No note by court.

Petition of Recovery. September 2, 1726. Charles Joly, preparing to sail for France, would first collect certain debts from Mr. Manade.

Notice served on C. J.

Petition of Recovery. September 10, 1716. Dalcour, seeks to collect 358 francs from Mr. Faucon Dumanoir, due on a note dated May, 4, 1726, and endorsed in favor of Dalcour by Mr. Trudeau, on past August 8.

Action allowed

Petition of Recovery. September 11, 1716. Francois Thomas *alias* Derivieres holds a transferred note whose residue amount he seeks to collect from responsible party, Mr. Tixeront.

Action granted.

Report on Short Weights. September 11, 1726. Official inspection, prompted by complaint of a hospital attendant, finds that Baker Caron furnished short weight loaves of the two pound size and of one pound, and also of five pound size; that Baker Bellegarde was short with his four pound weight (which the viewer ordered thrown into the Mississippi) and less gravely short with his two and five pound loaves.

Signed: ROSSARD.

Filed No. 208.

Petition of Recovery. September 11, 1726. Francois Nicolas de Knepper claims a residue account of 70 francs from Rivard *alias* Lavigne, and also some clothes which R. will not release pretending that the petitioner's time is not yet fulfilled. He (Francois Nicolas) was employed to teach Rivard's children to read and to write. Bill was 80 francs, but F. N. collected 10 francs from a debtor of R.'s

Action forward.

Summons to Attend Hearing. September 13, 1726. Jean Caron, baker, is notified by Sheriff Vincent to appear on Saturday, September 14, at 8 a. m. with reference to charges of short weight.

Memorial on Litigated Heifer. September 13, 1726. St. Martin de Jaureguyberry spreads himself in several directions and also corners his cause in several byways of mis-carried procedure, to trace the history of that elusive heifer which he was entitled to receive from Mr. Arnaud; the transfer being now opposed by the same Arnaud. But as though to expiate his burden of legal prolixity *now* Mr. St. Martin offers the magnanimous concession

of releasing his original claim, 97 francs in Spanish currency in favor of the *Children of the late Guillory* heirs to the unsettled estate in question.

Notice served to Mr. Arnaud. Partly charred.

Memorandum of Account. September 14, 1726. Joly submits a statement of his credit with Mr. Manade; 21 months of hired service at 250 francs a year.....437½ francs
 Clothing which was not received.....250 “
 Supplies to M.'s slaves.....100 “

Deduct 5 jugs of brandy at 20 francs.....100 “

Net residue credit.....687½ francs
 Reported to Mr. M. October 4, 1726.

Decisions in Sundry Suits.

September 14, 1726.

1. Attorney General *vs.* Le Roux *alias* Lafleur “Culprit” discharged.
2. Rossard *vs.* Caron. C. warned to observe statute. Costs halved.
3. Dalcour *vs.* Dumanoir. Claim allowed. Costs on defendant.
 Francois LeBerger *vs.* Fillar. Referred to Mr. Fazende. Costs reserved.
5. St. Martin *vs.* Arnaud. Not reported.
6. F. N. de Knepper *vs.* Rivard. Botch settles with *scrawl*. Costs divided.
7. Coupert *vs.* Durivage. D. to pay, plus costs.
8. Francois De Riviere *vs.* Tixerant. Adjourned. Costs reserved.
9. Lemaire *vs.* Broy. B. in default; must pay plus costs.
 Filed No. 209.

Petition in Remonstrance. September 20, 1726. Francois Chate *alias* LeCoeur takes exception to a ruling between him and the contractors Thomelin and Dupre on account of weatherboarding the church. It was agreed between contractors and their two assistants Chate and another, to divide proceeds evenly, save that whoever lost time should forfeit a *pistole*. Chate willingly forfeited his portion, but the others refuse to do likewise. Let equitable settlement be granted for all hands.

Notice served on Thomelin.

Petition of Recovery. September 27, 1726. Marie Tournel claims 69 francs of one Micoux carpenter and calker.
 Action allowed.

Decisions in Sundry Suits.

September 28, 1726.

1. De Riviere *vs.* Tixerant. T. to pay subject to due adjustment, plus costs.
2. Marie Tournel *vs.* Micou. Claim allowed. Costs on Micou.
3. Francois Chate *vs.* Thomelin and others. Lost time to be redeemed by defendants at a pistole for each day of debauch. Days lost by illness are settled by *scrawl*. Costs reserved.
4. *Scrawl* also pronounces in a case of the Attorney General's against ???
Partly charred.
Filed No. 210.

Decisions in Sundry Suits.

October 1, 1726.

1. LaVille Thibaut *vs.* Damaron. D. to pay claim, plus costs.
2. *Ditto vs.* De Chavannes and Rossard. Further in process. Costs reserved.
3. *Ditto vs.* Dumas *alias* Lempilleur. Claim allowed. Costs on defendant.
4. Cancelled.
5. Damaron *vs.* Dreux. Charred. Apparently for plaintiff. Costs on defendant.
Badly charred and broken.
Filed No. 211.

Petition of Recovery. October 12, 1726. Francois Duval claims 125 francs from *Sieur* Labbe, settler.
Action allowed.

Petition of Recovery. October 8, 1726. Henry Buquoy lodges a chapter of claims against *Sieur* Bourbeau, including items of labor, wood, sweet potato sets, cattle, and other sundries amounting to total bill of 200 francs and costs plus wood. Moreover, Bourbeau's cattle have been damaging the petitioner's rice. (Labor was furnished by "master, negroes and savages.")
Notice served on Bourbeau.
Charred.

Memorial of De Verteuil on Surgeon Semson. Aux Bayagoulas. October 12, 1726. Narrative of injured dignity in face of an "odiously" proud bearing and "seditious" acts on the part of a subordinate. Immediate quarrel on this occasion grew out of a *supper* incident. The Surgeon, by accident, was to sup by himself, and he resented the *ascetic* detail of a napkin instead of a table-cloth. Blows nearly followed, but stopped short with high gestures. Dr. Sanson went next in a dugout bound presumably for

New Orleans but he was found aux *Oumas* by Lieutenant Petit, who fancied that he might oblige Mr. De V. by escorting Dr. S. back to the DuBuisson grant "former village of the Bayagoulas". Nay rather De V. proposes to pay the surgeon's fare to France by ship *St. Andre*, if Council will so order.

Filed by Mr. Raquet, attorney for De V.

Decisions in Civil Suits.

October 12, 1726.

1. Painquet *vs.* Raquet. Referred to Councillor Brusle. Costs reserved.
 2. Joly *vs.* Manade. Pending. Costs reserved.
 3. Buquoy *vs.* Bourbault. Parties will appear before Messrs. Fleuriau and Fazende. Costs reserved.
- Filed No. 212.

Memorial of Surgeon Sanson on De Verteuil. October 13, 1726.

Describing Mr. De V. as overbearing and irascible. "Believes himself to be the most absolute of all men." Dr. S. denies the charge of seditious behavior, and shows that De V. threatened him with irons and punishment at the hands of negroes, all because Dr. S. remained away too long on an errand of treating a negro for rattlesnake bite. Let Mr. De V. be cited to pay the surgeon's salary and grant his discharge.

Approved. Notice served November 27, 1726.
Duplicated.

Petition of Recovery. October 14, 1726. Jacques Perrier (signed Peris) and Jean Le Tellier, partners, ask for citation of one Bellegarde to pay 117 francs due by him to Messrs. Dreux, so that the petitioners may then have recourse to Messrs. D.

Action allowed.
Charred.

Memorial of Mr. Delachaise. October 14, 1726. In his office as executor for the late Mr. De Pauger, Councillor Delachaise recalls the land suit between Monsieur de Bienville and Mr. De Pauger, wherein Mr. De Pauger was worsted, subject to compensation for his improvements on the land at issue. The sum of 1000 francs was allowed, but afterwards claimed by Monsieur de Bienville, against the valid rights of de Pauger's estate. Let Monsieur de B. be cited in the person of his nephew, Mr. De Noyan, and the sum of 1000 francs be entered to the credit of said estate.

Notice served on Mr. De Noyan.

Plea for More Time. October 18, 1726. Mr. De Noyan urges that he was away when the suit occurred between Mr. De Bienville and Mr. de Pauger, nor has he the proper *data* before him for defence in the present contention. Either postpone the case till Mr. de Bienville's return, or else give Mr. De Noyan time to hear from Mr. de B. (then in France).

Action allowed. No note by court.

Petition of Recovery. Slave Suit. October 18, 1726. Antoine Aufrere bought of Mr. Melik (also given Melick) a negro for 600 francs, not knowing that the negro was epileptic. Let Mr. M. be cited to take back the negro, and to meet costs and other charges (board and medical attention.)

Decisions in Civil Suits. October 19, 1726.

1. Letellier and Perier *vs.* Bellegarde. B. to pay, plus costs.
2. Delachaise *vs.* de Noyan, Company to credit 1000 francs to De Pauger's estate. Costs divided.
3. Aufrere *vs.* Melick. Plaintiff nonsuited and subject to costs.

Charred and broken.

Filed No. 213.

Memorial and Rejoinder to Court Summons. October 19, 1716. Surgeon *Dedouad de Senson* (Dedoua de Sanson, *D.*) charges fresh threats to Mr. De Verteuil: "Drubbing, shooting, everything instrumental to destruction of human life," and again he would urge the citation of Mr. DeV. The latter parries the sheriff's writ on the ground that the surgeon has no case: he broke his formal contract, expiring only in March, 1728, by deserting his hospital patients on post October 5th. Said contract was drawn up at Ste. Croix, Teneriffe, Canary Islands, on October 25th, 1724. (Santa Cruz).

Duplicated.

Petition for Attachment of Funds. October 21, 1726. Bertrand Dufresne, Arkansas (*Arcansas*) settler, shows that Mr. *Melique* owes him 700 francs, by his note of June 15, 1725. Let funds be seized against Mr. Aufrere, debtor to Melique, and notice served on M.

Approved, and notice served.

Attachment of Funds. October 21, 1726. At the instance of Bertrand Du Fresne, settler in Arkansas, but now domiciled with Mr. Tronquidy, Sheriff Vincent seizes funds of Mr. Aufrère, and forbids him to pay what he

owes Mr. Mélick, until Mr. DuFresne be satisfied in his claim of 700 francs, due him by Melick.

Notice of Seizure. October 23, 1726. At the instance of Jean Coupart, joiner, Sheriff Vincent warns Mr. Manadé to pay his debt of 192 francs to Mr. C. or to the Sheriff for him; and M. refusing, is further warned that his goods will be attached and sold in satisfaction of said claim.

Decision by scrawl. October 23, 1726. Attorney General *vs.* Massy, Council confirms a piece of execrable script for execution according to form and substance of execration in such cases.

Signed: Delachaise, Brislé, Fazende.

Petition of Recovery. October 24, 1726. Alexandre Vieil, surgeon major, claims an account of 74 francs against *Sieur* Chaperon, who refuses payment on the ground that his negro *died* in sequel to Dr. A. V.'s treatment.

Action allowed.

Petition of Recovery by Seizure. October 24, 1726. Dreux *freres* seek to collect, by process of distraint, some accounts owing by one Pousset, settler at *Naquilothes*, both to themselves and to *Sieur* Bastet; whose order they bear. Claims include beans, poultry, bear's grease an iron pot, cash and men's shirts. Transactions date as far back as 1722. Notice of attachment served on Toulouse, Pousset's agent of sale, now at N. O.

(Top torn).

Marine Inspection. Report. October 25, 1726. At the instance of Captain Joseph Vigaud (signed Wigaud) of the brigatine *Marie-Elizabeth*, from Bordeaux to N. O., the said brigatine is officially viewed with reference to damages (dislocation of timbers) incurred by running aground while crossing the bar. On the evidence returned, Attorney General Fleuriau orders the vessel declared unseaworthy, and Captain Wigaud shall advise with the local marine it agents, concerning conservative measures and the dismissal of the crew.

Filed No. 215.

Decisions in Civil Suits.

October 26, 1726.

1. Dubuisson *vs.* DeVerteuil. Defendant in default; judgment for plaintiff.
2. DuFresne *vs.* Mélique and Aufrère. Seizure found correct. A. shall pay D. 596 francs on the 700 francs owed by M.
3. Cancelled.

Filed No. 216. Charred and broken.

Petition of Recovery. October 26, 1726. De la Villethebauld, ship's clerk of *La Loire*, claims 43 francs of *Sieur Dreux* on a bill of goods.

Action allowed.

Resignation of Executor's Charge. October 31, 1726. George Tesson, while absent at Mobile, was named as executor for the late Joseph Moreau, locksmith. Mr. T. not only has no interest in the appointment, but is prevented from due attention to it by his frequent trips to Mobile. Neither is he a resident of N. O. Therefore he asks to resign.

(No note by court.)

Filed No. 217.

Demand for Certified Accounting. October 31, 1726. Attorney General Fleuriau has remarked some "defects," if so cautious a term be allowed, in the minutes of *sales* in settlement of the estate of the late Sister Grissot, deceased at Mobile. Such "defects" include superadded entries and discrepancies of handwriting. He calls for a collated and authentic revision before one of the Councilors.

Approved, and the matter placed in charge of Mr. Bruslé.

Petition of Recovery. November 7, 1726. Jacques Robert, soldier, sold a pig to one Coupart for 76 francs, which C. was to pay when he had retailed the pig. Let C. be cited.

Notice duly served.

Revision of Judgment. November 9, 1726. Reference to acts not appearing (at this writing) among the papers for *November*, 1726. A certain act of *November 5*, is voided by Attorney General's decision of *November 9*. In sum, the "said negro" shall be auctioned to highest bidder; *R. P. Hyacinthe* may recover from Cashier Bru the 800 francs which he paid at (cancelled) sale: nay more, he *must* do so; and as regards the 200 francs which he is supposed to have paid cash to Mr. Duval, *R. P. H.* shall affirm the point before Mr. Bruslé, to the end of recovering said payment from sale proceeds.

Notices served on January 23, and February 11, 1727.

Decision Between Duval and Labbe. November 16, 1726. D. to pay 123½ francs, residue account on furniture to him sold, plus costs.

Filed No. 218.

Petition for Removal of Seals. November 18, 1726. Mr. Rossard, as attorney for vacant estates in the province, asks that the seals be removed from property of the late *Chevreuil DuVal*.

Approved: Delachaise (*provisos* duly observed.)

Petition to Forestall Trespassing. November 19, 1726. Francios de Mandeville, Captain, and owner of a plantation at *Pointe St. Antoine*, complains that Mr. Raguet "daily" has wood cut in petitioner's cypress tract. Let Mr. R. be cited to obey law herein.

Notice served December 10, 1726, and again on December 18.

(Top torn.)

Receipt. (Latter part of) 1726. Charles Roger to *Sieur Pasquier*, 1000 francs in specie. Transacted "in our office, year one thousand seven hundred twenty-six before noon."

Signed: Roger, Massy, Droy, Rossard.

(C. R. was an employe of the Company.)

Filed No. 222.

Petition in Slave Suit. December 2, 1726. Joseph Terret, about two months ago, exchanged a negro of his for a negress of Mr. LaFresnières. Mr. LaFresnière now tries to retract the bargain by sending back the negro on the ground of age and disability, and by taking away the negress. The original trade was explicit and well understood. Let Mr. LaF. be held to the closed terms of it.

Signature is probably *Veret*.

Action forward.

(Charred.)

Memorandum of Account. December 2, 1726. One Verret in account with Chauvin de la Frénière. Balance debit against Verret, 349 francs, 6 sous. Acknowledged by V. to date of October 30, 1726.

Certified correct by La Frénière.

aux Chapitoulas, 2 December, 1726.

Petition for Discharge in Court. December 5, 1726. Captain Renaud D'Hauterive, recalling a Court sentence of past August 31, which required Bureau to *prove* that his movements were forcibly intercepted (at Yazoo post by Captain D'H.), observes that B. has furnished no proof in all this time; consequently, let B. be cited and turned down, and the captain discharged.

Notice served on B., December 6, and December 18. Judgment will be rendered irrespectively, if he fails to appear.

Petition of Recovery. December 6, 1726. *Sieur de la Renaudays* Gauttier, mate of *LaLoire*, holds a note of 100 francs on the late Mr. Céard, dated December 10, 1718, in favor of one Malo, and thereafter transferred through sundry hands. Collection is now desired from Céard estate.

Notice served on Mr. Rossard, attorney, to meet the claim.

Duplicated.

Decisions in Civil Suits. December 7, 1726.

1. De la Renaudais *vs.* Rossard. *scrawl* on deck.
2. Verret *vs.* LaFresnière. Defendant to pay 394 francs, 6 sous.
3. Dauterive *vs.* Bureau. To be heard again. Costs divided.
4. Prevost *vs.* Didier. Judgment apparently against D. *Scrawled* and charred.
Filed No. 219.

Summons to Testify. December 10, 1726. Sheriff Vincent, at the instance of Pierre Clément, Captain of *LaLoire*, notifies Mr. deChavannes, Secretary of Council, to give evidence before Councillor Bruslé in an inquiry appointed at 2 p. m., same date.

Inventory of Kolly Property. December 10, 1726. Itemized miscellany of personal effects and business papers.

Further, a "statement of what I have consigned to Monsieur Lemoire to sell on my account, on his course, whether at the Cape or in Louisiana."

Total report, 711 francs.

Signed: C. Boyelleau.

Filed No. 220.

Joseph Verret vs. Nicolas Chauvin de la Fresniere. December 11, 1726. Defence of La Fresnière, to the intent that Verret deceived him in regard to the disputed negro. V. pretended that the negro had no fault but a disposition to run away; whereas La F. was willing to waive that weakness provided no other (physical) defect was in question. But the like defect soon came to light.

Notice served to Verret.

Petition to Prosecute for Calumny. December 13, 1726. Captain de LaSalle, of ship *St. Andre*, lodges complaint that he has been calumniated and moves for citation of those implicated.

Ordered communicated to Councillor Fazende.

(Stained, and almost extinct.)

See "*Remonstrance on Officious Tattling*," which clears the matter thoroughly.

Attachment of Funds. December 18, 1726. Sheriff Vincent seizes one *Babas* to the amount of 192 francs claimed by Jean Coupart on "what *Babas* may owe to *Sieur Manadé*." January 3, 1727. *Babas* is notified to appear on the morrow, Saturday January 4, at 8 a. m. and "see himself condemned to empty his hands into those of the said Coupart, of what he (*Babas*) may owe to Mr. Manadé; to the sum of 192 francs."

Petition for Clear Title. December 19, 1726. Magdelaine Fauveau *alias* St. Jean acquired from "old man Moreau" a small house for 80 francs, with right to raise poultry in the courtyard, to draw water from the well and cook at the oven so long as it stood serviceable. He now demands to sell this house: let him be cited to serve Magdelaine in possession.

Approved, and notice served to *père Moreau*.

Decisions in Sundry Suits. December 20, 1726.

1. Dauterive *vs.* Bureau. Default, and B., for neglecting to make inquiry, is nonsuited and bears costs.
2. Carriere *vs.* Rossard. R. to pay claim from proceeds of Céard sale. Costs divided between C. and estate Céard.
3. De Mandeville *vs.* Raguet. Default; R. to pay T. costs.
4. Delachaise *vs.* Delagoublaye. Compromise by *scrawl*, and costs divided.
5. (*Dame*) Fauveau *vs.* Moreau. M. shall tender contract of sale to plaintiff. Costs divided.

Filed No. 221.

Remonstrance on Officious "Tattling." December 20, 1726. Councillor Fazende reminds the Council that it was redundant to call him to account in the suit moved by Captain LaSalle. Mr. F., in a supposed *secret* session of the Council, told it for a mere "tip" of precaution, that he had heard on rather direct lines that Captain LaSalle had "oiled" his brandy with that of the Cargo. Mr. F. made no *charge* at all: it was a private remark, and had no warrant for getting openly *utilized* in the way of capital for virtual *defendants*, if the report were true, whereby to turn the tables as injured plaintiffs. Whoever spread the remark, did a blameworthy act, and merits the censure of the Council.

Decision Between D'Hauterive and Bureau. December 20, 1726. Since Bureau has failed to render his proof as required

by sentence of August 31, he is nonsuited, and subject to costs.

Bureau is so notified by Sheriff Vincent.

Petition of Recovery. December 23, 1726. Lassus de Marsilly, Company surveyor, moves to collect an account of 300 francs from Mr. Durivage, contractor, first owing to the late *Sieur* Trépanier, but now claimed by Mr. Lassus for his wife (deceased's widow).

Action forward. Claim is made in the name of Mr. L. as guardian of Trépanier minors; as well as in the name of Madame L.

Motion to Try for Fraud. December 24, 1726. Attorney General Fleuriau, learning that the parties *Babas* and *Pepy* are accused of swindling Monsieur Dupuy Planchard to the sum of 600 francs and upwards, moves to have them examined (they are already in prison); and let witnesses be summoned. Transaction described in detail.

Countersigned by Bruslé.

(Right margin torn.)

Remonstrance at Summons. December 28, 1726. Mr. de Ver-teuil asks to be discharged from the proceedings moved by surgeon *Dominique Douat de Sanson*. The latter has broken his explicit contract, and left the sick slaves in the lurch at a critical juncture.

Copy of said contract is appended; it was formulated in presence of the French Consul at Santa Cruz, Tenerife.

Surgeon de Sanson is described as "native of *Bagnères en Bigorre*, surgeon and apothecary by profession." He landed in March, 1725, by long boat of the transport *La Gironde*, then five leagues from New Orleans. (Mr. DeV. disclaims the report that *he* is intractable: he is only too indulgent, and he *does* get along amoothly.)

(No note by court.)

Petition of Recovery. December 30, 1726. Antoine Lowe, tailor, claims 140 francs from Mr. de Nolan, deceased. Let Mr. Rossard pay the debt from estate assets.

Notice served on Mr. R.

(Same claim, second edition.)

Remonstrance in Collection Suit. January 1, 1727. Mr. St. Martin objects to Mr. Rossard's action as inapplicable to St. M. The primary debtor in question is Mr. Lassus of Mobile, and the note should have been protected against him on day of maturity, supposing him to have refused payment. Short of such protest, no endorser is

to be held responsible. Accordingly, Mr. S. M. asks to be discharged.

(No note by court.) Faded.

Report on Loss of Dugout. January 2, 1727. After formal preamble and itemized *bill of lading* for the dugout to *Ste. Catherine grant*, and consigned to Mr. Dumanoir at N. O. it appears that four dugouts left port of Natchez for N. O. on Dec. 31, 1726. Two of the dugouts were totally lost, ladings included, by capsizing on striking an upright snag. The two others kept afloat by dint of *jettison*. Louis Serel, chief "navigator," and others of the party (four savages among them) swam off alone. Items of lading included several kinds of beans, and the particular variety: *Apalachee* bean. The grant's dugout had an *awning*.

Manifold signatures.

Some letters were also lost.

Certificate on Dugout Disaster. January 2, 1727. Undersigned "Jean Francois St. Amant, *Laurens* Coutanseau, Thomas Raimond, Marc Legaufe, and Dominique Serel," certify in regard to the necessity of throwing overboard a portion of the dugout ladings, in case of the two saved dugouts. Maize and tobacco were among the articles lost.

Report on Search. January 3, 1727. Messrs. Bruslé and Fleuriau, attended by Mr. Rossard, recorder, have visited the premises of Claude Babaz (prisoner at present), in order to ascertain the truth about "shares" between Babaz and Pipy of a note for 638½ francs given by Mr. Dupuy Planchard in error for six francs, for meat. Found no papers bearing on said note for 638½ francs.

Summons in Attachment Suit. January 3, 1727. At the instance of Jean Coupart, joiner, Sheriff Vincent notifies Mr. de Manadé to appear and take knowledge that the seizure against *Babas* to the amount of 192 francs in favor of Coupart is right and valid. Should Mr. de Manadé fail to respond, procedure will go on without him.

Petition of Recovery. January 4, 1727. Hughes Mekain (signed *Hugh McKeen*), tar dealer at Mobile, claims a total amount of 3871 francs from estate of late Mr. de Nolan, besides costs and compensation for loss of time in pushing the collection. Transactions involved slave labor and price of 100,000 shingles: 2/5 of the proceeds belonging to McKeen. Action allowed, and notice served on Mr. Rossard, attorney. (Reference to *R. P. Mathieu*,

parish priest at Mobile, in support of plaintiff's *data*.
The shingles were produced by the slaves in question.)
Duplicated.

Petition of Recovery. January 4, 1727. Lieutenant de Coustillas, attorney for Mr. Tissandier of Auxerre, France, seeks to collect 1100 francs in copper from Mr. Broutin, royal engineer. The claim includes a protested letter of exchange.

Notice served on Mr. Broutin.

Decisions in Sundry Suits. January 4, 1727.

1. Coupart *vs.* Babache (Babas) and Manadé. M. to pay residue debt of 46 francs. Costs divided.
2. Dreux *freres vs.* Toulouse. Further pending. Costs reserved.
3. DeMarsilly *vs.* Durivage. Defendant to pay net claim and costs.
Filed No. 223.

Agreement in the Cause of Restitution. January 6, 1727. One "Plaisance" promises to pay *Bourbeau* three francs each day for work to begin "tomorrow," "for an ox in place of the one whose hamstring was cut by my negress."

Signed by witness, *J. Cazenave*, and by *H. Buquoy*.
(*alias* of Plaisance.)
Stained and almost extinct.

Receipt. January 6, 1727. Joseph Carriet has received of Mr. Marsillat the sum of 400 francs on account.

Petition of Recovery. January 7, 1727. Antoine Lowe, tailor, seeks to collect a debt of 140 francs from estate of late Mr. de Nolan, due on his note of April 18, 1726.
Notice served on Mr. Rossard, Attorney.

Sentence for Fraud. January 7, 1727. Parties *Babaze* and Pipy (Babas and Pepy), shall make restitution for 638 francs in question, and pay fine of 50 francs each in favor of Hospital, and bear costs conjointly. They stay in prison till complete restitution be effected.

Signed: Bruslé, Dauseville, Prat, Pellerin, Fr. Duval.

Scorched and scrawled.
Filed No. 225.

Petition to Recover Residue Allowance. January 7, 1727. Madame Perrine Lemarié, widow of Mr. Desmorières, was granted, on her arrival in this town, September, 1724, an allowance of 1500 francs for support of herself and her

family, payable by Mr. Duval. He paid two sums, 600 francs and 500 francs; and since "it is plain as day that 600 francs plus 500 francs being 1100 francs, there still remain 400 francs due," therefore let Mr. D. be cited to give satisfaction. He pretends to have covered the deficit in rice, beans, and rent bills; but those items were included in past receipts to him.

Document (through petition) written by Attorney General Fleuriau.

Action allowed.

Petition to Retain True Boundary. January 11, 1727. *Dalcour* complains that Officer Dupuy Planchard tries to appropriate an 8 foot slice of *Dalcour's* land, already confirmed to himself from bound to bound. The dispute arose from *D.'s* plan of ditching. He kept his ditch (9 feet wide by $3\frac{1}{2}$ feet deep) fairly on his side, and left a margin of 8 feet for depositing the excavated earth. *D. P.* quibbles over this arrangement, and claims the said margin. Neither ought *D. P.* to run *his* ditch directly along *D.'s* land, but he, too, should leave a raised border, lest the joint overflow *D.'s* land.

D. P. is cited.

Petition of Recovery. January 17, 1727. Jean Forisien, carpenter, claims an account from Claude Heu, coppersmith.

Action granted.—(Torn.)

Memorial in Behalf of Arbitration. January 18, 1727. *Mr. Duval* asks the Council to appoint arbitrators between *Madame DesMorières* and himself. He seems to hold that the claim of *allowance*, 1500 francs, was paid by the Council to *Mr. Céard*. (*Madame*, in her original petition "washed her hands" of any matters between *Mr. Duval* and *Mr. Céard*.)

Memorandum of Account. January 18, 1727. Itemized statement of *Mr. Duval's* obligations to *Demoiselles LeBlanc*, nieces of *Madame DesMorières*, followed by credit items. Disputed 1500 francs would seem to be charged to *Mr. Céard*, and left with him to settle.

Memorandum of Account. January 18, 1727. Skeleton of figures alone, of *Mr. Duval's* affairs with *Madame de Moriere*.

Memorandum of Account. January 18, 1727. *Dame Desmorières* and *Demoiselles LeBlanc* arrived on September 24, 1724 and "went out" about last of January, 1725.

They received on account of allowance (1500 francs), 500 francs and 600 francs.

Memorandum of Expense Account. January 18, 1727. Household sundries, dating from 24 September, (1724). Earthenware, fish, pumpkin, cucumbers, beans (arico), cabbage, and many "anonymous" items, entered "at another time" (*par une autre fois*), making total 404 francs.

Memorandum of Bread Account. January 18, 1727. Baker's items dating from 24 September, 1724 to January 14, (1725). Entered by loaves; no price affixed.

Petition of Recovery. January 18, 1727. Jacob, an accountant of the farmer administration, seeks to collect 43 francs T, for which work he discharged in March past, by order of Mr. Perault. Mr. Delachaise, for whom the said service was rendered, professes ignorance of Jacob's engagement, but Mr. Duval's certificate should stand as voucher.

Action allowed, and notice served to Mr. Duval to appear for hearing on Saturday next.

Petition of Recovery. January 20, 1727. La Croix, fifer, claims a board account of 31 francs from one St. Pierre, carpenter's journeyman.

Notice served by Sheriff Dargaray.

Petition of Recovery. January 21, 1727. *LaForme* claims 45 francs from Blanchard, Company's *skipper*, due on a note.

Notice served by Sheriff (Pierre) Dargaray.

Petition of Recovery. January 21, 1727. *LaForme* claims 21 francs from one LaVinne, due on a note.

Notice served by Sheriff Dargaray.

Petition of Recovery. January 21, 1727. Francois LePercher, soldier of this garrison, claims an account of 79 francs, in specie, from *Sieur* Fillard. This item was approved by Councillor Fazende, referee between La Percher and Fillard over a consignment of goods from plaintiff's father, in Fillard's charge.

Action approved, and notice served by Sheriff Vincent.

Advertisement of Lease. January 21, 1727. Conditions and provisos for the instruction of the highest bidder and next tenant on *Pailhoux* plantation, to be open for new lease on January 29. Occupant is to deport himself like an orderly *paterfamilias*, clear a maximum portion of the land, and exercise humane care for the slaves. At expiration of lease, he shall leave six barrels of rice in culture, and 16 barrels of rice or maize in the grain for victualing. Rent will be transmitted semi-annually by Cashier of Company to *Pailhoux* heirs.

- Decisions in Sundry Suits.** January 22, 1727.
1. Attorney General and (blank). *Scrawl* disposes; costs reserved.
 2. Dupuy Planchard *vs.* Trudeau and Delcour. Postponed.
 3. Sanson *vs.* DeVerteuil. Postponed.
 4. Bureau *vs.* Renaud (remonstrant). Postponed and further advisory.
 5. Ceard *vs.* La Verdure. Defendant to pay claim and costs.
(Charred and torn).
Filed No. 228.

Petition for Summons in Recovery Suit. January 23, 1727. Recorder Rossard asks for citation of Francois Larche to pay 72 francs which he owes on a bill of goods at sale of Duval Chevreuil effects.
Notice served.

Petition of Recovery. January 24, 1727. Jacques Galtier holds a transferred note of 300 francs, payable by one Henry Thierry. Let H. T. be cited.
Notice served.

Petition of Recovery. January 25, 1727. Dalcour seeks to collect proceeds of a note from *Sieur* Darby. Note dates back to 21 December, 1722.
Action allowed.

Memorandum of Meat Account. January 28, 1727. Items of meat, fish and poultry "which Mr. Rossard has had from Baptiste Barre from the year 1724 until today, 28 January, 1727." To-wit, so much beef, 29 quarters of venison, 7 turkeys, 7 fish, 4 ducks and 1 goose. Credit items: one bottle of brandy, some powder and shot, and a dogskin cover, amounting to 15 francs, 3 sous. Debit items do not appear to be quoted in full, and no prices are affixed in detail.

- Decisions in Sundry Suits.** January 29, 1727.
1. Jacob *vs.* Duval. D. in default. Judgment in favor of J.
 2. Galtier *vs.* Thierry. T. to pay 300 francs and costs.
 3. *Berche* (Le Percher) *vs.* Fillard. Plaintiff wins.
 4. LaForme *vs.* Blanchard. B. to pay 45 francs and costs.
 5. LaForme *vs.* La Vigne. LaV. to pay 21 francs and costs.
 6. La Croix *vs.* St. Pierre. Claim allowed.
 7. *Dame* Des Morières *vs.* Duval. D. to pay residue claim. Costs divided.
Filed No. 229.

Advertisement of Lease. January 30, 1727. Repeating conditions already announced. The bidding on January 29 fell short of a just scale, and the lease is held open for further bids.

Memorial of Mr. De Noyan. January 30, 1727. On behalf of Chevalier de Bienville, Monsieur De Noyan renews his demand against the estate of the late Mr. Bordier. Letters of exchange have not been redeemed; a cow has died, and the slaves are left unproductive. Let slaves and cattle be restored, and restitution allowed for the dead cow from "Joseph's" plantation.

Contingent approval by Attorney General.

Council orders measures of provisional recovery.

Petition for Extension of Time. February 1, 1727. *Darby* reviews the history of his affairs with Mr. Dalcour, and finds it burdensome to face the given debt of 450 francs just now. His only recourse would be to sell some slaves or cattle of Cautillon plantation: but neither would this expedient be clear of "strings" thereto. More time desired.

No note by court.

Petition in Boundary Suit. February 1, 1727. Dalcour still again urges adjustment, and especially before higher water, of the *ditching* dispute between himself and Officer Dupuy Planchard, whose defence (not thus far brought to light in these records) "emerges beyond the bounds of truth," although these are indispensable props to orderly procedure. D. P. dare not *formally* plead, as he has informally pretended, that the boundary line has been shifted in Dalcour's favor. Let the line ditch at issue be promptly filled.

No note by court.

Decisions in Sundry Suits.

February 1, 1727.

1. Dalcour *vs.* Dupuy Planchard. Referred before Mr. Brusle. Provisional clause by *scrawl*. Costs reserved.
 2. Rossard *vs.* Larche. L. to pay 72 francs and costs.
 3. Dalcour *vs.* Darby. Darby to pay 450 francs and costs.
 4. LaForme *vs.* LaRenaudaye. Adjourned. Costs reserved.
- Filed No. 230.

Third Advertisement of Lease. February 6, 1727. Bidding on February 5 still fell short of right value, and a third offer will be open on February 12.

Petition of Recovery. February 7, 1727. Dreux *freres* ask for citation of Mr. Dalcour to settle claims of 243 francs, and 196 pounds of bread and 20 pounds of biscuit.

Action allowed.

Summons to Satisfy Court Ruling. February 8, 1727. Sheriff Vincent notifies Officer Dupuy Planchard "speaking to Marie negress," to comply with the sentence communicated to him on fifth instant, and this within three days.

Receipt for Shingles. Cautillon. February 8, 1727. J. B. Thomelin has received from Mr. Darby the number of 4000 shingles at 18 francs *per M*, amounting to 72 francs, which he promises to pay in two months.

Petition of Recovery by Seizure. February 8, 1727. Jacques Larchevesque bought a lot of wine about 2½ years ago at 15 francs a jug, and retailed it at same price to oblige sundry individuals. Mr. Rossard alone objects to meet his bill (60 francs), and calls the charge "exorbitant"; whereas at the time of original purchase, wine sold usually at 22 francs a jug. Let the debt be attached on *Francois* Larchevesque's debt to Mr. R.

Notice served on Mr. R.

Remonstrance in Boundary Suit. February 10, 1727. Dupuy Planchard cites two antecedent rulings, February 10, 1724, and September 12, 1724, *securing* him in possession of ground now claimed by Dalcour: subject to new survey by Mr. Broutin, which D. P. will accept when finished. But he totally objects to filling a gap on his own land now.

Mr. Dalcour is advised of this remonstrance.

Petition of Recovery. February 10, 1727. Mr. Coustilhas, Lieutenant of troops and former body guard of His Majesty, lent three barrels of rice and three barrels of maize in the grain to Mr. Balcour, on June 13, 1723, to be returned in kind at next crop. Rice and corn then brought 50 francs a quarter: total bill would be 200 francs. Mr. B. proposes to settle at present rates *below* that sum; let him pay full claim, 200 francs.

Notice served.

Petition to Receive Bequests. February 10, 1727. Francois de Noyan and Jean Dulude, being heirs to the late Mr. Duval, goldsmith in this town, to the bequests of 6 Spanish dollars (for Mr. de Noyan) and 3 Spanish dollars plus 12 *ditto* and 5 *reals* (for Mr. Dulude), move to collect

those claims from attorney in charge, that they may turn the money into silver goblets.

Notice served on Mr. Rossard.

Petition of Recovery. February 10, 1727. Denis Kolly, "English by nation," claims 100 francs of one Lowe, tailor.
Action forward.

Award of Lease. February 12, 1727. January 29, 1727. Report of bids on Pailhoux plantation, publicly offered for rent on January 29, February 5 and February 12. Highest bidder, Mr. Bergeron, is adjudged as next tenant at 1950 francs (yearly), subject to conditions previously announced.

Filed No. 227.

Remonstrance in Wine Suit. February 13, 1727. Mr. Rossard answers that the (four jugs of wine) in dispute became commuted by four jugs of brandy, to be duly delivered. Let Mr. R. be discharged.

Mr. Jacques Larchevesque is advised herein.

Rejoinder in Wine Suit. February 15, 1727. Jacques Larchevesque repeats his demand for the 60 francs in question; it was *proposed* to settle the account in brandy, but J. L. was no subscriber to that suggestion.

Decisions in Sundry Suits. February 15, 1727.

1. Attorney General *vs.* R. P. Hyacinthe. Default; A. G. sustained.
2. Dameron *vs.* Alexandre. Referred to Attorney General. Costs reserved.
3. Kelly *vs.* Lowe. L. to pay 90 *francs* (provisos follow, but passage is torn out.)
4. Coustilhas *vs.* Balcour. B. to make restitution in kind: unless he prefers to pay at rates here defined: 12 francs a quarter for rice, 10 *ditto* for corn.
5. De Noyan and Dulude *vs.* Rossard. Controlled by *scrawl*.

Filed No. 231.

Motion for Corrected Survey. February 17, 1727. Attorney General Fleuriau proposes to end *line* dispute once for all, and especially from the brewery to settler *La Liberte*, by revised survey. Mr. Lassus admits possible errors in first survey, from defective instrument, but he left his report for Council to endorse, or not. The Council assumed it correct; but now that reasonable doubts are forward, a new survey is recommended. Parties after-

wards opposing shall have so much time for hearing; but thenceforth all contentions must stop.

Sale of Real Estate. February 18, 1727. Sieur Veurer, German, with the consent of Captain de Noyan on behalf of Monsieur de Bienville, sells a tract of land 6x40 acres, on the Mississippi above New Orleans, who shall pay Monsieur de Bienville a yearly rental of six farthings for each acre, or 36 francs total; together with twelve capons and twelve days of labor each year when so required. First year will expire a year from date. Mr. G. will also pay arrears of rent, 372 francs, due by Mr. V. to Monsieur de Bienville.

Ragged edges.
Filed No. 232.

Petition of Recovery. February 19, 1727. Corporal Louis Destrumels claims a residue debt of 465 francs from one La Verdue, due on some land in Illinois.

Action allowed.
Faded almost to extinction.

Petition in Remonstrance. February 19, 1727. Joseph Bureau files opposition to the ruling which nonsuited him in favor of Dauterive. J. B. was not wittingly in default, but received notice too late. He begs to submit proof at a new hearing.

Granted and notice served to Captain Dauterive.
Faded.

Attachment of Funds. February 20, 1727. Sheriff Vincent seizes the amount of 60 francs against Francois Larchevesque in recovery of Jacques Larchevesque's claim against Mr. Rossard.

Petition to Obtain Slave. February 20, 1727. Charles Droy, guardian Millon minors, moves to obtain possession of a negro who was included in Abbé D'Arquevaux's legacy to late widow *veuve* Millon.

Mr. Delachaise, administrator of LeBlanc grant would reject this claim for want of corroborating proofs. Besides a similar petition is already filed by Joseph Millon.

No note by court.

Decision Between Gaspar Aigle and St. Julien. February 21, 1727. Further in process.

Costs reserved.

Petition in Boundary Suit. February 22, 1727. Mr. Dalcour charges Officer Dupuy Planchard with insubordination

to the Council's final decrees. Let him be cited to *prove* that Messrs. Trudeau and Dalcour shifted the bounds in question. In default, let him pay 1000 francs in reparation for calumny, and an appropriate fine for the cause of alms.

Matter communicated to D. P.

Petition of Recovery. February 22, 1727. Mr. Rossard, attorney for vacant estates, moves to collect a note 180 francs from Jacques Larchevesque. The note passed through various hands and is now among the effects of deceased *Dame La Lancette*.

Action granted.

Order to Produce Proof. February 22, 1727. Acceding to the plea of opposition filed by Joseph Bureau, the Council directs him to establish his proof within eight days before Mr. Bruslé.

Costs reserved.

Notice served to J. B.

Summons to Testify. February 27, 1727. At the instance of Joseph Bureau, Sheriff Vincent notifies one Léonard, traveler, to appear at 2 p. m. and attest the truth.

Testimony in Trading Suit. Louis Léonard, traveler, aged 26, *heard it said* "among the Yazooos" that Renaud Dhaute-rive drove a forced bargain with Bureau; and the witness adduces personal charges to the intent of forced bargaining by R.D. with witness.

Top torn.

Summons to Plead. February 28, 1727. Sheriff Vincent, at the instance of Captain Renaud D'Hauterive, notifies Joseph Bureau and (alternately, it would appear) one Branton, to attend the hearing appointed for March 1, and plead in given suit.

Petition in Boundary Suit. March 1, 1727. Mr. Trudeau likewise demands proof of Mr. Dupuy Planchard that the disputed line was shifted unlawfully. The right marks were in place before D. P. came to the premises (as occupant). Let D. P. pay 100 francs in fine, and be nonsuited. (Mr. T. also proposes to be fined if in error.)

Decision in Sundry Suits. March 1, 1727.

1. Reynaud *vs.* Bureau. B. nonsuited and subject to costs.
2. Rossard *vs.* Jacques Larche. L. to pay 180 francs and

costs; 80 francs in March current, 100 in two months later.

3. Delachaise *vs.* Delery. Deferred and costs reserved.

4. De Sanson *vs.* DeVerteuil. _____

Notice of Procedure. March 4, 1727. Sheriff Vincent notifies Mr. Roquet, attorney for Mr. de Verteuil, that the suit between Surgeon Dedoüa de Sanson and himself will be further pleaded on Saturday next.

Petition of Recovery. March 4, 1727. Arneau Bonnaud, former guard of stores in the Province of Louisiana, attorney for Mr. Martin Desmorges, moves to collect 367 francs and 15 sous, irrespectively of a borrowed quarter of salt, from one *Orlean* Carter, due on his note of March 9, 1723. Action allowed.

Memorandum of Supplies Furnished. March 5, 1727. Under-signed workmen of late La Rivière, wood contractor for Company, certify that one Remon furnished their master, both before and after his death, provisions on which there is now due the sum of 267 francs, 10 sous.

Petition for Official Viewing. March 5, 1727. Jean Baptiste Bergeron, new tenant of *Pailhoux* plantation seeing that he is to maintain the buildings and certain appurtenances in good condition asks the Council to appoint arbitrators to make a fair estimate; the same to serve as reference when his lease expires. Approved and further provided.

Petition of Recovery. Natchez. March 6, 1727. Merveilleux, captain and commander at Natchez post, agreed with St. Ammant of N. O., to trade *aux Schachoux* for half shares of profit. M. furnished his equal portion of goods, but St. A. refuses to render account as agreed between them. Let St. A. be held to terms of contract.

Copy of essential terms is adduced.

Approved and notice served, N. O., August 8, 1727.

Remonstrance. March 7, 1727. Mr. Trudeau, both for himself and for Mr. Dalcour, protests against the three witnesses chosen by Mr. Dupuy Planchard, and calls for irreproachable witnesses. He shows wherein the three in question are objectionable. He will hold Mr. D. P. responsible for any disarrangements on plantation of T., and for loss of time, besides honorable amendment.

Petition in Remonstrance. March 8, 1727. Officer Dupuy Planchard denies validity to the objections urged by

Messrs. Trudeau and Dalcour to his witness. T. and D. have insulted an officer, and he would have them restrained from "using offensive terms in their writings." Let them be held to all costs, damages and interests.
No note by court.

Court Order of Adjournment. March 8, 1727. Chevrier François de Mandeville, proprietor at Point St. Antoine, or Marigny *vs.* Roquet, in opposition.

Parties will submit their case, plus papers, to Councillor Prat, within eight days.

Costs reserved.

Notice served to Mr. Roquet.

Decision Between de Sanson and DeVerteuil. March 8, 1727.

DeVerteuil shall pay surgeon's salary of 600 francs a year, from date of January 18, 1725 (arrival of *La Gironde*) until past October 4, contract of service will then be dissolved. Besides Dr. de Sanson is entitled to recover whatever sums he advanced to the land grant; proper vouchers promised.

Costs on DeV.

Notice served to DeV., March 11, 1727.

Decision in Sundry Suits.

March 8, 1727.

1. Bourbeau *vs.* Buquoy *alias* Plaisance. Blackened scrawl. P. to pay.
2. Blackened scrawl.
3. Adjourned.
4. See decision between de Sanson and DeVerteuil.
5. De Manville *vs.* Roquet. See Court Order of Adjournment.
6. Dupuy Planchard *vs.* Trudeau and Dalcour. Further pending.
7. Duval *vs.* Jacob. Nonsuited.
8. Prat *vs.* Dameron. Further pending. Suit 1. appears to turn in favor of Bourbeau, subject to some adjustments duly provided, but indistinctly preserved.
Filed No. 236.
Charred and broken.

Petition in Recovery. March 10, 1727. Bourbeau has not yet received satisfaction from Henry Buquoy *alias* Plaisance on account of the crippled ox. The one yoke at Bourbeau's disposal can barely drag their own "harness" over the bad roads in cypress tract, and this means much loss in delivery of wood. Let Buquoy be cited.

Action forward.

Stained.

Petition to Seize Property. March 10, 1727. Lagarde, being otherwise unable to collect his residue account of 6910 francs from Dreux frères, on the real-estate which he sold them, seeks to recover by process of attaching the mortgaged property. He will make allowance for partial payments already received.

Dreux frères are cited to appear for hearing.

Petition of Recovery. March 11, 1727. Antoine LeVeuve claims of Sieur Ménard the sum of 340 francs, and moves for legal action.

Granted.

(Where Antoine appears more grammatically as LeVeuf).

Summons to Sanction Witnesses. March 13, 1727. At the instance of Officer Dupuy Planchard, Sheriff Vincent notifies Messrs. Trudeau and Dalcour to appear at 2 p. m. to pass on selection of witnesses in pending suit.

Registration of Credentials. March 15, 1727. Order to such intent in case of Mr. Perrier, Commander General of Louisiana Province, and of Mr. Duderon, Second Royal Lieutenant of same Province.

Signed in each case (but in variant order) by Boisbriant, Perault, Delachaise, Bruslé, Fazende, Prat, Fleuriau.

Filed No. 237.

Request for Filing of Credentials. March 17, 1727. Raymond Amyault D'Auseville, bearing license from the King to sit in the Superior Council, asks to have his credentials registered.

Referred to Attorney General, who assents forthwith.

Testimony on "Life and Morals." March 17, 1727. Witness Claude Bartelon (signed Barthellon), aged 38, knows Mr. D'Auseville to be honest and competent to serve as Councillor; that he is a practical Catholic, and a man of upright life and morality.

Witness Louis Mondreton, aged 33, secretary to Commander General Perrier, attests that Mr. D'A. is a good moral man and a practical Catholic.

Filed No. 239.

Stained.

Petition for Seat in Council. March 17, 1727. Louis Bru, whom the King has honored with credentials for office in the

Superior Council, and this on recommendation of Company of the Indies, asks to be received accordingly.

Attorney General orders registration of said credentials.

Testimony on Life and Morals. March 17, 1727. Secretary of Council *Jean Baptiste De Chavannes*, aged 33, knows Mr. Bru to be honorable and upright, a practical Catholic, and conversant with affairs.

Witness *Jean Baptiste Massy*, aged 40, holder of a grant, knows by experience that Mr. Bru is a man of rectitude and honor; and witness has also observed Mr. Bru to be a practical Catholic.

Filed No. 238.

Petition to Take Possession. March 17, 1727. *Arnaud Bonnaud*, sometime guard of Company stores, now acting for *Claude Trenonay*, *director-elect* of *Dubuisson* grant in place of *DeVerteuil* (deposed), shows that until Mr. T. arrives, it was good economy for Mr. A. B. to take charge and prevent further loss on the grant.

Court approves at risk of those concerned and authorizes Mr. B. to occupy in due form (as described at length).

Dubuisson grant is stated to be 30 leagues from New Orleans.

Notice served to Mr. *DeVerteuil*, who shall be present at the formalities.

Admission of New Councillors. March 18, 1727. In view of satisfactory antecedents in regard to credentials and testimonials, the Council orders due reception of Messrs. *D'Auseville* and *Bru*: so long as His Majesty may please.
Filed No. 240.

Petition of Recovery. March 18, 1727. *Dulude* and *de Noyan* received only a part of the Spanish money due them by Mr. *Rossard* as attorney for the estate of late *Duval Chevreuil*, goldsmith, and seek to collect the residue: three *piastres* for Mr. *Dulude*, 6 *dito* for *de Noyan*. It now appears that the money had been deposited with the said goldsmith for him to make the desired goblets.

Action allowed.

Duplicated.

Summons to Attend Hearing. March 18, 1727. Sheriff *Vincent* notifies *Dreux Frères* to attend pleading in suit between *Lagarde* and themselves on Saturday next at 8 a. m.

Petition to Remove Seals. March 22, 1727. Arnaud Bonnaud asks that the seals which were yesterday affixed to some appurtenances of DuBuisson grant be removed for the purpose of taking an inventory.

Approved, and notice served to Mr. DeVerteuil.

Decisions in Civil Suits.

March 22, 1727.

1. See 27⁸⁴. Referred to Mr. Bruslé. Costs reserved.
2. See 27⁸⁴. Charred and broken piece-meal.
3. LeVeuf *vs.* Meynard. M. in default; Judgment in favor of plaintiff.

Preceding the suit is a charred and broken scrawl; then a nearly intact scrawl to the intent that a certain "treaty" between the Jesuit Fathers and the Company shall be registered, and executed to its form and import. Filed No. 241.

Petition of Recovery. March 24, 1727. Joseph Dandonneau, *alias* Sable, seeks action of attachment against former Director DeVerteuil, both for arrears of salary (as steward) and for what he advanced in the way of supplies and other credit.

Approved, and measure provided.

Memorandum of Medical Attendance. March 26, 1727. Unsigned statement of "remedies which I administered to Mr. Babase." Total account, 200 francs.

Memorandum of Medical Account. March 26, 1727. P. De Manade charges Monsieur Babache with two doses of rhubarb and manna, 12 francs; five bottles of a pectoral potion, 12 francs; four visits, 8 francs; total, 32 francs.

A second hand skin which Mr. B. promised along with sale of a slave, will not be needed; he may keep it in "place of the soap which he kindly lent me."

Letter of Carriere to Mr. Babache. March 26, 1727. "Mr. Broutin is to remit you the sum of 400 and some francs. Orleans woman will let you have two pounds of butter and two cheeses."

No date nor place expressed. Found with x27⁴.

Attachment of Goods. March 26, 1727. At the instance of Joseph Dandonneau, Sheriff Vincent seizes goods against Captain de Noyan and Mr. Roquet, both rice and corn included, and cash as well, for satisfaction of J. D.'s claim of 2000 francs. The seized parties are also notified to appear in Court, April 4, 8 a. m. (Saturday by lapse for Friday since April 19 fell on Saturday.)

Summons to Attend Hearing. March 26, 1727. More detailed notice to Messrs. De Noyan and Roquet to appear, and wherefore, on April 4.

Notice calls for *Saturday*, April 4; but the notice for year 1727 at large point to an error for *Friday* here, as April 19 fell on Saturday, and *October 4* on Saturday.

Sheriff's Writ Contested. March 26, 1727. At the instance of Mr. Arnaud Bonnaud, attorney for Director-elect Trenony de Chanfret, Mr. DeVerteuil is notified that he must now look to his devices; he will receive no further support nor have lodgment, on DuBuisson grant. He shall turn in his account to Mr. Bonnaud.

Mr. DeV. protests at the entire proceedings: his side of the case ought to have been formally examined prior to such *summary execution*.

Notice in Attachment Proceedings. March 27, 1727. At the instance of Surgeon Dedous de Sanson, Sheriff Vincent summons Mr. DeVerteuil to appear and ratify the seizure today effected against Captain de Noyan, in account with DuBuisson grant and with Mr. DeV.

Hearing set for April 4, 8 a. m.

Attachment of Goods. March 27, 1727. At the instance of Surgeon Dedoua de Sanson, Sheriff Vincent seizes Captain de Noyan of goods belonging to Dubuisson grant while Mr. De Verteuil was director, together with cash, towards the satisfaction of surgeon's claims. The Captain shall appear on April 4 in this connection.

Petition of Attached Goods. March 28, 1727. Arnaud Bonnaud, learning that Mr. DeVerteuil has diverted some property of DuBuisson grant, asks to include such diverted goods in the impending inventory.

Approved at risk of whom concerned.

Petition of Recovery. March 29, 1727. Jacques Le Maire lent 6 Spanish dollars and 10 francs in copper to Noël Aubiot, and seeks legal action to collect the same in kind.

Approved, and notice served.

Petition to Expedite Inventory. March 31, 1727, Arnaud Bonnaud, to save time and expense, asks leave to bring from one Cardinal's to the Recorder's office, some trunks of DuBuisson grant, for process of inventory.

Approved, and inventory to be made in presence of Mr. DeVerteuil. Trunks will then go back to the Cardinal's.

Edges torn.

Petition in Attachment Proceedings. March 31, 1727. Arnaud Bonnaud asks that the goods to be viewed today shall be sorted: those of the grant to be consigned to A. B.; those of DeV. to be seized until he renders account of his administration. Distribution thereafter as shall be adjudged correct.

Contingently approved. DeV. shall be notified, and his portion may be seized at risk of whom concerned.

Criminal Procedure. March 31, 1727. Examination of *Sansoucy*, runaway Indian slave (unbaptized) of Mr. La Vigne's, aged about twenty. "Marooned," because he was afraid to return after failing to find an ox that had gone astray.

Took refuge in a village called *des Natanapallé*, where there were fifteen other fugitive slaves. He mentions owners' names. These runaways had eleven guns and some ammunition, and meant to defend themselves if molested for capture. Answers through Company's intrepeter. *St. Domengue*.

Charred and partly crumbling.

Decision Between DeVerteuil and Bonnaud. April 2, 1727. Property of grant shall be turned over to B.; goods of DeV. and of Madame DeV. for their own use shall be left with them, subject to security.

Costs reserved.

Document in bad shape and partly gnawed away.

Filed No. 243.

Petition of Recovery. April 5, 1727. Arnaud Bonnaud, attorney for Martin Desmorges (returned to France) moves to collect a tedious aggregate of claims against Mr. DeVerteuil. Protested letter of exchange is at stake; and there are dues of rice and corn together with hire of slaves and cows. Attachment of goods desired.

Approved, at plaintiff's risk.

Notice served to Mr. DeV. (April 8).

Remonstrance. April 5, 1727. Surgeon Edouard (heretofore "Dedoua") Sanson files opposition to removal of seals from goods of DeVerteuil before surgeon's claims be discharged.

Signed D.; Douad De Sanson.

Rossard, Recorder.

Security Offered and Accepted. April 7, 1727. Mr. DeVerteuil names for his security in his suit with Bonnaud, Officer Petit de Livilliers. Mr. Bonnaud has no objection to this choice, but would first collect 900 francs (board al-

lowance) for his brother-in-law, Sieur DuBuisson de Montfèrie.

Court ratifies choice of Mr. Petit de Livilliers, and declines to consider the demand on the behalf of said brother-in-law; he may shift as he sees fit.

Filed No. 245.

Receipt of Personal Effects. April 8, 1727. DeVerteuil acknowledges that Rossard, recorder, has released four trunks and contents belonging to Madame DeV. and Mr. DeV.

Receipt of DuBuisson Goods. April 9, 1727. Bonnaud has received of Mr. Rossard a specified list of goods belonging to DuBuisson grant, but found in the trunks of Monsieur de Verteuil. Items include a mosquito net of white bunting; a pewter rice bowl; a covered pewter dish; six tobacco knives with horn handles.

Mosquito net was valued 30 francs.

Motion to Try Runaway Indian. April 9, 1727. Attorney General Fleuriau reports that an Indian slave who ran away two years ago has been caught and is now in prison. Slave belonged to Company Cashier Duval, and is accused of having enticed a slave "savagess" of Mr. Saint Amand's to rob her mistress and runaway with said fugitive.

Let the case be thoroughly probed.

Approved: Delachaise.

Criminal Procedure. April 9, 1727. Examination of Indian slave, through interpreter St. Domengue. Name given as *Godin* of the *Oquelonex* tribe. Unbaptized; about 22 years old (in appearance). Ran away by mad impulse with slaves of Mr. Tisserant. Joined a party of other fugitives, beyond the lake, but left them afterwards.

No victuals left but potatoes and fish.

The runaway slaves' chief is the slave of Mr. Tisserant.

Filed No. 246.

Request for Administration to Council. April 16, 1727. Marc Antoine de La Loere des Ursins, seeing that it has pleased the King to grant him a commission as member of the Superior Council asks to be installed. Commission as *fourth* councillor.

Referred to the Attorney General, who assents on condition of the usual oath. Other forms were waived because the applicant (whose commission dates from August 24, 1726) has already officiated as First Councillor

in the Provisional Council of Illinois, and "passed" in the articles of morality and Catholicity.

Summons to Attend Hearing. April 17, 1727. Sheriff Vincent notifies Arnaud Bonnaud, director of DuBuisson grant, and former director DeVerteuil, to appear on Saturday, April 19, when satisfaction will be rendered to the claim of Joseph Dondonneau (previously given Dandonneau) *alias* Sablé.

Petition of Recovery. April 17, 1727. St. Martin de J'Aurequyberry, former guard of company stores, received a draft of 650 francs from Mr. Marlot, drawn by Mr. Raquet on a Paris grocer Restaud, for value of a negro lad Cupidon. Draft was protested, and Mr. Raquet answers that he is ready to surrender Cupidon for 650 francs, due on a note of Marlot's. Not so, St. Martin objects, he cannot accept Cupidon *in kind*: slave market is likely to depreciate from new importations, and besides, Cupidon is now marked by branding. Let Mr. Raquet pay draft in silver; Mr. St. M. is also willing to redeem the Marlot note on fair terms.

Note served to Mr. Raquet.

Certificate of Catholicity. April 19, 1727. R. P. Raphael, Vicar General, certifies that Mr. Marc Antoine Laloire des Ursins, makes a profession of the Catholic Apostolic and Roman religion, and that he has exercised the same since practically since resident in the Colony.

Petition of Recovery (Renewed). April 19, 1727. Joseph Dondonneau, *alias* Sablé, has not yet received one sou of his arrears, due by DuBuisson grant. He now desires an allowance of four francs a day pending collection.

No note by court.

Decisions in Civil Suits.

April 19, 1727.

1. DeVerteuil *vs.* Bonnaud. Deferred in behalf of certified accounting. Costs reserved.
2. Dondonneau and De Sanson *vs.* DeVerteuil. Judgment appears to favor payment of net claims to plaintiffs by the act of scrawl.

Filed No. 248.

Report of Search. April 19, 1727. To the effect that no specie was found on the premises of Sieur Duval. A bag of cash (about 120 francs) belonging to Mr. De la Renaudaye, was left, as of right, in his possession.

Signed: Chasneau, Desursins, Dechepare, Renaudaye, Gaultery.

Rossard, Recorder.

Filed No. 247.

Court Order in Recovery Suits. April 19, 1727. Creditors Estienne Milon (here given Millon), and Surgeon Sanson, shall be paid from assets of DuBuisson grant, interest included. Costs on Director Bonnaud.

Decision Between St. Martin and Raquet. April 21, 1727. Raquet shall pay claim of 650 francs and costs of protest, plus court costs, in current money.
Filed No. 262.

Decision Between DeVerteuil and Bonnaud. April 26, 1727. DeV. shall render account of his management within three months, to the end of fair adjudication thereafter. Costs reserved.
Filed No. 249.

Arbitration Sentence Confirmed. April 26, 1727. Messrs. Broutin and De Coustilhas who were empowered to arbitrate the dispute between Dupuy Planchard and Messrs. Trudeau and Dalcour, ask that their verdict of April 19 (terms not stated here), be confirmed.

Seconding the Attorney General's recommendation, the Council orders the said verdict to be carried out in full.

Signed: *Perrier, Delachaise.*
Filed No. 250.

Marriage Contract. April 27, 1727. -Parties: Jean Antoine Malon, native of Turin, parish of St. Augustine and Demoiselle Marie Magdelaine de Mangon de la Tour, native of Arras.

Petition of Recovery. May 7, 1727. Mr. De La Loëre des Ursins moves for citation of Mr. de Kolly, responsible for a note of 344 francs, dated January 26, 1723, and issued by Céard, director of Ste. Reine grant, to Mr. de La Loere de Flaucourt, petitioner's brother. (Mr. Kolly has made unexpected objections to paying).

Action allowed, and Mr. Kolly is summoned to answer, and to see the appertaining conclusions adjudged.

Petition of Recovery. May 18, 1727. Alexandre Metinier *alias* Godet, claims 36 francs and 6 sous from one Claude Chape *alias* Lachapelle, due on his note of May 26, 1723, together with 3 francs of thwarted collection twenty months ago.

Notice served.

Petition of Recovery. May 8, 1727. Mr. Perault, royal commissioner in this colony, sold to Pouyadon some handker-

chiefs of the Indies for 36 francs; whereas "that debtor uses wrong means to dispense himself from satisfying."

Action allowed, and notice left with Mr. Puoyadon's negress Marie Anne.

Petition to Recover Official Dues. May 9, 1727. De Chavannes, Secretary to Council, complains that Messrs. de Boisbriant, Fazende, Perry, Fleuriau and Perault deposed him from February 9, 1726 till May 1, same year. Meanwhile he still served under orders of Messrs. Delachaise and Bruslé, but without compensation: his dues being paid to Mr. Estienne by order of Messrs. Perault, Fazende and Perry. All this was in "rebellion" to orders of the company, which sustained Mr. de Chavannes.

Let Mr. *Perry* and Mr. *Perault* be cited before sailing for France.

Notice served.

Decisions in Sundry Suits.

May 10, 1727.

1. *Dolly vs. Gilbert*. Provisos of mutual (apparent) adjustment by *scrawl*. Costs divided.
2. *DeChavannes vs. Perrault and Perry*. Adjourned, subject to security. Costs reserved.
3. *Perault vs. Pouyadon*. Contingent award of claim (apparently on proviso of proof thereof.) Costs reserved.
4. *De la Loire vs. Kolly*. Nonsuited. Costs divided.
5. *Metinor vs. Chappe*. Claim allowed.
Filed No. 251.

Security Tendered. May 11, 1727. Mr. Perault pledges himself to answer for Mr. Perry in the suit moved by Mr. De Chavannes.

Filed No. 252.

Homicide a Charge in Defence. May 12, 1727. De Chavannes *vs.* Perault and Perry. Mr. Perault states that their opposition to Mr. de C. was based on *homicide* by him committed in France; this causing his own "civil death."

Mr. P. request more time, for adequate investigation.

No note by court.

Faded.

Petition of Recovery. May 13, 1727. Michel Roger claims a debt of 76 francs against estate of late Duval Chevreuil; so acknowledged in deceased's will.

Notice served to Mr. Rossard, attorney.

Duplicated.

Summons to Attend Hearing. May 16, 1727. At the instance of Mr. Chavannes, Sheriff Vincent notifies Mr. Perault to appear in the suit urged against him, on Saturday at 8 a. m.

De Chavannes vs. Perault. May 16, 1727. Mr. Perault urges in defence: Company did indeed reinstate Mr. DeC., but made no requisition for his salary while he was deposed. And since he worked in the Company's employment, under Messrs. Delachaise and Bruslé: therefore let him look to the Company for his pay.

Petition of Recovery. May 17, 1727. Mr. De La Loere des Ursins, bearer of a note by the late Mr. Céard, asks for citation of Mr. Rossard, attorney for vacant property, to pay the same.

Approved and notice served.
Duplicated.

Sale Announced (Real Estate) May 17, 1727. Auction of two staked lots in *rue Bourbon*, with house and poultry house, terms cash; to take place on May 26. Item, a slave will be sold on May 25. Property of late La Rivière.

Sale of Real Estate Announced. May 17, 1727. On May 26, three lots and appertenances, including dovecote and pigeons. Property of late Balingant *alias* St. Quentin. Terms cash to highest bidder.

Petition to Sell Real Estate. May 17, 1727. Mr. Rossard, attorney for vacant property, shows that the lots and buildings belonging to late Edmé Balingant *alias* St. Quentin are daily on the decline, and should be sold.

Approved, subject to usual forms of law.
Crumpled and torn.

Motion for Sale of Property. May 17, 1727. Attorney General Fleuriau reviews the affairs of the late Gaumy *alias* La Rivière, who died at Natchez while on business for the Company (contract of timber) and left a partly paid house at N. O., together with two negroes (one of them still at Natchez.)

Let property be sold in settlement of debts and for benefit of surviving minor children.

Council orders appointment of a guardian, and sale.

Hire shall be paid for slave at Natchez.

Filed No. 254.

THE EDITOR'S CHAIR

The delay in getting out our several issues has been found unavoidable so far as the management of the Quarterly is concerned. Number 2-Volume 3 of April, 1920, which has been distributed among our members and which is devoted to the single topic "The History of the Foundation of New Orleans," from 1717 to 1722 by Baron Marc de Villiers and translated from the French by Mr. Warrington Dawson, was given the precedence over all other matters by its intrinsic value and in recognition of the good will displayed by our friends in France in securing to us the privilege of the publication of this valuable contribution to Louisiana literature. To Mr. André Lafargue, of New Orleans, we are greatly indebted for the earnestness with which he took up this matter with the correspondents in France, and in addition to securing copies of the book as published in Paris, he also secured the translation which was made with Baron de Villier's permission to the translator, so that same might be published by The Louisiana Historical Society. Mr. Lafargue also obtained all the illustrations which appeared in the April, 1920 number, and gave all necessary aid in arranging the illustrations to correspond with the history as it developed. Mr. Lafargue's indefatigable work deserves our grateful recognition.

The leading article in this issue, "Liberty Monument" by Mr. James A. Renshaw, one of the participants in the tragic drama of September 14, 1814, is written in the kindly, conservative spirit that enables Mr. Renshaw to look back now to the events of half a century ago in Louisiana with a degree of placidity that would have been impossible a few decades ago when the wounds of the civil war were gradually healing.

The continuing research work of Hon. H. P. Dart in the Archives of the Society brings out many singular events, usages and other data concerning the early history of Louisiana much of which would escape the notice of the average reader unless his attention was especially called thereto as is so well and interestingly done by Mr. Dart. With these data that are being brought to light by Mr. Dart

the research into the history of Louisiana, always of intense interest, is taking on renewed vigor and interest.

A reminiscence of the days long gone, of France and her citizen king, Louis Philippe, who was called to the leadership by the three days' revolution in July, 1830, is a resolution adopted by the Louisiana House of Representatives in session in New Orleans, March 24th, 1831—just ninety years ago. The resolution in French explains itself and it is followed by a good English translation. The conspicuous feature of the resolution is the fact that some of the families whose ancestral names appear therein are maintained to the present day. The president of the Chamber, or as we now term it, the Speaker of the House, Mr. A. Mouton, who afterwards was elected Lieutenant Governor, was the head of the well known and large Mouton family of Lafayette parish. The Secretary was Mr. Armand Pitot, the son of the first mayor of New Orleans under Governor Claiborne. Mr. Pitot was the father of that well known gentleman, Mr. Gustave Pitot, now retired, but for years the manager of the Savings department of the Citizen's Bank. Mr. Gustave Pitot's daughter, Miss Alice, is now teacher of music in the Sophie B. Wright Girls' High School.

We presume that Mr. T. C. Nicholls was the father of Governor Nicholls of our day and now represented by Mr. Frank Nicholls, the Governor's son, resident on the old homestead in Lafourche parish. The Claiborne family speaks for itself with its many prominent members at the present day. Louis Philippe, made citizen king in 1830, fell from his place in the French Revolution of 1848 when Louis Napoleon was made president of the republic and finally became emperor in 1852 and the congratulations of our own people as expressed by Governor Mouton and his coadjutors failed in their purpose of maintaining the Citizen King.



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Vol. 3, No. 4.

October, 1920

Louisiana Completa
Cabildo Archives
New Orleans Custom House
Judah Philip Benjamin
Edward Livingston
Louisiana's Constitutions

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LOUISIANA COMPLETA

A Centenary Relation of West Florida and the Treaty with Spain 1819-1821

By Edward Alexander Parsons
Member Louisiana Historical Society, etc.

Address delivered at Garic Hall, Louisiana State University, Baton Rouge, Louisiana, March 16th, 1921, at the Centennial Celebration, commemorating the Treaty between Spain and the United States transferring the Territories of East and West Florida to the United States of America; and also delivered before the Louisiana Historical Society at the Cabildo, May 24th, 1921.

Out of the genius of Italy, out of the industry of Spain, and out of the indomitable spirit of French and English men was born this new world, called America.

Out of the spirit of the Declaration, out of the serenity of Washington and the courage of his followers, and out of the wisdom nay, prescience of the Fathers of the Constitution, was created these United States.

Out of the dream, audacity and policy of the French, out of the contributions to its law, government and art by the Spanish, and out of the vision, boldness and sound judgment of the Americans was founded the State of Louisiana.

Florida and Louisiana! From the beginning the very warp and woof of their tragic, strange and romantic histories are curiously intertwined.

The tale is geographical and would naturally be prosaic, if it were not for that extraordinary race of men who were its early protagonists.

The Spanish conquistadores, though by no means superior in courage and often inferior in character, to the English and French discoverers and explorers, yet outshone their rivals in inscrutable pride, in mysterious romanticism, and in an amazing picturesqueness, in which latent fires of all their ancestral races of the Iberian peninsula,—the simplicity and savagery of the Celt-Iberian, the prime faith of the Carthaginian, the subtlety and brilliancy of the Greek colonist, the strength and stoic reserve of the Roman, the destructiveness of the Vandal, the love of contest of the Goth, the polish of the Moor and the devotion of the Christian Spaniard,—intermittently blazed forth, forming a vast series of pictures in Venetian colors portraying the history of the discovery and conquest of America in more deathless form, than even that far-famed tale of Greek colonization of the storied shores of the Mediterranean Sea. The new world was indeed a stage for these versatile actors, who were equally in role, whether as a pampered gallant, who to please the ladies of the Court, danced out upon a beam from the Giralda's dizzy height; or as a warrior of iron when fighting the aborigines and wounded with a poisoned arrow could pluck out the dart and taking an iron, red hot, burn out with a steady hand the impregnated part; or who, though master of estates in Spain and accustomed to the best in Europe, could wade for weeks the tractless swamps, sleeping at night huddled on the limbs of trees, like the evil birds in the forests of Hell, hungry and chilled to the bone, and who, after unheard of suffering on at last reaching terra firma would again adventure the savage wilds; or who, with a handful of men and opposition at home could conquer and hold a vast empire; or, who with an enthusiasm suggestive of the mythological ages could search for El Dorado, through pathless forest, crossing vast streams and stopped only by death; or who with romantic mediavalism could seek for the Fountain of Eternal Youth amid the forest and river lands of Florida and, so with illustration without end. It was indeed the Age of Spain. Did not Columbus, Italian though he was, become so imbued with the "atmosphere" or spirit of the time, that when he described his discoveries not only to please his Spanish backers, but naturally it would seem, he takes his metaphors and comparisons from things and places of old Spain. And so Hispania's pageantry passes by, an endless array of monstrous, mighty, cruel, chivalrous, wicked and almost impeccable figures—heroes, like the Cid el Campeador and Isabella the Catholic; monarchs, like the omnipresent Charles (V) and the Tiberian Philip (II); soldiers, like Gonsalvo, the Great Captain, and the iron warriors Cortez and Pizzaro; discoverers, like the unfortunate

Balboa and the quioxtic Ponce de Leon; statesmen, like the successful Ferdinand and the astute Cardinal Ximenes; and ecclesiastics, like the zealot Torquemada, the noble Las Casas and the saintly Francis Xavier. Truly, it was the Age of Spain.

And Now for the Florida Chronicle

Although there is geographical data that would suggest a knowledge of Florida before 1513, still, with justice, the elderly cavalier Ponce de Leon is honored as the discoverer of the country where he arrived on that eventful Easter Sunday (Pascua Florida) though he failed to find the fountain of youth. In St. Augustine I was shown the fountain, which somehow has lost its rare quality, though the region is much sought by society's fairest flowers.

Ponce de Leon died from an Indian arrow wound. Then the unfortunate Pamphilo de Narvaez (1528) landed, marched inland, losing many men, returned to the coast to find his ships had vanished and finally in hastily constructed boats, perished in the Gulf near the mouth of our mighty river.

The intrepid Hernando de Soto (1539', companion of Pizarro, who had brought vast wealth from the Inca's hoard, must yet seek for the new El Dorado.

Grandiers and notables of Spain, sold or pledged their estates, asking the privilege to share in the golden enterprise. All could not be taken and many were chagrined at what they deemed their want of good fortune.

The tragic story of that expedition has been told in winged words, how "for month after month and year after year, the procession of priests and cavaliers, cross-bowman, arquebusiers, and Indian captives laden with baggage still wandered on through wild and boundless wastes, lured hither and thither by the ignis-fatuus of their hopes." On through Florida, what is now Georgia, Mississippi crossing the great river, into Arkansas, back to the Mississippi where the chieftain within its waters found his last place of rest, and down the stream through Louisiana, passed sick, emaciated and desperate men, sad remnant of that proud array, that three years before had set sail for the conquest of golden Florida.

The Dominican Monk Cancer came to christianize the Indians and was murdered by them; the Huguenots attempted to settle and were killed by the Spaniards.

Spain permanently settled the land and founded St. Augustine, (1565).

Spain had, outside of the discoveries of Columbus and the grant of the Pope, the best claims to Florida.

But her mighty rivals never slept. France claimed the land in 1628; England claimed a portion of the Eastern part in 1629; the Spanish and French commandants, in 1702, when England was their common enemy, settled the boundary at the Perdido River.

In 1763, by the Treaty of Paris, Spain ceded the Floridas to Great Britain, who promptly took possession. This was the famous settlement, as a result of the Seven Years War.

The formula read: *East of the Mississippi, except New Orleans* ceded to Great Britain, and *West of the Mississippi, with New Orleans* ceded to Spain.

The northern boundary of Florida was then (1763) the 31° No. Lat.

In 1768 England extended the boundary northward to the parallel (32° 25' N. Lat.) of the mouth of the Yazoo river.

In 1779, Galvez commenced the reconquest of West Florida. With a little army of 1,434 men and a little flotilla of one 24, five 18 and four 4-pounders, in about three weeks he took Fort Bute on Bayou Manchac, the post of Baton Rouge, and Fort Panmure; and finally on May 1, 1781, Pensacola and the whole of West Florida was surrendered to Galvez, who was made captain-general of Louisiana and West Florida.

In 1783 in the Treaty between Great Britain on the one part and the United States and her allies, France and Spain, England acknowledged the independence of her former colonies and recognized "as a part of their southern boundary a line drawn due east from a point in the Mississippi in latitude 31 degrees north to the middle of the Appalachicola, and at the same time she ceded to Spain by a separate agreement the two Floridas but without defining their northern boundaries." This further complicated the growing dispute because Spain contended that the Floridas she received from England was not confined to the original Spanish limits (line of 31° N. Lat.) but embraced the extended English bounds of 32° 30'.

By the Treaty of Madrid (Oct. 27, 1795) however the line of 31° N. Lat. was confirmed.

The ever present question of the navigation of the Mississippi; the discontent of the Kentuckians and Tennesseians, those sturdy frontier Americans, described by one of our historians as men who "spat mightily, swore mightily and shot straight;" rumors of Burr's plots and Wilkinson's intrigues,—all these forces were assumulating like great waves about to engulf the Spanish regime, when Spain,

perceiving the dangers of her position, retroceded Louisiana to France. (Treaty of San Ildefonso, Oct. 1, 1800.)

Then came the great purchase (1803) with its treaty ambiguous as to boundaries.

We purchased Louisiana "with the same extent as when France possessed it," now before her cession to Spain in 1763, France owned to the Perdido river, recognized as the eastern limits of Louisiana and the western present boundary of the State of Florida.

The United States Congress (1804) established a custom district in the Mississippi territory, including portion of West Florida but Spain protested and held up our traders. In 1805 the Americans in West Florida unsuccessfully rebelled; and finally in 1810 a revolution was successful.

"The United States claimed, it must be repeated, that the act of cession by which they acquired the whole province called Louisiana included all the territory which, under that name had originally belonged to France and had been ceded by that country, through the treaties of 1763-64, to Spain. The western line had been left purposely vague, as has already been noted. The eastern line was also not definitely marked, but the French had colonized and held West Florida, including the town of Mobile, up to the Perdido River. Beyond this point lay the undoubtedly Spanish Possessions of East Florida. Upon such grounds the United States based their claim to West Florida. The territory in question, however, had been transferred by Spain to Great Britain in return for Havana, and had been held by that power until the American Revolution, when the Spaniards of Louisiana under Galvez had recovered Baton Rouge, Mobile, Pensacola, and the whole country which they had originally settled as well as the country colonized but abandoned by France. When Napoleon transferred to the United States all the claims of France to its original territory in North America, Spain retained possession, not only of its original colonies of East Florida, but West Florida as well, that is to say, all that Galvez had won from Great Britain and had subsequently been held as Spanish territory, roughly speaking the land lying between the Perdido and the Mississippi and including Baton Rouge and Mobile. Jefferson's conciliatory policy had prevented him from attempting to take possession of this territory, though claimed by the United States, and the Spaniards had been allowed to remain. Governor Folch, stationed at Pensacola, ruled both the Floridas for the Spaniards, and Don Carlos Dehault De Lassus governed West Florida, under his orders, and maintained his headquarters at Baton Rouge. In West Florida were many settlers

of Anglo-Saxon race and many who had been citizens of other states, and there was a strong public disposition in favor of annexation to the United States. It is impossible here to detail the many disorders which arose in and about this disrupted district. The question of regaining slaves that fled from the Orleans and Mississippi Territories into the Spanish lines, and the rights of Americans to invade this territory and search and seize them, were causes of constant confusion. Within the territory itself, discontent had already manifested itself in an attempted revolution, and finally, in 1810, when the fall of the Bourbons had caused the Spanish provinces all over the western world to think of revolt and freedom, a movement was set on foot in West Florida to establish its independence." (Louisiana: A Record of Expansion by Albert Phelps, pp. 247-8; Boston, 1905.)

"There was in the district, however, from the Perdido to Baton Rouge, a large number of the inhabitants who were Americans in sentiment and American by birth; a number, who, in 1779, had organized to join the Spanish forces in the overthrow of British authority; a number who considered that they should have obtained their absolute freedom along with the thirteen colonies, and who boldly declared that they formed the fourteenth of American free States; a number who, apart from any other feelings, chafed under monarchical rule, and a larger number, and the more intelligent, who for years had been satisfied and were willing to let well enough alone."

"In this strait of affairs, a rumor was set afloat to which some credence must be given, that Bonaparte claimed West Florida and intended to exercise therein his jurisdiction. This seems to have been the straw that broke the camel's back, for immediately on the circulation of this remarkable information the citizens met in all the respective districts, at the request of the assembled citizens of Feliciana, and delegates were chosen to meet in general convention at Buhler's Plains. When news of these proceedings came to the ears of De Lassus, despite the contrary advice of his lieutenant, the dashing young De Grandpré, he showed an apparent acquiescence in the preliminaries." (Henry L. Favrot: *The West Florida Revolution*; Publications, La. Historical Society, Vol. 1, Part 2 and 3.)

The convention met on July 17, 1810, at Buhler's Plains; John Mills was president and Dr. Stelle, secretary.

The result of their deliberations was the drawing up of a sort of projected constitution, to which the preamble read as follows:

"When the sovereignty or independence of a nation has been destroyed by treachery or violence, the political ties

which united its different members are destroyed. Distant provinces, no longer cherished or protected by the mother country, have a right to institute for themselves such forms of government as they think conducive to their safety and happiness. The lawful sovereign of Spain, together with his hereditary kingdom in Europe, having fallen under the dominion of a foreign tyrant by means of treachery and lawless power, right naturally devolves upon the people of the different provinces of that kingdom, placed by nature beyond the grasp of the usurper, to provide for their own security. The allegiance which they owed and preserved with so much fidelity to their lawful sovereign can never be transferred to the destroyer of their country's independence."

"We therefore, the people of West Florida, exercising the rights which incontestibly devolve upon us, declare that we owe no allegiance to the present ruler of the French nation, or to any king, prince or sovereign, who may be placed by him on the throne of Spain, and we will always, and by all means in our power, resist any tyrannical usurpation over us of whatever kind, or by whomsoever the same may be attempted, and in order more effectually to preserve the domestic tranquility and secure for ourselves the blessings of peace and the impartial administration of justice, we propose the following."

Then followed a series of 13 articles. A committee presented this document as a memorial to the Governor De Lassus and it was thought all would go well.

But Colonel Thomas, a man of sterling qualities, a good soldier, though illiterate, commanding the militia, becoming suspicious of De Lassus and Shepard Brown, discovered a secret correspondence between De Lassus, Governor of the Post at Baton Rouge, and Governor Folch at Pensacola, in which De Lassus asked for an armed force to quell the insurrection.

"Going then immediately to Baton Rouge on the evening of September 21, he called to a secret council, Col. Fulton, Fulwar Skipwith, John Rhea, Philip Hicky, Isaac Johnson, Gilbert Leonard and Larry Moore. The result of their deliberations was the determination to declare the independence of West Florida, for they realized the futility of any attempt to continue in their allegiance to Spain, with De Lassus at their

head, and there was no authority to depose him. His constant refusal to enforce some laws, his dilatoriness in other matters had already opened his pretended sincerity to suspicion, and his present duplicity was magnified the more by circumstances. It was deemed advisable to take and hold the fort at Baton Rouge, and all then would be well. Trusty messengers were sent to Robert Percy, near Bayou Sara, and to St. Helena for Dan'l Raynor. The combined forces met Colonel Thomas on September 22, at 12 o'clock at night, and together they reached the fort in three separate columns at 3 o'clock in the morning. The struggle was short and decisive and the fort surrendered."

The gallant young de Grandpré was killed.

The report of Colonel Thomas on the capture of the Port of Baton Rouge is as follows:

"Headquarters Fort of Baton Rouge,

"September 24, 1810.

"To John Rhea, President of Convention of West Florida:

"Sir: In obedience to the order of convention, bearing date the 22d inst., I directed Major Johnston to assemble such of the cavalry as might be ready at hand, and march immediately for the fort at Baton Rouge. I then proceeded to Springfield, where I found forty-four of the grenadier company, commanded by Col. Ballinger, awaiting orders of the convention. At 1 o'clock in the morning of the 23d we joined Major Johnston and Capt. Griffith with twenty-one of the Bayou Sara cavalry, and five or six other patriotic gentlemen joined us in our march.

"At 4 o'clock the same morning we made the attack. My orders were not to fire till we received a shot from the garrison and to cry out in French and English: 'Ground your arms and you will not be hurt.' This order was strictly attended to by the volunteers till we received a discharge of musketry from the guard house, where the governor was, which was briskly returned by the volunteers. We received no damage on our part. Of the governor's troops Lieut. Louis de Grandpré was mortally wounded, Lieut. J. B. Metzinger, commandant of artillery, was also wounded, one private killed and four badly wounded. We took twenty prisoners, and among them is Col. De Lassus. The rest of the garrison escaped by flight.

The magazines, stores, etc., found in the garrison, have been reported to you by James Nelson, Esq., who was appointed for that purpose.

“The various and complicated duties devolving on me from present circumstances of the moment forbid a more minute detail. The firmness and moderation of the volunteers who made the attack, was fully equal to that of the best disciplined troops. Whole companies are daily flocking to our standard and the harmony and patriotism in the garrison must be highly gratifying to every friend of his country.

“Accept sir, for yourself and your body, assurances of my highest esteem.

“Philemon Thomas,
“Commander of Fort of Baton Rouge and Dependencies.”

It may be of interest to insert here that when the expedition to capture the post was determined upon, it was noticed that they had no standard, and of course to fight without a flag is unthinkable. The ladies, as usual, came to the rescue, and fair patriotic hands quickly supplied the great defect. When Col. Thomas and his men reached Baton Rouge, they were given the flag that the ladies had made: with a single silver star upon a field of blue. Afterwards the Convention adopted it as the Flag of West Florida.

And later this device became the standard of Texas, the Lone Star State.

On September 26, 1810, the people of West Florida issued a Declaration of Independence:

“By the Representatives of the people of West Florida, in Convention, assembled:

“A DECLARATION

“It is known to the world with how much fidelity the good people of this Territory have professed and maintained allegiance to their legitimate Sovereign, while any hope remained of receiving from his protection for their property and their lives.

“Without making any unnecessary innovation in the established principles of the Government we had voluntarily adopted certain regulations, in concert with our First Magistrate for the express purpose of preserving this Territory, and showing our attachment to the Government which had here-

tofore protected us. This compact, which was entered into with good faith on our part, will forever remain an honorable testimony of our upright intentions and inviolable fidelity to our King and parent country, while so much as a shadow of legitimate authority remained to be exercised over us. We sought only a speedy remedy for such evils as seemed to endanger our existence and prosperity, and were encouraged by our Governor with solemn promises of assistance and cooperation. But those measures which were intended for our preservation he has endeavored to pervert into an engine of destruction, by encouraging, in the most perfidious manner, the violation of ordinances, sanctioned and established by himself as the law of the land.

“Being thus left without any hope of protection from the mother country, betrayed by a magistrate whose duty it was to have provided for the safety and tranquility of the people and Government committed to his charge, and exposed to all the evils of a state of anarchy, which we have so long endeavored to avert, it becomes our duty to provide for our own security as a free and independent State, absolved from all allegiance to a Government which no longer protects us.

“We, therefore, the Representatives aforesaid, appealing to the Supreme Ruler of the world for the rectitude of our intentions, do solemnly publish and declare the several districts composing this Territory of West Florida to be a free and independent state; and that they have a right to institute for themselves such form of government as they may think conducive to their safety and happiness; to form treaties; to establish commerce; to provide for their common defence; and to do all acts which may of right, be done by a sovereign and independent nation; at the same time declaring all acts, within the said Territory of West Florida, after this date, by any tribunals or authorities not deriving their powers from the people, agreeably to the provisions established by this Convention, to be null and void, and calling upon all foreign nations to respect this our declaration, acknowledging our independence and giving us such aid as may be consistent with the laws and usages of nations.”

The declaration was transmitted to the President of the United States through Governor Holmes of the Mississippi Territory. And James Madison, the most cautious of Presidents, resolved to take

immediate possession of the West Florida District issuing his proclamation on the 27th of October, 1810, starting out with the famous paragraph:

“Whereas, the Territory south of the Mississippi Territory, and eastward of the River Mississippi, and extending to the River Perdido, of which possession was not delivered to the United States, in pursuance of the treaty concluded at Paris on the 30th of April, 1803, has, at all times, as is well known been considered and claimed by them, as being within the colony of Louisiana, conveyed by the said treaty, in the same extent that it had in the hands of Spain, and that it had when France originally possessed it.

“Now, be it known that I, James Madison, President of the United States of America, in pursuance of these weighty and urgent considerations, have deemed it right and requisite that possession should be taken of the said Territory in the name and behalf of the United States. W. C. C. Claiborne, Governor of the New Orleans Territory, of which the said territory is to be taken as part, will accordingly proceed to execute the same, and to exercise over the said territory the authorities and functions legally appertaining to his office. And the good people inhabiting the same are invited and enjoined to pay due respect to him in that character, to be obedient to the laws, to maintain order, to cherish harmony, and in every manner to conduct themselves as peaceable citizens, under full assurance that they will be protected in the enjoyment of their liberty, property and religion.”

We might add parenthetically that Congress on January 15, and March 3, 1811, fearing that England might seize Florida, secretly passed acts authorizing the President, in his discretion to take “temporary possession” of East Florida.

Then came intrigues, military aggressions, irregular and regular; Wilkinson took Mobile, 1813; Jackson drove the British out of Pensacola (Nov., 1814) and reinstated the Spanish authorities; and finally (1818) fighting the Seminoles, Jackson again took Pensacola, hanged Arbuthnot and Ambrister. Spain powerless to resist signed the treaty of 1819-1821.

To resume, on April 8, 1912, by act of Congress, Louisiana, in spite of the burning eloquence of the narrow Puritan and Federalist leader, Josiah Quincy, became a sovereign State of the American

Union. Six days later, by act of Congress approved April 14, 1812, West Florida was incorporated in Louisiana, and our great State was then territorily complete. On May 14, 1812, the eastern portion of West Florida was incorporated into the Mississippi Territory.

But still the title of the United States to West Florida was at least precarious and our best statesmen knew that it must be "cured". And so was concluded and signed on 22nd February, 1819, the "Treaty of Amity, Settlement and Limits" between the United States of America and the Kingdom of Spain, the United States being represented by John Quincy Adams, Secretary of State, and Spain by the most Excellent Lord Don Louis di Onis. The Treaty was promulgated by James Monroe, President of the United States on February 22, 1821—and for all times the question of the American title to West Florida was quieted.

And so was completed territorily the fair domain of Louisiana.

But in annexing the Florida Parishes, Louisiana received more than an acquisition of land.

Even though her ancient post has become the capital of our commonwealth, I cannot but feel that our gains must be measured by higher standards and tests, and that it is to the distinguished men and women that these Parishes have produced and the great seat of learning that flourishes in their midst—these have added to our great store of material, intellectual and moral greatness.

In what might have been the words of the lost ode of Alcaeus:

"What constitutes State?"

*Not high-raised battlements, or labored mound,
Thick wall or moated gate;
Not cities fair, with spires and turrets crowned,
No; men, high minded men,
Men who their duties know,
But know their rights, and knowing dare maintain.*

* * * * *

*And sovereign law, that states collected will,
O'er thrones and globes elate,
Sits empress, crowning good, repressing ill."*

These constitute a State.

AN HISTORICAL SKETCH ON THE CONSTRUCTION
OF THE CUSTOM HOUSE OF THE
CITY OF NEW ORLEANS

Read to the Louisiana Historical Society on June 28th, 1921

by Charles A. Favrot

of Favrot & Liraudais, Ltd., New Orleans.

Ladies and Gentlemen:

It must be assumed that in reading a paper to your worthy Society, the essentials of facts must be related, since it is manifest that the collection of these papers are to be kept in your files as true records for the purpose of future interest and research.

I mention this, because it is too often the case that one is tempted to make his subject more interesting by injecting bits of folk lore and myth that in years are accepted as fact, making plausible some remarkable and imaginary occurrence that has no foundation in fact.

Carlyle, I think, once said: "What an enormous magnifier is tradition! How a thing grows in the human memory and in the human imagination, etc., etc." So my friends, you must not be disappointed if I don't relate some wonderful accomplishments of the Engineers of the early days in designing and executing the heaviest building erected in this City as of that date, on a foundation of cotton bales.

In reviewing the facts procurable, it would appear that the method of procedure in those days was not very different from the method now adapted at times by the Treasury Department of the United States.

The government apparently owned a portion of the site now occupied by the Custom House, since it appears that a Congressional act of February 13th, 1807 appropriated \$20,000 for the construction of a Custom House in New Orleans, and on March 3rd, 1845, the enormous sum of \$500 was appropriated by Congress to secure plans and estimates for a Custom House in front of the square now occupied for that purpose.

It appears evident that the original Custom House must have been a small structure back on Decatur street and in front of this was a Public Square, owned by the Municipality, because we find again that "the land was ceded to the United States, June 29, 1848 by the first Municipality of New Orleans.

Just how the Treasury Department expended the \$500 to secure plans and estimates in 1845 does not appear, and I should hate to believe that architects in those days, were in such financial straits that \$500 would be considered as sufficient compensation for the work of preparing plans and estimates for a building of this magnitude.

It is recorded, however, that about twenty plans were submitted for the present Custom House by as many architects.

The plan of Mr. A. T. Wood, an architect of New Orleans was finally adopted, and you have here, lithograph reproduction of these plans in your archives.

The Treasury Department in those days did not repose full confidence in the ability and integrity of architects, since we find that it appointed a resident commission composed of Mr. Alcee La Branch, Denis Prieur and Wm. McKenra Gwin, all citizens of New Orleans, under whose direction the architect was to execute the work.

It also appears from the record that the architect could evidently not satisfy the people in those days with drawings, and he was therefore forced to produce a model of the building, which was exhibited in the summer of 1848, in Hewlett's Exchange on Magazine street.

On March 3rd, 1847, the first appropriation of \$100,000, was made by Congress for the erection of this building.

In August, 1848, Lt. Col. W. Turnbull of the United States Topographical Engineers, was detailed from the War Department to superintend the construction, and we find that he was relieved at his own request in December, 1849. Mr. Wood, the architect, then became superintendent, but in 1850 he was succeeded by J. H. Dakin, an architect of New Orleans.

I have found no data indicating the reason for this change, but it appears that Dakin made some changes in the plan, internally, including the formation of the interior court, which was evidently lacking in the Wood plan.

He is also accredited with changing some of the heavy interior masonry construction, omitting some of the groined vaulting and substituting cast iron columns with beam and arch construction in some of the corridors.

The lithograph plans in your archives apparently show some of these alterations, though they contain the name of A. T. Wood as designer, and make no mention of any changes suggested by Dakin.

Associated with Dakin in 1850 was a Mr. Bryant who represented the Treasury Department in Boston, Mass., as inspector of granite and this latter individual was succeeded apparently in the same year, by a Mr. A. B. Young, who afterwards became supervising architect of the Treasury Department.

Contemporary events would indicate that New Orleans was not considered a healthy place, and the yellow fever scourge of 1847 and 1848 may have been responsible for changes in the personnel of the supervising staff.

In 1851 it appears that the resident commission before named was superseded by another composed of Messrs. G. T. Beauregard, Chairman; A. T. Heiman, and L. E. Reynolds. It may be noted as of interest, that even in those days the influence of prominent men was sought to secure positions from the Government. Here in the archives of the Cabildo, I have seen a letter of October, 1851, from Mr. Wm. Freret, then a prominent cotton factor in this city, to Major G. T. Beauregard, answering one from him requesting his influence in securing for Major Beauregard the appointment as superintendent of construction on the Custom House building.

It is evident that influence had the proper effect since we find that for some time he was superintendent of construction, and his name appears in this capacity on the lithograph copies of the drawing now in the archives.

I have found no definite date fixed for actual breaking of ground, but the records show that in 1851 a commission selected for that purpose made borings on the site, and reported that the site was "the firmest, dryest and most reliable in and about the city."

The fact that such an investigation was made indicates that there must have been a strong suspicion as to the bearing quality of the soil, and that no attempt would be made to design a foundation until an exhaustive study had been resorted to.

Despite all these precautions it is recorded that in 1860, when the walls of the building had been carried to a height of seventy-five feet above the concrete base, there was a maximum settlement in the foundations of two feet six inches.

The records do not show that this was uniform, but there is nothing in the present appearance of the structure to indicate any rupture of its walls, either externally or internally.

Of course, construction on the building ceased in 1860, the walls were up, to the line of the architrave of the cornice and all the fourth floor beams were in position. A temporary roof was placed on the structure and nothing further was done until 1871 when

operations were resumed with modified plans made under the direction of Mr. A. B. Mullett, then supervising architect of the Treasury.

In 1879 the second story was completed and the third story, in 1881.

Alterations were made to the first floor for the accommodation of the Post Office, and these were completed in 1883.

This completes the chronological order of the work as far as I have been able to obtain from available records.

It has not been possible for me to obtain the cost of this structure and I assume that appropriations were made from time to time by Congress until the work was completed.

The building measures 340 feet on Canal Street, 297 on Decatur Street, 252 on Iberville Street, and 309 feet on North Peters Streets, and its cornice is 81 feet above the sidewalk line. This would indicate cubic contents something over six million cubic feet, or for comparison, I would say, twice as large as the Hibernia Bank Building.

I would estimate this building could not have cost the Government less than four million dollars.

This is largely due to the fact that it is completely faced with granite, which in most instances is two feet thick, and which had to be transported here from the quarries of Quincy, Mass.

It is interesting to find an old photograph obtained from Mr. Morris H. Levy, showing a large block of granite for this building taken when the block was removed from the quarries.

I would estimate that there are approximately 150,000 cubic feet of granite in the structure and that its cost in place, could hardly have been less than \$750,000.

The plans which we have before us make us realize the stupendous task being undertaken by the builders of this great edifice, not that larger or heavier structures had not preceded it, but that a building of its weight and magnitude, had probably never been attempted in a soil with so little resistance.

With no precedence to guide them, our worthy predecessors were undertaking a large responsibility, and every known precaution was brought into play in order to bring their labors to an accomplishment.

The foundations we are told, were seven feet below the level of the sidewalk, before the settlement occurred; probably now about nine feet six inches below.

There was first placed a layer of planking about four inches thick directly on the bottom, over this were placed twelve by twelve

timbers laid parallel to the wall, and over this grillage were transverse timbers twelve by twelve, placed from two to three feet apart.

In the space between these timbers and completely covering the cross timbers to a depth of about twelve inches, was placed a concrete, and upon this, the brick foundation of the walls and piers was started.

The interior masonry piers rested on similar foundations, but to assure a proper distribution of the weight on the continuous foundation, between piers, inverted brick arches were built.

To those who have closely observed the settlements in the older buildings of our city, most of which have their masonry foundation resting on layers of planking, the question naturally arises as to the life of the timbers and planking so used.

We are told that timber placed below the water level in the soil, will not decay.

We are also informed that since our new system of sewers has been in operation, the water line in the soil has been lowered.

What then are the probabilities of the huge timbers under this building disintegrating thereby causing further subsidence and probably unequal settlements that may completely ruin the structure.

I believe I can assure you with reasonable certainty that these fears need give you no alarm.

There are no drainage or sewer lines in this locality more than five feet below the surface and since this, under present conditions, is the only means for withdrawing the water from the soil, it is manifest that the foundations are liable to remain saturated for hundreds of years to come.

The recent wrecking of the Old Cotton Exchange, indicates that at a distance of six feet under the soil, there was sufficient exclusion of air to prevent deterioration.

All timbers removed from this foundation, which was in many respects similar to the Custom House foundation, were as sound as the day they were put in.

It appears to me rather strange that our worthy predecessor Wood when designing a building of this magnitude on a soil of such limited resistance, should have reconciled himself to the use of brick masonry groined vaults for the support of most of the floors.

Masonry arches are so dependent on the complete stability of its supports, that it appears almost incomprehensible, that their integrity was not affected by the subsidence of the foundation.

The mathematical precision entering into the distribution of the load must have been perfect, as I can find no rupture in a single groin that would indicate an absence of uniformity in the settlement.

I will accredit him with more courage than we would have today; he took a chance and he won. Particularly when calculations show that he was loading the soil nearly three times as much as we are permitted by law, to load it today.

These groined brick vaults completely support the floors of the second story except the floor of Marble Hall, and the corridors immediately surrounding, which are supported on iron beams with brick arches springing from one to the other.

The third story is similarly supported, but the fourth floor is supported entirely on beams and arches. To be sure that the sound from the floor above would not reach the floor below, a double set of brick arches were put in with a dead air space between.

It appears from the records that the whole roof was changed by Mullett when he altered the plan in 1871 and that it is now partially of frame construction.

The whole central tower feature over Marble Hall was also changed by Mullett to reduce the cost, and a large skylight was inserted to give light down in the center of the building, which originally, Wood had contemplated bringing down through the lantern.

By analysing the plans, I find that the original marble stairs leading from the four entrances to the second floor, were also changed.

The ones on Decatur Street and North Peters Street being entirely omitted. Those on Canal Street were made straight instead of curved at the bottom as originally shown.

In every building there is some feature, some spot, that stands out more prominently than all others. In the Custom House it is the Marble Hall. This, I believe, is purely a local name established by custom, but worthy of its calling.

This room, immediately in the center of the building is ninety-five feet wide by one hundred and twenty-five feet long, with a height of fifty four feet.

The roof above is supported by fourteen marble columns with beautiful Corinthian capitals.

All the walls, pilasters, cornices, trim and floor of this room are of marble.

Over the doorway on the east end of Marble Hall are three bas reliefs carved in marble.

In the center is placed the seal of the State of Louisiana; on the left of the seal, a life size relief of Bienville, the founder of the city, and on the right of the seal, a life size relief of Jackson, its defender.

The whole proportion of this room is good and the style simple and dignified. It may have been the work of Dakin, though no specific mention is made of this fact.

In the corridor to the west of Marble Hall, there is a unique and unrelated freak of the architect's imagination.

Here, standing alone, and as before mentioned, without any relation to other features, are two heavy granite Greek doric columns, short and stumpy without bases, and with heavy entasis; these two pillars are faithfully performing their function of supporting the upper structures, oblivious of their loneliness and the incongruity of their surroundings.

The exterior facades of the building have been executed in conformity with the original, up to the cornice.

Apparently, Mr. Mullett was dissatisfied with the original design of the cornice and substituted the present one, accentuating the entrances intended on the four streets with a pediment, and changed material to cast iron instead of granite.

To my mind, it was a wise alteration, except for the use of cast iron. The original treatment suggested by Mr. Wood was crude and lacking dignity and proportion.

It is probably not becoming to criticise or pick flaws in the design of a brother architect, but I believe I may record my views by quoting Addison's definition of taste as follows: "I think I may define taste to be that faculty of the soul which discerns the beauties of an author with pleasure, and imperfections with dislikes." I base my criticism in this quotation, but will make it mild.

It is impossible to explain the promptings of human imagination. Why the author of this design, sought the mysteries of the Pharaohs, in far off Thebes on the Banks of the Nile to enrich the forms of the capitals of his columns, the shafts of which he borrowed from the Athens of the Age of Pericles, this shaft sitting on a base unearthed probably from the ruins of Ancient Rome, are mysteries that must forever remain unsolved.

Why the authors of the cornice of the building, attempted the use of Greek motives enriched with the well known lotus of the Egyptian can never be explained.

These extreme manifestations in the application of the ancient style would probably be criticised in our modern, academic schools of design; but when we consider the many architectural aberrations

that have been created since the sixteenth century in every country in the world, we should hesitate to issue any violent protest on such minor departures.

As a whole there has been created a simple, dignified edifice, free from any shams, or misrepresentations, embodying massiveness, with accompanying strength and truly representative of the period of its inception, and the governmental functions it was erected to protect.

We marvel and stand in awe before the pyramids of Egypt, wondering what period of time must have elapsed, previous to their erection, for these people to have attained a civilization which could be glorified in such monuments.

We look upon the temples of Ancient Greece as the perfection of Architectural Art not surpassed even to this day.

The splendor of Roman Architecture has filled hundreds of volumes of praises by modern critics.

The towering masses of our Gothic Cathedrals have inspired us with the greatest emotions.

These manifestations of the human imagination conceived and brought to a reality are the true record of the people who erected them, and the only perpetual records for the historian's guide in chronicling the great events of their period.

As years pass on therefore, our own great building will gradually appreciate in value, and as an heirloom that we transmit to our progeny, will grow in their respect and reverence, generation by generation, until time will make it an historic monument.



TO MAKE THE CUSTOM HOUSE THE FINEST IN THE LAND

(Times-Democrat, April 27, 1914.)

If the plans now being worked out by E. J. Rodrigue, surveyor of the port, are carried out by the Federal Government, the New Orleans Custom House will rank with any public building in the United States. Mr. Rodrigue believes that an appropriation of perhaps \$300,000 can be procured from Congress, and, if that sum is added to \$250,000 now standing to the credit of the local sub-treasury, the historic structure in Canal street can be finished after the original design of the architect.

About two years ago, when the government contemplated purchasing a suitable place for the sub-treasury in the business district, the sum of \$250,000 was set aside for the purpose. This money has never been expended, but still is held to the credit of the New Orleans Sub-treasury. If added to the amount desired by Mr. Rodrigue it would provide for the expense of placing the handsome dome over the Custom House, improving the facade and otherwise bringing the granite edifice up to the plans made more than fifty years ago.

When the new Post Office in Camp street is ready for occupancy, the different departments of the New Orleans Post Office will be taken from the Custom House, and installed in the Camp street building, and it is thought best to keep complete plans for the renovation of the interior in abeyance, until the Post Office and courts are taken out.

Improvements Planned

One of the several improvements contemplated, and which will soon be carried into execution with the expenditure of comparatively little money, is the overhauling and cleaning of the Marble Hall. This spacious part of the Custom House, situated on the second floor, generally is regarded as one of the finest auditoriums in the United States. In point of area and height it has no superior, and after it is cleared it will be beautiful. A series of fourteen massive marble pil'ars, nearly ninety feet in height, supporting the roof over the Marble Hall, are not excelled anywhere in the country. These columns are composed of pure white Italian marble, imported from Italy in a crude state, and finished by artisans engaged in the work of building the Custom House.

The government spent something like \$15,000 on each of the marble columns. The ceiling of the Marble Hall is covered with ground glass with stained borders. At the top of each marble column are bas-reliefs of the gods Juno and Mercury. At the right end of the hall, as one enters from the Canal street door, are two panels with life-size bas-reliefs of *Sieur de Bienville*, the founder of New Orleans, and General Andrew Jackson, who saved it from capture by the British. Between the two panels is the coat of arms of Louisiana, a pelican feeding its young ones. The flooring in the hall is of white and black marble, with plates of heavy glass to admit light to the engine rooms below.

A curious thing in connection with the contour of the granite structure is that the frontal on Canal street exceeds that on the rear street, Iberville, by nearly one hundred feet. To the casual observer, the Custom House presents a square, but the plans show that it is almost the contrary. It has a length of 340 feet in Canal street, 252 feet in Iberville street, 309 in North Peters street and 297 in Decatur street.

In the minds of some people the impression still prevails that the Custom House stands on layers of cotton bales. This fallacy is somewhat akin to the one that Gen. Jackson's army fought the invading British forces from behind breastworks of cotton bales. The foundations of the Custom House rest upon a plank flooring seven feet below the street level. On this flooring a grillage of twelve-inch logs rests, and the space between the logs is filled with concrete, thereby affording the best foundation that could be devised when the building was planned. The interior walls rest on inverted arches.

The ground upon which the Custom House stands was used for the same purpose long before Jefferson acquired Louisiana from France. On a small portion of the land nearest Decatur street a small hut was built by Gov. Bienville for collecting duty on merchandise brought through New Orleans. This building was reared soon after the foundation of New Orleans in 1718, and the Creoles referred to it as "La Douane." The entire square, bounded by Canal, Decatur, Iberville and North Peters streets, was ceded to the United States by the First Municipality of New Orleans on June 29, 1848. Work on the Custom House was begun soon after, and continued until the commencement of the conflict between the States in 1860.

As designed by A. T. Wood, the New Orleans Custom House was to excel any similar structure in the United States. Liberality on the part of the Federal government gave the architect full sway, but the unfortunate war put an end to the complete realization of the

plans. The Treasury Department appointed a commission consisting of Alcee La Branch, Denis Prieux and William McKenree Gwin to handle the big undertaking when the appropriation was made. Major Beauregard who, later became a general in the Confederate army, superintended the building operations for several years.

In 1871 operations were resumed, but the plans were modified to such an extent as almost to disfigure the building. One of the features of the Custom House was to be a massive dome directly over the center. Cupolas and pillars were to break the harsh effect of the plain granite exterior, and niches were made to accommodate the country's famous figures. Under the revised plans it was thought best to do away with all ornamentation and make the Custom House a thoroughly utilitarian proposition. Fortunately the Marble Hall had been finished, else it is extremely doubtful that Uncle Sam would have spent \$15,000 on each of the fourteen columns that grace it.



JUDAH PHILIP BENJAMIN
or JEWISH PROPHECY FULFILLED

By Joseph Mitchell Pilcher

Mr. President, Ladies and Gentlemen:

As will be seen, I have not attempted biography. This paper is but a summary of the life of America's most eminent Jew, and the prophecies concerning his people which found fulfillment in his life.

A jurist, an agriculturalist, an orator, a statesman and a diplomat of the first rank—such was Judah Philip Benjamin. It is therefore with no little pride and admiration that we point to the very robes and wig he wore while Queen's Counselor, now treasured among the relics of the Louisiana Historical Society's valuable collection.

In quoting Scripture I have used the Douay translation. For biography I am indebted to Dr. Pierce Butler's comprehensive work, "*Judah P. Benjamin.*" This work is the only complete biography of the great Benjamin yet written. It is indeed a monument to Dr. Butler's tireless and exhaustive research in a scholarly narration of the life of "the Jewish lawyer and statesman, who after conspicuous success at the bar in this country, after continuous service in the leadership of the Confederacy, again achieved the most honorable triumphs at the bar of England."

JUDAH PHILIP BENJAMIN
or JEWISH PROPHECY FULFILLED

By Joseph Mitchell Pilcher

"The Lord shall scatter thee among all people, from the farthest parts of the earth to the ends thereof." Thus spoke Moses to the Children of Israel in the 28th chapter of Deuteronomy. And since the prophetic utterance of the greatest of lawgivers, history has been replete with the astonishing and no less marvellous story of the Wandering Jew. For the Lord has chosen the Jews "to be His peculiar people of all peoples that are upon the earth."

We have met tonight to review the life of one of the "Chosen Children" of this "peculiar people," to mark how strikingly his life has been the fulfillment of prophecy concerning Israel. For Destiny marked him for her own in his goings and comings upon the face of the earth. His story begins in the West Indian island of St. Thomas. "Wars and rumors of wars" always bring about strange vicissitudes in the history of men and nations. To these we trace certain historical phenomena and the accountability for chance happenings so potent in the destiny of the Jew.

It was just prior to the War of 1812 that a ship, sailing from England to New Orleans, was prevented entering the Mississippi because of a British fleet already blockading its mouth. The ship, therefore, veered its course and put in to the West Indies, landing at the Island of St. Thomas, at that time a British possession. Among the passengers on board was Philip Benjamin and his young bride, Rebecca de Mendes. They had left London to seek their fortune in the West Indies where relatives of the bride had removed and prospered. Moreover, Philip Benjamin being of a restless nature was not long to continue in one stay.

On the island their first child, a daughter, was born, and on August 6th, 1811, Judah Philip first saw the light. Thus his being born under the Union Jack was merely chance, the result of the rumor of the War of 1812. In this wise the gambling freaks of Fate withheld from our shores the nativity of one of our most eminent sons. Still it is prophetic to us of this day when we consider that his was the birthplace of the great Alexander Hamilton, whose far-reaching ken foresaw the division of the republic he helped to fashion, and in which our subject played so great a part.

Now the name of Benjamin has a prophetic significance. In the 49th chapter of Genesis is recorded Jacob's prophetic blessings upon his sons, the twelve patriarchs of Israel's twelve tribes. "Benjamin, in the evening shall divide the spoil." Of our subject we find this eloquently true, for at the end of each and every undertaking of his eventful and varied life we find him successful, in the evening dividing the spoil. And in the evening of his life we find him ranking among the great captains of the world, with spoils to divide, and the laurels of two great commonwealths to crown his life and work.

But with his father the prophecy did not obtain, for Philip Benjamin was "that rara avis, an unsuccessful Jew." His given name, being of Gentile origin, seemed to counteract the prophecy of Jacob. However, his son was not to suffer from the name, Philip, since the

prophetical blessing of Jacob to his son, Judah, was: "Thee shalt thy brethren praise." "He shall be the expectation of nations."

In the Catholic Encyclopedia, under the title of "Judah" appears the following: "The name, 'Jews' (Judaei) by which the post-Exilic Israelites and their descendants are generally designated, is, of course, derived from Judah. Thus the history of the Chosen People is to a great extent the story of the varying vicissitudes of the dominant tribe of "Judah." And a review of Benjamin's life reveals the literal fulfillment of certain Jewish prophecies and a repetition of their astonishing history.

Whatever business Philip Benjamin followed in St. Thomas, it evidently was not a success, for we find him again on the move. This time he sought fortune in Charleston, S. C., where the family increased with the inverse decrease of his finances. At Fayetteville, N. C., Judah prepared for entrance to college. Here his brightness and aptness gained for him the reputation of being "the brightest boy in the school." Finishing here he entered Yale in 1825, attending for nearly three sessions. That he ranked as one of the best scholars is evidenced by a prize-book received "for excellence in scholarship."

Leaving Yale he returned to his family, and for a time Judah was the sole support of the Benjamin household. The South was now beckoning to him, offering spoil for him to divide. And as it is written in Genesis 38, verse 1, "Judah went down from his brethren," so our Judah did likewise, coming to New Orleans in 1828. Arriving here with less than five dollars in his pocket he obtained employment in a commercial house. Here he acquired a knowledge of business forms and methods invaluable to him later.

His career in the commercial house was not for long for his mind had turned to law. Securing a position as clerk to a notary he studied law after business hours. Recognizing the advantage of a knowledge of French he agreed to teach English and other subjects to students who would in turn teach him French. It was thus he met Mlle. Natalie St. Martin, and the result was two-fold: a knowledge of French, and a love for the captivating Creole belle. In 1832 Benjamin was called to the bar, and a few months later was married to his lovely Creole pupil and teacher. Thus in learning she had taught him, and as Longfellow would say, "drawing, yet she followed."

Associated with Conrad and Slidell, Benjamin was soon to gain reputation by preparing a "Digest of the Reported Decisions of the Superior Courts in the Territory of Orleans and the State of Louis-

iana." This digest was intended for personal use, but it became so useful to fellow lawyers that its value was soon apparent. After revision it was published and held the field for many years. Tho no longer considered a standard treatise, suffice it to say, the "Digest" gave him prominence at that brilliant bar, ranking him with the Slidells, Pierre Soulé, Mazureau, and Roselius.

In 1842 occurred the celebrated "Creole Case," which Benjamin had with Slidell and Conrad. Since I am not here to discuss law I mention the case only in passing. Those wishing to avoid technicalities will find a logical analysis of the case in Dr. Pierce Butler's "*Judah P. Benjamin*," pages 41 and 42. The law in the case is recorded in Robinson's *La., Reports*, Vol. 10, pages 202, 279, and 339. This suit involving international complications almost brought about a clash with Great Britain. Benjamin's brief of the case was widely circulated and brought him into national prominence. It is prophetic that he should have become a national figure in connection with slavery, the very issue he so ably defended in the U. S. Senate, later casting his lot with the Confederacy in the final defense thereof.

About this time he invested in the Plantation of Bellechasse, just below New Orleans. Here he became interested in sugar-making. His experiments revolutionized the sugar industry in Louisiana. In *De Bow's Review*, Vol. 2, pages 322 to 345, November, 1846, he gives comment and suggestions concerning the sugar industry which placed him among the eminent chemists and agriculturalists of the South. Thus we find him not only eminent at the bar, but a successful agriculturalist and a chemist of note. It is meet that so he should be since in Deuteronomy, 28th chapter, verse 3, it is spoken of the Jew: "Elessed shalt thou be in the city and blessed in the field."

His next successes were attained in politics. Election to the last sessions of the Legislature held under the old Constitution marked his entry in a new field. The extraordinary young man already surpassing Soule and Roselius, was next elected to the Constitutional Convention. To him Constitution-making was a business. Present at every sitting of that long convention he "bore the lion's share of the work."

In 1852 he was elected to the U. S. Senate on the Whig Ticket but later became a Democrat, the Whig party having merged into the Know Nothings. In the Senate he was one of the ablest debaters. His farewell speech to the Senate, after the secession of Louisiana, "sent an electric thrill thru out the civilized world." A noted Englishman, having read the speech, declared it to be: "Better than (their) Benjamin (meaning Disraeli) could have done."

On one occasion a Senator from Kentucky, in the heat of debate, referred to him as "that Jew from Louisiana." In reply, Benjamin said: "The gentleman from Kentucky, forgetting his honorable and exalted position has stooped so low as to assail me on the point of my religious faith. Sneeringly he calls me a Jew. Well, sir, I am a Jew. But when his ancestors were herding swine upon the plains of Scandanavia, mine were following the Maccabees to victory." True to the Mosaic prophecy, the Jews have become "a by-word," yet "a proverb" to all people. The foregoing instance is eloquent evidence of both. All thru his public career Benjamin had to contend with this anti-Semitic prejudice. But he was by no means the first of his race to suffer from it. The prejudice the world has had for the Jew and his attendant persecution, are as old as history. Parenthetically I shall venture a few facts of interest in this connection.

Whether born of divine will or human vengeance, the persecution of the Jew is one of those historical phenomena for which philosophy itself cannot account. Tracing its beginning we are led to a remote antiquity and find that it is unparalleled. In Genesis 43, verse 32, we learn that "It is unlawful for the Egyptians to eat with the Hebrews, and they think such a feast profane." In the annual carnivals of Rome Jews were compelled to parade thru the streets dressed as buffoons, and to ride backwards on donkeys, holding the animals' tails in their hands. Ovid, speaking of them said: "Their sabbath is a lugubrious day." Petronius affirmed that "they worshipped the hog and the ass." In Toulouse, France, it was an ancient custom on holidays to assemble the Jews of the city in the public squares and spit upon them. These are but a few of the countless instances History records. Inseparably linked with the history of the world is the story of the persecution and prejudice meted to the Jew, in spite of which he has been our man of letters, artist, and scientist. He has rocked the world of thot and moved the world of commerce and finance. "He is the expectation of nations."

Benjamin was 51 when the storm of the Civil War broke upon the country. He was in the ripe vigor of every faculty, a jurist and statesman of wide experience and comprehensive knowledge. His was the foresight and wisdom acquired from tenure of high places and the successful handling of great responsibilities. Upon his resignation from the Senate the Convention at Montgomery offered him the appointment of Attorney-General. Speaking of him in his "*Rise and Fall*," Davis comments: "Mr. Benjamin, of Louisiana, had a very high reputation as a lawyer, and my acquaintance with

him in the Senate had impressed me with the lucidity of his intelligence, his systematic habits and capacity for labor. He was therefore invited to the post of Attorney-General.

On September 17th, 1861, he was appointed Secretary of War, but with the fall of New Orleans became so unpopular that Davis removed him to a post more suitable for one of Benjamin's capacity. On March 17th, 1862, he was appointed Secretary of State, which post he held until the close of the war. That he was "the brains of the Confederacy" is evidenced by the following summary of Benjamin's ability: "A man of great fertility of mind and resource and of facile character, he was the factotum of the President, performed his bidding in various ways and gave him the benefit of his brains in furtherance of the views of Mr. Davis."

As a diplomat he made history for the Confederacy, playing for the stake of foreign recognition. His Socratic wisdom foresaw that without this recognition the Confederacy as a government could not long endure. And tho his efforts did not successfully obtain in securing this recognition, we cannot judge as a consequence that the handwriting on the wall was actuated by faulty diplomacy. Success naturally results in prestige, and the events being of such moment as to rock the western hemisphere, history quite naturally has not forgotten the prestige of success falling to the lot of the Union cause; but Lee's surrender at Appomattox by no means signifies he was outgeneraled, his battalions outmaneuvered.

With the surrender of Lee's army the Confederacy vanished like a moving cloud. The government at Richmond was no more, President Davis and his Cabinet having fled at first news of the surrender. Benjamin, by means of disguise, reached the Florida coast, and escaped to the Bahamas in an open boat. Taking passage to England he arrived in London to begin anew. The sternest test of his character was yet to come. Instead of stepping into obscurity he stepped forth from the darkness of defeat into everlasting fame. It was Heine who said: "Wherever a great soul utters its thots, there is Golgotha." To the Jew Golgotha is another word for ultimate triumph. And to Benjamin it was achievement of honorable triumphs at the English bar. Following his appointment as Queen's Counselor occurred the publication of his celebrated treatise on "Sales." This established his reputation. It has since become a classic. With his fortune repaired, he retired from practice, bidding farewell to the bench and bar at the Temple banquet held in his honor. On May 6th, 1884, at his home in Paris, he was "gathered unto his fathers."

Thus ends the story of Judah P. Benjamin, "the expectation of nations."

Benjamin, tho an emigrant to our shores, really "found himself" in America. And even tho he chanced to be born 'neath the Union Jack, and transferred his citizenship and allegiance to Great Britain, his forgetting America was as much out of the question as America's forgetting him.

Some men make their place in history by the things they say, others by what they do. Few in the world's history have the credit of both and to that class belongs Judah Philip Benjamin. His is but one of the long list of Hebrew great names which history records. Let us call the roll of Israel's Great and watch the mighty procession as it moves:

There is Abraham among patriarchs; Moses among law-givers; Isaiah and Jeremiah among prophets; David and Solomon among kings; Philo, Maimonides, Mendelssohn and Spinoza among philosophers; Offenbach, Joachim, Rubinstein, Mendelssohn and Strauss among musicians; Auerbach and Nordau among novelists; Heine among poets; Josephus, Neander, Palgrave and Graetz among historians; Disraeli, Gambetta, Benjamin, Castellar, Lasker and Cremieux among statesmen; Bernhardt and Warfield among actresses and actors; Carl Mar and Samuel Gompers among political economists and labor leaders, and others ad infinitum.

In fact we find the Jew excelling in every field of thot and human achievement, in science, in literature and every art excepting sculpture. The Jew is not a sculptor because of the injunction contained in the Second Commandment: "Thou shalt not make thyself a graven thing."

What Christendom owes to the Jew was best expressed by Heine. After quoting Homer's description of the feasting gods, he says: "Then suddenly approached, panting, a pale Jew, with drops of blood on his brow, with a crown of thorns on his head, and a great cross laid on his shoulders; and he threw the cross on the high table of the gods, so that the golden cups tottered, and the gods became dumb and pale, and grew even paler, till they at last melted into vapor."

Let us remember therefore that were it not for the Bible and the Jews mankind would be groping in the blackness of Egyptian midnight. Let us remember, too, that in spite of this prejudice and persecution heaped upon the Children of Israel thru the ages, they have yet managed from the caves of the prophets and from the hovels of the ghetto, to plant in the garden of life its fairest flowers. And in con-

clusion, it can be said of America's most eminent Jew and his people, as it was said of the greatest of prophets: "But there are also many other things which (they) did; which, if they were written every one, the world itself, I think, would not be able to contain the books that should be written."



EDWARD LIVINGSTON

By Mr. Merrill Moores of the Indiana Bar.

*Read before the Louisiana Historical Society on Tuesday, April 26, 1921,
by Hon. W. O. Hart.*

In a conversation with President Taft some ten years ago, he said to me that he knew of no American who had had so varied, interesting and useful a life as Edward Livingston, of whom at that time I had no knowledge. Having made a study of the life of Livingston since, I am strongly inclined to agree with the former President.

Of one thing I feel quite confident, which is that there is no other family with whose story I am familiar which has had so many famous members on both sides of the Atlantic as Edward Livingston's family.

The authentic history of the Livingston family goes back to the death of James I, of Scotland, in 1437. When Sir Alexander Livingstone, of Calendar, was appointed by the estates of the Kingdom, one of two joint regents of Scotland during the minority of James II, then six years old, Livingstone being made Keeper of the King's person, and his associates Crichton Chancellor. The story of how the two regents murdered the young Earl Douglas at the royal table is familiar to all readers of Scottish history.

James Livingstone, the son of the regent and royal tutor, became the first Lord Livingstone. The fifth Lord Livingstone was made guardian of Mary, Queen of Scots in 1543, when the young queen was nine months old, and accompanied her to France in 1548 for her betrothal to the French Dauphin, and died there five years later. Among his descendants were the Earls of Linlithgow, Calendar and Newburgh and the Viscount of Kilsyth; but all of these family titles are now extinct, two by attainder and the other two by failure of direct heirs.

From the time of Mary Stuart, the greatest of the Livingstons are those of Livingston Manor, in New York, a royal grant, dated 1686, of 160,240 acres, to Robert Livingston, between whom and the guardian of the baby queen came in turn John Livingstone, a soldier killed at Pinkiefield in 1547, and three generations of Presbyterian preachers, Alexander, William and John, the last a famous pulpiteer,

and in 1650, one of the two commissioners appointed on the part of the Kirk, acting in conjunction with commissioners appointed by the Scots' parliament, to negotiate with the exiled Charles II at Breda in Holland for his restoration to the Scottish throne. This Reverend John Livingstone, who was a famous writer of theology, was in 1654 in charge of a little church in Ancrum in Teviotdale near Melrose Abbey; and it was in the parsonage at Ancrum that Robert Livingston, the immigrant ancestor of a score of famous Americans was born. During his father's banishment by Charles II of nine years in Holland for non-conformity, Robert had learned the Dutch language and on coming of age he sailed for New Amsterdam, and took up his residence in Albany, where he married Alida Schuyler, widow of the Reverend Nicholas Van Rensselaer. He was given a small municipal office and in ten years was a wealthy man purchasing from the Indians the 160,000 acres for which in 1686 he received a royal patent as "the Lordship and Manor of Livingston."

The manor commenced about five miles south of the present city of Hudson and had a frontage of twelve miles on the Hudson river and about twenty on the Massachusetts and Connecticut boundary.

The first Lord of Livingston Manor held half a dozen colonial offices and was the warm friend and financial backer of Captain Kidd, for whose treasures the neighbors are still digging near the old manor house. He had five sons and four daughters by Alida Schuyler, and at his death the eldest son Philip took the greater part of Livingston Manor. One of his grandsons, Philip, signed the Declaration of Independence, and another, William, was a brigadier-general, a member of Congress in 1776 who could not sign the Declaration because absent on military duty, governor of New Jersey for fourteen years, a poet, lawyer and editor and the father of Brockholst Livingston, for many years a justice of the United States Supreme Court. The second son of the first Lord of Livingston Manor was Robert, who was given 13,000 acres, known as Clermont manor; and Robert, of Clermont, was father of Robert R. Livingston, a justice of the Supreme Court of the Colony of New York, and he was the father of Chancellor Robert R. Livingston, and of Edward Livingston.

Chancellor Livingston, the elder brother, was a member of the Continental Congress, and one of the committee of five who drafted the Declaration of Independence; but like his cousin William was prevented by other duty from signing. He was chancellor of New York from 1777 until 1801, during which period he was also a member of the Continental Congress and secretary of foreign affairs of the

Confederation. He financed Robert Fulton and named the first steamboat for his manor of Clermont. The chancellor was minister to France from 1801 to 1805 and conducted the negotiations for the purchase of Louisiana.

Edward Livingston was 17 years younger than his brother the Chancellor, and was born at Clermont in 1764. His eldest sister was wife of General Richard Montgomery, who fell at Quebec in 1775. Five other sisters married almost equally famous men; and of two other brothers, least known to fame, one was a colonel in the revolution.

One need not be surprised by so elaborate an introduction to the Livingston family, when one recalls that in the royal colonies of New York and Virginia colonial government was largely a family affair, as it has been for centuries in England, where one cannot read understandingly the history of any period without access to a peerage.

The men of the Livingston family were almost without exception cultivated and well-educated, possessed of pronounced literary and artistic tastes and accomplished linguists. A few of them were graduates of Columbia; but most of them were educated either at Yale or Princeton.

Edward Livingston was graduated at Princeton in 1781 at the age of seventeen, in a class of six, the only other member of which to achieve distinction being William B. Giles, of Virginia, for a dozen years a member of the House, and three times chosen for the Senate, to become later governor of Virginia. The President of Princeton was then the Reverend John Witherspoon, who was a magnificent representative of the church militant, having led a body of men to the relief of the Young Pretender at Glasgow in 1745 and who was a member of the Continental Congress throughout the entire war of the Revolution, being a member of the secret committee on the conduct of the war and also a member of the Board of War, as well as an able and prolific theological writer and an eminent leader in the Presbyterian church.

Livingston read law with Chancellor Lansing in Albany, among his fellow students being the future Chancellor James Kent, and Alexander Hamilton and Aaron Burr.

No better born nor better educated man than Edward Livingston graces the early history of the American people.

It is not the purpose of this paper to tell the story of his life further than is necessary to some sort of understanding of the mystery of the motive which impelled Thomas Jefferson to follow Livingston, throughout Jefferson's life with unrelenting vindictiveness

and unceasing persecution. There is no time in an hour's paper éven to tell the whole story of Jefferson's bitter hatred, the occasion for which no one now knows.

The marquis de La Fayette at the age of 19 came to America in 1777 and almost at once became acquainted with the Livingston family and an attachment sprang up between him and the 13 year old Edward, which continued through life. Each spoke freely the language of the other, and several times the boy Edward was for days the guest of Lafayette at Washington's headquarters.

After the Revolution the Livingston family supported the new Constitution and co-operated with Hamilton and the federalist party in advocating its adoption. A tactless act of Alexander Hamilton alienated the entire family from the federalist party. The Livingstons supported General Schuyler, Hamilton's father-in-law, for Senator from New York but preferred another federalist to Rufus King, who had come from Massachusetts to New York less than a year before; but Hamilton procured the election of both Schuyler and King and the Livingstons left the party and were largely instrumental in accomplishing the defeat of Schuyler by Aaron Burr, two years later.

The lord of Clermont Manor had always maintained a town house near the corner of Wall and Pearl streets in New York, as well as manor house. Here Edward lived with his mother and opened a law office; and here he brought his wife Mary McEvers to live after his marriage in 1788. In 1794, when Edward was 30, he was candidate of the anti-federalists for Congress against the sitting member, John Watts. The district was the city of New York, which now has 14 members. Livingston carried his district by 205 votes, and was twice re-elected. Within three months of taking his seat, he distinguished himself in debate, taking the then new ground that Congress was not bound to appropriate money to carry out a treaty obligation. Notwithstanding Livingston's opposition the bill passed by a narrow margin, saving the credit of Washington and Hamilton. Madison, Gallatin and Giles were with Livingston; but Livingston's argument is much the strongest. The chief proponents were the many-sided Theodore Sedgwick and Fisher Ames.

In his second election Livingston defeated James Watson, afterwards United States Senator, by 550 votes, after Alexander Hamilton had made a personal canvass of the entire district against Livingston. At this time Francois la Rochefoucauld-Liancourt classes Livingston with Hamilton and Burr as "personages who

deserve particular mention", and speaks of Livingston as "one of the most enlightened and most eloquent members of Congress."

In this Congress Livingston spoke earnestly and eloquently against the establishment of the Navy Department, taking the same grounds which President Harding has just given as reasons why it should be abolished. Following this Livingston achieved national fame by his eloquent opposition to the Alien and Sedition laws, the passage of which wrecked the federalist party.

In 1798 he defeated his cousin Philip Livingston by 175 votes. It was in this, his third term, that against the overwhelming majority of his party he took sides with a new member John Marshall as to the conduct of President John Adams in the Jonathan Robbins case, defending the action but denouncing Adams' interference with the judiciary. It was in this Congress too that he first took up what became his life work, the reform of penal administration.

Livingston was not a candidate for re-election in 1800 at the election in which Jefferson and Burr each received seventy-three votes, Adams 65, Pinckney 64 and Jay 1. Under the Constitution as it then stood, the election was thrown into the House, that body being required to vote by States, with one vote for each State and choose one of the two highest for President and the other for Vice-President. Jefferson was at the time Vice-President. Burr was a resident of New York and had been Senator until 1797.

For 35 ballotings the States voted; eight for Jefferson, six for Burr, with two States, Vermont and Maryland equally divided and not voting. Livingston was for Jefferson and held five other New York members with him for 36 ballotings casting New York's vote for the Virginian. On the last ballot the votes of Vermont and Maryland were cast for Jefferson and elected him. Without doubt the election of Jefferson instead of Burr was largely due to the efforts of Edward Livingston. It is known that they were at the time warm friends and in constant consultation.

Livingston ceased to be a member of Congress March 4, 1801, and returned to New York, where on March 13, less than a week after his return, his wife died of scarlet fever, leaving him with three small children, aged 10, 6 and 2.

Within a day or two after the funeral Jefferson appointed Livingston district attorney for New York, the district including the entire State.

August 24 of the same year Livingston was chosen mayor of New York, an office to accept which as Livingston's successor, DeWitt Clinton resigned his seat in the United States Senate.

In addition to the duties now performed by the mayor of that city, Livingston, as mayor, had to preside over a court of the broadest general jurisdiction, civil and criminal, trying all capital offenses. The earliest New York report is Colman's Cases. The second in time is the report of Livingston's decisions in the Mayor's Court. His duties as district attorney were equally arduous. The city had a population of a trifle more than 60,000, and the State a trifle less than 600,000.

He was thirty-seven years old, United States district attorney for the entire State of New York, and charged, under the system then in vogue with the collection of vast sums collected at the port of New York as well as at Buffalo and elsewhere in the State, a duty now performed by treasury officials. He was mayor of the largest city in the country. He was judge of an important and busy court and he had the entire care of three small motherless children. It goes without saying that he had to discharge his duty of making government collections by deputy.

In the summer of 1803, an epidemic of yellow fever came to New York. It came in July and lasted until the end of October. "The public alarm was great and universal. As a rule all who could possibly leave the city for a place of safety did so. As usual, however, there were many instances of selfishness and cowardice on the one hand and on the other many examples of heroic philanthropy." One does not need a "minute picture of those dismal scenes of which the city was then the theater, so like other often painted scenes of pestilence enacted elsewhere—the hospitals, the streets, the shipping, the flights, the burials,—in order to comprehend the position of the Mayor, or to appreciate his conduct. He regarded himself bound, as by a sacred contract, to remain steadfastly at his post, and calmly face the public enemy without the slightest attention to what might be the consequences upon himself."

"He kept a list of the houses in which there were any sick, and visited them all, as well as the hospitals, every day, ascertaining and supplying the indispensable needs of the poorest and most forsaken of the sufferers." "He went about the city at night to see for himself if the watchmen were thorough in their duty."

At last and near the end of the epidemic, Livingston himself was taken down by the epidemic, but after a violent, although short, crisis, he made a rapid recovery.

During the two years he had been Mayor he had left the accounting for the large sums of public funds which came into his hands as district attorney in charge of his clerk and bookkeeper who

was a Frenchman, who became an embezzler and a thief. His landed estates were extensive and valuable and his income large; but wholly exhausted by unusual expenditures during the epidemic. While the yellow fever was at its height, some motive impelled Jefferson to use his attorney-general, Levi Lincoln of Massachusetts, who probably invented the midnight judicial appointment myth, to demand of Livingston an accounting of the public moneys collected. The French bookkeeper absconded. Livingston knew nothing of his books. Immediately on his recovery from the yellow fever, having no money at all, Livingston, without waiting for an adjustment of his accounts, confessed judgment in favor of the United States for one hundred thousand dollars, and transferred his entire estate to a trustee for sale, the proceeds to be applied to the payment of the amount of the defalcation, afterwards fixed at \$43,666.21. This done, he resigned both offices.

I have heard it stated that Jefferson procured Livingston to be indicted for embezzlement; but have no evidence of it and am inclined to doubt it, although, as long as Jefferson lived, he pursued Livingston with bitter hatred.

In April of 1803, Edward Livingston's brother, the Chancellor, had purchased for the United States from Napoleon the imperial domain of Louisiana. In June, LaFayette wrote to Edward Livingston a letter from which I quote this sentence: "His mission I consider as happily ended by the blessed arrangement for Louisiana. With all my heart, I rejoice with you on this grand negotiation, which, both as a citizen and as a brother, must be not less pleasing to you than it is to me." For many years LaFayette and Livingston had kept up a constant correspondence.

During the last week of December, 1803, Livingston sailed from New York for New Orleans, leaving his little children with his brother John, who had married a sister of their mother.

He took with him a hundred dollars in gold and a letter of credit for \$1,000 all that he had left of his former substantial estate.

He arrived in New Orleans in February, 1804, to find the civil law of Spain in full force. Familiar with the civil law by study, speaking with ease French, Spanish and German, the sweetness of his temper, and his simple, kindly manners made the making of friends an easy task and almost from the very beginning he acquired a large and paying practice.

The act annexing Louisiana was in terms quite ambiguous, adopting by reference the ordinance of 1787 for the government of the Northwest Territory, but also providing for the writ of habeas

corpus, trial by jury and that the laws in force in the territory, not inconsistent with its provisions should continue in force until modified or repealed.

An attempt was made by the flood of Americans, which poured into Louisiana after the purchase, to secure from the courts a decision that the words "common law" in the Act of Congress meant the "Common Law of England." A tremendous array of counsel, English, Scotch, Irish and Colonial contended for this construction, while Livingston and three French advocates, Lislet, Derbigny and Mazureau, argued for the civil law. Livingston had been less than a year in Louisiana; but his argument proved unanswerable, and the court held with Livingston's contention that the law in force in Louisiana being Roman, and Spanish and French, as were the people at the time of annexation, the words "common law" in the Act should be construed "the common law of Louisiana" and not of England. His colleague Etienne Mazureau wrote that in his argument Livingston had been "great, sublime, astonishing;" and said to him "Happy are the people whose interests are defended by a man like you." Livingston's victory stands until this day; for does not every man know that Louisiana still retains the Roman law!

In the second year of Livingston's residence in New Orleans, he recommended the simplification of the practice and prepared an act embodying a new system of procedure. It consisted of 22 sections, which contain the substance of the cumbersome Indiana code. It was immediately adopted and is the basis today of Louisiana practice. The story is told that a young lawyer recently arrived from a Common Law State called on Mr. Livingston and asked with solicitude how long it would require for him to learn the practice. Livingston has asked him to dine at four o'clock the next day; and answered that he thought he could initiate him into the mysteries of practice before they sat down to dinner.

General Wilkinson took command at New Orleans in November, 1806, having orders from the President as to securing evidence to convict Wilkinson's recent accomplice Aaron Burr of treason. Livingston called on General Wilkinson on the day of his arrival and on a return visit the General supped with his host, who knowing of the old friendship between Wilkinson and Burr casually stated that an order of Burr for money had been presented to him by a Doctor Bollman; and expressed his surprise that such a sum as demanded should be due to Bollman, a person of small means.

Wilkinson's first step was the military arrest of Dr. Bollman and two other persons. A young lawyer, James Alexander, applied

for a writ of habeas corpus to release Bollman, Swartwout and Ogden. Alexander requested Livingston to present the case in court for him and Livingston obligingly consented. When the matter came on for hearing, the General came into court in full uniform, accompanied by a brilliant staff equipped like himself. The General made his statement, asked that Alexander also be placed under arrest and proceeded to denounce Livingston by name. "The court room resounded with his menace and invective against the counsel, who had presumed to invoke in behalf of the prisoners the protecting writ of the law. He added, in a burst of passion that he would deal with counsel for the prisoners, and whomsoever dared to support them, without regard to place or to the position they might hold in the country."

Mr. Beveridge, in his life of John Marshall, thinks that the hatred of Jefferson grew out of this appearance in the habeas corpus case; but it seems to me that it must have existed long before and was doubtless accentuated by Livingston's resistance. The blustering General had sent his prisoners beyond the jurisdiction of the court; but Livingston's courageous defiance of his authority brought the General to a halt and with the exception of his outrageous arrest of General Adair, later Governor of Kentucky and United States Senator, no further military arrests followed.

There is no time to tell the story of Jefferson's oppression of Livingston in the batture matter. Briefly Livingston had purchased a portion of the river frontage from Jean Gravier, for whom as counsel he had successfully conducted litigation as to Gravier's title to it. Governor Claiborne did not approve of the decision of the court, and directed Jefferson's attention to it. The decision was unquestionably unpopular with the creoles, who had used the river bank for wharfage purposes. The land was valuable as it had grown by constant accretion and adjoined the business part of New Orleans.

President Jefferson, apparently for the reason that Livingston had succeeded in quieting his title to the land, decided without any examination of the title that it must belong to the United States; and that the court had erred. The United States did not intervene and appeal. They did not sue in ejectment or to quiet title. Jefferson's methods were much simpler and more immediately effective. The United States Marshal was directed by the Secretary of State to remove immediately by the civil power any persons who had taken possession of the batture. Livingston enjoined the Marshal from dispossessing him; and the Marshal by order of the President disregarded the writ and put Livingston off and kept him off. Liv-

ingston then sued the Marshal in the federal court in Louisiana to recover damages and be reinstated in possession; and he sued Jefferson in the federal court of Virginia for \$100,000 damages. This litigation continued throughout Livingston's life and after his death his heirs obtained a recompense for the land which hardly more than repaid the costs of the fiercest litigation in Louisiana history.

The President had given his personal attention to this litigation, and had briefed the facts and what he took to be the law for counsel. This brief Mr. Jefferson adorned with abuse, vituperation and ridicule of Livingston, the style of the brief suggesting the possibility that General Wilkinson and Jefferson's friends and collaborators, the Governor and Chief Justice Burke of South Carolina, who assisted Jefferson in denouncing the Society of the Cincinnati, had also assisted Jefferson in writing this brief of 91 pages which he had printed and circulated as a pamphlet throughout the country.

This litigation left Livingston again penniless; but his law practice continued to be large and lucrative.

Andrew Jackson had been made major general in May, 1814, at Mobile; he arrived in New Orleans, December 2. He made Edward Livingston a colonel and Livingston served as aide de camp, military secretary, interpreter, orator, spokesman and confidential adviser to his chief. His son Lewis was made captain of engineers in the motley army of backwoodsmen. Both of them were in every action and served with great gallantry.

In 1825 Livingston, in conjunction with Pierre Derbigny and Moreau Lislet, drew the civil code of Louisiana, a monumental work. Livingston's Penal Law of Louisiana took two years to prepare and was barely completed when it was destroyed by fire, not a vestige remaining. He went to work on the code the morning after the fire and in two years more had reproduced it; but it was never adopted by the General Assembly of the State. It constituted a very great advance in legislation. It was translated into French and German and studied all over the world.

Victor Hugo wrote to the author: "You will be remembered among the men of this age, who have deserved most and best of mankind." Jeremy Bentham proposed that a measure should be introduced in parliament to print the whole work for the use of the English nation.

The *Westminster Review* said: "In England the eyes of its most enlightened philosophers, of its best statesmen, and of its most devoted philanthropists will be fixed upon him, and in his own country his name will be held in lasting remembrance, venerated and

loved. He is one of those extraordinary individuals whom nature has gifted with the power, and whom circumstances have afforded the opportunity, of shedding true glory and conferring lasting happiness on his country, and of identifying his own name with the freest and most noble and most perfect institutions."

Sir Henry Maine pronounced him "the first legal genius of modern times."

Howard made him an LL. D. The Emperor of Russia and King of Sweden wrote him autograph letters of congratulation. The King of the Netherlands decorated him. Brazil and Guatemala adopted his penal code verbatim. Marshall, Kent, Madison and Story wrote to Livingston expressions of admiration; and not to be forgotten, Jefferson climbed on the wagon and wrote Livingston to say that his work "would certainly arrange his name among the sages of antiquity."

In 1822 Livingston was again elected to Congress, to serve three more terms. In 1826 he repaid his debt by turning over to an administration to which he was opposed certain property he had succeeded in freeing from litigation, from which the government shortly realized \$6,000 more than the entire debt of \$44,000 with interest.

In 1828, Livingston was defeated for Congress in the fall election; but the legislature in January elected him Senator and he entered the Senate the day his old commander entered the White House. In 1831 Colonel Livingston became Secretary of State, resigning from the Senate.

As Secretary of State Livingston drafted the proclamation of Jackson to the nullifiers of South Carolina, in the concluding paragraph of which he says: "The Union must be preserved without blood, if this be possible; but it must be preserved at all hazards and at any price."

In May, 1833, Livingston resigned as Secretary of State to undertake at Jackson's request the conduct of the claim for indemnity for French spoliations, and was appointed Minister to France. In this diplomatic work Livingston succeeded in that the indemnity was paid. Mr. Livingston returned from France aboard the Naval frigate *Constitution*, arriving in New York in June, 1835, and went to his country home on the Hudson, Montgomery Place, which had been left him by his aunt, the widow of General Montgomery.

He and Daniel Webster argued for the city the case of *New Orleans v. United States*, 10 Pet. 691, in January, 1836. He returned

from Washington to Montgomery Place, and after a brief illness, died there May 23, 1836 at the age of 72.

Those who desire to pursue the subject of this paper further are advised to read the "Life of Edward Livingston," by Charles Havens Hunt, and "Memoirs of Mrs. Edward Livingston," by Louise Livingston Hunt.



**MY RECOLLECTIONS OF THE BATTLE OF THE
FOURTEENTH OF SEPTEMBER, 1874, IN
NEW ORLEANS, LA.**

By Col. Frank L. Richardson

I took an active part in the revolt against the Radical rule on September the 14th, 1874. The State government was then under the control of the Republican Radical party headed by Gov. Wm. Pitt Kellogg.

Military companies were formed for some months prior to that event and held secret meetings and procured arms. My company was a part of a battalion, known as Louisiana's Own, Col. John G. Angell, Commander. The meeting place was at my law office then No. 54 Camp Street, upstairs. Col. J. D. Hill was second in command, Dawson Blanchard, Frank McGloin, A. Mitchell, L. L. Lincoln and Euclid Borland were captains of the companies of the battalion.

At the same time the *White League* had been organized by Gen. Fred N. Ogden and held its meetings at Eagle Hall on Prytania Street, corners of Urania and Felicity Streets. They were well supplied with Springfield rifles and a good supply of cartridges and well drilled. Wm. J. Behan, George Lord, Wm. Vandry, Rufus Pleasant, Dudley Coleman, Archie Mitchell, McEntyre and Sam Buck were the principal officers. There were other companies, unattached, organized to participate in the movement. These were commanded by Captains Glynn, Guibet, Machecha, Phillips and Stewart. Few of the companies had a complete supply of ammunition and arms. In my company there was no uniformity of arms and not more than four or five rounds of cartridges to each man, these were made from buck-shot, some in my office at No. 54 Camp Street, and others at private houses in the city.

The day had been fixed for making the attack, on Monday, the 14th of September, 1874, as a consignment of arms, which was on board of the Southern Pacific steamer, "*Mississippi*", was expected to arrive at the Bienville Street steamship landing that day. It had been determined to take them by force, if any attempt should be made by the Metropolitan Police to seize them and prevent the guns reaching the commands which were expecting them. Orders were issued for all members of the White League and Angell's battalion to meet Monday morning at their respective headquarters.

At my law office on Monday morning the members of my company assembled. There were, B. R. Forman, Captain; myself, Frank L. Richardson, First Lieut.; John Overton, Second Lieut.; Octo Ogden, Third Lieut.; and the sergeants were Dan Colcock and Drs. Pratt and Miles and Judge Henry Renshaw. Among those in the ranks was Edward Douglas White; now Chief Justice of the United States.

Most of the soldiers in my own company as well as the others were Confederate soldiers and did not require much instruction. The command of the company soon fell to me, as our Captain stated that on account of his wife's illness he could not remain. On orders from the Colonel, the battalion was ordered to deploy out from Magazine to Baronne Streets, along Common Street and to rally at the head of Poydras Street later, in case of firing being heard on the Levee. At 12 o'clock in the day a call was made for the citizens generally to assemble on Canal Street around Clay's monument, which at that time was at the corner of St. Charles and Canal Streets. Then Judge Marr, Dr. Beard and Dr. Bruns and other speakers told of the tyrannical government under the Radical Kellogg regime and called upon them to take up arms in resistance. But in fact only those who were then actually assembled at their respective headquarters were expected to take part.

The Radical forces known as the Metropolitan Brigade, were then assembled in the U. S. Custom House and the old courthouse next to the Cathedral and the St. Louis Hotel, then the State House of the Radical Government, under General James Longstreet, General Baldy and General Badger. They numbered about three thousand mostly negroes. They had reason to believe that our forces were small and were assembled on Common from Magazine to Baronne Street, a mere mob who responded to the public call, and they planned to advance along the river front from the Custom House—in that way out-flank us. General Ogden planned to march with his command out Poydras to the Levee front and proceed toward the ship lying at the foot of Conti Street with the consignment of rifles and munitions. Neither side up to that time knew the movements of the other.

At about two o'clock on that day, Monday, I was ordered to the corner of Poydras and Camp with my company. Shortly after we had reached the position on that corner, General Ogden came down from his station at Eagle Hall, corner Prytania and Felicity Streets. He had about three hundred men in file of fours and they marched out Poydras towards the river at a double quick step. They were

well armed with Springfield rifles and with a good supply of ammunition and moved with the swing of old soldiers. No orders having been received by me, the old rule in war times being, in the absence of orders, go where the firing is heaviest, I moved at a double quick time with my company as far as Tchoupitoulas Street and out towards Canal. In a few minutes the firing began, Coleman's battery fired from the foot of Poydras with a cannon which had been overhauled at Leed's foundry and General Badger fired his cannon from the foot of Canal, near the old Free Market Building, and then the "White Leaguers" under Rufus Pleasant moved out on the river front, among the freight lying there and fired up Canal, and two other companies under Behan and Lord, charged across the open space on the levee front, towards Badger's command, while my own company fired at the enemy drawn up facing Canal Street, on the lower end of the Custom House from Tchoupitoulas Street. At a point near where the Liberty Monument now stands General Badger fell, badly wounded, and many of his men were killed. The rest retreated—the enemy who ventured out of the Custom House on the river side also broke and ran into the building. Some firing was done from the windows of the Custom House. General Longstreet seeing that his negro troops would not stand fire retreated to the rear of the Custom House and was last seen galloping on his horse down town.

The Radical soldiery called the Metropolitan Police, numbering at first some three thousand men, organized into a brigade, who in about twenty minutes retired in haste, a part in the Custom House, another part in the St. Louis Hotel, then used as the State Capital, and the remainder in the Court House building, now used as a museum. The killed on our side numbered sixteen. Their names are carved in marble on the monument erected to their memory. General Fred N. Ogden, who was leading his men at the front had his horse shot and killed from under him, on the corner of Tchoupitoulas and Gravier Streets. He was slightly injured himself. His acting aide-de-camp, Capt. Geo. A. Williams, was with him at the time, and at once mounted him upon his own horse.

The following night we were at our respective posts, with guards and pickets out: My own men were quartered on the side-walk on Camp Street, near Gravier, three of them with A. A. Woods in charge as Corporal, and while on watch in the middle of Canal Street opposite Chartres Street, were fired upon at midnight by the enemy under Baldy. My company fell in quickly with their arms, and General Ogden ran up calling out the words, "Steady Men, Steady."

Nothing more followed after this except that one of my men captured and brought in a cab load of provisions going into the Custom House. During that night Lieut. C. L. Walker of Capt. Borland's company entered the enemy camp and convinced their leaders of the futility of keeping up the fight and there was but little resistance next morning. During that night we had a conference at General Ogden's headquarters at Kurcheedt and Bienvenu's office, and prepared a proclamation, issued on Tuesday morning, in the name of Lieut.-Gov. D. B. Penn. Early that day, we marched to Canal Street corner St. Charles, where the citizens brought out refreshments to us while waiting in line for orders.

We then took possession of the Court Building opposite Jackson Square. On entering the prison yard there I came upon a dead Radical soldier, who had just been killed. I appropriated his hat and sword, the latter I have yet—the rest of the enemy ran away. The building then was placed in my charge by General Ogden, the arms in the arsenal were delivered, during the night, to parties bringing orders.

For three days we held this position and the city at large. When, by orders of President Grant, U. S. soldiers took possession and ordered the "White Leaguers" to disband. This ended the revolt, until the 8th of January 1877 following, when the White Citizens under the same officers finally recaptured their government from the Radical Carpet Baggers' Rule, and have held it ever since, now forty-four years ago. Few are now living of those that participated in what, though a small affair, yet resulted in redeeming the entire South and causing the country and Congress to become democratic, for the first time after the war between the States. There were many interesting and important events thereafter, that want of time will not permit of being related. They all had their beginning from the 14th of September, 1874.



A NEW YORK YANKEE IN NEW ORLEANS
SEPTEMBER 14, 1874

Mr. John Dymond:-

My dear Sir: Since advising the house by early mail this P. M. the political excitement has taken shape and now bids fair to be the most serious outbreak we have had since the war. The so called White League has taken possession of the city this side of Canal street and they claim to have from 5 to 7000 armed men on duty. The city is fearfully excited, business houses all closed and nearly all the merchants on duty fully armed, Mr. Pitot among the number with my revolver. All the streets leading into Canal are barricaded and Kellogg's forces are in line on Chartres, Decatur and Peters streets. Kellogg himself is hid away in the post office. The only fighting so far has been on the levee from Gravier to Canal and it is currently reported that Gen. Badger is fatally wounded and it is known positively that J. B. Newman, Jr., is killed.

I presume you will get full particulars by the morning papers. It is a serious affair and unless they make a complete success of it by killing Kellogg and all the ring leaders I fear it will interrupt our business for sometime. There are but few United States troops here and the Leaguers apprehend no difficulty in cleaning out the Metropolitans. You can see that the affair has assumed some magnitude by the fact that such men as Pitot, Cottreaux, Benedict and hosts of others are in the line.

Pitot left with the remark that there was no telling when he would return and in case of accident he explained the Belair position and left some checks to my order. Rather a queer manner to spend a vacation.

I walked by your house last evening before receiving your letter and noticed nothing out of place. The grass was rather high, but the trees and shrubbery looked finely. The house was all closed up and Pitot says you will never get any money from her unless you realize on her collateral.

I really think that the offer I have submitted on the five best lots of coffee is a good one and I am confident it is the best that can be done. Sugars don't seem to show any margin, but I will watch closely and report daily. We will certainly pay expenses and more too, I think, unless this confounded boys play with guns interferes with business. I shall stir up every man from the Lakes to the Gulf where there is a ghost of a chance for an order.

Very respectfully yours,

JNO. J. COLVIN, Jr.

COL. J. D. HILL'S ADDRESS AT THE VICKSBURG MEMORIAL MONUMENT DEDICATION

At the recent dedication of the Louisiana State Memorial in the Vicksburg National Park, the orator of the day was Col. J. D. Hill of New Orleans, who gave a clear and simple epitome of the historical facts which convulsed the United States in the Civil War, and, by that revolution, in accordance with the American custom and precedent of majority rule, established the American construction of the "Constitution" to be "an Indestructible Union of Indestructible States."

In presenting the Louisiana State Memorial to the Federal Government, Colonel Hill said:

"We thank Thee, O Lord of Hosts, that Thou hast lengthened our days to see this Day of Consummation; in which are fulfilled the hopes and desires of thousands, now living, in our dear State of Louisiana, and of other thousands, who compass us about, as a great cloud of witnesses, unseen, but both bodies, together, rejoicing with us in our joy and celebration of this day.

"Notable day indeed, for we are here assembled to dedicate this memorial, a shaft of beauty, rising from this sacred soil, consecrated by the blood, which so freely baptized it, near three score years ago; and reared by a grateful people, through the action of its State Legislature and Governor, who voiced the will of the commonwealth, generously consenting to the use of the public fund, to do honor to the sons of Louisiana, living and dead, who had taken their part in the Vicksburg campaign of 1862 and 1863.

"What means then this memorial, this towering column, placed by the allotment of the United States commissioners of the Vicksburg National Military Park upon the most beautiful site within its borders, yet built to embody the proud declaration of a sovereign State, in this twentieth year of this twentieth century, that it gloried then, and still glories in the prowess and devotion of its sons of three score years ago!

"How comes it to pass, that an approval of this action, by the mighty union of States, can now complacently be given to the unveiling of a memorial, erected by a State to honor and commemorate its soldiers who became such, solely, to attempt to dis sever and dissolve this union!

"This event, as a fact, stands unparalleled in the history of any other country in the world.

"The theme is absorbing, but time forbids more than a glimpse at what has given to my mind some solace for the past, a solution for the present and a promise for the future.

"The war was inevitable, given the American character, and the susceptibility of the Constitution to a double interpretation.

"The growth of conviction in a peculiar interpretation, naturally follows public opinion, hence sectionalism in the pre-war interpretations, and antagonism, almost of historical necessity, when you consider the founding and building of the States, North and South.

"The thirteen States, of the revolution of '76, fringed the Atlantic. They were practically of North European descent, but, however, with sufficient difference, incident to their founding, to make them autonomous and anxious for individual independence, both, when drawn together in the confederation of 1777, and, in the establishment of the Constitution of 1789.

"A greater difference, in the founding of the other States, led to a more distinct cleavage from the Atlantic States, in their sense of separate independence and autonomy, as they were erected out of land acquired by the Louisiana purchase, by the Floridian treaty with Spain, by the annexation of Texas and by the cession of territory, by Mexico, of Western and Pacific regions, at the close of the Mexican war. So that, by 1860, the States of the Union had as citizens the descendents of every European state.

"A sense of separateness and individuality was therefore historically natural to the Gulf Southern States, and the Atlantic Southern States. Their increase of population was largely home-born, and they held to the traditions of their fathers, as to the individuality and autonomy of the Mother State, when, and after, she entered into the Union.

Public Opinion

"The natural trend of Public opinion therefore, in the Southern States, would be to accept that construction of the constitution which favored 'States' rights.'

"What was occurring in the States north of 'Mason and Dixon's Line,' to establish a natural trend of public opinion? And what construction of the constitution would it tend to make the north States accept?

"The North Atlantic States and the Great Northwest territory, which had been given to the United States by the State of

Virginia, but till then, sparsely populated, were being settled largely by immigration from Europe. Millions of foreigners entered the country by the year 1860, and a great preponderance of them made their homes in Northern States. What this meant in creating public opinion in favor of nationalism is incalculable, when you consider that every immigrant, who became a citizen received a naturalization paper setting forth solemnly and impressively, that he renounced 'all allegiance' 'to any foreign prince, potentate, State or sovereignty, whatsoever,' and thereupon he was admitted 'to be a citizen of the United States of America.' The importance of this fact is emphasized and you are more indelibly impressed by it, as those last eight words are printed in capital Gothic type. They stamp themselves upon the mind of the applicant, and equally upon the minds of the two witnesses, who must support his application.

"A further impulse of public opinion in the North towards this construction, came from the formation of the Whig Party, which came into existence, following the defeat of the bill to recharter the United States Bank. It adhered to the theory of consolidation, moved thereto by the tariff agitation.

The Union

"It advocated the protective policy which was threatened by the nullification program of South Carolina in 1832. The man above all others who inspired the theory with an immortal appeal was Andrew Jackson, the Father of Democracy, when he proclaimed his platform, in answer to the nullification Acts of South Carolina,—
'The Union must, and shall be preserved.'

"That the Union should be preserved, was the constant theme during these exciting days, of Daniel Webster, who devoted his life, his natural gifts and stately eloquence to maintaining that construction of the constitution, which opened to the people the growth of a mighty empire, and honor and power to its every citizen.

"But, was that construction, the interpretation given to the constitution by the thirteen States, which, by their ratification, established the United States in 1789?

"Hear what a Republican statesman and historian says, in considering the masterly efforts of Webster, both in weighing their influence upon public opinion, and declaring their effect upon the history of the country from his own day, and for all time.

So long as Mr. Webster confined himself to defending the constitution as it actually was and as what it had come to mean in

point of fact, he was invincible. Just in proportion as he left this ground and attempted to argue on historical premises that it was a fundamental law, he weakened his position, for the historical facts were against him,' 'In the actual present and in the steady course of development, the facts were wholly with Mr. Webster. Whatever the people of the United States understood the constitution to mean in 1789, there can be no question that a majority in 1833 regarded it as a fundamental law and not a compact. But it was quite another thing to argue that what the constitution had come to mean, was what it meant when it was adopted. The identity of meaning at these two periods was the proposition which Mr. Webster undertook to maintain, and he upheld it as well and as plausibly as the nature of the case admitted. His reasoning was close and vigorous; but he could not destroy the theory of the constitution as held by leaders and people in 1789, or reconcile the Virginia and Kentucky resolutions, or the Hartford convention, with the fundamental law doctrines. Nevertheless, it would be an error to suppose that because the facts of history were against Mr. Webster in these particulars, this able, ingenious, and elaborate argument was thrown away.' 'It reiterated the national,' as distinguished from the State rights principles, and furnished those whom the statement and demonstration of an existing fact could not satisfy, with an immense magazine of lucid reasoning and plausible and effective argument.' 'But in his final speech in this debate Mr. Webster came back to his original ground, and said in conclusion:

" 'Shall we have a general government? Shall we continue the union of States under a government instead of a league? This vital and all-important question the people will decide.' And when 'The vital question went to the Northern people, 'they cast aside all historical premises and deductions, all legal subtleties and refinements, and gave their verdict on the existing facts. The world knows what that verdict was, and will never forget that it was largely due to the splendid eloquence of Daniel Webster, when he defended the cause of nationality against the 'advocates of State rights.'

Held to Historical Facts

"The people of the Southern States persistently held to the historical facts of 1789, and the doctrine of reserved rights, therefore their construction of the constitution diametrically opposed that of the great majority in the Northern section, and as the leaders and the masses, on both sides were Americans, all the arbitrament of war was on by 1861.

“The constitution, like statute law, has no inherent force to determine and to execute its provisions. It becomes operative through the agency of the constituted authorities elected or appointed by and from, the people. So that, right or wrong, the final construction of the constitution had to conform to what the people, the masses believed.

“The war between the States was a revolution, the Union of States under the compact of 1789, ended with the surrender at Appomatox, April 9, 1865, dissolving the forces of States' rights supporters, and following the tragic interlude of reconstruction, the construction of the constitution, under which we live, today, in accordance with the principle to which I have just alluded, has consolidated the forty-eight commonwealths and the territories into 'an Indestructible Union of Indestructible States.'

Will Guard Memorial

“This exposition of the past is the solution of the present. It accounts for this family gathering of today. And it is no anomaly, in spite of the conditions of 1861 and 1865, that the United States should now complacently accept, and undertake to guard and preserve the war memorial of her daughter, the State of Louisiana, at the mouth of the Mississippi, with the same interest and solicitude as that given to the great mausoleum memorial of the State of Illinois, another daughter lying so near to the Mississippi's source, 'for We are all once more within our Father's House.'

“We have witnessed, within the last hour, the dedication of the 'Memorial Arch,' commemorating the 'National Reunion and Peace Jubilee,' held at Vicksburg, in October, 1917. Its openway greets and welcomes alike the wayfarer from every section of the United States.

“It towers in massive grandeur, one pier springing from the soil upon the North-side, and the other pier from the soil upon the South, but alluring symmetry and grace imbue the whole structure, only when they conjoin each other, and mingling in close embrace they unite their strength and show forth to the admiring vision, the Triumphal Arch. Fit emblem, in everlasting granite to typify, as well as to commemorate, that Reunion and Jubilee.

“That all these facts, to which I have alluded, hold a promise for the future, needs no argument in words.

“The challenge, 'What hath God Wrought?' in establishing this great American nation as a factor in determining the destiny of the world, has been answered, in no small part, by its achievements, since

April 6, 1917, in the greatest war of all times. Its existence has been justified, by its heroic deeds of 1917 and 1918, should it never again appear in the world's arena. But we know that no such mighty instrument, of advancement, civilization and exemplary appeal to mankind and the governments of the earth, can have been formed by the Hand of Providence, to fit so aptly into the need of that day, were it not to be used for other glorious and beneficial purposes 'in the Tides of Time.' "



CABILDO ARCHIVES

French Period

IV

By Henry P. Dart

We present in this number quite a feast, indeed for variety and general interest, these translations from our archives have the place of honor.

As usual Mrs. H. H. Cruzat has translated and is the author of the introduction to this fourth number.

Letters of Sieur Terrisse de Ternan by Heloise H. Cruzat

In this number of the Louisiana Historical Quarterly the Cabildo Archives reproduces eleven letters by Terrisse de Ternan, a French officer, trader and farmer (*habitant*), to Sieur Rossard, clerk of the Superior Council, who in the course of this correspondence lost a wife and took another to himself. The name of Ternan is extinct, the last of the name, Vincent de Ternan, having died without posterity in the early part of the nineteenth century at Pointe Coupee.

Lockart tells us that Sir Walter Scott's letters smell sweet; these letters smell of the times and should prove interesting to our readers for they preserve the local color of those days. Here we meet all classes of colonial life: M. Perier, the governor; M. de la Chaise, the stern judge, whose administration raised such resentment that even his friends shared his unpopularity; M. Le Merveilleux, Captain of Infantry, who headed the detachment in a pirogue, which was sent out to warn the inhabitants on both sides of the river after the Natchez massacre and to arouse them to action; M. Baron, who was sent from France to report on the situation of the colony. The name of M. de Beranger, the captain of "*La Baleine*" will recall a favorite ship-master, and also the ship which seems to have been most frequently employed to bring the colonists from France to Louisiana. Leonard, the laborer, who in these writings seems to have been a dilatory debtor and prone to insist on the strict letter of his rights when incurring obligation and slow to respond when the shoe was on the other foot; he was but a type of the times, everybody was doing the same thing, financial embarrassment being the rule in French Louisiana; it was easy to lend and hard to collect.

The Seigneur Ternan under the garb of the soldier and the colonist had the bon vivant's heart, he was stirred to regret by the mere thought of the "tinkle of the glasses" and of Darius pouring the wine.

They were stout men and hard drinkers in those days; he reports having drunk "a quarter of wine in five days." The wine had been set aside for an occasion and he is resolved not to touch it again, but he fears the temptation that King's day, Mardi Gras and Easter will bring. An ever present peril, the prowling and threatening savages, does not dull his love for pleasure nor his readiness to "celebrate."

With notifications of shipment of hams, onions or tobacco for commercial purposes, there always comes a generous gift to friends, to the Convent, etc. With instructions for trade he mingles assurances of constant friendship. In enumerating what is to be bought with proceeds of sale he sums up colonial needs: "brass caldrons, limburg (cloth), gunpowder, knives, ammunition and lead which 'are always in demand.'"

Then comes a touch of pathos. He has received information of the Natchez massacre and grieves for the untimely end of his fellow Frenchmen, among whom he had some personal friends. He says they are fortifying themselves against surprise or attack, but in the same breath he teases Rossard about the good luck which this sad slaughter will bring him as clerk of probates, for it would bring so much business to his court that he would have nothing to do but "make auctions," and he slyly suggests "what folks might suspect."

He announces M. Dutisne's death, the "inevitable event which none may escape," but freely forgives the decedent all his persecutions and underhand work against the writer since he is "really dead."

He intimates that the members of the Superior Council are prejudiced against him, saying that they are not taking his products, but he "has a brave heart and without weakness will endure it all." Perhaps his consolation came not so much from the heart as from the head heated with the good wine he loved so well, for he says he is making his vintage.

The correspondence closes with a letter carrying congratulations on Rossard's second marriage and information of the visit of the Chickassaw ambassadors whom they "have sent below to bind the rascals whom the English are stirring up against them."

The sincerity and originality of the words and the touches of the life and character in the period of these letters is our excuse for the

labor we have put on them, and we think our readers will finish their perusal with similar thoughts.

Translation:

At New Orleans, May 21, 1727.
May 21, 1727.

Sir:

I received, with pleasure, the letter you honored me with by the detachment which brought us the sorrowful news of the death of Mr. de Melique and of several Frenchmen who were with him. We must hope that this blow will arouse the nation and that Messrs de Beauharnais on the Canada side and Mr. Perrier here will unite their forces to endeavor, if possible, to appease the fury of that nation.

One does not conceive why they do not strike on the other side and throw themselves on this side with so much ardor; there must exist some reason unknown to us, besides, we must endeavor to secure ourselves against them by a better watch than is said to have been made. This is what I shall not fail to do whilst going higher up, since this affair has changed my destination from the 'Alibamous' to the Illinois. I was to have left for Mobile for this purpose a few days prior to this news and I had even prepared for it. In truth, I had the choice of two posts, in which choice I did not hesitate for all sorts of reasons, which will afford me the pleasure of seeing you and of replacing the loss of such a friend as Mr. Pradel,—another self. He has just embarked for France with your brother in the ship "*La Baleine*," commanded by Mr. Beranger; we drank to your health and they strongly recommended that I repeat it with you when we meet, which I shall not fail to do. I have begun, from this moment, to make my small provisions, according to my modest means, my two years of sojourn in this capitol having greatly disturbed my cash, which fact will prevent my carrying out my intentions of going to your quarters well provided. However, the little we may dispose of will give us as much pleasure as if it were a great quantity.

I anticipate a great feast and delight in the expected pleasure of embracing M. Deliette and his wife. I hope he will not be displeased at my having the honor of being with him instead of M. de Vilainville, who could not come up without hurting his business. He told me before he left how pleased he would have been to have me go with him. These kind feelings from him induced me to go to him personally to express my deep gratitude and the hope that he

would be satisfied as well as all the honest folks whose friendship I would claim for all sorts of reasons.

Mr. Pradel offered me his house as a lodging and at the same time to see to his small affairs,—though they have always been in good hands since his departure. He intends to return as soon as he has recovered his health, and will even go up to Illinois to sell what he may have there, expecting the honor and the pleasure of embracing you at the close of this year at latest.

I beg you to believe in my high esteem and regard. My respects to your wife and all your dear family, whilst anticipating the pleasure and honor of embracing them I beg you to remit this letter to Françoise, sir,

Your very humble and very obedient servant.

Signed: "Terrisse de Ternan."

Notes on names mentioned in this letter:

PRADEL—One of the founders of Fort Orleans on the Missouri in 1714; was commissioned captain in 1720. "His house faced the Place d'Armes and the river."

DE BEAUHARNAIS—A distinguished Canadian officer who fought in the Natchez campaign and immediately afterwards returned to Canada, and for a time Comdr. Gen. of Canada.

DELLETTE—(des Liectes)—One of the early colonists, received his commission as captain in 1720.

TERISSE DE TERNAN—Was an ensign in 1714; he incurred Cadillac's displeasure for a duel fought for "Manon Lescaut." (Manone Porcher or Froget.)

ROSSARD—Chief Clerk of the Superior Council.

Addressed: "To Mr. Rossard, Chief Clerk of the Council of the Province, at New Orleans, La.

(Papers concerning Terisse de Ternan.)

Translation:

At Fort de Chartres, (I) November 20, 1728.
Nov. 20, 1728.

Sir and Friend:

This is only to assure you of my lasting esteem and deep gratitude, with the sole regret of not being able to see, in person, through the key hole, before entering, without any wish to listen, the figure you cut around this table with your Reverend Fathers. The order and discipline, which are there so well regulated, often recall it to my mind, and memory lays hold of my heart stirring it to regret, and since I am deprived of this happiness, give me at least a small share in your remembrance at the silvery tinkle of the glasses rinsed by Darius, who speaks so well, so correctly, and who pours the drink still better.

To what I send to these gentlemen by Mr. Scavion, I add six bushels of onions for you, Sir, requesting Mr. de la Chaise to have

them delivered to you. I would have wished to add to this a few good hams, but there are none made yet, at least by those who furnish them to me. I have in mind to send you some by the pirogue that I intend to send down this winter,—about thirty, from which you will choose any number of the best for the needs of the Convent, and I shall ask you, if it be not inconvenient, to have the remainder sold by your neighbor, Mrs. Penigaud, and paid for in money or by notes, from which you will please me by sending me a few necessities for a small trade. I shall send you, at the same time, the memorandum of what I send to Mr. de la Chaise that you may take from him what you please for yourself. I hope you will forgive my boldness, but I am so favorably impressed by your kindness of heart that I do not believe I am abusing it. I hope that in the future you will give me some commissions, in this neighborhood, which may prove agreeable to you, that I may be sufficiently happy to be able to assure of the esteem and the attachment with which I am.

I beg to have the accompanying letter remitted to Mr. Pradel if he is not lower down.

Sir and Friend:

My respects to your wife who must have arrived or never will, and to Messrs. Renault and many to whom I wish perfect helath, not forgetting Mr. Droy.

Your very humble and very obedient servant,

Signed: *Terrisse de Ternan.*

NOTES:—De la Chaise came to Louisiana in 1722 as auditor for the accounts of the Company of the Indies. He encountered much opposition and even his friends were enveloped in the persecutions which could not reach him; he succeeded Duvergier as Intendant of the Province, signed the Black Code in 1724 as Honorary Councillor, and made a ruling against Indian wives of French colonists inheriting from their husbands as the French women did; de la Chaise died in 1730.

MRS. PENIGAUD—Probably the widow of Louisiana's first chronicler, Jean Penicaud, the carpenter, who returned to France in 1721 to have his eyes treated, "he had left a wife and slaves there (La.), and as owner of a concession near Natchez, describes himself as Sieur." (Hamilton's Colonial Mobile, P. 103). There was another carpenter by the name of André Penegault in Louisiana in 1708.

RENAULT d'HAUTERIVE—Came to Louisiana from France in 1720; he was born a captain and knight of St. Louis.

ROSSARD—Police Inspector and Chief Clerk of the Superior Council. It was at one of Rossard's suppers that his guests drank a "cask of good wine."

Addressed: To Monsieur: Monsieur Rossard, chief clerk of the Superior Council of this province.

At New Orleans.

1 Minot, 3 bushels.

Translation:

March 15, 1729.

Sir and Friend:

With pleasure, I profit of the occasion of the *pirogue* I am sending for those gentlemen with some victualing provisions to their account,

and, at the same time, to assure you of my lasting and deep gratitude and my compliments, as well as to your wife, who, no doubt, has arrived safely since the time you have been expecting her, and to whom, to my regret, I have not been able to send the walnut wood, you had asked me for, to make a commode. No one saws at present, each individual being busy sowing; if hereafter I can find any I shall not fail to send it to you. I have long pressed one Leonard who owes you to pay, and I have just now demanded payment, but he answered that he was not able to so, that the sickness he had, precluded his sending anything; he, however, promised that this autumn he would wind up this affair. I threatened him with the law if he did not give us satisfaction. One must acknowledge that he is a queer fellow who does not seem very anxious to pay his debt, I shall however endeavor to extort from him what I can. I rely on your having been paid in castor pelts for the note you held against me, I continue to act with you as a friend. By this occasion I send you twenty-five hams, of which Mr. Duval is to take six, and you, Sir, what you think proper; besides if your convent, if your brothers are in need you must dispose of them as it may please you. I hope soon to send a pirogue loaded with okra (favines) for my account, that is when I have help which is rare here now. At the same time, I shall beg you not to deprive yourself of them, though I think they will not be rare this year in New Orleans, the crops having been abundant in this country that only hopes for negroes and a quiet peace with our enemies whom we are expecting from day to day. If you wish for provisions, address Mr. Boineau, who is going down, because, in all things his load is the best for quality.

We are hoping for the arrival of a convoy, as we are in need of everything, and though it is still cold, we cannot help being thirsty, before a great fire, where we feast on most exquisite dishes and liquors. Since six months we have forgotten their taste. Entrust me with your small commissions in this neighborhood, I pray you and rest assured, that none are more eager than I to prove with how much sincerity and gratitude,

I have the honor to be,
Sir and Friend.

I entreat you to present my compliments to Mr. Renaut and to many to whom I wish good health and a continuance of pleasures.

Your very humble and very obedient servant,

Terisse de Ternan.

At Cascaskias, March 15, 1729.

Translation:

To Mr. Rossard.

Oct. 13, 1729.

Sir and very dear Friend:

I received with pleasure your long and agreeable letter of the 15th of last June, in which you detail the news of your capital, which consists mostly of murders, assassinations and marriages which caused such tragic bloodshed in your streets. I expect that it must now be somewhat calm, considering that these sorts of virginities must be settled and have taken the ordinary course of nature. It appears that your convent has been put to rout, since, notwithstanding the vows made by your brothers, one of them has married, without public scandal however, and to whom I wish much contentment, which he has every reason to expect, having married a very virtuous lady. You should induce our friend Massy to make a finish, as it is dangerous for so gallant a man to remain so long in celibacy.

You have so often asked for onions that I have at last been able to send you this pirogue in which you will find very fine ones, which you may eat in every way, without economizing them. Therefore, Sir and Friend, I pray you not to deprive yourself. In Mr. Renault's share put one hundred, which I am pleased to offer him. I wrote to Messrs. Perrier and de la Chaise that if they wished to make their provisions, you would kindly see that what they wish be delivered to them; you will please me by having the surplus sold for trade merchandise or linens, if there are any. If there are some you will fix the price with regard to their scarcity and quality; if you sell them by the bolt, some will be found to be worth three times as much from their bulk. This provision has in this neighborhood, and never before have we seen as fine; it all comes from my garden and my labor; you may thus perceive that I am striving to place myself in condition to go to see you and to drink with you when it will please those gentlemen.

I received the copy of Mr. Pellerin's receipt for which I thank you, as well as for having induced the gentlemen of the Council to take my okra. It was wrong to insert in the receipt that it was towards the account I owe the ancient administration; I settled my account since and if I owe it is only to the new one.

Try, I pray you, to send what you can to my account by the first occasion, in what you may be able to get from the stores or elsewhere; I shall receive with pleasure, what you choose to send me to your account. The green serge of which you speak is of ready sale

here and I will try to get the most possible from it according to the price you will fix; send it anyhow.

The decree sent here against the Jesuits created a great stir. They say that it will be denied and that they have their powers from the Pope, they threaten me because they say it is I who wrote, and do not doubt that they will use their best efforts to have me recalled, having striven for that purpose since two years, but come what may, I shall always give warning of what seems to me against the people's rights and the interests of the Company, which charge I assumed with pleasure.

I do not send any onions to Mr. Pradel as he must have a good provision of them. I think he will be jealous because I do not send him this shipment, but cannot do otherwise as he is not permanently at New Orleans, and besides, because I am not anxious to do business with him, though he be my friend. On his arrival from France he wrote me a letter full of the finest promises in the world, and said he would send me sweet meats by the first opportunity, which I did not ask of him, nevertheless since that time he has spoken to me only of doing the best with his affairs here, and he sent Madame Chanin a *demijohn* of Frontignan wine without showing me the least civility; it was needless in this case to make offers which I had not begged for. He is your neighbor, I have been told, and Chanin also. I do not know how he will succeed in his affairs. Be kind enough to tell me in what condition his accounts are. He wrote here that I was to be relieved, still, none of my friends, nor Mr. de la Chaise have spoken to me about it. He wrote me a very dry letter, which I have not deigned to answer, accusing me of having written to the gentlemen of the Council against him. He is much mistaken, for I have spared him as far as I could, though he does not deserve it, on account of certain little haughty ways which I had to call down for the sake of form.

Mr. Dutisne is still unwell though he acts and moves about as usual. He sold your lead very well, because this year they did not go to the mine and it was scarce. Gather trade merchandise from the stores when you can; they will sell to advantage, especially knives of all kinds, brass kettles, yellow limburg, vermilion, powder, lead, etc.

You mention having green "sempiterne"; send it to me and I shall try to sell it at a good price; at times it sells very well. Brandy has not been in vogue this year for peltries; they sell it for flour, ham or lard, and on credit, of which it is very difficult to obtain payment. I tried to sell some in exchange for beaver skins at 10c. cash, which they would not take, any more than that which came for deceased

M. Deliette, and which was remitted to his heirs, to be sold at its profit. On mine, there still remained, as I told, you, 14 pots and one pint of the anchor which leaked in Mr. Dustine's boat and which I sold as a whole for 150-lb. of beaver skins with much difficulty. There are still 40 hams in good condition, due to the other, which I have not yet received because they have not been made. You mention that both should have contained 45 pots, I can assure you that even had they been full they would hardly have contained 40; There are too many risks in sending this merchandise to send it so far unless it be in strong casks, and trusted to reliable persons, otherwise it never reaches its destination without fraud. Last year I received from Pascal, for those gentlemen, a quarter which was half water. If you can find stockings of all kinds send them, for they are scarce here, as well as women's shoes, ribbons, muslins, and other trifles, on which there is more to gain than on large bolts. In all this, the only difficulty is to find favorable occasions and trustworthy persons to send them by. Mr. Girardot is coming up here this Spring and will be able to take charge of something for you, having promised me to do so with pleasure. If there be any difficulty about it ask M. de la Chaise to ship it as belonging to the Company, of which you will inform me separately.

I send you by this pirogue 150 bushels of onions with two packs of beaver skins, both together weighing 140 L. amounting to 150-lbs.; there will remain 81-lbs. for my individual account, which I pray you to use as you may. Send me, if you can, a jar of about 15-lbs. of sugar. If by chance you should find a pair of billiard balls for sale you would please me by sending them to me.

They are for a persons who asked me to have them sent as he has no acquaintances lower down.

Kindly have the pirogue returned to the Company with the oars and take from it six bear skins which served as covering and a small kettle, in bad condition and a liquor chest; Bourguignon must also be paid 30-lbs. in merchandise which I agreed to, and a shirt to an Indian from Biloxy, besides what he received here,—that is, if you are satisfied with the delivery. A soldier, named Concombre, took charge of this boat. I do not know if he will render you a good account.

One Leonard who has long owed you, has just remitted to me 200-lbs. of okra (favine) with much trouble, and besides I had to furnish him a new linen bay which I beg you to return to me with

(One anchor holds forty pints of Paris, or five U. S. gallons.)

others; I shall try, by dunning him, to make him pay. He promised to finish paying this debt at Christmas. I take his okra at 15ll the $\frac{7}{10}$, which is the price here.

Believe me to be, with all possible esteem and affection,
Sir and dear Friend,

Your very humble and very obedient servant,
At Cascaskias, Oct. 13, 1729.

Translation:

Nov. 20, 1729.

Sir and dear Friend:

If I allowed this pirogue to leave without having the pleasure of writing to you I think I would give you reason to think that I have forgotten the reciprocal friendship which exists between us, in which I would claim the larger share, being deeply indebted to you for favors which have left me only the desire of the deepest gratitude.

Pray do not worry if I do not send your hams, they are still in pasture and from one day to the other will be put in the salt tub; besides, even if I had them, I could not send them at this time as all those who go down are loaded for their own account, and sometimes are obliged to leave over some of their goods. I am even much embarrassed to know how to send them, with a greater number due to me. I think I shall have to associate with some other in the costs of a conveyance, of pirogues as well as of those hired to take them, and other things I may have between now and then. If by chance a boat from the Company should come to us, I might be able to have them charged as freight to your account and mine.

Some persons have asked me for green "*sempiternne*." As you wrote me that you intended to send me some, I told them that only the price had not been fixed, therefore follow your first intention on this. I already mentioned that I had made a cask and a quarter of wine of this country with the firm resolution that I would not open it until next Spring, but having continually under foot that same "wine" in a cellar into which I often descend to see that no accident happens, I yielded for the quarter only on St. Martin's day though it is still very tart, but the cask will rest against all temptation until Easter. I only fear King's day and Saint Mardi Gras, I intend at that time to absent myself so that I may not break my word. I shall tell you in the course of time how I have behaved myself on this subject

Sempiternne—twilled cloth

that you may do me justice. If possible, pray think of sugar, coffee and other trifles which may amuse one in an austere place.

I am ever, with all my heart and with all possible sincerity,
Sir and dear Friend,

Your very humble and very obedient servant,

Terisse de Ternan.

Thinking of it, the quarter lasted five days, that you may not think it was drunk in one.

Translation:

To M. Rossard.

April 14, 1730.

Sir and Friend:

The pirogue which Messrs. Perrier and de la Chaise fitted up to come up here to warn us of the massacre of the French established at the Natchez and at the Yazoux, as well as on the river, happily found us yet living, this tragic conspiracy not having broken out this far, though the Illinois had been invited to join it last summer by the Chickasaws, who came here for that purpose, and of which we had not the least hint from our settlers, until the arrival of Messrs. Girardot and Coulange, which leads us to think that they had bad intentions, with no certainty that they still resist them. However, we are at present fortifying ourselves and keeping in such condition as to avoid a surprise by the barbarians whom we can not and must not trust, being exposed to be slaughtered if we are not on our guard.

I was surprised to have received no news from you, Sir and Friend, though Mr. Coulange assured me that you were in perfect health, gay and sprightly, that our onions had fortunately arrived safely before the massacre of the Natchez, at which place they passed.

I send you by Coulange thirty-six hams, in good condition, from which you must choose the best for your use and the service, and the remainder to be sold, as usual, for merchandise, as well as you can;— I leave it to you. I have been told that some English crockery has arrived at the store; I trust that you did not fail to buy me some if possible, in which case, ask Mr. de la Chaise to send it, with what he pleases, by the Company's boat which is to come up here, and this, only in case I am not to be recalled soon. Several persons here told me to expect it but they do not mention it in any of their letters. Favor me with news of yourself and continue to persuade me that you still wish to be one of my friends and sympathize with me in my

sad situation, being in a distant country, beyond all help, and since long deprived of the pleasure of seeing you and of conferring with you on the affairs of the times, which seem to be in bad condition, owing to all the barbarious wars. You are very happy to have no other care than that of making auctions, and if we did not know you for an honest man, and one of the most humane of this colony, we might have reason to think or suspect that you have been able to enter into some negotiation with the savages to overwhelm us and all have your share of the booty.

They said here that Mr. Delorme was coming to replace Mr. de la Chaise; pray inform me of the truth of it, as well as of anything else it may please you to impart, and give news of your capital.

Believe me, as ever, with all possible esteem and consideration.

Sir and Friend,

Kindly remit the accompanying letter to its address for cause.

Your very humble and obedient servant,

Terisse de Ternan.

Fort Chartres, April 14, 1730.

Translation:

May 23, 1730.

Sir and Friend:

I profit of this occasion to inform you of Mr. Dutisne's death, on the 15th of this month, in this post, who, by this grievous accident, inevitable to all men, ended his never ceasing anxieties of mind. He is really dead, therefore it is useless to enter into details of his persecutions of me, which I forgive with a good heart, though he strove with all his strength to ruin me in Mr. Perrier's mind, with the purpose of causing me to be recalled from here, through revenge, but not in the same manner as he was recalled from Nachitoches, many years ago, for insulting every one at that time. They discovered an affair after his death which will hurt his memory—he levied a contribution on a "voyageur" to carry away his peltries to Canada, against the orders published by the Council. It was on this occasion that he threatened so much to have me dismissed from here, in order to conceal his malversations from me. But as I have no other aim than to serve with honor, without seeking personal interests, I hope that these gentlemen will do me justice, with the aid of my friends who do me the honor of knowing the basis of my character, which they have sought to defame to Mr. Perrier, who may get over his prejudices.

They took an inventory of what the deceased owned and the clerk of the Council secured his rights by virtue of the decree rendered against the missionaries last year on the occasion of Mr. Deliette's death. The will he made whilst dying pretends to dispossess his wife of all pretensions to his succession, but as this affair appeared somewhat delicate to decide the Council will be kind enough to decide it. I am very much threatened to be relieved; if it is so, I shall have the pleasure of going to assure you of the sincerity and esteem with which I remain,

Sir and Friend,

Your very humble and very obedient servant,

Terisse de Ternan.

Fort Chartres, May 23, 1730.

Translation:

Sir and dear Friend:

I shall make no reproaches for not receiving news from you on all occasions, attributing it only to the continual perplexity of the affairs you have in hand in your capital where all, in general have recourse to you; all that I may say on this subject is that, considering you as one of my best friends, I receive news from you with much pleasure, to hear of your health in which I take great interest.

With regard to our small individual affairs, I leave their care to your leisure. You must have received thirty-six hams remitted to M. Coulange for you. As I intend to go down in a few days, and that you will know it sooner than I will, I beg you in that event not to send anything as I may be on my way when it arrives, you will, act on my situation and the sentiments of those gentlemen towards me. They show me much animosity in treating me otherwise than I deserve, on account of complaints from Dutisne and Mr. Girardot, both dead since this Spring. They found Mr. Perrier somewhat indisposed against me and they and that commandant did not fail to profit by the occasion to make me feel it. I also attribute this vengeance of authority to the crime of original sin committed in having been the friend of deceased Mr. de la Chaise. Interdictions, revocations, &c., everything is there, and I see many others who had the same fate. De la Chaise has changed in esteem. I consider all this without astonishment nor surprise, with all possible tranquility because I possess proofs and writs to produce at the time and place. Remain, dear Sir and Friend, ever the same as you have been. Hoping to be able to see you soon and to empty a few bottles together, on condition, however, that the free entrance to your home, which

you are so kind as to offer me bring you no distrust which may be prejudicial to you; we would not be less friendly for all these inconveniences. The affair between the Baron and Mr. le Merveilleux, was told here in many ways. There appears to be much animosity against that officer, that does not surprise me since all those who committed original sin were therein comprised. I have good reasons to be dissatisfied beyond measure, but with a good heart, without weakness, determined to bear everything, and am at present gathering the grapes whilst awaiting the pleasure to go to see you. I forever, as I ask of the Council. I remain as ever, with all my heart and with true esteem and sincere friendship,

Sir and dear Friend,

Your very humble and very obedient servant,

Terisse de Ternan.

Fort Chartres, Sept. 30, 1730.

202	866
101	11
150	b10
87	110
60	<hr/>
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599	
1	
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600	

Translation:

Sir and Friend:

I had from Mr. Dutisne messages of your remembrance which you expressed at his departure, without letters, because, said he, you were awaiting me below. You must know if you have cared to get information, I there await, near at hand, the orders they will give me, and in that case I shall have the pleasure of seeing you, persuaded that you will always receive me as a friend, on which I rely, whatsoever events may chance to happen to my person, &c.

I send boldly, without fear of burdening you, 11 good hams, on which you will have the Convent's quota gratis though you are not in need of them but accept and receive in good spirit, all that I have; there are also three cases of tobacco in good condition that I pray to have sold for me by retail or wholesale merchants in the city. There are 671-lbs. weight in carrots and a little in rolls; choose some, for it

is very good and well made; help me, my dear Sir and Friend, and believe in my sincere esteem and personal my dear Friend,

Your very humble and obedient servant,

Terisse de Ternan.

Cascaskias, March 4, 1731.

On the opposite page: "Only C11-lb. found, the cases being in very bad condition.

Translation:

June 10, 1731.

Sir and dear Friend:

I cannot believe that your neglecting to give me proofs of the continuance of our friendship comes from anything else than the multiplicity of affairs which always come to you on the departure of the convoys for Illinois. If I was not so certain of your friendliness I would have been discouraged, but, even if I risked to become troublesome to you, I shall continue. It is true that I received friendly messages from you and tokens of former regard shown me by your wife before she had me imprisoned, which I have never believed to be done by her personally, and which has never lessened my esteem and regard for her merit.

I acknowledge frankly, Sir and dear Friend, that I was charmed at your union with this amiable lady, I wish you both much prosperity, during many years, to make amends for so long a widowhood. I compliment her and hope that under your protection I shall have a share in her esteem. You, as well as your wife, will be surprised to hear of Mr. Dutisne's marriage to Mr. Girardot's widow, which was done secretly by the reverend Jesuit Fathers, without having asked for counsel nor taken advice from any one, the Commandant not having consented to give his permission, though they did without it. Had I had any knowledge of this affair, I confess that I would have dissuaded him for many reasons, and also on account of the disproportion between their ages and circumstances. This was not correctly done, and moreover they are strongly against it. I regret it, though he has tried, by his discourses, as a survival of his deceased father, to satisfy his resentment against me.

The success of our armies throughout the Colony has revived hope in an alarmed people, who has been very badly treated these late years. It is to be hoped that things will take a favorable course for its restoration.

Whilst awaiting the honor of seeing you, I remain with sincere esteem and inviolable attachment to you as well as to your wife—peace—peace,

Sir and dear Friend,

Your very humble and very obedient servant,
Fort Chartres, June 10, 1731. *Terisse de Ternan.*

Translation:

Sir and dear Friend:

With much pleasure I received your long and agreeable letter from M. de St. Ange, who informs me that you and your wife are in good health. I know not how to express my joy at the contentment and satisfaction you find in your marriage; I wish you both many years of happiness and satisfaction. I thank you for the pains you kindly take for my little affairs below. If I can return the same here I shall willingly and eagerly do so as a proof of my deep gratitude; this comes from my heart without any pretense.

It would seem that the gentlemen of the Council are not over anxious to please me, since they made so much difficulty before taking my okra at such a low price. If they knew of the trouble I put myself to for them they would act otherwise. I have long requested a leave of absence to go down the river but have had no answer. The General wrote to me lately, a little more leniently, I hope that it will last,—I follow your advice on this.

I must tell you that we are in great commotion here, on the occasion of the Chickasaw ambassadors whom we are sending below to bind those rascals who are always working against us, gaining natives over to the English. I hope that they will allow me to go down this spring. If it be so, I shall have the pleasure of seeing you; you will know of it and thereon regulate what you may send me for my account. Tobacco has not been extra fine as they told me here; the hams were very good and in good condition; they must have been changed on board the boat—what is there to do?

From what I heard, M. Dutisne must have arrived safely; if it is so, I am very glad, for every one feared for him. His wife has had a miscarriage during his absence, it is said,—of which I know nothing but from hearsay, being six hours from here.

I have the honor to present my respects to you as well as to your wife, being with all possible esteem and consideration.

Sir and dear Friend,

Your very humble and very obedient servant,
Fort Chartres, Sept. 10; 1731. *Terisse de Ternan.*

M. Rossard in account with M. Therisse de Ternan.

<i>Beaver:</i>	<i>Debit</i>		
Received from de Beaufort remainder of Beaver....	192	"	"
Received in hams for V. 110 lbs. at B4c. Lal.....	188	5	6
Received hams from M. Girardot amt. of.....	40	"	"
<i>Hams:</i>			
Received from M. deLatour 116 hams at 8#.....	928	"	"
Received from add post previously 25 hams 10#....	250	"	"
Received from M. de Coulange 36 hams at 8#.....	288	"	"
<i>Onions:</i>			
Of those he sent remitted $\frac{1}{4}$ to M. Perrier; $\frac{1}{4}$ to M. de la Chaise; $\frac{2}{4}$ to M. Massy, which he is to have appraised by M. Therisse.....	660		
<i>Tobacco:</i>			
In what was sent 219-lbs. $\frac{3}{4}$ amounting to.....	429	12	6
	2375 #18		
For 14 pots of brandy remaining of an anchor which leaked in Illinois for M. Therisse.....	150	"	"
Paid for $\frac{9}{10}$ of M. Therisse to one Francois money....	30	"	"
One shirt to an Indian.....	4	"	"
Gave M. Duval 6 hams, took 6 for myself, according to M. Therisse's letter from 25 at 10# a piece.....	120	"	"
Thirty-six hams from 50 sent to Mobile which were thrown into the river as rotten at 8#.....	288	"	"
Paid note for Sr. Therisse amounting to.....	70	6	8
Paid him on his arrival 15 crowns of six livres.....	90		
One month's rent of house he occupies.....	10	"	"
	762 6 8		
To payment of present bill.....	1613	11	4
	2375 18 ?		
Amount over.....	1613	11	4
To brion linen 24 ells and three-fourths at 2#5c. the ell	55	13	6
To the same common thirty-four ells and three- fourths at 2# the ell.....	69	10	"
For a buffet.....	18		
	143 3 9		
To date.....	1470	7	7

On margin current to date... 735# 39s

To deduct ten livres of rent for this month . 10#

725# 39s

Letters of Terrisse de Ternan

Original Text:

A La Nouvelle orLeans ce 21 May 1727.

21 may 1727

Monsieur:

Jay recu avec plaisir la Lettre que vous m'avez fait l'honneur de M'ecrire par le detachement qui nous a apporte la facheuse nouvelle de la mort de Mr. de Melique et de plusieurs francois qui etaient avec luy nous devons esperer que ce Coups reveillera les sens de la nation et que Ms de Beauharnois du coté de Canada et Mr. Perrier de Celuy cy joindront leurs forces pour tacher S'il est possible d'Eteindre les fureurs de cette nation, on ne sais que penser de ce que ils ne frappent point de l'autre cote et qu'ils Se jettent des vostres avec tant d'ardeur, il faut quil y aye quelque raison qui ne nous est pas connu, au reste il faut tacher de S'en garentir en faissant meilleur quart qu'on pretend qu'ils ont fait, S'est a quoy je ne manqueray point en montant puisque cette affaire a fait Changer ma destination des Alibamous aux Illinois, je devois partir pour me rendre a la Mobile pour cet Effet quelques jours avant cette nouvelle et je m'etois même arrangé pour cela, a la Verité que jay eu le Choix des deux postes dans lequel je n'ay pas balancé par toutes sortes d'endroits qui me procureront le plaisir de vous y voir et de remplacer dans la perte d'un amy comme Mr. Pradel un autre Luy même. il vient de s'embarquer pour françe avec votre frere dans le Vau la la Baleine commandé par Mr. Beranger. Nous avons bu a votre santé avant leur depart et ils m'ont bien recommandé de reiterer avec vous lors de notre jonction a quoy je compte ne pas manquer je commence des a present a faire mes petites provisions Suivant mes moyens mediocres, deux années de sejour dans cette Capitale ont beaucoup dérangé les fonds de ma Caisse ce qui m'empchera de suivre les bonnes intentions que jay d'aller bien muny dans vos Cantons, quoy quil en soit le peu que nous pourrons disposer nous fera autant de plaisir que Si il y en avait en quantite.

Je me fais une grande feste et me repais d'une joye a venir d'Embrasser Monsieur DeLiette et Madame son Epouse jespere qu'il ne

sera pas faché que jaye l'honneur d'Etre auprès de Luy au default de Mr. de Vilainville qui n'a pu monter Sans deranger ses affaires. Il m'auroit témoigné avant Son depart quil auroit été bien aise que jeus monté avec luy ces bons sentimens de sa part mont determine sans differer a luy en aller moi même marquer mon étroite reconnaissance et jespere quil aura tout Lieu d' En etre Content ainsy que tous les honnetes gens de vos Cantons desquels Je rechercheray avec plaisir leur amitié pour toutes sortes d'Endroits.

Mr. Pradel ma offert sa maison pour loger et a même temps pour avoir soin de ses petites affaires—quoy quelles ayent toujours été en bonnes mains depuis son Depart, il Compte Revenir aussitot quil aura retably sa santé et même monter aux Illinois pour seulement vendre ce quil peut y avoir, en attendant l'honneur et le plaisir de vous Embrasser dans la fin de cette année au plus tard.

Je vous prie de me Croire avec toute l'Estime et la Consideration possible—

Je salue Madame votre Epouse et toute votre Chere famille en attendant que je puisse avoir le plaisir et l'honneur de les Embrasser, je vous prie de remettre cette lettre a francoise.

Monsieur,

Votre tres humble et tres Obeissant Serviteur,
Terisse de Ternan.

A Monsieur Rossard Greffier, En Chef du Conseil de la Province.

A la Nlle Orléans.

“Piecès concernant Monsieur de Therisse de Ternan.”

Original Text.

Au fort de Chartres ce 20 novembre 1728.

20 Nbre 1728.

Monsieur Et Amy:

Celle icy n'est que pour vous assurer de la continuation de mes Estimes et Etroites reconnaissances avec le seul Regret de ne pouvoir moy même en personne voir par le trou de la serrure avant que d'Entrer Sans avoir Envie d'Ecouter la figure vous faites autour de cette table avec Vos Reverends Pères, l'ordre et la discipline qui y en est si bien Reglée m'en rappelle Souvent les idées et le Souvenir me saisit le Coeur de Regret, et puisque je suis prive de ce bonheur, du moins un peu de part dans votre Souvenir aux Sons Argentins de ses verres Rincez par les mains de Darius qui parle si bien, si correctement et qui verse encore mieux a boire.

Je joints Sous Lenvoy que je fais a ses Messieurs par Scavion, deux *minots** d'Oignons pour vous Monsieur en priant Mr. de la Chaise de vous les faire remettre, J'aurais bien voulu y ajouter quelques bons jambons mais il ny en a pas encore de faits du moins chez ceux qui m'en donnent, Je me propose de vous en adresser par la pirogue que je compte faire descendre cet hyver une trentaine sur lesquels vous chaisirez les meilleurs an nombre que vous souhaiterez pour les besoins du Couvent et le reste que je vous prieray de vouloir bien Sans que cela vous incomode me faire vendre par votre voisine Madame Penigaud en argent ou billets pour ensuite me faire le plaisir de m'envoyer quelques petits besoins dont je pourray faire quelque petit Commerce, Je vous enverray en ce temps le memoire de ce quil vous plaira demander a Mr. de la Chaise sous votre nom, j'espere que vous me pardonneriez bien cette hardinesse, mais je suis si prevenu de vôtre bon coeur que je ne crois pas en abuser, Je souhaite dans la suite que vous me Chargiez de quelques commissions en ces quartiers qui puissant vous estre agreables pour que je sois assez heureux de pouvoir vous assurer avec Combine d'Estime et d'attachement je suis.

Je vous prie de faire tenir cette Lettre cy jointe de Mr. Pradel, si il nest pas en bas.

Monsieur Et Amy

Je salue Madame votre Epouse qui doit arrivée ou jamais et Mrs. Renaut et Many auxquels je Souhaite une parfaite Sante, Sans oublier Mr. Droy.

Votre tres humble et tres Obeissant Serviteur,
Terisse de Ternan.

Original Text:

Addressed:

A Monsieur,
Monsieur Rossard Greffier en Chef du Conseil Superieur de la
Province,
A la Nlle Orléans.

15 mars de 1729.

Monsieur Et Amy:

Je profite avec plaisir de l'ocasion de la Pirogue que janvoye pour ses Mrs. avec quelques provisions de bouche pour leur Compte et a même temps vous assurer de la Continuation de mes Etroites, reconnaissances et Civilites ainsi quela Madame votre Epouse

*1 Minot—3 bushels.

arrivée sans doute a bon port dans votre Capitale depuis le temps que vous l'attendez, a laquelle je n'ay pu a mon grand Regret Envoyer du bois de Noyer comme vous me l'aviez demandé pour faire une Comode, personne ne fait scier pour le present un chacun etant occupé aux Semences, Si dans la suite je puis en trouver je ne manqueray pas a vous l'envoyer, Il y a longtemps que je presse le nomme Leonard qui vous doit et je viens presentement de luy demander le payement mais Il ma repondu quil netait point en Etat que les maladies quil avait Eues ne luy pouvait fournir les moyens defaire aucun Envoy, Il ma cependant promis que cette automne il finirait cette affaire. Je lay menace de luy faire contraindre par force. Si il y voulait satisfaire, il daut convenir que cest un drole que ne parait pas fort ardent a Sacquiter je feray neanmoins en sorte d'en arracher ce que je pourray, Je Compte que vous aurez le payement en Castor du billet que vous aviez de moy, je continue a prendre la Liberte dagir avec vous en amy, je vous adresse par cette occasion v ngt cinq Jambons sur Lesquels Mr. duval doit en prendre Six et vous Monsieur ce que vous jugerez a propos du reste Si votre Couvent si vos freres etoient en necessites vous en disposerez comme il vous plaira, Jespere faire partir une pirogue chargée de favine pour mon Compte dans peu cest a dire quand j'auray du monde qui son Rares icy je vous prieray en ce temps de ne pas vous en laisser manquer que j'espere quelle ne sera point rare cette année a la Nlle. Orleans, les recoltes ayant été abondantes dans ce pays, quine respire qu'apres les negres et une paix tranquile avec nos Ennemis que nous attendons de jour a autre, Si vous voulez faire quelque provisions adressé vous a Mr. Boineau qui descend parceque cest celuy qui a la meilleure cargaison en qualite de toutes choses.

Nous aspirons apres l'arrivee d'un Convoy etant dans le besoin et la necessite de toutes choses et quoy qu'il fasse encore froid nous ne laissons pas que d'Etre alterés supres d'un grand feu ou nous nous repaissons de mets et de liquéurs tres Exquises Il y a six mois nous en avons perdu le gout, Chargé moy je vous prie de vos petites Commissions en ces quartiers et Soyez persuadé que personne ne cherche avec plus dempressement que moy a vous prouver avec combien de sincerité et de reconnoissance.

Jay L'honneur d'Etre,

Monsieur Et Amy,

Je vous supplie de faire mes complimens a Mr. Renaut et Many auxquels je souhaite une bonne Santé et continuation de plaisirs.

Votre tres humble et tres obeissant serviteur,

Aux Cascaskias ce 15 Mars 1729.

Terisse de Ternan.

No address, below first page: "Mr. Rossard."

Original Text.

13 8bre 1729.

Monsieur Et tres Cher Amy:

Jay recu avec plaisir votre longue et agreable lettre du 15 juin dernier dans laquelle vous me faites les details des nouvelles de votre Capitale qui consiste en plus grande partie dans des meurtres assassins et mariages qui ont cause une effusion de sang Si tragique dans vos Rues je compte que cela doit presentement Etre un peu Calme attendu que ces sortes de pucelages doivnt etre raffermis et pris le le Cours ordinaire de la nature, Il paroît bien que votre couvent a été mis en deroute puisque malgre les voeux qui ont été faits par vos freres il y en a un qui sest marié Sans cependant aucun scandale public auquel je souhaite bien du contentement ce quil y a lieu d'Esperer ayant Epousé une Dame tres vertueuse Et remplie de merite, vous devriez aussy porter notre amy Massy a faire une fin car il est dangereux qu'un aussy galant homme demeure si long-temps dans le Celibat.

Vous m'avez tant demande d'oignons qu'enfin je me suis trouvé en Etat, de vous adresser cette pirogue ou vous en trouverez de tres beaux que vous pourrez manger a toutes saulees et sans les Epargner ainsy Monsieur et amy je vous prie de ne vous en point laisser manquer, faites en part a Mr. Renaut d'un compte de cent que je luy offre avec plaisir, Jay escrit a Mrs. Perrier et de la Chaise que si ils en souhaitent prendre leur provisions vous aurez la bonte de leur faire remettre ce quils souhaiteront, et le surplus vous me ferez le plaisir de me les faire vendre en marchandises de traite ou toilles Si il y en a vous reglerez le prix Suivant la Rarete et leur qualite si vous les vendez a la piece il y en a qui doivent valoir le triple par leur grosseur cette denree est bien venue cette annee dans ces quartiers et jamais on ny en a vu de si beaux tout cela vient du Cru de mon jardin et du fruit de mes travaux vous voyez bien par la que je tache de me mettre en Etat de vous aller voir et de boire avec vous lorsque ses Mrs. le souhaiteront.

Jay receu la copie du receu de Mr. Pellerin dont je vous remercie ainsy que de ce que vous avez bien voulu porter Mrs. du Conseil a prendre mes favines, on a eu tort d'insérer dans le receu que cetoit a compte de ce que je dois a lancienne regie Jay regle mon compte depuis et si je dois ce nest que la nouvelle.

Tachez je vous prie de m'envoyer ce que vous pourrez pour mon Compte par les premieres ocasions en ce que vous pourrez attraper

des magasins ou ailleurs, je recevray avec plaisir ce quil vous plaira menvoyer et pour votre compte, la serge verte dont vous me parlez est assez de defaite icy je tacheray den tirer le meilleur parti que je pourray en ce que vous me marquerez envoyer la toujours.

L'arrest que l'on a envoye icy contre les jesuites a fait grand bruit ils disent qu'on n'en aura le dementy et quils ont les pouvoirs du pape, ils me menacent fort parcequils disent que cest moy qui ay Ecrit le ne doute point quils ne fassent tous leurs Efforts pour me faire relever a quoy ils travaillent depuis deux ans aupres de Mr. Perier mais il en sera ce quil pourra et je donneray toujours avis de ce qui me paroitra etre contre le droit des gens et les interets de la Compagnie dont je me suis charge avec plaisir.

Je nenvoye point d'aignons a Mr. Pradel parceque il doit en avoir une bonne provision je crois quil sera jaloux de ce que je ne luy adresse pas cette voiture mais je ny scaurais remedier attendu quil n'est point Stable a la Nlle Orléans et que dailleurs quoique mon amy je ne me soucie guere d'avoir des affaires d'interets avec luy a son arrivee de france il ma escrit une lettre pleine des plus belles promesses du monde et quil m'enverroit bien des petites douceurs par les premieres ocasions ce que je ne luy demandois pas cependant depuis ce temps il ne ma plus parle de rien que de bien luy faire ses affaires icy et il a envoye a Madame chassin une Duc Dave de vin de frontignan Sans me faire la moindre honneteté il etoit inutile en ce cas me faire des offres sans les avoir mandie, il est votre voisins a ce quon ma dit et Chassin aussy je ne scay comment il se tirera d'affaire faites moy l'amitie de me marquer dans quel etat sont ses Comptes, il a escrit icy que je devois etre releve cependant aucun de mes amis ne men parle non plus que Mr. de la Chaise, il ma crit une Lettre assez Seiche a laquelle je ne daigne repondre me taxant d'avoir Ecrit contre luy a ses Mrs. il se trompe fort car le lay menage autant que je lay pu, quoy que il ne le merita guiere par de certaines petites maniers hautaines quil a fallu mettre bas par forme.

Mr. Dutisne est toujours tres incommodé quoy que il ne laisse pas dagir et de remuer comme a Son ordinaire il a tres bien Vendu votre plomb parceque cette année on a pas été a la mine et quil sest trouve Rare. Ramassez des marchandises de triatte quand vous en pourrez avoir des magasins cela se trouvera toujours dans son temps principalement des Couteaux de toutes Especes, Chaudieres de Cuivre, Jaune Limbourg, Vermillon, poudre plomb, &c.

Vous me marquez avoir de la Sempiterne verte envoyez la je tacheray de m'en Defaire a son bon Compte il y a des temps que cela Se Vend bien, l'Eau de vie n'a point eu de vogue cette année

pour la pelleterie on la vend en farine Jambon ou lard et a Credit dont on a bien de la peine etre paye, jen ay voulu donner a 10c. en Castor Comptant qu'on ne pas voulu prendre non plus que celle qui etoit venue pour feu Mr. Deliette qui a été remise a ses heritiers pour etre Vendue a Son profit, Il m'en restoit comme je vous ay deja marque 14 pots et peinte de l'ancre qui avoit Coulé dans le bateau de Mr. Dutisne que jay vendu en bloc 150# en Castor avec bien de la peine, il revient 40. Jambons pour l'autre qui etoit assez Conditionnes lesquels je nay pas encore receu parcequils ne sont pas parfaits, vous me marquez quils devoient Contenir les deux 45 pots je puis vous asseurer que quand meme ils auroient etes pleins ils auroient de la peine a en tenir 40, cette marchandise est un peu trop risquable pour envoyer si loing a moins que detre bien Conditionnee de futaille et dans des mains bien seures Sans quoy on ne la recoit jamais Sans fraude l'anne derniere je recus un quart de pascal pour ses Mrs. qui etoit a moitie d'Eau, Si vous pouvez trouver des bas de toutes especes envoyez les car ils sont rares icy aussy bien que des souliers de femme, Rubans mousselines Baptistes et autres menues bagatelles ou il y a plus a gagner que sur des grosses pieces.

Je ne trouve de difficulte dans tout cela que les ocasions favorables pour faire ses Envoyes et entre bonnes mains, Mr. Girardot doit monter ce printemps il pourra bien se charger de quelque chose a votre Consideration m'ayant promis de le faire avec plaisir, Si il y avoit quelque difficulte prie M. de la Chaise de faire passer cela comme pour la Copagnie dans le bateau dont vous me donnerez avis separé.

Je vous envoye dans cette pirogue 50 minots ou Environ d'oignons avec deux paquets de Castor pezt. Ensemble 140L qui font 231 lb. a 33s, comme la Compagnie le prend Sur quoy il y a pour leau de vie a vous 150# il restera 81# pour mon compte particulier que je vous prie de m'employer comme vous pourrez, Envoyez moy Si vous pouvez une cruche de 15L de sucre ou environ, Si par hazard vous trouviez deux paires de billes de billard a acheter vous me feriez plaisir de me les envoyer.

Cest pour une personne qui ma prié de les faire venir et qui na pas de connoissance en bas.

Vous aurez la bonte de faire remettre la pirogue a la Compagnie avec les Rames et de retirer six peaux d'ours pour Couverture avec une petitie chaudiere tres mauvaise et une canevelte, il faudra aussi payer au somme Bourguignon 30-lb. an marchandises qui je luy ay promis dengagement et une chemise a un sauvage biloxy que je luy donne de plus que il na receu icy cest a dire en cas que vous soyez content de la Remise, cest un soldate

nomme Concombre qui est charge de cette voiture je ne scay si il vous rendra bon Compte.

Le nomme Leonard qui vous doit depuis longtemps vient de me remettre 200L. de favine avec bien de la peine et encore il a fallu que Jaye fourni un sac de toille neuve que je vous prie de me renvoyer avec les autres, je tacheray en le pressant de vous faire payer il ma promis a Noel de finir cette dette, je prend sa favine a 15⁷/₁₀₀ qui est le prix dicy Je vous prie de me Croire avec toute l'Estime et l'attachement possible.

Monsieur et Cher Amy,

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

Aux Cascaskias ce 13 8bre 1729.

Original Text.

Addressed:

A Monsieur:

Monsieur Rossard Greffier en Chef du Conseil Superieur de la Province La Louisianne, A La Nouvelle Orléans.

20 gbre 1729.

Monsieur Et Cher Amy:

Si je laissois partir Ses pirogues Sans avoir le plaisir de vous Ecrire je croirois vous donner Lieu de penser que Jay oublie l'amitie reciproque qui est entre nous deux ou je voudrois depuis longtemps la plus grande part ayant par devers moy des avances dans lesquelles il ne me reste que le desir d'une Etroite reconnoissance.

Ne vous Ennuyes pas je vous prie Si je ne vous envoye pas vos Jambons ils sont encore a langrais et ou doit au premier jour les mettre au saloir d'ailleurs quand je les aurois je ne pourrois pas pour le present vous les Envoyer Car tous ceux qui descendent Sont d'ordinaire Chargés pour leur Compte et quelque fois obligés de laisser de leurs Effets Je Suis meme actuellement assez embarrasse de Scavoir Comment vous les Envoyer avec un plus grand nombre qui me sont deus Je crois que je seray oblige de massocier avec quelqu'un en Entrant dans les frais de Voiture tant de pirogues qu'Engages pour les faire descendre joint a autre chose que je pourrois avoir en ce temps, Si par hazard il nous venoit un bateau pour la Compagnie je pourrois en ce cas faire Charger a fret pour votre Compte et Le mien.

Il y a des personnes qui mont demande de la sempiterne Verte Sur ce que vous m'avez Marque avoir le dessein de m'en Envoyer

comme je leur ay dit il ny a que le prix qui nest pas encore Regle ainsy Continue votre premier mouvement Sur cet Envoy, Je vous avois deja marque que javois fait une barrique et un quart de vin du pays avec la ferme resolution prise que je n'en ferois l'ouverture que le printemps prochain, mais ayant continuellement sous mes mes pieds ce nom de vin dans une cave ou je descend souvent pour voir si il ne leur arrive aucun accident je me suis laisse aller pour le Quart seulement la a Sainte Martine quoy que bien vert encore, main pour la barrique aura Campo jusques a Pasques contre toutes tentations Je ne crains que Sainte Les Roys et Sainte marty cras je compte en ce temps m'absenter pour ne pas manquer a ma parole, je vous diray par la suite de quelle maniere je ne Seray Comporte a ce sujet pour que vous me rendiez Justice, je vous prie si cela se peur de songer a du sucre du Cffe et aux bagatelles propres a amuser dans un lieu d'austerite.

Je suis toujours de tout mon coeur et avec toute la sincerite possible.

Monsieur Et Cher Amy,

Reflexion faite le quart a dure cinq jours pour que vous ne croyiez pas quil a été bu dans un.

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

fort de Chartres ce 20 Novembre 1729.

Letter to Mr. Rossard. No address but the name "Mr. Rossard" at the end of the first page.

Original Text.

14 avril 1730.

Monsieur Et Amy:

La Pirogue que Mrs. Perier et de la Chaise ont fait aviner pour venir jusques icy en toute Diligence nous donner avis des Massacres des francois etablis aux Natchez et yasoux ainsy que sur le fleuve Nous a trouve heureusement encore tous en vie cette tragique conspiration n'ayant pas eclate jusques a nous quoy que cepandant les Illinois y ayant été Convies par les Chicachas l'Ete dernier qui vinrent icy pour cet Effet et dont nous n'avons eu aucun vent par nos domiciliers jusqua l'arrivee de Mrs. Girardot et Coulange ce qui nous donne lieu de penser quils avoient mauvais dessein et point de seurete de savoir si ils ny persistent encore, quoy quil en soit nous sommes actuellement apres nous fortifier et tenir en Etate d'Eviter

la Surprise des Barbares auxquels on ne peut ny ne doit avoir aucune confiance etant toujours expose a etre Egorgé si on ne se tient pas sur ses gardes.

Jay été surpris de n'avoir reçu aucune nouvelle de vous Monsieur et amy cependant Mr. de Coulange ma assuré que vous etiez en parfaite santé guay et gaillard et que nos Oignons etoient arrivés a bon port heureusement avant le Massacre des Natchez ou ils ont passés.

Je vous adresse par Coulange trente six jambons bien conditionnés pour choisir les meilleurs a votre usage et le service et le reste comme a l'ordinaire les vendre en marchandise le mieux que faire ce pourra, je m'en raporte tout a vous, on ma dit quil etoit venu de la vaisse le anglaise au magasin je crois et espere que vous n'aurez pas manque a m'en acheter si vous l'avez pu, prie en ce cas Mr. de la Chaise de la faire embarquer ainsy que ce quil vous palira m'envoyer dailleurs par le Bateau de la Compagnie qui doit monter icy et ce en cas qu. vous voyez qu'on ne me rappelle pas sitot plusieurs personnes m'ont dit icy que feau Mr. Delorme venoit pour relever Mr. de la Chaise Je vous prie de me marquer ce qui en esr ainsi que de ce que vous voudrez bien me faire part des nouvelles de votre Capitale, je vous prie de me Croire toujours avec toute l'Estime et Consideration possible.

Monsieur Et Amy.

Je vous prie de remettre la lettre Cyjointe a son adresse pour raison.

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

Fort de Chartres 14 avril 1730.

Address:

A Monsieur:

Monsieur Rossard Greffier en Chef du Conseil de la Province la Louisianne, A la Nlle. Orléans.

Original Text.

23 may 1730.

Monsieur Et Amy:

Je profite de cette ocasion pour vous informer de la mort de Mr. *Dutisne* decédé le 15 de ce mois en ce poste lequel par ce facheux accident indispensable a tous les hommes a mis fin a ses inquietudes d'Esprit qui n'avoient jamais Cessé, il est bien mort ainsy il seroit inutile de vous faire le detail de tant de persecutions a mon Egard

que je luy pardonne de bon coeur quoy que il aye travaille de toutes ses forces a me perdre dans l'Esprit de Monsieur Perier a dessein de me faire relever dicy pour avoir sa revanche mais non pas de la même facon de ce quil l'avoit été aux Natchitoches depuis nombre d'annees pour des insultes faites a tout le monde en ce temps, on a decouvert une affaire apres sa mort qui fera tort a sa memoire ayant levé contribution d'un voyageur pour emporter de pelleteries au Canada contre les ordres publics du Conseil, cest a cette occasion quil me menacoit tant de me faire ôter dicy pour me drober la connoissance de ses malversations, mais comme je n'ay d'autre but que de servir avec honneur et sans aucune vue d'ineret jespere que ses Messieurs me rendront justice avec layde de mes mais qui me font l'honneur de connoitre le fonds de mon Caractere quon a voulu noircir de Mr. Perier qui peut etre reviendra de ses preventions.

On a fait un inventaire du deffunt et le greffier a eu des droits en vertu de l'arrest rendu lannee derniere contre les Missionnaires a locasion de feu Mr. Deliette, le testament quil a fait en mourant prétend déchoir Madame son Epouse de toutes pretentions a sa succession mais comme cette affaire nous a paru assez delicate a decider le Conseil aura la bonté de la decider, on me menace fort d'Etre Relevé Si cela est Jauray le plaisir de vous aller assurer avec combien de sincerite et d'Estime je continue a Etre.

Monsieur et amy,

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

fort Chartres 23 May 1730.

DUTISNE—(de Tiane)—Dutiane came with d'Uberville, was commissioned captain in 1719 and explored the country of the Missouri and the Osages. He learned the Indian dialects very quickly and on one of his expeditions heard the Indians plotting to scalp him. Mr. Dutiane, whose head had been shaved the eve, pulled off his long curly wig, and throwing it on the ground, said: "You want my scalp—well, take it, if you dare." The Indians were dumb from astonishment and fear. He then told them that they were wrong in wishing to harm him; that, if he chose he could burn up the water in their lakes and rivers to prevent them from navigating; that he could set fire to the forest. Taking a porringer from a barrel, he poured brandy into it and set it afire, to the dismay of the Indians; then he took from his pocket a sun goass and set fire to a decayed tree. The Indians were persuaded that he possessed unlimited power to destroy, they loaded him with presents and gave him an escort to his destination. Bienville sent him among the natives on many occasions to conclude treaties or gain their friendship. One of his daughters married the famous Chevalier de Grondel.

Addressed:

A Monsieur:

Monsieur Rossard greffier En Chef du conseil Superieur de la Province la Louisianne, a la Nille. Orléans.

Monsieur Et Cher Amy:

Je ne vous fais aucun reproche Sur ce que je ne recois pas de vos nouvelles par toutes les occasions n'attribuant cela qu'a l'Embarras

Continuel des affaires dont vous etes charge en votre Capitale ou tout le monde en general a Recours a vous, tout ce que je puis vous dire a ce sujet c'est que vous regardant comme un de mes meilleurs amis je recois avec bien du plaisir de vos nouvelles pour aprendre l'Etate de votre sante a laquelle je m'interesse beaucoup.

A l'Egard de nos petites affaires particulieres je laissee je laisse ce soin a votre loisir, vous devez avoir recu par Mr. Coulange 36 Jambons que je luy avois livre pour vous meretter, comme je Compte descendre dans peu ce que vous le scavez plutot que moy je vous prie en ce cas de ne me faire aucun Envoy parceque je pourrois etre en Route pendant que cela viendrait, vous vous reglerez Sur ma situation et les sentimens ou ses Mrs. seront a mon Egard, Ils me font connoitre bien de l'animosité en me traitmant come je ne perite pas a locasion des plaintes de Mr. Dutisne et Girardot morts tous les deux ce printemps, ils ont trouve quelque indisposition chez Mr. Perier et n'ont pas manque d'en profiter et ce Commandant de me le faire sentir, Jattribue aussi cette vengeance d'autorité au crime du péche originel Commis davoit été Amy de feu Mr. de la Chaise.

Interdictions, Cassations, &c., tout en est et jen vois bien d'autres qui ont eu le meme sort, la Chaise a Tourne dans de l'estime, je regarde tout cela Sans Etonnement ny surprise avec toute la tranquillite imaginable parceque jay par devers moy preuves et Ecrits a produire en temps et lieu, soyez je vous prie Monsieur et Cher Amy toujours le meme que vous m'avez temoigne Esperant de vous aller voir bientot et vuider quelques bouteilles ensemble pourvu neanmoins que l'Entree libre que vous voulez bien me donner chez vous ne porte aucun ombrage qui puisse vous faire aucun tort, nous n'en Serions pas moins amis pour tous ces Inconveniens l'affaire que Mr. de Merveilleux a eu avec Mr. le Baron a été debitee icy de bien des manieres il paroît bien de l'animosité contre cet . . . cela ne me surprend pas puisque tous ceux qui avoient Commis le peche originel y sont compris, Jay tout lieu d'Être mecontent a Outrance mais bon coeur Sans foiblesse resolu de tout soutenir et je fais Vendange actuellement Chez moy en attendant le plaisir de vous aller voir, je le demande au Conseil sans retour. Je Suis toujours de tout mon coeur et avec une vraye estime et sincere amitie. .

Monsieur Et Cher Amy:

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

Fort de Chartres 30 7bre. 1730.

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Addressed:

A Monsieur:

Monsieur Rossard Greffier en Chef du Conseil de la Province de la Louisianne, a la Nlle. Orléans.

Original Text.

Monsieur Et Amy:

Jay Scu par Mr. Dutisne fils les marques de votre souvenir que vous m'avez bien voulu temoigner a son depart Sans lettres par ceque il ma dit que vous m'attendiez en bas, vous le devez Scavoir Si vous avez bien voulu vous en informer, jattend la de pres les ordres que l'on me donnera et en ce cas jauroy le plaisir de vous voir persuade que vous me recevrez toujours en qualite d'amy Surquoy je Compte quelques Evenemens qui puisse survenirs a ma personne, &c.

Je vous envoie hardiment Sans crainte a ne pas Croire meme que cela vous soit a Charge 11 bons Jambons ou vous aurez la Cotte part du Couvent gratis quoy que vous n'en n'avez pas besoin mais acceptez et Recevez de bonne part tout ce que Jay, Il y a aussy trois caisses tabac bien conditionnes que je vous prie de me faire Vendre par des marchands debiteurs ou detailleurs dans la ville il y en a 671L pezt en Carotte et peu en Rouleaus, Choisissez en car il est tres bon et bien fabrique, aydez moy Mon cher Monsieur et amy et me croyez avec un vray et sincere estime d'amitie et d'attachement personnel.

Mon Cher Amy.

Votre tres humble et tres obesissant serviteur,

Terisse de Ternnal

Cascaskias ce 4 Mars 1731.

On opposite page: "nes'en est trouvé que Cn# LesCaisses etant entres mauvais Etat," these lines in a different hand witing.

10 juin 1731.

Monsieur Et Cher Amy:

Je ne puis croire que votre negligence a ne pas donner aucune marque de la condituation de votre amitie ne proviennent dautre chose que del'embaras d'affaires ou vous vous trouvez malheureusement toujours au Depart des Convoys des Illinois, Si je n'etois pas si prevenu de votre bon cœur a mon Egard je me serois rebute, mais non quand je devrois m'exposer a devenir Incomode et a charge je Continuerray Il est vray quon me fait des Compliemens de votre part et meme des marques anciennes d'Estime que Madame Votre Epouse m'avoit temoigne avant que Elle m'eut fait mettre en prison ce que je n'ay jamais cru etre venu de sa part particuliere cela nayant rien diminue chez moy Envers Elle de ce que javois Concu dans ma personne d'Estime et de consideration pour son merite.

Je vous avoue franchement Monsieur et Cher amy que jay été charme de votre Lien avec cette aimable Dame je vous Souhaite a tous les deux bien des prosperites pendant un nombre d'annees pour vous dedommager l'un et lautre d'un si long veuvage, Je luy en fais a elle meme mon Compliment et Espere que sous vos Eluspices Jauroy part dans ses Estimes, Vous apprendrez avec Surprise ainsy que Madame votre Epouse le mariage de Mr. Dutisne avec la veuve de feu Girardot qui a été fait incognito par les R. P. Jesuites sans avoir pris Conseil ny avis de personne, le Commandt. nayant pas voulu consentir a donner la permission quoy quon aye passe outre, Si il m'avoit donne quelque connoissance de cette affaire je vous avoue que je l'en aurois detourne pour bien desraisons et aussy par la disproportion de age et de Circonstances, cela na pas été fait de bon aloy et meme on n'en murmure fortement, Jen suis fache quoy quil aye voulu pour des discours continuer en survivance de feu Mr. son pere repandre contre moy ses ressentimens.

La Reussite de nos armes dans toute la Colonie fait renaitre les Esperances d'un peuple allarmé qui a été tres maltraité ses années dernieres il faut Esperer que toutes choses prendront un cours avantageux pour son retablissement.

En attendant l'honneur de vous voir je continue d'Etre avec une sincere Estime et attachement inviolable ainsy qu'a Madame votre Epouse—la paix—la paix.

Monsieur et Cher Amy,

Votre tres humble et tres obeissant serviteur,

Terisse de Ternan.

Fort de Chartres, ce 10 Juin 1731.

Addressed:

A Monsieur:

Monsieur Rossard Greffier en Chef du Conseil Superieur de la Province, a la Nlle. Orléans.

Original Text.

Monsieur Et Cher Amy:

Jay recu avec bien du plaisir votre longue et agreable lettre par Mr. de St. Ange m'apprend que vous etes en bonne sante ainsy que Madame votre, Epouse, Je ne Scaurois vous exprimer la joye que jay de votre contentement et satisfaction dans votre mariage je vous souhaite a l'un et lautre bon nombre d'années de felicité et de satisfaction Je vous remercie des soins que vous voulez bien vous donner pour mes petites affaires en bas Si je pouvois icy vous rendre le reciproque Je my portes volontier et avec empressement pour vous prouver mon Etroite reconnoissance, cecy est dit de coeur et sans fard Il paroît que Mrs. du Conseil ne sont pas trop portes a me faire plaisir puisquils ont eu tant de peine a recevoir mes favines a un si bas prix Sils savoient le peines que je me donne icy pour Eux ils en agiroient autrement, Je demande depuis longtemps un congé pour descendre et point de reponse Mr. Le general ma Ecrit dernièrement un peu plus moderement que cy devant je souhaite que cela continue, je prends votre conseil la dessus Je vous diray que nous sommes icy en grand mouvement a locasion des Chicachas ambassadeurs que nous envoyons an bas Lier ces coquins travaillent toujours contre nous a gagner les Nations de la part des Anglois, Jespere qu'on me laissera descendre ce printems si cela est Jauray le plaisir de vous voir, vous scaurez, cela ainsy vous vous reglerez pour ce que vous pouvez menvoye pour mon compte, le tabac na pas produit dans la rarete comme on me lavoit dit icy les jambons etoient bien bons et conditions Il faut quils ayent été changes dans le bateau comment faire,

Mr. Dutisne doit etre arrivé a bon port suivant ce que jay apri jen suis bien aise si cela est car tout le monde craignoit pour luy, son epouse a fait icy une fausse couche dit on pendant son absence ce que je ne scay que par ouy dire etant six heures dicy.

Jay lhonneur de vous saluer ainsy que Madame votre Epouse ay ayant celuy detre avec toute Estime et consideration possible

Monsieur et cher Amy,

Votre tres humble et tres obeissant serviteur,
Fort de Chartres 10 7bre 1731. *Terisse de Ternan.*

Dutisne, Jr., was with Darcaguette when he was taken prisoner by the Natchez and burnt with P. Senac, S. J., and many others.

Monsieur Rossard Son Compte avec Monsieur Terisse de Ternan:

		<i>Doit</i>	
<i>Castor:</i>			
Recu de Beaufort pr Restant de Castor.....	192	"	"
Recu en Js. Pr. V 110-lbs. on aB 4c. Lal.....	188	5	6
Recu en Js. de Mr. Girardot pr la somme de.....	40	"	"
<i>Jambons:</i>			
Recu de Mr. deLatour 116 Jambons a 8is.....	928	"	"
Recu dunav poste auparayt 25 J a 10#.....	250	"	"
Recu de M. de Coulange 36 a 8i.....	288	"	"
<i>Oignons:</i>			
dans l'Envoye quil men a été fait Jen ay livre un quart a Mons de Perier; un quart a Mr. de la Chaise et deux quarts a Mr. Massy quil doit Estimer pr. M. Terisse.....	60	"	"
<i>Tabac:</i>			
dans l'Envoye qui men été fait Il en a eu 219-lbsy faisant pour la somme de.....	429	12	6
		2375# 18	
Pour 14 pots d'Eaudevie, qui est le restant d'un ancre qui a coule rendu aux Illinois Pr. Mr. Terisse.....	150	"	"
paye le Compte de M. Terisse a un Francois en argent.....	30	"	"
une Chemise a un Sauvage.....	4	"	"
donne a Mr. Duval six jambons et pris six pr. moy suivant La letre de Mr. Terisse des 25 envoye a 10# piece.....	120	"	"
Trente six Jambons des cinquante envoye a la Mobile qui ont été jetes a la Riviere par Razon etant pourry a #.....	288	"	"
Paye un billet du Sr. Therisse de la somme de.....	70	6	8
a luy paye a son arrivee quinze ecus de six livres fait	90	"	"
Pour un mois de loyer de la maison quil occupe.....	10	"	"
		762 6 8	
Pour solde du present Compte.....	1613	11	4
		2375 18 ?	
Montant dela Suler.....	1613	11	4

a toile de Brion vingt quatre sunset trois quarts a 2# 5c. Laune.....	55	13	6
adre Commune trente quatre et trois quart a 2# Laune.....	69	10	'
Pour un Buffet.....	18		
	<hr/>		
	143	3	9
Pr. Solde du Jour.....	1470	7	7
En marge courant du jour 735#39S.....			10
a deduire dix livres de Loyer p lequel mois..	735	39	



CABILDO ARCHIVES

French Period

V

Edited by Henry P. Dart

Family Meetings

1738-1753

The two documents printed below are produced for the use of students of the probate system of the French period, and also for the intrinsic interest of the transactions covered by these records.

The first, February 3, 1738, is a petition of Fleuriau, procureur general of the King, advising that Joseph Chauvin de Lery, half pay officer, was killed at the Natchez on the 13th of the same month, leaving a wife, who was expecting a posthumous child, and an order is asked to convene a family meeting to select a tutor to the expected child, and a curator to the mother, who, it is said, was still a minor herself. It is a brief, but interesting and historical document, and deserves the attention of students.

I.

Translation

By Heloise H. Cruzat

Succession of Sr. Joseph Chauvin de Lery.

To M. Salmon, Commissary of the Marine, Intendant-Commissary and First Judge in this province.

Represents the Attorney General of the King that he has been informed that Sieur Joseph Chauvin de Lery, half pay officer, was killed at the Natchez on the thirteenth of this month, and as he leaves a wife whom they say is pregnant, and accounts due to the King from his trade with the Choctaws, as well as to other private individuals, the widow being a minor, it is fit to appoint a tutor to the posthumous child and a curator to the widow, This considered:

May it please you, Sir, to order on our petition that the relatives be convened, before such of you as it will please you to name, who, after taking the customary oath, will proceed to advise for the elec-

tion of a tutor to the posthumous child and of a curator to the mother, and considering that the deceased was an officer, to proceed afterwards, in their presence and before the Major of the Place, to an inventory and appraisal of the property of the deceased Sieur Joseph Chauvin de Lery for the protection of the rights of whom it may concern.

At New Orleans, February twenty-first, one thousand seven hundred and thirty-eight.

Signed: "Fleuriau."

Be it done as requested. This 21st Feb., 1738.

Signed: "Salmon."

Original Text.

A Monsieur Salmon Commissaire de la Marine ordonnateur et premier juge en cette province.

Expose le procureur general duroy quil a appris que le Sieur Joseph Chauvin delery lieutenant reforme avoit été tue aux Natchez le treize de ce mois et Comme il laisse une femme quon dit enceinte, plusieurs Comptes tant avec leroiy a cause de sa traitte des chactas quautres particuliers Et la veuve se trouvant mineure il Convient Delire un tuteur alenfant posthume et un curateur ala veuve cest pourquoy ce considere.

Vous plaise Monsieur ordonner qua notre requeste les parents soient convoques par devant lun des messieurs quil vous plaira Commettre pour apres le serment accoutume donner leur avis pour lelection dun tuteur a lenfant posthume et dun curateur ala veuve pour etre ensuite en leur presence et celle du maior de la place attendu que le deffunt etoit officier procede a linventaire et estimation des biens du deffunt Sieur Joseph Chauvin Delery et ce pour la Conservation des droits de qui il appartiendra Ala Nouvelle Orléans le vingt et unieme fevrier mil sept cent trente huit.

Fleuriau.

Soit fait ainsy quil est Requis. Ce 21 fever 1738.

Salmon.

II.

The second is a petition for a family meeting, filed by Payen de Chavoy, tutor of the minor children of M. de Noyan, the object to obtain the advice of relatives and friends as to the desirability of exchanging Horn Island, which the minors owned, for real property in the city of New Orleans. We reproduce it because it is a well drawn petition, and we find attached to it the original return of the

sheriff of the Superior Council showing how the members of the family meeting were notified of their appointment. Unfortunately we have not found in either of these cases the proces verbal of the family meeting.

Translation by H. H. Cruzat.

1753. Oct. 26. *In Re: Minors de Noyan.*

Petition for family meeting to advise concerning the exchange of Horn Island for New Orleans real property.

To M. Dauberville, Commissary of the Marine, Intendant (ordonnateur) and First Judge of the Superior Council of this Province.

Petitions Sr. Payen de Chavoy, Knight of the Royal and Military Order of St. Louis, Captain of a detached company of the Marine, maintained in Louisiana, acting as tutor of the minor children of deceased M. de Noyan, whilst living, Lieutenant of the King in this colony.

Saying that M. de Bienville donated Horn Island to Sieur de Noyan, the son, with the special clause that it would never be sold but by an exchange to replace the said fund to the best advantage; but, as the said Horn Island brings no returns and that M. de Chavoy, as tutor, has found a lot situated in St. Louis street, owned by Sieur Grevembert, so-called Flamand, which would replace the said fund, and not being able to make the exchange without a meeting of relatives, and, in their default, of friends to deliberate on said exchange, he requests that:

This considered, it may please you, Sir, to order that a meeting of relatives, or, in their absence, of friends be convened to deliberate on what is suitable for the said exchange; and this before one of the members of the Council, whom it will please you to appoint and in presence of the Attorney General of the King and that justice may be done

Signed: "Chavoy."

October 26, 1753.

It is allowed to convene a meeting of relatives, and, in their absence, of friends for the purpose mentioned in the present petition, before M. Le Breton, Councillor, commissary appointed on this case, in the presence of the Attorney General.

Signed: "D'auberville."

At New Orleans, Oct. 31, 1753.

In the year one thousand seven hundred and fifty-three, on the fifth of November, by virtue of the above ordinance, following petition of Mr. Payen de Chavoy, Knight of the Royal and Military order of St. Louis, Captain of a detached company of the Marine, acting in the name of, and as tutor of the minor children of deceased M. de Noyan, domiciled in New Orleans, I, Marin Lenormand, undersigned, sheriff and crier of the Superior Council of this province, residing in New Orleans, where domicile is established, have cited the relatives and friends of the said minors:

First.—M. Jean Baptiste Faucon Dumanoir, grandfather of the minors, at his domicile, in this city, speaking to him in person;

M. de Belisle, Knight of the Royal and Military Order of St. Louis, Major,....(I)....of the minors, at his domicile in this city, speaking to him in person.

M. Desilets, uncle by marriage of the said minors, at his domicile in this city, speaking to him in person.

M. Azure, Captain of the troops maintained in this colony,(I)....of the said minors, at his domicile, in this city, speaking to him in person.

M. Vollant, Captain, Commandant of the Swiss troops in this colony, at his domicile in this city, speaking to him in person.

M. de Membrede, Knight of the Royal and Military Order of St. Louis, Lieutenant of the King in this province of Louisiana, a friend of the minors, at his domicile, in this city, speaking to him in person to appear this day, at 3 p. m. before M. Le Breton, Councillor on this case in presence of the Attorney General of the King, at his office, to give their opinion and deliberate on the exchange requested, notifying them that, in default of appearance, they will be thereto compelled in the customary way, speaking to them and leaving to each a copy of this present of which act has been passed.

Signed: "Lenormand."

¹Notes on personages mentioned in the above document:

JEAN BAPTISTE FAUCON DUMANOIR, Agent of the Company of the Indies: one of his sisters married Payen de Noyan, another was married to Joseph Chauvin de Lery, a trader, killed at the Natchez.

M. DE BELISLE, Major de place, was familiar with the Indian dialects which he mastered during his imprisonment among the Attakapas. He befriended Rochemore and thereby incurred Kerlerec's enmity. Kerlerec caused him to be recalled to France at the same time as Rochemore. He died in Paris, May 4, 1763, a few days after his arrival there.

M. AZURE probably HAZEUR, a Canadian officer.

CHEVALIER DE MEMBREDE had served in France in the King's body guard, was commissioned Captain in Louisiana at 24 years of age in 1732, took part in all the colonial campaigns against the Indians.

M. DESILETS, one of the Chauvin family who came here with Iberville. He signs: "Chauvin Desillest" and sometimes "Desillest."

Horn Island was conceded to Bienville in 1717. It was for a time called "L'Île à l'Aigle," (Eagle island).

**Process Verbal of Family Meeting Convened to Decide on
Advisability of Exchange of Horn Island
for a City Lot.**

November 5, 1753. Opinion of Family of the de Noyan Minors.

Translation:

In the year one thousand seven hundred and fifty-three on the fifth of November, at three o'clock in the afternoon, before M. Louis Cezard Le Bretton, Commissary Receiver, in the Superior Council of the Province of Louisiana, Commissary appointed on this case, has appeared M. Payen de Chavoy, Knight of the Military Order of St. Louis, Captain of the detached troops of the Marine in this colony, acting as tutor of the minor children of deceased M. de Noyon,—who said and declared to us that he had petitioned M. Dauberville, Commissary Intendant, on the thirty-first of last October for the purpose and conclusion of being permitted to convene a meeting of the relatives and friends of the said minors to give their opinion on the exchange he would wish to make of Horn Island, owned by Sieur de Noyan, the son, as a gift from M. de Bienville, former governor of this province, for a lot situated in this city. Following this and by virtue of the ordinance of M. Dauberville and of the notice or citation served on relatives and friends, have appeared this day before us Mssrs. Jean Baptiste Faucon Dumanoir, Captain of militia, maternal grandfather of the said minors; Chauvin Desillests, officer of militia, maternal uncle of the said minors; M. Debellisle, Knight of the Military Order of St. Louis, Major of New Orleans, uncle by marriage; De Livaudais, Captain of the Port, also a first cousin; Mssrs. de Membrede, Knight of the Military Order of St. Louis, Lieutenant of the King; Azar, Captain of the Marine troops in this colony and Vollant, Captain commanding the Swiss troops in this colony, friends of the minors for the purpose of giving good and sincere advice on the said exchange and after oath taken by them to give good and sincere advice; Mssrs. Dumanoir, De Bellisle, de Membrede and Vollant have said that their opinion is that it is to the best interest of the minors that the said exchange be made for the lot offered by Sieur Flamand and have signed, the said exchange being very advantageous to the minors.

Signed: "J. B. Faucon Dumanoir." "Chavoy." "Bellisle."
"C. Membrede." "Desillests." "Vollant." "Hazeur." "Livaudais."

Wherefore, we, aforesaid Judge Commissary have ordered and do order that the present be reported to the Council to be homologated.

Original Text:

1753. Oct. 26. *In Re: Minors de Noyan.*

A Monsieur Dauberville Commissaire de la Marine, Ordonnateur, et premier Juge, au Conseil Superieur de cette province:

Petition for Family Meeting to Advise Concerning the Exchange of Horn Island for New Orleans Real Property.

Vous prie Mr. le Sr. Payen de Chavoy, Chevalier de l'ordre Royal et militaire de St. Louis, Capitaine, d'une Compagnie detach. de la Marine, entretenue a la Louisiane, au nom et comme Tuteur des Enfants mineurs de Feu Mr. de Noyan, Vivant Lieutenant du Roy en cette Colonie. Disant que Mr. De Bienville auroit Fait donation de l'Ile a Corne, au Sieur de Noyan Fils, close Expresse qu'elle ne seroit point Vendue, que par un Echange pour remplacer le dt Fonds au meilleur Avantage: mais Comme la ditte Ile a Corne ne rapporte aucun Vourstruit audt Sieur de Noyan et que le dt Sieur de Chavoy en saqualité trouveroit du Sr. Grevembert dt Flamand un terrain situé en cette Ville rue de St. Louis pour remplacement du dt Fonds; et ne le pouvant Faire Sans quil Soit Fait une Assemblée de parents ou amis, a deffaut pour deliberer Sur ledt Echange; pourquoy il requiert quie:

Ce Consideré Monsieur, quil vous plaise Ordonner quil Sera Convoqué une Assemblée de parents ou amis a deffaut pour deliberer sur ce quil Convendra pour le dt Echange; et ce.

Par devant l'un de Nosseigneurs qu'il vous plaira commettre, et en presence de Mr. la Porcureur General du Roy; ET FEREZ JUSTICE; le 26 8bre 1753.

CHAVOY.

Permis de faire Assembler les parents et amis a deffaut aux fins de la presente Requete par devant Mr. le Bretton Consr Commre en cette partie presence de Mr. le Procureur General a la Nlle Orleans Le 31 8bre 1753.

D'AUBERVILLE.

Lan Mil Sept Cent Cinquante trois Et le Cinquieme de Novembre Dumatin En Vertu de Lordonnance Cydessus et a la Reqte de Mr. Payen de Chavoy chvr. de Lordre Royal Et Militaire de St. Louis Capne dune Compe detachée de la Marine au Nom et Comme tuteur des Enfants Mineurs de feu Mr. de Noyan Domicille Ellu a la Nlle. Orleans Jay Marin Lenormand huissier auder au Cel Su-

perieur de cette province demt a la Nlle Orleans ou Est Ellu Dome Soussigné Donné assignation aux parents Et amis des dits mineurs premierement a Mr. Jean Bte Faucon Dumanoir, Grand père des mineurs En Son Domicille En cette Ville parlant a sa personne.

A Mr. de Belisle chevalier de Lordre Royal Militaire de St. Louis Major des mineurs En son Domicille Encette Ville parlant a sa personne.

A Mr. desilets oncle par alliance des mineurs En son Domicille Eh cette parlant a sa personne.

A Mr. Azure Capne des troupes Entreteneue Encette Colonie, des dits mineurs En Sondlle En cette ville parlant a sa-
personne.

A Mr. Vollant Capne Commandant Latroupe suisse en cette Colonie amis des mineurs En Sondlle En cette ville parlant a sa-
personne.

A Mr. de Membrede Chevalier de Lordre Royal de St. Louis Lieutenant du Roy En la province de la Louisianne amy des mineurs En sondlle En cette Ville parlant asa personne a comparoir ce-
jourd'huy trois heures de Repereevant Mr. Le Breton Conlr. en cette partye Et Enpresence de Mr. Le procureur General En son hotel pour donner leurs avis Et deliberer sur echange demandée; Leurs declarant que faute de Comparoir. Il yseront Contraint, "En la maniere accoutumee Et leurs cy parlant que dessus laissé copie chacun du present dont acte." Lenormand.

5 Novembre 1753. Avis de la famille des mineurs de Noyan.

Original Text:

L'an Mil sept Cent Cinquante trois le Cinquieme jour de Novembre trois heures de relevee Pardevant Monsieur Louis Cesard Le Bretton Commissaire receffeur au Conlr Superieur de la Province de la Louisianne Commissaire Nomme en cette Partie Est Comparu Mr. Payen de Chavoy Chvr. de Lorder Militaire de St. Louis capitaine des troupes detachees de la Marine En Cette Colonie au Nom Et Comme tuteur des Enfans Mineurs de feu Mr. de Noyan—Lequel nous a dit et declare quil a presente requete a Mr. Dauberville Commissaire Ordonnateur Le trente et un Octobre dernier tendant Et Concluant a ce quil Luy soit permis de faire Convoquer Et assembler Les parents Et amis des dits mineurs, a Leffet de donner Leur avis sur Lechange quil voudroit faire de Lisle a Corne appartenant au Sieur de Noyan fils a Luy donne par Mr. de Bienville Cy devant Gouverneur de cette Province, contre un terrain Scitue En Cette

Ville, En Vertu de quoy Et de Lordce de de Mr. Dauberville Et de Lexploit d'assignation donné aux Sieurs Parents Et Amis Sont Comparus ce jourdhuy pardevant Nous Messrs. Jean Baptiste Faucon Dumanoir, capitaine de milice, Grandpere maternel des dits mineurs; Chauvin Desillets, officier de milice, oncle maternel des de mineurs, Mr. Debelleisle Chvr. de Lordre Militaire de St. Louis, Major de la Nouvelle Orleans, oncle par alliance, De Livaudais, Capne de port aussy cousin germain, Mssrs. Demembrede, Chvr. de Lordre Militaire de St. Louis, Lieutenant du Roy, Azar Capne des troupes de la Marine En Cette Colonie Et Vollant Capne Commandant la troupe suisse En cette colonie amis des mineurs a Leffet de donner Bon Et fidel avis sur le dt Echange et apres serment par Eux fait et Preste de donner Bon Et fidele avis, Messrs. Dumanoir, de Belleisle, de Membrede et Vollant ont dit quils sont davis Et quil Convient pour Linteret des mineurs que le dt Echange sefasse avec le terrain proposé du Sr. Flamand Et ont signe le dt Echange Etant tres avantageux pour les mineurs.

J. B. Faucon Dumanoir. Chavoy. Belleisle. C. Membrede. Desillest. Vollant. Hazeur. Livaudais.

Surquoy Nous Juge Commissaire Susdt avons ordonne et ordonnons que le present Sera raporte au Conel pour y Etre homologue.



CABILDO ARCHIVES

French Period

VI.

Edited by Henry P. Dart

1744.

**Emancipation of Marie Aram, a Slave,
Redeemed by Her Husband's Labor during Seven Years.**

The document which we print below deserves perpetuation. It retells the story of Jacob and Rachel, but it is even more human than that, for it presents the case of a free negro engaging himself to serve the Charity Hospital of New Orleans during seven years, without salary, on condition that Marie Aram, his wife, a negress slave, shall be granted her freedom at the end of that term. The document shows that he had faithfully kept his contract, that the hospital authorities complied with their agreement, in due course, and the Governor and Commissary of the Marine put their signatures to her warrant of freedom.

**Petition of the Directors of the Charity Hospital of New Orleans
to Grant Freedom to Marie Aram, a Negress Slave.**

Translation by Heloise H. Cruzat.

1744. March 6.

The Hospital of the Poor Has Granted Freedom to Marie Haram.

(23780) (3785) fo 25.

To Mssrs. de Vaudreuil, Governor of the Province of Louisiana, and de Salmon, Intendant-Commissary, (Commissaire ordonnateur) of the said country:

The Directors and spiritual and temporal administrators of the Charity Hospital of the Pocr have the honor to represent that, in the year 1737, one Francois Tiocou, a free negro, engaged himself to serve the Charity Hospital during seven years, without salary, on condition of freedom being granted to Marie Aram, his wife, a negress slave, and of remitting certificate to her which was agreed to by the said directors and act passed of same, before notary, July 10, 1737.

And whereas the said Tiocou and Marie Haram, his wife, have worked and served the Hospital well and faithfully during the time laid down in the said engagement and that it is just to grant liberty and freedom to the said Marie Haram, the undersigned Directors and Administrators very humbly petition you, Gentlemen, to confirm and grant freedom to the said Marie Haram, negress, wife of Francois Tiocou, that in future she may be free as are all the subjects of His Majesty in France, the intention of the husband and wife being to serve the hospital and to remain there as long as they give satisfaction.

At New Orleans, this 6th of March, 1744.

Signed: "Raguet."

"F. Charles, *Capuchin Supr.,
Cure.*"

We, Governor, and Commissary of the Marine, Intendant (ordonnateur) of the province of Louisiana, considering the above petition of the Directors and Administrators of the Hospital of the Poor by which they ask that liberty be granted to one Marie Haram, negress slave, as a recompense of the good services rendered to the hospital, by virtue of the power given us by His Majesty, have granted and confirmed by these presents and do grant and confirm the freedom granted to the said Marie Haram, negress, that she may enjoy the privileges of persons born free, in testimony of which we have signed this present and had it countersigned by our secretaries and affixed our arms as seal.

At New Orleans, March 10, 1744.

Signed: "Vaudreuil,"

"Olivier de Venzin."

"Salmon,"

"By my said Sieur
Dralealle." (apparently.)

Sealed by the seals of de Vaudreuil and Salmon, which are still in perfect state of preservation.

Original Text:

1744. 6 Mars.

*L'hospital des pauvres a accorde la liberte a marie haran.
(23780) (3785) fo 25)*

A Messieurs De Vaudreuil gouverneur de la province de la Louisianne,
Et de Salmon Commissaire Ordonnateur au dit pays:
Les Directeurs et administrateurs Spirituel Et temporel de
L'hospital des pauvres de la Charité ont L'honneur de Vous représenter

qu'en Lannée 1737. Le Nommée francois tiocou Negre affranchy Sengage á pour servir pendant Environ sept années L'hospital de la Charité sans aucuns salaires aux conditions d'accorder a marie aram sa femme, Negresse Esclave son affranchissement en la luy Remettant, ce qui fut accepté par les dits directeurs par acte passé pardt Notaire le 10 Juillet 1737.

Et comme ledit tiocou et Marie haram sa femme ont travaillé et servy bien Et fidellement L'hospital pendant Le temps porté par Ledt Engagement et quil Est dela justice d'accorder La liberté Et L'affranchissement a lade marie haram, Les directeurs et administrateurs soubsignés Vous Suplient tres humblement Messieurs de Vouloir bien Confirmer et accorder L'affranchissement alade marie aram Negresse femme de francois tiocou, pour a . . . L'avenir Estre Libre comme sont les sujets de sa majeste En france, Le dessein du mary et de la femme Etant de servir L'hospital et d'y Rester tant que, sera content d'eux, a la Nouvelle Orleans ce 6e mars 1744.

F. Charles *capuchin Supr cure.*

Raguet.

Nous Gouverneur et Commissaire de la Marine ordonnateur de la province de la Louisianne Veularequeste Cydessus des directeurs et Administrateurs de l'hospital des pauvres parla quelle ils demandent quela liberté soit accordée ala Nommée Marie Aram Negresse esclave enrecompense des bons services qu'elle arendu and hospital, Avons envertu du pouvoir a nous donné par Sa Majeste, accorde et Confirmé et per ces présentes Accordons er Confirmons lliberte alad. Nee. Marie Aram Negresse pourjourir par elle des avantages des personne Nées libres, entemoin de quoy nous avons Signé leprésent, fait Contresigner parnos Secretaires et Aposer le Cachet denos Armes.

A la Nlle Orleans Le dix Mars 1744.

Vaudreuil

Salmon

Par monsieur Olivier Devezin

Parmond. Sieur Dralealle.

(Seals of de Vaudreuil and Salmon affixed.)



CABILDO ARCHIVES

French Period

VII.

Edited by Henry P. Dart

The First Charity Hospital for the Poor of New Orleans

Translation by Heloise H. Cruzat

It is said the first donation for a hospital for the poor of New Orleans was given by Jean Louis, a sailor who had settled in New Orleans and there conducted his business of boat building, on Orleans street near Bourbon, according to the census of 1732.

The olographic will conveying this donation is here reproduced with the probate thereof and also the contract later made for the construction of the Hospital and an excerpt from a memorial written to the Minister in France by Bienville and Salmon jointly.

This hospital was situated on the west side of N. Rampart street between St. Peter and Toulouse streets, on a tract of land which was formerly owned by Kolly, on which there was a house which the Ursuline sisters had once occupied. This first charity hospital for the poor was destroyed by the hurricane which devastated New Orleans in 1779. It was rebuilt a few years later by Don Andres Almonester y Roxas, at his own expense. The first hospital was named St. John and the second was called San Carlos in honor of the King of Spain. This second hospital cost Almonester 114,000 piastres (pesos) and he endowed it with a revenue of 1,500 piastres per annum. His Catholic Majesty to show his appreciation conferred on him the right to name the administrator, which right was to be transmitted to his heirs. His only heir Micaela Almonester Baronness de Pontalba renounced this right at the time of her marriage on account of her leaving this country, about 1811. Almonester quarreled with Carondelet who assumed to himself the right to name the administrator of this second hospital and Almonester, notwithstanding that same had been conferred on the latter, threatened to withhold the revenue and to stop all work on the church. Besides

the King's Hospital and the Charity Hospital for the Poor there was also an isolation hospital for cases of smallpox.

In the Superior Council records we often find fines imposed on delinquents "available to smallpox hospital." The King's Hospital, in 1737 was situated Rue du Quai (now Decatur Street, in charge of Doctor Prat, with three assistants (infirmiers), a gardener, a washer-woman, two negroes and two negresses.

Olographic Will of Jean Louis, 1735

Olographic Testament Written by My Hand

In the name of the Father, and of the Son, and of the Holy Ghost, Amen.

Nothing being more certain than death and nothing more uncertain than its hour, being stricken with a dangerous bodily malady, but sane of mind, I desire to settle my affairs, explaining how I intend that my last will be carried out by my testamentary executor who will be named hereafter, without anyone being able to contravene, being of age, having neither father nor mother, one having died in my childhood and my mother thirteen years ago; besides what I possess I have earned in this country irreproachably.

As to what may come to me from France of any nature whatsoever, I set in order before leaving and willed it where I should.

I recommend my soul to God the Father, Son and Holy Ghost, to the Holy Virgin, to my angel guardian, to all the Saints of Paradise, particularly to my holy patrons, praying them to receive my soul amongst the Blessed when it shall pass from this world to the other, Amen.

I give my (soul)¹ to God, my body to the earth, asking my Executor to have me buried simply. Before my funeral a high mass will be said during which, if there are priests, others will be said. During one year, on every first Monday of the Month, there will be a service for my intention in the parochial church and fifty low masses said.

Item—I beg those whom I have offended in any way whatever to be willing to forgive me as I forgive. I desire that my notes or debts, if any are found, be acquitted and paid preferably to anything else.

Item—I give to the parochial church for some ornament or embellishment which my executor will be kind enough to have made, such as a large crucifix or something else at his will, two hundred

¹Missing in text and supplied.

livres to be used by him for that purpose according to the most pressing needs.

Item—I give to the poor of this city who are ashamed to beg two hundred livres and one hundred livres to procure clothes for the most needy orphans, at my executor's pleasure.

My debts having been paid and the above provisions having been executed, a sale shall be made of all that remains, which, together with my small lot, I bequeath to serve in perpetuity to the founding of a hospital for the sick of the city of New Orleans, without anyone being able to change my purpose, and to secure the things necessary to succor the sick.

I will and direct that the said sale be made by my testamentary executor, whom I name as director and inspector of said foundation, during his life, and in case of his death or of his removal from the colony he will, at his choice, name a person to execute my wishes.

I beg the Curé of the parish to kindly work with my testamentary executor for the establishment of the said hospital and the execution of my will.

This present will, written by my hand, in full possession of my faculties and judgment, revoking all wills and codicils that I may heretofore have made, the same to be null, willing and intending that this present be executed according to its form and tenor, and this rather increased than diminished, referring it to my testamentary executor's good will, and to execute all that is herein contained I pray and name Monsieur Raguette, Councillor of the Superior Council of this province, to kindly take it in charge and act thereon as if it were his own, without being obliged to render an account to any one whomsoever, nor shall any officer of justice take cognizance of it, trusting entirely in his probity and faithfulness.

At New Orleans, this sixteenth of November, one thousand seven hundred and thirty-five.

Signed: "Jean Louis."

Probate of Jean Louis' Will

1736. Will of Jean Louis.

In the year one thousand seven hundred and thirty-six, on the twenty-first day of January, at one o'clock in the afternoon, we, Edme Gatien de Salmon, Commissary of the Marine, Intendant (ordonnateur), and First Judge of the Superior Council of the province of Louisiana, in the presence of the Attorney General of the King and of M. Bizoton and Raguet have opened the olographic will

made, written and signed by Jean Louis, inhabitant of Louisiana, deceased at New Orleans, this day at noon, beginning with these words: "In the name of the Father, the Son and the Holy Ghost, Amen. Nothing being more certain than death, etc., and ending in these other words: "and to execute and accomplish all that is herein contained, I pray and name M. Raguet, councillor of the Superior Council, to kindly take charge of it and act thereon as with his own, without being obliged to render an account to any one whomsoever, nor shall any officer of the Court take cognizance of it, trusting entirely in his probity and fidelity.

"At New Orleans, this sixteenth day of November, one thousand seven hundred and thirty-five. Signed: Jean Louis."

And after having read the testament, considering that it was made in duplicate, one was deposited in the Registry to serve as may appertain and the other was remitted to Sieur Raguet, who voluntarily accepted the charge and promised to have it executed with all possible exactitude, of all of which we have had the present proces verbal drawn up by our Clerk of Court, and the above named gentlemen have signed it with us the day and year mentioned.

Signed: "Salmon." "Fleuriau." "Henry." "Bizoton."
"Raguet."

**Contract for Building the Hospital of the Poor,
Passed Between Sr. Joseph Villars Dubreuil
and Sieur Raguet.**

1736. June 10. (1807).

Translation.

Before the notary royal of the province of Louisiana and the hereafter named and undersigned witnesses, personally appeared Sieur Joseph Villars Dubreuil, contractor for His Majesty's works, residing in New Orleans, who has acknowledged and admitted that he has voluntarily made an agreement with M. Raguet as director and administrator of the said hospital for the poor of the city, called the St. John, founded by Jean Louis, deceased resident of the city of New Orleans, with the advice and consent of Rev. P. Philippe, priest and superior of the R. R. Capuchin Fathers of the province, Asst. Vicar of His Grace of Quebec, also present here, and to carry out the will of the said deceased Jean Louis, after deliberation made in presence of M. de Salmon, on the twenty-ninth of March, one thousand seven hundred and thirty-six, deciding that there would be built,

when M. Raguet pleases, a hall and buildings suitable to the accommodation of the poor, as the house in which they are lodged is too small. Wherefore the said Sieur Du Breuil promises, obligates and binds himself by these presents to have built, constructed and erected on the site of the said hospital a hall measuring forty-five feet in length by twenty-five in breadth and fourteen in height, including the foundations, the whole in walls of well conditioned bricks, subject to supervision conformably to plan and payment now made, which he promises to construct for the price and sum of two hundred livres per cubic fathom,¹ full or empty, and the other requisites, such as lumber, planks, coverings, iron work and entire building at the same price as these are furnished to His Majesty in this country. The said work will be begun as soon as possible, the sum of three thousand livres having been presently given and delivered to Sr. Dubreuil by Sr. Raguet in specie as payment on account, for which this present serves as a receipt, it being agreed that payments will be made as the work progresses, for security of which the said Sr. Dubreuil has hypothecated all that he now possesses and also what may come to him hereafter, promising, renouncing, each in good faith. Done and passed in New Orleans, before noon, in the year one thousand seven hundred and thirty-six, on the tenth of June, in presence of Sieurs Augustin Chantalou and Laurent Roumier who have previously signed as first witnesses and have signed with the said parties.

Signed at the moment these presents: "Roumier," "Raguet," "Du Breuil," Chantalou," "Henry."

Notes From Margry on the Hospital

The following references to the subject of the first hospital for the poor have been compiled by us from the memorial signed jointly by Bienville and Salmon, addressed to the Minister in France on date of May 20, 1737, contained in Margry's "Compilation of the first years of Louisiana." (MS. in Louisiana Historical Society Archives.)

"One Jean Louis, formerly a sailor in the employ of the Company of the Indies, and who had a small business, died last year. Being a bachelor without children, he leaves, by olographic will, all that he possesses to found a hospital. All debts paid, his estate will amount to 10,000 livres cash.

"With the approval of the Curé and of the testamentary executor of his will, MM. de Bienville and Salmon have purchased Mrs. de Kolly's house, situated on a large tract at the extremity of the city,

and formerly occupied by the nuns, then they bought beds, clothing and utensils necessary for the hospital, and after these expenses were paid there remained 5,000 livres which, with the succor which will be furnished by the inhabitants, will be employed in building a large brick hall to shelter the sick hereafter, as the house, which is on the ground, cannot last much longer.

“There are now five patients there.

MM. de Bienville and Salmon continue:

“By this means there will be no more mendicants. They will all be interned there and put to some work suited to their abilities. This will even help to diminish their number for most of those who beg and who will be shut up here will prefer to work than to lose their liberty.

“The beginning of this establishment will encourage the inhabitants to join and furnish the material and days of labor to finish the solid buildings which will be a necessity when the old house will no longer be there. At the same time it will relieve the King’s hospital which was often obliged to receive the poor inhabitants who without this help would have perished from want.”

In the year 1738 Sr. Prat, who was the physician in charge of the hospital, asks the King to carry out the promise made to him to build him a lodging which will be within reach of the sick and which will enable him to have the work begun on the garden which he has long had in contemplation.

He speaks of the increasing importance of the hospital to New Orleans and also requests a brevet as a Doctor here maintained at a salary of 2,000 livres, recalling to the Minister that a lodging has always been furnished to the Doctor in this country. He mentions that by his position he is honored with the right to sit in the Superior Council, and that, as councillor he is entitled to a salary of 400 livres; he thinks that his requests are justified by the fact that he derives no profit from the inhabitants who are accustomed to receive medical service free of charge and that he has no other source of revenue than what he can obtain from His Majesty’s bounty.

The First Charity Hospital for the Poor in New Orleans

Testament olographe Ecrit de ma main.

(5498)

Original Text:

Rien n'étant plus certain que la mort Et rien de plus incertain que L'heure dicelle, me voyant accable d'une maladie dangereuse

de corps, Etant Sain d'esprit je suis bien aise de mettre ordre a mes affaires, Expliquant mes dernieres volontes comme jeveux quels soient executes par mon Executeur testamentaire. Lequel Sera nomme cy apres, Sans que personne puisse y contrevenir, Etant en age de majorite, n'ayant ny pere ny mere, Luy Etant mort des mon bas age Et ma mere il y a treize ans, outre que ce que jay, je L'ay gagne dans ce pais sans aucun reproche.

Pur ce qui me peut revenir de france de tel nature qu'il soit avant de partir J'y ay mis ordre Et Lay Laisse ou Jay deu faire.

Je recommande mon ame adieu pere, fils Et St. Esprit, a la Ste Vierge Marie a mon ange gardien a tous les Sts et Saintes du paradis, particulierement a mes Sts patrons, Les priant que Lorsque mon ame passera de cette vie En Autre, La recovoir au nombre des bien heureux ainsi soit il.

Je donne mon (ame)¹ a dieu mon corps a la terre, priant mon Executeur de me faire enterrer modestement, avant mon enterrement il sera dit une grande messe, pendant Laquelle Si il ya des pretres on en dira de basse pendant un an tous les premiers lundys du mois, il sera fait un service a mon intention dans Leglise paroissiale, Et dit cinquante messe basse.

Item—Je prie ceux que jay pu offenser de detelle maniere que ce puisse de me vouloir pardonner comme pardonne. Jeveux que mes billets ou destes Si il Sentrouve Soient acquittes, et payes preferablement a toute autre chose.

Item—Je donne a Leglise paroissiale pour quelque ornement ou Embellissement que mon Executeur voudra bien faire faire, comme un grand crucifix—ou autre chose a sa volonte; deux cents Livres qui Seront par Luy employes a cet effet Suivant Les besoins Les plus pressants.

Item—Je donne aux pauvres honteux de la ville deux cents Livres et cent Livres pour avoir quelque Lordres aux orphlins les plus necessiteux—a la volonte de mon Executeur.

Après mes deptes payes Et que ce qui cy devant marque Sera Execute L'on fera une vente de ce quil yaura, Lequel je Laisse avec mon petit terrain, pour servir a perpetuite de fondement d'hospital pour les malades de la ville de la nouvelle Orleans, Sans que L'on puisse changer ma destination, Et pour avoir Les choses necessaires pour Secourir Les malades.

Je veux et entend que La dite vente Soit faite par mon Executeur testamentaire, auquel je Laisse L'inspection Et La direction de la ditte, fondation, pendant Savie durante, Et au cas qu'il vienne a

mourirou changer de la colomnie, il nommera une personne a Son choix pour Executer mes volontés.

Je prie monsieur Le curé de la paroisse de vouloir bien travailler avec mon Executeur testamentaire pour Letablissement du dit hopital, Et execution demes volontes.

Le present testament Ecrit de mamain, En pleine connaissance, Et bon jugement, revôquant tous les testaments ou codicils que je pourois cy devant avoir fait, les quels demeurent nuls, voulant et entendant que Le present Soit execute Selon Sa forme et teneur, Et y celuy plutost augmente que diminue, M'en rapportant sur cela a la bonne volonte de mon executeur testamentaire, Et pour Executer Et accomplir tout Le contenu, jespere Et nomme monsieur Raguette, conseiller au conseil superieur de cette province de vouloir bien S'en charger, pour En faire comme de chose a Luy appartenant, Sans, qu'il soit oblige den rendre compte a qui que ce soit, ny qu' aucune personne de justice En prenne connoissance m'en rapportant a sa probite Et fidelité, a la Nouvelle Orleans ce Seissiene novembre mil Sebt cents'trente cinq.

Jean Louis.

Probate of Jean Louis' Will

1736. 21 Janvr. testament jean Louis
(5497) (1738) fo. 1.

Original Text:

L'an mil sept cent trente six le vingt un janvier une heure apres midy Monsieur Edme Gatien de Salmon Commissaire de la Marine ordonnateur et premier juge au Conel Superieur de la Province de la Louisianne auroit fait en presence du procureur general du Roy et de M. Bizoton et Raguét Louverture dun testament olographe fait Ecrit et signe de la main de Jean Louis habitant de la Louisianne et decede a la Nlle Orleans Ce jourdhuy a lheure de midy Comman- cant par ces mots, Au nom du Pere, du fils et du St. Esprit ainsi soit il Rien nestant plus certain que La mort, etc. et finissant par Ces autres mots, Et pour Executer et accomplir tout le Contenu Je prie et Nomme Monsieur Raguét Contr. au Conseil Superieur de vouloir bien sen charger pour en faire Comme de chose a luy appartenant sans estre oblige den rendre Compte a qui que ce soit ny quaucune personne de justice en prenne Connoissance men Rapportant asa probite et fidelite. A la Nlle. Orleans ce seizieme Novembre Mil sept cent trente cinq Signe Jean Louis. Et apres avoir fait lecture et attendu que led testament a été fait en duplicata Il en a

été depose un au greffe pour servir a qui il appartiendra et Lautre remis au dit Sr. Raguét lequel sen est volontairement charge et a promis Le faire Executer avec toute lExactitude possible dont et de quoy nous avons fait dresser le present proces verbal par notre greffier dont acté et ont les dits Sieurs susnommes signes avec nous ces presentes.

A la Nlle. Orleans Le jour et and que dessus.
Salmon, Fleuriau, Bizoton, Raguét, Henry.

**Contract Passed Between Raguét and Joseph Villars Dubreuil,
Architect and Master Builder of the Charity Hospital
of the Poor in New Orleans, 1736.**

1736. 10 juin Raguét obligation a Lhopital

Original Text:

Pardevant le Notaire Royal En La Province de La Louisianne Et Les Temoins cy apres Nommes Et soussignes fut present en sa personne Sieur Joseph Villars Dubreuil Entrepreneur des travaux de Sa Majeste demeurant a la Nouvelle Orleans Lequel a Volontairement Reconu Et Confessé avoir fait marché avec Mr. Raguét au nom Et Comme Directeur Et administrateur de Lhopital des pauvres de ville appellé le St. Jean fondé par deffunt Jean Louis habitant de la ditte ville de la Nouvelle Orleans, de Lavis et Consentement du R. P. Phillippe pretre Et Superieur des R. R. P. P. Capucins de la Province et provicaire de Modseigneur De Quebec aussi Cy present Et pour Satisfaire aux volontés dudit deffunt Jean Louis Et a la deliberation faite en presence de Mr. de Salmon le Vingt neuf mars mil sept cent trente six portant quil sera a la diligence dudit Sr. Raguét Baty une Salle et Batiments propres aux Logements des pauvres attendu que la maison ou ils sont Logés est trop petite c'est pourquoy le Sieur Du Breuil promet s'oblige et S'engage par ces presentes a faire hatir construire Et edifier sur Le terrain dudit hopital une salle Quarante cinq pieds de long Sur Vingt cinq de Large quatorze pieds de hauteur y Combris les fondements. Le tout demur de Briques bien Conditionnes Et sujet a Visite conformement au plan et denier Cy joint quil promet faire Executer pour Le prix Et somme De Deux Cent Livres La toise Cube tant plein que Vide, Et les autres fournitures Comme Bois, plancher, Couvertures ferrures, Et facon du tout au prix quil fournit ces sortes de Chose a Sa Majeste dans les Entreprises quil a faites En ce pays Le dt Ouvrages se Commencera Le plutost quil Sera possible Sur lequel a été presentement donne.

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Et delivre audt Sieur Du Breuil par ledt Sieur Raguet La Somme de trois Mil Livres En especes Sonnantes accompte dont le present Sert de quittance Et a été Convenu quil seroit paye a Mesure que Louvrage avancera pour seurete de quoy Ledt Sieur Du Breuil a oblige et hypothèque tous ses biens presents et advenir promet, renont, chacun en foy fait Et passe a La Nouvelle Orleans avant midy Lan Mil sept cent trente six Le dixieme juin¹ presence des Strs. Augustin Chantalou Et Laurent Roumier, prealmnt temoins^{cy} demdr audt lieu qui ont Signes, en la Minutte des presentes.

Roumier, Raguet, Du Breuil, Chantalou Henry. *i*

¹Omitted in Text and supplied.



CABILDO ARCHIVES

French Period

VIII.

Edited by Henry P. Dart

Two Nuncupative Wills

1745-1747

We present herewith two nuncupative wills which we think will interest the student of comparative law in Louisiana and particularly interest lawyers generally because of the similarity between the forms of these instruments and those now in use.

Will No. 2

Nuncupative Will of Charles Hegron, Surnamed Lamothe

1745. Charles Hegron, surnamed Lamothe

Testament.

Translation by Heloise H. Cruzat

Before us, undersigned, Frere Dagobert, priest, missionary' Capuchin, acting as curé of this parish of St. Louis of New Orleans province of Louisiana, diocese of Quebec, was present Charles Hegron, surnamed La Motte, farmer from the lower end of the Pascagoulas river, native of the city of Quebec, being sick in bed, but sane of mind and understanding, as was apparent to me and to those who witnessed the present act, who, knowing that the hour of death is uncertain, and not wishing to be taken without having disposed of the goods it has pleased God to grant him, declared that he wanted to make his will, without suggestion from any one, and of his own volition dictated to us and mentioned the following articles:

As a good Christian, desiring to live and die in the union of the Catholic Church, first, he recommends his soul, when it will have been separated from his body, to the very holy and adorable Trinity, Father, Son and Holy Ghost; he implores the intercession of the glorious Virgin Mary, of St. Charles, his patron, and of all the saints, whom he begs to be his intercessors before God to obtain from Him

the remission of his sins through the merits of the death and passion of Jesus Christ, his Son, Our Savior and mediator.

Secondly—When it shall have pleased God to recall his soul from this world, he wills and orders that his body be interred in the cemetery of this parish, and that on the day of his death, or on the following day, a service be held and celebrated with vigils and commendations.

The said testator leaves and bequeaths to Françoise, an Indian woman, his legitimate wife, half of all he possesses, as they acquired it together, intending that the other half be divided between his two children, the issue of his legitimate marriage, deducting from the said half, however, a negress and six breed cows that his eldest daughter received, and which he gave her when she married. The said testator wills and directs that Charle, his minor son, take as much before the division.

Thirdly—He orders that before anything else is paid, the sum of one hundred and forty-two livres and ten sols be paid to Sr. Durante for value received from him.

That the present will be executed in its form and tenor is the last wish of the testator, who declares any wills or testaments made previously to this one to be null and hereby revoked; which present will as dictated and mentioned to me I read and reread plainly and intelligibly to the said testator who declared that he thus willed, in the presence of Sieurs Avignon, Tarascon, Dupres, and Durante, witnesses, who have all signed with me and the said testator, on the eighteenth of March, in the year one thousand seven hundred and forty-five, in the house of Sr. Justin Vuelan.

Signed: "Charleegron," "DuPrey", "Avignon," "Tarascon," "Dupabay." "F. Dagobert, missy. acting as curé."

Nuncupative Will of Charles Hegron, Surnamed Lamothe

Mars 18. Charles Hegron dt Lamothe,

Testament.

Original Text:

Par devant nous frere Dagobert prestre missionnaire capucin faisant fonction de curé de la paroisse de St. Louis de la nouvelle Orleans province de La Louisianne diocese de Quebec Soussigné fut present Charle Hegron dit La Motte habitant du bas de la riviere des Pascagoulas natif de la ville de Quebec etant au lit malade Sain neanmoins desprit et dentendement come il mest aparu et aux

temoins qui ont assisté au présent acte lequel connoissant que Lheure de La mort est incertaine et ne voulant pas en estre prévenu sans disposer des biens quil a plu a dieu de Luy accorder nous a déclaré quil vouloit faire Son testament et Sans Suggestion de personne mais de son propre mouvement nous a dicte et nomme Les articles Suivants.

Come bon chretien desirant vivre et mourir dans Lunion de Leglise catholique il recommande en premier Lieu Son ame Lorsquelle Sera Separée de Son corps a La tres Sainte et adorable trinite Le pere Le fils et Le Saint esprit implore Lintercession de la glorieuse Vierge Marie celle se St. Charle son patron et de tous Les saints quil prie estre Ses intercesseurs aupres de dieu pour obtenir de Luy La remission de Ses péches par Les merites de La mort et passion de Jesus Christ Son fils notre Sauveur et médiateur.

En second Lieu quand il aura plu a dieu de retirer Son ame de ce monde veut et ordonne que Son corps Soit inhumé au cimetiere de cette paroisse et que Le jour de Sa mort où Le lendemain il soit dit et celebré un Service vigiles et recommandises.

Le dit testateur Laisse et Legue a francoise indienne sa femme et Legitime epouse La moitié de tout son bien come Layant acquis ensemble pretendant que Lautre moitié Sera partage entre deux enfans de Luy—provenant de Son Legitime mariage Sauve a deDuire Sur la ditte moitié Une negresse et six meres vaches que sa fille ainee a reçu et quil Luy a donne Lorsquelle Sest marie Le dit testateur pretend et entend que Charle Son fils mineur prendra autant avant que dentrer dans aucun partage.

En troisieme Lieu il ordonne quavant toutes choses Soit paye au Sieur durante La somme de cent quarante deux Livres dix sols quil reconnoit Luy devoir pour valeur reçu de Luy.

Et pour executer le contenu du present testament Selon Sa forme et teneur telle est La derniere volonte du testateur qui déclare nul et révoque tous autres testaments ou dispositions quil auroit fait auparavant lequel présent testament ainsy a moy dicté et nomme Jay Lu et relu clairement et intelligiblement au dit testateur qui a déclaré quil a ainsy voulu et entendu en presence des Sieurs Avignon tarascon dupres et durante temoins qui ont tous signes avec moy et Le dit testateur Le dix huit du mois de mars de Lannée mil sept cent quarante cinq en la maison du Sieur justin vuelan.

charlegron JDuPrey avignon Tarascon dupabay
f dagobert capucin miss faisant fonction de curé.

Will No. 3.

Nuncupative Will of Vignon, So-called LaCombe

1747. August 16. Vignon, so-called Lacombe Will

Translation:

In the year one thousand seven hundred and forty-seven, on the sixteenth day of August, at two o'clock in the afternoon, on request of Claude Vignon, so-called La Combe, we, notary Royal in the province of Louisiana, went to the house of Sieur Vautier, situated on Royal street, where we found the said Sieur La Combe, lying in his bed, who said and declared to us that, being certain of death and uncertain of its hour, he desired to settle his temporal affairs, being sick of body, but sound in mind, memory and understanding, as it appeared to us.

After having recommended his soul to God and to his holy patron St. Claude whom he prays to intercede for him with his Divine Majesty, he wills and directs that in case of decease his body be interred among the faithful Christians professing the Catholic, Apostolic and Roman religion. This that he has dictated and all that follows is his last will and testament.

First—He gives and bequeaths to the R. R. P. P. Capuchins of this parish the sum of fifty livres for the expenses of his funeral and interment and to have prayers said for him when paid.

Item—He said and declared that he has a negress named Mariane, one of her children named Joseph and another named Pierre, all of whom are free, that being satisfied with the services which he has received from them he wills and directs that one hundred piastres be paid to each of them, viz: one hundred to the said Mariane and one hundred to each of the said two children, amounting in all to three hundred piastres which he wills and directs to be paid to them in gratification at one time.

He said and declared to us that the said negroes and negresses have a certain number of cattle, such as oxen, calves, cows and heifers; that with the exception of five cows, three calves and two pairs of oxen belonging to him, the remaining cattle belong to the said Mariane and to the above named Joseph and Pierre. He prays that his testamentary executor, hereafter named abandon them as the product of gifts previously made to them, thereby leaving him only five mother cows, three calves and two pairs of oxen which he bequeaths to his universal legatee, as property belonging to him.

Item—He wills and directs that after his debts are paid, if any be found, the residue of the property which he acquired in this colony, being personally acquired property, having no relative nor female follower in this province, be turned over to *Sieur Michel Brosset*, whom he declared to us, named and renamed, not only as his testamentary executor but moreover as his universal legatee, and this, for the good and agreeable services he received from him, breaking and annulling by these presents all wills, codicils or donations that he may have made heretofore for the property owned by him in this colony, willing and intending only this present will to subsist, which having been read and re-read in the presence of *Sieur Jacques Cantrelle* and *Jean Cariton*, and which he declared to have heard and understood, and that these are his last wishes, repeating that he had heard and understood, and that there was naught to change nor to add to it and has signed with above named witnesses.

Signed: "Vignon La Combe."

"Cantrelle." "Cariton." "Henry."

1747. 16 Aout Vigpon dit Lacombe Testament.

Original Text:

Lan Mil Sept Cent quarante Sept le Seizieme Jour daoust deux heures de Relevee a la Requisition de *Claude Vignon de La Combe* Nous Nore Royal En la province de la Louisianne nous Sommes transportes dans la Maison du *Sieur Vautier* situee rue Royale ou Etant nous avons trouve le de *Sr. La Combe* Gissant dans son lit Lequel Nous a dit et declare quetant Certain de la mort Et Incertain de Lheure dicelle desirait mettre ordre a ses affaires temporelles Etant malade de crows mais sain de tous ses sens memoire et Entendement ainsy quil nous Est aparü apres avoir Recommandé son ame adieu Eta son Bon patron *St. Claude* quil prie de Vouloir Interceder pour Luy aupres de sa divine Majeste Veut et Entend quen Cas de decédé son Corps Etre Inhumé au rang des fidelles Chretiens comme faisant profession de Religion Catholique apostolique et Romaine Ce quil nous a dit et déclaré de sa propre bouche Et tout ce qui sen suit par forme de testament et ordonnance de derniere Volonte:

Premierement nous a dit et déclaré donner au *R. R. P. P. Capucins* de Cette paroisse La Somme de Cent Cinquante Livres qui Serviront tant pour les frais funeraires Enterrement que pour faire prier dieu pour Luy une fois payee.

Item—Nous a dit et declare quil a une Negresse Nommee Mariane un de ses enfants nomme Joseph Et un autre Nomme Pierre tous Lesquels sont Libres, que Comme Etant Content des services quil a Recu deux. Il Veut Et Entend quil leur soit paye a Chacun Cent piastres Scavoir Cent piastres alad Mariane Et Cent piastres a Chacun des deux Enfants faisant en tout trois Cent piastres quil Veut Et Entend quil leur soit payé pour forme de Gratification une fois.

Item—Nous a dit et declare que les Negres et Negresses ont une Certaine quantite de Bestiaux tant Boeufs Veaux Vaches Et Genisses qua la Reserve de cinq vaches trois Veaux et deux paires de Boeufs qui Luy appartiennent a Luy le Reste des bestiaux appartiennent a lad Mariane et ad Joseph et Pierre susnommes quil prie son executeur testamentaire Cy apres nommé Leur Laisse Comme provenant des Ecroys quils ont Eu provenant de quelques dons qui Leur ont été faits auparavant, au moyen de quoy Il ne Luy Reste de Bestiaux que les cinq Meres Vaches trois Veaux Et deux paires de Boeufs Lesquels Il a Laisse a son legataire universal Comme un Bien a Luy appartenant.

Item—Veut Et Entend quapres ses dettes payees sy aucunes sen trouvent tout le Reste de ses Biens quil a acquis En Cette Colonie Comme Biens dacquet Nayant ny parents ny Suivante En Cette province soit et appartient a Sr. Michel Brosset quil Nous a dit Nomme et Renommé non seulement pour son executeur testamentaire Mais Encore pour son Legataire universal et Ce pour les Bons Et agreables services quil a Recu de Luy depuis quil Est En Cette Colonie Croyant ne pouvoir mieux reconnoitre les services quil a Recu de Luy que par cette Voye, Cassant et annulant par Ces presentes tous testaments, Codiciles ou donations quil pourroit avoir faits de cy devant pour les Biens quil a En cette Colonie Seulement Voulant et Entendant quil Ny ait que le present qui subsiste Lequel Luy ayant été lu et relu en la presence de Sr. Jacques Cantrelle et Jean Cariton—a dit les Bien Entendre Et que ce sont ses dernieres Volontes lequel adit Et repete Le Bien Entendre et Comprendre Et quil na Rien a y augmenter ny diminuer Et a signe avec les temoins Cy dessus Nommés.

Vignon La Combe, Cantrelle, Cariton, Henry gfr.

THE CONSTITUTIONS OF LOUISIANA WITH SOME OBSERVATIONS ON THE CONSTITUTIONAL CONVENTION OF 1921

*Paper read before The Louisiana Historical Society
by W. O. Hart
on January 25th, 1921*

Louisiana has had eight Constitutions.

The Constitution of 1812, under which the State was admitted into the Union, was adopted in convention held at New Orleans, January 2, 1812, and was modeled after the Constitution of the United States, in that it was divided into articles and the articles into sections, numbered separately in each article instead of being numbered consecutively, as has been the case in all subsequent Constitutions. This Constitution consisted of seven articles and a schedule, and a total of one hundred sections, and covers in its entirety, including the signatures of the members thereof, fourteen printed octavo pages. There is no special provision in this Constitution regarding taxation or the imposition of licenses, the members no doubt considering that the power to tax was inherent in the Government, and needed no constitutional warrant.

This Constitution remained in force for thirty-three years, the Constitution of 1845 having been adopted in convention on May 14th of that year. It is said that the convention which framed this Constitution was called in order to have a new set of officials throughout the State and it directed a new election soon after the Constitution had been adopted by the people. This Constitution contained 153 articles and covers 22 printed octavo pages. The Convention which framed this Constitution met in accordance with the Act of the General Assembly in Jackson on August 5th, 1844, and on the 24th adjourned to meet in New Orleans on January 14th, 1845, remaining in session there until May 14th, when the Constitution was adopted.

This Constitution, however, was not satisfactory to the people, and another was adopted in convention assembled at Baton Rouge, then the capital of the State, on July 31st, 1852. Although this Constitution has 155 articles, two more than the Constitution

of 1845, it occupies one printed page less, being contained in 21 pages of an octavo volume.

The next Constitution of the State was adopted in Convention at New Orleans on July 23rd, 1864, during the war between the States, and delegates were present in the convention only from that part of the State which was under the control of the Federal authorities. This Constitution also contained 155 articles and occupied nearly 23 printed pages of an octavo volume.

Owing to the unsettled affairs of the State, by reason of the war and reconstruction, not much attention was paid to this Constitution, and the Constitution of 1868 was adopted at convention held in the City of New Orleans, March 11th, 1868; in this Constitution the number of articles is 161 and it covers 26 printed pages of an octavo volume.

This Constitution remained in force until the people of the State again came into control of its governmental affairs, and the Constitution of 1879 was adopted by convention assembled in New Orleans, July 23rd, 1879, and so far as length and number of subjects treated of was concerned, was a great advance on former Constitutions. The Constitution proper contained 268 articles, covered 64 printed pages, and, in addition thereto, there were separate ordinances adopted, "For the relief of delinquent taxpayers," providing for the "Indebtedness of the State to its fiscal agent," "Loan by the fiscal agent," and the "State debt;" these covering six more printed pages. When this Constitution was adopted, in discussing its great length and the amount of detail therein, the *New Orleans Times* facetiously remarked: "The members of the Convention evidently do not know the difference between a Constitution and By-Laws."

This Constitution continued until the Constitution of 1898 was adopted in convention held in the city of New Orleans that year ending May 12th. This Constitution was not submitted to a vote of the people, but it was called under an act of the Legislature which was voted upon by the people, who, in so voting, agreed that the convention might declare the Constitution adopted without referring it back again to the people. Owing to the many conflicting interests represented in this convention, and the effort to satisfy all, the Constitution contains 326 articles and occupied 123 pages of a printed octavo volume. Besides this, there were three special ordinances: "Postponing the Session of the General Assembly," covering "Loan to defray the expenses of the convention," and authorizing "Loan for mobilization of troops." These were adopted during the session of the convention, respectively, on April 30, 1898, April 22, 1898 and

April 27, 1898, and were required by the exigencies of the occasion. It was found necessary to extend the session of the convention, and this necessitated a postponing of the legislative session. Sufficient funds had not been appropriated to meet the expense of the convention, and the coming on of the Spanish-American war required immediate action to put the Governor in funds so that the State might give its aid to the United States in the struggle.

It is a curious coincidence that the Constitutional Conventions of 1879 and 1898 were of the same duration, each having been in session for a term of ninety-four days.

The Constitutional Convention of 1913 met on November 10th, and completed its labors on November 22nd, and it was called principally to provide for the refunding of the State debt.

The Constitution of 1913 contains 326 articles, the same number as the Constitution of 1898, and occupies 126 printed pages, three more than the Constitution of 1898, this being caused principally by four long and new articles relating, respectively, to Juvenile Courts, Board of Commissioners for the Port of New Orleans, New Orleans Belt Railroad Bonds and the State Debt, the judicial provisions alone embracing 75 articles and covering 37 pages, being longer than the first two Constitutions of the State combined.

What was equivalent to a Constitutional Convention was the Secession Convention of 1861, called by Act of the General Assembly of Louisiana, adopted December 12, 1860, and which convened in the Hall of the House of Representatives in the State Capitol at Baton Rouge, on Wednesday, January 23, 1861, and on January 26, 1861, the ordinance of secession was adopted by a vote of 112 yeas to 17 nays, the yeas being increased after the vote had been announced by the vote of Alexander Mouton, the President, to 113. Upon the result of the vote being announced, the President of the Convention said:

“By virtue of the vote just announced, I now declare the connection between the State of Louisiana and the Federal Union dissolved, and that she is a free, sovereign and independent power.” Thereupon the Convention adjourned to meet January 29th at the City Hall in New Orleans, where it continued in session until March 23rd, adopting as part of its work the Constitution of 1852, making such changes therein as were requisite and necessary to conform to the Constitution of the Confederate States of America.

On February 12, 1861, the flag of the independent State of Louisiana was adopted, and on the next day the Secession Convention proceeded in a body to Lafayette Square for the purpose of inau-

guring and saluting the "National Flag of Louisiana." The militia of the city was there drawn up, the flag run up the flagstaff of the City Hall, and at the same moment a salute of twenty-one guns of artillery was fired. The flag, (the ugliest ever made,) consisted of thirteen alternate stripes, four of blue, six of white and three of red, with a red field in the upper left-hand corner containing a single yellow-star—the idea being that the flag should represent the thirteen stripes of the Union dissolved, so far as Louisiana was concerned, the tri-color of France and the red and yellow of Spain, the two countries which in times past had exercised sovereignty over Louisiana.

So far as the records show, the only flag of this design was the one placed on the City Hall by the convention, and there it remained until Farragut entered the city. On April 29th, 1862, when, through some of his officers, he demanded the lowering of the flag, with which demand Mayor John T. Monroe refused to comply, he being represented in the negotiations by Mr. Pierre Soule, the eminent lawyer, orator and statesman. Finally, the Federal officer in command, with some of his own men, removed the flag and it was carried away by them, and the history of it ends at this point.

The act which called the Constitutional Convention of 1913 directed the Convention to frame a new Constitution for the State of Louisiana and in carrying out this mandate, the Convention made a few changes. Most of these changes, however, have been annulled by the Supreme Court. (State of Louisiana *vs.* American Sugar Refining Co. 137 La., 406; Foley *vs.* Parish Democratic Committee, 138th La., 220; Hayne *vs.* Assessor, 143rd La., 697; Wunderlich *vs.* New Orleans Railway and Light Co., 145th La., 21; In Re Perez, 83 Sou. Rep. 657.)

Since the adoption of the Constitution of 1913, amendments have been proposed at every session of the General Assembly, 1914, 1916, 1918 and 1920, and most of these have been adopted, including seven on the 2nd of November last.

In a very interesting telegram from Oakdale, Louisiana, of date, November 1st, 1920, published in our newspapers, Mr. James A. Williams, in discussing the powers of Constitutional Conventions, is utterly at sea regarding the law of Louisiana as expounded by our Supreme Court.

While it is a general principle of law that a Constitutional Convention, when properly called, is not limited by the act of the Legislature calling it, there have been exceptions to this rule in various States, though in no State have the Courts gone as far as the Su-

preme Court of Louisiana in passing upon the Constitution of 1913. As far as other courts have gone, has been to hold that when a Constitution is adopted by a Convention under an act fixing certain limitations, such Constitution might be void if not accepted by the people, but it would not be void in one respect and valid in another, because the effect of such a holding would be to give a State two Constitutions, which is a legal absurdity.

The Constitution of 1913 before the Supreme Court passed upon it was recognized by the Governor and the General Assembly and was recognized by the Supreme Court in several cases, including the very well considered case of Bloomfield *vs.* Thompson, 133rd La. 209. The case of State *vs.* Favre, 51st Ann., quoted by Mr. Williams, in no wise helps his argument. The defendant in that case claimed that the Constitution of 1898 did not supersede the Constitution of 1879 because it was not a new Constitution, but simply an amendment to that of 1879, owing to the limitations in the act calling it. The Court in that case was very far from holding as stated in *Corpus Juris Civilis*: "Once assembled the convention is sovereign, is above the legislature and free from the control of the courts."

Writers of text books and digests, in quoting cases in support of the principles announced, do as often quote cases which have no application, as they quote cases which apply.

The Convention of 1913 was ordered to frame a new Constitution for the State of Louisiana and the members thereof thought, notwithstanding the limitations, they had a right in framing the Constitution to make it one harmonious whole, and no doubt certain changes and additions were necessary; the president of the Convention, former Justice Newton C. Blanchard, in one of his addresses gave it as his opinion that the Convention was sovereign.

The Supreme Court, however, thought differently, and in the cases above cited held that anything in the Constitution of 1913 which in the slightest degree infringed on the limitations of Act No. 1 of the extra session of 1913, was invalid.

The Supreme Court had previously, in a most elaborate opinion in the Bloomfield case above referred to, maintained that provision of the Constitution of 1913 giving to the Courts of Appeal jurisdiction on appeal of cases of which the District Courts had exclusive original jurisdiction, where no money amount was involved, but in the Wunderlich case, the Court of Appeal was prohibited from entertaining jurisdiction of such a case though the Bloomfield case was not referred to nor overruled. I might also say that in three applications for *certiorari* the Supreme Court refused the relief asked,

holding that the applicant had his remedy by appeal under the provision of the Constitution of 1913 held invalid in the Wunderlich case.

The effect of the decision in the Foley case and perhaps in some of the others is to give the State of Louisiana two Constitutions because the provision in the Constitution of 1913 providing when the assessors should be elected having been annulled, we must look to the Constitution of 1898 to find out when this must be done.

A new Constitution is an imperative necessity and the Convention which will meet on March 1st has the opportunity to write such a Constitution as will live for many years to come.

As Mr. M. J. Cunningham, a member of the Constitutional Convention of 1879, said in discussing the proposed convention of 1915, the call for which was defeated at the polls, "It is all very well to talk of a short Constitution, but wait until you come to write it." And so I am afraid it is going to be with the Convention of 1921. Most of the Constitutions recently adopted in this country have been rather long though none is equal in length to that of Louisiana. Too much detail appears in all Constitutions and even so conservative a body as the National Municipal League, of which Judge Charles R. Hughes, of New York, is now President, in preparing a paper for a model Constitution, has made the Legislative part thereof very verbose and complex when same could easily be provided for in one or two short articles, as I hope will be the case with our next Constitution.

Many recent Constitutional Conventions have submitted the result of their work to the people in the form of amendments so as not to expose an entire Constitution to rejection. At a special election held in Nebraska on September 21st, 1920, forty-one amendments were voted for and all were adopted, but as showing how little interest was taken in the election, less than one-seventh of the total electorate voted thereon and one-third of these were women. The method of amendment in the present Constitution of Louisiana is too easy and future amendments should require, as in Mississippi, an affirmative vote of a majority of those voting for the first officer on the ticket or if not a majority, at least a considerable number. Nebraska has just adopted such a provision requiring thirty-five percent for such a vote. Since 1898 about one hundred and fifty Amendments to the Constitutions have been submitted to the people of this State and most of them have been adopted.

Whether the new constitution should be submitted to the people or not is a subject well worthy of careful consideration; but in

any event the taxation provisions thereof should be so submitted. I do not agree with some eminent members of the Bar of Louisiana who think that taxation should be entirely in the hands of the General Assembly; as "the power to tax implies the power to destroy," the people should know exactly what taxes they are called upon to pay and they should have a voice when the taxes are increased and the power of taxation should never be given to irresponsible boards or commissions but should flow entirely from the people. Taxation in Louisiana, now particularly in New Orleans, with the increased assessments, is higher than ever before and as shown by an editorial in the *States* on November 23rd, last, the amount to be paid in 1922 and thereafter, unless the Constitutional Convention comes to the relief of the taxpayers, will be about four times as much as was paid forty years ago.

I trust the members will not burden the people of this State with an income tax for with the Federal Tax probably soon to be increased the strain is now greater than the people can well bear, and to add another income tax would be disastrous.

Some of the suggestions as to the income tax which might be placed in the Constitution would be ridiculous if the subject was not so serious. For instance: someone has suggested that the income tax on savings whether in property or otherwise, should be greater than those on earnings so that the humble citizen who by thrift and economy has purchased a double house, let us say, from which he gets a revenue from one side would be taxed on his income while the railroad or corporation official receiving a salary of \$25,000.00, \$50,000.00 or \$100,000.00 would go free, but certainly, no such inequality as this would ever be upheld by the people of Louisiana.

Another suggestion has been made that in assessing real estate business property should be assessed at a greater rate than residence property and this too would be an inequality, un-American and unbusiness-like.

It is interesting to note the many divergent views as to what the coming Constitutional Convention should do as to taxation; some writers have gone so far as to say that the matter should be left entirely out of the Constitution as it was out of the Constitution of 1912 and left to the General Assembly to deal with as that body may from time to time think proper. I hope this may not be done, because taxation embracing as it does "the power to destroy" should be safeguarded in every way subject to the vote and should not be determined by their representatives and for this reason I believe that the tax provisions of the new Constitution whatever they may

be should be submitted to the people whether the Constitution as a whole is or not.

The income tax whenever suggested in Louisiana has always been voted down by Legislature and when the assessors attempted to impose an income tax it was held illegal by the Supreme Court. See case of *Forman vs. Board of Assessors*, 35th Louisiana Annual, 825, decided in 1887. The income tax is a tax on thrift and is an inquisitorial tax and really has no place in America except as a war measure and any attempt to impose an income tax in Louisiana I am sure will meet with opposition and proper opposition from the people of the State.

The general trend in recent years has been for a long Constitution, though, according to a compilation of the Constitutions of all the States which is in the Law Library, it appears that the Constitution of Louisiana adopted in 1913 is the longest, and when we take into account the amendments adopted since, its length is very much increased.

Of course there is no doubt that the present Constitution will be greatly shortened, but with the many conflicting interests and ideas represented in the Convention, compromises will have to be made by which items of legislation will go in the Constitution. A great shortening of the Constitution can take place by limiting the provisions regarding the Judiciary to one article in the body of the Constitution and two in the Schedule, reading somewhat as follows:

1. "The judicial power of the State of Louisiana shall be vested in one Supreme Court, and in such inferior Courts as the General Assembly may from time to time ordain and establish. There shall be an appeal in every case, civil and criminal, and the right of the Supreme Court to issue writs of review, and writs of *certiorari*, mandamus and prohibition to all inferior Courts and the right of other appellate courts to issue writs of mandamus and prohibition in aid of their appellate jurisdiction shall never be abridged or limited, but may be enlarged and extended by the General Assembly. No powers other than judicial shall ever be conferred upon the Justices or Judges of any court of greater dignity than City Courts, Mayor's Courts, or Justices of the Peace."
2. "There is hereby created a Judicial Commission, consisting of nine members, one from the members of the Supreme Court, one from the members of the Courts of Appeal, and one from the District Judges, all to be selected by the Supreme

Court; two to be chosen by the Senate, two by the House of Representatives and two appointed by the Governor to prepare and frame and submit to the General Assembly as soon as possible, a comprehensive Judicial Code, which Code when adopted by the General Assembly, shall be immediately placed in effect under rules to be adopted by the Supreme Court, if necessary; no amendment of said judicial code increasing the number of Courts created thereby, the number of Judges of the Courts created hereby, increasing the salary of any Judge or Court official, or changing the jurisdiction of any Court, shall be adopted except by the affirmative vote of two-thirds of all members elected to each House of the General Assembly, and if vetoed by the Governor shall require the affirmative vote of four-fifths of the members elected to each House to become a law."

3. "In order that there may be no interruption in the administration of justice until the adoption of the Judicial Code herein provided for and the organization of the Courts thereunder, all the courts of the State as now existing, shall remain in existence and operation and all laws and Constitutional provisions relating thereto shall remain in full force and effect, including the names, composition and jurisdiction of the courts, the compensation of the Justices and Judges, the clerical and executive officials of the courts, their deputies and their compensation, the fees of such officials and the rules of practice."

The various arguments published from time to time regarding what jurisdiction should be given to the Supreme Court of Louisiana by the new Constitution are in many instances inaccurate and misleading.

For instance, it was recently stated that the Supreme Court should have no jurisdiction to review the facts, but should be like the Federal Appellate Courts which in no case examine the facts; in at least half of the cases appealed in the Federal Courts the facts are reviewed, because this is done in all equity cases and in all admiralty cases; and in many law cases; where testimony is usually made part of the request for peremptory charges and of the Bills of Exceptions the court has to review the facts to see whether they are sufficient to sustain a verdict or not in order to determine whether the peremptory instruction should or should not have been given; many of the records on appeal in the Federal Courts exceed in volume, those in our State Supreme Court. As the courts of Louisiana are

courts of law and equity, in order to take away from the Supreme Court the right to review the facts our whole system of trial would have to be changed and I do not believe our people are ready or desirous for such a revolution.

In passing I may say that every case appealed in the Federal Courts embraces a review of the facts. When the facts are not to be examined, the case goes up on writ of error and not by appeal.

Everyone endorses the statement of Governor Parker that the Convention should frame a Constitution that anyone may understand, but that is an impossibility. The Constitution of the United States, which to the ordinary reader appears very simple, has been in existence for over one hundred and thirty-one years and nobody yet knows what it means. New interpretations are being placed upon some of the articles day by day, and even the Supreme Court of the United States, the greatest court in the world, has often interpreted parts of the Constitution by a vote of five to four. By a vote of four to three, when the court had but seven members, the Legal Tender Act adopted during the war between the States, by which paper money was issued, was declared unconstitutional in part, but soon thereafter, by a vote of five to four, two additional members of the court whose views were known in advance having been appointed, it was held constitutional in all its provisions.

While the Supreme Court had several times upheld a congressional income tax, the income tax law of 1894 by a vote of five to four was held not authorized by the Constitution, though the court had previously held four to four that it was.

The Fourteenth Amendment to the Constitution, which was proposed and adopted to confer greater rights upon the negroes and to punish the Southern whites who served in the Confederate Army and had no other object, has, by the decisions of the Federal Courts, become the "bulwark of the trusts," and under it has grown up the grasping jurisdiction of the Federal Courts in all cases where corporations are involved to the injury of the individuals.

So eminent an authority as Mr. F. G. Bromberg, of Mobile, one of the leading constitutional lawyers of the United States, (and many others agree with him) strenuously contends that the Congress of the United States which proposed the Eighteenth Amendment to the Constitution, the forty-five States which adopted it, and the Supreme Court of the United States which upheld and maintained it, have no correct conception of the meaning of Article Five of the Constitution which provides for the amendment thereof.

The admiralty jurisdiction of the Federal Courts under the Constitution has been enlarged by the courts from time to time, giving new meanings to the Constitution, and to an extent never dreamed of by its framers, and so regarding the jurisdiction over corporations; the articles of the Constitution as to citizenship have been given all kinds of meanings, in some cases corporations are treated as citizens and in others they are not. And now the question is being agitated whether the power given to Congress by the Constitution of the United States "to regulate commerce among the several States," also includes the power to regulate commerce entirely within a State, when this power is necessary to secure and enforce uniformity of regulation; and what the final decision will be no man knoweth.

Even the Supreme Court of Louisiana had to change its decision in order to decide that sugar refining was manufacturing, having first decided that it was not in the meaning of the exemption of the Constitution from license taxation of all manufactories save certain ones, and the articles of the Constitution in regard to exemption from general taxation have been interpreted different ways at different times. No one knows today what the graduation required by the Constitution for license taxes means because the Supreme Court has given so many different interpretations on the subject.

These illustrations might be multiplied indefinitely, but there is no Constitution and no law that can be passed that cannot be subject to different interpretations and the simplicity of the language often presents the most complex of interpretations.

It is to be hoped that one of the first acts of the Constitutional Convention of 1921 will be to create a legislative reference bureau so that the work of the Convention as it progresses may be examined by a body of disinterested experts to prevent errors, contradictions and uncertainty of language in the Constitution and also that it will provide for a permanent legislative reference bureau for the General Assembly.

The members of the General Assembly seem too fond of their dignity that the probability is that no legislature will create such a body and it ought to be done by constitutional enactment so that it cannot be destroyed by the Legislature. When the Convention completes its labors it should take a recess of at least two weeks in order that the Constitution may be studied by the members of the Convention before the final vote which sends it to the people.

In the Convention of 1898 its labors were finished on the morning of May 12th. The Constitution was hurriedly printed and placed

on the desks of the members that night and was then adopted as a whole, and while the signing was going on it was discovered that a most important amendment regarding railroad taxation which had been defeated on the floor of the Convention had been incorporated in the Constitution and adopted, and when this was discovered about half the members had already signed, but a halt was called, an investigation was started and the error was corrected; someone intercepted the messenger who took the manuscript from the Committee on Style and Revision to the printer, and made the change and as the final proof was not read it was not discovered before the Constitution was adopted. The Constitution of 1898 is entirely contradictory as to whether or not the Governor shall be suspended pending his impeachment. The word "indicted" appears instead of "interdicted," referring to those not entitled to suffrage. The wards of New Orleans were called "Representative Districts," and many other errors of style will be found, and these can only be obviated by a careful examination of the Constitution after it is entirely completed and printed, with time for the study thereof before the vote for final adoption.

I have heard it suggested that the Constitutional Convention of 1921 will have no power to submit the constitution to the people because it cannot call an election or provide for the expense thereof. This has not been the practice of former Conventions.

The Convention of 1868 in Article 153 fixed "the election for the ratification of the constitution" on "Friday and Saturday, the 17th and 18th days of April, 1868."

The Convention of 1879 authorized the fiscal agent of the State to negotiate a loan of twenty-five thousand dollars to pay the expenses of that convention above the amount appropriated by the act which called it and the General Assembly was directed to make an appropriation to pay the debt.

The convention of 1898 authorized the President of the Convention to negotiate a loan of fifteen thousand dollars for the same purpose as was authorized the loan by the Convention of 1879 and also authorized the governor to borrow fifty thousand dollars for the mobilization of the State troops in the war with Spain, and the General Assembly was directed to make an appropriation to pay both of these loans, and all three of the loans above specified were paid.

The very moment the Constitutional Convention of 1921 concludes to submit its work to the people it then becomes unlimited in scope because the limitations are based upon the nonsubmission

of the Constitution and disappear when the whole subject is referred back to the people.

The Constitution of 1812 was not submitted to the people but was called under an act of Congress. The secession ordinance and the readjustment of the Constitution of 1852 were not submitted, nor were the Constitutions of 1898 and 1913. The Constitutions of 1864 and 1868 were submitted but the election in each case was a farce; the only Constitutions wholly submitted to the people in a proper election were those in 1845 and 1852. The members of the Convention of 1879 were doubtful as to whether the Constitution framed by them would be adopted, particularly as it shortened the terms of many of the officers by one year and the Justices of the Supreme Court by five years so the State Debt settlement, which was the most important question of all, was separately submitted.

Of the many eminent men who have served in the Constitutional Conventions of this State, but three achieved the distinction of having served in three conventions, James G. Taliaferro, who presided over the Convention of 1868 and was a member of those of 1852 and 1861 and who afterwards was Justice of the Supreme Court from 1868 to 1876; Robert B. Todd, who was a member of the Conventions of 1852, 1861 and 1879 and was a Justice of the Supreme Court from 1880 to 1888; and Thomas J. Semmes, America's greatest lawyer, who was a member of the Conventions of 1861, 1879, and 1898, and who achieved distinction in many ways, having been Attorney-General of the State, a member of the Senate of the Confederate States and Professor of Civil Law in the University of Louisiana.

Mr. W. J. Burke, of New Iberia, and M. H. Carver, of Natchitoches, who were members of the Conventions of 1898 and 1913, will be members of the Convention of 1921, the former having been elected without opposition in his parish and the latter having been appointed by the Governor, and they will join the three above named as members of three Conventions.

Both took a prominent part in the two Constitutions of which they have been members. In 1898 Mr. Burke was Chairman of the Committee on the Executive Department and in 1913 was Chairman of the Law Committee and in that year Mr. Carver was Chairman of the Committee on State Debt and in 1898 was Chairman of the Committee on Impeachment and Removal from office.

There were ten members of the Convention of 1879 who were members of the convention of 1898 as follows: Henry Chiapella and Thomas J. Semmes, of New Orleans; S. P. Henry, of Cameron; B. F.

Jenkins, of De Soto; C. C. Davenport, of Morehouse; G. W. Bolton, of Rapides; H. C. Stringfellow, then of Red River, but now living in Shreveport, Albert Estopinal, of St. Bernard; J. M. Thompson, of St. Tammany, and Judge I. D. Moore, who was the only member of both conventions elected from different constituencies; in 1879 he represented the Parish of Lafourche and in 1898 he represented the Eleventh Ward of New Orleans. He was nominated and elected from the 14th Ward to the Convention of 1915 though the call therefor, was, however, voted down by the people.

Honorable N. C. Blanchard, who was a member of the Convention of 1879 was the presiding officer of 1913 and five members of the Convention of 1913 were members of the Convention of 1898; besides the above named, F. B. Dubuisson, of St. Landry, W. O. Hart and James O'Connor, of New Orleans.

The only surviving members of the Convention of 1868 as far as I know are P. B. S. Pinchback, now living in Washington, and Judge Hiram R. Steele, a member of the bar of New York City, and both of these were members of the Convention of 1879. Both of these were prominent in the history of Louisiana; Pinchback was a member of the State Senate when Oscar J. Dunn, the colored Lieutenant-Governor elected in 1868 died, and at a special session of the Senate called by Governor Warmoth, he was elected President of the Senate which made him Lieutenant-Governor; after the election of 1872 Governor Warmoth was impeached and Pinchback became Acting Governor of Louisiana and was at once recognized by President Grant and later by the Supreme Court of Louisiana and by the Supreme Court of the United States.

He was a candidaté for Congressman at large from Louisiana in 1872, his opponent being General George A. Sheridan on the Liberal-Republican-Democratic Ticket. A contest which began at the opening of Congress extended until the last day of the Congress, March 3rd, 1875, when Sheridan was admitted to the seat. In January, 1873, Pinchback was elected by the Kellogg legislature to the United States Senate but after a contest extending over many years he was refused admission and some time after that, James B. Eustis who had been elected in the meantime, was admitted, becoming the first Democratic Senator after the withdrawal of Benjamin and Slidell when Louisiana seceded.

Steele was Assistant Attorney-General, Judge of the Superior Criminal Court, Attorney-General, and District Attorney for the Concordia District, his title thereto being upheld by the Supreme

Court against an attack of the Attorney-General who claimed that Steele did not live in Louisiana, but in Natchez, Mississippi.

Of the ten above mentioned who served in the Conventions of 1879 and 1898 there are still living besides Judge Moore, Mr. Stringfellow and Mr. Bolton who still lives in Alexandria.

All of those who served both in the Conventions of 1898 and 1913 are still living and actively engaged in the practice of law, except Mr. O'Connor who is a member of Congress.

If Honorable Hewitt Bouanchaud, the present Lieutenant-Governor is elected President of the coming Constitutional Convention as now suggested, this will be following the precedent of 1879 when Louis A. Wiltz, elected Lieutenant-Governor in 1876, was made President of the convention, and the first Governor elected thereunder and so "coming events may cast their shadows before."

The Presidents of all the Constitutional Conventions of Louisiana have been men who acquired eminence in other walks of life except one hereinafter mentioned.

Julien Poydras, President of the Convention of 1812, was a delegate in Congress from the Orleans Territory and a representative in the 11th Congress from the State of Louisiana.

Joseph Walker, the President of the Convention of 1845, was elected Governor in 1850, and after serving three years was legislated out of office by the Constitution of 1852 just as Francis T. Nicholls was by the Constitution of 1879.

Duncan F. Kenner, the President of the Convention of 1852, was a member of the Confederate Congress and afterwards a State Senator in Louisiana.

E. H. Durell, the President of the Convention of 1864, was the notorious United States District Judge who signed the infamous mid-night order by which the United States Court organized the legislature of Louisiana after the election of 1872 with the result that Governor Warmoth was impeached and the Colored Acting-Lieutenant-Governor became Acting Governor of the State for several weeks.

The President of the Convention of 1861 was Alexander Mouton, who had served in the Senate of the United States and held other important positions in the State.

The President of the Convention of 1868 was James G. Taliaferro, who afterwards served as a member of the Supreme Court from 1868 to 1876.

The President of the Convention of 1918 was Ernest B. Kruttschnitt, one of the leading lawyers of Louisiana, but who held no

political office except for many years he was President of the School Board of New Orleans.

The President of the Convention of 1913 was, as above stated, Newton C. Blanchard, of Shreveport, who was a member of the Convention of 1879, member of the House of Representatives and Senate of the United States, Justice of the Supreme Court and Governor of Louisiana.

Though the Attorney-General gave an opinion that women voters in Louisiana were not liable for poll taxes until the Constitution had been changed, in this I think he was in error, but whether he was or not the matter was of sufficient doubt and importance that it should be resolved in favor of the payment of the poll tax, and I am glad to state that through agitation in the press and otherwise, about twenty thousand women voters paid their poll taxes in New Orleans for 1920, so as to make themselves qualified electors for 1921 and 1922, and I understand that a larger proportion of the registered vote of women paid the poll tax than of registered men.

Besides, as women have been the most ardent supporters of the public schools, it was hardly to be supposed that they would refuse or neglect to pay the one dollar poll tax when such dollars go to the public schools, and when they had the right to pay the poll tax even though they might not have been obliged to do so.

Moreover, what was the use of women taking the chance of losing their votes in 1921 and 1922 because their poll tax for 1920 had not been paid? When the Fifteenth Amendment to the Constitution of the United States was adopted, the Supreme Court of the United States decided that in effect it struck the word "white" out of every constitutional and law provision of every State in relation to suffrage including the right to vote and the right to hold office; (*Neal vs. Delaware*, 103 United States Reports, 370-389; *Watson on the Constitution*, pages 1673, 1674;) and as the words of the Nineteenth Amendment are similar, the result is the same in effect and as women are now given the right to vote, and with the right must go the obligations thereof and one of the obligations is the payment of poll taxes.

It was stated that one reason why women voters need not have paid Poll Taxes last year in order to vote in 1921 and 1922 was that the coming Constitutional Convention may contain a provision that they may vote without paying such taxes; this, however, was a dangerous assumption to proceed on. The Convention may do nothing more than place women in the same category as men regarding poll taxes and again, if it does otherwise, the Constitution may be

submitted to the voters for approval and if this be so, women who have not paid poll taxes in 1920 cannot vote thereon, and I am sure our new voters would not like to be deprived of so important a duty as voting on that occasion.

It is inconceivable that the framers of the Constitution of 1898 and 1913 ever intended there should be a privileged class of voters in this State which would be the case if women were not compelled to pay poll taxes the same as men, and I do not believe the Convention of 1921 will protect women in their voting rights when they have failed to comply with one of the necessary requirements thereof, and that is, the payment of the poll tax of 1920, when they had ample opportunity to make the payment.

I trust the Convention will not adopt the suggestion that has been made from some quarter that in the future, the payment of poll taxes two years in advance would not be necessary for the exercise of the right of suffrage; in my judgment, this provision of the Constitution of 1898 is the bulwark of white supremacy in Louisiana and it should be continued for that reason, if for no other.

Our Constitution in regard to Confederate pensions is two pages long and after being amended several times at large expense to the State is again the subject of an amendment voted on last year.

Mississippi also voted on a Confederate pension amendment last year and I commend its simplicity and briefness to the members of the next Convention. It reads as follows:

"The legislature shall provide by law for pensions to Confederate soldiers and sailors who enlisted and honorably served in the late Civil War and who are now resident in this State. Pensions shall also be allowed to the widows of such soldiers or sailors now dead on conditions to be prescribed by law. Pensions shall be allowed to the wives of such soldiers and sailors now living upon the death of the husbands on conditions to be prescribed by law, but pensions granted to such widows shall cease upon their subsequent marriage."

Such an article is all that is necessary in our new Constitution except that there might be added thereto, the following:

"Provided, that the tax for Confederate pensions shall never be less than three-fourths of a mill."

When the time comes that there are very few pensioners left, the article regarding the tax could then be regulated by constitutional amendment, but in the meantime, the whole subject may be safely left in the hands of the General Assembly.

One of the reforms which should be in the next Constitution is the doing away with special elections which are a source of expense

to the cities, towns and parishes of the State as well as of the State, keep political questions before the people constantly, to the injury of business and the orderly progress of affairs and interfere with sessions of the courts on account of the holding by the Civil District Court in New Orleans that special election days are legal holidays.

The filling of vacancies in the Supreme Court is not by special elections, but by the Court calling in one of the Judges of the Courts of Appeal until the ensuing Congressional election and so it should be as to all vacancies in judicial offices. They should be temporarily filled by the Supreme Court from other courts if necessary and the elections, when held, should be for the full term of the office as is the case with the Supreme Court and not for an unexpired term. This would give the candidate a certainty of at least four years, in some cases eight, and in others twelve, and besides, would have the effect of preventing all the judges being elected on the same day, which would be an advantage.

In the other offices: Clerk, sheriff, constable, marshal, coroner, recorder of mortgages and register of conveyances, the chief deputy should continue as the head of the office until the next Congressional election, and where there are assistant district attorneys the chief assistant should so act, and where there are none, the court should be authorized to appoint a district attorney pro tem. There should be but one general election every four years when the Governor and other officers should be elected at the same time as the Presidential electors are voted for.

It will, of course, be readily admitted by all that the suffrage question is one of the important ones to be discussed and considered by the coming Constitutional Convention, but no matter what plan may be adopted no one in this State should hereafter be allowed to vote unless he or she can read and write the English language.

The great unrest in this country is caused by the presence of foreigners, naturalized as well as unnaturalized who do not adopt American customs, do not speak the English language and are ignorant of the history, literature and traditions of the United States.

So conservative a newspaper as the *Springfield Republican*, in commenting upon the last election, finds from utterances of prominent Germans that the large majority given for the Republican electors in November was by the practically solid foreign vote.

A requirement that each voter must read and write the English language would be a great incentive to education, for as the would-be voters grow up and know that their right of suffrage depends

upon their knowledge of English, they will take steps to acquire that knowledge.

Louisiana has been a State of the Union for nearly one hundred and nine years and it is the height of absurdity, to say the least of it, that Louisiana should protect those who in that time have not taken the trouble to learn English.

It is hoped that the Convention will safeguard public education throughout the State, not so much by incorporating in the Constitution provisions relating thereto, but authorizing the legislature so to do and abstaining from adopting provisions which might injuriously affect the schools.

A sufficient tax should be provided, not only for the City of New Orleans, but for all the schools in the State as to provide a living wage for the teachers and a surplus fund for repairs, upkeep and building of school houses and this tax should be beyond legislative control.

While perhaps it is not proper to provide for civil service in the Constitution there should be nothing therein to prevent civil service appointments where they now exist or to prevent other school boards from adopting same and a provision should be inserted in the Constitution providing that the school boards shall never be under the control of municipal or parochial governments.

As next to the parent, the teacher is the closest to the child and as the proper development of the child is necessary for the future stability of the Republic, teachers should not only be paid a living wage, but should be protected against want and old age and therefore, the State should make an appropriation annually, either through the Constitution direct or by mandate to the General Assembly to supplement and add to the teachers' retirement fund in the Parish of Orleans and in the other parishes so that same would always be ample to provide for the teachers who retire.

There are in the State of Louisiana and in the city of New Orleans, nearly one hundred public boards and of course, very many more when all those in the parishes are counted, and the coming Constitutional Convention should take some action to prevent their rapid increase, as has been the case in the last few years, and perhaps many should be abolished by Constitutional provisions, including even some of those imbedded in the Constitution, such as the Pardon Board, for instance, the abolishment of which has been suggested by Secretary of State Bailey in a very forceful interview recently published.

The so-called "Bill of Rights," prepared by the women voters of Louisiana for incorporation in the Constitution, while in many respects praiseworthy and important, embrace strictly matters of legislation and have no place in the Constitution.

As prohibition is now the supreme law of the land by virtue of the Eighteenth Amendment to the Constitution of the United States, it is useless to provide for State prohibition in the Constitution though it is perhaps advisable for Louisiana to adopt, as should the other States, the Volstead law, so as to make the enforcement of the prohibition amendment the same throughout the United States.

I notice that Governor Pleasant, is, with reservations, in favor of a long Constitution, and I doubt very much from the discussion now going on throughout the State whether the Constitution of 1921 will be very much, if any, shorter than the Constitutions of 1879, 1898 and 1913, and it may be longer, especially when we consider the many new matters which it is sought to place therein, for instance: Protection to wage-earners, blue sky laws, anti-blue laws, and half street car-fare for children.

The letter "B" seems to be an important one regarding Constitutional Conventions in Louisiana in recent years.

For the Convention of 1921 there are three candidates for the office of President and the names of all begin with a "B": Phanor Breazeale, of Natchitoches, formerly a member of Congress, a member of the Criminal Code Commission of 1908 and a very active member of the Convention of 1898 but not a member of the convention of 1913 as recently stated in the press; Hewitt Bouanchaud, now Lieutenant-Governor, and formerly Speaker of the House; and T. C. Barret, formerly Lieutenant-Governor. For the Convention of 1915, the call for which was defeated by the people, there were two candidates for President, Mr. Breazeale and Martin Behrman, then Mayor of New Orleans and recently elected a member of the Convention of 1921, he having been also a member of the Convention of 1898, and the only member from New Orleans to that Convention elected or appointed to the Convention of 1921; in the Convention of 1913 the President was Newton C. Blanchard, and the temporary chairman was then Chief Justice Joseph A. Breaux.

We read in the papers almost every day about the shortage of dwelling houses in the city of New Orleans, which shortage, of course, is going to create endless confusion and some suffering unless speedily remedied; and while many remedies have been suggested for this condition, that by Mr. B. P. Sullivan, a director in the Union Home-

stead Association and thoroughly posted on real estate conditions, seems to me the most feasible and the one most likely to bring immediate results and the one that will be of most benefit to the public in general, because every home, built and occupied by the owner, represents one more contented family, and contentment among the people is what is most needed at this time.

In the Constitution of 1879 certain manufacturers were exempted from taxation for a period of ten years and this exemption was extended for ten years more by Constitutional amendment and was carried in the Constitution of 1898 for ten years more from January 1st, 1900, as to municipal taxation. In both of these Constitutions all manufacturers with a few minor exceptions were exempt from license taxation and the Constitution of 1898 further exempted for ten years new railroads. All of these exemptions were put in the Constitution with the idea that development by manufacturers and railroads would be brought about in the State which might not take place if they were compelled to pay taxes from the beginning of their existence; all of these provisions worked well and were found to be for the benefit of the State.

Mr. Sullivan's suggestion is that new houses built and occupied by the owners be exempt from taxation for a limited period, say ten years, from January 1st, 1921. It is very easy to safeguard this exemption by providing that it shall only take place and exist when and as long as the owner lives in the house which he built; if he should sell or rent the house the exemption to end, thus destroying the work of the speculator who might build houses in order to escape taxation.

We always hear it said that in this country the dollar is placed above the man, and here is a chance to reverse the order of things by recognizing the man who builds the house by exempting his house from taxation just as heretofore manufacturing establishments and railroads have been exempted. The amount of revenue this city and State would be deprived of would be insignificant compared to the benefit derived. More houses would be built and greater demand for building materials and labor would follow, and as in the end, the last man pays the taxes, the taxes on this material and this work would more than balance the loss on the finished house. I hope the subject will be given serious attention by the coming Constitutional Convention.

For the last few months the newspapers of the State have devoted considerable space to the coming Convention and many of the suggestions made are well worthy of consideration and as showing

their trend of thought, I herewith repeat a recent editorial in the *Monroe News Star* :

“A State Constitution should be short, clear and confined to governmental frame-work, leaving all the filling to be done by the government in action. This policy has been so far departed from that all our State Constitutions are long, some very long and they consist very largely of statutory matter. The question has been asked ‘Who can write a constitution of twenty lines?’ That man has not yet been found. But the man can be found, we believe, who can write a State Constitution in twenty articles averaging less than twenty lines each. What State constitutional convention will be the first to adopt such a draft of its fundamental laws? The consensus of opinion seems to favor a constitution for Louisiana free from all ambiguity, consisting of carefully worded articles dealing entirely with such matters as are absolutely necessary for the guidance of the legislative branch of the government. It should be free from complex sentences, setting forth in terse terms the fundamentals of good government, giving to the Legislature the right to enact such laws as are deemed essential at the present time. Such a constitution will be responsive to the wishes of the people and will place Louisiana well up in the front rank of progressive States of the Union.”

Now that the membership of the constitutional convention of 1921 is complete, it may be interesting to compare same with previous conventions.

As in 1898, both the Lieutenant-Governor, then R. H. Snyder of Tensas, who was afterwards elected Speaker of the House of Representatives, and the Speaker of the House of Representatives will be members of the convention in 1921, and for the first time a justice of the Supreme Court will be a member, in the person of Associate Justice B. C. Dawkins, of the parish of Ouachita.

Of the members of the convention of 1879, the president, Louis A. Wiltz, was then Lieutenant-Governor, and four members became Justices of the Supreme Court. N. C. Blanchard of Caddo, Charles Parlange of Pointe Coupee, F. P. Poche of St. James and Robert B. Todd of Morehouse. S. P. Henry of Cameron, who was a member of the conventions of 1879 and 1898, was twice elected Speaker of the State House of Representatives, and G. W. Bolton, also a member of both conventions, was once elected Speaker.

Of the members of the convention of 1898, three became members of the Supreme Court, the present Chief Justice, Frank A. Monroe of New Orleans, Associate Justice O. O. Provosty of Pointe Coupee

and Judge Paul Leche of Ascension, who served about 16 months by appointment of the Court after the death of Justice Land, until the election of Justice Dawkins. M. J. Cunningham of Natchitoches, a member of the convention of 1879, was three times elected attorney general and A. V. Coco of Avoyelles, a member of the convention of 1898, is now serving his second time in that office.

Two ex-Governors, both Republicans, were members of the convention of 1879, H. C. Warmoth and P. B. S. Pinchback, and both are still living. Two members of that convention became Governors: Wiltz and Blanchard; and three became Lieutenant-Governors, Parlange, Estopinal and H. R. Lott of West Carroll.

One member of the convention of 1898 became Governor, J. Y. Sanders, then of St. Mary, but now of Washington parish. He and R. G. Pleasant of Caddo, elected Governor in 1908, will be members of the convention of 1921, and T. E. Barret of Caddo, a former Lieutenant Governor, will be a member.

The political record of Mr. Sanders is most interesting. During the sessions of the Constitutional Convention of 1898 he was elected a member of the State House of Representatives, re-elected in 1900 and then elected Speaker; elected Lieutenant-Governor in 1904 and while serving as Governor in 1910, was elected United States Senator to serve the unexpired term of nearly five years of ex-Governor Samuel D. McEnery. Unfortunately for the State, in my judgment, Governor Sanders declined this election, following the course of J. N. Destrehan, the first Senator elected from Louisiana, who declined the office October 12th, 1812, and Charles Gayarré, the historian of Louisiana, who declined the election as Senator in 1835 though his declination was entirely on account of the condition of his health at that time.

Don Caffery, of St. Mary, and Mr. Blanchard, members of the Convention of 1879, became United States Senators, and Joseph E. Ransdell of East Carroll, and J. B. Thornton of Rapides, members of the Convention of 1898, became United States Senators. Of the present members of the United States House of Representatives, R. J. Wilson of Catahoula and Mr. Sanders were members of the Convention of 1898, and W. P. Martin of Lafourche and James O'Connor of New Orleans were members of the Convention of 1913.

Phanor Breazeale of Natchitoches, Albert Estopinal of St. Bernard, Geo. K. Favrot of East Baton Rouge, A. P. Pujoe of Calcasieu, R. C. Wickliffe of West Feliciana, and Mr. Ransdell, members of the Convention of 1898, also served in the United States House of Representatives, and Mr. Favrot was again elected last November.

P. M. Lambremont, of St. James, elected Lieutenant-Governor in 1908; Martin Behrman, who served as Mayor of New Orleans from 1904 to 1920, and I. D. Moore, who recently retired from the office of City Attorney of New Orleans, after ten years' service, were all members of the Convention of 1898, and Mr. Behrman will be the only member of that Convention from New Orleans in the Convention of 1921.

Of the members of the Convention of 1913 from New Orleans in the Convention of 1921 there will be two, Charles O'Connor from the Twelfth ward (he representing the Second ward in 1913) and John P. Sullivan of the Third Ward. Other members of the Convention of 1913 who will be in the Convention of 1921 are J. W. Joffrion of Avoyelles and W. C. Hodges of Bossier; R. F. Walker of East Feliciana now Speaker of the House of Representatives; W. J. Burke, of Iberia; John A. Carville of Iberville; L. L. Judice of Lafayette; H. Flood Madison of Morehouse; M. H. Carver of Natchitoches; Simon Leopold of Plaquemines; Albin Provosty of Pointe Coupee; J. W. Alexander of Rapides; S. D. Ponder of Sabine; Joseph E. Doussan of St. James; D. C. Labbe of St. Martin; G. H. Clinton of Tensas and L. O. Broussard of Vermilion.

Members of the Convention of 1898, besides those before referred to, who will be in the Convention of 1921, will be S. McC. Lawrason of West Feliciana; H. T. Liverman of De Soto; J. B. Snyder of Madison; H. H. White and W. D. Haas of Rapides; L. P. Caillouet of Lafourche and P. S. Pugh of Acadia.

In the Convention of 1879 there were 27 Republicans, many of them colored; in the Convention of 1898 there was one Republican, and there will be one in the Convention of 1921, Dr. Roy O. Young of Lafayette, one of the appointees of the Governor. In the Convention of 1913 all the members were Democrats.

Having said something about the flag of Louisiana of 1861, it may not be out of place to speak of the present official flag of our State.

In 1912 the Louisiana Historical Society appointed a committee, of which the late Mrs. W. J. Behan was chairman, to draft a bill for presentation to the General Assembly of Louisiana in the effort to have a law passed recognizing and legalizing the Pelican flag, so called, which though in use for nearly a century had never been officially adopted by the General Assembly. The bill was undertaken by Mr. W. F. Roy, Representative from St. Bernard parish, and was introduced by him in the House of Representatives

as Bill No. 203; it duly passed and was approved by the Governor July 1, 1912.

In the session acts of that year, as a part of the law is a picture of the flag, though the coloring is defective, the blue being too light, as the proper blue of the flag is dark, and the character & is used instead of "and," between "Justice" and "Confidence." The law in part, reads as follows:

"The official flag of Louisiana shall be that flag now in general use, consisting of a solid blue field, with the coat-of-arms of the State, the Pelican feeding its young, in white in the center, with a ribbon beneath, also in white, containing in blue the motto of the State, 'Union, Justice and Confidence.'" The second section provides: "That the said State flag shall be displayed on the State House whenever the General Assembly is in session and on public buildings throughout the State, on all legal holidays and whenever otherwise declared by the Governor or the General Assembly."

So far as New Orleans is concerned, the public officials obey this law, and the flag will be found on all holidays floating above the City Hall and on other public buildings.

NOTE:—Since this paper was prepared, the Constitutional Convention of 1921 has met, and while there were many curious ordinances introduced, one prepared by a citizen of New Orleans is so unique and extraordinary that I think it ought to be preserved for future generations. It reads as follows:

"It is hereby voted upon and passed by this Convention that the following Amendment to the State Constitution be made as follows, to become a part of the Organic Law and to take effect from date of its passage, to-wit:

"It is hereby declared lawful and commendable that, in cities and towns of two thousand or more in population, to construct and equip what may be herein described as Matrimonial Stations, the object of which would be to encourage and facilitate the natural and legitimate aspirations of the young people, especially in the direction of marriage. The funds for the establishment and maintainance of the stations shall be furnished by the State and Municipalities, aided by private contributions in cash, material or labor.

"The Institution shall be under the supervision of a detective and matron, appointed by the city, in order to secure propriety.

"In the way of further encouragement to those who obtain certificates of marriage, the State and City shall make effort to furnish a position or employment of some kind to the groom, supplemented as aforesaid by generous citizens, as far as possible. In the

meantime the General Government might be appealed to, to lend assistance as to custodian of our vast landed areas, and the provisions of our National Homestead Law.

“It is evident that in communities of a miscellaneous character scores of young people might be brought together in an honorable relation and directed on the right way and good citizenship.

“If it is a function of Government to suppress crime, it is likewise a duty to encourage righteousness and virtue and promote the public and private morality of the community.”



BONDED DEBT OF NEW ORLEANS 1822 TO 1920 INCLUSIVE

By Horace P. Phillips

In an address delivered by Mr. R. S. Hecht, in the year 1916, before the Tulane Society of Economics, he said:

“A discussion and analysis of the financial affairs of the City of New Orleans would ordinarily be a very dry and uninteresting subject for all except the few who, for some special reason, have some direct interest in this intricate question.”

The writer being one of the few having a very direct interest in the subject matter and possessing certain knowledge concerning the bonded debt of the City of New Orleans which dates with the origin of same, decided for his own benefit primarily, and for the convenience and satisfaction of any others who may be interested to compile this history of the bonded debt of the City of New Orleans.

In the year 1803 the transfer of Louisiana to the United States was completed.

By an act of Congress dated March 26th, 1804 was created the territory of Orleans.

The territorial assembly on February 17th, 1805, granted the first act of incorporation which constituted “all the free white inhabitants of New Orleans, a body corporate by the name of the Mayor, Aldermen, and inhabitants of the City of New Orleans.” The officers of the city, created by this act were one Mayor, one Recorder, fourteen Aldermen, one Treasurer, and as many other subordinate officers, not herein mentioned, for preserving the peace and well ordering the affairs of said city. The city was divided into seven wards. In 1812 it was divided into eight wards, and changed from time to time, until at present it is composed of seventeen wards.

The first act authorizing New Orleans to create a Fund or Capital to procure a loan was adopted on March 12th, 1822, and was amended by acts passed in 1825 and again in 1827, and the City of New Orleans in the year 1830 issued its first bonds, in those days called “City Stock” in an amount of (\$300,000) Three Hundred Thousand Dollars, payable in twenty years after date and bearing six per cent interest per annum, said bonds were signed by D. Prieur, Mayor and C. Genois, Recorder.

With the passage of Act No. 40 of 1833 the Commercial Bank was incorporated with a capital stock of \$3,000,000, with 30,000 shares of \$100 each. The City of New Orleans subscribed to 5,000 shares of its stock; this bank was invested with banking privileges, but the chief object of which was to be the conveying of water from the river into the City of New Orleans and its faubourgs, and into the houses of its inhabitants, said company being obliged to commence work of building the water works within twelve months.

By an act passed in 1835 the New Orleans and Nashville Railroad Company was incorporated for \$6,000,000 the City of New Orleans subscribing to \$500,000 of its stock and issuing a like amount of bonds to pay for its subscription, the object being the building of a railroad between the above named cities.

In the year 1835 an act was also passed wherein the New Orleans Draining Company was incorporated for the purpose of draining the swamps, etc., and the City of New Orleans was authorized to and did subscribe to \$350,000 of its stock, issuing a like amount of bonds to pay for same.

On March 8th, 1836, the act of division of the city into three Municipalities went into effect; That act divided the city into three Municipalities, with a recorder and council for each, a Mayor and General Council for the whole city.

In the year 1850, the "Board of Liquidators" with two members from each Municipality (6) with a Mayor as Ex-Officio President, were created by Act of the legislature for the purpose of liquidating the debts of the city of New Orleans, and of the separate municipalities; however the usefulness of this board was very limited as the act creating it was repealed on March 5th, 1852, which required them to hand over to the Commissioners of the Consolidated Debt all jewels, monies, credits, papers and books of any description then in possession of said Board of Liquidators.

The acts passed in 1852, consolidating the several Municipalities and the City of Lafayette into one city government, in which the legislative power was vested in a Board of Aldermen and a Board of Assistant Aldermen, and the Mayor, a Recorder for each district, a Controller, Street Commissioner, all elected by the people, and a Treasurer and Surveyor, Attorney and Assistant Attorney, elected by the Council, went into operation on April 12th, 1852.

The Commissioners of the Consolidated Debt of New Orleans, created by act of 1852, held their first meeting on April 13th, 1852, with the following members present: A. D. Crossman, Mayor; O. DeBuys, Comptroller; Wm. H. Garland, Treasurer; Wm. P.

Converse, Chairman of the Finance Committee, Board of Aldermen; L. H. Place, Chairman of the Finance Committee, Board of Assistant Aldermen. Mayor Crossman was elected President of the Board and Mr. Adolph Layet was elected secretary of the Board.

For the correct understanding of the fiscal affairs of the City of New Orleans, it may be proper to refer to several characters of the indebtedness of the city.

Previous to 1836 the city was under one government, and during that time contracted a debt which was known as the "old city debt."

In 1836 the city was divided into three distinct and separate corporations, and as such, contracted debts which are known as the debt of the "First Municipality," of the "Second Municipality," and of the "Third Municipality," and, by later act annexing Lafayette, the debt of that city was assumed by the City of New Orleans, thus making five classes of debts, which composed the "Consolidated debt of New Orleans."

These several debts were contracted principally in the construction of Wharves, School Houses, and such other buildings and improvements as are necessary to a well ordered and commercial city.

The debts of various classes on April 12th, 1852, were as follows:

Old City.....	\$2,923,760.00
First Municipality.....	1,051,510.63
Second Municipality.....	2,359,458.92
Third Municipality.....	855,191.06
City of Lafayette.....	504,825.65
TOTAL.....	\$7,694,746.26

From that date to April 1st, 1853, there were issued bonds of the Consolidated City in an amount of \$5,534,000, \$3,300,000 of which were sold, bringing a premium of \$18,207 and \$2,234,000 of said bonds were exchanged for bonds of the "old city" and the Municipalities Nos. 1, 2, and 3, and the City of Lafayette, which indebtedness of the latter Municipalities etc., were at this date reduced to \$3,182,516.54.

In the year 1854 the City of New Orleans subscribed to stock in the New Orleans, Opelousas and Great Western Railroad Company, the New Orleans, Jackson and Great Northern Railroad Company and the Pontchartrain Railroad Company and issued bonds for the stock to the amount of \$4,000,000.

During the troublesome times of the Civil War and the dark days of reconstruction which followed it, the City of New Orleans found itself repeatedly in a most difficult and dangerous financial

position, and had to resort to some rather unique and drastic measures in order to save itself from a complete collapse. But it must be said, to the everlasting credit of the City of New Orleans that even during the days of its greatest stress, it never for a moment yielded to the temptation of lifting all or any part of its burden by repudiating any of its legitimate obligations, but instead, found ways and means to readjust its affairs to the ultimate satisfaction of its creditors as well as its taxpayers.

The total assessed valuation of the city in 1861 amounted to \$125,192,403, but it began to decline from that time on until, in 1865, it had dropped to \$98,788,325 which meant a loss of over one-fifth of the total assessment in less than five years. A comparatively small part of this decrease was represented by the reduced valuation on real estate, but most of the loss occurring in "personal property". As an illustration, it may be interesting to mention here that one item of \$6,609,210 was taken off the assessment rolls at one stroke when all slaves were declared free, for that was the amount for which the slaves owned by New Orleans people were assessed.

But while the city's income was thus reduced by over 20%, the expenses of running the city, unfortunately did not decrease in the same proportion. On the contrary, the officials continued their reckless expenditure of public moneys. The tax rate in 1861 was 15 mills which gradually increased until it reached 30 mills in 1875.

In his report of May 5th, 1868, Mayor E. Heath, says: "The city currency is a subject which has painfully occupied a good deal of our attention of late. It is a paper currency which represents not precious metals, but rests solely on the credit of the city. The present city government is not responsible for its introduction. We found it in circulation when we came into office. It was the offspring of the war. It originated with the Council of 1861. It had its precedent—not a venerable one, though rather time-worn—in the shinplasters of 1836-37—a convenient kind of money, but which soon flooded the community in such quantity that the Legislature was compelled to intervene and prohibit the over issue of it. No one doubts that a city as wealthy as New Orleans is, and possessed of her commercial prestige and advantages, will, sooner or later, fulfill all her obligations."

In order to meet its current expenses, Act No. 52 of 1868 was passed and the city issued \$1,000,000 of bonds known as the "Million Loan" bearing 10% per annum interest for the purpose of paying, the pay rolls, and warrants for all salaries and wages due all city

employes, the police, the public schools, judgments against the city with the costs of same etc.,

By an act passed in 1869, the city was enabled to fund its floating debt and to liquidate its indebtedness, and was empowered to issue \$3,000,000 worth of bonds, known as the (7%) Seven per cents of 1869, for the specific purpose of converting the obligations of the city, known as City Notes, and floating debt.

Pursuant to a city ordinance, dated thirtieth of November, 1869, and Act No. 40 of 1833, the City of New Orleans issued to the Commercial Bank in payment for the Waterworks Department \$1,393,400 bonds dated January 1st, 1869, at thirty years to run, bearing 5% interest per annum.

The new City Charter of 1870; besides details embodying many features of the old charters, included a funding act which provided for the election of an administrator of the floating debt, whose duty it was to administer \$3,000,000 of a new issue of bonds, bearing 7% interest per annum, said bonds to be sold provided they bring 75, and the proceeds applied to the payment of the floating debt, meaning judgments, warrants, registered bills, and city notes, the holders of these evidences of floating debt, etc., are to be paid at par. The 7% bonds of 1870 amounting to \$3,000,000 were then issued.

By the act of 1870 annexing Jefferson City, the City of New Orleans assumed all the debts of the former which included \$295,000 bonds bearing 8% per annum interest.

During the year 1870, Wharf bonds amounting to \$709,000 and bearing 7.30% interest per annum were issued.

During the year 1871, bonds bearing 10% interest per annum were issued amounting to \$1,208,600 to pay the deficit and old claims, besides this, however, the city had unpaid loans, etc., amounting to over \$600,000.

In the year 1872, the Gold (7%) Seven Per Cents amounting to \$4,186,000 were issued for the purpose of paying Floating Debt, Deficit, and exchange for Matured Railroad Bonds, Drainage Canals, and Protection Levees, there were also issued during this year Street Assessment Bonds amounting to \$291,000.

In the year 1874, the City of Carrollton was annexed as the Seventh District of the City of New Orleans and the latter assumed \$194,000 bonds of the former.

The rapid increase in the debt of the City, beginning during the 60's with the excessive rates of interest, required some drastic action at this time.

The Premium Bond Plan.

It was at this time that the Administrator of Finance announced that the City Council in its efforts to find a solution for its problems had been compelled to "abandon the ordinary forms of finance as unequal to the occasion and to seek other and perhaps novel means of meeting the exigency."

He therefore submitted the plan proposed by Mr. D. H. Adler for the liquidation of the entire city debt, principal and interest, within fifty years, known as the "Premium Bond Plan."

The main object of the plan, which was ratified by the Legislature under Act No. 31 of 1876, was to convert the bonded debt of the city—which, amounted to over \$22,000,000 in 1875, bearing an average annual interest of about $7\frac{1}{2}\%$ —into Premium Bonds redeemable in from one to fifty years, with 5% interest, plus certain premiums. These new bonds were to be one million in number, of the denomination of \$20 divided into 10,000 series of 100 bonds each, of which a certain number of bonds are redeemed twice each year. To determine the particular series which are so redeemed, all of the series numbers of the bonds were put into a wheel—where they have now remained for over forty-five years—and four times a year, on January 31st, April 15th, July 31st, and October 15th, fifty numbers, representing 50 series are drawn out of the wheel by a blindfolded orphan boy. Twice a year—on January 15th, and July 15th, these drawn series participate in the "premium" distribution, at which 1176 premiums, ranging from \$20 to \$5,000, (and totaling \$50,000), are distributed, and all bonds remaining, which do not win any special premium, are paid at their par value, plus interest at the rate of 5% from July 15th, 1875. The interest on \$20 at 5% now amounts to \$45.50 (i. e., January 15th, 1921), so that the minimum value of drawn bonds is now \$65.50. The interest is not compounded, but 5% interest on \$20 amounts to 50 cents every six months, and for this reason the minimum value continues to become greater with every premium drawing until in 1925, when the last of these bonds will be drawn, the minimum value of each bond will be \$70.

It can readily be seen that this plan of deferring the payment of the interest on the city debt over a long period of years, was exactly what the city needed. Moreover, the element of chance connected with this refunding plan was sufficiently attractive to induce a large number of the holders of various city bonds to exchange their old securities at par for this new form of bond.

On the other hand, there were many bondholders who refused to be bound by the terms of the Premium Bond plan, because they did not care to give up their semi-annual interest bearing securities, which were supposed to give them a fixed income at stated intervals, for premium bonds on which no interest could be collected until the principal became due.

The leading financiers of that time were nearly all in favor of the Premium Bond plan and made every effort to induce the city's creditors to exchange their old bonds for the new. We cannot express the attitude of these bankers better than by quoting certain portions of an open letter which they published in the various newspapers:

"Our city is making a great effort to free itself from the difficulties that embarrass its government. We deem it our duty to give it our encouragement and approval. We would deprecate the idea of thrusting our views upon others of different convictions, or to provoke angry discussion, but the gravity of the financial conditions of our city, and the relations we occupy to those having most at stake, not only justify us, but imperatively demand that we should contribute something to the efforts now being made to obtain relief from existing grievous burdens. * * * Our City Administrators have, after due deliberations, adopted a plan styled the 'Premium Bond Plan,' by which the city can pay every cent of her debt, truly and surely and within a reasonable time.

"This plan is no invention of theirs or of ours; it is well known in Europe, adopted by many large municipalities. * * * We have neither time nor space, nor is it our special province, to argue here on the merits of this plan. Suffice it to say that there has been presented to the Administrator of Finance the sum of upwards of four million dollars to be converted into Premium Bonds, which afford practical proof of the confidence in the arrangements and the soundness of the scheme by the parties whose names are hereto affixed. * * *

"To repudiate would be to fix upon our community a blot of commercial dishonor that endless years of prosperity and fair dealing could not obliterate. * * * The plan should not be condemned in advance. We ask the public to wait and see; it cannot be expected that every soul in the city can be convinced and understand such matters at a glance. The solutions of questions of political economy and finances, under such difficult circumstances, require special aptitude.

"We further claim that any taxpayer, however small his tax, is directly interested in this Premium Bond plan, and it is the only possible way in which taxation can be reduced to its minimum, giving protection at the same time to the bondholders.

(Signed) "John N. Gaines,
"Sam'l H. Kennedy,
"J. H. Oglesby,
"Aug. Bohn,
"Geo. Jonas,
"Committee."

same was also signed by several hundred business men and taxpayers.

But, notwithstanding these earnest efforts to convert all of the old bonds into premium bonds, many holders refused to make the exchange, and, as a matter of fact, only \$13,464,340 of premium bonds were ever issued, and nearly (10) Ten Million Dollars of the old high-interest bearing bonds remained outstanding.

Due to these circumstances this very ingenious plan to help the city over her financial difficulties failed to bring the desired result, and during the years which followed the city experienced much serious litigation with many of her creditors, who refused to accept the Premium Bond plan and insisted on keeping the old, and in some cases past-due bonds.

The constitutionality of the Premium Bond act itself was attacked and the value of the premium bonds for a time fell as low as \$5 for a bond of \$20 par value. However, the Supreme Court finally upheld the legality of these bonds by a decision of 3 to 2, in the meantime the city received certain sums of money from the sale of franchises to the New Orleans City Railroad, the St. Charles Street Railroad Co., and from proceeds of drawn Premium Bonds held by the city; this money was by law dedicated to the bonded debt. It was then that the first bold stroke of policy was carried out and \$3,567,360 of premium bonds were covertly purchased and the gradual rise in the value of these securities thereafter was the beginning of the dawn of a new financial era for the City of New Orleans.

The premium bonds purchased by the city, together with those which were never issued at all, continue to participate in the premium distributions, so that the city wins some of its premiums.

After the validity of the premium bonds had been upheld by the courts, the holders of these bonds were, of course, entirely satisfied with the exchange they had made, but the holders of the unexchanged

bonds continued to harass the city administration with their various claims.

“Creation of the Board of Liquidation of the City Debt.”

Since the year 1880 following the reckless financing of reconstruction days, the bonded indebtedness of the City of New Orleans has been in the hands of a self-perpetuating board, created by a legislative act of that year (1880) and embodied as a part of the Constitution of the State, which tended at once to restore confidence among the city's bondholders at a time when the local financial horizon was dark indeed.

The object of this legislative creation was to have a body of representative business men and financiers who should design and carry out a sound financial plan by which the entire bonded indebtedness of the city should be cared for in a manner absolutely free from political considerations or influences, the purpose in view being the reestablishment of the city's credit, which had fallen low during the impoverished days that followed the civil war.

To add to the heavy financial burden, carpet-bag administrations, backed up by Federal bayonets, squandered the city's alimony in reckless fashion and created fresh obligations, which still further impaired the city's credit.

Act No. 133 of 1880 created a permanent syndicate body of six citizens, with the Mayor, the City Treasurer, and the City Comptroller, as Ex-Officio members, styled the Board of Liquidation of the City Debt.

In the title of the act creating the Board of Liquidation of the City Debt, which occupies an anomalous position in the city government, inasmuch as the continuing members control the policy of the board, the purpose of the board thus created was succinctly stated as being to liquidate the indebtedness of the City of New Orleans and to apply its assets to the satisfaction thereof.

At the meeting held June 3rd, 1880, organizing said Board, Joseph H. Oglesby, a leading banker of those days, was elected president; the other five syndicate members being Edw. A. Palfrey, John Phelps; Henry Gardes, A. J. Gomilla and Sam'l H. Kennedy, all prominent business men of their time.

On June 15th, 1880 the board elected T. Wolfe, Jr., Secretary and Bernard C. Shields, Assistant Secretary, both gentlemen having previously held the identical positions for many years under the Commissioners of the Consolidated Debt of New Orleans. T. Wolfe,

Jr., died on January 18th, 1917 and Bernard C. Shields was then elected Secretary of the Board.

A. J. Gomilla died in 1885 and was succeeded by Jos. A. Shakespeare; John Phelps died in 1886 and was succeeded by R. M. Walmsley; Joseph H. Oglesby died in 1888 and was succeeded by J. C. Morris as a member of the board; and R. M. Walmsley was then elected President of the board; Henry Gardes resigned in 1888 and was succeeded by John T. Hardie; Sam'l H. Kennedy died in 1893 and was succeeded by Wm. B. Schmidt; John T. Hardie died in 1895 and was succeeded by Wm. T. Hardie; Jos. A. Shakespeare died in 1896 and was succeeded by Walter R. Stauffer; Edw. A. Palfrey died in 1901 and was succeeded by A. Brittin; Wm. B. Schmidt died in 1901 and was succeeded by Charles Janvier; J. C. Morris died in 1904 and was succeeded by Ashton Phelps; Charles Janvier resigned in 1906 and was succeeded by Charles J. Theard; Ashton Phelps died in 1919 and was succeeded by Charles Janvier; R. M. Walmsley died in 1919 and was succeeded by R. S. Hecht as a member of the Board; A. Brittin was then elected President of the board, Charles J. Theard, Vice-President, and Wm. T. Hardie, Vice-President Pro-tem. As each succeeding city administration was inducted into office, the Ex-Officio members of this board took their seats.

The Board of Liquidation, City Debt, as presently constituted is composed of A. Brittin, President; Charles J. Theard, Vice-President; Wm. T. Hardie, Vice-President Pro-tem; Walter R. Stauffer, Charles Janvier, and R. S. Hecht, with Andrew J. McShane, Mayor; Richard M. Murphy, Commissioner of Public Finances; Stanley W. Ray, Commissioner of Public Safety, of the City of New Orleans, as Ex-Officio members.

With the election of Mr. Walmsley to the presidency of the board, the real achievements of the Board of Liquidation, City Debt, began. In the preceding years the board had, it might be said, simply been gathering up the loose ends of the city debt. With the accession of Mr. Walmsley to the presidency, however, came new blood and new methods of financing, which were destined within a comparatively short period of time to achieve results scarcely dreamed of by the members of the Legislature who passed the act creating the board.

The approaching maturity of debts bearing six and seven per cent interest, as well as the necessity for the payment of the Gaines judgment, the board went before the Legislature and secured permission to issue \$10,000,000 Constitutional Bonds of the City of New Orleans, bearing four per cent per annum interest, and dated July 1, 1892, for the purpose of refunding the City Debt.

In the year 1894, foreseeing that the financial situation at that time was such that the refunding plan could not continue to be successfully executed, the board secured from the State Legislature of 1894, an authorization to negotiate for the sale of such an amount of bonds as was necessary to retire the outstanding bonded indebtedness of that time, except the Premium Bonds. Through the provisions of this act, the Board sold \$4,503,000 Constitutional Bonds bearing four per cent, and a like amount of the Extended Bonds bearing Six per cent interest which were originally extended as to maturity for the period of forty years from the 1st of January, 1883, provided the city shall have the right to call in said bonds, so renewed or extended, for payment at par, after the year 1895, were all called for redemption and paid in anticipation of their callable date.

Through Mr. Walmesley's personal influence with the stockholders of the Louisiana National Bank, the first of the refunding series (Constitutional Bonds) was successfully put through.

In the early nineties, for the first time since the civil war, city four per cent bonds sold at par.

A few years later another portion of the Constitutional Bonds were sold to redeem certified bonds, and certificates, all of which were bearing six per cent interest. The final sales of the Constitutional Bonds were made at from 105.01 to 107.25, the price afterwards going as high as \$110.

The refunding of all the old issues of bonds by the issuance of the Constitutional Bonds paved the way for later issues of other classes of bonds.

In the year 1898 the city issued \$233,000 of Floating Debt bonds bearing Four per cent interest and having 50 years to run, which were authorized for the purpose of taking up certain floating debts of the City of New Orleans and the city was supposed to turn over to the Board of Liquidation, City Debt, certain back taxes from the years 1879 to 1895 for the purpose of redeeming these bonds, as a matter of fact, these back taxes never became available for this purpose and the bonds are only secured by the good faith of the city, however, the Board of Liquidation, City Debt, out of certain free funds in their possession, resulting from the interest it receives on its balances in bank, has taken care of the interest when due on these bonds and has purchased and redeemed \$15,000 of the bonds themselves.

The financial skies of New Orleans were now quite clear, and there appeared no need for any additional financing, when upon the individual signature of Mr. A. Brittin a conference of the members of the City Council, of which he was president, was called, and held

on November 17th, 1898, in the Mayor's Parlor for the purpose of considering matters pertaining to sewerage and drainage. At this meeting a committee was appointed of which Mr. Brittin was Chairman and after full expression by him as to the imperative need of a system of sewerage, water and drainage and the method of obtaining same they adopted his views and formulated the plan which resulted in creating the present system of sewerage, water and drainage.

It therefore became necessary to float more bonds to pay for these improvements and legislation was drawn up and resulted in the passage of a Constitutional amendment authorizing the City of New Orleans to issue \$12,000,000 of Public Improvement Bonds bearing (4%) Four per cent interest, to be devoted exclusively to the installation of a modern system of sanitation, consisting of water-works, sewers and drainage canals.

In order to properly secure these bonds the Constitutional amendment further capitalized the (1%) one per cent debt tax levied under Act No. 110 of 1890 and more especially that part of the surplus which, under the original law, was transferred to the "Permanent Public Improvement Fund," and which had of course, become larger from year to year as the assessment increased.

But, in order that there should be no question about the security of these new bonds, and to insure their advantageous sale, the citizens of New Orleans voted an additional special tax of two mills, and at the same time the (1%) One per cent debt tax, which was originally only voted until 1942 (when the last Constitutional bond would be paid) was extended until 1950 because that is the date of the ultimate maturity of the Public Improvement Bonds.

The entire issue of \$12,000,000 Public Improvement Bonds were sold at a premium of \$46.19 per bond.

Within a few years, however, it became apparent that the funds realized from the sale of the \$12,000,000 Public Improvement Bonds would be insufficient to complete this system of sanitation. Inasmuch as the assessed valuation of the city had, in the meantime, increased enormously (the total assessments in 1906 being \$204,585,967 as against \$139,235,101 in 1900), it was decided to still further capitalize the surplus which remained out of the (1%) One per cent debt tax and the special two-mill water, sewerage and drainage tax.

The result was that, in 1906, Act No. 19 of 1906 was passed and adopted as an amendment to the Constitution of the State, authorizing the city to issue a total of \$8,000,000 of "New Public Improvement Bonds" bearing (4%) Four per cent interest, for the purpose of completing the water, sewerage and drainage systems. The sur-

plus remaining out of the (1%) One per cent debt tax and the two-mill water, sewerage and drainage tax, after taking care of, first, the premium bonds; secondly, the \$10,000,000 Constitutional bonds, and, thirdly, the \$12,000,000 Public Improvement bonds, was dedicated to the payment of the principal and interest of these new bonds.

It was also provided that these New Public Improvement Bonds should mature in 1942, but that, beginning with 1928, all of the surplus which remains in the hands of the Board of Liquidation, City Debt, after taking care of the interest and sinking fund provisions of the previous bond issues (and which goes to extensions of the sewerage system until 1928) should thereafter be devoted to the retirement of these new bonds by lot. It is confidently believed that, under this provision, the last of these bonds will be retired long before their ultimate maturity in 1942.

On the other hand, the framers of this act were careful to provide against any unforeseen contingencies, and it was therefore stipulated in the amendments that if, by any chance, the growth and progress of the city should be arrested, so that her assessment would not be sufficient to provide a sinking fund to retire the bonds by January 1, 1942, all of the bonds remaining unpaid at that time should, *ipso facto*, be extended, at the same rate of interest and with the same right to call, until January 1, 1962, and the (1%) One per cent debt tax was automatically extended until that time, if necessary, with the further provision that, after 1950, the entire proceeds of this tax would have to be devoted to the payment of the interest and principal of these bonds, should any remain outstanding at that time.

The Legislature of 1904 authorized the issuance of \$750,000 of Court House Bonds bearing (5%) Five per cent interest for the purpose of partly paying for the erection of a new court house in the square bounded by Royal, Chartres, St. Louis and Conti streets which were issued. The City of New Orleans is required by the above act to set aside, out of its annual reserve fund, the sum of \$41,000 to be paid over to the Board of Liquidation, City Debt, to pay the semi-annual interest on these bonds and to use the surplus remaining, after taking care of this interest, for the retirement of the bonds by calling them in the reverse order of their issue. \$60,000 of these bonds have already been retired under the provisions of the act.

The Legislature of 1906 authorized the issue of \$200,000 School Teachers Salary Bonds bearing (4%) Four per cent per annum interest. \$198,000 of these bonds were issued for the purpose of paying back salaries due certain school teachers and portresses for the years 1885, 1886 and 1887. It was made the duty of the Board of

Liquidation, City Debt, to hold out of the one-half of the surplus of the (1%) One per cent debt tax (which under the law, was payable to the public schools) sufficient money to pay the interest on the bonds. The above act required the Board of Liquidation, City Debt, to set aside a sinking fund beginning with the year 1917 sufficient to retire the entire issue on or before January 1, 1927. (However, Act No. 4 of 1916 was passed and made part of the constitution of the State) and the entire amount of School Teachers Salary Bonds amounting to \$198,000 were called for redemption on February 1st, 1917, and have since been redeemed.

The Legislature of 1914 authorized the issuance of \$100,000 Audubon Park Bonds bearing (5%) Five per cent per annum interest, for the purpose of beautifying Audubon Park. They are secured in very much the same manner as the Court House Bonds (i. e.), the City of New Orleans is required to set aside out of its Reserve Fund an annual sum of \$20,000 of which \$5,000 per annum for the first three years, and \$6,000 per annum thereafter, shall be paid to the Board of Liquidation, City Debt, to be held by it, as a special fund to pay the semi-annual interest on these bonds, and the remainder is to be used for the gradual retirement of the principal of these bonds. The entire amount of bonds (\$100,000) were issued, but, \$3,000 of bonds have since been redeemed.

Act No. 4 of 1916 was passed and ratified and adopted as an amendment to the Constitution of the State which authorized the issuance of \$9,000,000 City of New Orleans (4½%) Four and one-half per cent Serial Gold Bonds. The one-half of the surplus of the (1%) One per cent debt tax previously dedicated to the public schools has by this act been set aside and dedicated to the payment of the principal and interest of this bond issue and the amendment provides further that if, for any reason this fund should ever prove insufficient to take care of the new bonds, the City of New Orleans would have to levy a tax upon all the taxable property sufficient to pay the principal and interest of these bonds. (The schools under said amendment getting a direct tax for their support instead.)

\$4,500,000 of these bonds were sold and delivered. The serial maturities of these bonds were so fixed that the amount of bonds retired each year increases as the amount of interest necessary each year decreases. In other words, the total amount required to pay principal and interest will be about the same each year.

Under the above act all matters in connection with the sale of this issue of bonds shall be under the control of the Board of Liquidation, City Debt, which is perpetuated until the last one of these

bonds shall have been paid and to it is left the decision of all the details in connection with the issuing of all of the said bonds.

The Board of Liquidation, City Debt, is also given authority, if it should ever find it possible or advantageous, to call in and refund any of the existing bond issues of the city after they reach their callable date, and while nothing of this sort could be done before 1928, at the earliest, still the amendment is broad enough to look that far ahead, and gives the Board this power to issue bonds for refunding purposes, if by doing so it can save the taxpayers money or otherwise improve the financial condition of the city by such a refunding operation.

The act goes one important step further, and provides for the financing of additional improvements which the city of New Orleans will no doubt require in years to come. It does not do so, however, without placing reasonable restrictions on the city in this respect, because it is important that the amount of the debt should not be increased beyond limits which can be deemed safe under any and all circumstances.

The provisions governing further bond issues are, therefore, as follows: The City of New Orleans can issue bonds to the extent of \$500,000 at any time by joint resolution of the Board of Liquidation, City Debt, and the Commission Council, in case there should exist a necessity for such an issue on account of an unforeseen calamity such as storm, fire, flood, pestilence, etc., (This authority was given mainly in view of the embarrassment in which the city found itself after the storm of 1915, where no direct authority existed to finance the immediate and pressing needs for the repair of public buildings.)

But, outside of such an emergency issue of \$500,000 no other bonds can hereafter be floated without submitting the matter to a vote of the taxpayers of the City of New Orleans, who must express their approval by giving a majority in number and amount in favor of the proposal, and even then, the city would not be legally authorized to issue the additional bonds unless the total debt of the city (after deducting the \$20,000,000, Sewerage, Water and Drainage Debt, i. e. the \$12,000,000 Public Improvement Bonds and the \$8,000,000 New Public Improvement Bonds), is within (10%) ten per cent of the assessed valuation of the city.

The total assessed valuation of the city for the year 1920 was \$485,062,371 and the following table will show the bonded debt from the year 1830 to the year 1920 inclusive:

**Bonded Debt of New Orleans
1830 to 1920 Both Inclusive**

1830	\$ 300,000.00	1875	\$22,041,378.60
1831	300,000.00	1876	21,369,727.90
1832	300,000.00	1877	21,260,452.46
1833	1,327,000.00	1878	20,671,903.96
1834	2,081,000.00	1879	17,896,970.27
1835	2,390,000.00	1880	17,976,170.15
1836	2,982,000.00	1881	17,352,933.34
1837	3,378,000.00	1882	17,407,169.81
1838	3,953,000.00	1883	19,418,079.41
1839	4,338,660.00	1884	19,832,597.01
1840	4,399,660.00	1885	20,159,315.33
1841	4,483,660.00	1886	21,310,822.48
1842	4,483,660.00	1887	21,247,122.05
1843	4,483,660.00	1888	21,270,340.92
1844	4,483,660.00	1889	21,373,796.25
1845	4,488,660.00	1890	21,072,064.62
1846	4,429,880.98	1891	20,705,797.23
1847	4,863,856.58	1892	21,397,295.72
1848	5,032,319.07	1893	21,001,550.28
1849	5,694,590.52	1894	20,811,741.50
1850	5,663,638.39	1895	20,680,396.00
1851	5,509,620.39	1896	20,555,312.50
1852	7,694,746.26 (April 1st).	1897	20,416,835.00
1852	7,903,937.27	1898	20,444,296.50
1853	8,716,516.54 (April 1st).	1899	20,342,466.50
1854	11,774,261.91	1900	20,206,604.50
1855	12,279,667.71	1901	23,442,769.50
1856	11,939,086.25	1902	23,867,000.00
1857	11,792,136.25	1903	23,572,451.00
1858	11,659,136.25	1904	24,167,276.50
1859	11,453,136.25	1905	24,947,576.50
1860	11,252,136.25	1906	25,104,713.50
1861	10,974,136.25	1907	26,763,895.00
1862	10,930,136.25	1908	30,414,405.00
1863	10,494,136.25	1909	32,327,581.00
1864	10,447,136.25	1910	32,155,862.50
1865	10,357,476.25	1911	38,828,004.50
1866	10,045,656.25	1912	38,400,517.50
1867	9,930,096.25	1913	37,937,568.50
1868	10,762,912.58	1914	37,499,229.50
1869	15,256,550.00	1915	37,088,13.50
1870	17,436,700.00	1916	36,601,145.50
1871	19,415,748.00	1917	40,408,812.50
1872	22,246,378.00	1918	39,898,231.00
1873	22,329,696.18	1919	39,304,648.00
1874	22,812,179.89	1920	38,594,954.00

NOTES ON "CREOLE FAMILIES"

"What are the Creoles?" was the question started in the long ago by Cable with his fascinating New Orleans romances, and it has been answered off and on correctly and incorrectly in manifold publications since. "Who are the Creoles?" Grace King tells us in her latest volume "*Creole Families of New Orleans.*" She introduces them, succinctly in her preface as the descendents of the men who followed Bienville to the founding of New Orleans, who, after he had left the colony, remained on the spot to complete his work and completed it in the best fashion by founding families here to complete their work.

The book is no mere recital of romance although it contains the elements out of which romance is confectioned. It is a solid historical compilation founded on an imposing array of genealogical records which the author with marvelous patience and labor has gathered together from church and family archives.

The founders of New Orleans as here portrayed were in truth a remarkable set of men and after reading this chronicle one realizes more clearly than ever before the impression they made on the plastic city they were moulding which took from them the picturesque qualities that still maintain it as unique among the cities of the United States. Most of the documents quoted are printed here for the first time and Miss King may well claim the trophy for the year as a document saver, if such a commendable trophy were ever bestowed. She rescued her material in truth from the dire destruction of time and neglect.

When we read the book we realize keenly how little we knew of the history makers of Colonial Louisiana. Marigny, de Pontalba, Villere, Lafreniere, were in truth but high sounding names to us; Chalmette, Delaronde, Soniat du Fossat, Livaudais, de Buys, were recalled only in that easy form of knowledge that is in fact only the facile ignorance that comes from the hearing of constant repetitions of inaccuracies which were never verified and as such they became stereotyped in memory. Kernion, Cruzat—and all of his good family, de Lavillebeuvre with his noble record were found by the author lying neglected in the bottom of the historical waste basket, so to speak, eventually to be thrown out as trash.

The chapter on Gayarre is as it should be, the eminent point in the book and its most brilliant piece of writing; for it alone the book will be accorded high rank in literature. Altogether the book fills the

place in Louisiana bibliography that belongs to it. It is vital with spirit, color and strength. It is in consequence a work that the Louisiana Historical Society is proud to acknowledge as an achievement of one of its officers and as such a monument to the author and to the Society as well.



“CLARK MILLS”

*Paper Read Before the Louisiana Historical Society on June 28th, 1921,
by Mr. W. O. Hart.*

Clark Mills, the sculptor of the three Jackson statues and of other great works of art, was born in Onondaga County, New York, on December 1st, 1815, and died in the city of Washington, District of Columbia, on January 12th, 1883.

He was left an orphan at the age of five years, and then lived with a maternal uncle, but becoming dissatisfied with his home, ran away in 1828. After a hard experience working on a farm, cutting cedar posts in a swamp, and learning the millwright's trade, he reached New Orleans, where he stayed a year and then went to Charleston, S. C. Here he learned the stucco business, which he followed until 1835, when he discovered a new method of taking a cast from the living face, which enabled him to make busts so cheaply that he soon had as much work as he could do. He then resolved to try cutting in marble, and began a bust of John C. Calhoun, for which he was awarded a gold medal by the city council of Charleston, and the bust was placed by them in the city hall. Subsequently he executed busts of John Preston, Wade Hampton, and other eminent South Carolinians. He was invited in 1848 to furnish a design for an equestrian statue of Andrew Jackson, to be erected in Washington. He completed his model in eight months, and it was accepted. His treatment was entirely original. The statue was unveiled on the anniversary of the battle of New Orleans, in 1853. It stands on Lafayette square, and was cast from cannon taken from the British during the war of 1812. Later he obtained a second commission for a colossal equestrian statue of George Washington, and purchased ground in the vicinity of Washington, where he built a complete foundry. His statue of Washington represents a scene in the battle of Princeton. It was dedicated in Washington on 22nd February, 1860. Meanwhile Mr. Mills also executed a replica of his Jackson statue for the city of New Orleans. In 1860 he began his statue of "Freedom," after Thomas Crawford's designs, which was completed in 1863, and now stands above the dome of the capitol. The latter part of his life was spent in making busts, and he invented a method of putting plaster on the face of his subjects, thereby adding greatly to the truthfulness of his casts.

The first equestrian statue of Andrew Jackson was erected in the City of Washington in what is known as Lafayette Square and was unveiled on January 8th, 1853, the thirty-eighth anniversary of the battle of New Orleans, where the orator of the day was Stephen A. Douglas, of Illinois, then a member of the Senate of the United States and one of the unsuccessful candidates for the Presidency in 1860.

At the close of the address of Mr. Douglas, amidst shouts of the thousands who had surrounded him, Clark Mills was introduced. He had no words to express his feelings, and in lieu of words he pointed to the veiled statue; the veil was instantly withdrawn, and Jackson on his steed, as if in full action, full of life and energy, was revealed. That was his speech, and none could have been more appropriate. Without instruction, without instruments or appliances, with but little encouragement, and against the remonstrances and hinderances of men of art and men of science, he labored for years, and by a simple gesture he pointed to the result of his labors. The scene was most picturesque, and at the close of the ceremonies, many of the spectators lingered in admiration of the matchless work which the hands of a man of the people had fashioned.

The first replica of the statue is in Jackson Square in New Orleans and was unveiled on February 9th, 1856, when Mr. Mills explained to the people the idea which guided him in fashioning the statue, in this language:

“The statue before you represents one who, with a handful of men, proved himself the saviour of your beautiful city. General Jackson is there represented as he appeared on the morning of the 8th of January, forty-one years ago. He has advanced to the centre of the line in the act of review; the lines have come to present arms as a salute to their commander, who is acknowledging it by raising his chapeau, according to the military etiquette of that day. His restive horse, anticipating the next move, attempts to dash down the line; the bridle hand of the dauntless hero being turned under, shows that he is restraining the horse, whose mouth and curved neck indicate that the animal is feeling the bit. I have thought this explanation necessary as there are many critics who profess not to understand the conception of the artist.”

The fantastic story regarding this statue that the horse stands balanced without even being bolted is incorrect because a recent examination thereof by Mr. Robert Glenk, a member of the Society, has shown that the horse is securely fastened.

The last public appearance of the great sculptor Mr. Mills, was when the third of the Jackson statues was unveiled in the city of Nashville on May 29th, 1880, where Louisiana was most worthily represented by General W. J. Behan, a member of the Louisiana Historical Society and several others, including four veterans of the Battle of New Orleans. This was the last public address of Mr. Mills and here is what he said:

“Ladies and Gentlemen: Having been requested to make some remarks on this occasion before the distinguished people of Nashville, I will state that the statue before you is a triplicate of the one now standing in front of the President’s house in Washington, which was not only the first equestrian statue ever self-poised on the hind feet in the world, but was also the first ever molded and cast in the United States.

“The incident selected for representation in this statue occurred at the battle of New Orleans, on the 8th of January, 1815. The commander-in-chief has advanced to the center of the lines in the act of review. The lines have come to present arms as a salute to their commander, who acknowledges it by raising his chapeau four inches from his head, according to the military etiquette of that period. But his restive horse, anticipating the next evolution, rears and attempts to dash down the line, while his open mouth and curved neck show that he is being controlled by the hand of his noble rider.

“I have deemed this explanation important to answer criticism upon the fact that the horse is rearing and Jackson has his hat off. Critics should reflect that a spirited war-horse, although brought to a halt, will not long remain so.

“The city of Nashville has just cause for pride from the fact that of the three statues cast from the same model the one before you is the most perfect of them all.”



THE FOUNDING OF BILOXI

Address Delivered by Hon. André Lafargue at the Exercises Held in Biloxi, Miss., on April 8th, 1920, in Commemoration of the 221st Anniversary of the Founding of the Place, by Iberville and His Companions.

Mr. Chairman, Mr. Consul General, Mr. Mayor,
Ladies and Gentlemen, my fellow American citizens:

It affords me the greatest pleasure and I deem it quite an honor to be given the opportunity of addressing this large and public spirited body of citizens of Louisiana's neighboring State, Mississippi, on this auspicious occasion. I had previously attended the Bi-Centennial of the Founding of Mobile, as the representative of the city of New Orleans and later on I headed the delegation which my native city sent to Paris to commemorate the Two Hundredth Anniversary of its settlement by the French, an event that was celebrated in the French capital with impressive and beautiful exercises held at a time when the "poilus" of France and their allies were battling to establish the supremacy of the reign of order and civilized society. And now through the very gracious courtesy of your Chapter of the Daughters of the Revolution, an organization famed throughout the world for the painstaking and efficient manner in which it is carrying out its noble task of perpetuating by lasting memorials and impressive ceremonies our great national anniversaries, I am given the proud privilege of participating in this memorable function. The honor is indeed a great one and I am fully conscious of its worth. I shall always consider it an inestimable privilege to have been associated with the functions that were held to commemorate the founding and settlement of the three most important communities of the early period of French colonization in the vast territory then known as Louisiana, namely: Biloxi, Mobile and New Orleans, and I have referred to them in their chronological sequence and order. All three of these communities have had a common origin and all three of them should hold in high reverence and everlasting gratitude the name of Lemoyne de Longueil, the name of a family whose sons have shed upon it and upon their fatherland undying fame and glory.

And in these days of worldly turmoil, of political changes of upheavals which threaten the very foundations of civilized and

Christian society throughout the universe, it is indeed refreshing, wholesome and soul inspiring to recall the deeds and ponder over the achievements of men whose simple life, strength of character and steadfastness of purpose enabled them to accomplish the task they had set themselves. Such men were Cavalier de La Salle, Iberville, Bienville, Sauvolle, Chateaugue and their companions. Men who grappled daily with problems of as well nigh staggering nature and whose iron will and lofty ideals carried them successfully through the most trying ordeals. They were pioneers, that is to say, children of God and of nature, simple minded beings, strong of heart and stout of soul and prepared at all times to undergo the greatest sufferings of body and soul so that the work which had been entrusted to them by their king and country might be brought to a successful completion. To the present pleasure seeking, selfish and complicated generation of so called "highly civilized beings," what a splendid example they have set. How better off we most unquestionably would be, how greater we most unquestionably would show ourselves in this time of great international crisis were we actuated by the motives and prompted by the creed which served as guiding stars to the early French pioneers who first landed upon the sandy soil of the Bay of Biloxi. Biloxi and its inhabitants should feel well proud of them. To Biloxi belongs the honor of having been the first settlement established in the tremendous stretch of territory to which had been given the thrice hallowed and harmonious name of "Louisiana," as a compliment to the great king whose foresightedness and encouragement made possible its discovery and official annexation, as a colony of France. All hail to the great monarch, to his wise and farseeing ministers for the great and noble task which they fostered and carried through at a time when it seemed as if the territory which Cavalier de la Salle had first discovered and which stretched eastward and westward of the mighty Father of Waters would eventually fall into the hands of the Spaniards and the English. On an occasion such as this it is meet and proper to pay a just tribute to the "Roi Soleil" and to his splendid and efficient ministers of the Navy, of the Interior and of Finance, Pontchartrain, Maurepas and Colbert, men, whose wisdom and statesmanship foresaw the great advantages which would ensure to France through the establishment of an outlet to the Gulf of Mexico for its northerly possessions on the Great Lakes and in Canada. Louis XIV, we are told, did not at first grasp the full significance of the importance of the discovery of the lower Mississippi and of its mouths, the work of the great patriot and explorer, Cavalier de la Salle, but when it dawned upon

him that the French colonists who had established themselves in large numbers in Canada would have free access to the Gulf and to the sea through the swift flowing Mississippi and its tributaries, he at once lent his entire aid and gave his full official sanction to the plans that were submitted to him for the settlement of Louisiana.

By right of discovery and as a matter of justice to Cavalier de La Salle should have fallen the honor of establishing the first white settlement in Louisiana. He was entrusted with the task and given the means with which to accomplish it, but ill fortune, jealousies, intrigues and sickness pursued him relentlessly, from the time he left the shores of France, as the head of the expedition, which had set sail for the newly discovered territory until he fell a victim at the hands of foul assassins, without having ever had the satisfaction of tracing the Mississippi upward from its outlets. What a splendid figure, Cavalier de La Salle. His name has gone down in history as that of a man to whom fear was unknown and whose indomitable spirit and love of country and king were shining characteristics. His praises have been well and mightily sung by our American historians, Parkman and Bancroft, and John Finley has truthfully said of him that "his life is one that embodied essentially that which men have always referred to as "vir and virtus," manhood and virtue, taken in the highest sense of the words. Gabriel Hanotaux, the great French historian, has eulogized him by word and in writing, stating that "with such a man Old France could well afford to establish a New France in a distant land." The name of La Salle is forever linked with the glorious achievements that followed his untimely and tragic end.

But France was not to be denied that which her courageous son had so manfully and valiantly claimed for her. A Canadian by birth, a naval officer who had seen considerable and arduous service on the high seas in the cause of France, who had fought and bled for his native land and who was well qualified to take up the task where La Salle had left it, was given the royal command to set sail for Louisiana and to take formal possession thereof by establishing trading posts and forts on the Mississippi River. And so it came about that the one man, whose name we should acclaim today in loud and no uncertain tones, Pierre LeMoyne d'Iberville, left Brest on October 24th, 1698 as the commander of a squadron consisting of the two frigates, the "*Badine*" and the "*Marin*," carrying men, arms, munitions and supplies and two small vessels bearing nearly 200 colonists and a company of marines. D'Iberville was accompanied by his younger brother, Bienville, who was second in

command on the "*Badine*" and who was later to play such an important part in the founding and settlement of Louisiana. The men who made up this second expedition had been carefully picked out and at all times d'Iberville exercised over them full and complete control. He was ably seconded in his venture by de Surgeres, who commanded the "*Marin*" and by Sauvolle, whom some historians refer to as a brother of his. Harmony and cooperation reigned among the expedition. La Salle's experience had served d'Iberville in good stead. The trip was made without any mishap and on January 24th, 1699, three months after their departure, d'Iberville and his companions caught sight of the Florida mainland. In Pensacola harbor they found anchored therein, Spanish men of war, flying from their mainmasts the proud Castillian flag, whose appearance was not of a friendly character and d'Iberville decided in consequence that he would continue his journey in quest of the promised land. Mobile Bay, Dauphin Island and Ship Island were passed by and scanned at a distance and the ships cast their anchor eventually in the Bay of Biloxi. Leaving the greater part of his expedition at its point of anchorage, Iberville, the undaunted and the fearless, pressed onward in shallow boats, accompanied by his brother Bienville, in search of the mouths of the Mississippi River, which he finally discovered and through which he ascended the Father of Waters to a point well above, what is known today as Baton Rouge. On his return trip and with but a few companions he trudged his way by land until he reached the shores of two lakes which he named "Maurepas" and "Pontchartrain" and through these rejoined his expedition in Biloxi Bay. In the meanwhile, Bienville, whose ability and daring rivalled those of his brother d'Iberville, had descended the Mississippi in the boats that originally carried Iberville up stream and brought back the indisputable proof that the river which they had explored was really the Mississippi: a letter that Tonty had left for La Salle, in the care of Indians, at the time he had gone down to meet his former chief and companion and fellow discoverer of the great river.

For several days Iberville looked for a suitable and convenient site to build a fort on, a military necessity in those days. His instructions had been to establish a community and a central trading post on the banks of the Mississippi River and he had endeavored from the start to carry them out, but his recent exploration of the Father of Waters had revealed no site that, in his opinion, would have answered the purpose. The Mississippi River and its adjoining territory, at the time, with its low and swampy lands constantly over run by the mighty stream of yellowish and muddy water must

have impressed him as a rather unfavorable section of the country in which to establish the seat of the colony. He therefore decided that he would effect a landing and construct a fort on the north east shore of the Bay of Biloxi. On Tuesday, the 7th, he finally selected and marked out the exact place, and on the following day the clearing and work of construction were actually begun. Within a month's time a well stocked and properly bastioned fort was built. The ax, hammer, saw and carpenter's tools, vigorously wielded by the muscular and hardy French colonists had accomplished wonders and Fort Maurepas rose on the sandy shores of the Bay of Biloxi as the emblem of French supremacy and power. The initial step in the establishment and eventual development of Louisiana had taken place. From the uppermost section of the fort the "Fleur de Lys" of France floated proudly in the breeze and the formal and official occupancy of the vast stretch of territory that Cavelier de La Salle had first claimed for his king and master had become fully vested in the French crown and the boundless region of forest lands extending from the Great Lakes to the Gulf and peopled by wild and savage tribes, had passed under the dominion of the French. Shortly afterwards Iberville left for France but returned within a few months time bringing with him new colonists and a further supply of provisions. Fort Maurepas, its garrison and the little group of colonists that lived within its enclosure drew the attention of the world at large. The chancellories of Spain and England became seriously alarmed over the situation and Iberville grew in favor and in power with his government. Subsequently Mobile was founded and in 1718 a clearing was made and a few huts constructed on one of the many bends of the Mississippi River, 110 miles from the Gulf, which marked the beginning of the great metropolis of the South and the seat of the colony up to the time of its transfer to the United States; my own native city of New Orleans. But we should not overlook the fact that Fort Maurepas or Old Biloxi, as it is often referred to, was the first white settlement effected in the territory named after the Great Louis. The event which we are therefore commemorating today is one of transcendental importance. The founding of Old Biloxi was the first foothold gained by France in a territory whose geographical situation made it possible for the great and enterprising colonists of Canada to play their part in its development and settling. Down the Mississippi Valley, by land and water came the hardy and splendid Canadians, to join hands with those who were endeavoring to accomplish for France on the shores of the Gulf of Mexico and on the Banks of the Mississippi River, that which they

and their comrades had already carried out in Canada and on the Great Lakes to the everlasting credit of their mother country. Thanks to the establishment of Old Biloxi, Iberville and later on Bienville were enabled to found successfully Mobile and New Orleans. A great many of the colonists at Fort Maurepas gave their full and efficient assistance in the later founding and settling of Mobile and New Orleans, and I feel that this is an occasion on which the inhabitants of the Crescent City should rejoice with those of your community. We have had a common origin and we bear alike the stamp, the impress of the strong and illustrious men who presided at our respective civic birth. Iberville was Bienville's brother and the latter was at all times the faithful assistant and helpmate of his brother. The two communities are bound consequently by ties of brotherly love, ties that strongly existed at the time they were founded. In participating in this celebration, we, of New Orleans feel that we are commemorating an event that we are deeply interested in. And so it is that I have been commissioned by the Mayor of the City of New Orleans, the State of Louisiana and the Louisiana Historical Society to convey their official greetings and to say on their behalf the words of felicitations which I have just uttered. The inhabitants of the City founded by Bienville have asked that they be officially associated in this celebration through their delegate and I bring to you in their name a message of fraternal love and the expression of their high regard.

And in conclusion may I say that I hope that the splendid lessons of patriotism, endurance and sacrifice, which the lives of men like La Salle and the Lemoyne de Longueil brothers, have taught us, may serve us in good stead in these times of world agitation and political upheaval. Verily as we look across the Atlantic or cast our eyes upon our own country we are most forcibly struck with the unsettled condition of men and affairs at large. The forces of militarism and hideous autocracy are looming up again as a serious threat and menace across the Rhine, and France, self-denying and heroic France, as of yore must stand out as a bulwark against their contemplated aggression. And in this task France seems to be left alone. Though bleeding from a thousand wounds, though she is the country that bore the heaviest burdens of the late war, she is again called upon to do police duty on the banks of the Rhine. She is going to be found fully equal to the task; she is going to perform her duty to the very end though it may cost her the last drop of blood of her sons and the last cent in her treasury. But I know my fellow American citizens that I voice your sentiments when I state today,

on this solemn occasion, in the presence of the Consul General of France, that notwithstanding the fact that our military forces on the Rhine have been instructed not to lend their assistance, one hundred million free born American citizens hope from the bottom of their hearts that Foch and his men will some day complete the work which was unhappily terminated on the 18th of November, 1918.



COLONEL FRANCIS D. RICHARDSON

(From *New Orleans Picayune*, January 6, 1896.)

One of the most picturesque and interesting characters is old Colonel Francis D. Richardson. His connection with the patriotic demonstration on January 8, last will be remembered. Colonel Richardson is now in his 84th year, and, after a life of the most stirring and eventful character, retains unimpaired his mental and physical faculties. He is staying at present with his son, Colonel Frank L. Richardson, Jr., at No. 1230 Sixth street, and will be in New Orleans for a week yet. The colonel is full of delightful reminiscences, and recalls with especial gusto his acquaintance with the founders and first proprietors of the *Picayune*.

Yesterday, while conversing with a representative of the *Picayune* Colonel Richardson said that, towards the close of 1839, while managing his plantation on the Teche, he had frequent occasion to come to New Orleans. He always put up at the City Hotel. Among the guests at this historic hostelry was a Mr. F. A. Lumsden, then a young man of about 27 years of age. The *Picayune* had been in existence some eighteen or twenty months, and the public was still talking about its name, which was a most unusual and sensational one.

"Of course," said Colonel Richardson, parenthetically, "it is hard to understand that '*Picayune*' could ever have been of a sensational sound in the general ear, but such was the fact." Mr. Lumsden extended to Colonel Richardson an invitation to contribute to his paper, and of this privilege the colonel has availed himself more or less regularly ever since, contributing valuable articles at intervals during the past 50 years.

One of Colonel Richardson's most interesting souvenirs is of the movement resulting in the act to erect the monument at Chalmette to General Jackson. Colonel Richardson was an enthusiastic whig, and had no use for the general's politics, though the fact that his father, Colonel Richardson, of Mississippi, had commanded a regiment in the battle of New Orleans made him approve heartily of the General's military career.

"The year 1852," said the colonel, speaking of the events leading up to the passage of the monument bill, "was a sort of central period in the hostilities between the Whig and the Democratic parties in Louisiana. In the legislature of that winter the former had a good working majority in both houses; the latter had Governor Walker,

and were very aggressive and troublesome. Soon after the opening of the session it was made plain to all that General J. B. Plauche, one of General Jackson's aids on the ever memorable 8th of January, had a special object in coming to the legislature. Ten thousand dollars was necessary to complete the equestrian statue of General Jackson, now the pet and pride of the city. But he found the whigs very slow in piling up honors on one who had been the main stumbling block to their dearly beloved Henry Clay. He was greatly disappointed, not to say disgusted, at his failure in this (to him) all-important matter, but he did not long survive it and our proud capitol was draped in mourning for the third time for one now honored by all true Louisianians. But the contest thickened under the leadership of General Augustin, his successor, and it looked as if the legislature would be blocked. I recall that a bill was before the house to improve the navigation of a bayou in north Louisiana, when he said: 'Sir, you will filch from the well-earned renown of General Jackson and appropriate that same money to some miserable bayou. I shall vote against this bill.' A conference became necessary between the two parties, which ended in a compromise. We agreed to give them the money necessary to complete the statue, and they were to give us the Chalmette monument, so that both parties were united in these two great mementoes of the day we now celebrate. On this monument on the battle field we intended to inscribe the names of every officer, from captain up, who there on this day 'rushed to glory or the grave'; some of them 'near and dear to us, thus dividing the honors, and not piling it all on General Jackson. But alas! Poor Chalmette, what we intended as the crowning glory of our State has come to be its burning shame. Hard has been its fate from the cradle until now. The first blast of war was echoed back from its bleak, bald, unfinished head, and for thirty years it has moldered on. But its day of triumph, we believe, has come; it has lingered into the age of woman's work, when she is teaching the world that the will and the way go together. The time is near when it will take its place in our hearts beside the immortal Harry of the West, on Canal street, and our second Washington, who looks proudly down upon his circle. Already in fancy we can look beneath the crowning capstone and point to the spot where fiercest raged the battle, where fell the proud invader of our soil, with here and there our own immortal heroes. Generations unborn will sit there and muse on the grand victory of this day with fresh infusion of blood for State, our common country, and for that glorious flag that now indeed waves over the 'land of the free and the home of the brave.' "

Colonel Richardson feels acutely on the subject of the monument, and expresses a sincere intention to co-operate in procuring its completion.

Colonel Richardson was in the legislature till 1856, and Mr. Lumsden was a member at the same time. Mr. Lumsden was one of the strong men of the house, and being of a most attractive personality, won a wide circle of friends. "He was backed by his paper," said Colonel Richardson, "which, by that time, had become one of the leading periodicals of the country. He was very active in support of the Chalmette monument. I knew all his associates on the paper—three splendid young men, who have left a glorious monument to their young enterprise."

Colonel Richardson is proud of his title, though he says it came to him principally as a matter of inheritance. "I wasn't in the Civil War," he said, "serving only in the Home Guards. The title of colonel came to me as the oldest son of Colonel John G. Richardson, who commanded the cavalry at Chalmette. My father was from Wilkinson county, Miss. But I can't pass my title down to my son, who won a title for himself on many a battle field."

"Hasn't New Orleans changed greatly in your recollection?"

"Yes, but the change has been very gradual, except within the last five years. Electricity, gravel and granite have changed the city completely. The city has been revolutionized since the exposition in 1884-85. New Orleans is to the South what St. Louis is to the West, or New York to the East. There is a great future before the city, and the recent past has witnessed a tremendous advance in every direction."

Colonel Richardson has several surviving children, and among his married daughters are some who reside in Missouri, Washington and China. The colonel spends his summers in Missouri and his winters on the Teche with his daughter, Mrs. Don. Caffery, Sr. He will go to Mr. Caffery's plantation within the next ten days.



THE EDITOR'S CHAIR

To the casual observer it may seem easy to sit in the editor's chair, to scan all matter coming in, to separate the best from that which is less good and to give the precedence to that which should precede and to follow with articles in some proper sequence. The editor's chief trouble is to get suitable articles. The Cabildo is full of data as to olden days, New Orleans is full of romance and of history, and yet our busy world seems to consume every waking hour giving competent employment to our literary men and women, leaving the unfortunate editor crying constantly for help.

This issue of our Quarterly Review, while unduly delayed in its publication, contains much valuable material. In our last issue Mr. James Renshaw gave a vivid account of the affair of September 14, 1874, in which he was an active participant, the second battle of New Orleans. In this issue will be found a paper on the same subject by Colonel F. L. Richardson, since deceased, and a participant in the same conflict. Colonel James D. Hill in a few pages gives his experiences in and about Vicksburg three score years ago, all cognate matter.

The Review opens with "Louisiana Completa," an address by that graceful writer and eloquent speaker, Edward Alexander Parsons. Very rarely was literary work ever better done than by this distinguished gentleman in his splendid and beautiful address. Mr. Joseph Mitchell Pilcher, who some time back favored us, has given us herein a carefully written account of the life of Judah P. Benjamin, lawyer, sugar planter, Confederate soldier, and Confederate Minister to England and subsequently Queen's Counsel there. Mr. Pilcher is one of our younger historians, whose excellent work promises a bright future. Mr. Benjamin wrote his own history into the world's records in indelible ink.

One of our friends wrote the few comments on Grace King's last book, "The Creole Families of Louisiana," which while finely written, hardly does justice to that wonderful book. Miss King is, as the world knows, an accurate and graceful writer, but while not a creole herself, writing of them she reaches a genre field that Cable could

not. His view point was wrong. Miss King's is right, honest and sympathetic. Possibly Thackeray in his *Virginians* may have felt the genre of Virginia's early colonial days. Miss King brings Louisiana's genre home to us in Bernard Marigny's closing days, the brilliant young creole millionaire, receiving seven challenges to mortal combat in one morning in Paris, and his sword finishing one, the others withdrew. This young Don Quixote from various causes loses all his wealth and is compelled to accept a humble position and does not shirk or complain.

Mr. C. Favrot's historical sketch of the construction of the New Orleans Custom House is a most valuable contribution to our local literature. The Custom House stands today far below what was first contemplated when General Beauregard, then a young army engineer, undertook its construction, and it stands today a monument to his memory and to the accuracy of his calculations. Old residents here will recall the fact that the larger openings of the lower floor and perhaps some of those above were tied across by great flat wrought iron bars one-half inch to five-eighths inch thick and 3 to 4 inches wide and placed 7 to 8 feet above the floors to give ample headway at the openings. If the great building settled at all, it settled without a crack anywhere in its walls. The great hogchains were cut out in about 1870. The building was afterwards injured by fire and repaired but was never completed as the original plans contemplated. The myth that the building had settled down evenly some four feet was current back in the Sixties, but there was no foundation for the myth.

The supplementary letter concerning the Custom House is from the *Times Picayune* of April 27, 1914, and furnished by the courtesy of Miss Grace King. The proposed general improvements including the dome, have not yet been made. The last large building erected after the Civil War without piling was the New Orleans Cotton Exchange. The first erected with piling was the Morris Building, corner Canal and Camp streets, the next was the Baldwin Hardware Store building on the corner of Camp and Common, the site of Col. Morse's old City Hotel, the only big hotel that kept open all summer back in the Sixties. Then piling made the foundation for the Hennen

Building and has now become universal in all heavy buildings, see the new Hibernia building for instance.

Col. Richardson's and Colonel Hill's addresses are characteristic of those days and intensely interesting and tell their own story.

We include an article from the *New Orleans Picayune* of January 6, 1896, inspired by Col. F. L. Richardson, the father of Col. F. L. Richardson of the 14th of September, 1874 days. The old gentleman was an old time and a long time sugar planter on Bayou Teche, an active political worker and a member of the Louisiana legislature. From the latter he secured the aid that secured the erection of the Jackson monument on the Chalmette battle field.

As apropos to the article by Mr. James Renshaw on September 14, 1874 days and also Col. F. L. Richardson's activities therein we have introduced a letter from an employee of the writer to the writer then in New York. The young man was new in New Orleans, reared on the Hudson River near Albany and only 22 or 23 years old. He had made no study of the situation and we may judge of his surprise from the letter he wrote. The Pitot he refers to was Mr. Gustave Pitot, now one of our prominent citizens and the great grandson of the Pitot who was mayor of New Orleans under Governor Claiborne.

This issue also includes articles from that encyclopaedic gentleman, Hon. W. O. Hart, on the Louisiana State Constitutions and on Clark Mills, the sculptor and author of the Jackson monument in Jackson Square. Mr. Andre Lafargue's address on the founding of Biloxi at its recent Bi-Centennial and that on Edward Livingston by Mr. Moore and that on The Bonded Debt of New Orleans, by Mr. Horace F. Phillips.

The chief attraction in our whole Review is the work of the Historical Society's archivist, Honorable Henry P. Dart, who with his competent translators is delving into the records of French and Spanish dominations during two hundred years. These treasures of the fading past of Louisiana history bring to our present day vision the colonial life in the pioneer days when from Quebec to Biloxi was the common interior route between New France on the St. Lawrence and Biloxi on the Gulf of Mexico, Bayou Manchac islandizing the parish of Orleans. The Manchac route was used until General Jackson closed the bayou in 1815.

ANDREW JACKSON PAPERS WANTED

The Department of Historical Research in the Carnegie Institution of Washington is collecting the material for an edition, in several volumes, of the Correspondence of Andrew Jackson, to be edited by Professor John S. Bassett of Smith College, Jackson's biographer. All persons who possess letters of General Jackson or important letters to him, or who know where there are collections of his correspondence, or even single letters, would confer a favor by writing to Dr. J. F. Jameson, director of the department named, 1140 Woodward Building, Washington, D. C.

Statement of Ownership, Management, Circulation, etc., required by Act of Congress of August 24, 1912, of the LOUISIANA HISTORICAL QUARTERLY, published quarterly at New Orleans, La., for October 1, 1920. State of Louisiana, Parish of Orleans. Before me, a Notary Public, in and for the State and Parish aforesaid, personally appeared John Dymond, who, having been duly sworn according to law, deposes and says that he is the Editor of the LOUISIANA HISTORICAL QUARTERLY, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912. Publisher, Louisiana Historical Society. Editor, Managing Editor, Business Manager, John Dymond, New Orleans, La. 2. That the owners are: The Historical Society and issues no stock; officers are G. Cusachs, President; John Dymond, First Vice-President; Bussiere Rouen, Second Vice-President; Henry Renshaw, Third Vice-President; W. O. Hart, Treasurer; Mrs. H. H. Cruzat, Corresponding Secretary, and Miss Grace King, Recording Secretary, all of New Orleans, La. 3. That the known bondholders, mortgagees and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None. Signed John Dymond, Editor. Sworn to and subscribed before me this 2nd day of October, 1920. (Seal). Augustus Williams, Notary Public. (My commission is for life-time.)

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