

Maneuvering Life: Women of Color on the Louisiana Frontier

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DEDICATION

In memory of

Wallace Patrick Donovan

1939-2015

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At the age of fifty-two, I enrolled in my first ever college courses. I would never have taken that first step if it had not been for my sister, Miranda Donovan. Her encouragement gave me the motivation to make such a bold decision. As I made this journey, many other people have been instrumental in my continuance and success. Diane Dodt, Carol Polito, and Dr. Bobbie DeCuir always made sure I had plenty of encouragement as well as a place to work, which became a place of refuge for me. Dr. Kim Todt, Dr. Chad Parker, Dr. John Troutman, and Dr. Sarah Ritchey were instrumental in helping me develop writing skills and grow as a scholar, while Dr. Robin Hermann, Dr. Liz Skilton, and Dr. Michael Martin provided me with excellent advice as my thesis developed. On the home front, Travis Hargroder has kept a roof over my head and Dr. Peppers in the refrigerator as well as enduring my meltdowns. As for my parents, Pat and Jenny Donovan, although I know their first thoughts were “What is she thinking,” they have supported me both financially and emotionally as I made this trek. Lastly, my children, Charlie, Amanda, Ashley, and Anna have been a huge source of strength, providing me with praise, love, and understanding while I pursued my dream. As I complete this phase of my adventure, I extend my sincerest gratitude to all.

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INTRODUCTION

In *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783*, Daniel H. Usner contended that the history of the Louisiana frontier remained “overshadowed” and “trivialized” by historians who focused on “antebellum racism” and “sectionalism,” while ignoring the drastically different lives of the generations of settlers, slaves, and Native Americans that lived in the lower Mississippi Valley during the eighteenth century.¹ Twenty-four years later, only a few scholars have followed Usner’s lead to uncover the histories of those frontier settlers, least of all the women of color who made significant contributions to the colonizing of the Louisiana frontier.

The region’s diverse eighteenth-century population, which included Native Americans, Canadians, Spanish, French, Germans, and Africans, participated in an economy based on ranching and subsistence farming.² During the colonial and early American periods, the Louisiana frontier, particularly the southwest regions known as the Attakapas and Opelousas districts, produced a unique environment for the development of a multicultural society in which women of color enjoyed considerable economic influence and social status, regardless of laws and social mores designed to restrict their lives.³ As relationships between white men and women of color developed, women of color and their white benefactors contrived various avenues around, or else outright defied, colonial policies designed to inhibit and regulate them. Whether crossing the color lines drawn by officials and entering

¹ Daniel H. Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783*, (Chapel Hill: University of North Carolina, 1992), p. 1-2.

² Winston De Ville, *Attakapas Post: The Census of 1771*, (Baton Rouge: Claitor’s Publishing, 1986), p. 6-7.

³ Carl Brasseaux, Keith P. Fontenot, and Claude F. Oubre, *Creoles of Color in the Bayou Country*, (Jackson: University Press of Mississippi, 1994), 8-10.

into sexual relationships with white men or receiving land and other valuables through acts of donations to them and their illegitimate children, women of color bent, sidestepped, or ignored legal regulations and social mores as they maneuvered life on the Louisiana frontier. This study will demonstrate that from 1770 through 1840, free women of color and manumitted slaves on the Louisiana frontier deployed a variety of legal and social strategies such as acts of sales, acts of donations, wills, and indenture contracts in order to acquire and maintain control of property otherwise illegally designated for them by their white benefactors. The examination of women of color inhabiting the rural areas of Louisiana and the impact these women contributed on its development is a much-neglected area of study.⁴ This research is important in that it will provide a much-needed investigation in the ignored field of women of color living in rural areas of Louisiana.

The following thesis looks at the lives of five women of color, Adelaide Lemelle, Francoise Peignier, Mercelite Chenier, and Genevieve Hugon, who lived on the Louisiana frontier between the years of 1770 and 1840, formed long-term relationships with white men, and received property as a result of these relationships. Adelaide Lemelle, a free woman of color, established a plantation and family with Joseph Gradnigo.⁵ She bought and sold land and slaves on her own and jointly with Gradnigo.⁶ Francoise Peignier, a slave set free by her owner, Arnaud Ramard dit Peignier, entered into an indenture agreement with him the day

⁴ Gary B. Mills and Elizabeth Shown Mills, *The Forgotten People: Cane River's Creoles of Color*, (Baton Rouge: Louisiana State University, 2013), p. xxiv-xxv.

⁵ St. Landry Parish Conveyance Records, Book H-1, #291, Gradnigo Heirs and Heirs of Lemelle, Agreement, dated 12 November 1833, St. Landry Parish Courthouse, Opelousas, Louisiana.

⁶ St. Landry Parish Conveyance Records, Book H-1, #154, Joseph Gradnigo to Adelaide Lemelle, Sale of Slaves, dated, 22 February 1812. Book H-1, #155, Robert & Josiah Gail to Adelaide Lemelle, Sale of Slaves, dated 7 October 1833, Book F-1, #380, Gradnigo to Lemelle, Sale of Land, dated, 23 May 1833, St. Landry Parish Courthouse, Opelousas, Louisiana.

after her emancipation.⁷ Nine years later, after signing a second indenture agreement with Ramard dit Peignier, Francoise freely left his household and entered a relationship with another white man, Pierre Ozere.⁸ Mercelite Chenier, a slave, was freed by her owner Francois Chenier, but remained with him until his death, bearing him six children.⁹ Upon his death, Chenier left instructions for Mercelite to receive a lump sum payment from his estate and left the residue of the estate to be divided among Mercelite and his six children.¹⁰ Genevieve Hugon, a freed slave, lived with her emancipator, Augustin Belaire Fontenot, for over thirty years, bearing him children and establishing a fortune in land and slaves, which was divided among the children after Fontenot's death.¹¹ Using church records, succession and conveyance records, as well as civil case proceedings, the following analysis reveals the various strategies used by these women of color and their white benefactors to bend the rules in order to acquire and maintained control of inherited and donated property, in spite of the laws that barred them from doing so.

A study of the lives of women of color in the Attakapas and Opelousas districts during the colonial and early American periods offers frontier and borderlands historians tremendous insight into the significance of the role that women of color contributed to the Louisiana frontier. Frontier studies began in 1893 with Frederick Jackson Turner's essay

⁷ St. Landry Parish Conveyance Records, Book A-1, #358, Arnaud Ramard, "Emancipation of Francoise," dated, 22 July 1809, St. Landry Parish Courthouse, Opelousas, LA. St. Landry Parish Conveyance Records, Book A-1, #360, "Indenture Contract between Arnaud Ramard and Francoise Peignier," dated, 23 July 1809, St. Landry Parish Courthouse, Opelousas, LA. The term "dit" is a French idiom meaning "called."

⁸ St. Landry Parish Conveyance Records, Book D-1, #299, "Indenture Contract between Arnaud Ramard and Francoise Peignier," dated, 2 March 1818, St. Landry Parish Courthouse, Opelousas, LA. St. Landry Parish Notary Book C, Act 77, "Act of Donation from Pierre Ozere to Leufroi Zain," dated 29 July 1825, St. Landry Parish Courthouse, Opelousas, LA.

⁹ St. Landry Parish Probate Records, Folio #442, "Succession of Francois Chenier," dated, 16 July 1827, St. Landry Parish Courthouse, Opelousas, Louisiana. St. Landry Parish Conveyance Records, Book E-1, # 191, Francois Chenier, "Emancipation of Slave," St. Landry Parish Courthouse, Opelousas, Louisiana.

¹⁰ St. Landry Parish Probate Records, Folio #442, "Succession of Francois Chenier."

¹¹ St. Landry Parish Probate Records, Folio #228, "Succession of August Belaire Fontenot," dated, September 1821, St. Landry Parish Courthouse, Opelousas, Louisiana.

“The Significance of the Frontier in American History,” which turned the focus of American history to the “frontier.”¹² Calling it an “elastic” concept, Turner described the frontier as a shifting wave, lying at the farthest western edge of “free” land where savagery and civilization came together.¹³ At first glance, Turner’s thesis seemed to explain the differences between Europe and the New World.¹⁴ Turner implied that the distinct nature of the frontier, such as free land, danger, and opportunity, influenced American institutions and character.¹⁵ For a short time, Turner’s view received much attention and acceptance; however, some of Turner’s peers deemed the essay entrenched in the imperialistic objectives of the United States.¹⁶ As with most historical narratives of the time, Turner’s essay championed the white man’s contribution to frontier history and overlooked all other groups involved in the development of the American frontier.¹⁷

In 1902, Herbert Eugene Bolton, who studied under Turner, felt the need to encompass Spain’s imperial legacy into Turner’s “frontier” history.¹⁸ Bolton began to convey the concept of “borderlands” rather than “frontier” however, and introduced the term “Spanish borderlands” when he published a book by the same title in 1921.¹⁹ Bolton’s definition of the term “Spanish borderlands” referred to the “shifting frontiers” of the Spanish empire in North America, from Florida through Virginia and across the continent to

¹² Frederick Jackson Turner, *The Frontier in American History*, (New York: Henry Holt and Company, 1920), reprint, p. 1.

¹³ Turner, *Frontier*, 2-3.

¹⁴ *Ibid*, 1-8.

¹⁵ *Ibid*, 2-3.

¹⁶ Ramon A. Gutierrez and Elliot Young, “Transnationalizing Borderlands History,” *The Western Historical Quarterly*, (Spring, 2010), p. 29.

¹⁷ Gutierrez, “Transnationalizing,” 29.

¹⁸ Herbert E. Bolton, *The Spanish Borderlands: A Chronicle of Old Florida and the Southwest*, (reprint, Lexington: First Rate Publishers, 2014), i – ii.

¹⁹ Bolton, *Spanish Borderlands*, i – ii.

California and the Pacific Northwest, including the Louisiana region.²⁰ Bolton focused on the impact of the Spaniards on the frontier while never considering how the frontier influenced Hispanic institutions and character.²¹ Bolton criticized the “original thirteen colonies” theory and declared, “The history of the United States has been written almost solely from the standpoint of the East and of the English colonies.”²² Although Bolton condemned the Anglo-American perspective, he perpetuated a top-down narrative where Spanish men conquered the land and its indigenous people.²³ As with Turner’s, Bolton’s narrative of the expanding frontier ignored historically marginalized groups, which included women of color, and their role on the frontier. The study of the impact of these groups on frontier history remained neglected until years later as scholars confronted the ethnocentrism prevalent in previous historical narratives.²⁴

Beginning in the 1960s, scholars started to investigate the lives of everyday men and women using ethno-historical methods, which included anthropology and archaeology, bringing the histories and perspectives of Native Americans, women, and people of color into the narrative.²⁵ By restoring agency using interdisciplinary approaches, historians of these historically marginalized groups represented them not as victims, but as active participants in shaping history.²⁶ Compelled by the civil rights movement and faltering American foreign policy, historians halted the emphasis on white male perspectives and revisited colonial

²⁰ David J. Weber, “John Francis Bannon and the Historiography of the Spanish Borderlands: Retrospect and Prospect,” *Journal of the Southwest*, (Winter, 1987), p.331.

²¹ David J. Weber, “Turner, the Boltonians, and the Borderlands,” *The American Historical Review*, (February, 1986), p. 68-69.

²² Kelly Lytle Hernandez, “Borderlands and the Future History of the American West,” *The Western Historical Quarterly*, (Autumn, 2011), p. 325.

²³ Hernandez, “Borderlands,” 325.

²⁴ David J. Weber, “The Spanish Borderlands, Historiography Redux,” *The History Teacher*, (Winter, 2005), p. 43.

²⁵ F. Todd Smith, *Louisiana and the Gulf South Frontier, 1500-1821*, (Baton Rouge: Louisiana State University Press, 2014), p. 3.

²⁶ David J. Weber, “The Spanish Borderlands of North America: A Historiography,” *OAH Magazine of History*, (Summer, 2000), p. 6.

histories by employing borderlands approaches to examine frontier interaction, conflict, and interdependence among the Native Americans, Europeans, and Africans of the frontier regions.²⁷ For instance, in 1962, Jack Forbes's *Apache, Navaho, and Spaniard* placed Indians at the center of his narrative and revealed the disruption to long-standing, mutual relationships by Spanish exploitation and slave raiding.²⁸ The "new Native American" approach endorsed by scholars such as Pekka Hamalainen produced histories that focused on specific Native American nations. Hamalainen's *The Comanche Empire* provided insight into the agency of the Comanche and designated the arrival of the Comanche onto the southern plains as a "key turning point in early American history."²⁹

By the 1990s, scholars began the use the terms borderland and frontier interchangeably and expanded their meaning beyond simply geography.³⁰ F. Todd Smith best describes the altered frontier concept as "a zone of interaction where different groups or polities are relatively equal in power, and either contend for resources and control, or establish an interdependence with one another."³¹ As one of the first scholars to present this new approach, Richard White researched the diverse community of the Great Lakes region, using the racial, economic, and cultural differences of the indigenous people who inhabited what he called "the middle ground" and its new European arrivals.³² His monograph, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*,

²⁷ Smith, *Louisiana and the Gulf South Frontier*, 3.

²⁸ Jack D. Forbes, *Apache, Navaho, and Spaniard*, (Norman: University of Oklahoma Press, 1996), <http://books.google.com/books?id=G49kQgAACAAJ&dq=jack+D.+Forbes&hl=en&sa=X&ei=FmEqVMbeC8bBigKnwICABA&ved=0CF8Q6AEwCQ>, accessed: 24/09/2014.

²⁹ Pekka Hamalainen, *The Comanche Empire*, (New Haven: Yale University Press, 2008), p.18.

³⁰ Smith, *Louisiana and the Gulf South Frontier*, 3.

³¹ Ibid.

³² Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, (Cambridge: Cambridge University Press, 1991), p. X.

analyzed social and economic interactions and emphasized the coexistence of the various cultures of the region.³³

While White's research examined the cultures found in the Great Lakes region during the colonial period, several scholars turned their emphasis to cultures that existed in other regions. For instance, in *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783*, Usner applied the same approach to the Lower Mississippi Valley region, scrutinizing the diverse racial and ethnic cultures of that area and their impact on trade and the developing community.³⁴ Usner concentrated on the establishment of a regional economy and the internal relationships that developed between Native American villagers, European settlers, and African slaves in the lower Mississippi region.³⁵ In *Wild Frenchmen and Frenchified Indians: Material Culture and Race in Colonial Louisiana*, Sophie White focused on the Upper Mississippi Valley and the Native American population known as the Illinois, examining French perceptions of ethnic and racial identities based on appearance through clothing, religious conversion, and consumption of European goods.³⁶ Through her extensive research, White revealed how European concepts of mutable identities and creolization paralleled indigenous beliefs of fluidity in tribal and gender identities, illuminating French policies to transform Native Americans into French subjects through religion, marriage, and appearance as well as French anxieties over acclimating to the New World.³⁷ Although Richard White positioned Native Americans at the center of his "new Indian history," Usner examined the "frontier exchange"

³³ White, *Middle Ground*, X-XI.

³⁴ Usner, *Indians, Settlers, & Slaves*, 8.

³⁵ *Ibid.*, 9.

³⁶ Sophie White, *Wild Frenchmen and Frenchified Indians: Material Culture and Race in Colonial Louisiana*, (Philadelphia: University of Pennsylvania Press, 2012), p. 2.

³⁷ Sophie White, "Creolized Frenchmen and Frenchified Amerindians in Louisiana," in *Creolization in the French Americas*, eds. Jean-Marc Masseaut, Jordan Kellman, and Michael Martin, (Lafayette: University of Louisiana at Lafayette Press, 2015), p. 53.

by studying the interactions between various cultures and White explored creolization among the French and Native Americans, none of these scholars fully examined the role of women of color on the frontier in their studies.

Around the same time, rather than examining the interactions between the various peoples of a region, academics began to scrutinize the minorities within those regions who scholars often overlooked. In *Creoles of Color in the Bayou Country*, Carl Brasseaux, Keith Fontenot, and Claude Oubre studied the population of persons of color in the prairie regions of Louisiana, which included the Attakapas, Opelousas, and Avoyelles districts of the Louisiana frontier.³⁸ Hailed as “the first serious historical examination” of people of color in the Louisiana frontier, *Creoles of Color* elucidated the origins and development as well as social, economic, and legal aspects of persons of color living in the area.³⁹ In 1997, Kimberly S. Hanger published *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803*, in which she studied free blacks during Spanish rule in New Orleans.⁴⁰ In her analysis, Hanger concluded that Spain offered opportunities for free blacks to accumulate capital, invest in business, purchase property, and allowed for the development of social organizations.⁴¹ Also using the new definition of a frontier, Jane Landers published *Black Society in Spanish Florida*, a groundbreaking study of Africans and their descendants in Spanish Florida.⁴² Landers’ research revealed how enslaved and freed persons of African descent in Florida maneuvered the system, making political decisions and participating in important roles in the development of colonial America.⁴³ In 2008, H. Sophie Burton and F.

³⁸ Brasseaux, *Creoles of Color*, 4-5.

³⁹ *Ibid*, ix.

⁴⁰ Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803*, (Durham: Duke University Press, 1997), p. 12.

⁴¹ Hanger, *Bounded Lives*, p. 17.

⁴² Jane Landers, *Black Society in Spanish Florida*, (Chicago: University of Illinois, 1999), p. viii.

⁴³ Landers, *Black Society*, 4-5.

Todd Smith examined the cultural and economic development of the Louisiana frontier in their monograph, *Colonial Natchitoches: A Creole Community on the Louisiana-Texas Frontier*, which elucidated the ethnic structure of the colonial Natchitoches community and debunked the long-held belief that Native American trade dominated its economy.⁴⁴ Burton and Smith exposed an entrenched French creole culture participating in a stable, mature agricultural economy prior to the Louisiana Purchase.⁴⁵ While Brasseaux, Hanger, Landers, Burton, and Smith each contributed tremendously to the scholarship of persons of color in the colonial period, their research scrutinized people of color as a community or women of color in urban settings, while overlooking women of color and their significance to frontier history.

Few scholarly works focused their attention exclusively on the lives of women of color in antebellum Louisiana and those that did typically adhered to a very strict regional or urban focus, leaving out significant swaths of the state. For instance, most scholars focused work on free women of color who lived in New Orleans, a city that developed a reputation among wealthy whites during the early antebellum period for its toleration of interracial relationships.⁴⁶ In addition, distorted tales, written by travelers, misrepresented the women of color who engaged in such relationships.⁴⁷ In *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World*, Emily Clark examined the origins of the distorted writings, exposed the fallacies perpetuated by the travelers, and uncovered long hidden truths about free women of color in early New

⁴⁴ H. Sophie Burton and F. Todd Smith, *Colonial Natchitoches: A Creole Community on the Louisiana-Texas Frontier*, (College Station: Texas A&M University Press, 2008), p. xi.

⁴⁵ Burton, *Colonial Natchitoches*, xii.

⁴⁶ Kenneth Aslakson, "The Quadroon-Placage Myth of Antebellum New Orleans: Anglo-American (Mis)interpretations of a French-Caribbean Phenomenon," *Journal of Social History*, (Spring 2012), p.709.

⁴⁷ Aslakson, "Quadroon-Placage Myth," 711.

Orleans.⁴⁸ Clark meticulously scoured travel journals, newspapers, notarial archives, and church records to reveal the intricate lives of these mysterious women, discovering they entered into life partnerships with white men as well as free men of color.⁴⁹ Clark determined that many of the free women of color participated in the economy of New Orleans as entrepreneurs and seamstresses, with the ability to purchase homes for themselves.⁵⁰ She argued that Americans misrepresented free women of color as exotic seductresses emerging from New Orleans's "exceptionalism" in order to deflect attention from the sordid Atlantic past.⁵¹

David Barry Gaspar and Darlene Clark Hine edited an intriguing book on women of color entitled, *Beyond Bondage: Free Women of Color in the Americas*, which includes women of color in several regions within the U.S. South, Brazil, and Cuba, detailing life in maroon communities, paths to manumission, interracial marriage, and the "fragile nature of freedom" as experienced by women of color.⁵² The essays draw on a wide range of sources, including church records, conveyance and probate records, newspapers, census data, and personal letters.⁵³ Of the twelve essays, one focuses on colonial New Orleans, elucidating how free black women acquired property and became landlords, shopkeepers, and slave owners.⁵⁴ The author of the essay, Kimberly S. Hanger, recognized the contributions of women of color in New Orleans and argued that during the colonial Spanish period, women

⁴⁸ Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World*, (Chapel Hill: The University of North Carolina Press, 2013), p. 10.

⁴⁹ Clark, *Strange History*, 101.

⁵⁰ *Ibid*, 98.

⁵¹ *Ibid*, 9.

⁵² David Barry Gaspar and Darlene Clark Hine, eds., *Beyond Bondage: Free Women of Color in the Americas*, (Chicago: University of Illinois Press, 2004), p. ix.

⁵³ Gaspar, *Beyond Bondage*, ix.

⁵⁴ *Ibid*, 219.

of color acquired a significant segment of the economic resources in New Orleans and achieved privileges and social standing in the city.⁵⁵

Although originally published in 1977 and overlooked by scholars for many years, *The Forgotten People: Cane River's Creoles of Color*, by Gary B. Mills, investigates one specific family, headed by a free woman of color named Coincoin, in the Natchitoches region of Louisiana. Revised in 2013 by Mills's wife, Elizabeth Shown Mills, *The Forgotten People* opened the door to academic studies of women of color and their participation in the development of communities of people of color in the Louisiana frontier. The Mills carefully searched land records, wills, diocese records, and succession and probate documents to write an amazing history of Coincoin's struggles as a free woman of color during the colonial period of Louisiana history when laws restricted and prohibited women from owning property and participating in most types of business.⁵⁶ Using the multitude of documents available, the Mills' pieced together Coincoin's activities – from submitting tobacco harvested on her lands at the docks on the Red River to buying freedom for her family members.⁵⁷ In their monograph, the Mills argue that their study of Coincoin in the Natchitoches region begins to fill a gap in the neglected study of women of color living in the rural areas of Louisiana and the role these women played in the development of Louisiana.⁵⁸

The combined studies of Native American, European, and African peoples inhabiting the Lower Mississippi Valley from the seventeenth century to the early nineteenth century, produced over the last twenty years, provide undeniable proof that the Gulf South region, which included both Spanish and French land claims, represents an historical region unlike

⁵⁵ Ibid.

⁵⁶ Mills, *Forgotten People*, 3.

⁵⁷ Ibid, 4.

⁵⁸ Mills, *Forgotten People*, p. xxiv-xxv.

others such as the New England, the Middle Colonies, the Chesapeake, and the Low Country areas.⁵⁹ The region, firstly, possessed a diverse population, which included a variety of European peoples. Secondly, the Native Americans, although fewer in number as a result of the invasion, adapted to the infiltration of Europeans and Africans. Lastly, differences in African slavery allowed for the development of a caste of free people of color.⁶⁰ The distinctive differences found in the Gulf South region yielded an area of interaction known as a frontier zone where Native Americans, French, Spanish, Creoles, Acadians, and Africans contended for resources and formed an interdependence with each other.⁶¹ Situated within the Gulf South region, the Louisiana frontier, which included the Attakapas and Opelousas districts, slowly emerged as a borderland where Native Americans, French, Spanish, Creoles, Acadians, and Africans interacted to produce a heterogeneous population in which historically marginalized groups participated in an egalitarian economy.⁶² Within this society, women of color bent, sidestepped, or ignored legal regulations and social mores as they maneuvered life on the Louisiana frontier, emerging as crucial participants in the establishment of families and development of communities while finding agency on the Louisiana frontier.

The foundation and development of the colonial Louisiana frontier are the subjects of the first chapter of this thesis, “The Louisiana Frontier: A Unique Society.” The section carefully looks at the lands of the Louisiana frontier, its first inhabitants, and European settlement. Using sources such as census data, memoirs, and church records, the chapter examines the circumstances that allowed interracial relationships to flourish, creating a

⁵⁹ Smith, *Louisiana and the Gulf South Frontier*, 1.

⁶⁰ *Ibid*, 2-3.

⁶¹ *Ibid*, 3.

⁶² Brasseaux, *Creoles of Color*, 3-13.

mixed race population on the Louisiana frontier. Understanding the region's environmental, economical, and social beginnings reveals the uniqueness of the Attakapas and Opelousas territories while illustrating the interdependence of the diverse population.

Relying on Catholic church records, documented original acts, as well as legislation and written law, "Chapter II: Interracial Relationships: The Boundaries Set," examines the prevalence of interracial relationships as well as the colonial laws, social mores, and church regulations established to control such relationships. The chapter explains the legal boundaries placed on interracial unions by colonial and metropole officials, while scrutinizing public attitudes and church policies toward those who crossed the boundaries.

The last chapter, "Women of Color: Bending the Rules," investigates the lives of several women of color living on the Attakapas and Opelousas frontiers by examining church registers, conveyance records, probate cases, and court proceedings. The documents illustrate how these women of color maneuvered the laws, social mores, and church policies to achieve economic and social advancement on the Louisiana frontier.

This examination of the lives of women of color living on the Louisiana frontier, particularly in the Attakapas and Opelousas regions during the colonial and early American periods, reveals a multicultural environment that allowed women of color to gain economic influence and social status regardless of the laws and social mores designed to restrict their lives. The unique environment of the Louisiana frontier was significant to the development of a population of free women of color who would actively participate in the economy and growth of the region.

CHAPTER I

The Louisiana Frontier: A Unique Society

Before the emergence of huge plantations, stocked with human chattel, cultivating sugar, indigo, tobacco, and cotton necessary to supply the demands, the Louisiana Territory was a vast expanse of land with scattered settlers, slaves, and Native Americans who lived drastically different lives from the inhabitants that would follow them in the nineteenth-century.⁶³ At the beginning of the eighteenth-century, the Louisiana Territory lay in the center of the North American continent, flanked by the British colonies on the east and New Spain on the west. Ruled first by France then ceded to Spain, the region yielded a distinct setting where Europeans, Native Americans, and Africans slaves converged and formed new methods of exchange.⁶⁴ Soon, multiple factors such as a lack of white females in the colony along with Native American and African slavery resulted in intimate relationships between the various ethnicities represented in the region, generating the growth of a mixed race population.⁶⁵

French exploration of the Mississippi River Valley initiated in New France. In 1673, Jacques Marquette, a Jesuit priest, and Louis Joliet, a fur trader, embarked on an expedition, discovering the Mississippi River and exploring the regions it flowed through in search of lands and Native Americans to proselytize and expand the French fur trade.⁶⁶ Marquette and Joliet made it as far as the Arkansas River but turned around when local Native Americans told them of man-eating natives further down the river. Nine years later, in 1682, René-

⁶³ Usner, *Indians, Settlers, & Slaves*, 276-279.

⁶⁴ White, *The Middle Ground*, X.

⁶⁵ Carl A. Brasseaux, "The Moral Climate of French Colonial Louisiana, 1699-1763," *Louisiana History: The Journal of the Louisiana Historical Association*, (Winter, 1986), 28-30. Brasseaux, *Creoles of Color*, 8.

⁶⁶ Alcee Fortier, *A History of Louisiana, Volume I: Early Explorers and the Domination of the French, 1512-1768*, (New Orleans: Cornerstone Book Publishers, 2012, Reprint), p. 15.

Robert Cavalier Sieur de La Salle journeyed all the way down the Mississippi River to the Gulf of Mexico, claiming the river and all the lands drained by it, along with all its tributaries, in the name of King Louis XIV.⁶⁷

In the first months of 1684, LaSalle set out to colonize Louisiana. Four ships were prepared, along with two hundred and eighty persons; among them were soldiers, mechanics, volunteers, and a handful of women and children.⁶⁸ Unfortunately, LaSalle's expedition missed the mouth of the Mississippi River and landed at the Bay of St. Bernard, present-day Galveston, Texas.⁶⁹ At this site, LaSalle built a fort called St. Louis then set out by foot to find the river.⁷⁰ After several months, LaSalle returned to Fort St. Louis to find his only remaining vessel destroyed.⁷¹ Departing once again, this time to seek help, LaSalle took sixteen men and headed to Canada; however, on 18 March 1687, before reaching the Illinois country, LaSalle was murdered by one of his men.⁷²

Although LaSalle did not return to the mouth of the Mississippi River and colonize the area, a few settlers and unlicensed fur traders from New France known as *coureurs de bois*, made their way down the Mississippi from New France, fishing, hunting, and trading furs in the lower Mississippi Valley.⁷³ Due to European war, ten more years would pass before officials in France would turn their attentions back to the Louisiana region.⁷⁴ In 1698, departing from Rochefort with two ships, Canadian born Pierre Le Moyne Sieur d'Iberville, his brothers, Joseph Le Moyne Sieur de Sérigny and Jean-Baptiste Le Moyne Sieur de Bienville, along with a crew made up of mostly fellow Canadians, set sail for the coast of

⁶⁷ Fortier, *History of Louisiana*, 23.

⁶⁸ Ibid, 26-27.

⁶⁹ Ibid, 27.

⁷⁰ Ibid, 28.

⁷¹ Ibid, 27.

⁷² Ibid, 28.

⁷³ Usner, *Indians, Settlers, & Slaves*, 14-15.

⁷⁴ Fortier, *History of Louisiana*, 30.

Louisiana in the Gulf of Mexico.⁷⁵ By 1699, Iberville established the first permanent French encampment at Fort Maurepas.⁷⁶

From that time, those who populated the region established relationships among themselves in order to survive and colonize.⁷⁷ The settlement's success and the colonization that followed depended upon neighboring Native American nations and the efforts of the Canadians, who engaged in trade with the Native Americans throughout the Mississippi River Valley.⁷⁸ Political and military alliances with the region's Native Americans proved essential in order for the French to assert their sovereignty and, for the first decade or so, the French depended on Native Americans for subsistence.⁷⁹ Soon, Louisiana's social and economic development greatly resembled that of New France.⁸⁰ The European population was entirely male and consisted of officers, sailors, Canadians, freebooters, laborers, cabin boys and soldiers; all of whom were heavily dependent upon Native American trade.⁸¹

The Native Americans', particularly Tunicas, Mobilians, Biloxis, and other small nations, need for military protection, the colony's dependence on Native Americans for subsistence, and the lack of women in the colony presented an incubator for *metissage*, interracial sexual relations, to develop.⁸² Until 1704, there were only Native American women in the vicinity of the garrisons.⁸³ Traders purchased Native American women,

⁷⁵ Fortier, *History of Louisiana*, 34.

⁷⁶ *Ibid*, 36.

⁷⁷ Usner, *Indians, Settlers, & Slaves*, 16-17.

⁷⁸ Brasseaux, *Moral Climate*, 28.

⁷⁹ Usner, *Indians, Settlers & Slaves*, 16-19.

⁸⁰ Brasseaux, *Moral Climate*, 28.

⁸¹ Charles R. Maduell, Jr., *The Census Tables for the French Colony of Louisiana From 1699 Through 1732*, (Baltimore: Clearfield Company, 1972), 1-3; Usner, *Indians, Settlers & Slaves*, 249-256.

⁸² Usner, *Indians, Settlers & Slaves*, 234. Cecile Vidal, *Louisiana: Crossroads of the Atlantic World*, (Philadelphia: University of Pennsylvania Press, 2014), p. 126, "*metissage*, the current French scholarly term for what people in the eighteenth century conceived of as interracial sexuality."

⁸³ Brasseaux, *Moral Climate*, 29.

captured in the Illinois country, and sold them to soldiers and settlers at Biloxi.⁸⁴ Other Native American women entered into mutually agreeable partnerships.⁸⁵ In order to engage in trade with the Native Americans, *coureurs des bois* sometimes married Native American women to form trade and kinship networks.⁸⁶ They formed these bonds to help secure peaceful relationships between Native Americans and Europeans; however, various incidents of rape and abuse complicated those relationships.⁸⁷

The attitudes towards *metissage* of French colonial officials and Roman Catholic priests varied significantly.⁸⁸ Church and state agreed that marriage, legitimated by church and state, was the center of social formation and crucial to colonial development; however, they disagreed about who French male colonists should marry.⁸⁹ Henri Roulleaux de La Vente, Roman Catholic priest at Mobile, sought to convert Native American women and allow the French men to marry them; in turn, he expected that they would create families and colonize the French colonial regions. Bienville conversely saw the marriages as detrimental to the development of the colony.⁹⁰ Bienville was adamant that French men should marry only French women and requested that French women immigrate to the colony for that purpose.⁹¹ In 1704, the same year that the garrison was moved to Fort Louis at Mobile, the *Pelican* arrived with a delivery of twenty-two French women on board; only a few of the soldiers took these women as brides, however.⁹²

⁸⁴ Usner, *Indians, Settlers & Slaves*, 235. Carl J. Ekberg, *Stealing Indian Women: Native Slavery in the Illinois Country*, (Chicago: University of Illinois Press, 2007), p. 15.

⁸⁵ Usner, *Indians, Settlers & Slaves*, 234.

⁸⁶ Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans*, (Baltimore: Johns Hopkins University Press, 2009), 21.

⁸⁷ Usner, *Indians, Settlers & Slaves*, 234.

⁸⁸ Spear, *Race, Sex, and Social Order*, 18.

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ Ekberg, *Stealing Indian Women*, 25.

⁹² Maduell, *The Census Tables*, 8-10; Brasseaux, *Moral Climate*, 29.

In 1712, realizing that the colony needed an influx of colonist, among other things, the crown issued a mercantilist monopoly over Louisiana to Antoine Crozat. Crozat was unsuccessful at populating the colony, but he profited from selling slaves from ports in the Gulf of Mexico and the Caribbean.⁹³ After four years, Crozat abandoned the monopoly and the joint-stock Company of the West, under control of financier John Law, obtained the rights to Louisiana.⁹⁴ In 1717, concerns of the church and state with Native American women persisted; however, the arrival of hundreds of women, including some among the French criminals sent to populate the colony through forced migration, overshadowed those concerns.⁹⁵ Complaints quickly arose from the arrival of these criminals, and John Law immediately saw the need for voluntary migrants and began a propaganda campaign that would prove fruitful, bringing in four to six thousand Europeans, mostly Germans, in the years between 1719 and 1721.⁹⁶ Many of these arrivals either returned to France or died, leaving only 2,200 settlers in the colony.⁹⁷

While state and church officials seemed to become less concerned with Native American-French relationships, with the arrival of large numbers of African slaves between 1717 and 1721, their concern for African-French relations heightened.⁹⁸ With no dispute from Catholic officials, colonial authorities quickly introduced the *Code Noir of 1724*, banning sexual relations and marriage between Africans and French.⁹⁹ Although officials set forth the new policies, whether for Native American or African relationships with French, the

⁹³ Gordon M. Sayre, *The Memoir of Lieutenant Dumont, 1715-1747: A Sojourner in the French Atlantic*, (Williamsburg: University of North Carolina Press, 2012), 21.

⁹⁴ Sayre, *Lieutenant Dumont*, 21.

⁹⁵ Brasseaux, *Moral Climate*, 32.

⁹⁶ Spear, *Race, Sex, and Social Order*, 45.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*, 51.

⁹⁹ *Ibid.*

inhabitants refused to adhere to them.¹⁰⁰ Father Raphael, in a letter dated November 15, 1728, pointed out that officials rarely enforced the regulations of the church and state toward interracial relationships because the commanders of the posts were “bachelors who shared the guilt of their subordinates.”¹⁰¹

Anchored by the Gulf Coast port of Mobile, the colony of Louisiana began to grow slowly, the population spread, and several outposts developed on the Louisiana frontier.¹⁰² One of the first to develop, *St. Jean Baptiste des Natchitoches*, founded by Louis Juchereau de St. Denis, a French Canadian, was a military post and settlement, strategically placed on the Red River near a Natchitoches Indian village around 1714.¹⁰³ Within five years, Natchitoches developed into a significant hub of exchange on the Louisiana frontier, trading weapons and metal goods for horses and furs.¹⁰⁴ The population of Natchitoches, both free and slave, steadily grew, producing a colony of small farms engaged in subsistence farming and raising livestock for their own use.¹⁰⁵

The first census of Natchitoches, taken in 1722, lists fourteen men, ten women, ten children, twenty “Negro” slaves, and eight Indian slaves.¹⁰⁶ Most of the inhabitants were men without wives or wives of soldiers, whose husbands were not present in the census.¹⁰⁷ Four of the officers, including St. Denis, listed “Negro” or Indian slaves, and none of the officers listed wives, nor classified themselves as widowers; however, two of the officers reported

¹⁰⁰ Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century*, (Baton Rouge: Louisiana State University Press, 1992), p. 239.

¹⁰¹ Brasseaux, *Moral Climate*, 32.

¹⁰² Usner, *Indians, Settlers & Slaves*, 30-31.

¹⁰³ Mills, *The Forgotten People*, 8.

¹⁰⁴ Burton, *Colonial Natchitoches*, 6-8.

¹⁰⁵ *Ibid*, 13.

¹⁰⁶ Maduell, *The Census Tables*, 31.

¹⁰⁷ *Ibid*, 31.

children in their homes.¹⁰⁸ The first officer, St. Denis, recorded two children in his household.¹⁰⁹ In his memoirs, Jean Francoise Dumont de Montigny, a colonial military lieutenant, speaks of “sharing a table” with St. Denis and his “natural daughter,” young Louise Marguerite, whose mother belonged to the Natchitoches Indian tribe located near the Natchitoches post.¹¹⁰ The second officer, Francois Guyon *dit* Des Pres Derbanne, reported three children in his household, each baptized as his “natural” children in the church registers.¹¹¹ This first census of Natchitoches and subsequent records illuminate the frontier practice of *metissage* and a growing mixed race population.

In 1717, under John Law, colonists with the de Mezieres concession, Terre Blanc, and the St. Reyne concession, settled the area designated as the Post of Pointe Coupee, located upriver from New Orleans near the Tunica Indian main village.¹¹² With rich alluvial soils, settlers at the post planted indigo, corn, and tobacco on mostly small farms; however, by 1729, the Pointe Coupee post emerged as headquarters for the militia in defense of the colony against rebelling Natchez and Chickasaw tribes.¹¹³ Because of repeated attacks from these tribes, the population grew slowly. The census of 1722 listed a total of twenty-eight men, eleven women, and two children living at the two concessions.¹¹⁴ Sieur Diron d’Artaguiette, leader of the troops, tabulated twelve men living among the Tunica Indians with six women, and one child; d’Artaguiette designated all of the women as wives except

¹⁰⁸ Maduell, *The Census Tables*, 31.

¹⁰⁹ *Ibid*, 31.

¹¹⁰ Sayre, *The Memoir of Lieutenant Dumont*, 120. Elizabeth Shown Mills and Gary B. Mills, “Louise Marguerite: St. Denis’ Other Daughter,” *Southern Studies: An Interdisciplinary Journal of the South* 16 (Fall 1977): 321–28, specifically, p. 327; digital image at Elizabeth Shown Mills, Historic Pathways (<http://www.HistoricPathways.com> : accessed 01/28/2014). During the colonial period, the term, “natural child” referred to a child born out of wedlock, but acknowledged by the father.

¹¹¹ Jay Higginbotham, *Old Mobile: Fort Louis de la Louisiane 1702-1711*, (Tuscaloosa: The University of Alabama Press, 1977), p. 402.

¹¹² Sayre, *Memoir of Lieutenant Dumont*, 152.

¹¹³ Hall, *Africans in Colonial Louisiana*, 244-250.

¹¹⁴ Maduell, *The Census Tables*, 29.

for one.¹¹⁵ Historians agree, these women were Native Americans who partnered with *coureurs des bois* and soldiers to establish the first families of the European settlements in the region.¹¹⁶

By 1766, one-hundred seventeen families resided at the settlement along with six hundred seventy-four slaves, producing only tobacco and corn on small farms, while the military post dwindled to one officer and ten militiamen.¹¹⁷ The 1766 census of the Pointe Coupee post listed all free persons, irrelevant of ethnicity, into single categories of head of household, women, men, and children.¹¹⁸ The ethnicity of many of those listed in the free categories emerged in the baptismal and burial records of the Catholic Church, revealing a growing number of free persons of color within the Pointe Coupee colony.¹¹⁹ Like the Natchitoches post, the Pointe Coupee post produced a mixed race population, which included children of the most prominent men in the settlement.¹²⁰

As the posts of Natchitoches and Pointe Coupee struggled to flourish, Bienville sought a strategic location for his headquarters and the new colony's capital. First located at current day Ocean Springs, Mississippi, the colony's early capital moved to Mobile, Alabama, and Biloxi, Mississippi, before Bienville relocated it to a swampy, yet excellent location near the mouth of the Mississippi River in 1718.¹²¹ Calling the new post New

¹¹⁵ Maduell, *The Census Tables*, 29.

¹¹⁶ Gary B. Nash, "The Hidden History of Mestizo America," in *Sex, Love, Race: Crossing Boundaries in North American History*, ed. Martha Hodes (New York: New York University Press, 1999), p. 13. Hall, *Africans in Colonial Louisiana*, 243.

¹¹⁷ Harry Gordon, "Journal of Captain Harry Gordon," in *Mereness's Travels*, ed. Newton Mereness (New York: The Macmillan Company, 1916), p. 481. Jacqueline K. Voorhies, *Some Late Eighteenth-Century Louisianians: Census Records of the Colony, 1758-1796*, (Lafayette: University of Southwestern Louisiana, 1973), p. 163.

¹¹⁸ Voorhies, *Louisianians*, 120-123.

¹¹⁹ Baptism of Basile, Pointe Coupee Church Book 3, page 239, *Diocese of Baton Rouge Catholic Church Records: Pointe Coupee Records, 1722-1769*, (Baton Rouge: Diocese of Baton Rouge, 2002), p. 323.

¹²⁰ Hall, *Africans in Colonial Louisiana*, 257.

¹²¹ Lawrence N. Powell, *The Accidental City: Improvising New Orleans*, (Cambridge: Harvard University Press, 2012), p. 3.

Orleans in honor of Philip of Orleans, Regent of France, Bienville ordered a site located “thirty leagues from the sea” to be cleared and houses to be constructed.¹²² Three years later, Bienville and fellow officials designated the settlement as the “principal town” of the new colony.¹²³

Bienville structured New Orleans into an orderly, compacted town with clusters of planters on concessions placed on the best lands surrounding the town’s center.¹²⁴ Small enough to generate common defense and social cohesion, the concessions contained enough acreage to develop into slave plantations producing indigo and tobacco.¹²⁵ The population of the New Orleans community consisted of Native Americans, French, Canadian, German, Swiss, and Alsatians as well as a large group of African slaves.¹²⁶ Like the populations of the other colonial Louisiana communities, New Orleans suffered from a lack of white females to accommodate its large male population made up of sailors, soldiers, and *coureurs de bois*; thus, New Orleans produced a population of mixed-race persons as well.¹²⁷

As the Natchitoches and Pointe Coupee settlements took root in the north and northwestern regions of the Louisiana frontier, new colonists arrived and settled areas west of New Orleans. In 1722, after having first attempted settlement on John Law’s Arkansas concession, two hundred forty-seven German men, women, and children established *le Village des Allemands* in the region that became known as the German Coast, just above New Orleans on the west bank of the Mississippi River.¹²⁸ At first, the German settlers produced grain and vegetables for their own consumption, having only a few dray animals

¹²² Fortier, *History of Louisiana*, 68.

¹²³ Powell, *Accidental City*, 3.

¹²⁴ Thomas N. Ingersoll, *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718-1819*, (Knoxville: The University of Tennessee Press, 1999), p. 36.

¹²⁵ Ingersoll, *Mammon and Manon*, 128.

¹²⁶ Spear, *Race, Sex, and Social Order*, 44-45.

¹²⁷ *Ibid*, 9.

¹²⁸ Ellen C. Merrill, *Germans of Louisiana*, (Gretna: Pelican Publishing Company, 2005), p. 24.

and no slaves; however, within several years, the colonists supplied vegetables and grain to the residents of New Orleans.¹²⁹ By 1731, the Germans settled the east bank of the Mississippi River and acquired slaves as well as cattle, while continuing to supply New Orleans with essential commodities such as vegetables, eggs, butter, corn, and rice.¹³⁰

Shortly after 1731, cattle raising developed as a significant industry at the German Coast, with the objective of supplying New Orleans with meat and dairy products.¹³¹ By 1746, the German Coast stood as the second largest settlement on the Louisiana frontier, and by 1763 cattle holdings reached 2,200 head.¹³² During this period, a population of mixed raced persons grew at the German Coast as some planters and ranchers established both white and “mulatto” families, several of whom moved further west as land became available.¹³³ With the development of the cattle ranching industry at the German Coast settlement, many settlers began to focus on the southwest region of the Louisiana frontier, known as the Attakapas and Opelousas districts, in search of additional land for grazing.¹³⁴

The Attakapas and Opelousas regions reached from the Gulf of Mexico in the south to the Avoyelles District, a small settlement of whites and Native Americans located at the juncture of the Mississippi, Red, and Atchafalaya Rivers in the north, and spanned from the Atchafalaya River on the east to the Mermentau River on the west.¹³⁵ The landscape included hills extending north to south, swamps and marshes covering the southern and eastern region, and a wide flat prairie stretching over the western section.¹³⁶ Surrounded by narrow forests

¹²⁹ Merrill, *Germans*, 27.

¹³⁰ *Ibid*, 29.

¹³¹ *Ibid*, 31.

¹³² Merrill, *Germans*, 37. Voorhies, *Louisianians*, 105.

¹³³ Voorhies, *Louisianians*, 103-105, Brasseaux, *Creoles*, 15.

¹³⁴ Brasseaux, *Creoles*, 15.

¹³⁵ Harry Lewis Griffin, *The Attakapas Country: A History of Lafayette Parish, Louisiana*, (Gretna, LA: Pelican Publishing Co., Inc., 1959), p. 3.

¹³⁶ Griffin, *Attakapas Country*, p. 3.

and small, flowing streams, the vast prairies produced a tall, slender grass, useful for grazing.¹³⁷ The combination of these varying terrains produced subtropical coastal prairies, an excellent natural setting for open-range cattle ranching for the settlers looking to settle the region.¹³⁸

Prior to Europeans appearing on this Louisiana frontier, Ishak peoples, more commonly known as the Attakapas, inhabited the region of southwest Louisiana from the Sabine River to Bayou Teche and from the Gulf of Mexico north to present-day Alexandria.¹³⁹ The region included vast prairies, but the Ishak resided along the riverbanks of the area.¹⁴⁰ Their villages lined the Mermentau River, the Vermilion, and the Calcasieu as well as the rivers' tributaries, Bayou Queue de Tortue and Plaquemine Brule.¹⁴¹ The Ishak chose the riverbanks for the wooded lands that ran along the rivers' edges, which provided many of the necessities of life for the Ishak.¹⁴² The woods allowed for hunting, building materials, and firewood, while the rivers supplied fish and drinking water.¹⁴³

Although the Ishak were mostly invisible to Spanish and French explorers because of their meager material culture, early Spanish maps noted their presence while memoirs and journals recounted the tales of their supposed cannibalism.¹⁴⁴ For instance, Francois Seimard de Belle-Isle, a rescued prisoner of the "man-eaters," reported that he witnessed the Ishak

¹³⁷ Winston DeVille, *Opelousas: The History of a French & Spanish Military Post in America, 1716-1803*, (Baton Rouge: Provincial Press, 2010), p. 1.

¹³⁸ Terry G. Jordan, *North American Cattle-Ranching Frontiers: Origins, Diffusion, and Differentiation*, (Albuquerque: University of New Mexico Press, 1993), p. 121.

¹³⁹ Fred B. Kniffen, Hiram F. Gregory, and George A. Stokes, *The Historic Indian Tribes of Louisiana: From 1542 to the Present*, (Baton Rouge: Louisiana State University Press, 1987), p. 44

¹⁴⁰ Lauren C. Post, "Some Notes on the Attakapas Indians of Southwest Louisiana," *Louisiana History: The Journal of the Louisiana Historical Association*, (Summer, 1962), p. 223.

¹⁴¹ Post, "Notes on the Attakapas," 223.

¹⁴² Post, "Notes on the Attakapas," 223.

¹⁴³ *Ibid.*, 223.

¹⁴⁴ Kniffen, *Historic Tribes*, 44-45. Jean Beranger, *Beranger's Discovery of the Aransas Pass*, trans. William Carroll, ed., Frank Wagner, (Corpus Christi: The Friends of the Corpus Christi Museum, 1983), 21.

eating the flesh of their captured enemies.¹⁴⁵ Bienville, in his memoir to the King of France, stated that the Ishak “eat the prisoners they take.”¹⁴⁶ Whether or not the accounts correctly depicted the Ishak as cannibals, Europeans generally avoided the Ishak territory; however, in 1728, exploration into the area west of New Orleans revealed “immense and excellent prairies to graze stock” as well as timber, game, and fish.¹⁴⁷ Soon after, the Ishak ventured to New Orleans and requested to trade pelts, tallow, and horses for European merchandise.¹⁴⁸ In May of 1733, Bienville reported the Ishak request, but gave little consideration to the Ishak in establishing a fur trade, reporting that the Ishak “were so lazy they hardly bothered to clothe themselves.”¹⁴⁹ Regardless of Bienville’s opinion, several French traders, previously banned from Spanish Texas, saw the benefits of developing a trade with the Ishak, who maintained a southwest trade network deep into Spanish Texas.¹⁵⁰ By 1738, five years after Bienville dismissed the Ishak request, Joseph Blancpain and Joseph LeKintrek contracted trade with the Ishak, setting off settlement into the Attakapas and Opelousas regions.¹⁵¹

After realizing the potential of the Attakapas and Opelousas regions for agriculture and cattle farming, individuals began a slow migration into the frontier.¹⁵² In 1747, Andre Masse established a ranch between Bayou Teche and Bayou Tortue, becoming the first cattle

¹⁴⁵ DeVille, *Opelousas*, 4.

¹⁴⁶ Vincent Cassidy and Mathe Allain, “The Attakapas Territory: 1721-1747,” *The Attakapas Gazette*, (Vol. III, No. 2, 1968), p. 15. https://archive.org/stream/AttakapasGazette/1968_Vol3#page/n32/mode/1up, accessed January 31, 2016.

¹⁴⁷ DeVille, *Opelousas*, 8.

¹⁴⁸ Usner, *Indians, Settlers, & Slaves*, 100.

¹⁴⁹ DeVille, *Opelousas*, 8.

¹⁵⁰ Cassidy, *Attakapas Territory*, 14.

¹⁵¹ Winston DeVille, *Opelousas Post: The Census of 1771*, (Baton Rouge: Claitor’s Publishing Division, 1986), p. 4.

¹⁵² DeVille, *Opelousas Post*, 4.

rancher in the frontier region.¹⁵³ Like his New Orleans neighbor, Blancpain, Masse moved into the Attakapas region and traded with the Ishaks as far west as the Trinity River in Texas.¹⁵⁴ He brought twenty slaves with him, claiming he wished to free them in New Spain; however his plans fell through and the slaves remained with him in the Attakapas region.¹⁵⁵ In 1756, the earliest known sacramental records of the Attakapas area recorded the baptisms and marriages of several of Masse's slaves and eventually, sometime before 1774, Masse emancipated six "Negro" families, allotting them each a substantial amount of livestock, thus fostering a community of freepersons of color in the Attakapas and Opelousas region.¹⁵⁶

Joining Masse in the Attakapas and Opelousas regions, merchants such as Jean Baptiste Grevemberg, Jean-François Ledee, and Gabriel Fuselier de la Claire established large ranches in the area, bringing numerous slaves with them.¹⁵⁷ In 1750, Grevemberg purchased a tract of land located at Fausse Pointe in the Attakapas region from Charles Toutin, a French soldier turned trader, who purchased the property directly from the Ishaks.¹⁵⁸ In 1763, Grevemberg purchased a second tract of land and approximately eighty slaves in the Attakapas district, moving his family from New Orleans and making the location his permanent residence.¹⁵⁹ In 1762, Jean-François Ledee, a merchant from New Orleans, purchased land, livestock, and buildings on Bayou Teche.¹⁶⁰ By 1774, LeDee, who remained a bachelor his entire life, owned ten slaves, seventy horses, and four-hundred head

¹⁵³ Maurine Bergerie, *They Tasted Bayou Water: A Brief History of Iberia Parish*, (Ann Arbor: Edwards Brothers, 1962), p. 3-4.

¹⁵⁴ Andrew Sluyter, *Black Ranching Frontiers: African Cattle Herders of the Atlantic World, 1500-1900*, (New Haven: Yale University Press, 2012), p. 75.

¹⁵⁵ Sluyter, *Black Ranching*, 75.

¹⁵⁶ Brasseaux, *Creoles*, 7.

¹⁵⁷ Sluyter, *Black Ranching*, 72-78.

¹⁵⁸ Sluyter, *Black Ranching*, 79.

¹⁵⁹ G. Lugano, "Records of the Superior Council of Louisiana, XCIV, October, 1763," *The Louisiana Quarterly*, (Vol. 26, No. 1, 1943), <http://louisianahistoricalociety.org/archive/volume-6-number-2/>, accessed February 3, 2016.

¹⁶⁰ Sluyter, *Black Ranching*, 79.

of cattle.¹⁶¹ Gabriel Fuselier de la Claire, a French merchant from New Orleans purchased property from the Ishaks in the Attakapas region in 1760 and became the commandant at the Attakapas Post in 1764.¹⁶² In 1774, following Masse's example, Fuselier de la Claire also emancipated three slave families and donated liberal quantities of cows, horses, and pigs to them, giving the newly freed families a significant economic status in the frontier region.¹⁶³ The actions of Masse and Fuselier encouraged the growth of a free black population within the Louisiana frontier regions of Attakapas and Opelousas.¹⁶⁴

In 1763, although the Spanish had recently gained possession of the region for its assistance to the French in the Seven Years War, the French established the Post of Opelousas and named Louis Gerard Pellerin the first commandant of the newly created post.¹⁶⁵ After the Seven Year War, but before Spain took control of the Attakapas and Opelousas regions, many Native Americans and French settlers fled the areas of the Mississippi and Alabama territories ceded to Great Britain and sought refuge in the Louisiana frontier.¹⁶⁶ In 1764, after first settling at Pointe Coupee, these refugees moved into the Attakapas and Opelousas regions.¹⁶⁷ Shortly after, in 1765, one hundred and ninety-three Acadians, also displaced by the British, departed Nova Scotia and migrated to the Attakapas region.¹⁶⁸ Acting Governor Charles Philippe Aubry, struggling for a permanent resolution

¹⁶¹ Voorhies, *Louisianans*, 280.

¹⁶² Sluyter, *Black Ranching*, 74.

¹⁶³ Brasseaux, *Creoles*, 7.

¹⁶⁴ *Ibid*, 8.

¹⁶⁵ DeVille, *Opelousas Post*, 5.

¹⁶⁶ Kniffen, *Historic Indian*, 90. Carl Brasseaux, "The Opelousas and Alabama Immigrants," *The Louisiana Bicentennial Series in Louisiana History-A Refuge for All Ages: Immigration in Louisiana History*, (Lafayette: University of Southwestern Louisiana, 1996), p. 103.

¹⁶⁷ Kniffen, *Historic Indian*, 90.

¹⁶⁸ Carl A. Brasseaux, *The Founding of New Acadia: The Beginnings of Acadian Life in Louisiana, 1765-1803*, (Baton Rouge: Louisiana State University Press, 1996), p. 74.

and sympathetic to the refugees, determined that sending the Acadians to the Attakapas prairies provided the most successful scenario.¹⁶⁹

On the Attakapas prairies, the Acadians adapted to the new environment and became successful cattle ranchers and farmers.¹⁷⁰ With the refugee migrations into the Attakapas and Opelousas regions, the area developed into a diverse society of Europeans, Native Americans, and Africans participating in a ranching and farming economy.¹⁷¹ In 1766, the Spanish census of the Attakapas and Opelousas districts listed one hundred and thirty-one men, sixty-four women, and 109 slaves.¹⁷² A tabulation of Native American villages within the two districts appeared separately from the general census and enumerated 210 Native Americans with no designation of gender or age.¹⁷³ Like the 1766 census of Pointe Coupee, the Attakapas and Opelousas censuses listed all free persons, regardless of ethnicity, into single categories of head of household, women, men, and children.¹⁷⁴

In 1770, with the intent to stimulate settlement in the Attakapas and Opelousas regions, the Spanish government authorized grants of approximately two and a half square miles each to applicants owning at least one hundred head of tamed cattle and two slaves.¹⁷⁵ The stipulations for ownership of one hundred head of cattle and two slaves limited those eligible for land grants to persons who either had funds to make new purchases of cattle and slaves or those who already participated in the cattle industry.¹⁷⁶ Thus, new settlers moved slowly into the area, coming from the settlements of Pointe Coupee, the German Coast,

¹⁶⁹ Brasseaux, *Founding*, 74.

¹⁷⁰ *Ibid*, 75.

¹⁷¹ Winston DeVille, *Attakapas Post: The Census of 1771*, (Baton Rouge: Claitor's Publishing Division, 1986), p. 7.

¹⁷² Voorhies, *Louisianans*, 127, 163.

¹⁷³ *Ibid*, 164-165.

¹⁷⁴ Voorhies, *Louisianans*, 124-128.

¹⁷⁵ Alcee Fortier, *A History of Louisiana, Volume 2*, (New Orleans: Cornerstone Book Publishers, 2012), reprint of 1904 Edition, p. 8.

¹⁷⁶ Fortier, *History of Louisiana*, 8.

Natchitoches, and New Orleans.¹⁷⁷ By 1774, only seven households out of eighty-two households in the Attakapas area owned one hundred heads or more of cattle with an increase of 131 slaves.¹⁷⁸ In the Opelousas region, fourteen households reported one hundred heads of cattle out of 139 households listed in the census with an increase of 133 slaves, thirty-two designated as “mulatto.”¹⁷⁹ Within eight to eleven years, the area added ninety-six new heads of household, most of whom were children of the original settlers, tripled the slave population, and expanded the cattle ranching industry with numerous small herds of cattle.¹⁸⁰ The sparse population of the region combined with the diversity of the people who populated the area produced a small heterogeneous population, allowing for a significant level of autonomy.¹⁸¹

During these initial years of settlement in the Attakapas and Opelousas territories, circumstances provided an incubator for mixed-raced families to grow.¹⁸² The seclusion of the settlers combined with the predominately-white male population virtually assured relationships that crossed racial lines developed.¹⁸³ Of the thirty-two persons designated as “mulatto” in the 1777 census of the Opelousas settlement, twenty were children aged twelve and under related to the head of household as their child or siblings.¹⁸⁴ For instance, Baptiste and Catherine, labeled as “mulatto” under the slave column, were the half siblings of Baptiste Guillory, head of household.¹⁸⁵ In 1778, Francois Manne emancipated Marie Louise, the

¹⁷⁷ Voorhies, *Louisianians*, 280-318.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

¹⁸⁰ *Ibid.*

¹⁸¹ Usner, *Indians, Settlers, & Slaves*, 278.

¹⁸² *Ibid.*, 50.

¹⁸³ *Ibid.*

¹⁸⁴ Voorhies, *Louisianians*, 280-318.

¹⁸⁵ St. Landry Parish Colonial Documents, Land Sale Jean Baptiste Guillory, 7 April 1803, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405972. Winston DeVille, “The Margarita

mother of his daughter, Francoise, each listed as “mulatto” slaves in the 1777 census.¹⁸⁶ The families recorded in the 1777 census propagated a multiracial community that found opportunities for wealth and status on the Louisiana frontier.¹⁸⁷

With its beginnings as a vast expanse of land, scattered with settlers, slaves, and indigenous people, the Louisiana frontier developed into a unique region of isolated frontier outposts with a diverse population of Native Americans, Europeans, and Africans. Unlike other slaves systems such as the non-plantation North whose slaves mostly lived in urban areas, became Protestant, and learned English or the Carolina and Georgia low-country where slaves remained “psychologically estranged” from Anglo-America and “culturally closer to Africa,” the Louisiana frontier produced a slave society in which many of the first slaves came from the Senegambia region of West Africa, sharing a culture founded on similar beliefs in religion, animal husbandry, and crop raising.¹⁸⁸ Many of these West African traditions survived on the frontier as the creolization of slaves developed a distinctive Catholic, French-speaking slave community.¹⁸⁹ Because northern slaveholders lived in small homes and generally participated in a merchant economy, they required only one or two slaves, discouraging slaves from establishing families whereas Louisiana slave owners encouraged slave families, believing families stabilized plantation life and prevented slaves from fleeing or creating trouble.¹⁹⁰ The constant threat of external enemies in the Carolina and Georgia low-country enabled many slaves to run away, generating a significant Maroon

Case: Historical Perspectives on a Controversial Case in 18th Century Louisiana,” *Louisiana Bar Journal*, (Volume 31, Number 2).

¹⁸⁶ St. Landry Parish Colonial Documents, Emancipation by Francois Manne, 5 May 1778, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405937.

¹⁸⁷ Brasseaux, *Creoles*, 9-10.

¹⁸⁸ Smith, *Gulf South Frontier*, 108.

¹⁸⁹ Ira Berlin, “Time, Space, and the Evolution of Afro-American Society on British Mainland North America,” *The American Historical Review*, (February, 1980), p. 54. Smith, *Gulf South Frontier*, 108.

¹⁹⁰ Berlin, “Time, Space,” 48.

population, but on the Louisiana frontier only small groups of slaves fled because masters allowed freedom of movement, even supplying slaves with guns and ammunition to hunt for the plantation community.¹⁹¹ The unique environment combined with the multicultural populace, composed of soldiers, convicts, traders, subsistence farmers, and plantation owners, a lack of white women, and dependent on one another for survival, generated a population of multiracial families that inhabited the Louisiana region. The interracial relationships that developed in this environment evaded colonial policies, church regulations, and the social mores of the era.

¹⁹¹ Berlin, "Time, Space," 56. Smith, *Gulf South Frontier*, 108.

CHAPTER II Interracial Relationships: The Boundaries Set

In order to comprehend the relationships and legal acts discussed in this thesis, it is necessary to understand the atmosphere that nurtured these kinds of unions. The earliest years of the French colonial endeavor in the Louisiana territory brought together Native Americans, Africans, and European males as colonial officials strived to establish a plantation economy that could support itself and maintain a militia to protect it.¹⁹² The early population of Louisiana consisted of soldiers, sailors, and *coureurs de bois*, thus many of the Louisiana territory's inhabitants preferred to hunt and trade with Native Americans instead of plowing the land, rendering the Louisiana colony a strategic frontier rather than an economic investment for France during the early colonial period.¹⁹³

Because the Louisiana territory expanded from the Great Lakes to the Gulf of Mexico and from the Rocky Mountains to the Appalachians with a small European population of mostly male colonists and no sufficient military to enforce possession, French authorities found it necessary to rely on diplomacy with regard to Native Americans.¹⁹⁴ During early settlement, to position France as a colonial power in North America, French officials used religious conversion, marriage, and commercial trade to establish good relations with neighboring Native American settlements.¹⁹⁵ With so few white women and an economy dependent on Native American trade, intimate relationships between Native American

¹⁹² Spear, *Race, Sex, and Social Order*, 9.

¹⁹³ Gwendolyn Midlo Hall, "African Women in French and Spanish Louisiana: Origins, Roles, Family, Work, Treatment," Eds. Catherine Clinton and Michele Gillespie, *The Devil's Lane: Sex and Race in the Early South*, (New York: Oxford University Press, 1997), p. 248.

¹⁹⁴ Khalil Saadani, translated by Joanne Burnett, "Gift Exchange Between the French and Native Americans in Louisiana," ed. Bradley Bond, *French Colonial Louisiana and the Atlantic World*, (Baton Rouge: Louisiana State University Press, 2005), p. 43-44.

¹⁹⁵ Saadani, "Gift Exchange," 43-44.

women and European men proved valuable to both groups.¹⁹⁶ While some white settlers and merchants found it beneficial to marry Native American women to form trade and kinship networks, Native American women may have had motivation for these marriages as well.¹⁹⁷ By placing themselves with a *coureur de bois*, they would have direct access to European commodities, which would allow them to acquire status among their communities.¹⁹⁸ The fathers of these Native American women, to establish military and economic alliances with the French, also initiated these partnerships.¹⁹⁹

Under the mercantilist monopoly of Antoine Crozat, whose interests focused on the peltry trade, government officials struggled to turn the Louisiana colony into a sustainable agricultural enterprise and thought the solution to preventing the colonist from roaming the region hunting and trading would be wives.²⁰⁰ While agreeing that marriage and families would promote colonial development, government and religious officials now disagreed about whom the European male colonist should marry.²⁰¹ Religious officials usually condoned *metissage* if the Native American woman became Catholic; however, most had preferences as to which Native Americans were acceptable and those who were not.²⁰² Although the priests promoted *metissage* as a means to provide stability and colonize the region, they preferred Native American woman from the Illinois and neighboring tribes to

¹⁹⁶ Usner, *Indians, Settlers & Slaves*, 234. It should be pointed out that not all of these unions were mutual. Native American slavery and concubinage permeated throughout the Louisiana territory and many Native American women suffered rape and other horrendous injuries.

¹⁹⁷ Spear, *Race, Sex, and Social Order*, 21.

¹⁹⁸ *Ibid.*

¹⁹⁹ Jennifer M. Spear, "Colonial Intimacies: Legislating Sex in French Louisiana," *The William and Mary Quarterly*, (Jan., 2003), p. 83. White, *Middle Ground*, 69.

²⁰⁰ Jennifer M. Spear, "They Need Wives: Metissage and the Regulation of Sexuality in French Louisiana, 699-1730," Ed. Martha Hodes, *Sex Love Race: Crossing Boundaries in North American History*, (New York: New York University Press, 1999), p. 35.

²⁰¹ Spear, *Race, Sex, and Social Order*, 18.

²⁰² White, *Middle Ground*, 69.

Native women from the South and the West, declaring the Illinois “whiter” and stronger workers.²⁰³

During the early years of the eighteenth century, colonial government officials began to perceive marriage to Native American women as detrimental to the process of colonization and disagreed with the priests who promoted *metissage*.²⁰⁴ Administrators feared that their European settlers were yielding to the Native American way of life as colonist clothed themselves as the Native Americans, ate Native American foods, and built their homes in the same manner as the Native Americans.²⁰⁵ Secular officials opposed *metissage* on the basis that Native American women made European men “lazy and intolerably independent,” which did not facilitate the officials’ plans for having colonists settle down and farm the land.²⁰⁶

After several years of debate, in 1716, the metropole in France issued an edict ordering Louisiana colonial officials to prevent French and Native American marriages, “in so far as it shall be in their powers”; yet, the edict did not prohibit missionaries from performing these marriages, although most clerics chose not to defy colonial authorities.²⁰⁷ Regardless of the edict against marriages between white colonists and Native Americans, marriages and concubinage persisted in the colony as seen in the ecclesiastical registers and numerous colonial documents.²⁰⁸ Religious leaders continued their complaints with regard to

²⁰³ White, *Middle Ground*, 70.

²⁰⁴ Spear, *Need Wives*, 41.

²⁰⁵ James Thomas McGowan, “Creation of a Slave Society: Louisiana Plantations in the Eighteenth Century,” (Ph. D. diss., University of Rochester, 1976), p. 12.

²⁰⁶ White, *Middle Ground*, 70.

²⁰⁷ Guillaume Aubert, “Francais, Negres et Sauvages: Constructing Race in Colonial Louisiana,” (Ph. D. diss., Tulane University, 2002), p. 158

²⁰⁸ Elizabeth Shown Mills, *Natchitoches: Abstracts of the Catholic Church Registers of the French and Spanish Post of St. Jean Baptiste des Natchitoches in Louisiana 1729-1803*, (Westminster: Heritage Books, Inc., 2007), p. 61, 62, 75, 83, and 100.

concubinage; however, their concerns shifted from Native American women to the new arrivals of African slave women.²⁰⁹

In 1717, Crozat pulled out of Louisiana, leaving a population of mixed Native American and European persons, who officials feared would abandon their European heritage for the ways of the Native Americans.²¹⁰ Acting for the child king, Louis XV, the duke of Orleans embraced John Law's elaborate scheme to create a national bank linked to a joint-stock company that controlled a royal monopoly invested in tobacco production in the Louisiana colony.²¹¹ Thus the *Compagnie des Indes*, under the supervision of John Law and financed by duped stockholders, began a promotional campaign to persuade common people to voluntarily migrate to Louisiana.²¹² Although the *Compagnie* inevitably failed, it transported 5,300 male immigrants, 1,200 women, and five hundred children into the colony, along with two thousand African slaves.²¹³

The sexual imbalance generated by this influx in the white population resulted in the sexual exploitation of female slaves by white males.²¹⁴ Many of the subsequent relationships developed into extralegal marriages, lasting for lifetimes.²¹⁵ In numerous instances, the owners emancipated their common-law wives and their mixed-race children, who then remained in the household.²¹⁶ In other cases, free black females maintained households received from white benefactors either through inheritance after the benefactor's death or a donation when the relationship ended.²¹⁷ During the French colonial regime and part of the

²⁰⁹ Spear, *Race, Sex, and Social Order*, 51.

²¹⁰ Ingersoll, *Mammon and Manon*, 5.

²¹¹ *Ibid.*, 6.

²¹² *Ibid.*, 8.

²¹³ Usner, *Indians, Settlers & Slaves*, 32.

²¹⁴ Brasseaux, *Creoles of Color*, 8.

²¹⁵ *Ibid.*

²¹⁶ *Ibid.*

²¹⁷ Brasseaux, *Creoles of Color*, 8.

Spanish regime in Louisiana, official policies forbid legal marriage between whites and persons of color.

Regardless of the colonial regulations, unions between white men and women of color are numerous in the ecclesiastical records of the Opelousas and Attakapas districts. For instance, on August 8, 1785, François Narcisse Lemelle was born to François Lemelle and Marie Jeanne Davion, free woman of color.²¹⁸ Another example is the marriage record of Martin Donato Bello, son of Donato Bello and Marie Jeanne Taillefer, mulatresse from New Orleans.²¹⁹ Other records that help to establish the presence of interracial relationships include the many contracts, land conveyances, wills, and probate records located in the archives of the Attakapas and Opelousas districts. For example, court records show that in 1804, Jacques Fontenette donated a parcel of land to Louise, a free black woman and her nine mulatto children.²²⁰ Authorities took measures to regulate the relationships between persons of varying racial lineages, preferring that white men partner with Native American women rather than women of African descent.²²¹

Colonial officials designed laws aimed to uphold slavery, patriarchy, and white supremacy in the colony of Louisiana, which fundamentally restricted the rights of women of color, free or enslaved, in significant and multi-dimensional ways.²²² Beginning in the colonial period of Louisiana history, laws governing relationships between masters and slaves varied through time. During the early French period, colonial and metropole officials implemented the *Code Noir*, first applied in 1685 in the Caribbean to regulate relationships

²¹⁸ Rev. Donald J. Hebert, *Southwest Louisiana Records: Church and Civil Records of Settlers, 1756-1810*, (Eunice: Donald J. Hebert, 1974), Vol 1, p. 376.

²¹⁹ Hebert, *Southwest Louisiana Records*, Vol 1, p. 36.

²²⁰ Donation Jacques Fontenette to Louise, Original Acts, Bk.26:198, St. Martin Parish Courthouse, 415 St. Martin Street, St. Martinville, LA.

²²¹ Ekberg, *Stealing Indian Women*, 24.

²²² Ingersoll, *Mammon and Manon*, 45.

among slaves and the treatment of slaves.²²³ In Louisiana, where slaves outnumbered Europeans and represented the colonies “greatest capital investment,” the Code, when put into effect in 1724, touched all social, religious, and property relationships, no matter ethnicity or class.²²⁴ Frequently amended and adjusted to adapt to French experiences in slavery, the Code Noir reflected the “fears, values, and moral blind spots” of France’s seventeenth century society.²²⁵

Allowing limited leeway for Europeans and persons of color to marry, the Code Noir of 1685 stated, “a man who has had one or several children from their concubinage with a slave” is to be fined; however if the man married the slave according to the Church, the slave and her children would be granted freedom, along with being rendered legitimate.²²⁶

Although the Code Noir of 1685 promoted the religious conversion of blacks, tolerated intermarriage, and allowed free blacks to become subjects of the king, its ultimate purpose was to perpetuate the identity and condition of blacks as permanent chattel.²²⁷ As Louisiana’s agricultural focus developed, French officials contemplated changes to the Code Noir of 1685 that adjusted the Code to the stiffening racial attitudes within the colony.²²⁸

In 1724, the French authorities in Louisiana implemented the *Code Noir of 1724*, containing eight areas of regulation: police control, crimes and offenses, civil disqualifications, property-law classifications, religious practice, marriage and cohabitation, care and maintenance, and manumission.²²⁹ Although the Code Noir of 1724 contained five less articles, because of events occurring between 1685 and 1724, significant new policies

²²³ Spear, *Race, Sex, and Social Order*, 59.

²²⁴ Vernon Valentine Palmer, *Through the Codes Darkly: Slave Law and Civil Law in Louisiana*, (Clark, NJ: The Lawbook Exchange, LTD., 2012), p. 3.

²²⁵ Palmer, *Through the Codes*, 3.

²²⁶ Spear, *Race, Sex, and Social Order*, 62.

²²⁷ White, *Wild Frenchmen*, 119.

²²⁸ Palmer, *Through the Codes*, 52-53.

²²⁹ Palmer, *Through the Codes*, 52.

appeared in the new Code.²³⁰ During the period between the Code Noir of 1685 and the Code Noir of 1724, Caribbean officials, anxious to preserve the colonial racial order and fearing a growing population of free people of color, issued local policies to limit masters' power to grant manumissions, denied titles of nobility to citizens who married women of African descent, and levied new restrictions on the few privileges and immunities free people of color previously enjoyed.²³¹

When colonial Louisiana officials drafted the Code Noir of 1724, they included the new Caribbean policies, plus they forbade interracial marriages altogether, establishing the “most racially exclusive colonial law” within the entire French Empire.²³² The Code Noir of 1724 changed the law to read, “we forbid our white subjects, of either sex from contracting marriage with blacks under penalty of punishment and fine; and all cures, priests, or secular or regular missionaries, and even ship captains, from marrying them.”²³³ The new Code Noir of 1724 advanced the association of African ancestry to perpetual servitude and social inferiority, further restricting and marginalizing persons of African descent.²³⁴

By the time Spain gained possession of the Louisiana territory in 1768, the Code Noir of 1724 was firmly in place. Although General Alexander O'Reilly, the acting Spanish governor of the newly acquired territory, initially declared the continued use of the Code Noir of 1724, he soon enacted Spanish law in the colony.²³⁵ Unlike French law, the establishment of Spanish law in Louisiana temporarily removed the prohibition of interracial

²³⁰ Ibid, 53.

²³¹ Guillaume Aubert, “To Establish One Law and Define Rules: Race, Religion, and the Transatlantic Origins of the Louisiana Code Noir,” ed. Cecile Vidal, *Louisiana: Crossroads of the Atlantic World*, (Philadelphia: University of Pennsylvania Press, 2014), p. 23.

²³² Aubert, “To Establish One Law,” 23.

²³³ Spear, *Race, Sex, and Social Order*, 62.

²³⁴ Aubert, “To Establish One Law,” 23.

²³⁵ Spear, *Race, Sex, and Social Order*, 135.

marriages.²³⁶ Spain's reluctance to prohibit relations between persons of differing ethnicities was significant to interracial couples, allowing them to marry and legitimize the children of their unions.²³⁷ The Spanish officials' willingness to tolerate interracial relationships encouraged family members to acknowledge their relationships as well as use the Spanish policies that permitted the donation of property to concubines and illegitimate children.²³⁸ While the Spanish permitted interracial marriages, many men and women in the Louisiana territory remained reluctant to marry because of the aversion to interracial relations ingrained in the population from the French regime.²³⁹

Many of the French colonist opposed Spanish law, remaining faithful to French laws and social mores while hoping for the return of those laws.²⁴⁰ Due to anxieties over social order, local planters sought to reinstate French slave codes, lobbying Spanish officials to allow local officials to establish a new set of slave codes that would consider local culture and conditions.²⁴¹ In 1777, Spanish officials yielded to the appeals of the local planters and allowed the local residents to write new colonial policies, which they modeled after the Code Noir of 1724, refining the regulations to strengthen the segregated social order desired by the elite white planter class.²⁴² Believing the new slave code drastically departed from Spanish practices, Governor Galvez refused to submit them for royal approval; however, in 1778, the Spanish Crown inaugurated regulations that required parental permission for all whites under

²³⁶ Mary Williams, "Private Lives and Public Orders: Regulating Sex, Marriage, and Legitimacy in Spanish Colonial Louisiana," ed. Cecile Vidal, *Louisiana: Crossroads of the Atlantic World*, (Philadelphia: University of Pennsylvania Press, 2014), p. 149.

²³⁷ Williams, "Private Lives," 149.

²³⁸ Ibid.

²³⁹ Ibid, 152.

²⁴⁰ Ibid.

²⁴¹ Ibid, 153.

²⁴² Williams, "Private Lives," 154.

twenty-five years of age to marry.²⁴³ The new regulation also allowed parents to oppose marriages they considered below their status, thus placing prohibitions on interracial marriages once again.²⁴⁴ With the cession of Louisiana to Spain, laws regulating slaves and free persons of color temporarily relaxed, but those regulations would be set aside as Spain ceded Louisiana to France.

By secret treaty in 1801, Spain transferred possession of Louisiana back to France.²⁴⁵ On November 30, 1803, France officially took possession of Louisiana from Spain and on December 20, 1803, France delivered Louisiana to the United States; however, three days prior to the transfer of Louisiana to the United States, Pierre Clément de Laussat, the French official in charge, reenacted the Code Noir of 1724.²⁴⁶ Pressured by property-owning inhabitants of Louisiana, Laussat instructed the implementation of the Code as originally enacted in 1724, with new exceptions to state religion, the slave trade, and anything “otherwise contrary” to the constitution of the United States.²⁴⁷ The restoration of the Code Noir of 1724 forbade interracial marriages, prohibited the manumission of slaves without the permission of the Superior Council, disqualified slaves as witnesses or parties in civil litigation, and disallowed them to hold property or to contract with others.²⁴⁸ Louisianans mostly disregarded the reenactment during this period, believing that Spanish slave law rather than French law was the law of the territory unless it conflicted with American law.²⁴⁹

²⁴³ Spear, *Race, Sex, and Social Order*, 135.

²⁴⁴ Ibid.

²⁴⁵ Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana*, (Baton Rouge: Louisiana State University Press, 1994), p. 3.

²⁴⁶ Hans W. Baade, “The Law of Slavery in Spanish Louisiana, 1769-1803,” ed., Edward F. Haas, *Louisiana’s Legal Heritage*, (Pensacola: The Perdido Bay Press, 1983), p. 71.

²⁴⁷ Baade, “Law of Slavery,” 71.

²⁴⁸ Baade, “Law of Slavery,” 71.

²⁴⁹ Schafer, *Slavery*, 4.

When the United States acquired the Louisiana territory, notaries, attorneys, and judges feared the American common-law system and implemented tactics to guarantee Louisiana would remain under its established system.²⁵⁰ In the Act of 1806, fearing the United States would prohibit slavery; the first elected territorial legislature of Louisiana voiced its desire for the continuation of slavery as well as its desire for cultural autonomy, political self-determination, and a legal system of their choice in their language.²⁵¹ They passed the “Black Code,” retaining most of the elements of the Spanish civil-law system.²⁵² William C.C. Claiborne, the first territorial governor of Louisiana, vetoed the legislation, creating tensions between Louisianans and the new government.²⁵³

In 1808, to appease the angry Louisianans, the legislature of the Territory of Orleans established the *Digest of 1808*.²⁵⁴ Based on the Spanish civil-law system but including harsh provisions from French slave law, the *Digest* restricted self-purchase, forbade marriages between whites and persons of color whether free or enslaved, and monitored manumissions of slaves.²⁵⁵ Although persons of color faced new regulations and restrictions under the incoming American regime, remnants of the liberties allowed during the Spanish era

²⁵⁰ George Dargo, *Jefferson's Louisiana: Politics and the Clash of Legal Traditions*, (Cambridge: Harvard University Press, 1975), p. 118.

²⁵¹ Schafer, *Slavery*, 4.

²⁵² *Ibid.*, 5.

²⁵³ *Ibid.*

²⁵⁴ *Ibid.*

²⁵⁵ *A Digest of Civil Laws Now in Force in the Territory of Orleans with Alterations and Amendments Adapted into Its Present System of Government*, (New Orleans: Bradford & Anderson, 1803), Book I, Title IV, Chapter 2, Article 8; Book I, Title VII, Chap. 3, Art.24, 25, 28, and 29; Book III, Title I, Chapter II, Sec. IV, Arts. 30-42. <http://digestof1808.law.lsu.edu/?uid=1&tid=1&ver=en#1>. During the antebellum period in Louisiana, the term “concubine” was used to designate a woman who cohabits with a man without being legally married to him. The term “natural child” designated a child born out of wedlock, but acknowledged by the father. The child would still be considered illegitimate, but with the father’s acknowledgement, the child could then receive a portion of the deceased father’s estate.

remained, leaving a large free multiracial population, which owned property and benefitted economically.²⁵⁶

Throughout the colonial and early American periods, colonial officials struggled to develop a profitable colony, supported by an agricultural economy with a militia to protect it. Populated by a diverse group of European men, Native Americans, African slaves, and only a small number of European women, the colony soon produced a population of interracial slaves and free persons of color. In order to maintain a desired social order, officials implemented regulations and policies that prohibited interracial sexual relations as well as restricted the lives of people of color, setting boundaries between whites and persons of color. Within the Attakapas and Opelousas districts, authorities did not enforce these regulations and policies, allowing the contracting of numerous sales, inheritances, and donations that were otherwise illegal. In fact, officials in the Attakapas and Opelousas districts participated in as well as witnessed all of the prohibited transactions. In this relaxed environment, many white benefactors and women of color contrived various avenues around the regulations, policies, and social mores set in place by church officials and colonial authorities.

²⁵⁶ Hanger, *Bounded Lives*, 3.

CHAPTER III Women of Color: Bending the Rules

During the colonial and early American periods, as relationships between white men and women of color developed, women of color and their white benefactors contrived various avenues around, or else outright defied, the colonial policies designed to restrict and regulate them. Whether crossing the color lines drawn by officials and entering into sexual relationships with white men or receiving land and other valuables through acts of donations to them and their illegitimate children, women of color bent, sidestepped, or ignored legal regulations and social mores as they maneuvered life on the Louisiana frontier. The following analysis examines the lives of five women of color who each represents a different approach to manipulating the laws designed to limit their lives.

The first example delivers a look at how couples simply defied the regulations and policies of the time, openly living together and sharing property. Adelaide Lemelle, free woman of color, born around 1760 in the Opelousas District to Marie Jeanne Davion, a free woman of color and Francois Lemelle, the son of a wealthy planter, provides an excellent illustration of how free women of color entered into extralegal relationships and acquired property and slaves in the region.²⁵⁷ Such relationships produced multiple challenges to the laws of Louisiana and the courts that enforced them. Adelaide Lemelle lived in a state of concubinage with Joseph Gradnigo, the son of Jean Gradnigo and Marguerite Krebs, white colonial settlers from Pensacola, Florida.²⁵⁸ During the period of 1803 to 1826, various Louisiana laws prohibited marriage between whites and free persons of color as well as

²⁵⁷ St. Landry Parish Conveyance Records, Book H-1, #291, Gradnigo Heirs and Heirs of Lemelle, Agreement, St. Landry Parish Courthouse, Opelousas, Louisiana.

²⁵⁸ St. Landry Parish Conveyance Records, Book H-1, #291. Archives of the Diocese of Mobile-Birmingham, Volume 1, page 49, Mobile, Alabama.

concubinage, but Adelaide and Joseph openly defied the laws by taking up residence together and establishing a family.²⁵⁹

As a couple, Joseph Gradnigo and Adelaide Lemelle accumulated a considerable amount of property from their joint efforts, which included land and numerous slaves.²⁶⁰ Because Joseph and Adelaide lived together in open concubinage, an 1807 law initially prevented Adelaide from receiving any type of property. The law stated, “Those who have lived together in open concubinage, are respectfully incapable to make to each other any universal donation,” whether during one’s lifetime or after one’s death.²⁶¹ However, an 1825 act altered the 1807 law stating, “Those who have lived together in open concubinage, are respectfully incapable of making to each other, whether while alive or after death, any donation of immovable; and if they make a donation of movables, it cannot exceed one-tenth part of the whole value of their estate.”²⁶² Thus, by law, Joseph could never give Adelaide his property or slaves, and she could only receive movable properties equal to a tenth of Joseph’s estate. In order to assure Adelaide’s possession of the immovable properties in the event of Joseph’s death, Joseph initiated sales to Adelaide, which gave her full ownership of their joint holdings.²⁶³ For instance, on February 22, 1812, Joseph Gradnigo sold to Adelaide Lemelle twelve slaves for the sum of four thousand dollars in cash.²⁶⁴ This act of sale placed the ownership of the slaves into Adelaide’s possession prior to Joseph’s death, which avoided

²⁵⁹ *A Digest of Civil Laws*, Book I, Title IV, Chapter 2, Article 8.

²⁶⁰ St. Landry Parish Conveyance Records, Book H-1, #154, Joseph Gradnigo to Adelaide Lemelle, Sale of Slaves. Book H-1, #155, Robert & Josiah Gail to Adelaide Lemelle, Sale of Slaves, Book F-1, #380, Gradnigo to Lemelle, Sale of Land. St. Landry Parish Courthouse, Opelousas, Louisiana.

²⁶¹ *A Digest of Civil Laws*, Book III, Title II, Chapter II, Article 10.

²⁶² *Civil Code of the State of Louisiana of 1825*, (New Orleans, LA: Bloomfield and Steel, 1861), Book III, Title II, Chapter II, Article 1468, <https://archive.org/details/civilcodeofstate00loui>.

²⁶³ St. Landry Parish Conveyance Records, Book H-1, #154 and Book F-1, #380.

²⁶⁴ St. Landry Parish Conveyance Records, Book H-1, #154, Joseph Gradnigo to Adelaide Lemelle, Sale of Slaves.

the law and assured her ownership of the property.²⁶⁵ On May 23, 1823, through a similar transaction, Joseph Gradnigo sold to Adelaide Lemelle a certain tract of land situated in St. Landry Parish, consisting of 640 arpents and a home designated as the residence of Joseph Gradnigo, along with seven slaves.²⁶⁶ By selling the family residence to Adelaide prior to his death, Joseph secured Adelaide's continued possession of the family home.²⁶⁷

Joseph Gradnigo displayed no reservations about his trust in Adelaide and continuously included her in his legal transactions.²⁶⁸ On August 21, 1815, Joseph entered into an act of sale with Denis Lemelle, in which Joseph sold to Denis seven slaves – Ben, Cicily, Manet, Laurens, Marie, Louis, and Martin – for \$2,500 with the stipulation that after one year Denis must oblige himself to sell the slaves back to either Joseph or Adelaide upon their request.²⁶⁹ Apparently, Adelaide wanted the slaves returned and on April 23, 1818, she entered into an act of sale with Denis Lemelle and purchased the same slaves, Ben, Cicily, Manet, Laurens, Marie, Louis, and Martin for the same amount of \$2,500. The sale and subsequent buy-back more than likely occurred to allow Joseph Gradnigo's slaves to work for Denis Lemelle during a slow season, but no matter the purpose, by including Adelaide in the original sale and allowing her to initiate the buy-back purchase, the transaction illustrated the depth of the trust and closeness of the relationship between Joseph and Adelaide.

During the years of their union, Joseph and Adelaide produced five children: Joseph Jr., Charles, Severin, Aimee, and Krebs, considered Joseph's natural children due to his public acknowledgment through baptismal ceremonies and records, but not considered his

²⁶⁵ St. Landry Parish Conveyance Records, Book H-1, #154.

²⁶⁶ St. Landry Parish Conveyance Records, Book F-1, #380. Joseph Gradnigo to Adelaide Lemelle, Sale of Land and Slaves. The term "arpents" was used in the antebellum period as a measurement similar to the acre. One arpent equals a little less than one acre.

²⁶⁷ St. Landry Parish Conveyance Records, Book F-1, #380.

²⁶⁸ St. Landry Parish Conveyance Records, Book C-1, # 185, Joseph Gradnigo to Denis Lemelle, Sale of Slaves and Book D-1, #337, Denis Lemelle to Adalaide Lemelle, Sale of Slaves.

²⁶⁹ St. Landry Parish Conveyance Records, Book C-1, # 185.

legitimate children nor legitimate heirs based on Louisiana laws.²⁷⁰ The civil laws for the early antebellum period stated:

“Illegitimate children who have been acknowledged by their father are called natural children...the acknowledgment of an illegitimate child, shall be made by a declaration executed by a notary public in the presence of two witnesses, whenever it shall not have been made in the registering of the birth or baptism of such child... illegitimate children though duly acknowledged, cannot claim the rights of legitimate children.”²⁷¹

Although Joseph consciously maneuvered the legal system to ensure Adelaide maintained possession of the properties accumulated during their relationship, he appeared to fail in providing such assurances for his children.

Sometime between May 1823, the last recorded transaction recorded by Adelaide Lemelle, and September 1829, the date of Joseph Gradnigo’s marriage to the widow Emelite Barre, Adelaide Lemelle passed away, intestate, making all of Joseph’s efforts to secure her possessions after his death seem in vain. However, that would prove not to be the case.²⁷² Shortly after his marriage in 1829, Joseph Gradnigo passed away, intestate, as well, leaving a new wife, five natural children, and a multitude of collateral heirs to fight over the possessions he worked so hard to protect.²⁷³

On October 17, 1833, the first to act, Emelite Barre, the widow of Joseph Gradnigo, petitioned the court to inventory the holdings of Joseph Gradnigo and ascertain her lawful

²⁷⁰ *Digest of Civil Laws*, Book 1, Title VII, Chap. 3, Art.24, 25, 28, and 29. Catholic Diocese of Lafayette, St. Landry Catholic Church Archives, Baptismal Records, Volume 1, page 182.

²⁷¹ *Digest of Civil Laws*, Book 1, Title VII, Chap. 3, Art.24, 25, 28, and 29.

²⁷² St. Landry Parish Marriage Records, Book 1, Marriage #52, St. Landry Parish Courthouse, Opelousas, Louisiana.

²⁷³ St. Landry Parish Probate Records, Folio #636, “Succession of Joseph Gradnigo and Adelaide Lemelle.” *Digest of Civil Laws*, Book III, Title I, Chapter II, Sec. IV, Arts. 30-42.

claims against the estate.²⁷⁴ Next, on the same day, the collateral heirs of Joseph Gradnigo, which consisted of five siblings and four nieces and nephews, filed a petition requesting an estimated inventory of the estate and stating they represented the only legitimate heirs of Joseph Gradnigo.²⁷⁵ Then, the heirs of Adelaide Lemelle filed a protest of the estimated inventory, stating the inventory misrepresented the holdings of Joseph Gradnigo by including properties, particularly several slaves that belonged to Adelaide Lemelle.²⁷⁶ In order to substantiate their claim, the heirs of Adelaide Lemelle submitted an inventory of Adelaide's properties, which provided detailed information of each acquisition in her possession at the time of her death.²⁷⁷

On November 12, 1833, the heirs of Joseph Gradnigo and the heirs of Adelaide Lemelle tendered an agreement for the court to consider as a resolution for the dispute.²⁷⁸

The statement read,

Joseph Gradnigo and the said Adelaide Lemelle lived together many years in a state of concubinage and had children the issue of said connection, who are the lawful heirs of said Adelaide...Joseph and Adelaide accumulated a considerable property as a result of their labor, a part of which property was held in the name of one and a part in the name of the other, but used in common between them...after having examined the titles of said property, they find it difficult to ascertain the respective rights...they have agreed first, the mulatto woman, Marie, her son, Jean Baptiste, and mulattos Martin, and Honore be forthwith emancipated at the expense of the estate with the heirs of

²⁷⁴ St. Landry Parish Probate Records, Folio #636, Petition of Emelite Barre.

²⁷⁵ St. Landry Parish Probate Records, Folio #636, Petition of Gradnigo Siblings, Nieces, and Nephews.

²⁷⁶ St. Landry Parish Probate Records, Folio #636, Protest of the Heirs of Adelaide Lemelle.

²⁷⁷ St. Landry Parish Probate Records, Folio #636, Inventory of Adelaide Lemelle.

²⁷⁸ St. Landry Parish Probate Records, Folio #636, Joint Agreement.

Adelaide becoming responsible that they shall not become charges of the state...the balance of the property contained in the inventory shall be sold at public auction...the lawful debts shall be deducted along with all legal fees...the remaining proceeds will be divided equally in two parts with one part placed into the possession of the heirs of Joseph Gradnigo and the other part placed into the possession of the heirs of Adelaide Lemelle.²⁷⁹

This agreement demonstrated that Joseph Gradnigo's white collateral heirs and his mixed-race children acknowledged that he and Adelaide had entered into a long-lasting, mutual relationship in which they purchased and shared land and slaves. It further established that Joseph's white relatives were willing to respect Adelaide's possession of certain slaves and willingly allowed for the emancipation of those slaves with no consequence to her heirs other than their future care of the emancipated slaves. In many cases in New Orleans, heirs challenged sales made by the white benefactors to their concubines on the grounds that the concubine had no funds to make a purchase, thus nullifying the sale on the basis of fraud.²⁸⁰ It is also plausible that these slaves may have been relatives of Adelaide's. After having separated the freed slaves from the estate, with all heirs approving the agreement, George King, Judge and Auctioneer for the Opelousas District, conducted a public auction on December 20, 1833, and in September 1836, King divided the proceeds of the sale and delivered each group of heirs a payment of \$24,211.²⁸¹

Louisiana's 1807 and 1825 laws forbidding concubines to receive immovable property and preventing natural children from inheriting from their father if collateral heirs

²⁷⁹ St. Landry Parish Probate Records, Folio #636, Succession of Joseph Gradnigo and Adelaide Lemelle, Agreement.

²⁸⁰ *Kleinpeter v Harrigan*, 21 La. Ann. 196 #2088 (1869). *Sandoz v Gary*, 11 La. Rob. 529 (1845).

²⁸¹ St. Landry Parish Probate Records, #636, Settlement of Gradnigo and Lemelle Estate.

existed significantly restricted concubines and their mixed-race children from receiving donations and inheritances from their white benefactors.²⁸² By selling Adelaide their joint possessions, Joseph manipulated the legal system set in place so that he could provide Adelaide with income and security after his death. With Adelaide dying before him, Joseph's tactics appeared unnecessary; however, because Joseph exchanged the properties into Adelaide's possession, Joseph and Adelaide's children received 50 percent of the estate.²⁸³ If Joseph had neglected to sell Adelaide the property, the children would not have received any of the estate because Joseph died without a will.²⁸⁴ The only way the children could have received anything would have been through an act of donation or by inheritance.²⁸⁵ Had Joseph established a donation or will, he could have willed or donated up to 50 percent of his estate to his children.²⁸⁶ Lastly, the white widow of Joseph Gradnigo, Emelite Barre, who initiated the first petition of the succession, purchased a clock for sixty dollars and received nothing else from the estate.²⁸⁷

The second example provides a look at how couples maneuvered the laws set in place to prevent relationships between white men and women of color by using the concept of servitude through indenture. Françoise Peignier was Arnaud Ramard dit Peignier's slave. On July 22, 1809, Arnaud Ramard executed an act of emancipation of Françoise Peignier.²⁸⁸ The next day, Françoise and Arnaud Ramard entered into an indenture contract, in which she obligated herself to service for a seven-year period, but the agreement did not stipulate the

²⁸² *Digest of Civil Laws*, Book III, Title II, Chapter II, Article 10, Book III, Title I, Chapter III, Articles 44 and 45, *Civil Code 1825*, Book III, Title II, Chapter II, Article 1468.

²⁸³ St. Landry Parish Probate Records, Folio #636 Settlement of Gradnigo and Lemelle Estate.

²⁸⁴ *Digest of Civil Laws*, Book III, Title II, Chapter II, Arts. 14.

²⁸⁵ *Digest of Civil Laws*, Book III, Title II, Chapter II, Arts. 14.

²⁸⁶ *Digest of Civil Laws*, Book III, Title II, Chapter II, Arts. 14.

²⁸⁷ St. Landry Parish Probate Records, Folio #636. List of Auctioned Items.

²⁸⁸ St. Landry Parish Conveyance Records, Book A-1, # 358, Arnaud Ramard, "Emancipation of Françoise," dated, 22 July 1809, St. Landry Parish Courthouse, Opelousas, LA.

services Françoise would perform.²⁸⁹ In return for her service, Ramard was obliged to provide Françoise with "sufficient meat, drink, apparel, and lodging."²⁹⁰ Due to Louisiana's laws prohibiting open concubinage, Ramard and Françoise used the indenture contract to give Françoise a legitimate reason for remaining in Ramard's household after her emancipation.

Three months later, on October 30, 1809, an act of sale was recorded in which Ramard sold to Françoise her three children: Fanny, a ten year old mulatto girl; Louis, a five year old mulatto boy; and Josephine, a six-month-old mulatto girl for the total amount of one dollar.²⁹¹ In the document, Ramard acknowledged that he was Josephine's father, but he did not mention the paternity of the two older children.²⁹² By acknowledging he fathered Josephine, Ramard not only exposed his concubinage relationship with Françoise, he changed Josephine's status from a bastard to a natural child as provided by the Louisiana law guiding the acknowledgment of illegitimate children enacted in 1807.²⁹³ Also contained within the document is the mutual agreement that Françoise would emancipate all three of the children at her own cost as soon as the law permitted.²⁹⁴

Additional documents confirm that Françoise remained in Ramard's household for at least eleven more years and bore him two more children, Arnaud Jr. and Leufroisine.²⁹⁵ In March 1818, two years after the expiration of the original indenture contract, Françoise

²⁸⁹ St. Landry Parish Conveyance Records, Book A-1, # 360, "Indenture Contract between Arnaud Ramard and Françoise Peignier," dated, 23 July 1809, St. Landry Parish Courthouse, Opelousas, LA.

²⁹⁰ St. Landry Parish Conveyance Records, Book A-1, # 360.

²⁹¹ St. Landry Parish Conveyance Records, Book A-1, #397 a 398, Arnaud Ramard to Francois Peignier, "Sale of Slaves," dated 30 October 1809, St. Landry Courthouse, Opelousas, LA.

²⁹² St. Landry Parish Conveyance Records, Book A-1, #397 a 398. *Digest of Civil Laws*, Book 1, Title VII, Chap. 3, Art.24, 25, 28, and 29.

²⁹³ St. Landry Parish Conveyance Records, Book A-1, #397 a 398.

²⁹⁴ Ibid.

²⁹⁵ St. Landry Parish Conveyance Records, Book D-1, #299, Arnaud Ramard "Indenture Contract," St. Landry Courthouse, Opelousas, LA. St. Landry Parish District Court Records, Suit No. 533, dated 7 September 1821, St. Landry Courthouse, Opelousas, LA.

entered into a second agreement with Ramard; however, by the end 1820, Françoise left Arnaud Ramard and moved into the home of Pierre Ozere.²⁹⁶ On September 7, 1821, Françoise Peignier filed a petition for custody of her and Ramard's two freeborn children, seven-year-old Ramard and six-year-old Leufrosine.²⁹⁷ Her petition was successful, and she received custody of her children.²⁹⁸ Françoise's request and its successful result provided evidence that women of color had access to the judicial system and could receive impartial judgments within that system.

Further evidence of Françoise's ability to maneuver within the laws is evident in subsequent documents. Almost four years after her petition for custody, on July 27, 1825, Pierre Ozere donated a one hundred square foot lot fronting on Court Street in Opelousas to Françoise's ten-year-old son, Leufrosine.²⁹⁹ The donation prohibited Leufrosine from selling, transferring, or donating the property until after Françoise's death.³⁰⁰ In return, the act of donation required Françoise to serve Ozere as cook, seamstress, and laundress in the same manner in which she had served him the preceding three years.³⁰¹ In this case, Françoise Peignier and Pierre Ozere employed the act of donation to Françoise's son, Leufrosine, as a means of transferring property to Françoise through her son due to the 1807 Louisiana laws that prohibited Françoise from receiving immovable property from her lover.³⁰² By stipulating that Leufrosine could not sell, transfer, or donate the land until after

²⁹⁶ St. Landry Parish Conveyance Records, Book D-1, #299. St. Landry Parish District Court Records, Suit No. 533.

St. Landry Parish Notary Books, Book C, #70, "Act of Donation from Pierre Ozere to Leufroi Zain," dated 29 July 1825, St. Landry Parish Courthouse, Opelousas, LA.

²⁹⁷ St. Landry Parish District Court Records, Suit No. 533.

²⁹⁸ Ibid.

²⁹⁹ St. Landry Parish Notary Books, Book C, #70.

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² St. Landry Parish Notary Books, Book C, #70. *Civil Code 1825*, Book III, Title II, Chapter II, Article 1468. *Digest of Civil Laws*, Book III, Title II, Chapter II, Article 10

Francoise's death, Pierre was providing a permanent home for Francoise. In fact, she remained in the home until her death in 1831.³⁰³

The third example demonstrates how one woman, after emancipation, acquired property through her own efforts and then "sold" it to her partner's nephew to assure she is taken care of for the rest of her life. Marguerite Villiers, first appeared in the historical record in the 1777 General Census of the Opelousas District as the seventeen-year-old "mulatto" slave of Antione Paillet and his wife, Marie-Louise Graveline.³⁰⁴ On March 17, 1779, Paillet and his wife sold Marguerite, now nineteen-years-old, to Joseph DeVilliers.³⁰⁵ Shortly after the sale, on June 8, 1779, Joseph DeVilliers submitted to the court a letter stating his intentions to release Marguerite from bondage on the event of his death as well as pay her two-hundred dollars for her services and fidelity.³⁰⁶ Apparently, DeVilliers changed his mind and on July 18, 1780, he emancipated Marguerite, although she remained in his home, serving him in return for his protection and care.³⁰⁷

Marguerite served Joseph DeVilliers until he released her through documents submitted to the court on January 31, 1791 at which time Marguerite emancipated a young slave named Benedict, aged five-years-old.³⁰⁸ The records are not clear, but during the years

³⁰³ St. Landry Parish Probate Records, Folio # 567, "Succession of Francoise Peignier," dated 23 August 1831, St. Landry Courthouse, Opelousas, LA.

³⁰⁴ Voorhies, *Louisianians*, 280-318.

³⁰⁵ St. Landry Parish Colonial Documents, Sale of Slave from Paillet to DeVilliers, 17 March 1779, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405937. Translated by Mary Magdalene Donovan.

³⁰⁶ St. Landry Parish Colonial Documents, Statement of Intentions to Marguerite from Joseph DeVilliers, 18 June 1779, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405937. Translated by Mary Magdalene Donovan.

³⁰⁷ St. Landry Parish Colonial Documents, Emancipation of Marguerite by Joseph DeVilliers, 18 July 1780, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405937. Translated by Mary Magdalene Donovan.

³⁰⁸ St. Landry Parish Colonial Documents, Release of Servitude by Joseph DeVilliers, 31 January 1791, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405939. Translated by Mary Magdalene Donovan. St. Landry Parish Colonial Documents, Emancipation by Marguerite Villiers of Benedict,

between 1791 and 1797, Marguerite apparently lived with Antoine Chenier, a white resident of the post of Opelousas, and acquired several slaves. On May 2, 1797, she submitted her Last Will and Testament to the courts, stating that she wished to leave all of her possessions, which consisted of four slaves, to Chenier in consideration of his pain and care for her throughout the years.³⁰⁹ Although records as to how Marguerite acquired the slaves and other property she owned have not been located, records do exist that confirm she sold multiple parcels of property, such as on May 29, 1797, when she sold property to the District of Opelousas.³¹⁰ Marguerite must have submitted her last will and testament as a precaution for the future and not as a death bed profession, as she was alive and well as of 1816.

Further examples of Marguerite's manipulating the regulations that supposedly restricted her are found in documents concerning this study's fourth woman Mercelite, one of the slaves she had willed to Antoine Chenier. Mercelite offers an example of an emancipated slave residing as a concubine and bearing children with her emancipator, François Chenier, who provided for her after his death by declaring her as a creditor of his estate. The various documents produced by Marguerite and this couple give examples of manipulation of the laws as well as outright disregard for the laws with an outcome, generated by their acts, that offers a glimpse at how authorities never challenged the various "illegal acts" perpetuated by Marguerite and the couple. The couple's story began in the household of Antoine Chenier and Marguerite, listed in the 1810 Federal Census, which included both François and

31 January 1791, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405939. Translated by Mary Magdalene Donovan.

³⁰⁹ St. Landry Parish Colonial Documents, Last Will and Testament of Marguerite Villiers, 2 May 1797, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405942. Translated by Mary Magdalene Donovan.

³¹⁰ St. Landry Parish Colonial Documents, Sale of Land by Marguerite Villiers, 29 May 1797, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405942. Translated by Mary Magdalene Donovan.

Mercelite living in their household.³¹¹ On June 14, 1814, an act of sale between Marguerite and François Chenier transferred ownership of a tract of land, twelve slaves, and half of a herd of cattle from Marguerite to François for the total sum of \$6,850.³¹² François also agreed that he would “cloath [sic], board, and support Marguerite and his uncle, Antoine Chenier, in a manner and stile [sic] equal to that in which they at this time and for some years lived, during their natural lives.”³¹³ The recorded sale went on to meticulously catalog each slave; noting their names, referencing their ages, designating whether they are “mulatto” or “negro,” and listing their sale prices:

a negro woman slave named Victoire, aged about thirty-eight for the sum of six hundred dollars, a mulatto woman named Mercelite, aged about twenty years old for the sum of eight hundred dollars, desiring that the last mentioned may be treated with tenderness during her life, a negro girl named Celestine, aged about eighteen years for seven hundred dollars, a negro boy named Celestin, aged about seventeen for six hundred dollars, a mulatto boy named Ellick, aged about fifteen years for six hundred, a mulatto girl named Adele, aged about thirteen years old for five hundred dollars, a mulatto girl named Claire aged about eleven for four hundred dollars, a mulatto boy named Eloi about nine years old for four hundred dollars, a mulatto boy named Andre, aged seven for three hundred dollars, a negro girl named Melite, aged five years old for two hundred fifty dollars, a negro girl named Julie, aged about

³¹¹ Ancestry.com, *1810 United States Federal Census* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2010), Images reproduced by FamilySearch, Original data: Third Census of the United States, 1810, (NARA microfilm publication M252, 71 rolls), Bureau of the Census, Record Group 29, National Archives, Washington, D.C.

³¹² St. Landry Parish Conveyance Records, Book C-1, #78, Margaret Villier to Francois Chenier, Sale of Land, Slaves, and Cattle, St. Landry Parish Courthouse, Opelousas, Louisiana.

³¹³ Ibid.

three years old for two hundred dollars, and a negro girl named Clarisse, aged about fifteen months for two hundred dollars.³¹⁴

From the above sale, it was apparent that Antoine Chenier and François Chenier were relatives, specifically, uncle and nephew, and Marguerite, the free woman of color named as the seller, was Antoine's concubine.³¹⁵ Notice that Marguerite listed Mercelite among the slaves, designated her as being of mixed-race, and explicitly stated in the record that she "desired that the last mentioned (Mercelite) may be treated with tenderness during her life."³¹⁶ This implied that there might have existed some form of kinship between Marguerite and Mercelite, as possibly that of grandmother and her granddaughter. Of the slaves listed in the sale, François eventually sold Celestin, Claire, Andre, and Adele, and he emancipated Victoire and Mercelite.³¹⁷

The next document, dated September 19, 1816, recorded the sale of "a mulatto boy slave, aged about five years, being the son of the negro woman Mercelite" named Hilaire to François from Marguerite. The document specifically stated that Hilaire would receive his freedom when "he shall arrive at the age when he may be freed by and according to the laws of this state," which under the law in effect was age thirty.³¹⁸ At the time of the sale of Mercelite to François, Hilaire was three years old and an act of legislature dated June 7, 1806 prohibited the separate sale of a mother from her children under ten years old; however, both

³¹⁴ St. Landry Parish Conveyance Records, Book C-1, #78.

³¹⁵ Ibid.

³¹⁶ St. Landry Parish Conveyance Records, Book C-1, #78.

³¹⁷ St. Landry Parish Conveyance Records, Book E-1, #245, Francois Chenier to Benoit Vanhille, "Slave of Slave", St. Landry Courthouse, Opelousas, LA. St. Landry Parish Conveyance Records, Book G-1, #40, Francois Chenier, "Emancipation of Slave," St. Landry Courthouse, Opelousas, LA. St. Landry Parish Conveyance Records, Book E-1, # 191, Francois Chenier, "Emancipation of Slave," St. Landry Courthouse, Opelousas, LA.

³¹⁸ St. Landry Parish Conveyance Records, Book C-1, #344-B, Marguerite Villier to Francois Chenier, Sale of Slave, St. Landry Parish Courthouse, Opelousas, Louisiana. *Acts Passed at the Second Session*, Chapter X, An Act to Regulate the Conditions and Forms of Emancipation of Slaves, p. 82.

the sale of Mercelite in 1814 and the subsequent sale of Hilaire two years later defied this law.³¹⁹ The records are silent as to the reason why Marguerite sold Mercelite first and then sold Hilaire, but regardless of the reason, the sales were illegal; however, Marguerite, Mercelite, and Hilaire all remained living in the same home.

Three years after the purchase of Hilaire, François Chenier petitioned the court for permission to emancipate Mercelite, Hilaire's mother.³²⁰ Once given permission to emancipate her, François submitted his declaration on December 28, 1819, which read,

I François Chenier, in consideration of the good and faithful conduct and services of my mulatto woman slave named Mercelite aged upwards of thirty years...I do hereby give and grant unto the said Mercelite, her liberty, to have and enjoy the same from this day henceforth in as full, absolute, and complete a manner as all other free persons or as if she had been born free, promising to nourish and maintain the said Mercelite so liberated and emancipated as aforesaid, whenever she shall be in want owing to sickness, old age, insanity, or other infirmity.³²¹

Each of the previous documents shed light on the emerging narrative of the Chenier household, with the final folio of documents revealing a full account of the complicated relationships within. So far, the records disclosed that Antoine Chenier, François' uncle, shared a home with Marguerite Villiers, a free woman of color, who had the authority to sell the home, land, cattle, and slaves that she shared with Antoine.³²² The sale, dated June 14,

³¹⁹ "An Act Prescribing the Rules and Conduct to Be Observed with Respect to Negroes and Other Slaves of This Territory," Act of June 7, 1806, *Orleans Territory Acts, 1806*, Section 9, p. 155.

³²⁰ St. Landry Parish Conveyance Records, Book E-1, #0191, Francois Chenier-Permission to Emancipate and Emancipation of Mercelite, St. Landry Parish Courthouse, Opelousas, Louisiana.

³²¹ *Ibid.*

³²² St. Landry Parish Conveyance Records, Book C-1, #78. The term "griffe" is an obsolete term used in the antebellum period to designate a person born of one "negro" parent and one "mulatto" parent.

1814, that passed ownership of the home and slaves to François, demonstrated some form of special fondness for Mercelite by Marguerite and the sale dated September 19, 1816, which entailed Marguerite transferring the title of Hilaire, Mercelite's five year old son, to François hinted of their disregard for the laws restricting such sales. Next, the records indicated that François followed through on Marguerite's request to treat Mercelite kindly when François emancipated Mercelite and stated his intentions to take care of her in sickness, insanity, and old age.³²³

Finally, the last set of documents, contained in the succession folio of François Chenier and recorded August 9, 1827, illuminate the motives behind François' actions. The first item was comprised of the last will and testament of François Chenier, dated July 16, 1827, in which he declared:

The griffe colored woman, Mercelite who was formerly my slave, but now free, has had six children, to wit, Hilaire, Celeste, Louis, Virginia, Hypolite, and Euphrosine, four of whom, the first four named, born in slavery, and the two last mentioned were free by birth. When I purchased Hilaire, I was obligated to give his liberty, I think at the age of thirty years. Now I make a donation to him of his services, declaring and willing that he have his liberty at my decease. I also give to the Celeste, Louis, and Virginia each their liberty.³²⁴

Thus, François honored his promise to emancipate Hilaire, and he emancipated Mercelite's other three oldest children who were born into slavery. François concluded his will by affirming he owed Mercelite nine hundred dollars in payment for her time and labor as well

³²³ St. Landry Parish Conveyance Records, Book E-1, #0191.

³²⁴ St. Landry Parish Probate Records, Folio #442, "Succession of Francois Chenier," Last Will and Testament, St. Landry Parish Courthouse, Opelousas, Louisiana.

as two hundred dollars interest, for a total of eleven hundred dollars, which officials were to take out of his estate. François clearly detailed that he owed Mercelite eleven hundred dollars, thus setting her up as a creditor to be paid, assuring that she would receive funds from his estate.³²⁵ He then bequeathed to Mercelite and her six children, the whole of his estate.³²⁶ François's bequest of the whole of his estate to Mercelite and her children was illegal. The laws for this era stipulated that the concubine of a benefactor could not receive any donation or inheritance.³²⁷ In addition, although François emancipated and bequeathed property to the children, he never publicly acknowledged them as his natural children; thus, legally, he had no grounds to bequeath anything to them.³²⁸ The regulations in effect at that time required public acknowledgement of the children by the father in order to give them the status of natural children and allow them to receive an inheritance.³²⁹ The laws at the time prohibited the bequests François instructed, yet neither collateral heirs nor authorities came forth to challenge them. Consequently, appraisers proceeded with the succession and prepared an inventory of the estate, listing the four oldest children as slaves, but with notations that François emancipated them in the will.³³⁰

Due to the heavy debts owed by François's estate, the executors petitioned the court to allow an auction of the appraised properties, excluding the four emancipated children.³³¹ After the conclusion of the sale, the administrators informed the court that the tract of land remained unsold, and they feared the appraisers had placed an inflated amount on the property, thus they requested a new appraisal so that the administrator could sell the land in

³²⁵ Ibid.

³²⁶ St. Landry Parish Probate Records, Folio #442, Last will and testament.

³²⁷ *Digest of Civil Laws*, Book III, Title II, Chapter II, Article 10.

³²⁸ *Digest of Civil Laws*, Book I, Title VII, Chapter III, Articles 25, 25, and 26.

³²⁹ *Digest of Civil Laws*, Book I, Title VII, Chapter III, Articles 25, 25, and 26. Book III, Title I, Chapter III, Articles 43 and 44.

³³⁰ St. Landry Parish Probate Records, Folio #442, Inventory of estate.

³³¹ St. Landry Parish Probate Records, Folio #442, Petition for auction.

order to liquidate the estate and pay the creditors.³³² The folio contained no evidence that the land was ever sold; however, Mercelite appears in the list of creditors to be paid, meaning each of the requests in François's last will and testament were fulfilled to the best of the ability of his executors.³³³ Considering that the estate remained insolvent, it is remarkable that none of the unpaid creditors petitioned the court to demand the sale of the emancipated children. Firstly, the law did not consider the children as François's natural children. Secondly, if the children were being considered François's natural children under the law in effect, the emancipations of each of the children were considered donations to the children and with the property being insolvent, the donations exceeded the amount allowed in donations to natural children and therefore legally should be deemed null and void.³³⁴

As the fifth and final example, the emancipated slave, Genevieve Hugon, illustrates an enduring relationship, which she maintained with Augustin Belaire Fontenot, beginning while she was a slave belonging to his father and ending with her and their eight children receiving the proceeds of Fontenot's vast estate.³³⁵ In 1791, Fontenot emancipated Genevieve and their four quadroon children: Baptiste, Louis, Auguste, and Marie.³³⁶ In his last will and testament, dated June 18, 1821, Fontenot acknowledged that he and Genevieve had maintained a relationship for over twenty years, which produced eight children.³³⁷ This acknowledgment confirmed that Genevieve and Augustin had lived in "open and notorious

³³² St. Landry Parish Probate Records, Folio #442, Petition to have property reappraised.

³³³ St. Landry Parish Probate Records, Folio #442, List of creditors.

³³⁴ *A Digest of Civil Laws* Book III, Title I, Chapter III, Articles. 44-45.

³³⁵ St. Landry Parish Probate Records, Folio #228, "Succession of August Belaire Fontenot," St. Landry Parish Courthouse, Opelousas, LA. St. Landry Parish Colonial Documents, Emancipation of Genevieve Hugon, July 22, 1791, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405490. St. Landry Parish Colonial Documents, Emancipation of Baptiste, Louis, Auguste, and Marie, August 27, 1791, (Salt Lake City, UT: Filmed by the Genealogical Society of Utah, 1984), Microfilm #1405490.

³³⁶ St. Landry Parish Colonial Documents, July 22, 1791. St. Landry Parish Colonial Documents, August 27, 1791.

³³⁷ St. Landry Parish Probate Records, Folio #228.

concubinage,” thus Augustin was prohibited by law from donating anything to Genevieve.³³⁸ In order to maneuver around this regulation, Augustin made provisions in his will to pay Genevieve for her many years of service to him by arranging an annual income of three hundred dollars, a slave of her choice, and usufruct of his residence for the remainder of her life.³³⁹ In addition to the provisions for Genevieve, Augustin made specific donations to his natural children, which equaled one-half of the value of his estate as allowed by the law.³⁴⁰ Augustin also acknowledged his nephew and collateral heir, Jacques Dupre, in his will and requested that Jacques make sure that Genevieve was well taken care of during the remaining years of her life.³⁴¹ As Augustin’s collateral heir, Jacques was to receive one-half of the value of the estate; however, in August 1824, Jacques submitted a renunciation of one-half of his inheritance in favor of Augustin and Genevieve’s children and retained the other half in order to pay the three hundred dollar annual payments to Genevieve, stating that it was his uncle’s request that he did such.³⁴²

The examples above provide much evidence to substantiate that during the colonial and early American period, women of color in the Attakapas and Opelousas regions entered into relationships with white men and received significant amounts of property and valuables from their white benefactors for themselves and their mixed-race children. On the Louisiana frontier, most of the inhabitants ignored the laws regarding matters such as interracial relationships, donations to natural children or concubines, the monitoring of manumissions, and self-purchase. Interracial families were common and condoned by white family

³³⁸ *Digest of Civil Laws*, Book III, Title II, Chapter II, Article 10.

³³⁹ St. Landry Parish Probate Records, Folio #228.

³⁴⁰ St. Landry Parish Probate Records, Folio #228. *Digest of Civil Laws*, Book III, Title II, Chapter II, Article 14.

³⁴¹ St. Landry Parish Probate Records, Folio #228.

³⁴² St. Landry Parish Notary Books, Book AA, #90, page 48, St. Landry Parish Courthouse, Opelousas, LA.

members. The sacramental archives provide numerous baptisms of natural mixed-race children with white grandparents, white aunts and uncles, or white half-siblings standing as sponsors for natural mixed-race children. For instance, the baptismal certificate for Adelaide Lemelle states that her white half-sibling, Marie Louise Lemelle became her godmother in the baptismal ceremony.³⁴³

Court proceedings also document the accepting attitude of interracial relationships by white family members. In 1794, Jeanne, the “mulatresse” slave of Claude Trenonais, petitioned the court for the freedom of herself and her three-year-old “quadroon” son, Honore after the sudden death of Trenonais.³⁴⁴ Jeanne stated that Trenonais had intentions to free her and the child, testifying that Trenonais’s family members were aware of Jeanne and Trenonais’s relationship. The court questioned several of Trenonais’s relatives, including a nephew and his mother, finding that Trenonais had indeed expressed a desire for Jeanne to be freed, thus the white heirs of Trenonais’s estate allowed Jeanne and her child to be freed.

Although state laws placed restrictions on interracial relationships, inheritances and donations to concubines and illegitimate children, and the monitoring of manumissions, the majority of such matters in the Louisiana frontier region went unchallenged because of casual attitudes towards such matters.

³⁴³ Baptism of Adelaide, Diocese of Lafayette Sacramental Records, Opelousas Church, Volume 1-A, p. 5

³⁴⁴ Hall, *Africans*, 256. Pointe Coupee Original Acts, January 17, 1794, Doc. 1799, Louisiana State Archives, Baton Rouge, LA.

CONCLUSION

During the colonial and early American periods, the Louisiana frontier, particularly the southwest regions known as the Attakapas and Opelousas districts, produced a unique environment for the development of a multicultural society in which women of color enjoyed considerable economic influence and social status, regardless of laws and social mores designed to restrict their lives. Whether crossing the color lines drawn by officials and entering into sexual relationships with white men or receiving land and other valuables through acts of donations to them and their illegitimate children, women of color bent, sidestepped, or ignored legal regulations and social mores as they maneuvered life on the Louisiana frontier.

At the beginning of the eighteenth century, the Louisiana frontier spanned from the Appalachian Mountains in the east to the Rocky Mountains in the west and from the Great Lakes in the north to the Gulf of Mexico in the south. Claimed by LaSalle for the king of France in 1682 and secretly ceded to Spain in 1762, the vast territory was inhabited by Native Americans, European settlers and soldiers, Canadian *coureurs de bois*, and African slaves. Hunting, fishing, trade, and subsistence farming sustained the diverse population during the early years of colonization. Eventually, with only a few European women in the territory and a large population of Native American and African female slaves, the male settlers, soldiers, and *coureurs de bois* sought out women of color as sexual partners, producing a population of interracial persons.

As new settlers arrived, the colony gradually began to grow, strategically positioning military outposts at the farthest points of the colony to prevent the encroachment of the British, Spanish, and Native Americans onto lands claimed by the French. Louis Juchereau

de St. Denis established the post of Natchitoches in the northwest near the Red River and a Natchitoches Indian village, developing a frontier trade economy with Native Americans deep into the Spanish territory of Texas. Settlers attracted by John Law's propaganda established two concessions and a military post at Pointe Coupee, planting indigo, corn, and tobacco along with subsistence crops for their local population.

While the outposts struggled to survive on the frontier, Bienville worked to establish a strategic location that would protect the colony from the intrusion of enemies at the mouth of the Mississippi River and allow for ease of access in the importing and exporting of goods from the colony. Bienville chose what appeared to be a swampy, bug and wildlife infested mud-hole that turned out to be an excellent location that would serve his purposes well. Naming the new post New Orleans after the Regent of France, Bienville ordered over fifty men to clear the area and build houses. Within three years, New Orleans became the capital of the Louisiana Territory, welcoming new arrivals into the growing colonial community.

Soon, settlers began moving into the areas west of New Orleans, stretching further into the Louisiana frontier. Around 1722, settlers from John Law's Arkansas concession moved to the region that became known as the German Coast, located above New Orleans on the west bank of the Mississippi River. The settlers produced enough grain and vegetables to provide for themselves and the residents of New Orleans. By 1731, the Germans expanded to the east bank of the Mississippi River, acquiring slaves to help with farming and raising cattle. Before long, cattle raising developed into a profitable industry at the German Coast.

With the development of cattle ranching as a significant industry for the new colony, settlers began to push further into the grassy plains of the southwest areas of the Louisiana frontier. Colonists called this area the Attakapas and Opelousas districts, named for the

Native Americans who inhabited the region. The grassy plains and natural pooling qualities of the clay soil made the region excellent for cattle ranching. By 1765, colonial officials located Acadian refugees in the Attakapas and Opelousas regions and supplied them with cattle to help them adapt to their new environment.

Each of the outposts as well as the capital, New Orleans, developed diverse populations and thrived with varying economies. For instance, Natchitoches, relied on Native American trade and an agricultural plantation economy, whereas, the Attakapas post developed a successful cattle ranching economy. The populations of each of the outposts consisted of Europeans, Native Americans, and Africans. Because of the diverse populations and the interdependence created by the frontier environment, many colonists established households with partners of different ethnicities, creating a population of interracial persons on the Louisiana frontier.

Because colonial officials sought to establish a colony based on a plantation economy that could support itself and maintain a militia to protect it, local officials concerned themselves with assuring that the soldiers and colonists settled down and farmed. Colonial officials believed that if the men of the colony would marry, their attentions would turn to farming and establishing households to colonize the Louisiana frontier. With shortage of white females and the large influx of African slaves, white men took advantage of female slaves, making them concubines; however, some of the relationships lasted for their lifetimes, producing interracial households with common-law wives and mixed-race children.

As with Native American women, colonial officials condemned relationships between white men and female slaves or free women of color. Striving to maintain social order and hierarchy within the diverse ethnicities of the colony, officials set regulations and policies in

place that forbid or restricted interracial sexual relations. Beginning with the French regime in the Louisiana territory, officials implemented slave laws developed in the Caribbean called the *Code Noir 1685*. As officials experienced varying circumstances within the colony, they adjusted slave policies to fit their needs, thus initiating a revised set of regulations, the *Code Noir 1724*. The *Code Noir 1685* allowed interracial marriages under certain circumstances, manumissions of slaves, and donations to free persons of color, which was more lenient than the new *Code noir 1724* that forbid interracial marriages and placed restrictions on manumissions and donations. The new regulations resulted from French officials' anxieties over controlling the large African slave presence in the colony and maintaining a social hierarchy.

In 1762, when France ceded the Louisiana territory to Spain, the *Code Noir 1724* remained the law of the land until Spanish officials actually took possession of the colony in 1768. Spanish law permitted interracial marriages, made emancipations easier to acquire, and allowed donations to concubines and natural children. Under Spain's relaxed slave policies, the population of free persons of color experienced a rapid increase while many women of color gained property and social status in New Orleans as well as at the outposts of the Louisiana frontier.

The elite French white planter class opposed Spanish law. Their anxieties over social order and assimilation induced the elites to petition Spanish officials, asking that regulations and policies be set in place, which conformed to the colony's particular circumstances. In an effort to appease the elite planter class, Spanish officials initiated restrictions on marriages, obstructing interracial marriages once again.

After the United States purchased the Louisiana Territory, slave regulations and policies effecting persons of color changed under the first legislature of the Territory of Orleans. Fearing the growing free black population, planter elites swayed the legislature to reinforce the laws in place by placing stronger controlling interracial relationships, monitoring manumissions, and regulating donations and inheritances to concubines and natural children. Even though the new government placed new restrictions on persons of color, the Spanish regime produced a large population of free persons of color, among them were many women of color who owned property, participated in the growing economy, and enjoyed a prominent social status as a result.

Regulations and policies instituted during the colonial and early American periods restricted slaves and free persons of color in the Louisiana territory, especially women of color, who often found themselves concubines of white men, raising children born of the relationships. These women of color displayed remarkable courage and resolve as they maneuvered through life, bending and manipulating the laws and policies that restricted their lives, using various avenues to keep the properties and valuables they worked hard to obtain.

Official records such as church records, probate and conveyance records, notarial archives, and early census records contain a wealth of information on the lives of women of color, both slave and free. The examples given in this body of research demonstrate that women of color used various avenues such as indentured servitude, the transfer of property through staged sales, structured payments for supposed services rendered, and acts of donation to minor children to maneuver around the laws set forth to restrict and prevent them from gaining access to properties. Whether an estate was wealthy or insolvent, donations, wills, and transfers remained intact as successions proceeded through the court system.

By researching free women of color and manumitted female slaves during the period between 1740 and 1840 on the Louisiana frontier, this study illustrates how free women of color and female slaves maneuvered around the laws set to prevent the relationships they maintained, filling a gap in the current history of women of color. Few scholarly works focus their attention exclusively to the lives of free women of color and manumitted slaves in antebellum Louisiana and those that do typically adhere to a very strict regional or urban focus, leaving out significant swaths of the state.

This study investigates long-term relationships between free women of color or manumitted female slaves and white benefactors in the rural areas outside of New Orleans. In particular, this research focuses on southwest Louisiana, where free women of color or manumitted female slaves and white men worked together to build substantial estates. Studying women of color in the rural areas of the Louisiana frontier presents valuable insight into the development of race from the perspective of ordinary persons rather than from the viewpoint of officials or legal codes designed by elite white men. Researching the lives of women of color reveals the intricacies of daily frontier life, exposing how their lives varied from the imagined social order of the elites who sought to control them.

The research presented in this thesis is important in that it provides much-needed examination of women of color living in rural areas of Louisiana. Studying women of color in the Attakapas and Opelousas districts expands the current research, such as Emily Clark's *Myth of the American Quadroon*, by considering those women who lived in the frontier regions rather than focusing strictly on New Orleans. By examining and comparing several women of color on the frontier, this research provides a broader understanding of the complex lives of these women while Gary and Elizabeth Mills' study, *The Forgotten People*:

Cane River's Creoles of Color, gives a narrow view of only one woman and her descendants in the Natchitoches regions. With respect to borderlands and frontier approaches to history, this thesis offers scholars an analysis of how women of color participated and contributed to the establishment and colonization of the borderlands and frontiers of Louisiana. In all, understanding women of color and their role on the Louisiana frontier sheds light on the development of race, gender roles as well as the frontier economy and its expansion.

BIBLIOGRAPHY

Primary Sources

"1810 United States Federal Census." *Bureau of the Census, Record Group 29*. Washington D. C. : Ancestry.com.

A Digest of Civil Laws Now in Force in the Territory of Orleans with Alterations and Amendments Adapted into its Present System of Government. New Orleans: Bradford & Anderson. Accessed January 23, 2015. [http://digest of 1808.law.lsu.edu/?uid=1&tid=1&ver=en#1](http://digestof1808.law.lsu.edu/?uid=1&tid=1&ver=en#1).

Act of Donation. 1825. Book C, #70 (St. Landry Parish Notary Books, St. Landry Parish Courthouse, Opelousas, LA).

"Baptism of Adelaide." *Opelousas Church Volume 1-A*, p. 5. Opelousas: Diocese of Lafayette, January 4, 1778.

"Baptism of Basile." *Diocese of Baton Rouge Catholic Church Records: Pointe Coupee Records, 1722-1769*. Baton Rouge: Diocese of Baton Rouge, Book 3.

"Baptismal Certificate of Joseph Gradenigo." *Diocese of Mobile-Birmingham* . Volume 1, page 49.

"Civil Code of the State of Louisiana of 1825." New Orleans: Bloomfield and Steel, 1861.

"Donation Jacques Fontenette to Louise." *Original Acts Bk 26 page 198*. St. Martinville: St. Martin Parish Courthouse, 1804.

"Emancipation by François Manne." *St. Landry Parish Colonial Documents*. Microfilm #1405937: Genealogical Society of Utah, May 5, 1778.

"Emancipation of Baptiste." *St. Landry Parish Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm # 1405490, August 27, 1791.

"Emancipation of Benedict by Marguerite Villiers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405939, January 31, 1791.

Emancipation of Françoise. 1809. Book A-1, #358 (St. Landry Parish Conveyance Records, St. Landry Courthouse, Opelousas, LA).

"Emancipation of Genevieve Hugon." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405490, July 22, 1791.

"Emancipation of Marguerite by Joseph DeVilliers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405937, July 18, 1780.

Emancipation of Mercelite. 1819. Book G-1, #40 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

Emancipation of Slave. 1814. Book E-1, #191 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

Gradenigo Heirs and Heirs of Lemelle Agreement. 1833. Book H-1, #291 (St. Landry Courthouse, Opelousas, LA, November 12).

Indenture Contract. 1809. Book A-1, #360 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

Indenture Contract. 1818. Book D-1, #299 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

Kleinpeter V Harrigan. 1869. 2 LA. Ann. 196 #2088 (Louisiana Supreme Court).

"Land Sale of Jean Baptiste Guillory." *St. Landry Colonial Documents*. Microfilm #1405972: Genealogical Society of Utah, April 7, 1803.

"Last Will and Testamony of Marguerite Villiers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405942, May 2, 1797.

Petition for Custody. 1821. Suit # 533 (St. Landry Parish District Court Records, St. Landry Parish Courthouse, Opelousas, LA).

"Pointe Coupee Original Acts." *Doc. 1799*. Baton Rouge: Louisiana State Archives, January 17, 1794.

"Release of Servitude by Joseph DeVilliers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405939, January 31, 1791.

"Renunciation by Jacques Dupre." *St. Landry Parish Notary Book AA, #90*. Opelousas: St. Landry Parish Courthouse, August, 1824.

"Sale of Land by Marguerite Villiers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405942, May 29, 1797.

Sale of Slave. 1816. Book E-1, #245 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

"Sale of Slave from Paillet to DeVilliers." *St. Landry Colonial Documents*. Salt Lake City: Genealogical Society of Utah, Microfilm #1405937, March 17, 1779.

Sale of Slaves. 1823. Book F-1, #380 (St. Landry Parish Conveyance Records, St. Landry Courthouse. Opelousas, LA).

Sale of Slaves. 1812. Book H-1, #154 (St. Landry Parish Conveyance Records, St. Landry Courthouse. Opelousas, LA).

Sale of Slaves. 1815. Book C-1, #185 (St. Landry Parish Conveyance Records, St. Landry Courthouse. Opelousas, LA).

Sale of Slaves. 1818. Book D-1, #337 (St. Landry Parish Conveyance Records, St. Landry Courthouse, Opelousas, LA).

Sale of Slaves. 1809. Book A-1, #397, 398 (St. Landry Parish Conveyance Records, St. Landry Parish Courthouse, Opelousas, LA).

Sandoz v Gary. 1845. 11 La. Rob. #529 (Louisiana Supreme Court).

Sayre, Gordan M. 2012. *The Memoir of Lieutenant Dumont, 1715-1747: A Sojourner in the French Atlantic*. Williamsburg: University of North Carolina Press.

St. Landry Parish Conveyance Records. 1814. Book C-1, #78 (St. Landry Parish Courthouse, Opelousas, LA, June 14).

"St. Landry Parish Marriage Records." *Book 1, Marriage #52*. Opelousas, LA: St. Landry Parish Courthouse.

"Statement of Intentions." *St. Landry Colonial Documents*. Saly Lake City: Genealogical Society of Utah, Microfilm #1405937, June 18, 1779.

Succession of August Belaire Fontenot. 1821. Folio #228 (St. Landry Parish Probate Records).

Succession of François Chenier. 1827. Folio #442 (St. Landry Parish Probate Records, St. Landry Parish Courthouse, Opelousas, LA).

Succession of Françoise Peignier. 1831. Folio #567 (St. Landry Parish Probate Records, St. Landry Parish Courthouse, Opelousas, LA).

Succession of Joseph Gradenigo. 1833. Folio #636 (St. Landry Parish Probate Records, Opelousas, LA).

Secondary Sources

- Allain, Vincent Cassidy and Mathe. "The Attakapas Territory: 1721-1747." *The Attakapas Gazette*, 1968: 14-16.
- Aslakson, Kenneth. "The Quadroon-Placage Myth of Antebellum New Orleans: Anglo-American (Mis)interpretations of a French-Caribbean Phenomemon." *Journal of Social History*, 2012: 709-734.
- Aubert, Guillaume. "Francais, Negres et Sauvages: Constructing Race in Colonial Louisiana." *Ph. D. dissertation*. New Orleans: Tulane University, 2002. 288.
- . "To Establish One Law and Define Rules: Race, Religion, and the Transatlantic Origins of the Louisiana Code Noir." In *Louisiana: Crossroads of the Atlantic World*, by Cecile Vidal, 21-43. Philadelphia: University of Pennsylvania Press, 2014.
- Baade, Hans W. "The Law of Slavery in Spanish Luisiana, 1769-1803." In *Louisiana's Legal Heritage*, by Edward F. Haas, 43-86. Pensacola: The Perdido Bay Press, 1983.
- Beranger, Jean. *Beranger's Discovery of the Aransas Pass trans. William Carroll, ed., Frank Wagner*. Corpus Christi: The Friends of the Corpus Christi Museum, 1983.
- Bergerie, Maurine. *They Tasted Bayou Water: A Brief History of Iberia Parish*. Ann Arbor: Edwards Brothers, 1962.
- Berlin, Ira. "Time, Space, and the Evolution of Afro-American Society on British Mainland North America." *The American Historical Review*, 1980: 44-78.
- Bolton, Herbert E. *The Spanish Borderlands: A Chronicle of Old Florida and the Southwest*. Lexington: First Rate Publishers, Reprint 2014.
- Brasseaux, Carl A. *The Founding of New AAcadia: The Beginnings of Acadian Life in Louisiana, 1765-1803*. Baton Rouge: Louisiana State University Press, 1996.

- . "The Moral Climate of French Colonial Louisiana, 1699-1763." *Louisiana History: The Journal of the Louisiana Historical Association*, 1986: 27-41.
- . "The Opelousas and Alabama Immigrants." In *The Louisiana Bicentennial Series in Louisiana History-A Refuge for All Ages: Immigration in Louisiana History*, by Glenn R. Conrad, 125-137. Lafayette: University of Southwestern Louisiana, 1996.
- Brunner, E. *History of Louisiana From It's First Discovery and Settlement to the Present Time*. New York: Harper & Brothers, 1855.
- Carl A. Brasseaux, Keith P. Fontenot, and Claude F. Oubre. *Creoles of Color in the Bayou Country*. Jackson: University Press of Mississippi, 1994.
- Clark, Emily. *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World*. Chapel Hill: University of North Carolina Press, 2013.
- Dargo, George. *Jefferson's Louisiana: Politics and the Clash of Legal Traditions*. Cambridge: Harvard University Press, 1975.
- DeVille, Winston. *Attakapas Post: The Census of 1771*. Baton Rouge: Claitor's Publishing Division, 1986.
- . *Opelousas Post: The Census of 1771*. Baton Rouge: Claitor's Publishing Division, 1986.
- . *Opelousas: The History of a French & Spanish Military Post in America, 1716-1803*. Baton Rouge: Provincial Press, 2010.
- . "The Margarita Case: Historical Perspectives on a Controversal Case in 18th Century Louisiana." *Louisiana Bar Journal*, 1982.
- Ekberg, Carl J. *Stealing Indian Women: Native Slavery in the Illinois Country*. Chicago: University of Illinois, 2007.

- Forbes, Jack D. *Apache, Navaho, and Spaniard*. Norman: University of Oklahoma Press, 1996.
- Fortier, Alcee. *A History of Louisiana, Volume 1*. New Orleans: Cornerstone Book Publishers, 2012, reprint of the 1904 edition.
- . *A History of Louisiana, Volume 2*. New Orleans: Cornerstone Book Publishers, 2012, reprint of 1904 edition.
- Fred B. Kniffen, Hiram F. Gregory, and George A. Stokes. *The Historic Indian Tribes of Louisiana*. Baton Rouge: Louisiana State University Press, 1987.
- Gordon, Captain Harry. "Journal of Captain Harry Gordon." In *Mereness's Travels*, by Newton Mereness, 457-489. New York: The MacMillan Company, 1916.
- Griffin, Harry Lewis. *The Attakapas Country: A History of Lafayette Parish, Louisiana*. Gretna: Pelican Publishing Company, Inc., 1959.
- H, Sophie Burton and F. Todd Smith. *Colonial Natchitoches: A Creole Community on the Louisiana-Texas Frontier*. College Station: Texas A & M University Press, 2008.
- Hall, Gwendolyn Midlo. "African Women in French and Spanish Louisiana: Origins, Roles, Family, Work." In *The Devil's Lane: Sex and Race in the Early South*, by Catherine Clinton and Michele Gillespie, 247-261. New York: Oxford University Press, 1997.
- . *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century*. Baton Rouge: Louisiana State University Press, 1992.
- Hamanlainen, Pekka. *The Comanche Empire*. New Haven: Yale University Press, 2008.
- Hanger, Kimberly S. *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803*. Durham: Duke University Press, 1997.

- Hebert, Rev. Donald J. *Southwest Louisiana Records, Volume 1: Church and Civil Records of Settlers, 1756-1810*. Eunice: Donald J. Hebert, 1974.
- Hernandez, Kelly Lytle. "Borderlands and the Future History of the American West." *The Western Historical Quarterly*, 2011: 325-330.
- Higginbotham, Jay. *Old Mobile: Fort de la Louisiane 1702-1711*. Tuscaloosa: University of Alabama Press, 1977.
- Hines, David Barry Gaspar and Darlene Clark. *Beyond Bondage: Free Women of Color in the Americas*. Chicago: University of Illinois Press, 2004.
- Ingersoll, Thomas N. *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718-1819*. Knoxville: University of Tennessee Press, 1999.
- Jordan, Terry G. *North American Cattle-Ranching Frontiers: Origins, Diffusion, and Differentiation*. Albuquerque: University of New Mexico Press, 1993.
- Landers, Jane. *Black Society in Spanish Florida*. Chicago: University of Illinois, 1999.
- Lugano, G. "Records of the Superior Council of Louisiana, XCIV, October, 1763." *The Louisiana Quarterly*, 1943.
- Maduell, Charles R. *The Census Tables for the French Colony of Louisiana From 1699 Through 1732*. Baltimore: Clearfield Company, 1972.
- McGowan, James Thomas. "Creation of a Slave Society: Louisiana Plantations in the Eighteenth Century." *Ph. D. diss., University of Rochester*. 1976.
- Merrill, Ellen C. *Germans of Louisiana*. Gretna: Pelican Publishing Company, 2005.
- Mills, Elizabeth Shown Mills and Gary B. "Louise Marguerite: St. Denis' Other Daughter." *Southern Studies: An Interdisciplinary Journal of the South*, 1977: 321-328.

- . *The Forgotten People: Cane River's Creoles of Color, Revised Edition*. Baton Rouge: Louisiana State University Press, 2013.
- Mills, Elizabeth Shown. *Natchitoches: Abstracts of the Catholic Church Registers of the French and Spanish Post of St. Jean Baptiste des Natchitoches in Louisiana 1729-1803*. Westminster: Heritage Books, Inc., 2007.
- Nash, Gary B. "The Hidden History of Mestizo America." In *Sex, Love, Race: Crossing Boundaries in North American History*, by Martha Hodes, 10-32. New York: New York University Press, 1999.
- Palmer, Vernon Valentine. *Through the Codes Darkly: Slave Law and Civil Law in Louisiana*. Clark: The Lawbook Exchange, LTD., 2012.
- Post, Lauren C. "Some Notes on the Attakapas Indians of Southwest Louisiana." *Louisiana History: The Journal of the Louisiana Historical Association*, 1962: 221-242.
- Powell, Lawrence N. *The Accidental City: Improvising New Orleans*. Cambridge: Harvard University Press, 2012.
- Sadani, Khalil. "Gift Exchange Between the French and Native Americans in Louisiana." In *French Colonial Louisiana and the Atlantic World*, by Bradley G. Bond, 43-64. Baton Rouge: Louisiana State University Press, 2005.
- Sayre, Gordan M. *The Memoir of Lieutenant Dumont, 1715-1747: A Sojourner in the French Atlantic*. Williamsburg: University of North Carolina Press, 2012.
- Schafer, Judith Kelleher. *Slavery, the Civil Law, and the Supreme Court of Louisiana*. Baton Rouge: Louisiana State University Press, 1994.
- Sluyter, Andrew. *Black Ranching Frontiers: African Cattle Herders of the Atlantic World, 1500-1900*. New Haven: Yale University Press, 2012.

- Smith, F. Todd. *Louisiana and the Gulf South Frontier, 1500-1821*. Baton Rouge: Louisiana State University Press, 2014.
- Smith, H. Sophie Burton and F. Todd. *Colonial Natchitoches: A Creole Community on the Louisiana-Texas Frontier*. College Station: Texas A & M University Press, 2008.
- Spear, Jennifer M. "Colonial Intimacies: Legislating Sex in French Louisiana." *The William and Mary Quarterly*, 2003: 75-98.
- . *Race, Sex, and Social Order in Early New Orleans*. Baltimore: Johns Hopkins University Press, 2009.
- . "They Need Wives: Metissage and the Regulation of Sexuality in French Louisiana, 1699-1730." In *Sex Love Race: Crossing Boundaries in North American History*, by Martha Hodes, 35-59. New York: New York University Press, 1999.
- Turner, Frederick Jackson. *The Frontier in American History*. New York: Henry Holt and Company, 1920.
- Usner, Daniel H. *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783*. Chapel Hill: University of North Carolina Press, 1992.
- Vidal, Cecil. *Louisiana: Crossroads of the Atlantic World*. Philadelphia: University of Pennsylvania Press, 2014.
- Voorhies, Jacqueline K. *Some Late Eighteenth-Century Louisianians: Censu Records of the Colony, 1758-1796*. Lafayette: University of Southwestern Louisiana, 1973.
- Weber, David J. "John Francis Bannon and the Historiography of the Spanish Borderlands: Retrospect and Prospect." *Journal of the Southwest*, 1987: 331-363.

- . "The Spanish Borderlands of North America: A Historiography." *OAH Magazine of History*, 2000: 5-11.
- . "The Spanish Borderlands, Historiography Redux." *The History Teacher*, 2005: 43-56.
- . "Turner, the Boltonians, and the Borderlands." *The American Historical Review*, 1986: 66-81.
- White, Richard. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. Cambridge: University of Cambridge, 1991.
- White, Sophie. "Creolized Frenchmen and Frenchified Amerindians in Louisiana ." In *Creolization in the French Americas*, by Jordan Kellman, and Michael Martin Jean-Marc Masseaut, 45-53. Lafayette: University of Louisiana at Lafayette, 2015.
- . *Wild Frenchmen and Frenchified Indians: Material Culture and Race in Colonial Louisiana*. Philadelphia: University of Pennsylvania Press, 2012.
- Williams, Mary. "Private Lives and Public Orders: Regulating Sex, Marriage, and Legitimacy in Spanish Colonial Louisiana." In *Louisiana: Crossroads of the Atlantic World*, by Cecile Vidal, 145-164. Philadelphia: University of Pennsylvania Press, 2014.
- Young, Ramon A. Gutierrez and Elliot. "Transnationalizing Borderlands History." *The Western Historical Quarterly*, 2010: 26-53.

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ABSTRACT

During the colonial and early antebellum periods, women of color on the Louisiana frontier received significant amounts of money and property from white male benefactors for themselves and their mixed-race children. Although state laws placed restrictions on inheritances and donations to concubines and illegitimate children, the majority of such transactions in southwest Louisiana went unchallenged or remained intact after white heirs challenged their legality. This study examines how free women of color or manumitted female slaves and their mixed-race children in southwest Louisiana acquired and maintained control of such property between 1740 and 1840, in spite of the laws that barred them from doing so.

Few scholarly works have focused their attention exclusively to the lives of women of color on the Louisiana frontier during the colonial and early American era and those that have typically adhere to a very strict regional or urban focus, leaving out significant swaths of the state. This study scrutinizes the lives of women of color living on the Louisiana frontier between the years of 1740 and 1840, who formed long-term relationships with white men and received property as a result of these relationships.

BIOGRAPHICAL SKETCH

Born in New Roads, Louisiana on March 7, 1959, Mary Magdalene Donovan grew up in Pointe Coupee Parish. Ms. Donovan obtained both a Bachelor of Arts in History degree in May 2014 and a Master of Arts in History degree in August 2016 from University of Louisiana at Lafayette. She will pursue a Doctor of Philosophy in History degree at Tulane University beginning in August 2016.