

## **Slavery in the Lower Mississippi: Breaching Codes, Blending Customs, and Bickering Colonials at the Arkansas Post, 1686-1803.**

### **Lizzie Phillips**

Philadelphia, Charleston, and the Arkansas Post: three colonial settlements founded about the same time; currently, two are thriving modern metropolises and one survives as a deserted grassland memorial. The Arkansas Post struggled throughout its tenure to co-exist with the inconsistencies of the Mississippi River. Unpredictable and mighty, the Mississippi bestowed bountiful blessings along with countless curses on the Arkansas Post settlement. Treacherous waters flooded the establishment numerous times as well as inhibited timely travel to and from the capital of the Louisiana territory in New Orleans. Geographic isolation limited communication between regulatory councils in the south and Post commandants. Bénard de la Harpe described the journey as “a two-week boat trip from the Arkansas to New Orleans, and six to eight weeks back.”<sup>1</sup> Therefore, with limited correspondence and oversight, the Post inherited a framework for various institutions from respective European powers and then proceeded to modify the regulations according to the inhabitant’s demands.

In 1721, the Scottish financier John Law introduced the institution of slavery to the Arkansas Post.<sup>2</sup> While the concept of involuntary servitude seems straightforward, the Post experience proves otherwise. First, Africans were not the only racial group condemned to servitude: Native Americans and Europeans shared similar experiences. Second, lines between master and servant were inexact, which further contributed to the institution’s complexity. Finally, the European power struggle throughout the Louisiana

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<sup>1</sup> Morris S. Arnold, *Unequal Laws Unto a Savage Rave: European Legal Traditions in Arkansas, 1686-1836*, (Fayetteville, AR: University of Arkansas Press, 1985) 29.

<sup>2</sup> Orville W. Taylor, *Negro Slavery in Arkansas*, (Fayetteville: University of Arkansas Press, 2000), 3.

territory fostered a level of ambiguity in regulating such a vast and multifaceted practice. French and Spanish laws promulgated in New Orleans did not always take effect in remote areas like the Arkansas Post, and new systems of slavery developed to match the unique conditions and circumstances of this secluded establishment. A comprehensive examination of slavery at the Post includes an understanding of European slave codes along with an individual look at personal accounts of slavery.

While the slave experience has received some attention in general, for the most part the lives of the enslaved Post inhabitants have gone unrecognized. This is not so much on account of negligence, but rather a matter of scarce records. The available information is scattered and in languages other than English. This all-inclusive review of slavery involves an analysis of correspondence from commandants and settlers as well as official documents like census records and financial statements.<sup>3</sup>

### **I. Early Post History: 1686-1699**

Established near the confluence of the Arkansas and Mississippi Rivers, the Arkansas Post reflected an exceptional history derived from an obscure yet unique geographical setting. This backwater settlement should not have survived as long as it did considering the series of misfortunes that reaped havoc on the establishment. However, the locality of the Post illustrates both its appeal and demise. Numerous rivers, rich virgin soils, abundant wildlife, lush forests, and the temperate climate attracted Quapaw Indians and European settlers alike to this region. While both profited immensely from the

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<sup>3</sup> Access to these materials has been provided by Judge Morris S. Arnold, an eighth circuit court of appeals judge, who painstakingly traveled to international libraries in Paris, Seville and London to copy these sources. Judge Arnold not only helped disseminate primary documentation about events such as slavery at the Post, but he also dismantled language barriers by translating these records. *See* Appendix 1 for a sample of these letters.

region's extraordinary fertility, recurrent floods as well as diseases, caused by the lush environment, offset these bountiful blessings.

During the mid-seventeenth century, The Quapaw tribe, known as the Akansea, established their hegemony over the area that would later become the Arkansas Post. A Dhegiha Sioux tribe, the Quapaw Indians immigrated to the Ohio Valley due to natural migration shifts and hostile advances by the Iroquois Indians.<sup>4</sup> Arriving in the Arkansas River valley, the "Downstream People" marked their permanence in the area with four villages: Kappa, Tongigua, Tourima and Osotouy.<sup>5</sup> Politically and socially, while four chiefs held sway over the tribe, they did not maintain supreme decision making authority. The chiefs consulted a council of elders and young warriors when the community was at risk.<sup>6</sup> Below women and children, slaves maintained the lowest level of worth in the social hierarchy.<sup>7</sup> Typically Indians taken captive during battle, slaves were a symbol that the Quapaw had to remain ever vigilant of hostile forces. The number of slaves at the four villages indicated that the Quapaw were often at war with surrounding tribes.<sup>8</sup>

In 1673, the first Europeans arrived in Arkansas since Hernando de Soto's murderous trek through the area in the sixteenth century. Father Jacques Marquette and Louis Jolliet made peace with the Quapaw and established an alliance. The Chickasaw Indians had long prevented the Quapaw from trading with the English; therefore,

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<sup>4</sup> David Baird, *The Quapaw Indians: A History of the Downstream People* (Norman: University of Oklahoma Press, 1980), 5.

<sup>5</sup> Baird, *The Quapaw Indians*, 10, 11.

<sup>6</sup> Morris S. Arnold, *The Rumble of a Distant Drum: the Quapaw and Old World Newcomers, 1673-1804*, (Fayetteville: University of Arkansas Press, 2000), 81.

<sup>7</sup> Gregory Carrera, *The Founding of Arkansas Post- 1686*, (Dewitt, AR: DeWitt Publishing Co., Inc, 1986) 20-21.

<sup>8</sup> David Baird, *The Quapaws*, (New York: Chelsea House Publishers, 1989) 18.

Marquette and Joliet offered an alternative: trade with the French.<sup>9</sup> Exploration of the area continued; in 1682, Robert Cavalier de La Salle passed through the region on his way to New Orleans. He stopped briefly to formally claim the land, which would later become the Arkansas Post, in the name of Louis XIV. Also, La Salle solidified an alliance with the Quapaw tribe. Returning to France to shore up financial support for further explorations along the Mississippi, La Salle left his lieutenant Henri De Tonti in St. Louis. After several years of waiting, De Tonti gave into a growing curiosity and eagerness to examine the southern lands as well as learn the whereabouts of his lost friend La Salle. In 1686, De Tonti set out with twenty-five Frenchman and nine natives from St. Louis. After reaching the mouth of the Mississippi and failing to find La Salle, De Tonti cut his loses and began his return trip up-stream.<sup>10</sup> Along the way, he stopped at one of the four Quapaw villages. As “seigneur” for this region, De Tonti left six men to inhabit the lands near the village of Osotouy.<sup>11</sup>

Economic, social, and political relations ensued between the Quapaw and French. Survival, both physical and psychological, occurred on account of this alliance. A trade network developed between the allies, which included the exchange of European goods (weapons and material comforts) for Quapaw skins, furs, tallow and oil. While initiated by economic incentives, this alliance gained strength due to social interactions like intermarriage, symbolic adoption and the creation of an interethnic language. The lack of a sizable and disciplined garrison at the Post necessitated the formation of a military

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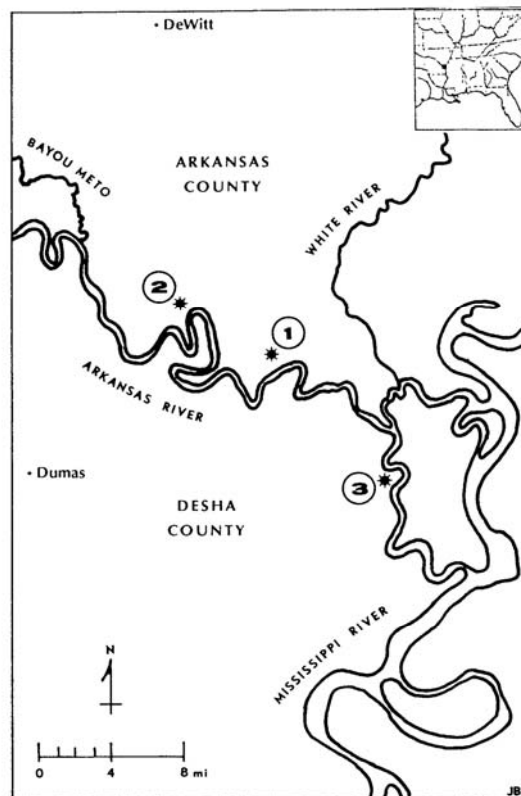
<sup>9</sup> George Sabo III, “Paths of Our Children.” *Arkansas before the Americans*, (Fayetteville, AR: Arkansas Archeological Survey, 1991) 108.

<sup>10</sup> Roger Coleman, *The Arkansas Post Story: Arkansas Post National Memorial*, (Arkansas: Eastern National, 2002) 12-15.

<sup>11</sup> Arnold, *Colonial Arkansas 1686-1804: A Social and Cultural History*, (Fayetteville, AR: The University of Arkansas Press, 1991), 5.

alliance. The Quapaw filled this void and served as a source of protection from surrounding enemy tribes like the Chickasaw.<sup>12</sup>

The first inhabitants of the Post failed to attract settlers to the region. Created and sustained by hunters and trappers, this settlement could not weather the financial difficulties that would take hold of the region. Louis XIV's severe trade restrictions including a Royal Edict that prohibited fur trapping south of Canada. Except for a few stragglers, who either took up residence in the forests or with the Quapaw, by 1699 most settlers abandoned the Post.<sup>13</sup>



Locations of Arkansas Post, 1686–2002: 1. 1686–1699; 1721–1749. 2. 1749–1756; 1779–2002. 3. 1756–1779. Based on a map drawn by John Baldwin that appeared in Arnold, "The Relocation of Arkansas Post to *Ecores Rouges* in 1779," 42 *AHQ* 317 (1983). Courtesy of Arkansas Historical Association

<sup>12</sup> Baird, *The Quapaw Indians*,

<sup>13</sup> Arnold, *Colonial Arkansas*, 7.

## **II. John Law's Concession: Black Slaves Arrive in Arkansas, 1721-1723.**

Colonization projects were attempted in the early eighteenth century with the intention of preventing the British from extending influence into French territory. John Law, a native of Scotland and an ambitious financier, took control of Louisiana and made large land grants to settlers.<sup>14</sup> Along with these emigrants, Law arranged for the importation of slaves, which would allow the area to establish an agricultural base. The Guinean slaves arrived in Arkansas from Old Biloxi by way of an inland water route:

“Lake Borgne, Lake Pontchartrain, Lake Maurepas, Amite River Bayou Manchac, and up the Mississippi River.”<sup>15</sup> After launching settlements in the Illinois territory and near the Gulf, Law concluded that the land concession between the two settlements would reap exceptional profits. Therefore in 1721 “on the banks of a beautiful river at the most interesting part of the colony,” fifty French colonists arrived at the site that had once been claimed by De Tonti.<sup>16</sup> Two-hundred German settlers were due to arrive in the few months following. After establishing a garrison of seventeen men and re-establishing trade relations with the Quapaw, misfortune struck the Post again. Financial disasters brought about the revocation of investments for Law's settlement plans. Upon word of these misfortunes, the shipment of German farmers headed for the Post remained in New Orleans; however, a sizable population of inhabitants remained at the Post.

Not only did Law's Company of the West lose funding, but also floods plagued the area during the first year of settlement. After moving to higher ground, the settlers and small garrison built a make-shift establishment. However, these European inhabitants

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<sup>14</sup> Arnold, *Colonial Arkansas 1686-1804*, 9.

<sup>15</sup> Taylor, *Negro Slavery in Arkansas*, 7.

<sup>16</sup> Denise R. Nordon, *Arkansas Post Investigations: Selective Translations from Paris Archives Nationales*, (Lincoln, Neb.: 1939), 01203.

remained ill-equipped to survive in the primitive conditions. The climate, diseases, and a lack of materials were among the reasons why many settlers fled. In 1726, the garrison left the Post except for a small group of hunters and trappers, who remained to sustain the Quapaw alliance.<sup>17</sup>

During this turbulent time of Law's Concession, African slaves first inhabited Arkansas. While the enslavement of Native Americans had long existed in the area, African slavery was a new phenomenon to the region. A growing demand for labor warranted the Company of the Indies—successor of Law's Company of the West—to import Africans to fill this void.<sup>18</sup> Most of the African slaves arriving at the Post in the 1720s came up from the port of New Orleans. A 1723 census illustrated the composition of inhabitants of John Law's former concession: out of a population of forty-seven adults, six were Negro slaves.<sup>19</sup> From a census of Louisiana in 1726, entries concerning Arkansas indicated the existence of one Indian slave.<sup>20</sup> Purchased from surrounding tribes or from traveling hunters and trappers, enslaved Indians came to reside at the Post. Wars between tribes resulted in a significant population of captive Indians. The tribes sold these captives for European goods. To prevent the slaves from returning to their native tribes, slave traders transported the Indian slaves to different regions. At the Post, the "Panis" Indians from the Great Plains experienced frequent enslavement.<sup>21</sup> However, by the end of the 1720s, the number of Indian slaves in the region declined. Diseases such as small pox greatly reduced the numbers of Native Americans, and an increase in the

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<sup>17</sup> Coleman, *The Arkansas Post Story*, 23.

<sup>18</sup> Gilbert C. Din, *Spaniards, Planters and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803*, (Texas: Texas A&M University Press, 1999), 6-7.

<sup>19</sup> Morris S. Arnold, *Arkansas Colonials: A Collection of French and Spanish Records Listing Early Europeans in Arkansas: 1686-1804*, (Arkansas: The Grand Prairie Historical Society), 2.

<sup>20</sup> Arnold, *Arkansas Colonials*, 3.

<sup>21</sup> Daniel Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783*, (Chapel Hill, N.C.: University of North Carolina Press, 199), 40.

importation of Africans helped fill this void. Also, colonial settlers worked to improve relations with the Indians to facilitate trade networks. It was essential to terminate the enslavement of potential allies.<sup>22</sup>

Little is known about slavery in the time period during and immediately after the failure of Law's Concession, but inferences can be made about the treatment and living conditions of slaves based on experiences elsewhere in the region. The development of agriculture failed numerous times in Arkansas because of floods and other environmental challenges. The settlers demanded only a small holding of slaves to maintain their subsistence level farming plots. Since the Post was not an agricultural community, many of the black slaves worked with the hunters and trappers to dress and pack skins and load and unload new shipments.<sup>23</sup> Black slaves also worked as artisans and household servants; and, "in time, Africans entered almost every field of work present in Louisiana."<sup>24</sup> A 1724 census of Louisiana detailed interactions between European settlers and their respective Negro slaves. While this population resided along the Gulf Coast, some of the settlers migrated from the Arkansas Post. These records revealed that "although living conditions were still relatively harsh and crude, the slaves—actually no more than one or two to a family—were well treated and well fed, and were considered valuable members of the family group."<sup>25</sup> During this time, it was not uncommon for master and slave to live in the same house. While there are no documents that directly conclude that slaves lived like this at the Arkansas Post, one can speculate about the lifestyle of masters and slaves by drawing upon experiences at similar settlements.

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<sup>22</sup> Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy*, 59.

<sup>23</sup> Morris S. Arnold, "The Delta's Colonial Heritage" in Jeannie Whayne, *The Arkansas Delta: Land of Paradox*, (Fayetteville, AR: University of Arkansas Press, 1993), 62.

<sup>24</sup> Din, *Spaniards, Planters and Slaves*, 60.

<sup>25</sup> Taylor, *Negro Slavery in Arkansas*, 11.

Increases in the number of slaves warranted the creation of rules regulating them. In 1724, the French government established the *Code Noir*, which fashioned the institutional regulation of slavery in Louisiana. A distinctive relationship between master and servant did not develop at the Post for many years, but several examples indicate that commandants at the Post were responsible for upholding the dictates of the *Code Noir*. Derived from a similar code used in the French West Indies during the late seventeenth century, the *Code Noir* outlined the proper treatment of slaves in fifty-three laws. The physical and spiritual well being of slaves ensured the survival of the institution. Regulations existed, which limited the master's treatment of his or her slaves; however, these concessions were based partly on economic incentives. Mistreatment of the workforce would be detrimental to an economy based on maximum extraction. Therefore, while masters could punish their slaves for misconduct, these punishments could not be taken to the extreme. If slave holders abused their slaves through torture or mutilation, they would be brought to justice by paying a fine to the Church.<sup>26</sup>

Not only were the masters limited in their physical treatment of the slaves, but they also had to provide for the spiritual and emotional well-being of their slaves. First, masters had a legal and moral obligation to expose their slaves to religious instruction, which included baptism into the Roman Catholic Church. Sabbath laws allowed slaves one day a week free from their masters. Pastors served as an overseer by reporting to the commandant upon neglect of these Sabbath laws; the commandants would in turn reprimand the slaveholders.<sup>27</sup> Second, masters were subject to a list of basic prohibitions in regards to the physical maintenance of their slaves. For instance, slaves had to be

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<sup>26</sup> Din, *Spaniards, Planters and Slaves*, 48-58.

<sup>27</sup> Arnold, *Colonial Arkansas, 1686-1804*, 93.

properly fed and clothed. Furthermore, slave owners were not allowed to remove children under the age of fourteen from their parents. Finally, aging slaves had to receive a certain level of care during their remaining days.<sup>28</sup>

Aside from these few rights, slaves were held captive under a slew of unjust restrictions. Slaves had to obtain the permission of their master to perform any action outside of their daily tasks. Slaves were not allowed to carry “offensive weapons or heavy sticks” for fear that a riot would ensue. Capital punishment resulted upon violation of this standard. Finally, the law prohibited slaves from selling any of their produce or services, and they were also not allowed to own land.<sup>29</sup>

Matters involving runaway slaves received significant attention in the *Code Noir*. Classified into one of two categories of offenses, runaways committed either petit or grand marronage. The former took place when the slave escaped temporarily to the surrounding forests for a temporary escape from harsh living conditions. Grand marronage included the more rebellious attempts to escape and foment other slaves to follow suit. Upon capture of the slave(s), the commandant interrogated the runaway to ascertain why he or she took flight. If the slave reported a master’s negligence in providing food and shelter, then the slaveholder had to pay one hundred *piastres* to the Church.<sup>30</sup> However, if the master was innocent, the slave experienced one of three punishments. For a first offense, the slave would be branded on one shoulder and lose an ear. A second offense was met with a brand on the other shoulder, and the slave was hamstrung. Death was the punishment for third offenders.<sup>31</sup>

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<sup>28</sup> Din, *Spaniards, Planters and Slaves*, 178.

<sup>29</sup> Taylor, *Negro Slavery in Arkansas*, 16.

<sup>30</sup> Arnold, *Colonial Arkansas, 1686-1804*, 145.

<sup>31</sup> Taylor, *Negro Slavery in Arkansas*, 15,16.

Lack of a significant regulatory authority severely inhibited the enforcement of these codes throughout Louisiana. A chasm developed between the dictates of the *Code Noir* in theory and its application at settlements along the Mississippi. Commandants received the liberty to interpret and apply these regulations. During a large part of the French era, a lack of communication between settlements inhibited the proper enforcement of the *Code Noir*. Considering that a trip to and from New Orleans, the political, social, and economic nucleus of the province, there was limited contact between the Arkansas Post and the capital of the Louisiana territory.<sup>32</sup>

### **III. The Ebb and Flow of the Mississippi, the French, and Slavery: 1731-1762**

With the antagonistic English perched east of the Mississippi, France tried once again to build a Post at a site equidistant between the Illinois settlements and the Gulf. In 1731, First Ensign de Coulange established the Poste de Arkansa amidst the ruins of De Tonti's "commercial house" at Law's Concession.<sup>33</sup> While a twelve-man garrison policed the fort, the Quapaw's protection proved essential once again. Environmental and financial struggles continued to threaten the establishment; however, new difficulties arose in regards to hostile forces inside and outside the Post. Inside, the slave population threatened to take advantage of the Post's underdeveloped status and lack of a significant law enforcement apparatus by escaping from the settlement. Similarly, desertion by the soldiers was common due to the low wages and difficult living conditions. The potential of these disgruntled soldiers and Indians joining together in opposition proved a significant threat. Outside the Post, European and native enemy forces eagerly attempted

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<sup>32</sup> Arnold, *Unequal Laws Unto a Savage Race*, 29.

<sup>33</sup> Carrera, *The Founding of Arkansas Post- 1686*, 15.

to expel the French. Therefore, to protect against these prospective problems, the French gave the Quapaw presents and medals. Physical objects were a more direct and efficient way of proving one's loyalty. A constant language barrier forced the French and later the Spanish to win over the Quapaw with gifts rather than words.<sup>34</sup>

The Chickasaw raid of 1749 proved just how necessary the Quapaw were for survival. The Chickasaw Indians, British allies, served as a constant threat to the Post. The French encouraged the Quapaw to attack these hostile enemies by trading gifts for Chickasaw scalps. In 1748, the Quapaw moved upstream because of extensive flooding to a site called Ecores Rouges, which left the Post vulnerable. Seeing the fort unprotected by the Quapaw, a band of one hundred-and-fifty Chickasaw warriors attacked the settlement killing six men and taking eight women and children captive.<sup>35</sup> The abduction of white Europeans from the Post during this raid indicated that slavery was not reserved only for blacks and Indians. The enslavement of white women proved that during the colonial era slavery was a fluid concept and not limited to any race or gender.<sup>36</sup> After these attacks, Lieutenant Paul Augustin le Pelletier de la Houssaye, the new officer of the Arkansas Post, decided that the Post must be moved up-stream closer to the Quapaw village. After four years of construction, the French completed the new Post in 1755, which included an eleven foot high wall, platforms for cannons, a station of about sixty men, a Jesuit missionary, and a prison.<sup>37</sup> In 1756, war with Britain necessitated that the French move the Post closer to the mouth of the Arkansas River. While this facilitated the

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<sup>34</sup> Morris S. Arnold, *The Rumble of a Distant Drum*, 97-98.

<sup>35</sup> Coleman, *The Arkansas Post Story*, 37-40.

<sup>36</sup> Morris S. Arnold, "Indians and Immigrants in the Arkansas Colonial Era," in Jeannie M Whayne, *Arkansas: A Narrative History*, (Fayetteville, AR: University of Arkansas Press, 2002), 70.

<sup>37</sup> Carrera, *The Founding of Arkansas Post- 1686*, 35-36.

shipment of supplies, floods once again challenged the development of a thriving settlement.

The Seven Years' War raged on, and the French lost a series of battles to the British. With defeat looming on the horizon, Louis XV concluded negotiations with Carlos III and ceded the French lands to Spain with the treaty of Fontainbleau. Spain hesitated in assuming this land because of the economic responsibilities that would go along with the territory. Eventually, a leadership force and settlers arrived to inhabit the new Spanish lands, which would serve as a buffer between the British east of the Mississippi and Spain's settlements in the southwest. November 3, 1762, marked France's surrender to the aggressive Arkansas River and the British.<sup>38</sup>

Life at the Post was tenuous during this thirty-one year period of French rule. Compared to earlier colonization endeavors, populations of settlers and slaves during this latter time period suggest an increase in settlement initiatives. For instance, the 1749 census reveals that of a total population of one-hundred-and-ten, fourteen slave habitants occupied the Post.<sup>39</sup> Although these reports do not indicate the gender or race of the slaves, one can assume that both African and Indian slaves lived at the Post because the *Code Noir* allowed the French to enslave Native Americans.

Memoirs as well as letters from Post commandants and settlers serve as the main source of documentation of enslaved Africans and Native Americans. These records offer insights into the lives of residents in colonial Arkansas. Matters involving runaway slaves received extensive documentation in these primary records. The rate of recurrence and punishments received by runaway slaves reveal the scope of this practice and the

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<sup>38</sup> Coleman. *The Arkansas Post Story*, 45-46.

<sup>39</sup> Arnold, *Arkansas Post Colonials*, .

application of the *Code Noir*. In 1742, a black slave attacked a French soldier who was returning him to Madame Lepine, a resident of the Arkansas Post. As punishment for his actions, the slave was “flogged everyday and on Sundays at the crossings of the City by the public Executioner of High Justice, his right ear cut off, and to carry a chain on his foot of the weight of six pounds for the remainder of his days.”<sup>40</sup>

#### **IV. Spain Takes Charge and Slavery Takes Root, 1763-1776.**

The Spanish hesitated in establishing immediate control of French lands west of the Mississippi because of persistent struggles in the Iberian Peninsula. Not until 1770 did the Spanish assign a commandant to the Post.<sup>41</sup> During this seven year hiatus, the French continued to occupy the Post. Little change occurred in terms of lifestyle at the fort, but the Quapaw remained distrustful of their new allies. The French tried to assure the Quapaw that they “Spanish were really Frenchman at heart;” however, the Quapaw’s skepticism continued.<sup>42</sup> The Spanish carried on several policies established the France. First, to win over the Indian’s loyalty, the Spanish lavished the Quapaw with gifts and worked to maintain the existing fur trade. Second, in 1768, Alexander De Clouet, a Frenchman who pledged his allegiance to the Spanish, took command of the Post. De Clouet conducted a census that year, which indicated that out of the one-hundred-and-thirty-eight settlers at the Post, thirty-five were slaves—black, mulatto and Indian.<sup>43</sup> Therefore, in order to control this group that made up close to thirty percent of the

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<sup>40</sup> Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy*, 203.

<sup>41</sup> Carrera, *The Founding of Arkansas Post*, 36.

<sup>42</sup> Arnold, *The Rumble of a Distant Drum*, 77.

<sup>43</sup> Arnold, *Arkansas Post Colonials*, 19.

population, the Spanish maintained parts of the French *Code Noir* in their first few years of rule.

In 1766, the first Spanish governor of Louisiana, Antonio de Ulloa remained torn between retaining French laws and creating new ones. Ulloa's legal code contained four provisions pertaining to blacks that maintained parts of the French *Code Noir*, including slave prohibitions as well as master and slave relations. However, Ulloa's dictate did not address the issue of runaway slaves, but left the French officials responsible for dealing with this problem.<sup>44</sup> The struggling economy and Ulloa's lack of ingenuity to improve the situation led to growing dissatisfaction with his tenure and eventually his removal. In 1769, Alejandro O'Reilly served as Ulloa's replacement. While at first O'Reilly relied upon the *Code Noir* as his template for creating slave laws, in November of his first year he replaced the French code with the laws of Castile and the Indies. During the mid-thirteenth century, King Alfonso el Sabio begun developing these laws based on the Justinian Code. Furthermore, slavery in the Indies during the sixteenth century had relied upon these same regulations. This Castilian Law differed from the *Code Noir* because as human beings slaves naturally had more rights.<sup>45</sup> Natural reason proved that slaves were beyond the level of chattel, and therefore had a natural right to certain privileges. Marriage, owning property, and the opportunity to gain freedom were some of the rights that every slave should possess. These legal traditions proved that "Spanish law came down strongly on the side of slaves who sought freedom and against their masters who tried to prevent it."<sup>46</sup> Under Spanish rule, slaves could purchase their freedom. These characteristics illustrate that while the French and Spanish laws had some similarities,

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<sup>45</sup> Din, *Spaniards, Planters and Slaves*, 39.

<sup>46</sup> Din, *Spaniards, Planters and Slaves*, 43.

significant differences regarding the institution of slavery manifested themselves frequently.

Another unique aspect of O'Reilly's rule over the Louisiana territory included the decision to outlaw the enslavement of Indians. This regulation allowed settlers to maintain their existing Indian slaves, but they could not "acquire, purchase, or take over any Indian slaves."<sup>47</sup> O'Reilly sent instructions to Post commandants throughout the province, but enforcement again proved difficult. At remote outposts like fort on the Arkansas, the majority of the population was French. While these settlers swore allegiance to the Spanish, their actions sometimes proved otherwise. Many considered the Spanish slave regulations as "lenient" because of the concessions made to blacks.<sup>48</sup> While several courts instituted O'Reilly's regulations in New Orleans, the lives of slaves changed very little further up the Mississippi.<sup>49</sup>

The first decade of Spanish rule at the Arkansas Post was chaotic due to an ineffective transfer of power between the French and Spanish. It took the Spanish several years to establish their rule at the Post. Therefore, commandants improvised makeshift policies to keep the outpost in a livable condition. However, many settlers in and around the Post subsisted on a most basic level of survival, and enforcement of legal codes from New Orleans did not take precedence. In 1770, the first Spanish commandant, Joseph Orieta took command. The French settlers resisted this change and responded by threatening to abandon the Post.<sup>50</sup> Indeed, several Frenchman acted upon this threat by

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<sup>47</sup> Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy*, 132.

<sup>48</sup> Din, *Spaniards, Planters and Slaves*, 46.

<sup>49</sup> Din, *Spaniards, Planters and Slaves*, 65.

<sup>50</sup> Coleman, *The Arkansas Post Story*, 56.

deserting the Post and taking up residence in make-shift settlements along the Arkansas River.

Because of their living habits these outlaws gave the Post a poor reputation. One traveler described the Arkansas setting around the Post as:

the asylum of the most wicked persons without a doubt in all the Endes [sic]. They [the outlaws] pass their scandalous lives in public concubinage with captive Indian women who, for this purpose, they purchase among the heathen, loaning those of whom they tire to others of less power.<sup>51</sup>

These brutes fomented trouble for the Spanish settlement by allying with the Osage Indians and raiding the villages of the Caddo, Spanish allies. Enforcing policies and regulations on these unruly hunters and trappers in and around the Post proved nearly impossible. As long as they delivered the goods—furs, tallow, skins, oil and meat—the Spanish were not as concerned with closely monitoring the hunter's lifestyle.<sup>52</sup> Once again, economic incentives took precedence over social and even legal considerations.

The few slaves that French hunters and trappers held captive were not only Native Americans: records indicate that European women and children were taken captive by hostile Indian tribes and sold to French vagabonds lurking in the forests. Comanches frequently raided settlements in northern New Mexico and took Spanish women as captives and sold them as slaves to the Wichita tribe [Panis in French].<sup>53</sup> The Panis either kept these women as slaves or sold them to the European population. On February 27, 1778, an enslaved European residing near the Arkansas Post sent a letter to the Governor Inspector General Galvez in New Orleans. After being transferred to the Wichita, Maria Benancia and her four daughters were sold to Andres Labonharda, who in drunken bouts

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<sup>51</sup> Arnold, *Colonial Arkansas, 1686-1803*, 69.

<sup>52</sup> Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy*, 176.

<sup>53</sup> Arnold, "Indians and Immigrants in the Arkansas Colonial Era," 69.

of rage beat Maria and claimed that she “was his slave, that [she] had cost him his good money and that he could do whatever he pleased.”<sup>54</sup> Furthermore, when she tried to leave him, he threatened to “turn her head the other way and take her to the forest and sell her, for double the price which she cost him.”<sup>55</sup> While no record exists of the governor’s response, Benancia released herself from this bondage and married Martin Serrano, a soldier at the Arkansas Post. Another example of enslaved white women was that of Jacinta Maria de Torres, resident of a settlement north of Santa Fe. Raymond Vessièrre, an inhabitant of the Post, rescued de Torres by purchasing her from an Indian tribe.<sup>56</sup>

Likewise, while slave codes prohibited interracial cohabitation, census records indicate the genesis of a different race—the mulattoes. While this practice occurred during the French era, it was much more prevalent during Spanish occupation because more settlers populated the Post. Several explanations may elucidate why this class developed. First, the imbalance of European women to men upset the gender ratio, which caused the male settlers to look elsewhere for wives or concubines. Many male Europeans relied on African and Indian slaves to “satisfy their intemperance,” because few European women were willing to subject themselves to life of hardship at the underdeveloped Arkansas Post.<sup>57</sup> Second, Indian women proved ideal wives on account of their knowledge of the terrain and environment.<sup>58</sup> Third, located a safe distance from New Orleans, inhabitants at the Post lived in a state of relative lawlessness due to a lack of enforcement of slave policies. Fourth, from a theological standpoint, the lack of a

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<sup>54</sup> Lawrence Kinnaird, *Spain in the Mississippi Valley, 1765-94*. Trans. From the Spanish Archives in the Bancroft Library, (Washington: Government Printing Office, 1949) 255.

<sup>55</sup> Kinnaird, *Spain in the Mississippi Valley, 1765-94*, 254

<sup>56</sup> Arnold, *Colonial Arkansas, 1686-1804*, 68.

<sup>57</sup> Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy*, 235.

<sup>58</sup> Arnold, “Indians and Immigrants in the Arkansas Colonial Era,” 62.

thriving religious community enhanced the problem. A strong church at the Post could have enforced a stronger moral code.<sup>59</sup>

#### **V. Freedom: Given to Some and Taken from Others, 1776-1783.**

Villiers commanded the Post during this second decade of Spanish rule in the Louisiana territory. Subjected to numerous hardships, Villiers described this rundown Post as “the most disagreeable hole in the universe.”<sup>60</sup> In 1779, he removed the Post and its fifty white settlers, sixteen-man garrison and eleven slaves to the higher land of Ecores Rouges. While rebuilding the new establishment, revolutionary battles ensued south and west of the Arkansas Post between the British and colonists. In an attempt to settle the score with England, forces at the Post aided the American Independence movement. These efforts to support the Revolution resulted in severe consequences for the Post. The British and Chickasaw, under the command of Captain James Colbert, attacked Fort Carlos III. In April of 1783, Colbert and one hundred men began an unsuccessful offensive to destroy the Spanish fort.<sup>61</sup> While the Americans were victorious in gaining their freedom from the British, the enslaved members at the Post were not as fortunate.

The extensive documentation of runaway slaves during this era reflected an increase in overall population of slaves at the Post. One of the main tasks of commandants included the search and return of fugitive black slaves called *marons*.<sup>62</sup> Commandants sent notices to surrounding colonial and Indian settlements, which indicated that a slave was missing or captured. In 1783, Captain Jacobo Dubreuil of the

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<sup>59</sup> Arnold, *Colonial Arkansas, 1686-1804*, 93.

<sup>60</sup> Carrera, *The Founding of Arkansas Post- 1686*, 24.

<sup>61</sup> Coleman, *The Arkansas Post Story*, 65-67

<sup>62</sup> Arnold, “Indians and Immigrants in the Arkansas Colonial Era,” 71-72.

Arkansas Post sent one of these reports of a missing slave to New Orleans, where it was most likely distributed to surrounding communities:

Notice of a Black Runaway Held in the  
Fort of Carlos III of Arkansas  
Cezar, a creole [i.e., native] of Virginia, age twenty years more or less, with large  
Eyes, well shaped nostrils, long chin, and no beard, five feet and six inches, lean  
Body, and suffering greatly from back [or kidney] pain. 1 August, 1783.<sup>63</sup>

Interestingly, during this same year, Dubreuil sent a letter to the Governor Miro on *behalf* of a runaway slave. While Dubreuil knew that the slave was a “negro deserter from Natchez,” he felt compelled to “shelter him from the cold” on account of the slave’s “bad foot.”<sup>64</sup> This particular episode may have been an isolated event; however, it may suggest something more. Perhaps, the Arkansas Post was not only a unique establishment, but it also established unique traditions in relation to slavery.

The popularity of petit and grand marronage compelled settlers to mobilize any and every resource to contain this practice. Some of the slave holders would individually track their runaway slaves. A letter from Villiers to the commandant at Natchez, Mr. de la Villebeure, expressed one slave holder’s frustration and determination to retrieve his fugitive slave. This document identifies an inescapable sense of lawlessness in the frontier lands, and the desire to take personal responsibility in bringing criminal acts to justice. Villiers reported:

I believe that Mr. Menard [François Menard, a merchant at Arkansas Post] is going to come down [the river] to go in pursuit of a black man who should have been joined with a black woman of the habitant Nuent who left here lately for your Post. I suspect him of extortion, since the woman did not appear to me to be worth much.<sup>65</sup>

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<sup>63</sup> Arnold, “Indians and Immigrants in the Arkansas Colonial Era,” 72.

<sup>64</sup> Letter from Dubreuil to Miro, 26 May 1783. Paris Archives Nationales. trans. Morris S. Arnold.

<sup>65</sup> Letter from Villiers to Mr. de la Villebeure. No Date. Paris Archives Nationales. trans. Morris S. Arnold.

A second resource proved particularly valuable: the Native Americans. The ability to communicate with surrounding tribes as well as an innate familiarity with the terrain made the Indians ideal guides during expeditions in the wilds of the Mississippi River Valley.<sup>66</sup> Continuing to enslave the natives would have ended in disaster. Gálvez, the Governor of New Orleans, received a letter on July 26, 1778 from Arkansas Post Commandant de Villiers depicting the danger of Indian slaves. Headed for the “Panis [Wichita] or the Osages,” two Indian slaves named Batiste and Paul “would have been more dangerous if they had the liberty to reach [these] nations” because “they would have strengthened the number of vagabonds and fugitive slaves that have put themselves at the head of the party coming to ravage our rivers and destroy our hunters.”<sup>67</sup>

Not only could fugitive Indians foment a rebellion among slaves as well as wreak havoc on small river settlements, but also many black slaves found refuge in neighboring Indian villages. An interesting episode between the Quapaw tribe and a runaway slave portrayed one of the many challenges Arkansas Post residents faced in fashioning legal policies to correspond with other Posts along the Mississippi. While slave regulations were in place, the Post’s remote location and unique social interactions with the Quapaw compelled commandants to fashion slave codes to match the exceptional circumstances of the Post rather than blindly obey a foreign dictate. For instance, a 1783 letter recorded a runaway from St. Louis who took up residence in one of the Quapaw villages. Upon discovery that the Quapaw harbored a fugitive, the commandant questioned the tribe. The chief responded that “a man of the slaves’ color is born to freedom as soon as he enters

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<sup>66</sup> Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy*, 58

<sup>67</sup> Letters from de Villiers to Galvez, 25 July 1778. Archivo General de Indias. trans. Morris S. Arnold.

the house of a chief.”<sup>68</sup> Therefore, how were Spanish laws to be applied to surrounding communities that practiced “free soil practices”?<sup>69</sup> While the Europeans tried to enforce their political traditions on the Quapaw tribe, the settlers found that issuing rewards in the form of gifts and payments proved more effective than legal obligations.

Collaboration between Indians and Africans was a real concern; therefore, once shipments of blacks increased, the settlers stopped enslaving Indians and began to employ them. Commandants spent significant funds to curry favor with the Quapaw. This was true throughout the Louisiana colony.<sup>70</sup> A letter from de Villiers to Gálvez on January 12, 1781 describes this relationship:

An Arkansas Indian named Chalmet who was hunting in the Ouachita region on the Bayou Bartholomew found, he said, a young black man by himself seated by a little fire and possessing a gun. He intends to keep him, but I am going to make him give him to me in order to send him to his master when he becomes known.<sup>71</sup>

De Villiers most likely convinced Chalmet to surrender the slave by giving him a reward. Commandants made these payments with the understanding that they would be reimbursed later by the slave holders. In another letter to Gálvez, de Villiers underscores that the fugitive “whom the Arkansas brought to me” must not be delivered “until the expenses of the capture are paid, since I have made advances for it.”<sup>72</sup> De Villiers clarified the amount of these expenses in another letter recording the disbursements expended for the black fugitive. Capture of the runaway cost 332 escalins or forty-one

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<sup>68</sup> Nordon, *Arkansas Post Investigations*, 01200.

<sup>69</sup> Whayne, *The Arkansas Delta*, 63.

<sup>70</sup> Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy*, 139.

<sup>71</sup> Letter from Villiers to Galvez. 12 January 1781. Paris Archives Nationales. trans. Morris S. Arnold.

<sup>72</sup> Letter from Villiers to Galvez. 24 December 1779. Paris Archives Nationales. trans. Morris S. Arnold.

and a half piastres: two-hundred to the Indian tribe, fifty-two for food, and eighty escalins for chains.<sup>73</sup>

## **VI. A New Name but the Same Game, 1783-1793.**

After the British defeat, the Spanish set out to establish a stronger presence at the Post to discourage Americans from westward expansion as well as prevent illegal trading practices with neighboring Indian tribes. These efforts to rejuvenate the Post resulted in an increase in the slave population. Over the next decade, the Post experienced several changes. Spain concluded peace treaties with several Indian tribes to root out foreign competition west of the Mississippi. In 1787, Governor Miró expanded the military presence at the Post and sent Captain Don Joseph Valliere to command the garrison. This new force assured security, which attracted settlers to reside at the Post permanently. Merchants and farmers added some diversity to the majority population of hunters and trappers, who frequented the Post periodically during the year. A more established population necessitated an increase in the labor force. Reflected in the 1791 census, the slave population increased to thirty-two out of the one-hundred-and-fifty-one inhabitants.<sup>74</sup>

While the slave population remained comparatively small, the records of slave relations at the Post contribute significantly to the comprehensive study of the slavery during the colonial era. An institution like slavery cannot be illustrated through

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<sup>73</sup> Bill from Villiers. 26 December 1779. Paris Archives Nationales. trans. Morris S. Arnold.

<sup>74</sup> Arnold, *Colonial Arkansas, 1686-1804*, 46 .

generalities. By patching together individual letters and documents, a record of slavery emerges, even from remote locations like the Post. This documentation, in the form of brief anecdotes described in letters, reflected that the institution of slavery manifested itself in similar and different ways compared to surrounding settlements.

While Valliere followed Miró's orders to strengthen the establishment at the Post, baptismal records indicate that he may not have been so loyal to Spanish slave regulations. A 1789 Church record indicated the baptism of a "savage" belonging to Captain Joseph Valliere's.<sup>75</sup> O'Reilly ended the further enslavement of Indians exactly twenty years prior to this baptism. Slave owners could maintain their current holdings, but were not allowed to transfer their possession of native slaves or obtain additional ones. While the record did not indicate the age of the enslaved native, it is not unreasonable to suppose that an Arkansas Post commandant failed to uphold Spanish legal doctrine.<sup>76</sup> The possibility of this negligence conveyed just how difficult it was to enforce a code without a proper regulatory mechanism. There is a chance that Valliere was merely converting an aged and spiritually wayward slave. On the other hand, this episode may also indicate that Valliere disregarded O'Reilly's regulation. Valliere's possible insubordination is not of central importance; rather, this individual circumstance may illustrate an overall trend. The remoteness of the Post made it very difficult for policies created in New Orleans to be carried out further up the river. This challenge of law enforcement was a constant struggle throughout the colonial era. France and later Spain instituted a number of laws and regulations concerning institutions like slavery. At small establishments like the Post, the practice of these laws depended on the

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<sup>75</sup> Abstract of a Catholic Register of Arkansas (1764-1858) 12 (D. Core ed., N. Hatfield trans., 1970).

<sup>76</sup> Arnold, *Colonial Arkansas 1686-1804*, 65.

commandant. However, who would supervise the commandant's support for or neglect of these laws? With a French majority at the Post, it was feasible for Valliere to break O'Reilly's regulation and revert to French slave regulations that allowed the enslavement of Native Americans.

Indeed, in other Posts along the Mississippi, there are records that clearly indicated deliberate disregard for the law. Court records point to incidents of Native Americans suing their masters for freedom. Some slave owners veiled their negligence by enslaving mixed African and Indian slaves and then claiming not to have known the race of their slaves. Indeed, some of these racially mixed slaves were holdovers. While some slaves were successful in gaining their freedom, these cases proved exceptional. This event reveals that enforcement of Spanish laws was inconsistent and arbitrary.

Because of the relative insignificance of agriculture at the Post, slaves performed a variety of tasks. The use of slaves as household workers was not uncommon during this time period. However, a slightly more unique phenomenon was the existence of black slaves who received trained as artisans. In 1793, a black artisan helped Captain Pierre Rousseau by mending the rudder of his Spanish war vessel. It is unclear whether or not this artisan was a slave, because Rousseau administered payment directly to the black individual.<sup>77</sup> In the 1780s, Spanish laws changed and slaves were no longer allowed to use Sundays as a workday to produce personal profits. Furthermore, slaves had to carry a record of written permission from their master to sell any of their products. By 1795, slaves could no longer "sell any thing without the permission of their master, not even the

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<sup>77</sup> Arnold. *Colonial Arkansas 1686-1804*, 71.

production of their own Fields, under penalty of Twenty-five Lashes.”<sup>78</sup> Either this black man was free, or he had permission from Valliere to conduct business with Rousseau. Several slaveholders throughout the region gave their slaves numerous responsibilities; these responsibilities required a significant level of trust between master and slave. The Arkansas Post faced all the demands of a large colonial settlement with a limited workforce to meet these demands, thus slaves filled this void by performing a number of different tasks. For instance, the widow of Arkansas Post merchant François Menard had nine slaves, the second largest holding of slaves, but the census of 1794 listed Menard as a merchant. Therefore, the slaves most likely worked to advance her mercantile enterprises, labored with household duties, or maintained small farming plots.<sup>79</sup>

The locations of the Post and the institution of slavery were constantly changing. The fort on the Arkansas moved locations at least every decade, which explains why it never developed like New Orleans or the St. Louis settlements. In 1792, floods ravaged the area once again, and the Spanish began construction on a new fort: San Esteban. Perhaps if the Post had time to build a solid foundation, more settlers would have been attracted to the establishment.<sup>80</sup> Under the constant threat of losing their farms and homes to unpredictable flooding, many settlers left or avoided the Post. Hunters and trappers remained as the majority population. Environmental changes did not affect their livelihoods as much, because they were conditioned to survive in unpredictable habitats. Furthermore, hunters and trappers did not rely on large holdings of slaves; therefore, the

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<sup>78</sup> James A. Padgett, ed., “A Decree for Louisiana Issued by the Baron of Carondelet, June 1, 1795,” *LHQ*, XX (1937), 596 in Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy*, 289.

<sup>79</sup> Arnold, *Arkansas Post Colonials*, 54.

<sup>80</sup> Coleman, *The Arkansas Post Story*, 73-76.

slave population never grew very large during the colonial era.<sup>81</sup> If there had been more farms at the Post, the dynamics of slavery would have been significantly different during the colonial era.

## **VII. Colonial Rule Ends and Slavery Endures, 1793-1803.**

This final decade of European rule at the Arkansas Post was similar to the last decade, only amplified: the population grew, more slaves inhabited the Post, and financial struggles increased significantly. Spain made several concessions to Americans to satiate their desires to penetrate western lands. Not only did the Spanish give up several of their holdings east of the Mississippi, but they also approved policies that encouraged Americans to settle in Spanish establishments. During this time, Commandant Charles Melchior de Vilemont encouraged Americans to settle at the Post, and the population increased.<sup>82</sup> The slave population mirrored these fluctuations. The 1794 census gave the names of all forty-two slaves at the Post.<sup>83</sup> While this information yielded only the slaves' first names, the census reflected that this group had become a more significant component of the population. Two years later, the number of slaves reached its peak: out of the three hundred and ninety-three people at the post, there were fifty-six black or mulatto slaves.<sup>84</sup> As for individual slave holdings, Don José Bougi, a French farmer and merchant at the Post, possessed the largest holding of slaves during the colonial era. The 1798 census indicated that Bougi had eleven slaves.<sup>85</sup> The Spanish hoped that once the population increased many of the financial struggles and defense

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<sup>81</sup> Wayne, *Arkansas Paradox*, 65.

<sup>82</sup> Coleman, *The Arkansas Post Story*, 75.

<sup>83</sup> Arnold, *Arkansas Post Colonials*, 64.

<sup>84</sup> Arnold, *Arkansas Post Colonials*, 76.

<sup>85</sup> Arnold, *Arkansas Post Colonials*, 77.

issues would subside. By solving the population problem, numerous other difficulties arose.

One of the challenges of having an increased number of settlers and therefore slaves was the threat of a rebellion. An incident at Pointe Coupée, a settlement in lower Louisiana, incited great fear in the residents of San Esteban and caused them to develop conciliatory measures to alleviate this threat. Planning for the Pointe Coupée rebellion began in the early 1790s when disagreements over Indian manumissions arose. Some slave owners denied their Indian slaves freedom promised by O'Reilly's injunction. In 1795, free blacks and radical whites fomented antagonism among the slaves to begin an uprising and oust the recalcitrant slaveholders. When word of the insurrection surfaced, the planters began campaigns to search for weapons and created a council to interrogate potential conspirators. These preliminary efforts resulted in the arrest of over sixty people, most of whom were slaves. After the slaves were interrogated by a judge, final decisions condemned thirty-five slaves to death, and some nineteen received prison sentences. Besides these punishments, Governor Carondelet created multiple safeguards to prevent a recurrence of this conspiracy. First, he tried to strike a balance between being too lax or strict with slave regulations. While he did not terminate manumissions, the governor cracked down on some of the "indulgent" policies that encouraged slaves to rebel.<sup>86</sup> Carondelet required that all Post commandants increase their policing mechanisms with syndics stationed at roads, levees, and bridges. This surveillance assured that slaves were not traveling without their master's consent.

At the Arkansas Post, a letter from Villiers to Gálvez indicated just how necessary it was to improve law enforcement. Runaway slaves were a reoccurring problem, and

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<sup>86</sup> Din, *Spaniards, Planters and Slaves*, 178.

ineffective security failed to improve the situation. Villiers wrote, “The black runaway who Monsieur [blank] should have sent by Mr. Bensusleil escaped from prison—the door was left open by the negligence of the sergeant of the guard.”<sup>87</sup> The financially strapped Post not only lacked the infrastructure but also an adequate security force to develop into a thriving settlement.

In addition to these policing mechanisms, Carondelet began a fund to compensate the planters who lost their slaves during the conspiracy.<sup>88</sup> A letter from Carondelet to Charles De Vilemont on June 4, 1795 gave the details of this slave fund. Each slaveholder would contribute “six escolones a head of slave for all the habitants of their district.”<sup>89</sup> The goal was to “form a fund of 15,000 piastres, for which will be assigned 20 piastes per black to the habitants of Pointe Coupée that will reimburse them [the masters] for the 54 slaves” killed or imprisoned in the wake of the conspiracy.<sup>90</sup> Commandant De Vilemont responded positively to this request for voluntary assistance: “All the owners of the slaves have agreed with pleasure to pay the tax, except Madame de Valliere—who refused. The total is 34 piastres, six escolones.”<sup>91</sup>

While slave owners did not feel the threat of a slave rebellion in Arkansas, they contributed to the fund because of their experience with runaway slaves. Several records indicate just how expensive it was to track down runaways. However, the money expended to find the fugitive would be reimbursed by the master once the slave returned.

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<sup>87</sup> Letter from Villiers to Galvez, 20 February 1780, Paris Archives Nationales, trans Morris S. Arnold.

<sup>88</sup> Din, *Spaniards, Planters and Slaves*, 141-145.

<sup>89</sup> Letter from Carondelet to de Vilemont, 4 July 1795, Paris Archives Nationales, trans Morris S. Arnold.

<sup>90</sup> Letter from Carondelet to de Vilemont, 4 July 1795, Paris Archives Nationales, trans Morris S. Arnold

<sup>91</sup> Letter from de Vilemont to Carondelet 7 November 1795, Paris Archives Nationales, trans Morris S. Arnold.

However, the Pointe Coupée conspiracy resulted in a net loss because there was no potential of the slave returning to work. Therefore, Post residents added to the fund as a conciliatory measure toward their fellow slave holders to the south.<sup>92</sup>

The German Lutherans were one of the most vocal groups throughout the Louisiana colony who hesitated in contributing to the slave fund. Many of these German settlers arrived in the 1720s and inhabited several settlements along the Gulf Coast. This unwillingness to pay into the fund indicated that the Germans, for the most part, did not approve of slavery. For example, German farmers appealed to Carondelet and described their aversion to paying into the slave fund:

Our great men [community leaders] go daily about, wishing to persuade the common inhabitants to make new laws or regulations. First of all they wish to [obtain], per head for every negro, four shillings [reales] or a [peso]. With this money they wish to establish a fund, so that, if a slave were condemned to death or executed, then his same slave would be paid for out of this fund. Our great men wish to have justice in the court. But our poor Germans do not wish to agree to this, unless if by command of Your Excellency, in which case we have nothing against it, and we wish to respect your command in the most obedient manner.<sup>93</sup>

The Germans proved to be exceptional farmers despite their possible aversion to slavery. For instance, one New Orleans resident described how the Germans brought “everyday to the market all kinds of produce to the city.”<sup>94</sup> In 1793, the German population grew sixty percent of the two thousand bushels of wheat produced at San Esteban.<sup>95</sup> While this contribution dropped over the next few years, the numbers demonstrate that many Germans could produce without relying upon slaves.

Slave conspiracies in the form of runaway slaves proved a greater concern for Post residents. Along the Arkansas River, fugitive slaves established at least one *maron*

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<sup>92</sup> Arnold, “Indians and Immigrants in the Arkansas Colonial Era,” 72-73.

<sup>93</sup> Din, *Spaniards, Planters and Slaves*, 181.

<sup>94</sup> Usner, *Indians, Settlers, & Slaves in a Frontier Exchange Economy*, 200.

<sup>95</sup> Arnold, *Colonial Arkansas 1686-1804*, 61.

community, and would attack hunters and trappers in the area.<sup>96</sup> In light of the Pointe Coupée slave rebellion, policing patrols increased. There were more search parties hunting through the backwoods areas, where runaway slaves usually set up their makeshift communities. Many times, Indians and free blacks made up these search parties. They proved exceptionally successful on account of their connections and knowledge of the terrain. A letter from Captain Fernando de Leyba to Unzaga referred to the resourcefulness and convenience of using Indians to capture runaways. Arkansas commandant Leyba reported that the Osage Indians near the Ste. Gueneviere area killed a Frenchman and stole two Negroes. In response to these offenses, Leyba sent “some Quapaw to reclaim the blacks” because “this is the nation most respected by the said Osages.” On June 31, 1771, “three Quapaws, an interpreter, and two Europeans” left the Post to retrieve the blacks.<sup>97</sup> Leyba sent a second letter on July 19, 1771, which stated that “the Quapaw party that went out has returned, bringing with them the two slaves, whom I have sent to their master.”<sup>98</sup>

During the 1780s and 1790s, Carondelet limited not only the travel of slaves, but prohibited slaves from possessing fire arms. For example, masters could only maintain two slaves during hunting expeditions, and these slaves had to give up all munitions upon the conclusion of the hunts.<sup>99</sup> At the Arkansas Post, the commandants were asked to institute these safeguards and others to crack down on slaves’ independence. Some slave holders at other settlements officiated at the weddings of their slaves to remove any outside entity from assuming authority over their possessions. The Church concluded that

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<sup>96</sup> Arnold, “Indians and Immigrants in the Arkansas Colonial Era,” 72

<sup>97</sup> Letter Leyba to Unzaga. 6 June 1771, Paris Archives Nationales, trans Morris S. Arnold.

<sup>98</sup> Letter Leyba to Unzaga. 19 July 1771, Paris Archives Nationales, trans Morris S. Arnold.

<sup>99</sup> Usner, *Spaniards, Planters and Slaves*, 283.

slaves should be able to marry so they would not have to live in a permanent state of sin. The slave owners responded to this requirement by offering to marry the slaves for free. When Father Felix de Quintanar reported this practice to the bishop, the slave owners responded that “the usage [occurred] not only in this town but in all the colony.”<sup>100</sup> Therefore, while there is no documentation of this happening at the Post, it is reasonable to assume that this practice occurred outside of this one town.

The inability to attract more settlement to the Post was directly linked to the perilous lifestyle. The danger of floods and attacks from surrounding hostile Indians made settlements like Saint Louis and New Orleans that much more favorable. Furthermore, hunters and trappers remained as the largest sector of the population. A stable commercial base could not develop since a large portion of the population only frequented the Post a few times a year.<sup>101</sup> In 1800, financial struggles eventually overwhelmed the Post, and Spain gave the Louisiana territory back to France in the treaty of San Idelfonso. France never took control of the province, and in 1803 Napoleon sold the area to United States for fifteen-million dollars. Lieutenant James B. Many of the United State army replaced the Spanish commandant at the Arkansas Post. While political changes took place, it would take a number of years for social and economic modifications to follow suit.<sup>102</sup>

## **VIII. Conclusion**

Many typically associate slavery with the plight of African Americans before, during, and after the Civil War in the United States. However, the practice of slavery that

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<sup>100</sup> Arnold, *Colonial Arkansas 1686-1804*, 97.

<sup>101</sup> Arnold, *Colonial Arkansas 1868-1804*, 172,173.

<sup>102</sup> Coleman, *The Arkansas Post Story*, 76-77.

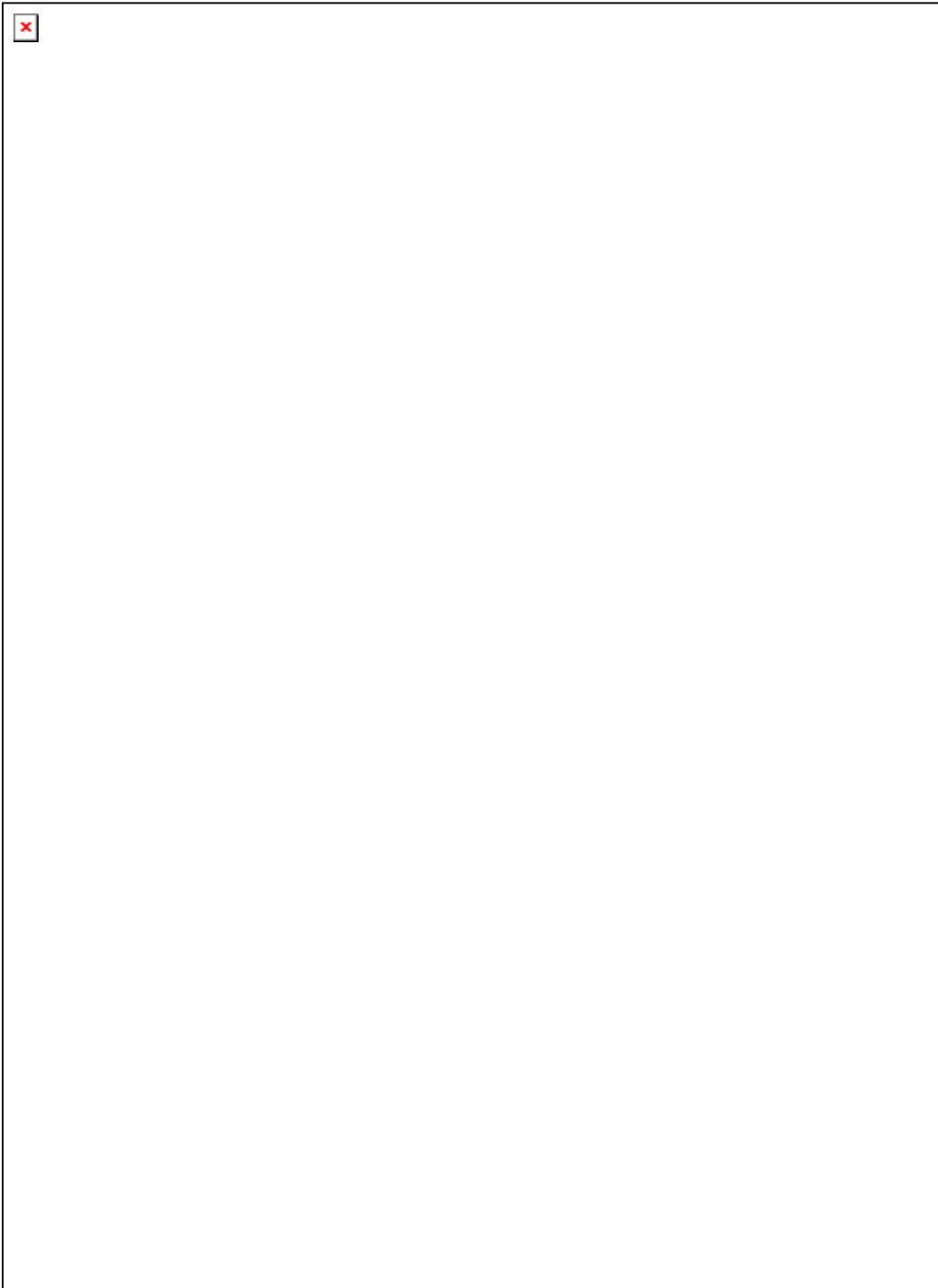
developed in the colonial era at the Arkansas Post can provide insight into the institution as a whole. Between 1721 and 1803, floods, wars, and disease plagued the settlers at the Arkansas Post. Beginning with the Law Concession in 1721, slavery was a continuous presence there. As the overall population increased, the numbers of slaves at the Post also rose. Living in relative isolation with little communication with regulatory councils in New Orleans, Post residents developed a way of life distinct from other settlements in the Louisiana territory. While French and Spanish slave codes dictated the appropriate treatment of slaves, many times these regulations had no effect at the Post. Changes in codes reflected the changes in command between European powers. With limited oversight, Post commandants fashioned these codes to create an institution that met the demands of the secluded Arkansas Post establishment.

With an economy based on hunting and trapping, a society influenced by a symbiotic relationship with the Quapaw, and politics characterized by an influential commandant, slavery at the Post manifested itself in unique ways. Large scale farming was not a component the Post's economy; therefore, the slaves worked with hunters and trappers in the business of trade, maintained small agricultural plots, served as domestic servants, and were trained as artisans. The occurrence of runaways reflected the misery of servitude, and how various parties mobilized force to make sure the institution survived. Most of the records of slavery from the Post deal with the struggle to prevent, capture, and return fugitive slaves.

Slavery at the Post presented a number of paradoxes. Post inhabitants depended on alliances with Native Americans for survival, but this affiliation did not keep European settlers from enslaving natives. The slave paradox continues with the

enslavement of white Europeans. Some French and trappers would purchase Spanish women and children as slaves. The relative lawlessness of the frontier allowed practices like slavery to develop such distinguishing traits. The Arkansas Post experience serves as one example of the different ways in which the institution of slavery can manifest itself. Research and questioning should continue to draw out the contradictions and intricacies of this practice.

Appendix 1:



Appendix 2:

<i>Commandant</i>	<i>Date</i>	<i>Free Population</i>	<i>Slave Population</i>	<i>Total Population</i>	<i>Percentage</i>
<i>John Law</i>	1723	41 (Adults)	6	47	9%
<i>Dufresne</i> (director of Law's concession)	1726	14	1	15	7%
<i>Louis Xavier Martin</i>	1749	96	14	110	13%
<i>Delino de Chalmette</i>	1766	40	10	50	20%
<i>Captain Alexander Chevalier de Clouet</i>	1768	83	35	138	25%
<i>Captain Jean Ignace Delino de Chalmette</i>	1791	114	32	151	21%
<i>Captian Jean Ignace Delino de Chalmette</i>	1793	171	49	220	22%
<i>Captain Charles Melchoir de Vilemont</i>	1794	283	53	336	16%
<i>Captain Charles Mechoir de Vilemont</i>	1796	282	42	324	13%
<i>Captain Charles Melchoir de Vilemont</i>	1798	337	56	393	14%